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January 27, 2021

Via Electronic & U.S. Mail

Scott McMillan
The McMillan Law Firm
4670 Nebo Drive, Suite 200
La Mesa, CA 91941-5230
scott@mcmillanlaw.us

RE: Public Records Act Request

Dear Mr. McMillan:

Thank you for your recent communications. To summarize our correspondence, the Imperial County Registrar of Voters (“ROV”) received your request dated December 18, 2020 for records related to “General Election, November 3, 2020.” On December 28, 2020, we sent you the enclosed fourteen (14) day extension letter based in part on a request for voluminous records. On January 11, 2021, we sent you the enclosed letter responding as follows:

Request #1	records provided (certifications)
Request #2	no records
Request #3-4	voter registration application needed
Request #5	answer provided
Request #6-13	exemptions claimed (security)
Request #14-18	records provided (cybersecurity plan)
Request #19-25	exemptions claimed (security)
Request #26-35	no records
Request #36-39	voter registration application needed
Request #40-42	no records
Request #43	voter registration application needed
Request #44	records provided (certifications)
Request #45	answer provided
Request #46	no records
Request #47	records provided (certifications)
Request #48	rolling production
Request #49-50	records provided (ballot logs)
Request #51	no records
Request #52-63	rolling production

Accordingly, pending requests consist of: Requests # 3-4, 36-39, 43, 48, and 52-63.

For Request #48, the total number of ballots determined by the county through adjudication for the November 3, 2020 election is 17,148.

On January 12, 2021, I had a phone call with you regarding clarifying and narrowing Requests #53 and 54. During this phone conversation, you stated that the main purpose in submitting your request to the ROV is to verify that the proper procedures were followed during the recent 2020 General Election. You also stated that you wanted all communications with any person employed by or affiliated with Dominion Voting Systems, Inc. between the dates provided in your request. You explained that you were concerned with the way Dominion Voting Systems, Inc.'s employees provided services to its clients, and that you suspect that the company tampered with election results.

You did not provide any additional clarification as to Request #54, other than that you were concerned with third parties manipulating election results. I stated during this phone conversation that the ROV does indeed intend on producing records responsive to your request; however, I also reiterated that response times will be delayed because the County has been seriously affected by the COVID-19 pandemic, and that your request for such communications was voluminous. You stated that you understood. Also during this phone conversation, you stated that you were submitting California Public Records Act ("CPRA") requests to other counties throughout the state of California, and intend on posting all responses and responsive documents received online.

On January 20, 2021, we received a follow up reply from you regarding your CPRA request. As a professional courtesy, we are electing to reply to your follow up reply within the seven (7) days that you had requested. You begin your letter by expressing that you do not believe that the ROV has made a good faith effort to locate responsive documents. Please be assured that the ROV has, and will continue to, utilize its best efforts to locate records that are responsive to your request, despite the restrictions and interruptions to workflow resulting from the COVID-19 pandemic. ROV staff are working diligently to search for, identify, compile in a compatible electronic format, review for pertinent exemptions, potentially redact, and finally produce the requested records as soon as possible, and anticipate being able to send you responsive records promptly under the circumstances.

Accordingly, please find enclosed additional nonexempt records that have been deemed responsive to your Requests #55 through 63. Waiver of the cost of duplication in this instance only does not constitute a waiver of costs for future records requests, if any. Additionally, the ROV has identified additional records and information that are within the possession of the California Secretary of State, and may also be responsive to your requests. This information may be accessed through Secretary of State's website at the following web address:
<https://www.sos.ca.gov/elections/ovsta/frequently-requested-information/dominion-voting>.

Your follow up reply goes on to request that ROV: (1) keep a record of the efforts to search for responsive documents; (2) mark documents deemed by the ROV to be confidential as "non-public" or "restricted;" (3) provide the legal basis for determining a document is confidential or restricted; (4) Bate stamp all responsive documents, and (5) provide all "non-

public” documents to you in a separate packet. Your reply then poses a series of questions and requests the County provide an exemption log reflecting the documents withheld and the exemption claimed. Your reply also requests a numerical identifier be assigned to equipment and personnel.

In response to these latest requests, please be aware that the rights provided in the CPRA are to “inspect” public records and/or to “obtain a copy” of those records. California Government Code § 6253(a), (b). The CPRA does not compel a public agency to create lists or reports in response to questions. A CPRA request applies only to records existing at the time of the request; it does not require a local agency to produce records that may be created in the future. A local agency has no duty to create a record that does not exist at the time of the request. California Government Code § 6252(e). The CPRA also does not require that a local agency create a “privilege log” or list that identifies the specific records being withheld. *Haynie v. Superior Court* (2001) 26 Cal.4th 1061, 1075. The response need only identify the legal grounds for nondisclosure.

Consequently, the ROV respectfully declines your request to Bate stamp or otherwise mark or notate existing records. Additionally, the ROV declines your request to create any form of privilege log, or otherwise identify records that are being withheld from disclosure. Should the ROV determine that records within its possession are exempt from disclosure for reasons different from or in addition to those specified in our January 11th letter, the ROV will provide you with written notice of the exemption being claimed.

As to your request to redact specified security records otherwise exempt from disclosure under the CPRA, we are working with technology staff to determine the extent to which such redaction might be possible. However please note that the CRPA does not require a local agency to produce redacted records when the burden of redacting such records becomes too great. *American Civil Liberties Union Foundation v. Deukmejian* (1982) 32 Cal.3d 440, 458. Additionally, if exempt information is inextricably intertwined with nonexempt information, a record may be withheld in its entirety. *Id.*

With regard to your request for all communications with any person employed by or affiliated with Dominion Voting Systems, Inc. and the Secretary of State’s Office of Voting Systems Technology Assessment from April 1, 2019 through December 10, 2020, the ROV has identified records responsive to this request. Accompanying this letter, please find County Clerk/Registrar of Voters Memorandums which were received by the ROV by the Secretary of State’s Office of Voting Systems Technology Assessment during the above mentioned time frame. We will continue to process additional responsive records for exemptions, redact where the law requires, and produce such records on a rolling basis.

With respect to your request for voter registration information, the ROV is in receipt of your Application to Purchase/View Voter Registration Information (“Application”). However, the ROV has determined that your Application is incomplete. Under Election Code § 2188(c), if an applicant submits an application to access voter registration information on behalf of another, the applicant must identify the person authorizing or requesting the applicant to obtain the voter registration information. In your initial letter dated December 18, 2020, you stated that you were

requesting information from the ROV on behalf of your client, who wished to remain anonymous. However, you did not identify who authorized or requested you to obtain such information.

Further, Elections Code §2188(b)(2) requires that both the complete residence address and complete business address of the applicant be filled out on the application for voter registration information. In reviewing your Application it appears that only your business address was provided. Lastly, in accordance with Elections Code §2188(d), the ROV requests that you provide a copy of your driver's license so that staff can verify that the driver's license number you provided on the application matches your physical driver's license. Please complete the Application and send it back to me, along with a copy of your driver's license, for processing.

Under Imperial County Ordinance 2.16.070, there are two ways in which you may receive voter registration information. If you wish to receive hard copies, the cost of production is \$0.01 per line, or \$1,552.11 total for the cost of the records you seek. If you would like the information in electronic format, the total cost of production is \$190.00. Please note that pursuant to Elections Code §2194(a)(2), voter registration information shall not be used for any personal, private or commercial purpose and cannot be reproduced in print, broadcast visual or audio, or displayed on the internet or any computer terminal. Voter registration information can only be provided to any candidate for federal, state, or local office; to any committee for against an initiative or referendum measure for which legal publication is made; or to any person for election, scholarly, journalistic, or political purposes, or for governmental purposes, as determined by the Secretary of State. Elections Code §2194.

The ROV will not provide voter registration information until payment is received. Currently, the ROV only accepts payment via check, which can be mailed to the following address:

Imperial County Registrar of Voters
940 W. Main Street, Suite 206
El Centro, CA 92243

If you have any questions regarding this response, please contact me at (442) 265-1140.

Sincerely,

ADAM G. CROOK
COUNTY COUNSEL

Faye Winkler

By: Faye Winkler
Deputy County Counsel

Encl.

Adam G. Crook
County Counsel

Eric Havens
Assistant County Counsel



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December 28, 2020

Via Electronic Mail

Scott McMillan
The McMillan Law Firm
4670 Nebo Drive, Suite 200
La Mesa, CA 91941-5230
scott@mcmillanlaw.us

RE: Public Records Act Request

Dear Mr. McMillan,

The Imperial County Registrar of Voters is in receipt of your request for records dated December 18, 2020. Your request involves the need to search for and collect the requested records from facilities and establishments that are separate from the office processing the request; the need to search for, collect, and examine a voluminous amount of separate and distinct records; and the need for consultation with other departments having substantial interest in the determination of the request.

Accordingly, pursuant to Government Code section 6253(c), the period of time within which we will respond to your request is extended to January 11, 2021.

If you have any questions regarding this response, please contact me at (442) 265-1140.

Sincerely,

ADAM G. CROOK
COUNTY COUNSEL

Faye Winkler

By: Faye Winkler
Deputy County Counsel

Adam G. Crook
County Counsel

Eric Havens
Assistant County Counsel



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January 11, 2021

Via Electronic Mail

Scott McMillan
The McMillan Law Firm
4670 Nebo Drive, Suite 200
La Mesa, CA 91941-5230
scott@mcmillanlaw.us

RE: Public Records Act Request

Dear Mr. McMillan,

This letter is in response to your request for public records from the Imperial County Registrar of Voters (“ROV”) dated December 18, 2020.

As discussed below, several of the requests seek voter registration information and voter history. In general, voter registration information is considered confidential pursuant to section 2194 of the California Elections Code. However some voter registration information, including voter history, can be applied for and purchased pursuant to sections 2188 and 2194 of the California Elections Code, as well as California Code of Regulations, title 2, section 19001, *et seq.*, These statutes and code sections require, among other things the submittal of an application form and in order to receive voter registration information. Please fill out the attached voter registration information application and email it to josiemorales@co.imperial.ca.us and pay the requisite fee as detailed in Imperial County Ordinance 2.16.070.

The ROV’s response to each request is as follows:

1. *“Provide those documents identifying, by date, time and means, all synchronization transmissions between the California Secretary of State and the county Registrar of Voters.”*

The ROV does not possess records that contains all of the information requested. However, the ROV will make available the Statement of Registration Certifications which it completed for

the 2020-2021 schedule in accordance with County Clerk/Registrar of Voters (“CCROV”) Memorandum #19135.

2. *“Provide those documents with the results of each synchronization transmission between the California Secretary of State and the county Registrar of Voters, by number of registrants confirmed as valid, and those that are identified as invalid.”*

The ROV does not possess records responsive to this request.

3. *“Provide those documents which reflect notifications from the Secretary of State requesting or directing modifications to a voter’s registration record between September 1, 2020 and November 15, 2020.”*

The ROV possesses records responsive to this request. As mentioned above, voter registration information is confidential and cannot be disclosed except as specified in Elections Code section 2194. To receive voter registration data, please fill out the attached application, send a completed application to josiemorales@co.imperial.ca.us, and pay the requisite fee as detailed in Imperial County Ordinance 2.16.070.

4. *“Provide those documents that reflect, in summary form, the modifications to the voter registration record, by date, time, and by any unique voter registration number or name of voter, for those records modified between September 1, 2020 and November 15, 2020.”*

The ROV possess records responsive to this request. As mentioned above, voter registration information is confidential and cannot be disclosed except as specified in Elections Code section 2194. To receive voter registration data, please fill out the attached application, send a completed application to josiemorales@co.imperial.ca.us, and pay the requisite fee as detailed in Imperial County Ordinance 2.16.070.

5. *“Provide those documents identifying where, by geographic location, ballots were counted in the County between October 15, 2020, through November 30, 2020.”*

The ROV counted ballots in its department at the Imperial County Administration Building located at 940 Main Street, Suite 206, El Centro, California 92243.

6. *“Provide those documents, i.e., logs, narratives of inspection, created between September 1, 2020 and November 15, 2020 reflecting “Active management (inventory, tracking, and correction) of all software on the network so that only authorized software is installed and can execute” took place in compliance with 2 CCR § 19064(c)(2).”*

Records that describe potential vulnerabilities and the ROV’s resolution of such risks are exempt from disclosure pursuant to Government Code section 6254(aa), 6254.19 and 6255 and Title 2 California Code of Regulations section 19064.

7. *“Provide those documents, i.e., logs, narratives of inspection, created between September 1, 2020 and November 15, 2020 reflecting “active management (tracking, reporting, and correction) of the security configuration of laptops, servers, and workstations in order to prevent attackers from exploiting vulnerable services and settings” took place in compliance with 2 CCR § 19064(c)(3).”*

Records that describe potential vulnerabilities and the ROV’s resolution of such risks are exempt from disclosure pursuant to Government Code section 6254(aa), 6254.19 and 6255 and Title 2 California Code of Regulations section 19064.

8. *“Provide those documents, i.e., logs, narratives of inspection, created between September 1, 2020 and November 15, 2020 reflecting “Active management (tracking, control, and correction) of the ongoing operational use of ports, protocols, and services on networked devices in order to minimize vulnerabilities available for attack” took place in compliance with 2 CCR § 19064(c)(9).”*

Records that describe potential vulnerabilities and the ROV’s resolution of such risks are exempt from disclosure pursuant to Government Code section 6254(aa), 6254.19 and 6255 and Title 2 California Code of Regulations section 19064.

9. *“Provide the log files for all data traffic, including connection requests accepted and refused, between the county’s election information file and any other location between September 1, 2020 and November 15, 2020.”*

This request seeks information security records that are exempt from disclosure pursuant to Government Code section 6254(aa), 6254.19 and 6255 and 2 California Code of Regulations section 19064.

10. *“Provide those documents, i.e., logs, narratives of inspection, created between September 1, 2020 and November 15, 2020 reflecting “ Tracking, controlling, preventing, and correcting the security use of wireless local area networks, access points, and wireless client systems” which took place in compliance with 2 CCR § 19064(c)(15).”*

This request seeks information security records that are exempt from disclosure pursuant to Government Code section 6254(aa), 6254.19 and 6255 and 2 California Code of Regulations section 19064.

11. *“Provide those documents, i.e., logs, narratives of inspection, created between September 1, 2020 and November 15, 2020 reflecting the inventory and identification of all wireless connections in the County’s ballot processing location.”*

This request seeks information security records that are exempt from disclosure pursuant to Government Code section 6254(aa), 6254.19 and 6255 and 2 California Code of Regulations section 19064.

12. *“Provide those documents, i.e., logs, narratives of inspection, created between September 1, 2020 and November 15, 2020 reflecting the inventory and identification of all wireless-capable devices in the County’s ballot processing location.”*

This request seeks information security records that are exempt from disclosure pursuant to Government Code section 6254(aa), 6254.19 and 6255 and 2 California Code of Regulations section 19064.

13. *“Provide those documents, identifying by serial number, MAC address, device, and location, and the custodian of, all wireless-capable devices in the County’s ballot processing location between November 2, 2020 and November 13, 2020.”*

This request seeks information security records that are exempt from disclosure pursuant to Government Code section 6254(aa), 6254.19 and 6255 and 2 California Code of Regulations section 19064.

14. *“Provide those documents, reflecting any incident response infrastructure (e.g., plans, defined roles, training, communications, and management oversight) operational prior to October 15, 2020, which took place in compliance with 2 CCR § 19064(c)(19).”*

The ROV is in possession of records responsive to this request. Please see the attached “Office of Election Cybersecurity Crisis Communications Plan” from the California Secretary of State, Office of Elections. Additionally, please find attached CCROV Memorandum #19084 from the Secretary of State, Office of Election Cybersecurity dated September 20, 2019 re: Primary Election: Recommendations of Minimizing Cyber Risk.

15. *“Provide those documents, reflecting training on any incident response infrastructure (e.g., plans, defined roles, training, communications, and management oversight) prior to October 15, 2020.”*

The ROV is in possession of records responsive to this request. Please see the attached “Office of Election Cybersecurity Crisis Communications Plan” from the California Secretary of State, Office of Elections. Additionally, please find attached County Clerk/Registrar of Voters (“CCROV”) Memorandum #19084 from the Secretary of State, Office of Election Cybersecurity dated September 20, 2019 re: Primary Election: Recommendations of Minimizing Cyber Risk.

16. *“Provide those documents, reflecting roles on any incident response infrastructure (e.g., plans, defined roles, training, communications, and management oversight) prior to October 15, 2020.”*

The ROV is in possession of records responsive to this request. Please see the attached “Office of Election Cybersecurity Crisis Communications Plan” from the California Secretary of State, Office of Elections. Additionally, please find attached County Clerk/Registrar of Voters (“CCROV”) Memorandum #19084 from the Secretary of State, Office of Election Cybersecurity dated September 20, 2019 re: Primary Election: Recommendations of Minimizing Cyber Risk.

17. *“Provide those documents, reflecting communications on any incident response infrastructure (e.g., plans, defined roles, training, communications, and management oversight) prior to October 15, 2020.”*

The ROV is in possession of records responsive to this request. Please see the attached “Office of Election Cybersecurity Crisis Communications Plan” from the California Secretary of State, Office of Elections. Additionally, please find attached County Clerk/Registrar of Voters (“CCROV”) Memorandum #19084 from the Secretary of State, Office of Election Cybersecurity dated September 20, 2019 re: Primary Election: Recommendations of Minimizing Cyber Risk.

18. *“Provide those documents, reflecting management oversight on any incident response infrastructure (e.g., plans, defined roles, training, communications, and management oversight) prior to October 15, 2020.”*

The ROV is in possession of records responsive to this request. Please see the attached “Office of Election Cybersecurity Crisis Communications Plan” from the California Secretary of State, Office of Elections. Additionally, please find attached County Clerk/Registrar of Voters (“CCROV”) Memorandum #19084 from the Secretary of State, Office of Election Cybersecurity dated September 20, 2019 re: Primary Election: Recommendations of Minimizing Cyber Risk.

19. *“Provide those documents reflecting the identity of each person that has accessed the routers for the county’s EMS and election information systems between October 15, 2020 and November 13, 2020.”*

This request seeks information security records that are exempt from disclosure pursuant to Government Code sections 6254(c), 6254(aa), 6254.19 and 6255 and 2 California Code of Regulations section 19064.

20. *“Provide those documents which identify all persons, not permanently employed by the County, who accessed servers or routers of the EMS and election information system between October 15, 2020 and November 14, 2020.”*

This request seeks information security records that are exempt from disclosure pursuant to Government Code sections 6254(c), 6254(aa), 6254.19 and 6255 and Title 2 California Code of Regulations section 19064.

21. *“Provide documents which identify all persons authorized by the county who accessed servers or routers of the EMS and election information system between October 15, 2020 and November 14, 2020.”*

This request seeks information security records that are exempt from disclosure pursuant to Government Code sections 6254(c), 6254(aa), 6254.19 and 6255 and Title 2 California Code of Regulations section 19064.

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22. *“Provide those documents which identify all persons with USB or ‘flash drives’ that were allowed access to any location where votes were tallied or processed in the County.”*

This request seeks information security records that are exempt from disclosure pursuant to Government Code sections 6254(c), 6254(aa), 6254.19 and 6255 and Title 2 California Code of Regulations section 19064.

23. *“Provide those documents which identify all persons with sign-on authentication authorization as a direct user to the county's EMS and election information system between September 15, 2020 and December 1, 2020.”*

This request seeks information security records that are exempt from disclosure pursuant to Government Code sections 6254(c), 6254(aa), 6254.19 and 6255 and Title 2 California Code of Regulations section 19064.

24. *“Provide the log files for the county's EMS and election information system with entries between September 15, 2020 and December 1, 2020.”*

This request seeks information security records that are exempt from disclosure pursuant to Government Code sections 6254(c), 6254(aa), 6254.19 and 6255 and Title 2 California Code of Regulations section 19064.

25. *“Provide those documents or records reflecting a network topology plan or map referencing the devices attached each other device within the county's EMS and election information system.”*

This request seeks information security records that are exempt from disclosure pursuant to Government Code sections 6254(c), 6254(aa), 6254.19 and 6255 and Title 2 California Code of Regulations section 19064.

26. *“Provide those documents or records reflecting the log monitoring tools used to send real-time alerts and notifications.”*

The ROV does not possess records responsive to this request.

27. *“Provide the “real-time alerts and notifications”, as referenced in 2 CCR 19064(e)(3) sent between September 1, 2020 through December 10, 2020.”*

The ROV does not possess records responsive to this request.

28. *“Provide those documents or records reflecting review, at any time, of “any errors, abnormal activities, and any system configuration changes”, identified between September 1, 2020 through December 10, 2020.”*

The ROV does not possess records responsive to this request.

29. *“Provide those documents which reflect “any errors” in the county's EMS and election information system identified between September 1, 2020 through December 10, 2020.”*

The ROV does not possess records responsive to this request.

30. *“Provide those documents which reflect “abnormal activities” in the county's EMS and election information system identified between September 1, 2020 through December 10, 2020.”*

The ROV does not possess records responsive to this request.

31. *“Provide those documents which reflect “system configuration changes” in the county's EMS and election information system identified between September 1, 2020 through December 10, 2020.”*

The ROV does not possess records responsive to this request.

32. *“Provide those documents which reflect “unauthorized use” in the county's EMS and election information system identified between September 1, 2020 through December 10, 2020.”*

The ROV does not possess records responsive to this request.

33. *“Provide those documents which reflect “suspected breach” in the county's EMS and election information system identified between September 1, 2020 through December 10, 2020.”*

The ROV does not possess records responsive to this request.

34. *“Provide those documents which reflect “denial of service attack ” in the county's EMS and election information system identified between September 1, 2020 through December 10, 2020.”*

The ROV does not possess records responsive to this request.

35. *“Provide those documents reflecting a report to the Secretary of State Elections Division Help Desk of a “detected unauthorized use, suspected breach, or denial of service attack” between September 1, 2020 through December 10, 2020, as required under 2 CCR 19064 (g).”*

The ROV does not possess records responsive to this request.

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36. *“All records reflecting change in registration status submitted to the statewide voter system by the county due to felony status processed between September 1, 2020, and November 10, 2020.”*

The ROV possesses records responsive to this request. As mentioned above, voter registration information is confidential and cannot be disclosed except as specified in Elections Code section 2194. To receive voter registration data, please fill out the attached application, send a completed application to josiemorales@co.imperial.ca.us, and pay the requisite fee as detailed in Imperial County Ordinance 2.16.070.

37. *“All records reflecting change in registration status submitted to the statewide voter system by the county due to federal felony status processed between September 1, 2020, and November 10, 2020.”*

The ROV’s responsive records do not identify whether the change in registration status is due to a state versus a federal felony. As mentioned above, voter registration information is confidential and cannot be disclosed except as specified in Elections Code section 2194. To receive voter registration data, please fill out the attached application, send a completed application to josiemorales@co.imperial.ca.us, and pay the requisite fee as detailed in Imperial County Ordinance 2.16.070.

38. *“All records reflecting change in registration status submitted to the statewide voter system by the county due to county death records reflecting voter to be deceased processed between September 1, 2020, and November 10, 2020.”*

The ROV possesses records responsive to this request. As mentioned above, voter registration information is confidential and cannot be disclosed except as specified in Elections Code section 2194. To receive voter registration data, please fill out the attached application, send a completed application to josiemorales@co.imperial.ca.us, and pay the requisite fee as detailed in Imperial County Ordinance 2.16.070.

39. *“All records reflecting the total cancellations directed by the Secretary of State processed by the county between September 1, 2020, and November 10, 2020.”*

The ROV possesses records responsive to this request. As mentioned above, voter registration information is confidential and cannot be disclosed except as specified in Elections Code section 2194. To receive voter registration data, please fill out the attached application, send a completed application to josiemorales@co.imperial.ca.us, and pay the requisite fee as detailed in Imperial County Ordinance 2.16.070.

40. *“All records reflecting searches of county felony records between September 1, 2020, and November 10, 2020.”*

The ROV does not possess records responsive to this request.

41. *“All records reflecting searches of county death records between September 1, 2020, and November 10, 2020.”*

The ROV does not possess records responsive to this request.

42. *“All records reflecting county searches of DMV Change of Address (DMV COA) between September 1, 2020, and November 10, 2020.”*

The ROV does not possess records responsive to this request.

43. *“All records reflecting total submissions by changes in the registration record to the statewide voter registration system in accordance with Section 19061, between September 1, 2020, and November 10, 2020.”*

The ROV possesses records responsive to this request. As mentioned above, voter registration information is confidential and cannot be disclosed except as specified in Elections Code section 2194. To receive voter registration data, please fill out the attached application, send a completed application to josiemorales@co.imperial.ca.us, and pay the requisite fee as detailed in Imperial County Ordinance 2.16.070

44. *“Those documents reflecting the dates of certifications of information provided to the Secretary of State according to 2 CCR § 19086(b).”*

The ROV is in possession of documents responsive to this request. Please see attached the Statement of Registration Certifications which it completed for the 2020-2021 schedule in accordance with County Clerk/Registrar of Voters (“CCROV”) Memorandum #19135.

45. *“Those documents reflecting the date of generation of the official list extract from the statewide voter registration system for the purpose of conducting the 2020 General Election.”*

The date of generation of the official list extract from the statewide voter registration system for the purpose of conducting the 2020 General Election is October 23, 2020.

46. *“Those documents reflecting the date of each subsequent or supplemental rosters, after the initial roster for the purpose of conducting the 2020 General Election.”*

The ROV does not possess records responsive to this request.

47. *“All certifications executed by any county election official for the November 3, 2020 General Election.”*

The ROV possesses records responsive to this request. Please see attached the Certified Results of the November 3, 2020 General Election.

48. *“The number of ballots determined by the county through adjudication for the November 3, 2020 election.”*

The ROV staff is diligently reviewing its records to provide the number of ballots determined by the County of Imperial through adjudication for the November 3, 2020 General Election. The ROV intends to provide you with this information once it becomes available.

49. *“All ballots duplicated by the county through adjudication for the November 3, 2020 election.”*

2,096 ballots were duplicated for the 2020 General Election. To the extent this request seeks production of the actual ballots themselves, such records are exempt from disclosure pursuant to Government Code sections 6254(k) and 6255, the California Constitution, article II, Section 7, and Elections Code sections 15370 (after ballots are counted and sealed, the elections official may not open any ballots nor permit any ballots to be opened), 15630 (all ballots, whether voted or not, and any other relevant material, may be examined as part of any recount if the voter filing the declaration requesting the recount so requests) and 17302 (packages containing ballots and identification envelopes shall be kept by the elections official, unopened and unaltered, for six months from the date of the election).

50. *“Those documents that identify the records of ballots duplicated for the November 3, 2020 election.”*

The ROV possesses records responsive to this request. Please see the attached Duplicate Logs that were filled out for each duplicated ballot by precinct. To the extent this request seeks production of the actual ballots themselves, such records are exempt from disclosure pursuant to Government Code sections 6254(k) and 6255, the California Constitution, article II, Section 7, and Elections Code sections 15370 (after ballots are counted and sealed, the elections official may not open any ballots nor permit any ballots to be opened), 15630 (all ballots, whether voted or not, and any other relevant material, may be examined as part of any recount if the voter filing the declaration requesting the recount so requests) and 17302 (packages containing ballots and identification envelopes shall be kept by the elections official, unopened and unaltered, for six months from the date of the election).

51. *“Those documents that identify the records of ballots adjudicated for the November 3, 2020 election.”*

The ROV does not possess records responsive to this request.

52. *“Those documents that identify the records of changes to ballots made for the November 3, 2020 election.”*

The ROV intends to comply with the above request and would like further clarification on what you seek in order to provide a meaningful response. Please contact me so that we can work together to clarify your request pursuant to Government Code section 6253.1.

53. *“All correspondence, whether such correspondence occurred by physical letter, email, text message, with any person employed by or affiliated with Dominion Voting Systems, Inc. between April 1, 2019 through December 10, 2020.”*

Please be informed that the California Supreme Court has held that even a clearly-framed public records request which requires an agency to search an enormous volume of data for a “needle in a haystack” or, conversely, a request which compels the production of a huge volume of material may be objectionable as unduly burdensome. See *California First Amendment Coalition v. Superior Court of Sacramento* (1998) 67 Cal.App.4th 159, 166; *American Civil Liberties Union Foundation v. Deukmejian* (1982) 32 Cal. 3d 440, 463; *Rosenthal v. Hansen* (1973) 34 Cal. App. 3d 754, 761; 64 Ops. Cal. Atty. Gen. 186, 190; 9 Witkin Cal. Proc. Admin Proc § 5. Notwithstanding, the ROV will comply with this request, but would like to work with you in narrowing your request so that the ROV can provide you with a meaningful response. Please contact me so that we can work together to clarify your request pursuant to Government Code section 6253.1

54. *“All correspondence, whether such correspondence occurred by physical letter, email, text message, with any person employed by or affiliated with the California Secretary of State’s Office of Voting Systems Technology Assessment between April 1, 2019 through December 10, 2020.”*

Please be informed that the California Supreme Court has held that even a clearly-framed public records request which requires an agency to search an enormous volume of data for a “needle in a haystack” or, conversely, a request which compels the production of a huge volume of material may be objectionable as unduly burdensome. See *California First Amendment Coalition v. Superior Court of Sacramento* (1998) 67 Cal.App.4th 159, 166; *American Civil Liberties Union Foundation v. Deukmejian* (1982) 32 Cal. 3d 440, 463; *Rosenthal v. Hansen* (1973) 34 Cal. App. 3d 754, 761; 64 Ops. Cal. Atty. Gen. 186, 190; 9 Witkin Cal. Proc. Admin Proc § 5. Notwithstanding, the ROV will comply with this request, but would like to work with you in narrowing your request so that the ROV can provide you with a meaningful response. Please contact me so that we can work together to clarify your request pursuant to Government Code section 6253.1

55. *“All electronic documents containing the phrase ‘Image Cast Remote 5.10’.”*

The ROV is diligently reviewing its electronic records to determine whether it possesses documents containing the above phrase. The ROV intends to provide you with those documents if and when they become available.

56. *“All electronic documents containing the phrase ‘Image Cast Remote 5.10A’.”*

The ROV is diligently reviewing its electronic records to determine whether it possesses documents containing the above phrase. The ROV intends to provide you with those documents if and when they become available.

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57. *“All electronic documents containing the phrase ‘Image Cast Remote 5.2’.”*

The ROV is diligently reviewing its electronic records to determine whether it possesses documents containing the above phrase. The ROV intends to provide you with those documents if and when they become available.

58. *“All electronic documents containing the phrase ‘Suite 5.10A.’”*

The ROV is diligently reviewing its electronic records to determine whether it possesses documents containing the above phrase. The ROV intends to provide you with those documents if and when they become available.

59. *“All electronic documents containing the phrase ‘Suite 5.10’.”*

The ROV is diligently reviewing its electronic records to determine whether it possesses documents containing the above phrase. The ROV intends to provide you with those documents if and when they become available.

60. *“All electronic documents containing the phrase ‘Suite 5.2’.”*

The ROV is diligently reviewing its electronic records to determine whether it possesses documents containing the above phrase. The ROV intends to provide you with those documents if and when they become available.

61. *“All electronic documents containing the phrase ‘ImageCast Evolution 5.10.9.3’.”*

The ROV is diligently reviewing its electronic records to determine whether it possesses documents containing the above phrase. The ROV intends to provide you with those documents if and when they become available.

62. *“All electronic documents containing the phrase ‘ImageCast ICX 5.10.11.11.’”*

The ROV is diligently reviewing its electronic records to determine whether it possesses documents containing the above phrase. The ROV intends to provide you with those documents if and when they become available.

63. *“All electronic documents containing the phrase ‘Eric Coomer’.”*

The ROV is diligently reviewing its electronic records to determine whether it possesses documents containing the above phrase. The ROV intends to provide you with those documents if and when they become available.

Due to Imperial County declaring a State of Emergency and recent events involving the County’s response to COVID-19, **our response times for public records act requests during this time will be delayed. We will, however, diligently process any pending requests in accordance with Govt. Code §6253.**

With this preface, County of Imperial staff are currently searching to identify, compile in a compatible electronic format, review for pertinent exemptions, potentially redact, and finally produce the requested records as soon as possible. We anticipate being able to send you responsive records promptly under the circumstances. Thank you for your patience. If you have any questions regarding this response, please contact me at (442) 265-1140.

Sincerely,

ADAM G. CROOK
COUNTY COUNSEL

Faye Winkler

By: Faye Winkler
Deputy County Counsel

Encl.



ALEX PADILLA | SECRETARY OF STATE | STATE OF CALIFORNIA
OFFICE OF VOTING SYSTEMS TECHNOLOGY ASSESSMENT
1500 11th Street | Sacramento, CA 95814 | **Tel** 916.695.1680 | **Fax** 916.653.4620 | www.sos.ca.gov

April 4, 2018

County Clerk/Registrar of Voters (CC/ROV) Memorandum #18073

TO: All County Clerks/Registrars of Voters

FROM: /s/ Rodney Rodriguez
Office of Voting Systems Technology Assessment

RE: Dominion Voting Systems, Inc.: Public Hearing for ImageCast Remote 5.2
Remote Accessible Vote by Mail System

Attached is the public hearing notice for Dominion Voting Systems, Inc.'s request for approval of the ImageCast Remote 5.2 Remote Accessible Vote by Mail System.

If you have any questions, please contact the Office of Voting Systems Technology Assessment at: (916) 695-1680, or email at Voting.Systems@sos.ca.gov.



Public Hearing on Request for Approval of Remote Accessible Vote by Mail System

Public Hearing Agenda

Dominion Voting Systems, Inc. ImageCast Remote 5.2 Remote Accessible Vote by Mail System

**April 27, 2018
9:00 a.m.
1500 11th Street
1st Floor Auditorium
Sacramento**

- I. Introductory Remarks
- II. Presentation of Consultants' Reports
- III. Secretary of State Report on the Remote Accessible Vote by Mail System
- IV. Remote Accessible Vote by Mail System Vendor Response to Reports
- V. Public Comment Period
- VI. Adjournment

Pursuant to Elections Code section 19211, notice is hereby given that a public hearing will be held to give interested persons an opportunity to express their views regarding Dominion Voting Systems, Inc.'s request for approval of the ImageCast Remote 5.2 Remote Accessible Vote by Mail System.

Auditorium doors open at 8:30 a.m.. Anyone wishing to provide oral comment at the hearing must complete a speaker's card upon arrival. Each speaker during the public comment period will be allotted three minutes for a presentation. Anyone wishing to submit written comments can do so by delivering it to the hearing or by e-mailing it to votingsystems@sos.ca.gov by 5:00 p.m. on Monday, May 7, 2018. Reports on the results of the certification testing can be located on the Secretary of State's webpage at www.sos.ca.gov.

In accordance with Title II of the Americans with Disabilities Act of 1990, reasonable accommodations are available. Requests for reasonable accommodations should be made at least 5 working days in advance of the hearing date. To request reasonable accommodations, please call (916) 695-1680.



ALEX PADILLA | SECRETARY OF STATE | STATE OF CALIFORNIA
OFFICE OF VOTING SYSTEMS TECHNOLOGY ASSESSMENT
1500 11th Street | Sacramento, CA 95814 | **Tel** 916.695.1680 | **Fax** 916.653.4620 | www.sos.ca.gov

August 6, 2019

County Clerk/Registrar of Voters (CC/ROV) Memorandum #19062

TO: All County Clerks/Registrars of Voters

FROM: /s/ Rodney Rodriguez
Office of Voting Systems Technology Assessment

RE: Voting Systems: Voting Technology Public Hearing

Attached is the public hearing agenda to be held on September 4, 2019, at 9:00 a.m. for the following voting technologies:

- Election Systems and Software's EVS 6.0.4.2 Voting System
- Dominion Voting Systems, Inc.'s Democracy Suite 5.10 Voting System
- Dominion Voting Systems, Inc.'s ImageCast Remote 5.10 Remote Accessible Vote by Mail System

If you have any questions, please contact the Office of Voting Systems Technology Assessment at: (916) 695-1680, or email at Voting.Systems@sos.ca.gov.



ALEX PADILLA | SECRETARY OF STATE | STATE OF CALIFORNIA
OFFICE OF VOTING SYSTEMS TECHNOLOGY ASSESSMENT
1500 11th Street | Sacramento, CA 95814 | Tel 916.695.1680 | Fax 916.653.4620 | www.sos.ca.gov

Public Hearing on Request for Approval of Voting Technology

September 4, 2019

9:00 a.m.

**1500 11th Street
1st Floor Auditorium
Sacramento**

Agenda

**Election Systems and Software (ES&S)
EVS 6.0.4.2 Voting System**

**Dominion Voting Systems, Inc.
Democracy Suite 5.10 Voting System**

**Dominion Voting Systems, Inc.
ImageCast Remote 5.10
Remote Accessible Vote by Mail System**

Pursuant to Elections Code sections 19211 and 19287, notice is hereby given that a public hearing will be held to give interested persons an opportunity to express their views regarding the above vote technology.

Auditorium doors open at 8:30 a.m. Anyone wishing to provide oral comment at the hearing must complete a speaker's card upon arrival. Each speaker during the public comment period will be allotted three minutes for a presentation. Anyone wishing to submit written comments can do so by delivering it to the hearing or by e-mailing it to votingsystems@sos.ca.gov by 5:00 p.m. on September 13, 2019.

In accordance with Title II of the Americans with Disabilities Act of 1990, reasonable accommodations are available. Requests for reasonable accommodations should be made at least five (5) working days in advance of the hearing date. To request reasonable accommodations, please call (916) 695-1680.



ALEX PADILLA | SECRETARY OF STATE | STATE OF CALIFORNIA
OFFICE OF VOTING SYSTEMS TECHNOLOGY ASSESSMENT
1500 11th Street | Sacramento, CA 95814 | **Tel** 916.653.7244 | **Fax** 916.653.4620 | www.sos.ca.gov

October 18, 2019

County Clerk/Registrar of Voters (CC/ROV) Memorandum #19102

TO: All County Clerks/Registrars of Voters

FROM: /s/ Susan Lapsley
Deputy Secretary of State and Counsel

RE: Voting Systems: Approval of Dominion Voting Systems, Inc.'s Democracy Suite Version 5.10 Voting System and Election Systems & Software, Inc.'s Electronic Voting System (EVS) Version 6.0.4.2 Voting System

The California Secretary of State has approved Dominion Voting Systems, Inc.'s Democracy Suite Version 5.10 Voting System and Election Systems & Software, Inc.'s Electronic Voting System (EVS) Version 6.0.4.2 Voting System.

Attached is a copy of the approval documents.

Attachment: (1)



SECRETARY OF STATE

CONDITIONAL APPROVAL OF DOMINION VOTING SYSTEMS, INC. DEMOCRACY SUITE VERSION 5.10 VOTING SYSTEM

Whereas, pursuant to Elections Code section 19202, no voting system, in whole or in part, may be used unless it has received the approval of the Secretary of State; and

Whereas, Dominion Voting Systems, Inc. submitted an application for the Democracy Suite 5.10 voting system, which is comprised of Election Management System Software version 5.10.11.24, ImageCast Evolution Software version 5.10.9.3, ImageCast Central Software version 5.10.0.1002, ImageCast X Software version 5.10.11.11, Adjudication Software version 5.10.10.1, ImageCast Precinct 2 Software version 5.10.3.6, ImageCast Voter Activation Software version 5.10.11.24, and Mobile Ballot Production Software version 5.10.11.24 with Oki C712 and Oki C931 printers; and

Whereas, during a series of tests conducted by the Secretary of State's office, the voting system performed in a manner consistent with California Voting System Standards, and California law; and

Whereas, the voting system was able to successfully and accurately execute all test cases, scenarios, and scripts developed by the Secretary of State's office; and

Whereas, the request for approval of the voting system as described above was considered at a public hearing held September 4, 2019, at Sacramento, California.

Therefore, I, Alex Padilla, Secretary of State for the State of California, find and determine, pursuant to Division 19 of the Elections Code, as follows:

For the reasons set forth above, the Democracy Suite 5.10 voting system is hereby approved.

Use of the Democracy Suite 5.10 voting system must comply with all California Election Code and California Code of Regulation requirements and is also subject to the following terms and conditions:

1. Jurisdictions are prohibited from installing any software applications or utilities on any component of the voting system that have not been identified by the vendor and approved by the Secretary of State.

2. Prior to sale or use of the system in California, the vendor must provide to all jurisdictions its Use Procedures, entitled "Democracy Suite 5.10, California Use Procedures," which the Secretary of State hereby approves. Compliance with the Use Procedures by the vendor and jurisdictions is a condition of the approval of this voting system. Compliance with all requirements set forth in the Use Procedures is mandatory, whether or not a particular requirement is identified in this approval document.
3. The system shall be utilized in a configuration of parallel central election management systems separated by an "air-gap" where (1) a permanent central system known to be running unaltered, certified software and firmware is used solely to define elections and program voting equipment and memory cards, (2) a physically-isolated duplicate system, reformatted after every election to guard against the possibility of infection, is used solely to read memory cards containing vote results, accumulate - and tabulate those results and produce reports, and (3) a separate computer dedicated solely to this purpose is used to reformat all memory devices before they are connected to the permanent system again.
4. No substitution or modification of the voting system shall be made with respect to any component of the voting system, including the Use Procedures, until the Secretary of State has been notified in writing and has determined that the proposed change or modification does not impair the accuracy or efficiency of the voting system sufficient to require a re-examination and approval.
5. Dominion Voting Systems Inc. shall deposit an exact copy of the trusted build files to a State of California approved escrow facility within 10 business days. These build files along with the source code and all associated software and firmware shall be escrowed in a California approved source code escrow facility, pursuant to California Elections Code section 19212. Pursuant to California Code of Regulations section 20641, within five working days, the vendor shall certify to each affected election jurisdiction, with a copy to the Secretary of State, that it has placed the software in escrow.
6. Immediately after any repair or modification of any voting system component that requires opening the housing, the integrity of the firmware and/or software must be verified using an automated mechanism, or all software must be reinstalled by the jurisdiction from a read-only version of the approved firmware and/or software supplied directly by the Secretary of State before the equipment can be put back into service.
7. No network connections to any device not directly used and necessary for voting system functions may be established. Communication by or with any component of the voting system by wireless or modem transmission is prohibited at any time. No component of the voting system, or any device with network connectivity to the voting system, may be connected to the Internet, directly or indirectly, at any time.
8. Upon request, members of the public must be permitted to observe and inspect, without physical contact, the integrity of all externally visible security seals used to secure voting equipment in a time and manner that does not interfere with the conduct of the election or the privacy of any voter.
9. Where voting equipment is used to record and tabulate vote results in a polling place, upon close of the polls, the poll workers are required to print two copies of the accumulated vote results and one audit log from each device. Each poll worker must sign every copy. One copy of the vote results

from each device must be publicly posted outside the polling place. The second copy, along with the audit log, must be included with the official election material that is returned to the jurisdiction headquarters on election night.

10. Poll workers are not permitted to participate in any post-election manual count auditing of precinct results from a precinct in which they were a poll worker.
11. Elections officials must develop appropriate security procedures for use when representatives of qualified political parties and bona fide associations of citizens and media associations, pursuant to their rights under Elections Code section 15004, check and review the preparation and operation of vote tabulating devices and attend any or all phases of the election. The security procedures must permit representatives to observe at a legible distance the contents of the display on the vote tabulating computer or device. This requirement may be satisfied by positioning an additional display monitor or monitors in a manner that allows the representatives to read the contents.
12. With respect to any part or component of the above described voting system for which the chain of custody has been compromised, the security or information has been breached or attempted to be breached, or experiences a fatal error from which it cannot recover gracefully (i.e., the error is not handled through the device's internal error handling procedures with or without user input, such that the device must be rebooted or the device reboots itself to restore operation), the following actions must be taken:
 - a. The chief elections official of the jurisdiction must be notified immediately;
 - b. The Secretary of State must be notified within 24 hours upon discovery;
 - c. The equipment must be removed from service immediately and replaced if possible;
 - d. Any votes cast on the device prior to its removal from service must be subject to a 1% manual tally or a risk-limiting audit, by the processes described in Elections Code sections 15360 and 15367, as part of the official canvass;
 - e. Any memory card containing data from that device must be secured and retained for the full election retention period;
 - f. An image of all device software and firmware must be stored on write-once media and retained securely for the full election retention period; and
 - g. All device software and firmware must be reinstalled from a read-only version of the approved firmware and software supplied directly by the Secretary of State before the equipment is placed back into service.
13. The Secretary of State reserves the right, with reasonable notice to the vendor and to the jurisdictions using the voting system, to modify the Use Procedures used with the voting system and to impose additional requirements with respect to the use of the system if the Secretary of State determines that such modifications or additions are necessary to enhance the accuracy, reliability or security of any of the voting system. Such modifications or additions shall be deemed to be incorporated herein as if set forth in full.
14. The Secretary of State reserves the right to monitor activities before, during and after the election at any precinct or registrar of voters' office, and may, at his or her discretion, test voting equipment.

15. Voting systems certified for use in California shall comply with all applicable state and federal requirements, including, but not limited to, those voting system requirements as set forth in the California Elections Code and the Help America Vote Act of 2002 and those requirements incorporated by reference in the Help America Vote Act of 2002. Further, voting systems shall also comply with all state and federal voting system guidelines, standards, regulations and requirements that derive authority from or are promulgated pursuant to and in furtherance of the California Elections Code and the Help America Vote Act of 2002 or other applicable state or federal law when appropriate.
16. Voting system manufacturers or their agents shall assume full responsibility for any representation they make that a voting system complies with all applicable state and federal requirements, including, but not limited to, those voting system requirements as set forth in the California Elections Code and the Help America Vote Act of 2002. In the event such representation is determined to be false or misleading, voting system manufacturers or their agents shall be responsible for the cost of any ~~upgrade, retrofit or replacement of any voting system or its component parts found to be necessary for~~ certification or otherwise not in compliance.
17. The vendor must establish a California County User Group and hold at least one annual meeting where all California users and Secretary of State staff are invited to attend and review the system.
18. Prior to the disposal or sale of this voting system or portion thereof, all equipment shall be cleared with a minimum of a two-pass wipe so that no software, firmware or data remains on the equipment. At the time of disposal or sale, the equipment shall be returned solely to a non-functioning piece of hardware and the following documented for each:
 - a. Whether the machine is void of all software, firmware and data.
 - b. The hardware model name.
 - c. The hardware model number.
 - d. The hardware serial number.
19. Voting systems certified for use that utilize a barcode or QR code for tabulation shall be subject to the following:
 - a. Jurisdictions shall develop procedures and conduct training for poll workers, prior to every election, regarding voter verification of barcodes or QR codes used for tabulation.
 - b. In conducting pre-election testing pursuant to Elections Code section 15000, the jurisdiction shall validate the logic and accuracy of the barcodes or QR codes used for tabulation.
 - c. In conducting a one percent manual tally pursuant to Elections Code section 15360 or a risk limiting audit pursuant to Elections Code section 15367, the jurisdiction shall perform a further review of any ballot examined pursuant to those sections that contains a barcode or QR code used for tabulation. The further review shall verify that the information contained in the QR code or barcode matches the voter verified, human readable text.

20. Only the Secretary of State supplied trusted build for the Democracy Suite 5.10 voting system shall be installed. Jurisdictions shall validate prior to any election that the voting system is identical to the Secretary of State supplied trusted build by utilizing the Secretary of State trusted build HASHes.



IN WITNESS WHEREOF, I hereunto set my hand and
affix the Great Seal of the State of California, this
18th day of October 2019.

A handwritten signature in black ink that reads 'Alex Padilla'. The signature is fluid and cursive, with the first letters of 'Alex' and 'Padilla' being capitalized and prominent.

ALEX PADILLA
Secretary of State



SECRETARY OF STATE

CONDITIONAL APPROVAL OF ELECTION SYSTEMS AND SOFTWARE, INC. Electronic Voting System (EVS) 6.0.4.2 VOTING SYSTEM

Whereas, pursuant to Elections Code section 19202, no voting system, in whole or in part, may be used unless it has received the approval of the Secretary of State; and

Whereas, Election Systems and Software, Inc. submitted an application for the EVS 6.0.4.2 voting system, which is comprised of Model DS200 Precinct Scanner Hardware version 1.3 with Firmware version 2.20.0.0, Model DS450 Central Ballot Counter Hardware version 1.0 with Firmware version 3.3.0.0, Model DS850 Central Ballot Counter Hardware version 1.0 with Firmware version 3.3.0.0, ExpressVote, Hardware version 2.1 with Firmware version 2.5.0.0, ExpressVote XL, Hardware version 1.0 with Firmware version 1.2.0.0, Electionware version 5.3.0.0, Event Log Service version 1..6.0.0, Removable Media Service version 1.2.0.0, ExpressVote Previewer version 2.5.0.0, PaperBallot version 5.3.0.0, Dell PowerEdge T430 tower server, Dell Optiplex 5050 desktop computer, and Dell Latitude 5580 laptop, submitted on or about February 22, 2019; and

Whereas, during a series of tests conducted by the Secretary of State's office, the voting system performed in a manner consistent with California Voting System Standards, and California law; and

Whereas, the voting system was able to successfully and accurately execute all test cases, scenarios, and scripts developed by the Secretary of State's office; and

Whereas, the request for approval of the voting system as described above was considered at a public hearing held September 4, 2019, at Sacramento, California.

Therefore, I, Alex Padilla, Secretary of State for the State of California, find and determine, pursuant to Division 19 of the Elections Code, as follows:

For the reasons set forth above, Elections Systems and Software, Inc.'s EVS 6.0.4.2 voting system is hereby approved.

Use of Elections Systems and Software, Inc.'s EVS 6.0.4.2 voting system must comply with all California Election Code and California Code of Regulation requirements and is also subject to the following terms and conditions:

1. Jurisdictions are prohibited from installing any software applications or utilities on any component of the voting system that have not been identified by the vendor and approved by the Secretary of State.
2. Prior to sale or use of the system in California, the vendor must provide to all jurisdictions its Use Procedures, entitled "EVS 6.0.4.2 Election Management System, California Use Procedures," which the Secretary of State hereby approves. Compliance with the Use Procedures by the vendor and jurisdictions is a condition of the approval of this voting system. Compliance with all requirements set forth in the Use Procedures is mandatory, whether or not a particular requirement is identified in this approval document.
3. The system shall be utilized in a configuration of parallel central election management systems separated by an "air-gap" where (1) a permanent central system known to be running unaltered, certified software and firmware is used solely to define elections and program voting equipment and memory cards, (2) a physically-isolated duplicate system, reformatted after every election to guard against the possibility of infection, is used solely to read memory cards containing vote results, accumulate - and tabulate those results and produce reports, and (3) a separate computer dedicated solely to this purpose is used to reformat all memory devices before they are connected to the permanent system again.
4. No substitution or modification of the voting system shall be made with respect to any component of the voting system, including the Use Procedures, until the Secretary of State has been notified in writing and has determined that the proposed change or modification does not impair the accuracy or efficiency of the voting system sufficient to require a re-examination and approval.
5. Election Systems and Software, Inc. shall deposit an exact copy of the trusted build files to a State of California approved escrow facility within 10 business days. These build files along with the source code and all associated software and firmware shall be escrowed in a California approved source code escrow facility, pursuant to California Elections Code section 19212. Pursuant to California Code of Regulations section 20641, within five working days, the vendor shall certify to each affected election jurisdiction, with a copy to the Secretary of State, that it has placed the software in escrow.
6. Immediately after any repair or modification of any voting system component that requires opening the housing, the integrity of the firmware and/or software must be verified using an automated mechanism, or all software must be reinstalled by the jurisdiction from a read-only version of the approved firmware and/or software supplied directly by the Secretary of State before the equipment can be put back into service.
7. No network connections to any device not directly used and necessary for voting system functions may be established. Communication by or with any component of the voting system by wireless or modem transmission is prohibited at any time. No component of the voting system, or any device with network connectivity to the voting system, may be connected to the Internet, directly or indirectly, at any time.

8. Upon request, members of the public must be permitted to observe and inspect, without physical contact, the integrity of all externally visible security seals used to secure voting equipment in a time and manner that does not interfere with the conduct of the election or the privacy of any voter.
9. Where voting equipment is used to record and tabulate vote results in a polling place, upon close of the polls, the poll workers are required to print two copies of the accumulated vote results and one audit log from each device. Each poll worker must sign every copy. One copy of the vote results from each device must be publicly posted outside the polling place. The second copy, along with the audit log, must be included with the official election material that is returned to the jurisdiction headquarters on election night.
10. Poll workers are not permitted to participate in any post-election manual count auditing of precinct results from a precinct in which they were a poll worker.
11. Elections officials must develop appropriate security procedures for use when representatives of qualified political parties and bona fide associations of citizens and media associations, pursuant to their rights under Elections Code section 15004, check and review the preparation and operation of vote tabulating devices and attend any or all phases of the election. The security procedures must permit representatives to observe at a legible distance the contents of the display on the vote tabulating computer or device. This requirement may be satisfied by positioning an additional display monitor or monitors in a manner that allows the representatives to read the contents.
12. With respect to any part or component of the above described voting system for which the chain of custody has been compromised, the security or information has been breached or attempted to be breached, or experiences a fatal error from which it cannot recover gracefully (i.e., the error is not handled through the device's internal error handling procedures with or without user input, such that the device must be rebooted or the device reboots itself to restore operation), the following actions must be taken:
 - a. The chief elections official of the jurisdiction must be notified immediately;
 - b. The Secretary of State must be notified within 24 hours upon discovery;
 - c. The equipment must be removed from service immediately and replaced if possible;
 - d. Any votes cast on the device prior to its removal from service must be subject to a 1% manual tally or a risk-limiting audit, by the processes described in Elections Code sections 15360 and 15367, as part of the official canvass;
 - e. Any memory card containing data from that device must be secured and retained for the full election retention period;
 - f. An image of all device software and firmware must be stored on write-once media and retained securely for the full election retention period; and
 - g. All device software and firmware must be reinstalled from a read-only version of the approved firmware and software supplied directly by the Secretary of State before the equipment is placed back into service.
13. The Secretary of State reserves the right, with reasonable notice to the vendor and to the jurisdictions using the voting system, to modify the Use Procedures used with the voting system and to impose additional requirements with respect to the use of the system if the Secretary of State determines that such modifications or additions are necessary to enhance the accuracy, reliability or

security of any of the voting system. Such modifications or additions shall be deemed to be incorporated herein as if set forth in full.

14. The Secretary of State reserves the right to monitor activities before, during and after the election at any precinct or registrar of voters' office, and may, at his or her discretion, test voting equipment.
15. Voting systems certified for use in California shall comply with all applicable state and federal requirements, including, but not limited to, those voting system requirements as set forth in the California Elections Code and the Help America Vote Act of 2002 and those requirements incorporated by reference in the Help America Vote Act of 2002. Further, voting systems shall also comply with all state and federal voting system guidelines, standards, regulations and requirements that derive authority from or are promulgated pursuant to and in furtherance of the California Elections Code and the Help America Vote Act of 2002 or other applicable state or federal law when appropriate.
16. Voting system manufacturers or their agents shall assume full responsibility for any representation they make that a voting system complies with all applicable state and federal requirements, including, but not limited to, those voting system requirements as set forth in the California Elections Code and the Help America Vote Act of 2002. In the event such representation is determined to be false or misleading, voting system manufacturers or their agents shall be responsible for the cost of any upgrade, retrofit or replacement of any voting system or its component parts found to be necessary for certification or otherwise not in compliance.
17. The vendor must establish a California County User Group and hold at least one annual meeting where all California users and Secretary of State staff are invited to attend and review the system.
18. Prior to the disposal or sale of this voting system or portion thereof, all equipment shall be cleared with a minimum of a two-pass wipe so that no software, firmware or data remains on the equipment. At the time of disposal or sale, the equipment shall be returned solely to a non-functioning piece of hardware and the following documented for each:
 - a. Whether the machine is void of all software, firmware and data.
 - b. The hardware model name.
 - c. The hardware model number.
 - d. The hardware serial number.
19. Voting systems certified for use that utilize a barcode or QR code for tabulation shall be subject to the following:
 - a. Jurisdictions shall develop procedures and conduct training for poll workers, prior to every election, regarding voter verification of barcodes or QR codes used for tabulation.
 - b. In conducting pre-election testing pursuant to Elections Code section 15000, the jurisdiction shall validate the logic and accuracy of the barcodes or QR codes used for tabulation.
 - c. In conducting a one percent manual tally pursuant to Elections Code section 15360 or a risk limiting audit pursuant to Elections Code section 15367, the jurisdiction shall perform a

further review of any ballot examined pursuant to those sections that contains a barcode or QR code used for tabulation. The further review shall verify that the information contained in the QR code or barcode matches the voter verified, human readable text.

20. Only the Secretary of State supplied trusted build for the Elections Systems and Software, Inc. EVS 6.0.4.2 voting system shall be installed. Jurisdictions shall validate prior to any election that the voting system is identical to the Secretary of State supplied trusted build by utilizing the Secretary of State trusted build HASHes.



IN WITNESS WHEREOF, I hereunto set my hand and
affix the Great Seal of the State of California, this
18th day of October 2019.

A handwritten signature in black ink that reads 'Alex Padilla'. The signature is written in a cursive, flowing style.

ALEX PADILLA
Secretary of State



PRINT

CLERK USE ONLY

BOS ACTION

13

BOARD AGENDA FACT SHEET

Registrar of Voters _____
Department /Agency _____

06/23/15 _____
Requested Board Date

1. Request:

Board Approval

Information
Only/Presentation
Schedule Hearing
Time: _____

Other (specify)

2. Requested Action: *Type requested action below*

1. Approve the Managed Services Agreement (lease) in the amount of \$1,501,088 between Dominion Voting Systems, Inc. and the County of Imperial for a voting system, licenses and related services.

3. Cost \$ _____ Source: _____

4. If approval of Contract, reviewed/approved by County Counsel on: _____

By: _____ Action Request # _____

Assigned by County Counsel's Office

5. If approval of position allocation change, approved by Human Resources on: _____

By: _____

6. Electronic copy submittal date: 6/16/15 By: Joseyina G. Morales

Debra Porter
Department Head/Agency Representative

INSTRUCTIONS: *Back-up must be submitted 11 BUSINESS days prior to requested date. Back-up submitted must contain an Original and 6 copies. Back-up must be submitted in a PDF format to cobstaff@co.imperial.ca.us.*

CEO/CLERK USE ONLY: BOARD DATE: _____

Action _____ Filing _____ Consent _____ Presentation _____

Hearing _____ CEO Approval _____ Other (specify) _____

Review: Clerk _____ Date _____ CEO _____ Date _____

REGISTRAR OF VOTERS
Debra Porter



June 11, 2015

COUNTY ADMINISTRATION CENTER
940 Main Street, Suite 206
El Centro, CA. 92243
Phone: 442-265-1074
Fax: 442-265-1062
www.co.imperial.ca.us

Board of Supervisors
County of Imperial
940 Main Street
El Centro, CA 92243

RE: Dominion Voting System Contract

Honorable Board Members,

Requested Action

Approve the Managed Services Agreement (lease) in the amount of \$1,501,088 between Dominion Voting Systems, Inc. and the County of Imperial for a voting system, licenses and related services.

Background

In 2005 the County of Imperial purchased Sequoia Voting Systems Direct Record Electronic (DRE) for the purchase price of \$1,886,796.18. Help America Vote Act funds paid \$1,306,436.66 with a remaining cost to the county of \$580,359.52. At the November 2005 General Election a full precinct deployment of 4 DRE's were used per county poll site. Voters had the option to vote either on paper or use the DRE, the voters of this county preferred to use the DRE voting machine.

A full deployment of 4 DRE's per precinct was utilized 3 elections before then Secretary of State Bowen issued a decertification of all electronic voting machines in California and recertification with stipulations, one being, that to comply with the Help America Vote Act of 2002, to provide accessible balloting to voters with disabilities, jurisdictions could use one voting machine per precinct on Election Day provided that each voting machine was reinstalled using the currently approved software version obtained from the Secretary of State.

Imperial County has been conducting elections since 2005 using Sequoia Voting Systems DRE Edge voting equipment at the polls, 400C scanners for central count ballot counting and WinEDS for ballot tally. The system has served the county well but, with all things electronic, it is time to update the system.

It is recommended that due to the ever changing climate of elections and future of California election reform that the County of Imperial lease the Dominion Voting Systems, Inc. ImageCast Evolution tabulation hardware and software.

Fiscal Impact

\$250,181 in Help America Vote Act funds, leaving -0- fiscal impact to the county.

Thank you for your consideration.

Respectfully submitted,

Debra Porter,
Registrar of Voters

VOTING SYSTEM AND MANAGED SERVICES AGREEMENT
BY AND BETWEEN
DOMINION VOTING SYSTEMS, INC.
AND IMPERIAL COUNTY, CA

This Voting Systems and Managed Services Agreement (the "Agreement"), dated this 23rd day of June, 2015 (the "Effective Date"), for a voting system, licenses and related services is made by and between the Imperial County, CA ("Customer") and Dominion Voting Systems, Inc., a corporation organized under the laws of the State of Delaware ("Dominion"). This Agreement may refer to Dominion and the Customer together as the "Parties," or may refer to Dominion or the Customer individually as a "Party."

WHEREAS, The Customer desires to purchase voting system services (inclusive of system hardware), licenses and related solutions; and

WHEREAS, Dominion designs, manufactures, sells and/or licenses, and provides ongoing solutions for voting systems;

NOW THEREFORE, in consideration of the mutual covenants contained herein, and in accordance with the terms and conditions set forth herein, Dominion agrees to license and/or sell and furnish to Customer the System (as defined herein), including the products and services described more fully below:

1. Composition of Agreement. Exhibits A and B are attached and incorporated herein by reference and form a part of this Agreement (the "Agreement"). This Agreement consists of the general terms and conditions contained in the following sections, together with the listed Exhibits below. The total compensation payable under this Agreement shall be in accordance with the item prices incorporated within the Pricing Summary and Deliverables Description submitted by Dominion for labor, materials and all other services related to the performance of this Agreement, attached hereto as Exhibit A and incorporated herein as though fully set forth. The total compensation payable under this Agreement shall not exceed one million five hundred one thousand eighty eight dollars (\$ 1,501,088).

Exhibit A: Pricing Summary and Deliverables Description
Exhibit B: Software License Terms and Conditions

2. Definitions. For the purposes of this Agreement, the following are defined terms:

- 2.1. "Acceptance" and variations thereof, mean the successful completion of the acceptance testing performed on each component of Dominion Hardware and Software, after delivery in accordance with testing criteria developed and updated by Dominion, or the occurrence of other events defined in Section 8.
- 2.2. "Dominion Software" means software and firmware programs licensed to the Customer by Dominion and any associated documentation including the following:

- 2.2.1. "Democracy Suite[®] Software," Dominion's election management software associated with the ImageCast[®] voting system which includes Results Tally and Reporting and Adjudication.
 - 2.2.2. "ImageCast[®] Software," the software/firmware designed for use in the ImageCast[®] voting system.
 - 2.3. "Dominion Hardware" means the ImageCast[®] Evolution or "ICE," and ImageCast[®] Central or "ICC," digital scanners and tabulator as more specifically described in Exhibit A.
 - 2.4. "Election" means a single election event administered by the Customer including any absentee and early voting activity associated with the election event. Election shall not mean any follow-on events occurring after the initial election event, including without limitations, run-offs or recall replacements elections. Any follow on event shall be considered an Election in and of itself."
 - 2.5. "Election Management System Hardware" or "EMS Hardware" means third party hardware required for operating Dominion Software as used in conjunction with the Dominion Hardware.
 - 2.6. "License" has the meaning set forth in Section 7.
 - 2.7. "System" means the combination of Dominion Software, Dominion Hardware and EMS Hardware.
 - 2.8. "Third Party Software" means software, manufacturer supplied software, or firmware owned by third parties, which Dominion provides to Customer pursuant to sublicenses or end user license agreements with the owners of such Third Party Software. Third Party Software includes, but is not limited to, various operating systems, software drivers, report writing subroutines, and firmware.
3. **Term of Agreement.** The Term of this Agreement shall begin on the Effective Date and shall continue until December 31, 2021, providing however and subject to possible annual price increases, the Licenses or warranties authorized by this Agreement may extend beyond the Term of this Agreement, according to the terms and conditions of such License or warranty.
4. **Dominion's Responsibilities.** Dominion shall:
 - 4.1. Deliver the System and installation plan services as described in Exhibit A (Pricing Summary and Deliverables Description).
 - 4.2. Appoint a Dominion project manager ("Dominion Project Manager") to oversee the general operations of the project. The project manager shall be responsible for arranging all meetings, visits and consultations between the Parties and for all

administrative matters such as invoices, payments and amendments. The project manager shall communicate with the Customer as to the status of information, procedures and progress on the tasks as set out in this Agreement and to advise the Customer forthwith upon the occurrence of any material change in such plans.

- 4.3. Provide the Customer with a Dominion Software Use License as described in Exhibit B (Software License Terms and Conditions).
- 4.4. Provide the Customer with one (1) reproducible electronic copy of the user documentation.
- 4.5. Assist in the Acceptance Testing process as required by Section 8 herein.
- 4.6. Provide invoices to Customer upon Acceptance of items listed in Exhibit A and pursuant to the payment schedule described in Section 5.1 herein.

5. Customer's Responsibilities. Customer shall:

- 5.1. Pay invoices in a timely manner and no later than thirty (30) calendar days from receipt of a Dominion invoice. Payments specified in this Section 5 are exclusive of all excise, sale, use and other taxes imposed by any governmental authority, all of which taxes shall be reimbursed by the Customer. If the Customer is exempt from taxes, Customer shall supply Dominion a tax exemption certificate or other similar in a form demonstrating its exempt status.
- 5.2. Appoint a Customer project manager (“Customer Project Manager”), who shall be responsible for review, analysis and acceptance of the System and the coordination of Customer personnel, equipment, vehicles and facilities. The Customer Project Manager shall be empowered to make decisions on behalf of the Customer with respect to the work being performed under this Agreement. The Customer Project Manager shall also have direct access to the Customer's top management at all times for purposes of problem resolution.
- 5.3. Conduct Acceptance testing process as required by Section 8.
- 5.4. For election setup and database creation services as more specifically describe in Exhibit A, the Customer shall review and approve or identify issues to all Dominion deliverables related to such service within two (2) business days of receipt by the Customer. In the event the Customer discovers an issue, it shall provide written notice to Dominion immediately following the discovery of any issue and Dominion shall rectify the issue at no additional cost to the Customer. In the event the Customer approves the deliverable and subsequent to such approval, request that a change be made to the deliverable, the Dominion may provide the change at an additional cost based upon Dominion then current published service rates.

6. Title and Risk of Loss.

- 6.1. Title to the System, Excluding All Software. The System shall be provided by Dominion to the Customer as part of the managed services described herein. Title to the System shall not pass to the Customer and shall remain with Dominion.
- 6.2. Software. Software, including firmware, is licensed not sold. The original and any copies of the Dominion Software, or other software provided pursuant to this agreement, in whole or in part, including any subsequent improvements or updates, shall remain the property of Dominion, or any third party that owns such software.
- 6.3. Risk of Loss. Dominion shall bear the responsibility for all risk of physical loss or damage to each portion of the System until such portion is Accepted by Customer. Customer shall provide Dominion with a single location for shipment and Dominion shall not be responsible for shipping to more than one location. To retain the benefit of this clause, Customer shall notify Dominion of any loss or damage within ten (10) business days of the receipt of any or all portions of the System, or such shorter period as may be required to comply with the claims requirements of the shipper, and shall cooperate in the processing of any claims made by Dominion.

7. Software License and Use.

- 7.1. License. Upon mutual execution of this Agreement, Dominion grants to the Customer, and the Customer accepts a non-exclusive, non-transferable, license ("License") to use the Dominion Software subject to the terms and conditions of this Agreement and the Software License Terms attached hereto as Exhibit B.
- 7.2. Third Party Software. The System includes Third Party Software, the use of which is subject to the terms and conditions imposed by the owners of such Third Party Software. Customer consents to the terms and conditions of the third party license agreements by Customer's first use of the System.

8. Acceptance.

- 8.1. Dominion Software or Dominion Hardware. After delivery of Dominion Software or Dominion Hardware, the Customer will conduct acceptance testing of such units, in accordance with the acceptance criteria developed and updated, from time to time, by Dominion. Such acceptance testing shall occur at a time mutually agreed upon by the Parties, but no later than ten (10) business days after installation.
- 8.2. System Acceptance Testing. To the extent not tested as part of the testing pursuant to Subsections 8.1, upon completing the installation of the System, the Customer will conduct system acceptance testing, according to the acceptance test procedures developed and updated, from time to time, by Dominion. Such acceptance testing shall occur at a time mutually agreed upon by the Parties, but no later than ten (10) business days after installation of the System.

9. Warranties.

- 9.1. Dominion Software Warranty. The Dominion Software warranty is subject to the terms and conditions of Exhibit B - the Software Terms and Conditions.
- 9.2. Third Party Products. The warranties in this Sections 9 do not apply to any third party products. However, to the extent permitted by the manufacturers of third party products, Dominion shall pass through to Customer all warranties such manufacturers make to Dominion regarding the operation of third party products.
- 9.3. Dominion Hardware Warranty. Dominion warrants that when used with the hardware and software configuration purchased through or approved by Dominion, each component of Dominion Hardware will be free of defects that would prevent the Dominion Hardware from operating in conformity in all material respects with its specifications as documented by Dominion. The Dominion Hardware Warranty shall remain in effect until one year after Acceptance or through any extended warranty period.
- 9.4. Dominion Hardware Warranty. If any Dominion Hardware component fails to operate in conformity with its specifications during the warranty period, Dominion shall provide a replacement for the Dominion Hardware component or, at Dominion's sole option, shall repair the Dominion Hardware component, so long as the Dominion Hardware is operated with its designated Dominion Software and with third party products approved by Dominion for use with the Dominion Hardware. The following conditions apply to the Dominion Hardware warranty:
- 9.4.1. Dominion shall perform one (1) on-site preventative maintenance inspection ("PM") per year on Dominion Hardware during the Agreement Term at a time mutually agreed to by the Parties. This on-site PM is expected to be scheduled at least ninety (90) days prior to requested test date. Dominion shall perform the annual PM and will replace any and all parts that fail due to normal use during the warranty period. In the event of a warranty claim outside of the scheduled PM, additional on-site service will be available at Dominion's then current time and material rates. There are no additional charges for parts covered by this warranty.
- 9.4.2. The following services are not covered by this Agreement, but may be available at Dominion's current time and material rates:
- 9.4.2.1. Replacement of consumable items including but not limited to batteries, paper rolls, ribbons, seals, smart cards, and removable memory devices, disks, etc.;
- 9.4.2.2. Repair or replacement of Dominion Hardware damaged by of accident, disaster, theft, vandalism, neglect, abuse, or any improper usage;

9.4.2.3. Repair or replacement of Dominion Hardware modified by any person other than those authorized in writing by Dominion;

9.4.2.4. Repair or replacement of Dominion Hardware from which the serial numbers have been removed, defaced or changed.

9.5. No Other Warranties. DOMINION DISCLAIMS ALL OTHER REPRESENTATIONS AND WARRANTIES, WHETHER WRITTEN, ORAL, EXPRESS, IMPLIED OR STATUTORY, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE AND ANY WARRANTY BASED ON A COURSE OF DEALING, COURSE OF PERFORMANCE OR USAGE OF TRADE.

10. Force Majeure. Should any circumstances beyond the control of Dominion or Customer occur that delay or render impossible the performance of any obligation due under this Agreement, such obligation will be postponed for the period of any delay resulting from any such circumstances, plus a reasonable period to accommodate adjustment to such extension, or cancelled if performance has been rendered impossible thereby. Such events may include, without limitation, accidents; war, acts of terrorism; natural disasters; labor disputes; acts, laws, rules or regulations of any government or government agency; or other events beyond the control of both Dominion and Customer. Dominion shall not be liable under this Agreement for any loss or damage to the Customer due to such delay or performance failures. Notwithstanding the foregoing, both Parties shall use their best efforts to minimize the adverse consequences of any such circumstances. This Section shall not operate to excuse any Party from paying amounts that are owed pursuant to this Agreement.

11. Indemnification.

11.1. Dominion agrees to the fullest extent permitted by law to indemnify, defend, protect and hold Customer and its representatives, officers, directors, designees, employees, agents, successors and assigns harmless from any and all claims, expenses, liabilities, causes of action, demands, losses, penalties, attorneys' fees and costs, in law or equity, of every kind and nature whatsoever arising out of or in connection with Dominion's negligent acts and omissions or willful misconduct under this Agreement ("Claims"), but does not include Claims that are finally determined to be the result of the sole negligence or willful misconduct of Customer. The indemnification provisions of this paragraph 11.1 shall extend to Claims occurring after this Agreement is terminated, as well as while it is in force. Dominion agrees to defend with counsel acceptable to Customer, indemnify and hold Customer harmless from all Claims, including but not limited to:

11.1.1. Bodily injury, including death to persons including but not limited to Customer's representatives, officers, directors, designees, employees, agents, successors and assigns, subcontractors and other third parties and/or damage to property of anyone (including loss of use thereof) arising out of Dominion's negligent performance of, or willful misconduct surrounding, any of the terms contained in this Agreement, or anyone

directly or indirectly employed by Dominion or anyone for whose acts Dominion may be liable;

11.1.2. Liability arising from injuries to Dominion and/or any of Dominion's employees or agents arising out of Dominion's negligent performance of, or willful misconduct surrounding, any of the terms contained in this Agreement, or anyone directly or indirectly employed by Dominion or anyone for whose acts Dominion may be liable;

11.1.3. Penalties imposed upon account of the violation of any law, order, citation, rule, regulation, standard, ordinance or statute caused by the negligent action or inaction, or willful misconduct of Dominion or anyone directly or indirectly employed by Dominion or anyone for whose acts Dominion may be liable;

11.1.4. Infringement of any patent rights which may be brought against Customer arising out of Dominion's work;

11.1.5. Any violation or infraction by Dominion of any law, order, citation, rule, regulation, standard, ordinance or statute in any way relating to the occupational health or safety of employees

11.2 Customer agrees to the fullest extent permitted by law to indemnify, defend, and hold harmless from and against any and all claims, actions, demands, liabilities, damages, losses, and expenses of whatever kind, by reason of any bodily injury, including death or property (including property of Dominion) being damaged by the negligence or willful misconduct of the Customer or any Customer subcontractors or any person employed under the Customer and/or its representatives, officers, directors, designees, employees, agents, or anyone acting under the Customer's direction in connection with its services and obligations provided under this Agreement, except to the extent that such injury or loss is caused by the sole negligence or willful misconduct of Dominion agrees to defend with counsel acceptable to Customer.

11.3 Notwithstanding paragraphs 11.1 and 11.2, in the event that Dominion and the Customer are both held to be negligently or willfully responsible, Dominion and the Customer will bear their proportionate share of the liability as determined in any such proceeding. Each party shall bear their own costs and attorney fees.

12. Limitation of Liability. Dominion's total aggregate liability for any loss, damage, costs or expenses under or in connection with this Agreement, howsoever arising, including without limitation, loss, damage, costs or expenses caused by breach of contract, negligence, strict liability, breach of statutory or any other duty shall not exceed the total dollar amount of the Agreement, except and to the extent that any loss or damage was caused by or due to the gross negligence or willful misconduct of Dominion. Neither party shall be liable for any loss of profits, loss of business, loss of data, loss of use or any other indirect, incidental, special or

consequential loss or damage whatsoever, howsoever arising, incurred by the other party or any third party, whether in an action in contract, negligence or other tort, even if the parties or their representatives have been advised of the possibility of such damages.

13. Confidential Information.

- 13.1. For purposes of this Agreement, confidential information ("Confidential Information") is defined as those materials, documents, data, and technical information, specifications, business information, customer information, or other information that the disclosing Party maintains as trade secrets or confidential and which are disclosed to a receiving Party in tangible form conspicuously marked as "confidential," or with words having similar meaning or which are expressly identified in this Subsection 13.1. Confidential Information includes, without limitation, Dominion Software source code and associated documentation.
- 13.2. Each Party shall treat the other Party's Confidential Information as confidential within their respective organizations.
- 13.3. Neither Party shall disclose the other Party's Confidential Information to any person outside their respective organizations unless disclosure is made in response to, or because of, an obligation to any federal, state, or local governmental agency or court with appropriate jurisdiction, or to any person properly seeking discovery before any such agency or court.
- 13.4. Each Party shall be given the ability to defend the confidentiality of its Confidential Information to the maximum extent allowable under the law prior to disclosure by the other Party of such Confidential Information.
- 13.5. The parties understand and agree that Customer is a public entity that may be subject to Public Record Laws. Therefore, any covenant of confidentiality given by the Customer in this Agreement shall be governed by provisions of applicable Public Record Laws.
- 13.6. Any specific information that Dominion claims to be confidential must be clearly identified as such by the Customer. To the extent consistent with Public Record Laws, Customer shall maintain the confidentiality of all such information marked by Dominion as confidential. If a request is made to view such confidential information, Customer will notify Dominion of such request and the date the information will be released to the requestor unless Dominion obtains a court order enjoining such disclosure. If Dominion fails to obtain such court order enjoining such disclosure, the Customer will release the requested information on the date specified. Such release shall be deemed to have been made with Dominion's consent and shall not be deemed to be a violation of law or this Agreement.

14. Assignment. Neither Party may assign its rights, obligations, or interests in this Agreement without the written consent of the other Party, providing however that Dominion may assign the

proceeds of this Agreement to a financial institution without prior consent of the Customer but with written notice to Customer.

15. Termination.

15.1 For Default. In the event either Party violates any provisions of this Agreement, the non-violating Party may serve written notice upon the violating Party identifying the violation and a providing a reasonable cure period. Except as otherwise noted herein, such cure period shall be at least thirty (30) days. In the event the violating Party has not remedied the infraction at the end of the cure period, the non-violating Party may serve written notice upon the violating Party of termination, and seek legal remedies for breach of contract as allowed hereunder. If the breach identified in the notice cannot be completely cured within the specified time period, no default shall occur if the Party receiving the notice begins curative action within the specified time period and thereafter proceeds with reasonable diligence and in good faith to cure the breach as soon as practicable.

15.2 For Convenience. The Customer may terminate this Agreement for convenience by giving Dominion written notice of termination at least thirty (30) days prior to the intended date of termination. In the event the Agreement is terminated for a reason defined under this subsection 15.2, Dominion shall be entitled to receive just and equitable compensation for all services provided before the effective date of the termination. In addition, Dominion shall suspend Dominion's performance and terminate all Dominion licenses under this Agreement as of the termination date. Suspension of performance and termination all Dominion licenses by Dominion in accordance with this subsection 15.2 shall not constitute a breach of this Agreement by Dominion.

16. Legality and Severability. This Agreement and the Parties' actions under this Agreement shall comply with all applicable federal, state and local laws, ordinances, rules, regulations, court orders, and applicable governmental agency orders. If any term or provision of this Agreement is held to be illegal or unenforceable, the remainder of this Agreement shall not be affected thereby and each term or provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law. The Parties agree that any court reviewing this Agreement shall reform any illegal or unenforceable provision to carry out the express intent of the parties as set forth herein to the fullest extent permitted by law.

17. Survival. The provisions of Sections 2, 9, 10, 11, 12, 13, 16, 18, and 19 shall survive the expiration or termination of this Agreement.

18. Choice of Law. Interpretation of this Agreement shall be governed by the laws of the State of California, and the courts of competent jurisdiction located in the State of California will have jurisdiction to hear and determine questions relating to this Agreement.

19. Waiver. Any failure of a Party to assert any right under this Agreement shall not constitute a waiver or a termination of that right or any provisions of this Agreement.

20. Notices. All notices required or permitted to be given hereunder shall be given in writing and shall be deemed to have been given when personally delivered or by nationally recognized overnight carrier or mailed, certified or registered mail, return receipt requested, addressed to the intended recipient as follows:

If to Dominion:

Dominion Voting Systems, Inc.
Attn: Contracts Administrator
1201 18th St., Ste. 210
Denver, CO 80202

If to the Customer:

Imperial County Registrar of Voters
Attn: Debbie Porter, Registrar of Voters
County Administration Center
940 Main Street, Suite 206

21. INDEPENDENT CONTRACTOR. In all situations and circumstances arising out of the terms and conditions of this Agreement, Dominion is an independent contractor, and as an independent contractor, the following shall apply:

- 21.1. Dominion is not an employee or agent of Customer and is only responsible for the requirements and results specified by this Agreement.
- 21.2. Dominion shall be responsible to Customer only for the requirements and results specified by this Agreement and except as specifically provided in this Agreement, shall not be subject to Customer's control with respect to the physical actions or activities of Dominion in fulfillment of the requirements of this Agreement.
- 21.3. Dominion is not, and shall not be, entitled to receive from, or through, Customer, and Customer shall not provide, or be obligated to provide, Dominion with Worker's Compensation coverage or any other type of employment or worker insurance or benefit coverage required or provided by any Federal, State or local law or regulation for, or normally afforded to, an employee of Customer.
- 21.4. Dominion shall not be entitled to have Customer withhold or pay, and Customer shall not withhold or pay, on behalf of Dominion, any tax or money relating to the Social Security Old Age Pension Program, Social Security Disability Program, or any other type of pension, annuity, or disability program required or provided by any Federal, State or local law or regulation.
- 21.5. Dominion shall not be entitled to participate in, or receive any benefit from, or make any claim against any Customer fringe benefit program, including, but not limited to, Customer's pension plan, medical and health care plan, dental plan, life

insurance plan, or any other type of benefit program, plan, or coverage designated for, provided to, or offered to Customer's employee.

- 21.6. Customer shall not withhold or pay, on behalf of Dominion, any Federal, State, or local tax, including, but not limited to, any personal income tax, owed by Dominion.
- 21.7. Dominion is, and at all times during the term of this Agreement shall represent and conduct itself as, an independent contractor, not an employee of Customer.
- 21.8. Dominion shall not have the authority, express or implied, to act on behalf of, bind or obligate Customer in any way without the written consent of Customer.

22. Insurance. Dominion hereby agrees at its own cost and expense to procure and maintain, during the entire term of this Agreement and any extended term therefore, insurance in a sum acceptable to Customer and adequate to cover potential liabilities arising in connection with the performance of this Agreement and in any event not less than the minimum limit set forth as follows:

<u>Insurance</u>	<u>Minimum Limit</u>
Worker's Compensation, Coverage A	Statutory
Employers Liability, Coverage B	\$1 million
Commercial General Liability Including Contractual Liability, Operations, Products and Completed Operations	
Personal/Bodily Injury	\$1 million per occurrence/\$2 million aggregate
Property Damage	\$1 million per occurrence/\$2 million aggregate
Commercial Automobile Liability (owned, hired & non-owned vehicles)	
Personal/Bodily Injury	\$1 million per occurrence
Property Damage	\$1 million per occurrence
Professional Liability	\$1 million per occurrence

22.1. Special Insurance Requirements. All insurance required shall:

- 22.1.1. Be procured from California admitted insurers (licensed to do business in California) with a current rating by Best's Key Rating Guide, acceptable to Customer. A rating of at least A-VII shall be acceptable to Customer; lesser ratings must be approved in writing by Customer.

- 22.1.2. Be primary coverage as respects Customer and any insurance or self-insurance maintained by Customer shall be in excess of Dominion's insurance coverage and shall not contribute to it.
- 22.1.3. Name Customer as an additional insured on all policies, except Workers' Compensation, and provide that Customer may recover for any loss suffered by Customer by reason of Dominion's negligence.
- 22.1.4. State that it is primary insurance and regards Customer as an additional insured and contains a cross-liability or severability of interest clause.
- 22.1.5. Not be canceled, non-renewed or reduced in scope of coverage until after thirty (30) days written notice has been given to Customer. However, Dominion may not terminate such coverage until it provides Customer with proof that equal or better insurance has been secured and is in place. Cancellation or change without the prior written consent of Customer shall, at the option of Customer, be grounds for termination of this Agreement.
- 22.1.6. If this Agreement remains in effect more than one (1) year from the date of its original execution, Customer may, at its sole discretion, require an increase in the amount of liability insurance to the level then customary in similar Customer Agreements by giving sixty (60) days' notice to Dominion.

22.2. Additional Insurance Requirements.

- 22.2.1. Customer is to be notified immediately of all insurance claims. Customer is also to be notified if any aggregate insurance limit is exceeded.
- 22.2.2. The comprehensive or commercial general liability shall contain a provision of endorsements stating that such insurance:
 - a. Includes contractual liability;
 - b. Does not contain any exclusions as to loss or damage to property caused by explosion or resulting from collapse of buildings or structures or damage to property underground, commonly referred to by insurers as the "XCU Hazards";
 - c. Does not contain a "pro rata" provision which looks to limit the insurer's liability to the total proportion that its policy limits bear to the total coverage available to the insured;
 - d. Does not contain an "excess only" clause which requires the exhaustion of other insurance prior to providing coverage;
 - e. Does not contain an "escape clause" which extinguishes the insurer's liability if the loss is covered by other insurance;

- f. Includes Customer as an additional insured; and
- g. States that it is primary insurance and regards Customer as an additional insured and contains a cross-liability or severability of interest clause.

22.3. Deposit of Insurance Policy. Promptly on issuance, reissuance, or renewal of any insurance policy required by this Agreement, Dominion shall, if requested by Customer, cause to be given to Customer satisfactory evidence that insurance policy premiums have been paid together with a duplicate copy of the policy or a certificate evidencing the policy and executed by the insurance company issuing the policy or its authorized agent.

22.4. Certificates of Insurance. Complete copies of certificates of insurance for all required coverages including additional insured endorsements shall be attached hereto and incorporated herein as though fully set forth.

22.4.1. The documents enumerated in Paragraph 22 shall be sent to the following:

COUNTY OF IMPERIAL
Risk Management Department
940 West Main Street, Suite 101
El Centro, CA 92243

22.5. Additional Insurance. Nothing in this, or any other provision of this Agreement, shall be construed to preclude Dominion from obtaining and maintaining any additional insurance policies in addition to those required pursuant to this Agreement.

23. Entire Agreement. This Agreement and its Exhibits incorporated herein by reference constitute the entire agreement, understanding and representations between Dominion and the Customer, and supersede and replace all prior agreements, written or oral. No modifications or representations to the Agreement shall be valid unless made in writing and signed by duly authorized representatives of both the Customer and Dominion, and incorporated as an Addendum hereto.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed as of the date first above written.

DOMINION VOTING SYSTEMS, INC.



AUTHORIZED SIGNATURE

Michael Frontera

PRINTED NAME

Executive Vice President, Operations and General Counsel

TITLE

6/16/15

DATE

IMPERIAL COUNTY

AUTHORIZED SIGNATURE

PRINTED NAME

TITLE

DATE

EXHIBIT A

VOTING SYSTEM AND MANAGED SERVICES AGREEMENT
BY AND BETWEEN DOMINION VOTING
AND IMPERIAL COUNTY, CA

PRICING SUMMARY AND DELIVERABLES DESCRIPTION

1. Pricing/Payment Summary and Descriptions

1.1 **Pricing Summary.** The total annual managed service contract pricing shall equal \$250,181/year for a total of six (6) years.

1.2 **Payment Summary.** The following is the invoicing schedule for the annual Customer payments. The Customer shall pay invoices in a timely manner and no later than thirty (30) calendar days from receipt of a Dominion invoice. All payments shall be made in U.S. Dollars.

1.2.1 Year 1: 7/1/2015 – 6/30/2016: \$250,181 invoice shall be issued on 7/1/2015

1.2.2 Year 2: 7/1/2016 – 6/30/2017: \$250,181 invoice shall be issued on 7/1/2016

1.2.3 Year 3: 7/1/2017 – 6/30/2018: \$250,181 invoice shall be issued on 7/1/2017

1.2.4 Year 4: 7/1/2018 – 6/30/2019: \$250,181 invoice shall be issued on 7/1/2018

1.2.5 Year 5: 7/1/2019 – 6/30/2020: \$250,181 invoice shall be issued on 7/1/2019

1.2.6 Year 6: 7/1/2020 – 6/30/2021: \$250,181 invoice shall be issued on 7/1/2020

1.3 **Optional Dominion Hardware purchase or amended Agreement.** Upon termination of the Agreement at the end of the six year managed serves period, the Customer shall have the following options:

1.3.1 Customer may purchase the hardware for a price of \$474,121. Should the County exercise this option, additional annual fees for software licenses and warranty (optional) will be applicable at Dominion's then current rates.

1.3.2 Enter into an amended managed services agreement for an upgraded, certified voting system and related services provided by Dominion.

2. System Description - Prices of equipment, technical facilities, software, and other related services for voting, vote counting, and result processing. All pricing in U.S. Dollars.

Description	Quantity
ImageCast® Evolution Scanner and Tabulator	90
ImageCast® Evolution Scanner and Tabulator and Software License	90
ImageCast® Evolution Scanner and Tabulator Hardware Warranty	90
ImageCast® Plastic Ballot Boxes	90
ImageCast® Evolution Scanner Accessible Voting Kit	90

ImageCast® Central Scanner and Tabulator and Software License	2
ImageCast® Central Scanner and Tabulator Hardware Warranty	3
Democracy Suite Software License	1
EMS System Hardware	1
Accessories and Consumables	
ICE Tech Key	50
ICE Paper Rolls	180
ICE Memory Cards 8MB	180
ICE Cleaning Sheets (10 Pack)	1
ICE Ink Cartridge	180
Spring Lock Plastic Seals	2
Compact Flash & iButton Labels (100 Pack)	1
Implementation and Training	1
Election Setup and Support Services	1
400C Unit Trade-In	2

3. Detailed Deliverables Description

3.1 **ImageCast® Evolution (ICE) Scanner and Tabulator (Hardware and Software)** is a precinct-level all in one, digital scanner, ballot marker, and accessible voting tabulator. Each ImageCast® (ICE) provided to the Customer shall consist of the following items:

- 3.1.1 Two (2) optical imaging heads for creating a duplex scanned image of each side of the ballot. Ballots can be fed in all four (4) orientations.
- 3.1.2 Two (2) Compact Flash 8GB memory cards.
- 3.1.3 An integrated 19" diagonal full color LCD with built-in touch screen.
- 3.1.4 An internal thermal printer and one (1) paper roll for generating reports.
- 3.1.5 An integrated inkjet printer for producing marked paper ballot during the accessible voter sessions.
- 3.1.6 Two (2) administrative security key (iButton) used with an integrated receptacle (physically attached to the top of the unit and electrically connected to the motherboard) used for a variety of verification and security tasks such control, data confidentiality and integrity functions.
- 3.1.7 A motorized paper feed mechanism for detecting and moving the ballot within the scanner. Ballots used with the ImageCast® must be 8.5" wide by a variable length (11", 14", 17", 18", 19", 20 and 22"). The paper feed mechanism is physically capable of moving the ballot forward into the machine, across image sensors, enabling complete image capture of both sides of the ballot.

- 3.1.8 An internal battery which is rated to provide a minimum of two (2) hours of normal use in the absence of AC power.
- 3.1.9 Audit functionality, known as the AuditMark®. For each ballot that is scanned, interpreted and accepted into the unit, a corresponding ballot image is created and stored for audit purposes. The image consists of two parts described below. These images can be used to audit the unit's interpretation of each individual ballot.
- The top portion of the image contains a scanned image of the ballot.
 - The bottom portion consists of a machine-generated type-out showing each mark that the unit interpreted for that particular ballot. This is referred to as an AuditMark®.
- 3.1.10 The ImageCast Evolution is equipped with an integrated voting feature for voters needing additional assistance. It uses a single ballot path which does not require the voter to have to go to an additional unit to cast the vote. The ImageCast Evolution features several accessible voting interfaces that allow voters with various disabilities to effectively vote, review and cast a paper ballot in a private and independent manner. The ImageCast Evolution offers the following user interfaces - touch screen interface for visual ballot review and ballot casting, accessible ballot marking interface (both audio and visual), assistive input devices for accessible ballot navigation and voting, including an ATI (Audio-Tactile Interface).
- 3.2 **ICE Accessible Voting Kit.** ATI is included with the ImageCast Evolution. The ATI connects to the ImageCast Evolution via the port located on the right side of the unit. A set of headphones (also included) connects directly to the ATI controller. Following the audio voting process using the ATI controller, the integrated inkjet printer produces a marked paper ballot which serves as the official ballot record.
- 3.3 **ICE Molded Plastic Ballot Box.** A textured molded plastic ballot box per ImageCast Evolution unit. Ballot Box is made of a three (3) compartments, custom designed for use with the ImageCast Evolution.
- 3.4 **ImageCast® Central Scanners.** Dominion shall provide three (3) ImageCast® Central Scanners for use by the Customer. The ImageCast® Central Scanners are commercial off-the-shelf digital scanners configured to work with the ImageCast® Central Software for high speed ballot tabulation. Each ImageCast® Central Scanner includes the following components:
- 3.4.1 Canon DR-X10 high speed document scanner.
- 3.4.2 All-in-One Desktop Workstation with pre-loaded software and monitor
- 3.4.3 One (1) iButton Reader/Writers used with Democracy Suite to transfer security and election information to the iButtons for use with the ICC.
- 3.5 **ImageCast® Evolution and Central Scanner Software.** This Agreement includes software licenses for the ImageCast Evolution and Central software pursuant to the Software license terms attached as Exhibit B.

3.6 **Democracy Suite EMS Software** platform is a set of applications tailored for all pre-voting and post-voting activities. The Democracy Suite EMS consists of the following components:

- 3.6.1 Election File and iButton Creation Customer is authorized to create Election Files and iButtons from Democracy Suite to load on the ICE and ICC units.
- 3.6.2 Results, Tally and Reporting (RTR) Client Application is the application used for the tally, reporting and publishing of election results.
- 3.6.3 ImageCast® Adjudication Application is a client and server application used to review and adjudicate ImageCast® Central Scanner ballot images. The application uses tabulator results files and scanned images to allow election administrators to make adjudications to ballots with auditing and reporting capabilities. The Adjudication Application examines such voter exceptions as overvotes, undervotes, blank contests, blank ballots, write-in selections, and marginal marks. The application works in two basic modes: election project setup and adjudication. The Adjudication Application can be used in a multi-client environment. Adjudication Application eliminates the need to physically rescan ballots.

3.7 **EMS System Hardware** Dominion will provide the following for EMS System hardware required for operating the Democracy Suite Software system:

- 3.7.1 One (1) EMS Server
- 3.7.2 Three (3) EMS workstations
- 3.7.3 Two (2) Adjudication workstations
- 3.7.4 Six (6) Compact Flash Reader/Writers used to upload ballot information to Compact Flashes used with both scanner types. These can also be used to transfer election results data to Democracy Suite.
- 3.7.5 Six (6) iButton Reader/Writers used to transfer security and election information to the iButtons for use with the ICE and ICC.
- 3.7.6 One (1) Digi Connect Port LTS 16
- 3.7.7 One (1) Network Cables CAT6 UTP Patch Cables (12 Units)
- 3.7.8 SQL Server License for defined System configuration
- 3.7.9 Once (1) EMS Report Printer P1260dn
- 3.7.10 One (1) Voice Synthesis Software for a two voice license

3.8 **Implementation Services and Training.** During the implementation phase of the Agreement, Dominion shall provide the following services:

- 3.8.1 Project Management Support. Dominion will provide project management support to oversee the general operations of the project through the Agreement Term. The project manager shall be responsible for arranging all meetings, visits and consultations between the parties and for all administrative matters such as invoices, payments and amendments. The project manager shall communicate with the Customer as to the status of

information, procedures and progress on the tasks set out in this Agreement and alert of any material change in such plans. Upon execution of this Agreement, the Parties shall develop and finalize a project implementation plan including a training and delivery schedule. The Parties agree that during the course of the implementation, changes to the project schedule may be required. Any changes to the project schedule must be mutually agreed to by both Parties.

- 3.8.2 System Acceptance Testing Support. Dominion will provide direct onsite training and support during the System Acceptance Testing period.
- 3.8.3 EMS Server Installation, Configuration & Testing. Dominion will provide a minimum total of two (2) days of direct onsite support for EMS Server installation, configuration & testing.
- 3.8.4 System Training. Prior to delivery, Dominion shall prepare a training plan and proposed schedule for review and approval of Customer and shall provide copies of training materials for Customer review and approval. Dominion shall designate a qualified and experienced trainer and provide Customer with the designated trainer's resume for approval prior to the start of training. Dominion shall provide a total of five (5) to ten (10) days of direct onsite training for the System.
- 3.8.5 On-Site Pre-Logic and Accuracy (Pre-LAT) Support. Dominion will provide direct onsite Pre-LAT support for the 2015 UDEL election.
- 3.8.6 On-Site Election Day Support. Dominion will provide a minimum of five (5) individuals for three (3) days (inclusive of travel) of direct onsite election support for the 2015 UDEL election.
- 3.8.7 Election setup and database creation services. Dominion shall provide election setup services and support for the election database creation and ballot review for the 2015 UDEL Election. This service does not include certified Spanish translation of the ballot text. An additional fee of \$1,000 per election shall be invoiced to the Customer for certified Spanish translation services.

3.9 **Ongoing Services.** Dominion shall provide the following services:

- 3.9.1 ***Election setup and database creation services.*** Dominion shall provide election setup services and support for the election database creation and ballot review for the following elections: 2016 Primary and General, 2017 UDEL, 2018 Primary and General, 2019 UDEL, 2020 Primary and General, and the 2021 UDEL. This service does not include certified Spanish translation of the ballot text. An additional fee of \$1,000 per election shall be invoiced to the Customer for certified Spanish translation services.
- 3.9.2 ***On-Site support during the Election.*** Dominion will provide direct onsite support for the 2016 Primary and General Elections. Support for each Election shall be three (3) days (inclusive of travel).

3.10 ***Other Services, Consumables or Equipment.*** Any other services, consumables or equipment not specifically identified in this Agreement are available for purchase by the Customer at the then current Dominion list price.

EXHIBIT B

VOTING SYSTEM AND MANAGED SERVICES AGREEMENT
BY AND BETWEEN DOMINION VOTING
AND IMPERIAL COUNTY, CA

DOMINION VOTING SYSTEMS - SOFTWARE LICENSE TERMS AND CONDITIONS

1. Definitions.

- 1.1. "Agreement" shall mean the agreement between the Parties for the purchase and use of the licensed Software.
- 1.2. "Licensee" shall mean the Dominion customer defined in the Agreement.
- 1.3. "Licensor" shall mean Dominion Voting Systems.
- 1.4. "Party" or "Parties" Licensor and Licensee may hereinafter be referred to individually as a Party and collectively as the Parties.
- 1.5. "Software" means the Democracy Suite[®] and/or ImageCast[®] software licensed by Licensor hereunder, in object code form, including all documentation therefore.
- 1.6. "Specifications" means descriptions and data regarding the features, functions and performance of the Software, as set forth in the Licensor's documentation.
- 1.7. "Term" shall mean the term period defined in the Agreement.

2. License.

- 2.1. License to Software. Subject to the terms herein, Licensor grants Licensee a non-exclusive, non-transferrable license to use the Software solely for the Licensee's own business purposes.
- 2.2. Print Copyright License. Subject to the Print Copyright License terms and conditions as defined in Schedule A attached hereto, Licensor grants to Licensee a non-exclusive, non-transferable print copyright license as defined in Schedule A.
- 2.3. No Other Licenses. Other than as expressly set forth herein, (a) Licensor grants no licenses, expressly or by implication, and (b) Licensor's entering into the Agreement will not be deemed to license or assign any intellectual property rights of Licensor to Licensee or any third party. Licensee agrees not to use the Software for elections outside the Licensee's jurisdiction and agrees not to reverse engineer or otherwise attempt to derive the source code of the Software. The Licensee shall have no power to transfer or grant sub-licenses for the Software. Any use of all or any portion of the Software not expressly permitted is strictly prohibited.

3. Upgrades and Certification. During the Term, Licensor may provide upgrades to Licensee under the following terms and conditions.

- 3.1. Upgrades. In the event that Licensor, at its sole discretion, certifies a Software upgrade under the applicable laws and regulations of the Licensee's State, Licensor may make the certified Software upgrade available to the Licensee at no additional cost.

3.2. Certification Requirement. Notwithstanding any other terms herein, Licensor shall not provide, and shall not be obligated to provide under any upgrade or other software update that has not been certified under the applicable provisions of the election laws and regulations of the Licensee's State.

4. **Prohibited Acts**. The Licensee shall not, without the prior written permission of Licensor:

4.1. Transfer or copy onto any other storage device or hardware or otherwise copy the Software in whole or in part except for purposes of system backup;

4.2. Reverse engineer, disassemble, decompile, decipher or analyze the Software in whole or in part;

4.3. Alter or modify the Software in any way or prepare any derivative works of the Software or any part of parts of the Software;

4.4. Alter, remove or obstruct any copyright or proprietary notices from the Software, or fail to reproduce the same on any lawful copies of the Software.

5. **Return of Software**. Upon termination or expiration of this Agreement, Licensee shall (i) forthwith return to Licensor all Software in its possession or control, or destroy all such Software from any electronic media, and certify in writing to Licensor that it has been destroyed.

6. **Warranties**. The following warranties shall apply.

6.1. Software Warranty. Licensor warrants that the Software will function substantially in accordance with the Specification during the Term. If the Licensee believes that the Software is not functioning substantially in accordance with the Specifications, the Licensee shall provide Licensor with written notice of the material failure within thirty (30) days of discovering the material failure, provided that the Licensee can reproduce the material failure to Licensor. The foregoing warranty shall be void in the event of the Software (i) having been modified by any party other than Licensor or (ii) having been used by the Licensee for purposes other than those for which the Software was designed by Licensor. If Licensor establishes that the reported material failure is not covered by the foregoing warranty, the Licensee shall be responsible for the costs of Licensor's investigative and remedial work at Licensor's then current rates.

6.2. Third-Party Products. The warranties herein do not apply to any Third-Party Products. However, to the extent permitted by the manufacturers of Third-Party Products, Licensor shall pass through to Licensee all warranties such manufacturers make to Licensor regarding the operation of such Third-Party Products.

6.3. NO OTHER WARRANTIES. DOMINION DISCLAIMS ALL OTHER REPRESENTATIONS AND WARRANTIES, WHETHER WRITTEN, ORAL, EXPRESS, IMPLIED OR STATUTORY, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE AND ANY WARRANTY BASED ON A COURSE OF DEALING, COURSE OF PERFORMANCE OR USAGE OF TRADE.

SCHEDULE A

PRINT COPYRIGHT LICENSE TERMS AND CONDITIONS

1. Definitions.

- 1.1. "Derivative Works" shall mean any work that is based upon or derived from the Licensor's voting systems' ballots, including without limitation, sample ballots and voting booklets.
- 1.2. "Voting Systems' Ballots" shall mean any ballot created for use with any voting system owned or licensed by the Licensor.

2. Print Copyright License and Use.

- 2.1. Copyright License Grant. Licensor grants to the Licensee a non-exclusive, non-transferable copyright license to print, reproduce, distribute or otherwise copy the Licensor's Voting Systems' Ballots or any Derivative Works (collectively the "Materials") pursuant to the terms and conditions of this Schedule A.
- 2.2. Copyright License Use. Other than as expressly set forth herein, (a) Licensor grants no other licenses, expressly or by implication, and (b) Licensor's entering into and performing the Agreement will not be deemed to license or assign any intellectual property rights of Licensor to Licensee or any third party, (c) the copyright license granted herein cannot be transferred or sublicensed and the Voting Systems' Ballots or Derivative Works cannot be reproduced by any third party without the prior written consent of the Licensor, including without limitation:
 - (i) any commercial or non-commercial printer
 - (ii) any third party vendor using ballot on demand system.
- 2.3. Rights and Interests. All right, title and interest in the Material, including without limitation, any copyright, shall remain with the Licensor.

3. No Copyright Warranties. LICENSOR DISCLAIMS ALL REPRESENTATIONS AND WARRANTIES, WHETHER WRITTEN, ORAL, EXPRESS, IMPLIED OR STATUTORY, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE AND ANY WARRANTY BASED ON A COURSE OF DEALING, COURSE OF PERFORMANCE OR USAGE OF TRADE.



1201 18th Street, Suite 210
Denver CO 80202 United States
FED ID#27-0565149

Invoice Date	7/10/2020
Invoice #	DVS135007
Page	1

Bill To:

Imperial County, CA
Debbie Porter
940 Main Street, Room 206
El Centro CA 92243

Ship To:

Imperial County, CA
Debbie Porter
940 Main Street, Room 206
El Centro CA 92243

Purchase Order No.		Customer ID	Salesperson ID	Shipping Method	Payment Terms	Req Ship Date	Master No.
SF0009740		USCAIMPERI	MALBERT	BEST WAY	Net 30	7/10/2020	37,936
Ordered	Shipped	B/O	Item Description Item Number	Discount	Unit Price	Ext. Price	
65.00	65.00	0.00	ImageCast® Evolution Scanner and Tabulator	\$ 0.00	\$ 1,200.00	\$ 78,000.00	
90.00	90.00	0.00	ImageCast® Plastic Ballot Boxes	\$ 0.00	\$ 166.67	\$ 15,000.00	
25.00	25.00	0.00	ImageCast® Evolution Scanner and Tabulator Demonstration units	\$ 0.00	\$ 1,005.83	\$ 25,145.83	
90.00	90.00	0.00	ATI Kit	\$ 0.00	\$ 0.00	\$ 0.00	
3.00	3.00	0.00	ImageCast® Central Scanner and Tabulator	\$ 0.00	\$ 6,025.00	\$ 18,075.00	
1.00	1.00	0.00	Results Tallying and Reporting Only (RTR) Application Software	\$ 0.00	\$ 2,500.00	\$ 2,500.00	
1.00	1.00	0.00	Adjudication Application Software	\$ 0.00	\$ 1,000.00	\$ 1,000.00	
1.00	1.00	0.00	EMS Server	\$ 0.00	\$ 1,100.00	\$ 1,100.00	
1.00	1.00	0.00	SQL License	\$ 0.00	\$ 416.67	\$ 416.67	
1.00	1.00	0.00	EMS Report Printer P1260DN	\$ 0.00	\$ 41.67	\$ 41.67	
3.00	3.00	0.00	EMS Workstation Laptop	\$ 0.00	\$ 250.00	\$ 750.00	
1.00	1.00	0.00	Digi Connect Port LTS 16	\$ 0.00	\$ 400.00	\$ 400.00	
1.00	1.00	0.00	Network Cables: Molded Cat 6 UTP Patch Cables (12 units)	\$ 0.00	\$ 25.00	\$ 25.00	
1.00	1.00	0.00	Voice Synthesis Software - 2 Voice License	\$ 0.00	\$ 175.00	\$ 175.00	
6.00	6.00	0.00	Compact Flash Reader/Writer	\$ 0.00	\$ 12.50	\$ 75.00	
6.00	6.00	0.00	EMS I-Button Programmer w/USB Adapter	\$ 0.00	\$ 8.33	\$ 50.00	

DOMINION VOTING



1201 18th Street, Suite 210
 Denver CO 80202 United States
 FED ID#27-0565149

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Invoice Date	7/10/2020
Page	2

Bill To:

Imperial County, CA
 Debbie Porter

 El Centro CA 92243

Ship To:

Imperial County, CA
 Debbie Porter
 940 Main Street, Room 206
 El Centro CA 92243

Purchase Order No.		Customer ID	Salesperson ID	Shipping Method	Payment Terms	Req Ship Date	Master No.
SF0009740		USCAIMPERI	MALBERT	BEST WAY	Net 30	7/10/2020	37,936
Ordered	Shipped	B/O	ItemDescription Item Number	Discount	Unit Price	Ext. Price	
2.00	2.00	0.00	Adjudication Station Workstation with monitor	\$ 0.00	\$ 345.17	\$ 690.33	
50.00	50.00	0.00	ICE Tech Key (Yellow iButton)	\$ 0.00	\$ 4.17	\$ 208.33	
180.00	180.00	0.00	ICE Thermal Paper Rolls	\$ 0.00	\$ 0.50	\$ 90.00	
180.00	180.00	0.00	ICE Memory Cards 8MB	\$ 0.00	\$ 13.33	\$ 2,400.00	
1.00	1.00	0.00	ICE Cleaning Sheets (10 Pack)	\$ 0.00	\$ 28.33	\$ 28.33	
180.00	180.00	0.00	ICE Ink Cartridge	\$ 0.00	\$ 4.17	\$ 750.00	
1.00	1.00	0.00	Compact Flash & iButton Labels (100 Pack)	\$ 0.00	\$ 18.33	\$ 18.33	
2.00	2.00	0.00	Spring Lock Plastic Seals (100/pack)	\$ 0.00	\$ 6.67	\$ 13.33	
1.00	1.00	0.00	Implementation	\$ 0.00	\$ 33,333.33	\$ 33,333.33	
1.00	1.00	0.00	System Training	\$ 0.00	\$ 4,583.34	\$ 4,583.34	
1.00	1.00	0.00	Election Setup and Support Services	\$ 0.00	\$ 22,125.00	\$ 22,125.00	
(2.00)	(2.00)	0.00	400C Unit Trade-In	\$ 0.00	\$ 600.00	(\$ 1,200.00)	
(1.00)	(1.00)	0.00	Early Purchase Discount	\$ 0.00	\$ 6,221.17	(\$ 6,221.17)	
1.00	1.00	0.00	Results Tallying and Reporting Only (RTR) Application Software	\$ 0.00	\$ 2,500.00	\$ 2,500.00	
1.00	1.00	0.00	Adjudication Annual License Maintenance Fee	\$ 0.00	\$ 1,000.00	\$ 1,000.00	
90.00	90.00	0.00	ICE Annual Software License Fee	\$ 0.00	\$ 150.00	\$ 13,500.00	

DOMINION VOTING



1201 18th Street, Suite 210
 Denver CO 80202 United States
 FED ID#27-0565149

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Page	3

Bill To:

Imperial County, CA
 Debbie Porter

 El Centro CA 92243

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 Debbie Porter
 940 Main Street, Room 206
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Purchase Order No.	Customer ID	Salesperson ID	Shipping Method	Payment Terms	Req Ship Date	Master No.
SF0009740	USCAIMPERI	MALBERT	BEST WAY	Net 30	7/10/2020	37,936

Ordered	Shipped	B/O	ItemDescription	Discount	Unit Price	Ext. Price
			Item Number			
3.00	3.00	0.00	ICC Annual Software License Fee	\$ 0.00	\$ 2,150.83	\$ 6,452.50
90.00	90.00	0.00	ICE Annual Hardware Warranty Fee	\$ 0.00	\$ 166.67	\$ 15,000.00
3.00	3.00	0.00	ICC Annual Hardware Warranty Fee	\$ 0.00	\$ 2,833.33	\$ 8,500.00
1.00	1.00	0.00	Shipping	\$ 0.00	\$ 3,655.18	\$ 3,655.18

REMIT TO: Dominion Voting Systems, Inc. P.O. Box 538214 Atlanta, GA 30353-8214	COURIER ADDRESS: Dominion Voting Systems, Inc. Lockbox #538214 1669 Phoenix Parkway, Suite 210 College Park, GA 30349	Subtotal	\$ 250,181.00
		Tax	\$ 0.00
		Freight	\$ 0.00
		Trade Discount	\$ 0.00
		Total	\$ 250,181.00

Comments:

Year 6. Coverage Period: Jul 1, 2020 - Jun 30, 2021.



ALEX PADILLA | SECRETARY OF STATE | STATE OF CALIFORNIA
OFFICE OF VOTING SYSTEMS TECHNOLOGY ASSESSMENT
1500 11th Street | Sacramento, CA 95814 | **Tel** 916.695.1680 | **Fax** 916.653.4620 | www.sos.ca.gov

April 5, 2019

County Clerk/Registrar of Voters (CC/ROV) Memorandum #19032

TO: All County Clerks/Registrars of Voters
FROM: /s/ Susan Lapsley
Deputy Secretary of State and Counsel
RE: Voting Systems: OVSTA Monthly Update – April 2019

Each month, the Office of Voting Systems Technology Assessment (OVSTA) provides an update on Election Assistance Commission (EAC) and Secretary of State (SOS) activities related to voting technology.

Each update provides information on:

- Voting technology related events that may be of interest.
- Administrative approvals and denials since the prior month's update.
- Administrative approval requests since the prior month's update.
- Voting technology testing and approval at the SOS office.
- Voting system testing and certification at the EAC.
- Defect, failure, and fault reports issued since the prior month's update.
- Ballot printing certification requests since the prior month's update.

Recent and Upcoming Events

A public hearing was held March 19, 2019, regarding the Notice of Withdrawal of Certification and Conditional Approval of Voting Systems, effective August 27, 2019. The public comment period ended March 28, 2019.

[CCROV #19015](#) issued on February 27, 2019, gave notice that, effective August 27, 2019, voting systems not certified under the California Voting Systems Standards (CVSS) are subject to withdrawal of certification and conditional approval. The withdrawal is effective August 27, 2019, however, pursuant to Elections Code section 19232, any election scheduled six months from August 27, 2019, shall not be affected by this action. Therefore, any federal, state, county, municipal, district or school election scheduled from August 27, 2019, until February 27, 2020, may continue to use voting systems not tested and certified to CVSS. The memorandum also provided that, should circumstances prevent a jurisdiction from implementing a CVSS certified voting system by February 27, 2020, a written request for extension of use may be submitted to OVSTA by April 5, 2019. Key dates are:

- April 5, 2019 - Request for Conditional Approval for Extension of Use deadline.

- August 27, 2019 – Withdrawal Effective
- August 27, 2019 to February 27, 2020 – Jurisdictions may continue to use voting systems not tested and certified to CVSS.
- February 28, 2020 – Voting systems not tested and certified to CVSS may no longer be used, unless an extension of use has been granted to the jurisdiction.

Regarding upcoming elections, the Secretary of State's Office issues County Clerk/Registrar of Voters (CC/ROV) Memorandums containing ballot tint and watermark for statewide elections only. For all other elections, jurisdictions are required to request ballot tint and watermark from the Secretary of State per California Code of Regulations Section 20280. The request must be made in writing and contain the following information: (1) The name of the jurisdiction conducting the election, (2) The date of the election, (3) The title of the election, (4) The date of the close of candidate filing for the election, if applicable, and (5) The date on which the ballot order designation will be determined by a randomized alphabet drawing for the election, if applicable.

Requests shall be submitted to the Secretary of State @ votingsystems@sos.ca.gov.

Governor Brown signed [AB 2125](#) into law, authorizing the use of risk-limiting audits in lieu of the 1% manual tally beginning with the March 3, 2020, primary election. The bill requires the Secretary of State, in consultation with recognized statistical experts, election verification and integrity stakeholders, voting system manufacturers, and local elections officials to adopt regulations to implement and administer risk-limiting audits. The first work group meeting was held on April 2, 2019. Additional meetings will occur in the coming months.

Governor Brown signed [AB 1013](#) into law, requiring a county elections official to permit a voter with a disability, or a military or overseas voter, to cast his or her ballot using a certified RAVBM system. As a reminder, the county accessibility contracts allow for reimbursement of costs associated with the acquisition or deployment of a RAVBM system. The following systems are either certified or are navigating the testing and certification process in California:

- Democracy Live Secure Select 1.0 (Certified)
- Dominion ImageCast 5.2 (Certified)
- Five Cedars Group Alternate Format Ballot (AFB) 4.3 (Certified)
- ES&S EVS 6.0.4.2 (Pre-Testing, Contract Award)
- Dominion ImageCast 5.10 (Pre-Testing, Request for Proposal)
- Los Angeles VSAP Interactive Sample Ballot (Pre-Testing, Request for Proposal)

The Future of California Elections (FoCE) Project is holding its annual conference on April 11, 2019, in Sacramento. The conference will provide a platform for election administrators, community organizations, and reform advocates to discuss the latest developments in the field of elections. Conference information can be viewed [here](#).

Voting System and RAVBM Testing and Approvals

There was no voting system or RAVBM testing or approvals in March.

Voting technology application status is as follows:

System	Type	Applicant	Submission Date	Testing Phase
Democracy Suite 5.10	Voting System	Dominion Voting Systems, Inc.	10/24/2018	Pre-Testing (Request for Bid Proposal)
VSAP Tally Version 2.0	Voting System	Los Angeles County	11/6/2018	Pre-Testing (Request for Bid Proposal)
EVS 6.0.4.2	Voting System	ES&S	12/18/2018	Pre-Testing (Contract Award)
ImageCast Remote 5.10	RAVBM	Dominion Voting Systems, Inc.	10/24/2018	Testing (Functional Testing)
VSAP Interactive Sample Ballot	RAVBM	Los Angeles County	11/6/2018	Pre-Testing (Request for Bid Proposal)
Alternate Format Ballot V. 5.2.1	RAVBM	Five Cedars Group	3/25/2019	Application Review

Administrative Approval Requests and Approvals

Five Cedars Group Inc. submitted a request for Administrative Approval of four (4) minor bug fixes and four (4) cosmetic changes to the Alternate Format Ballot (AFB) 4.3 remote accessible vote by mail system. The request is currently under review.

Hart Intercivic submitted a request for Administrative Approval of three (3) new features to the Verity Voting 3.0.1 voting system. The request is currently under review.

Information regarding administrative approval requests can be found [here](#).

Testing and Certification at the EAC

The EAC provides [updates](#) on voting system testing. The latest update from the EAC was provided on March 22, 2019. However, based upon discussions with vendors, no systems currently undergoing testing and certification at the EAC are relevant to California.

Additional specifics regarding each voting system are available at: "[Voting Systems Under Test](#)" and "[Certified Voting Systems](#)".

Defects, Failures, and Faults

There were no defects, failures, or faults in March.

Ballot Printing Certification Requests and Approvals

There were no ballot printing certification requests or approvals in March.

A list of certified ballot printers can be found [here](#).

Ballot on Demand Printing Requests and Approvals

There were no Ballot on Demand Printing requests or approvals in March.

A list of certified ballot on demand systems and jurisdictions can be found [here](#).

Electronic Poll Book Certification Requests and Approvals

There were no electronic poll book certification requests or approval in March.

Electronic poll book application status is as follows:

System	Type	Applicant	Submission Date	Testing Phase
Advocate Precinct Management System 3.2	ePollBook	DemTech	09/24/2018	Pre-Testing (Request for Bid Proposal)
Precinct Central ePollbook 4.1	ePollBook	Tenex Software	01/17/2019	Application Review
AskED 3.4.130.0	ePollBook	Robis Elections	02/23/2019	Pre-Testing (Request for Bid Proposal)
KNOWiNK 2.3.7	ePollBook	KNOWiNK Inc.	02/27/2019	Pre-Testing (Request for Bid Proposal)

Notes and Reminders

As a reminder, pursuant to California Elections Code Sections 17301-17306, the retention and preservation of election records, which includes digital ballot images is 22 months. Several voting system tabulation components are capable of producing digital ballot images. Additional information regarding how to backup, retain and preserve the digital ballot images, and whether or not your jurisdiction's voting system has this capability, can be found in the respective Use Procedures, on our website at:

<https://www.sos.ca.gov/elections/voting-systems/>.

Regarding the disposal or sale of equipment:

- In 2012, the California Secretary of State issued guidance regarding the disposition or sale of equipment purchased with HAVA and/or VMB funding. See [Secretary of State \(SOS\) County Clerk/Registrar of Voters \(CC/ROV\) Memorandum #12219 - Handling the Sale and Funds from the Sale of Voting Systems or Voting Equipment](#). The document outlines proper disposal or sale procedures of voting systems or voting equipment purchased with HAVA and/or VMB funding. The document also highlights that all equipment must be void of

any software or firmware and returned to a condition of a non-functioning piece of hardware prior to its disposal or sale.

- The EAC issued [Election Assistance Commission \(EAC\) Funding Advisory Opinion FAO-08-007](#). The document outlines proper disposal or sale account procedures for original or replacement equipment acquired with HAVA funding.
- The US-CERT issued [Security Tip \(ST18-005\)](#) outlining proper disposal procedures for electronic devices.



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May 3, 2019

County Clerk/Registrar of Voters (CC/ROV) Memorandum #19042

TO: All County Clerks/Registrars of Voters
FROM: /s/ Susan Lapsley
Deputy Secretary of State and Counsel
RE: Voting Systems: OVSTA Monthly Update – May 2019

Each month, the Office of Voting Systems Technology Assessment (OVSTA) provides an update on Election Assistance Commission (EAC) and Secretary of State (SOS) activities related to voting technology.

Each update provides information on:

- Voting technology related events that may be of interest.
- Administrative approvals and denials since the prior month's update.
- Administrative approval requests since the prior month's update.
- Voting technology testing and approval at the SOS office.
- Voting system testing and certification at the EAC.
- Defect, failure, and fault reports issued since the prior month's update.
- Ballot printing certification requests since the prior month's update.

Recent and Upcoming Events

[CCROV #19015](#) issued on February 27, 2019, gave notice that, effective August 27, 2019, voting systems not certified under the California Voting Systems Standards (CVSS) are subject to withdrawal of certification and conditional approval. The withdrawal is effective August 27, 2019, however, pursuant to Elections Code section 19232, any election scheduled six months from August 27, 2019, shall not be affected by this action. Therefore, any federal, state, county, municipal, district or school election scheduled from August 27, 2019, until February 27, 2020, may continue to use voting systems not tested and certified to CVSS. Key dates are:

- August 27, 2019 – Withdrawal Effective
- August 27, 2019 to February 27, 2020 – Jurisdictions may continue to use voting systems not tested and certified to CVSS.
- February 28, 2020 – Voting systems not tested and certified to CVSS may no longer be used, unless an extension of use has been granted to the jurisdiction.

Regarding upcoming elections, the Secretary of State's Office issues County Clerk/Registrar of Voters (CC/ROV) Memorandums containing ballot tint and watermark

for statewide elections only. For all other elections, jurisdictions are required to request ballot tint and watermark from the Secretary of State per California Code of Regulations Section 20280. The request must be made in writing and contain the following information: (1) The name of the jurisdiction conducting the election, (2) The date of the election, (3) The title of the election, (4) The date of the close of candidate filing for the election, if applicable, and (5) The date on which the ballot order designation will be determined by a randomized alphabet drawing for the election, if applicable.

Requests shall be submitted to the Secretary of State at votingsystems@sos.ca.gov.

Governor Brown signed [AB 2125](#) into law, authorizing the use of risk-limiting audits in lieu of the 1% manual tally beginning with the March 3, 2020, primary election. The bill requires the Secretary of State, in consultation with recognized statistical experts, election verification and integrity stakeholders, voting system manufacturers, and local elections officials to adopt regulations to implement and administer risk-limiting audits. The third work group meeting was held on May 3, 2019. Additional meetings will occur in the coming months.

Governor Brown signed [AB 1013](#) into law, requiring a county elections official to permit a voter with a disability, or a military or overseas voter, to cast his or her ballot using a certified RAVBM system. As a reminder, the county accessibility contracts allow for reimbursement of costs associated with the acquisition or deployment of a RAVBM system. The following systems are either certified or are navigating the testing and certification process in California:

- Democracy Live Secure Select 1.0 (Certified)
- Dominion ImageCast 5.2 (Certified)
- Five Cedars Group Alternate Format Ballot (AFB) 4.3 (Certified)
- ES&S EVS 6.0.4.2 (Testing, Functional Testing)
- Dominion ImageCast 5.10 (Testing, Functional Testing)
- Los Angeles VSAP Interactive Sample Ballot (Pre-Testing, Test Plan)

Voting System and RAVBM Testing and Approvals

OVSTA began functional testing of Dominion's Democracy Suite 5.10 Voting System. Certification testing is expected to continue through the coming months.

OVSTA will begin functional testing of the ES&S EVS 6.0.4.2 Voting System on May 6, 2019. Certification testing is expected to continue through the coming months.

Voting technology application status is as follows:

System	Type	Applicant	Submission Date	Testing Phase
Democracy Suite 5.10	Voting System	Dominion Voting Systems, Inc.	10/24/2018	Testing (Functional Testing)
VSAP Tally Version 2.0	Voting System	Los Angeles County	11/6/2018	Pre-Testing (Test Plan)
EVS 6.0.4.2	Voting System	ES&S	12/18/2018	Testing (Functional Testing)
ImageCast Remote 5.10	RAVBM	Dominion Voting Systems, Inc.	10/24/2018	Testing (Functional Testing)
VSAP Interactive Sample Ballot	RAVBM	Los Angeles County	11/6/2018	Pre-Testing (Test Plan)
Alternate Format Ballot V. 5.2.1	RAVBM	Five Cedars Group	3/25/2019	Testing (Functional Testing)

Administrative Approval Requests and Approvals

Five Cedars Group Inc. submitted a request for Administrative Approval of four (4) minor bug fixes and four (4) cosmetic changes to the Alternate Format Ballot (AFB) 4.3 remote accessible vote by mail system. The request is currently under review.

Hart InterCivic submitted a request for Administrative Approval of three (3) new features to the Verity Voting 3.0.1 voting system. In accordance with California Elections Code section 19201, OVSTA determined the modifications to require a full series of testing and thus a new certification, opposed to an Administrative Approval. Hart InterCivic has been encouraged to submit an application for a new voting system certification as soon as reasonable to do so.

Information regarding administrative approval requests can be found [here](#).

Testing and Certification at the EAC

The EAC provides [updates](#) on voting system testing. The latest update from the EAC was provided on March 22, 2019. However, based upon discussions with vendors, no systems currently undergoing testing and certification at the EAC are relevant to California.

Additional specifics regarding each voting system are available at: "[Voting Systems Under Test](#)" and "[Certified Voting Systems](#)".

Defects, Failures, and Faults

There were no defects, failures, or faults in April.

Ballot Printing Certification Requests and Approvals

There were no ballot printing certification requests or approvals in April.

A list of certified ballot printers can be found [here](#).

Ballot on Demand Printing Requests and Approvals

There were no Ballot on Demand Printing requests or approvals in April.

A list of certified ballot on demand systems and jurisdictions can be found [here](#).

Electronic Poll Book Certification Requests and Approvals

DemTech Voting Systems withdrew their application for certification of their Advocate Precinct Management System 3.2. They will resubmit a new application later this year.

KNOWiNK submitted an administrative approval requesting to update their Poll Pad 1.3.3 system to iOS 12.2 as well as the addition of two new iPad models.

Electronic poll book application status is as follows:

System	Type	Applicant	Submission Date	Testing Phase
Advocate Precinct Management System 3.2	ePollBook	DemTech	09/24/2018	Withdrawn 4/10/2019
Precinct Central ePollbook 4.1	ePollBook	Tenex Software	01/17/2019	Pre-Testing (Test Plan)
AskED 3.4.130.0	ePollBook	Robis Elections	02/23/2019	Pre-Testing (Test Plan)
KNOWiNK 2.3.7	ePollBook	KNOWiNK Inc.	02/27/2019	Pre-Testing (Request for Bid Proposal)
KNOWiNK 1.3.3	ePollBook	KNOWiNK Inc.	04/30/2019	Application Review

Notes and Reminders

As a reminder, pursuant to California Elections Code Sections 17301-17306, the retention and preservation of election records, which includes digital ballot images is 22 months. Several voting system tabulation components are capable of producing digital ballot images. Additional information regarding how to backup, retain and preserve the digital ballot images, and whether or not your jurisdiction's voting system has this capability, can be found in the respective Use Procedures, on our website at:

<https://www.sos.ca.gov/elections/voting-systems/>.

Regarding the disposal or sale of equipment:

- In 2012, the California Secretary of State issued guidance regarding the disposition or sale of equipment purchased with HAVA and/or VMB funding. See [Secretary of State \(SOS\) County Clerk/Registrar of Voters \(CC/ROV\)](#)

[Memorandum #12219 - Handling the Sale and Funds from the Sale of Voting Systems or Voting Equipment](#). The document outlines proper disposal or sale procedures of voting systems or voting equipment purchased with HAVA and/or VMB funding. The document also highlights that all equipment must be void of any software or firmware and returned to a condition of a non-functioning piece of hardware prior to its disposal or sale.

- The EAC issued [Election Assistance Commission \(EAC\) Funding Advisory Opinion FAO-08-007](#). The document outlines proper disposal or sale account procedures for original or replacement equipment acquired with HAVA funding.
- The US-CERT issued [Security Tip \(ST18-005\)](#) outlining proper disposal procedures for electronic devices.



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June 7, 2019

County Clerk/Registrar of Voters (CC/ROV) Memorandum #19048

TO: All County Clerks/Registrars of Voters
FROM: /s/ Susan Lapsley
Deputy Secretary of State and Counsel
RE: Voting Systems: OVSTA Monthly Update – June 2019

Each month, the Office of Voting Systems Technology Assessment (OVSTA) provides an update on Election Assistance Commission (EAC) and Secretary of State (SOS) activities related to voting technology.

Each update provides information on:

- Voting technology related events that may be of interest.
- Administrative approval requests and denials since the prior month's update.
- Voting technology testing and approval at the SOS office.
- Defect, failure, and fault reports issued since the prior month's update.
- Ballot printing certification requests since the prior month's update.

Recent and Upcoming Events

[CCROV #19015](#) issued on February 27, 2019, gave notice that, effective August 27, 2019, voting systems not certified under the California Voting Systems Standards (CVSS) are subject to withdrawal of certification and conditional approval. The withdrawal is effective August 27, 2019; however, pursuant to Elections Code section 19232, any election scheduled six months from August 27, 2019, shall not be affected by this action. Therefore, any federal, state, county, municipal, district, or school election scheduled from August 27, 2019, until February 27, 2020, may continue to use voting systems not tested and certified to CVSS. Key dates are:

- August 27, 2019 – Withdrawal Effective
- August 27, 2019 to February 27, 2020 – Jurisdictions may continue to use voting systems not tested and certified to CVSS.
- February 28, 2020 – Voting systems not tested and certified to CVSS may no longer be used, unless an extension of use has been granted to the jurisdiction.

Regarding upcoming elections, the Secretary of State's Office issues County Clerk/Registrar of Voters (CC/ROV) Memorandums containing ballot tint and watermark for statewide elections only. For all other elections, jurisdictions are required to request ballot tint and watermark from the Secretary of State per California Code of Regulations Section 20280. The request must be made in writing and contain the following information: (1) The name of the jurisdiction conducting the election; (2) The date of the election; (3) The title of the election; (4) The date of the close of candidate filing for the election, if applicable; and (5) The date on which the ballot order designation will be determined by a randomized alphabet drawing for the election, if applicable.

Requests shall be submitted to the Secretary of State at votingsystems@sos.ca.gov.

Governor Brown signed [AB 2125](#) into law, authorizing the use of risk-limiting audits in lieu of the 1% manual tally beginning with the March 3, 2020, primary election. The bill requires the Secretary of State, in consultation with recognized statistical experts, election verification and integrity stakeholders, voting system manufacturers, and local elections officials to, adopt regulations to implement and administer risk-limiting audits. The fourth work group meeting will be held on June 7, 2019. Additional meetings will occur in the coming months.

Governor Brown signed [AB 1013](#) into law, requiring a county elections official to permit a voter with a disability, or a military or overseas voter, to cast his or her ballot using a certified RAVBM system. As a reminder, the county accessibility contracts allow for reimbursement of costs associated with the acquisition or deployment of an RAVBM system. The following systems are either certified or are navigating the testing and certification process in California:

- Democracy Live Secure Select 1.0 (Certified)
- Dominion ImageCast 5.2 (Certified)
- Five Cedars Group Alternate Format Ballot (AFB) 4.3 (Certified)
- ES&S EVS 6.0.4.2 (Testing, Functional Testing)
- Dominion ImageCast 5.10 (Testing, Functional Testing)
- Los Angeles VSAP Interactive Sample Ballot (Pre-Testing, Test Plan)

Voting System and RAVBM Testing and Approvals

OVSTA began functional testing of Dominion's Democracy Suite 5.10 Voting System. Certification testing is expected to continue through the coming months.

OVSTA began functional testing of the ES&S EVS 6.0.4.2 Voting System. Certification testing is expected to continue through the coming months.

Voting technology application status is as follows:

System	Type	Applicant	Submission Date	Testing Phase
Democracy Suite 5.10	Voting System	Dominion Voting	10/24/2018	Testing (Functional)
VSAP Tally Version 2.0	Voting System	Los Angeles County	11/6/2018	Pre-Testing (Test Plan)
EVS 6.0.4.2	Voting System	ES&S	12/18/2018	Testing (Functional)
Verity Voting 3.1	Voting System	Hart Intercivic	5/3/2019	Pre-Testing (Application)
ImageCast Remote 5.10	RAVBM	Dominion Voting	10/24/2018	Testing (Functional)
VSAP Interactive	RAVBM	Los Angeles County	11/6/2018	Pre-Testing (Test Plan)
Alternate Format Ballot	RAVBM	Five Cedars Group	3/25/2019	Testing (Functional)

Administrative Approval Requests and Approvals

Five Cedars Group Inc. submitted a request for Administrative Approval of four (4) minor bug fixes and four (4) cosmetic changes to the Alternate Format Ballot (AFB) 4.3 remote accessible vote by mail system. The request is currently under review.

Information regarding administrative approval requests can be found [here](#).

Testing and Certification at the EAC

The EAC provides [updates](#) on voting system testing. The latest update from the EAC was provided on March 22, 2019. However, based upon discussions with vendors, no systems currently undergoing testing and certification at the EAC are relevant to California.

Additional specifics regarding each voting system are available at: "[Voting Systems Under Test](#)" and "[Certified Voting Systems](#)".

Defects, Failures, and Faults

There were no defects, failures, or faults in May.

Ballot Printing Certification Requests and Approvals

There were no ballot printing certification requests or approvals in May.

A list of certified ballot printers can be found [here](#).

Ballot on Demand Printing Requests and Approvals

KNOWiNK submitted an application for approval of their Poll Print 2.0.6 ballot on demand printing system.

A list of certified ballot on demand systems and jurisdictions can be found [here](#).

Electronic Poll Book Certification Requests and Approvals

There were no electronic poll book certification requests or approvals in May.

Electronic poll book application status is as follows:

System	Type	Applicant	Submission Date	Testing Phase
Precinct Central ePollbook 4.1	ePollBook	Tenex Software	01/17/2019	Pre-Testing (Test Plan)
AskED 3.4.130.0	ePollBook	Robis Elections	02/23/2019	Pre-Testing (Functional)
KNOWiNK 2.3.7	ePollBook	KNOWiNK Inc.	02/27/2019	Pre-Testing (Application Review)
KNOWiNK 1.3.3	ePollBook	KNOWiNK Inc.	04/30/2019	Pre-Testing (Functional)

Notes and Reminders

As a reminder, pursuant to California Elections Code sections 17301-17306, the retention and preservation of election records, which includes digital ballot image is 22 months. Several voting system tabulation components are capable of producing digital ballot images. Additional information regarding how to backup, retain, and preserve the digital ballot images, and whether or not your jurisdiction's voting system has this capability, can be found in the respective Use Procedures, [here](#).

Regarding the disposal or sale of equipment:

- In 2012, the California Secretary of State issued guidance regarding the disposition or sale of equipment purchased with HAVA and/or VMB funding. See [Secretary of State \(SOS\) County Clerk/Registrar of Voters \(CC/ROV\) Memorandum #12219 - Handling the Sale and Funds from the Sale of Voting Systems or Voting Equipment](#). The document outlines proper disposal or sale procedures of voting systems or voting equipment purchased with HAVA and/or VMB funding. The document also highlights that all equipment must be void of any software or firmware and returned to a condition of a non-functioning piece of hardware prior to its disposal or sale.

CCROV #19048

June 7, 2019

Page 5

- The US-CERT issued [Security Tip \(ST18-005\)](#) outlining proper disposal procedures for electronic devices.



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July 11, 2019

County Clerk/Registrar of Voters (CC/ROV) Memorandum #19054

TO: All County Clerks/Registrars of Voters
FROM: /s/ Susan Lapsley
Deputy Secretary of State and Counsel
RE: Voting Systems: OVSTA Monthly Update – June 2019

Each month, the Office of Voting Systems Technology Assessment (OVSTA) provides an update on Election Assistance Commission (EAC) and Secretary of State (SOS) activities related to voting technology.

Each update provides information on:

- Voting technology related events that may be of interest.
- Administrative approval requests and denials since the prior month's update.
- Voting technology testing and approval at the SOS office.
- Defect, failure, and fault reports issued since the prior month's update.
- Ballot printing certification requests since the prior month's update.

Recent and Upcoming Events

As a reminder, effective August 27, 2019, voting systems not certified under the California Voting Systems Standards (CVSS) are subject to withdrawal of certification and conditional approval. However, pursuant to Elections Code section 19232, any federal, state, county, municipal, district, or school election scheduled from August 27, 2019, until February 27, 2020, may continue to use voting systems not tested and certified to CVSS. Key dates are:

- August 27, 2019 – Withdrawal Effective
- August 27, 2019 to February 27, 2020 – Jurisdictions may continue to use voting systems not tested and certified to CVSS.
- February 28, 2020 – Voting systems not tested and certified to CVSS may no longer be used, unless an extension of use has been granted to the jurisdiction.

Governor Brown signed [AB 2125](#) into law, authorizing the use of risk-limiting audits in lieu of the 1% manual tally beginning with the March 3, 2020, primary election. The bill requires the Secretary of State, in consultation with recognized statistical experts, election verification and integrity stakeholders, voting system manufacturers, and local elections officials to, adopt regulations to implement and administer risk-limiting audits. The fifth work group meeting will be held on August 7, 2019.

Governor Brown signed [AB 1013](#) into law, requiring a county elections official to permit a voter with a disability, or a military or overseas voter, to cast his or her ballot using a certified RAVBM system. As a reminder, the county accessibility contracts and the voting system replacement contracts allow for reimbursement of costs associated with the acquisition or deployment of an RAVBM system. The following systems are either certified or are navigating the testing and certification process in California:

- Democracy Live Secure Select 1.2.1 (Certified)
- Dominion ImageCast 5.2 (Certified)
- Five Cedars Group Alternate Format Ballot (AFB) 5.2.1 (Certified)
- ES&S EVS 6.0.4.2 (Testing, Security & Telecommunications Testing)
- Dominion ImageCast 5.10 (Testing, Security & Telecommunications Testing)
- Los Angeles VSAP Interactive Sample Ballot (Pre-Testing, Test Plan)

Voting System and RAVBM Testing and Approvals

OVSTA began security & telecommunications testing of Dominion’s Democracy Suite 5.10 Voting System. Certification testing is expected to continue through the coming months.

OVSTA began security & telecommunications testing of the ES&S EVS 6.0.4.2 Voting System. Certification testing is expected to continue through the coming months.

Voting technology application status is as follows:

System	Type	Applicant	Submission Date	Testing Phase
Democracy Suite 5.10	Voting System	Dominion Voting	10/24/2018	Testing (Security & Telecom)
VSAP Tally Version 2.0	Voting System	Los Angeles County	11/6/2018	Pre-Testing (Test Plan)
EVS 6.0.4.2	Voting System	ES&S	12/18/2018	Testing (Security & Telecom)
Verity Voting 3.1	Voting System	Hart Intercivic	5/3/2019	Pre-Testing (Application Evaluation)
ImageCast Remote 5.10	RAVBM	Dominion Voting	10/24/2018	Testing (Functional)
VSAP Interactive Sample Ballot	RAVBM	Los Angeles County	11/6/2018	Pre-Testing (Test Plan)

Administrative Approval Requests and Approvals

Five Cedars Group Inc. was provided administrative approval of their Alternate Format Ballot (AFB) 5.2.1 remote accessible vote by mail system.

Information regarding administrative approval requests can be found [here](#).

Testing and Certification at the EAC

The EAC provides [updates](#) on voting system testing. The latest update from the EAC was provided on July 9, 2019. However, based upon discussions with vendors, no systems currently undergoing testing and certification at the EAC are relevant to California.

Additional specifics regarding each voting system are available at: "[Voting Systems Under Test](#)" and "[Certified Voting Systems](#)".

Defects, Failures, and Faults

There were no defects, failures, or faults in June.

Ballot Printing Certification Requests and Approvals

Mailing Systems Inc. (MSI) requested approval to print Hart Verity, ES&S Electionware and Dominion ImageCast ballots using 100# tag stock. The approval is currently under review.

ProVote Solutions requested approval to print Hart Verity ballots on a new Screen TruePress Jet 520 printer. The approval is currently under review.

A list of certified ballot printers can be found [here](#).

Ballot on Demand Printing Requests and Approvals

KNOWiNK submitted an application for approval of their Poll Print 2.0.6 ballot on demand printing system. The application is currently under review.

A list of certified ballot on demand systems and jurisdictions can be found [here](#).

Electronic Poll Book Certification Requests and Approvals

There were no electronic poll book certification requests or approvals in June.

Electronic poll book application status is as follows:

System	Type	Applicant	Submission Date	Testing Phase
Precinct Central ePollbook 4.1	ePollBook	Tenex Software	01/17/2019	Pre-Testing (Test Plan)
AskED 3.4.130.0	ePollBook	Robis Elections	02/23/2019	Pre-Testing (Functional)
KNOWiNK 2.3.7	ePollBook	KNOWiNK Inc.	02/27/2019	Pre-Testing (Application Review)
KNOWiNK 1.3.3	ePollBook	KNOWiNK Inc.	04/30/2019	Testing (Functional)

Notes and Reminders

As a reminder, pursuant to California Elections Code sections 17301-17306, the retention and preservation of election records, which includes digital ballot image is 22 months. Several voting system tabulation components are capable of producing digital ballot images. Additional information regarding how to backup, retain, and preserve the digital ballot images, and whether or not your jurisdiction's voting system has this capability, can be found in the respective Use Procedures, [here](#).

Regarding the disposal or sale of equipment:

- In 2012, the California Secretary of State issued guidance regarding the disposition or sale of equipment purchased with HAVA and/or VMB funding. See [Secretary of State \(SOS\) County Clerk/Registrar of Voters \(CC/ROV\) Memorandum #12219 - Handling the Sale and Funds from the Sale of Voting Systems or Voting Equipment](#). The document outlines proper disposal or sale procedures of voting systems or voting equipment purchased with HAVA and/or VMB funding. The document also highlights that all equipment must be void of any software or firmware and returned to a condition of a non-functioning piece of hardware prior to its disposal or sale.
- The US-CERT issued [Security Tip \(ST18-005\)](#) outlining proper disposal procedures for electronic devices.



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August 13, 2019

County Clerk/Registrar of Voters (CC/ROV) Memorandum #19064

TO: All County Clerks/Registrars of Voters
FROM: /s/ Susan Lapsley
Deputy Secretary of State and Counsel
RE: Voting Systems: OVSTA Monthly Update – August 2019

Each month, the Office of Voting Systems Technology Assessment (OVSTA) provides an update on Election Assistance Commission (EAC) and Secretary of State (SOS) activities related to voting technology.

Each update provides information on:

- Voting technology related events that may be of interest.
- Administrative approval requests and denials since the prior month's update.
- Voting technology testing and approval at the SOS office.
- Defect, failure, and fault reports issued since the prior month's update.
- Ballot printing certification requests since the prior month's update.

Recent and Upcoming Events

A public hearing has been scheduled for September 4, 2019, at the California Secretary of State building, 1500 11th Street, Sacramento, in the Auditorium at 9 a.m., for the following voting technology systems:

- Dominion Voting Systems' Democracy Suite 5.10 Voting System
- ES&S's EVS 6.0.4.2 Voting System
- Dominion Voting Systems' ImageCast Remote 5.10 RAVBM System

The public hearing agenda can be found [here](#).

The OVSTA portion of the SOS website has been revised. The new OVSTA landing page can be located [here](#). Please update any previous bookmarked pages or links accordingly.

The DefCon 26 hacking conference was held in Las Vegas, Nevada, on August 8-11, 2019. Voting machines were reviewed to raise awareness of the vulnerabilities that could be exploited. Additional information regarding the conference can be located at <https://www.defcon.org/html/defcon-27/dc-27-index.html>.

Per [California Code of Regulations Section 20233](#), jurisdictions wishing to purchase ballot cards directly from a ballot printer or wishing to have unfinished ballot cards removed from a warehouse for finishing, shall request and receive a release from the Secretary of State. No ballot cards or unfinished ballot cards shall be manufactured, and no unfinished ballot cards shall be removed from the warehouse for finishing, prior to issuance of a specific release. The [Request for Ballot Card Release](#) is available on the Secretary of State website. Requests should be submitted to the Secretary of State @ ballotrelease@sos.ca.gov.

Governor Brown signed [AB 2125](#) into law, authorizing the use of risk-limiting audits in lieu of the 1% manual tally beginning with the March 3, 2020, primary election. The bill requires the Secretary of State, in consultation with recognized statistical experts, election verification and integrity stakeholders, voting system manufacturers, and local elections officials to, adopt regulations to implement and administer risk-limiting audits. The fifth work group meeting was held on August 7, 2019. The RLA draft regulations are in their final stages. The rulemaking process is scheduled to begin within the coming month.

The 2019 Budget Act provided one-time funding of \$87 million for the replacement of voting systems and technology. This allocation is in addition to the fiscal year 2018-2019 funding which provided \$134 million for counties for the replacement of voting technology. The 2019 Budget Act provided additional funding, modified the match requirement, and allocated funding for election management system (EMS) replacement. [County Clerk/Registrar of Voters \(CC/ROV\) Memorandum #19056](#) was issued on July 23, 2019 with information about the money and allocation amounts per county.

Voting System and RAVBM Testing and Approvals

OVSTA completed certification testing of Dominion's Democracy Suite 5.10 voting system. A public hearing has been scheduled for September 4, 2019.

OVSTA completed certification testing of the ES&S EVS 6.0.4.2 voting system. A public hearing has been scheduled for September 4, 2019.

OVSTA began functional testing of Los Angeles County's Voting Solutions for All People (VSAP) voting system. A public hearing has been scheduled for September 4, 2019.

OVSTA completed certification testing of Dominion's ImageCast Remote 5.10 remote accessible vote by mail system. A public hearing has been scheduled for September 4, 2019.

Voting technology application status is as follows:

System	Type	Applicant	Submission Date	Testing Phase
Democracy Suite 5.10	Voting System	Dominion Voting	10/24/2018	Testing (Post)
VSAP Tally Version 2.0	Voting System	Los Angeles County	11/6/2018	Testing (Functional)
EVS 6.0.4.2	Voting System	ES&S	12/18/2018	Testing (Post)
Verity Voting 3.1	Voting System	Hart Intercivic	5/3/2019	Pre-Testing (Request for Proposal)
ImageCast Remote 5.10	RAVBM	Dominion Voting	10/24/2018	Testing (Post)
VSAP Interactive Sample Ballot	RAVBM	Los Angeles County	11/6/2018	Pre-Testing (Test Plan)

Administrative Approval Requests and Approvals

There were no administrative approvals in July.

Information regarding administrative approval requests can be found [here](#).

Testing and Certification at the EAC

The EAC provides [updates](#) on voting system testing. The latest update from the EAC was provided on July 9, 2019. However, based upon discussions with vendors, no systems currently undergoing testing and certification at the EAC are relevant to California.

Additional specifics regarding each voting system are available at: "[Voting Systems Under Test](#)" and "[Certified Voting Systems](#)".

Defects, Failures, and Faults

There were no defects, failures, or faults in July.

Ballot Printing Certification Requests and Approvals

ProVote Solutions was provided approval to print Hart Verity ballots on a new Screen TruePress Jet 520 printer.

A list of certified ballot printers can be found [here](#).

Ballot on Demand Printing Requests and Approvals

There were no ballot on demand printing requests or approvals in July.

A list of certified ballot on demand systems and jurisdictions can be found [here](#).

Electronic Poll Book Certification Requests and Approvals

KNOWiNK was provided administrative approval to update their Poll Pad 1.3.3 system to iOS 12.2 as well as the addition of two new iPad models.

A list containing certified electronic poll book vendors can be found [here](#).

Electronic poll book application status is as follows:

System	Type	Applicant	Submission Date	Testing Phase
Precinct Central ePollbook 4.1	ePollBook	Tenex Software	01/17/2019	Withdrawn
AskED 3.4.130.0	ePollBook	Robis Elections	02/23/2019	Pre-Testing (Test Plan)
KNOWiNK 2.3.7	ePollBook	KNOWiNK Inc.	02/27/2019	Pre-Testing (Application Review)

Notes and Reminders

The Secretary of State's Office issues County Clerk/Registrar of Voters (CC/ROV) Memorandums containing ballot tint and watermark for statewide elections only. For local elections, jurisdictions are required to request ballot tint and watermark from the Secretary of State per [California Code of Regulations Section 20280](#). Requests should be submitted to the Secretary of State @ votingsystems@sos.ca.gov.

As a reminder, pursuant to California Elections Code sections 17301-17306, the retention and preservation of election records, which includes digital ballot image is 22 months. Several voting system tabulation components are capable of producing digital ballot images. Additional information regarding how to backup, retain, and preserve the digital ballot images, and whether or not your jurisdiction's voting system has this capability, can be found in the respective Use Procedures, [here](#).

Regarding the disposal or sale of equipment:

- In 2012, the California Secretary of State issued guidance regarding the disposition or sale of equipment purchased with HAVA and/or VMB funding. See [Secretary of State \(SOS\) County Clerk/Registrar of Voters \(CC/ROV\) Memorandum #12219 - Handling the Sale and Funds from the Sale of Voting Systems or Voting Equipment](#). The document outlines proper disposal or sale procedures of voting systems or voting equipment purchased with HAVA and/or VMB funding. The document also highlights that all equipment must be void of

any software or firmware and returned to a condition of a non-functioning piece of hardware prior to its disposal or sale.

- The US-CERT issued [Security Tip \(ST18-005\)](#) outlining proper disposal procedures for electronic devices.

Governor Brown signed [AB 1013](#) into law, requiring a county elections official to permit a voter with a disability, or a military or overseas voter, to cast his or her ballot using a certified RAVBM system. As a reminder, the county accessibility contracts and the voting system replacement contracts allow for reimbursement of costs associated with the acquisition or deployment of an RAVBM system. The following systems are either certified or are navigating the testing and certification process in California:

- Democracy Live Secure Select 1.2.1 (Certified)
- Dominion ImageCast 5.2 (Certified)
- Five Cedars Group Alternate Format Ballot (AFB) 5.2.1 (Certified)
- Dominion ImageCast 5.10 (Post-Testing)
- Los Angeles VSAP Interactive Sample Ballot (Pre-Testing, Test Plan)



ALEX PADILLA | SECRETARY OF STATE | STATE OF CALIFORNIA
OFFICE OF VOTING SYSTEMS TECHNOLOGY ASSESSMENT
1500 11th Street | Sacramento, CA 95814 | **Tel** 916.695.1680 | **Fax** 916.653.4620 | www.sos.ca.gov

September 12, 2019

County Clerk/Registrar of Voters (CC/ROV) Memorandum #19079

TO: All County Clerks/Registrars of Voters
FROM: /s/ Susan Lapsley
Deputy Secretary of State and Counsel
RE: Voting Systems: OVSTA Monthly Update – September 2019

Each month, the Office of Voting Systems Technology Assessment (OVSTA) provides an update on Election Assistance Commission (EAC) and Secretary of State (SOS) activities related to voting technology.

Each update provides information on:

- Voting technology related events that may be of interest.
- Administrative approval requests and denials since the prior month's update.
- Voting technology testing and approval at the SOS office.
- Defect, failure, and fault reports issued since the prior month's update.
- Ballot printing certification requests since the prior month's update.

Recent and Upcoming Events

A public hearing was held September 4, 2019, at the California Secretary of State building for the Dominion Voting Systems' Democracy Suite 5.10 Voting System, and ES&S's EVS 6.0.4.2 Voting System. Written comments can be submitted by September 13 at 5pm via e-mail to VotingSystems@sos.ca.gov, or by U.S. mail to Secretary of State, Attention: Voting Systems Comment, 1500 11th Street, 6th Floor, Sacramento, CA 95814.

The OVSTA portion of the SOS website has been revised. The new OVSTA landing page can be located [here](#). Please update any previous bookmarked pages or links accordingly.

The DefCon 26 hacking conference was held in Las Vegas, Nevada, on August 8-11, 2019. Voting machines were reviewed to raise awareness of the vulnerabilities that could be exploited. Additional information regarding the conference can be located at

<https://www.defcon.org/html/defcon-27/dc-27-index.html>. Secretary of State Staff attended. An official DefCon report from the conference organizers should be available soon.

Governor Brown signed [AB 2125](#) into law, authorizing the use of risk-limiting audits in lieu of the 1% manual tally beginning with the March 3, 2020, primary election. The bill requires the Secretary of State, in consultation with recognized statistical experts, election verification and integrity stakeholders, voting system manufacturers, and local elections officials to, adopt regulations to implement and administer risk-limiting audits. The fifth work group meeting was held on August 7, 2019. The RLA draft regulations are in their final stages. The rulemaking process is scheduled to begin within the coming month.

The 2019 Budget Act provided one-time funding of \$87 million for the replacement of voting systems and technology. This allocation is in addition to the fiscal year 2018-2019 funding which provided \$134 million for counties for the replacement of voting technology. The 2019 Budget Act provided additional funding, modified the match requirement, and allocated funding for election management system (EMS) replacement. The 18/19 contracts are in the process of being amended to reflect the additional allocation of funds and the change in matching requirements. [County Clerk/Registrar of Voters \(CC/ROV\) Memorandum #19056](#) was issued on July 23, 2019 with information about the money and allocation amounts per county.

Voting System and RAVBM Testing and Approvals

OVSTA completed certification testing of Dominion's Democracy Suite 5.10 voting system. A public hearing was held on September 4, 2019.

OVSTA completed certification testing of the ES&S EVS 6.0.4.2 voting system. A public hearing was held on September 4, 2019.

OVSTA began functional testing of Los Angeles County's Voting Solutions for All People (VSAP) voting system.

OVSTA completed certification testing of Dominion's ImageCast Remote 5.10 remote accessible vote by mail system. A public hearing will be scheduled in the coming months.

Voting technology application status is as follows:

System	Type	Applicant	Submission Date	Testing Phase
Democracy Suite 5.10	Voting System	Dominion Voting	10/24/2018	Public Hearing September 4, 2019
VSAP Tally Version 2.0	Voting System	Los Angeles County	11/6/2018	Testing (Functional)

EVS 6.0.4.2	Voting System	ES&S	12/18/2018	Public Hearing September 4, 2019
Verity Voting 3.1	Voting System	Hart Intercivic	5/3/2019	Pre-Testing (Test Plan)
ImageCast Remote 5.10	RAVBM	Dominion Voting	10/24/2018	Testing (Post)
VSAP Interactive Sample Ballot	RAVBM	Los Angeles County	11/6/2018	Pre-Testing (Test Plan)

Administrative Approval Requests and Approvals

The Democracy Live Secure Select 1.2.2 Remote Accessible Vote by Mail (RAVBM) system was approved on August 13, 2019.

Testing is complete for Dominion Voting System's ImageCast Remote 5.10 (RAVBM) system.

Information regarding administrative approval requests can be found [here](#).

Testing and Certification at the EAC

The EAC provides [updates](#) on voting system testing. The latest update from the EAC was provided on July 9, 2019. However, based upon discussions with vendors, no systems currently undergoing testing and certification at the EAC are relevant to California.

Additional specifics regarding each voting system are available at: "[Voting Systems Under Test](#)" and "[Certified Voting Systems](#)".

Defects, Failures, and Faults

There were no defects, failures, or faults in August.

Ballot Printing Certification Requests and Approvals

ProVote Solutions was provided approval to print Hart Verity ballots on a new Screen TruePress Jet 520 printer.

A list of certified ballot printers can be found [here](#).

Ballot on Demand Printing Requests and Approvals

OVSTA received an application from ES&S for their Balotar v3.0.5.1 ballot on demand system. Testing will begin this month.

OVSTA received an application from Runbeck for their Sentio v9.2 ballot on demand system. Testing is in progress.

A list of certified ballot on demand systems and jurisdictions can be found [here](#).

Electronic Poll Book Certification Requests and Approvals

KNOWiNK was provided administrative approval to update their Poll Pad 1.3.3 system to iOS 12.2 as well as the addition of two new iPad models.

A list containing certified electronic poll book vendors can be found [here](#).

Electronic poll book application status is as follows:

System	Type	Applicant	Submission Date	Testing Phase
Precinct Central ePollbook 4.1	ePollBook	Tenex Software	01/17/2019	Withdrawn
Asked 3.4.130.0	ePollBook	Robis Elections	02/23/2019	Pre-Testing (Test Plan)
KNOWiNK 2.3.7	ePollBook	KNOWiNK Inc.	02/27/2019	Pre-Testing (Application Review)

Notes and Reminders

Per [California Code of Regulations Section 20233](#), jurisdictions wishing to purchase ballot cards directly from a ballot printer or wishing to have unfinished ballot cards removed from a warehouse for finishing, shall request and receive a release from the Secretary of State. No ballot cards or unfinished ballot cards shall be manufactured, and no unfinished ballot cards shall be removed from the warehouse for finishing, prior to issuance of a specific release. The [Request for Ballot Card Release](#) is available on the Secretary of State website. Requests should be submitted to the Secretary of State at ballotrelease@sos.ca.gov.

The Secretary of State's Office issues County Clerk/Registrar of Voters (CC/ROV) Memorandums containing ballot tint and watermark for statewide elections only. For local elections, jurisdictions are required to request ballot tint and watermark from the Secretary of State per [California Code of Regulations Section 20280](#). Requests should be submitted to the Secretary of State at: votingsystems@sos.ca.gov.

As a reminder, pursuant to California Elections Code sections 17301-17306, the retention and preservation of election records, which includes digital ballot images is 22 months. Several voting system tabulation components are capable of producing digital ballot images. Additional information regarding how to backup, retain, and preserve the digital ballot images, and whether or not your jurisdiction's voting system has this capability, can be found in the respective Use Procedures, [here](#).

Regarding the disposal or sale of equipment:

- In 2012, the California Secretary of State issued guidance regarding the disposition or sale of equipment purchased with HAVA and/or VMB funding. See

[Secretary of State \(SOS\) County Clerk/Registrar of Voters \(CC/ROV\) Memorandum #12219 - Handling the Sale and Funds from the Sale of Voting Systems or Voting Equipment](#). The document outlines proper disposal or sale procedures of voting systems or voting equipment purchased with HAVA and/or VMB funding. The document also highlights that all equipment must be void of any software or firmware and returned to a condition of a non-functioning piece of hardware prior to its disposal or sale.

- The US-CERT issued [Security Tip \(ST18-005\)](#) outlining proper disposal procedures for electronic devices.

Governor Brown signed [AB 1013](#) into law, requiring a county elections official to permit a voter with a disability, or a military or overseas voter, to cast his or her ballot using a certified RAVBM system. As a reminder, the county accessibility contracts and the voting system replacement contracts allow for reimbursement of costs associated with the acquisition or deployment of an RAVBM system. The following systems are either certified or are navigating the testing and certification process in California:

- Democracy Live Secure Select 1.2.1 (Certified).
- Dominion ImageCast 5.2 (Certified).
- Five Cedars Group Alternate Format Ballot (AFB) 5.2.1 (Certified).
- Dominion ImageCast 5.10 (Post-Testing).
- Los Angeles VSAP Interactive Sample Ballot (Testing Source Code Review).



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October 8, 2019

County Clerk/Registrar of Voters (CC/ROV) Memorandum #19098

TO: All County Clerks/Registrars of Voters
FROM: /s/ Susan Lapsley
Deputy Secretary of State and Counsel
RE: Voting Systems: OVSTA Monthly Update – October 2019

Each month, the Office of Voting Systems Technology Assessment (OVSTA) provides an update on Election Assistance Commission (EAC) and Secretary of State (SOS) activities related to voting technology.

Each update provides information on:

- Voting technology related events that may be of interest.
- Administrative approval requests and denials since the prior month's update.
- Voting technology testing and approval at the SOS office.
- Defect, failure, and fault reports issued since the prior month's update.
- Ballot printing certification requests since the prior month's update.

Recent and Upcoming Events

The OVSTA portion of the SOS website has been revised. The new OVSTA landing page can be located [here](#). Please update any previous bookmarked pages or links accordingly.

The DefCon 27 hacking conference was held in Las Vegas, Nevada, on August 8-11, 2019. Voting machines were reviewed to raise awareness of the vulnerabilities that could be exploited. Additional information regarding the conference can be located at <https://www.defcon.org/html/defcon-27/dc-27-index.html>. Secretary of State Staff attended. An official DefCon report from the conference organizers has been released.

Voting System and RAVBM Testing and Approvals

OVSTA completed certification testing of Dominion's Democracy Suite 5.10 voting system. A public hearing was held on September 4, 2019. Written public comment was

received through September 13, 2019. The system reports and public comment are under review.

OVSTA completed certification testing of the ES&S EVS 6.0.4.2 voting system. A public hearing was held on September 4, 2019. Written public comment was received through September 13, 2019. The system reports and public comment are under review.

OVSTA began functional testing of Los Angeles County's Voting Solutions for All People (VSAP) voting system.

OVSTA has begun testing of Los Angeles County's Voting Solutions for All People (VSAP) Interactive Sample Ballot (ISB) RAVBM system.

OVSTA is conducting additional testing of Dominion's ImageCast Remote 5.10 remote accessible vote by mail system. A public hearing will be scheduled in the coming months.

OVSTA has begun testing of Hart InterCivic's Verity Voting 3.1 Voting System.

Voting technology application status is as follows:

System	Type	Applicant	Submission Date	Testing Phase
Democracy Suite 5.10	Voting System	Dominion Voting Systems, Inc.	10/24/2018	Public Hearing was held September 4, 2019. Public comment through 9/13.
VSAP Tally Version 2.0	Voting System	Los Angeles County	11/6/2018	Testing (Volume and Accessibility)
EVS 6.0.4.2	Voting System	ES&S	12/18/2018	Public Hearing was held September 4, 2019. Public comment through 9/13.
Verity Voting 3.1	Voting System	Hart Intercivic	5/3/2019	Testing (Functional)
ImageCast Remote 5.10	RAVBM	Dominion Voting	10/24/2018	Testing (Post)
VSAP Interactive Sample Ballot	RAVBM	Los Angeles County	11/6/2018	Testing (Software Review)
EVS 6.1.0.0	Voting System	ES&S	9/16/2019	Application Received

Administrative Approval Requests and Approvals

Dominion Voting Systems has submitted a request for an updated version of their ImageCast Central product. Information regarding administrative approval requests can be found [here](#).

Testing and Certification at the EAC

The EAC provides [updates](#) on voting system testing. The latest update from the EAC was provided on September 27, 2019. However, based upon discussions with vendors, no systems currently undergoing testing and certification at the EAC are relevant to California.

Additional specifics regarding each voting system are available at: "[Voting Systems Under Test](#)" and "[Certified Voting Systems](#)".

Defects, Failures, and Faults

Hart InterCivic reported a fault in their Verity Voting 3.0.1 voting system involving printer connections to their TouchWriter product. Contact the Secretary of State for details.

Ballot Printing Certification Requests and Approvals

ProVote Solutions was provided approval to print Hart Verity ballots on a new Screen TruePress Jet 520 printer.

A list of certified ballot printers can be found [here](#).

Ballot on Demand Printing Requests and Approvals

OVSTA received an application from ES&S for their Balotar v3.0.5.1 ballot on demand system. Testing will begin this month.

OVSTA received an application from Runbeck for their Sentio v9.2 ballot on demand system. Testing is in progress.

A list of certified ballot on demand systems and jurisdictions can be found [here](#).

Electronic Poll Book Certification Requests and Approvals

There were no electronic poll book certification requests or approvals in September. A list containing certified electronic poll book vendors can be found [here](#).

Electronic poll book application status is as follows:

System	Type	Applicant	Submission Date	Testing Phase
AskED 3.4.130.0	ePollBook	Robis Elections	02/23/2019	Testing (Functional)
KNOWiNK 2.4.8	ePollBook	KNOWiNK Inc.	02/27/2019	Testing (Functional)

Notes and Reminders

Per [California Code of Regulations Section 20233](#), jurisdictions wishing to purchase ballot cards directly from a ballot printer or wishing to have unfinished ballot cards removed from a warehouse for finishing, shall request and receive a release from the Secretary of State. No ballot cards or unfinished ballot cards shall be manufactured, and no unfinished ballot cards shall be removed from the warehouse for finishing, prior to issuance of a specific release. The [Request for Ballot Card Release](#) is available on the Secretary of State website. Requests should be submitted to the Secretary of State at ballotrelease@sos.ca.gov.

The Secretary of State's Office issues County Clerk/Registrar of Voters (CC/ROV) Memorandums containing ballot tint and watermark for statewide elections only. For local elections, jurisdictions are required to request ballot tint and watermark from the Secretary of State per [California Code of Regulations Section 20280](#). Requests should be submitted to the Secretary of State at: votingsystems@sos.ca.gov.

As a reminder, pursuant to California Elections Code sections 17301-17306, the retention and preservation of election records, which includes digital ballot images is 22 months. Several voting system tabulation components are capable of producing digital ballot images. Additional information regarding how to backup, retain, and preserve the digital ballot images, and whether or not your jurisdiction's voting system has this capability, can be found in the respective Use Procedures, [here](#).

Regarding the disposal or sale of equipment:

- In 2012, the California Secretary of State issued guidance regarding the disposition or sale of equipment purchased with HAVA and/or VMB funding. This Secretary of State (SOS) County Clerk/Registrar of Voters (CC/ROV) Memorandum #12219 - Handling the Sale and Funds from the Sale of Voting Systems or Voting Equipment will be re-issued soon. The document outlines proper disposal or sale procedures of voting systems or voting equipment purchased with HAVA and/or VMB funding. The document also highlights that all equipment must be void of any software or firmware and returned to a condition of a non-functioning piece of hardware prior to its disposal or sale.
- The US-CERT issued [Security Tip \(ST18-005\)](#) outlining proper disposal procedures for electronic devices.

Governor Brown signed [AB 1013](#) into law, requiring a county elections official to permit a voter with a disability, or a military or overseas voter, to cast his or her ballot using a certified RAVBM system. As a reminder, the county accessibility contracts and the voting system replacement contracts allow for reimbursement of costs associated with the acquisition or deployment of an RAVBM system. The following systems are either certified or are navigating the testing and certification process in California:

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October 8, 2019

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- Democracy Live Secure Select 1.2.1 (Certified).
- Dominion ImageCast 5.2 (Certified).
- Five Cedars Group Alternate Format Ballot (AFB) 5.2.1 (Certified).
- Dominion ImageCast 5.10 (Post-Testing).
- Los Angeles VSAP Interactive Sample Ballot (Testing).



ALEX PADILLA | SECRETARY OF STATE | STATE OF CALIFORNIA
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November 8, 2019

County Clerk/Registrar of Voters (CC/ROV) Memorandum #19120

TO: All County Clerks/Registrars of Voters
FROM: /s/ Susan Lapsley
Deputy Secretary of State and Counsel
RE: Voting Systems: OVSTA Monthly Update – November 2019

Each month, the Office of Voting Systems Technology Assessment (OVSTA) provides an update on Election Assistance Commission (EAC) and Secretary of State (SOS) activities related to voting technology.

Each update provides information on:

- Voting technology related events that may be of interest.
- Administrative approval requests and denials since the prior month's update.
- Voting technology testing and approval at the SOS office.
- Defect, failure, and fault reports issued since the prior month's update.
- Ballot printing certification requests since the prior month's update.

Recent and Upcoming Events

The California Secretary of State will hold a public hearing on Hart InterCivic's Verity Voting 3.1 voting system and Dominion Voting Systems, Inc.'s ImageCast Remote 5.10 on December 16, 2019, in the Auditorium at 1500 11th Street, Sacramento, California, 95814, at 9:00 a.m.

Voting System and RAVBM Testing and Approvals

The Secretary of State approved Dominion Voting System's Democracy Suite 5.10 voting system on October 18, 2019.

The Secretary of State approved ES&S's EVS 6.0.4.2 voting system on October 18, 2019.

OVSTA is continuing testing of Los Angeles County's Voting Solutions for All People (VSAP) voting system.

OVSTA is continuing testing of Los Angeles County’s Voting Solutions for All People (VSAP) Interactive Sample Ballot (ISB) Remote Accessible Vote by Mail (RAVBM) system.

OVSTA has finished testing of Dominion’s ImageCast Remote 5.10 remote accessible vote by mail system. A public hearing will be held on December 16, 2019, in the Auditorium at 1500 11th Street, Sacramento, California, 95814, at 9:00 a.m.

OVSTA has finished testing of Hart InterCivic’s Verity Voting 3.1 voting system. A public hearing will be held on December 16, 2019, in the Auditorium at 1500 11th Street, Sacramento, California, 95814, at 9:00 a.m.

Voting technology application status is as follows:

System	Type	Applicant	Submission Date	Testing Phase
Democracy Suite 5.10	Voting System	Dominion Voting Systems, Inc.	10/24/2018	Approved on 10/18/2019
VSAP Tally Version 2.0	Voting System	Los Angeles County	11/6/2018	Testing (Security and Telecommunications – Red Team)
EVS 6.0.4.2	Voting System	ES&S	12/18/2018	Approved on 10/18/2019
Verity Voting 3.1	Voting System	Hart InterCivic	5/3/2019	Testing (Post) Public Hearing 12/16/2019
ImageCast Remote 5.10	RAVBM	Dominion Voting	10/24/2018	Testing (Post) Public Hearing 12/16/2019
VSAP Interactive Sample Ballot	RAVBM	Los Angeles County	11/6/2018	Testing (Software Review)
EVS 6.1.0.0	Voting System	ES&S	9/16/2019	Withdrawn 10/21/2019
NOVUS 5.1	Ballot Duplicating System	Runbeck Election Services	10/14/2019	Application Received

Administrative Approval Requests and Approvals

Dominion Voting Systems Democracy Suite 5.2 voting system was approved for a minor update to the ImageCast Central product and ranked choice voting for San Francisco for the November 2019 election. Information regarding administrative approval requests can be found [here](#).

Dominion Voting Systems was approved for fourteen modifications to their Democracy Suite 5.10 voting system. Information regarding administrative approval requests can be found [here](#).

OVSTA received an application for approval of Runbeck Election Services' NOVUS 5.1 ballot duplication system on October 14, 2019.

Testing and Certification at the EAC

The EAC provides [updates](#) on voting system testing. The latest update from the EAC was provided on October 29, 2019. However, based upon discussions with vendors, no systems currently undergoing testing and certification at the EAC are relevant to California.

Additional specifics regarding each voting system are available at: "[Voting Systems Under Test](#)" and "[Certified Voting Systems](#)".

Defects, Failures, and Faults

No defects, faults, or failures were reported in October.

Ballot Printing Certification Requests and Approvals

No ballot printing requests were received in October.

A list of certified ballot printers can be found [here](#).

Ballot on Demand Printing Requests and Approvals

ES&S' Balotar v3.0.5.1 ballot on demand system was approved on October 21, 2019.

KNOWiNK, LLC's Poll Print v2.0.6 was approved on November 2, 2019.

OVSTA received an application from Runbeck for their Sentio v9.2 ballot on demand system. Testing is in progress.

A list of certified ballot on demand systems and jurisdictions can be found [here](#).

Electronic Poll Book Certification Requests and Approvals

KNOWiNK's PollPad 3 version 2.4.8.01 ePollBook was approved on November 2, 2019.

A list containing certified electronic poll book vendors can be found [here](#).

Electronic poll book application status is as follows:

System	Type	Applicant	Submission Date	Testing Phase
AskED 3.4.130.0	ePollBook	Robis Elections	02/23/2019	Testing (Functional)
KNOWiNK 2.4.8.01	ePollBook	KNOWiNK Inc.	02/27/2019	Approved on 11/2/2019

Notes and Reminders

Ballot Card Releases- Per [California Code of Regulations Section 20233](#), jurisdictions wishing to purchase ballot cards directly from a ballot printer or wishing to have unfinished ballot cards removed from a warehouse for finishing, shall request and receive a release from the Secretary of State. No ballot cards or unfinished ballot cards shall be manufactured, and no unfinished ballot cards shall be removed from the warehouse for finishing, prior to issuance of a specific release. The [Request for Ballot Card Release](#) is available on the Secretary of State website. Requests should be submitted to the Secretary of State at ballotrelease@sos.ca.gov.

Ballot Tint and Watermark- The Secretary of State's Office issues County Clerk/Registrar of Voters (CC/ROV) Memorandums containing ballot tint and watermark for statewide elections only. For local elections, jurisdictions are required to request ballot tint and watermark from the Secretary of State per [California Code of Regulations Section 20280](#). Requests should be submitted to the Secretary of State at: votingsystems@sos.ca.gov.

Election Record Retention- As a reminder, pursuant to California Elections Code sections 17301-17306, the retention and preservation of election records, which includes digital ballot images is 22 months. Several voting system tabulation components are capable of producing digital ballot images. Additional information regarding how to backup, retain, and preserve the digital ballot images, and whether or not your jurisdiction's voting system has this capability, can be found in the respective Use Procedures, [here](#).

Disposal or Sale of Equipment- Regarding the disposal or sale of equipment:

- In 2012, the California Secretary of State issued guidance regarding the disposition or sale of equipment purchased with HAVA and/or VMB funding. See Secretary of State (SOS) County Clerk/Registrar of Voters (CC/ROV) Memorandum #12219 - Handling the Sale and Funds from the Sale of Voting Systems or Voting Equipment. The document outlines proper disposal or sale procedures of voting systems or voting equipment purchased with HAVA and/or VMB funding. The document also highlights that all equipment must be void of

any software or firmware and returned to a condition of a non-functioning piece of hardware prior to its disposal or sale.

- See also the US-CERT issued [Security Tip \(ST18-005\)](#) outlining proper disposal procedures for electronic devices.

RAVBM Systems Required- Governor Brown signed [AB 1013](#) into law, requiring a county elections official to permit a voter with a disability, or a military or overseas voter, to cast his or her ballot using a certified RAVBM system. As a reminder, the county accessibility contracts and the voting system replacement contracts allow for reimbursement of costs associated with the acquisition or deployment of an RAVBM system. The following systems are either certified or are navigating the testing and certification process in California:

- Democracy Live Secure Select 1.2.1 (Certified).
- Dominion ImageCast Remote 5.2 (Certified).
- Five Cedars Group Alternate Format Ballot (AFB) 5.2.1 (Certified).
- Dominion ImageCast Remote 5.10 (Testing Completed. Hearing December 16, 2019).
- Los Angeles VSAP Interactive Sample Ballot (Testing).



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December 10, 2019

County Clerk/Registrar of Voters (CC/ROV) Memorandum #19142

TO: All County Clerks/Registrars of Voters
FROM: /s/ Susan Lapsley
Deputy Secretary of State and Counsel
RE: Voting Systems: OVSTA Monthly Update – December 2019

Each month, the Office of Voting Systems Technology Assessment (OVSTA) provides an update on Election Assistance Commission (EAC) and Secretary of State (SOS) activities related to voting technology.

Each update provides information on:

- Voting technology related events that may be of interest.
- Administrative approval requests and denials since the prior month's update.
- Voting technology testing and approval at the SOS office.
- Defect, failure, and fault reports issued since the prior month's update.
- Ballot printing certification requests since the prior month's update.

Recent and Upcoming Events

The California Secretary of State will hold a public hearing on Hart InterCivic's Verity Voting 3.1 voting system and Dominion Voting Systems, Inc.'s ImageCast Remote 5.10 Remote Accessible Vote By Mail system on December 16, 2019, in the Auditorium at 1500 11th Street, Sacramento, California, 95814, at 9:00 a.m.

Disability Rights California and the state Voting Accessibility Advisory Committee (VAAC) have created a remote accessible vote by mail FAQ as a resource for counties to use for their voters that are interested in using an RAVBM. The FAQ contains information about what RAVBMs are, how they work, requirements for receiving a ballot, and more. It can be located [here](#).

For the upcoming March 3, 2020, Presidential Primary Election, please submit to the Secretary of State by 5 P.M., February 21, 2020, the following:

1. Election Observer Panel Plan (EOPP). Please email your EOPP to: VotingSystems@sos.ca.gov.

2. A copy of your election computer vote count program, containing the ballot definition, for the March 3, 2020, Presidential Primary Election (Elections Code section 15001).

For information regarding tint and watermark for the March 3, 2020 Presidential Primary Election, please refer to [CCROVs 19138 and 19140](#).

The CACEO New Law Conference was held in Sacramento from December 2, 2019 through December 5, 2019. The Hart InterCivic Users Group was held December 5, 2019.

Counties upgrading or implementing a ballot on demand solution for the upcoming election are encouraged to submit their application to OVSTA as soon as possible so that OVSTA is able to review the application and documentation in advance of the election. The application can be located [here](#).

Voting System and RAVBM Testing and Approvals

OVSTA is continuing testing of Los Angeles County's Voting Solutions for All People 2.0 (VSAP) voting system.

OVSTA is continuing testing of Los Angeles County's Voting Solutions for All People (VSAP) Interactive Sample Ballot (ISB) Remote Accessible Vote by Mail (RAVBM) system.

OVSTA has finished testing of Dominion's ImageCast Remote 5.10 remote accessible vote by mail system. A public hearing will be held on December 16, 2019, in the Auditorium at 1500 11th Street, Sacramento, California, 95814, at 9:00 a.m.

OVSTA has finished testing of Hart InterCivic's Verity Voting 3.1 voting system. A public hearing will be held on December 16, 2019, in the Auditorium at 1500 11th Street, Sacramento, California, 95814, at 9:00 a.m.

Voting technology application status is as follows:

System	Type	Applicant	Submission Date	Testing Phase
VSAP Tally Version 2.0	Voting System	Los Angeles County	11/6/2018	Testing (Security and Telecommunications – Red Team)
Verity Voting 3.1	Voting System	Hart InterCivic	5/3/2019	Testing (Post) Public Hearing 12/16/2019
ImageCast Remote 5.10	RAVBM	Dominion Voting	10/24/2018	Testing (Post) Public Hearing 12/16/2019

VSAP Interactive Sample Ballot	RAVBM	Los Angeles County	11/6/2018	Testing (Security and Telecommunications)
NOVUS 5.1	Ballot Duplicating System	Runbeck Election Services	10/14/2019	Application Received
Alternate Format Ballot GEMS Ballot	RAVBM	Five Cedars Group	11/25/2019	Approved November 26, 2019

Administrative Approval Requests and Approvals

Five Cedars Group's Alternate Format Ballot RAVBM Ballot Generator 5.2.1 was approved to produce GEMS ballots on November 26, 2019.

OVSTA received an application for approval of Runbeck Election Services' NOVUS 5.1 ballot duplication system on October 14, 2019. The application is currently under review.

ES&S submitted an administrative approval application requesting modification of their EVS 6.0.4.2 voting system. The modifications are as follows: collapsible ballot bin improvements, ExpressVote booth improvements, update COTS embedded controller settings on ExpressVote XL, and add ballot bag to DS200 ballot box. The application is currently under review.

Dominion Voting Systems was approved for fourteen modifications to their Democracy Suite 5.10 voting system. The modifications were for minor changes involving operating system upgrades and replacements for end of life hardware components.

Information regarding administrative approval requests can be found [here](#).

Testing and Certification at the EAC

The EAC provides [updates](#) on voting system testing. The latest update from the EAC was provided on November 22, 2019. However, based upon discussions with vendors, no systems currently undergoing testing and certification at the EAC are relevant to California.

Additional specifics regarding each voting system are available at: "[Voting Systems Under Test](#)" and "[Certified Voting Systems](#)".

Defects, Failures, and Faults

No defects, faults, or failures were reported in November.

Ballot Printing Certification Requests and Approvals

No ballot printing requests were received in November.

A list of certified ballot printers can be found [here](#).

Ballot on Demand Printing Requests and Approvals

KNOWiNK, LLC's Poll Print 2.0.6 was approved on November 2, 2019.

OVSTA received an application from Runbeck for their Sentio 9.2 ballot on demand system. Testing is in progress.

A list of certified ballot on demand systems and jurisdictions can be found [here](#).

Electronic Poll Book Certification Requests and Approvals

KNOWiNK's PollPad 3 2.4.8.01 ePollBook was approved on November 2, 2019.

OVSTA received an updated application for approval of Tenex Software Solutions' Precinct Central ePollBook System 4.1 on November 22, 2019. The modifications are as follows: add 6th Generation iPad model, add 7th Generation iPad model, add Epson TM-L90 printer, add Epson TM-P80 printer, update iPads to iOS 12, and update iPads to iOS 13. The system is in the post testing phase.

A list containing certified electronic poll book vendors can be found [here](#).

Electronic poll book application status is as follows:

System	Type	Applicant	Submission Date	Testing Phase
Asked 3.4.130.0	ePollBook	Robis Elections	02/23/2019	Testing (Functional)
KNOWiNK PollPad 3 2.4.8.01	ePollBook	KNOWiNK Inc.	02/27/2019	Approved on 11/2/2019
Precinct Central 4.1	ePollBook	Tenex	11/22/2019	Post-Testing

Notes and Reminders

Voting System Replacement Contracts – The amended Voting System Replacement Contracts were sent out to all counties on September 24, 2019. Some counties may require Board of Supervisor's approval. Please have the contract amendment approved, including a new Board Resolution (if applicable), and return the signed version to the SOS as soon as possible. New claims, leveraging the new funds and match formula, cannot be processed without a fully executed contract in place. Additional information,

including the new matching formula and allocated amounts per county can be found in [CCROV #19056](#). If you have any questions or need additional information regarding the contract, please contact Kathryn "KC" Chaney at kchaney@sos.ca.gov.

Ballot Card Releases- Per [California Code of Regulations Section 20233](#), jurisdictions wishing to purchase ballot cards directly from a ballot printer or wishing to have unfinished ballot cards removed from a warehouse for finishing, shall request and receive a release from the Secretary of State. No ballot cards or unfinished ballot cards shall be manufactured, and no unfinished ballot cards shall be removed from the warehouse for finishing, prior to issuance of a specific release. The [Request for Ballot Card Release](#) is available on the Secretary of State website. Requests should be submitted to the Secretary of State at ballotrelease@sos.ca.gov.

Ballot Tint and Watermark- The Secretary of State's Office issues County Clerk/Registrar of Voters (CC/ROV) Memorandums containing ballot tint and watermark for statewide elections only. For local elections, jurisdictions are required to request ballot tint and watermark from the Secretary of State per [California Code of Regulations Section 20280](#). Requests should be submitted to the Secretary of State at: votingsystems@sos.ca.gov.

Election Record Retention- As a reminder, pursuant to California Elections Code sections 17301-17306, the retention and preservation of election records, which includes digital ballot images is 22 months. Several voting system tabulation components are capable of producing digital ballot images. Additional information regarding how to backup, retain, and preserve the digital ballot images, and whether or not your jurisdiction's voting system has this capability, can be found in the respective Use Procedures, [here](#).

Disposal or Sale of Equipment- Regarding the disposal or sale of equipment:

- In 2012, the California Secretary of State issued guidance regarding the disposition or sale of equipment purchased with HAVA and/or VMB funding. See Secretary of State (SOS) County Clerk/Registrar of Voters (CC/ROV) Memorandum #12219 - Handling the Sale and Funds from the Sale of Voting Systems or Voting Equipment. The document outlines proper disposal or sale procedures of voting systems or voting equipment purchased with HAVA and/or VMB funding. The document also highlights that all equipment must be void of any software or firmware and returned to a condition of a non-functioning piece of hardware prior to its disposal or sale.
- See also the US-CERT issued [Security Tip \(ST18-005\)](#) outlining proper disposal procedures for electronic devices.

RAVBM Systems Required- Governor Brown signed [AB 1013](#) into law, requiring a county elections official to permit a voter with a disability, or a military or overseas voter, to cast his or her ballot using a certified RAVBM system. As a reminder, the county accessibility contracts and the voting system replacement contracts allow for

reimbursement of costs associated with the acquisition or deployment of an RAVBM system. The following systems are either certified or are navigating the testing and certification process in California:

- Democracy Live Secure Select 1.2.1 (Certified).
- Dominion ImageCast Remote 5.2 (Certified).
- Five Cedars Group Alternate Format Ballot (AFB) 5.2.1 (Certified).
- Dominion ImageCast Remote 5.10 (Testing Completed. Hearing December 16, 2019).
- Los Angeles VSAP Interactive Sample Ballot (Testing).



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January 8, 2020

County Clerk/Registrar of Voters (CC/ROV) Memorandum #20008

TO: All County Clerks/Registrars of Voters
FROM: /s/ Susan Lapsley
Deputy Secretary of State and Counsel
RE: Voting Systems: OVSTA Monthly Update – January 2020

Each month, the Office of Voting Systems Technology Assessment (OVSTA) provides an update on Election Assistance Commission (EAC) and Secretary of State (SOS) activities related to voting technology.

Each update provides information on:

- Voting technology related events that may be of interest.
- Administrative approval requests and denials since the prior month's update.
- Voting technology testing and approval at the SOS office.
- Defect, failure, and fault reports issued since the prior month's update.
- Ballot printing certification requests since the prior month's update.

Recent and Upcoming Events

As a reminder, counties are required to make remote accessible vote by mail (RAVBM) systems available to voters ([AB 1013](#)). Disability Rights California and the state Voting Accessibility Advisory Committee (VAAC) have created a remote accessible vote by mail FAQ as a resource for counties to use for their voters that are interested in using an RAVBM. The FAQ contains information about what RAVBMs are, how they work, requirements for receiving a ballot, and more. It can be located [here](#).

For the upcoming March 3, 2020, Presidential Primary Election, please submit to the Secretary of State by 5 P.M., February 21, 2020, the following:

1. Election Observer Panel Plan (EOPP). Please email your EOPP to: VotingSystems@sos.ca.gov.
2. A copy of your election computer vote count program, containing the ballot definition, for the March 3, 2020, Presidential Primary Election (Elections Code section 15001).

For information regarding tint and watermark for the March 3, 2020 Presidential Primary Election, please refer to [CCROVs 19138 and 19140](#).

Counties upgrading or implementing a ballot on demand solution for the upcoming election must submit their application to OVSTA by January 24, 2020 so that OVSTA is able to review the application and documentation in advance of the election. The application can be located [here](#).

Voting System and RAVBM Testing and Approvals

The Secretary of State approved the Hart InterCivic Verity Voting 3.1 Voting System on December 27, 2019.

OVSTA is holding a public hearing of Los Angeles County's Voting Solutions for All People 2.0 (VSAP) voting system on January 10, 2020. The public comment period ends January 20, 2020.

OVSTA is holding a public hearing of Los Angeles County's Voting Solutions for All People (VSAP) Interactive Sample Ballot (ISB) Remote Accessible Vote by Mail (RAVBM) system on January 10, 2020. The public comment period ends January 20, 2020.

OVSTA held a public hearing of Dominion's ImageCast Remote 5.10 remote accessible vote by mail system on December 16, 2019. The public comment period ended on December 20, 2019.

Voting technology application status is as follows:

System	Type	Applicant	Submission Date	Testing Phase
VSAP Tally Version 2.0	Voting System	Los Angeles County	11/6/2018	Public Hearing January 10, 2020
Verity Voting 3.1	Voting System	Hart InterCivic	5/3/2019	Approved December 27, 2019
ImageCast Remote 5.10	RAVBM	Dominion Voting	10/24/2018	Approved January 7, 2020
VSAP Interactive Sample Ballot	RAVBM	Los Angeles County	11/6/2018	Public Hearing January 10, 2020

NOVUS 5.1	Ballot Duplicating System	Runbeck Election Services	10/14/2019	Application Received
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Administrative Approval Requests and Approvals

OVSTA approved Tenex Software Solution's Precinct Central 4.1 ePollBook system on December 16, 2019.

OVSTA received an application for approval of Runbeck Election Services' NOVUS 5.1 ballot duplication system on October 14, 2019. The application is currently under review.

ES&S submitted an administrative approval application requesting modification of their EVS 6.0.4.2 voting system. The modifications are as follows: collapsible ballot bin improvements, ExpressVote booth improvements, update COTS embedded controller settings on ExpressVote XL, and add ballot bag to DS200 ballot box. The application is currently under review.

Information regarding administrative approval requests can be found [here](#).

Testing and Certification at the EAC

The EAC provides [updates](#) on voting system testing. The latest update from the EAC was provided on November 22, 2019. However, based upon discussions with vendors, no systems currently undergoing testing and certification at the EAC are relevant to California.

Additional specifics regarding each voting system are available at: "[Voting Systems Under Test](#)" and "[Certified Voting Systems](#)".

Defects, Failures, and Faults

No defects, faults, or failures were reported in December.

Ballot Printing Certification Requests and Approvals

No ballot printing requests were received in December.

A list of certified ballot printers can be found [here](#).

Ballot on Demand Printing Requests and Approvals

OVSTA received an application from Runbeck for their Sentio 9.2 ballot on demand system. Testing is in progress.

A list of certified ballot on demand systems and jurisdictions can be found [here](#).

Electronic Poll Book Certification Requests and Approvals

OVSTA received an application for KNOWiNK's PollPad 3 2.5.0 ePollBook on December 26, 2019.

KNOWiNK's PollPad 3 2.4.8.01 ePollBook was approved on November 2, 2019.

Tenex Software Solutions' Precinct Central ePollBook System 4.1 was approved on December 16, 2019.

A list containing certified electronic poll book vendors can be found [here](#).

Electronic poll book application status is as follows:

System	Type	Applicant	Submission Date	Testing Phase
AskED 3.4.130.0	ePollBook	Robis Elections	02/23/2019	Testing (Functional)
Precinct Central 4.1	ePollBook	Tenex	11/22/2019	Approved 12/16/2019
PollPad 3 2.5.0	ePollBook	KNOWiNK Inc.	12/26/2019	Application Received

Notes and Reminders

California Air-Gap Requirements – All certified voting systems in California must be utilized in an air-gapped configuration. The certifications state: The system shall be utilized in a configuration of parallel central election management systems separated by an "air-gap" where (1) a permanent central system known to be running unaltered, certified software and firmware is used solely to define elections and program voting equipment and memory cards, (2) a physically-isolated duplicate system, reformatted after every election to guard against the possibility of infection, is used solely to read memory cards containing vote results, accumulate - and tabulate those results and produce reports, and (3) a separate computer dedicated solely to this purpose is used to reformat all memory devices before they are connected to the permanent system again.

Ballot Card Releases- Per [California Code of Regulations Section 20233](#), jurisdictions wishing to purchase ballot cards directly from a ballot printer or wishing to have unfinished ballot cards removed from a warehouse for finishing, shall request and receive a release from the Secretary of State. No ballot cards or unfinished ballot cards shall be manufactured, and no unfinished ballot cards shall be removed from the warehouse for finishing, prior to issuance of a specific release. The [Request for Ballot Card Release](#) is available on the Secretary of State website. Requests should be submitted to the Secretary of State at ballotrelease@sos.ca.gov.

Election Record Retention- As a reminder, pursuant to California Elections Code sections 17301-17306, the retention and preservation of election records, which includes digital ballot images is 22 months. Several voting system tabulation components are capable of producing digital ballot images. Additional information regarding how to backup, retain, and preserve the digital ballot images, and whether or not your jurisdiction's voting system has this capability, can be found in the respective Use Procedures, [here](#).

Disposal or Sale of Equipment- Regarding the disposal or sale of equipment:

- In 2012, the California Secretary of State issued guidance regarding the disposition or sale of equipment purchased with HAVA and/or VMB funding. See Secretary of State (SOS) County Clerk/Registrar of Voters (CC/ROV) Memorandum #12219 - Handling the Sale and Funds from the Sale of Voting Systems or Voting Equipment. The document outlines proper disposal or sale procedures of voting systems or voting equipment purchased with HAVA and/or VMB funding. The document also highlights that all equipment must be void of any software or firmware and returned to a condition of a non-functioning piece of hardware prior to its disposal or sale.
- See also the US-CERT issued [Security Tip \(ST18-005\)](#) outlining proper disposal procedures for electronic devices.

RAVBM Systems Required- Governor Brown signed [AB 1013](#) into law, requiring a county elections official to permit a voter with a disability, or a military or overseas voter, to cast his or her ballot using a certified RAVBM system. As a reminder, the county accessibility contracts and the voting system replacement contracts allow for reimbursement of costs associated with the acquisition or deployment of an RAVBM system. The following systems are either certified or are navigating the testing and certification process in California:

- Democracy Live Secure Select 1.2.1 (Certified).
- Dominion ImageCast Remote 5.2 (Certified).
- Five Cedars Group Alternate Format Ballot (AFB) 5.2.1 (Certified).
- Dominion ImageCast Remote 5.10 (Testing Completed. Hearing December 16, 2019).
- Los Angeles VSAP Interactive Sample Ballot (Testing Completed. Hearing January 10, 2020).



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February 6, 2020

County Clerk/Registrar of Voters (CC/ROV) Memorandum #20040

TO: All County Clerks/Registrars of Voters
FROM: /s/ Susan Lapsley
Deputy Secretary of State and Counsel
RE: Voting Systems: OVSTA Monthly Update – February 2020

Each month, the Office of Voting Systems Technology Assessment (OVSTA) provides an update on Election Assistance Commission (EAC) and Secretary of State (SOS) activities related to voting technology.

Each update provides information on:

- Voting technology related events that may be of interest.
- Administrative approval requests and denials since the prior month's update.
- Voting technology testing and approval at the SOS office.
- Defect, failure, and fault reports issued since the prior month's update.
- Ballot printing certification requests since the prior month's update.

Recent and Upcoming Events

The California Secretary of State's office has launched the new "Where's My Ballot?" tool. Voters in 25 counties can now sign-up at WheresMyBallot.sos.ca.gov to receive automated notifications about their vote-by-mail ballots by email, text (SMS), or voice call.

As a reminder, counties are required to make remote accessible vote by mail (RAVBM) systems available to voters ([AB 1013](#)). Disability Rights California and the state Voting Accessibility Advisory Committee (VAAC) have created a remote accessible vote by mail FAQ as a resource for counties to use for their voters that are interested in using an RAVBM. The FAQ contains information about what RAVBMs are, how they work, requirements for receiving a ballot, and more. It can be located [here](#).

For the upcoming March 3, 2020, Presidential Primary Election, please submit to the Secretary of State by 5 P.M., February 21, 2020, the following:

1. Election Observer Panel Plan (EOPP). Please email your EOPP to: VotingSystems@sos.ca.gov.

2. A copy of your election computer vote count program, containing the ballot definition, for the March 3, 2020, Presidential Primary Election (Elections Code section 15001).

Please refer to [CCROV 19167](#) for more information regarding EOPP and computer vote count program submittals.

California Elections Code section 13002 requires all ballots used in an election to be tinted and watermarked or overprinted with a design, to be furnished by the Secretary of State. This includes ballot on demand ballots. For information regarding tint and watermark for the March 3, 2020 Presidential Primary Election, please refer to [CCROVs 19138 and 19140](#).

Counties upgrading or implementing a ballot on demand solution for the upcoming election must submit their application to OVSTA immediately so that OVSTA is able to review the application and documentation in advance of the election. The application can be located [here](#).

Voting System and RAVBM Testing and Approvals

Los Angeles County's Voting Solutions for All People 2.0 (VSAP) voting system was approved on January 24, 2020.

Los Angeles County's Voting Solutions for All People (VSAP) Interactive Sample Ballot (ISB) Remote Accessible Vote by Mail (RAVBM) system was approved on January 29, 2020.

Voting technology application status is as follows:

System	Type	Applicant	Submission Date	Testing Phase
VSAP Tally Version 2.0	Voting System	Los Angeles County	11/6/2018	Approved January 24, 2020.
VSAP Interactive Sample Ballot	RAVBM	Los Angeles County	11/6/2018	Approved on January 29, 2020
NOVUS 5.1	Ballot Duplicating System	Runbeck Election Services	10/14/2019	Testing

Administrative Approval Requests and Approvals

Dominion Voting Systems was granted Administrative Approval for the addition of imprinters to the scanners certified in the Democracy Suite 5.10 system on January 16, 2020.

Runbeck Election Services' NOVUS 5.1 ballot duplication system is currently in testing.

ES&S submitted an administrative approval application requesting modification of their EVS 6.0.4.2 voting system. The modifications are as follows: collapsible ballot bin improvements, ExpressVote booth improvements, update COTS embedded controller settings on ExpressVote XL, and add ballot bag to DS200 ballot box. The application is currently under review.

Information regarding administrative approval requests can be found [here](#).

Testing and Certification at the EAC

The EAC provides [updates](#) on voting system testing. The latest update from the EAC was provided on January 28, 2020. However, based upon discussions with vendors, no systems currently undergoing testing and certification at the EAC are relevant to California.

Additional specifics regarding each voting system are available at: "[Voting Systems Under Test](#)" and "[Certified Voting Systems](#)".

Defects, Failures, and Faults

No defects, faults or failures were reported in January.

Ballot Printing Certification Requests and Approvals

No ballot printing requests were received in January.

A list of certified ballot printers can be found [here](#).

Ballot on Demand Printing Requests and Approvals

No ballot on demand printing requests were received in January.

A list of certified ballot on demand systems and jurisdictions can be found [here](#).

Electronic Poll Book Certification Requests and Approvals

KNOWiNK's PollPad 2.5.0 ePollBook was approved on January 31, 2020.

A list containing certified electronic poll book vendors can be found [here](#).

Electronic poll book application status is as follows:

System	Type	Applicant	Submission Date	Testing Phase
AskED 3.4.130.0	ePollBook	Robis Elections	02/23/2019	Withdrawn January 6, 2020
PollPad 2.5.0	ePollBook	KNOWiNK Inc.	12/26/2019	Approved January 31, 2020

Notes and Reminders

California Air-Gap Requirements – All certified voting systems in California must be utilized in an air-gapped configuration. The certifications state: The system shall be utilized in a configuration of parallel central election management systems separated by an "air-gap" where (1) a permanent central system known to be running unaltered, certified software and firmware is used solely to define elections and program voting equipment and memory cards, (2) a physically-isolated duplicate system, reformatted after every election to guard against the possibility of infection, is used solely to read memory cards containing vote results, accumulate - and tabulate those results and produce reports, and (3) a separate computer dedicated solely to this purpose is used to reformat all memory devices before they are connected to the permanent system again.

Ballot Card Releases- Per [California Code of Regulations Section 20233](#), jurisdictions wishing to purchase ballot cards directly from a ballot printer or wishing to have unfinished ballot cards removed from a warehouse for finishing, shall request and receive a release from the Secretary of State. No ballot cards or unfinished ballot cards shall be manufactured, and no unfinished ballot cards shall be removed from the warehouse for finishing, prior to issuance of a specific release. The [Request for Ballot Card Release](#) is available on the Secretary of State website. Requests should be submitted to the Secretary of State at ballotrelease@sos.ca.gov.

Election Record Retention- As a reminder, pursuant to California Elections Code sections 17301-17306, the retention and preservation of election records, which includes digital ballot images is 22 months. Several voting system tabulation components are capable of producing digital ballot images. Additional information regarding how to backup, retain, and preserve the digital ballot images, and whether or not your jurisdiction's voting system has this capability, can be found in the respective Use Procedures, [here](#).

Disposal or Sale of Equipment- Regarding the disposal or sale of equipment:

- In 2012, the California Secretary of State issued guidance regarding the disposition or sale of equipment purchased with HAVA and/or VMB funding. See Secretary of State (SOS) County Clerk/Registrar of Voters (CC/ROV) Memorandum #12219 - Handling the Sale and Funds from the Sale of Voting

Systems or Voting Equipment. The document outlines proper disposal or sale procedures of voting systems or voting equipment purchased with HAVA and/or VMB funding. The document also highlights that all equipment must be void of any software or firmware and returned to a condition of a non-functioning piece of hardware prior to its disposal or sale.

- See also the US-CERT issued [Security Tip \(ST18-005\)](#) outlining proper disposal procedures for electronic devices.

RAVBM Systems Required- Governor Brown signed [AB 1013](#) into law, requiring a county elections official to permit a voter with a disability, or a military or overseas voter, to cast his or her ballot using a certified RAVBM system. As a reminder, the county accessibility contracts and the voting system replacement contracts allow for reimbursement of costs associated with the acquisition or deployment of an RAVBM system. The following systems are either certified or are navigating the testing and certification process in California:

- Democracy Live Secure Select 1.2.1 (Certified).
- Five Cedars Group Alternate Format Ballot (AFB) 5.2.1 (Certified).
- Dominion ImageCast Remote 5.10 (Certified).
- Los Angeles VSAP Interactive Sample Ballot 1.2 (Certified for LA County only).



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March 12, 2020

County Clerk/Registrar of Voters (CC/ROV) Memorandum #20061

TO: All County Clerks/Registrars of Voters
FROM: /s/ Susan Lapsley
Deputy Secretary of State and Counsel
RE: Voting Systems: OVSTA Monthly Update – March 2020

Each month, the Office of Voting Systems Technology Assessment (OVSTA) provides an update on Election Assistance Commission (EAC) and Secretary of State (SOS) activities related to voting technology.

Each update provides information on:

- Voting technology related events that may be of interest.
- Administrative approval requests and denials since the prior month's update.
- Voting technology testing and approval at the SOS office.
- Defect, failure, and fault reports issued since the prior month's update.
- Ballot printing certification requests since the prior month's update.

Recent and Upcoming Events

As a reminder, counties are required to provide the following post-election reports to the Secretary of State:

- Voting System Incidents – California Elections Code section 19215 requires California jurisdictions to notify the Secretary of State of any defect, fault, or failure within 30 days.
- Remote Accessible Vote by Mail (RAVBM) – Condition 9 of the RAVBM certifications requires California jurisdictions that use a remote accessible vote by mail system to provide a report to the Secretary of State, within 30 calendar days of certifying the election results, listing the number of voters that used the system and all technical issues reported (if any) along with any mitigations.
- One Percent Manual Tally – California Elections Code section 15360(f) requires a report on the results of the 1 percent manual tally in the certification of the official canvass of the vote. This report shall identify any discrepancies between

the machine count and the manual tally and a description of how each of these discrepancies was resolved.

- Or Risk Limiting Audit – [California Elections Code section 20125](#) requires an elections official conducting an RLA to report the results of the audit in the certification of the official canvass of the vote.

Voting System and RAVBM Testing and Approvals

OVSTA received an application from the County of Los Angeles for the VSAP 2.1 voting system on February 27, 2020.

Voting technology application status is as follows:

System	Type	Applicant	Submission Date	Testing Phase
Precinct Central 4.5.0	ePollBook	Tenex Software Solutions, Inc.	3/9/2020	Application Evaluation
Voting Solutions for All People 2.1	Voting System	Los Angeles County	2/27/2020	Application Evaluation
Democracy Suite 5.10 Report Export	Voting System	Dominion Voting Systems	2/20/2020	Approved 2/28/2020
Democracy Suite 5.10 SQL Setting	Voting System	Dominion Voting Systems	2/21/2020	Approved 2/28/2020
Democracy Suite 5.10 Report Export	Voting System	Dominion Voting Systems	2/7/2020	Approved 2/18/2020
NOVUS 5.2	Ballot Duplicating System	Runbeck Election Services	10/14/2019	Approved 2/28/2020

Administrative Approval Requests and Approvals

Runbeck Election Services' NOVUS 5.2 ballot duplication system was certified on February 28, 2020.

Information regarding administrative approval requests can be found [here](#).

Testing and Certification at the EAC

The EAC provides [updates](#) on voting system testing. The latest update from the EAC was provided on January 28, 2020. However, based upon discussions with vendors, no systems currently undergoing testing and certification at the EAC are relevant to California.

Additional specifics regarding each voting system are available at: "[Voting Systems Under Test](#)" and "[Certified Voting Systems](#)".

Defects, Failures, and Faults

No defects, faults or failures were reported in February.

Ballot Printing Certification Requests and Approvals

OVSTA received an application from K&H on February 13, 2020. They were approved to print ES&S ElectionWare ballots.

A list of certified ballot printers can be found [here](#).

Ballot on Demand Printing Requests and Approvals

OVSTA received 39 jurisdictional ballot on demand applications in February. All 39 requests were approved.

A list of certified ballot on demand systems and jurisdictions can be found [here](#).

Electronic Poll Book Certification Requests and Approvals

OVSTA received an application from KNOWiNK for a modification to their PollPad 2.5.0 ePollBook on January 30, 2020. The version was amended to PollPad 2.5.0.2 and approved on February 13, 2020.

A list containing certified electronic poll book vendors can be found [here](#).

Notes and Reminders

Election Record Retention- As a reminder, pursuant to California Elections Code sections 17301-17306, the retention and preservation of election records, which includes digital ballot images is 22 months. Several voting system tabulation components are capable of producing digital ballot images. Additional information regarding how to backup, retain, and preserve the digital ballot images, and whether or not your jurisdiction's voting system has this capability, can be found in the respective Use Procedures, [here](#).

Disposal or Sale of Equipment- Regarding the disposal or sale of equipment:

- In 2012, the California Secretary of State issued guidance regarding the disposition or sale of equipment purchased with HAVA and/or VMB funding. See Secretary of State (SOS) County Clerk/Registrar of Voters (CC/ROV) Memorandum #12219 - Handling the Sale and Funds from the Sale of Voting Systems or Voting Equipment. The document outlines proper disposal or sale procedures of voting systems or voting equipment purchased with HAVA and/or VMB funding. The document also highlights that all equipment must be void of any software or firmware and returned to a condition of a non-functioning piece of hardware prior to its disposal or sale.
- See also the US-CERT issued [Security Tip \(ST18-005\)](#) outlining proper disposal procedures for electronic devices.



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April 9, 2020

County Clerk/Registrar of Voters (CC/ROV) Memorandum #20074

TO: All County Clerks/Registrars of Voters
FROM: /s/ Susan Lapsley
Deputy Secretary of State and Counsel
RE: Voting Systems: OVSTA Monthly Update – April 2020

Each month, the Office of Voting Systems Technology Assessment (OVSTA) provides an update on Election Assistance Commission (EAC) and Secretary of State (SOS) activities related to voting technology.

Each update provides information on:

- Voting technology related events that may be of interest.
- Administrative approval requests and denials since the prior month's update.
- Voting technology testing and approval at the SOS office.
- Defect, failure, and fault reports issued since the prior month's update.
- Ballot printing certification requests since the prior month's update.

Recent and Upcoming Events

Danielle Rodriguez, Staff Services Analyst, has joined the OVSTA team effective April 1, 2020. Danielle previously worked as Student Assistant for the California Secretary of State's Office, in a variety of departments, since May of 2016.

The Secretary of State has promulgated regulations related to conducting Risk-Limiting Audits, which are in effect as of March 5, 2020. These regulations establish the procedures for conducting risk-limiting audits in lieu of the 1% manual tally beginning with the March 3, 2020, Presidential Primary Election. The final version of these regulations is available on the Secretary of State's website, [here](#).

Canvass Extension- Governor Newsom issued Executive Order N-34-20 on March 20, 2020, which in addition to other things, extends all deadlines associated with the official canvass of the March 3, 2020, Presidential Primary Election by 21 days. Based on the Executive Order, updates to canvass-related deadlines can be found in the March 3, 2020, Presidential Primary Election Calendar, [here](#).

Post-Election Reports-As a reminder, counties are required to provide the following post-election reports to the Secretary of State:

- Voting System Incidents – California Elections Code section 19215 requires California jurisdictions to notify the Secretary of State of any defect, fault, or failure within 30 days.
- Remote Accessible Vote by Mail (RAVBM) – Condition 9 of the RAVBM certifications requires California jurisdictions that use a remote accessible vote by mail system to provide a report to the Secretary of State, within 30 calendar days of certifying the election results, listing the number of voters that used the system and all technical issues reported (if any) along with any mitigations.
- One Percent Manual Tally – California Elections Code section 15360(f) requires a report on the results of the 1 percent manual tally in the certification of the official canvass of the vote. This report shall identify any discrepancies between the machine count and the manual tally and a description of how each of these discrepancies was resolved.
 - Or Risk Limiting Audit – [California Elections Code section 20125](#) requires an elections official conducting an RLA to report the results of the audit in the certification of the official canvass of the vote.

Voting Technology Testing and Approvals

OVSTA receives and reviews applications for certification and approval from voting technology vendors on a continuous basis. The status of current applications can be found below:

System	Type	Applicant	Submission Date	Testing Phase
Precinct Central 4.5.0	ePollBook	Tenex Software Solutions, Inc.	3/9/2020	Pre-Testing Statement of Work
Voting Solutions for All People 2.1	Voting System	Los Angeles County	2/27/2020	Pre-Testing Bid Solicitation

Voting Solutions for All People Interactive Sample Ballot (ISB) 2.5	RAVBM	Los Angeles County	3/16/2020	Pre-Testing Planning
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Administrative Approval Requests and Approvals

There were no Administrative Approval Requests received in the month of March. Information regarding administrative approval requests can be found [here](#).

Testing and Certification at the EAC

The EAC provides [updates](#) on voting system testing. The latest update from the EAC was provided on January 28, 2020. However, based upon discussions with vendors, no systems currently undergoing testing and certification at the EAC are relevant to California.

Additional specifics regarding each voting system are available at: "[Voting Systems Under Test](#)" and "[Certified Voting Systems](#)".

On March 27, 2020, the EAC held a hearing to discuss proposed Voluntary Voting System Guidelines (VVSG) 2.0 Requirements that were submitted by the Technical Guidelines Development Committee (TGDC). The VVSG 2.0 Requirements are currently available for a 90-day public comment period. More information on the VVSG 2.0 requirements are available [here](#).

Defects, Failures, and Faults

A defect was identified in the Hart Verity 3.1 voting system, by a California jurisdiction during the March 3, 2020 Presidential Primary Election. The defect temporarily prevented the affected jurisdiction from tabulating ballots. Hart was able to immediately provide a temporary mitigation to the defect for the affected jurisdiction. Hart is working to provide a permanent solution to the defect ahead of the November 3, 2020, General Election.

Ballot Printing Certification Requests and Approvals

There were no ballot printing certification requests or approvals in March. A list of certified ballot printers can be found [here](#).

Ballot on Demand Printing Requests and Approvals

OVSTA received a request from Contra Costa County to install Dominion's MBP 5.10 ballot on demand system on March 2, 2020. The application is under review. A list of certified ballot on demand systems and jurisdictions can be found [here](#).

Electronic Poll Book Certification Requests and Approvals

OVSTA received an application from Tenex requesting approval of their new Precinct Central 4.5.0 electronic poll book system on March 9, 2020. The application is under review. A list containing certified electronic poll book vendors can be found [here](#).

Notes and Reminders

Election Record Retention- As a reminder, pursuant to California Elections Code sections 17301-17306, the retention and preservation of election records, which includes digital ballot images is 22 months. Several voting system tabulation components are capable of producing digital ballot images. Additional information regarding how to backup, retain, and preserve the digital ballot images, and whether or not your jurisdiction's voting system has this capability, can be found in the respective Use Procedures, [here](#).

Disposal or Sale of Equipment- Regarding the disposal or sale of equipment:

- In 2012, the California Secretary of State issued guidance regarding the disposition or sale of equipment purchased with HAVA and/or VMB funding. See Secretary of State (SOS) County Clerk/Registrar of Voters (CC/ROV) Memorandum #12219 - Handling the Sale and Funds from the Sale of Voting Systems or Voting Equipment. The document outlines proper disposal or sale procedures of voting systems or voting equipment purchased with HAVA and/or VMB funding. The document also highlights that all equipment must be void of any software or firmware and returned to a condition of a non-functioning piece of hardware prior to its disposal or sale.
- See also the US-CERT issued [Security Tip \(ST18-005\)](#) outlining proper disposal procedures for electronic devices.



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May 8, 2020

County Clerk/Registrar of Voters (CC/ROV) Memorandum #20090

TO: All County Clerks/Registrars of Voters
FROM: /s/ Susan Lapsley
Deputy Secretary of State and Counsel
RE: Voting Systems: OVSTA Monthly Update – May 2020

Each month, the Office of Voting Systems Technology Assessment (OVSTA) provides an update on Election Assistance Commission (EAC) and Secretary of State (SOS) activities related to voting technology.

Each update provides information on:

- Voting technology related events that may be of interest.
- Administrative approval requests and denials since the prior month's update.
- Voting technology testing and approval at the SOS office.
- Defect, failure, and fault reports issued since the prior month's update.
- Ballot printing certification requests since the prior month's update.

Recent and Upcoming Events

Statement of Vote- On May 1, 2020, the Secretary of State certified the results of the March 3, 2020, Presidential Primary Election. The certified election results can be found, [here](#).

Risk-Limiting Audits- The Secretary of State has promulgated regulations related to conducting Risk-Limiting Audits, which are in effect as of March 5, 2020. These regulations establish the procedures for conducting risk-limiting audits in lieu of the 1% manual tally. The final version of these regulations is available on the Secretary of State's website, [here](#).

Post-Election Reports-As a reminder, counties are required to provide the following post-election reports to the Secretary of State:

- Voting System Incidents – California Elections Code section 19215 requires California jurisdictions to notify the Secretary of State of any defect, fault, or failure within 30 days.
- Remote Accessible Vote by Mail (RAVBM) – Condition 9 of the RAVBM certifications requires California jurisdictions that use a remote accessible vote by mail system to provide a report to the Secretary of State, within 30 calendar days of certifying the election results, listing the number of voters that used the system and all technical issues reported (if any) along with any mitigations.
- One Percent Manual Tally – California Elections Code section 15360(f) requires a report on the results of the 1 percent manual tally in the certification of the official canvass of the vote. This report shall identify any discrepancies between the machine count and the manual tally and a description of how each of these discrepancies was resolved.
 - Or Risk Limiting Audit – [California Code of Regulations Section 20125](#) requires an elections official conducting an RLA to report the results of the audit in the certification of the official canvass of the vote.

Voting Technology Testing and Approvals

OVSTA receives and reviews applications for certification and approval from voting technology vendors on a continuous basis. The status of current applications can be found below:

System	Type	Applicant	Submission Date	Testing Phase
Precinct Central 4.5.0	ePollBook	Tenex Software Solutions, Inc.	3/9/2020	Pre-Testing Planning
Voting Solutions for All People 2.1	Voting System	Los Angeles County	2/27/2020	Pre-Testing Planning
Voting Solutions for All People Interactive Sample Ballot (ISB) 2.5	RAVBM	Los Angeles County	3/16/2020	Pre-Testing Planning

Democracy Suite 5.10 Modification	Voting System	Dominion Voting Systems	5/1/2020	Pre-Testing Planning
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Administrative Approval Requests and Approvals

OVSTA received a request from Los Angeles County regarding the administrative approval for two American Power Conversion (APC) uninterruptible power supplies (UPS). After review of the application and supporting documentation, Administrative Approval has been granted as of April 21, 2020. Information regarding administrative approval requests can be found [here](#).

OVSTA received a request from Dominion Voting Systems Inc. for a modification to the Democracy Suite 5.10 voting system. The modification will provide additional languages and reports to the system. Pre-testing activities are underway.

Testing and Certification at the EAC

On May 6, 2020, the EAC held a public hearing to discuss the proposed Voluntary Voting System Guidelines (VVSG) 2.0 requirements as submitted by the Technical Guidelines Development Committee (TGDC). This was the second public hearing held by the EAC and its focus was on how state and local election offices utilize the VVSG program. More information on the VVSG 2.0 requirement are available, [here](#).

The EAC provides [updates](#) on voting system testing. The latest update from the EAC was provided on May 4, 2020. However, based upon discussions with vendors, no systems currently undergoing testing and certification at the EAC are relevant to California.

Additional information regarding each voting system are available at: "[Voting Systems Under Test](#)" and "[Certified Voting Systems](#)".

Defects, Failures, and Faults

A defect was identified in the Hart Verity 3.1 voting system, by a California jurisdiction during the March 3, 2020 Presidential Primary Election. The defect temporarily prevented the affected jurisdiction from tabulating ballots. Hart was able to immediately provide a temporary mitigation to the defect for the affected jurisdiction. Hart has developed a permanent solution to the defect, which will be tested ahead of the November 3, 2020, General Election.

Ballot Printing Certification Requests and Approvals

OVSTA received a request from CSG Systems, Inc., for certification as a ballot printer in California. Upon review of the application, CSG Systems' application has been approved. A list of certified ballot printers can be found [here](#).

Ballot on Demand Printing Requests and Approvals

OVSTA received a request from Contra Costa County to install Dominion's MBP 5.10 ballot on demand system. Upon review of the application, Contra Costa County's application has been approved. A list of certified ballot on demand systems and jurisdictions can be found [here](#).

Electronic Poll Book Certification Requests and Approvals

OVSTA received an application from Tenex requesting approval of their new Precinct Central 4.5.0 electronic poll book system. Pre-testing activities are underway. A list containing certified electronic poll book vendors can be found [here](#).

Notes and Reminders

Election Record Retention- As a reminder, pursuant to California Elections Code sections 17301-17306, the retention and preservation of election records, which includes digital ballot images is 22 months. Several voting system tabulation components are capable of producing digital ballot images. Additional information regarding how to backup, retain, and preserve the digital ballot images, and whether or not your jurisdiction's voting system has this capability, can be found in the respective Use Procedures, [here](#).

Disposal or Sale of Equipment- Regarding the disposal or sale of equipment:

- In 2012, the California Secretary of State issued guidance regarding the disposition or sale of equipment purchased with HAVA and/or VMB funding. See Secretary of State (SOS) County Clerk/Registrar of Voters (CC/ROV) Memorandum #12219 - Handling the Sale and Funds from the Sale of Voting Systems or Voting Equipment. The document outlines proper disposal or sale procedures of voting systems or voting equipment purchased with HAVA and/or VMB funding. The document also highlights that all equipment must be void of any software or firmware and returned to a condition of a non-functioning piece of hardware prior to its disposal or sale.
- See also the US-CERT issued [Security Tip \(ST18-005\)](#) outlining proper disposal procedures for electronic devices.



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June 8, 2020

County Clerk/Registrar of Voters (CC/ROV) Memorandum # 20108

TO: All County Clerks/Registrars of Voters
FROM: /s/ Susan Lapsley
Deputy Secretary of State and Counsel
RE: Voting Systems: OVSTA Monthly Update – June 2020

Each month, the Office of Voting Systems Technology Assessment (OVSTA) provides an update on Election Assistance Commission (EAC) and Secretary of State (SOS) activities related to voting technology.

Each update provides information on:

- Voting technology related events that may be of interest.
- Administrative approval requests and denials since the prior month's update.
- Voting technology testing and approval at the SOS office.
- Defect, failure, and fault reports issued since the prior month's update.
- Ballot printing certification requests since the prior month's update.

Recent and Upcoming Events

Election Update – On May 8, 2020, Governor Gavin Newsom signed Executive Order [N-64-20](#), a directive on how California will administer the November 3, 2020, General Election during the COVID-19 pandemic. Per the executive order, every registered voter will receive a vote-by-mail ballot.

Election Update - On June 3, 2020, Governor Gavin Newsom signed Executive Order [N-67-20](#), providing the immediate clarity necessary for elections officials to properly prepare for the November 3, 2020, General Election.

Election Update - The Secretary of State's office issued [CCROV # 20104](#), and [CCROV # 20106](#), which provides additional guidance for elections officials to properly prepare for the November 3, 2020, General Election.

Risk-Limiting Audits- The Secretary of State has promulgated regulations related to conducting Risk-Limiting Audits, which are in effect as of March 5, 2020. These regulations establish the procedures for conducting risk-limiting audits in lieu of the 1%

manual tally. The final version of these regulations is available on the Secretary of State's website, [here](#).

Voting Technology Testing and Approvals

OVSTA receives and reviews applications for certification and approval from voting technology vendors on a continuous basis. The status of current applications can be found below:

System	Type	Applicant	Submission Date	Testing Phase
Precinct Central 4.5.0	ePollBook	Tenex Software Solutions, Inc.	3/9/2020	Pre-Testing Planning
PollPad 4.6.0	ePollBook	KNOWiNK	5/26/2020	Pre-Testing Planning
Voting Solutions for All People 2.1	Voting System	Los Angeles County	2/27/2020	Pre-Testing Planning
Voting Solutions for All People Interactive Sample Ballot (ISB) 2.5	RAVBM	Los Angeles County	3/16/2020	Pre-Testing Planning
Democracy Suite 5.10 Modification	Voting System	Dominion Voting Systems	5/1/2020	Testing

Administrative Approval Requests and Approvals

OVSTA received a request from Elections Systems & Software for a modification to the EVS 6.0.4.2 voting system. The modification will provide an additional internal system logging message to enhance the security and performance of the system. The request is currently under review.

OVSTA received a request from Dominion Voting Systems Inc. for a modification to the Democracy Suite 5.10 voting system. The modification will provide additional languages and reports to the system. Testing activities are underway.

OVSTA received a request from Dominion Voting Systems Inc. for four modifications to the Democracy Suite 5.10 voting system to replace components that have reached End-of-Life from the manufacturer. The modifications were approved on June 2, 2020.

Information regarding administrative approval requests can be found [here](#).

Testing and Certification at the EAC

On May 20, 2020, the EAC held a public hearing to discuss the proposed Voluntary Voting System Guidelines (VVSG) 2.0 requirements as submitted by the Technical Guidelines Development Committee (TGDC). This was the third public hearing held by the EAC and its focus was on how manufacturers and current technologies utilize the VVSG program. More information on the VVSG 2.0 requirement are available, [here](#).

The EAC provides [updates](#) on voting system testing. The latest update from the EAC was provided on May 4, 2020. However, based upon discussions with vendors, no systems currently undergoing testing and certification at the EAC are relevant to California.

Additional information regarding each voting system are available at: "[Voting Systems Under Test](#)" and "[Certified Voting Systems](#)".

Defects, Failures, and Faults

No defects, faults or failures were reported in May.

Ballot Printing Certification Requests and Approvals

No ballot printing requests were received in May. A list of certified ballot printers can be found [here](#).

Ballot on Demand Printing Requests and Approvals

No ballot on demand printing requests were received in May. A list of certified ballot on demand systems and jurisdictions can be found [here](#).

Electronic Poll Book Certification Requests and Approvals

OVSTA received an application from Tenex requesting approval of their new Precinct Central 4.5.0 electronic poll book system. Pre-testing activities are underway.

OVSTA received an application from KNOWiNK requesting approval of their new PollPad 4.6.0 electronic poll book system. Pre-testing activities are underway.

A list containing certified electronic poll book vendors can be found [here](#).

Notes and Reminders

Election Record Retention- As a reminder, pursuant to California Elections Code sections 17301-17306, the retention and preservation of election records, which includes digital ballot images is 22 months. Several voting system tabulation components are capable of producing digital ballot images. Additional information regarding how to backup, retain, and preserve the digital ballot images, and whether or not your jurisdiction's voting system has this capability, can be found in the respective Use Procedures, [here](#).

Disposal or Sale of Equipment- Regarding the disposal or sale of equipment:

- In 2012, the California Secretary of State issued guidance regarding the disposition or sale of equipment purchased with HAVA and/or VMB funding. See Secretary of State (SOS) County Clerk/Registrar of Voters (CC/ROV) Memorandum #12219 - Handling the Sale and Funds from the Sale of Voting Systems or Voting Equipment. The document outlines proper disposal or sale procedures of voting systems or voting equipment purchased with HAVA and/or VMB funding. The document also highlights that all equipment must be void of any software or firmware and returned to a condition of a non-functioning piece of hardware prior to its disposal or sale.
- See also the US-CERT issued [Security Tip \(ST18-005\)](#) outlining proper disposal procedures for electronic devices.



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July 7, 2020

County Clerk/Registrar of Voters (CC/ROV) Memorandum # 20147

TO: All County Clerks/Registrars of Voters

FROM: /s/ Susan Lapsley
Deputy Secretary of State and Counsel

RE: Voting Systems: OVSTA Monthly Update – July 2020

Each month, the Office of Voting Systems Technology Assessment (OVSTA) provides an update on Election Assistance Commission (EAC) and Secretary of State (SOS) activities related to voting technology.

Each update provides information on:

- Voting technology related events that may be of interest.
- Administrative approval requests and denials since the prior month's update.
- Voting technology testing and approval at the SOS office.
- Defect, failure, and fault reports issued since the prior month's update.
- Ballot printing certification requests since the prior month's update.

Recent and Upcoming Events

Election Update – On June 3, 2020, Governor Gavin Newsom issued a proclamation for the regularly scheduled November 3, 2020, General Election. The Governor's Proclamation can be viewed, [here](#).

Election Update – On June 30, 2020, the Secretary of State's office issued [CCROV #20135](#), which provides updated guidance on previous [CCROV # 20104](#) and [CCROV # 20106](#), to address the passage of AB 860 (Chapter 4 of the Statutes of 2020) and the adoption of emergency regulations amending Section 20136 of Chapter 3 of Division 7 of Title 2 of the California Code of Regulations.

Voting Technology Testing and Approvals

OVSTA receives and reviews applications for certification and approval from voting technology vendors on a continuous basis. The status of current applications can be found below:

System	Type	Applicant	Submission Date	Testing Phase
ImageCast Remote 5.10A	RAVBM	Dominion Voting Systems	6/9/2020	Pre-Testing Planning
PollPad 2.5.2	ePollBook	KNOWiNK	5/26/2020	Pre-Testing Planning
Democracy Suite 5.10A	Voting System	Dominion Voting Systems	5/8/2020	Post Testing
Voting Solutions for All People Interactive Sample Ballot (ISB) 2.5	RAVBM	Los Angeles County	3/16/2020	Pre-Testing Planning
Precinct Central 4.5.0.	ePollBook	Tenex Software Solutions, Inc.	3/9/2020	Pre-Testing Planning
Voting Solutions for All People 2.1	Voting System	Los Angeles County	2/27/2020	Functional Testing

Administrative Approval Requests and Approvals

Elections Systems & Software was granted Administrative Approval for the addition of an internal system logging messages to enhance the security and performance of the EVS 6.0.4.2 voting system on June 23, 2020.

OVSTA received a request from Dominion Voting Systems Inc. for a modification to the Democracy Suite 5.10 voting system. The modification will provide additional languages and reports to the system. The modified system was named DS5.10A. Post testing activities are underway.

Information regarding administrative approval requests can be found [here](#).

Testing and Certification at the EAC

On June 16, 2020, the EAC held a public hearing for their 2020 Annual Board of Advisors meeting to discuss the proposed Voluntary Voting System Guidelines (VVSG) 2.0 requirements. This was the fourth public hearing held by the EAC and its focus was on questions and answers between board members regarding the VVSG program. More information on the VVSG 2.0 requirement are available, [here](#).

On July 8, 2020, the EAC will conduct a public hearing for lessons learned from the 2020 primary elections. The public hearing will include testimony from state and local election officials on how they met the challenges faced during the 2020 primary elections and their plans for managing the upcoming general elections during the COVID-19 pandemic. More information on the upcoming hearing can be found, [here](#).

The EAC provides [updates](#) on voting system testing. The latest update from the EAC was provided on June 25, 2020. However, based upon discussions with vendors, no systems currently undergoing testing and certification at the EAC are relevant to California.

Additional information regarding each voting system are available at: "[Voting Systems Under Test](#)" and "[Certified Voting Systems](#)".

Defects, Failures, and Faults

No defects, faults or failures were reported in June.

Ballot Printing Certification Requests and Approvals

OVSTA received an application from Admail West, requesting certification for printing of Dominion ImageCast ballots. The application is currently in the initial review phase.

OVSTA received an application from Toppan Merrill, requesting certification for printing of Dominion ImageCast ballots. The application is currently in the initial review phase.

OVSTA received an application for RunBeck Election Services, requesting certification for their new facility in Phoenix, Arizona. The application is currently in the initial review phase.

A list of certified ballot printers can be found [here](#).

Ballot on Demand Printing Requests and Approvals

Elections Systems & Software was granted Administrative Approval for the addition of a Toshiba Tecra A50-E laptop and an OKI C711dn printer to the Balotar 3.0.5.1 ballot printing system on June 28, 2020. A list of certified ballot on demand systems and jurisdictions can be found [here](#).

Electronic Poll Book Certification Requests and Approvals

OVSTA received an application from Tenex requesting approval of their new Precinct Central 4.5.0 electronic poll book system. Pre-testing activities are underway.

OVSTA received an application from KNOWiNK requesting approval of their new PollPad 2.5.2 electronic poll book system. Pre-testing activities are underway.

A list containing certified electronic poll book vendors can be found [here](#).

Notes and Reminders

Election Record Retention- As a reminder, pursuant to California Elections Code sections 17301-17306, the retention and preservation of election records, which includes digital ballot images is 22 months. Several voting system tabulation components are capable of producing digital ballot images. Additional information regarding how to backup, retain, and preserve the digital ballot images, and whether or not your jurisdiction's voting system has this capability, can be found in the respective Use Procedures, [here](#).

Disposal or Sale of Equipment- Regarding the disposal or sale of equipment:

- In 2012, the California Secretary of State issued guidance regarding the disposition or sale of equipment purchased with HAVA and/or VMB funding. See Secretary of State (SOS) County Clerk/Registrar of Voters (CC/ROV) Memorandum #12219 - Handling the Sale and Funds from the Sale of Voting Systems or Voting Equipment. The document outlines proper disposal or sale procedures of voting systems or voting equipment purchased with HAVA and/or VMB funding. The document also highlights that all equipment must be void of any software or firmware and returned to a condition of a non-functioning piece of hardware prior to its disposal or sale.
- See also the US-CERT issued [Security Tip \(ST18-005\)](#) outlining proper disposal procedures for electronic devices.



ALEX PADILLA | SECRETARY OF STATE | STATE OF CALIFORNIA
OFFICE OF VOTING SYSTEMS TECHNOLOGY ASSESSMENT
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August 7, 2020

County Clerk/Registrar of Voters (CC/ROV) Memorandum # 20169

TO: All County Clerks/Registrars of Voters
FROM: /s/ Susan Lapsley
Deputy Secretary of State, HAVA and Counsel
RE: Voting Systems: OVSTA Monthly Update – August 2020

Each month, the Office of Voting Systems Technology Assessment (OVSTA) provides an update on Election Assistance Commission (EAC) and Secretary of State (SOS) activities related to voting technology.

Each update provides information on:

- Voting technology related events that may be of interest.
- Administrative approval requests and denials since the prior month's update.
- Voting technology testing and approval at the SOS office.
- Defect, failure, and fault reports issued since the prior month's update.
- Ballot printing certification requests since the prior month's update.

Recent and Upcoming Events

Election Updates

OVSTA will hold a public hearing regarding the Los Angeles County VSAP 2.1 voting system on Monday, August 31, 2020 at 10:00 a.m. The hearing will be held virtually because of the COVID-19 pandemic. Details, including the WebEx information will be posted on our website.

On August 5, 2020, the Secretary of State's office issued CCROV #[20167](#), assigning the ballot tint and watermark to be used in the November 3, 2020, General Election. The watermark to be used is the **CA Poppy** and the tint for the background and watermark is **Red PMS 192**.

All jurisdictions looking to implement changes to their ballot on demand or mobile ballot printing systems prior to the upcoming November 3, 2020, General Election, must submit updated applications to OVSTA by September 11, 2020.

Voting Technology Testing and Approvals

OVSTA receives and reviews applications for certification and approval from voting technology vendors on a continuous basis. The status of current applications can be found below:

System	Type	Applicant	Submission Date	Testing Phase
Verity Voting 3.1.1	Voting System	Hart InterCivic	7/14/2020	Pre-Testing Planning
ImageCast Remote 5.10A	RAVBM	Dominion Voting Systems	6/9/2020	Accessibility Testing
PollPad 2.5.2	ePollBook	KNOWiNK	5/26/2020	Source Code Review
Democracy Suite 5.10A	Voting System	Dominion Voting Systems	5/8/2020	Approved
Voting Solutions for All People Interactive Sample Ballot (ISB) 2.5	RAVBM	Los Angeles County	3/16/2020	Accessibility Testing
Precinct Central 4.5.0.	ePollBook	Tenex Software Solutions, Inc.	3/9/2020	Pre-Testing Planning
Voting Solutions for All People 2.1	Voting System	Los Angeles County	2/27/2020	Public Hearing August 31, 2020

Administrative Approval Requests and Approvals

Hart InterCivic has requested administrative approval for modifications to the Verity Voting 3.1 voting system. The modifications include the addition of new languages to meet current California Elections code section 14201 requirements, and a bug fix for a staging issue. The modified system is named Verity Voting 3.1.1. Trusted build activities are underway. Testing is scheduled to begin in September.

Dominion Voting Systems Inc., was granted Administrative Approval for modifications to the Democracy Suite 5.10 voting system, on July 9, 2020. The modifications included the addition of new languages to meet current California Elections code section 14201 requirements, a new California report export package, performance improvements and bug fixes. The modified system was named DS5.10A.

Information regarding administrative approval requests can be found [here](#).

Testing and Certification at the EAC

On July 31, 2020, the EAC held a public hearing for their 2020 Annual EAC Standards Board meeting to discuss the proposed Voluntary Voting System Guidelines (VVSG) 2.0 requirements. This was the fifth public hearing held by the EAC and its focus was on questions and answers between board members regarding the VVSG program. More information on the VVSG 2.0 requirement are available, [here](#).

The EAC provides [updates](#) on voting system testing. The latest update from the EAC was provided on June 25, 2020. However, based upon discussions with vendors, no systems currently undergoing testing and certification at the EAC are relevant to California.

Additional information regarding each voting system are available at: "[Voting Systems Under Test](#)" and "[Certified Voting Systems](#)".

Defects, Failures, and Faults

No defects, faults or failures were reported in July.

Ballot Printing Certification Requests and Approvals

OVSTA received an application from Admail West, requesting certification for printing of Dominion ImageCast ballots and Hart Verity ballots. The application is currently in the final review phase.

OVSTA received an application from Toppan Merrill, requesting certification for printing of Dominion ImageCast ballots. The application is currently in the initial review phase.

OVSTA received an application for Runbeck Election Services, requesting certification for their new facility in Phoenix, Arizona. The application has been approved.

A list of certified ballot printers can be found [here](#).

Ballot on Demand Printing Requests and Approvals

Administrative Approval was granted to Dominion's Democracy Suite 5.10A voting system on July 9, 2020. All California counties utilizing Dominion's DS5.10A system were contacted by OVSTA, requesting updates to their Jurisdictional Use Applications for the DS5.10A Mobile Ballot Printing systems. Updated applications are due no later than September 11, 2020.

A list of certified ballot on demand systems and jurisdictions can be found [here](#).

Electronic Poll Book Certification Requests and Approvals

OVSTA received an application from Tenex requesting approval of their new Precinct Central 4.5.0 electronic poll book system. Pre-testing activities are underway.

OVSTA received an application from KNOWiNK requesting approval of their new PollPad 2.5.2 electronic poll book system. Source code review is underway.

A list containing certified electronic poll book vendors can be found [here](#).

Notes and Reminders

Election Record Retention- As a reminder, pursuant to California Elections Code sections 17301-17306, the retention and preservation of election records, which includes digital ballot images is 22 months. Several voting system tabulation components are capable of producing digital ballot images. Additional information regarding how to backup, retain, and preserve the digital ballot images, and whether or not your jurisdiction's voting system has this capability, can be found in the respective Use Procedures, [here](#).

Disposal or Sale of Equipment- Regarding the disposal or sale of equipment:

- In 2012, the California Secretary of State issued guidance regarding the disposition or sale of equipment purchased with HAVA and/or VMB funding. See Secretary of State (SOS) County Clerk/Registrar of Voters (CC/ROV) Memorandum #12219 - Handling the Sale and Funds from the Sale of Voting Systems or Voting Equipment. The document outlines proper disposal or sale procedures of voting systems or voting equipment purchased with HAVA and/or VMB funding. The document also highlights that all equipment must be void of any software or firmware and returned to a condition of a non-functioning piece of hardware prior to its disposal or sale.
- See also the US-CERT issued [Security Tip \(ST18-005\)](#) outlining proper disposal procedures for electronic devices.



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September 8, 2020

County Clerk/Registrar of Voters (CC/ROV) Memorandum # 20201

TO: All County Clerks/Registrars of Voters

FROM: /s/ Susan Lapsley
Deputy Secretary of State, HAVA and Counsel

RE: Voting Systems: OVSTA Monthly Update – September 2020

Each month, the Office of Voting Systems Technology Assessment (OVSTA) provides an update on Election Assistance Commission (EAC) and Secretary of State (SOS) activities related to voting technology.

Each update provides information on:

- Voting technology related events that may be of interest.
- Administrative approval requests and denials since the prior month's update.
- Voting technology testing and approval at the SOS office.
- Defect, failure, and fault reports issued since the prior month's update.
- Ballot printing certification requests since the prior month's update.

Recent and Upcoming Events

Election Updates

OVSTA held a public hearing regarding the Los Angeles County VSAP 2.1 voting system on Monday, August 31, 2020 at 10:00 a.m. The hearing was held virtually because of the COVID-19 pandemic. Public comment can be submitted on or before September 15th at 5:00 p.m. to VotingSystems@sos.ca.gov or by mail to: California Secretary of State, OVSTA 1500 11th Street, 6th Floor, Sacramento, California 95814. All reports regarding the VSAP 2.1 Voting System can be found on our website [here](#).

All jurisdictions looking to implement changes to their ballot on demand or mobile ballot printing systems prior to the upcoming November 3, 2020, General Election, must submit updated applications to OVSTA by September 11, 2020.

Voting Technology Testing and Approvals

OVSTA receives and reviews applications for certification and approval from voting technology vendors on a continuous basis. The status of current applications can be found below:

System	Type	Applicant	Submission Date	Testing Phase
Verity Voting 3.1.1	Voting System	Hart InterCivic	7/14/2020	Functional Testing
ImageCast Remote 5.10A	RAVBM	Dominion Voting Systems	6/9/2020	Post -Testing
PollPad 2.5.2	ePollBook	KNOWiNK	5/26/2020	Functional Testing
Voting Solutions for All People Interactive Sample Ballot (ISB) 2.5	RAVBM	Los Angeles County	3/16/2020	Post-Testing
Precinct Central 4.5.0.	ePollBook	Tenex Software Solutions, Inc.	3/9/2020	Security and Telecommunications Testing
Voting Solutions for All People 2.1	Voting System	Los Angeles County	2/27/2020	Post Testing

Administrative Approval Requests and Approvals

Hart InterCivic has requested administrative approval for modifications to the Verity Voting 3.1 voting system. The modifications include the addition of new languages to meet current California Elections Code section 14201 requirements, and a bug fix for a staging issue. The modified system is named Verity Voting 3.1.1. Software Testing is complete and Functional Testing begins September 8, 2020.

Information regarding administrative approval requests can be found [here](#).

Testing and Certification at the EAC

On August 12, 2020, the EAC held a public meeting for their Technical Guidelines Development Commission to discuss the comments and updates to the Voluntary Voting System Guidelines (VVSG) 2.0 requirements. The meeting included presentations on NIST staff transitions, the RABET-V pilot program, and an open discussion on non-voting election technology approaches. More information on the VVSG 2.0 requirement are available, [here](#).

The EAC provides [updates](#) on voting system testing. The latest update from the EAC was provided on June 25, 2020. However, based upon discussions with vendors, no systems currently undergoing testing and certification at the EAC are relevant to California.

Additional information regarding each voting system are available at: "[Voting Systems Under Test](#)" and "[Certified Voting Systems](#)".

Defects, Failures, and Faults

No defects, faults or failures were reported in August.

Ballot Printing Certification Requests and Approvals

OVSTA received an application from Admail West, requesting certification for printing of Dominion ImageCast ballots and Hart Verity ballots. The application has been approved.

OVSTA received an application from Toppan Merrill, requesting certification for printing of Dominion ImageCast ballots. The application is currently in the initial review phase.

A list of certified ballot printers can be found [here](#).

Ballot on Demand Printing Requests and Approvals

Administrative Approval was granted for Dominion's Democracy Suite 5.10A voting system on July 9, 2020, which included a revised Mobile Ballot Printing system. Counties need to submit revised jurisdictional applications and receive approval prior to

using the revised Mobile Ballot Printing system. All California counties utilizing Dominion's DS5.10A system were contacted by OVSTA, requesting updates to their Jurisdictional Use Applications for the DS5.10A Mobile Ballot Printing systems. Updated applications are due no later than September 11, 2020. Several counties have submitted updated applications that are currently being reviewed.

OVSTA received an application from Trinity County, requesting Jurisdictional Use of the Hart InterCivic Verity Print Ballot On Demand system. The application is currently in the initial review phase.

OVSTA received an application from Merced County, requesting Jurisdictional Use of the ES&S Balotar system. The application is currently in the initial review phase.

A list of certified ballot on demand systems and jurisdictions can be found [here](#).

Electronic Poll Book Certification Requests and Approvals

OVSTA received an application from Tenex requesting approval of their new Precinct Central 4.5.0 electronic poll book system. Security and Telecommunications Testing is currently underway.

OVSTA received an application from KNOWiNK requesting approval of their new PollPad 2.5.2 electronic poll book system. Functional Testing is currently underway.

A list containing certified electronic poll book vendors can be found [here](#).

Notes and Reminders

Election Record Retention- As a reminder, pursuant to California Elections Code sections 17301-17306, the retention and preservation of election records, which includes digital ballot images is 22 months. Several voting system tabulation components are capable of producing digital ballot images. Additional information regarding how to backup, retain, and preserve the digital ballot images, and whether or not your jurisdiction's voting system has this capability, can be found in the respective Use Procedures, [here](#).

Disposal or Sale of Equipment- Regarding the disposal or sale of equipment:

- In 2012, the California Secretary of State issued guidance regarding the disposition or sale of equipment purchased with HAVA and/or VMB funding. See Secretary of State (SOS) County Clerk/Registrar of Voters (CC/ROV) Memorandum #12219 - Handling the Sale and Funds from the Sale of Voting Systems or Voting Equipment. The document outlines proper disposal or sale procedures of voting systems or voting equipment purchased with HAVA and/or VMB funding. The document also highlights that all equipment must be void of

any software or firmware and returned to a condition of a non-functioning piece of hardware prior to its disposal or sale.

- See also the US-CERT issued [Security Tip \(ST18-005\)](#) outlining proper disposal procedures for electronic devices.



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October 8, 2020

County Clerk/Registrar of Voters (CC/ROV) Memorandum # 20239

TO: All County Clerks/Registrars of Voters
FROM: /s/ Susan Lapsley
Deputy Secretary of State, HAVA and Counsel
RE: Voting Systems: OVSTA Monthly Update – October 2020

Each month, the Office of Voting Systems Technology Assessment (OVSTA) provides an update on Election Assistance Commission (EAC) and Secretary of State (SOS) activities related to voting technology.

Each update provides information on:

- Voting technology related events that may be of interest.
- Administrative approval requests and denials since the prior month's update.
- Voting technology testing and approval at the SOS office.
- Defect, failure, and fault reports issued since the prior month's update.
- Ballot printing certification requests since the prior month's update.

Recent and Upcoming Events

Election Updates

OVSTA distributed [CCROV #20211](#) on September 16, 2020, reminding county election officials to submit their Election Observer Panel Plans (EOPPs) and Computer Vote Count Programs to the Secretary of State's Office for the November 3, 2020, General Election by October 23, 2020. EOPPs can be emailed directly to OVSTA at VotingSystems@sos.ca.gov. Computer Vote Count Programs shall be compressed into a single zip file and either mailed to the attention of OVSTA at 1500 11th Street, 6th Floor, Sacramento, CA 95814 or submitted via the VoteCal Communications Portal.

All jurisdictions looking to implement changes to their ballot on demand or mobile ballot printing systems prior to the upcoming November 3, 2020, General Election, must submit updated applications to OVSTA as soon as possible.

Voting Technology Testing and Approvals

OVSTA receives and reviews applications for certification and approval from voting technology vendors on a continuous basis. The status of current applications can be found below:

System	Type	Applicant	Submission Date	Testing Phase
Verity Voting 3.1.1	Voting System	Hart InterCivic	7/14/2020	Post-Testing
ImageCast Remote 5.10A	RAVBM	Dominion Voting Systems	6/9/2020	Approved 9/4/2020
PollPad 2.5.2.01b	ePollBook	KNOWiNK	5/26/2020	Approved 10/2/2020
Voting Solutions for All People Interactive Sample Ballot (ISB) 2.5	RAVBM	Los Angeles County	3/16/2020	Approved 9/4/2020
Precinct Central 4.2.0a	ePollBook	Tenex Software Solutions, Inc.	9/30/2020	Testing
Precinct Central 4.2	ePollBook	Tenex Software Solutions, Inc.	3/9/2020	Approved 10/2/2020

Voting Solutions for All People 2.1	Voting System	Los Angeles County	2/27/2020	Approved 10/1/2020
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Administrative Approval Requests and Approvals

Hart InterCivic has requested administrative approval for modifications to the Verity Voting 3.1 voting system. The modifications include the addition of new languages to meet current California Elections Code section 14201 requirements, and a bug fix for a staging issue. The modified system is named Verity Voting 3.1.1. Testing has been complete and Post-Testing activities are underway.

Information regarding administrative approval requests can be found [here](#).

Testing and Certification at the EAC

On September 18, 2020, the EAC held a public roundtable discussion on the challenges election administrators and individuals face regarding voter registration during the COVID-19 pandemic. Topics of the roundtable covered the importance of registering and updating voter registration early, external factors, and participants' strategies for combatting voter registration challenges. More information can be found [here](#).

The EAC has been collaborating with public working groups and hosting public hearings to discuss the development of the next iteration of the VVSG, called the Voluntary Voting System Guidelines (VVSG) 2.0 requirements. The meetings included presentations on NIST staff transitions, the RABET-V pilot program, and an open discussion on non-voting election technology approaches. More information on the VVSG 2.0 requirement are available [here](#).

The EAC provides [updates](#) on voting system testing. The latest update from the EAC was provided on June 25, 2020. However, based upon discussions with vendors, no systems currently undergoing testing and certification at the EAC are relevant to California.

Additional information regarding each voting system are available at: "[Voting Systems Under Test](#)" and "[Certified Voting Systems](#)".

Defects, Failures, and Faults

No defects, faults or failures were reported in September.

Ballot Printing Certification Requests and Approvals

OVSTA received an application from K&H Integrated Print Solutions, requesting certification for printing of Los Angeles VSAP Tally 2.1 ballots. The application has been approved.

OVSTA received an application from Toppan Merrill, requesting certification for printing of Dominion ImageCast ballots. The application is currently in the initial review phase.

A list of certified ballot printers can be found [here](#).

Ballot on Demand Printing Requests and Approvals

Administrative Approval was granted for Dominion's Democracy Suite 5.10A voting system on July 9, 2020, which included a revised Mobile Ballot Printing system. Counties need to submit revised jurisdictional applications and receive approval prior to using the revised Mobile Ballot Printing system. All California counties utilizing Dominion's DS5.10A system were contacted by OVSTA, requesting updates to their Jurisdictional Use Applications for the DS5.10A Mobile Ballot Printing systems. Updated applications are due as soon as possible. Several counties have submitted updated applications that are currently being reviewed.

OVSTA received an application from Sacramento County, requesting Jurisdictional Use of the Runbeck Election Services' Sentio Printing System and Sentio Early Voting System. The application is currently being reviewed.

OVSTA received an application from Santa Barbara County, requesting Jurisdictional Use of the Runbeck Election Services' Sentio Printing System. The application has been approved.

OVSTA received an application from Trinity County, requesting Jurisdictional Use of the Hart InterCivic Verity Print Ballot On Demand system. The application has been approved.

OVSTA received an application from Merced County, requesting Jurisdictional Use of the ES&S Balotar system. The application has been approved.

A list of certified ballot on demand systems and jurisdictions can be found [here](#).

Electronic Poll Book Certification Requests and Approvals

OVSTA received an application from Tenex requesting approval of their new Precinct Central 4.2 electronic poll book system. Tenex's Precinct Central 4.2 electronic poll book system was approved on October 2, 2020.

OVSTA received an application from Tenex requesting administrative approval for modifications to the Precinct Central 4.2 Electronic Poll Book System currently under

review. The modifications include the addition of an iPad Generation 8 and iOS 14.0.1. The modified system is named Precinct Central 4.2.0a. Testing activities have begun.

OVSTA received an application from KNOWiNK requesting approval of their new PollPad 2.5.2.01b electronic poll book system. KNOWiNK's PollPad 2.5.2.01b ePollBook was approved on October 2, 2020.

A list containing certified electronic poll book vendors can be found [here](#).

Notes and Reminders

Election Record Retention- As a reminder, pursuant to California Elections Code sections 17301-17306, the retention and preservation of election records, which includes digital ballot images is 22 months. Several voting system tabulation components are capable of producing digital ballot images. Additional information regarding how to backup, retain, and preserve the digital ballot images, and whether or not your jurisdiction's voting system has this capability, can be found in the respective Use Procedures, [here](#).

Disposal or Sale of Equipment- Regarding the disposal or sale of equipment:

- In 2012, the California Secretary of State issued guidance regarding the disposition or sale of equipment purchased with HAVA and/or VMB funding. See Secretary of State (SOS) County Clerk/Registrar of Voters (CC/ROV) Memorandum #12219 - Handling the Sale and Funds from the Sale of Voting Systems or Voting Equipment. The document outlines proper disposal or sale procedures of voting systems or voting equipment purchased with HAVA and/or VMB funding. The document also highlights that all equipment must be void of any software or firmware and returned to a condition of a non-functioning piece of hardware prior to its disposal or sale.
- See also the US-CERT issued [Security Tip \(ST18-005\)](#) outlining proper disposal procedures for electronic devices.



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November 6, 2020

County Clerk/Registrar of Voters (CC/ROV) Memorandum # 20246

TO: All County Clerks/Registrars of Voters
FROM: /s/ Susan Lapsley
Deputy Secretary of State, HAVA and Counsel
RE: Voting Systems: OVSTA Monthly Update – November 2020

Each month, the Office of Voting Systems Technology Assessment (OVSTA) provides an update on Election Assistance Commission (EAC) and Secretary of State (SOS) activities related to voting technology.

Each update provides information on:

- Voting technology related events that may be of interest.
- Administrative approval requests and denials since the prior month's update.
- Voting technology testing and approval at the SOS office.
- Defect, failure, and fault reports issued since the prior month's update.
- Ballot printing certification requests since the prior month's update.

Recent and Upcoming Events

For the November 3, 2020, General Election, please submit your:

- One Percent Manual Tally report with submission of your official canvass.
- Notification of any voting system defect, fault, or failure within 30 days of discovery.
- Remote accessible vote by mail (RAVBM) system user report within 30 calendar days of certifying the election results.
- Notification of any RAVBM defect, fault, or failure within 30 days of discovery.
- Notification of any ePollBook breach, attempted breach, defect, failure or fault within 24 hours of discovery.

Voting Technology Testing and Approvals

OVSTA receives and reviews applications for certification and approval from voting technology vendors on a continuous basis. The status of current applications can be found below:

System	Type	Applicant	Submission Date	Testing Phase
Verity Voting 3.1.1	Voting System	Hart InterCivic	7/14/2020	Post-Testing
ImageCast Remote 5.10A	RAVBM	Dominion Voting Systems	6/9/2020	Approved 9/4/2020
PollPad 2.5.2.01b	ePollBook	KNOWiNK	5/26/2020	Approved 10/2/2020
Voting Solutions for All People Interactive Sample Ballot (ISB) 2.5	RAVBM	Los Angeles County	3/16/2020	Approved 9/4/2020
Precinct Central 4.2.0a	ePollBook	Tenex Software Solutions, Inc.	9/30/2020	Approved 10/20/2020
Precinct Central 4.2	ePollBook	Tenex Software Solutions, Inc.	3/9/2020	Approved 10/2/2020

Voting Solutions for All People 2.1	Voting System	Los Angeles County	2/27/2020	Approved 10/1/2020
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Administrative Approval Requests and Approvals

Hart InterCivic has requested administrative approval for modifications to the Verity Voting 3.1 voting system. The modifications include the addition of new languages to meet current California Elections Code section 14201 requirements, and a bug fix for a staging issue. The modified system is named Verity Voting 3.1.1. Testing has been completed and Post-Testing activities are underway.

Dominion Voting Systems requested and was approved to add additional reports that can be generated from the DS5.10A Voting System.

Information regarding administrative approval requests can be found [here](#).

Testing and Certification at the EAC

On October 20, 2020, the EAC held a public roundtable discussion on the challenges election administrators face preparing for election night results reporting and press coverage on election results. Topics of the roundtable covered misinformation and disinformation, unofficial results, managing expectations, ballots received after the election and audits. More information can be found [here](#).

The EAC has been collaborating with public working groups and hosting public hearings to discuss the development of the next iteration of the VVSG, called the Voluntary Voting System Guidelines (VVSG) 2.0 requirements. The meetings included presentations on NIST staff transitions, the RABET-V pilot program, and an open discussion on non-voting election technology approaches. More information on the VVSG 2.0 requirement are available [here](#).

The EAC provides [updates](#) on voting system testing. The latest update from the EAC was provided on June 25, 2020. However, based upon discussions with vendors, no systems currently undergoing testing and certification at the EAC are relevant to California.

Additional information regarding each voting system are available at: "[Voting Systems Under Test](#)" and "[Certified Voting Systems](#)".

Defects, Failures, and Faults

No defects, faults or failures were reported in October.

Ballot Printing Certification Requests and Approvals

OVSTA received an application from Toppan Merrill, requesting certification for printing of Dominion ImageCast ballots. The application is currently in the initial review phase.

A list of certified ballot printers can be found [here](#).

Ballot on Demand Printing Requests and Approvals

Administrative Approval was granted for Dominion's Democracy Suite 5.10A voting system on July 9, 2020, which included a revised Mobile Ballot Printing system. Counties need to submit revised jurisdictional applications and receive approval prior to using the revised Mobile Ballot Printing system. All California counties utilizing Dominion's DS5.10A system were contacted by OVSTA, requesting updates to their Jurisdictional Use Applications for the DS5.10A Mobile Ballot Printing systems. All applications submitted have been approved.

OVSTA received an application from Sacramento County, requesting Jurisdictional Use of the Runbeck Election Services' Sentio Printing System and Sentio Early Voting System. The application has been approved.

A list of certified ballot on demand systems and jurisdictions can be found [here](#).

Electronic Poll Book Certification Requests and Approvals

OVSTA received an application from Tenex requesting approval of their new Precinct Central 4.2 electronic poll book system. Tenex's Precinct Central 4.2 electronic poll book system was approved on October 2, 2020.

OVSTA received an application from Tenex requesting administrative approval for modifications to the Precinct Central 4.2 Electronic Poll Book System currently under review. The modifications include the addition of an iPad Generation 8 and iOS 14.0.1. The modified system is named Precinct Central 4.2.0a. Tenex's Precinct Central 4.2a electronic poll book system was approved on October 10, 2020.

OVSTA received an application from KNOWiNK requesting approval of their new PollPad 2.5.2.01b electronic poll book system. KNOWiNK's PollPad 2.5.2.01b ePollBook was approved on October 2, 2020.

A list containing certified electronic poll book vendors can be found [here](#).

Notes and Reminders

Election Record Retention- As a reminder, pursuant to California Elections Code sections 17301-17306, the retention and preservation of election records, which

includes digital ballot images is 22 months. Several voting system tabulation components are capable of producing digital ballot images. Additional information regarding how to backup, retain, and preserve the digital ballot images, and whether or not your jurisdiction's voting system has this capability, can be found in the respective Use Procedures, [here](#).

Disposal or Sale of Equipment- Regarding the disposal or sale of equipment:

- In 2012, the California Secretary of State issued guidance regarding the disposition or sale of equipment purchased with HAVA and/or VMB funding. See Secretary of State (SOS) County Clerk/Registrar of Voters (CC/ROV) Memorandum #12219 - Handling the Sale and Funds from the Sale of Voting Systems or Voting Equipment. The document outlines proper disposal or sale procedures of voting systems or voting equipment purchased with HAVA and/or VMB funding. The document also highlights that all equipment must be void of any software or firmware and returned to a condition of a non-functioning piece of hardware prior to its disposal or sale.
- See also the US-CERT issued [Security Tip \(ST18-005\)](#) outlining proper disposal procedures for electronic devices.



ALEX PADILLA | SECRETARY OF STATE | STATE OF CALIFORNIA
OFFICE OF VOTING SYSTEMS TECHNOLOGY ASSESSMENT
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December 14, 2020

County Clerk/Registrar of Voters (CC/ROV) Memorandum # 20263

TO: All County Clerks/Registrars of Voters
FROM: /s/ Susan Lapsley
Deputy Secretary of State, HAVA and Counsel
RE: Voting Systems: OVSTA Monthly Update – December 2020

Each month, the Office of Voting Systems Technology Assessment (OVSTA) provides an update on Election Assistance Commission (EAC) and Secretary of State (SOS) activities related to voting technology.

Each update provides information on:

- Voting technology related events that may be of interest.
- Administrative approval requests and denials since the prior month's update.
- Voting technology testing and approval at the SOS office.
- Defect, failure, and fault reports issued since the prior month's update.
- Ballot printing certification requests since the prior month's update.

Post-Election Updates

For the November 3, 2020, General Election, please remember to submit your:

- One Percent Manual Tally report with submission of your official canvass.
- Notification of any voting system defect, fault, or failure within 30 days of discovery.
- Remote accessible vote by mail (RAVBM) system user report within 30 calendar days of certifying the election results.
- Notification of any RAVBM defect, fault, or failure within 30 days of discovery.
- Notification of any ePollBook breach, attempted breach, defect, failure or fault within 24 hours of discovery.

Voting Technology Testing and Approvals

OVSTA receives and reviews applications for certification and approval from voting technology vendors on a continuous basis. The status of current applications can be found below:

System	Type	Applicant	Submission	
Verity Voting 3.1.1	Voting System	Hart InterCivic	7/14/2020	Post-Testing

Administrative Approval Requests and Approvals

Hart InterCivic has requested administrative approval for modifications to the Verity Voting 3.1 voting system. The modifications include the addition of new languages to meet current California Elections Code section 14201 requirements, and a bug fix for a staging issue. The modified system is named Verity Voting 3.1.1. Testing has been completed and Post-Testing activities are underway.

Dominion Voting Systems requested and was approved to add additional reports that can be generated from the DS5.10A Voting System.

Information regarding administrative approval requests can be found [here](#).

Testing and Certification at the EAC

The EAC has been collaborating with public working groups and hosting public hearings to discuss the development of the next iteration of the VVSG, called the Voluntary Voting System Guidelines (VVSG) 2.0 requirements. The meetings included presentations on NIST staff transitions, the RABET-V pilot program, and an open discussion on non-voting election technology approaches. More information on the VVSG 2.0 requirement are available [here](#).

The EAC provides [updates](#) on voting system testing. The latest update from the EAC was provided on June 25, 2020. However, based upon discussions with vendors, no systems currently undergoing testing and certification at the EAC are relevant to California.

Additional information regarding each voting system are available at: "[Voting Systems Under Test](#)" and "[Certified Voting Systems](#)".

Defects, Failures, and Faults

No defects, faults or failures were reported in November.

Ballot Printing Certification Requests and Approvals

OVSTA received an application from Toppan Merrill, requesting certification for printing of Dominion ImageCast ballots. The application is currently in the initial review phase.

A list of certified ballot printers can be found [here](#).

Ballot on Demand Printing Requests and Approvals

No Ballot on Demand applications were submitted in November.

A list of certified ballot on demand systems and jurisdictions can be found [here](#).

Electronic Poll Book Certification Requests and Approvals

No Electronic Poll Book applications were submitted in November.

A list containing certified electronic poll book vendors can be found [here](#).

Notes and Reminders

Election Record Retention- As a reminder, pursuant to California Elections Code sections 17301-17306, the retention and preservation of election records, which includes digital ballot images is 22 months. Several voting system tabulation components are capable of producing digital ballot images. Additional information regarding how to backup, retain, and preserve the digital ballot images, and whether or not your jurisdiction's voting system has this capability, can be found in the respective Use Procedures, [here](#).

Disposal or Sale of Equipment- Regarding the disposal or sale of equipment:

- In 2012, the California Secretary of State issued guidance regarding the disposition or sale of equipment purchased with HAVA and/or VMB funding. See Secretary of State (SOS) County Clerk/Registrar of Voters (CC/ROV) Memorandum #12219 - Handling the Sale and Funds from the Sale of Voting Systems or Voting Equipment. The document outlines proper disposal or sale procedures of voting systems or voting equipment purchased with HAVA and/or VMB funding. The document also highlights that all equipment must be void of any software or firmware and returned to a condition of a non-functioning piece of hardware prior to its disposal or sale.

- See also the US-CERT issued [Security Tip \(ST18-005\)](#) outlining proper disposal procedures for electronic devices.