



ALEX PADILLA | SECRETARY OF STATE | STATE OF CALIFORNIA
OFFICE OF VOTING SYSTEMS TECHNOLOGY ASSESSMENT
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April 29, 2015

County Clerk/Registrar of Voters (CC/ROV) Memorandum #15039

TO: All County Clerks/Registrar of Voters

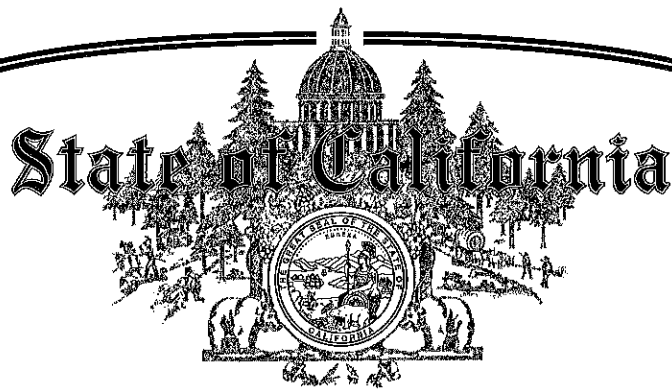
FROM: /s/ Ryan Macias
Voting Systems Analyst

RE: Voting Systems: Approval of Dominion Democracy Suite 4.14-A.1 with Adjudication
2.4.1.14601 Voting System

The Secretary of State has approved the Dominion Voting Systems, Inc. Democracy Suite version 4.14-A.1 with Adjudication version 2.4.1.14601 Voting System.

Attached is a copy of the Approval document.

Attachment: (1)



SECRETARY OF STATE

CONDITIONAL APPROVAL OF DOMINION VOTING SYSTEMS, INC. DEMOCRACY SUITE VERSION 4.14-A.1 WITH ADJUDICATION VERSION 2.4.1.14601

Whereas, pursuant to Elections Code section 19201, 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 4.14-A.1 with Adjudication 2.4 voting system, which is comprised of Election Management System Software version 4.14.2301; ImageCast Evolution Software version 4.14.10.A1; ImageCast Central Software version 4.14.4; and Adjudication 2.4.1.3201; 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 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 software of the Adjudication 2.4 component improperly permits an adjudication judge to inadvertently and erroneously change vote selections while maneuvering the ballot image during the adjudication process; and

Whereas, Dominion Voting Systems, Inc. has recognized this deficiency and has developed an updated version of the software for the Adjudication component to prevent adjudication judges from inadvertently and erroneously changing vote selections; and

Whereas, Dominion Voting Systems, Inc. received conditional approval of the Democracy Suite 4.14-A.1 with Adjudication 2.4 voting system, not allowing it to be sold in California until such time that the Secretary of State's office examined, tested, and, if appropriate, subsequently certified the updated versions of the software for the Adjudication component that prevents adjudication judges from inadvertently and erroneously changing vote selections during the adjudication process; and

Whereas, Dominion Voting Systems, Inc. submitted an application for the modified Adjudication version 2.4.1.14601 component that prevents adjudication judges from inadvertently and erroneously changing vote selections during the adjudication process; and

Whereas, the Dominion Voting Systems, Inc. Democracy Suite 4.14-A.1 voting system with the modified Adjudication version 2.4.1.14601 component was able to successfully and accurately execute all test cases, scenarios, and scripts developed by the Secretary of State's office; now

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, Dominion Voting Systems, Inc. Democracy Suite 4.14-A.1 with the modified Adjudication 2.4.1.14601 voting system is hereby conditionally approved.

Use of Dominion Voting Systems, Inc. Democracy Suite 4.14-A.1 with Adjudication version 2.4.1.14601 must 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, the Help America Vote Act of 2002 and the California Code of Regulation and is also subject to the following terms and conditions:

1. The Dominion Democracy Suite 4.14-A.1 voting system shall not be purchased without the use of the Adjudication version 2.4.1.14601 component. Any jurisdiction purchasing the system shall be required to implement and use the Adjudication 2.4.1.14601 component with the Dominion Democracy Suite 4.14-A.1 voting system, specifically in conjunction with the EMS.
2. The vendor, its users, and the Secretary of State shall create a Use Procedure document for the Adjudication version 2.4.1.14601 component. The Use Procedures shall address the implementation of the two person rule for canvassing boards, timelines for the usage of the Adjudication 2.4.1.14601 component, and guidelines to allow the public observation of the resolution process.
3. Dominion Voting Systems, Inc. shall provide a copy of the updated trusted build files, including the modified Machine Behavior Settings (MBS) and Device Configuration Files (DCF). 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.
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. 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.
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 federal testing laboratory or Secretary of State before the equipment can be put back into service.
7. 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.
8. 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.
9. 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.
10. 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.
11. With respect to any piece of voting equipment for which the chain of custody has been compromised 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:
 - The chief elections official of the jurisdiction must be notified immediately;
 - The equipment must be removed from service immediately and replaced if possible;
 - Any votes cast on the device prior to its removal from service must be subject to a 100% manual tally, by the process described in Elections Code section 15360, as part of the official canvass. Notice to the public of this manual tally may be combined

with the notice required by any other manual tally required in this order or by Elections Code section 15360;

- Any memory card containing data from that device must be secured and retained for the full election retention period;
 - 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
 - All device software and firmware must be reinstalled from a read-only version of the approved firmware and software supplied directly by the federal testing laboratory or the Secretary of State before the equipment is placed back into service.
12. 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.
13. 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.
14. 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.
15. 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.



IN WITNESS WHEREOF, I hereunto set my hand and affix the Great Seal of the State of California, this 29th day of April 2015.

A handwritten signature in black ink, appearing to read 'Alex Padilla', written in a cursive style.

ALEX PADILLA
Secretary of State