



December 7, 2021

County Clerk/Registrar of Voters (CC/ROV) Memorandum # 21200

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 2021

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.

Helpful Updates and Reminders

Final Cost Reporting- For the California Gubernatorial Recall Election, the counties are required to submit reports to the Secretary of State's Office on or before December 10, 2021, detailing (1) The total cost of the gubernatorial recall election by county; (2) The costs broken out by category for each county; and (3) Any funds remaining, by county, that can be used to offset state costs for the next election conducted by the county. See [CCROV #21186](#) for more information.

Post-Election Reporting- After every election, California Elections Code, requires counties to submit Post-Election reports: One Percent (1%) Manual Tally Report, Voting Technology Incident Report, and Remote Accessible Vote by Mail (RAVBM) User Report. We have received all 1% Manual Tally reports. Thank you to all counties for timely completing and submitting your reports. All 1% Manual Tally reports are posted online: [1% Manual Tally](#).

The recommended RAVBM User Report and Voting Technology Incident Report forms can be found below. If your county did not have any voting technology incidents, you

may state “No Incidents” in the description portion of the reporting form. Please submit the reports to OVSTA via email at VotingSystems@sos.ca.gov .

Tint and Watermark Assignment Requests- The California Code of Regulations section 20280, requires any jurisdiction conducting an election in California to request a ballot tint and watermark from the Secretary of State’s Office. Jurisdictions may submit tint and watermark requests to VotingSystems@sos.ca.gov.

When submitting your tint and watermark requests, please provide 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.
- 5) The date on which the ballot order designation will be determined by a randomized alphabet drawing for the election, if applicable.

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.

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 6 months for state or local elections and 22 months for elections of federal offices. 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](#).

Further, pursuant to Elections Code section 15209, any magnetic or electronic storage medium used for the ballot tabulation program and any magnetic or electronic storage medium containing election results shall be kept in a secure location and shall be

retained for 6 months following any state or local election and 22 months following any federal election or so long thereafter as any contest involving the vote at the local, state or federal election remains undetermined.

Testing and Certification at the EAC

The EAC provides [updates](#) on voting system testing. The latest update from the EAC was provided on March 19, 2021. 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](#)".

On November 17, 2021, the EAC held a public virtual roundtable discussion on considerations for the establishment of a testing pilot program for electronic poll books (e-poll books). More information on the public meeting is available [here](#).

On December 10, 2021, the EAC will hold a public virtual inaugural meeting of the EAC Local Leadership Council to introduce members to the roles and responsibilities of this new advisory board and give members an overview of the role and work of the agency. More information on the public meeting is available [here](#).

Voting Technology Certification and Administrative Approval Requests

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

Applicant	System Version	Voting Technology	Submission Date	Type of Testing	Testing Phase
KNOWiNK	Pollpad v2.5.3	ePollBook	03/02/21	Full Certification	Pre-Test Planning
Hart	Verity Voting 3.1.1	Voting System	05/11/21	Admin Approval	Application Under Review
LA County	VSAP 3.0	Voting System	07/07/21	Full Certification	Application Under Review
LA County	ISB 3.0	RAVBM	12/01/21	Admin Approval	Application Under Review

Voting System Certification and Approval Requests

OVSTA has received an application for modification of the Hart Verity Voting 3.1.1 voting system. The modifications include replacement of workstations, tablets and printers that are end-of-life and no longer available. The application and supporting documentation are currently under review.

OVSTA has received an application for testing and certification of Los Angeles County Voting Solutions for All People 3.0 voting system. The application and supporting documentation are currently under review.

A list containing certified voting system vendors can be found [here](#).

Remote Accessible Vote By Mail System Certification and Approval Requests

OVSTA has received an application for Los Angeles County Interactive Sample Ballot 3.0 remote accessible vote by mail system. The application and supporting documentation are currently under review.

A list containing certified remote accessible vote by mail system (RAVBMs) vendors can be found [here](#).

Electronic Poll Book Certification and Approval Requests

OVSTA has received an application for approval of KNOWiNK's Pollpad v2.5.3 electronic poll book system. The system is currently in the pre-testing planning phase.

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

Ballot on Demand Printing Certification and Approval Requests

No ballot on demand applications were submitted to OVSTA in November.

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

Ballot Printing Certification and Approval Requests

OVSTA received an application from Toppan Merrill, requesting certification for printing of Dominion ImageCast ballots. The application is currently in the facility inspection phase.

OVSTA received an application from ES&S, requesting certification for printing of ES&S Electionware ballots. The application and supporting documentation are currently under review.

OVSTA received an application from Phoenix Graphics, Inc, requesting certification for printing of ES&S Electionware, Dominion ImageCast, and Hart Verity ballots. The application and supporting documentation are currently under review.

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

Defects, Faults, Failures and Other Error Reporting

Voting Technology Incidents- As a reminder, California Elections Code, California Code of Regulations, and conditions of certification, require jurisdictions to submit the following reports regarding the defect, fault, or failure of any voting system, ePollbook or RAVBM system or ballot printer:

- Notification of any voting system defect, fault, or failure within 30 days of discovery (California Election Code [Section 19210](#)).
- Notification of any RAVBM defect, fault, or failure within 30 days of discovery (California Election Code [Section 19284](#)).
- Notification of any ePollBook breach, attempted breach, defect, failure or fault within 24 hours of discovery (California Code of Regulations [Section 20161](#)).
- Notification of any ballot card printing flaw or defect within 2 days of discovery (California Election Code [Section 13004](#)).

The recommended reporting form can be found below.

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



Print Form

Voting Technology Incident Reporting Form

Use the following form to report any voting technology incident that occurred during use. Voting technology incidents include, but are not limited to, issues such as paper jams, printing errors, or any defect, fault or failure pursuant to Election Code sections 19215 and 19290, and California Code of Regulations section 20161.

A. Election Official:

Jurisdiction

Name

Title

Phone Number

Email

Reported to Vendor

Yes

No

B. Product Description:

Vendor Name

Type of Voting Technology

Ballot Marking Device

Ballot on Demand

Central Scanner/Tabulator

Precinct Tabulator

RAVBM

ePollbook

Other

System Model

Hardware & Software Versions

Unit Serial Numbers

C. Description of Incident(s):

Date of Occurrence

Voting Location

Election Name

Date of Election

Description of Each Incident. Attach Additional Sheets if Necessary.



Remote Accessible Vote by Mail (RAVBM) Reporting Form

Print Form

For any election that a California jurisdiction uses a remote accessible vote by mail system, the jurisdiction shall 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.

A. Election Official:

Jurisdiction

Name

Title

Contact Phone Number

Contact Email

B. Product Description:

RAVBM URL or Online Address

Type of RAVBM

Democracy Live

LA County VSAP ISB

Dominion

Five Cedars Group

RAVBM Technical Assistance Telephone Number

Number of Voters that Registered to use RAVBM

Number of Voters that Voted using the RAVBM

C. Description of RAVBM Usage:

Election Name

Dates RAVBM was Available

Date of Election

Description of Technical Issues and Mitigations if Any.
Attach Additional Sheets if Necessary.