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## CALIFORNIA SECRETARY OF STATE

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March 16, 2022

County Clerk/Registrar of Voters (CC/ROV) Memorandum # 22049

TO: All County Clerks/Registrars of Voters

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

RE: Voting Systems: OVSTA Monthly Update –March 2022

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**

The Secretary of State's Office of Voting Systems Technology Assessment held a public hearing for the Los Angeles County VSAP 3.0 Voting System on Monday, March 7, 2022 at 10:00 a.m. **Public comment can be submitted on or before March 24, 2022 at 5:00 p.m., to [votingsystems@sos.ca.gov](mailto:votingsystems@sos.ca.gov).**

**Jurisdictional Use of Ballot On Demand Systems-** As a reminder, California Code of Regulations section [20274](#), requires a jurisdiction to submit an updated application and updated procedures for use of a ballot on demand system any time that any of the approved procedures for use are modified or changed. The Secretary of State will approve the modification(s) and/or change(s) for the jurisdiction to use the ballot on demand system if the Secretary of State determines the jurisdiction's proposed procedures for use meet all the requirements set forth in California Elections Code and the regulations. If applicable to your jurisdiction, please submit an updated application to [Votingsystems@sos.ca.gov](mailto:Votingsystems@sos.ca.gov).

**Post-Election Reporting-** After every election, California Elections Code requires counties to submit Post-Election reports: One Percent (1%) Manual Tally Report (or risk limiting audit report), Voting Technology Incident Report, and Remote Accessible Vote by Mail (RAVBM) User Report.

The One Percent (1%) Manual Tally Reporting form can be found [here](#), on the Secretary of State's website. 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](mailto:VotingSystems@sos.ca.gov).

**Tint and Watermark Assignment Requests-** 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](mailto: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. Contact OVSTA for additional guidance, including an archived copy of 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 six 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 six 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 last update was made in March of 2021. 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 February 17, 2022, the EAC held a virtual roundtable discussion to highlight a spectrum of issues that state and local election officials will need to consider when adopting new language requirements or recently losing language requirements. The roundtable included expert panelists who shared resources and best practices related to serving language minority groups. 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:

<b>Applicant</b>	<b>System Version</b>	<b>Voting Technology</b>	<b>Submission Date</b>	<b>Type of Testing</b>	<b>Testing Phase</b>
LA County	VSAP 3.0	Voting System	07/07/21	Full Certification	Post-Testing

LA County	ISB 3.0	RAVBM	12/01/21	Admin Approval	Post-Testing
KNOWiNK	Pollpad v3.0	ePollBook	01/03/22	Full Certification	Testing
ES&S	BOD 1.0	Ballot On Demand System	01/12/22	Full Certification	Approved
ES&S	Balotar 3.0.5.1	Ballot On Demand System	01/12/22	Full Certification	Approved
Hart	Verity Voting 3.2	Voting System	01/14/22	Full Certification	Pre-Testing
Tenex	Precinct Central 5.0	ePollBook	02/01/22	Full Certification	Pre-Testing
San Francisco County/ VotingWorks	VxSuite Version CA-SF	Voting System	02/07/22	Pilot Program	Application Under Review
ES&S	Version 6.3.0.2	Voting System	02/14/22	Full Certification	Pre-Testing
Dominion	Democracy Suite 5.10A	Voting System	02/22/22	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 administrative approval was issued on February 4, 2022.

OVSTA has received an application for testing and certification of the Hart Verity Voting 3.2 voting system. The system is currently in the pre-testing phase.

OVSTA has received an application for testing and certification of the Election Systems and Software (ES&S) EVS 6.3.0.2 voting system. The application is currently under review.

OVSTA has received an application from San Francisco County and VotingWorks to conduct a pilot program of components of the VxSuite CA-SF voting system, pursuant to Elections Code Section 19209. The application is 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 (ISB) 3.0 remote accessible vote by mail system. The system is currently in the post-testing phase.

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 v3.0 electronic poll book system. The system is currently in the testing phase.

OVSTA has received an application for approval of Tenex Precinct Central v5.0 electronic poll book system. The application is currently under review.

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

### **Ballot on Demand Printing Certification and Approval Requests**

OVSTA has received an application for testing and certification of the ES&S BOD 1.0 ballot on demand system. The application has been approved.

OVSTA has received an application for testing and certification of the ES&S Balotar 3.0.5.1 ballot on demand system. The application has been approved.

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

### **Ballot Printing Certification and Approval Requests**

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 any incidents, which includes 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 February.



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.