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OFFICE OF VOTING SYSTEMS TECHNOLOGY ASSESSMENT  
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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](mailto: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<br>(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<br>(Request for Bid Proposal) |
| KNOWiNK 2.3.7                           | ePollBook | KNOWiNK Inc.    | 02/27/2019      | Pre-Testing<br>(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.