

Declaration of Rick Weible

Pursuant to 28 U.S.C Section 1746, I, Rick Weible make the following declaration.

1. I am over the age of 21 years and I am under no legal disability, which would prevent me from giving this declaration.
2. I currently reside at 803 Elk Street, Elkton, SD 57026.
3. I currently serve on the City Council of Elkton, SD.
4. I am a computer network engineer and data analysis expert with over 25 years of industry experience. Owner of a small computer consulting company, that has been in business for over 25 years providing compliance certifications, desktop support, programming, network management and security, web development and hosting.
5. In South Carolina when you hand count an election, the count is done publicly, to where an observer can see with their eyes and hear with their ears how the election officials are determining the count for each race on the ballot. We see that in South Carolina Code of Laws 7-13-1110.

ARTICLE 11

Canvassing and Counting of Ballots

SECTION 7-13-1110. Counting ballots and declaration of result; volunteer personnel may assist.

At the close of the election the managers and clerk shall immediately proceed publicly to open the ballot boxes and count the ballots therein and shall continue such count, without adjournment or interruption, until it is completed. They shall then make and sign such statement of the result thereof as the nature of the election shall require. At the completion of the vote counting a duplicate of the statement and return of votes must be published by posting it in a conspicuous site at the polling places, except in counties where vote recorders are used for voting.

Managers of election are authorized to use additional volunteer personnel in counting the ballots. None of such personnel shall be a candidate or watcher for a candidate for an office voted on in the election and shall be required to take the following oath prior to assuming their duties: "I do solemnly swear or affirm that I am not a candidate or watcher in this election, am a qualified elector of this county, that I will count the ballots entrusted to my care in a fair and impartial manner, and make to the best of my ability a correct tabulation of the results." The managers shall be required to make a list of all such counters and turn such list in with other election material. The provisions of this section shall not apply to the counting of ballots at any precinct using vote recorders which require the ballot cards to be counted with the use of a tabulating machine.

HISTORY: 1962 Code Section 23-400.91; 1952 Code Section 23-356; 1950 (46) 2059; 1966 (54) 2340; 1968 (55) 2316; 1970 (56) 1998; 1982 Act No. 280, Section 2, eff February 24, 1982; 1986 Act No. 398, eff May 6, 1986.

<https://www.scstatehouse.gov/code/t07c013.php>

6. The term Cast Vote Records (CVR) is not defined by South Carolina Statutes, instead it is defined by the National Institute of Standards and Technology (NIST), under the US Department of Commerce, just like other weights and measurements defined for federal use. The publication of the standards and the definition is meant for the public, like a building code, in comparison to the Department of Defense standards which are not

meant for the public.

The screenshot shows the NIST website header with the logo and navigation links for 'NIST Website', 'About NIST', and 'usnistgov on Github'. The main content area features the title 'National Institute of Standards and Technology (NIST) Special Publication 1500-103, Cast Vote Records Common Data Format Specification Version 1' dated 'March 2020'. A summary paragraph states: 'The following is an excerpt from the SP 1500-103 V1 specification, containing the executive summary and UML class documentation. The complete publication including JSON and XML schemas is available free of charge from: <https://github.com/usnistgov/CastVoteRecords>'. Below this is a 'Table of Contents' section with two items: 'Executive Summary' and 'Enumerations'. A sidebar on the left contains links for 'Home', 'GitHub repository', and 'Comment'.

There are many complex operations performed by voting devices when voters submit their paper ballots to be scanned. These operations are mostly invisible to voters but are necessary to determine whether contest selections have been marked adequately and whether voter intent is reflected by what is marked on the ballot. This specification includes the necessary detail to capture these operations so that CVRs can be better audited and adjudicated as necessary to include write-in candidates or other issues.

This specification is geared towards the following audiences:

- Election officials
- Voting equipment manufacturers
- Election analysts and auditors
- Election-affiliated organizations
- The public

<https://pages.nist.gov/CastVoteRecords/>

7. The Cast Vote Records (CVR) is further explained in detail as a useful tool to be able to audit the performance and accuracy of the election systems, specifically the tabulators.

This can be found on page iii.

SP 1500-103, Version 1.0
NIST Cast Vote Records CDF Specification

Executive Summary

This document presents an interoperable, common data format specification for cast vote records (CVR), which are produced by vote-capture devices such as ballot scanners. A CVR is an electronic record of a voter's selections, with usually one CVR created per sheet (page) of a ballot. Election results are produced by tabulating the collection of CVRs, and audits can be done by comparisons of the paper ballots or paper records of voter selections against the CVRs.

This specification supports three general use cases for CVRs:

1. Interoperable exports of CVRs from devices such as scanners for import into tabulators, election management systems (EMS), or auditing systems.
2. Interoperable exports of aggregated collections of CVRs from aggregating devices such as election management systems.
3. Update of CVRs after adjudication.

The purpose of this specification is to provide an interoperable, non-proprietary data exchange format in JavaScript Object Notation (JSON) and eXtensible Markup Language (XML) for CVRs so as to promote greater transparency to voting records produced by vote-capture devices, and to facilitate the exchange of CVRs with other devices that operate upon CVRs regardless of device manufacturer.

<https://nvlpubs.nist.gov/nistpubs/SpecialPublications/NIST.SP.1500-103.pdf>

8. Here is an overview of the Cast Vote Records (CVR) as defined by the National Institute of Standards and Technology (NIST), a division of the US Department of Commerce in its publication “NIST Special Publication 1500-103 – Cast Vote Records Common Data Format Specification Version 1.0” in section 2.1 (page 3)

2.1 Overview of Cast Vote Records and their Generation

Simply put, a cast vote record (CVR) is an electronic record of a voter’s ballot selections, and its primary purpose is to provide a record of voter selections that can be counted in an efficient manner to produce election results. A CVR is created by equipment such as a voter facing scanner in a polling place into which a voter inserts a paper ballot. CVRs also get created by batch fed scanners used to scan absentee or other types of ballots that are collected before the election or that cannot be scanned by polling place scanners for various reasons. After the polls are closed, the CVRs are collected by election officials on memory devices and subsequently copied to an election management system that aggregates and tabulates the votes.

Three primary types of voting devices that create CVRs are:

- All-electronic voting devices that a voter uses to make ballot selections and that create and store a CVR for each ballot.
- Ballot marking devices (BMDs) that function like all-electronic devices but that produce a paper record of the voter’s choices that must be subsequently scanned.
- Voter-facing optical scanners used in polling places and batch-fed optical scanners used in central offices to scan paper ballots.

The scanning devices above are sometimes referred to collectively as “tabulators” because they generally have a tabulation capability, but this is not always the case.

CVRs may include other information besides voter choices, including:

- Information on all contests and contest options on the ballot in addition to those marked
- The ballot style associated with the CVR
- The precinct or location associated with the CVR
- The equipment that produced the CVR
- The political party associated with the ballot for partisan primaries
- Images of the entire ballot and images of write-in areas on the ballot
- An identifier that is also printed on the ballot as it is scanned
- Indications of how the scanner has interpreted various marks.

This specification includes support for the above items.

<https://nvlpubs.nist.gov/nistpubs/SpecialPublications/NIST.SP.1500-103.pdf>

9. Here is an overview of the audit of the Cast Vote Records (CVR) as defined by the National Institute of Standards and Technology (NIST), a division of the US Department of Commerce in its publication “NIST Special Publication 1500-103 – Cast Vote Records Common Data Format Specification Version 1.0” in section 2.1 (page 5)

2.4 Auditing Cast Vote Records

CVRs need to be audited against their paper counterparts so that election results can be verified to be accurate. This specification supports auditing by providing the following as options:

- Support for ballot-level comparison auditing, that is, there is an identifier in the CVR that can be linked to an ID printed on the corresponding paper ballot.
- Support to include adjustments to contest selections made by adjudicators.
- Different snapshots of the CVR can be created, one for the original scan, one for after election rules have been applied, and others as needed for adjudications.
- Indications of marginal marks, mark quality/density can be associated with contest selections.
- A CVR can include signed/hashed references to an associated image of the ballot or images of write-ins made by the voter.
- Capability to include batch information such as batch IDs and sequence within the batch.

<https://nvlpubs.nist.gov/nistpubs/SpecialPublications/NIST.SP.1500-103.pdf>

10. In 2002 the Help America Vote Act (HAVA) was passed and signed into law, to establish a program to provide funds to States to replace punch card voting systems, to establish the Election Assistance Commission to assist in the administration of Federal elections and to otherwise provide assistance with the administration of certain Federal election laws and programs, to establish minimum election administration standards for States and units of local government with responsibility for the administration of Federal elections, and for other purposes.

A voting system is defined by Federal Law, Help America Vote Act of 2002, HR 3295-41:

(b) VOTING SYSTEM DEFINED.—In this section, the term “voting system” means—

(1) the total combination of mechanical, electromechanical, or electronic equipment (including the software, firmware, and documentation required to program, control, and support the equipment) that is used—

(A) to define ballots;

(B) to cast and count votes;

(C) to report or display election results; and

(D) to maintain and produce any audit trail information; and

(2) the practices and associated documentation used—

(A) to identify system components and versions of such components;

(B) to test the system during its development and maintenance;

(C) to maintain records of system errors and defects;

(D) to determine specific system changes to be made to a system after the initial qualification of the system; and

(E) to make available any materials to the voter (such as notices, instructions, forms, or paper ballots).

https://www.eac.gov/sites/default/files/eac_assets/1/6/HAVA41.PDF

11. The South Carolina Code of Laws 7-13-1330, established requirements for vote recorders and optical scan voting systems; approval process; duration and changes. The code of law states “An optical scan voting system may not be approved for use in the State unless certified by a testing laboratory accredited by the Federal Election Assistance Commission as meeting or exceeding the minimum requirements of the latest federal voting system standards and guidelines.” US Election Assistance Commission (the EAC) and its web site is www.eac.gov

SECTION 7-13-1330. Vote recorders and optical scan voting systems; approval process; duration and changes.

(A) Before a decision is made to procure a statewide voting system, the State Election Commission must provide a public comment period of not less than thirty days. The input must be considered in the procurement of a statewide voting system.

(B) Before any kind of optical scan voting system is used at any election, it must be approved by the State Election Commission, which shall examine the optical scan voting system and make and file in the commission's office a report, attested by the signature of the commission's executive director, stating whether, in the commission's opinion, the kind of optical scan voting system examined may be accurately and efficiently used by electors at elections, as provided by law. An optical scan voting system may not be approved for use in the State unless certified by a testing laboratory accredited by the Federal Election Assistance Commission as meeting or exceeding the minimum requirements of the latest federal voting system standards and guidelines. If the federal voting system standards and guidelines have been amended less than thirty-six months prior to an election, then the State Election Commission may approve and certify a voting system that meets the prior standards after determining:

<https://www.scstatehouse.gov/code/t07c013.php>

12. The Voluntary Voting Systems Guidelines Version 1.0 (VVSG 1.0) Volume 1, section 7 as established and adopted by the EAC in 2005, deals with Security Requirements.

Table of Contents

Volume I Voting System Performance Guidelines

Overview	Voluntary Voting System Guidelines Overview
Section 1	Introduction
Section 2	Functional Requirements
Section 3	Usability and Accessibility Requirements
Section 4	Hardware Requirements
Section 5	Software Requirements
Section 6	Telecommunications Requirements
Section 7	Security Requirements
Section 8	Quality Assurance Requirements
Section 9	Configuration Management Requirements
Appendix A	Glossary
Appendix B	References
Appendix C	Independent Verification Systems
Appendix D	Technical Guidance for Color, Contrast, and Text Size

The Voluntary Voting System Guidelines Version 1.0 (VVSG 1.0) Volume 1, section 7.8 Independent Verification Systems (pages 134-136), developed by the US Election Assistance Commission (EAC.gov), explains the reasoning for the cast vote records, as a way to provide an independent verification to the accuracy and security of the tabulators, in detail, this is a **requirement and not optional....**:

7.8 Independent Verification Systems

7.8.1 Overview

Independent verification (IV) systems are electronic voting systems that produce multiple independent cast vote records of voter ballot selections, which can be audited to a high level of precision. For this to happen, the cast vote records must be handled according to the following protocol:

- At least two cast vote records of the voter's selections are produced and one of the records is then stored in a manner that it cannot be modified by the voting system. For example, the voting system creates a record of the voter's selections and then copies it to unalterable storage media.
- The voter must be able to verify that both cast vote records are correct and match before leaving the polling place, e.g., verify his or her selections on the voting machine summary screen and also verify the second record on the unalterable storage media.
- The verification processes for the two cast vote records must be independent of each other, and at least one of the records must be verified directly by the voter.
- The contents of the two cast vote records also can be checked later for consistency through the use of unique identifiers that allow the records to be linked.

The cast vote records would be formatted so that at least one set is usable in an efficient counting process by the electronic voting system and the other set is usable in an efficient process of auditing or verifying the agreement between the two sets.

Given these conditions, the multiple cast vote records are considered to be distinct and independently verifiable, that is, both records are not under the control of the same system processes. As a result of this independence, the audit records can be used to check the accuracy of the counted records. Because the records are separately stored, an attacker who can compromise one will also have to compromise the other.

The voter verifiable paper audit trail (VVPAT) methodology is one of several classes of IV systems. In this approach, the voter can directly compare the electronic summary screen of the voting machine with the printed paper audit record. (This is not to be confused with the

paper ballot that is produced by optical scan voting systems that the voter visually verifies before placing it in the ballot box or tabulator.) Requirements for DREs with a VVPAT feature are provided below to reflect the fact that a number of States currently require this feature.

There are a variety of other IV approaches for the voter to verify his or her selections with systems that produce an electronic record for verification. Appendix C describes the characteristics of these systems in more detail. They include:

- Split process systems, which use separate devices for the voters to record and verify their ballot selections
- Cryptographic systems, which provide voters with coded receipts that can be used to verify their ballot selections
- Witness systems, which use an independent module to create the second record

7.8.2 Basic Characteristics of IV Systems

This section describes a preliminary set of basic characteristics that apply to all types of IV systems. This information is provided for the purpose of introducing these concepts for consideration in voting system design. It is anticipated that future voting systems will be required to provide some type of independent verification feature to enable voters to have confidence that their ballot selections are correctly recorded and counted.

An independent verification system produces at least two independent cast vote records of ballot selections via interactions with the voter, such that one record can be compared against the other to check their equality of content.

Discussion: This is the fundamental characteristic of IV systems. The records can be checked against one another to determine whether or not the voter selections are correctly recorded.

The voter verifies the content of each cast vote record and either (a) verifies at least one of the records directly or (b) verifies both records indirectly if the records are each under the control of independent processes.

Discussion: Direct verification involves using human senses; for example, directly reading a paper record via one's eyesight. Indirect verification involves using an intermediary to perform the verification; for example, verifying an electronic ballot image on the voting machine.

The creation, storage and handling of the cast vote records are sufficiently separate that the failure or compromise of one record does not cause the failure or compromise of another.

Discussion: The records must be stored on different media and handled independently of each other so that no one process could compromise all records. If an attack can alter one record, it should still be very difficult to alter the other record.

Both cast vote records are highly resistant to damage or alteration and capable of long-term storage.

Discussion: The records should be difficult to alter or damage so that they could be used in case the counted records are damaged or lost.

The processes of verification for the cast vote records do not all depend on the same device, software module, or system for their integrity, and are sufficiently separate that each record provides evidence of the voter's selections independently of its corresponding record.

Discussion: For example, the verification of the summary screen (electronic record) of a DRE is sufficiently separate from the verification of a paper record printed by a VVPAT component or a copy of the electronic record stored on a separate system.

The multiple cast vote records are linked to their corresponding audit records by including a unique identifier within each record.

Discussion: The identifier serves the purpose of uniquely identifying and linking the records for cross-checking.

Each cast vote record includes information identifying the following:

- An identification of the polling place and precinct
- Whether the balloting is provisional, early, or on election day
- Ballot style
- A timestamp generated when the voting machine is enabled to begin a voting session that can be used to correctly group the cast vote records
- A unique identifier associated with the voting machine

Discussion: The identifier could be a serial number or other unique ID.

The cryptographic software used in IV systems is approved by the U.S. Government's Cryptographic Module Validation Program, as applicable.

Discussion: IV voting systems may use cryptographic software for a number of different purposes, including calculating checksums, encrypting records, authentication, generating random numbers, and for digital signatures. This software should be reviewed and approved by the Cryptographic Module Validation Program (CMVP). There may be cryptographic voting schemes where the cryptographic algorithms used are necessarily different from any algorithms that have approved CMVP implementations, thus CMVP-approved software shall be used where feasible. The CMVP website is <http://csrc.nist.gov/cryptval>.

13. The Voluntary Voting System Guidelines Version 1.0 (VVSG 1.0) Volume 1, section 7.9 Voter Verifiable Paper Audit Trail Requirements (pages 139) is a standard that is **not required, and the example is provided here to show the language is different from above and makes very clear the intent of the US Election Assistance Commission.**

Version 1.0

Volume I: *Voting System Performance Guidelines*
7 Security Requirements

7.9 Voter Verifiable Paper Audit Trail Requirements

This section contains requirements for DREs with a Voter Verifiable Paper Audit Trail (VVPAT) component. VVPAT capability is not required for national certification. However, these requirements will be applied for certification testing of DRE systems that are intended for use in states that require DREs to provide this capability. The vendor's certification testing application to the EAC must indicate whether the system being presented for testing includes this capability, as provided under Subsection 1.6.2.5 extensions.

https://www.eac.gov/sites/default/files/eac_assets/1/28/VVSG.1.0_Volume_1.PDF

14. The Cast Vote Records are also used in adjudication for ballots requiring additional inspection as laid out in "NIST Special Publication 1500-103 – Cast Vote Records Common Data Format Specification Version 1.0" in section 2.3 (page 4-5)

2.3 Adjudication of Cast Vote Records

After a CVR collection has been exported, a number of the CVRs may require additional inspection and adjustment as part of a process known as adjudication, which may be done on an EMS by election officials. Write-ins are the most common reason:

4

SP 1500-103, Version 1.0
NIST Cast Vote Records CDF Specification

1. On ballots produced by BMDs the write-in names could still be spelled differently or incorrectly, and
2. For scanned paper ballots, either the ballots themselves or the images of the write-in areas of the ballot that were made by the scanner must be inspected.

There are a number of other reasons why ballots may require adjudication, such as:

- The ballot was unreadable by the scanner.
- The voter may have marked the ballot in ways that are difficult to interpret, for example, the voter may have circled the ovals instead of filling them in.
- The scanner detected one or more overvotes.
- The scanner detected that the entire ballot was blank.

This specification provides the capability to update the CVR with multiple annotations made by adjudicators, recording the following items:

- The adjudicator name(s).
- Time stamp of when the adjudication(s) was made.
- The adjudication, i.e., the action taken by the adjudicator(s).

<https://www.govinfo.gov/content/pkg/GOVPUB-C13-5ece0a87c83a2a7d2ba2072e7420c584/pdf/GOVPUB-C13-5ece0a87c83a2a7d2ba2072e7420c584.pdf>

15. The cast vote records provide a way to audit election equipment against their paper counter parts for accuracy purposes as outlines in "NIST Special Publication 1500-103 – Cast Vote Records Common Data Format Specification Version 1.0" in section 2.4 Auditing Cast Vote Records (page 5) states - **“CVRs need to be audited against their paper counterparts so that election results can be verified to be accurate.”**

2.4 Auditing Cast Vote Records

CVRs need to be audited against their paper counterparts so that election results can be verified to be accurate. This specification supports auditing by providing the following as options:

- Support for ballot-level comparison auditing, that is, there is an identifier in the CVR that can be linked to an ID printed on the corresponding paper ballot.
- Support to include adjustments to contest selections made by adjudicators.
- Different snapshots of the CVR can be created, one for the original scan, one for after election rules have been applied, and others as needed for adjudications.
- Indications of marginal marks, mark quality/density can be associated with contest selections.
- A CVR can include signed/hashed references to an associated image of the ballot or images of write-ins made by the voter.
- Capability to include batch information such as batch IDs and sequence within the batch.

<https://www.govinfo.gov/content/pkg/GOVPUB-C13-5ece0a87c83a2a7d2ba2072e7420c584/pdf/GOVPUB-C13-5ece0a87c83a2a7d2ba2072e7420c584.pdf>

16. The EAC Certificate for ES&S EVS 6.1.1.0, can be found at the US Election Assistance Commission (EAC) site. The first page of the certificate shows that Voting systems is tested to the Voluntary Voting Guidelines Version 1.0 (VVSG 1.0).

	United States Election Assistance Commission	
Certificate of Conformance		
ES&S EVS 6.1.1.0		
<p>The voting system identified on this certificate has been evaluated at an accredited voting system testing laboratory for conformance to the <i>Voluntary Voting System Guidelines Version 1.0 (VVSG 1.0)</i>. Components evaluated for this certification are detailed in the attached Scope of Certification document. This certificate applies only to the specific version and release of the product in its evaluated configuration. The evaluation has been verified by the EAC in accordance with the provisions of the <i>EAC Voting System Testing and Certification Program Manual</i> and the conclusions of the testing laboratory in the test report are consistent with the evidence adduced. This certificate is not an endorsement of the product by any agency of the U.S. Government and no warranty of the product is either expressed or implied.</p>		
Product Name: <u>EVS</u>		
Model or Version: <u>6.1.1.0</u>		
Name of VSTL: <u>Pro V&V</u>		<i>Mona Harrington</i>
EAC Certification Number: <u>ESSEVS6110</u>		Executive Director
Date Issued: <u>July 27, 2020</u>		Scope of Certification Attached

https://www.eac.gov/sites/default/files/voting_system/files/ES%26S%20EVS6110%20Certificate%20and%20Scope%20of%20Conformance%2007-27-2020.pdf.pdf

17. The EAC Certificate for ES&S EVS 6.1.1.0, can be found at the US Election Assistance Commission (EAC) site. The first page of the certificate shows that Voting systems is tested to the Voluntary Voting Guidelines Version 1.0 (VVSG 1.0). On page 3 we see the DS200, DS450 and DS850 do a “conversion of voter selection marks to electronic cast vote records(CVR).”

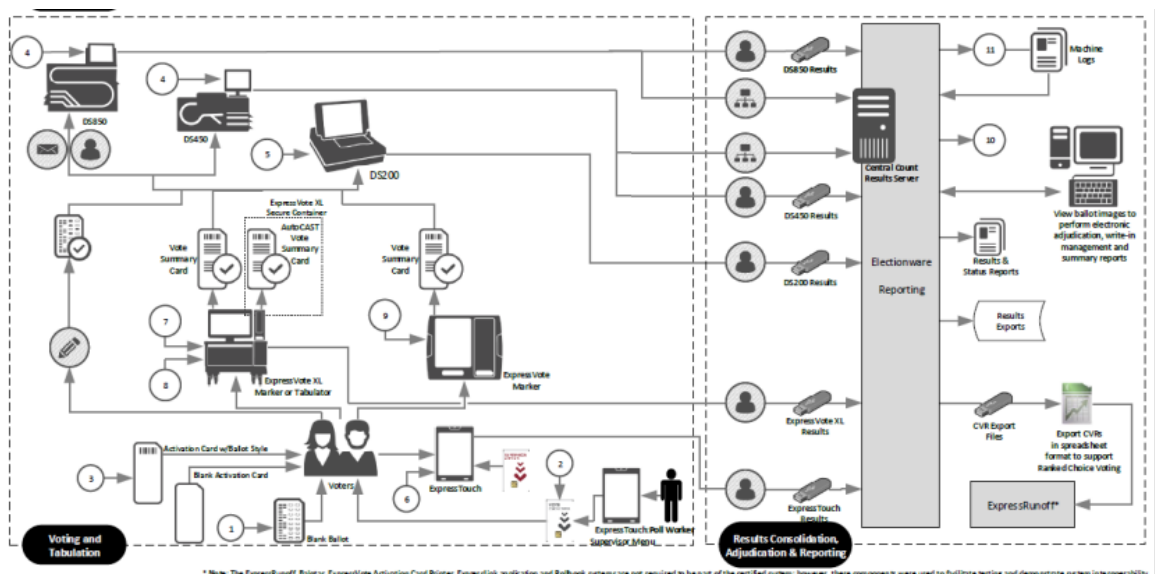
DS200® is a polling place paper-based voting system, specifically a digital scanner and tabulator that simultaneously scans the front and back of a paper ballot and/or vote summary card in any of four orientations for conversion of voter selection marks to electronic **cast vote records (CVR)**.

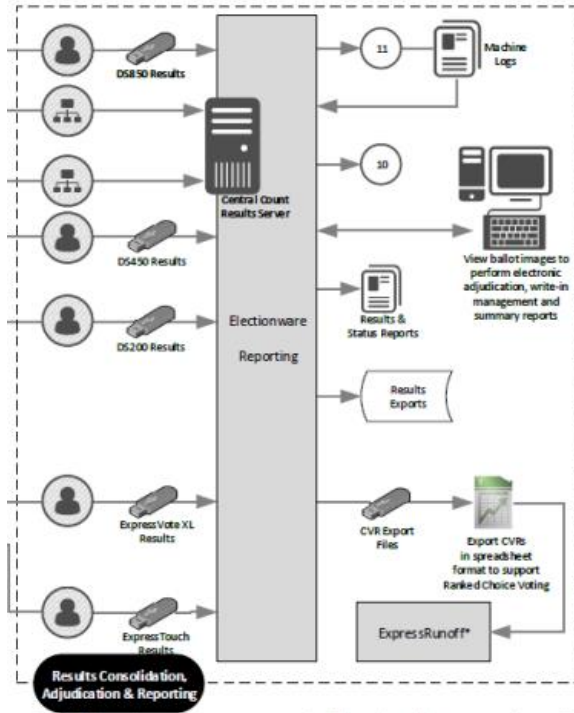
DS450® is a central scanner and tabulator that simultaneously scans the front and back of a paper ballot and/or vote summary card in any of four orientations for conversion of voter selection marks to electronic CVRs.

DS850® is a central scanner and tabulator that simultaneously scans the front and back of a paper ballot and/or vote summary card in any of four orientations for conversion of voter selection marks to electronic CVRs.

https://www.eac.gov/sites/default/files/voting_system/files/ES%26S%20EVS6110%20Certificate%20and%20Scope%20of%20Conformance%2007-27-2020.pdf.pdf

18. The EAC Certificate for ES&S EVS 6.1.1.0 on page 4 of the certificate shows that from the USB drives of the tabulators, once converted and decrypted by the Electionware Reporting System, that the CVR Export files are available.





https://www.eac.gov/sites/default/files/voting_system/files/ES%26S%20EVS6110%20Certificate%20and%20Scope%20of%20Conformance%2007-27-2020.pdf.pdf

19. Election Systems & Software (ES&S) on it's own web site explains that cast vote records (CVRs) exist in that it supports post-election audits by “providing election details (logs, cast vote records, reports, ...”

← → ↻ [essvote.com/faqs/](https://www.essvote.com/faqs/) 🔍 ⚙️ 📄

ELECTION
Systems & Software

What We Do ▾ Products ▾ Security Resources ▾

Does ES&S support post-election audits?

ES&S is a strong supporter of state and local administrations in their work to provide secure, accurate elections. Post-election audits are a legal process by which election officials verify that votes were counted accurately and is conducted by election officials according to state law. ES&S voting systems support these audits by providing election details (logs, [cast vote records](#), reports, etc.) which election officials utilize for this purpose. ES&S supports the highest standards for security, including strict chain-of-custody protocols for equipment and all applicable laws, regulations and certification requirements.

<https://www.essvote.com/faqs/>

20. In a publicly available ES&S manual published on-line from the California Secretary of State we can clearly see that the Cast Vote Records exist.

ES&S digital scanners use scanning technology similar to that of a copying machine to create two scanned images of the front and back of the ballot at the same time. These digital images are then processed by ES&S Electionware software, which creates a **cast vote record (CVR)**. The CVR contains data from the front and back of the ballot and lists all vote selections made on the ballot. At the time of poll closing or data export, the CVRs are totaled to create aggregate results for that ballot scanning device. After the election, Electionware imports the tabulated results, machine logs, and images for reviewing, reporting, adjudication, and archiving.

<https://votingsystems.cdn.sos.ca.gov/vendors/ess/evs6042/ess-6042-proc.pdf>

21. In a publicly available ES&S manual published on-line from the California Secretary of State we can clearly see the instructions of how to export and backup the Cast Vote Records and Ballot Images

7.2.5 Exporting Data

When data is exported from the Central Count tabulator, all files are digitally signed and, aside from the Audit Log, all files are also encrypted. The Audit Log is not encrypted to enable you to read it directly from your PC.

Data can be exported to a properly formatted (FAT32) blank ES&S flash drive. Or, if the Central Count is networked to a local server, data can be exported directly to the server.

Export Files – Use this option to export the **cast vote record (CVR)** for new or all batches scanned and saved on the Central Count, as well as all saved ballot images. This data can be imported into Electionware.

7.2.6 Backup

The Backup option enables you to do the following:

- **Export** the CVRs and specified image files to a blank flash drive

Use the Backup Export function to create periodic backup copies of the election data from all ballots processed up to that point. Keep ballots physically separated so you know which ballots belong to which backup flash drive.

- **Collect** results from a flash drive containing an exported copy of the CVRs and convert those to a format that can be used to read election results and data into Electionware.

The Backup Collect function creates the same files as are created in the Export Files function, but uses a different process and may require more time to perform than the Export Files function, especially if there is a large amount of data on the Central Count.

Use this function if a hardware or system problem prevents further scanning of ballots or if you discover an error in your procedures.

Chapter 10: Reporting

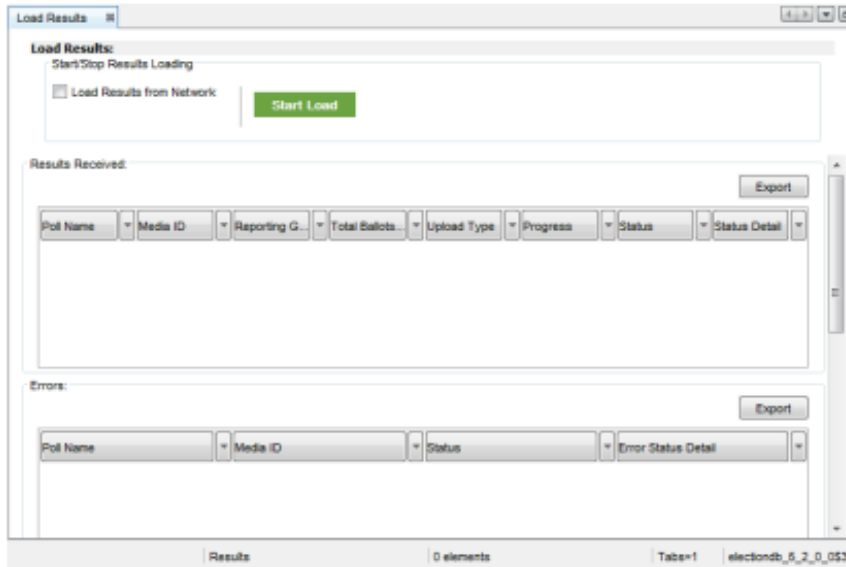
10.1 Overview

After the election, *Reporting* is used to import tabulated results, machine logs, cast vote records, and ballot images by reading the election media from the ES&S election equipment USB flash drives/networked results; review, export, and report election results and media device-related data; and review/adjudicate ballot images.

10.2 Loading Election Results

Load Results

The **Load Results** workflow opens the Load Results window.

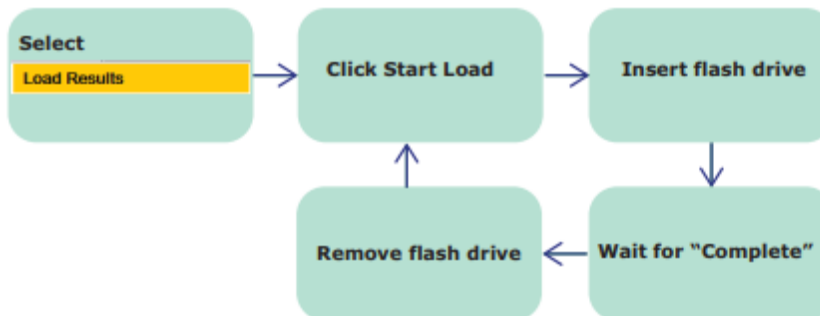


When loading results, as a precaution, it is recommended that you log in as a Reporting User (not as an Administrator).

10.2.1 Load Results Workflow Summary

The process of loading election results can be summarized in six basic steps:

1. Select the **Load Results** workflow.
2. If applicable, select **Load Results from Network**.
3. Click **Start Load**.
4. Insert a results flash drive.
5. When the status says "complete," remove the flash drive.
6. Repeat steps 4 and 5 until all results flash drives have been loaded.



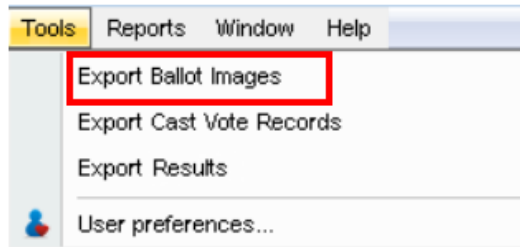
11.6.2 Export Ballot Images

All ballot images can be exported in a ZIP file.

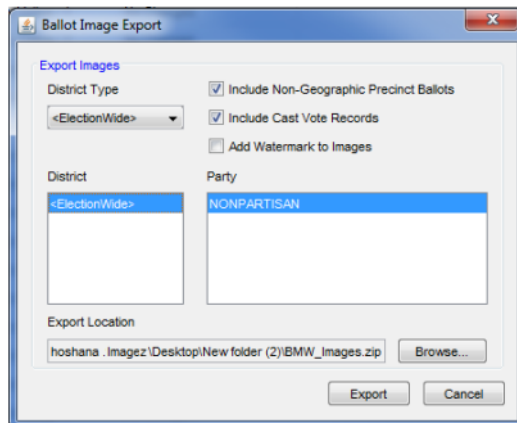
1. From the **Tools** menu, select **Export Ballot Images**.

There are three items that can be optionally included in the export:

- Non-Geographic Precinct Ballots
- Cast Vote Records (CVR)
- Watermark



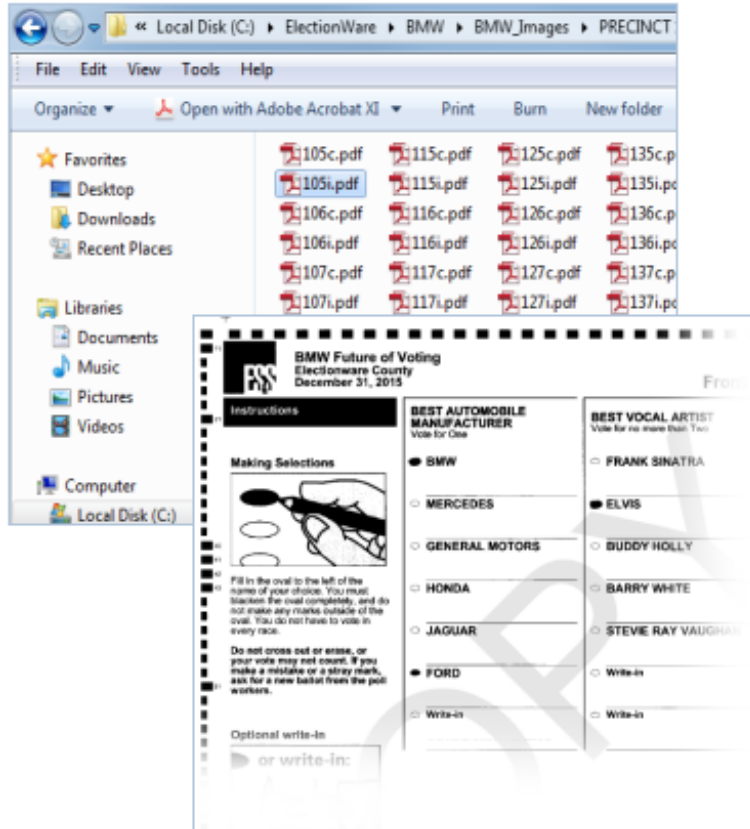
To be exported, at least one item and one district must be selected.



2. In the Ballot Image Export window, specify ballot, and optionally, CVR export parameters:
 - To include absentee and early voting ballot images, select **Include Non-Geographic Precinct Ballots**.
 - To include CVRs with the exported ballot images created in Electionware using Non-Geographic Precincts, select **Include Cast Vote Records**.
 - The watermark identifies the printout as a ballot copy that is not intended for scanning. To include this on exported ballots, select **Add Watermark to Images**.
 - From the **District Type** list, select a district type.
 - The contents of the **District** list are determined by the selected District Type. Select the appropriate district(s).
 - Select the party or parties from the **Party** list.
3. Browse to the target folder in which to save the file. Enter a filename for the ZIP file, then click **Save**.
4. The Ballot Image Export window reappears, with the location and filename in the Export Location box. Click **Export**.
5. When the export is complete, a confirmation dialog box will display the number of images exported, the specified export parameters, and the location and name of the ZIP file. Click **OK**.

Ballot images (and optionally CVRs) are exported as individual PDF files within the *.zip archive. These PDF files are sorted in folders, by precinct and party.

Each file is identified by CVR number, followed by the letter "i" if the file is a ballot image, or the letter "c" if the file is a cast vote record.



<https://votingsystems.cdn.sos.ca.gov/vendors/ess/evs6042/ess-6042-proc.pdf>

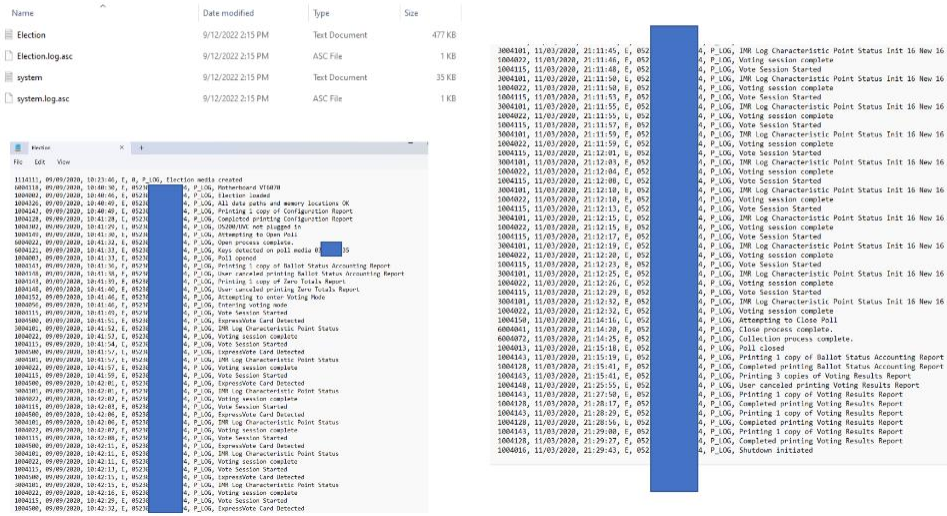
22. Here are screen shots of a DS200 Thumb Drive after a typical backup

DS200 – Thumb Drive Screen Shots



23. Herer is the Election Log file from a DS200 Thumb Drive after a typical backup

DS200 – Thumb Drive – Election Log File



24. Here is the System Log file from a DS200 Thumb Drive after a typical backup

DS200 – Thumb Drive – System Log File

Name	Date modified	Type	Size
Election	9/12/2022 2:15 PM	Text Document	477 KB
Election.log.asc	9/12/2022 2:15 PM	ASC File	1 KB
system	9/12/2022 2:15 PM	Text Document	35 KB
system.log.asc	9/12/2022 2:15 PM	ASC File	1 KB


```
1084016, 05/20/2020, 18:37:21, U, , P.LOG, Shutdown initiated
0084021, 05/20/2020, 19:21:16, , , P.LOG, Business process ready for machine 0 ( ).
3084015, 05/20/2020, 19:21:16, , , P.LOG, Paper processor ready.
1084079, 05/20/2020, 19:21:16, , , P.LOG, Voting machine initialized
1084326, 05/20/2020, 19:21:18, U, , P.LOG, All data paths and memory locations OK
6081011, 05/20/2020, 19:21:18, U, , P.LOG, Cannot un-mount ESS Memory Device.
1084143, 05/20/2020, 19:21:18, U, , P.LOG, Printing 1 copy of Configuration Report
1084282, 05/20/2020, 19:21:18, U, , P.LOG, Started on AC
1084015, 05/20/2020, 19:21:21, U, , P.LOG, Audio state changed AUDIO_SESSION_DISABLED
1084129, 05/20/2020, 19:21:29, U, , P.LOG, Completed printing Configuration Report.
1084142, 05/28/2020, 19:22:14, U, , P.LOG, Entered Administration Status
1084137, 05/20/2020, 19:24:24, U, , P.LOG, Exiting Administration Status
1084326, 05/20/2020, 19:26:18, U, 0, P.LOG, All data paths and memory locations OK
1084141, 05/20/2020, 19:26:18, U, 0, P.LOG, Printing 1 copy of Configuration Report
1084140, 05/20/2020, 19:26:11, U, 0, P.LOG, User canceled printing Configuration Report
1084462, 05/20/2020, 19:26:11, U, 0, P.LOG, EQC media inserted
1084156, 05/20/2020, 19:27:33, U, 0, P.LOG, Invalid code entered
1084129, 05/20/2020, 19:27:59, U, 0, P.LOG, Access Code Authenticated
1084400, 05/20/2020, 19:28:03, U, 0, P.LOG, EQC process succeeded
1084483, 05/20/2020, 19:29:42, U, , P.LOG, EQC media removed
1084156, 05/20/2020, 19:31:21, E, 0, P.LOG, Access Code Authenticated
1084484, 05/20/2020, 19:31:21, E, 0, P.LOG, Election media inserted
0084023, 05/20/2020, 19:58:53, , , P.LOG, Business process ready for machine 0 ( ).
3084015, 05/20/2020, 19:58:53, , , P.LOG, Paper processor ready.
1084079, 05/20/2020, 19:58:53, , , P.LOG, Voting machine initialized
1084326, 05/20/2020, 19:58:56, U, 0, P.LOG, All data paths and memory locations OK
1084143, 05/20/2020, 19:58:57, U, 0, P.LOG, Printing 1 copy of Configuration Report
1084282, 05/20/2020, 19:58:57, U, 0, P.LOG, Started on AC
1084015, 05/20/2020, 19:58:58, U, 0, P.LOG, Audio state changed AUDIO_SESSION_DISABLED
1084140, 05/20/2020, 19:58:58, U, 0, P.LOG, User canceled printing Configuration Report
1084462, 05/20/2020, 20:00:52, U, 0, P.LOG, EQC media inserted
1084156, 05/20/2020, 20:00:33, U, 0, P.LOG, Invalid code entered
1084129, 05/20/2020, 20:00:49, U, 0, P.LOG, Access Code Authenticated
1084400, 05/20/2020, 20:00:52, U, 0, P.LOG, EQC process succeeded
1084483, 05/20/2020, 20:01:01, U, 0, P.LOG, EQC media removed
1084016, 05/20/2020, 20:01:15, U, , P.LOG, Shutdown initiated
0084023, 05/22/2020, 09:00:26, , , P.LOG, Business process ready for machine 0 ( ).
```

25. I am aware of the ability of ES&S to provide support to help counties get this data, the support number, email and hours are in the manuals.

Support representatives are available Monday through Friday, between 7:00 a.m. and 7:00 p.m. Central Time.

Telephone: 877-377-8683 (USA & Canada)
Fax: 402-970-1285
Email: technicalsupport@essvote.com

<https://votingsystems.cdn.sos.ca.gov/vendors/ess/evs6042/ess-6042-proc.pdf>

26. I am aware that all 46 counties in South Carolina have purchased and have support for the Electionware Reporting software, to where they can export the Cast Vote Records and ballot images.

27. I am aware that the Voluntary Voting System Guidelines 1.0 (2005) requires that voter identifies be protected, in that it requires that the time stamp of the CVRs and ballot images can not be traced to any voter, and that the specification requires that the time stamp of all files be changed to the time stamp that the voting session began, and that the order of the ballots stored be randomized to protect the voters. See also see that evidence in a request for information in Georgia.

BALLOT IMAGES/CAST VOTE RECORDS

The units providing tabulation functionality can also capture digital images of each ballot or vote summary card cast and associated Cast Vote Record (CVR), which also can be used for recounts and adjudication.

To ensure security and protect voter anonymity, the ballot images and CVRs are stored with random names assigned to each ballot image file and have their file timestamps obfuscated.

Electionware provides online adjudication that retains both the CVR as initially tabulated and the adjudication board's modified CVR. The ballot image, the machine-generated original CVR, and the review board-modified CVR can be reviewed alongside each other.

PAPER TRAIL

The paper ballot or vote summary card also provides an audit trail that is available to jurisdictions in the event a recount, including manual recount, is required.

Enhancing the State of Georgia Election Process

9. Does your solution include Election Night Reporting capabilities? If so, please describe your Election Night Reporting solution, including security features.

ES&S RESPONSE

After the election, the Reporting module in Electionware is used to import tabulated results, machine logs, cast vote records, and **ballot images** by reading the election media from the ES&S election equipment USB flash drives/networked results; review, export, and report election results and media device-related data; and review/adjudicate ballot images.

The Election Results workflow is used to generate paper and electronic tabulated results reports and exports. The Reporting module can produce summary and custom table reports, as well as exports, each of which can be adjusted to fit your needs:

- ✓ Summary Results: By election, precinct, or precinct/split
- ✓ Custom Table Results (Canvass-style report): By precinct, precinct/split, poll, ballot style, or district
- ✓ Plain Text (similar to the ASCII export from Election Reporting Manager software): Summary or Precinct Detail
- ✓ XML: Enhanced, Standard, or Custom
- ✓ CSV: Precinct Detail

With the Electionware reporting module, the State of Georgia can export various reports in multiple formats, including HTML, which can be posted to election night reporting websites at both the state and county level.

https://sos.ga.gov/sites/default/files/2022-03/ess_rfi_-_final_-_redacted.pdf

28. Dodge County, Wisconsin, publishes their cast vote records and ballot images for the public to download and review. I have downloaded those files and have done a review of the files. There are 39,325 Ballot Images and Cast Vote Records, it takes about 8 GB of space.



- County Clerk

Annual Reports

County Directory

Dog Licensing

Election Information

Incident Report

[Departments](#) » [Departments A-D](#) » [County Clerk](#) » [Election Information](#) » [Election Results](#) »

Ballot Images and Cast Vote Records - November 8, 2022

Print Feedback Share & Bookmark Font Size:

Voters who cast provisional ballots may provide whatever documentation is required no later than 4:00 p.m. on the Friday after the election in order for their provisional ballot to be counted.

Ballot Images and Cast Vote Records - November 8, 2022

Disclaimer

Please note Cast Vote Record (CVR) Reports are unofficial results from election night. These are the results the voting equipment tabulated on Election Day. The final, official canvass results posted on the Wisconsin Elections Commission's website for any state/federal races also include counted provisional ballots and other small adjustments. These adjustments are not tallied by, or in, the voting equipment, rather through the County Board of Canvass process. The Cast Vote Record (CVR) Reports contain all data fields available in the ES&S Election Software. Also, please note that if a Municipal Clerk has accidentally corrupted their election data after printing their results tapes and electronically transferring the results into the County for a specific election, that data will not be able to be archived and therefore, would have no ballots to be read and included in the CVR Report.

The ZIP files below contain PDF documents showing the ballot images from the November 8, 2022 election. Each ballot has two files associated with it. The two files will have the same number. One will end with an "i" the other will end with a "c" (e.g. 31473i.pdf and 31473c.pdf). The file ending with "i" contains an image of the ballot. The file ending with "c" contains the Vote Cast Record showing how the tabulator counted the ballot.

[Cast Vote Record - November 8, 2022](#)

[Ballot Image and Ballot CVR Zip Files - November 8, 2022](#)

<https://www.co.dodge.wi.gov/departments/departments-a-d/county-clerk/election-information/election-results/election-results-2022>

29. This is a screen shot of the downloaded files from Dodge County, WI. The files are separated by precinct, and then the files with the "c" designation are Cast Vote Records, and the "i" files are Ballot Images.

Name	Date modified	Type	Size
<input checked="" type="checkbox"/> 22241c	5/14/2023 4:29 PM	Adobe Acrobat Docu...	3 KB
<input checked="" type="checkbox"/> 22241i	5/14/2023 4:29 PM	Adobe Acrobat Docu...	226 KB
<input type="checkbox"/> 22242c	5/14/2023 4:29 PM	Adobe Acrobat Docu...	3 KB
<input type="checkbox"/> 22242i	5/14/2023 4:29 PM	Adobe Acrobat Docu...	224 KB
<input type="checkbox"/> 22243c	5/14/2023 4:29 PM	Adobe Acrobat Docu...	3 KB
<input type="checkbox"/> 22243i	5/14/2023 4:29 PM	Adobe Acrobat Docu...	229 KB
<input type="checkbox"/> 22244c	5/14/2023 4:29 PM	Adobe Acrobat Docu...	3 KB
<input type="checkbox"/> 22244i	5/14/2023 4:29 PM	Adobe Acrobat Docu...	230 KB
<input type="checkbox"/> 22245c	5/14/2023 4:29 PM	Adobe Acrobat Docu...	3 KB
<input type="checkbox"/> 22245i	5/14/2023 4:29 PM	Adobe Acrobat Docu...	220 KB
<input type="checkbox"/> 22246c	5/14/2023 4:29 PM	Adobe Acrobat Docu...	3 KB
<input type="checkbox"/> 22246i	5/14/2023 4:29 PM	Adobe Acrobat Docu...	212 KB
<input type="checkbox"/> 22247c	5/14/2023 4:29 PM	Adobe Acrobat Docu...	3 KB
<input type="checkbox"/> 22247i	5/14/2023 4:29 PM	Adobe Acrobat Docu...	231 KB
<input type="checkbox"/> 22248c	5/14/2023 4:29 PM	Adobe Acrobat Docu...	3 KB
<input type="checkbox"/> 22248i	5/14/2023 4:29 PM	Adobe Acrobat Docu...	223 KB
<input type="checkbox"/> 22249c	5/14/2023 4:29 PM	Adobe Acrobat Docu...	3 KB
<input type="checkbox"/> 22249i	5/14/2023 4:29 PM	Adobe Acrobat Docu...	227 KB
<input type="checkbox"/> 22250c	5/14/2023 4:29 PM	Adobe Acrobat Docu...	3 KB
<input type="checkbox"/> 22250i	5/14/2023 4:29 PM	Adobe Acrobat Docu...	229 KB
<input type="checkbox"/> 22251c	5/14/2023 4:29 PM	Adobe Acrobat Docu...	3 KB

2,182 items | 2 items selected 227 KB

30. This is a screen shot of one of the ballot images from WI

**Official Ballot
Partisan Office and Referendum
November 8, 2022**

Notice to voters: If you are voting on Election Day, your ballot must be initiated by two (2) election inspectors. If you are voting absentee, your ballot must be initiated by the municipal clerk or deputy clerk. Your ballot may not be counted without initials (see end of ballot for initials).

General Instructions

If you make a mistake on your ballot or have a question, ask an election inspector for help (absentee voters: contact your municipal clerk).

To vote for a name on the ballot fill in the oval next to the name like this: ●

To vote for a name that is not on the ballot, write the name on the line marked "write-in" and fill in the oval next to the name like this: ●

When voting for Governor and Lieutenant Governor, you have one of two choices:

- Vote for candidates on one ticket, or
- Write in names of persons on both write-in lines.

A write-in vote for only a Lieutenant Governor candidate will not be counted.

Statewide

**Attorney General
Vote for 1**

Josh Kaul (Democratic)

Eric Toney (Republican)

write-in

**Secretary of State
Vote for 1**

Doug La Follette (Democratic)

Amy Lynn Loudenbeck (Republican)

Neil Harmon (Libertarian)

Sharyl R. McFarland (Wisconsin Green Party)

write-in

**State Treasurer
Vote for 1**

Aaron Richardson (Democratic)

John S. Leiber (Republican)

Andrew Zuelke (Constitution)

write-in

Legislative

**State Senator
District 13
Vote for 1**

John Jagler (Republican)

write-in

**Representative to the Assembly
District 39
Vote for 1**

Mark L. Born (Republican)

write-in

County

**Sheriff
Vote for 1**

Dale J. Schmidt (Republican)

write-in

**Clerk of Circuit Court
Vote for 1**

Kelly Enright (Republican)

write-in

Congressional

**United States Senator
Vote for 1**

Mandela Barnes (Democratic)

Ron Johnson (Republican)

write-in

**Representative in Congress
District 6
Vote for 1**

Glenn Grothman (Republican)

write-in

Typ:01 Seq:0058 Spl:01

Continue voting at top of next column. | Continue voting at top of next column. | Continue voting on back of ballot.

Page 1 of 2-sided ballot. Ballot continues on other side. ➡

Referendum

To vote in favor of a question, fill in the oval next to "Yes," like this: ●

To vote against a question, fill in the oval next to "No," like this: ○

Technical College

Question: Shall the Moraine Park Technical College District, Wisconsin be authorized to issue pursuant to Chapter 67 of the Wisconsin Statutes, general obligation bonds or promissory notes in an amount not to exceed \$55,000,000 for the public purpose of paying the cost of capital expenditures for the purchase or construction of buildings, building additions, remodeling and improvements, site improvements, the acquisition of sites, and the purchase of fixed and other equipment at District locations, including, but not limited to, advanced manufacturing facilities at the Fond du Lac and West Bend Campuses, a health and human services facility at the Fond du Lac Campus, and a regional fire training facility?

Yes

No

**Official Ballot
Partisan Office and Referendum
November 8, 2022
for
Dodge County**

City of Beaver Dam
Wards 1, 2, 4, 16
Aldermanic Districts 1, 3 & 12

Ballot issued by

Initials of election inspectors

Absentee ballot issued by

OC
Initials of Municipal Clerk or Deputy Clerk

If issued by SVDs, both must initial

Certification of Voter Assistance

I certify that I marked or read aloud this ballot at the request and direction of a voter who is authorized under Wis. Stat. §6.82 to receive assistance.

Signature of assessor

For Official Use Only

Inspectors: Identify ballots required to be remade:

Overvoted

Damaged

Other

If this is the Original Ballot, write the serial number here: _____

If this is the Duplicate Ballot, write the serial number here: _____

Initials of inspectors who remade ballot

Typ:01 Seq:0058 Spl:01

Page 2 of 2-sided ballot. Ballot begins on other side. ➡

31. This is a screen shot of the corresponding Cast Vote Record, of how the tabulator interpreted the ballot:

Cast Vote Record: 22,241

Poll Place: BD Trinity W 1,2,4,16,26
Precinct: C Beaver Dam W1,2,4,16
Ballot Style: C Beaver Dam W1,2,4,16 [Sheet Number 1]
Party: Nonpartisan
Tabulator CVR: 00e92ad8f81463a5
Machine Serial: DS200 - 0317350819
Blank Ballot: NO
Reporting Group: Election Day

Contests:

Gov/Lt. Gov (245)
Vote For: 1
Michels / Roth (369) Counted

Attorney Gen (250)
Vote For: 1
Eric Toney (375) Counted

Sec State (255)
Vote For: 1
Amy Lynn Loudenbeck (379) Counted

State Treas. (260)
Vote For: 1
John S. Leiber (387) Counted

US State Sen (265)
Vote For: 1
Ron Johnson (393) Counted

Rep Congress Dist 6 (275)
Vote For: 1
Glenn Grothman (399) Counted

State Sen Dist 13 (280)

Vote For: 1
John Jagler (401) Counted

Rep Assem Dist 39 (290)

Vote For: 1
Mark L. Born (407) Counted

Sheriff Dodge Co (310)

Vote For: 1
Dale J. Schmidt (417) Counted

Circuit Court Clerk Dodge Co (320)

Vote For: 1
Kelly Enright (421) Counted

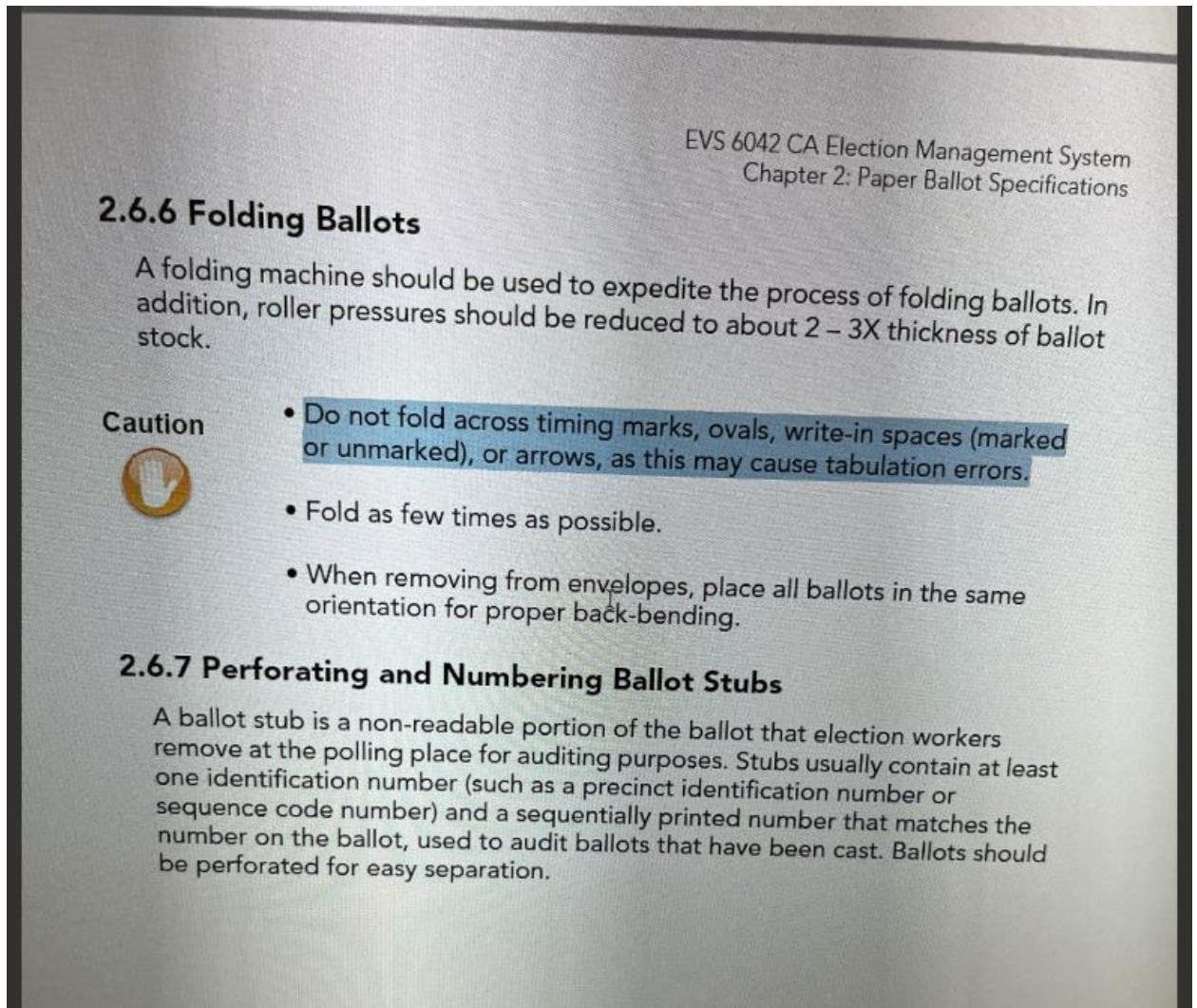
Ref Instructions with (330)

Vote For: 0

Referendum MPTC (333)

Vote For: 1
Yes (335) Counted

32. This direct warning from ES&S in regard to folding of ballots is of serious concern, since most of the County Auditors are not properly evaluating their systems to determine if this is an issue or not.



<https://votingsystems.cdn.sos.ca.gov/vendors/ess/evs6042/ess-6042-proc.pdf>

33. We have observed the issue of the folds in Dodge County, WI on Cast Vote Record and Ballot ID 34,195. We can see that the tabulator in this case interpreted the fold as a vote and invalidated the vote that the voter had cast and considered it to be an overvote, to where the voter intent was lost and the vote for that race did not count.

Governor / Lieutenant Governor Vote for 1	<input type="radio"/> Aaron Richardson (Democratic)	<input type="radio"/> write-in:	
	<input checked="" type="radio"/> Tony Evers / Sara Rodriguez (Democratic)	<input checked="" type="radio"/> John S. Leiber (Republican)	County Sheriff Vote for 1
	<input checked="" type="radio"/> Tim Michels / Roger Roth (Republican)	<input type="radio"/> Andrew Zuelke (Constitution)	<input checked="" type="radio"/> Dale J. Schmidt (Republican)
	<input type="radio"/> Joan Ellis Beglinger / No Candidate (Independent)	<input type="radio"/> write-in:	<input type="radio"/> write-in:
<input type="text"/> write-in (Governor)	Congressional <input type="radio"/> Mandela Barnes (Democratic)	<input checked="" type="radio"/> Kelly Enright (Republican)	
<input type="text"/> write-in (Lieutenant Governor)	<input checked="" type="radio"/> Ron Johnson (Republican)	<input type="radio"/> write-in:	
	<input type="radio"/> write-in:		

Official Ballot
Partisan Office
November 8, 2022

Notice to voters: If you are voting on Election Day, your ballot must be initialed by two (2) election inspectors. If you are voting absentee, your ballot must be initialed by the municipal clerk or deputy clerk. Your ballot may not be counted without initials (see end of ballot for initials).

General Instructions If you make a mistake on your ballot or have a question, ask an election inspector for help (absentee voters: contact your municipal clerk). To vote for a name on the ballot, fill in the oval next to the name like this: ● To vote for a name that is not on the ballot, write the name on the line marked "write-in" and fill in the oval next to the name like this: ● When voting for Governor and Lieutenant Governor, you have one of two choices: • Vote for candidates on one ticket, or • Write in names of persons on both write-in lines. A write-in vote for only a Lieutenant Governor candidate will not be counted.	Statewide <input type="radio"/> Josh Kaul (Democratic)	Congressional <input type="radio"/> Mike Van Someren (Democratic)
	<input checked="" type="radio"/> Eric Toney (Republican)	<input checked="" type="radio"/> Scott Fitzgerald (Republican)
	<input type="radio"/> write-in:	<input type="radio"/> write-in:
	Statewide <input type="radio"/> Doug La Follette (Democratic)	Legislative <input checked="" type="radio"/> John Jagier (Republican)
	<input checked="" type="radio"/> Amy Lynn Loudenbeck (Republican)	<input type="radio"/> write-in:
	<input type="radio"/> Neil Harmon (Libertarian)	<input type="radio"/> Representative to the Wisconsin District 27 Vote for 1
	<input type="radio"/> Sharyl R. McFarland (Wisconsin Green Party)	<input type="radio"/> Maureen McCarville (Democratic)
	<input type="radio"/> write-in:	<input checked="" type="radio"/> William Perleman (Republican)
	<input type="radio"/> write-in:	<input type="radio"/> write-in:
	Governor / Lieutenant Governor Vote for 1	<input type="radio"/> Aaron Richardson (Democratic)
<input type="radio"/> Tony Evers / Sara Rodriguez (Democratic)	<input checked="" type="radio"/> John S. Leiber (Republican)	<input checked="" type="radio"/> Dale J. Schmidt (Republican)
<input checked="" type="radio"/> Tim Michels / Roger Roth (Republican)	<input type="radio"/> Andrew Zuelke (Constitution)	<input type="radio"/> write-in:
<input type="radio"/> Joan Ellis Beglinger / No Candidate (Independent)	<input type="radio"/> write-in:	<input type="radio"/> write-in:
<input type="text"/> write-in (Governor)	Congressional <input type="radio"/> Mandela Barnes (Democratic)	<input checked="" type="radio"/> Kelly Enright (Republican)
<input type="text"/> write-in (Lieutenant Governor)	<input checked="" type="radio"/> Ron Johnson (Republican)	<input type="radio"/> write-in:
	<input type="radio"/> write-in:	

Typ:01 Seq:0071 Spl:01

Continue voting at top of next column.	Continue voting at top of next column.
--	--

Page 1 of 2-sided ballot. Ballot continues on other side. →

Cast Vote Record: 34,195

Poll Place: Watertown W1&2
 Precinct: C Watertown W1&2
 Ballot Style: C Watertown W1&2 [Sheet Number 1]
 Party: Nonpartisan
 Tabulator CVR: 45e21200b3ab0caa
 Machine Serial: DS200 - 0317350792
 Blank Ballot: NO
 Reporting Group: Election Day

Contests:

Gov/Lt. Gov (245)

Vote For: 1

Michels / Roth (369) Overvoted
 Write-in (247) Overvoted (Marked)

Attorney Gen (250)

Vote For: 1

Eric Toney (375) Counted

Sec State (255)

Vote For: 1

Amy Lynn Loudenbeck (379) Counted

	A	B	C	D	E	F	S
1	Cast Vote Record	Precinct	Ballot Style	Gov/Lt. Gov (245)	Attorney Gen (250)	Sec State (255)	
34177	34177	C Watertown W1&2	C Watertown W1&2	DEM Evers / Rodriguez (C DEM Josh Kaul (CND0004)	REP Eric Toney (CND0005)	REP Amy Lynn Loudenbeck (CND0005)	
34178	34178	C Watertown W1&2	C Watertown W1&2	REP Michels / Roth (CNDI REP Eric Toney (CND0005)	REP Amy Lynn Loudenbeck (CND0005)		
34179	34179	C Watertown W1&2	C Watertown W1&2	DEM Evers / Rodriguez (C DEM Josh Kaul (CND0004)	DEM Doug La Follette (CND0004)		
34180	34180	C Watertown W1&2	C Watertown W1&2	REP Michels / Roth (CNDI REP Eric Toney (CND0005)	REP Amy Lynn Loudenbeck (CND0005)		
34181	34181	C Watertown W1&2	C Watertown W1&2	DEM Evers / Rodriguez (C DEM Josh Kaul (CND0004)	DEM Doug La Follette (CND0004)		
34182	34182	C Watertown W1&2	C Watertown W1&2	DEM Evers / Rodriguez (C DEM Josh Kaul (CND0004)	DEM Doug La Follette (CND0004)		
34183	34183	C Watertown W1&2	C Watertown W1&2	REP Michels / Roth (CNDI REP Eric Toney (CND0005)	REP Amy Lynn Loudenbeck (CND0005)		
34184	34184	C Watertown W1&2	C Watertown W1&2	REP Michels / Roth (CNDI REP Eric Toney (CND0005)	REP Amy Lynn Loudenbeck (CND0005)		
34185	34185	C Watertown W1&2	C Watertown W1&2	DEM Evers / Rodriguez (C DEM Josh Kaul (CND0004)	DEM Doug La Follette (CND0004)		
34186	34186	C Watertown W1&2	C Watertown W1&2	REP Michels / Roth (CNDI REP Eric Toney (CND0005)	REP Amy Lynn Loudenbeck (CND0005)		
34187	34187	C Watertown W1&2	C Watertown W1&2	DEM Evers / Rodriguez (C DEM Josh Kaul (CND0004)	DEM Doug La Follette (CND0004)		
34188	34188	C Watertown W1&2	C Watertown W1&2	REP Michels / Roth (CNDI REP Eric Toney (CND0005)	REP Amy Lynn Loudenbeck (CND0005)		
34189	34189	C Watertown W1&2	C Watertown W1&2	REP Michels / Roth (CNDI REP Eric Toney (CND0005)	REP Amy Lynn Loudenbeck (CND0005)		
34190	34190	C Watertown W1&2	C Watertown W1&2	REP Michels / Roth (CNDI REP Eric Toney (CND0005)	REP Amy Lynn Loudenbeck (CND0005)		
34191	34191	C Watertown W1&2	C Watertown W1&2	REP Michels / Roth (CNDI REP Eric Toney (CND0005)	REP Amy Lynn Loudenbeck (CND0005)		
34192	34192	C Watertown W1&2	C Watertown W1&2	DEM Evers / Rodriguez (C REP Eric Toney (CND0005)	REP Amy Lynn Loudenbeck (CND0005)		
34193	34193	C Watertown W1&2	C Watertown W1&2	DEM Evers / Rodriguez (C DEM Josh Kaul (CND0004)	DEM Doug La Follette (CND0004)		
34194	34194	C Watertown W1&2	C Watertown W1&2	DEM Evers / Rodriguez (C DEM Josh Kaul (CND0004)	DEM Doug La Follette (CND0004)		
34195	34195	C Watertown W1&2	C Watertown W1&2	overvote	REP Eric Toney (CND0005)	REP Amy Lynn Loudenbeck (CND0005)	
34196	34196	C Watertown W1&2	C Watertown W1&2	DEM Evers / Rodriguez (C DEM Josh Kaul (CND0004)	DEM Doug La Follette (CND0004)		
34197	34197	C Watertown W1&2	C Watertown W1&2	DEM Evers / Rodriguez (C DEM Josh Kaul (CND0004)	DEM Doug La Follette (CND0004)		
34198	34198	C Watertown W1&2	C Watertown W1&2	REP Michels / Roth (CNDI REP Eric Toney (CND0005)	REP Amy Lynn Loudenbeck (CND0005)		
34199	34199	C Watertown W1&2	C Watertown W1&2	REP Michels / Roth (CNDI REP Eric Toney (CND0005)	REP Amy Lynn Loudenbeck (CND0005)		
34200	34200	C Watertown W1&2	C Watertown W1&2	DEM Evers / Rodriguez (C DEM Josh Kaul (CND0004)	DEM Doug La Follette (CND0004)		
34201	34201	C Watertown W1&2	C Watertown W1&2	DEM Evers / Rodriguez (C DEM Josh Kaul (CND0004)	DEM Doug La Follette (CND0004)		

<https://www.co.dodge.wi.gov/departments/departments-a-d/county-clerk/election-information/election-results/election-results-2022>

34. When using ES&S equipment in Wisconsin, South Carolina and South Dakota, we do not have a process to deal with Voter intent, when it comes to over votes, the three states, invalidate the race where the over vote occurred, and perform no further evaluation of the race, and move on to other races on the ballot for consideration and tabulation. Here are some examples of over votes that were not counted towards the totals:

Governor / Lieutenant Governor Vote for 1	
<input type="radio"/>	Tony Evers / Sara Rodriguez (Democratic)
<input checked="" type="radio"/>	Tim Michels / Roger Roth (Republican)
<input type="radio"/>	Joan Ellis Beglinger / No Candidate (Independent)
<input checked="" type="radio"/>	<i>Tim Michels</i> write-in (Governor)
write-in: (Lieutenant Governor)	

Ballot ID 37898

Referendum	
To vote in favor of a question, fill in the oval next to "Yes," like this: <input checked="" type="radio"/>	
To vote against a question, fill in the oval next to "No," like this: <input type="radio"/>	
Technical College	
Question: Shall the Moraine Park Technical College District, Wisconsin be authorized to issue pursuant to Chapter 67 of the Wisconsin Statutes, general obligation bonds or promissory notes in an amount not to exceed \$55,000,000 for the public purpose of paying the cost of capital expenditures for the purchase or construction of buildings, building additions, remodeling and improvements, site improvements, the acquisition of sites, and the purchase of fixed and other equipment at District locations, including, but not limited to, advanced manufacturing facilities at the Fond du Lac and West Bend Campuses, a health and human services facility at the Fond du Lac Campus, and a regional fire training facility?	
<input checked="" type="radio"/>	Yes
<input type="radio"/>	No

Ballot ID 32268- with about 10% coverage on No vote is now an over vote.

Governor / Lieutenant Governor Vote for 1	
<input type="radio"/>	Tony Evers / Sara Rodriguez (Democratic)
<input checked="" type="radio"/>	Tim Michels / Roger Roth (Republican)
<input type="radio"/>	Joan Ellis Beglinger / No Candidate (Independent)
<input type="checkbox"/>	<i>Tim Michels</i> write-in: (Governor)
<input type="checkbox"/>	write-in: (Lieutenant Governor)

Ballot ID 14978 – voter intent is completely lost and this is an over vote

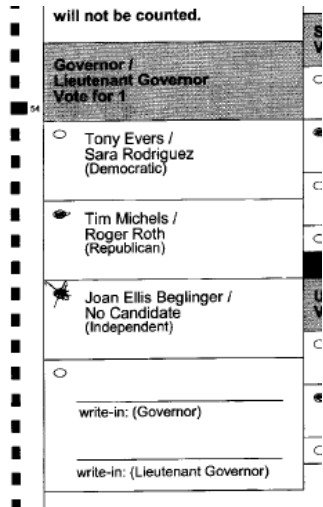
Statewide	
Vote for 1	
<input checked="" type="radio"/>	Josh Kaul (Democratic)
<input type="radio"/>	Eric Toney (Republican)
<input type="radio"/>	write-in:

Ballot ID 11035 – just 5% coverage on Toney has caused this to be an over vote.

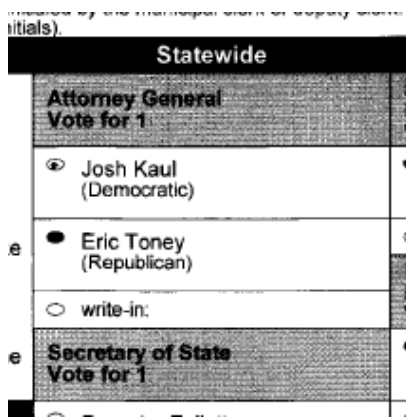
35. To be fair, voter intent at times is impossible to determine, and voters have the responsibility to ensure the best possible outcomes, education by election officials should be improved to avoid these situations.

Secretary of State Vote for 1	
<input checked="" type="radio"/>	Doug La Follette (Democratic)
<input checked="" type="radio"/>	Amy Lynn Loudenbeck (Republican)
<input checked="" type="radio"/>	Neil Harmon (Libertarian)
<input checked="" type="radio"/>	Sharyl R. McFarland (Wisconsin Green Party)
<input type="radio"/>	write-in:

Ballot ID 39041



Ballot ID 29260



Ballot ID 24900

36. Evaluating the Cast Vote Records helps election officials and the public understand issues that can cause problems with the systems, and to better educate both officials and the public on how to prevent those issues. The main advantage of the Cast Vote Records and ballot images is that it provides transparency into our elections, and gives us the documented evidence in how we can improve our elections through education of both the voters and election officials. We have also observed that voters should not use sharpies, as they bleed through the ballots. Voter intent is lost, when using the machines and voters who make a mistake need to understand that even a small mark in the wrong oval, can invalidate a vote for an office, since it could be considered an over vote. Training is available from ES&S, as we see from request for information in the State of Georgia, it makes logical sense that training can be obtained by election officials

from South Carolina.

<p>In these Electionware modules, the participant will gain the following knowledge, skills, and abilities:</p> <ul style="list-style-type: none">• Define – Build, maintain, and store all election-related information (i.e., precincts, districts, offices, candidates, referenda) in one database.• Design – Create an election ballot in both electronic and paper format.• Deliver – Program the election tabulation hardware with election-specific information.• Results – Generate and display customized election reports in paper or electronic formats, as well as view and manage ballot images captured from ES&S tabulation hardware.• Manage – Manage user account and security access for the Electionware software.	<ul style="list-style-type: none">• Coding staff <p>Number of Participants:</p> <ul style="list-style-type: none">• 1 - 10
Electionware Course	
Course Length – 4½ Days	
<p>This course of training will provide election personnel general knowledge of the ES&S Electionware election management system. The participant will be able to design ballots, program election hardware and produce general election reports for a basic election.</p>	<p>Pre-Requisite(s):</p> <ul style="list-style-type: none">• None <p>Audience:</p>



Electionware (Results Only) Course	
Course Length – 1 Day (Results Only)	
<p>This course of training will provide election personnel general knowledge of ES&S Electionware software. The participant will be able to produce general election reports for a basic election.</p> <p>In these Electionware modules, the participant will gain the following knowledge, skills, and abilities:</p> <ul style="list-style-type: none"> • Define - Open and restore elections. • Results - Generate and display customized election reports in paper or electronic formats, as well as view and manage ballot images captured from ES&S tabulation hardware. • Manage - Manage user account and security access for the Electionware software. • Media Burn 	<p>Pre-Requisite(s):</p> <ul style="list-style-type: none"> • None <p>Audience:</p> <ul style="list-style-type: none"> • Coding staff <p>Number of Participants:</p> <ul style="list-style-type: none"> • 1 - 10

ES&S CONTINUING EDUCATION & SUPPORT


The ES&S method aims at fully preparing election staff to ensure autonomy in election operations while using our equipment. We understand long-term needs may require a combination of continuing education courses and/or on-site support. These continuing education and site support needs from our experienced training team can be coordinated and tailored to meet Georgia’s unique requirements.

https://sos.ga.gov/sites/default/files/2022-03/ess_rfi_-_final_-_redacted.pdf

37. I am also aware of how to determine if the Cast Vote Records and Ballot Images are on or off for a DS200, in test mode they can be turned off, but during an election, they are on, and voters who insert the ballots as well as election officials know this when the public counters are incrementing.

Scan Ballot

Use the Scan Ballot option to perform a ballot test for the DS200 and the ballot diverter if you are using a ballot diverter. The results will appear in the Reports menu option, located below the Scan Ballot menu option.

 **Note:** If the election is set up to save no ballot images, the DS200 will not save any ballot images or cast vote records and the public and protected counters will not increment. This is a feature specifically used for hardware testing and should not be used to validate the tabulator’s mark detection accuracy during L&A.

<https://www.auditelectionsusa.org/documentation-and-manuals-for-ess-ds850s-and-ds200s/>

38. Other records that the public should have access to are the Systems Readiness Reports from the ES&S DS450 and SD 850 as well as Mark Code or Digital Readings report. You can see this is a way to evaluate how sensitive the systems are set to read the

ballots, and how well voters are filling out the ballots. Here is an example of what the last two reports look like:

3. Press **Done** when you are finished printing reports.

Example of Mark Code Report

Page 1 of 2
Ballot Number: 0007000001
Rows: 36
Columns: 3
IMR Filter Values: 25, 20

Side 1 1_ 2_ 3_

1_	-	-	-
2_	V99	V99	V99
3_	I-1	I-1	I-1
4_	V99	V99	V99
5_	I-1	I-1	I-1
6_	V99	V99	V99
7_	I-1	I-1	I-1
8_	V99	V99	V99
9_	I-1	I-1	I-1
10_	V99	V99	V99
11_	I-1	I-1	I-1
12_	V99	V99	V99
13_	I-1	I-1	I-1
14_	V99	V99	V99
15_	I-1	I-1	I-1
16_	V99	V99	V99
17_	I-1	I-1	I-1
18_	V99	V99	V99
19_	I-1	I-1	I-1
20_	V99	V99	V99
21_	I-1	I-1	I-1
22_	V99	V99	V99
23_	I-1	I-1	I-1
24_	V99	V99	V99
25_	I-1	I-1	I-1
26_	V99	V99	V99
27_	I-1	I-1	I-1
28_	V99	V99	V99

Contact ES&S
Support with any questions about this report or any other items that are on this report.

M - Marginal
V - Vote
I - Ignore

Example: -1 no mark

Example: 99 is dark enough to be considered a mark.

Example of Digital Readings Report

Page 1 of 2
Ballot Number: 0007000001
Rows: 36
Columns: 3
IMR Filter Values: 25, 20

Side 1 1_ 2_ 3_

1_	-	-	-
2_	494	494	494
3_	0	0	0
4_	494	494	494
5_	0	0	0
6_	494	494	494
7_	0	0	0
8_	494	494	494
9_	0	0	0
10_	494	494	494
11_	0	0	0
12_	494	494	494
13_	0	0	0
14_	494	494	494
15_	0	0	0
16_	494	494	494
17_	0	0	0
18_	494	494	494
19_	0	0	0
20_	494	494	494
21_	0	0	0
22_	494	494	494
23_	0	0	0
24_	494	494	494
25_	0	0	0
26_	494	494	494
27_	0	0	0
28_	494	494	494

Contact ES&S
Support with any questions about this report or any other items that are on this report.

Number of black pixels found in the oval. ("0" is an empty oval)

39. Federal Laws have special designations for what is protected under the Freedom of Information Act, there are no carve outs for, or protections for unencrypted election logs, images or reports, in fact the nine exemptions are as follows:

- a. classified information for national defense or foreign policy
- b. internal personnel rules and practices
- c. information that is exempt under other laws

- d. trade secrets and confidential business information
 - e. inter-agency or intra-agency memoranda or letters that are protected by legal privileges
 - f. personnel and medical files
 - g. law enforcement records or information
 - h. information concerning bank supervision
 - i. geological and geophysical information
40. There is no federal law, state statute or a temporary classification that has decided that any cast vote record, log files, report is somehow classified. And we see that in the SC Code of Law Section 30-4-30.

SECTION 30-4-30. Right to inspect or copy public records; fees; notification as to public availability of records; presumption upon failure to give notice; records to be available when requestor appears in person.

(A)(1) A person has a right to inspect, copy, or receive an electronic transmission of any public record of a public body, except as otherwise provided by Section 30-4-40, or other state and federal laws, in accordance with reasonable rules concerning time and place of access. This right does not extend to individuals serving a sentence of imprisonment in a state or county correctional facility in this State, in another state, or in a federal correctional facility; however, this may not be construed to prevent those individuals from exercising their constitutionally protected rights, including, but not limited to, their right to call for evidence in their favor in a criminal prosecution under the South Carolina Rules of Criminal Procedure.

<https://www.scstatehouse.gov/code/t30c004.php>

41. As we can see in SC Code of Law Section 30-4-40 election material, log files, and cast vote records are not itemized, and therefor are allow public access.

(a) A public body may but is not required to exempt from disclosure the following information:

(1) Trade secrets, which are defined as unpatented, secret, commercially valuable plans, appliances, formulas, or processes, which are used for the making, preparing, compounding, treating, or processing of articles or materials which are trade commodities obtained from a person and which are generally recognized as confidential and work products, in whole or in part collected or produced for sale or resale, and paid subscriber information. Trade secrets also include, for those public bodies who market services or products in competition with others, feasibility, planning, and marketing studies, marine terminal service and nontariff agreements, and evaluations and other materials which contain references to potential customers, competitive information, or evaluation.

(2) Information of a personal nature where the public disclosure thereof would constitute unreasonable invasion of personal privacy. Information of a personal nature shall include, but not be limited to, information as to gross receipts contained in applications for business licenses, information relating to public records which include the name, address, and telephone number or other such information of an individual or individuals who are handicapped or disabled when the information is requested for person-to-person commercial solicitation of handicapped persons solely by virtue of their handicap, and any audio recording of the final statements of a dying victim in a call to 911 emergency services. Any audio of the victim's statements must be redacted prior to the release of the recording unless the privacy interest is waived by the victim's next of kin. This provision must not be interpreted to restrict access by the public and press to information contained in public records.

(3) Records, video or audio recordings, or other information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information:

<https://www.scstatehouse.gov/code/t30c004.php>

42. Each of these steps and instructions, should be part of the process that each election official should already be fulfilling in an effort to determine the accuracy, performance and security of their equipment. The public should by default have access to this work product as evidence of the proper due diligence of the election officials, any effort to not provide such materials should be ground for additional immediate discovery of the

performance of the election equipment and the accuracy of all of the ballot questions that went through that county process.

43. The inoculation to all conspiracy theories is transparency. The public paid for these machines, through tax dollars, the intent of the US Election Assistance Commission nor the legislature of the State of South Carolina to throw away the spirit of the count shall be public, in fact they required transaction logs, ballot images, and cast vote records, so that the election officials and the public could have proper oversight of the elections as part of their standard when they developed the Voluntary Voting Systems Guidelines 1.0, and we see a further strengthening of those requirements in the new 2.0 standards just passed last year, that will slowly becoming into effect over the next 12 months. Since the ballot images and cast vote records are not excluded by the Federal Law, or excluded in South Carolina codified law, these records are public and should be released, by all of the counties that currently have the means to provide them, and the other counties should consider ways to have proper oversight of their elections and election equipment, by purchasing the software themselves or working with the SOS office to centralize the reporting functions.



Rick Weible
8/29/2023
803 Elk Street
Elkton, SD 57026