PUBLIC TEST PROCEDURES

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Northern & Southern District Clerks’ Conferences
Acronyms & Terms

• Ballot Card = paper card stock used with OpScan Voting systems
• BMD = ballot marking device
  • Used with OpScan voting systems
• DRE = Direct Record Electronic Voting System
  • Only DRE system in Indiana is MicroVote
• EMS = election management system
  • Software used to code elections and tabulate results
  • NOT the individual voting system units
• OpScan = optical scan voting systems
  • ES&S, Unisyn, Hart are vendors with OpScan systems used in Indiana

• VVPAT = Voter Verifiable Paper Audit Trail
  • Unit used with DRE (MicroVote) machines
  • Ballot card used with OpScan systems already serves this purpose
Before Public Test...

• Build & Proof Ballots
  • Blue 2022 Election Admin Guide (starting on page 103) has a ballot layout section to help with layout requirements
    • Last Minute Reminders:
      • Precinct designation must be printed on the ballot
      • Public Question, if applicable, comes first
      • Candidate names should be in ALL CAPS
      • Candidate name on the ballot should align with the ballot name on the CAN-2, CAN-37
      • Uncontested PCs and delegates are NOT printed on the ballot!
        • D or R appointed member of the CEB had until February 11 to file written request for the uncontested party office candidates to appear on the ballot
      • SOS/Treasurer/Auditor are NOT on the primary ballot; candidates are nominated at convention and on November ballot
      • Straight party is NOT an option in the primary; only applies to November ballot
Before Public Test...

- Build & Proof Ballots
  - Absentee Reminders
    - ALL voters with approved ABS-MAIL, FPCA & ABS-VPD applications MUST have ballots mailed/emailed/faxeded not later than Saturday, March 19, 2022
      - No – the deadline does not roll to Monday because the date falls on a Saturday; this rule only applies to filings
      - March 19 is the FIRM 45-day deadline in federal & state law to send out absentee ballots
      - Want an earlier Ballot Ready Date in SVRS? Submit a CAF
    - Once the initial batch of ABS ballots are mailed, an ABS ballot MUST be mailed/faxed/emailed the same day the ABS app is reviewed & approved
  - Faxed/Emailed Ballots
    - Need bi-partisan initials affixed
    - For FPCA users (military/overseas voters), ABS-9 secrecy waiver must be sent
    - For ABS-VPD uses (voters with print disabilities), ABS-25 secrecy waiver must be sent
Before Public Test...

• Build & Proof Ballots
  • Absentee Reminders
    • ABS/provisional ballots must have the clerk’s seal & signature
      • Clerk on the ballot for any office, including PC or delegate? No clerk signature and must use generic seal found on the SVRS county portal in your county’s folder in “IED Postings”
    • Limits on pre-initialing ABS ballots
      • Change in state law in 2021
      • ABS Board/CEB/CEB designee cannot initial an ABS ballot until after the voter’s app has been approved or not more than 24-hours before ABS ballot is mailed to the voter
        • All initialed ABS ballots must be kept under bi-partisan control until it is mailed/faxed/emailed
Before Public Test...

- Code Voting Systems
  - Work with vendor to code voting systems & electronic media based on your ballot for each precinct

- Perform Logic & Accuracy Testing (L&A)
  - Not required under state law
  - Recommended to ensure all parts of the system (ballot card, BMD, DRE, VVPAT, EMS) are working together and results are accurate before public test is performed
Public Test IS a Public Meeting

• Besides following Open Door Law, CEB must:
  • Allow public to be present at meeting
    • No requirement to allow for public testimony; this would be at the chair’s discretion
  • Provide an area for the public to observe the test
    • Public cannot interfere with the equipment or procedures, however
  • An individual attending the public test may request that additional systems above the minimum 5% be tested
    • CEB gets to determine how many more systems to test after the individual make the request
Notice of Public Test

• State law requires public test notice to be published in the newspaper at least 48-hours before the test occurs
  • Recommend following how other county offices publish notice in newspapers

• Open Door Law to notice meeting also applies
  • Notice must be posted at least 48-hours before test
  • Slightly different timing than newspaper notice
    • Open Door Law does not recognize weekends for purposes of the 48-hour notice requirement
  • Example:
    • Public Test occurs at 1PM on a Monday
      • Newspaper notice can be published as late as Saturday
      • Open Door notice must be posted before 1PM on Thursday

IC 3-11-13-22 | IC 3-11-14.5-1
Deadline to Perform Test

• All counties must begin public test not later than the day before early voting begins
  • Deadline to start public test for May 3, 2022 election is April 4, 2022
    • Early voting starts on April 5, 2022

• Must give proper published notice & posted notice of public test
VSTOP Testing Lists

• Not later than 74-days before election day, VSTOP must provide a randomized list of serial numbers of DRE/OpScan systems and BMD/VVPAT units in the county’s inventory
  • CEB must start at the top of the list and pull each item until the pull list totals at least 5% of the total inventory amount for that specific type of equipment that will be used in the election
  • If item associated to the serial number is not found, then pull the next item and so on
    • Please make note of these issues so the database can be corrected post election
VSTOP Inventory Not Updated?

- IF VSTOP could not provide a county a testing list, if county failed to file IEC-22 or otherwise update their voting system inventory for 2022 by January 31 of each year as required by state law

- If no VSTOP list, CEB must do the following:
  - Implement an alternative procedure to randomly test at least 5% of the voting systems and tabulators to be used in the upcoming election
Pulled VSTOP Inventory for Public Test

- **DRE (MicroVote) Counties**
  - Must test DRE units planned for use on Election Day and during early voting
  - Must test opScan tabulators used to count absentee ballots
  - Must test VVPAT units, if VVPAT units are in inventory

- **OpScan (ES&S, Hart, Unisyn) Counties**
  - Must test opScan tabulators used to tabulate Election Day and absentee ballots
  - BMD units to be used by a voter to mark their ballot in the upcoming election
Creating a Test Deck

• All Voting Systems needs a “test deck” that includes enough ballots to:
  • Ensure at least one vote for every:
    • Candidate (write-in candidates in November, too!);
    • Public question to be voted on by the voters in your county, if applicable; and
    • In November, straight party option.
  • Test the “overvote” alert features, by creating at least one overvote for each contested office on the ballot.
  • Test accessibility features using the required number of ballots, which differs for DRE and opScan systems
  • NOTE: You must test at least one ballot in at least 3 precincts in the rare instance the ballot style is the same countywide, for example

• Results from the test deck should be predetermined to use to confirm results from totals tape/EMS!
Vote Center v. Non-Vote Center

• Vote Center Counties
  • Use entire test deck on each pulled voting system unit for public test

• Non-Vote Center Counties
  • Use test deck specific to the precinct tied to the voting system unit
    • For example:
      • One opScan tabulator for each precinct, so test deck for precinct A is used with tabulator assigned to precinct A
      • If VSTOP list includes five units in precinct A, then each of the five units for precinct A will be tested with the precinct A test deck
Performing Public Test - DRE

• Run zero tape for each precinct to “open” the election

• Perform a visual inspection of DRE unit & ballot label
  • Ballot label is the “screen” of the individual voting system unit

• Manually enter on DRE the choices selected on the test deck
  • This is part of your preaudited group of ballots to ensure the predetermined outcome matches the totals tape of the unit & EMS!
Performing Public Test – DRE

• Test the accessibility features using at least one ballot from three different precincts where the election will be conducted that tests:
  • Audio-enabled ballot;
  • Features to permit use of a sip/puff device; and
  • Any other adaptive technology used with the voting system to ensure a voter can vote privately and independently.

• “Close” the machine and run a precinct totals tape

• Remove the electronic media from the voting unit

• Repeat on all pulled inventory for public test
Performing Public Test - OpScan

- Run zero tape for each precinct to “open” the election
- Process test deck through tabulator
- Mark at least 10 ballots used BMD using the:
  - Audio-enabled features;
  - Features to permit use of a sip/puff device; and
  - Any other adaptive technology used with the voting system to ensure a voter can vote privately and independently.
    - NOTE: One or more ballots marked using the BMD must include an overvote for each office to test system’s ability to detect and prevent overvoting
- “Close” the machine and run a precinct totals tape
- Remove the electronic media from the voting unit
- Repeat on all pulled inventory for public test
Reviewing Public Test Results

• Change in state law now requires canvassing:
  • Upload each unit’s media card/drive into EMS
  • Print precinct results from EMS
  • Compare precinct results from EMS against the precinct results tape printed from voting unit to confirm EMS and voting system unit are tabulating and recording totals accurately
    • The precinct totals tape and precinct results from EMS SHOULD equal the expected results created by your initial test deck

• MicroVote counties using VVPAT can pull VVPAT tape to compare against results, too
Certifying Public Test to IED

• OpScan (ES&S, Hart, Unisyn) Counties
  • File IEC-10 form not later than 7 days after public test is performed

• DRE (MicroVote) Counties
  • File IEC-9 form not later than 7 days after public test is performed to certify outcome of DRE testing
  • File IEC-10 form not later than 7 days after public test is performed to certify outcome of OpScan testing
Errors Found in Public Test

• CEB must correct issue & perform a new public test
  • Not a requirement to publish notice in the newspaper for secondary test to correct error
  • Must follow Open Door Law, however

• If CEB cannot correct issue, then voting system cannot be used in the upcoming election
  • CEB must use other voting systems that successfully pass public test or use hand-marked paper ballots for absentee & Election Day voting
    • Paper Ballots are NOT ballot cards
    • Requires hand-tallying of election results
Storing Public Test Materials

• After the public test the materials used for the public (i.e., preaudited ballots and tabulation tape) have to be sealed and retained in the same manner as paper ballots
  • Keep the materials sealed for at least 22 months after the election
• The voting systems and tabulators used in the public test must be sealed and prepare for use in the election
QUESTIONS?