State of California

SECRETARY OF STATE

CONDITIONAL APPROVAL OF DOMINION VOTING SYSTEMS, INC. DEMOCRACY SUITE VERSION 4.14-A.1 WITH ADJUDICATION VERSION 2.4

Whereas, pursuant to Elections Code section 19201, no voting system, in whole or in part, may be used unless it has received the approval of the Secretary of State; and

Whereas, Dominion Voting Systems, Inc. submitted an application for the Democracy Suite 4.14-A.1 with Adjudication 2.4 voting system, which is comprised of Election Management System Software version 4.14.2301; ImageCast Evolution Software version 4.14.10.A1; ImageCast Central Software version 4.14.4; and Adjudication 2.4.1.3201; and

Whereas, during a series of tests conducted by the Secretary of State's office, the voting system performed in a manner consistent with California law; and

Whereas, the voting system was able to successfully and accurately execute all test cases, scenarios, and scripts developed by the Secretary of State's office; and

Whereas, the software of the Adjudication 2.4 component improperly permits an adjudication judge to inadvertently and erroneously change vote selections while maneuvering the ballot image during the adjudication process; and

Whereas, Dominion Voting Systems, Inc. has recognized this deficiency and has developed an updated version of the software for the Adjudication component to prevent adjudication judges from inadvertently and erroneously changing vote selections; now

Therefore, **I, Debra Bowen, Secretary of State for the State of California, find and determine, pursuant to Division 19 of the Elections Code, as follows:**

For the reasons set forth above, Dominion Voting Systems, Inc. Democracy Suite 4.14-A.1 with Adjudication 2.4 voting system is hereby conditionally approved. However, the system may not be used in any election in California until such time that the Secretary of State's office examines, tests, and, if appropriate, subsequently issues an administrative approval for the updated versions of the software for the Adjudication component that will prevent adjudication judges from inadvertently and erroneously changing vote selections during the adjudication process.

Use of Dominion Voting Systems, Inc. Democracy Suite 4.14-A.1 with Adjudication is also subject to the following terms and conditions:

1. Jurisdictions are prohibited from installing any software applications or utilities on any component of the voting system that have not been identified by the vendor and approved by the Secretary of State.

2. No substitution or modification of the voting system shall be made with respect to any component of the voting system, including the Use Procedures, until the Secretary of State has been notified in writing and has determined that the proposed change or modification does not impair the accuracy or efficiency of the voting systems sufficient to require a re-examination and approval.

3. Immediately after any repair or modification of any voting system component that requires opening the housing, the integrity of the firmware and/or software must be verified using an automated mechanisms, or all software must be reinstalled by the jurisdiction from a read-only version of the approved firmware and/or software supplied directly by the federal testing laboratory or Secretary of State before the equipment can be put back into service.

4. Upon request, members of the public must be permitted to observe and inspect, without physical contact, the integrity of all externally visible security seals used to secure voting equipment in a time and manner that does not interfere with the conduct of the election or the privacy of any voter.

5. Where voting equipment is used to record and tabulate vote results in a polling place, upon close of the polls, the poll workers are required to print two copies of the accumulated vote results and one audit log from each device. Each poll worker must sign every copy. One copy of the vote results from each device must be publicly posted outside the polling place. The second copy, along with the audit log, must be included with the official election material that is returned to the jurisdiction headquarters on election night.

6. Poll workers are not permitted to participate in any post-election manual count auditing of precinct results from a precinct in which they were a poll worker.

7. Elections officials must develop appropriate security procedures for use when representatives of qualified political parties and bona fide associations of citizens and media associations, pursuant to their rights under Elections Code section 15004, check and review the preparation and operation of vote tabulating devices and attend any or all phases of the election. The security procedures must permit representatives to observe at a legible distance the contents of the display on the vote tabulating computer or device. This requirement may be satisfied by positioning an additional display monitor or monitors in a manner that allows the representatives to read the contents.

8. All voters voting on paper ballots in a polling place must be provided a privacy sleeve for their ballot and instructed on its use in accordance with Elections Code section 14272.

9. A warning must be posted in each voting booth stating that, pursuant to Elections Code sections 18564, 18565, 18566, 18567, 18568 and 18569, tampering with voting equipment or altering vote results constitutes a felony, punishable by imprisonment.

10. With respect to any piece of voting equipment for which the chain of custody has been compromised or the integrity of the tamper-evident seals has been compromised or experiences a fatal error from which it cannot recover gracefully (i.e., the error is not handled through the device's internal error handling procedures with or without user input), such that the device must be rebooted or the device reboots itself to restore operation, the following actions must be taken:

    - The chief elections official of the jurisdiction must be notified immediately;
    - The equipment must be removed from service immediately and replaced if possible;
    - Any votes cast on the device prior to its removal from service must be subject to a 100% manual tally, by the process described in Elections Code section 15360, as part of the official canvass. Notice to the public of this manual tally may be combined with the notice required by any other manual tally required in this order or by Elections Code section 15360;
    - Any memory card containing data from that device must be secured and retained for the full election retention period;
    - An image of all device software and firmware must be stored on write-once media and retained securely for the full election retention period; and
    - All device software and firmware must be reinstalled from a read-only version of the approved firmware and software supplied directly by the federal testing laboratory or the Secretary of State before the equipment is placed back into service.

11. The Secretary of State reserves the right, with reasonable notice to the vendor and to the jurisdictions using the voting system, to modify the Use Procedures used with the voting system and to impose additional requirements with respect to the use of the system if the Secretary of State determines that such modifications or additions are necessary to enhance the accuracy, reliability or security of any of the voting system. Such modifications or additions shall be deemed to be incorporated herein as if set forth in full.

12. The Secretary of State reserves the right to monitor activities before, during and after the election at any precinct or registrar of voters' office, and may, at his or her discretion, test voting equipment.

13. By order of the Secretary of State, voting systems approved for use in California shall comply with all applicable state and federal requirements, including, but not limited to, those voting system requirements as set forth in the California Elections Code and the Help America Vote Act of 2002. Further, voting systems shall also comply with all state and federal voting system guidelines, standards, regulations and requirements that derive authority from or are promulgated pursuant to and in furtherance of the California

Elections Code and the Help America Vote Act of 2002 or other applicable state or federal law when appropriate.

14. Voting system manufacturers or their agents shall assume full responsibility for any representation they make that a voting system complies with all applicable state and federal requirements, including, but not limited to, those voting system requirements as set forth in the California Elections Code and the Help America Vote Act of 2002. In the event such representation is determined to be false or misleading, voting system manufacturers or their agents shall be responsible for the cost of any upgrade, retrofit or replacement of any voting system or its component parts found to be necessary for certification or otherwise not in compliance.

15. The vendor must establish a California County User Group and hold at least one annual meeting where all California users and Secretary of State staff are invited to attend and review the system and ensure voter accessibility.

IN WITNESS WHEREOF, I hereunto set my hand and affix the Great Seal of the State of California, this 30th day of December, 2014.

Debra Bowen

DEBRA BOWEN
Secretary of State