

# The State of Texas



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Geoffrey S. Connor  
Secretary of State

## REPORT OF EXAMINATION OF ELECTION SYSTEMS AND SOFTWARE, INC.'S MODEL 100 OPTICAL SCAN VOTING SYSTEM

### PRELIMINARY STATEMENT

On January 8, 2004, Election Systems and Software, Inc. (the "Vendor") presented its Model 100 optical scan voting system for examination. The examination was conducted in Austin, Texas. Pursuant to Sections 122.035(a) and (b) of the Texas Election Code, the Secretary of State appointed the following examiners:

1. Mr. Nick Osborn, an expert in electronic data communication systems;
2. Mr. Tom Watson, an expert in electronic data communication systems;
3. Mr. Barney Knight, an expert in election law and procedure; and
4. Mr. Glenn Glover, an expert in electronic data communication systems.

Pursuant to Section 122.035(a), the Texas Attorney General appointed Dr. Jim Sneeringer, an expert in electronic data communication systems.

The Vendor first demonstrated the system, followed by review and testing by the examiners. Examiner reports on the system are attached hereto and incorporated herein by this reference.

### BRIEF DESCRIPTION OF THE MODEL 100 OPTICAL SCAN VOTING SYSTEM

The Model 100 is an optical scan ballot scanner designed for use at the precinct polling place. The version of the Model 100 presented for examination was 5.0.0.0.

### NATIONAL ASSOCIATION OF STATE ELECTION DIRECTORS (NASED) QUALIFICATION NUMBER

The Model 100 v. 5.0.0.0 is qualified by NASED under the designation N-1-02-12-11-001 (1990 Voting System Standards). The final report date is February 19, 2004.

### FINDINGS

The following are the findings, based on oral evidence presented at the examination to our examiners, written evidence submitted by the Vendor in support of its application for certification, and the findings of our voting system examiners as set out in their written reports.

The Model 100 voting system:

1. Preserves the secrecy of the ballot;
2. Is suitable for the purpose for which it is intended;
3. Operates safely, efficiently, and accurately;
4. Is safe from fraudulent or unauthorized manipulation;
5. Permits voting on all offices and measures to be voted on at the election;
6. Prevents counting votes on offices and measures on which the voter is not entitled to vote;
7. Prevents counting votes by the same voter for more than one candidate for the same office or, in elections in which a voter is entitled to vote for more than one candidate for the same office, prevents counting votes for more than the number of candidates for whom the voter is entitled to vote;
8. Prevents counting a vote on the same office or measure more than once;
9. Permits write-in voting;
10. Is capable of permitting straight-party voting; and
11. Is capable of providing records from which the operation of the system may be audited.

CONDITION

The examiners were concerned about the "bleed-through" on the ballot that is possible when ballots are marked with a felt tip pen, such as a Sharpie. The vendor must emphasize in its user manuals that black medium ball point pens must be distributed for use at the polling place, and counties adopting the Model 100 must ensure that black medium ball point pens are included with the precinct election supplies.

CONCLUSION

Accordingly, based upon the foregoing, I hereby certify Model 100 Optical Scan Voting System v. 5.0.0.0 for use in elections in Texas, subject to the above condition.

Signed under my hand and seal of office, this 24<sup>th</sup> day of August, 2004.



Luis Saenz  
Assistant Secretary of State