

# The State of Texas



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Carlos H. Cascos  
Secretary of State

## REPORT OF REVIEW OF HART INTERCIVIC'S VERITY 1.0 VOTING SYSTEM

### PRELIMINARY STATEMENT

On September 23 and 24, 2015, Hart InterCivic (the "Vendor") presented the Verity Voting 1.0 voting system for certification ("Verity 1.0").<sup>1</sup> 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. Stephen Berger, an expert in electronic data communication systems;
2. Mr. Tom Watson, an expert in electronic data communication systems;
3. Mr. Brandon Hurley, an expert in election law and procedure; and
4. Ms. Christina Worrell Adkins, an expert in election law and procedure.

Pursuant to Section 122.035(a), the Texas Attorney General appointed the following examiners:

1. Dr. Jim Sneeringer, an expert in electronic data communication systems
2. Ms. Amanda Crawford, an employee of the Texas Attorney General.

On September 23, 2015 Mr. Berger, Mr. Watson, Dr. Sneeringer, and Ms. Adkins witnessed the installation of the Verity 1.0 software and firmware that Office of the Texas Secretary of State (the "Office") received directly from the Independent Testing Authority. Ms. Adkins examined the accessibility components of the Verity Touch Writer with Access. Also, Mr. Andre Montgomery, a staff attorney with the Office of the Texas Secretary of State, reviewed the accessibility components of the Verity Touch Writer with Access.

On September 24, 2015, the Vendor demonstrated the system, answered questions presented by the examiners, and test ballots were then processed on each voting device. Each examiner attended. The results were accumulated and later verified for accuracy by the Secretary of State staff.

Other members of the Office of the Texas Secretary of State's Elections Division staff and another attorney from the Office of the Attorney General were present at various points during the two day examination. Examiner reports on the system are attached hereto and incorporated herein by reference.

On January 26, 2016, a public hearing was conducted in which interested persons were given an opportunity to express views for or against certification of the system.

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<sup>1</sup> Various examiners refer to Verity 1.0 by slightly different names; for example, as "Hart InterCivic (Hart) Verity Voting System 1.0", "Hart Verity", "Hart InterCivic Verity 1.0 System", and "Verity Voting 1.0". Each title the examiners use to refer to Verity 1.0 refers to the same system.

## BRIEF DESCRIPTION OF VERITY 1.0

Verity 1.0 is a combination of hardware and software components that supports voting by paper ballots which are read through a digital scanner. Elections are created and ballots are generated using Verity Build. They are subsequently scanned using Verity Scan, a proprietary digital scanner, or Verity Central, a software application that uses a commercial-off-the-shelf scanner at a central location. Votes are then tabulated using the Verity Count software. Additionally, the Verity Touch Writer with Access is a ballot marking device that is paired with a commercial-off-the-shelf printer. Verity Desktop, Verity User Management, and Verity Election Management are software components for workstation management, user management, and data management.

Verity 1.0 has been evaluated at an accredited independent voting system testing laboratory for conformance to the 2005 Voluntary Voting System Guidelines (“VVSG”). Verity 1.0 received Elections Assistance Commission (EAC) number HRT-Verity-1.0 on May 12, 2015. The components of Verity 1.0 include:

<b>Component</b>	<b>Version</b>	<b>Description</b>
Verity Build	1.0.3	Election definition software application
Verity Central	1.0.3	Central scanning software
Verity Count	1.0.3	Central count tabulation and reporting software application
Verity User Management	1.0.3	User Management Software application
Verity Election Management	1.0.3	Data Management Software application
Verity Desktop	1.0.3	Workstation management module
Verity Scan	1.0.3	Digital scanner (precinct scanner) (firmware)
Verity Touch Writer with Access	1.0.3	Ballot Marking device with audio/tactile interface

## FINDINGS

The following are the findings, based on written evidence submitted by the Vendor in support of its application for certification, oral evidence presented at the examination, a follow-up demonstration on December 22, 2015 by the Vendor indicating it had resolved an error identified during the examination, e-mail answers to follow up examiner inquiries sent by the Vendor to the Office of the Texas Secretary of State, and Texas voting system examiner reports.

Each component of Verity 1.0, among other things:

1. Preserves the secrecy of the ballot;
2. Is suitable for the purpose for which it is intended;
3. Operates safely, efficiently, and accurately, and complies with the voting system standards adopted by the Election Assistance Commission;

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 permits or prevents, as applicable, counting votes in accordance with Sections 65.007(c) and (d) of the Texas Election Code; and
11. Is capable of providing records from which the operation of the system may be audited.

### CONDITIONS

During the examination of this system, some examiners identified certain aspects of Verity 1.0 they thought might be improved, though each examiner recommended certification notwithstanding these aspects. In addition, each examiner raised a concern related to a vDrive error discovered during the examination, whereby, when certain ballots were scanned on Verity Central and the corresponding vDrive was then read into Verity Count, an error message would occur that indicated that the vDrive was invalid (“vDrive Error Issue”). According to the examiner reports, the Vendor resolved the vDrive Error Issue following the examination and submitted a *de minimis* change request to the Election Assistance Commission (“EAC”), which was subsequently approved by the EAC on December 4, 2015. In addition, on December 22, 2016, the Vendor demonstrated that the vDrive Error Issue had been resolved to certain members of the Secretary of State Elections Division staff, including Examiner Ms. Adkins and Director of Elections Mr. Keith Ingram. As respects other concerns identified in the examiners’ reports, which are not already addressed by existing election procedure and law, conditions of certification are as follows:

- The Vendor must perform an analysis of how its testing failed to discover the vDrive Error Issue, and what corrective actions will be taken to avoid similar mistakes in the future, and complete a report within 30 days of the signature date of this Report of Review of the Vendor's Verity 1.0 Voting System. Vendor shall also request that SLI Global Solutions perform a similar analysis. The Vendor, and SLI Global Solutions, if SLI Global Solutions responds to the Vendor’s request, shall forward reports from the analysis to the attention of Keith Ingram, Director of Elections, Texas Secretary of State, via e-mail to [elections@sos.texas.gov](mailto:elections@sos.texas.gov).
- The Vendor has communicated that it has no intention of utilizing Verity Scan 1.0.3 as (1) a precinct device used during early voting by personal appearance, or (2) a central accumulator, which pursuant to 1 T.A.C. §§ 81.52(h) and 81.62(a), are required to attach continuous feed audit log printers. Due to 1 T.A.C. §§ 81.52(h) and 81.62(a), end-users shall not use Verity Scan 1.0.3 as (1) a precinct device during early voting by personal appearance or (2) a central accumulator.

## CONCLUSION

Accordingly, based upon the foregoing, I hereby certify Verity 1.0 for use in elections in Texas, subject to the above conditions.

Signed under my hand and seal of office, this 25<sup>th</sup> day of February, 2016.

A handwritten signature in blue ink, reading "Coby Shorter, III", written over a horizontal line.

COBY SHORTER, III  
DEPUTY SECRETARY OF STATE