

# The State of Texas



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(800) 252-VOTE (8683)

Jane Nelson  
Secretary of State

September 23, 2024

Angela Smith  
City Secretary  
P.O. Box 700  
Deer Park, TX 77536

Ms. Smith,

We are in receipt of a copy of the proposed contract between the City of Deer Park and Hart InterCivic ("Hart") which you have submitted to the Secretary of State pursuant to Section 123.035 of the Texas Election Code.

The contract indicates the city plans to acquire the Hart Verity voting system which includes Verity Scan 2.7.1, Verity Controller 2.7.1, and Verity Touch Writer Duo 2.7.1. This letter will serve as confirmation from our office that this system is currently certified for use in Texas. Enclosed is a copy of the certification order that pertains to this system. We therefore officially approve the submitted contract for the purchase of these system.

Pursuant to state law, this written approval of your voting system contract is required prior to your final execution of the contract, or it will be considered void.

If you need additional information, please contact the Elections Division toll-free at 1-800-252-2216.

Sincerely,

A handwritten signature in cursive script that reads "Christina W. Adkins".

Christina Worrell Adkins  
Director of Elections

CA:LG

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## REPORT OF REVIEW OF HART INTERCIVIC VERITY VOTING 2.7 SYSTEM

### PRELIMINARY STATEMENT

On March 1-2, 2023, and July 6, 2023, Hart InterCivic Inc. (“Hart” or the “Vendor”) presented the Verity Voting 2.7 system for examination and certification. The examination was conducted in Austin, Texas at the Office of the Texas Secretary of State (the “Office”). Pursuant to Sections 122.035(a) and (b) of the Texas Election Code, the Secretary of State appointed the following examiners:

1. Mr. Tom Watson, an expert in electronic data communication systems;
2. Mr. Brian Mechler, an expert in electronic data communication systems;
3. Mr. Brandon Hurley, an expert in election law and procedure; and
4. Mr. Charles Pinney, an expert in election law and procedure.

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

1. Mr. Robert Thomson, an expert in electronic data communication systems; and
2. Mr. Austin Kinghorn, an employee of the Texas Attorney General.

On March 1, 2023, Mr. Mechler, Mr. Pinney, and Mr. Thomson witnessed the extraction of the trusted build and the installation of the Verity 2.7 software and firmware that the Office received directly from the Independent Testing Authority. The examiners, assisted by Office staff, compared the generated hashes from each device to the trusted hashes that the U.S. Election Assistance Commission (“EAC”) provided to the Office. The hash validation was successful. Mr. Pinney, assisted by Office staff, conducted the examination of the accessibility components of the Verity Touch Writer Duo, Verity Touch Writer Duo Standalone, and Verity Touch Writer with Access devices.

On March 2, 2023, the Vendor demonstrated the system and answered questions presented by the examiners. After the vendor presentation, the examiners conducted a test election and tested other components of the system. The results of the test election were accumulated and verified for accuracy by Office staff.

On July 6, 2023, the examiners examined the Verity Transmit and Verity Transmit Receiving Station components of the system. The examiners conducted a test election using those components to verify the accuracy and security of the transmission process. The results of the test election were accumulated and verified for accuracy by Office staff.

Examiner reports regarding the Verity Voting 2.7 system are attached hereto and incorporated herein by this reference.

On August 3, 2023, pursuant to Section 122.0371 of the Texas Election Code, the Office held a public hearing for interested persons to express views for or against the certification of the Verity Voting 2.7 system.

### **BRIEF DESCRIPTION OF VERITY VOTING 2.7**

The Verity Voting 2.7 system is an updated version of the Verity Voting 2.5 system, which the Office certified in April 2021 for use in Texas elections.

Verity Voting 2.7 includes software enhancements to the existing election management system and updates to other previously certified hardware components, including the Verity Touch Writer Duo, Verity Touch Writer Duo Standalone, and Verity Touch Writer with Access ballot marking devices, the Verity Scan precinct scanner, and the Verity Central central scanner. Verity Voting 2.7 also includes an additional software component (Verity Transmit) and an additional hardware component (Verity Transmit Receiving Station).

Verity Voting 2.7 has been evaluated at an accredited independent voting system laboratory for conformance to the 2005 Voluntary Voting System Guidelines (VVSG). Verity Voting 2.7 was certified by the EAC on June 7, 2022.

The components of Verity Voting 2.7 are as follows:

Component	Version	Description
Verity Data	2.7.1	Election management software
Verity Build	2.7.1	Election management software
Verity Count	2.7.1	Election management software
Verity Central	2.7.1	Central scanner
Verity User Management	2.7.1	Election management software
Verity Election Management	2.7.1	Election management software
Verity Desktop	2.7.1	Election management software
Verity Scan	2.7.1	Precinct scanner
Verity Touch Writer with Access	2.7.1	Ballot marking device
Verity Controller	2.7.1	Voting machine ballot activation device
Verity Touch Writer Duo	2.7.1	Ballot marking device

Verity Touch Writer Duo Standalone	2.7.1	Ballot marking device
Verity Transmit	2.7.1	Election management software
Verity Transmit Receiving Station	2.7.4 <sup>1</sup>	Election management software

### 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, and the written reports of the voting system examiners (all of whom recommended certifying the Verity Voting 2.7 system for use in Texas elections, subject to the condition outlined below).

The Verity Voting 2.7 system, including its hardware and software components, meets the standards for certification as prescribed by Section 122.001 of the Texas Election Code. Specifically, the Verity Voting 2.7 system and its components, among other things:

1. Preserve the secrecy of the ballot;
2. Are suitable for the purpose for which they are intended;
3. Operate safely, efficiently, and accurately and comply with the voting system standards adopted by the Election Assistance Commission;
4. Are safe from fraudulent or unauthorized manipulation;
5. Permit voting on all offices and measures to be voted on at the election;
6. Prevent counting votes on offices and measures on which the voter is not entitled to vote;
7. Prevent 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, prevent counting votes for more than the number of candidates for whom the voter is entitled to vote;
8. Prevent counting a vote on the same office or measure more than once;
9. Permit write-in voting; and
10. Are capable of providing records from which the operation of the voting system may be audited.

### CONDITIONS

The Secretary of State imposes the following condition on the certification of the Verity Voting 2.7 system:

1. The Verity Transmit module must be used in accordance with the procedures prescribed by the Secretary of State under Section 127.1231(b) of the Texas Election Code for the

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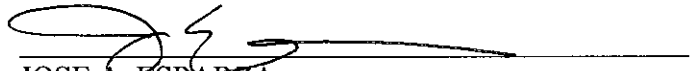
<sup>1</sup> In the course of the examination of the Verity Voting 2.7 system, the examiners also reviewed Engineering Change Order (“ECO”) 1605, which was a minor modification to the Verity Transmit module. That modification updated the version number of the Verity Transmit Receiving Station component from 2.7.1 to 2.7.4. The modification designated as ECO 1605 is hereby approved as part of this certification order.

module to be considered within the scope of the certification of the Verity Voting 2.7 system.

### CONCLUSION

Accordingly, based upon the foregoing, I hereby certify Hart InterCivic's Verity Voting 2.7 system for use in Texas elections, subject to the above condition.

Signed under my hand and seal of office, this 24<sup>th</sup> day of August, 2023.



JOSE A. ESPARZA  
DEPUTY SECRETARY OF STATE