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Voting Machine Details Requested in Lawsuit Challenging 2024 Election

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NEW CITY, NY / ACCESS Newswire / June 26, 2025 / SMART Legislation, the lead plaintiff in a [seminal case](#) questioning the accuracy of the 2024 Presidential and Senate election results in Rockland County, New York, submitted [fifteen pages of document requests](#) and a [series of questions](#) to the Rockland County Board of Elections, as part of the discovery process this week. [Read More](#)

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NEW CITY, NY / [ACCESS Newswire](#) / June 26, 2025 / SMART Legislation, the lead plaintiff in a [seminal case](#) questioning the accuracy of the 2024 Presidential and Senate election results in Rockland County, New York, submitted [fifteen pages of document requests](#) and a [series of questions](#) to the Rockland County Board of Elections, as part of the discovery process this week.

SMART Legislation is the action arm of the nonpartisan nonprofit SMART Elections. Both organizations are dedicated to ensuring fair and accurate elections.

Discovery Requests Include Software, Hardware, and Password Protocols

Due to [irregularities listed in the initial complaint](#), plaintiffs are seeking evidence about how the election was conducted. Documents requested include information about voting machines; voter rolls; software; software updates; hardware, including forensic grade copies of hard drives; diagrams of all equipment, including network and Wi-Fi components; and flash drives that carry election results.

The document requests also cover security protocols, such as rules for password creation and chain of custody procedures; lists of workers; financial interactions, such as vendor contracts; and communications with voting machine manufacturers, including Elections Systems & Software (ES&S) and the testing lab Pro V&V, among others.

Inquiries About Starlink

Plaintiffs additionally presented the Board with the first in a series of inquiries including questions about modem, Wi-Fi, or cellular connections to Rockland County's election systems; whether the county was using either [Starlink's Direct to Cell](#) service, or a program known as [Ballotproof](#);1 and if any irregularities in the 2024 election were reported or investigated.

Discovery is proceeding at the direction of Judge Rachel Tanguay of the New York Supreme Court, who [ruled](#) in the lawsuit's first hearing on May 22nd, that discovery would proceed saying, "...my rules say that discovery continues and advances." (p.5)

Source Code Requested

Software on most U.S. voting machines is proprietary and not available to the public. Instead what's called the "trusted build" (or approved software) is held in escrow. The New York State Board of Elections has been [criticized](#) 2 for serving "as its [own escrow facility](#),"3 instead of using a third-party software escrow firm. The discovery requests ask for the trusted build software as well as the software currently running on Rockland County's voting machines in order to make a comparison.

[More on the Rockland County lawsuit](#)

[All court documents](#)

Software Updates Not Sufficiently Tested

- In February 2025, SMART Elections published [research on its Substack](#) showing that there was a [software update](#) (ECO-1188) to some ES&S systems affecting the circumstances under which an error message is generated about the voting machine software.
- On June 10, 2025 SMART Elections published further research on its Substack, including [a chart](#) of all software and firmware updates to voting systems that took place in 2024. The new research showed that the ES&S software verification process was [updated](#) twice in 2024, and both updates were labeled as “De Minimis” meaning “no testing required.”

A technical advisor who was consulted disagreed with the testing lab’s classification of the verification software updates as minimal, saying, “That is a major change and should require closer inspection as to what the changes are. This affects the cryptography keys and identity assurance of the device.”

The Nuances of Bloc Voting in Rockland County

Another oddity in the county’s election results was not cited in the original petition, but was discovered after the lawsuit was filed. In [multiple districts](#) hundreds of voters chose the Democratic candidate Kirsten Gillibrand for Senate, but zero votes were recorded for the Democratic Presidential candidate Kamala Harris. Many scholars have pointed to “bloc” voting in Hasidic Communities as the reason for these Harris zero-vote districts. “Bloc” voting is where voters make candidate selections based on the recommendations of a leader. This is one possible explanation for the zero-vote districts, but it does not rule out other explanations.

[Local Rockland County reporting](#) 4 indicates that there are many times when Hasidic communities do not vote as one monolithic block, “How those votes could go ... is unpredictable, complicated by the fragmentation of votes among multiple Hasidic and Orthodox voting groups, particularly in Rockland, in spite of the popular misconception of a single voting bloc.” Referring to statements from Yossi Gestetner, co-founder of the Orthodox Jewish Public Affairs Council and a Rockland resident, the article says, there are “thousands of other Hasidic and Orthodox voters in Rockland with varying degrees of fidelity to the political endorsements of community leaders.”



A Full Hand Recount

The lawsuit seeks a full hand recount of the 2024 Presidential and U.S. Senate races in Rockland County. In her [initial ruling](#) on March 3, 2025, Judge Tanguay ordered that, “the branch [of the plaintiff’s petition] directing a recount of the Presidential and Senate ballots in Rockland County” remains on the table.

As stated in the complaint, [more voters swore](#) they cast their votes for Independent U.S. Senate candidate Diane Sare than the Rockland County Board of Elections counted and certified, [directly contradicting](#) those results. Additionally, a statistician determined that the 2024 presidential election results were statistically [highly unlikely](#) in four of the five towns in Rockland County when compared with the 2020 results.

“The best way to reassure the public about the accuracy of the election results in Rockland County, New York, is to conduct a full, transparent, hand recount of the 2024 Presidential and Senate elections,” stated Lulu Friesdat, Founder and Executive Director of SMART Legislation. “That is why we have requested it, and so far, the judge seems to agree. One of our main concerns at this point is whether the chain of custody of the ballots and the equipment has been robust enough for the public to have confidence in the paper ballots. That is the reason for many of our discovery requests.”

What’s Next?

The Board of Elections is required to respond to discovery requests and interrogatories. Plaintiffs will also seek to conduct depositions. The next court hearing is a compliance conference set for [September 22, 2025](#)

at 9:30am at the Rockland County Courthouse, New City, New York.

Discovery requests and questions are available [here](#) in a more user-friendly format.

About [SMART Elections](#) / [SMART Legislation](#)

SMART Elections is a nonpartisan organization dedicated to making U.S. elections secure, accurate, accessible, inclusive, well-administered, and publicly verifiable. SMART Legislation is the action arm of SMART Elections.

References (Footnotes)

1 Devrath Iyer, Ethan Shaoiran, Koushik Sridhar and Pratham Soni, “ballotproof: Voting made faster, smarter, and more secure,” GitHub repository, first published 2020 (last updated 2025), <https://github.com/DevrathIyer/ballotproof>.

2 PRAXIS Technology Escrow. “The Case for Neutral Third-Party Technology Escrow Agents in New York’s Voting System.” October 2024, <https://praxisescrow.com/new-york-voting-escrow/>.

3 New York State Board of Elections. “Testing and Review Process.” New York State Board of Elections, accessed June 25, 2025, <https://elections.ny.gov/testing-and-review-process>.

4 Chris McKenna, Times Herald-Record, “Hasidic voting blocs may play key role in two Hudson Valley congressional races,” Sept. 28, 2022, <https://www.recordonline.com/story/news/politics/2022/09/28/hasidic-voting-blocs-in-kiryas-joel-rockland-congress-races-ny/69496531007/>.

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