Tarrant County Elections ● 03/25/2022

- Sequentially Numbered Ballots
- Verity Encryption Key and Verity Systems Upgrade
- Time Zone

SEQUENTIALLY NUMBERED BALLOTS

Public Testing of the Election Systems is a controlled process, and can be misleading to the average citizen who chooses to attend to learn about our election process. One particularly inaccurate aspect of our testing is the use of sequentially numbered ballots during public testing. Use of these ballots for testing suggests that Election Codes 52.062 and 62.009 are being adhered to, which they are not. Additionally, preservation of these unused and unassigned records, as opposed to their post-election collection, tabulation and destruction, creates great concern that several sets of ballots exist with identical ballot numbers, which can easily facilitate ballot fraud.

This point is moot, as the Tarrant County Elections Administrator, Heider Garcia, has abandoned the use of lawfully prescribed, pre-numbered ballots in our local elections. However, when we return to following State Election Codes, this point will need to be addressed immediately. (See TX Election Codes 52.062, 62.009, 65.013, 66.026)

VERITY ENCRYPTION KEY

Use of an Encryption Key to de-encrypt (digitally unlock/ authorize modification of) the Verity software programs that are loaded onto the HART controllers, duos and scanners, at first glance, looks to be an excellent security feature. However, upon further investigation, it was established that upgrades to this software go through no systems check, or audit, before upgrades are loaded by-hand into the HART hardware. Last summer, on or near July or August of 2021, when the most recent upgrade took place from Verity 2.4 to Verity 2.5, the concept was described to Observers as comparable to a system update patched into your smartphone. (See National Association of State Election Directors' - NASED - warning of purchasing Voting Machines and Systems - compare all updates to qualified versions of software via ITA-tested, NASED qualified software.)

TIME ZONE ISSUES

HART Controllers are the "brains" responsible for programming all Duos and other HART brand hardware in a polling location's voting system with all relevant information for a given election. They are the machine that scans the barcode provided by the Poll Books, and which assigns access codes for the Duo ballot-marking devices to determine ballot-styles. This process includes setting the time zone and the time that all polls are to close, and they will not print tapes before 7pm, traditional closing time.

Rumors that our machines were on Mountain time zones during the primaries were quickly confirmed in public testing, and the correction took no time at all when observed by citizens during the Public Testing. Allowing an extra hour before any of the results tapes are even printed allows too much time. Election Judges are present with Poll Books, BMDs, blank ballots and scanner-tabulators, allowing a bad actor to potentially process inactive voter on the roster, while scanning additional ballots in their name until the HART Controllers read 7:00pm. Another issue could be the Election Judges not properly closing down the equipment in order to report back to Central Count in a timely fashion, and neglecting to print the tapes or secure other records needed, so as to leave on time. (See TX Election Code 129.051, and TX Advisory Code No. 2019-23, Section 4:2,2 - although accurate tim zones are not listed as a requirement, which may have been an oversight in the drafting of this code by one Keith Ingram of the TX SoS Elections Dept.)

CONCLUSION

- Unused ballots from previous election cycles are not destroyed, they are reused in machine testing.
- Election software updates undergo no system review before programming our next election cycle, and there is no comparison to originally contracted software.
- Controllers set with time zones allowing for additional time, either before opening of polls, or after the closing of polls, could easily facilitate undetectable fraud, and obfuscate our printed tape records.

SOLUTIONS

- Destroy unused ballots as part of the return to lawfully prepared paper records.
- Conduct Full Systems Audit of every upgrade/ update of any election day software.
- Demand our voting systems adhere to basic security standards by setting proper time zones.

Aubree, Taking Back Texas