Votem

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CalPERS Tabulation Incident Report

Date: October 22, 2018

To the Attention of: California Public Employees' Retirement System (CalPERS)

The 2018 CalPERS Public Agency Member Election was conducted by the Everyone Counts/IVS Joint Venture. Everyone Counts has since been acquired by Votem, Corp. The election team and tabulation platform remained the same.

Summary of Incident:

Tabulation of the 2018 CalPERS Public Agency Member Election began at 9 AM PT on October 4, 2018. Upon downloading the encrypted vote file for decryption, it was noted that the vote total did not include the 9,863 valid paper ballot votes. The Everyone Counts' team quickly determined that all valid votes (16,247) were securely stored in the electronic ballot box. However, when downloaded for decryption, the file only contained the 6,384 valid online and phone votes in the encrypted vote file. Upon analysis, it was determined that the paper votes were not available for decryption because they were entered into the voting system following the close of the election and were, therefore, deemed invalid for inclusion in the decryption and tabulation process.

In previous elections, paper ballots were removed from the envelopes and scanned daily as received. This process would strike the voter off, preventing the voter from voting via another channel, as well as store the paper vote in the system for tabulation. For the 2018 CalPERS Public Agency Member Election, the envelopes were scanned upon receipt to mark the voter as having returned their ballot, preventing them from voting via another channel. The paper ballots were not removed for adjudication and scanning until after the close of election period. Therefore, all paper ballot votes were intentionally uploaded after close of election.

Following the close of election, all paper ballots were scanned and uploaded into the same electronic ballot box as the online and telephone votes. This electronic ballot box has a number of validations that it performs, one of which is to ensure every vote is received during the time window when the election is open for voting. Further, the

ballot box was designed to err on the side of caution and always store vote content, even if it's suspected to be invalid, so that it can be analyzed later.

Since all paper ballots were uploaded after the election close, every vote from this channel was stored appropriately, but marked as invalid due to being “received after close”. This meant that they were automatically excluded (as designed) when the encrypted vote export was produced. This behavior was not observed during test voting or logic and accuracy testing as the election periods were open when those exercises were conducted.

Issue Resolution:

Because all ballots are stored securely in an encrypted state, regardless of whether they are deemed valid or invalid by virtue of when they are cast, Everyone Counts was able to initialize an encrypted vote export process and specifically trigger an option to include all votes, even those that failed acceptable time window validation. The resultant export was carefully inspected to ensure that there were no legitimately invalid votes. There were exactly 9,863 votes in the file marked invalid due to "received after close", and these were precisely the 9,863 votes marked as being from the "paper" channel. These votes were then included in the file for decryption and tabulation.

Once the above was confirmed, decryption and tabulation of the encrypted votes file could proceed normally and the expected counts were produced in the final tabulation report. Total time for resolution was two hours. The issue was first identified by the team at 9:20am PT, and fully resolved at 11:20am PT.