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## **MEMORANDUM**

To: Colorado County Clerks and Election Administrators  
From: Judd Choate, Colorado Elections Director  
Date: Tuesday, July 20, 2021  
Re: Background on Certification of Democracy Suite 5.13 Voting System Upgrade

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This memorandum addresses recent false assertions concerning the Secretary of State office's "trusted build" of the Democracy Suite 5.13 voting system upgrade. The trusted build process installs a certified system upgrade. All eligible counties have completed, or are scheduled to complete, the Democracy Suite 5.13 voting system upgrade. We hope the information here will assist you in ongoing efforts to combat the misinformation circulating about our joint county-state process for the ordinary and routine upgrade of Colorado's voting system.

As you are aware, when a voting system is scheduled for upgrade, that upgrade is tested by a federally certified voting system testing lab ("VSTL") using both federal standards adopted by the Help America Vote Act ("HAVA") and state standards laid out in Title 1 of Colorado Revised Statutes. Any VSTL completing the certification of a voting system must itself also be accredited by the EAC prior to doing such work.

Colorado's current trusted build is installing the Democracy Suite 5.13 upgrade for those counties that use Dominion Voting Systems. The Democracy Suite 5.13 upgrade was successfully tested by Pro V&V, based in Huntsville, Alabama, a VSTL that was first accredited by the EAC on February 24, 2015. Pro V&V's testing of the Democracy Suite 5.13 upgrade followed earlier testing of the prior Democracy Suite 5.11 upgrade in 2019. Indeed, since 2015, the U.S. Election Assistance Commission has federally certified, and the Secretary of State's office has certified for use in Colorado, a combined total of 12 different versions of the Democracy Suite system, based on testing performed by Pro V&V. Throughout that time, Pro V&V has held a continuous, valid EAC VSTL accreditation.

As the EAC states explicitly on its website, Pro V&V's accreditation has been in effect since 2015, and at no time has that accreditation ever been revoked: "The EAC has never voted to revoke the accreditation of Pro V&V. Pro V&V has undergone continuing accreditation assessments and had [a] new accreditation certificate issued on February 1, 2021." (<https://www.eac.gov/voting-equipment/voting-system-test-laboratories-vstl/pro-vv.>)

The EAC also has confirmed that Pro V&V's accreditation did not expire at any time between February 24, 2015 and today, July 20, 2021. This includes, a period from 2017-2019, in which the EAC lacked a quorum of Commissioners. In that interim, because the EAC lacked a quorum, it was unable to act on a

renewal of Pro V&V's accreditation, and as a result, the prior 2015 accreditation remained in force and in good standing. (Voting System Test Laboratory Program Manual, Version 2.0, § 3.8 - [https://www.eac.gov/sites/default/files/eac\\_assets/1/28/VSTLManual%207%208%2015%20FINAL.pdf](https://www.eac.gov/sites/default/files/eac_assets/1/28/VSTLManual%207%208%2015%20FINAL.pdf).)

Thus, the current trusted build of the Democracy Suite 5.13 upgrade follows both federal and state regulations, in that the VSTL was (and is) accredited to test voting systems to federal and state standards and the Democracy Suite 5.13, and its predecessor Democracy Suite 5.11, were certified to those standards.

I hope this clarifies that Pro V&V was (and is) an accredited VSTL and was (and is) operating on an active (not expired) accreditation during the entirety of the past six years.

If you have any questions about our office's trusted build process or the certification of the Democracy Suite 5.13 upgrade, please do not hesitate to contact me or other subject matter experts in the Elections Division at the Colorado Secretary of State's office.

Thank you for all you do to promote fair and secure elections in Colorado.

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