

# The State of Texas



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Roger Williams  
Secretary of State

## REPORT OF EXAMINATION OF UNILECT PATRIOT VOTING SYSTEM

### PRELIMINARY STATEMENT

On August 18, 2005, the UniLect Corporation (the "Vendor") presented its Patriot Voting System for re-examination by order of the Secretary of State pursuant to Section 122.091(a) of the Texas Election Code (the "Code"). The examination was conducted in Austin, Texas. Pursuant to Sections 122.035(a) and (b) of the Texas Election Code, the Secretary of State appointed the following examiners:

1. Mr. Nick Osborn, an expert in software systems;
2. Mr. Tom Watson, an expert in electronic data communication systems;
3. Mr. Barney Knight, an expert in election law and procedure; and
4. Mr. Glenn Glover, an expert in electronic data communication systems; and

Pursuant to Section 122.035(a), the Texas Attorney General appointed Dr. Jim Sneeringer, an expert in electronic data communication systems.

The Vendor first demonstrated the system; the examiners thoroughly examined the system. Examiner reports on the system are attached hereto and incorporated herein by this reference.

### BRIEF DESCRIPTION OF THE PATRIOT VOTING SYSTEM

The Patriot Voting System is a DRE (Direct Recording Electronic) system for elections consisting of: the ballot setup and central counting station software IntELlect Voting System (IEVS), the InfoPackerER, which is a device to load the election data from IEVS into the InfoPacks, Precinct Control Units (PCU), which load the ballot onto the voting machines and retrieve the votes cast on the Voter Units, InfoPack memory cards which are used to load the election into the PCU and record votes, Voter Units (VU) the device on which voters cast their ballots, Color Voting Units (CVU), the Patriot Curbside Model, the Freedom Unit keyboard for disabled voters and the Absentee Card Reader Model 20 and Model 1000.

The system as presented consisted of:

PCU v. 2.56  
Patriot Color Voting Unit v. 2.54  
Patriot Curbside Model v. 2.54  
Patriot Freedom Unit v. 1.0  
IntELlect Voting Software v. 2.61  
Absentee Card Reader Model 1000  
Absentee Card Reader Model 20  
InfoPackerER v. 1.0  
InfoPack v. 1.0

### FINDINGS

The following are my independent findings, based on oral evidence presented at the examination, written evidence submitted by the Vendor in support of its application for certification, and the findings of our voting system examiners as set out in their written reports.

The Vendor has made significant changes to correct many deficiencies that were discovered in the May 2005 exam. However, there are still outstanding concerns as listed in the conclusion below.

## CONCLUSION

Certification of the Patriot voting system, as examined on August 18, 2005, is denied. This recommendation is based in part, but not limited to, the following reasons:

1. The inadequacy of the central counting station's real-time audit log, which includes the failure to log all significant events in a clear and concise manner. Three of the examiners noted problems with the real-time audit log. One being that the system continued to operate with the printer in pause mode. This could result in lost data if a print buffer overrun occurs.
2. Potential battery failure on the PCU and InfoPacks. While the vendor noted that this sort of failure was rare, the system does not give users a warning of impending failure, which could result in a loss of election data.

In light of the above concerns, I hereby deny certification of the Patriot Voting System examined on August 18, 2005.

Certified under my hand and seal of office, this 19 day of April, 2006.

  
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BUDDY GARCIA  
ASSISTANT SECRETARY OF STATE