

## Oregon Return to Precinct to Vote Resolution

Whereas software through KNOWiNK and BPro is used by states and KNOWiNK, LLC purchased BPro in 2021. The Election Management System software have not been certified by US certifying Election Assistance Commission, nor by the State itself, the only two options possible under the Help America Vote Act ([52 U.S. Code § 20971\(a\) - Certification and testing of voting systems](#)). BPro has been providing the software to the Secretary of State for [Election Night Reporting](#) since 2019 and the Secretary of State has now contracted with KNOWiNK in a Master Services Agreement (MSA) Purchase Order PO-16500-00002791 to “[provide modernization of Agency’s and Counties’ Oregon Central Voter Registration \(OCVR\) system and related Election Management Systems](#)”, and has executed the first of multiple service agreements allowed under the MSA with KNOWiNK [Purchase Order PO-16500-00002953 “Oregon Votes Transaction Doc 1”](#) for \$9,845,000 of which \$4,715,714.28 has been spent.

Whereas Steve Trout, former Oregon Elections Director admitted to SOS candidates in 2020, the vulnerability of the current OCVR system due to its dependency of outdated internal Windows Server 2008 that no longer received extended security patch support as of 2020. See his attached letter.

Whereas the project to deploy the replacement for OCVR, dubbed ORVIS or Oregon Votes, has published project status updates to the Election Steering Committee for [July](#) and [August](#) and has given all 3 project warning measures a RED warning for scope (quality) budget and timeline. The project was to have already been delivered “around 9/1/2023”. The project status reports indicate it was allocated \$7,373,000 million, about \$2.5 million less than the contract total. A contingency of just less than \$1 Million, puts the project number at \$8.5 million, about \$1 million shy of the contract amount. The Project Executive Steering Committee status report expenditures did not increase between status reports. The expenditure amounts do not match the “Dollars Spent to Date” published in OregonBuys.com which tracks the payments. The project may recover but its delays put Oregon at risk in two ways: 1) there will not be a “soft launch” live election to identify the systems failures in a real production environment before the 2024 primary election; 2) the insecure and vulnerable OCVR would then be put back into production for the 2024 elections.

Whereas the KNOWiNK [Purchase Order PO-16500-00002953 “Oregon Votes Transaction Doc 1](#)”, which is a Statement of Work, stipulates in the Functional Specification under the “Capability – Tabulation and ENR [Election Night Reporting] that votes and “calculations” can be overridden as follows: “45.11 The System shall have the capability to alert Staff that a ballot has already been counted and **the ability to override**, along with being able to check activity.” “46.16 The System shall allow the County Elections Staff **to override the results**, if necessary.” “46.17 The System shall require a reason or comment if the **System calculations are overridden**.” The specifications to not require a manager approval as a second verifier. There is no specified report of all votes or calculations that were overridden. This replacement system for the Oregon Central Voting Registration includes more overrides. “44.26 The System shall allow for the Staff to override a rejection from the ballot sorter or handscanner if the signature stamp is deemed valid.”; “44.27 The System shall allow for the Staff to override a rejection from the ballot sorter or handscanner if the signature stamp is deemed as a household exception.” If the ballots are collected and sorted at the county level, why would the new SOS election management system need to override any vote?

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Whereas [HB2681](#) passed in 2021 which allows registrations to stay on the voter rolls indefinitely, though they don't vote, has stopped Oregon from cleaning the voter rolls contrary to what is required by the National Voter Registration Act, the NVRA.

Whereas [HB3291](#) also passed in 2021 allows ballots to come in by US mail and be counted for an additional 7 days after the election.

Whereas our state elections are at risk as reported in the national news by David and Erin Clements that it is now known US [election machines are connected via national FIRST Net internet](#) as part of the government "Critical Infrastructure". A year-long research project led by an election integrity investigator from Utah, Sophie Anderson, and communications engineer, Dr. Charles Bernardin, has uncovered the mechanism that is being used to connect our election equipment at polling places across the nation.

Whereas the Oregon electronic election system is vulnerable to cyber attack admitted by our own Attorney General Ellen Rosenbaum under oath in her [court documents \(top of page 3\)](#) in 2022 in the WA county v Sipple trial.

Whereas Oregon DMV data, which is used to register most voters, was recently hacked by a group calling itself CIOP and our personal data including ID used to register voters was compromised. This included data records for Oregon Driver's License, permits, and ID cards. Despite having highly trained and capable information technology and security staff, as well as a [vastly upgraded state-wide Cyber Security office](#), Neither highly trained DMV staff nor the Cyber Security Office could detect the open vulnerability in the critical 3<sup>rd</sup> party vendor software: MOVEit. The result was the loss of 3.5 million Oregon drivers personal identity information. This was [confirmed under the Oregon Consumer Information Protection Act](#) which requires the public be notified. This statement from the DMV on their website "If you have an active Oregon driver's license, permit, or ID card, you should assume your personal information was exposed", means that signatures on these licenses and ID cards may also have been compromised since they made available for county use in the signature verification process.

Whereas Oregon voters from all parties have stated they want election reforms. Nationally, there is no confidence in any computerized election system because they cannot be protected.

Therefore we must return to hand counted ballots and require that voters return to precinct level voting with ID and proof of citizenship and residency to get their ballot and vote in one day elections.

Submitted by Janice Dysinger Chair ORP Election Integrity  
Sept 20, 2023 (Updated)