

From: [REDACTED]
To: [REDACTED]
Subject: FW: Update on Cast Vote Record (CVR) Production
Date: Friday, November 1, 2024 3:13:33 PM

[REDACTED]

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Sent: Friday, November 1, 2024 1:40 PM
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Subject: Update on Cast Vote Record (CVR) Production

Board Members,

I am writing to update you on ROV's progress regarding the production of the Cast Vote Record (CVR) following each unofficial posting of election results for the November 5 General Election per your Boards direction given at the October 8, 2024, Board meeting. I am pleased to report that, after much effort and in an extremely short timeframe, our team, working with Dominion Voting Systems and the Information Technology Department, has developed the necessary technology to generate the CVR.

On October 18, 2024, the Secretary of State issued a CC/ROV memorandum directing election officials that choose to produce the CVR do so solely as a secure and locked PDF file. In discussions with the Deputy Secretary of State, I sought to clarify whether there was flexibility to distribute these files in a different format, such as JSON. JSON is commonly used by data analysts and others who work with large datasets. The Secretary of State's office, however, emphasized that producing the CVR is not legally required. If a Registrar intends to produce the CVR, it must be in a secure and locked PDF format. **The Secretary of State views this as a directive that must be followed according to state law.** I noted that this format does not allow for easy data analysis. The Secretary of State's Office explained that they were aware of the limitations when they issued this directive. The CC/ROV memorandum serves as the Secretary of State's interpretation of the law, and compliance is a directive and not an advisory. Furthermore, noncompliance could result in felony charges or civil penalties.

As you may be aware, **San Francisco has historically produced its CVR in JSON format,** contrary to the Secretary of State's directive. The Secretary of State's office has informed

me that they are in discussions with San Francisco to bring them into compliance with the CC/ROV memorandum. I don't know the current status of those discussions.

As the Registrar of Voters, I am legally obligated to follow the Secretary of State's direction. Therefore, I want to inform the Board that I will be following the law and adhering to the CC/ROV's instructions as issued.

ROV is on track to release the first secured, locked PDF of the CVR on Wednesday, November 6, which will be available upon request. Let me know if you need more information or further discussion.

Thank you for your understanding.

Respectfully,

Tim Dupuis

Registrar of Voters