



5-21-18

ARKANSAS SECRETARY OF STATE

MARK MARTIN

May 16, 2018

The Honorable Mike Loftin
Union County Judge
101 North Washington
El Dorado, Arkansas 72730

Dear Judge Loftin:

In August of 2017, members of our Elections Division and I attended a meeting of the Union County Quorum Court to present the current approved Integrated Election Equipment System and review cost options for the system. We all enjoyed the visit and appreciated the hospitality shown us.

Recently, the office of the Secretary of State determined sufficient savings were made in our current fiscal year budget to allow the purchase of additional election equipment. We continue to operate under the existing 50/50 plan whereby this office pays approximately 50% and the county is responsible for a similar amount. However, we have gained much knowledge regarding the operation of the system as it has been implemented and elections have been conducted using it. The results of this gained knowledge is the ability to effectively reduce the amount of equipment needed by almost every county in Arkansas. Additionally, we are proposing to counties that any equipment reductions made by the county will be credited 100% to the county instead of being split on a 50/50 basis. As a result of this, we now have at least 10 counties who have made reductions to the extent their portion of the cost has been virtually eliminated.

One of these counties is Ouachita County. As you are aware, Ouachita, Columbia and Union counties were "grandfathered-in" when election equipment was purchased for the other 72 counties of the state about 14 years ago. Columbia County became one of the original four pilot counties receiving the new equipment at no cost. Now, Ouachita County has agreed to reductions in the number of voting locations to the extent they are receiving their equipment at no cost. This leaves Union County as the only county in Arkansas with equipment providing no paper-trail of any type for the conduct of elections.



We decided it was incumbent upon this office to work with Union County to provide new equipment possessing this election security feature. At the same time, we realized that for Columbia and Ouachita Counties to have received their equipment at no cost while asking Union County to pay on a 50/50 basis was not fair to Union County.

While our preference would have been to see a reduction in the amount of equipment required by Union County, we also remembered there was significant opposition to any possibility of this by members of the Quorum Court. Therefore we began to make internal arrangements to structure our funding in such a manner as to handle the full cost of the equipment to Union County.

After reviewing the number of voting locations and registered voters in Union County, our analysis indicated that the total cost would be approximately \$441,414.39. I contacted Justice of the Peace Dean Storey, my original contact with Union County, to see about reviving discussions but did not mention specific reductions with him. He issued an invitation for me to attend the May Quorum Court meeting to present my revised information.

I have to say I was quite surprised to read in the May 13th edition of the El Dorado News-Times a story regarding an offer from this office. Specifically, the following paragraph was of particular concern to me:

"The Secretary of State has asked if we would be willing to be put on a list to receive potential funding to purchase new equipment. ... The equipment that has been offered by the Secretary of State has models that have been reported to have vote flipping issues, the lack of a verified voting paper trail, internet access requirements and have exposed the personal information of registered voters," said former election commissioner Greg Harrison. "The model that Union County uses ... has worked effectively for our voters for 18 years."

The factual inaccuracies in this paragraph are quite disappointing. To address them specifically:

- The equipment offered by the Secretary of State DOES NOT have any history of vote flipping issues. The statement in the paragraph above is a blatant falsehood.
- The equipment offered by the Secretary of State DOES have a verified paper trail, a fact that was demonstrated during our visit to your Quorum Court meeting last year. Not only is there a verified paper trail but the actual ballot cast by the individual is the paper trail. The statement in the paragraph above is a blatant falsehood.



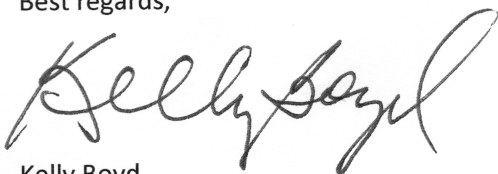
- The election equipment DOES NOT have to be connected to the internet to function. The voting equipment is not capable of being connected to the internet. The electronic poll books may be connected to ensure on an immediate basis a voter has not already voted if a county utilizes vote centers, but this is not a requirement. The only required internet connection is for the Clerk to connect with the Secretary of State to report voting results. This requirement is the same as with the system currently in use by Union County. The statement in the paragraph above is a blatant falsehood.
- The election equipment offered by the Secretary of State has not and cannot expose the personal information of registered voters. Voter registration data is openly available upon request – by law – from the office of the Secretary of State. The availability of this information is no different for any county in the state and their equipment than for Union County and your equipment.

The last thing any of us needs is for this to become a political issue. I have no idea why Justice of the Peace Greg Harrison made these comments, nor frankly do I care. What I do care about is not creating an issue when all we are trying to do is assist Union County.

Therefore, we are immediately rescinding the offer of equipment to Union County and will pursue agreement with other counties in the state. You have my sincerest apologies for any problems our offer may have created for you. This certainly was not our intention.

We hope you have an outstanding election next week and then again in November.

Best regards,



Kelly Boyd
Chief Deputy Secretary of State

cc: The Honorable Shannon Phillips, Union County Clerk
The Honorable Kermit Parks, Union County Election Commissioner
The Honorable Rhonda Anderson, Union County Election Commissioner
The Honorable Paula Rainey, Union County Election Commissioner
The Honorable Trent Garner, Arkansas State Senator
The Honorable Sonia Barker, Arkansas State Representative
The Honorable Matthew Shepherd, Arkansas State Representative

