

April 23, 2020

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Chris Ortiz, Business Devel. Director
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RE: Request for Video Demonstration of the Electronic Voting Machine Sanitization Process

Dear Mr. Hoyt, Mr. Poulos, Mr. Burt, Ms. Mathis, Ms. Miller, and Mr. Ortiz,

As the novel coronavirus pandemic continues to spread, it is becoming increasingly clear that electronic voting machines could become a major disease vector if not properly sanitized between voters. The Centers for Disease Control and Prevention specifically urges that poll workers must “[c]lean and disinfect voting-associated equipment (e.g., voting machines, laptops, tablets, keyboards) routinely.”¹

We are aware that you have prepared instructions for how to clean and disinfect your equipment properly.² However, we are concerned that effective

¹ CDC, “Recommendations for Election Polling Locations,” <https://www.cdc.gov/coronavirus/2019-ncov/community/election-polling-locations.html> (revised Mar. 27, 2020).

² See Clear Ballot, “Clear Ballot Voting Hygiene Recommendations,” <https://bit.ly/2XlXglX>; Dominion Voting, “Customer Notification: COVID-19 (“Coronavirus”) Information,” <https://bit.ly/2VhvVPj> (see also enclosed guides for specific Dominion machines, which include

sanitization of each voting machine may create delays, resulting in voters being forced to wait in line to vote, increasing the possibility of person-to-person transmission of the virus. Lines—and health risks—will worsen if the cleaning process causes a machine to malfunction, even temporarily. Finally, if a poll worker does not adequately disinfect a machine, it could result in live virus transmission to the next voter.

To ensure that poll workers, election officials, and policy-makers fully understand how to sanitize and clean your machines, and how to properly use your machines, we urge you to immediately provide a timed video demonstration. Specifically:

1. Video-record a real-time demonstration of how to properly clean and sanitize each of your electronic voting machines and any associated components (e.g., keycard) that an individual voter would handle as part of the voting process.
2. Make the original, unedited video records of these demonstrations available online and to the general public.
3. Hire a neutral third party to assess your recommended cleaning and sanitization processes and to issue publicly available and unredacted reports on (a) the costs associated with purchasing cleaning equipment that is recommended both by you as the manufacturer, and the Centers for Disease Control and Prevention (CDC) for killing the novel coronavirus; (b) the time that it takes to sanitize and clean the machine; and (c) how effective your recommended cleaning processes are at killing the novel coronavirus and/or other pathogens that may be present on the surfaces of your electronic voting machines.
4. Provide information on whether instruments may be used to make selections on the touch screens of your electronic voting machines including: (a) which, if any of your electronic voting machines are designed, validated, or certified for use with anything other than the uncovered human hand; (b) which specific instruments (e.g., particular types of gloves or styli) may be

similar warnings and instructions); Election Systems & Software, “Best Practices for COVID-19,” <https://bit.ly/2JRLYO5>; Hart InterCivic, “Hart Equipment Cleaning Recommendations,” <https://bit.ly/2RmAqH0>; MicroVote, “Cleaning and Disinfecting Infinity Voting Equipment,” <https://bit.ly/3e78FMx>; Unisyn, “Preventing the Spread of COVID-19 in Election Polling Locations,” <https://bit.ly/2yQgQMX>.

used in accordance with your instruction and the machine’s certification; and (c) whether these instruments have recently been tested as being effective on all models of your electronic voting machines, including all older models still in use.

We make these requests because we are deeply concerned about the health risk that electronic voting machines pose to voters. All voters are vulnerable to COVID-19, the disease caused by the SARS-CoV-2 coronavirus, the novel coronavirus that is causing the ongoing pandemic. To respond to the novel coronavirus pandemic, every state has declared a state of emergency. The pandemic is likely to be ongoing for many months. Dr. Anthony Fauci, the director of the National Institute of Allergy and Infectious Diseases, predicted that millions of Americans would be infected before the pandemic is over, and that 60,000 will die by August 2020.³

The novel coronavirus lives on plastic surfaces for 3 days and may survive on glass longer,⁴ which means that the machines may become disease vectors as dozens or hundreds of poll workers and voters pass their hands over the same machine throughout Election Day (or throughout early voting days). Therefore, to protect the health of poll workers and voters, all shared surfaces, including electronic voting machines, must be sanitized after each use.⁵

Voters should not have to choose between protecting their health and exercising their right to vote. As you are manufacturers of voting machines that may be used in elections held during the pandemic, we strongly urge you to protect both the health *and* vote of voters, and to take all precautions to ensure that voting does not endanger the lives of voters who are required to use your machines.

³ Bill Chappell, “Fauci Says U.S. Coronavirus Deaths May Be ‘More Like 60,000’; Antibody Tests On Way,” NPR (Apr. 9, 2020), <https://n.pr/3efaCGB>.

⁴ An early study has found that the novel coronavirus can persist on plastic for 3 days. Neeltje van Doremalen et al., “Aerosol and Surface Stability of SARS-CoV-2 as Compared With SARS-CoV-1,” Letter to the Editor, *New England Journal of Medicine* (Mar. 17, 2020), <https://bit.ly/2Uibd28>. Studies of other coronaviruses have found that they typically survive on plastic and glass for 2- days. G. Kampf et al., “Persistence of Coronaviruses on Inanimate Surfaces and Their Inactivation With Biocidal Agents,” 104 *J. of Hospital Infection* 246 (Mar. 2020), <https://doi.org/10.1016/j.jhin.2020.01.022>.

⁵ See Dr. Joia Mukherjee *et al.*, “Safe Voting During the COVID-19 Pandemic,” Free Speech For People Report (Apr. 2020), <http://bit.ly/SafeVotingReport>.

Your cleaning guidelines, and the guidelines produced by other manufacturers, are a useful starting point, but these guidelines must be made subject to robust review to ensure effectiveness in light of the pandemic and the particular risks and challenges of killing the novel coronavirus. And you must be transparent about the costs and time that it will take to properly sanitize the machines, and the risk that such processes may pose to voters and poll workers.

We therefore strongly urge you to take the steps that we have recommended and to make the results and video demonstrations publicly available. These reviews and demonstrations should be carried out as quickly as possible, and certainly before any further elections are held using your electronic voting machines.

We would welcome the opportunity to speak with you further about these matters. Thank you.

Sincerely,

Courtney Hostetler, Counsel
Ron Fein, Legal Director
John Bonifaz, President
Ben Clements, Chair, Board of Directors

Susan Greenhalgh
Senior Advisor on Election Security