

**STATE OF NEW HAMPSHIRE**  
**BALLOT LAW COMMISSION**

**Decision BLC 2024-1**

**BACKGROUND**

The Ballot Law Commission convened on Tuesday, April 9, 2024 to consider the re-approval of the Dominion ImageCast Precinct 2 electronic ballot counting device. N.H. RSA 656:41 requires that "... [a]ny device that is altered must be re-approved by the ballot law commission before it is used in any election in this state in accordance with procedures set by the ballot law commission. For the purposes of this section, a device shall be considered altered if any mechanical or electronic part, hardware, software, or programming has been altered."

The Dominion ImageCast Precinct 2 electronic ballot counting device was piloted in Londonderry and Milford in March 2023 and subsequently conditionally approved for use in New Hampshire elections by BLC order 2023-3. The version of the device conditionally approved used the Democracy Suite 5.5-C voting system software.

LHS Associates, Inc., as the device's vendor, seeks re-approval of the Dominion ImageCast Precinct 2 electronic ballot counting device, as the device will now use Democracy Suite 5.20 voting system software. Democracy Suite 5.20 voting system is a modification to the EAC certified Democracy Suite 5.17 voting system. Democracy Suite 5.17 voting system modified Democracy Suite 5.5-D voting system, which modified the Democracy Suite 5.5-C voting system. Democracy Suite system change notes documenting modifications between 5.5-C, 5.5-D, 5.17, and 5.20 are attached as Exhibit 1.

**DECISION**

The Ballot Law Commission heard testimony by LHS Associates, Inc. president, Jeff Silvestro, Dominion Vice President of Certification and Compliance, Robert Giles, and Dominion Vice President of Engineering, Nick Ikonomakis, regarding the modifications to the software used in the Dominion ImageCast Precinct 2 electronic ballot counting device. They went through "System Change Notes" dated January 30, 2023, and October 24, 2023, in detail, describing each relevant change and the reason for and effect of each change, most of which were made to add additional security or ease of operation. The Secretary of State's staff confirmed that no change took the revised device out of the standards set by New Hampshire, assuming testing confirms that the device satisfies the New Hampshire standards. Based on the documents and

testimony provided, the Ballot Law Commission, after confirming all modifications comply with New Hampshire law and voting system requirements, voted to re-approve the Dominion ImageCast Precinct 2 electronic ballot counting device using the Democracy Suite 5.20 voting system software.

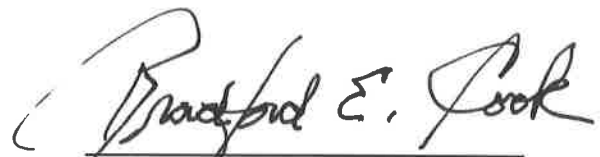
The Ballot Law Commission therefore decertifies the use of the Democracy Suite 5.5-C voting system in the Dominion ImageCast Precinct 2 electronic ballot counting device. It hereby conditionally certifies the ImageCast Precinct 2 electronic ballot counting device using the Democracy Suite 5.20. Only ImageCast Precinct 2 electronic ballot counting devices using the Democracy Suite 5.20 voting system are conditionally certified pursuant to BLC Order 2023-3, which is incorporated herein and attached hereto, unless otherwise decided by the Ballot Law Commission.

As of April 9, 2024, the following versions of devices have been conditionally approved by the Ballot Law Commission, pursuant to BLC Order 2023-3, conditioned on successful testing by Pro V&V according to the test plan approved by the Ballot Law Commission and Secretary of State, and verification by the Secretary of State of those test results:

<b>Device</b>	<b>Device Version</b>	<b>Date of Approval and/or Modification</b>
VotingWorks	VxSuite 3.1	September 15, 2023
Dominion ImageCast Precinct 2	Democracy Suite 5.20 voting system	April 9, 2024

So ordered.

*April 9, 2024*



**Bradford E. Cook, Chairman**  
**David B. Campbell**  
**Robert LeTourneau**  
**Michael Eaton**  
**James Normand**