

Getting the facts straight about modems and South Dakota

1. Do ES&S DS200 tabulators in South Dakota have modems?

No. Modems are not present in any ES&S DS200 machines in South Dakota.

Modem components are not resident on the DS200 by default, but rather a separate board that is only installed in DS200s in those jurisdictions where a state may permit their legal use. Additionally, DS200s without a modem component do not include the application or the network architecture required to support modeming and allow a modem to operate on the machine. Neither the modem application, required modem components, or network architecture technology are used, installed or certified in South Dakota, and therefore not present in the machines.

2. How do we know modems aren't in DS200s in South Dakota?

South Dakota counties are prohibited from purchasing equipment that is not certified in the state and ES&S has not certified modeming capabilities for DS200s in the state. Additionally, ES&S has compliance oversight procedures which prevent uncertified equipment from being shipped to states.

It's important to note that today's modern cellular modeming technology also requires a private network service provider such as Verizon. None of that technology is currently in use or in place in South Dakota.

3. I've read articles saying DS200s have modems. What are they referencing?

Any articles regarding the DS200 and the presence or use of modems in any state where they are not certified simply are not accurate. Modeming technology has not been certified for use in South Dakota.

Do note that in a few states it is a legal practice to use cellular modems to transmit unofficial election results after the polls are officially closed and all voting has ended. In those states which allow for the use of modems, ES&S uses mobile private network connectivity, industry best practices, and numerous security safeguards to protect the transfer of these unofficial election night results. Final official results are physically uploaded at election headquarters prior to final certification. The physical ballots and printed results tapes are always protected.

Again, modem components are not resident on the DS200, but rather a separate module that is only installed in DS200s in those jurisdictions where the State has certified their use.

4. Do central count tabulators in South Dakota, including the DS450 and DS850 have modems?

No. South Dakota's central count tabulators do not contain modems and they are incapable of being connected to the internet.

5. Do the ES&S ExpressVote Universal Voting Machines have modems?

No. The paper-based ExpressVote is a hardened ballot-marking device. It lacks the technology to modem or communicate via a network.

6. Do ES&S voting systems certified in South Dakota allow for modeming?

No. Modeming is not certified or allowed in South Dakota.