



**Board of Voting Machine Examiners Testimony**  
**Ohio Sunset Review Committee**  
**Stephan Shehy, Director of Legislative Affairs**  
**June 25, 2024**

Chairman Wilkin, Vice Chair Hillyer, and members of the Ohio Sunset Review Committee, thank you for the opportunity to present testimony recommending the continuation of the Board of Voting Machine Examiners.

Ohio is known throughout the country as the “gold standard” of election administration. Through the hard work of our 88 county boards of elections and the staff of the Secretary of State’s office, Ohio has made it easy to vote and hard to cheat. However, we know that malicious actors are constantly prodding our election infrastructure, trying to find a way to negatively impact its operation and erode the public’s confidence in our democracy. The bad guys only need to be lucky once, which means we need to be vigilant every single day.

**Structure of the BVME**

The Board of Voting Machine Examiners (BVME) plays a vital role in the security and confidence of Ohio’s elections. This four-person, bipartisan board is comprised of two appointees by the Secretary of State and one appointee by either the Speaker of the House or the Minority Leader of the House of the opposite political party of the Secretary, as well as one appointee by the Senate President or Minority Leader of the Senate of the opposite political party of the Secretary. This bipartisan structure of accountability is an essential feature of Ohio’s election administration protocols.

From 2018 to 2023, the BVME examined, approved, and recommended for certification 18 voting systems, 12 electronic pollbooks, and six remote ballot marking devices for use in Ohio elections. The Board has zero full-time staff members. Rather, the Secretary of State’s office provides administrative and subject matter expertise to the BVME from its existing staff, which is why I am here today. The BVME is a fee-funded board, where Ohio statute requires vendors to submit a \$2,400 certification fee with the submission of a request for examination and/or re-examination by the BVME.

**Securing Ohio’s Voting Equipment**

The BVME is charged with the important duty of reviewing voting machines and equipment before they may be purchased by the counties. Before any machines or

equipment may be submitted by the vendor to the BVME, it must be approved by the Election Assistance Commission and tested by a federally accredited Voting System Test Laboratory. The vendors must also meet all applicable parts of the BVME Matrix. This rigorous set of performance and accountability standards provides even greater scrutiny than the federal requirements. Once these steps have been completed, the equipment is presented to the BVME for review. During these public meetings, any physical devices are brought before the BVME for demonstration, and the board members can question the vendor on specific topics contained in the BVME Matrix or any broader impact related to election administration. At the conclusion of the review, the board votes on recommending or not recommending the certification of the voting machine or equipment. If the equipment is recommended by the BVME, the Secretary of State has the ultimate authority to certify the equipment for use in Ohio. The counties may then choose from certified machines or equipment when contracting for use in their jurisdictions. Importantly, this review is required for any new equipment or modifications to previously certified machines. All certified equipment is periodically examined, tested, and inspected to determine continued compliance. These re-examinations occur at the very least on five-year intervals.

### **Recommend Continuation and Expansion of the BVME**

The BVME is a vital component to the security of our elections. We strongly recommend the continuation of the BVME to ensure voters have confidence in the outcomes of our elections and to provide the counties with certified options of voting systems when determining the best use of limited funds for their constituencies.

In fact, our office has asked the General Assembly to *expand* the board's oversight and improve its role in the integrity of our elections. In our decentralized election system, each of Ohio's 88 counties is responsible for processing and maintaining the registration of eligible voters, but, as of today, the BVME has no oversight over the systems used in this process. By requiring the review and recommendation of voter registration systems in Ohio, we can further improve the accuracy of Ohio's voter rolls. Further, ballot-on-demand printers are not reviewed by the BVME, and we strongly support the expansion of the board to include review of these systems as well.

In addition to these enhancements, we have also recommended the appointment of a non-voting cybersecurity expert to serve on the board as well. As Secretary LaRose stated in proponent testimony to Senate Bill 14 of the last General Assembly, "our boards are comprised of hard-working men and women, but they're not cybersecurity experts." Adding a non-voting subject matter expert to the BVME would enhance the

board's understanding of system vulnerabilities, essential performance, and appropriate accountability standards.

With your continued support of the BVME's service to our state and the General Assembly's action to expand its role, Ohio would have the expertise to hold accountable all of our voting *systems* accountable, from the software and support used to process our voter registrations to the machines and equipment used to cast and count our votes. Upon the enactment of these long overdue reforms, we recommend renaming the Board of Voting Machine Examiners (BVME) to the Board of Voting System Examiners (BVSE).

### **Conclusion**

The Secretary of State's office is grateful for the opportunity to provide information on the BVME, and we certainly appreciate the General Assembly's partnership in the goal of ensuring our elections remain accurate, accountable, accessible, and secure. I am more than happy to answer questions of the committee at this time.

Sincerely,



Stephan Shehy  
Director of Legislative Affairs  
Ohio Secretary of State