

Date: 1/22/2025

RE: Cities Considering Poll Books

Dear City Council Members,

I am a former Mayor from the City of St. Bonifacius, MN, serving from 2006-2016 as the mayor. And during 2016, Hennepin County was the pilot county to test the KnowInk Poll Books. During this testing phase, I was able to circumvent the security of the poll pads and had discussions with my Council and Hennepin County during that time. Our Council asked a lot more questions at that time about the county contracts and the support they were going to have with KnowInk. After reviewing the materials our Council voted to not use the poll pads in 2016. The biggest concern was to ensure that the data would be accurate and the machines reliable. As a computer expert, and owning my own consulting company, there was no way I could sign a contract with the following language in it:

4. DISCLAIMER, LIABILITY AND LIMITATION OF LIABILITY

COUNTY, BY AND THROUGH ITS DULY AUTHORIZED VENDOR, IS PROVIDING THE ELECTION EQUIPMENT ON AN AS-IS BASIS WITH NO SUPPORT WHATSOEVER. THERE IS NO WARRANTY OF MERCHANTABILITY, NO WARRANTY OF FITNESS FOR PARTICULAR USE, NO WARRANTY OF NON-INFRINGEMENT, NO WARRANTY REGARDING THE USE OF

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THE INFORMATION OR THE RESULTS THEREOF AND NO OTHER WARRANTY OF ANY KIND, EXPRESS OR IMPLIED.

CITY ACKNOWLEDGES AND AGREES THAT COUNTY DOES NOT OWN OR CONTROL THE DATA SOURCE/SYSTEM NECESSARY FOR OPERATION OF THE ELECTION EQUIPMENT. WITHOUT LIMITING THE FOREGOING, COUNTY DOES NOT WARRANT THE PERFORMANCE OF THE ELECTION EQUIPMENT OR RELATED COMMUNICATIONS OR CONNECTIONS TO ANY DATA SOURCE/SYSTEM, THAT THE DATA SOURCE/SYSTEM WILL BE UNINTERRUPTED OR ERROR FREE, THAT THE DATA IS ACCURATE, COMPLETE AND CURRENT OR THAT DATA DEFECTS WILL BE CORRECTED, OR THAT THE DATA SOURCE/SYSTEM IS FREE OF HARMFUL CODE.

IN NO EVENT SHALL COUNTY BE LIABLE FOR ACTUAL, DIRECT, INDIRECT, SPECIAL, INCIDENTAL, CONSEQUENTIAL DAMAGES OR LOSS OF PROFIT, LOSS OF BUSINESS OR ANY OTHER FINANCIAL LOSS OR ANY OTHER DAMAGES EVEN IF COUNTY HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGE. COUNTY'S SOLE LIABILITY AND CITY'S SOLE AND EXCLUSIVE REMEDY FOR ANY DAMAGES RELATED TO THIS AGREEMENT, INCLUDING BUT NOT LIMITED TO LIABILITY FOR ELECTION EQUIPMENT NONPERFORMANCE, ERRORS OR OMISSIONS, SHALL BE LIMITED TO RESTORING OR CORRECTING THE ELECTION EQUIPMENT TO THE EXTENT AND DEGREE COUNTY IS CAPABLE OF PERFORMING THE SAME AND AS IS REASONABLY POSSIBLE UNDER THE PERTINENT CIRCUMSTANCES.

Please protect our elections by ensuring that the systems are protected, secure, and reliable. If there are no service guarantees, explicit protections or stated performance benchmarks, do not sign this type of contract. Do not hand over your elections to a third-party vendor, where you have no oversight, accountability or reliability. You should know what you are signing up for, remember paper poll books cannot be hacked remotely since they for sure can not connected to a Wi-Fi, internet or any network.



Rick Weible, Former Mayor – City of St. Bonifacius, MN  
Election Cyber & Integrity Professional, Election Investigator,  
Co-Author of the Gold Standard Elections – USCASE.ORG