



Dakota County Elections FAQ

Issues and questions about elections and election security have become a frequent topic in recent years. Some of the information that residents may hear or read about contains misunderstandings about how elections work or simply incorrect information about Minnesota election law, election security and the election process. The following is intended to provide answers to common questions and the facts about our safe and secure elections.

What voting equipment is used in Dakota County elections?

Dominion ImageCast Evolution ballot tabulators are used during elections in all Dakota County precincts. Voters mark a paper ballot that is scanned into the tabulator, which then tabulates the votes cast on each ballot and stores the actual paper ballot inserted by the voter. The paper ballots are securely preserved for use in the event of a recount or a postelection review audit.

Is the equipment certified for use in Minnesota?

Yes. Under Minnesota law, all election systems must be certified by an independent testing authority accredited by the federal Election Assistance Commission (the "EAC") to be in conformity with the EAC's voting system guidelines. Election systems must then be approved for use by the Minnesota by the Secretary of State's Office.

Ref. Minnesota Statute § 206.57, subds. 1, 6.

Does the certification include all version of software used in Dakota County election systems?

Yes. The software used in all Dakota County voting systems has been certified by an independent testing authority accredited by the EAC as complying with the EAC voting system guidelines. The software has been approved for use in Minnesota elections by the Secretary of State.

Ref. Minnesota Statute § 206.57, subds. 1, 6.

Is the equipment tested prior to use in an election?

Yes. Before voting equipment is used in an election, election officials conduct preliminary testing and Public Accuracy Tests to verify that the equipment is operating properly and tabulating votes accurately following

testing rules and guidelines established by the Secretary of State's Office. Public Accuracy Tests are observed by election judges from the major political parties and are open to the public. Cities and the County provide advance notice of the date and time of the tests so that interested members of the public may observe.

Ref. Minnesota Statute § 206.83; Minnesota Rule 8220.1550.

How is the accuracy of the equipment verified?

Minnesota law requires election officials to create a test set of ballots with preset vote configurations in different combinations to ensure that the voting tabulators will accurately identify the indicated votes. After the test ballots are inserted into a tabulator, the results are compared with the known votes of the pre-marked ballots. The test must show an errorless count on all precincts. Election officials then certify the results of the Public Accuracy Test.

Ref. Minnesota Statute § 206.83; Minnesota Rules 8220.1050, 822.1150, 8220.1550 and 8220.1750.

How is the equipment secured between the Public Accuracy Test and the start of voting?

Immediately after the Public Accuracy test, the computer program for the tabulator and the test decks and materials used in the test are secured in a sealed container in a manner that cannot be opened without breaking the seal. The tabulator equipment is secured both physically and electronically in a manner that prohibits any unauthorized access.

Election equipment delivered to the polls is locked and sealed. Election judges check seal numbers before voting begins to ensure there has been no unauthorized access.

Ref. Minnesota Statute §§ 206.83, 206.845; Minnesota Rule 8220.1850.

Is the equipment connected to the internet or any other device during voting?

No. The tabulating equipment is never connected directly or indirectly to the internet or to any other device or network by means of wireless communication during voting.

The only device that that may be connected to a voting tabulator is the assisted voter device that allows private voting for persons with disabilities. This assisted voting device uses a wired connection and is not capable of communicating with or connecting to the internet or any network.

Ref. Minnesota Statute §§ 296.84, 206.845; Minnesota Rules 8220.2860—8220.2865.

What happens after voting ends?

After the polls close, election judges secure the voting systems against further voting. The head election judge must also print the tabulated results of the election for that precinct. The printed record and the ballots are securely stored and transported by two election judges of different political parties to their City Election Official or the central counting location at the Dakota County Government Center in Hastings.

Ref. Minnesota Statute § 206.845, 206.86.

Is the delivery of ballots the only way vote totals are transmitted after voting?

No. After the polls have closed and the voting equipment has been secured against further voting, and after the printed record of the vote totals have been created, the head election judge for each precinct will transmit the vote totals to the central counting location through the use of a secure modem using an encrypted file transfer method. These vote totals are unofficial totals.

Is the use of a modem allowed under Minnesota law?

Yes. The use of a modem is specifically authorized in Minnesota as a means to transmit unofficial precinct vote totals to a County's central counting system after voting has ended. This is a secure means of transmitting vote totals from precincts around Dakota County so that the unofficial voting results may be posted more quickly for public review.

Ref. Minnesota Statute § 206.845, subd. 2.

Does the use of a modem after voting ends create vulnerabilities for the voting equipment?

No. There is no connection between the modem and the voting systems before or during voting. The voting systems are secured and not connected to the internet or any internal network from the completion of the accuracy test through the end of voting. The modem transmits unofficial election totals to a central location only after voting has closed and the totals from the election tabulator have been secured. In addition, firewalls and encryption protocols are in place to ensure that the unofficial results are transmitted securely.

Is the modem required to be certified?

No. The EAC guidelines do not require certification for ancillary hardware equipment that does not perform any ballot reading, processing or recording function. The modem hardware is still tested prior to use to ensure that it is operating appropriately.

Although the modem hardware is not a device that needs to be certified, the software used in the voting equipment to transmit the encrypted voting results has been tested and certified as complying with EAC guidelines. The State certification for the County's election equipment allows the use of a modem to securely transmit unofficial vote totals after all voting has ended.

Ref. EAC Voluntary Voting System Guidelines (v.1), 1.7.1.1(c).

What are the official results of the election?

After the close of the polls, the results transmitted electronically must be considered unofficial until the canvassing board has performed a complete reconciliation of the results. The county canvassing board consist of the county auditor, the court administrator of the district court, the mayor of the county's most populous City, and two members of the county board who are not candidates at the election, or their designee. The canvassing board publicly canvasses the election returns and certifies a final report of the results to the Secretary of State.

Ref. Minnesota Statute §§ 204C.31-204C.33

How are the vote totals verified as accurate?

After each state general election, the County must conduct a postelection review, which is open to the public, by auditing the results from at least 5 randomly selected precincts. The review consists of hand-counting the votes for President or Governor, US Senator and US Representative on each ballot in the selected precinct. Ballots are reviewed and counted by an equal number of election judges from each major political party. The purpose of the postelection review is to verify that the vote totals match. The postelection reviews following the 2016, 2018, 2020 and 2022 general elections have shown that Dakota County's voting systems meet or exceed the accuracy requirements for voting systems under State law.

Ref. Minnesota Statute § 206.89.

When may the County conduct a recount of election results?

A recount of ballots for statewide and federal races is only allowed when the vote totals for each candidate are within a one-quarter of one percent (0.025%) margin or when requested by a losing candidate in the election. If the voting results are within a .025% margin, the recount is mandatory and paid for by the State. If the vote totals are not within that margin, only the losing candidate may request a recount and that candidate must pay the recount costs, unless the result is changes following the recount.

Ref. Minnesota Statute § 204C.35.

Has Dakota County conducted a recount in any recent election?

Yes. The most recent recount occurred in 2023 for the Hastings School District. Following the recount, the vote totals for each candidate remained unchanged.

More information on election recounts is available from the [Secretary of State's Office](#).

More information on [election security and election fact vs. fiction](#).

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