

Exhibit 1

Declaration of Michael Barnes

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

CORECO JA'QUAN PEARSON, *et al.*

Plaintiffs,

v.

BRIAN KEMP, *et al.*,

Defendants.

CIVIL ACTION

FILE NO. 1:20-CV-4809-TCB

DECLARATION OF MICHAEL BARNES

Pursuant to 28 U.S.C. § 1746, I, MICHAEL BARNES, make the following declaration:

1. My name is Michael Barnes. I am over the age of 21 years, and I am under no legal disability which would prevent me from giving this declaration. If called to testify, I would testify under oath to these facts.
2. I am currently the Director of the Center for Election Systems within the Office of the Secretary of State. In my role as CES Director, I am familiar with the operation of the State's Ballot Marking Device ("BMD") Voting System.
3. Before each election, County officials load certain election data

files onto the BMD's. Those data files contain the ballot content associated for the precinct in which the BMD's will be deployed, the ballot activation codes which correspond to the voter's appropriate ballot, and the audio files associated with the ballot content for visually impaired voters.

4. Prior to loading the election data files referenced in Paragraph 3, the election data files contained on the BMD from the previous election must be removed since the BMD's host only one set of election files at a time. Removal of those data files does not alter the source-code or operational software of the BMDs.

5. Separate from the BMD's are Compact Flash Cards utilized by the ballot scanners to tabulate results. These Compact Flash Cards contain election files downloaded from the County's election management server before each election which, like the BMD data files, correspond to the particular election.

6. There are only a limited number of these Compact Flash Cards, so they must be formatted and re-used for each election. When the Compact Flash Cards are re-formatted, all the data contained therein is removed. However, prior to re-formatting, the results and ballot images contained on those Cards are uploaded to the county's election management server and retained.

7. Even prior to use of BMD's in an election, these steps must be taken so that the counties can conduct Logic and Accuracy testing as required by Georgia law. See O.C.G.A. § 21-2-379.25(c). Logic and Accuracy Testing, in sum, simulates voting to ensure that the BMD's correctly record the votes cast by electors. This process thus requires county officials to take the actions outlined above, mark and print each ballot style, and then scan those test ballots to ensure the scanners accurately record the votes contained on each test ballot. County officials must similarly hand-mark and scan test ballots in the same manner that an absentee-by-mail ballot would be marked as scanned. Once Logic and Accuracy Testing is complete, and there is confirmation that the tabulators accurately reflect the votes as intended, those test results are cleared and ballots removed to prepare for election voting.

8. Logic and accuracy testing is a labor-intensive and time-consuming task. Counties normally begin this process of Logic and Accuracy testing about two weeks in advance of scheduled use, but sometimes sooner for larger counties with more devices to test. With early in-person voting slated to begin on December 14th, it is my understanding that some counties are scheduled to conduct this testing on BMD's and scanners this week.

[Signature on Next Page]

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 3rd day of December 2020.

A handwritten signature in black ink, appearing to read 'Michael Barnes', written over a horizontal line.

Michael Barnes