

GEORGIA VOTERS SUE SECRETARY OF STATE KEMP, CONTEND STATE'S VOTING MACHINES ARE UNFIT FOR USE IN JUNE 20TH SPECIAL ELECTION

Lawsuit Calls for Paper Ballots to Be Used Instead

Atlanta, GA— Georgia voters and an association that works for secure elections have filed a [lawsuit](#) against Secretary of State Brian Kemp in advance of the June 20th special election in the 6th Congressional District. The lawsuit argues that the state's Direct Recording Electronic (DRE)-style voting machines and system are "uncertified, unsafe and inaccurate" and that the state must instead use paper ballots in the upcoming election.

"Georgia converted to electronic voting machines in 2002. The system has been plagued with problems and security concerns since the beginning-- including as recently as last month, in the April 18 special election in Fulton County. Because of the complexities required to use the system, it isn't a transparent process. There is no way we can know if it is currently free of malicious hacks or otherwise corrupted," said Donna Price, one of the plaintiffs to the lawsuit. "The system also lacks mechanisms for independent audits and recounts. Paper ballots are a solution already codified in state election law to be used when the electronic voting equipment cannot be."

If runoff turnout is similar to the initial vote on April 18, approximately 634 paper ballots per precinct would be cast on election day. A team of three poll workers can count an average of 600 votes per hour, according to hand-counting experts. The paper ballots in this election can be counted in a public, transparent fashion and likely more promptly than the closing and tabulation process for the machines. For this reason, in a one-contest election, hand-counted paper ballots are considered preferable to machine-counted ballots.

Marilyn Marks, Executive Director of the Rocky Mountain Foundation, the organizational plaintiff to the lawsuit, noted, "Cybersecurity threats have escalated globally, and Georgia's voting system is particularly vulnerable. Between security breaches in the Kennesaw State University-based Center for Election Systems, the theft of poll book laptops, the problems we saw in the April 18th elections last month, and the fact that the Secretary of State's office has yet to complete an investigation of April's system problems, it is only prudent to presume that the systems are not safe."

In the April 18 elections, glitches in the voting system caused improper memory cards to be loaded into the election database. Federal standards for voting systems require controls to prevent such data corruption. There was no audit trail to determine whether the errors were properly corrected.

"This is one of the most highly-watched and closely fought elections in the country. Voters can't be expected to cast their ballots on one of the country's worst voting systems and then accept the unverifiable results. Especially after November, when a foreign adversary successfully meddled in the election for our nation's highest office, we owe it to ourselves to get this right," said Price.

On May 10th, 16 Georgia voters, including the plaintiffs, sent a letter to Kemp calling for an examination of the state's voting system ahead of the special election. A Georgia statute requires that the Secretary of State re-examine the state's voting if 10 or more electors request it, and that

if the system is not found to be safe and accurate, the election must use paper ballots instead. After Kemp's office claimed, "Georgia's voting equipment is regularly tested by experts and local elections officials across the state. We have complete confidence in its accuracy and security," the voters rebutted his claim by updating their list of additional security concerns in a follow-up [letter](#). The letter incorporated documentation of alarming security vulnerabilities in the state's voting system.

The individual plaintiffs, Price and Donna Curling, are, respectively, Director and Legislative Liaison for Georgians for Verified Voting. Rocky Mountain Foundation is a nonpartisan nonprofit with Georgia members who intend to vote in the runoff. In addition to Kemp, the lawsuit names as Defendants the Directors of the Fulton and Cobb County Boards of Elections and the Director of Voter Registrations for DeKalb County—the three counties which span the 6th CD.

Early voting begins on Tuesday, May 30th. The complaint was filed in Fulton County Superior Court.

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