

June 29, 2006

Timothy H. Johnson, Director
Department of Administrative Services
County of Allegheny, Pennsylvania

Dear Mr. Johnson,

I am in receipt of your letter of June 15th and as a result am looking forward to receiving a copy of the County Solicitor's report on or soon after July 6th. Meanwhile, I would like to bring to your attention recent events of some importance.

On June 12th, at their national convention, the League of Women Voters passed a strongly-worded resolution in favor of voter-verifiable paper records and routine, random post-election audits. The text reads, in part,

[...] LWVUS supports only voting systems that are designed so that: [...] the voter can verify, either by eye or with the aid of suitable devices for those who have impaired vision, that the paper ballot/record accurately reflects his or her intent [...]

I have enclosed a copy of the resolution for your review.

On June 22nd Common Cause released a report entitled "Malfunction and Malfeasance: A Report on the Electronic Voting Machine Debacle." The report is available from Common-Cause.org. While the report is long and detailed, I would like to call your attention to the section entitled "Actual Machine Failures," which lists alarming failures of paperless DRE machines. A Unilect Patriot in North Carolina permanently lost 4,438 votes, leaving a statewide race in limbo for three months. In Berks County, Pennsylvania, 111 votes were permanently lost by Danaher machines; three races were decided by fewer than 111 votes. Finally, in Miami-Dade County, iVotronic machines running a special, single-issue election produced 1,200 undervotes. It is possible that those voters came to a polling place, signed in, and stood in front of an armed voting machine, but then decided they had no opinion on slot machines. But, based on our experience with the iVotronics, I think it is also quite reasonable to suspect a machine design issue was involved.

Two days ago the Brennan Center for Justice of the NYU School of Law released a report entitled "The Machinery of Democracy: Protecting Elections in an Electronic World," available from BrennanCenter.org. Among the report's conclusions are: lack of software integrity is

widespread and a serious threat; DRE's without voter-verified paper trails lack "a powerful countermeasure to software attacks"; and "automatic routine audits" allow a paper trail to add "significant value." Distinctive features of this report are its careful security analysis and detailed procedural suggestions.

Overall, it appears to me that as time goes by people from all walks of life are coming to understand the vulnerabilities of various voting systems. As this continues, an increasing number of people, organized by and into prominent public-policy groups, will naturally call on their elected officials to demonstrate that voting systems are designed and operated so as to deserve and inspire voter confidence.

I hope to hear from you soon,

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