

"Claudia Kuhns" <claudiakuhns@comcast.net>

12/08/2008 03:30 PM

To  
HAVAinfo@eac.gov  
cc

Subject  
Dec. 8 Public Meeting Testimony

Chairperson Rosemary Rodriguez:

Attached is a letter sent to Adams County from the Colorado Secretary of State's office regarding a Premier/Diebold DRE that was impounded during early voting in the recent election cycle. The reason for impoundment was vote flipping. The reason for the vote flipping was due to a malfunction in the DRE. Even though it was caused by malfunction it was none the less vote flipping.

During the week before the 2008 general election the EAC was notified about a possible problem with the ES&S M-100 scanners not counting properly in Oakland County, California. In Boulder County, Colorado Hart e-Scan machines were not counting votes properly. In fact they were certified when they had been tested, and it was shown that these scanners have a 1% error rate related to stray marks. This error rate violates HAVA 301(a)(5) which requires a maximum error rate of one error in 10,000,000 ballot lines.

Premier/Diebold GEMS central tabulator software drops votes. The vendor has know about this problem for at least 4 years and possibly as many as 10 years, but has repeatedly lied about the problem. The latest evidence of this problem was illustrated in Humbolt County, California in a transparency program in cooperation with Election Integrity advocates and county election officials.

The primary purpose of voting systems is to count votes accurately as cast by the voter. To date testing is inadequate for detecting error rates. Unless testing is improved to correctly measure error rates, discussions regarding security are ignoring the most basic problems associated with electronic voting equipment.

Regards,  
Claudia Kuhns  
Executive Director  
The Public Integrity Project  
303.349.7583