

October 11, 2006

**Honorable Governor, Secretary of State & State Election Director:**

As you likely know, many legally registered American voters across the country were turned away from polling places without being able to cast a ballot this year. In state after state, voters were unable to exercise their franchise simply because electronic voting systems malfunctioned, suffered programming problems, or were otherwise unavailable for use.

We are sure you'll agree that should never happen in this country. No legally registered voter should *ever* be turned away from the polls without being allowed to vote on Election Day in America. No legally registered voter should ever be told to "come back later," or be forced to use a provisional ballot simply because a voting system is unavailable to them at the time they are able to vote. It is imperative that an ample supply of Emergency Paper Ballots be made available to account for any unforeseen circumstance.

Common-sense legislation for Emergency Paper Ballots at the polling place this November was recently filed in both the U.S. House and Senate. The proposed legislation would have:

- Mandated that voters be given a paper ballot upon request
- Required election officials to post information announcing and confirming that right at each polling place, and
- Mandated that all such paper ballots be counted as regular, not provisional, ballots.

Unfortunately, legislators were unable to pass this important measure before adjourning for the Election Recess. Now the responsibility for this vital democratic process must rest on the States and Counties to ensure that millions of Americans will be able to cast their ballots in the general election on November 7<sup>th</sup>.

Many of your state's citizens and polling places will be using new electronic voting systems for the first time. Such systems have already caused unforeseen problems this year, resulting in disenfranchised voters from Maryland to California, from Texas to Indiana to many other states and counties around the union.

In Maryland, the Governor recently called for Emergency Paper Ballots statewide after catastrophic problems in their recent primary. In Texas and Arkansas, election officials wisely instructed their counties to have Emergency Paper Ballots on hand during runoff elections after thousands were unable to vote during primaries, or when voting machine companies failed to program balloting systems properly.

In America, in 2006, such occurrences should never have happened, and we write to you hoping that you will take every measure to ensure they do not happen *anywhere* in your state this November.

Therefore, we, the undersigned groups and individuals, *strongly* urge you to make contingency plans and procedures to ensure that every legally registered American voter can vote in the upcoming general election. All voters must have the option to vote on an Emergency Paper Ballot if necessary, and all such ballots must be counted as regular -- not provisional -- ballots.

We hope that your state and every county therein will take careful, yet aggressive measures to institute plans for ample Emergency Paper Ballots, to be made available in every voting jurisdiction.

Several states have laws in place requiring the use of emergency paper ballots for voters if voting equipment is unavailable or has malfunctioned. Many more states and counties, however, do not have such provisions. In addition, many poll workers are unaware of such state laws and elections code.

So many Americans have fought and died in this country and around the world -- and indeed, are fighting today -- in the defense of our most basic freedoms, to ensure the right to freely cast a vote and thus determine the consent of the governed in this great democracy. Our vote is our precious franchise. We believe it is worth defending, and worth the effort to guarantee that that right remains assured and inviolate.

We urge you to please take this opportunity to draft, establish and publicize your own state's common-sense plans for Emergency Paper Ballots at *every polling place* this Nov. 7<sup>th</sup>, so that every election official, poll worker, and voter may be crystal clear on the procedures for utilizing such measures.

With Great Respect,

*The Undersigned*

### **ORGANIZATIONS**

51CapitalMarch.com  
AUDIT-AZ  
BlackBoxVoting.org  
Broward Election Reform Coalition  
Citizens for Election Integrity Minnesota  
Citizens for Legitimate Government  
Coalition for Peace Action, Princeton NJ  
Coloradoans for Voting Integrity  
Common Cause  
Democrats.com  
Election Defense Alliance (EDA)  
Election Reform Network  
Florida Fair Elections Coalition  
Georgians for Verified Voting  
Iowans for Voting Integrity  
Las Vegas, NM Peace and Justice Center  
MoveOn.org Political Action  
National Coalition on Black Civic Participation  
National Committee for Voting Integrity  
National Election Data Archive  
NetworkOfCitizens.org  
New Yorkers for Verified Voting  
Ohio Honest Elections Campaign  
Palm Beach Coalition for Election Reform  
Progressive Democrats of America (PDA)  
SAVE Our Votes:  
Secure, Accessible, Verifiable Elections for MD  
Solarbus.org  
TrueMajorityAction.org

TrueVoteMD  
United Voters of New Mexico  
Valley Grassroots for Democracy  
VelvetRevolution.us  
VerifiedVoting.org  
VotePA  
VoterAction.org  
VotersUnite.org  
VoteTrustUSA  
Voting Matters [New Mexico]  
Wake Up and Save Your Country  
We Do Not Concede

### **INDIVIDUALS**

Clifford O. Arnebeck, Jr, election attorney, OH  
John C. Bonifaz, voting rights attorney, Boston  
Sen. Barbara Boxer  
Bob Fittrakis, Ph.D, J.D.  
Brad Friedman, investigative journalist  
Bruce Funk, County Clerk, Emery County, UT  
Sarah Granger, computer security consultant  
Rush Holt, Member of Congress  
Douglas W. Jones, computer scientist, U. of Iowa  
Robert F. Kennedy, Jr.  
Sen. John Kerry  
Prof. Mark Crispin Miller, NYU  
Freddie Oakley, Yolo County, CA, Clerk/Recorder  
Ion Sancho, Supvsr. of Elections, Leon County, FL  
Barbara Simons, retired, IBM Research