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VOTERS, GROUPS OPPOSE DOJ LAWSUIT THAT WOULD CAUSE ELECTORAL CHAOS

A coalition of New York voters and civic groups, including New Yorkers for Verified Voting and the League of Women Voters of New York, announced today that they are intervening to oppose a lawsuit filed by the United States Department of Justice against New York State. Led by Larry Rockefeller, a longtime voting activist, the coalition has filed a Motion to Intervene asserting that the relief sought by the Department of Justice—rushing out new electronic voting machines for the September 2006 primaries—will inevitably cause mass chaos on election day and will deny the right of citizens to have their votes counted.

Mr. Rockefeller said, “The Department of Justice’s rush to force the State to certify and buy computerized voting machines in time for the September primaries is a perfect storm for voting disaster. These machines have failed all over the country in other jurisdictions and, under this time pressure, will definitely fail New Yorkers. To privatize our elections using insecure technology risks inside fraud that can tilt election outcomes without a trace.”

“New York State voters are the ones who lose if the Department of Justice forces electronic chaos on us,” said Bo Lipari, Executive Director of New Yorkers for Verified Voting. “We cannot ignore the warnings of technical experts about the need for comprehensive analysis and testing of voting systems prior to their use in an election. We cannot ignore the warnings of election officials who call for adequate time to evaluate, purchase, and deploy a new voting system. And we cannot ignore the recurring problems with computerized voting which calls into question their ability to accurately count our votes.”

“The lawsuit filed on March 1, 2006 by the United States Department of Justice threatens to completely erode the process that would ensure the security and integrity of the citizen’s vote in New York State. Although the Federal Government has an obligation to enforce HAVA, we must not lose sight of the fact that the citizen has a fundamental constitutional right to an accurate and secure vote,” said Marcia Merrins, President, League of Women Voters of New York State.

The coalition has presented the expert testimony of Professor Douglas Jones, who documents the grave security and reliability problems that are inherent in the technology itself and that will be greatly exacerbated by a rushed certification and purchasing process. The coalition’s attorney, Richard Emery of Emery Celli Brinckerhoff & Abady, stated, “The State and the Feds are failing the voters of New York. Pushing any new voting system for this year’s election will, without a doubt, deprive New Yorkers of their sacrosanct right to vote because it is inevitable that many votes will not be counted. Knowing this now, but nonetheless forging ahead blindly, would be a travesty.”

The motion to intervene is being filed in Albany today with Hon. Gary L. Sharpe, the federal district court judge assigned to hear the case. Coalition members are also being represented by Zuckerman Spaeder LLP and the Law Office of Lowell Finley.

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