

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,
Plaintiff

**DECLARATION OF
JUDY ALTER**

v

Case No. 06-CV-0263
(GLS)

NEW YORK STATE BOARD OF ELECTIONS;
PETER KOSINSKI and STANLEY L. ZALEN,
Co-Executive Directors of the New York State
Board of Elections, in their official capacities; and,
STATE OF NEW YORK,
Defendants

Pursuant to 28 U.S.C. sec 1746, **JUDY ALTER**, declares as follows:

1. I am the Director of Project California Ballots, www.preotectcaliforniaballots.org. I began working on election justice issues four days after the California October 2003 Recall Election when Lynn Landes offered compelling evidence about how Diebold machines swung the election away from Lt. Governor Cruz Bustamante to the current governor.
2. Since January, 2005 I have analyzed election result data, specifically with regard to

the thwarted Recount New Mexico effort. I subsequently analyzed the voting results in Santa Fe NM and since Jan, 2005, has given numerous talks about my findings there as a case study of voting irregularities.

3. Since January, 2005, I have given 97 lectures in an effort to educate others about the dangers of computerized voting systems and the privatization of our elections.
4. In an effort to collect statistical data about what is going on, because computerized voting systems conceal that information from us, we have organized Parallel Elections (PEs). A PE is an attempt for citizens to regain control over elections by conducting their own independent, unofficial election outside official polling places, and invite voters to participate on their way out of the polls. The data is analyzed after the election and we look for anomalies in the data, particularly in the differences between the PE results and the official results.
5. Our group also gives testimony at the Secretary of State's hearings on election systems and at the Los Angeles Board of Supervisors' public meetings showing the massive problems we've experienced using computerized machinery in our elections.
6. I also study the 1% manual tally of Los Angeles elections and submit my analyses to the public and elections officials to show how inaccurately these software driven devices count our votes. In 2006, in LA, the accuracy was 13% and in 2005 it was

28%.

7. I urge the Court in New York to learn from the experiences of the other states who have directly experienced the loss of our democratic elections to private computers that produce a tally which we're expected to believe is accurate without being able to see or know how our votes were in fact counted. The evidence I have witnessed leads me to conclude that there is good basis to believe that what we are told in the official tally and how voters voted do not correlate. We will continue to hold parallel elections and train others to do the same so that we can demonstrate the assault on our democracy.
8. Should the Court direct that New York hand count its federal races in 2008, Project California Ballots will assist in the organization effort to find sufficient volunteers to help New York hand count its ballots.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ _____

Executed on December 10, 2007

JUDY ALTER