



COMMONWEALTH OF KENTUCKY
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August 7, 2007

Via hand-delivery

Secretary Trey Grayson, Chairman
State Board of Elections
700 Capitol Avenue, Suite 152
Frankfort, KY 40601

RE: Request for Reexamination of Electronic Voting Systems


Dear Secretary Grayson:

Thank you for your prompt response to my request for a reexamination of electronic voting systems in Kentucky. Please be advised that your letter of August 7, 2007 contains material errors.

- First, the California Secretary of State Debra Bowen granted a conditional re-approval of use of the Hart and Diebold-manufactured voting systems only upon the companies' correction of the technological and security flaws identified. I'm sure you agree that Kentucky voters deserve this same degree of protection.
- Second, as I detailed in my initial letter, the verified voting paper audit trail ("VVPAT") in place in California was considered by researchers, but was found lacking as a satisfactory method of correcting security flaws in the voting systems. Put simply, your suggestion for a paper record doesn't solve the grave problems identified.
- Third, the new versions of the Hart and Diebold systems were in fact submitted to researchers after the California study was initiated, and it was these new versions that were found to be "defective or unacceptable." The older versions were voluntarily withdrawn from the list of certified systems. Thus, the Board's 2006 certifications must be reexamined in light of this new evidence.

The compelling findings of the California study demand immediate attention. Kentucky can ill afford not to examine this emerging threat, and impugning my motives isn't getting the job done any faster. I hope to continue our good working relationship by assisting you and the State Board of Elections in taking immediate action to protect the voters of Kentucky.

Sincerely,


Gregory D. Stumbo
Attorney General

C: J. Allen Eskridge, III
Sarah Ball Johnson

