

GA6 High Profile Paper Ballot Lawsuit Awaits Decision

ATLANTA GA – Many of the “Who’s Who” in Georgia elections and their attorneys gathered in the Fulton County Superior courtroom of [Judge Kimberly Esmond Adams](#) to determine the fate of Georgia’s unverifiable voting equipment. Elections Directors (ED) from the state and the counties of Fulton, Cobb and Dekalb were present for most or all of the hearing. Meryl King, Executive Director of the [Kennesaw State University Center for Election Systems](#) was the state’s expert. Attorneys for the three counties, the Secretary of State and the Attorney General’s office all **simultaneously** defended the state and counties. Their primary legal arguments appear to be sovereign immunity and untimeliness of a GA6 election change. **A decision is expected Friday.**

Plaintiffs called two high powered expert witnesses [Dr. Ed Felten](#) and [Dr. Rich Demillo](#). Felton was Professor of Computer Science at Princeton University, Chief Technologist for the Federal Trade Commission and Deputy U.S. Chief Technology Officer for the President of the United States. Dr. Richard Demillo was the first Chief Technology Officer of Hewlett Packard, Dean of Computing at Georgia Tech and current Director of its Center for 21st Century Universities.

Dr. Felton played a famous 3 minute [video](#) of him demonstrating to a **U.S. House committee** how a Diebold Accuvote TS like those in Georgia can be hacked. In a mock election, he cast three votes for George Washington and then printed the results showing that Benedict Arnold had won by a 2-1 count! Dr. Felton testified that **“the system cannot be safely and accurately used by voters”** as Georgia law requires. Dr. Demillo confirmed, **“The lack of a voter verified paper audit trail leads me to believe that the system is not suitable for use.”** When shown that Secretary of State Brian Kemp’s spokesperson was quoted about the system as saying, “We have complete confidence in its security and accuracy.” he replied, “I don’t know how that is possible”. Demillo also testified that former SOS **Karen Handel** set the scope of a [2008 Georgia Tech Voting System Study](#) to **exclude** an assessment of how the system could be compromised.

Mr. King described elaborate testing procedures that are conducted on Georgia voting machines but was forced to corroborate Dr. Felton’s testimony under cross examination when he admitted **“You don’t have any way of testing and verifying results in election mode.”** His testimony and that of Fulton ED Richard Barron and Cobb ED Janet Eveler focused mostly on costs, risks and impracticality of changing election methods after GA6 early voting started. Judge Adams appeared to agree stating that, **“The State of Georgia would be well served to implement a paper ballot audit trail...”** but “...there is not enough time to allow the court to meaningfully consider the relief” which seeks only to change the current 6th District election to paper ballots.

Parts of the county testimony bordered on bizarre at times. Mr. Barron, who is on public record as wanting to replace Georgia’s **15 year-old voting machines** attempted to reverse his position and even said the machines produce a verifiable audit trail. His testimony was rebutted by Dr. Felton. Mrs. Eveler stated that there have been “no issues with Cobb Co. voting machines” since her tenure began in 2010. But in 2011, a [controversial Cobb tax referendum](#) had **95 blank voted ballots** although it was a **one issue** ballot. The referendum passed by **.2%** or only 90 votes out of 43,000 cast but **in over 1000 verifiable mail-in votes the referendum lost by a 60-40% margin.** Over a **billion dollars in new taxes** were assessed based on those unverifiable results.