

PETITION TO BOARD OF COMMISSIONERS, BOARD OF REGISTRARS, ELECTION SUPERINTENDENT AND THE VOTERS OF <YOUR> COUNTY REGARDING THE USE OF ELECTRONIC VOTING SYSTEMS

A group of Concerned Citizens of <Your> County have been appealing to the above-named entities and parties. We wish to enter the facts into the public record of <Your> County, for consideration by the public to support our endeavors to correct deficiencies in our voting process. The following facts are presented in an appeal for you to take action to protect and secure our elections. **We demand legal, secure, accurate, and transparent elections.**

- **LOSS OF TRUST BY VOTERS**

Voters on all sides of the political spectrum have been raising concerns about electronic voting since its inception in the early 2000's. Upon discovery of the following outlined vulnerabilities and election security issues, it is incumbent upon the elected representatives of <Your> County to provide for secure and transparent elections. Counties need to decentralize the process, the poll books, and the counting.

- **UNREADABLE QR CODE IS UNLAWFUL SOFTWARE / HARDWARE**

Official Code of Georgia [O.C.G.A. § 21-2-300](#)(a)(2) mandates voting on “electronic ballot markers” that ...⁽²⁾ produce paper ballots which are **marked with the elector’s choice in a format readable by the elector**”. Pursuant to an OPINION AND ORDER by US District Judge Amy Totenberg in [Curling vs Raffensperger](#), dated October 11, 2020, the current electronic voting system in Georgia utilizing the Dominion ballot marking devices (BMD), scanning equipment and software violates Georgia Statute by utilizing “an unencrypted, humanly unverifiable QR code that can be subject to external manipulation and does not allow proper voter verification and ballot vote auditing.” This humanly unreadable QR code negates the voters right to know exactly how their vote is tabulated and undermines transparency and trust in the process and renders their use **impracticable**.

- **OUTDATED UNSECURE SOFTWARE – MAINTENANCE & ADVISORY NEGLIGENCE**

The electronic voting machines in Georgia continue to run on the original software suite approved by Election Assistance Commission (EAC) in 2019. Since that time, [four \(4\) software upgrades](#) have been approved by the EAC that address security vulnerabilities and provide the option to remove illegal QR code used for tabulation of votes.

- **CYBERSECURITY VULNERABILITIES NOT MITIGATED**

The Cybersecurity & Infrastructure Security Agency ([CISA](#)) [Advisory](#) has recommended upgrading the Dominion software on 6/3/2022. The [Halderman Report](#) released 6/2023, a report held secret for almost 2 years, provides damning evidence of the vulnerability of the Dominion ImageCast X Ballot Marking Devices (ICX BMD). The Secretary of State defended his inaction based on the [MITRE Report](#). This was followed by a [letter from 29 cyber security experts](#) demanding a retraction of MITRE Report as a dangerous and misleading risk assessment.

- **SECRETARY OF STATE REFUSAL TO ACT**

Dominion software updates were released in 2019, 2020, 2022 and 2023, yet there’s been no effort to install. SOS Raffensperger has known of the [Halderman Report](#) since 10/2020. In addition, the SOS has had the CISA Advisory since 6/3/2022. The failure to implement the EAC approved software updates and correct the vulnerabilities is ongoing. In fact, based on these third-party reports and advisories on the security of the software, the SOS might be guilty of violating [O.C.G.A. 21-2-324](#) and [21-2-379.24](#).

Further, municipalities are to “provide voting machines in good working order” per [O.C.G.A 21-2-323](#). The election superintendent, Board of Registrars, Board of Commissioners may be complicit of wrongdoing by certifying future elections that lack appropriate cybersecurity updates.

- **VOTER ROLL MANIPULATION/IRREGULARITIES/ISSUES**

The current SOS centralized voter roll system GARVIS has been found to have significant deficiencies and irregularities. [Evidence suggests](#) manipulation of voter records across the state. This can lead to voting irregularities allowing larger counties to cancel out the accuracy of the smaller counties.

- **LEGAL AUTHORITY TO CONDUCT PAPER BALLOTS, HAND COUNT**

[O.C.G.A. 21-2-334](#) provides “If a method of nomination or election for any candidate or office, or of voting on any question is prescribed by law, **in which the use of voting machines is not possible or practicable**, or in case, at any primary or election, the number of candidates seeking nomination or nominated for any office renders the use of voting machines for such office at such primary or election impracticable, **or if, for any other reason**, at any primary or election the use of voting machines wholly or in part is not practicable, **the superintendent may arrange to have the voting for such candidates or offices or for such questions conducted by paper ballots.**” See independent legal opinion from [Bernard & Johnson](#).

- **OATH OF OFFICE, DUTY TO CERTIFY AS ACCURATE**

Current O.C.G.A. provides for hand counting in both [O.C.G.A. 21-2-334](#) and [O.C.G.A. 21-2-493](#). It is the duty of the Election Superintendent to certify the elections of <Your> County are accurate. Further, the oath of office the Election Superintendent and Board of Elections/Registrars [O.C.G.A 21-2-70-15](#) requires “prevent any fraud, deceit, or abuse in carrying on the same, that I will make a true and perfect return of such primaries and elections,...” Considering the security vulnerabilities, the neglected software maintenance requirements, and the illegality of utilizing the QR code described above, it would seem that the Election Superintendent, Board of Registrars, and Board of Commissioners would want to do everything in their power to ensure that going forward our county will only use voting methods that can be publicly verified to garner public trust in their accuracy.

REMEDY FOR THE VOTERS OF GEORGIA: SECURITY GRADE PAPER BALLOTS, HAND COUNTED AT THE PRECINCT INCLUDING ABSENTEE ON DAY OF ELECTION.

For sources referenced in this appeal, visit www.georgiansfortruth.org.