

870 Daffodil Drive
Riverside, California 92507

Larry Parrish
Riverside County Executive Office
4080 Lemon Street
Riverside, California 92501

July 9, 2004

Dear Mr. Parrish,

As you will recognize from our signatures, we are politically active citizens of Riverside County, including elected representatives of a large number of voters in our county. We have found, in discussions among ourselves, that we are all strongly concerned about apparent problems with the electronic voting systems that have been used in Riverside County over the past several years. We are not satisfied with explanations that have been given, and in fact we have had access to materials that reveal that Sequoia Voting Systems officials have exchanged documents that sharply contradict statements provided publicly and to the Secretary of State's office by Sequoia, by the Registrar of Voters, and by others. We are determined to learn as much as we can about the hardware and software that have been used in Riverside County elections, and what has been done about problems with the systems. We are aware that the claim that Riverside elections have been problem-free is not correct. We are concerned about reports some of us have received of false or misleading statements, possible conflicts of interest, the provision of incorrect information to members of the Board of Supervisors, and unexplained anomalies in election results.

While we differ sharply among ourselves on many subjects, we all agree that votes should be counted correctly, should be seen to be counted correctly, and that this process should not be dependent on "trust" or other intangibles. No one can be trusted to conduct elections and vote-counting in secret, no matter how trustworthy they are, because (as we all know from long experience in political work) partisan passions can overcome conscience. Multi-partisan and public observation of every step of the process is essential, if anyone is to have trust in the work of the Elections Department.

As part of this process, the Registrar of Voters and her predecessors have traditionally answered any questions that have been asked by the elected leaders of party organizations in our county. Some of us have noted with concern that when it comes to electronic voting, those answers have not been forthcoming, or when they have, the answers have not been helpful, either through obscure or convoluted phrasing, or through outright refusal to provide key information. We do not see any reason for long delays in answering questions on this subject. Either the information is available, or it is not. Assertions that the Registrar of Voters is too busy to answer questions do not ring true when she appears to have ample time to write for newspapers, appear on radio shows, and talk to journalists on the very same subjects.

We include in this letter a series of questions. While we do not all understand all the technical questions, and we do not expect you to either without reference to your staff, we

all agree on the basic concepts expressed above, and we all would appreciate answers, correct and full answers, to each of them. We do not believe that any of them are too difficult for the Elections Department staff to answer. And we see no reason why answering them should take any longer than two weeks. All of us are requesting this information together, in a single long letter, because we wish to emphasize that this matter is too important for partisanship. No reasonable person can accuse us of seeking partisan political advantage when all of us ask these questions together. It is quite true that some of us rarely do anything without a "political" motive - in this case, that political motive is concern for our democratic election process, that unites all of us regardless of party.

Some of these questions are very technical, and it is our understanding that there are technical people on staff or under contract who can provide the answers to them. Others are matters that can be learned from the records of the Elections Department, to which both you and the Registrar of Voters certainly have access. Most of these questions relate to matters that have received considerable attention recently, and we believe that the information has recently been reviewed by Elections Department staff, and should thus be easy to find. If you refuse to answer some question on the grounds that you are legally prohibited from doing so, please state the specific authority for this refusal in regard to each question separately. There is no reason to keep your answers short, we can accept documents of whatever lengths are needed to make things clear.

These are our questions:

1. We request documentation that shows which elections the programs "edge_bal.exe" and "reverse.exe" were used in. What version numbers of the software were used in each election and what are their corresponding NASED certification numbers?
2. We request documentation that shows that changes made by either edge_bal.exe or reverse.exe are properly logged. We would like a copy of one of the logs that are created by these programs, and evidence that other logs exist.
3. Are there any programs other than reverse.exe and edge_bal.exe, WinEDS, or the Edge firmware that have been used to conduct an election? If so, what are they?
4. Is it possible to access and change information on a results cartridge from a DOS prompt? If not, why does Sequoia's documentation not only say that it is possible but gives step by step instructions for doing so? (The name of the document is "Setting Up, Creating, And Validating Edge Audio Ballot Voting").
5. What is the NASED certification number for WinEDS 2.6.220? When was WinEDS 2.6.220 certified by the state of California? Please provide evidence of state certification..
6. Please list all polls/surveys that have been referenced by county employees to the press as showing a 99% approval rating for electronic voting machines. Please list all other polls that have been said to show overwhelming support of electronic voting machines.
7. We would like copies of all the polls/surveys concerning electronic voting that have been conducted by Riverside County or contractors paid directly or indirectly by Riverside County. In addition to the results of the polls or surveys please include supporting documentation including, but not limited to, questions asked, who wrote the

polls, who conducted the polls, who participated in the polls. We would also be interested in knowing how many people (both number and percentage of total) who decided not to vote on electronic voting machines were included in the various polls that were conducted in Riverside County.

8. Did O'Reilly Public Relations conduct, or help conduct, any poll about electronic voting you have referenced? Has any other consultant of either Sequoia Voting Systems or Riverside County been involved in conducting polls that you have referenced?

9. We request copies of all presentations created for any employee of Riverside County, specifically the Registrar of Voters, by O'Reilly Public Relations, as well as any letters that were sent to the press on the Registrar of Voters' behalf. We also request copies of any documents given to any county employee by Sequoia Voting Systems, or any other companies, that have been used to promote electronic voting. Please provide copies or examples of documents including, but not limited to, presentations, letters, emails, pamphlets, handouts, and reports.

10. Can you produce any documentation that proves that the portions of code identified as needing to be fixed in the 2001 Wyle test report have actually been fixed? Please include the problems addressed in page D-16 of the Wyle 2001 test report which states: "Some of the issues above were passed in previous reviews, and as such will not prevent certification of the current release. They are expected, however, to be addressed as a matter of compliance in releases in the reasonable future."

11. We would like to see documentation that supports the \$600,000 a year figure that Mischelle Townsend has quoted as the amount saved a year by using electronic voting.

12. Does the claim of saving consider all costs of the electronic voting system, included but not limited to, software licenses for Sequoia and non-Sequoia software, hardware to run WinEDS, support for hardware/software provided by Jaguar Computer Systems or any other consultant or contractor, interest on debts created by purchase, new equipment, lawsuits, etc.? If not, which costs were not considered?

13. Please provide copies of all sign-in sheets for all Logic and Accuracy Tests conducted on the voting systems since January 1, 2000, and copies of all other forms signed by observers, including those that stated that the systems passed the tests.

14. Please provide documentation that shows which version of the Logic and Accuracy test was turned in to the Secretary of State's office for the March 2nd primary. Please include a copy of the information sent to the Secretary of State's office as well as copies of all forms signed by people who observed any of the Logic and Accuracy Tests conducted for the March 2nd Primary.

15. It has been claimed, publicly and to the press, by Mischelle Townsend that there was no third-party software/hardware on the Edge voting machines. The 1999 and 2001 Wyle test reports, as well as the 2003 Compuware report, reveal that the Edge voting units do have third-party software on them. Who told Riverside County that there was no third party software on the machine? Please give both name and company/organization they belong to as well as contact information if possible.

16. What action was taken by the Registrar of Voters when she learned that there was

third party software on the machines?

17. What actions were taken to make sure that incorrect information is not accepted from this source in the future?

18. Is Sequoia correct when they say that they can make printers that will produce a voter verifiable paper trail?

19. How many printers were delivered with the Edge Voting machines?

20. How many elections were held with Edge Voting machines that did not have printers attached to them?

21. How many of the printers that are currently attached to the Edge voting machines have run out of ink while in use?

22. Why didn't the testing done on our voting system catch the error on the March 2nd, 2004 Temecula/Redhawk ballot before the election started?

23. How many people did not get to vote on this issue because of this error?

24. Mischelle Townsend was quoted as having stated in a Press Enterprise article that it was a good thing that the Temecula/Redhawk ballot error had been caught in time for the electronic voting machines to be reprogrammed. Was there some reason why Mischelle Townsend failed to mention that electronic voting machines had been in use, for early voting, starting on Feb 2nd? Did these machines have to be reprogrammed also?

25. How many types of errors will the pre-election testing by the county not detect?

26. Who reported the error on the March 2nd ballot? How was the error discovered?

27. Why has early voting started before public logic and accuracy tests have been done in multiple elections the county has held?

28. What is the process for fixing the voting machines used for early voting if a flaw is found during the public logic and accuracy test? Please provide documentation that this process exists and is followed.

29. What happens to the votes that have been recorded by a machine if a flaw is found in a public L&A test done after the machine starts to record votes?

30. When was the freeware/shareware FTP component (cscxftp.ocx) that has been used in Sequoia's software inspected for security flaws? Who did this inspection?

31. When the Registrar of Voters said that Sequoia's software isn't available off the shelf to anyone, did she know that their software is made with components that are available to anyone?

32. Does Toolsmith Consulting sell (or have they sold) any of the software that Sequoia uses to anyone else (under the same name or a different one)?

33. Can you guarantee that Toolsmith Consulting (the subcontractor of Sequoia that has

programmed WinEDS) hasn't used code for WinEDS in any of their other products - if so, how?

34. Does Sequoia put Toolsmith employees through security and/or background checks? If so can we see evidence of this? Who performed the security and/or background checks?

35. When the county purchased Sequoia's voting system, was the Registrar of Voters aware that consultants did work for Sequoia? If so, did she know who all of these consultants were?

36. Are there any other contractors or consultants that Sequoia uses? If so, whom?

37. How did Jaguar Computer Systems get a copy of the county's election software?

38. How was Jaguar Computer Systems able to post the software on a publicly accessible FTP site?

39. Why was anonymous access allowed to this FTP site?

40. Why wasn't the election software stored in an encrypted file?

41. Did anyone who works for Riverside County, either as an employee or as a contractor, ever download the software from Jaguar's FTP site?

42. Which Riverside County employees were aware, at any time previous to the press discovering the software, that this software was on a FTP site controlled by Jaguar?

43. Did the Registrar of Voters office (or someone working for them) ever install software that had been downloaded from the Jaguar FTP site?

44. Who let Jaguar have a copy of the election software (please give name)?

45. Why did Jaguar receive a copy of the election software?

46. How can the public be sure that the current version of WinEDS is not available on the internet, a p2p network, or in some other form?

47. How does the Elections Department keep track of who uses any given username/password to access election software? Is there any effort to ensure that one person does not use another person's username/password to access the system, and if so, how is this done?

Please direct the answers to Grace Slocum, 870 Daffodil Drive, Riverside, California 92507, who will share them with all who are signing this letter.

We thank you in advance for your answers to these questions, which we await with

interest. We believe you know that we are motivated entirely by concern for the people of this county, our state, and our country.