

## **A Response to mudslinging by Riverside and San Bernardino's Registrars of Voters.**

The Registrars of Voters for Riverside and San Bernardino recently published a vicious attack on people who advocate using an absentee ballot instead of paperless voting machines. I have included in this document both the original article by the Registrars of Voters and my response to it. The original opinion piece is included and presented first, allowing people to see exactly how far out of line the Registrars of Voters behavior was. My response to their opinion piece follows on the next page.

- Jeremiah Akin

## **Local Voices**

Press Enterprise – 2004.02.29

### ELECTRONIC VOTING SYSTEMS SECURE

By Mischelle Townsend and Scott O. Konopasek

California voters, particularly Inland Empire voters, are victims of a voting system security hoax. Critics of electronic voting have advised voters not to vote on electronic voting machines in San Bernardino and Riverside counties for the March 2 primary. These purveyors of fear, uncertainty and doubt are urging voters to vote on paper by absentee ballot. There is no legitimate reason that voters should not have complete confidence in our electronic voting systems. It would be a crime if voters choose not to vote in this election because of malicious fear mongering.

These recommendations cross the line of civil discourse and pose a real threat to the democratic process they purport to defend. To vigorously advocate for more auditing tools for electronic voting is not inappropriate.

To actively attempt to discredit, in the minds of voters, the certified, reliable and time-tested voting technology on the eve of an election for the purposes of promoting personal agendas is dangerous, dishonest and destructive. To accuse or imply that local elections officials lack a concern for the security and integrity of our elections is untrue and libelous.

The voting systems being used in Riverside and San Bernardino Counties are secure. Extremely effective counter-measures have been developed and implemented to thwart real and hypothetical threats. Electronic voting systems have been used throughout the nation for more than 15 years, and there is not a single documented incident of fraud or tampering with these systems. Having said this, no voting system is perfect, nor will a perfectly secure system ever be developed. As long as there is a human factor, errors can be made. The safeguards and security measures used in both counties prevent and detect attempts at fraud.

Voters can have confidence that all existing voting technology in use in the Inland Empire will accurately record and report their votes.

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*Mischelle Townsend is the Riverside County registrar of voters. Scott O. Konopasek is the San Bernardino County registrar of voters.*

## **Are our Registrars of Voters Conspiracy Theorists?**

I was disappointed to see the Registrars of Voters for both Riverside and San Bernardino write the unprofessional letter attacking critics of electronic voting in the Opinion section of the February 29<sup>th</sup> Press Enterprise. Their attempt to shut down discussion of such an important issue by using smear-campaign style language should not go without an answer.

They claim that a “hoax” is being played on citizens of Riverside and San Bernardino Counties by “dangerous, dishonest, and destructive” people who are “promoting personal agendas”. No one is named in this letter that attacks critics of electronic voting. Because of this, people can not investigate whether or not the Registrars claims are true. How can you check to see if someone is engaging in “malicious fear mongering” if you are not even supplied with their name? Instead of details that can be verified, the registrars leave us with a mysterious “they” who can not be researched. Furthermore, these mysterious un-named people are accused of committing a “hoax” for their own, nebulously defined “personal agendas”. No details are given about these supposed personal agendas.

Un-named people committing a hoax on the population for mysterious “personal agendas” ... sounds like a conspiracy theory to me.

When people run for a political office they are asked to sign the Code of Fair Political Practices, to promise to refrain from dirty campaigning and mudslinging. This would certainly cover calling their opponents “dangerous, dishonest, and destructive” or accusing them of “malicious fear mongering” without providing details to back the claims up. Even if details to support the claims were presented, it would be expected that the charges would be made in a civil manner. The Registrars of Voters for Riverside and San Bernardino should be held to the same standards of conduct. It is disappointing to see our Registrars of Voters stoop to the level they have.

The fact is that there are a lot of reasons to be wary of electronic voting the way it is currently used. Here are a few of the many things that the registrars conveniently forgot to mention about electronic voting while they were attacking its critics:

- \* Failure of certification process to catch major security flaws in software. Although Mischelle Townsend is fond of citing all the testing and certification that election software goes through, she always seems to forget to mention that Riverside has run elections on software that was later found to contain major security vulnerabilities that were not spotted in the certification process.

- \* Failure to point out that elections in California have been run on uncertified and untested software. This underscores the fact that the security policies and procedures both at the Federal and State level are not strong enough to prevent uncertified code from being used in an election.

- \* Mischelle Townsend was completely unaware that elections software was left on a publicly accessible site on the internet for two years. This “secure” software was available to the public as it was being used to conduct elections in Riverside County. A newer version of the software is currently being used, but how can we be sure that it isn't available on the internet somewhere? Or that the flaws in the old version are not still present in the new version?

- \* The voting systems in Riverside and San Bernardino counties use an encryption algorithm (called DES) that was proven crackable in 1998. You can buy a book on Amazon.com. called “Cracking DES” for about five dollars that gives step by step instructions on how to build and

program a computer to crack the encryption used in our voting machines. It is unacceptable for a company to use encryption that is known to be crackable when much stronger encryption is available. Voters in the Inland Empire deserve nothing short of the absolute best encryption and I find it regrettable that our voting machine vendor has not supplied us with it.

\* The company that left such important software in a publicly accessible site is still intimately involved in Riverside County's election process. Why did the sub-contractor need to handle the software and place it outside the Registrar of Voters office in the first place?

The real reason that such a hostile letter was written was because the public is realizing that the voting machine companies claims about the security and reliability of their voting machines have been exaggerated and that extra auditing measures need to be taken to secure electronic voting. The hostility in this letter is caused by the desperation of the writers who have realized that the tide of public opinion is starting to turn against them. The truth is that there is absolutely nothing wrong with voting with an absentee ballot until greater security measures are taken. The unsupported claim that this undermines democracy is nothing short of ridiculous.

- Jeremiah Akin