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March 4, 2008

The Hon. Anne Milgram
Office of The Attorney General
Richard J. Hughes Justice Complex (HJC)
8th Floor, West Wing
25 Market Street
Trenton, NJ 08625-0080

SENT BY US MAIL AND BY FAX: 609-292-3508

Dear Attorney General Milgram:

Local newspapers recently reported that election administrators in Mercer, Union, Ocean, Bergen, Gloucester and Middlesex counties discovered that some of the Sequoia Advantage voting machines reported incorrect ballot counts in the February 5th presidential primary.

From these news accounts, we believe that this problem most probably indicates a serious software error, one that suggests the possibility of deeper problems that could significantly impact the integrity of elections run on Sequoia Advantage voting machines. We urge the Attorney General's office to treat this problem with the highest concern and suggest that the State immediately impound the troubled machines along with a sample of machines from the same jurisdictions that did not exhibit the problem. We then ask that the State appoint an independent team of experts to examine the machines, their source code, and if necessary their binary code, for any errors that may explain the discrepancies.

We stress the importance of retaining an independent and objective expert to evaluate these malfunctions, rather than relying on Sequoia Voting Systems, Inc., to examine and report on this problem. Sequoia has pending sales contracts in excess of \$20,000,000 with counties in New Jersey for printers to be retrofitted to these machines. This presents an inherent conflict of interest for Sequoia. The evaluation should be done by an unaffiliated party. Other states have recently undertaken such examinations, most notably California, which led to the de-certification of many direct record electronic voting machines.



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Having studied and investigated voting machine performance in great depth, we would be happy to offer the Attorney General's office any assistance we may be able to provide in addressing this critical matter.

Thank you very much for your attention to this serious problem. We look forward to working with you.

Respectfully Yours,

Holly Jacobson
Director, VoterAction.org

VotersUnite.org
Dr. Andrew Appel, Princeton University
Irene Goldman, Director, New Jersey Coalition for Peace Action
Dr. David Jefferson, Lawrence Livermore Laboratories
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cc:

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