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50 States Sued to Block Computerized Vote Counting

Federal Court Will Be Asked to Delay Primaries

On November 1, 2007, the chief election officials in all 50 states were named as Defendants in a federal voting rights lawsuit.

Tomorrow, November 7, 2007, the Summons and Complaint will be served on Governor Spitzer, Attorney General Cuomo and each member of the State Election Board at their Board meeting at 40 Steuben, Albany, NY.

The suit seeks an order directing the States to use hand-marked, hand-counted paper ballots in the primaries and general elections in the 2008 Presidential election cycle and beyond, permanently preventing the use of machine and computerized voting systems, and requiring the counting of votes at every level to be conducted under public observation.

“Individuals not only have the Right to cast a vote, they have the Right to cast an *effective* vote, meaning they have the Right to have their vote counted accurately,” said Doug Bersaw, the duly elected Chief Elections Official for the Town of Richmond, New Hampshire and a Plaintiff in the lawsuit. “Machine and computer based voting procedures heighten the possibility of confusion, deception, frustration and fraud, and are constitutionally prohibited.”

Jim Condit, Jr., founder of Citizens For A Fair Vote Count, and a Plaintiff from Ohio said, “Lacking the integrity of an open, verifiable, transparent election based upon machine and computer free voting, public hand counting of all ballots and a ‘People’s chain of custody,’ current voting practices have acquired the ugly appearance of a rigged gambling table or game show where the ‘house’ determines who wins. Unfortunately for the Plaintiffs, and the balance of America, the outcome of the upcoming series of primary elections poses a very real threat affecting the choices of the American voters in 2008 and potentially altering the future of the nation itself.”

This week, the Plaintiffs will file a motion for injunctive relief, asking the Court to preliminarily prohibit and enjoin the States from conducting their primaries and caucuses until the questions presented to the Court are finally determined. The case was filed by 150 registered voters, three from each state. The case was filed in the United States District Court for the Northern District of New York. The case number is 07-943.