

Monday, October 16, 2006

Dear Chairman Kahn,

We, the undersigned plaintiffs, recently filed a lawsuit to restore Georgia voting that can be verified, audited and recounted. The state of Georgia has since responded and as part of its defense, suggested that we should seek political remedy rather than legal remedy. We are writing to you as a first step in an attempt to achieve a political remedy.

The current Democratic Party Secretary of State candidate, Rep. Gail Buckner, has provided unprecedeted opposition to our efforts. **Rep Buckner is the only legislator in the General Assembly who is on record as opposing all four statewide vote audit measures in the last session.** Specifically she:

- Voted against Rep. Karla Drenner's SB500 amendment to restore statewide audit trails that were stripped from the bill by the author, Sen. Bill Stephens;
- Voted against an SB500 committee substitute bill that provided election night audit procedures for the SB500 audit trail pilot project;
- Opposed the bi-partisan HB790 vote count verification act in committee;
- Ridiculed the bi-partisan SB591 precinct vote count bill during the Democratic primary debates.

No other legislator is on record as opposing more than one of these measures. In addition, Rep. Buckner sponsored no alternative statewide vote audit legislation. She did support the SB500 pilot project that never permanently implements any audit trails. We have challenged that pilot as illegal and unconstitutional under state law because the technology employed cannot maintain the secrecy of the ballot nor can it easily be proven to be accurate at the time it is used on election night.

It would be in the best interest of Georgians and the Democratic Party if Rep. Buckner withdrew as a candidate for this particular office and allowed the Democratic Party of Georgia to offer the people someone who supports verifiable, auditable voting. We believe Section 21-2-134 of the Georgia Election Code allows a candidate to be replaced at their party's discretion until 10 days prior to an election. We urge you to consider such action and we request Rep. Buckner to withdraw from the race.

We recognize Rep. Buckner's legislative achievements and abilities to serve in other official capacities. Our comments are limited to the specific track record stated and how it conflicts with the immediate needs for voting integrity that the new Secretary of State must fulfill.

This was a difficult letter to write and a hazardous position for us to take but the interests of nine million current and future Georgia voters are at stake. Georgia cannot afford another Secretary of State who so adamantly opposes verifiable, auditable voting.

Sincerely,

Garland Favorito
Ricardo Davis
Frieda Smith
Cathie Calabro
Kathryn Weitzel
Al Herman
Adam Shapiro

CC: Rep. Gail Buckner