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October 5, 2009

California Secretary of State Debra Bowen
Elections Division, Office of the Secretary of State
Via fax: (916) 653-3214

Dear Secretary Bowen:

Hundreds of people have already joined Velvet Revolution in our campaign calling on the Secretary of State to decertify all Diebold/Premier Election Solutions products in California.

We continue to applaud you for decertifying Diebold's GEMS software version 1.18.19. But more must be done. Both the election integrity movement and the general public are counting on you to take the bold actions necessary to seal the holes in the state's election system. Using equipment that fails to meet federal voting system standards, as required by law, is simply unacceptable for California voters.

We know that you understand the importance of transparency, security, accuracy and accessibility in our election system, and we hope that you will take swift action to met the voters' requirements for all of the above.

Diebold/Premier is not the only problem, of course. But at the moment, Diebold presents the most glaring irregularities and illegalities, as evidenced by the findings of your own March 2 report to the EAC, "Concerning Errors and Deficiencies in Diebold/ Premier GEMS Version 1.18.19." (http://www.sos.ca.gov/elections/voting_systems/sos-humboldt-report-to-eac-03-02-09.pdf) In the public hearings conducted upon the release of this report, Diebold's spokesperson admitted that all versions of their software fail to record ballot deletions! (See <http://www.bradblog.com/?p=6995>.) These systems do not meet federal, and thus state certification guidelines, never should have been certified, and must be immediately and permanently decertified, whether or not sale of Premier Election Solutions to ES&S stands. Diebold has repeatedly shown disregard for the law and for the sanctity of democracy, and therefore should be forbidden to have any role in California's elections.

We hope you will join us in our call to have the taxpayers' money refunded, money Californians have been forced to pay for shoddy products sold fraudulently to the state. Diebold has taken over \$100 million from the state for products that they did not legally deliver. And you know as well as anyone that California needs those dollars for the services that actually *benefit* her people. Our campaign is also calling on Attorney General Jerry Brown to investigate the company, and to bring criminal fraud proceedings and/or civil litigation should investigation support these actions. We hope you will join in that call as well.

We would like to update our members on your plans in relation to Diebold's future and the refund due to California. Please let us know how you will proceed.

Yours for elections that make California proud,

Emily Levy
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