July 2, 2018

Dear San Francisco Civil Grand Jury.

Based on your report issued on open source elections, CAVO feels duty bound to inform and respond.

HISTORY

Alan Dechert's pioneering work to secure U.S. elections began in 2000. Eighteen years later, we now have open source voting deployed in one state (New Hampshire) and certified in another (Ohio). Two simple reasons for the excruciating delay (which weren't fully highlighted in the report) are lack of funding and lack of "political will." These two points have been our (OVC / CAVO) focus for nearly twenty years.

Starting in Berkeley as a result of think tank leader Alan Dechert and University of California Professor Henry Brady, Dechert's Open Voting Consortium first demonstrated open source voting systems in 2004 as reported by The NY Times: https://www.nytimes.com/2004/04/01/business/technology-briefing-software-voting-software-to-be-demonstrated.html

In 2008 Open Voting Foundation and Open Voting Consortium again demonstrated paper ballot open source systems at LinuxWorld in San Francisco: https://www.computerworld.com/article/2532223/government-it/open-source-e-voting-gets-linuxworld-test-run.html

California Association of Voting Officials was soon created as a 501(c) (6) with its goal to create secure systems and educate public officials. Simultaneously, CAVO board member Dr. Juan Gilbert worked with the University of Florida to successfully deploy these systems into the state of New Hampshire. CAVO has also focused on the state of Florida and extensively on the County of San Francisco. In San Francisco, we created the Voting Systems Task Force with the help of then supervisor Tom Ammiano, The VSTF recommended the same policy CAVO advises, i.e. GPL open source voting with paper ballot systems. The above referenced accomplishments may appear to the Grand Jury as little success for all the effort expended but it should be taken in context of severe and gargantuan opposition and even "smear campaigns " to obstruct the momentum of open source elections. Former CIA Director R. James Woolsey wrote a recent NY Times op-ed regarding opposition to open source voting: https://www.nytimes.com/2017/08/03/opinion/open-source-software-hacker-voting.html

CURRENT LEGISLATION

Though we have suffered many failed attempts to legislate toward open source election system security, we recently placed language into federal legislation written by Congresswoman Tulsi Gabbard directing election officials toward open source paper ballot systems. See https://gabbard.house.gov/secureelections

National Association of Voting Officials is directing other Federal legislators to follow that same direction though there are "activist" groups calling for a restriction of available reforms in favor of merely "paper ballots and audits." Though we have championed both paper ballots and audits, we recognize they must be utilized in conjunction with the public software component. See the recent op-ed by CAVO Secretary Brent Turner and former CIA Director R. James Woolsey here: http://www.sfexaminer.com/securing-u-s-election-systems-paper-ballot-isnt-enough/

CONCLUSIONS

Consistently OVC and CAVO has been at the forefront of public software voting system pioneering efforts nationally. We work specifically in San Francisco and we are curious as to why there was no mention of our work in the civil grand jury report. Similarly curious is the mention of billionaire Mitch Kapur's group OSET. OSET was recently created and has utilized search engine optimization to create a false appearance of longevity in this field that should have been discovered by the Civil Grand Jury. The Civil Grand Jury report not only failed to mention the rich history of Alan Dechert, Dr. Gilbert, Brian Fox, Open Voting Consortium and CAVO, but also stated an inability to contact and a lack of responsiveness by Dr. Gilbert and other pioneer associates. It is Dr. Gilbert's position, as well as the others mentioned, that they are, and have consistently been, available for conversation and no attempt at contact was made.

Furthermore, The Grand Jury Report lauds the Slalom Report and that is likewise unfortunate. It is our studied opinion that SLALOM should return the public money they unjustly enriched themselves with while delivering a ridiculously sub-standard report. CAVO predicted the substandard nature of the report and warned the San Francisco Elections Commission and other governmental entities that a business price gauge was imminent. CAVO met with SLALOM at the San Francisco Election Department and introduced them directly to the pioneers of open source elections Fox and Gilbert. SLALOM never followed up on promises to utilize the real open source voting system experts. CAVO was shocked to see only OSET referenced in the severely flawed report. Against the direct predictions and directions of CAVO, the SLALOM report and the Civil Grand Jury report both reference the failed Texas and Los Angeles voting projects. In retrospect, CAVO again obviously and correctly attempted to guide SLALOM to the best information, but was interestingly and predictably ignored

Finally, The Civil Grand Jury Report alleges flaws in the New Hampshire system and the Jury states it is surprised the Gilbert Prime III system was certified. This statement is again curious and appears predisposed. Again, Dr. Gilbert is always available for conversation. The Prime III system is one version of the Dechert Design and this pioneering effort is always a work in motion, but it is interesting that a conclusion of deficiency would be stated without notice or conversation. For the record, the citizens as well as the disabled community of New Hampshire have tendered positive reviews. There is more wok to be done but that is stipulated across the board of this field. The voter interface and user experience was heralded not only for open source software but for advanced disabled accessibility features. It is the CAVO/ NAVO goal to have the New Hampshire tabulation feature implemented in the near future to complete their system.

This San Francisco open source voting system project is being advocated by the incoming Mayor, the Board of Supervisors, The Elections Commission and the general public. There have been many exhaustive studies and now it is time for implementation.

Best regards,

Tim Mayer
President
California Association of Voting officials

Cc: Elections Commission
        Board of Supervisors
        Mayor's Office
        Secretary of State's Office