

**Citizen Action of New York
League of Women Voters of New York State
New York Public Interest Research Group, NYPIRG
New Yorkers for Verified Voting
Press Release**

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**Citizen Groups File Amicus Brief
in Department of Justice v. New York State Lawsuit**

New Yorkers for Verified Voting, the League of Women Voters of New York State, the New York Public Interest Research Group (NYPIRG), and Citizen Action of New York have filed an amicus brief in the United States vs. New York State HAVA lawsuit. In their brief the groups argue that electronic touchscreen machines (DREs) do not meet constitutional requirements ensuring that each vote will be properly counted and should not be part of any plan imposed by the Court.

Further, the organizations contend that to require full HAVA compliance by the 2008 presidential election as the DOJ demands would cause chaos at New York polling places, impairing the rights HAVA intends to protect. The groups assert that use of lever machines should be permitted until Fall 2009 in order to avoid the inevitable problems caused by using a new voting system for the first time in a high stakes, high turnout election.

"State after state which adopted electronic touch screen DREs are now abandoning them for paper ballots and ballot scanners," **said Bo Lipari, Executive Director of New Yorkers for Verified Voting.** "DREs cannot and do not protect our right to vote."

"If the feds have their way, New York could be forced to repeat the voting machine mistakes of other states," **said Neal Rosenstein, an Election Specialist with NYPIRG.** "The wholesale replacement of the state's lever machines shouldn't be carelessly rushed, nor should we be adopting the failed technology of computerized touchscreens. Our groups have presented common sense alternatives to the court that would ensure New York adopts secure, accessible and reliable voting systems," he added."

"The DOJ proposal to force a total replacement of the state's lever machines during a presidential election year will result in mass confusion at the polls, **said Aimee Allaud, Elections Specialist for the League of Women Voters of New York State.** "By imposing a draconian solution to remedy New York's failure to comply with HAVA, the Justice Department risks the loss of voters' constitutionally protected right to vote. The Amici present alternative solutions which will increase accessibility and guarantee an orderly election where votes will be counted as cast.," she added.

"Chaos at New York's polling sites may be a great newspaper headline, but it is a disaster that would crumble the already fragile rudiments of trust left for the voters of New York." **said Jessica Wisneski, Campaigns Director of Citizen Action of New York.** "We come today, once again, with a basic, common sense solution to this complex crisis: continue the phased in approach to replace our lever machines with reliable, tested, optical scanners over the next 2-3 years. But do not under any circumstances engage in a completely unrealistic overhaul during the 2008 Presidential Election with electronic voting machines that are a proven failure."

The DOJ and New York State will present oral arguments in United States District Court in Albany on Thursday, December 20, 2007 at 9AM. On Monday, December 17, 2007, the Court ruled that amicus brief filers will not be allowed to make oral arguments at the hearing.

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