



Georgia Ballot Case Opens With 2024 Ramifications

A federal trial opened Tuesday in Atlanta that could lead to not only Georgia replacing voting machines with paper ballots, but other states doing the same as well — which would be a step in the right direction in restoring confidence in the nation’s voting systems on the eve of the 2024 presidential election.

At the center of the controversies over the outcome of the 2020 presidential election is the outcome in Georgia, where then-President Donald Trump officially lost the state by a mere 12,000 votes. Although the political establishment of the United States — made up of the Democratic Party and their many allies in the media, along with far too many Republicans — routinely has dismissed widespread concerns about ballot integrity, this case actually pre-dated Trump’s allegations of widespread vote fraud by several years.



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Presently, Georgia voters use touchscreens that record their choice. This case was [initiated in 2017](#) by the Coalition for Good Governance (CGG), which argued that Georgia voters should instead mark paper ballots by hand, as is the case with nearly 70 percent of the nation’s voters. The ballots would then be read by a scanning machine, and if there were to be any dispute over the results, the paper ballots would be available for a recount.

The case is before a federal judge, Amy Totenberg — appointed by President Barack Obama. Totenberg could decide to prohibit the state from using its voting system. If so, the decision, expected in the spring or summer, would come down too late to affect any primary voting, but could certainly be in place for the presidential election in November.

Marilyn Marks, the executive director of CGG, [argues](#) that the case is “extreme and urgent,” asserting, “It’s the ability to satisfy winners, losers and their supporters [in the upcoming election] that Georgia’s election was legitimate and verifiable.”

This is certainly the crux of the matter. Instead of demanding that those concerned about whether such devices as touchscreens have produced fraudulent outcomes to prove their case, efforts should be made to make the changes necessary for all Americans to trust the integrity of the election outcome. But rather than changing to a more trustworthy paper ballot system, Georgia officials (and officials in some other states) have resisted such moves. Georgia Tech cybersecurity program director Richard DeMillo said, “The kneejerk reaction is to circle the wagons and present an implausible response ... either because they don’t understand [the technical issues] or because they think no one else will.” DeMillo has filed an amicus curiae brief in the case (in which an entity that is a non-party to the case, but has an



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interest in the outcome — or in DeMillo’s example, an expert — files a legal brief supporting one of the litigants, in this case the plaintiffs).

Brian Raffensperger, Georgia’s secretary of state and the top election official in the state, dismissed any concern about the integrity of his state’s voting system, telling *The Guardian* in an email a few months ago that such concerns are “theoretical but highly unlikely.” He said it was more likely that he could win the lottery without buying a ticket than that someone could hack the system and change the outcome. However, there was a breach of the machines in 2021 in Coffee County, Georgia. Gregory Miller, CEO of the nonprofit Open Source Election Technology Institute, warned that after the Coffee County breach, legislators and election officials across the country should have taken such concerns “seriously.”

In August 2016, Logan Lamb, a former federal cybersecurity researcher, was allowed to attempt to hack into the state’s system, and gained access to instructions and passwords for election workers to make use of on election day. Several months later, Lamb’s colleague, Christopher Grayson, was able to repeat the successful hack.

Concerns that foreign governments (such as Russia or China) could hack into systems like that used in Georgia led to an order from Judge Totenberg to stop using the machines. Then-secretary of state (and present governor) Brian Kemp formed a commission to choose a new system. Rather than abandon machines, the commission chose to spend \$150 million on their present computerized system, made by Dominion. In doing so, the commission did not follow the advice of Wenke Lee, a computer science professor at Georgia Tech — their only cybersecurity expert — who argued against using any touchscreen systems (except for voters with disabilities). Wenke advised going to hand-marked paper ballots instead.

In 2021, J. Alex Halderman, a computer science professor at the University of Michigan, and Drew Springall, a computer science professor at Auburn University, issued [a 96-page report](#) decrying “vulnerabilities in nearly every part of the system” that would allow votes to be changed.

One argument made against paper ballots is that their use will cause election counts to take too long. This seems like a very insincere argument, when some states in the 2020 presidential election took several days to finish counting, while states that use paper ballots (like my state of Oklahoma) routinely announce results before bedtime on election night.

I can recall one election in which there was a concern that an optical scan machine had perhaps misread some results in one precinct in my county. I was at the election board, and the election board secretary asked me to be among the witnesses as they recounted the paper ballots by hand.

The results were the same as what the optical scan machine had recorded. Who knows if a “touchscreen” ballot is recorded correctly?

Our system depends on two boxes — the ballot box and the jury box. We need to have confidence that the ballot box is not being manipulated. If the losing side knows that the results are accurately reported, they might be disappointed, even disheartened, but at least they should be able to know that the results as reported are accurate.

Finally, one must wonder: Why would anyone not want the results reported honestly?

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