

# The Voting Integrity Project

A public interest initiative of The Peacemakers of Schoharie County  
Po Box 214, Cobleskill, NY 12043

April 26 2007

New York State Board of Elections  
Neil W. Kelleher, Co-Chairman  
Douglas A. Kellner, Co-Chairman  
Evelyn J. Aquila, Commissioner  
Helena Moses Donohue, Commissioner  
40 Steuben St.  
Albany, NY 12207-2108

Honorable Commissioners,

The Voting Integrity Project has recently learned of a series of disturbing events involving the manufacturer of the LibertyVote direct recording electronic voting machine. As you are aware the Liberty machine is manufactured in The Netherlands by Nedap, 7141DC, Groenlo, The Netherlands.

In September of 2006 an independent Dutch voting integrity group The "We Do Not Trust Voting Computers" Foundation published a security analysis of the Nedap machine and its software component provided by partner group Groenendaal. That analysis was very critical of both the machine and the software.<sup>1</sup>

Public disclosure of the Nedap machines' security weaknesses apparently angered Mr. J. Groenendaal, CEO of the software company which is the exclusive provider to Nedap, and precipitated several email messages and letters between Mr. Groenendaal and the Dutch Election Ministry which can only be described as bizarre.

Utilizing the Dutch Freedom of Information Laws the "We Do Not Trust Voting Computers" Foundation acquired over thirty pages of correspondence which reveal an attempt by the software company's CEO to coerce the Dutch government. The Nedap machines are used in 90% of the polling places in The Netherlands and the government is dependent upon Groenendaal's company for the management of their elections. The foundation's report<sup>2</sup> states:

*The letters also show that Groenendaal was more or less blackmailing the Dutch government at the time of the previous parliamentary elections. On Nov. 10<sup>th</sup>, 2006 he sends an email warning the Ministry that his company will cease all activity if Rop Gonggrijp of the "We Do Not Trust Voting Computers" Foundation becomes a member of the independent commission that is investigating the future of the electoral process.*

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<sup>1</sup> The complete security analysis report is enclosed and can also be found at:  
<http://www.wijvertrouwenstemcomputersniet.nl/images/9/91/Es3b-en.pdf>

<sup>2</sup> Report by The "We Do Not Trust Voting Computers" Foundation  
"Voting Systems Company Threatens Dutch State" is enclosed and can also be found at:  
<http://www.wijvertrouwenstemcomputersniet.nl/English/Groenendaal>

In this and following messages Groenendaal attempts to compel the government to buy his company by threatening to withhold his company's cooperation. At one point he states "I have ordered my employees to halt all activity until we have received an answer that is acceptable to us."

Mr. Groenendaal's behavior certainly could have justified the attention of law enforcement officials if it were not for the Elections Ministry's dependency upon the software company. Apparently, prosecution of Mr. Groenendaal has not been initiated. To the contrary, subsequent to his extortion demands his company was contracted to inspect the machines and to replace critical components in an effort to bolster public confidence in the machines.

The Voting Integrity Project acknowledges that, should Nedap (Liberty) voting machines be deployed in New York State, it is unlikely any jurisdiction here would become so completely dependent upon the software provider. However, this episode of apparently illegal behavior by a principal in the Nedap/Groenendaal consortium raises serious questions concerning the business ethics and responsibility of this organization. We question the wisdom of entering into a contract with a provider (by extension through Liberty Election Systems) given to issuing ultimatums to government officials and attempting to coerce those officials by threatening to impede the voting process. The Voting Integrity Project believes this vendor can not be trusted to have access to our voting systems at any level.

The New York State Office of the State Comptroller has issued Procurement and Disbursement Guidelines Bulletin No. G-221 titled Vendor Responsibility: Standards, Procedures, and Documentation Requirements. This document succinctly states duties of state agencies to affirm the responsibility of vendors before awarding contracts.

Liberty Election Systems and Nedap/Groenendaal have not previously been New York State vendors. Indeed, New York State is the first marketing effort in the US by Nedap. There is no history of performance here to be examined so we must look to the markets where this equipment has been deployed. We are indebted to the Dutch citizens who have issued these reports and we are fortunate to have learned of this disturbing behavior by a potential vendor before a New York State contract is finalized.

The New York State Board of Elections must investigate this incident, and the responsibility of the Liberty/Nedap/Groenendaal vendor consortium as required by OSC Bulletin G-221 before entering into a contractual relationship.

For The Voting Integrity Project,

Wayne R. Stinson, Coordinator

Cc; Office of the State Comptroller, 110 State St., Albany, NY 12236