



OPEN VOTING CONSORTIUM

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Hon. Bruce McPherson
Secretary of State
1500 11th Street
Sacramento, CA 95814

Dear Mr. Secretary:

I am requesting clarification regarding the status of the panel you have said you will form to fulfill the request from the Legislature for a feasibility report (due the end of this year) on using open source software for elections.

On August 5th, Assistant Secretary of State Bradley Clark called me about this panel and indicated that you'd like me to be on the panel. He asked me for input on who else should be invited to participate. I provided a list of highly qualified individuals, all of whom I know would be glad to help, to Mr. Clark on August 11th.

On Saturday, October 1st, I received a letter (dated SEP 28) from your Chief of Elections, Caren Daniels-Meade. She correctly acknowledges that this is a "complex and important subject," and states that you are "considering several options" about how to proceed.

Through our email list, scientists and engineers with Open Voting Consortium have discussed the issues involved here in more than 5,000 articles over the last several years. I have defended this proposal in public many times over the past nearly 5 years. We are very familiar with all the complexities and subtleties.

We also know that vendor lock-in with election technology is a subset of the much larger issue of vendor lock-in. Massachusetts officials recently took some criticism from vendors after deciding on using open nonproprietary document formats instead of the usual proprietary formats.

It's been nearly 2 months since Bradley Clark called me about this – still nothing scheduled. We are also concerned that the remark from Assemblywoman Goldberg that her office heard "this will not be a hearing" has not been addressed. I agree with Assemblywoman Goldberg that these proceedings should be open to the public. I am interested to know if other members of the legislature would prefer public hearings. With adequate input from the public and from many independent experts – *fairly processed* – the report you issue will be credible and authoritative

I look forward to your response regarding these issues. Thank you.

Sincerely,

Alan Dechert