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**Coalition for Good Governance and 3 Voters Challenge  
Lieutenant Governor Election**

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***Lawsuit Seeks New Election***

**Atlanta**—On Friday night, Coalition for Good Governance and three Georgia voters filed a [lawsuit](#) to challenge the results of the Lieutenant Governor’s race in the election held on November 6, 2018. The large number of missing votes and other significant election irregularities form the basis for the election contest. The lawsuit alleges that an accurate result in the second-highest office on the ballot cannot be determined because of flaws and malfunctions in the electronic voting system. The plaintiffs are seeking a prompt second election for the office, conducted on an auditable election system. The lawsuit names Secretary of State Robyn Crittenden and the Election Boards of Fulton, Gwinnett, and DeKalb Counties as defendants.

The lawsuit highlights the large difference in votes for all other statewide races and the low reported participation rate for the Lieutenant Governor’s race. The Lieutenant Governor’s race reported only 3,780,034 votes, while every other statewide race tally exceeded 3.843 million votes. The Governor’s race tallied 3.939 million votes and the remaining eight statewide races averaged 3.86 million votes. The plaintiffs allege that this high under-vote rate is a likely result of the touchscreen voting system malfunctions, and that the un-auditable system does not permit a reliable determination of the vote count. Plaintiffs cite the strong indication of error in the touchscreen system results that differ greatly from those counted on paper ballots (mail ballots and provisional ballots), as the paper ballots show high participation rates and very little undervoting in the Lieutenant Governor’s race.

“Georgia voters must not be forced to accept election outcomes that cannot be verified and in which they have no confidence. The anomalies in this race, combined with the thousands of voters’ complaints of malfunctioning machines, erroneous voter registration files, improperly rejected ballots, and irregularities in vote counts, cast tremendous doubt on the election. The error levels are especially alarming in the important office of Lieutenant Governor,” said Marilyn Marks, Executive Director of Coalition for Good Governance.

The lawsuit seeks the following key remedies:

- a new election for the Lieutenant Governor’s office.
- that the new election be conducted on paper ballots read by optical scanners.
- correction of the voter registration records and electronic pollbook discrepancies to avoid voter disenfranchisement.
- improved absentee mail ballot procedures to avoid rejection of eligible voters’ ballots.

“There were numerous warnings prior to the November election concerning the use of the DREs and other technologies that were vulnerable to hacking and unauthorized modification,” stated Ronnie Martin, an Atlanta-based plaintiff. “These warnings came from experts in the fields of computer security and election processes. Unfortunately, election officials in the state of Georgia chose to ignore the warnings. The undervote count for the Lieutenant Governor race is the canary in the coal mine, alerting us to an obvious

effect of the many voting irregularities that have been experienced and reported by qualified Georgia voters.”

The claims in the election contest filed Friday night reflect many of the issues raised in the [Curling v. Kemp lawsuit](#) regarding Georgia’s flawed electronic voting system. Coalition for Good Governance also organized that 2017 lawsuit now pending in federal court. The Secretary of State and the State Election Board have appealed the Court’s ruling in that case, which is expected to be tried in 2019.

Bruce Brown, Atlanta-based attorney representing the plaintiffs, commented, “Citizens must not permit flawed elections to stand. Otherwise our democratic process fails. Until Georgia election officials commit to conduct fair and verifiable elections, the courts must intervene on behalf of Georgia voters. We look forward to a prompt resolution to this case and a new election conducted in a responsible and legal manner.”

Morgan County voter and plaintiff Jeanne Dufort said, “Every Georgia voter deserves to have confidence her vote is counted as cast. Our Secretary of State and election officials are supposed to guard that trust—instead, the people of Georgia have had to rely on the courts to make sure our elections are fair and secure. We demand better. It’s time for voter-verified paper trails with postelection audits and secure, accurate voter rolls.”

Plaintiff Smythe DuVal added, “As the Libertarian Party candidate for the Georgia Secretary of State, I advocated for competitive, fair, and secure elections. Georgia officials cannot account for over approximately 100,000 votes in the Lieutenant Governor’s race. More disturbing, the lost votes appear concentrated in Democratic-leaning counties. A week ago, Secretary of State Crittenden was notified of this issue, and she declined to take action. This is unacceptable. For Libertarians, 100,000 votes is a lot of votes. And when thousands of votes for the second most powerful official in our Georgia appear to have been lost, the people of Georgia deserve action. It’s truly unacceptable that the only way Georgia election officials will hear us is to take them to court.”

Marks also stated that this lawsuit and the controversies surrounding the election are the inevitable result of the worsening failures in Georgia’s election system. Coalition for Good Governance has focused its efforts for the past 18 months on the vulnerable nature of Georgia’s electronic voting system and the voter disenfranchisement occurring through the mail ballot processing.

The election contest was filed Friday night in Fulton County Superior Court. Geoff Duncan, the declared winner of the Lieutenant Governor’s race, was also named as a defendant as required by election contest statutes, although all relief is sought against election officials. Duncan’s vote totals were reported as 1,951,738 and Sarah Riggs Amico’s vote totals were reported as 1,828,566.

Coalition for Good Governance is a nonprofit, nonpartisan organization advocating for secure, transparent, and fair elections. This lawsuit is the fourth lawsuit that Coalition for Good Governance has organized in Georgia since mid-2017 demanding fair and verifiable election systems. The lawsuits have increased public awareness, voters’ demands for fair elections, and court orders that have vindicated voters’ rights.