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News

Former Alabama Gov. Don Siegelman supports lawsuit to block use of electronic voting machines

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Alabama Gov. Don Siegelman speaks at a press conference in November 2002 about the disputed results of the governor's race. (file photo).

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By Mike Cason | mcason@al.com

Former Gov. Don Siegelman has filed a declaration in support of a lawsuit challenging Alabama's use of electronic voting machines, citing his razor-thin loss in the governor's race 20 years ago.

"I personally experienced how votes can be electronically manipulated," Siegelman said in the declaration.

Unofficial results on election night in November 2002 initially showed Siegelman, the Democratic incumbent that year, narrowly defeating Republican challenger Bob Riley.

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But late in the evening, Baldwin County officials said a computer glitch had skewed the totals. They said Siegelman received about 6,000 fewer votes than shown on a summary given to news outlets and campaign representatives. That meant Riley won by about 3,000 votes, or 0.2 percent out of 1.36 million votes cast.

"It was a physical impossibility that thousands of votes could have simply disappeared from my vote total and no other candidate be impacted," Siegelman says in the declaration.

Then-Baldwin County Probate Judge Adrian Johns said at that time the final total was "accurate and supportable and defendable."

Siegelman asked for a statewide recount. But then-Attorney General Bill Pryor said it would be illegal to unseal ballot boxes for that purpose. The legal wrangling went on for almost two weeks before Siegelman conceded, saying a prolonged dispute would hurt the state.

His statement, filed in court today, comes in support of the lawsuit filed by former gubernatorial candidate Lindy Blanchard and several others, claiming that the electronic systems Alabama uses to count ballots are vulnerable to tampering and manipulation that could change votes.

"We can't point fingers at Russians and declare meddling in our elections without being willing to have audits of our own elections when properly challenged," Siegelman said.

Blanchard has filed a motion to withdraw from the case, but the other plaintiffs remain -- state Rep. Tommy Hanes, a Republican from Jackson County, Dr. David Calderwood of Madison County, and Focus on America, a tax-exempt social welfare organization in DeKalb County.

The plaintiffs have asked for a preliminary injunction to block the state from using the electronic ballot-scanning machines in the election on Nov. 8. They asked the court to order a hand count of ballots under a procedure that would include video cameras live-streaming and recording the count.

The defendants in the case are Secretary of State John Merrill and the members of the Alabama Electronic Voting Committee, a panel that certifies voting machines used in Alabama elections.

Attorney General Steve Marshall, who is representing the defendants, has filed a motion to dismiss the case, saying it is based on on "nothing more than speculation and innuendo."

Montgomery County Circuit Judge Greg Griffin has scheduled a hearing for Aug. 30 on the state's motion to dismiss the case.

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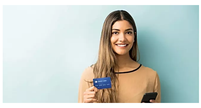
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