

WTO Helps Ensure Security and Integrity of November Election

News

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Wheeler Trigg O'Donnell lawyers Paul Hultin, Andrew Efaw, and Michael Williams recently obtained a significant legal victory in a *pro bono* lawsuit with national ramifications. WTO represented a nonpartisan group of Colorado voters seeking to ensure the security and integrity of electronic voting machines in the state. The Colorado lawsuit alleged that the Secretary of State had neither adequately tested the machines nor promulgated minimum security standards, as required by law. After a three-day trial, Denver District Court Judge Lawrence Manzanares agreed with the WTO lawyers that the Secretary of State's office had failed to develop the required minimum security standards and failed to do adequate testing for certification of the machines. The court ordered the Secretary of State to enact meaningful security standards for electronic voting machines and to retest the machines under those standards before Colorado's 2008 election. Judge Manzanares also ordered the Secretary of State to adopt statewide physical security standards before the November 2006 election and to ensure compliance by all Colorado counties using the machines. Those security standards, approved jointly by the Colorado Attorney General and WTO, were filed with the Court on September 27. The

case has been closely watched by other states, where similar voter suits are pending.