

# Peckarsky campaign: U.S. Senate candidate takes second legal step to protect democracy

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MILWAUKEE – Peter Peckarsky, attorney and Democratic candidate for U.S. Senate is working to bring the state of Wisconsin’s election practices in line with election law by filing his second election-related Notice of Claim.

“If all software components for an Electronic Voting System (EVS) are not in escrow with the Wisconsin Elections Commission as required, then that EVS should be decertified, and every ballot should be counted by a lawfully certified EVS or by hand,” Peckarsky said.

Peckarsky yesterday filed a paper with the Wisconsin Elections Commission (WEC) to make certain that Wisconsin elections are conducted in full compliance with statutes that regulate certification of Electronic Voting Systems.

According to public records obtained from the Wisconsin Elections Commission and reported here, WEC, contrary to law, has among other things never placed software components, changes, or ballot definition files in escrow with the Wisconsin Elections Commission. The records also indicate WEC has not been able to verify that the instructions in certain EVS software correspond to the instructions actually used by

the  
EVS to count votes.

“I ask the Wisconsin Elections Commission to conduct elections in full compliance with our law (Wis. Stat. secs. 5.905 and 5.91),” Peckarsky said. “It’s our job as leaders to be aware of what’s happening, or in this case, not happening, and be certain that votes are counted on machines that are fully compliant with our law instead of with a non-compliant EVS.”

Why is this important? In the case of a recount, the Commission is required to provide immediate access to the software to the candidates involved, and their designees who agree in writing, to protect any proprietary software.

Peckarsky, an intellectual property lawyer who in July announced his candidacy for the U.S. Senate seat now occupied by Ron Johnson, has used his legal training and experience for more than 20 years to assist election protection efforts for the Democratic Party of Wisconsin, California Democratic Party, Democratic National Committee and other organizations.

A Milwaukee-born and based attorney, Peckarsky has a degree in electrical engineering from the Massachusetts Institute of Technology and a law degree from Case Western Reserve University. He previously served as consultant on strategic nuclear weapons forces and platforms to the Office of the Chief of Naval Operations, and on intelligence analysis to the Director of Naval Intelligence. His legal career spans election law, antitrust, patent, securities fraud and hedge fund matters, and the intersection of law with science

and technology. Learn more at [peckarskyforwisconsin.com](http://peckarskyforwisconsin.com).

[See the notice of claim.](#)