

EXECUTIVE SUMMARY

Preliminary Findings for the 2006 Election

Election Data Analysis/Rapid Response Project
Election Defense Alliance

In collaboration with the
Vote Count Protection Project
Election Integrity

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Overview

In the years preceding the election of 2006, more and more voters cast ballots on machines without any meaningful audit mechanisms at all, and even when some kind of paper record was available, in practice the official tally of optical scan and DRE touchscreen voting machines was almost always accepted without question.

The Election Defense Alliance (EDA) and Election Integrity (EI) believed that this was not good enough and so joined forces with a common goal to help ensure, using the best available methods, that accidental or deliberate corruption of the official electronic vote tally could be detected if it occurred.

In an era of electronic “faith-based” voting there remain only a few tools citizens can deploy to independently assess the integrity of the American electoral process:

- *Public opinion polls*, where a representative sample of potential voters is interviewed, by a variety of means, to assess how likely they are to vote in an upcoming election and if they do, for whom.
- *Canvassing polls*, a type of public opinion poll where a representative sample of eligible voters is interviewed after an election to find out if they voted, and if so, for whom.
- *Exit polls*, where a random sample of voters in a representative sample of precincts is approached by an interviewer immediately after the voter has cast their ballot and are requested to complete a questionnaire. The questionnaire is used not only to determine for whom the voter just voted, but also to gather demographic data to ensure the sample is representative of the precinct’s overall makeup.
- *Parallel elections*, where immediately after casting an official ballot, the voter is able to cast a second “unofficial” ballot which will be counted by an independent group in parallel with the official tally.
- *Post-election audits*, where citizens
- *Forensic data analysis*, the process of comparing a baseline of election results and correlated data (demographics, exit polls, reports of unusual incidents, and so on) to determine through statistics places where there may be problems -- accidental or deliberate -- in accurately tallying votes. For example, if the partisan balance in election returns in two precincts with historically similar demographics and historically similar voting histories suddenly changes when new voting equipment is installed that anecdotal report is potentially of interest. While if the same pattern emerges for precincts all across the country that would clearly be a matter of grave concern.

Of the available options, EI had expertise in interpretation of public opinion polls, canvasses and exit polls, but with a focus on conducting and analyzing citizen-run exit polls (rather than on purchasing exit poll data from a vendor.) EDA had similar goals and expertise, and the ability to raise funds to pay for such surveys and make their results public. Both organizations wished to pool their efforts for forensic data analysis.

This report is an executive summary of the joint project’s election data analysis work in the days immediately following the 2006 election.

2006 Election Incident Summary

There were a significant number of vote tabulation-related incidents in the 2006 election.

- *Real-time incident tracking was severely hampered* by the unexplained unavailability of the online Election Incident Reporting System (EIRS) sponsored by several election integrity organizations. EIRS had proven to be an invaluable resource when analyzing the tabulation problems of the 2004 election.

Incident reports were captured by phone operators, but many reports would undoubtedly have been lost. EIRS incident reports were unavailable in the first few days after the election. The incidents recounted here were reported anecdotally via email or via mainstream media. Based on the widespread prevalence of precisely the same problems in 2002, 2004, 2005, and earlier this year for 2006 primary elections, this list of incidents must be presumed to be indicative only, and highly incomplete as of the date of this draft.

- *Vote switching* on touch screen voting equipment.

There were two scenarios: (1) touching the name of one candidate caused the other candidate's name to be highlighted as if the other candidate had been the voter's choice instead. (2) Alternatively, the touchscreen machine would seem to highlight the actual choice of the voter – at least, initially. But at the end of the voting process, when the voter reviewed all their selections prior to casting a completed ballot, the name of a different candidate than the one chosen by the voter was unexpectedly highlighted. Vote switching problems typically recurred multiple times during a given voter's session.

Vote switching on ES&S iVotronic DREs was reported in Broward County Florida, St. Louis County, Missouri, and Jefferson and Bexar Counties, Texas. "Disappearing" votes were reported in Broward County FL – switched to nothing.

Vote switching on Diebold Accuvote TX DREs was reported in Dallas County, Texas and Pulaski County, Arkansas.

- *Major malfunctions* delayed the opening of voting, slowed the voting process to the point where voters could no longer wait in line and had to leave, and forced extensive use of backup paper ballots in many locations.

Major malfunctions were reported on Diebold Accuvote DREs in Cuyahoga County, Ohio; Utah, Daggett and Salt Lake Counties, Utah. Long lines symptomatic of major malfunctions occurred in Douglas County, Colorado.

Major malfunctions occurred on ES&S iVotronic DREs in Broward County, Florida – voting was delayed by 90 minutes; was reported in Broward County .

Major malfunctions occurred on Hart eSlate DREs in Fort Bend County, Texas, and Orange County, California, causing long lines at the polling place, voters to be turned away, and polling places to run out of paper (!) ballots.

Major malfunctions occurred on Microvote DRE equipment in Delaware County, Indiana (machine problems in 75 precincts caused extended polling hours) and Marion County, Indiana, where there were outages in 100 of 914 precincts.

- *Optical scan problems* were generally less well documented than DRE problems, but were reported in Cook County, Illinois; Minnesota Congressional District 6, and Marion County, Indiana.
- *Chain of custody and procedural irregularities.* In Pinellas County Florida fifteen Sequoia AVC Edge DREs were stored in a room assigned to a candidate for a public “meet and greet” function, and in Orange County California (as is common practice around the country) Diebold Accuvote TX machines were allowed to be stored by poll workers for periods of up to three weeks prior to the election – even though a host of well-documented methods to undetectably alter vote totals and vote tabulation logic are possible with even a few minutes hands-on access to that device.

[this is only in outline form... must sleep now, but will complete this tomorrow]

Exit poll analysis

NEP Exit Polls

[To be provided by Jonathan]

Vote Count Protection Project Exit Polls

[To be provided with help from Steve/Josh/Stephanie]

Election forensics

Open, closely contested races worth priority investigation

CT02

FL13

FL15

OH15

GA12

FL24

Virginia Senate

Other closely contested House races worth priority investigation

IL06

NM01

OH05

CT04

CO04

MN06

PA06

PA07

Montana Senate

EDA Project resources available to the investigation

FL13 - SurveyUSA sampling of Hardee County

FL16 - SurveyUSA sampling of Okeechobee County

GA12 – SurveyUSA sampling of Jefferson and Emanuel Counties

OH05 – SurveyUSA sampling of Adams and Hocking Counties

PA06 – VCPP exit poll

PA07 – VCPP exit poll

Virginia – SurveyUSA sampling of Lancaster County

Montana – Zogby canvass poll

