Appendix A: Compendium of problems, continued from Chapter 2

(Footnotes for this section located at the end of "Footnotes: Chapter 2")

September 1986, Dallas, Texas: The number of voters changed on various report printouts, but votes for individual candidates remained the same. The problem was attributed to a computer-programming error. Note the date on this report: Officials have been expressing concerns about computerized vote-counting for nearly two decades.

"With paper ballots, I can make the numbers add up ..." said Assistant Texas Attorney General Bob Lemens. "We are running into much tougher problems here."

Texas Attorney General Jim Mattox said the computerized vote-counting clearly has the potential for fraud.

"I can't send a reasonably good programmer to look at this system and determine that it is properly tabulating the ballots," Mattox said. [72]

November 1988, Hillsborough, Broward and Dade counties, Florida: A dropoff was observed in Senate votes from the previous general election, but only in counties that used computerized vote-counting machines. Counties without computerized vote-counting showed a 1 percent dropoff, while counties with computerized voting showed a dropoff of 8 percent.

"Something stands out there like a sore thumb," said Michael Hamby, executive director of the Florida Democratic Party. [73]

November 1989, Lima, Ohio: Representatives of Sequoia Pacific, makers of the voting machine software for Lima, failed to appear as requested, and election results were delayed until someone could work out the programming error and recount the votes. Nobody was quite sure how many races were affected, but the mayoral race and the school board races were in question for nearly a week after the election. [74]

November 1990, King County, Washington: Worse than the butterfly ballot, some Democratic candidates watched votes alight, then flutter away. Democrat Al Williams saw 90 votes wander off his tally between election night and the following day, though no new counting had been done. At the same time, his opponent, Republican Tom Tangen, gained 32 votes. At one point several hundred ballots added to returns didn't result in any increase in the number of votes. But elsewhere, the number of votes added exceeded the number of additional ballots counted. A Republican candidate achieved an amazing surge in his absentee percentage for no apparent reason. The miscounts were sporadic and thus hard to spot, and the errors disproportionately favored just one party. King County's election manager recom-

mended a countywide recount. [75]

1994, New Orleans, Louisiana: Voting machine tests performed and videotaped by candidate Susan Barnecker demonstrated that votes she cast for herself were electronically recorded for her opponent. This test was repeated several times with the same result. (The video footage of this incident can be seen in Dan Hopsicker's documentary video *The Big Fix 2000*, Mad Cow Productions). [76]

November 1996, Bergen County, New Jersey: Democrats told Bergen County Clerk Kathleen Donovan to come up with a better explanation for mysterious swings in vote totals. Donovan blamed voting computers for conflicting tallies that rose and fell by 8,000 or 9,000 votes. The swings perplexed candidates of both parties. For example, the Republican incumbent, Anthony Cassano, had won by about 7,000 votes as of the day after the election, but his lead evaporated later. One candidate actually lost 1,600 votes during the counting.

"How could something like that possibly happen?" asked Michael Guarino, Cassano's Democratic challenger. "Something is screwed up here." [77]

November 1996, Thurston County, Washington: An inexplicably large number of people went to the polls but did not vote in the hot House contest. A whopping 11.5 percent of Thurston County voters ignored the congressional race — nearly twice as many no-votes as other races in Thurston County and twice as many no-votes as other counties recorded.

"We have absolute confidence our machine is counting appropriately," said Bob Van Schoorl, Thurston County's chief deputy auditor.

J.R. Baker, of Democratic challenger Brian Baird's campaign, was not satisfied. "They have not gone through any special testing to see if their machines are adequately counting the votes. Perhaps they need to do sample hand counts of precincts and compare them with the machine." [78]

November 1996, Guadalupe County, Texas: Officials discovered a voting machine counted more votes in the presidential election than the number of ballots cast. Guadalupe County Elections Administrator J.R. Perez said the problem was with new software for the county's Business Records Corp. Eagle vote counting system. Perez said a problem was identified with the software before the election, and he thought it had been fixed.

"I had no reason to believe the system was not tabulating right," Perez said. [79]

Tucson, Arizona:

1984 - 826 legitimate ballots were discarded in Oro Valley because of a computer error. The error wasn't discovered until after the deadline for counting them.

1996 - A software programming error mixed up the votes cast for two Republican supervisor candidates.

1997 - More than 8,300 votes in the City Council race were initially left uncounted because of defective punch-card ballots, which were provided by the voting machine company.

1997 - The city had to hand-count 79,000 votes because of a manufacturing defect in the ballots, provided by the voting machine company.

1998 - 9,675 votes were missed in the tabulation. After canvassing, officials realized that no votes had been recorded for 24 precincts even though voter rolls indicated thousands had voted at those polling places. Global Elections Systems (now called Diebold Election Systems) tried to figure out why the computer had failed to record the votes. [80]

November 1998, Franklin County, Ohio: One candidate was incorrectly credited with 14,967 votes; another received 6,889 in error. Deborah Pryce and John R. Kasich gained 13,427 votes and 9,784 votes, respectively, after election officials hand-checked vote totals in 371 machines that were affected by a software programming error. A spokesman for Danaher Corp., which supplied electronic voting machines to the county, told the board that such a problem had never before happened in Franklin County. No one caught the error while downloading the data into voting machine memory cartridges. [81]

November 1998, Washoe County, Nevada: A breathtaking number of snafus in the Washoe County registrar's office caused candidates in Reno to liken the election to the movie *Groundhog Day*, in which the lead character relives the same day over and over again. Count votes. Computer failure. Go to court. Recount the votes. Software error. Back to court. Start over counting, and so on. [82]

December 1998, Canada: What was billed as a historic first for the Canadian Wheat Board turned into an embarrassment as a programming error threw the election results into question. The firm hired to count the ballots found a flaw in the computer program that tabulated results for the agency's first-ever board of directors. [83]

September 1998, Kansas City, Kansas: Republican John Bacon, a staunch conservative, celebrated a resounding victory for the 3rd District Kansas Board of Education seat, defeating moderate Republican Dan Neuenswander by 3,018 votes. Two weeks later Neuenswander learned that the race had been dead even with the margin of loss being just 24 votes. No one offered any explanation for the discrepancy. [84]

August 1998, Memphis, Tennessee: In the governor's race, a software programming error in Shelby County began crediting votes to the wrong candidates. Computer cartridges containing 295 individual precinct results were taken to a central location because the scanner couldn't read them. The system that was shut down had posted the incorrect results to newsrooms across the city. At least one television station broadcast the bogus results. [85]

November 1998, Chicago, Illinois: One hundred eight of 403 precincts were not counted. A pin from the cable connecting the ballot reader to the counting computer had gotten bent after three-fourths of the precincts had been counted correctly. No one could explain how a pin inside a cable had become bent during the middle of the count. Democrats requested a full recount; a judge disallowed it. [86]

November 1998, Honolulu, Hawaii: A state senate investigation was conducted into the 1998 malfunction of voting machines in seven precincts at once. ES&S acknowledged the error and paid more than $250,000 for the recount, in which the biggest expense was hand counting, according to Vice President Todd Urosevich. ES&S financial officer Richard Jablonski said ES&S would have saved a lot of money if it had been permitted to do only a machine recount, giving voice to a financial incentive for vendors to get rid of paper ballots. [87]

November 1999, Norfolk, Virginia: Machines showed totals of zero but votes had been cast. Edward O'Neal, Norfolk Electoral Board vice chairman, said, "Somehow, they lost their ability to count the votes." [88]

November 2000, Arapahoe County, Colorado: Officials agreed to reconfigure the vote-reading machines for a recount because they had been set wrong and therefore did not read all of the votes. Because Democrats wanted the additional recounts, they had to pay the bill, which came to about $11,000. [89]

November 2000, Denver County, Colorado: Four voting machines malfunctioned. Voting officials mistakenly assumed those machines were not used, but there were 300 votes on them. [90]

Crozet, Virginia (anecdotal report from a voter): "When I pushed the button beside 'No' the machine registered my vote as a 'Yes.' I tried this a couple of more times and got the same result. Finally, I poked my head outside the curtain and asked the 'attendant' what I should do. Whenever I made my choice, the opposite choice lit up. He suggested then that I should intentionally push the wrong button." [91]

November 2000, Volusia County, Florida: A clerk in one precinct could not reach election headquarters to report that the computer had shut down, so the clerk turned the computer off, then turned it back on, accidentally erasing 320 votes. This was discovered only when workers counted all ballots by hand. Election supervisors across

Florida say the phone clog happens during most presidential elections, but few people notice. [92]

November 2000, Davidson County, North Carolina: A computer error allowed election software to count about 5,000 early and absentee ballots twice. A reporter brought the discrepancy to light during the county election board's official canvass. The incorrect vote totals appeared only on the official report sent to the state Board of Elections in Raleigh. [93]

November 2000, San Francisco, California: In polling place 2214, machines counted 416 ballots, but there were only 362 signatures in the roster and the secretary of state found only 357 paper ballots. [94]

February 2000, Manatee, Florida: A power surge was reported to be the cause of incorrect computerized vote tallies. A hand count was performed. And because the hand count showed that a candidate lost by just two votes, another hand count was done. All results, including two hand counts, were completed within 48 hours. [95]

November 2000, Albuquerque, New Mexico: A software programming error in New Mexico led officials to withhold about 60,000 ballots from their vote count. According to an AP wire service report: "Their (voting) machines have a problem in the database," elections bureau director Denise Lamb said, "and they can't count any of the straight-party ballots." [96]

November 2001, Buffalo, New York: The poll book showed 96 Republicans signed in to vote at the polling place at Ohio Elementary School, but when the machine was checked, it tallied 121 votes for mayor: 74 for David Burgio and 47 for Mary Kabasakalian. [97]

April 2002, Johnson County, Kansas: Johnson County's new Diebold touch-screen machines, proclaimed a success on election night, did not work as well as originally believed. Incorrect vote totals were discovered in six races, three of them contested, leaving county election officials scrambling to make sure the unofficial results were accurate. Johnson County Election Commissioner Connie Schmidt said that internal checks revealed that the system had under- and over-reported hundreds of votes. Schmidt said the voting machines worked fine, they just tabulated wrong.

"The machines performed terrifically," said Robert J. Urosevich, president of Diebold Election Systems. "The anomaly showed up on the reporting part."

The problem, however, was so perplexing that Schmidt asked the Board of Canvassers to order a hand recount to make sure the results were accurate. Unfortunately, the touch-screen machines did away with the ballots, so the only way to do a

hand recount was to have the machine print simulations of ballots from its internal data. Diebold tried to recreate the error in hopes of correcting it.

"I wish I had an answer," Urosevich said. In some cases, vote totals changed dramatically. [98]

November 2002, Palm Beach, Florida: A Florida woman, a former news reporter, discovered that votes were being tabulated in 644 Palm Beach precincts, but only 643 precincts had any eligible voters. An earlier court case in Florida had found the same discrepancy, and the reason for it was never satisfactorily explained. [99]

November 2002, New Jersey: A reporter in New Jersey observed 104 precincts with votes in an area that has only 102 precincts. "Ghost precincts," no matter what the official explanation, do not provide the transparent accounting needed to protect voting integrity." [99]

March 2002, Palm Beach County, Florida: Touch-screen machines sometimes froze up when voters selected which language to use. Phil Foster from Sequoia Voting Systems attributed the problem to a software programming error. Elections Supervisor Theresa LePore also said she heard that some people touched one candidate's circle on the screen, only to see an X appear by another candidate's name. [100]

November 2002, Dallas, Texas: When 18 machines were pulled out of action in Dallas because they registered Republican when voters pushed Democrat, Judge Karen Johnson, a Republican, quashed an effort to investigate the accuracy of the tally. [101]

March 2002, Medley, Florida: Voting machines gave the town council election to the wrong candidate. The problem was attributed to a programming error by a voting machine technician. County Elections Supervisor David Leahy said he was concerned because the computer did not raise any red flags; humans had to spot the error. [102]

November 2002, Monterey, California: California machines couldn't add. The problem in Monterey, California, was that the department's mainframe computers refused to add the results of early absentee votes and those cast on touch-screen computers prior to Election Day.

"We didn't have any problems whatsoever during our pre-election tests," said the elections official. [103]

November 2002, South Carolina: A software programming error caused more than 21,000 votes in the close race for S.C. commissioner of agriculture to be uncounted, an error margin of 55 percent. Only a paper ballot hand count was able to sort it out. [104]

November 2002, Taos, New Mexico: Just 25 votes separated the candidates in one race; another race had a 79-vote margin. After noticing that the computer was counting votes under the wrong names, Taos County Clerk Jeannette Rael contacted the programmer of the optical-scan voting machine and was told that the problem was a software programming error. [105]

November 2002, Pennsylvania: In Pennsylvania, a voter reported that he had followed his conscience and voted Libertarian. When he reviewed the results for his precinct, though, the Libertarian candidate received zero votes. There are two ways to look at this: unimportant, just a vote; or a 100 percent error. Either way, this man did not get to vote for whom he wanted. [106]

November 2002, New York: Voting machine tallies were impounded in New York. Software programming errors hampered and confused the vote tally on election night and most of the next day, causing elections officials to pull the plug on the vote-reporting Web site. Commissioners ordered that the voting tallies be impounded, and they were guarded overnight by a Monroe County deputy sheriff. [107]

November 2002, North Carolina: Elections officials tried to find 300 voters so they could vote again. In Wake County, North Carolina, one out of four new touch-screen voting machines failed in early voting, losing 294 votes. Election workers looked for the 294 voters to ask them to vote again. (A voter-verified paper ballot would have solved this problem.) [108]

November 2002, Florida: Gubernatorial candidate Bill McBride was a tough guy to vote for: One voter said that he tried 10 times, and every time he pressed McBride, the Jeb Bush choice lit up. He could only get his vote to light up the McBride choice when he pressed a dead area of the screen. No paper ballot was available, so no one really knows who got any of the votes, regardless of which candidate lit up. Similar problems were reported in various permutations, for various candidates, by several Florida voters, and an identical problem was noted in Texas. [109]

November 2002, St. Bernard Parish, Louisiana: All the king's horses and all the king's men couldn't put the tally together again: With a 34-vote margin separating the two candidates for justice of the peace in St. Bernard Parish, the machine ate 35 absentee votes and left everyone guessing about the outcome of the race. The ballots became inaccessible when the system locked up; even the technician couldn't get at them. [110]

November 2002, Georgia: In one Georgia county, ballots in at least three precincts listed the wrong county commission races. Officials shut down the polls to fix the problem but didn't know how many wrong ballots were cast or how to cor-

rect errant votes. In another, a county commission race was omitted from a ballot. Cards voters needed to access machines malfunctioned. Machines froze up, and dozens had been misprogrammed. [111]

November 2002, Nebraska: Charlie Matulka, the Democratic candidate for U.S. Senate in Nebraska, arrived at the polls to vote for himself. When he looked at the optical-scan ballot he had been given, he discovered it had already been filled out for his opponent, Chuck Hagel, giving Nebraska the most newfangled voting of all — not just electronic voting, but *automatic* voting! [112]

January 2003, Everett, Washington: If there was any doubt that Republicans were right to ask for a recount of some Snohomish County absentee ballots from November's general election, it was erased by one sobering number: 21.5 percent of the ballots cast in 28 selected precincts were not counted. The Snohomish County Auditor's Office recounted 116,837 absentee ballots after county officials discovered that the optical-scan ballot-counting machines had miscounted.

The problem was attributed to a faulty "read head" on each of two optical scanners; the heads failed to read ballots with blue ink. The machines had passed the test on blue ink before the election. The Sequoia representative could not recall that the "read head problem" had ever happened before.

When asked by a citizen how many machines of the same make and model number Sequoia has in the United States, she said, "About 1,500." When asked how many years they'd been in use, she said about six years.

"Why, then," asked a citizen, "would this unheard-of problem happen at exactly the same time in exactly the same place on two different machines at once?"

The Sequoia rep said she had no idea. [113]

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This compendium is by no means complete. Worse, these are examples that were noticed and covered in the press. For the 100 examples listed here and in Chapter 2, there are undoubtedly a great many more that were not written up in the newspaper, or were never noticed at all.