

CBS NEWS COVERAGE OF ELECTION NIGHT 2000

Investigation, Analysis, Recommendations

- From Black Box Voting Document Archive -

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PART ONE: THE FINDINGS

INTRODUCTION AND OVERVIEW

On Thursday, December 14, 2000, the day after Vice President Al Gore conceded the election and Governor George W. Bush was declared President-elect, the Florida Secretary of State's Web site reported Gore ahead of Bush by 202 votes. When a *Washington Post* reporter inquired how this was possible, he was told, "It was an oversight and we're correcting it right now." The error was caused by a failure to add some absentee ballots to the Bush count. The next day, the Web site had Bush winning the state. Clearly, the television networks were far from the only ones who were confused by the Presidential election of 2000.

It would be easy to dismiss the bizarre events of Election Night 2000 as an aberration, as something that will never happen again, and to continue covering elections as we always have. But, this election exposed flaws in the American voting system, imperfections mirrored in television's coverage of the election results. We--and the public--know that some of the events that affected our reporting on Election Night were beyond our control. We all followed the irregularities in voting and watched the aftermath as the state of Florida, the courts of Florida and ultimately the United States Supreme Court became part of the process that chose the President of the United States. But rather than draw cold comfort from the fact that it took the nation itself more than five weeks to sort out the confusion and determine who won this historically unique election, CBS News has chosen to look at the flaws in *our* system of reporting the results, with an eye to correcting them for future elections.

All the major networks, broadcast and cable, initially "called" Florida for Al Gore, and then later declared Florida and the Presidency for George Bush, when in fact the outcome in the state--and therefore the election--was far from settled. This is a serious matter for us. As Andrew Heyward, the president of CBS News, has said, "At CBS News, we have a long-standing tradition of reporting the news without fear or favor. Our relationship with the public depends on this record of credibility. We have painstakingly maintained our commitment to accuracy and fairness throughout the long history of this company. We share the public's concern about mistaken 'calls' in Florida on Election Night." And so Heyward appointed a high-level panel, including an outside expert in political communication, to determine what went wrong at CBS News on Election Night and to offer recommendations to help avoid a similar situation in the future.

This report explores several key areas in depth:

- **The Decision Desk:** The system by which CBS News estimates winners and makes "calls" before all of the tabulated vote is in.

- **Voter News Service:** The consortium, known as VNS, formed by major news organizations to conduct exit polls, collect actual vote results and project winners, used by the television networks, the Associated Press and approximately 100 other news organizations. (Note: VNS is also conducting its own independent review.)
- **The Broadcast:** A description of who does what on Election Night at CBS News.
- **Competitive Pressure:** An analysis of whether the pressure to compete against other networks affects the decision to call a race.
- **The Florida Calls:** A chronology and analysis of how and why the calls were made on Election Night.
- **The Effect of Early Calls:** The debate over whether to call races in states where some polls are still open and while polls are still open elsewhere in the country.
- **The Bias Charge:** An examination of allegations that the networks displayed bias by holding back calls for Bush while quickly reporting calls for Gore.

Our report also contains recommendations based on the problems we uncovered. They are covered in detail later, but, in summary, we recommend that CBS News make changes in the following areas:

1. **Decision Desk:** Strengthen management oversight of the Decision Desk by assigning a key news executive to coordinate information and serve as a final arbiter for difficult calls.
2. **Language:** Modify the language and graphics used on-air to call races, making clear that CBS News calls are estimates, not facts, and explaining the process by which calls are made. Clarify the reasons why a call is not being made, distinguishing between “too close to call” and “not enough information yet.” Introduce a new characterization, “leaning,” to describe races in which one candidate has a solid lead but CBS News is still not prepared to make a call.
3. **Multiple Poll Closings:** In states with more than one poll-closing time, withhold an official call until all the polls have closed in that state. However, in states where less than 5 percent of the voting-age population is located in regions that are still voting after the first polls have closed, or where the state itself begins reporting results after the first polls close, use the new “leaning” characterization if one candidate is well ahead.

4. CBS Newsgathering: Invest additional resources in key states with close races: political experts familiar with local conditions should be stationed in central election locations as an additional check on the sampling techniques CBS News already uses.

5. VNS: Either invest additional resources to fix problems at VNS or build an alternative service with a new consortium. This decision should be made once VNS completes the review it has commissioned from outside experts. VNS provides a necessary service, but it needs to modernize computer hardware, upgrade election night software, improve statistical models and strengthen quality control. If the decision is to fix VNS, change the VNS board to increase representation by senior network news management.

In order to answer the question of exactly what happened on Election Night and to recommend a course of action to prevent a repetition, the panel used the following research and reporting techniques:

- We interviewed 25 people involved in CBS News coverage of elections, including the senior management in the CBS News control room, on-air personnel, members of the Decision Team, technical specialists, desk producers, representatives of VNS, the CBS News liaison to VNS, and several people who had managed CBS News coverage of previous elections.
- We compiled data on the times that calls were made by CBS News, by network competitors and by VNS.
- We studied materials about the history of CBS News election coverage from 1964 to the present. (The staff of the CBS News Reference Library retrieved original records from long-term storage in Pennsylvania for this section of the report.)
- We undertook a comprehensive review of the academic literature on the impact of early election calls on voting, including more than 30 studies and articles about the impact of Election Night calls on voting behavior, along with testimony at Congressional hearings and public statements by CBS News management.
- We used preliminary findings from VNS's ongoing internal review.
- We invited Dr. Kathleen Hall Jamieson, Dean of the Annenberg School for Communication at the University of Pennsylvania and a renowned political communication scholar, to conduct an extensive examination of the 284-page transcript of the 12 hours of CBS News election coverage. She also consulted similar transcripts of election coverage on ABC and NBC. Dr. Jamieson has written a critique of CBS News Election Night 2000 coverage that analyzes the use of language, the characterization of the election and poll-closing

issues. She also looks for any indications of bias in the coverage and adds her own recommendations for Election Night coverage.

- We asked Dr. Kathleen Frankovic, CBS News Director of Surveys and a respected political scientist, to put this subject in further perspective. Dr. Frankovic has written additional sections on the way in which decisions are made, the need for careful language and precise graphics on Election Night, the history of Voter News Service and the effects of announcing projected results before all the polls have closed.

This election put America's way of voting--and reporting on it--to the ultimate test. Just as the nation will no doubt explore reforms to prevent a recurrence of the irregularities and uncertainty that marred the election result, we hope that this report will help CBS News serve the American public with fair, clear and accurate reporting on future elections.

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HOW CALLS ARE MADE

CBS News Decision Desk and Voter News Service

The nerve center and driving force of CBS News Election Night coverage is the Decision Desk. Two analysts--consultants shared by CBS News and CNN--are the ones who make the calls. Three additional consultants back them up. They watch the data that are processed by Voter News Service (VNS) and sent to CBS News and the other networks. The data are displayed on computer screens at the Decision Desk, in the control room and at various stations in the Election Night studio, as well as in other locations in the CBS Broadcast Center. The Decision Desk staff monitors the screens constantly, checking on races already called and on races in which a critical mass is forming and a call might soon be made. The Decision Desk also has a representative at VNS headquarters in lower Manhattan to ask any necessary questions or obtain additional information. There is a CBS News senior producer assigned to VNS headquarters as a liaison. In addition, there is a CBS News senior producer in the Decision Desk area who serves as a liaison with the control room. Finally, there is a senior representative of the Decision Desk in the control room: that person is CBS News Director of Surveys Kathleen Frankovic, one of the authors of this report. All of these people are constantly in touch via conference call.

The CBS News Decision Desk works closely with VNS on Election Night. VNS provides its members and subscribers with three kinds of information, as well as its calls. First, exit-poll data from sample precincts in all states come in throughout the day; this is the only material available before the polls close. Later, VNS obtains actual tabulated vote totals from a larger group of sample precincts in all states; this information comes as quickly as possible from each precinct, as VNS sends a reporter to all targeted locations to collect data on the ground. Much later, VNS obtains the tabulated statewide data county by county. In addition to being distributed to CBS News and its competitors, all of this information is also processed through various computer models at VNS, and eventually a VNS call is transmitted to members and subscribers for all House, Senatorial and gubernatorial races, as well as the state-by-state vote for President.

Sometimes VNS is able to estimate the winner of an election even before the polls close. Such estimates are made in this manner: VNS chooses a number of sample precincts, which together reflect a microcosm of the state, from which to obtain information. A subset of this sample is selected for exit polling. For example, in Florida, there are 5,885 precincts: for the 2000 Election, 120 were chosen from around the state and designated as sample precincts. In 45 of these precincts, exit polling was conducted. Not every voter is polled, but a formula is used to determine a random sample. When the results of the Election Day exit poll produce consistent indications of a clear lead for a candidate, VNS makes a call for the estimated winner at poll-closing time.

However, it is not VNS that makes the eventual call that reaches our viewers; it is CBS News. At the CBS News Decision Desk, experienced analysts evaluate VNS data and then make recommendations to CBS News management.

Every state has its own idiosyncrasies, and while the process is essentially the same, there is no one formula for calling a race. Instead, in close races, the CBS News analysts weigh multiple factors, including the number of absentee ballots in the state, the compatibility of exit-poll data and tabulated data, the speed at which the state in question has historically counted its ballots, and so forth. Each of the networks has its own team of analysts, who look at the exit-poll and tabulated results, interpret the data and recommend each call to their employer. That explains why the networks do not call all races at the same time, despite relying on the same data. While some races can be called at poll-closing times, others are too close to call, so the analysts must wait until there is more information. There is pressure on each network to be timely, of course, but it is not as intense as the pressure to be correct.

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Who Does What on Election Night

The CBS News Decision Desk is the engine that drives the Election Night train. But the Decision Desk works in tandem with the executive producer and management in the control room--in this case, the president of CBS News--as well as the studio full of producers and correspondents who are poised to report the election results as quickly as possible. Yet our study concludes that one key ingredient was missing: a person who might have prevented at least a few of the problems of Election Night 2000. ✓

The calls made by the CBS News Decision Desk just before each new set of poll closings at the top of each hour determine the shape of the Election Night broadcast. A few minutes before the hour, the CBS News Decision Desk informs the executive producer of the states that will be “callable” as the polls close. The executive producer almost invariably accepts the Decision Desk’s call recommendations, as he did in every instance on Election Night 2000. The anchor producer and the graphics producer receive this information at the same time. The anchor producer readies a set of index cards indicating which states will be called at the top of the hour and reviews them with the anchor. At the same time, the graphics producer orders the graphics for the upcoming segment, stacking the states in the same order that the anchor will use as he reports the results.

Throughout the evening, the correspondents in the studio pitch stories to the control room. This year, Ed Bradley followed the Presidential race, Bob Schieffer the Senate races and Lesley Stahl the House and gubernatorial races as well as referenda. Anthony Mason was in a separate studio, where he offered reports on how people were voting and why. Gloria Borger, in the main Election Night studio, provided additional analysis.

Two senior producers in the CBS News control room decide which pitches to accept and offer to the executive producer. At various points during the evening, reporters at remote locations also call with offerings: from Gore-Lieberman headquarters, from Bush-Cheney headquarters, from rallies or demonstrations around the country or with breaking news.

This assortment of constantly changing elements and information is communicated to the executive producer, who then plans the next hour of the broadcast, deciding which correspondents to weave in, which contributors to call on, when to run commercials, and a thousand other details. Of course, the executive producer is always ready for the wild card--calling a race suddenly at any point in the hour. ✓

The network gives the last seven minutes of each half hour to local CBS stations so that they can report the results of races in their regions. If the Decision Desk informs the executive producer during one of these local “cutaways” that a race is ready to be called, he will wait to make the call until the national broadcast resumes.

On Election Night, each member of the team had a very narrow, specific assignment and reported to an assigned person. This is a logical arrangement for such a rapidly developing story, and it has been essentially the same for decades. In light of the events of November 2000, however, it now seems that as an added precaution there should have been a senior executive who was above the fray, flexible and able to respond appropriately to the breaking story in Florida, factoring its developments into the decision-making process. It is this oversight position that we intend to create for future election coverage. We will show how that position might have helped--and will, we believe, help in the future--as we analyze the two mistaken calls in Florida.

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The Networks' Calls on Election Night 2000

In this election, CBS News did not wait for VNS to call a race if the CBS News Decision Desk believed it could be accurately projected, nor did CBS News call a state simply because VNS had done so. On some 20 occasions, based on the data before it, CBS News actually preceded VNS in its calls for one or the other of the candidates.

This year, VNS called 28 races at poll closing. CBS News differed from VNS at poll closing in two states. Exercising its own judgment, CBS News did not call Alabama for Bush at poll closing as VNS did, but waited 25 minutes for corroborating data and made the call five minutes later when the local cutaway was finished. On the other hand, CBS News called Louisiana for Bush at poll closing, while VNS waited 21 minutes.

The networks and VNS were far from being in constant lockstep. In fact, throughout the night, the networks and VNS made 26 calls at different times. Ironically, VNS never called Florida for Bush, even though all the networks did so, based largely on data from VNS. As the chart, which is compiled from logs recorded by CBS News on Election Night, makes clear:

- **CBS News** was the first to make 15 calls--including the first to withdraw the call for Bush in Florida. Three of the first calls were made at the same time as other networks, but CBS News was first, alone, in 11 calls. CBS was the second network to make 7 calls--including the second to retract the Gore call in Florida. (Because CBS News shared its Decision Team with CNN, the timing of CNN's calls was essentially the same as CBS News'.)
- **Fox** had 8 first calls--9 when we add the Election Night call for Bush in Florida--and 4 of the 9 were made at the same time as another network. Fox was the second to call the race in three states.
- **NBC** had 7 first calls--8 if we count the Gore call in Florida. Five of the first calls were made at the same time as another network. There were 5 second calls--6 with the call for Bush in Florida. One of those calls was made at the same time as another network.
- **ABC** had 2 first calls and 11 second calls--12 with the pullback from Bush in Florida.

(See chart on next page.)

ON-AIR NETWORK AND VNS CALLS, PRESIDENTIAL RACE, NOVEMBER 7/8, 2000								
CLOSING	STATE	CBS	ABC	NBC/MSNBC	FOX	VNS	WINNER	
7:00 PM	Florida	7:50:11 PM	8:02 PM	7:49:40 PM	7:52 PM	7:52 PM	Gore	
		10:00:00 PM				10:16:17 PM	Retraction	
		2:17:52 AM	2:20 AM	2:17:30 AM	2:16 AM		Bush	
		3:57:49 AM	4:00 AM	4:02 AM	4:05 AM		Retraction	
	Georgia	7:32:35 PM	7:30 PM	7:33 PM	7:55 PM	7:59:44 PM	Bush	
	New Hampshire	10:04:59 PM	10:04 PM	10:20/10:05 PM	12:13 AM	12:07:30 AM	Bush	
	Virginia	7:25:37 PM	7:30 PM	7:00 PM	7:00 PM	7:32 PM	Bush	
7:30 PM	North Carolina	7:58 PM	8:15 PM	8:04 PM	8:05 PM	8:09 PM	Bush	
	Ohio	9:16:44 PM	9:30 PM	9:19 PM	9:17 PM	9:19 PM	Bush	
	West Virginia	10:11:25 PM	10:30 PM	10:13 PM	8:57 PM	10:46 PM	Bush	
8:00 PM	Alabama	8:30 PM	8:19 PM	8:00 PM	8:00 PM	Poll Close	Bush	
	Kansas	8:00 PM	8:30 PM	8:00 PM	8:00 PM	Poll Close	Bush	
	Maine	8:35:14 PM	8:42 PM	8:40 PM	8:16 PM	11:10:37 PM	Gore	
	Maryland	8:00 PM	8:20 PM	8:00 PM	8:00 PM	Poll Close	Gore	
	Michigan	8:00 PM	8:05 PM	8:02 PM	8:12 PM	9:23 PM	Gore	
	Missouri	10:05:44 PM	10:05 PM	10:11 PM	9:55 PM	10:47 PM	Bush	
	Pennsylvania	8:47:41 PM	9:19 PM	9:10 PM	9:00 PM	9:24 PM	Gore	
	Tennessee	9:16:46 PM	9:30 PM	9:31 PM	10:23 PM	11:02:46 PM	Bush	
8:30 PM	Arkansas	12:05:02 AM	12:10 AM		12:14 AM	12:12:00 AM	Bush	
9:00 PM	Arizona	11:46:47 PM	11:47 PM	11:52 PM	12:35 AM	11:51:04 PM	Bush	
	Colorado	11:12:19 PM	11:16 PM	11:15 PM	11:16 PM	11:40:57 PM	Bush	
	Louisiana	9:00 PM	9:15 PM	9:15 PM	9:19 PM	9:21 PM	Bush	
	Minnesota	9:36:16 PM	9:32 PM	9:30 PM	10:28 PM	10:25 PM	Gore	
	New Mexico	10:21:36 PM	9:45 PM	9:44 PM	2:34 AM	3:05 AM	Gore	
						11/10/00	Retraction	
	Wisconsin	6:22:49 AM				6:21:33 AM	Gore	
10:00 PM	Iowa	2:04:26 AM		2:07 AM	2:04 AM	5:00:26 AM	Gore	
	Nevada	11:20:58 PM	1:30 AM	1:25 AM	1:15 AM	1:31:07 AM	Bush	
11:00 PM	Oregon						Not Called	
	Washington	12:09:02 AM	12:15 AM	12:09 AM	12:35 AM	12:08:25 AM	Gore	

Call times for all networks were logged on Election Night from network broadcasts. VNS calls are taken from CBS computer records.

A Brief History of the Making of Calls

The analysts making the calls for CBS News have been evaluating election data for more than three decades. One of them, Warren Mitofsky, in the 1970s designed the statistical models for CBS News that led to the use of exit polls. In exit polling, people are asked to fill out a short questionnaire after they have voted. The poll seeks to determine basic demographic information about the voters, as well as whom they voted for and their views on various election issues.

In 1980, NBC was the first network to use exit polling to call the Presidential race. NBC declared Ronald Reagan the winner, by an unexpected landslide, at 8:15 PM. It was not until hours later that CBS News made the call. By that time, Jimmy Carter had conceded and the election was over before the polls on the West Coast had closed. (Today, the networks have an agreement with Congress, negotiated in the mid-1980s, to wait until a majority of the polls in each state are closed before announcing any election results from that state.)

Each network used to do its own exit polling, but in 1989, in an effort to cut costs by pooling resources, the three major networks and the Associated Press joined to form Voter Research and Surveys (VRS) to do polling for all of them. The CBS News exit-poll model was adopted, and Mitofsky headed the operation. Five years later, VRS was combined with the News Election Service (NES), a consortium formed by the major wire services and CBS, ABC and NBC that since the 1960s had been collecting Election Day data on total votes from precincts all across the United States. The combined entity became known as Voter News Service (VNS).

VNS maintained the CBS News statistical model, but Warren Mitofsky left and two others took over the merged organization: Bob Flaherty of NES was responsible for gathering the vote data, and Murray Edelman, a former VRS and CBS employee, headed the exit-polling side of VNS, with the responsibility for making VNS's Election Night calls. Today VNS is a consortium of CBS, NBC, ABC, CNN, Fox and the AP. More than 100 newspapers, radio stations and television stations subscribe to the service on Election Night.

For a brief time in the early 1990s, the network election consortium offered the promise of an end to the network competition to make calls first. On Election Night 1992, VRS, the precursor of VNS, made the calls that each network reported. It seemed that the networks had stepped onto a new playing field. No longer would they compete to call races first; instead, the competition would be to try to offer the best analysis or produce the most interesting programming. That new playing field was plowed under during the very next election, in 1994, when ABC hired its own consultants to give the network an edge. It worked. With its strengthened Decision Desk, ABC beat VNS in calling Senator Charles Robb as winning in Virginia and Governor Mario Cuomo as losing in New York. By 1996, each network had made the decision to hire analysts and operate its own Decision Desk, paralleling the one at VNS.

The same method for predicting the outcome of races, based on results in sample precincts along with some of the actual statewide-tabulated vote, has been used to call more than 2,000 races since the late 1960s, with only six errors before this year. The methodology remained essentially unchanged even with the adoption of exit polls in the 1970s.

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Competitive Pressure

Make no mistake. The Election Night broadcast occurs in a cauldron of competitive heat--heat that comes from within each individual and within each network, all burning to be the best and to be first.

There was a moment during this past Election Night--when Fox called Florida for Bush at 2:16 AM--that several people reported hearing voices in the control room asking excitedly when CBS News could make that call. The executive producer of the CBS News broadcast remembers saying to the Decision Desk representative in the control room, "Take your time. Don't be stampeded by this."

The CBS News Decision Desk team had already been working on calling Florida for Bush, since his lead seemed to be increasing. The team was preparing to make the call when it heard Fox declare Florida for Bush, and the CBS News Decision Team thought, "Darn, we're going to be second." Then NBC called Florida for Bush and the team said, "Well, third." The people on the CBS News Decision Desk took another 30 seconds to finish their data check. Why not go ahead right after the Fox call, instead of doing the final check and ending up the third network with the call? The decision-makers told us they would rather be the only ones not to make a call than to make a call and be wrong.

In other races that night, the CBS News Decision Desk held back until it felt the data were correct. The team felt pressure from CBS News executives when for much of the evening it allocated only three of the four electoral votes in Maine to Gore. It felt pressure to call Senator Conrad Burns the winner in Montana, since his victory would ensure a continuing Republican majority in the Senate, but the analysts held off until they felt they had enough corroborating data. They also waited for more data on Alabama, West Virginia, Missouri and Minnesota, to name a few states where CBS News made a call later than some others.

We believe that while there is intense competitive pressure to make calls, there is little evidence of a domino effect. In fact, the numerous disparities in other races suggest willingness on the part of CBS News Decision Desk analysts to resist the pressure and to wait until they can confirm the data for themselves. Ironically, despite the pressure--both external and self-imposed--to be right, the CBS News Decision Desk did make some serious mistakes. However, we ascribe them not to competitive pressure, but rather to a complicated set of circumstances that convinced the analysts they were on solid ground. We will review what actually happened in great detail throughout this report.

THE FLORIDA CALLS

As CBS News began its Election Night coverage at 7:00 PM on Tuesday, November 7, Dan Rather pointed out that since Florida wasn't called when a majority of the state's polls closed at 7:00 PM, this would be a tight race. Rather told the audience, "We're waiting on a possible decision in Florida, but you've got time to put on another cup of coffee, and pour it, because in Florida it's generally considered to be so close that it may be a long while before anybody is able to call it." Given what eventually happened, that may have been the wisest comment of the night. But less than 20 minutes later, CBS and other networks called Florida for Gore, and the evening's roller-coaster ride began. Let us review what happened.

The Call for Gore: How It Happened

7:00 PM: The vast majority of Florida polls close. CBS News decides not to project a winner in the Florida Presidential race at poll closing, even though the best estimate, based upon exit-poll interviews from the 45 survey precincts, shows Gore leading Bush by 6.6 points. The Decision Desk decides to wait for some actual votes from sample precincts to confirm the exit-poll results.

7:40 PM: The VNS computation shows a "call" status in the Florida Presidential race. This status means that statistically Gore is leading, but the Decision Team needs to check more data.

7:45 PM: The CBS News Decision Team begins an intensive review of the state exit polls and the trickle of actual votes in the sample precincts. The CBS News analysts look at the calculation that compares the exit-poll results with the actual votes in the same precincts. The CBS News Decision Desk is aware that two years ago, in the VNS survey of the Jeb Bush race for governor, exit polls underestimated the Bush lead. This year, the exit poll is overstating George W. Bush's vote in the first precincts to report. The analysts had noticed a similar overstatement earlier in the evening in the Kentucky exit poll.

Now the analysts examine the actual vote of the 4 percent of precincts *statewide* that have reported at this time. Although the tabulated vote shows Bush with a 6-point lead, they see this as an early aberration, the result of absentee ballots that had been entered into the system early in the evening. The absentee vote was expected to favor Bush, so the analysts do not consider this one-time occurrence to be representative of the vote to come. Later, this judgment proves to be incorrect. The CBS News Decision Team also notes that the standard margin of error on the estimates is small enough to make the probability of a Gore win fall within CBS News guidelines for a call.

7:48 PM: NBC projects Gore the winner in Florida.

7:50:11 PM: CBS projects Gore the winner in Florida.

7:52:32 PM: VNS calls Florida for Gore.

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Analysis of the Call for Gore

The outcome of the Florida election was a virtual tie. In its ongoing review, VNS suggests that the wrong call for Vice President Gore in Florida could have resulted from a combination of many factors. If any one of these had turned out differently, it is very likely that the race would not have been called. VNS has identified four possible sources of error:

- **Estimate of the Absentee Vote.** Absentee voters tend to have different demographic profiles and often vote differently than Election Day voters, making it difficult to account accurately and completely for absentee votes in the models. As the size of the absentee vote increases, so does the potential for error in the estimates. The model had estimated the size of the absentee vote at 7.2 percent. In fact, it turned out to be 12 percent of the total Florida vote. The model also assumed that the absentees would be 22.4 points more Republican than Election Day voters. They turned out to be 23.7 points more Republican.
- **Sampling Error.** The results of the exit poll normally vary from the actual tabulated vote by a small amount (“sampling error”). A large difference between the exit-poll results and the tabulated vote for that precinct would suggest the possibility of interviewing problems. The amount of this error in Florida fell within the normal range for an exit poll, although it was at the high end. However, the exit-poll sample itself, even after the *actual* vote totals from those precincts were examined, was also more pro-Gore than the state as a whole.
- **Past-Race Comparisons.** One of the most important ways that VNS models form estimates of the vote is to compare current exit-poll data and tabulated votes with data from past elections. Throughout the night, the 1998 Florida gubernatorial race was used as the past-race comparison. However, had the model used a different past race (either the 1996 Presidential election or the 1998 Senate race), it would have produced a more accurate estimate.
- **Distortions Caused by the Time of Reporting.** At 7:50 PM, there were only six precincts with both exit-poll data and actual reported vote. The estimate of the average error within those precincts suggested that the survey was actually *underestimating* the Gore lead by 1.7 percentage points, when in reality it turned out later that the exit poll was *overestimating* the Gore lead by 2.8 points. Miami and Tampa, the areas that had the biggest overstatement of the Gore lead in the exit polls, had reported no actual votes by 7:50 PM, so there was nothing to contradict the distortion in the exit polls.

Withdrawing the Call for Gore: How It Happened

8:02 PM: By this time, VNS and all its members have projected Gore the winner in Florida.

8:10 PM: The CBS News analysts have been rechecking the Florida race and feel even more confident about the call for Gore, based on the data available at 8:10.

9:00 PM: A member of the CBS News Decision Team notices a change in one of the Florida computations. One of the estimates, the one based solely on tabulated county votes, is now showing a Bush lead. Alerted, the team begins to review Florida and discovers problems with the data.

9:07 PM: VNS reports county-tabulated vote data from one county, Duval, that puts Gore in the lead in the tabulated-vote estimate. It turns out that this was an error, apparently an entry mistake by a keypunch operator at VNS headquarters. Although this error occurs long after the Gore call has been made, it seems to support the accuracy of a Gore win until the data-entry mistake is discovered. (The wrong data showed Gore receiving 98 percent of the tabulated vote. In the end, he received only 41 percent of the vote in Duval.)

9:38 PM: VNS discovers the error and deletes the Duval County vote from the system, sending a correction to all members. Gore's total in Florida is reduced by 40,000 votes.

9:54 PM: The CBS News Decision Desk recommends that the call in Florida for Gore be withdrawn. CBS is in a local cutaway at 9:54 PM (the seven minutes at the end of the hour when local stations broadcast their own election results), and so CBS does not withdraw the call until 10:00 PM.

10:16 PM: VNS retracts its Florida call for Gore.

The Call for Bush and Its Withdrawal: How It Happened

2:00 AM: The CBS News Decision Team tracks the Bush margin in the Florida popular vote. He leads by 29,000 votes in VNS, with some strongly Democratic counties yet to complete their counts. But the AP numbers are telling a different story. The AP independently collects election returns from each county. Since 1:12 AM, AP tabulations show the Bush lead dropping precipitously. But the people on the CBS News Decision Desk are not following the AP reports, nor are they listening to Ed Bradley in the studio, talking about irregularities and outstanding Democratic votes in Florida.

At 1:43:43, Bradley points to the fact that a third of the vote is not yet in from Dade and Broward Counties, which are Democratic strongholds. At 1:48:10, Bradley says: “Bush ahead by 38,000 votes. And still out there, about 5 percent of the vote is still out, 270,000 votes. So that’s a big chunk of votes.” Bradley has been getting additional information from the AP wire, as well as from CBS News Correspondent Byron Pitts, who is reporting from Florida that there are a number of counties still tabulating votes, many of them predominantly Democratic.

What has not yet been discovered is an erroneous entry from another Florida county, Volusia. Because of a faulty computer memory card, the county has reported votes that are off by thousands. The initial report from Precinct 216 incorrectly *subtracts* more than 16,000 votes from Gore’s total and adds votes to Bush’s total.

2:05 AM: Bush leads by 29,386 on the VNS screens, with 96 percent of the precincts reporting. The models project a very small Bush win for the end of the night. But at this time there is still no way to call the race.

2:09 AM: VNS adds Volusia County’s erroneous numbers to its tabulated vote. With 171 out of 172 precincts in the county reporting, Gore’s vote drops by more than 10,000 while Bush’s rises by almost the same amount. This 20,000-vote change in one county increases Bush’s VNS statewide lead to more than 51,000 votes.

2:09:32 AM: At almost the same time, Bradley fires off what in retrospect was a warning shot, but one that sails right by the CBS News Decision Desk: “Among the votes that aren’t counted are Volusia County. Traditionally they’re...one of the last counties to come in. That’s an area that has 260,000 registered voters. Many of them are black and most of them are Democrat.”

2:10 AM: The CBS News Decision Desk begins to seriously discuss calling Florida for Bush. According to the new VNS vote count, Bush is ahead by 51,433 votes, with 5,575,730 votes counted in 97 percent of the precincts statewide. The CBS News Decision Desk looks at how many votes are outstanding in three major Democratic counties (Dade, Palm Beach and Broward). The statistical analysis projects that Bush’s margin of victory will remain greater than 30,000 votes even when those counties are factored in.

But there is an error in the assumption: instead of the 179,713 votes the VNS model says have yet to be counted, there are in fact about twice as many outstanding votes, many of them absentee ballots from Palm Beach County. Bush's lead in the VNS count includes the 20,000-vote error undercounting Gore in Volusia County and does not include 4,000 additional votes for Gore in Brevard County. These 24,000 votes would have nearly eliminated the 30,000-vote final Bush margin the CBS News Decision Desk has estimated. There would have been no call if these errors had not been in the system.

2:12 AM: In the AP count, Bush's margin falls to 47,854. (But again, the Decision Desk is not checking the AP wire.)

2:16 AM: Fox calls Florida for Bush. The immediate reaction of the CBS News analysts is frustration because the CBS News Decision Desk is within minutes of calling the race itself. The CBS News analysts spend the next 90 seconds confirming the numbers.

2:16 AM: NBC calls Florida for Bush.

2:16 AM: The AP lead for Bush drops by 17,000 votes, to 30,000.

This 17,000-vote drop, occurring in only four minutes, is the Volusia County correction. But VNS does not catch the correction until later, and no one on the CBS News Decision Desk is watching the AP wire or listening to Bradley's reporting.

2:16:17 AM: Dan Rather talks with Bradley about outstanding absentee votes and the potentially large number of votes still out in Daytona (Volusia County).

2:17:52 AM: The CBS News Decision Desk calls Florida for Bush, and Rather declares him the winner of the Presidential election.

2:20 AM: ABC calls Florida for Bush.

2:40 AM: VNS is showing Bush with a lead of 55,537, with only 68,579 votes left to be counted. Had the CBS News Decision Desk analysts not made the call at 2:17, they say, they would have made it at 2:40.

2:47 AM: The AP reports the Bush lead down to 13,934.

2:48 AM: VNS shows the Bush lead at 55,449.

2:51 AM: VNS corrects its Volusia error, and Bush's lead drops to 39,606.

2:52 AM: The AP reports the Bush lead down to 11,090.

2:55 AM: With a large report of votes from Palm Beach County, VNS reports the Bush lead down to 9,163.

3:00 AM: Rather tells the audience to stay tuned: “We haven’t heard yet from either Al Gore or from the triumphant Governor Bush. We do expect to hear from them in the forthcoming minutes.”

3:10 AM: A consultant in the CBS News studio working with Lesley Stahl at the House and Governors’ Desk informs the CBS News Decision Desk of the huge drop in the Bush lead, and the CBS News Decision Team begins investigating the numbers. It also begins tracking numbers on the Florida Secretary of State’s Web site and from the AP. While the three sets of numbers are different, all of them show that the race has narrowed tremendously. At this time, there is no report from VNS analyzing what has brought about this dramatic change.

3:32 AM: There has been much anticipation during the last half hour about the expected Gore concession speech. Rather gives a possible and uncannily prescient explanation for Gore’s absence: “It wouldn’t surprise anybody, least of all your narrator, if Al Gore said, ‘You know what? I am not going to concede this thing because it’s just too close. I want somebody to get in there and recount those ballots.’”

3:40 AM: Bush’s lead drops to 6,060 votes.

At around this time, but he is not sure exactly when, CBS News President Andrew Heyward receives a call in the control room from Gore Campaign Chairman William Daley. It lasts less than a minute. Daley asks whether Heyward is aware of the dwindling Bush lead and whether CBS News is considering pulling back its call for Bush. Heyward is noncommittal and asks what Gore is planning to do. Daley says, “I’ll get right back to you,” hangs up and does not call back. There is more talk in the studio between Rather and the correspondents about the peculiarities now emerging in the Florida vote count. They discuss the AP count of the decreasing margin for Bush.

3:48 AM: Rather says, “Now the situation at the moment is, nobody knows for a fact who has won Florida. Far be it from me to question one of our esteemed leaders [CBS management], but somebody needs to begin explaining why Florida has now not been pulled back to the undecided category.” He goes on to say, “A senior Gore aide is quoted by Reuters as confirming that Gore has withdrawn [his] concession in the U.S. President race.”

3:57 AM: The Bush margin has narrowed to fewer than 2,000 votes. Before the CBS News Decision Desk can officially advise a retraction, CBS News President Heyward, who has been watching the Bush lead melt away and listening to Rather and Bradley discuss the Florida situation, orders that CBS News retract the call for Bush.

4:05 AM: By this time, the other networks rescind the Florida call for Bush.

4:10 AM: Bush's lead drops to 1,831 votes, which is roughly where it remains until the first recount.

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Analysis of the Call for Bush

The call was based entirely on the tabulated county vote. There were several data errors that were responsible for that mistake. The most egregious of the data errors has been well documented. Vote reports from Volusia County severely understated Gore's actual total when a faulty computer memory card reported votes that were off by thousands. That precinct, Number 216, *subtracted* more than 16,000 votes from Gore's total and added votes to Bush's total. In addition, an apparent reporting error in Brevard County reduced Gore's total by an additional 4,000 votes.

The mistakes, both of which originated with the counties, were critical, since there were only about 3 percent of the state's precincts outstanding at this time. They incorrectly increased Bush's lead in the tabulated vote from about 27,000 to more than 51,000. Had it not been for these errors, the CBS News call for Bush at 2:17:52 AM would not have been made. While the errors should have been caught by VNS and CBS News analysts through a comparison of VNS data with data from the AP or the Florida Secretary of State, VNS computers could also have had a more sophisticated program that would have constantly compared one set of numbers with the others and raised a warning signal. (Unlike the television networks, the Associated Press never called Florida for Bush, and, as we mentioned earlier, neither did VNS.)

There was another problem: the VNS end-of-the-night model uses a straightforward projection of the number of precincts yet to report in each county. It assumes that the outstanding precincts in each county will be of average size and will vote in the same way as the precincts that have already reported from that county. However, at 2:17 AM there were more as-yet-uncounted votes than the model predicted. In fact, in Palm Beach County, a heavily Democratic area, there were three times as many votes yet to be reported as the model predicted. Some of that appears to be accounted for by the late release by county election officials of a large absentee vote.

Conclusion

As we have seen above, the first Florida call for Gore was probably unavoidable, given the current system of projecting winners. Early in the evening, the sample that VNS selected to represent voters statewide overestimated Gore's lead, and a call was made for him. As the tabulated vote started accumulating, Gore lost his apparent lead, and a decision was made to take back the call. The ongoing VNS reviews have determined that the exit-poll sample of precincts in this election did not adequately represent the state. The exit-poll sample estimated a significant Gore lead that never materialized. That fact remained unknown until the actual vote count. The sampling data and exit polling did not take into account the 12 percent of the Florida vote that was cast by absentee ballot, which also affected the quality of the data. The CBS News Decision Desk could not have known about these problems.

However, the second Florida call, the one for Bush, could have been avoided. It was based, as we have seen, on a combination of faulty tabulations entered into the total Florida vote, with an especially large error from Volusia County that exaggerated Bush's lead. Later, in the early morning hours, reports from large precincts in Palm Beach were recorded, along with a surge of absentee ballots from that county. When the Volusia County numbers were corrected and the new numbers from Palm Beach taken into account, the Bush lead shrank, and a decision was made to take back the Bush call. The call might have been avoided, *if* there had been better communication between the CBS News Decision Desk and the CBS News studio and newsgathering operations, which had been reporting ballot irregularities and large numbers of potentially Democratic votes still outstanding, and *if* the VNS vote totals had been checked against the ones from the AP and the Florida Secretary of State's Web site. The AP corrected the Volusia County error 35 minutes before VNS did, and one minute before CBS News made its call.

And, despite all the understandable focus on the Florida calls, they were not the only mistaken calls of the night.

THE OTHER RETRACTIONS: NEW MEXICO AND WASHINGTON STATE

The retractions of the Presidential call in New Mexico and the Senate call in Washington State demonstrate the problems that can arise when information comes from a limited sample of selected precincts, and show that CBS News needs to be even more careful when making assumptions and projections in close and complex races.

CBS News called New Mexico for Gore at 10:21 PM on Election Night, nearly an hour and a half after the polls had closed there and with about half the precincts included in the count. The call was withdrawn on Friday, November 10, at around 3:00 PM. CBS News also called Maria Cantwell the winner in the Washington Senate race at 12:52 AM, nearly two hours after the polls had closed there. That call was retracted four hours later.

After several weeks of counting, the calls were confirmed. But, given the closeness of both races, neither call should have been made. The premature calls underscore the need for accurate information on the ground. They are reminders that sometimes the “official” vote-counters get it wrong and that assumptions we make in the context of today’s more complicated balloting arrangements, with more people voting by absentee ballot and more people voting before Election Day, may also be wrong.

In both cases, the problem can be traced to bad information about which votes were counted. In the case of New Mexico, there was a faulty report from Bernalillo County, the state’s largest. The county reported to VNS on Tuesday night that all but 2,000 absentee votes had been counted. Later, the county found some software problems in the vote-counting program, so on Wednesday officials removed 67,000 of the absentee and early votes for another count.

The slow recounting in the next few days, accompanied by misplaced ballots and accusations of partisanship, eventually dropped Gore’s lead to less than 200 with 1,800 votes yet to be counted, and the call was withdrawn. Only after weeks more of counting and checking was Gore finally certified on December 5 as the winner of New Mexico’s five electoral votes.

In Washington State, the call was based on a combination of information and assumptions: an exit poll of those who voted at their polling places on Election Day, a telephone poll of those who voted by absentee ballot, and tabulated votes from approximately 26 percent of the precincts and a large share of the already-counted absentee vote.

It now appears that some of the estimates and assumptions in Washington State were wrong. The CBS News Decision Team assumed that about half of all votes (polling-place and absentee) were counted when CBS News called the race and that Cantwell could safely be declared the winner. But, in fact, only about 40 percent of the eventual total had been counted. That fact, combined with an exit poll and a preelection absentee

poll that were both at the outer limit of sampling error, made the race closer than the CBS News Decision Team had assumed, so the call was retracted. As in New Mexico, counting and recounting continued for weeks, and Cantwell was not declared the winner until December.

Clearly, these problems, as well as the mistaken calls in Florida, underscore the need to gather even more information at the state and county level before the election and on Election Night, instead of just relying on a few selected sample precincts, and to be more cautious in making assumptions about increasingly complex election scenarios as the way America votes changes. We have mentioned the increase in absentee voting, but there are a number of states, including Texas, where voters are allowed to vote early in designated locations. To obtain a good estimate in these states, one must correctly assess both the party breakdown and the size of the absentee and early vote. In addition, Oregon's move to a vote-by-mail system means that voting data must be collected there by means other than exit polling. And, as we have seen in the Florida recount, what voters think they have done at the polling place may not be reflected in the totals when the votes are counted.

- From Black Box Voting Document Archive

EARLY CALLS: THE EFFECT ON VOTING

Aside from the accuracy of network calls, the timing of those calls became an issue on Election Night 2000, and again the focus was on Florida, where 5 percent of the potential voters are in the Central Time Zone and have a poll-closing time that is one hour later than in the rest of the state. After studying this issue, we are recommending a change in CBS News policy.

After every election, there are outraged cries from voters and politicians in states with two time zones, charging that the media have somehow interfered in the election process by calling or characterizing the race before all the polls in the state have closed. And even before the days of television coverage, there were complaints by voters in the Pacific Time Zone that before they had finished voting, results were being reported which could lead some not to bother to vote, thinking that the election was already decided.

Current CBS News policy on calls in states with more than one poll-closing time has not changed since the networks' agreements with Congress in the early 1980s, when CBS News pledged that it would not call or characterize a race in any state until the vast majority of its polls had closed. The "vast majority" phrase is used because of the different patterns in the 12 states where the polls do not all close at the same time. In three of those states--Alabama, North Dakota and Oregon--CBS News reports the results at the time of the later close, because a large percentage of polling places remain open until then. In Alaska, two Aleutian precincts, representing a tiny portion of the electorate, vote by mail. In three other states, the percentage of the voting-age population remaining after the first polls close is between one and 3 percent: in Texas it is 3 percent, while in Kansas and Michigan it is one percent.

There are five other states, however, where the percentages are larger but where CBS News policy has allowed a call after the first polls close. Florida has 5 percent of the voting-age population remaining when the first polls close, Indiana has 18 percent, Idaho has 22 percent, and Kentucky and New Hampshire have 25 percent. Some of these states start reporting the tabulated votes at the first poll-closing time, so a news organization that waited for the later poll closing would be in the awkward position of withholding information that has already been disclosed by the precincts or counties themselves. Any new policy for states with more than one poll closing time must attempt to reconcile the public's right to this information with any potential effect on voters.

Now let us consider the related point, the question of whether projections of national winners in the East and Midwest affect voters in the West. While there is no research proving that Western voters are dissuaded from voting by results in other states, CBS News has long advocated a simple way to allay this concern: a uniform national poll-closing time. Moreover, we use our broadcasts, especially on Election Night, to encourage people who have not yet voted to do so. In her independent review of Election Night 2000, Dr. Kathleen Hall Jamieson writes: "Contrary to the hypothesis that the early call in Florida for Gore discouraged West Coast voters, I have suggested that CBS News' coverage of the race as close was likely to lead those in the West to conclude that their

votes would matter. Additionally, throughout the evening, Rather encouraged those in states whose polls had not yet closed to vote.”

This year, we again heard voter criticism that knowing election results before all the polls closed prevented some people from voting. At the all-weekend trial in Judge N. Sanders Sauls’ Florida courtroom, two women who live in the Panhandle testified that either they or people they knew didn’t bother voting because of the network calls of Florida, several of which (including the CBS News call) were made 10 minutes before the polls in the Western part of the state closed. One voter said she talked with her husband and, when she realized the call had been made, she didn’t go to vote after leaving work at 6:00 PM, but went home instead. The other woman had voted by absentee ballot, but heard the early call on her car radio. She said she heard of people who had not voted because of the call. Both women testified they heard the call at 6:20 PM, Central Time--a call that was not made until 6:50 PM, Central Time. This is a good example of how people remember events incorrectly. In any event, it is difficult to argue that calling the Florida race only 10 minutes before the last polls closed had any measurable effect on turnout.

In Part Three of this report, Dr. Kathleen Frankovic looks in greater detail at the effect of early calls on people who have not yet voted.

Whether or not early reporting of results affects later voting patterns, the fact is that at least 85 percent of the country’s electorate has voted by 7:00 PM, EST. Moreover, in the last 20 years, the amount of absentee and early voting has increased dramatically, reducing even further the number of voters who could conceivably be affected by calls in other time zones.

However, the fact that fewer voters might be affected than in years past does not eliminate early calls as an issue. As we said above, a uniform national poll closing would neatly resolve both the concerns we have discussed. When it comes to voters in the West, we cannot recommend that news organizations suppress calls from the Eastern and Central Time Zones, given that the states themselves publish their vote totals and the results are widely available. CBS News might well be put in the untenable position of knowing--not just estimating, but *knowing*, based on official state tallies--who has been elected President and not being able to report it. However, on the question of states with more than one poll-closing time, we recommend a revised policy for CBS News in the next section of this report.

RECOMMENDATIONS

Based on our analysis of Election Night 2000, we recommend that CBS News make the following changes in its coverage of future elections.

Changing How CBS News Calls Races

- **As an added precaution assign a member of CBS News senior management to head the Decision Desk.** The goal is to provide a larger and more authoritative context for each call. This person, who would report to the president of CBS News on Election Night, would have significant training in the decision process, with extensive knowledge of the data screens and how they work. He or she would monitor the editorial flow (in this case, the Florida breaking news) and integrate it with the Decision Desk's activities. This senior manager would also have to be able to withstand the competitive pressure if others made a call and he or she argued that more facts were needed before CBS News also made the call. CBS News has to be ready to be second or even last, and can make a virtue of its patience and determination to be accurate, even if it takes longer.
- **Move the Decision Desk into the Election Night studio.** This will promote constant contact between the newsgatherers and the analysts. The consultants who work at the various correspondent desks on Election Night could also contribute to this dialogue. If a story is breaking, as it was in Florida this year, there will be constant interaction, instead of the Decision Desk functioning in a vacuum, as it did this time in an office three floors from the studio.
- **Assign a correspondent to the Decision Desk.** He or she can dissect close races in detail, with precise descriptions of what went into a call or why one has not been made. For example, he or she could explain that one call was made using only exit polls, another using exit polls and tabulated data, another not made at all because the exit polls did not match historical patterns, and so on.
- **Identify the closest races and toughen the criteria for making those calls.** CBS News should insist on a critical mass of both exit-poll and tabulated data before making a call in those close races; similarly, a call should be withheld in those states until the level of certainty meets an even higher standard than usual for calling a race. Such precautions might have prevented the bad calls in Florida.
- **Develop a new category of "leaning" to describe some races.** These are races in which one candidate has a solid lead but CBS News is not yet ready to make a call. This category could also be displayed graphically and integrated into CBS News' overall projections for the night. We should be willing to trade the illusion of certainty for genuine credibility.

- **Check multiple sources for vote tallies.** Make certain that members of the CBS News Decision Desk compare VNS numbers to those in the AP reports and on the Web sites of the Secretaries of State and, if there is a discrepancy, find out why. It would have rung an alarm if CBS News analysts had consulted those sources on Election Night 2000.
- **Strengthen our information gathering in close states.** We must unilaterally strengthen our operation by placing local political experts in appropriate state election locations to help us obtain actual vote numbers quickly and to assess the situation on the ground in places where it appears that the race will be close. We should conduct more preelection telephone polls in closely contested states to deal with the growing number of absentee voters, and to achieve a better grasp of unique circumstances in each state. There will usually be no more than 10 or 12 states in this category.

“Fuller” Disclosure

- **Tell the viewers how calls are made, as often as possible.** We must explain regularly throughout the early hours of the broadcast how the exit poll is conducted and what it shows, so that the audience knows we are not consulting a crystal ball. The process should be less mysterious, more open: it will be informative and interesting for the audience to understand more of how we come to our conclusions. An explanation of how the exit poll is conducted should also be posted on the CBS News Web site.
- **Label calls appropriately.** We should use the words “projected” or “estimated” early and often, and make the word “estimate” much larger on the CBS News graphics. We need to remind the audience repeatedly that these are just predictions until the votes are actually counted. We should stress this language, with explanations, on the CBS News Web site.
- **Tell viewers why calls are *not* made.** We must clearly distinguish between races that are too close to call and races for which there is simply not yet enough information.

The Future of VNS

- **Invest more in VNS to address its problems or form a new consortium to build an alternative service.** VNS, in a preliminary review, cites its own imperfections: problems with the sample, with the equipment, with the software and with quality control. If the decision is to fix VNS, CBS News will have to spend more to address these issues, as will the other VNS members. The alternative is to develop a new service to perform the functions of VNS. This

decision should be made after members receive the final results of the review by the outside group that is studying VNS.

- **If the decision is to fix VNS, CBS News should recommend reorganizing the board.** To date, the VNS board has been made up primarily of polling or election-unit personnel from each network. We suggest that the board be composed of a vice president from each organization and that it focus on broad-based policy rather than on day-to-day management.

Poll Closings

- **Change the policy for calling states with multiple poll closings.** We recommend that CBS News not make a call in any state until all the polls have closed in that state; this is a new policy. However, in states with multiple poll closings where less than 5 percent of the voting-age population remains after the first poll closing, or in states that report early results themselves, we recommend using the new “leaning” characterization if appropriate. Under this recommendation, for example, races in Texas, Kansas and Michigan--states where the voting-age population remaining after the first polls close is very small--could be described as “leaning” if one candidate has a solid lead. A Florida race could also be described as “leaning” under this formula because the states itself releases early results, even while polls are still open in the Panhandle.
- **Support a uniform poll-closing bill in Congress.** As CBS News has done since 1964, we continue to urge the adoption of a uniform poll-closing time. This reform would completely eliminate the possibility of voters being influenced by reported results elsewhere in the country; all results would be reported at the same time, as the polls close across the nation.
- **Encourage turnout.** During the broadcast, the anchor should repeatedly urge people to vote, as Dan Rather did on Election Night 2000.

Note: Dr. Kathleen Hall Jamieson has contributed a separate list of recommendations, which we also endorse, at the end of her study of the Election Night 2000 broadcast. (Part Two of this report)

LESSONS LEARNED

The election of 2000 revealed to the American people what had been a dirty little secret known only to politicians: even when elections are conducted with the best of intentions, they are approximations, prone to human error, mechanical error, confusion and disorganization. As we have reviewed the voting in Florida, New Mexico and Washington State, we have seen that events do not always fit the neat models of VNS or the networks. Across the country, not every vote cast is counted: in fact, according to the Committee for the Study of the American Electorate, for every 100 million voters, nearly two million ballots will not be counted for various reasons. As Andrew Kohut of the Pew Foundation said, "If truth be told, the election system is a very fragile one. It works because it is complex and diverse and the errors probably offset each other."

We have heard much about the punch-card ballots in Florida. But we now know that a third of the country votes by punch-card ballots. In Cook County, Illinois, in this election, more than 120,000 punch-card ballots were discarded as invalid. County officials say that the same thing happens in every election, but when the election is not close, it does not affect the outcome. Here are a few other examples of this past Election Night's litany of errors:

- In Detroit, some polling places did not have enough electronic voting pens to service the voting booths.
- In Massachusetts, 30,000 votes were left uncounted in 51 precincts because of human error.
- In New Mexico, election officials thought that a handwritten notation about absentee votes from one precinct indicated 120 votes for Gore, when the actual number was 620.

Against this background, it is important to consider how many factors were beyond the control of the new organizations covering this election, factors that affected each organization's ability to make some crucial calls correctly. There was human error: election workers improperly entered votes into the computer; precinct workers incorrectly copied or misread ballot tallies because of poor penmanship; voters made mistakes marking butterfly ballots; and ballots were lost. There was machine error as well: punch cards were not read; a memory disk malfunctioned in Volusia County; and there were other mechanical problems.

VNS could not or did not correct for these factors. Hindsight is always 20/20, and it is easy to observe in retrospect that VNS most certainly should have done so. Instead, it relied on, among other things, models and methods that had been very dependable in the past but that came up short in this extraordinary election. In the Florida exit polls, people reported how they had voted, assuming that their votes were being counted. Some may not have been. VNS also did not accurately factor in the absentee balloting. The unique

circumstances of the Florida election exposed problems at VNS that must now be corrected.

But the ultimate responsibility for the calls we made lies with us at CBS News. It was we at CBS News who analyzed the data from VNS and decided when to make a call. And it is here where there are the greatest lessons to be learned. We hope we have incorporated all of those lessons in our recommendations for future election coverage.

CBS News will continue to strive for perfection, realizing that, as was made all too clear by this long election, perfection in any human endeavor is difficult to achieve and impossible to guarantee. What we can guarantee is this: that, just as we have learned from our mistakes in the past, we will learn from the mistakes made during this election and adopt new policies and procedures that will guard against similar mistakes being made in the future; that we will continue to reach for the truth in all we do, and report to the public without fear, favor or bias the events as they occur, no matter how complex or difficult the story might be.

- From Black Box Voting Document ~~PROHIBIT~~

POSTSCRIPT: THE CHARGE OF BIAS IN CALLING RACES

In a press conference held November 9, 2000, Republican Congressman W. J. “Billy” Tauzin of Louisiana expressed concerns about mistaken network calls on Election Night and accused the networks of being slow to call states carried by George W. Bush. At a later press conference, he reiterated the charges and specifically stated that there was “probable bias.” In a December 11 letter to CBS News President Andrew Heyward and the other network news organizations, he called it “incontrovertible bias.”

Congressman Tauzin’s charge is that while the networks called the states that Al Gore carried by “6 points or more” at poll closing, they “delayed” calls for Bush in a number of states that Bush carried by similar margins. Congressman Tauzin’s allegation is serious and needs to be addressed.

After a close examination of CBS News’ coverage, we have concluded that there is no evidence of either intentional or unintentional bias in the timing of the calls.

There are many valid reasons why no two calls are alike. Exit-poll data and actual votes reported at or near poll-closing times do not always reflect the “final margin,” which is used as the basis for Congressman Tauzin’s charge. For one thing, there is always sampling error, which will be larger in some states than in others because of the size of the exit-poll sample. Moreover, some states count votes more slowly than other states and report counts later. And, as we have seen in Florida, but even more spectacularly in Washington State, absentee ballots play an increasing role in deciding the winner. The “margin” at poll closing or even hours later may not reflect the final outcome.

Was there a difference in the pattern of calls for Bush and Gore in states with similar final margins on election night? Some of the call times Congressman Tauzin cites are not the CBS News calls, but we were concerned with what CBS News did on Election Night. We examined first the states with final margins in double digits, then the states with final margins between 6 and 9 points, and finally the states where the final margin was 5 points or less.

Final Margin of 10 Points or More

In 29 states and the District of Columbia, the final margin was 10 points or more for the winning candidate. Twenty-six of those states and the District of Columbia were called at poll closing--15 states for Bush, 11 states and the District for Gore.

Only three states with margins of 10 points or more were not called at poll closing: Alabama, Georgia and North Carolina. Bush won all three states. In all three instances, the exit polls showed a closer race than what proved to be the eventual outcome. One of those states, Alabama, had a particularly small exit-poll sample of just 20 precincts, which meant that the sampling error would be greater, and so caution was especially appropriate in this case.

While there were larger samples in North Carolina and Georgia, in neither case did the exit poll provide enough statistical certainty to make the call at poll closing. In fact, given the level of sampling error, the exit-poll results in all three of those states indicated a race "too close to call." (The size of each exit-poll sample was determined weeks before Election Day; it was based on a number of factors, including geographic and political diversity within a state, how close the margin was expected to be, whether there was a competitive Senate contest, and how quickly a state counted its votes.)

In all three states, the Decision Team waited for actual votes from sample precincts to provide that certainty. The team made the call for Bush as soon as the data were available. Georgia was called for Bush 32 minutes after poll closing and North Carolina 28 minutes after poll closing. Alabama was called 25 minutes after its polls closed, but since CBS News was in a cutaway at that time, we could not broadcast the call until 8:30 PM.

And again, of the 29 states where the final margin was 10 points or more, CBS News called 15 at poll closing for Bush and 11 for Gore. It is difficult to argue that this reflects a pattern of withholding calls for Bush.

(See chart on next page.)

STATES WITH MARGINS OF 10+ POINTS:					
*** ALL TIMES EASTERN ***					
		*** BUSH WIN ***		*** GORE WIN ***	
POLL CLOSING	STATE	MARGIN	CALL TIME	MARGIN	CALL TIME
6:00PM	Indiana	16%	Poll Close		
6:00PM	Kentucky	16%	Poll Close		
7:00PM	Georgia	12%	7:32PM		
7:00PM	South Carolina	16%	Poll Close		
7:00PM	Vermont			10%	Poll Close
7:30PM	North Carolina	13%	7:58PM		
8:00PM	Alabama	15%	8:30PM		
8:00PM	Connecticut			17%	Poll Close
8:00PM	D.C.			27%	Poll Close
8:00PM	Delaware			13%	Poll Close
8:00PM	Illinois			12%	Poll Close
8:00PM	Kansas	21%	Poll Close		
8:00PM	Maryland			17%	Poll Close
8:00PM	Massachusetts			27%	Poll Close
8:00PM	Mississippi	15%	Poll Close		
8:00PM	New Jersey			15%	Poll Close
8:00PM	Oklahoma	23%	Poll Close		
8:00PM	Texas	21%	Poll Close		
9:00PM	Nebraska	30%	Poll Close		
9:00PM	New York			25%	Poll Close
9:00PM	North Dakota	28%	Poll Close		
9:00PM	Rhode Island			29%	Poll Close
9:00PM	South Dakota	22%	Poll Close		
9:00PM	Wyoming	41%	Poll Close		
10:00PM	Idaho	41%	Poll Close		
10:00PM	Montana	24%	Poll Close		
10:00PM	Utah	41%	Poll Close		
11:00PM	California			12%	Poll Close
11:00PM	Hawaii			18%	Poll Close
Midnight	Alaska	31%	Poll Close		
		18		12	

Final Margin of 6 to 9 Points

There were six states where the final margin was between 6 and 9 points. George W. Bush carried *all* of these states.

Al Gore won *none* of them. Gore carried each of his states either by double digits or by 5 points or less.

Louisiana (Bush by 8 points) was called at poll closing.

Virginia (7 points), Colorado (9 points), Arizona, Arkansas and West Virginia (6 points each) were called after their polls had closed, all for Bush. These are all states where the exit-poll data did not provide enough statistical certainty to make a call. This occurred for various reasons. In some cases, the exit poll may have suggested a closer race. In others, the sampling error was large enough to make calling the race impossible. It would have been irresponsible to ascribe more precision to these data than is appropriate. In all these cases, it was necessary to wait for enough actual votes to be reported to be confident of the outcome.

Virginia starts reporting its votes quickly, and in fact it was called quickly, just 25 minutes after its polls closed.

In contrast, Arizona counts slowly and the absentee vote in Arizona is significant, so the exit-poll data alone can be very misleading. In fact, the Arizona exit poll indicated a very close race. Arizona's call came two hours and 45 minutes after poll closing, but there were no actual vote returns reported from Arizona until two hours after its polls closed.

Colorado, Arkansas and West Virginia have a mix of slow counting and many absentee ballots, so the models did not produce the statistical information necessary for a call until later in the evening. In addition, Arkansas and West Virginia's traditional Democratic leanings meant that the Decision Team needed to be even more cautious in calling them.

In each case, CBS News called the race before VNS did, and in fact was the first network to call Colorado and Arkansas.

(See chart on next page.)

STATES WITH MARGINS OF 6-9 POINTS:					
*** ALL TIMES EASTERN ***					
		*** BUSH WIN ***		*** GORE WIN ***	
POLL CLOSING	STATE	MARGIN	CALL TIME	MARGIN	CALL TIME
7:00PM	Virginia	7%	7:25PM		
7:30PM	West Virginia	6%	10:11PM		
8:30PM	Arkansas	6%	12:05AM, 11/8		
9:00PM	Arizona	6%	11:46PM		
9:00PM	Colorado	9%	11:12PM		
9:00PM	Louisiana	8%	Poll Close		
		6		0	
STATES WITH MARGINS OF 5 POINTS OR LESS:					
*** ALL TIMES EASTERN ***					
		*** BUSH WIN ***		*** GORE WIN ***	
POLL CLOSING	STATE	MARGIN	CALL TIME	MARGIN	CALL TIME
7:00PM	Florida	0%			
7:00PM	New Hampshire	1%	10:04PM		
7:30PM	Ohio	4%	9:16PM		
8:00PM	Maine			5%	8:35PM
8:00PM	Michigan			4%	Poll Close
8:00PM	Missouri	4%	10:05PM		
8:00PM	Pennsylvania			4%	8:47PM
8:00PM	Tennessee	3%	9:16PM		
9:00PM	Minnesota			2%	9:36PM
9:00PM	New Mexico			0%	10:21PM
9:00PM	Wisconsin			0%	6:22AM, 11/8
10:00PM	Iowa			1%	2:04AM, 11/8
10:00PM	Nevada	3%	11:20PM		
11:00PM	Oregon			0%	Not Called
11:00PM	Washington			5%	12:09AM, 11/8
		6		9	

Final Margin of 5 Points or Less

There were 15 states where the final margin was 5 points or less. Gore carried nine of them and Bush carried six, including Florida. Only one, Michigan, was called at poll closing. The exit-poll estimates were consistent and suggested a clear win for Gore. Since Michigan had one of the largest numbers of exit-poll precincts of any state and the results confirmed most of the preelection polls, our CBS News Decision Team was confident.

None of the other 14 states was called immediately. Bush eventually carried six of them: Ohio and Missouri by 4 points, Tennessee and Nevada by 3 points, New Hampshire by one point and Florida by even less than that.

Gore carried the other eight: Maine and Washington by 5 points each, Pennsylvania by 4 points, Minnesota by 2 points, Iowa by one point and New Mexico, Oregon and Wisconsin by less than one percentage point.

(See chart on previous page.)

The differences in timing of these calls had to do with many factors, including the speed at which votes were counted throughout each state, the size of the absentee vote and the degree to which the various statistical models were showing a consistent pattern. In some states, counting errors were first included in state totals and then corrected. Some of these states could not be called until the next day, and some were not finally placed in a candidate's column until days after the election was over. Except for Wisconsin, Oregon and the final results in New Mexico and Florida, CBS News called all of these states before VNS, and in many cases was the first network to make the call.

An examination of the CBS News Election Night broadcast in the critical hours between 7:00 PM and 11:00 PM (the period when polls were still open on the West Coast) indicates that, far from suggesting a Gore victory, nearly all the hard data reported by CBS News showed Bush ahead.

The graphic reporting the national popular vote was shown 15 times in that period. Each time, Bush had the lead. The electoral-vote count was shown or mentioned more than 100 times, and, in the vast majority of those cases, Bush was ahead, including many instances when the mistaken Florida call was still being counted in Gore's electoral-vote total.

As Dr. Kathleen Hall Jamieson notes in her analysis, CBS News did not assume that a victory in Florida clinched the election for Gore. She writes: "Contrary to the contention of some Republicans, the mistaken call of Florida did not lead CBS to suggest that the election was over, with Gore the winner. Instead, Rather assumed that a win by Gore in Florida made him viable and the race close. Faced with this information, Republicans and Democrats in the West presumably would be motivated to believe that their votes

would count and hence be more inclined to go to the polls....One could argue plausibly that if there was a bias on CBS, it was built on the assumption that the election was Bush's to lose, and hence the bias was in his favor.”

- From Black Box Voting Document Archive -

PART TWO: INDEPENDENT PERSPECTIVE

INTRODUCTION

To ensure the credibility of our investigation, we felt that it was critically important for our panel to include a respected expert outside the CBS News organization. Dr. Kathleen Hall Jamieson is the Walter H. Annenberg Dean of the Annenberg School for Communication at the University of Pennsylvania and a recognized authority on both broadcast journalism and politics. She conducted an extensive examination of the 284-page transcript of the 12 hours of CBS News Election coverage, as well as similar transcripts of Election Night coverage on ABC and NBC.

The following are Dr. Jamieson's observations after her review of the transcript, as well as her summary of what CBS News did well on Election Night, the areas in need of improvement, and a set of recommendations for future election night coverage, which has been endorsed by CBS News.

— From Black Box Voting Document Archive

INDEPENDENT ANALYSIS: EVALUATING CBS NEWS COVERAGE FROM A VIEWER'S PERSPECTIVE

**By Dr. Kathleen Hall Jamieson, Professor of Communication and
The Walter H. Annenberg Dean of The Annenberg School for Communication and
Director, The Annenberg Public Policy Center**

For me, the underlying problem with coverage by the broadcast networks of the election returns is overconfidence in the ability of the system in place at each network to protect viewers from misinformation. As you will have read in the preceding section, confidence in the statistical models programmed by Voter News Service (VNS) was misplaced. That problem was compounded by a flaw in the Decision Desk setup at CBS News, which relied solely upon the VNS numbers without taking into account the breaking news from Florida. This situation left Dan Rather, the anchor of CBS News and the embodiment of the network's Election Night coverage, at a disadvantage, since he received his information from the producers of the Election Night broadcast as they received the calls from the CBS News Decision Desk.

It is important for anyone who assesses 12 hours of live coverage to recognize how difficult it is to report a changing story in real time with sometimes incomplete or inaccurate information. I was asked to review the CBS News coverage; I therefore concentrated on CBS...I did not apply the same rigorous scrutiny to ABC or NBC. However, to help determine whether a problem was uniquely CBS's or affected NBC and ABC as well, at key points I will draw in comparative information from the coverage of these two other networks.

News meets our expectations by covering (reporting) and by mediating (making sense of what has been reported). As viewers, we expect news to be (1) accurate and (2) fair and balanced. We also expect news to (3) provide us with information we do not have, in a form that is understandable. We expect news to be new and also (4) help us make sense of the world being covered.

Election Night requires reporters, anchors and analysts to meet these expectations in an environment in which every person on the air is aware that the viewer holding the remote control can move among six television outlets and the Internet for the latest news. The pressure to be first with accurate information is high.

I will apply four criteria to the election coverage: (1) being accurate, (2) being fair and balanced, (3) getting news first and (4) making sense of what's going on.

(1) BEING ACCURATE

About the Outcome

CBS News made many calls accurately on Election Night--48 Presidential and 32 Senate calls, as well as accurate calls in many other state and Congressional contests. *But four calls raise questions about the procedures used to decide whether and when to assign a win to one candidate over another.* Although the focus of national attention has been on the two mistaken calls in the Presidential race, in the Washington Senate race Maria Cantwell was prematurely called the winner over Sen. Slade Gorton, as was Gore in New Mexico. Both calls were withdrawn, although they were later confirmed.

About Poll Closings

At 7:00 PM, Dan Rather announces that the polls have closed in Florida. Later in the first hour, he again reports, "The polls are closed in Florida" (p. 9). This is true for most of Florida, but not for the Western Panhandle, which is in the Central Time Zone.

However, when the Republicans charge that the call was made before the polls closed, Rather should explain the voluntary agreement under which the networks are operating that says that winners will not be projected until "most" of the polls have closed. Many informed observers misunderstand that agreement. So, for example, Lillian Swanson, *The Philadelphia Inquirer's* assistant managing editor, writes: "The networks broke their own rules, by calling the race in Florida for Al Gore early on election night, before the polls had closed in the state's western panhandle" (November 20, 2000, p. A12).

About the Meaning of the Popular Vote

The popular-vote totals included on the projection screens can inadvertently suggest that one candidate is decisively winning the election. Of course, that is not necessarily the case. Precincts favoring one candidate may be counted first, for example. It is important that the anchor make this clear.

About Projecting a Winner vs. Winning

Since no one has actually won a state until all votes are counted and certified, in most states the calls by the networks are projections or estimates based on a reading of exit polls in sample precincts, adjusted for assumptions about absentee ballots, and in close states confirmed by checking the exit polls against actual precinct-level vote counts. Reporting that winners are *projected* not only is accurate but increases the likelihood that voters will not feel misled when a call is withdrawn or reversed.

Finding: ABC and NBC more consistently use the word "projects."

Importantly, in the initial call [by CBS News], Florida is treated as an estimate....However, the Florida call is quickly translated into a given, not an estimate or projection....Importantly, the first call of Bush as President is cast as an estimate...and subsequent talk includes qualifiers....However, the fact of a win is soon expressed as a given....

Care in Noting the Calling of a State as an Estimate or Projection

Finding: NBC and ABC (as well as Fox) are much more likely than CBS News to indicate that calls of states are estimates or projections.

When a candidate is called the winner, [ABC's] Peter Jennings usually adds within a sentence or two the notion that this is a projection (p. 13). NBC reinforces the notion that it is dealing in projections by including the word in the on-screen visuals: "President Connecticut Projected Winner 8 Electoral Votes Al Gore" (8:00 PM, p. 1).

(2) BEING FAIR AND BALANCED

Expectations

"Expectations" are a problematic construct on Election Night. Unanswered are the questions: Whose expectations? How were the expectations calculated? By preelection polls? By the exit polls taken throughout the day? By the pundits? By political insiders? By the campaigns? Most states are talked about in terms of the "expected" winner, as if the audience and the anchor both know the answers to these questions and so do not need to be informed about them

"Expected to go for." When a state is described as "expected to go for one candidate" and is reported as "too close to call," a reasonable assumption among viewers, unless they are first told otherwise, is that the person who was expected to win is not meeting expectations.

Case in point: Ohio. NBC interpreted the delay in calling Ohio as evidence of Bush's weakness. CBS News implied that conclusion, but did not make it as explicit as NBC did (8:00 PM, p. 17, p. 27).

Bias

Contrary to the contention of some...the mistaken call of Florida did not lead CBS News to suggest that the election was over, with Gore the winner. Instead, Rather assumed that a win by Gore in Florida made him viable and the race close. Faced with this information, Republicans and Democrats in the West presumably would be motivated to believe that their votes would count and hence be more inclined to go to the polls. The

scenario that would shift votes is one in which those who would otherwise have supported Nader learn, accurately, that the election is close and shift to Gore. Had the networks suggested that the Florida call meant that the election was over, that fact might have worked to increase the Nader vote and depress the Gore and Bush vote in states whose polls were still open. If Gore is going to win, there is no more reason for his supporters to turn out than there is for Bush's. Indeed, one could argue plausibly that if there was a bias on CBS, it was built on the assumption that the election was Bush's to lose, and hence the bias was in his favor.

The Florida call does not make a Gore victory inevitable, but it makes Gore viable.

One of the reasons that CBS did not adopt the frame that the mistaken call of Florida for Gore meant that Gore would probably win is that Rather had defined winning Tennessee as central to Gore's prospects. While some of the other networks cast Florida, Pennsylvania and Michigan as "the iron triangle" or "the trifecta," Rather did not.

The notion that Gore might lose the Presidency by losing his home state of Tennessee creates an ongoing narrative theme for Rather; in retrospect, Rather was right (p. 64).

After Florida is removed from the Gore column, CBS News assumes that Bush has the advantage....The expectation that Bush will win seeps into the CBS News coverage throughout the evening.

Reporters are as likely as the rest of us to see the world through previously framed perspectives. For much of the 2000 campaign, Bush led Gore in the head-to-head polls. In the final week, even as the two remained within the margin of error, the fact that Bush was ahead of Gore within the margin was interpreted by many in news to mean that "Bush has the edge, the advantage," or simply "is ahead in the polls."

A second factor framed reporters' expectations. The Bush campaign, whether through calculation, hubris or poor polling of its own, led reporters to expect that Bush would win and might amass as many as 320 electoral votes. This perspective was reinforced in the final week by Bush's visits to states that the Democrats thought they had secured, including New Jersey and California.

Comparison to NBC and ABC

Finding: The Florida call for Gore established a perspective on NBC and ABC that led reporters and anchors to minimize Bush's prospects. CBS News did not follow this pattern.

Because Rather believes that the presumed Florida win makes Gore viable; refuses to buy into the rhetoric of "big three," "iron triangle" or "trifecta" to describe Florida, Michigan and Pennsylvania; and places symbolic weight on Gore's prospective loss of his home state, CBS News' coverage between the call of Florida for Gore and the retraction of that

call is not biased against the possibility of a Bush win. NBC and ABC are more vulnerable than is CBS News to this charge.

CBS News Actively Encouraged Voting

Contrary to the hypothesis that the early call in Florida for Gore discouraged West Coast voters, I have suggested that CBS News' coverage of the race as close was likely to lead those in the West to conclude that their votes would matter. Additionally, throughout the evening, Rather encouraged those in states whose polls had not yet closed to vote.

(3) REPORTING WHAT IS NEW: WHO WINS WHAT

By my count, which excludes Wisconsin and Oregon, CBS News made 25 calls at the same time as ABC, NBC/MSNBC and Fox, and 15 calls either first or at the same time as at least one of them. CBS News was 30 seconds behind NBC/MSNBC and almost two minutes behind Fox in calling Florida and the election for Bush, and two minutes ahead of ABC, four minutes ahead of NBC and seven minutes ahead of Fox in retracting that call.

What of the states in which the final vote count showed a very close result? CBS News led NBC and Fox significantly with an accurate call in New Hampshire, but lagged behind all except Fox in calling Minnesota. CBS News led all the networks in calling Ohio, Nevada, Colorado, Tennessee and Arkansas accurately for Bush. CBS News called Iowa second among the five outlets.

Speed in Forecasting a Recount

ABC is the first to note the likelihood of a recount, at 4:01 AM, with Mark Halperin reporting that Florida law requires an automatic recount if the totals for the two candidates are within one half of one percent of each other (p. 226). NBC and CBS News report this information next, when Gore Campaign Chairman William Daley points out that, under Florida law, the margin will trigger an automatic recount (NBC: 4:00 AM, p. 3).

(4) MAKING SENSE OF WHAT'S GOING ON

Who Is Responsible?

Disclosing the Nature and Role of VNS and the Decision Process At CBS News

Like the other networks, CBS News creates the illusion that it has its own polling operation, when in fact most of what it receives is pooled VNS data, with some special questions added for each network. This puts CBS News' credibility on the line, more so than VNS's, when a call is incorrect.

[CBS News] reports on the responses to some of the questions that CBS News has placed on the VNS exit poll. But a viewer could be forgiven for concluding that the calls being made in the individual states are also from this CBS News exit poll and not from information being received at the same time by all subscribers. After Florida has been called incorrectly twice, but before it has been withdrawn from the Bush column, Rather continues to blur the distinction between VNS and CBS News.

Until a problem occurs, there is no allusion to VNS at all on CBS. There is also no adequate explanation of how the exit-polling process works. In the absence of such an explanation, when all of the networks make the same call, a viewer might well assume that five separate exit polls have drawn the same conclusion from independently gathered evidence.

Care in Explaining the Process That Produces Projections

Finding: Everyone could have done a better job. Although none of the networks does an adequate job of making sense of the exit-polling process, NBC provides the most extended explanation and does so earlier in the evening than the others between 7:00 and 8:00 PM, EST.

Does Refusing to Call a State Mean That It Is Close or That CBS News (VNS) Has Insufficient Information?

To invoke insufficient information is fairer.

It is important to tell viewers that "too close to call" doesn't necessarily mean it will be close when all votes are counted.

CBS News takes credit for its track record of accurate calls, making the calls throughout the evening as if it is CBS News that is responsible, but shifts responsibility to bad data and computers when the Florida call for Gore is pulled back. If you take credit for what goes right, you should take responsibility for what goes wrong.

The implication of the coverage is: “When we make a bad call, it is at the same time as everyone else; when we make a good call, we are first.”

[It is suggested] that the problem is with VNS, not with the precinct report of the vote count.

The focus is on embarrassment, not on explaining what went wrong and ensuring that it does not go wrong again.

SUMMARY

What CBS Did Well

- Called many races accurately
- Reminded people to vote in states whose polls were still open
- Graphically illustrated the states whose polls were still open
- Avoided the trap created by the “trifecta” and “big three” phrases
- Corrected a misstatement about absentee ballots
- Cautioned viewers early in the evening about not making too much of popular vote totals.

Areas in Need of Improvement

- Explain the process of calling a state vote and do so early, clearly and often
- Say “projected” and “estimated” until all votes are counted
- Differentiate “too close to call because the vote margin is small” from “too close to call because CBS lacks the information to know how close it is”
- Provide necessary background information (such as automatic recount in Florida) earlier.

RECOMMENDATIONS

- Clearly and repeatedly explain the process that leads to calling a state; post this explanation on the Web site. Employ the same standards, vocabulary and reporting formats on the Web site as in the broadcast.
- Develop and standardize a vocabulary to distinguish between calls made from exit polls alone and calls made from exit polls checked against precinct data. Tie the words “projected” or “estimated” to every call that is based on anything other than a final vote count and to every discussion of every call that falls into that category. Add “projected” to all graphics that show calls made before the full vote count.

- Create a visual to be displayed before commercial breaks indicating which states are still voting and encouraging those who are eligible to vote to do so. Continue Rather's practice of urging eligible voters to vote in states whose polls are still open.
- Distinguish between "not enough information to call" a state and "plenty of information that indicates that the race is close" in that state." Continue Rather's practice of cautioning viewers about the meaning of popular-vote totals on the screen.
- Avoid the implication that because a state that was expected to go for a candidate has not been called, that fact is necessarily bad news for the candidate who expects the win. Also avoid categorical statements made with certainty until the data warrant them (e.g., "you can bank on it"); humans are fallible.
- Pay equal attention to competing streams of information, in this case VNS, AP, and the secretaries of state's Web sites. Take responsibility for mistakes; don't blame data or computers; if you take the credit for getting it right, you must accept the blame for getting it wrong.
- Remember that the rules governing the process in a tight race make exit polls less useful. Remember that phrases matter: by avoiding the "trifecta" and "iron triangle" formulas for Florida, Pennsylvania and Michigan, Rather avoided a trap.
- Agree not to call a state until all of its polls are closed. Otherwise, clearly explain the network's rules for calling a state before the polls close, so that viewers are not misled into believing that by making such a call you have violated your word.
- Remember that the assumptions made by reporters and anchors about the likely winner can shape their on-air perspective, a tendency that should be aggressively resisted. Also, remember that campaign-provided information about who will win or is winning should be used judiciously, if at all.
- If one does not already exist, compile a list of election laws from each state, including the conditions under which a recount is mandated and the ways in which absentee ballots are treated; if one does exist, find out why the information on the Florida mandate to recount was not in the hands of the reporters and anchors as the Florida margin between Bush and Gore narrowed.

PART THREE: HISTORICAL PERSPECTIVE

INTRODUCTION

The CBS Television Network covered Election Night for the first time on November 2, 1948, from 8:00 PM to 5:40 AM. Television sets were scarce, and thus few people were able to watch the coverage of a race so close that the *Chicago Tribune* ran the famous headline “Dewey Defeats Truman.” With the explosion of television and all its electronic razzle-dazzle and with computers constructing statistical models to predict the winners, television has come a long way in broadcasting elections. But Election Night 2000 brought television’s own version of “Dewey Defeats Truman.” Dr. Kathleen Frankovic has prepared this history of the steps that have brought us to this point.

- From Black Box Voting Document Archive

ELECTION-NIGHT CALLS: A HISTORY

Many of the CBS News traditions of decision-making in elections stem from the first call made by CBS News in the 1964 California Republican primary. CBS News projected Barry Goldwater the winner at 7:22 PM, PST, after polls had closed in Los Angeles, but 38 minutes before they were to do so in the San Francisco area.

After that election, CBS News faced criticism from outside for making the call before all the polls had closed (criticism that led to the first demands for uniform poll closing, as well as to the first research projects to monitor the possible impact of an early call). The criticism set in motion an internal review of the decision-making process at CBS News.

The California call (which gave the correct winner, although the actual vote totals ended up being shockingly close) had been made by consultants Lou Harris and David Neft. Bill Leonard, the CBS executive in charge, was *not* involved in the call that Harris made, and a freelance camera crew recording Election Night documented that fact. CBS President Frank Stanton initiated a series of closed-door hearings on the coverage. He believed that the delegation of such decisions to consultants violated CBS News policy and should be reconsidered. He also instituted a review of CBS News election policy, procedures and language.

Publicly, Stanton defended CBS News. In response to a letter sent by Republican National Committee Chairman Dean Burch charging that CBS News used “forecasting gimmicks,” Stanton said: “No forecasting gimmicks would be used on Election Night and reports of the election outcomes would be based on judgments and perceptions of experienced newsmen, proved statistical methods, and advanced data-processing systems, all based on actual vote results.”

The 1964 review resulted in the creation of a “CBS News Decision Desk.” The Decision Desk was to be staffed by Election Unit personnel augmented by statistical consultants and headed by a CBS News executive. The executive would have to approve any calls the Decision Desk made on election night. This arrangement continued in much the same fashion from 1964 through 1988. After the 1988 election, CBS, NBC, ABC and CNN formed Voter Research and Surveys (VRS), to replace the networks’ proprietary exit-poll and precinct-analysis systems. While there always would be something called a Decision Desk in the CBS News election studios, election-data collection was absorbed first by VRS and later by Voter News Service (VNS).

From 1990 to 1994, the election pool, headed initially by Warren Mitofsky, the former head of both Voter Research and Surveys and the CBS News Election Unit, and later by Murray Edelman, a former CBS News executive, and Bob Flaherty, a former head of the News Election Service, served as the Decision Desk for all VRS and VNS members. At first, the pool itself handled all of the call decisions. But in 1994, ABC News changed the rules and scored a competitive advantage when its consultants studied the VNS data in states that VNS had declared too close to call at poll-closing time and made calls on its

own. It proclaimed winners in important races like the New York gubernatorial contest long before the other networks did.

Consequently, after 1994 the CBS News Decision Team was restructured and began to call races in the 1996 primaries based on the VNS data. While there were discussions about CBS News and CNN collecting additional data, neither network was willing to commit the necessary funds.

Warren Mitofsky was hired by both CBS and CNN in 1996, while Joe Lenski, a former member of the CBS News Election Unit staff and a consultant to VNS, worked exclusively for CBS News in that election. In 1998 and 2000, Mitofsky and Lenski were both under contract to the CBS-CNN partnership. On election nights, they, along with their staffs, sit at a “neutral” site separate from the CBS News control room and studio, review the VNS input and make calls.

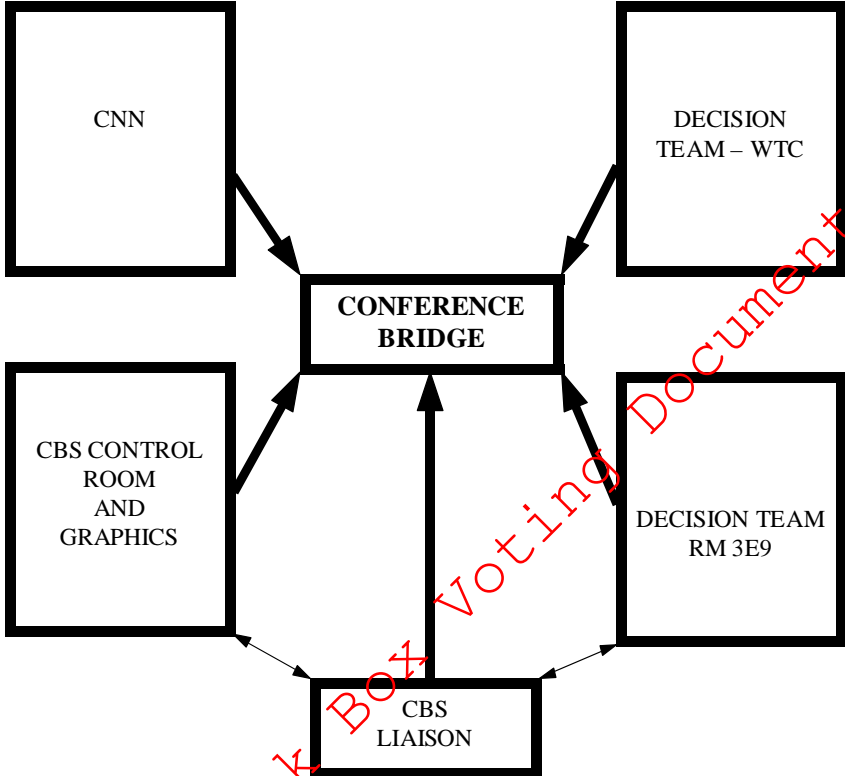
In 2000, that site was a room on the third floor of the Broadcast Center. On November 7, Mitofsky and Lenski, along with three other members of the CBS News Decision Team, reviewed the data. A CBS News senior producer was the CBS News liaison in the decision room.

On a conference bridge with Kathy Frankovic were the graphic producers in the control room, several CNN producers in Washington and Atlanta, and two representatives in the VNS decision area at the World Trade Center. These representatives were at the World Trade Center if it should be necessary to ask VNS about data issues and other problems, as well as to be CBS’s eyes and ears on the VNS process.

The Decision Team took the lead in entering calls into the CBS News database and graphics system, although it usually let VNS send the easy poll-closing calls. The graphics producers notified everyone of the poll-closing calls; at other times, they notified the executive producer, who let the desks know. In addition, anyone watching his or her computer monitor could see that a call had been made.

(See chart on next page.)

DECISION TEAM COMMUNICATIONS



- From Black Box Voting Document Archive -

The CBS Calls

What follows is a summary of the CBS calls in the period though 11:00 PM, EST, when all states except Alaska had closed their polls.

		Cumulative Electoral Vote	
		Bush	Gore
6:00 PM	Two states close Two states called for Bush (IN, KY)	20	
7:00 PM	Six states close One state called for Bush (SC) One state called for Gore (VT) One state called at 7:25 (VA - 7:00 PM close)	28 41	3
7:30 PM	Three states close One state called at 7:32 (GA - 7:00 PM close) One state called at 7:50 (FL - 7:00 PM close) One state called at 7:58 (NC)	54 68	28
8:00 PM	16 states and District of Columbia close Four states called for Bush (KS, MS, OK, TX) Eight states and D.C. called for Gore (CT, DE, DC, IL, MD, MA, MI, NJ) One state called at 8:25 PM (AL - 8:00 PM close)	121 130	119
8:30 PM	One state closes One state called at 8:35 PM (ME - 8:00 PM close) One state called at 8:49 PM (PA - 8:00 PM close)		122 145
9:00 PM	12 states close Five states called for Bush (LA, NE, ND, SD, WY) Two states called for Gore (NY, RI) One state called at 9:17 PM (TN - 8:30 PM close) One state called at 9:17 PM (OH - 7:30 PM close) One state called at 9:36 PM (MN - 9:00 PM close) One state retracted at 9:54 PM (FL)	153 164 185	182 192 167
10:00 PM	Five states close Three states called for Bush (ID, MT, UT) One state called at 10:05 PM (NH - 7:00 PM close) One state called at 10:07 PM (MO - 8:00 PM close) One state called at 10:11 PM (WV - 7:30 PM close) One state called at 10:21 PM (NM - 9:00 PM close)	197 201 212 217	172

Only three of Maine's four electoral votes were immediately allocated. (Maine awards one electoral vote for each Congressional District carried and two to the person who carries the state overall.) Gore was clearly ahead in the First District, but not in the Second. He eventually carried the Second by less than two percentage points.

Before 11:00 PM, EST, and the West Coast poll closings, CBS News had called 15 states for Bush and 11 states and the District of Columbia for Gore at the time those states' polls had closed. Eight more were called for Bush and five for Gore at varying times after their polls had closed, including the mistaken Florida Gore call.

Bush led in the popular vote for the entire period before 11:00 PM, EST, as well as in the electoral-vote count except for two brief time periods. CBS News reported Gore with a slightly higher electoral vote than Bush between 8:49 and 9:17 PM and between 9:36 and 9:54 PM, a total of 46 minutes. Were it not for the first mistake in Florida, Gore's lead in electoral votes would have existed for only five minutes, between 9:00 and 9:05 PM.

Calling Races

Races are called based on several sources of data. The first is the exit poll, conducted throughout the day in a sample of precincts throughout a state. An interviewer asks a randomly selected number of voters to fill out a short questionnaire. Three times during the day, the interviewer tabulates the votes from those questionnaires and calls in that information to VNS. The interviewer also reports information about the total number of voters and the response rate to the exit poll. Additionally, the interviewer reads all the answers from a sample of those questionnaires to one of the VNS centers, where they are entered into the exit-poll database.

If the exit-poll data, processed through a series of calculations and decision models, indicate an expected clear lead for a candidate, the state can be called at poll-closing time.

In many elections, the exit polls do not provide the information necessary to call a race. Therefore, actual vote results are collected from a larger sample that includes the exit-poll precincts. This process begins after the polls close, and the calculations from these sample precincts are used to call races in which the leads are smaller or the results are a surprise.

In very close races, a call must wait until the tabulation of a significant number of actual votes from every section of a state.

Calling Races in 2000

States that were called at poll closing were those in which the exit polls indicated a sizable lead for the candidate who had been expected to carry that state. In the states that fit this pattern, there were no apparent problems or questions about the exit-poll data. For example, the states CBS News called for Gore at poll-closing time included New

York, which Gore carried by 25 points. CBS News called Texas when its polls closed, and Bush carried Texas by 21 points.

However, other states did not fit that pattern. And in those cases, calls were delayed and CBS News had to wait for actual votes, either from sample precincts or from county tabulations. In several states, the exit polls did not indicate a clear leader. And in West Virginia, where the Bush lead suggested by the exit poll went against the tradition in this historically Democratic state, the CBS News Decision Team waited for actual results to confirm the lead before calling the state for Bush.

One of the calculations that VNS routinely provides is called a bias computation. It compares the results from the exit poll with the actual vote totals in the same precincts. There have been cases in the past in which one candidate's voters seemed more willing than the other candidate's to complete the exit-poll questionnaires.

This year, the bias computation in Kentucky suggested that Bush supporters were more likely to respond to exit pollsters and complete the questionnaire. That meant that the CBS News Decision Team would need to be cautious in calling states for Bush from the exit poll alone unless his lead was very wide, but would not have the same concern about calls for Gore. Kentucky was one of the first two states to close, and that computation delayed calls in other states, including Alabama, North Carolina and Georgia.

There is a relatively new but growing problem with exit polls, because only those people who vote in person on Election Day are included. But absentees are coming to represent an increasingly large proportion of voters. States with large numbers of absentee ballots are not likely to be called from exit polls, except when one candidate has a very wide lead. VNS has conducted phone surveys in several states with the largest proportions of absentees, but it will be costly to extend that research.

In addition, the time between poll closing and a call can vary drastically, even when the final margin is not as razor-thin as the one in Florida turned out to be. Some states simply count votes more slowly than others do. Thus, the process of waiting for sufficient actual returns can be short (as in New Jersey, Connecticut and Pennsylvania, which use voting machines) or very long (as in states such as Arizona or Arkansas).

CBS NEWS ELECTION-NIGHT LANGUAGE: A HISTORY

We have come a long way in our use of language to describe what we do on Election Night. Now we say less, rather than more.

For the 2000 election, we did not produce an Election Night language memo. We should have. At the time, there seemed to be good reasons not to. First, nearly everyone associated with the broadcast had done it many times before and knew about appropriate language. But, more importantly, we were much more concerned about what might happen on Election Day than on Election Night. We worried about the language to use at 5:00 PM and 6:00 PM, with the threat of information leaks appearing on the Web. We carefully crafted an internal memo on leaks and worked on language we might use that would remain within bounds but still sound knowledgeable.

CBS News also kept the viewer far less informed about what we were doing. Nowhere in the course of the broadcast, even after the Florida calls were retracted, did anyone mention Voter News Service. CBS News did not give the source of the information that it used, nor did CBS News explain the criteria used for making calls. No one even explained what an exit poll is. Such explanations used to be a staple of the first hour of election broadcasts.

The basic CBS News Election Night language was first adopted in 1964 in a series of memos distributed to the news organization. The formula is something like this: "CBS News estimates that when all the votes are counted, Lyndon Johnson will carry Illinois."

In October 1964, Bill Leonard, then the head of the CBS News Election Unit, wrote: "Obviously, CBS News *does not* 'elect' anyone. *We report*, however, when someone has been, or apparently has been, elected. A [checkmark] next to the name of the winning candidate indicates that in the judgment of CBS News, the particular candidate is the winner."

One of the core premises of the early CBS News Election Night policy was that it was important to explain what CBS News was doing behind the scenes. As Leonard wrote in 1964: "In Vote Profile Analysis, we have an important and swift new tool. It is imperative that we use it for what it is and that we share its meaning with our viewers and our listeners. There should be no mystique about it."

Another core premise was that CBS News would be clear in describing what it was doing, noting the difference between the estimate and the actual outcome. CBS News President Fred Friendly told *The New York Times* in the fall of 1964: "We will not use the word 'declare' on November 3--we will speak of 'indicated winners,' 'apparent winners,' or 'probable winners' until both our analysis of the vote and the vote itself leave no doubt of the result."

It was also important to explain the procedures to the CBS News staff. Leonard wrote an Election Night procedures memo and an Election Night language memo. He also appeared on an internal CBS News program called "Closed Circuit," in which he explained VPA to the news organization.

Letting the viewer in on the process was part of the Election Night language memo that Leonard wrote. For example, if a candidate was very likely to carry a state, but it was necessary to wait for more data, Leonard advised the following language: "We would expect Goldwater to carry Georgia, on the basis of those VPA precincts we've already heard from, but we'll just have to wait until more of our model is heard from before making a definitive estimate."

But even Leonard admitted that, after the original call in a race, it would be appropriate to say someone had carried the state or was the winner. However, he advised that it was important to "frequently" note what the basis for this claim was--the CBS News Estimate.

Through the years, while the basic formula has been little modified, it has been shorthanded even further, and the audience taken further away from the decision-making process. "Estimate" and "won" have become interchangeable.

Correspondents were cautioned: "The CBS News Estimate should be so described--as an estimate. Winners should be described as 'estimated winners.' Avoid any reference to 'calling' races or 'declaring' winners. Do not refer to estimates as 'projections.'"

Sometimes the source of an estimate (e.g., sample precincts) is noted. The 1988 Handbook gives the following as appropriate language: "CBS News estimates that Republican Senator Lowell Weicker has been reelected in Connecticut" and "On the basis of returns from our sample precincts in Indiana, CBS News estimates that Evan Bayh has been elected."

But by 1998, not only were viewers never apprised of the process by which calls were made, but the shorthanding of the calls was legitimized.

The 1998 internal memo read:

BROADCAST LANGUAGE AT (OR AFTER) POLL CLOSING: We may say internally that CBS News has called the races, but for the public it's far easier to say that "George Bush has won." We can say "CBS News estimates that George W. Bush has been elected Governor," or simply say that "George W. Bush has been reelected Governor of Texas." Fundamentally, when a race is called, we are saying that someone has won. We shouldn't be afraid to say that.

CBS News legitimized the shorthand for the calls that dominate election coverage. But so did VNS. A review of the VNS Election Night 2000 messages shows that their preferred

language is as simple as ours: 9:24 PM: “PA--GORE WINS” and 9:20 PM: “LA--BUSH WINS.”

While that language resulted in calls that might have seemed more definite than they were, the 1998 memo distinguished between a race that was close and one in which CBS News was simply waiting for more information:

The uncalled races may not be called because there isn't enough information to call them, or because they look to be very close. But some that are not called at poll closing may be called very soon afterwards (as soon as some vote counts in or some sample precincts report actual tallies, confirming what appeared to be a lead in the exit poll). We shouldn't assume that all the undecided races will stay that way for long.

Dr. Kathleen Hall Jamieson notes in her analysis that on Election Night 2000 Dan Rather occasionally used the “estimate” language, but more often he segued into simply saying “Gore has carried Illinois.” The graphics accompanying a call did label the call a “CBS News Estimate,” but that label was in a much smaller type size than the words that indicated the winner. The trend to placing “CBS News Estimate” in smaller type seems to have begun in 1988, but the 2000 graphic put it in even smaller type.

Recommendations

- Provide CBS News personnel with documents explaining how and why calls are made, including a description of how an exit poll is conducted.
- Provide documentation of Election Night procedures, along with appropriate language.
- Explain the process of calling races in the first hour of the Election Night broadcast.
- Clearly distinguish between “not enough information to call” and “information that indicates the race is too close to call.”
- Tie the word “projected” or “estimated” to every call that is based on anything other than a final vote count and to every discussion of every call that falls into that category.
- Increase the size of the words “CBS News Estimate” on every graphic that includes statewide calls and electoral vote counts.
- In the week before the election, broadcast a story on how an exit poll is conducted, and review the process on-air early on Election Night.

- Include explanatory information about how an exit poll is conducted and how CBS News calls races on the CBS News Web site.

- From Black Box Voting Document Archive -

VOTER NEWS SERVICE: AN OVERVIEW

Early History and Development

Voter News Service (VNS), founded in 1993, is the product of the merger of two pools, one that began in 1990 and one that dates back to 1964.

ABC, CBS, NBC, the Associated Press (AP) and United Press International (UPI) created the News Election Service (NES) in the summer of 1964. Before that, news organizations had competed in collecting their own vote tabulations, at enormous costs and potential public confusion. In the New Hampshire primary, for example, each network had its own telephones installed at 300 or so polling places for the use of its reporter. In California, each network had to cover 23,000 polling locations. Every primary night, each network was reporting very different partial totals.

In 1990, ABC, CBS, CNN and NBC formed Voter Research and Surveys (VRS) to do the same thing with exit polls and estimates. NBC had actually urged an election pool since the 1970s, and closed its election unit after the 1988 election in the expectation that a pool would be formed. Despite the pooling of vote-tabulation efforts, the costs for separate Election Day data-gathering were still very high.

From VRS's inception, there were heated debates among the members, the first occurring over whether the CBS or ABC election unit would be the core of the new pool. The CBS News system, which had been developed over a number of years beginning in the 1960s, eventually became the election pool.

That choice had repercussions for coordination and for management. In the first VRS-covered election, a communication failure between the exit-poll contractor (a Capital Cities/ABC subsidiary) and the CBS mainframe used by VRS delayed for several hours the production of the national exit-poll cross-tabulations.

By 1993, when the decision was made to merge VRS and NES into Voter News Service, the member participants were ABC, CBS, CNN, NBC and the Associated Press (UPI had long since left NES, and Fox News would join VNS in 1996). The differences between the former VRS and NES organizations ranged from office locations to comparative salaries. VRS left its former location in the CBS Broadcast Center and moved to the NES location on 34th Street. Over the next few years, salaries of VRS and NES personnel were adjusted.

The two organizations had had different missions and cultures, which were difficult to unify. In fact, two men--Bob Flaherty of NES and Murray Edelman of VRS--were asked to jointly head the new service.

For the next few years, VNS retained its pre-merger organizational structure. There were programmers for the exit-poll and estimate operations reporting to Edelman, and programmers who handled vote tabulation reporting to Flaherty. It took years before the duplication in databases and systems in the two organizations could even be addressed. However, despite its problems, VNS did well in calling the 1994 election, although there were issues with the delayed national exit poll, which was unavailable early in the evening. The former NES group, which managed the enormous tabulated vote-collection operation, took over the recruitment and training of exit-poll interviewers and sample-precinct reporters from the outside firm that had been managing it since 1990. In the 1996 election, VNS performed very well.

Current VNS Organization and Management

The double-headed leadership of VNS lasted through the 1996 election, when the VNS board decided that change was needed. In 1997, Evans Witt, the former AP representative to NES, became the sole VNS executive director (neither Edelman nor Flaherty had held that title). But putting one person in charge did not necessarily resolve the organizational problems. Witt left in April 1998. There were disagreements over moving VNS outside of New York, the needed major computer-system rewrite and long-term planning.

Bill Headline took over in the late spring of 1998, and managed to soothe staff concerns and keep VNS functioning successfully for the 1998 election. In early 2000, Ted Savaglio was named co-executive director, and he will succeed Headline as executive director at the end of 2000.

The existence of a single executive in charge, as well as personnel changes, has had a positive effect on the internal structure of VNS. In addition, all computer operations have been moved into one unit, with one head. There has been ongoing work in developing an updated and integrated computer system and election database, with much of that project budgeted for 2001.

There are still, however, difficulties. And the physical office location can exacerbate them. The multiple corridors result in minimal interaction among employees. Because of space limitations, the research department is on a separate floor. And for much of the election season, some of the staff moves to temporary Election Night quarters at the World Trade Center. At some time in 2001, VNS may move.

Each of the six member organizations can name one or more representatives to the VNS Board of Managers, but each organization has only one vote. The current VNS board includes mostly election specialists: four representatives have managed election or polling operations for their news organizations and have extensive experience with data collection. Two members have served on the board since the founding of VNS in 1989, while another had long-term experience with NES.

The intimate connection that several board members have to election coverage and polling may have encouraged the activist role the board has sometimes taken.

The Role of Money

Costs played an important role in the creation of NES, VRS and VNS, and they remain a factor. Costs determine the total number of exit-poll precincts, the amount spent on research and the speed of communications both internally and externally. ✓

The goal of joining forces was to do the job better than any one network could do it alone. The contract calls for the costs to be borne equally and requires that the budget be passed unanimously. While in theory VNS can determine what it needs and expect the members to share the cost, in reality the most frugal member sets the limit on how much VNS can spend. And when its budget is limited, VNS must limit what it can do.

VNS vs. Network Decision-Making

In the elections of 1990 and 1992, all calls were made by VRS, not by individual members. Each organization could, and did, send a representative to be present while the VNS decision team made calls, and to serve as a member's eyes and ears on that process. All members received VRS calls at the same time, and any differences in the time they were reported by members had to do with each member's internal editorial decisions, not with VRS.

ABC News injected competition into the process in 1994, when it created its own decision team and called several races before VNS and the other members did. CBS News, along with the other members who had been relying on the VNS calls, consequently were well behind ABC in calling George Pataki's victory over Governor Mario Cuomo in New York and Charles Robb's Virginia Senate victory over Oliver North. VNS itself was at a competitive calling disadvantage: before the election, the board had warned Murray Edelman, who was responsible for making VNS's calls, to be conservative in calling races.

The actions of ABC News forced all the other members to hire their own decision-making teams in 1996. CBS News joined with CNN and hired Warren Mitofsky and Joe Lenski. They have worked with both organizations since then. Lenski and Mitofsky's calls have been highly competitive, and only twice in error: a mistaken report that Bob Dole would finish third in the 1996 Arizona Republican primary, and this year's Florida election.

But the pressure to compete and win threatens the relaxation of the long-held CBS News and VNS limits on the risks of being wrong--historically, a 1-in-200 risk. Marty Plissner, in *The Control Room*, wrote of the revived competition, describing it as "...a war not only of brains but of nerve. Beating VNS with any frequency would require some

relaxing of that 200-to-1 standard of certainty, and beating ABC News would require shaving points on whatever risk level ABC News adopted.”

The CBS News consultants have noted that they do not vacillate from the 99.5 percent probability required for a call, and there is no evidence that other VNS members have done so, but competition can make doing so very tempting. As indicated in the recommendations outlined in Part One, additional sources of information should be used, the Decision Desk should be moved into the newsroom and additional checks on calling races in battleground states should be implemented.

(See chart on following pages.)

- From Black Box Voting Document Archive -

CBS TRANSCRIPT TIMES OF ELECTION NIGHT, NOVEMBER 7/8, 2000					
CLOSING	STATE	CBS	VNS	WINNER	
6:00PM	Indiana	Poll Close	Poll Close	Bush	
	Kentucky	Poll Close	Poll Close	Bush	
7:00PM	Florida	7:50:11PM	7:52:32PM	Gore	
		10:00:00PM	10:16:17PM	Retraction	
		2:17:52AM		Bush	
		3:57:49AM		Retraction	
	Georgia	7:32:35PM	7:59:44PM	Bush	
	New Hampshire	10:04:49PM	12:07:30AM	Bush	
	South Carolina	Poll Close	Poll Close	Bush	
	Vermont	Poll Close	Poll Close	Gore	
	Virginia	7:25:37PM	7:32:50PM	Bush	
	7:30PM	North Carolina	7:58PM	8:09:09PM	Bush
Ohio		9:16:44PM	9:19:32PM	Bush	
West Virginia		10:11:25PM	10:46:25PM	Bush	
8:00PM	Alabama	8:30:01PM	Poll Close	Bush	
	Connecticut	Poll Close	Poll Close	Gore	
	Delaware	Poll Close	Poll Close	Gore	
	D.C.	Poll Close	Poll Close	Gore	
	Illinois	Poll Close	Poll Close	Gore	
	Kansas	Poll Close	Poll Close	Bush	
	Maine	8:35:14PM	11:10:37PM	Gore	
	Maryland	Poll Close	Poll Close	Gore	
	Massachusetts	Poll Close	Poll Close	Gore	
	Michigan	Poll Close	9:23:51PM	Gore	
	Mississippi	Poll Close	Poll Close	Bush	
	Missouri	10:05:44PM	10:47:02PM	Bush	
	New Jersey	Poll Close	Poll Close	Gore	
	Oklahoma	Poll Close	Poll Close	Bush	
	Pennsylvania	8:47:41PM	9:24:46PM	Gore	
	Tennessee	9:16:46PM	11:02:46PM	Bush	
	Texas	Poll Close	Poll Close	Bush	
	8:30PM	Arkansas	12:05:02AM	12:12:00AM	Bush
	9:00PM	Arizona	11:46:47PM	11:51:04PM	Bush
Colorado		11:12:19PM	11:40:57PM	Bush	
Louisiana		Poll Close	9:21:21PM	Bush	
Minnesota		9:36:16PM	10:25:30PM	Gore	
Nebraska		Poll Close	Poll Close	Bush	
New Mexico		10:21:36PM	3:05:29AM	Gore	
			11/10	Retraction	
New York		Poll Close	Poll Close	Gore	
North Dakota		Poll Close	Poll Close	Bush	
Rhode Island		Poll Close	Poll Close	Gore	
South Dakota	Poll Close	Poll Close	Bush		
Wisconsin	6:22:49AM	6:21:33AM	Gore		
Wyoming	Poll Close	Poll Close	Bush		

CBS TRANSCRIPT TIMES OF ELECTION NIGHT, NOVEMBER 7/8, 2000				
CLOSING	STATE	CBS	VNS	WINNER
10:00PM	Idaho	Poll Close	Poll Close	Bush
	Iowa	2:04:26AM	5:00:26AM	Gore
	Montana	Poll Close	Poll Close	Bush
	Nevada	11:20:58PM	1:31:07AM	Bush
	Utah	Poll Close	Poll Close	Bush
11:00PM	California	Poll Close	Poll Close	Gore
	Hawaii	Poll Close	Poll Close	Gore
	Oregon			Not Called
	Washington	12:09:02AM	12:08:25AM	Gore
Midnight	Alaska	12:00:04AM	Poll Close	Bush

- From Black Box Voting Document Archive -

Research at VNS

Since the creation of the CBS News Election Unit, there has been heavy emphasis on methodological research as a way to improve the quality of the information provided. Warren Mitofsky, working with Joe Waksberg, a statistical researcher and CBS News consultant, developed what remained for a long time the preferred method of probability telephone sampling. Improvements in exit-poll methods generated at CBS, VRS and VNS have included correcting results for any nonresponse, conducting telephone surveys to assess absentee voting, and testing for any impact on results of question wording, question order and interviewing procedures. The work done by the people of VNS is frequently represented in the survey-research scholarly literature.

The Single-Source Problem: Vote-Counting in Florida

There is a cost in having just one exit-poll source in Florida, although it may very well have been the case that, given the limitations of exit polls, all exit polls would have produced the same results.

But when data are wrong and there is only one source, there is no opportunity for correction. Sometimes there is a political consequence. In 1990, the VRS exit poll indicated that 22 percent of blacks voted for Republicans in House races, something that Republicans viewed as an enormous gain for them. When the data were reexamined and corrected several months after the election, the figure turned out to be 18 percent, still a gain, but not quite as dramatic.

During the day of the New Hampshire primary in 1992, the exit poll suggested that Pat Buchanan was mounting a surprisingly strong challenge to President George Bush. While Buchanan did well, his final share of the vote was much lower than the exit poll had suggested. Part of the problem was caused by poor questionnaire design, with both Republican and Democratic primary choices on a single questionnaire.

The one area in which there was more than one source--vote-counting--also caused problems on Election Night 2000. Had CBS News been checking two sources of the vote count--the Associated Press and VNS totals--the Bush call at 2:17 AM might not have been made. Instead of a nearly 50,000-vote margin statewide, the margin was just 30,000 votes. The AP entered a correction in the Volusia County totals one minute before CBS News made the call. VNS would not make its correction until 2:51 AM.

The two sources might have corrected each other. However, if we had believed the AP data, we might have made the Bush call in Florida even earlier. It appears that bad Volusia County vote data had entered the AP vote total even earlier than it entered the VNS total. Beginning at 12:27 AM, Bush held a narrow lead in historically Democratic Volusia County in the AP count. Gore reasserted his lead with the AP's 2:16 AM correction. Bush led in Volusia in the VNS tabulated vote beginning at 2:09 AM. That error was not corrected until 2:51 AM.

Using the AP

As it turned out, the VNS Florida state manager did *not* use the AP as a resource either on Election Night or on the day following the election. Some of the other VNS state managers did--in some cases to fill in a few missing counties or to get the votes from places that VNS reporters missed. This seemed most common in the Northeast and the Midwest.

On Election Night, the AP feed was unavailable to the vote-collection operation, and the planned comparison checks between it and the VNS count were never made. Had the feed been working, the disparity between the AP and VNS Volusia County results would most certainly have been caught, though perhaps not in time to avoid the 2:17 AM call. However, there would certainly have been other county vote differences that would have been noticed, and if members had been made aware of those errors, they might have been more cautious in looking at the Florida vote count.

Using Web Sites

There is yet a third source for vote-counting information--secretaries of state and county Web sites. These were monitored at VNS on Election Night, although apparently with varying skill and mixed success. Despite the increased number of state and county Web sites since the last election cycle, most ran behind VNS in their vote totals. The most frequent VNS use of these sources was for verification, although they also helped compensate for reporters who missed their county assignments.

Some Web sites were extremely useful. Washington State's was among the most complete. Philadelphia County's site and those of many counties in Colorado were either well ahead of the VNS reporter or used exclusively by VNS for vote information. But many states still have no vote site, and most that do, have sites that were very slow. In some cases, according to the ongoing VNS review, the operator assigned to a set of state Web sites was not especially good at seeking out information.

The Florida Secretary of State's site ranked somewhere in between, and it was used mainly for verification and comparison. However, apparently at the critical period in the early morning hours of election night, the site was overloaded and could not provide results.

ANALYSIS OF RESEARCH: DO EARLY CALLS AFFECT VOTER TURNOUT?

What we at CBS were after on Election Night was to process more information more rapidly and more accurately for a very real social purpose: the prompt, clear, and uncluttered reporting to the voters of the decisions they had made.

--Frank Stanton, December 8, 1964

It is impossible to prove a negative. There is little evidence that early election calls affect turnout or voting patterns, but there is no way to *prove* that these calls have *no* effect on voting. Since at least 1965, losing candidates and Americans in general have assumed that the networks have affected voting behavior by calling elections.

The dispute over the impact of early election projections dates back even beyond modern television coverage of elections. To be sure, the *Chicago Tribune's* 1948 headline "Dewey Defeats Truman" might be viewed as an effect of early calls--in this case, the Dewey victories in early poll-closing states in the East. And on Election Day 1916, West Coast afternoon newspapers (as well as radio's first election report) mistakenly trumpeted the victory of Charles Evans Hughes over Woodrow Wilson.

But, of course, the *Chicago Tribune* was printed after the polls had closed in Illinois, and we'll never really know the impact, if any, of the 1916 newspaper headlines. But in modern times, the issue of the impact of television coverage of elections has been explored and investigated by Congress.

More than 60 percent of the country's 538 electoral votes are cast by states whose polls close by 8:00 PM, EST, a full three hours before polls close in the West. More than 80 percent are cast by states whose polls close by 9:00 PM, EST. It is obvious how easily a candidate can amass the needed 270 electoral votes in states that have closed their polls and begun reporting their results by 9:00 PM, EST. The last time before this year that the winner was not known before 11:00 PM, EST, was in 1976.

In addition, more than 85 percent of those who voted in the 2000 election cast their ballots before the networks even began their election coverage at 7:00 PM, EST.

How researchers approach the question of the impact of early calls is often related to their overall view of the public and their assessment of the impact of the mass media. Those who hold a pessimistic view of the public (as highly susceptible to stimuli) and an extreme view of the effect of mass communications find it easy to infer a damaging effect of early calls: to them, the public is easily persuadable and mass media have an overwhelming impact; thus, hearing results would necessarily lead people to vote for the winner, if they voted at all. But those holding the view of a more complex public find strongly held beliefs that are difficult to change and a less direct impact of media, making the effect of early calls harder to see.

In 1964, after the networks declared Lyndon Johnson the winner hours before the California polls closed, Max Lerner gave the pessimistic view and wrote: “The public interest doesn’t have to...show beyond doubt that the TV early projections are necessarily harmful. It need show only what might and could happen. We know enough about voter behavior to know that the voter is highly suggestible, the American is a lonely person; he feels less lonely when he is joining others, especially on the winning side” (Mendelsohn and Crespi, p. 178).

However, the research indicates that Lerner, as do more current critics of early calls, was underestimating the public and overestimating the power of election coverage.

What follows is a chronological review of the social-science research on the question.

Previous Research

1964

In June 1964, CBS News called Barry Goldwater the winner in the California Republican primary at 7:22 PM, PST, while polls were still open in the San Francisco area (though closed in Los Angeles). This call was based on returns from sample precincts in the southern part of the state and a computer model that (according to Bill Leonard, then in charge of CBS News election coverage) gave Goldwater about 52.8 percent of the vote. Almost two hours earlier, this crawl had run across the Network’s broadcasts: “Voter turnout is moderate for the California primary. CBS News Election Unit reports last-minute switches from Rockefeller to Goldwater may indicate a Goldwater victory.”

After that night, there were choruses of claims (always made without documentation) that have been heard every time networks have made an early call. Scores of San Franciscans waiting in line to vote for Rockefeller, it was said, left the polling places on hearing about the CBS call (Fuchs, p. 226).

After that criticism of the impact of early calls, CBS News President Fred Friendly made several concessions. CBS News “promised not to ‘declare’ winners prematurely, but insisted on the right to use terms like ‘the indicated winner’ or the ‘probable winner’” (Littlefield, p. 157).

That fall, Lyndon Johnson won the Presidency by the landslide expected, and networks were able to call his victory at 9:03 PM, EST. Expecting criticism, the networks provided funding for several academic studies of the impact of the early call. In one of those studies, 1689 of the 1704 registered voters interviewed both immediately before and on the day following the 1964 election reported voting for the candidate they had intended to vote for before the election. Half of the tiny proportion that switched (most from Johnson to Goldwater) voted before they could possibly be affected by any coverage. Just 12

percent of all voters *could have* even heard the returns before voting, and not all of those did.

That did not stop them from thinking that they had. Twenty-five percent of those voting before 7:00 PM, EST, said they had heard projections before they voted. None had been made at that time. Forty percent of those who voted after 7:00 PM said they had heard projections before voting. If the level of mistaken recall among those who voted after 7:00 PM was the same as for those who voted before 7:00 PM, then only 15 percent of those who voted after 7:00 PM--just 2 percent of all voters--had actually heard projections before voting.

Four other studies conducted after the 1964 election uncovered “no discernible effects of exposure to Election Day broadcasts upon voter turnout” (Mendelsohn and Crespi, p. 236). However, in two of them the authors are uncomfortable with the nature of the findings and suggest possible effects of having additional information on voting in a close election. However, their presumption is of *increased* turnout in close elections. None see any evidence for a significant bandwagon effect.

1968

The 1968 election provided the close results some researchers were looking for. The contest between Richard Nixon and Hubert Humphrey was expected to be close, and it was. The outcome was not clear until early in the morning after the election.

There is one study examining the impact of a close election on turnout and vote intention. Sam Tuchman and Thomas E. Coffin interviewed the same people at two points in time, before the election and in the two days immediately afterwards. They discovered that not only were there no significant differences in any changes of voting plans between Westerners who were exposed to election information and those who were not, but that there was more change in voting plans among unexposed voters in the East than among either of the two Western voter groups.

1972

The 1972 election was another example of a landslide, in which voters could have known at 8:30 PM, EST, that President Richard Nixon had been reelected. There is little research, though Warren Mitofsky has written of that year's CBS News national exit poll, which included a question about whether voters had heard election results that day on radio or television. From the approximately 18,000 respondents, Mitofsky found that “12 percent of the total vote in the nation occurred after the Nixon victory announcement. About one-third of the people voting late (4 percent of the national vote), said they had heard election returns. That 4 percent voted in exactly the same proportions for the candidates as all other voters” (Mitofsky, 1992). Analyses of later elections by I. A. Lewis of the *Los Angeles Times*, as well as CBS News exit polls, showed few differences between the last voters and other voters.

1980

Most of the research about the impact of early calls was stimulated by what happened in 1980. It was expected to be a close election, but it turned out to be a landslide. This was the exact situation some of the 1964 researchers had worried about. NBC News called Ronald Reagan the winner at 8:15 PM, EST, nearly three hours before the polls closed in the Pacific Coast states.

In 1980, networks were free to “characterize” the outcome, even in the middle of the day. And they took advantage of that fact, using words like “strong,” “surprising” and “commanding.” While 1980 may resemble 2000 in terms of expectations (a close election), the potential “exposure” of voters to information about the likely outcome was far greater in 1980 than it could be in 2000, since news organizations now promise *not* to characterize an election before most of the polls close in a given state.

As happened after the 1964 landslide, there were Congressional hearings in the wake of the 1980 election. There was also state legislation. Washington State adopted a law restricting exit-poll interviewers’ access to voters. The *Herald* of Everett, Washington, *The New York Times*, *The Washington Post*, and three broadcast networks challenged the statute in federal court. The state claimed that the reporting of exit polls violated the sanctity of the election process, but the court ruled that the state had shown no evidence that the process interfered with people’s *ability to vote* (*Daily Herald Co. v. Munro*, 1988).

The political fallout after the 1980 election included all the claims made in 1964 and all those made today. There were stories of massive numbers of voters leaving the polling places. These stories were very likely apocryphal. CBS News searched for two weeks after the election to substantiate them, and could not.

Political figures conducted “studies” that showed massive effects on turnout. However, when California Secretary of State March Fong Eu claimed that a California poll conducted two months after the election by Mervin Field showed that 400,000 California voters had been kept from their polling places by the early call, the pollster himself publicly denied every one of her conclusions in an open letter to the Los Angeles County Registrar of Voting (Mitofsky, p. 91).

Even Congressional losses in the West Coast states were blamed on the networks. In 1980, two Democratic House members, Al Ullman (Ore.) and James Corman (Calif.), said they had lost because voters did not come to the polls in their districts as a result of that call. Ullman lost by just 752 votes. Blaming Ullman’s narrow loss on the early call would mean that the preference of those who might have voted after the call must have been overwhelmingly different from those who voted before the call was made. In 2000, Congressman W. J. “Billy” Tauzin noted six “closely contested” Republican Congressional losses in California. There were four races in the state in which a

Democrat took a seat from a Republican. But every one of the California Democrats who defeated an incumbent Republican won by a margin of more than 4,000 votes.

(See chart on following page.)

Aggregate studies of time-of-day voting in 1980 suggested minimal effects. The Los Angeles County registrar found no fall-off in voter turnout, compared with 1976, after the NBC call. In fact, he said, “a slightly higher proportion of registered voters went to the Los Angeles polls after the NBC News projection in 1980 than voted during those same hours in 1976 when there was no early projection” (Mitofsky, p. 91).

Two of the most-cited studies from the 1980 election are the Wolfinger-Linquist Census data analysis and the John Jackson interpretation of panel-survey data collected by the University of Michigan. The two are particularly important because both Wolfinger and Jackson testified before Congress. In fact, the Jackson study, financed by the Markle Foundation and ABC, was discussed at the hearings even before it was completed.

Wolfinger analyzed reports from the Current Population Surveys of November 1972 and 1974, which included questions asking whether people voted and the time of day that they did so. He found that the share of votes cast in Western states after 6:00 PM local time was much lower in 1972, a year when the winner (Richard Nixon) was known early, than it was in 1974: 14.6 percent of the total vote was cast after 6:00 PM in 1972, compared with 19.2 percent in 1974.

The Wolfinger study is subject to criticism on several grounds: it relies on recall of voting information (some of which is provided about one person by another adult in the household), and the reported turnout is much higher than the number of people who actually voted. But, more important, it compares the turnout distribution between a Presidential election (when turnout is larger) and a Congressional election. At least one auditor at the same hearings in Washington State noted the difference in time-of-day vote patterns between Presidential and other elections, pointing out the concerted effort by the state to encourage *early* voting in Presidential years. Additionally, other analyses indicate that Western turnout actually *increased* between 1976, a close election, and 1980, the surprise Reagan landslide.

John Jackson’s research is frequently cited. But his study of the impact of the early calls in 1980 relied on self-reports of voting by a sample of voters first interviewed before the election, interviewed again shortly after the election, and then reinterviewed in January. Questions about the voters’ reaction to the early declaration of a Reagan win were not asked until January. Jackson’s study, like most of the 1980 academic research projects, was designed after the election, unlike those conducted in 1964. Since Reagan’s easy win was a surprise, the studies were fraught with methodological difficulties, and researchers have since backed away from some of the conclusions.

CALIFORNIA HOUSE RACES

2000					1998					
CD	Party	Candidate	Vote	Pct		Party	Candidate	Vote	Pct	
15	Democrat	Mike Honda	128,545	54%	W	Democrat	Dick Lane	70,059	38%	
	Republican*	Jim Cunneen	99,866	42%		Republican*	Tom Campbell	111,876	62%	W
27	Democrat	Adam Schiff	113,708	53%	W	Democrat	Barry A. Gordon	73,875	46%	
	Republican*	James E. Rogan	94,518	44%		Republican*	James E. Rogan	80,702	51%	W
36	Democrat	Jane Harman	115,651	48%	W	Democrat	Janice Hahn	84,624	47%	
	Republican*	Steven T. Kuykendall	111,199	47%		Republican	Steven T. Kuykendall	88,843	49%	W
49	Democrat	Susan A. Davis	113,400	50%	W	Democrat	Christine Kehoe	86,400	47%	
	Republican*	Brian P. Bilbray	105,515	46%		Republican*	Brian Bilbray	90,516	49%	W

1996				
Party	Candidate	Vote	Pct	
Democrat	Dick Lane	79,048	35%	
Republican*	Tom Campbell	132,737	59%	W
Democrat	Doug Kahn	82,014	43%	
Republican	James E. Rogan	95,310	50%	W
Democrat*	Jane Harman	117,752	53%	W
Republican	Susan Brooks	98,538	44%	
Democrat	Peter Navarro	86,657	42%	
Republican*	Brian Bilbray	108,846	53%	W

*Denotes Incumbent

The Jackson research was partially sponsored by ABC; after the report, ABC publicly disagreed with the conclusion, noting that it was based on just 53 voters, and calling it only “suggestive” at the 1983 Congressional hearings. The small effect Jackson found was in one way counterintuitive, and contrary to the claims of Democrats that the early calls cost Corman and Ullman their seats. It suggested that Republicans, not Democrats, were more likely to have stayed home if they had been exposed to news about Reagan’s victory.

Jackson’s conclusions from his statistical analysis were limited. In addition, very few people, when asked, answered that they had not voted before they heard news reports about the outcome. And their word is of questionable accuracy--of the nine, four were not even registered and another had already voted.

People do misremember. In Jackson’s study, about a quarter claimed to have heard projections of the outcome before they were made, and one in five claimed to have heard Jimmy Carter’s concession speech at a time before he gave it. Even Michael Traugott, occasionally a critic of news organizations’ reporting of polls, has noted that this small possibly affected group could not be a test of the impact of an early call, especially not when interviewed two months after the election (Traugott, p. 143).

1984

The 1984 election presented another Reagan landslide, this time an expected one. One of the cleverest studies was done that year. On Election Night, William Adams interviewed people in Oregon who were registered to vote but whose precinct records indicated they had not voted. He found that 39 percent of the sample had heard about the projections, but fewer than 3 percent claimed they had been influenced by them. He concluded that, at the outside, no more than one quarter of one percent of the Oregon electorate could possibly have stayed home because of the projection. And there was no hard evidence that they did so (see Cantril, pp. 216-18).

1992

In the last decade, exit-poll information has been much more likely to be leaked by individuals or organizations without official access to the results than by the networks themselves through their early calls. In 2000, VNS sent cease-and-desist letters to a number of Web sites that reported exit-poll information before polls closed. But the problem did not begin with the Internet. In 1992, “leaks of unanticipated primary results on the day of the New Hampshire primary caused the stock market to swing wildly. Phil Donahue announced leaked VRS primary results at 4:30 on the afternoon of the New York primary and got snotty when he was told the polls had not closed yet. He said he did not make an agreement with Congress or anyone else not to broadcast results before the polls closed. Early numbers caused President Bush’s campaign to target get-out-the-vote drives when they learned at mid-day that their vote was less than expected” (Mitofsky and Edelman, pp. 87-88).

2000

Minimal research has been done on the impact of the mistaken Florida call, and it has been conducted by Republican partisans, not unbiased observers. Still, the information they have unearthed has been reported in the press and commented on by members of Congress.

Here are the claims:

1. A “phone survey” of 35,219 Florida voters conducted by the “Republican Leadership Council,” headed by Mark Miller, found 2,380 Bush supporters who stayed home after the early call of Gore.

Per the Republican Leadership Council press release and a conversation with Matt Well of the RLC on November 17: The canvass was conducted November 11-15 by a phone vendor. Well said that he thought the people canvassed were registered Republicans in the five largest Panhandle counties (which would be Escambia, Okaloosa, Bay, Santa Rosa and either Jackson or Walton), although he wasn’t really sure.

The people surveyed were asked: “Do you know of anyone, yourself included, that did not vote because of the media’s premature declaration that Al Gore had won Florida?” Of the respondents, 2,380 said yes.

When pressed, Well admitted that didn’t really mean “2,380 Republicans...Say Early Network Call Kept *Them* Away from Polls,” which was what the council claimed in its press release and what was reported at the Tauzin press conference. The canvass began four days after the election, after Republicans had made charges about an impact on turnout. Many could simply have been repeating what they had heard.

2. John Lott’s statistical analysis claims that 10,000 Republicans were kept away from the polls by the early call.

Lott is a senior research scholar at Yale University Law School and the author of *More Guns, Less Crime: Understanding Crime and Gun Control Laws* (University of Chicago Press, 1998). There is an op-ed article by him in the archives of the *cbsnews.com* Web site (www.cbsnews.com/now/story/0,1597,167661-412,00.shtml).

The claim is that there was a loss of 10,000 Republican votes in the 10 Panhandle counties in Florida. Lott says he can demonstrate this claim--although CBS News could not reproduce his demonstration--by means of a regression equation predicting the ratio of Bush votes to the total number of registered Republicans in each county. To make the prediction, Lott uses two variables: the ratio of non-Bush votes to the total number of registered non-Republicans, and whether or not there was a call for the Democratic Presidential candidate before the polls closed. He says he looked at four elections--1988,

1992, 1996 and 2000. For the record, in 1988, Florida was called for Bush at 7:00 PM. In 1996, it was called for Clinton at 7:00 PM. Bush won Florida in 1992, but it was very close and was not called until after 8:00 PM. The 2000 call for Gore came at 7:50 PM.

There are several problems with his analysis. They include:

A significance level (.20) for his “finding” that would not be accepted by any social-science journal as proof of any hypothesis;

- The suggestion (though not significant) of an actual range of outcomes for an early call, from a loss of Republican votes to an *increase* in votes;
- The assumption that there were no additional factors in the election that might explain the vote (for example, the quality of the candidates, the issues or the economy) and no changes in the distributions of voters in the 12-year period;
- Unexplained data sources. Registration data is notoriously unreliable. It is not updated, and people sometimes remain on the rolls long after they have moved away or died.

The vote in the 10 Panhandle counties is more Republican than in the state as a whole. In 1988, it was 11 points more Republican than the statewide total. In 1992 it was 9 points more Republican, in 1996 15 points more Republican, and in 2000 18 points more Republican than the state total. If anything, the Central Time Zone counties voted even *more* Republican than the state as a whole in the years when there was an early call for the Democrats.

3. A survey conducted by John McLaughlin and Associates on November 15-16 among 676 registered voters in the 10 counties of Florida’s Central Time Zone maintains that 15 percent of registered nonvoters did not vote because they heard news reports of Al Gore winning Florida.

McLaughlin admits to weighting the data “for greater accuracy” to reflect the nonvoting component of registered voters and the outcome. He places 31 percent of his sample into the nonvoting category to match the difference between the actual number of people listed on registration rolls and the number of votes cast. That figure, however, would be correct only if the counties kept exceptionally good registration records, something no county does.

In nearly all cases, registration lists are outdated. In fact, in studies going back as far as 1964, a less mobile time, researchers have reported the difficulties of relying on registration lists. In one study, 71 percent of the apparent registered nonvoters in a California sample had either moved out of the district or died (Lang and Lang, p. 76). In another study, one fourth of a sample of all registered voters in Kittitas County,

Washington, had died, had moved or couldn't be located after the 1980 election. Most academic studies have found that as many as 90 percent or more of those who are truly registered actually do vote in Presidential elections.

In fact, even today, when states claim to purge their voter base of people who have moved or have died, they often fail. As late as 1996, the total number of registered voters in Maine actually exceeded the number of adults in the state who were of voting age. And the number of voting-age adults includes noncitizens, felons and others who would be ineligible to vote. Relying on voter-registration totals for an estimate of the true number of registered voters is almost always a mistake.

McLaughlin faced this problem when he conducted his poll, a random-digit dial sample in the Florida Panhandle. CBS News was told that his firm initially planned to interview 600 registered voters, but reached too few who had not voted. More interviews were done with slightly different questions, looking only for registered nonvoters.

The final result was a total sample of 676 registered voters, with 100 reporting not having voted. The researchers then weighted the 100 to make up 35 percent of the total, to reflect the number of apparent nonvoters on the registration lists. This suggests that in the original portion of the poll, perhaps as few as just 4 percent of registered voters (only 24 people) said they had not voted.

The tables on the McLaughlin Web site (www.mclaughlinonline.com), unweighted, are based on just 100 people, which means that only 15 people interviewed in the combined poll said they were influenced not to vote by the early call. But that number would have to be reduced even further, since some of those same individuals claimed in their answers to other questions that they did not hear relevant news reports, and others said those reports made no difference in their likelihood of voting.

One Solution: Uniform Poll Closing

The first Congressional proposal for legislation establishing uniform poll closing seems to have been made by Senator Jacob Javits in August 1964 (S. 3118, 88th Congress) in the wake of the CBS News call of the California Republican primary before all the polling places had closed.

It has been and still is a popular idea. CBS President Frank Stanton supported Javits' proposal almost immediately. It was certainly more acceptable than some others: Senator Winston Prouty (R-Vt.) wanted to make it a crime to release vote counts before all polls closed nationwide. Currently, according to a CBS News poll conducted December 9-10, 2000, 73 percent of Americans favor instituting a uniform poll-closing time on Election Night "so that all polling places across the country close at the same time," while 23 percent oppose this. The CBS News question does not specify a time at which the polls would close, nor does it mention the possibility of a 24-hour polling period, as have some questions in the past.

Somewhat surprisingly, there is little difference of opinion on this issue across time zones: 76 percent of those living in the Eastern Time Zone and 72 percent of Central Time Zone residents support uniform poll closings, as do 71 percent of those living in the Mountain and Pacific Time Zones. Nor are there many regional differences: those in the East (71 percent), Midwest (76 percent) and South (75 percent) are at least as likely as those in the West (70 percent) to support uniform poll closings.

Historically, the public has by wide margins supported other national reforms to the system of determining when the polls should close:

- In 1984, ABC News asked Americans whether they thought it would be a good idea if the polls closed at the same hour all over the country on Presidential election days. At that time, 59 percent said yes and 37 percent said no.
- Another ABC News poll, from 1983, showed 70 percent of Americans in support of opening the polls for a 24-hour period, with varying opening and closing hours in the different time zones so that all the polls would close at the same time. (Note that the question we asked in the latest CBS News poll did not specify a time for closing the polls or mention a time period for opening and closing them, as this question did.)
- In December 1980, a Roper Organization poll found 65 percent favoring the 24-hour schedule with all polls closing simultaneously.

A Cautionary Note on Uniform Poll Closing

While uniform poll closing (and the consequent delay in calling elections) sounds like a perfect solution, there might be unintended consequences.

It opens up a much larger window for misinformation and even disinformation to appear in uncontrolled outlets. In 2000, various Internet sites published information leaked from VNS exit polls. This practice began in February, when *slate.com* published exit-poll results about the New Hampshire primary. *Slate* did so again in South Carolina, and was followed by *nationalreview.com* and the Drudge Report on other primary days.

On Election Day, exit polls were cited in midafternoon on-line (the Drudge Report and *inside.com*) and on talk radio (Rush Limbaugh), with results attributed to “campaign sources” or simply “sources.” Some of the information was correct (“Hillary Clinton is ahead in New York”), while some was either wrong or very premature (“Bush holds an edge in...New Mexico, Wisconsin and Iowa”).

Even when they are complete at the end of the day, exit polls are still polls, subject to sampling error and other kinds of survey error. In the middle of the afternoon, they are just partial poll results, and they may or may not predict the final outcome.

Postponing all states' poll closing (and news reporting) until perhaps as late as 11:00 PM, EST, leaves the window wide open for illegitimate (and even deliberately wrong) information to be disseminated without correction. This year, despite some good-faith efforts by VNS members, campaigns were aware of the exit polls and passed on the information that was reported on-line. This began around 2:00 PM. It was not until hours later, at 6:00 PM, that polls began to close and news organizations began to report actual votes.

With uniform poll closing, there would be as many as nine hours of vulnerability. This could affect the stock market (on Election Day 2000, drug company shares slid as news leaked of the possibility of a Gore win, according to an *inside.com* analysis), Internet traffic and decision-makers. Wrong information would remain uncorrected for a much longer time.

Summary

While there is little evidence of any impact of calling an election before all the polls are closed, there is no doubt that the public perceives this to be a serious problem. While the arguments claiming an effect often are politically motivated, and the research does not support the claim, the public believes otherwise.

- As early as 1964, Americans believed, by about a three-to-two margin, that television's early predictions "should be held off until all the polls are closed" (ORC, November 1964).
- In 1981, the Roper Organization found that 59 percent of Americans believed that the networks should not be allowed to "project the final outcome of the election before the polls are closed in all states." This result occurred despite a reminder to respondents that prohibiting calls could be a violation of the First Amendment.
- In a 1984 *Los Angeles Times* poll, 61 percent of registered voters had an unfavorable view of exit-poll predictions. Just 24 percent were in favor.
- By 48 percent to 39 percent, Americans believed there would be different winners in Congressional races if the networks did *not* project the Presidential winner (Roper, April 1984).
- Of adults interviewed in a *Newsweek* poll conducted last November after the 2000 election, 57 percent believed that the Florida calls reflected "such serious flaws in their system that [the networks] should stop trying to project election outcomes."

Many Americans appear to share Max Lerner's pessimistic view of the public as suggestible and eager to be on the winning side. Despite the evidence, Americans think that many voters are easily led and that television can have an extraordinarily powerful impact.

Recommendation

We should clearly explain on-air and on the CBS Web site the rules CBS News follows for deciding when a state may be called. That means indicating when and why a call might be made before all the polls are closed in a state, so that viewers do not assume that such a call is a violation of our pledge.

There are reasons for calling some states before every polling place is closed. In some states, such as Kansas and Michigan, fewer than one percent of all precincts are in the later time zone. In those states, as well as several others with multiple poll-closing times, vote counts from precincts that have closed are made available to the public by the states themselves.

- From Black Box Voting Document Archive -

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BIOGRAPHIES OF THE CBS NEWS INVESTIGATIVE PANEL

Linda Mason, Vice President, Public Affairs, CBS News, since 1992, chaired the panel. She recently was responsible for updating and revising *CBS News Standards*, the manual of newsgathering and production guidelines used by CBS News personnel every day. Mason's 34-year tenure at CBS News includes hard news, documentary and news-magazine production and management. She has won broadcast journalism's highest honors, including 13 Emmys, two George Foster Peabody Awards and Overseas Press Club, RTNDA, George Polk and Robert F. Kennedy Jr. Awards. Mason has also received two Alfred I. duPont-Columbia University Awards, most recently for CBS REPORTS: "Inside the Jury Room," an in-depth look at the jury process, which marked the first time network television cameras were permitted to record actual deliberations.

Kathleen Hall Jamieson is Professor of Communication and the Walter H. Annenberg Dean of the Annenberg School for Communication at the University of Pennsylvania. She is also Director of the Annenberg Public Policy Center. Jamieson is the author or co-author of 10 books, including *Everything You Think You Know About Politics...and Why You're Wrong* (Basic Books, 2000), *Spiral of Cynicism: Press and Public Good* (Oxford, 1997), *Beyond the Double Bind: Women and Leadership* (Oxford, 1995) and *Dirty Politics: Deception, Distraction and Democracy* (Oxford, 1992). She received the Speech Communication Association's Golden Anniversary Book Award for *Packaging the Presidency* (Oxford, 1984) and the Winans-Wichelns Book Award for *Eloquence in an Electronic Age* (Oxford, 1988). Jamieson is an expert on political campaigns and has contributed to CBS News, *The NewsHour* with Jim Lehrer, National Public Radio's *Weekend Edition* and CNN's *Inside Politics*. She has received numerous teaching and service awards, including the Christian R. and Mary F. Lindback Award for Distinguished Teaching. She is also the recipient of many fellowships and grants, including support from the Pew Charitable Trusts, the Ford Foundation, the Robert Wood Johnson Foundation and the MacArthur Foundation. Jamieson received a B.A. from Marquette University in rhetoric and public address and an M.A. and a Ph.D. from the University of Wisconsin, Madison, both in communication arts.

Kathleen Frankovic has been Director of Surveys and Producer, CBS News, since 1977. She heads the unit of CBS News that collects and analyzes election data and conducts CBS News' scientific polls. Frankovic is also the CBS News board member of Voter News Service, the consortium of major television networks and the Associated Press that conducts exit polling and gathers other election data. She is a well-known political scientist, having taught at the University of Vermont and directed that institution's Social Science Research Center. Frankovic served as a visiting professor of government at Cornell University, was a Distinguished Lecturer in the Social Sciences at Northern Illinois University and presented the 1994 Van Zelst Lecture in Communications at Northwestern University. She is co-author of two books about elections and has published numerous articles about the development and use of polling by newspapers and television. Frankovic was recently elected Vice President and President-elect of the World Association for Public Opinion Research. She is a member of the Market Research

Council, a trustee of the National Council on Public Polls and the Roper Center for Public Opinion Research, a former chair of the Research Industry Coalition and a former president of the American Association for Public Opinion Research. Frankovic has served on the Executive Council of the American Political Science Association. She holds a Ph.D. from Rutgers University in political science.

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