

Module 18



Candidates: How to Protect Your Election

Not all votes are counted accurately, and not all elections are fair. Sometimes erroneous results are not even close to the real results. And not all elections end on Election Night.

Candidate Al Williams saw 90 votes wander off his tally between election night and the following day, though no new counting had been done. At the same time, his opponent, Tom Tangen, gained 32 votes. At one point several hundred ballots added to returns didn't result in any increase in the number of votes. But elsewhere, the number of votes added exceeded the number of additional ballots counted. A candidate achieved an amazing surge in his absentee percentage for no apparent reason. The miscounts were sporadic and thus hard to spot, but the errors disproportionately favored just one party. A bad movie script? New math?

No, these kinds of incidents are not uncommon. Welcome to computerized voting.

Guide for Candidates and Campaigners

Goals:

If you are a candidate or you are campaigning for a political issue, learn how to take defense measures. *Even if you lose by a wide margin, do not concede until the canvass is completed.* If a computer can count 4 million votes when only 300 were fed in, does it really matter if your opponent won by a 30 percent margin? Take the time to check things out before you concede. You owe it to those who voted for you and to those who campaigned on your behalf.

Miscounts are not uncommon

- In a Salt Lake City election, 1,413 votes never showed up in the total. A programming error caused the ballots not to count, though they had been run through like all the others. When the 1,413 missing votes were counted, they reversed the election.
- "It was like being queen for a day — but only for 12 hours," said Richard Miholic, a losing candidate for alderman who was told that he had won a Lake County, Illinois, primary election. He was among 15 people in four races affected by voting machines that miscounted.
- An Orange County, California, election computer made a 100 percent error during a school bond referendum. The Registrar of Voters Office initially announced that the bond issue had lost by a wide margin; in fact, it was supported by a majority of the ballots cast. The error was attributed to a programmer's reversing the "yes" and "no" answers in the software used to count the votes.
- A software programming error gave the election to the wrong candidate in Onondaga County, New York. Bob Faulkner, a political newcomer, went to bed on election night confident he had helped complete a Republican sweep of three open council seats. But after staffers rechecked the totals, Faulkner had lost to incumbent Elaine Lytel. Hours later, election officials discovered that a software programming error had given too many absentee ballot votes to Lytel. Faulkner took the lead.
- Akron, Ohio officials announced that Ed Repp had won the election. No, cancel that, a programming error was discovered and Repp actually lost. Another error in the same election resulted in incorrect totals for the Portage County Board election. Then it turned out that the bond referendum results were wrong too.
- In a Tennessee governor's race, a programming error in Shelby County began crediting votes to the wrong candidates. Computer cartridges containing 295 individual precincts were taken to a central location because the scanner couldn't read them. The system had posted the incorrect results to newsrooms across the city. At least one television station broadcast the wrong results.
- One hundred eight of 403 Chicago area precincts were not counted. A pin from the cable connecting the ballot reader counting computer had gotten bent after three-fourths of the precincts been counted correctly. No one could explain how a pin inside a become bent during the middle of the count.
- In San Francisco polling place 2214, machines counted 416 ballots but there were only 362 signatures in the roster and only 357 paper ballots were found.
- In the 2002 general election, touch-screens in one Georgia county listed the wrong county commission races. Officials shut down the polls to fix the problem but didn't know how many wrong ballots were cast or how to correct errant votes. In another, a county commission race was omitted from a ballot.

These problems, and 100 more like them, can be found with footnotes, cites and sources here:

http://www.blackboxvoting.org/bbv_chapter-2.pdf

http://www.blackboxvoting.org/bbv_appendix.pdf

<http://www.blackboxvoting.org/index.pdf>

Steps to take on behalf of those who voted for you:

- **Candidates:** Advise your party, staff, aides, and constituents that you will not concede until every vote has been fairly, observably, and securely counted, even if it means asking for a recount.
- **Campaign managers and volunteers:** Fight for your candidate. You owe it to those who voted for your candidate.
- Be aware of the election laws and the procedures used by local election officials to conduct the elections and enforce these laws.
- Conduct a strategic political analysis to understand which polling places, personnel, and races are particularly vulnerable targets for fraud.
- **Absentee votes:** Assign someone to monitor all aspects of accounting for absentee votes: Request the records for how many absentee ballots were requested, how many absentee ballots were mailed out, how many were returned. Keep track of this on a daily basis until the last day for accepting incoming ballots. Assign someone to watch the absentee vote-counting process.
- **Absentee votes:** Find out if commercial programs are being used for absentee signature comparison. If so, find out whether the automated signature recognition feature is being used, and see if the tolerance is set the same for all machines.
- **Absentee votes:** Find out if any middlemen are used to process the absentee ballots. Who mails the ballots out? The elections office? The ballot printer? A mail processing center? Who takes in the incoming ballots from the Post Office – a middleman? Who monitors that? What accounting is there of the number of ballots received from the Post Office vs. the number handled by the middleman vs. the number given to the elections division?
- Help recruit poll watchers who are also committed to election integrity monitoring; give them Module 12 of the Citizen's Tool Kit: Monitor the Voting.
<http://www.blackboxvoting.org/toolkit-voting.pdf>
- Conduct informal exit polls at strategic locations: Randomly query 50-60 people throughout the day and compare this exit poll with the announced outcome;
- Find out where the Election Night "drop-off points" are. Have volunteers take a video camera and go to any drop-off points to observe chain of custody and procedures. Write down who is there and keep a log of what they are doing.

- Assign someone to watch the counting of the vote at election headquarters on Election night. It is not unusual for serious problems occur during the counting of the votes.

Download Module 13: What to watch for during Election Night counting

<http://www.blackboxvoting.org/toolkit-counting.pdf>

- The above module contains a list of typical problems observed in real elections. Have your Election Night observers download it and use it for guidelines on what to watch for and to train them on what to expect.
- Check to see if results for any candidate go down when more votes come in
- Submit a request for the audit logs and system event logs for the evening
- Compare the number of registered voters on the results sheets on Election Night with the number of registered voters reported as of the last deadline for the voter registration list prior to the election.
- Does the voting turnout make sense, given what you know about past trends and the number of current registered voters?
- Are there too few or too many votes overall? For a particular party?

In the days after the election:

- Request the interim results reports showing the increments in the absentee vote results. Watch for changes that would indicate a clump of votes all voting one way.
- Request the "trouble slips" and attempt to confirm stories of problems, especially if it is a close election.
- If the race is close, compare the voter list with the National Change Of Address directory. You may find voters registered at vacant lots, at boarded up houses and some who have moved and left no forwarding address. Find out if these voters were authorized to vote where they did or not.
- See if you find any precincts with larger than normal turnout. This can mean that there is a computer error. Request the records to verify the number of poll book signatures and the ballots themselves.

Here are the kinds of records you can request:

- Voter registration rolls (show who is allowed to vote)
- Zero reports -- should be date and time-stamped, should NOT be detached from their matching results tape (see below) and should contain poll worker signatures.
- Polling location list (has locations of each precinct and polling place. Some polling places have more than one precinct.)

- Voting machine assignment sheets (show which serial numbered machine is assigned to which precinct)
- Poll books (show who came to the polls to vote). Number in the poll book should not exceed number of registered voters and should come close to matching votes cast.
- Polling place results tapes (show how many votes were actually cast and what the results were on each machine). These results tapes should be date and time-stamped and should contain poll worker signatures.
- Election night interim results sheets (show combined results from each precinct and also the absentee results so far). The first election night report will show pre-counted absentee votes. Each subsequent report will show accumulated results up to that point. Each interim report should be date and time-stamped.
- Post-election interim reports (show combined results as more and more absentee votes and provisionals are counted)
- Precinct ID – Precinct location chart (if precincts go by number, this should identify the physical location of each polling place along with the number)
- Early vote accounting: There should be early voting poll books showing who showed up to vote early; there should also be an early voting machine results report, which will tell how many early votes were actually cast (should come very close to matching early voting poll books); and there should be an accounting for early votes on the Election Night accumulated results.
- Absentee votes requested (shows how many absentee votes were requested)
- Absentee votes received (shows how many absentee votes were mailed back and logged in. This number should not exceed the number requested)
- Voting machine logs: Computerized voting systems have internal logs that are supposed to record each event. These logs are a public record. You can request them and examine them. These logs will show you how many copies of the electronic ballot box were created (memory cards / cartridges), when results reports were printed, date and time stamps for the Logic & Accuracy tests, date and time stamps for each report that was run, date and time stamps for opening the election, when results were transmitted into the central tabulator, and much more. You can find many "User's Guides" here:
<http://www.bbforums.org/forums/messages/2197/2994.html>
- Find out what kind of voting machines are used in your jurisdiction, and check the appropriate user's guide for the names of the voting machine logs to request.

- Central tabulation machines, and the Diebold touch-screens, run on Windows, and there are also Windows system logs. There are three: The Windows program log, the Windows event log, and the Windows security log. You can request these as well. These logs often provide information about networking and remote access as well as system errors and events.

What kinds of things to look for:

- Things don't add up; for example, more votes than registered voters
- Votes that show up in precincts with no registered voters
- Precincts results that don't match central tabulator data
- Absentee votes co-mingled with polling place votes so you can't see which are which
- Precincts are missing
- Records are missing or incomplete
- Chain of custody or authenticity of records cannot be established.
- Official refusals to let you see the records.
- Statistically bizarre numbers.
- Any extraordinary percentages of overvotes or undervotes
(Note that "down-ballot" races will usually have significantly fewer votes than the presidential race. Some people do not vote for lower profile races).

Recounts

- Be knowledgeable about the recount laws in your particular state;
- Be prepared in advance with a lawyer, if you have the resources to file a legal contest.
- Determine the estimated amount it would cost to conduct a recount;
- Establish a dedicated fund ahead of the election to pay for recounts, if necessary, and solicit donations specifically for that purpose;
- In recounts and manual spot-checks, look for mismatches and ballots that are clumped together, all voting for the same candidate.

This is not just about “the Candidate”, it’s about the integrity of the election. It’s about all of us. It’s about counting the votes.

Your Own Additions to the Election Protection for Candidates Module

You can share your ideas by sending to crew@blackboxvoting.org



What worked well?

What new ideas did you come up with?

Was there anything that didn't work very well?
