# How George W. Bush Won the 2004 Presidential Election

Purging voter lists is just the beginning: the U.S. has embraced a form of electronic voting that is unreliable, unverifiable and funded by the radical Christian right.

ES&S, Diebold and Sequoia may not be household names like Enron or Arthur Andersen, but these three companies will decide America's next president. In the 2004 presidential election, the full effect of electronic voting will be felt for the first time and these are the companies that will report the majority of the results.

Despite assurances from the corporations that own these machines, the reliability of electronic voting is under intense criticism. One of the most comprehensive examinations of electronic voting fraud came from brothers James and Kenneth Collier. In their 1992 book Votescam: The Stealing of America, the brothers detailed the long history of voting fraud over the past twenty-five years with a special focus on voting machines. American politicians and large media outlets have ignored their book, and their charges remain unanswered.

Now, their concerns are being echoed by a new group of writers, journalists and activists who have raised alarming and explosive details about electronic voting in America. While academics such as Professors Rebecca Mercuri and David Dill and organizations such as the Association for Computing Machinery have carefully documented how voting systems are vulnerable to fraudulent manipulation, journalists such as Lynn Landes, Jerry Bowles and Bev Harris are alerting Americans to an electronic coup d'etat in the making. If their charges are true, and there is little evidence to contradict their claims, George W. Bush has already won the 2004 election.

Florida's Folly Goes National

"Given the outcome of our work in Florida and with a new president in place, we think our services will expand across the country." — Martin L. Fagan, ChoicePoint Vice-President

To understand how George W. Bush will win the next presidential election, it helps to understand how he won the last one. While all public attention rested on hanging chads, butterfly ballots and a skewed recount in the wake of the 2000 Presidential election, the root of the problem has been overlooked. As investigative reporter Greg Palast uncovered, the state of Florida purged over 90,000 people from their list of eligible voters under the guise that they were felons. In fact, almost none of the disenfranchised voters were felons...but almost all were blacks or democrats.

Palast's investigation revealed that at the heart of this ethnic cleansing of voter lists was the

creation of a new centralized database for the state of Florida. In 1999, the state fired the company they were paying to compile their "scrub" lists and gave the job to Database Technologies (DBT, now ChoicePoint). DBT, a private firm known to have strong Republican ties was paid $2.3 million to do the same job that had previously been done for $5,700.

The first list of felons from DBT included 8,000 names of felons from Texas supplied by George Bush's state officials. The state government said they were all felons, and thus barred from voting under federal law. Local officials complained about the list and DBT issued a new one, this time naming 58,000 felons. Palast discovered that the one county that went through the process of checking the new list name by name found it was 95% wrong.

Because of the way DBT compiled its erroneous list, Florida voters whose names were similar to out-of-state felons were barred from voting. An Illinois felon named John Michaels could knock off Florida voters John, Johnny, Jonathan or Jon R. Michaels.

DBT didn't get names, birthdays or social security numbers right, but they were matched for race, so a felon named Joe Green only knocked off a black Joe Green, but not a white person with the same name. There was no need to guess about the race of the disenfranchised: a voter's race is listed next to his or her name in many Southern states including Florida because racial ID is required by the Voting Rights Act of 1965.

DBT's fee of $2.3 million was supposed to include verification that the individuals on their list were actually felons, but Palast's investigation showed that DBT could not provide any evidence that they made a single phone call to verify the identity of the names scrubbed prior to the 2000 Presidential Election.

Unfortunately, nothing is preventing this purge from taking place again on a national scale. Due in large part to the attention paid to butterfly ballots and hanging chads in the fall of 2000, the new Help America Vote Act (HAVA) demands that every state replicate Florida's system of centralized, computerized voter files before the 2004 election, presumably to avoid the paper-ballot confusion of the Florida recount. Martin Luther King III and Greg Palast recently co-authored a piece on the dangers of such databases, recalling the Florida debacle. Their conclusion: "Jim Crow has moved into cyberspace — harder to detect, craftier in operation, shifting shape into the electronic guardian of a new electoral segregation."

ChoicePoint already has contracts with numerous states to provide electronic voter lists purged of supposed felons. They are a natural choice as one of the U.S.'s largest database companies. ChoicePoint provides information on federal criminal records by district for 43 states and also provides online access to more than 63 million criminal records for all fifty states. Who better to provide HAVA-mandated voter lists to state governments?

You Voted Republican, Trust Us

"It's not the voting that's democracy, it's the counting." — Tom Stoppard, 1972

Purged voter lists are only one method of pre-determining the outcome of an election. An even more serious problem lies inside the voting machines themselves. While representatives of Diebold, ES&S and Sequoia herald the benefits of their systems, not everyone shares their enthusiasm. Dr. Rebecca Mercuri is an Assistant Professor of Computer Science at Bryn Mawr College and has been referred to as "the leading

independent expert on electronic voting technology." Shortly before the 2000 Presidential election, Mercuri defended her Ph.D. dissertation on the subject of "Electronic Vote Tabulation: Checks and Balances" at the Engineering School of the University of Pennsylvania.

Mercuri's website is an astonishing checklist of the lack of safeguards and other failings that plague the current crop of electronic voting systems. One of Mercuri's primary concerns is that electronic systems provide no way for a voter, or election officials, to verify that a cast ballot corresponds to the vote being recorded. As Mercuri notes on her site, "Any programmer can write code that displays one thing on a screen, records something else, and prints yet another result." There is no known way to ensure that this is not happening inside of a voting system. Companies such as Diebold, ES&S and Sequoia, which manufacture the machines and provide the code that runs them, simply take a "trust us" approach.

Mercuri also reports that no electronic voting system has been certified to even the lowest level of the U.S. government or international computer security standards such as the ISO Common Criteria, nor are they required to comply with such standards. Thus, no current electronic voting system is secure by the U.S. government's own standards.

Electronic voting systems without individual printouts for examination by voters do not provide an independent audit trail. All voting systems can make mistakes and the ability to perform manual hand-counts of ballots is the only way to verify results. Computer glitches are already cropping up all across the United States. Numerous irregularities with electronic voting machines have already been reported:

In Georgia, which recently purchased 22,000 Diebold touch screens, some voters touched one candidate's name on the screen and saw another candidate's name appear A former news reporter in Florida discovered that votes were being tabulated in 644 Palm Beach precincts: but Palm Beach only has 643 precincts.

An earlier court case in Florida found the same discrepancy. A reporter in New Jersey observed 104 precincts with votes in an area that has only 102 precincts.

Baldwin County results showed that Democrat Don Siegelman won the state of Alabama. However, the next morning, 6,300 of Siegelman's votes disappeared and the election was handed to Republican Bob Riley. A recount was requested and denied.

In North Carolina, a software programming error caused vote-counting machines to skip over several thousand votes, both Republican and Democratic. Fixing the error turned up 5,500 more votes and reversed the election.

In Comal County Texas, an uncanny coincidence resulted in three Republican candidates winning by exactly 18,181 votes each. Two other Republican candidates outside Texas also won by exactly 18,181 votes.

In October, election officials in Raleigh, N.C., discovered that early voters had to make several attempts to record their votes on ES&S systems. Officials compared the number of voters to the number of votes counted and realized that 294 votes had been lost.

A report from the Caltech-MIT Voting Technology Project states that an estimated 1.5 million presidential votes were not recorded in 2000 because of difficulties using voting equipment and that electronic machines have the second highest rate of unmarked, uncounted and spoiled ballots in presidential, Senate, and governor elections over the last 12 years.

Federally mandated voting machines, almost exclusively manufactured by ES&S, Diebold and Sequoia are being constructed and tested under obsolete FEC recommendations. The US has authorized spending of over four billion dollars on new voting equipment, but as Mercuri notes, "failed to require or enforce adequate security, usability, reliability, and auditability controls over the products being purchased." The numerous flaws cited above ably demonstrate Mercuri's point.

Her concerns are echoed by Professor David Dill from Stanford University. He has created a resolution warning of the dangers of electronic voting machines. "Do not be seduced by the apparent convenience of "touch-screen voting" machines, or the "gee whiz" factor that accompanies flashy new technology," he writes. "Using these machines is tantamount to handing complete control of vote counting to a private company, with no independent checks or audits. These machines represent a serious threat to democracy."

Chuck Hagel and Nebraska's Upset

"If you want to win the election, just control the machines." — Charlie Matulka, Nebraska Senatorial Candidate

Chuck Hagel first ran for the U.S. Senate in Nebraska in 1996. Electronic voting machines owned by Election Systems & Software (ES&S) reported that he had won both the primaries and the general election in unprecedented victories. His 1996 victory was considered one of the biggest upsets of that election. He was the first Republican to win a Nebraska senatorial campaign in 24 years and won virtually every demographic group, including many largely black communities that had never before voted Republican.

Six years later Hagel ran again against Democrat Charlie Matulka in 2002, and won in a landslide. He was re-elected to his second term with 83% of the vote: the biggest political victory in the history of Nebraska. Again, the votes were counted by ES&S, now the largest voting machine company in America.

While these victories could be dismissed simply as a Republican upset, a January 2003 article in the independent Washington paper The Hill revealed interesting details about Hagel's business investments and casts a different light on his election successes. Chuck Hagel was CEO of ES&S (then AIS) until 1995 and he is still a major stockholder of the parent company of ES&S, McCarthy & Company. Hagel resigned as CEO of ES&S to run for the Senate and resigned as president of the parent company McCarthy & Company following his election (where he remains a major investor).

Today, the McCarthy Group is run by Michael McCarthy, who happens to be Chuck Hagel's treasurer. Hagel's financials still list the McCarthy Group as an asset, with his investment valued at $1-$5 million. Campaign finance reports show that Michael McCarthy also served as treasurer for Hagel until December of 2002.

ES&S also has a connection to the Bush family. Jeb Bush's first choice as running mate in 1998 was Sandra Mortham who was a paid lobbyist for ES&S and received a commission for

every county that bought its touch-screen machines.

The Hill's revelations of Hagel's conflict of interest was disturbing enough to cause Jan Baran, one of the most powerful Republican lawyers in Washington D.C., and Lou Ann Linehan, Senator Chuck Hagel's Chief of Staff, to walk into The Hill's offices to "discuss" the story. According to the author of the article, Alex Bolton, nothing similar had happened in the three-and-a-half years he's worked for the paper. It was, no doubt, a story Hagel would rather see go unreported.

Helping America Vote Right

"The Christian worldview is the answer. We need Christian statesmen who press for the Crown Rights of Jesus Christ in all areas of life. This isn't political salvation or an overnight fix. It will take decades of mobilization and confrontation to undo a century of godless socialism. It must be a grassroots movement that starts in individual families and churches and then moves outward to take dominion. It must encompass every area of life and not just the political arena. Finally, it must start soon, for there isn't much time left. The Florida elections have taught us that the Democrats with their liberal/socialistic worldview will stop at nothing to seize control of the government." — Dr. Val Finnell, published by the Chalcedon Institute

If the connections between Hagel and ES&S seem suspect, the origins of America's largest electronic voting machine companies may be just as distressing, especially for those who venerate the separation of church and state. The convoluted system of renaming and buyouts of America's voting system companies is a complicated story. However, once the various corporate trails have been followed, a disturbing picture comes into focus.

Brothers Bob and Todd Urosevich founded American Information Systems. Bob is currently president of Diebold and Todd Urosevich is Vice President, Aftermarket Sales of ES&S. (In 1999, American Information Systems, purchased Business Records Corp to become ES&S.)

American Information Systems (AIS) was primarily funded with money from Ahmanson brothers, William and Robert, of the Howard F. Ahmanson Co. The majority stake in ES&S is still owned by Howard F. Ahmanson and the Ahmanson Foundation

Howard Ahmanson belongs to Council for National Policy, a hard right wing organization and also helps finance The Chalcedon Institute. As the institute's own site reports, Chalcedon is a "Christian educational organization devoted to research, publishing, and promoting Christian reconstruction in all areas of life… Our emphasis on the Cultural or Dominion Mandate (Genesis 1:28) and the necessity of a return to Biblical Law has been a crucial factor in the challenge to Humanism by Christians in this country and elsewhere…" Chalcedon promotes Christian Reconstructionism, which mandates Christ's dominion over the entire world. The organization's purpose is to establish Old Testament Biblical law as the standard for society.

Solutions and Alternatives

Few individuals who are trying to alert citizens to the dangers of electronic voting are against computer voting unequivocally. Rather, the complaints focus on the lack of a verifiable paper trail and the inability of the public to examine the code that runs the machines. Professor Mercuri's October 2002 article, "A Better Ballot Box?" provides a solution to these concerns. She also poses a series of questions that she believes must be

answered in order to allay security concerns. Mercuri's work is partly an attempt to design a machine in line with minimum standards set by the U.S. federal government, unlike the voting machines currently being installed across America.

The New York State Assembly recently passed legislation that specifically requires that machines "produce and retain a voter verified permanent paper record with a manual audit capacity" (but fails to mention the code that runs the machines). Rep. Rush Holt has introduced federal legislation, The Voter Confidence and Increased Accessibility Act of 2003 with similar aims. The measure would require all voting machines to produce an actual paper record by 2004 that voters can view to check the accuracy of their votes and that election officials can use to verify votes in the event of a computer malfunction, hacking, or other irregularity.

Other solutions exist to ensure the integrity of voting machines and address the concerns of people like Professor Mercuri. Jason Kitcat is the author of the Free e-democracy project, an open source project that builds Internet voting software. Likewise, Australia makes the code for their machines available online whereas American companies jealously guard the code that runs their machines. It seems a fair question, considering the list of problems that currently plague voting equipment: why are none of these alternatives being investigated?

The 2004 election will be the first to use nation-wide electronic voting. With the purging of voter lists, secrecy surrounding voting machines, the lack of a verifiable paper trail combined with voting machine companies with strong Republican ties and funding from the radical right, a Bush victory is all but inevitable. Welcome to the machines.

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