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Electile Dysfunction
Just How Accurate Are Touch Screen Voting Machines? Depends on Whom You Ask
By Erik Bajunas
During the last presidential election, there were at least 171 votes counted from people who don’t exist.

The phantom votes were recorded at the Church of the Ascension at 11201 SW 160th St. in Cutler Ridge. On Nov. 2, 2004, when voters were casting ballots on a host of decisions, including whether or not George W. Bush deserved another term as president or if the job should be handed over to John Kerry, the Church of the Ascension was known as Precinct 816. And unlike the last presidential election, when voters made their choices by punching holes through cardboard-like cards, Precinct 816 and precincts all over the state of Florida were computerized. Miami-Dade County is among the counties in Florida that used computer touch screens known as iVotronics. When it was time to shut them down, it became apparent that one of the machines was having problems, according to a report from the Audit and Management Services Department nearly a year later. The problem, it was determined, was that the votes collected by at least one faulty machine in that precinct were counted not once, but three times.

Because almost every contest polled at Precinct 816 was decided by a minimum of 10,000 votes statewide, the 171 extra votes did not affect the outcome of any race, according to the audit report.

"Nonetheless, these processing errors are particularly troubling, because hardware error-handling logic did not display appropriate warning messages, which greatly complicated troubleshooting efforts," Audit Director Cathy Jackson wrote in her Sept. 30, 2005 report.

Members of the Miami-Dade Election Reform Coalition (MDERC), a nonpartisan grassroots organization dedicated to election reform that seeks to make sure every vote cast is "accurately recorded and counted," point out the discrepancies would have never been discovered in the first place if the group didn’t have observers present who noticed something was amiss.

In MDERC’s own report on May 25, 2005, titled “Get It Right the First Time,” volunteers found multiple instances where the signatures collected by poll workers and votes collected by iVotronic machines did not match.

“This failing, in one egregious instance in Precinct 816, permitted unintentional ballot stuffing when the votes deposited in one voting machine were added to the total count multiple times, without being detected or corrected,” the MDERC report stated.

Lester Sola, supervisor of Miami-Dade Elections, said new procedures and upgrades in technology have been developed to address discrepancies and prevent a repeat of November 2004. He also blamed the errors of Precinct 816 on a technician who continuously uploaded the votes.

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Early voting activity was taking place Tuesday at Miami City Hall. Photo by Mitchell Zachs/Magicalphotos.com

“Much has changed since 2004,” Sola told the SunPost recently. “The software has been updated. [Votes] will never be allowed to upload three times.”

Sola also noted that in this year’s September election, discrepancies at a handful of precincts were narrowed to one or two votes — which he said was mostly due to signatures not being recorded or impatient voters leaving the polling station.

But members of MDERC are still skeptical, with a few members suggesting the county is more concerned with a smooth-operating election than ensuring 100 percent accuracy. Lida Rodriguez-Taseff, an attorney and board member of MDERC, said the Elections Department still believes that “Miami-Dade in 2004 had a splendid election.”

“We are nervous because they [the Elections Department] don’t audit the systems,” said Sandy Wayland, president of MDERC. Also of concern to MDERC are what some members call “forced matches” between signatures and votes collected and the regular observations of glitches in past elections. MDERC member Martha Mahoney also pointed out that the county’s own audit report pointed at problems with the iVotronic’s “firmware.”

MDERC’s official solution is not scrapping the iVotronics, however. Instead they want to reach out to the community at large and seek out independent observers to ensure any mishaps are reported.

“You can’t look at the counting of the votes in terms of looking at the entire election,” said Rodriguez-Taseff, who
Electronic Voting

was nearly arrested in 2004 when she and a documentary crew tried to observe votes being collected at a Liberty City precinct. "... Whether it is one person or 20 people," she said, "every vote should be counted and every voter should be counted."

There is much grumbling about electronic voting across the United States, due in part to fears that hackers could infiltrate computer systems and affect the outcome of an election (something proved possible with some voting systems, such as Diebold). Part of the fear stems from paranoia that election screen vendors may have a hidden agenda to alter elections themselves. And part of it owes to election mishaps.

For example, in Maryland, votes mysteriously disappeared in the September 2006 primary after the machines crashed and election workers forgot to "distribute cards needed to operate the machines," CNN correspondent Zain Verjee reported in an Oct. 21 "Broken Government" special hosted by Jack Cafferty.

Among Cafferty's guests: Maryland Gov. Robert Ehrlich, a Republican running for re-election in November, who demanded a return to paper ballots only to be rebuffed by the state Senate president. Ehrlich, who explained that accurate elections is a "bi-partisan" issue but then blamed Maryland Democrats for blocking election reforms, said he no longer feels secure about the new technology and opined that the only way to have a verifiable, secure election "is with a paper trail."

Then CNN host Cafferty offered a conspiracy theory. "In 2003, a guy named Walden O'Dell, who was the head of Diebold, apparently told some Republican fundraisers that he was going to try to make sure, that he was committed, that the state of Ohio was going to deliver its electoral votes to President Bush," said Cafferty. "Ironically, [Ohio] is the state that by the narrowest of margins delivered the presidency to Bush. They got a lot of people's attention. Is that a coincidence, do you suppose?"

"Well, I'm not sure," Ehrlich replied. "I guess there's a partisan aspect to this, but I won't get into the partisanship. The bottom line here is, it's America in 2006. People have a right to expect a legitimate, accurate outcome."

Meanwhile, South Florida did not escape electronic mishaps during last month's primary, delaying election results. Broward and Palm Beach final results were not available until the following day. In Broward County's case, the delay was blamed on poorly trained poll workers who improperly shut down machines at 16 precincts. "When they arrived at regional sites to send their results via modem, technicians realized the votes hadn't been recorded on the cartridge used to collect votes," the Miami Herald reported in a Sept. 7 article. "They sent employees back to pick up voting machines so the tallies could be harvested directly. Many were already locked up."
Miami-Dade County, by comparison, only reported that a few clerks at precincts had to physically drive their data to Miami when election workers’ laptops failed to transmit data.

Paper ballots are capable of their share of glitches, too. The most famous occurrence was in Florida in 2000 when the presidential contest between Republican George W. Bush and Democrat Al Gore was so close that the results changed after every recount. Hanging chads and pregnant ballots were blamed for skewing results in Florida and in similar recount efforts in other states. Thus a movement began to bring 21st-century voting to the United States of America. At the forefront of this movement was Gov. Jeb Bush, who pushed for legislation mandating that all of Florida’s 67 counties would become electronic. Miami-Dade, Broward and several other counties purchased touch screen iVotronics from Omaha-based Election Systems and Software (ES&S).

But there was a hitch in Miami-Dade — the county mandated that its ballots be created in three languages: English, Spanish and Creole. ES&S performed last-minute changes on its software when then-Election Supervisor David Leahy thought the initial design looked like Palm Beach’s notorious “butterfly ballot,” which was also blamed for election confusion.

On Sept. 10, 2002, the tri-language touch screen iVotronics debuted.

They didn’t turn on. Or at least that is what many poll workers in Miami-Dade and Broward precincts thought as they repeatedly rebooted the machines. A report by the Office of the Inspector General pointed the finger at poorly trained poll workers and outdated software installed by ES&S that took several minutes to boot up. Leahy, who served as an elections supervisor in Dade County for decades, was replaced in 2004 by Constance Kaplan, a veteran of running elections in Chicago. Kaplan lasted only 20 months after it was revealed that hundreds of electronic votes were “lost,” according to local reports, in elections under her watch — including the controversial 2004 March special election on slot machines. (ES&S literature insists that iVotronic machines have systems in place that ensure votes won’t be lost.)

In came Lester Sola, deputy supervisor of elections under Kaplan. Sola said his department has gone above and beyond requirements for parallel testing on the voting machines — to the point that other elections departments are taking note. More than 300 machines were tested last week, he said.

Parallel testing isn’t the same as an audit, MDERC members countered. It also isn’t the same as testing all the machines prior to Election Day.

“The logic and accuracy testing (pre-election testing) really provides no comfort that the machines will work as expected on election day,” Rodriguez-Taseff said via e-mail. “It’s like
saying that by testing your friend’s Volvo a week before you take a long drive, you can be sure that your own Volvo will perform perfectly well on the day of the long drive.

“If you really want to know how well machines will perform on election day, you have to test at least some of them on election day. It sounds so self-evidently logical yet we don’t do that,” she added. “Failure to test voting machines during actual elections is in part what lends credence to rumors of fraud and unreported problems. You can’t win voter trust with secrecy. If you want the voters to trust the technology, you must have a credible testing method. The failure to test the machines properly always leaves me scratching my head thinking, ‘What are they afraid of?’”

Ken Fields, a St. Louis-based spokesman for ES&S, said all of the machines his company makes are “very accurate” and comply with state regulations.

“A variety of factors specific to Miami-Dade County’s ballot led to a longer than typical start-up time in previous elections,” Fields said, referring to the September 2002 election. “Since then, we have made an adjustment to the firmware to address that issue.”

MDERC members aren’t too afraid of a repeat of 2002. What they are worried about are county elections officials either not noticing or not dealing with glitches, human or computer, that disenfranchise voters.

To combat this, MDERC is once again launching its poll-closing project that sends volunteers to monitor polls across Miami-Dade. The key event, MDERC President Wayland said, is when precincts are closed down. That is when observers should see how many signatures were collected and compare them to how many votes were recorded on the machines.

“We go to the closing of the polls and see if things match [and] not in the glass box,” Wayland said. The glass box refers to the enclosed glass area where elections employees and canvass officials observe all the votes being collected.

Wayland advocates watching the polls closing because she thinks county election officials perform “forced matches” — where the numbers of signatures and votes cast at a precinct are later perfectly matched. During the 2004 election, signature and iVotronic numbers matched in only 11 percent of precincts, while another 24 percent of precincts reported numbers off by more than six votes, according to an Oct. 21 Miami Herald article.

But Elections Supervisor Lester Sola said poll workers and observers can’t be expected to give an accurate count of how many people signed up to vote at a precinct — especially during high-turnout elections.

So Sola now issues data strips to workers who escort voters to iVotronic machines. Once a voter reaches a machine, the
strip is taken away and recorded in a computer. The county Elections Department has also purchased scanners that count the number of votes on each voter signature page. Thus, with these “different sources of information,” a more accurate count of how many people voted per precinct can be reached, according to Sola.

“I’m really unclear on the signature [scanner],” Wayland confessed. Voters would be given more security if there was a printed record, a slip or receipt that directly showed how they voted. The iVotronics don’t provide them, she said.

Although Sola said ES&S has been fairly receptive to the demands of his department, the county nearly moved forward with replacing the ES&S equipment with optical scanners, which would not only leave a paper trail, but also tell voters if they filled in their choices correctly.

The only problem: The county couldn’t find an optical scanner company that could provide tri-lingual ballots. Rodriguez-Taseff opined that it was “absolutely incompetent” that Sola could not attract vendors who would offer such necessary technology.

Sola responded that it would be foolhardy to try and “slap together” technology that would comply with the county’s tri-lingual demands. That was what caused all the chaos with the iVotronics back in 2002, Sola said.

Paper trails would probably do little good, thanks to state law, said Martha Mahone, a law professor at the University of Miami. There are 52 counties with systems that have paper trails. However, in recount disputes, written records are not recognized under revamped state law. “We need better laws and better technology,” she said.

Many MDERC members fret over how secure the machines truly are since they are turned on at least a day in advance as a precaution to avoid a repeat of the 2002 election mishaps.

And, thanks to early voting (which commenced at select polling places this past Monday), those machines stay on even longer.

ES&S spokesman Fields insists that iVotronics are secure. An ES&S pamphlet sent to the SunPost via e-mail described the “iVotronic’s three independent but redundant memory paths” that “ensure that no votes will ever be lost or altered.”

“Before poll opening, one accumulated ‘zero tape’ validates that no votes have been erroneously entered into any voter terminal,” stated the product overview.

Sola also assured there are security measures in the machines that prevent unauthorized votes from being entered into the iVotronics.

But attorney Lida Rodriguez-Taseff is not convinced.
“Early voting. I hate early voting. Hate it,” Rodriguez-Taseff said. “The machine will be turned on for two straight weeks…. How do you know no one is tampering with them?”

Alvaro Fernandez, a MDERC member who also registers voters for the Southwest Voter Registration Education Project, feels the technology upgrades elections departments have put into place all over the county have only “made things more complicated,” more vulnerable to tampering, and “[haven’t] improved” anything.

“The old punch ballots, at least there was something to compare the votes to,” Fernandez said.

Sola, though, said the allowed margin for error during the punch-card days was much wider than now. His reason: Chads and pregnant ballots routinely skewed vote results.

Other MDERC members interviewed by the SunPost agreed that punch-card ballots had their host of problems too.

UM’s Mahone said punch-card ballots were extremely inaccurate. The problem, she said, was that the state rushed too quickly with unproven technology. “The technology needs to be improved,” she said.

Fernandez, though, said the mishaps of the 2000 election could have been prevented with proper maintenance. “Believe it or not, part of the problem was that the machines were never cleaned.”

MDERC invites those interested in volunteering as Miami-Dade poll watchers to visit www.reformcoalition.org. For more information on voting, go to http://elections.miamidade.gov.

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