

From: Craig Lowe [mailto:craiglowe4@gmail.com]
Sent: Wednesday, January 17, 2007 12:15 PM
To: commcl
Subject: [QUARANTINE BYPASSED] Fwd: A serious proposal for municipal election vote tallying

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From: **Vincent J. Lipsio** <vince@lipsio.com>
Date: Jan 16, 2007 10:01 PM
Subject: A serious proposal for municipal election vote tallying
To: "Hon. Craig Lowe" <craiglowe4@gmail.com>

Greetings!

As I recall mentioning in passing, I have a modest but serious proposal for helping ensure the integrity of vote counting in Gainesville's city elections. While I don't expect this proposal to be controversial, I'm privately running it past those city commissioners whom I know for any comments or feedback or recommendations about presenting it formally and publicly, if indeed I need to so do.

The problem is that the model of voting machines used in Alachua County have been known to fail catastrophically. In addition to the well-known hacking that Ion Sancho allowed in Leon County (same model of machines as in Alachua County), consider also these two failures that happened in 2004 in Florida:

1) In the presidential preferential election in Bay County, Gephardt, who had withdrawn from the race six weeks previously, had a 2-1 lead over Kerry. Because the results were so unlikely, the votes were recounted, and Gephardt actually had only 9 votes. However, had the results had been plausible, such as in a 51%-49% race, no one would have noticed anything amiss, and the candidate with the fewer votes would have wrongly won.

This was on the same model machine used in Alachua County.

References:

<http://www.miami.com/mld/miamiherald/10103931.htm>

http://www.palmbeachpost.com/politics/content/news/epaper/2004/11/05/a29a_BROWVOTE_1105.html

2) In November in Broward County, absentee ballots for certain referenda were observed tallying backwards, that is, the count was observed to be going down; the outcome of one state-wide referendum was changed by the resulting recount. Again, if someone had not been watching and applying common sense, this would have gone unnoticed.

This was on another model of optical scan machine, manufactured by ES&S.

References:

<http://www.local10.com/news/2913641/detail.html>

<http://www.phillyburbs.com/pb-dyn/news/1-03102004-262275.html>

The solution is simple, and it is law in some other states: Select a few precincts, count the ballots by hand, and ensure that the results match the machines' tallies.

That would also eliminate other potential problems, such as those demonstrated by the hacking in Leon County, as well as eliminate the possibility of the vote totals being intercepted on the phone lines (although this could also be solved by recounting the ballots by machine at the Supervisor of Elections office).

What brings me to propose this to the City of Gainesville is the fact that municipalities are at liberty to adhere or not adhere to Florida Election Code; by default, they are bound to adhere to it unless they explicitly opt out, as do such municipalities as Alachua and High Springs, which count their ballots manually.

Gainesville presently employs the County's Elections' Office to run municipal elections. I do not propose that this be changed; the effort of setting up polling places and maintaining equipment, et cetera, is formidable, and I see no reason to change this arrangement for the purposes I propose (although, as a side note, if the city were to some day adopt IRV, or some other system for which no tallying machines are certified by the State of Florida, that would be such a reason, but that is without this proposal's scope).

Rather, I propose using the system in place, only adding the random audit of a subset of the ballots as a check on the machinery. Because recent changes to Florida Election law have made recounts illegal except under certain very specific circumstances, and because someone may construe this proposed audit as a recount, the City could exercise its option to not adhere to Florida Election Code.

By so doing, Gainesville would not only ensure the greatest possible integrity in vote counting, but also would be taking a stand (although it may not be expedient to publicize this vociferously; I don't know) against certain unfortunate trends in the administration of the Florida Department of Elections and in Florida Election Law.

Please let me know what you think.

Thanx!
Vince