

Statement of Prof. Robert F. Tracy

Summary of voting irregularities in Ohio

Auglaize County. [MACHINE] In a letter dated Oct. 21, Ken Nuss, former deputy director of the County Board of Elections, claimed that Joe McGinnis, a former employee of ES&S, the company that provides the voting system in Auglaize County, was on the main computer that is used to create the ballot and compile election results, which would go against election protocol. Nuss was suspended and then resigned.

Cuyahoga County. [REGISTRATION] The Cuyahoga County Board of Elections botched the registrations of more than 10,000 voters, preventing them from heading to the ballot box next week, according to a lawsuit filed late Monday, Oct. 25.

Cuyahoga County. [MACHINE] In precinct 4F, located in a predominantly black precinct, at Benedictine High School on Martin Luther King Jr. Drive, Kerry received 290 votes, Bush 21 and Michael Peroutka, candidate of the ultra-conservative anti-immigrant Constitutional Party, received 215 votes. In precinct 4N, also at Benedictine High School, the tally was Kerry 318, Bush 21, and Libertarian Party candidate Michael Badnarik 163.

Cuyahoga County. [PROVISIONAL BALLOTS] 8,099 provisional ballots (about 1/3 of those cast) have been ruled invalid because the voter wasn't registered or was registered in the wrong precinct. In 2000, about 17% were ruled invalid.

Cuyahoga County. [INTIMIDATION] Cleveland, unknown volunteers began showing up at voters' doors illegally offering to collect and deliver completed absentee ballots to the election office.

Cuyahoga County. [MACHINE] Arrows on absentee ballots don't line up with the correct punch hole. "If absentee voters cast their vote by trying to line up the arrow with the punch card, they could punch the wrong number."

Cuyahoga (Cleveland) County. [INTIMIDATION] Voters have been receiving phone calls incorrectly informing them that their polling place had changed.

Franklin County. [INTIMIDATION] Reports of about a dozen voters contacted by someone claiming to be from the county Board of Elections, telling them their voting location was changed.

Franklin County. [MACHINE] Arrows on absentee ballots don't line up with the correct punch hole. "If absentee voters cast their vote by trying to line up the arrow with the punch card, they could punch the wrong number."

Franklin County. [LINES AT POLLS] Carol Shelton, presiding judge at a Columbus precinct, testified at a public hearing that there were three machines for 1,500 registered voters. At her home precinct in Clintonville, she said there were three machines for 730

voters. "I called to get more machines and got connected to Matt Damschroder, and after lots of hassle he sent a fourth machine," she said. "It did not put a dent in the long lines." Long lines with waits up to 5 hours were reported throughout the city of Columbus, primarily in African American neighborhoods. Many voters left without voting. Franklin County Board of Elections records indicate 68 voting machines were never placed on Election Day and the bill of lading from Ward Moving & Storage Co. that delivered voting machines on Election Day indicates that at least 125 machines were held back at the start of Election Day.

Franklin County. [MACHINE] A Danaher ELECTronic 1242 computer error with a voting machine cartridge gave President Bush 3,893 extra votes in a Gahanna precinct. Records show only 638 voters cast ballots in that precinct. A cartridge from one of three voting machines at the polling place generated a faulty number at a computerized reading station. Matthew Damschroder, director of the Franklin County Board of Elections said the cartridge was retested Thursday and there were no problems. He could not explain why the computer reader malfunctioned.

Franklin County. [MACHINE] In Columbus, Ohio, overcharged batteries on Danaher Controls ELECTronic 1242 systems kept machines from booting up properly at the beginning of the day. Matt Damschroder, Franklin County Board of Elections Executive Director, admitted to Franklin County Commissioners that 77 machines malfunctioned on Election Day.

Knox County. [LINES AT POLLS] Where voters use touch-screen units, long lines developed and voters turned to a federal judge for help as the time grew near for polls to close. To speed the voting, some of those voters were given paper ballots.

Hamilton County. Cincinnati. [LINES AT POLLS] People stood in line for over an hour in the rain in some places only to find they were in the wrong line. A lot of them gave up and went home.

Hamilton County. [ABSENTEE BALLOTS] At least two absentee ballots did not include Kerry's name. Workers accidentally removed Kerry when removing Ralph Nader's name.

Hamilton County. Cincinnati. [MACHINE] Problems with punch card voting machines delayed the start of voting for up to an hour Tuesday morning at a suburban precinct. Voters were unable to slide their punch-card ballots all the way into any of the six voting machines that had ALL evidently been damaged in transit.

Hamilton County. Cincinnati. [LINES AT POLLS] Long lines and some confusion met many Hamilton County voters at the polls early this morning, with polls suddenly crowded with hundreds of vote challengers and poll monitors, most of them in heavily Democratic and overwhelmingly African-American precincts.

Hamilton County. Cincinnati. [INTIMIDATION] Voters and vote monitors complained that the GOP precinct judge was questioning every voter about his or her address and "being a jerk about it."

Jefferson County. [REGISTRATION] Some challenged voters have not been notified that their registration has been challenged and their right to vote is in question. Names were merely published in a nearly unreadable list in the local paper.

Knox County. [LINES AT POLLS] Kenyon College - hundreds of students and other Gambier residents who waited for up to 10 hours to cast their votes. Observers in the Gambier precinct said there were only two voting machines for 1,300 voters. Each machine, they said, is designed to handle 20 voters per hour. One machine was broken for an hour a half to two hours.

Lake County. [INTIMIDATION] Some voters received a memo on bogus Board of Elections letterhead informing voters who registered through Democratic and NACCP drives that they could not vote. Election officials referred the matter to the sheriff. [have copy of letter]

Lucas County. [LINES AT POLLS] In Toledo a lot of people left polls saying they had to go to work. Gesu School on Parkside Boulevard in West Toledo temporarily ran out of ballots.

Lucas County. Toledo. [MACHINE] At the Birmingham polling site in East Toledo, the sole machine broke down around 7 a.m. An hour later, when Ohio House Rep. Peter Ujvagi tried to cast his ballot, the poll worker told him to place his ballot in a secure slot so that it could be scanned in later.

Lucas County. [MACHINE & REGISTRATION & PROVISIONAL BALLOTS] Toledo. Throughout the city, polling places reported an assortment of problems, ranging from technical trouble with Lucas County's leased Diebold optical-scan voting machines to confusion about precinct boundaries and questions over provisional balloting.

Lucas County (Toledo). [MACHINE] Technical problems snarled the process throughout the day. Jammed or inoperable voting machines were reported throughout the city. Lucas County Election Director Paula Hicks-Hudson said the Diebold optical scan machines jammed during testing last week.

Mahoning County. [MACHINE] One precinct in Youngstown, Ohio, recorded a negative 25 million votes, which was discarded from official results. [ES&S iVotronic voting machines]

Mahoning County. [MACHINE] The glass on top of one ES&S iVotronic electronic screen was too far from the screen, making it difficult for people to use their fingers to cast ballots. A screen went blank on a Youngstown voter while he cast his ballot.

Mahoning County. [MACHINE] 20 to 30 ES&S iVotronic machines that needed to be recalibrated during the voting process because some votes for a candidate were being counted for that candidate's opponent.

Mahoning County. [MACHINE] About a dozen ES&S iVotronic machines needed to be reset because they essentially froze.

Mercer County. [MACHINE] One voting machine showed that 289 people cast (punch card) ballots, but only 51 votes were recorded for president. The county's Web site appeared to show a similar conflict, reporting that 51,818 people cast ballots but 47,768 ballots were recorded in the presidential race, including 61 write-ins. It would appear that about 4,000 votes (nearly 7%) could be unaccounted for.

Montgomery County. [MACHINE] Two precincts had 25% presidential undervotes. This means no presidential vote was recorded on 1/4 of the ballots. The overall undervote rate for the county was 2%. The undercount amounted to 2.8 percent of the ballots in the 231 precincts that supported Kerry, but only 1.6 percent of those cast in the 354 precincts that supported President Bush.

Sandusky County. [MACHINE] What appeared to be an overcount resulted when a computer disk containing votes was accidentally backed up into the voting machines twice by an election worker.

Sandusky County. [MACHINE] Elections officials discovered some ballots in nine precincts were counted twice. [ES&S optical scan]

Stark County (Canton). [PROVISIONAL BALLOTS] The Election Board reluctantly followed the law and rejected provisional ballots cast at the wrong precinct in the right polling place. Up until this year, they remade a ballot that was cast in the wrong precinct, meaning that the person's vote would be put toward the appropriate races in the correct precinct.

Trumbull County. [REGISTRATION] A voter in Warren Township precinct D arrived at the polls to discover that someone had already voted in her name. The person who used her name apparently forged her signature and wrote that she lived at a different address. Board of Elections allowed her to cast a ballot.

Warren County. [INTIMIDATION] Citing concerns about potential terrorism, officials locked down the county administration building on election night and blocked anyone from observing the vote count as the nation awaited Ohio's returns. The Warren results were part of the last tallies that helped clinch President Bush's re-election. James Lee, spokesman with the Ohio Secretary of State's Office in Columbus, said Thursday he has not heard of any situations similar to Warren County's building restrictions. Officials in Warren County, Ohio locked down its administration building to prevent anybody from observing the vote count there. County Commissioners confirmed that they were acting on the advice of their Emergency Services Director, Frank Young. Mr. Young had

explained that he had been advised by the federal government to implement the measures for the sake of Homeland Security.