

Statement of Steven Rosenfeld
to Democratic Members
of the House Judiciary Committee,
December 8, 2004

Hi. I'm Steven Rosenfeld, a journalist who currently is senior producer of the Laura Flanders Show on Air America Radio, heard weekends from 7-10 PM Eastern and broadcast nationally on 40 stations. That means I report, develop and oversee what we put on the air with our host and several associates.

I want to talk about our audience. These are people who deeply cared about the campaign, participated in it, and still care. They are people who were part of the wave of grassroots activism that swept the country this year. They are not satisfied with the explanations given thus far for President Bush's margin of victory in Ohio. They want to know, and need to know, what happened. If knowledge is power, they want to be empowered so they can more effectively participate in politics.

I'm hoping this committee, through its resources and powers to investigate, through its ability to document and enter into the public record, can help answer about how votes were and weren't counted. If the public believes in a system where ideas can freely compete, and the best candidates can win, then the public needs to know their judgements will count.

As a journalist, the more we look at how elections were conducted in Ohio, the less confidence we have that elections there were free and fair. The weekend after the election, we first heard reports - from Miles Gerety, CN public defender who went as a poll watcher - that the long lines in urban areas were the result of deliberately shorting the number of voting machines. That was such a simple and therefore plausible explanation. It also looked like a Voting Rights Act violation.

Miles Gerety led me to Cliff Arnebeck, who led me to Bob Fittrakis, and the Columbus League of Pissed Off Voters who decided to hold hearings to gather testimony. Even before we went on the air the next weekend, Laura Flanders joined another Air America Radio host, Randi Rhodes, and together they announced the Ohio Honest Election Campaign was raising money to pursue a recount and investigate what happened. By the end of that weekend, when we covered these hearings, more than \$85,000 had been raised - all from people at the grassroots who wanted to learn the lessons of this election.

What I see, and what others today have talked about, are a mix of old school - and new school - Election Day errors, ranging from human mistakes to outright thuggery. The old school tactics were shorting the number of voting machines, bringing out old voter rolls - to prompt new voters to be given provisional ballots, stuff like that. The new school problems have to do with tabulating the computerized vote, whether on touch-screen machines or optical scan machines. They have to do with the potential that machines could be rigged so a person voted for one candidate, but that vote would be assigned to another.

The one thing this committee can do that would be an invaluable service to all Americans, regardless of party, would be to undertake a credible study of the accuracy of computer voting

technologies in Ohio, and in this election.

I've looked hard and wide and I cannot, as a journalist, find people who can tell us what happened. Nobody has the definitive picture. I know that politics is a process, and we are all working to build a more perfect union. It seems the next necessary task in this regard is restoring confidence in our voting process.