

TALE OF THE TAPES

By Barb Shepherd, Beacon Staff Writer

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Did your vote count?

Did your vote count in Volusia County's Sept. 5 primary election?

An inspection of election records by The DeLand-Deltona Beacon, assisted by the Florida Fair Elections Coalition, has raised significant concerns regarding the administration of the election, and questions about the results.

Some of the problems:

◆ **More votes than voters.** According to a computer file titled "All Who Voted 09-05-06" provided by the Elections Office, 450 fewer voters cast ballots in the primary than there are votes listed on the county's official tally of the election. The computer file lists 51,242 voters; election results certified to the state list 51,692 votes. Further, the computer file lists the 180 voters whose absentee ballots were not counted, making a total 630-vote discrepancy between voters and votes.

◆ **Zero tapes and results tapes missing.** Zero and results printouts - looking very much like long grocery-store receipts - are an official record of the votes cast.

There should be 377 such tapes - one from each voting machine used - to make up the record of the Sept. 5 primary. The tapes should be continuous, and both the zero and results portions should be signed by poll workers.

In at least seven precincts, the zero tapes are missing. Of the seven, three are from touch-screen machines that don't produce paper ballots for recounting.

In two precincts, there were no results tapes. In other cases, the only results tapes provided to The Beacon had been printed several days after Volusia County election results were certified to the state. In one case, a results tape was produced, but no one signed it.

In more than a dozen more precincts, the zero tapes and results tapes had been torn apart, compromising the integrity of the record.

◆ **Rescanning of ballots.** At the Deltona and Daytona Beach early-voting sites, new memory cards were programmed and ballots were re-fed through optical scanners after workers reported the vote counts were off by one vote in each location.

In Deltona, the recount occurred Sept. 4, two days after early voting ended. The Deltona recount included all of the early votes cast there on the optical-scan machine.

The New Smyrna Beach recount occurred Aug. 29, eight days into the 11-day early-voting period.

Neither the affected candidates nor members of the Volusia County Canvassing Board were notified in advance of the recounts. County Elections Supervisor McFall was the only Canvassing Board member present.

◆ Tapes created Sept. 21. In four precincts, the only voting-machine tapes for three touch-screen and one optical-scan voting machines were created Sept. 21 - 16 days after the election - and signed only by McFall.

McFall said she created the tapes after The Beacon requested the records because "those tapes from Election Day could not be located."

She later provided the newspaper with copies of half the tapes missing from these four precincts.

◆ Late starts. In 39 precincts, either the optical-scan or the TSX machine was not ready at 7 a.m., when, by law, all polling places are required to open. The late starts affected 21 touch-screen machines, and 18 optical scanners.

McFall plans audit of several precincts

McFall announced Oct. 3 she is auditing as many as 22 precincts, in response to discrepancies uncovered by The Beacon's inspection. McFall said she will "personally" recount the paper ballots and "touch-screen ticket vouchers."

McFall also said she has "completely restructured" training classes for poll workers. These workers are temporary employees who are responsible, in many cases, for creating records vital to election integrity.

Along with her announcement, McFall provided The Beacon with copies of five of the 12 zero tapes that initially were missing.

She said the tapes from Precinct 806 in New Smyrna Beach had been found in a precinct-supply box, but offered no explanation of where the zero tapes from Precincts 307 and 636, as well as from two early-voting sites, had been found.

No results tapes from Election Day have been made available from the touch-screens in Precincts 307, 516 or 636.

McFall said in some of the cases, poll workers simply may have failed to print zero tapes, or may have thrown them out.

In the case of the New Smyrna Beach early-voting site, however, the lack of a zero tape can't be blamed on temporary employees.

Elections Office staff members ran the early-voting locations, and the zero tape still is missing from the touch-screen machine at New Smyrna Beach's early-voting site.

Zero tapes are important

Tapes printed from voting machines are official records of an election.

On each voting machine in each polling location, workers are supposed to print a zero tape before the election begins. When voting is over and the polls close, a results tape is printed. The poll workers are supposed to sign each portion.

The two printouts, on one continuous tape, provide assurance the voting machines were not stuffed with ballots - accidentally or intentionally - before the election began.

Also, the tapes document the time and date machines were made ready for voting, and when they were shut down for the day.

In addition, the tapes provide a way to check that results printed at the polling place match the results uploaded via modems and telephone lines to the central tabulating computer at the Elections Office.

Enough votes to matter?

In the majority of cases, records from Volusia County's 179 precincts show continuous, complete, signed voting-machine tapes for both the optical-scan and touch-screen voting machines.

Enough records are missing or muddled however, to have made a difference in whether - for example - Patricia Northey won the District 5 seat on the County Council or was forced into a runoff with candidate John Masiarczyk.

Northey needed 4,581 votes to win the council seat outright. She got 4,303.

Between Deltona's early-voting site and Precinct 307, there were 1,294 votes cast. And, the records from both locations are incomplete.

There was the one-vote discrepancy at the early-voting site that caused 477 paper ballots to be rescanned two days after early voting had ended. And, although McFall has provided a zero tape from the beginning of early voting in Deltona, no results tape of the first count - recorded on the original memory card - is among the records.

No zero tape or results tape created on Election Day was among the records for Precinct 307, where 115 votes were cast on the touch-screen, or TSX, machine. This precinct was the only one in DeBary where Northey did not get at least 55 percent of the vote.

McFall did provide, on Oct. 3, a zero tape for the beginning of voting on the TSX machine at Precinct 307. The only results tape that has been provided, however, was the one created Sept. 21 and signed only by the elections supervisor.

- Susan Pynchon, executive director of the Florida Fair Elections Coalition, contributed to this story. Beacon staff members Pat Hatfield, Jennifer Horton, Al Everson and Jeannie Parker assisted in the inspection of election records.

Why did we do this?

We were just curious, really, about how many people used the new, paperless touch-screen voting machines, and how many voted on paper ballots in the Sept. 5 primary.

That breakdown, as near as we can figure, was 13,970 on touch-screens and 32,972 on paper. As early as several days before the election, Beacon political editor Rick Tonyan had asked Elections Supervisor Ann McFall about getting that breakdown. He talked to her about it again election night, and was told it would be two or three days before the information was available. The Florida Fair Elections Coalition had asked for it, too, on Sept. 6, and Beacon reporter Pat Hatfield was there when the coalition was told it would violate Diebold's contract with the county if the county told people how many voters had used their touch-screen machines. By Sept. 20, 15 days after the election and nine days after the Volusia County Canvassing Board had certified the election results, we still could not learn how many citizens had trusted the touch-screens enough to vote on them.

Now we know. And, because McFall said there was no way to get the information without extracting it from the voting-machine tapes, we - and you - know a whole lot more.

- Barb Shepherd

Editor's note: With computers counting our ballots, and touch-screens recording votes with no ballots at all, looking closely at election records means plowing through a paper mountain of printouts, server logs and other digital data.

On Sept. 21, having been told by the Elections Office it would cost \$120 merely to make a small portion of these records available (with additional charges to come for copying or inspecting), The DeLand-Deltona Beacon filed a lawsuit in Circuit Court to assure all election data are made readily available to the press and the public, without undue cost.

Because of the ongoing lawsuit, Volusia County Elections Supervisor Ann McFall was unable to comment directly for this story. She did, however, provide answers to some of the newspaper's questions through the county attorney's office.

BEACON PHOTOS/BARB SHEPHERD

PHOTO CAPTION:

Mountain of paper

Checking the records of computerized vote-counting requires plowing through a mountain of paper. Volusia County Elections Supervisor Ann McFall, left, and Susan Pynchon, executive director of the Florida Fair Elections Coalition, look through some of the public records requested by the nonprofit, nonpartisan DeLand-based group. The local coalition is one of hundreds nationwide that function as watchdogs of elections.

BEACON PHOTO/BARB SHEPHERD

PHOTO CAPTION:

For the record

This image shows a results tape printed from the touch-screen machine used at Precinct 307 in DeBary. Both the date near the top and the single signature by Elections Supervisor Ann McFall at the bottom show the tape was created on Sept. 21, 2006, 16 days after the primary election. g the records of computerized vote-counting requires plowing through a mountain of paper. Volusia County Elections Supervisor Ann McFall, left, and Susan Pynchon, executive director of the Florida Fair Elections Coalition, look through some of the public records requested by the nonprofit, nonpartisan DeLand-based group. The local coalition is one of hundreds nationwide that function as watchdogs of elections.