

On November 3, 2004, at approximately 12:49 p.m., the Supervisor of Elections' staff generated a printed report showing the unofficial results for all of the races on the ballot. The Canvassing Board posted the results.

Later that same day and at approximately 10:12 p.m., the Canvassing Board requested another printed report to include all early voting, election day voting and all absentee ballots tabulated to that time. It soon became apparent that the later report had less votes for State Constitutional Amendments 4, 5, 6, 7, and 8 than had been reported earlier in the day. The Canvassing Board then directed the Supervisor of Elections' staff to compare the results from the five optical scanning machines to the Unity software. When the tapes from the five optical scanning machines were added together, the correct vote totals were produced.

It was thereupon explained by a representative of ES&S that the recording software has a limit of a two-byte field, so that when the number of votes in a precinct reaches 32,768, it begins to subtract votes from the total. Every absentee ballot voted in Broward County contained the same page upon which Amendments 4, 5, 6, 7, and 8 were located. Because there were more than 97,000 absentee ballots counted by the optical scanning machines, the limitation of 32,768 votes was exceeded. By creating additional precincts in the recording software, one can bypass the two-byte limitation and obtain the correct vote totals. The additional precincts were thereupon created and the subsequent vote totals were compared to the tapes from the optical scanning machines, and the tabulating software and the recording software were reconciled so that both reflect the same vote totals.

A similar situation arose during the general election of 2002. The limitation in the recording software has yet to be rectified. The Canvassing Board strongly recommends that either Broward County or the Supervisor of Elections notify ES&S to correct this issue so as to prevent it from arising in future elections.