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Clear Evidence 2006 Congressional Elections Hacked

By Rob Kall

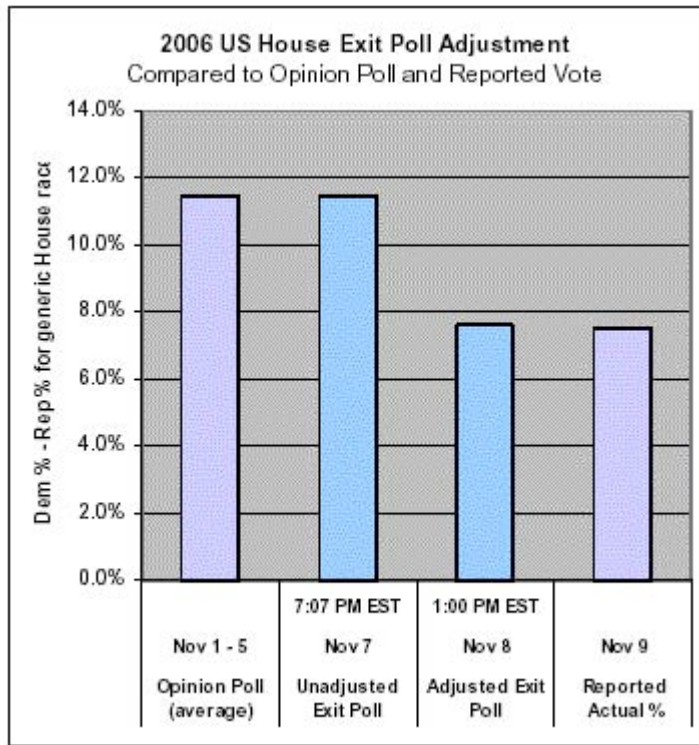
Results Skewed Nationwide In Favor of Republicans by 4 percent, 3 million votes

A major undercount of Democratic votes and an overcount of Republican votes in U.S. House and Senate races across the country is indicated by an analysis of national exit polling data, by the [Election Defense Alliance \(EDA\)](#), a national election integrity organization.

These findings have led EDA to issue an urgent call for further investigation into the 2006 election results and a moratorium on deployment of all electronic election equipment.

"We see evidence of pervasive fraud, but apparently calibrated to political conditions existing before recent developments shifted the political landscape," said attorney Jonathan Simon, co-founder of Election Defense Alliance, "so 'the fix' turned out not to be sufficient for the actual circumstances." Explained Simon, "When you set out to rig an election, you want to do just enough to win. The greater the shift from expectations, (from exit polling, pre-election polling, demographics) the greater the risk of exposure--of provoking investigation. What was plenty to win on October 1 fell short on November 7.

"The findings raise urgent questions about the electoral machinery and vote counting systems used in the United States," according to Sally Castleman, National Chair of EDA. "This is a nothing less than a national indictment of the vote counting process in the United States!"



"The numbers tell us there absolutely was hacking going on, just not enough to overcome the size of the actual turnout. The tide turned so much in the last few weeks before the election. It looks for all the world that they'd already figured out the percentage they needed to rig, when the programming of the vote rigging software was distributed weeks before the election, and it wasn't enough," Castleman commented.



Election Defense Alliance leaders: Castleman, O'Dell, Simon at work
Election Defense Alliance data analysis team leader Bruce O'Dell, whose expertise is in the design of large-scale secure computer and auditing systems for major financial institutions, stated, "The logistics of mass software distribution to tens or even hundreds of thousands of voting machines in the field would demand advance planningi½"at least several weeks--for anyone attempting very large-scale, systematic e-voting fraud, particularly in those counties that allow election equipment to be taken home by poll workers prior to the election.

"The voting equipment seems to be designed to support two types of vote count manipulation--techniques accessible to those with hands-on access to the machines in a county or jurisdiction, and wholesale vulnerabilities in the underlying behavior of the systems which are most readily available to the vendors themselves. Malicious insiders at any of the vendors would be in a position to alter the behavior of literally thousands of machines by infecting or corrupting the master copy of the software that's cloned out to the machines in the field. And the groundwork could be laid well in advance. For this election, it appears that such changes would have to have been done by early October at the latest," O'Dell explained.

In a reprise of his efforts on Election Night 2004, Jonathan Simon captured the unadjusted National Election pool (NEP) data as posted on CNN.com, before it was later "adjusted" to match the actual vote counts. The exit poll data that is seen now on the CNN site has been adjusted already. But Simon points out that both adjusted and unadjusted data were instrumental to exposing the gross miscount.

Simon, surprised that unadjusted polling data was publicly revealed, given the concerns after the 2004 election about the use of exit polls, downloaded as much of the data as he could in real time. Scheduled and planned revisions on the CNN site took place throughout the evening and by the following morning, the unadjusted exit poll data had been replaced with data that conformed with the reported, official vote totals. This was the planned procedure as indicated by the NEP's methodology.

Adjusting the exit poll data is, by itself, not a troublesome act. Simon explained, "Their advertised reason to do the exit polls is to enable analysis of the results by academic researchers--they study the election dynamics and demographics so they can understand which demographic groups voted what ways. As an analytic tool, the exit poll is considered more serviceable if it matches the vote count. Since the vote count is assumed to be gospel, congruence with that count is therefore assumed to give the most accurate picture of the behavior of the electorate and its subgroups.

"In 2004 they had to weight it very heavily, to the point that the party turnout was 37% Democrat and 37% Republican, which has never been the case--leading to the claim that Rove turned out the Republican vote. This was nowhere witnessed, no lines in Republican voting places were reported. As ridiculous as that was, the distortion

of actual turnout was even greater in 2006. The adjusted poll's sample, to match the vote count, had to consist of 49% 2004 Bush voters and only 43% 2004 Kerry voters, more than twice the actual margin of 2.8%. This may not seem like that much, but it translates into more than a 3,000,000 vote shift nationwide, which, depending on targeting, was enough to have altered the outcome of dozens of federal races.

"It should be very clear that weighting by a variety of carefully selected demographic categories, which yields the pre-adjustment exit polls, presents a truly representative electorate by every available standard except the vote count in the present election. So you have a choice: you can believe in an electorate composed of the correct proportions of men and women, young and old, rural and urban, ethnic and income groups, Democrats, Republicans, and Independents--or you can believe the machines. Anyone who has ever wondered what is really in a hot dog should be aware that the machines are designed, programmed, deployed, and serviced by avowedly partisan vendors, and can easily be set up to generate entirely false counts with no one the wiser, least of all the voters."

Simon concluded, "These machines are completely and utterly black box. The idea that we have this enormous burden of proof that they are miscounting, and there's no burden of proof that they are counting accurately--that, first and foremost, has to change."

Election Defense Alliance issued the following statement

As in 2004, the exit polling data and the reported election results don't add up. "But this time there is an objective yardstick in the methodology which establishes the validity of the Exit Poll and challenges the accuracy of the election returns," said Jonathan Simon, co-founder of Election Defense Alliance. The Exit Poll findings are detailed in a paper published today on the EDA website.

The 2006 Edison-Mitofsky Exit Poll was commissioned by a consortium of major news organizations. Its conclusions were based on the responses of a very large sample, of over ten thousand voters nationwide*, and posted at 7:07 p.m. Election Night, on the CNN website. That Exit Poll showed Democratic House candidates had out-pollled Republicans by 55.0 percent to 43.5 percent -- **an 11.5 percent margin** -- in the total vote for the U.S. House, sometimes referred to as the "generic" vote.

By contrast, the election results showed Democratic House candidates won 52.7 percent of the vote to 45.1 percent for Republican candidates, producing **a 7.6 percent margin** in the total vote for the U.S. House -- **3.9 percent less than the Edison-Mitofsky poll**. This discrepancy, far beyond the poll's +/- 1 percent margin of error, has less than a one in 10,000 likelihood of occurring

by chance.

By Wednesday afternoon the Edison-Mitofsky poll had been adjusted, by a process known as "forcing," to match the reported vote totals for the election. This forcing process is done to supply data for future demographic analysis, the main purpose of the Exit Poll. It involved re-weighting every response so that the sum of those responses matched the reported election results. The final result, posted at 1:00 p.m. November 8, showed the adjusted Democratic vote at 52.6 percent and the Republican vote at 45.0 percent, a 7.6 percent margin exactly mirroring the reported vote totals.

The forcing process in this instance reveals a great deal. The Party affiliation of the respondents in the original 7:07 p.m. election night Exit Poll closely reflected the 2004 Bush-Kerry election margin. After the forcing process, 49-percent of respondents reported voting for Republican George W. Bush in 2004, while only 43-percent reported voting for Democrat John Kerry. This 6-percent gap is more than twice the size of the actual 2004 Bush margin of 2.8 percent, and a clear distortion of the 2006 electorate.

There is a significant over-sampling of Republican voters in the adjusted 2006 Exit Poll. It simply does not reflect the actual turnout on Election Day 2006.

EDA's Simon says, "It required some incredible distortions of the demographic data within the poll to bring about the match with reported vote totals. It not only makes the adjusted Exit Poll inaccurate, it also reveals the corresponding inaccuracy of the reported election returns which it was forced to equal. The Democratic margin of victory in U.S. House races was substantially larger than indicated by the election returns."

"Many will fall into the trap of using this adjusted poll to justify inaccurate official vote counts, and vice versa," adds Bruce O'Dell, EDA's Data Analysis Coordinator, "but that's just arguing in circles. The adjusted exit poll is a statistical illusion. The weighted but unadjusted 7 pm exit poll, which sampled the correct proportion of Kerry and Bush voters and also indicated a much larger Democratic margin, got it right." O'Dell and Simon's paper, detailing their analysis of the exit polls and related data, is now posted on the EDA website, .

The Election Defense Alliance continues to work with other election integrity groups around the country to analyze the results of specific House and Senate races. That data and any evidence of election fraud, malicious attacks on election systems, or other malfunctions that may shed

more light on the discrepancy between exit polls and election results will be reported on EDA's website.

This controversy comes amid growing public concern about the security and accuracy of electronic voting machines, used to count approximately 80 percent of the votes cast in the 2006 election. The Princeton University Center for Information Technology Policy, in a September 2006 study, was the latest respected institution to expose significant flaws in the design and software of one of the most popular electronic touch-screen voting machines, the AccuVote-TS, manufactured by Diebold, Inc. The Princeton report described the machine as "vulnerable to a number of extremely serious attacks that undermine the accuracy and credibility of the vote counts it produces." These particular machines were used to count an estimated 10 percent of votes on Election Day 2006.

A separate "Security Assessment of the Diebold Optical Scan Voting Terminal," released by the University of Connecticut VoTeR Center and Department of Computer Science and Engineering last month, concluded that Diebold's Accuvote-OS machines, optical scanners which tabulate votes cast on paper ballots, are also vulnerable to "a devastating array of attacks." Accuvote-OS machines are even more widely used than the AccuVote-TS.

Similar vulnerabilities affect other voting equipment manufacturers, as revealed last summer in a study by the Brennan Center at New York University which noted all of America's computerized voting systems "have significant security and reliability vulnerabilities, which pose a real danger to the integrity of national, state, and local elections."

The most prudent response to this controversy is a moratorium on the further implementation of computerized voting systems. EDA's O'Dell cautioned, "It is so abundantly clear that these machines are not secure, there's no justification for blind confidence in the election system given such dramatic indications of problems with the official vote tally." And EDA's Simon summarized, "There has been a rush by some to celebrate 2006 as a fair election, but a Democratic victory does not equate with a fair election. It's wishful thinking at best to believe that the danger of massive election rigging is somehow past."

EDA continues to call for a moratorium on the deployment of electronic voting machines in U.S. elections; passage of H.R. 6200, which would require hand-counted paper ballots for presidential elections beginning in 2008; and adoption of the Universal Precinct Sample (UPS) handcount sampling protocol for verification of federal elections as

long as electronic election equipment remains in use.

The Exit Poll analysis is a part of Election Defense Alliance's six-point strategy to defend the accuracy and transparency of the 2006 elections. In addition to extensive analysis of polling data, EDA has been engaged in independent exit polling, election monitoring, legal interventions, and documentation of election irregularities.

*The sample was a national sample of all voters who voted in House races. It was drawn just like the 2004 sample of the presidential popular vote. That is, precincts were chosen to yield a representative (once stratified) sample of all voters wherever they lived/voted--including early and absentee voters and voters in districts where House candidates ran unopposed but were listed on the ballot and therefore could receive votes. As such, the national sample EDA worked with is exactly comparable to the total aggregate vote for the House that we derived from reported vote totals and from close estimates in cases of the few unopposed candidates where 2006 figures were unavailable but prior elections could be used as proxy. It is a very large sampling of the national total, with a correspondingly small (+/-1%) MOE. There were four individual districts sampled for reasons known only to Edison/Mitofsky

ABOUT ELECTION DEFENSE ALLIANCE

The purpose of EDA is to develop a comprehensive national strategy for the election integrity movement, in order to regain public control of the voting process in the United States. Its goal is to insure that the election process is transparent, secure, verifiable, and worthy of the public trust. EDA fosters coordination, resource-sharing, and cohesive strategic planning for a nationwide grassroots network of citizen election integrity advocates.

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