

## Departments Election Issues

### **Shocking Diebold conflict of interest revelations from Secretary of State further taint Ohio's electoral credibility**

by *Bob Fittrakis and Harvey Wasserman*

April 6, 2006

Ohio is reeling with a mixture of outrage and hilarity as Secretary of State J. Kenneth Blackwell has revealed that he has owned stock in the Diebold voting machine company, to which Blackwell tried to award unbid contracts worth millions while allowing its operators to steal Ohio elections. A top Republican election official also says a Diebold operative told him he made a \$50,000 donation to Blackwell's "political interests."

A veritable army of attorneys on all sides of Ohio's political spectrum will soon report whether Blackwell has violated the law. But in any event, the revelations could have a huge impact on the state whose dubiously counted electoral votes gave George W. Bush a second term. Diebold was the vendor in three Ohio counties in 2004. Because of Blackwell's effort, 41 counties used Diebold machines in Ohio's highly dubious 2005 election, and now 47 counties will use Diebold touchscreen voting machines in the May 2006 primary, and in the fall election that will decide who will be the state's new governor.

Blackwell is the frontrunner for Ohio's Republican nomination for governor. The first African-American to hold statewide office, the former mayor of Cincinnati made millions in deals involving extreme right-wing "religious" radio stations.

As part of his campaign filings he has been required to divulge the contents of his various stock portfolios. Blackwell says that in the process he was "surprised" to learn he owned Diebold shares. According to central Ohio's biggest daily, the conservative Republican "Columbus Dispatch," Blackwell claims his multi-million-dollar portfolio has been handled "by a financial manager without his advice or review."

Blackwell says he gave verbal instructions to a previous fund manager about which stocks not to buy, but failed to do so when he brought in a replacement. He claims the new manager bought 178 Diebold shares in January, 2005, for \$53.67/share. He says 95 shares were sold sometime last year, and that the remainder were sold this week after Blackwell conducted an annual review of his portfolio. He says both sales resulted in losses.

Prior to the 2004 election, Blackwell tried to award a \$100 million unbid contract to Diebold for electronic voting machines. A storm of public outrage and a series of lawsuits forced him to cancel the deal. But a substantial percentage of Ohio's 2004 votes were counted by Diebold software and Diebold Opti-scan machines which frequently malfunctioned in the Democratic stronghold of Toledo. Many believe they played a key role in allowing Blackwell to steal Ohio's 20 electoral votes---and thus the presidential election---for Bush. Walden O'Dell, then the Diebold CEO, had pledged to "deliver" Ohio's electoral votes to Bush.

Blackwell has since continued to bring in Diebold machines under other multi-million-dollar contracts. In 2005, while he owned Diebold stock, Blackwell converted nearly half Ohio's counties to Diebold equipment.

Those machines have been plagued by a wide range of problems, casting further doubt on the integrity of the Ohio vote count. A number of county boards of elections are trying to reject Diebold equipment. Two statewide referendum issues on electoral reform were defeated in 2005 in a vote tally that was a virtual statistical impossibility. The deciding votes were cast and counted on Diebold equipment.

In recent months, Blackwell has ordered all 88 county boards of elections to send into his office the memory cards that will be used in the primary election, in which Blackwell expects to win the gubernatorial race. There is no effective statewide monitoring system to protect those cards from being rigged.

Matt Damschroder, the Republican chair of the Franklin County (Columbus) Board of Elections has also reported that a key Diebold operative told Damschroder he made a \$50,000 contribution to Blackwell's "political interests" while Blackwell was evaluating Diebold's bids for state purchasing contracts. Blackwell denies the contribution was made to him.

Damschroder is former chair of the Franklin County GOP. He says former Diebold contractor Pasquale "Patsy" Gallina boasted of making the contribution to Blackwell. Damschroder himself has publicly admitted to personally accepting a \$10,000 check from Pasquale, made out to the Franklin County GOP. That contribution was made while Damschroder was involved in evaluating Diebold bids for county contracts.

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Damschroder was censured but not removed from office. On Election Day 2004, Franklin County voting officials told the Free Press that Blackwell and Damschroder were meeting with George W. Bush in Columbus. AP accounts place both Bush and Karl Rove unexpectedly in Columbus on Election Day. Damschroder has denied that he met personally with Bush, but refuses to clarify whether or not he was at GOP meetings with Bush in attendance on Election Day.

An eyewitness ally of Blackwell told a small gathering of Bush supporters, with a Free Press reporter present, that Blackwell was in a frenzy on Election Day, writing percentages and vote totals on maps of rural Republican counties, attempting to figure out how many votes, real or manufactured, Bush would need to overcome the exit poll results in Cleveland and Columbus.

Meanwhile Blackwell has run one of the most vicious primary campaigns ever seen in Ohio politics. A series of expensive television ads have assaulted Blackwell's GOP opponent, Attorney-General Jim Petro, vehemently charging him with extreme corruption and dishonesty. GOP operatives fear Blackwell's attacks could shatter the party.

Now Blackwell's Diebold revelations have both Petro and the state's extremely feeble Democrats jumping for joy. Petro, who has a large portfolio of his own, says he will pursue the question of whether Blackwell has broken the law. "Considering Ken Blackwell's history with Diebold, I think this warrants further investigation to remove any hint of impropriety," says Petro campaign manager Bob Paduchik.

Democratic candidate Ted Strickland has reported no stock portfolio at all. "If [Blackwell] doesn't know what's going on with his own checkbook, why in the world would voters want him to be in charge of the checkbook as governor?" asks Democratic spokesperson Brian Rothenberg.

The common statewide wisdom is that "Ken Blackwell will never lose an election in which he is in charge of the vote count."

But Ohio Democrats never seriously questioned Blackwell's rigged 2004 vote count that put Bush back in the White House. They've mounted no serious campaign challenging Blackwell's handling of the tally in 2005. They've presented no plan for guaranteeing the integrity of upcoming 2006 November election, which will again be run by Blackwell, even though he may be the GOP nominee.

Attorney-General Petro has become Blackwell's sworn enemy. A rugged campaigner with extensive statewide connections, it's not likely Petro would quietly accept an election being stolen from him. That might explain Blackwell's vehement attacks on his fellow Republican.

But having accused his cohort of widespread corruption, and with a long history of scornful contempt for all those who challenge him, Blackwell's own Diebold revelations have opened a Pandora's Box. What comes flying out could affect state and national politics for years to come.

*\* Correction 4/11/06 on number of counties using Diebold equipment in 2004 election. Originally we stated Diebold software was used in half of Ohio counties in 2004, but that was Triad. Nearly half of Ohio's counties used Diebold touchscreen machines in 2005. -- Bob Fitrakis and Harvey Wasserman are co-authors of HOW THE GOP STOLE AMERICA'S 2004 ELECTION & IS RIGGING 2008, and are co-editors, with Steve Rosenfeld, of WHAT HAPPENED IN OHIO?, upcoming from The New Press.*

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