



Documents reveal 3-hours missing from electronic vote election-night audit log

by Tom Flocco

Philadelphia -- November 2, 2004 -- TomFlocco.com -- Smoking gun evidence of election night vote tampering just 6-weeks ago in King County, Washington's September 14 primary was discovered in a response to a public records request by the founder and the associate director of Black Box Voting (BBV), a non-profit election watch-dog and research group.

Beverly Harris, author of [Black Box Voting: Ballot-Tampering in the 21st Century](#) is the investigative journalist who uncovered the secrets behind the private industries that control your vote. Her stunning discoveries about security problems in the U.S. electoral system have been cited in [The New York Times](#), and have been featured on CBS, ABC, NBC, CNN, Fox News, CNBC, and MSNBC.

In documents which may ultimately impact post election legal challenges, the two found three hours missing--between 9:52 pm and 1:31 am--from the audit log, but they also acquired modem "trouble slips" which indicated that the remote phone modem connections were not operating properly.

The trouble slips accidentally revealed King County's modem access number which would have allowed anyone to surreptitiously take control of the county's central server on election night from any isolated location.

In an October 29 email we received from founder Beverly Harris, and in phone conversations with both Harris and her associate Andy Stephenson, the two said "we now have what everyone keeps saying no one can come up with. We now have evidence that certainly looks like altering a computerized voting system during a real election; and it happened just six weeks ago." (September 14, 2004)

Andy Stephenson, associate director of [Black Box Voting](#), is a tenacious researcher and investigator who uncovered criminal records tied to Diebold electronic voting machine company employees ("[Thieves -- thieves...](#)"). Stephenson is one of the most knowledgeable experts in the U.S. regarding electronic voting and its implications for election tampering and criminal fraud.

Harris and Stephenson said King County elections director Dean Logan told the Seattle Times and KING-TV reporter Linda Brill that he was not going to connect phone modems to Diebold's controversial **Global Election Systems (GEMS) software--used in optical scan voting machines counting some 50% of the Bush-Kerry votes in 37 states today** (but also in its electronic touch-screen machines predominately used in electoral battleground states like Florida).

One of the county election trouble slips in the audit said: "OK to format memory card?"--which Harris said means "this will wipe out the votes in the electronic ballot box," which could imply vote fraud and criminality in September's King County primary, requiring an investigation and possible prosecution.

Harris and Stephenson have proof that the King county election director issued a false statement to the media.

Logan said the missing three hours during the consolidation of the critical late evening election-night vote tally occurred because no reports were printed, according to Harris.

But the BBV founder questioned Logan's assertion because "we have summary reports from 10:34 pm, 11:38 pm, 12:11 am, 12:46 am, and 1:33 am. These reports were during the time he said no reports were run. Either the software malfunctioned, or audit log items (possible remote intrusions) were deleted."

Harris said she obtained the actual September 14 summary reports printed directly from the King County tabulator GEMS program while watching the workers on election night and having the reports collected by party observers, candidates, but also monitoring the King County web site.

The six-week-old evidence should also raise important questions for thousands of attorneys from both political parties in multiple states who may decide to challenge in court the security and validity of Diebold's GEMS software no matter who wins the presidency in today's vote.

The two said King election director Logan lied to the media because they observed 24 modems hooked up to the GEMS DigiBoard on September 14 and found instructions issued to poll workers to use modems; however, Harris has found that the modem setup to the Diebold central tabulator is insecure and is subject to vote tampering.

The election activist also says the remote phone hook-ups are so precarious that "any county official who uses the Diebold Remote Access Server (RAS) setup on their un-patched Windows central tabulator on election night--together with modems and their DigiBoard--is inviting the world to take control of the election while sitting in their living room."

"The audit log is a computer-generated automatic record similar to the "black box" in an airplane, that automatically records access to the Diebold GEMS central tabulator (unless you go through the back door)," said Harris.

Having conducted hours of research, BBV takes the position that "we are not talking about just replacing memory card information--the electronic "ballot-box" data. We are talking about taking total control of the (county's) central server (vote tabulator).

Harris added that "this (electronic control from remote modems) is invisible to the county supervisor; and party observers cannot see the intrusion. It leaves no record, even in the audit log, if you take advantage of back doors like VBA vote-shaving scripts which cannot be disabled in Windows 2000 and Windows XP--the operating system used with Diebold central vote tabulators."

The central tabulator audit log is a Federal Elections Commission mandated security

requirement which detects vote tampering areas such as opening up the vote file, previewing or printing out interim vote results, but especially changing candidate definitions--a method that can be used to flip or change votes.

In a rush to divorce itself from another litigated and "chad-filled" presidential election, the presidential battleground state of Florida has replaced punch card voting systems with major financial investments in Diebold's GEMS software for electronic voting machines which Harris and Stephenson say are extremely insecure and vulnerable to hacking via the internet--but particularly via remote modems.

Given the very recent--almost pre-presidential "test-run"--nature of the King County on-site, election-night tampering evidence and the lack of any paper trail whatsoever to conduct a possible recount in states with close election results, the legal implications have the potential to be staggering if attorneys from either side press the issues related to paper trails in each state.

According to the two, Diebold says altering its audit log is impossible. But the two election watch-dogs said they actually taught a chimpanzee to delete Diebold's GEMS audit records using an illicit "back-door" to get into the program--which Diebold called a "magic show."

But their acquisition of Diebold's own internal memos shows that the company has known the audit log could be corrupted and changed since 2001.

Harris and Stephenson's web site, **BlackBoxVoting.org**, has videos and files which can be downloaded to view 1) copies of Diebold's GEMS audit log, 2) summary reports now missing from the stamped, dated and signed audit log, 3) election director Dean Logan's press conference just days ago on October 29 where Dean explained why the three hours were missing, and 4) Diebold principal engineer Ken Clark's October, 2001 internal memo titled "Altering the audit log -- *King County* is famous for it."

While Harris' site has been subject to sporadically successful hacking disruptions of late, the evidence is devastating; and will likely interest presidential election lawyers, paralegals and observer-monitors who may be considering legal challenges from both sides of the aisle.

Beverly Harris has placed herself at the forefront of the electronic voting controversy with solid, incontrovertible evidence and analysis: "The only thing protecting King County from electronic rape via remote access on election night (in September) was the so-called secrecy of the access phone number," she said.

But Harris and Stephenson found the secret number in the trouble slips and could have hacked the King County election themselves; but instead, Harris warns all county supervisors in today's presidential election to "disconnect those modems. If you don't: You gotta' be replaced."

The grandmother from King County, Washington and her right-hand man, Andy Stephenson, may have set the stage for a presidential election challenge and citizen rebellion never before seen in this country--no matter which side wins.

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