

Electronic Voting: Clinton Beats Exit Polls

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Column: Jonathan Simon and Bruce O'Dell

CLINTON BEATS EXIT POLLS BY WIDE MARGIN *IN EVERY STATE*

The Democratic Primaries 2008:



“As long as I am counting the Votes, what are you going to do about it?”
Boss Tweed (by Thomas Nast)

Managing Electoral Dynamics via Covert Vote-Count Manipulation

When the 700,000 plus absentee count was announced when in-person voting began, Obama had “436,034 to 303,276 for Clinton, or 59% to 41%, an 18% margin. But by the time the counting was done the next morning, Clinton had a 51% to 48% victory.”

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Summary Statement

We present evidence supporting the hypothesis that systematic attempts are being made to manipulate the results of the 2008 Democratic presidential nomination contest, through overt means such as crossover voting by non-Democrats, and through covert means targeted at the electronic vote tabulation process itself. The net effect has been to prolong the nomination battle and sharpen its negativity, thereby boosting the prospects of the Republican nominee and making more plausible his “victory” in November—either by an honest count or through continued exploitation of the proven security vulnerabilities in American voting systems.

Introduction

Perhaps John McCain is, as Humphrey Bogart says of the young Bulgarian who wins the money for his family’s exit visa at the roulette table in Casablanca, “just a lucky guy.” Lucky that the Democrats find themselves locked into a protracted

primary season inexorable in its dynamics and increasingly destructive in its impact. Lucky that Hillary Clinton has been magically revived each time she has found herself on electoral life support, to assume a position just far enough behind Barack Obama to be induced to resort to desperate measures and increasingly-negative ads, yet not so far behind as to be forced to bow out. Lucky that dynamics ostensibly out of McCain's control have combined to give him such material assistance.

Perhaps. But there is compelling evidence that something other than luck is at work. With 82% of Americans polled convinced the nation is on the wrong track, self-destruction by the Democratic Party is the only remaining credible means by which, come 2008, the GOP could sustain the perpetual rule envisioned by Karl Rove. (Rove, of course, has hardly retired and is now working from home, beyond the reach of the mandatory email backup system installed at the White House just before he left to "spend time with his family.") The goal of Democratic Party self-destruction in 2008 could most reliably be brought to pass by one progression of events, one choreography: if a candidate, Hilary Clinton, known for her sense of entitlement, lifelong ambition, tenacity-and willingness to go negative-could be placed and kept in a desperate but not quite hopeless position; the result would follow, quite predictably.

What the mainstream media have now set up and trumpeted as an epic "blood feud" in the Democratic Party, whether or not it *actually* undermines the party's prospects in November, will certainly pre-establish a plausible "explanation" for the defeat of whoever the Democratic nominee turns out to be. The same is true for US Senate and House races, where Democrats are heavily favored to expand their majorities, given the large number of open seats this November that were formerly held by Republican incumbents and a string of recent special election victories. But Democratic congressional candidates in both houses are arguably now facing the prospect of *negative* coattails. By setting the stage for post-election "spin" for the Presidential and congressional races in November, any outcome-determinative electoral manipulations would become much less "shocking", and that much less likely to trigger investigation and ultimate detection.

This jaundiced overview of the Democratic primary season[1] is unfortunately supported by a body of evidence that goes well beyond the odd anomaly or two. When we examine-as the media has steadfastly refused to do-the numbers and disparities discovered in a parade of key states that determined the path the Democratic contest has taken to date, we find a telling pattern. This pattern is consistent with a tactical manipulation of the primary election vote counts in the service of the strategic choreography alluded to above: keeping Clinton in the race and desperate.

There are sound reasons why the Clinton campaign itself is not among the suspects: if Clinton's campaign or supporters had the capacity and the will to alter election outcomes, it is reasonable to conclude that she would have won, or at least be ahead in, the race; and the ownership and operation of electronic voting equipment remains almost exclusively in the secretive hands of vendors (Diebold/Premier, ES&S, Hart, and Sequoia) with avowedly right-wing Republican political sympathies.

Our examination includes the Democratic primaries in the following key states: New Hampshire, Massachusetts, Rhode Island, Texas, Ohio, and Pennsylvania, each of which had surprising and unexpected results. In each of these critical elections there was a significant pro-Clinton disparity when comparing pre-election surveys and Election Day exit polls against the official vote counts.

1/8/08: New Hampshire

This was the first of the "must-wins" for Clinton. She went into **New Hampshire** on the heels of an embarrassing third-place finish in Iowa and a 20%+ defeat in Wyoming, had lost momentum, and was trailing by substantial margins in *every* pre-election poll in the Granite state (the range was from 5% to 13%, with Obama's and Clinton's internal polling *both* also showing a double-digit Obama margin). Observers consistently reported Obama rallies that were far larger and more enthusiastic. There was no sign of a Clinton groundswell. Yet on Election Night the voters apparently changed their minds, and gave her a 3% victory.

The media pundits scratched their collective heads and scrambled to explain this stunning reversal, which would have been remarkable enough if it had been a double-digit shift from a *single* reputable tracking poll, but was truly staggering when viewed against the backdrop of the entire phalanx of tracking polls. There was palpable grasping at straws-but never even a hint that perhaps the polls had it right and something was wrong with the vote counts.

Nor was there a mention that the first posted National Election Pool (NEP) exit poll had Obama *ahead* 39.4% to 38.1%, while earlier unposted NEP exit polls put Obama further ahead. The first posted exit poll was already weighted to a carefully calibrated demographic profile of the electorate, and therefore as reliable an indicator of voter intent as is available. Indeed, that first-posted exit poll may already have been partially adjusted toward conformity with the incoming vote counts, thereby *understating* the apparent exit poll-vote count disparity. That exit poll was largely spot-on for the other candidates; only Clinton and Obama's exit poll numbers shifted significantly as votes were tabulated.

The mainstream media also did not mention the extraordinary disparity between votes that were counted by hand (Obama + 6.5% head-to-head with Clinton) and those tabulated by computerized optical scan devices (Clinton + 5.5% head-to-head with Obama). Although the counting method (machine vs. hand) was not strictly homogeneously distributed throughout the state, neither was it clustered in such a way that would readily explain the huge statistical disparity in results.

When considering *benign*

reasons for such surprising and unexpected outcomes, conventional explanations all begin and end with the unquestioned belief that the computerized vote counts are *valid*. Quite an assumption in light of the parade of anomalies, disparities, and machine failures witnessed nationwide since the advent and proliferation of computerized vote counting. Official election results are assumed valid, even though the votes are tabulated by secret software[2] concealed on memory cards immune to inspection and under the strict proprietary control of an outsourced corporate vendor; in New Hampshire, the vendor is LHS, about which unanswered questions abound.

In an on-going epilogue, the New Hampshire primary remains under scrutiny. Investigators are amassing detailed evidence of pervasive mistabulation, focused in certain counties. On the Democratic side, there were an alarming number of polling sites reporting more votes than voters. Recounting was rendered effectively useless by a nonexistent chain of custody, which permitted more than ample opportunity for ballot substitution and revision. Memory cards were reported as having been erased and were never made available to investigators. Even something as basic as a reconciliation of the number of ballots delivered to number of ballots voted, spoiled, and uncast was lacking. Nor was there reconciliation of number of voters checked in at the polls to number of ballots cast.

At this first critical turning point in the Democratic contest an Obama victory would have, in the view of most analysts, effectively ended Clinton's campaign. That victory-augured in pre-election polling, exit polls, and hand-counted ballots-vanished into the black box scanners provided by Diebold and programmed by LHS. Instead, Clinton was credited with a stunning comeback, given new life, and the nomination battle continued.

2/5/2008: Super Tuesday

Super Tuesday was essentially a standoff, each candidate doing what was necessary to remain viable. There were, however, several exit poll-vote count disparities far beyond the expected margin of error, each involving a shift toward Clinton.

In **Massachusetts**, another LHS state like New Hampshire, the shift was a whopping 15.5%, turning a projected narrow Obama victory into a 15% Clinton rout. In **Arizona**, site of some of the most dubious counting antics over the past several election cycles, the pro-Clinton shift was 11%, again reversing the outcome. And in **New Jersey**, where machines are currently under high scrutiny supported by a court order, the shift was 8.6%. Each of these shifts was well beyond the margin of error of the respective polls. Each resulted in shifts in delegate count to Obama's detriment, as well as the loss of two victories that would have put a very different complexion on the outcome of Super Tuesday as a whole. The overall effect was, again, to maintain Clinton's viability.

3/4/2008: Ohio, Rhode Island, Texas

In the weeks following Super Tuesday, Obama racked up a succession of impressive wins-including *every caucus state*, where vote counting is often face-to-face, and subject to greater scrutiny. As a result he pulled well ahead in the delegate count, and began to take on the mantle of inevitability.

Once more, pundits were calling the race all but over, and **Texas** and **Ohio** were often described as Clinton's last stand. She needed wins in both states, it was flatly stated, to continue in the race. Even Clinton's own campaign conceded as much. In the weeks before the election, Obama had closed an initial gap in both states and was running even or ahead in pre-election polling.

Ohio

In Ohio once again we are confronted with a discrepancy between exit polls and official tallies. The initial published exit poll, posted shortly after poll closing, showed a 3% Clinton margin (51.1% to 47.9%), while the final official vote count showed a 10% Clinton margin (54.3% to 44.0%). This disparity was well outside the exit poll's margin of error. The official vote count was also a significant departure from a compendium of pre-election polls, which showed Obama gaining ground and approaching equality.[3] Viewed in isolation, Ohio could be explained as a "late Clinton surge" that caught the pre-election pollsters by surprise. Primaries are indeed fluid and volatile, as elections go, and there were reports of organized attempts to encourage Republican crossover voting for Clinton, though the Republican crossover vote may have been less robust than initially reported. It can also plausibly be viewed as another in a succession of "cover stories" (for example, the massive but phantom after-dinner Evangelical turnout offered up by Rove as a factor in reversing the outcome in 2004) that could well provide a relatively benign explanation for more nefarious operations. But instead there was a *parade* of contests in important states in the 2008 nomination battle in which a substantial exit poll-vote count disparity worked in Clinton's favor-including New Hampshire, Massachusetts, Illinois, New Jersey, Arkansas, Arizona, California, and now Ohio and, as we will see, Texas

and Rhode Island.

In contrast, we have observed to date no battleground state primary with a significant[4] exit poll-vote count disparity *in Obama's favor*.

Some have invoked the so-called "Bradley effect" to account for this string of disparities. According to this theory, some white voters who would not vote for a black candidate in the privacy of the voting booth are "shamed" into indicating to pollsters (i.e., in public) that they chose that candidate. But research into the Bradley effect has established that it is, at best, an inconsistent and relatively rare phenomenon, very unlikely to account for such a pervasive pattern as identified above. It is only if one is unwilling to consider any possibility of computerized vote mistabulation that such superficially plausible theories as the Bradley effect take their place in the front of the line of explanations.

Rhode Island

The exit poll-vote count disparity in Rhode Island was 14.1%; the exit poll posted after poll closing had Clinton up 4.1% (51.6% to 47.5%) over Obama, yet the official vote count had Clinton up 18.2% (58.8% to 40.6%). This is *far* outside the exit poll's margin of error, and on a par with the similarly perplexing and bizarre 15.5% disparity favoring Clinton in Massachusetts on Super Tuesday. It is reasonable to ask, if exit polls are this far off, why bother exit polling? (Or perhaps just as reasonable to ask, if vote counts are this far off, why bother voting?)

Texas

In Texas there was a relatively modest 4% discrepancy between the first posted exit polls and official tallies-in the usual direction and larger than the margin of error, and also in this case, withheld from the public until more than an hour after poll closing. While most primary exit polls are posted a few minutes after the polls close, an hour's delay enables ample opportunity for adjustment of exit polls toward conformity with the incoming vote count, and so the posted exit polls may understate the magnitude of the discrepancy. But the disparity in Texas between early voting results vs. Election Day in-precinct voting was of staggering proportions that seemed to defy explanation. The earliest returns posted on network websites showed a total of approximately 740,000 votes cast in the Democratic primary *with 0% of precincts reporting*. This was the early/absentee vote tally, which in some states is tabulated and available for release immediately upon poll closing. Obama's vote at that point was 436,034 to 303,276 for Clinton, or 59% to 41%, an 18% margin. But by the time the counting was done the next morning, Clinton had a 51% to 48% victory . . . a whopping 21% margin reversal.



Obama addressing a crowd of 20,000 in down town Austin, Texas.

How did his 59%-41% lead in absentee votes collapse so quickly? Was there something about absentee voters that caused them to give Obama an 18% margin?

What was even more stunning, however, was that Clinton had caught up to Obama before even a quarter of the election day vote had been tallied: with 23% of election day precincts reporting and almost exactly as many at-precinct votes as early votes counted, the overall count stood at Obama 711,759, Clinton 711,183 (49%-49%), a dead heat. To catch up so quickly and produce those numbers, Clinton had to win the at-precinct vote in that quarter of Texas precincts by 59% to 41%... *an exact reversal* of the early voting Obama landslide.

What we saw in Texas were essentially *equal and opposite landslides*, as if we were observing two not only separate but radically divergent electorates, one that chose to vote early and one that chose to go to the polls. The early voting period in Texas extends from 17 days to four days prior to the election. Ordinarily explanations for a divergence of such magnitude, particularly in intra-party contests, would be due to time-critical phenomena such as late-breaking gaffes, scandals, debate blowouts and the like. But there was no such occurrence. During the early voting period the average of 13 pre-election polls

showed Clinton 45.6%, Obama 46.7%. In the three days before the election, after the early voting period had ended, the average of eight polls was Clinton 46.8%, Obama 46.1%, a very modest change and certainly not the 21% mega-reversal displayed by the early voting and at-precinct vote counts.

While there is no obvious explanation for the pattern observed, one hypothesis worthy of investigation is that one set of counting equipment (either early-voting or at-precinct voting) was accessed by malicious insiders and manipulated. If the pattern of pro-Clinton shifts were to hold, the place to investigate first would of course be the at-precinct voting equipment and county central tabulators.

Having won Ohio and Texas, Clinton remained viable but still in dire straits, leading directly to the most polarizing and divisive phase of the nomination battle.

4/23/08: Pennsylvania

In the ‘quiet’ interval during the six weeks prior to the Pennsylvania primary, the effects of Clinton’s revived (but precarious) position had ample opportunity to play out. The Clinton campaign went on the offensive, with the type of personal, negative attacks that both campaigns had previously eschewed. Obama was relentlessly portrayed as elitist and out-of-touch by the Clinton campaign (and by Clinton herself), a depiction the mainstream media began to echo almost as relentlessly. And, sure enough, incidents emerged that played into this depiction—most notably Reverend Wright’s sermons and Obama’s own quote that seemed to both pigeonhole and patronize the working-class voters of Pennsylvania. These were replayed by the mainstream media in an endless barrage of coverage, all keyed to the theme that Obama might be too out-of-touch, and too close to the radical black fringe, to be president.

Obama appeared to successfully counter that round of negative attacks, and it appeared to have little or no impact in his polling support nationwide – nor, indeed, in Pennsylvania. Obama went into the April 23 primary trailing Clinton by 5% or less in pre-election polls, with no late movement to Clinton detected. It was viewed as essential by mainstream media pundits that Clinton win “by double digits” to maintain her viability and pick up the momentum required to win decisive super delegate support.

First-posted exit polls for Pennsylvania reflected pre-election expectations, with Clinton leading 51.6% to 47.8%, a 3.8% margin. By late in the evening, however, with the count mostly in, it was Clinton by 9.4%—close enough for the morning papers, networks, and websites to lead with Clinton’s “double-digit” win.

As with New Hampshire, Ohio, and Texas, there was a wide range of irregularities, glitches, and vote suppression incidents reported. Again, an exit poll disparity beyond the margin of error. Again, a departure, in the familiar direction, from the range of pre-election polling. And once again the final result was that Clinton received just enough to sustain her campaign, her “double-digit” victory, courtesy of a generous round-off.

The Upshot

Just as with a spaceship’s carefully-calibrated mid-course corrections that make an ultimate difference of millions of miles, it does not take much to radically change the course of a multi-election political contest. A few quick bursts from the retrorockets at the right moment(s) will do the trick.

Of course the dynamics of a campaign can change *legitimately*, as a result of the thrust and parry process, exposure of weaknesses, refutation of apparent inevitability, etc. But the shift in dynamics of the 2008 Democratic nomination contest strongly correlated with a string of election results that raised serious red flags *independent* of their impact on the race. Glaring discrepancies far beyond the margin of error of exit polls and pre-election polls, and the confounding of the expected electoral dynamics, produced results that had the precise impact of prolonging and intensifying the nomination battle. Had the primary election results jibed with those independent measures and expectations, it would long since have been wrapped up.

Anyone actually in a position to take advantage of the vast array of security vulnerabilities in the computers that run our elections would have an obvious interest in remaining undetected. The safest path would be to take only what you need to achieve your bottom-line goal, and not one vote more. Anything beyond adds risk without reward. Thus, in keeping with our hypothesis that the fundamental goal of primary contest electoral manipulation was to create “plausible defeatability” for the Democratic ticket in November, we would expect little additional manipulation in the last stages of the Democratic contest. It is apparent that an Obama defeat in November (and more extensive Democratic losses in down-ballot races) can be spun as a plausible consequence of the intra-party strife that has already been depicted as weakening the party and its nominee, and of apparent Obama weaknesses exposed in the course of the grueling nomination battle. With such a cover story safely in place, even an against-the-odds Republican “victory” in November could be successfully spun and sold to the candidates, their parties, the media, and the voters.

The “mystery adjustment” factor in polling

One final observation concerning the pre-election polling that sets expectations for candidates, the mainstream media, and the voters themselves. We are deeply concerned that these polls too paint a false backdrop against which the signs of computerized electoral manipulation by insiders will appear diminished in magnitude over time, or even disappear. The reason for this concern is obviously not that the fraternity of pollsters is knowingly acting to support or conceal systematic computerized electoral manipulation, but rather that pollsters simply cannot expect to stay in business if they consistently fail to predict the “actual” electoral results. The worst problem for a pollster is to be consistently “off” *in the same direction*. Put another way, pollsters are not paid for achieving some abstract statistical purity but rather for accurate predictions-however achieved.

If one places oneself in the position of a pollster who, time and again, is faced with results that are, say 6 – 8% more Republican than their predictions, or shifted in the direction the right wing would desire, it becomes clear that one would begin making a “mystery adjustment” to whatever data emerges from a clean survey methodology. Such an adjustment can be easily generated by changes in demographic weighting that can at least in part be justified by reliance on data emerging from previous elections, themselves manipulated. Call it a fudge factor if you will, but it keeps the pollster in business while failing to make such a correction would be professional suicide.

By way of corroboration of this phenomenon, in public dialogue with a major-party polling consultant the following shocking admission was made: if the Democratic candidate is not leading by 10% going into the election in their *internal* polling, *they expect the race to be a toss-up*. This internal candidate polling is-unlike polls published for public consumption-intended to paint a ruthlessly *accurate* picture of contest dynamics to help the party prioritize expensive get-out-the-vote drives and last-minute media blitzes. The fact that even major-party pollsters must adjust their own results to account for the “mystery swing” to the right is a strong indication that much the same distorting protocol is already being employed in public pre-election polling.

When manipulated elections serve as the calibration tool for pre-election polling, we lose yet another independent check mechanism on the official computerized vote tabulation process. This only deepens the crisis.

Conclusion

Election theft is certainly hard to prove, with virtually all hard evidence withheld as proprietary; and even well-supported allegations by credible journalists, computer scientists, security professionals and election integrity activists are given a wide berth by both the mainstream media and the established political powers of both major parties.

Yet, even with the limited tools at our disposal, we keep discovering evidence-in pre-election polls, exit polls, and published election results –that is consistent with a pattern of widespread covert manipulation of vote counts.

We will continue to investigate and report these anomalies until a thorough and unblinking investigation of suspicious results is undertaken by those in position to collect the additional evidence needed to establish incontrovertible proof. But since many of those in the best position to investigate election anomalies are themselves elected officials, our best hope may be to follow the recent example of Ireland and the Netherlands-dispense with voting computers, and simply count our own paper ballots by hand.

ENDS

[1] There were significant oddities on the Republican side as well, beyond the scope of our analysis here.

[2] Remarkably enough, we know with certainty that the precise model of optical scan voting equipment in use in NH, Diebold Accuvote OS Model 1.94W, is vulnerable to outcome-altering manipulation by insiders. A live demonstration on that very Diebold model was captured in the HBO documentary “Hacking Democracy”.

[3] See

[4] In this case significant means “larger than the exit poll margin of error”.

[5] Weighted, 1421 respondents, approximate margin of error 3%

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