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Ohio's voting machines are now an official crime scene

by *Bob Fittrakis and Harvey Wasserman*
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At least 15 touch-screen voting machines that produced improbable numbers in Ohio's 2006 statewide election are now under double-lock in an official crime scene. And the phony "Homeland Security Alert" used by Republicans to build up George W. Bush's 2004 vote count in a key southwestern Ohio county has come under new scrutiny.

The touch-screen machines were locked up after Ohio's new Democratic Secretary of State, Jennifer Brunner, tried to vote last fall. On November 6, she spotted a gray bar with the words "candidate withdrawn" in a slot where the name of Democrat Jay Perez should have appeared. Her husband, voting nearby, told her Perez's name did appear, as it was supposed to, on his machine.

Perez had been a candidate in the race for Franklin County Municipal Judge. He withdrew his name after the county had finalized its ballots. But it now appears the ES&S machines left his name on some machines but not on others. Perez, a Democrat, wanted to avoid playing a spoiler in the race. But the appearance of his name on some machines may have helped Republican David Tyack win.

Brunner now worries that the state will never find out what happened. County election officials ordered the Ohio Bureau of Criminal Identification and Investigation to seize the machines. Ohio Attorney General Mark Dann is conducting an investigation that may cost the state \$48,000. Brunner recently told WVKO 1580AM radio: "When you're talking about democracy, it's priceless." In another interview with the Columbus Dispatch, Brunner noted "This is a huge problem. There is great concern that not every voter has the same ballot."

Ironically, Brunner requested a paper ballot in the March 4, 2008, primary, but a poorly trained poll worker gave her a provisional ballot instead. Two other staffers from her office were also given the wrong ballots. Brunner has since pledged to upgrade the training for Buckeye State poll workers.

Brunner further announced that she's banning the practice of so-called "sleepovers" where poll workers take the programmable and easily hackable voting machines home with them overnight prior to an election day.

Brunner succeeded Republican J. Kenneth Blackwell as Ohio's Secretary of State. She has vowed to make sure the Buckeye State does not repeat the experience of 2004, when Blackwell choreographed the theft of Ohio's 20 electoral votes for George W. Bush, giving him a second term in the White House. Since taking office Brunner has vowed to shift the entire state to voting on paper ballots, a move being fiercely resisted by numerous Republican-controlled Boards of Elections throughout the state. Thus far Brunner has forced the resignations of BOE chairs in two of Ohio's most populous cities, Cleveland and Columbus.

Matt Damschroder was removed as Franklin County Board of Elections Director on the Sunday prior to Ohio's 2008 primary election. Damschroder was previously suspended for a month without pay for accepting a \$10,000 check from a voting machine salesman at the BOE building. The check, made out to the Republican Party, was delivered on the day the state's contracts for electronic voting machines were open for bidding. Damschroder was former chair of the Franklin County Republican Party and the state's leading foe of paper ballots. "Damschroder was very opposed to paper ballots and was stoking the fire against them," Brunner told WVKO.

Dennis White, the new director of the Franklin County BOE was skeptical of the masking problem, but says if it happened, "it's huge. We have a federal election coming up this November," according to the Dispatch. White, who admits to having little knowledge of computers, is the former Ohio Democratic Party Chair.

That election may once again hinge on Ohio's vote count. In 2006, Franklin County officials failed to conduct mandated tests on each machine, instead testing only one machine per precinct on a random bases. A report by SysTest Labs, a Colorado consulting firm, confirmed that what Brunner saw on her machine was "exactly what you'd see if someone masked a name," the Dispatch reported.

Investigators also found that the "audit logs" on the voting machines were turned off by

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a board programmer in April, 2007, which has hindered investigators from reconstructing software changes. White says the vendor told a board employee how to disable the auditing system, allegedly to speed programming. Brunner said other vendors told her that "You're never supposed to tell a (client) how to do that."

In the primary this past March, the BOE allegedly did test all Franklin County's machines. But some counties ran out of Democratic paper ballots as an influx of apparently Republican and Republican-leaning independents flooded the polls, apparently to vote for Hillary Clinton.

Meanwhile, the Cincinnati Enquirer has reported that a "casual conversation" between a "friendly" FBI agent and the county emergency services director in a parking lot may have contributed to the phony Homeland Security alert that prompted the Warren County BOE to lockdown the vote count in the 2004 election. The BOE declared the emergency and then moved the ballots from the publicly designated vote center to a nearby unauthorized warehouse. They also barred the public and media from witnessing the counting. Warren County, which is outside Cincinnati, then gave Bush 72% of the official vote count, far exceeding expectations. With neighboring Butler and Clermont Counties, Warren gave Bush a margin of 140,000 votes, which exceeded the 119,000 margin by which he allegedly won the election.

The Enquirer reports that "hundreds" of e-mailed complaints poured into the county BOE after the election, including one from an angry voter in the United Kingdom. "Stop destroying our democracy," said one voter from South Carolina.

The Free Press has previously reported that Warren County BOE employees were told on the Thursday prior to the 2004 election day, that there would be a Homeland Security threat on election day. An examination of the ballots by a Free Press investigation team uncovered numerous irregularities in the Warren County vote that helped give Bush the presidency again.

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Bob Fittrakis & Harvey Wasserman co-authored HOW THE GOP STOLE AMERICA'S 2004 ELECTION & IS RIGGING 2008 (www.freepress.org) and, with Steve Rosenfeld, WHAT HAPPENED IN OHIO from New Press.

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