



Defend Democracy:

A Handbook to the 2004 Presidential Election And the Constitutional Protest

Compiled by ReDefeatBush – website at <http://www.redefeatbush.com>
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We are a partisan Democratic group, independent and publicly supported by donations. We need your support to continue our work defending the Constitution, in 2005 and beyond -- supporting the right of everyone to vote, and to have their vote accurately counted.

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“Yes, we’re Democrats -- but with this work we haven’t got our blue hats on. We’ve got our red-white-and-blue hats on here, our Pledge of Allegiance hats, our 7th Inning Stretch hats.

We just want people’s votes to be counted right, and we think that patriotic Democrats, Republicans and Independents can agree on that Constitutional principle.”

David Lytel
Peter Deutsch
Michael North

January 6, 2005

Additional material at <http://www.mediasense.com/defenddemocracy/>

Defend Democracy!

Support the Challenge of Electors on January 6th

*Cowardice asks the question: Is it safe?
Expediency asks the question: Is it politic?
Vanity asks the question: Is it popular?*

But conscience asks the question: Is it right?

*And there comes a time one must take a position that is neither
safe, nor politic nor popular... but one must take it simply because it is right.*

-- Martin Luther King



Despite the silence of the news media, there are considerably more reported cases of vote suppression, fraudulent vote casting and fraudulent vote counting than George W. Bush's reported "victory" in Ohio. In all likelihood the surveys of voters as they left polling places on election night that showed Kerry winning the popular vote by a 3% margin are closer to the truth than the numbers being reported by state and local Republican elections officials in Ohio, Florida and other states.

There is overwhelming evidence that the misadministration of the election was not random:

- **NEVADA:** A firm run by former Arizona Republican party and Christian Coalition director Nathan Sproul, working as a contractor to the Republican National Committee, discarded registration forms received from citizens who did not register as Republicans, according to a number of former employees. The scale of this illegal activity may have been sufficiently large to have turned Nevada for Bush, who is credited with having won the state by only 21,567 votes. Nevada state election officials are investigating and the firm is also under investigation by the Oregon state attorney general. The firm has allegedly also performed voter registration drives on behalf of the GOP in Pennsylvania, Minnesota, Michigan, Ohio, West Virginia and Florida and may have engaged in the same vote suppression tactics in those states.
- **FLORIDA:** Volusia County and other counties destroyed the original records that show who showed up to vote on election day. The most likely explanation is that it is an attempt to cover up ballot box stuffing. In numerous Florida counties the number of people signing the registry and the number of recorded votes on the machines do not match.
- **OHIO:** Warren County closed its vote counting to outsiders on the advice of the Federal Department of Homeland Security, which identified this obscure Cincinnati suburb as one of Al Qaeda's principle targets. Osama Bin Laden's interests in Warren County are obscure, but George W. Bush's interests are clear. Warren County was the single most important county in the nation to Bush- the last county in Ohio to report its results, which alone provided almost a third of Bush's statewide "victory margin." While Democratic voter registration in the county gained by a third and Republican registration fell by a fifth over 2000 and his performance statewide worsened, in Warren County Bush's vote totals went up.
- **NEW MEXICO:** Massive voter suppression on a scale not seen since the era of the Ku Klux Klan was used to keep Hispanic voters from the polls and secure a bare 6,000 vote victory for Bush, despite the greater success the Democrats had in registering new voters.

The breadth and scale of this activity far surpasses normal partisanship and puts it into the territory of illegal activity. And none of it passes the simple test of randomness -- it is literally impossible that chance alone could provide errors that all point in the same direction -- favoring Bush.

We do not have to suffer another four years of an illegitimate presidency. The Constitution and Federal law set out how to challenge suspect electoral votes. We participated in the drafting of the written Challenge in 2000, and unless Senator Kerry actively announces that he "accepts" a fraudulent election on our behalf there will be a Constitutional Challenge of the electoral votes of as many as four other states on January 6th in the U.S. Capitol. Please help us expose the treasonous conspirators behind the unlawful theft of the presidency with your contribution. We have **Rallies for the Republic today in Boston, tomorrow in San Francisco**, a massive rally in **Upper Senate Park on Thursday at noon**, and have a number of lawyers and investigators at work drafting components of the written challenge. Unless we draw the line right now, we will repeat the experience of 2000 -- no investigations, no indictments, no convictions and more fraud the next time. Please help us fight to defend the rule of law, which must be restored if our republic is not to bleed to death from the loss of legitimacy.

-- David Lytel for ReDefeatBush.com

Please help us pay for the lawyers, investigators, rallies and other activities we've contributed to the Constitutional Challenge by making a donation at www.redefeatbush.com/donate or mail your contribution to ReDefeatBush, PO Box 65075, Washington DC 20035

Authorized and paid for by the Committee to ReDefeat the President, a federal PAC. If you wish to contribute more than \$5,000 you may contribute instead to the Robert Morris Fund at the same address. Contributions are unlimited.

<input type="checkbox"/> YES! I will help you with the costs associated with pursuing the Constitutional Challenge with vigor and determination.	Name _____	The Committee to ReDefeat the President is a Federal political action committee. Contributions are not tax deductible. You may not contribute if you are under 18 years of age, if you are not an American citizen or resident alien, if you expect to be reimbursed for this amount by your employer or any other person or entity, if you are a federal contractor or if these funds are coming from the general treasury of a corporation, labor organization or national bank.
<input type="checkbox"/> NO! You people need to get over it because God wants George W. Bush to be the president even if he got fewer votes than his opponent again.	Address _____	
<input type="checkbox"/> You may use this form or contribute online at www.redefeatbush.com/donate Our mailing address is P.O. Box 65075 Washington, DC 20035.	City _____	
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	Email _____	
	Occupation _____	
	Employer _____	

From Kiev to Columbus: Why We Doubt Bush's Claim of Victory

© 2004 By David Lytel

Last week people all over Ukraine poured into Kiev to protest dishonest vote counting in their presidential election. Exit polls, so trustworthy they are used worldwide to uncover election fraud, showed the opposition candidate had won, and the people didn't believe the news when it reported the government's surprise victory.

To those of us who doubt Bush won the election in the U.S. the key differences between here and Ukraine are the methods of fraud and the passivity of the press. Here the party in power used unverifiable computerized voting¹ to boost its totals and intimidation and misinformation² to suppress the vote totals of its opponents, but the news media won't report it.

The recounts by the Libertarian and Green parties in Ohio and by the Nader campaign in New Hampshire are not being covered by the commercial news media, despite being underway for more than two weeks, and that's not even the most consequential story the national press has not yet seen fit to print.

In Franklin County, Ohio Secretary of State and Bush campaign official Ken Blackwell distributed voting machines so that Republicans could vote efficiently, while ensuring that Democrats had to give up hours of their time waiting in line, thus reintroducing a poll tax that the Constitution forbids. Blackwell did the same to elsewhere. One polling place under court order to permit everyone in line to cast their vote sent them all home at midnight since the order applied only to Election Day itself.³

Warren County, Ohio, closed the vote count to outside observers on the advice of the Federal Department of Homeland Security.⁴ This county in suburban Cincinnati is of no interest to Al Qaeda but it is the single most important county in the nation to Bush's re-

¹ On the inability to verify either the procedures used or the results generated see <http://www.blackboxvoting.org>, and <http://www.verifiedvoting.org> or if you prefer to view a short film see <http://www.votergate.org>

² The best source on this is <http://ohvotesuppression.blogspot.com> although the Election Incident Reporting System run by the Election Verification Project currently lists 25,912 incidents nationwide with 2,580 in Ohio, third behind PA and FL: <https://voteprotect.org/epc/index.php?display=EIRMapNation&tab=ED04> The minority members of the House Judiciary Committee, in requesting a GAO investigation, say they have received more than 57,000 specific incident reports: <http://www.commondreams.org/news2004/1123-13.htm>

³ An overview at <http://www.freepress.org/departments/display/19/2004/917> and the Temporary Restraining Order issued by the U.S. Court of Appeals for the Six Circuit forcing Kenneth Blackwell to provide paper ballots for everyone in line at 7:30 PM, violated by dismissing the voters after midnight: http://216.239.39.104/search?q=cache:pKbOJwHH7OMJ:moritzlaw.osu.edu/electionlaw/analysis/110304b.htm+Ohio+7:30+election+Blackwell+waiting+line&hl=en&start=4&lr=lang_en and the source for the story that voters were given provisional ballots to take home with them to bring back later, resulting in their votes not being cast:

http://www.democraticunderground.com/discuss/duboard.php?az=view_all&address=203x57214

⁴ http://www.enquirer.com/editions/2004/11/05/loc_warrenvote05.html

election, having produced almost a third of his statewide margin.⁵ Democratic registration improved by a third from four years ago, while Republican registration dropped by 10%. Bush's performance statewide dropped, too, but despite all the arrows in the other direction Bush's vote totals mysteriously increased.⁶

Bush's total increased dramatically over four years ago in the 26 Florida counties using Diebold optical scan equipment. Democratic performance plummeted everywhere Diebold equipment counted votes.⁷

Multiple counties in these states recorded more votes than there are registered voters.⁸

Exit polls nationwide showed more voters casting ballots for Kerry than for Bush, but instead of explaining the accuracy of exit polling and the dubious trustworthiness of the voting machinery the commercial news media has refused to investigate.⁹

About 70% of Ohio's voters cast punch card ballots.¹⁰ The recount may undermine Bush's very narrow victory in Ohio. In New Hampshire we'll learn if voting equipment manufactured by corporations openly in Bush's camp gave him a bonus. All these "glitches" and "irregularities" nationwide and not one improperly credited votes to Senator Kerry? What are the chances of that being random?

Finally, we deserve an investigation because there are so many of us. According to a post-election Harris Poll, 38% of Democrats and 37% of people who are not enrolled in either of the two major parties believe there were either "some" or "many" attempts at unlawful vote suppression. The most conservative estimate of the number of Democrats would be 37% of the 128M Americans who actually voted, which is 18M Americans. When we add the independents we get 30.3M Americans who do not trust the legitimacy of our own presidential election. There are about 37M Ukrainians in Ukraine and about half of them are fighting their stolen election, so about twice as many Americans don't believe we had a fair election here.¹¹

We oppose faith-based voting and demand complete transparency in the vote casting and counting. Like Charlie Brown trusting Lucy to hold the football steady enough to kick, the leaders of our party seem determined to ignore both reason and experience. Unless we act the nation will get the same result as 2000 – no investigations, no indictments, and

⁵ Warren County election result and registration archives <http://www.co.warren.oh.us/bdelec/archive.htm>

⁶ Ohio statewide 2004 results <http://election.sos.state.oh.us/Results/RaceSummary.aspx> and historic results at <http://www.sos.state.oh.us/sos//results/index.html>

⁷ Best analysis of the explanations of the degree of variance between voting technologies in use in Florida is <http://ustogether.org/election04/FloridaDataStats.htm> based on original data from

⁸ For example, for the now-legendary Bush bonus in Gahanna County OH that was so large it was obvious, see <http://www.onnnews.com/Global/story.asp?S=2524952> and on the mysterious undervotes of Dayton see <http://www.daytondailynews.com/localnews/content/localnews/daily/1118undercount.html>

⁹ CNN's exit polls, now corrected post-election to be consistent with the results on the voting machines <http://www.cnn.com/ELECTION/2004//pages/results/states/OH/P/00/epolls.0.html>

¹⁰ The Cincinnati Post says 75% <http://www.cincypost.com/news/2000/ohvote120500.html>

¹¹ See the letter from Lytel to Gross with details on this analysis

no convictions and more fraud. Like the aggrieved citizens of Kiev, we'll be at the State Capitol in Columbus on Saturday demanding fair elections, since we suspect that if the votes had been tallied honestly we would be preparing the inauguration of the candidate who authorities with a huge stake in the outcome tell us lost the election.

David Lytel is the founder of ReDefeatBush.com, a federal PAC.¹² He served in the White House Office of Science and Technology Policy during the first Clinton Administration¹³ and will be speaking at the rally for honest elections in Columbus Ohio on Saturday.

Word count 803

¹² FEC # C00389890, most recent financial report http://query.nictusa.com/cgi-bin/com_detail/C00389890/

¹³ Clinton White House Web site http://clinton1.nara.gov/White_House/Keepers/html/Keepers.html

Defend Democracy 1/6/05

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Four Years More: Constitutional Challengers with Experience

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Author	Message
<p>David Site Admin ★★★★★ </p> <p>Joined: Nov 21, 2003 Posts: 36 Location: DC</p>	<p>Posted: Sat Dec 25, 2004 4:46 pm Post subject: Four Years More: Constitutional Challengers with Experience quote</p> <hr/> <p>Four years ago Bob Fertik, Michael North and I -- working together in Democrats.com -- hired attorney Mark Levine to draft what we believe was the first written challenge of electors under the Federal law passed after the disputed Tilden v. Hayes election in 1876. You may review the challenge in 2000 at http://www.redefeatbush.com/briefing since this year's challenge is likely to greatly resemble it in terms of its format and its constitutional arguments. The other thing you're going to want to look at is the statute that sets out the process, which is at http://www.redefeatbush.com/downloads/TITLE_3_USC_Sec_15_to_18.pdf It gives extremely precise rules that give every Member 5 minutes to talk on each state challenged up to two hours, and requires that if no resolution can be found within 5 days the Congress must remain in continuous session until the matter can be resolved. If possible, let's keep this discussion section on the process of conducting a challenge.</p> <p>For me, re-reading the procedural rules brings two things to mind. First, Congress in general and the House in particular ranks somewhere between awful and abysmal when it comes to assigning particular points to be made briefly and cogently by several Members working together. There is no designated prosecution team to whom the other Members can cede their time and defer to their superior knowledge and preparation. This makes it extremely difficult to build and present a cogent case. The other thing that I was reminded of is that each challenge of a state's electoral votes must be resolved before the two houses may reconvene and return to the alphabetical rollcall. This means that Florida will be considered first and that if we raise Indiana and North Carolina that those challenges would have to be conducted before Ohio. So if we are going to challenge more than one state the debate will almost certainly be pushed into a second day, and perhaps a third one. This might not give us a substantive victory, but right now I think most of us would consider it a pretty substantial symbolic victory. I wouldn't rest with that, of course, but it wouldn't be an unwelcome outcome, I don't think. What do you think?</p> <p>-- David Lytel</p> <p>Founder, ReDefeatBush</p> <p>profile pm email AIM YIM msnim</p>
<p>TateMatthews Guest</p>	<p>Posted: Mon Dec 27, 2004 1:14 pm Post subject: Thank You For the Work You are Doing quote</p> <hr/> <p> I am trying to write as many Congresspersons as I can and use Congress.org since I don't know many and although all my representatives are democrats the Senators don't reply at all to the many letters and petitions I have signed to impeach or refuse to ratify</p>



Come to the Capitol January 6th Learn how YOU CAN show your support for the challenge of Ohio and Florida's electoral votes.

Here are some suggested slogans for signs, which may be sent to either of the FedexYuschenkos locations nearby at 325 7th Street NW or 715 D Street SE to be reproduced, since it is difficult to take signs on airplanes, I know.

Defend Democracy,
Support the Challenge
Restore Legitimacy,
Support the Challenge
American Democracy: It's
Dying to Get Better
At Home in the House but
Homeless in the Senate?
We are the Majority of
the Majority
We, the People
14th Amendment: The
right to vote may not be
"in any way abridged"
Hey Donkey Party: Lead,
Follow or Get out of the
Way!
The Bush Criminal
Syndicate: Leading
Irrelephants Back into the
Wilderness to Wander for
40 Years
Senators: Are Two Houses
and Two Parties Too Much
to Ask?

Lenin Got it, Lennon Didn't

If you say you want a revolution love is not

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Ten preliminary reasons why the Bush vote does not compute, and why Congress must investigate rather than certify the Electoral College (Part One of Two)

by *Bob Fittrakis, Steve Rosenfeld and Harvey Wasserman*
January 3, 2005

The presidential vote for George W. Bush does not compute.

By examining a very wide range of sworn testimonies from voters, polling officials and others close to the administration of the Nov. 2 election; by statistical analysis of the certified vote by mathematicians, election experts and independent research teams who have conducted detailed studies of the results in Ohio, New Mexico, Florida and elsewhere; from experts who studied the voting machines, tabulators and other electronic equipment on which a fair vote count has depended; and from a team of attorneys and others who have challenged the Ohio results; the freepress.org investigative team has compiled a portrait of an election whose true outcome must be investigated further by the Congress, the media and all Americans -- because it was almost certainly not an honest victory for George W. Bush.

Crucial flaws in the national vote count, most importantly in Ohio, New Mexico and Florida, indicate John Kerry was most likely the actual winner on November 2, as reported in national exit polls. At very least, the widespread tampering with how the election was conducted, and how Ohio's votes were counted and re-counted, has compromised this nation's historic commitment to free and fair elections.

On Thursday, January 6, the Electoral College will be challenged by Rep. John Conyers (D-MI) and other members of Congress under a law passed in 1887 in reaction to the fraudulent election of 1876. A fuller investigation requires assent by at least one Senator.

As this vote nears, Ohio's certified presidential vote (and quite likely those of at least Florida and New Mexico) is simply not credible. George W. Bush's 'victory' appears to have resulted from multiple frauds -- a GOP 'do-everything' strategy to win the state that swung the election.

In today's article, we list the top ten glaring flaws in the Ohio vote that have allowed Bush to gather the votes to 'win' the presidency in Ohio with an apparent margin of 118,775 votes - the result from an official recount that manually examined only 3 percent of ballots cast.

This list involves very large totals of uncounted, tainted or fraudulent votes. Taken together, they exceed Bush's margin of victory in Ohio.

These expert analyses are based on state and local Board of Election statistics, U.S. Census reports, and other public documents. They were not conducted with any assistance from John F. Kerry's campaign. All the conclusions presented can be re-checked among the wide range of documents posted at freepress.org under the [Election 2004 department](#). The authors will also respond to specific journalistic inquiries at truth@freepress.org. Additional key sources are specified below.

These flaws involve very large numbers of votes. But they cannot fully explain how the results were recorded on Election Day for one crucial reason: the paper and digital record trail needed to analyze the actual voting has been sealed from public scrutiny by Ohio's Republican Secretary of State, Kenneth Blackwell, who both administered the state's election and served as the co-chair of Ohio's 2004 Bush-Cheney campaign.

Blackwell and other Republican officials continue to discount such criticisms. Blackwell has written that the election ran "smoothly." His office has refused subpoenas requesting him to testify, terming them a form of "harassment." Ohio Republican Party

WE NEED YOUR HELP

Click here to **donate** to the legal effort to **challenge** and **overturn** the Ohio vote

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Chairman Robert Bennett has said that this year's election had "fewer glitches" than previous ones. "We have bipartisan (election) boards and very specific rules and procedures," he says. "To have fraud within the counting process in Ohio, you would have to have massive collusion."

Nearly 85 percent of the state used paper ballots. Most were tabulated electronically – meaning an evidence trail exists, if it has not been destroyed or fatally compromised. But we have reason to believe this destruction has already occurred in a number of Ohio counties, rendering a full recount and audit impossible.

While the anomalies we have found in the Ohio vote are deep and serious, an in-depth study now indicates shocking parallels in New Mexico, which we will discuss in tomorrow's article.

The Bush-Cheney 'do-everything' strategy in Ohio covered a very wide range of tactics, from disenfranchisement of minority voters to discarding of ballots to tampered tabulators and much more.

Taken as a whole, this compendium of error, fraud, cover-up and contempt indicates that this was not a legitimate election, and is not worthy of being certified by the Congress of the United States:

1. More than 106,000 Ohio ballots remain uncounted. As certified by Blackwell, Ohio's official results say 92,672 regular ballots were cast without indicating a choice for president. This sum grows to 106,000 ballots when uncounted provisional ballots are included. There is no legal reason for not inspecting and counting each of these ballots. This figure does not include thousands of people who did not vote, despite intending to do so in Ohio's inner cities, due to a lack of voting machines, having no available ballots, intimidation, manipulation of registrations, denial of absentee ballots and other means of depriving American citizens of their rightful vote.

2. Most uncounted ballots come from regions and precincts where Kerry was strongest. In Hamilton County, 4,515 ballots or 51.64 percent of the uncounted county total, came from Cincinnati, where Kerry won 67.98 percent to Bush's 31.54 percent. In Cuyahoga County, 4,708 ballots or 44 percent of the county total came from Cleveland, where Kerry won all 65 precincts. In Summit County, 2,650 ballots or 48.72 percent of the county total came from Akron, which Kerry won 68.75 percent to Bush's 28.00 percent.

3. Of the 147,000 combined provisional and absentee ballots counted by hand after Election Day, Kerry received 54.46 percent of the vote. In the 10 largest Ohio counties, Kerry's margin was 4.24 to 8.92 percent higher than in the certified results, which were predominantly machine counted. As in New Mexico, where George W. Bush carried every precinct whose votes were counted with electronic optical scanning machines, John Kerry's vote count was significantly lower among ballots counted on Election Day using electronic tabulators.

4. Turnout inconsistencies reveal tens of thousands of Kerry votes were not simply recorded. Systematic mathematical scrutiny reveals that the certified results at the statewide and precinct-to-precinct level display key patterns against a backdrop of implausible results. Most striking is a pattern where turnout percentages (votes cast as a percentage of registered voters) in cities won by Kerry were 10 percentage points or more lower than in the regions won by Bush, a virtually impossible scenario.

In Franklin County, where Columbus is located, Kerry won 346 precincts to Bush's 125. The median Kerry precinct had 50.78 percent turnout, compared to 60.56 percent for Bush. Kerry's lower numbers are due to local election officials assigning more voting machines per capita to Republican-leaning suburbs than the Democrat-leaning inner city – a political decision and likely Voting Rights Act violation. If Kerry-majority precincts in Columbus had a 60 percent turnout, as recorded throughout the rest of the state, he would have netted an additional 17,000 votes.

5. Many certified turnout results in key regions throughout the state are simply not plausible, and all work to the advantage of Bush. In southern Perry County, two precincts reported turnouts of 124.4 and 124.0 percent of the registered voters. These impossible turnouts were nonetheless officially certified as part of the final recount by Blackwell. But in pro-Kerry Cleveland, there were certified precinct turnouts of 7.10, 13.15, 19.60, 21.01, 21.80, 24.72, 28.83 and 28.97 percents. Seven entire wards reported a turnout less than 50 percent. But if the actual Cleveland turnout was 60

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percent, as registered statewide, Kerry would have netted an additional 22,000 votes. Kerry is also thought to have lost 7,000 votes in Toledo this way.

6. Due to computer flaws and vote shifting, there were numerous reports across Ohio of extremely troublesome electronic errors during the voting process and in the counting. In Youngstown, there were more than two-dozen Election Day reports of machines that switched or shifted on-screen displays of a vote for Kerry to a vote for Bush. In Cleveland, there were three precincts in which minor third-party candidates received 86, 92 and 98 percent of the vote respectively, an outcome completely out of synch with the rest of the state (a similar thing occurred during the contested election in Florida, 2000). This class of error points to more than machine malfunction, suggesting instead that votes are being electronically shifted from one candidate to another in the voting and counting stage. All reported errors favored Bush over Kerry.

7. In Miami County, two sets of results were submitted to state officials. The second, which padded Bush's margin, reported that 18,615 additional votes were counted, increasing Bush's total by exactly 16,000 votes. Miami County's turnout was up 20.86 percent from 2000, but only had experienced a population increase of 1.38 percent by 2004. Two Miami County precincts were certified with reported turnouts of 98.55 and 94.27 percent. In one of the precincts this would have required all but ten registered voters to have cast ballots. But an independent investigation has already collected affidavits of more than 10 registered voters that did not cast ballots on Nov. 2, indicating that Blackwell's officially certified vote count is simply impossible, which once again favoring Bush.

In Warren County, in southern Ohio, an unexplained Homeland Security alert was cited by Republican election board officials as a pretext for barring the media and independent observers from the vote count. In Warren and neighboring Butler and Clermont Counties, Bush won by a margin of 132,685 votes. He beat Gore in these counties in 2000 by 95,575 votes, meaning an implausible pickup of almost 40,000 votes.

But Bush's numbers meant 13,566 people who voted for C. Ellen Connally, the liberal Democratic candidate for Ohio Supreme Court Chief Justice, also voted for Bush. In Butler County, Bush officially was given 109,866 votes. But conservative GOP Chief Justice Moyer was given only 68,407, a negative discrepancy of more than 40,000 votes. Meanwhile, Connally was credited with 61,559 votes to John Kerry's 56,234. This would mean that while Bush vastly outpolled his Republican counterpart running for the Supreme Court, African-American female Democrat running for the Supreme Court on the Democratic side outpolled Kerry. By all accounts such an outcome is inconceivable. Again, it indicates a very significant and likely fraudulent shifting of votes to Bush.

8. Democratic voters were apparently targeted with provisional ballots. These ballots require voters to fill out extensive forms at the poll. Under extraordinary rules established by Blackwell these ballots were set to be discarded if even minor errors were committed. Poll watchers in Cleveland and Columbus have testified that most provisional ballots were given to minority and young voters. The same is true with presumed liberal college and university students. In Athens, where Ohio University is located, 8.59 percent of student ballots were provisional. At Kenyon College and Oberlin College, liberal arts institutions, there were severe shortages of voting machines when compared with nearby religious-affiliated schools. Students at Kenyon waited up to eleven hours to vote. Provisional ballots were also required of mostly African-American students at Wilberforce College.

9. Ohio's Election Day exit poll was more credible than the certified result, according to intense statistical analysis. In-depth studies by Prof. Ron Baiman of the University of Illinois at Chicago shows that Ohio's exit polls in Ohio and elsewhere were virtually certain to be more accurate than the final vote count as certified by Blackwell. Ohio's exit polls predicted a Kerry victory by percentages that exceeded their margin of error. Compared to the voter access, voting technology and vote counting problems in Ohio, the exit polls were far more systematic and reliable. Critics of the exit polls' accuracy say too many Democrats were sampled, but a detailed analysis of that assertion shows no credible evidence for it. The stark shift from exit polls favoring Kerry to final results in Florida, Pennsylvania and Ohio all went in Bush's direction, and are, according to Baiman, a virtual impossibility, with odds as high as 150 million to one against.

10. The Ohio recount wasn't random or comprehensive and may have involved serious illegalities. Under Ohio law, 3 percent of the ballots in a precinct are examined by hand. If the numbers match what was counted on Election Day, then the rest of the ballots are

compiled electronically. In many districts, Republican Secretary of State Blackwell chose the precincts to be counted in a partisan manner, weighing the choices toward precincts where there were no disputes while avoiding those being contested. Moreover, there have been numerous confirmed instances where employees of the private companies that manufactured the voting machines had access to the machines and the computer records before the recount occurred. In at least two counties, technicians from Diebold and Triad dismantled key parts of voting machines before they could be subjected to audits for recount. In some counties, vendor companies conducted the recount -- not public election officials. At least one county---Shelby---has admitted to discarding key data before the recount could be taken. In Greene County unrecounted ballots were left unguarded in an unlocked building, rendering the recount moot.

These ten points are among the most serious clouding the electoral outcome in Ohio, but are only part of a larger pattern. Their correlation with similar evidence in New Mexico, Florida and elsewhere gives them added gravitas. Scores of sworn affidavits and the on-going work of teams of attorneys, statisticians and other experts have revealed far more points of contention and suspicion, many of which we will present in tomorrow's article.

The sources used for this report are available at <http://freepress.org>. The statistical analysis was primarily done by Richard Hayes Phillips, PhD. A transcript of his deposition in the election challenge lawsuit detailing these findings can be found at: http://freepress.org/images/departments/Dep_Phillips.pdf. The exit poll analysis was by Ron Baiman, PhD, and a transcript of the deposition describing his analysis can be found at: http://freepress.org/images/departments/Dep_Baiman.pdf. Additional material appears in court filings in Moss v. Bush and related legal actions filed with the Ohio Supreme Court.

Taken together, these ten points involve votes that cumulatively exceed Bush's 118,775 vote margin in the state.

These flaws must be thoroughly investigated before Congress ratifies the Electoral College. The legitimacy of the presidency and American Democracy is at stake. In tomorrow's article we will outline more of the evidence leading up to Thursday's historic vote.

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Bob Fitrakis, Steve Rosenfeld and Harvey Wasserman are co-authors of OHIO'S STOLEN ELECTION: VOICES OF THE DISENFRANCHISED, 2004, a book/film project from <http://freepress.org>. Tax-deductible donations are welcome there and at the Columbus Institute for Contemporary Journalism, 1240 Bryden Road, Columbus, OH 43205.

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Welcome to USCountVotes

A group of independent mathematicians and statisticians has formed a new, volunteer scientific research project **to objectively investigate the accuracy of elections in America.**

Voting accuracy is a controversial topic: More than 27,000 anecdotal reports of irregularities in the 2004 election were submitted to the independent "[Election Incident Reporting System](#)". An [alleged pattern of discrepancies](#) between [exit poll results](#) and final tallies in several key states is still regarded with suspicion by many observers. In response to Congressional request, the General Accounting Office plans to launch an [investigation](#) into the security and accuracy of voting technologies, the distribution and allocation of voting machines, and counting of provisional ballots.

The Interim Report of the Social Science Research Council's [Commission on Election and Voting](#) states that "... incomplete data and insufficient transparency of the election administration process do not allow for a conclusive statement regarding the accuracy or fairness of specific results..."

Compounding this crisis of confidence, many electronic voting machines do not create a paper audit trail, and as a result an independent recount cannot be performed. These machines may malfunction or possibly even be reprogrammed by malicious insiders, with no independent method of detecting that a problem occurred. Concerns about potential problems with unauditible electronic voting machines are [widespread](#) in the computer science community; in a recent [survey](#) of US members of the world's oldest and largest computer society, **95%** of respondents opposed deployment of unauditible electronic voting machines.

Our Response: USCountVotes proposes to create and analyze - for the first time ever - *a database containing precinct-level election results for the entire United States.* This rich mine of data will be made publicly available and analyzed by our project's affiliated mathematicians, pollsters and statisticians, as well as by an independent peer-review board. Our goal is to use this data to develop and test techniques to reliably detect precinct-level vote counting errors worthy of investigation.

By the national election in November 2006, *for the first time in American history,* it could be possible for candidates to be reliably warned of indications of machine or human-caused vote count errors in time to challenge the results. With a sound scientific approach and methodology, it may be possible for USCountVotes' project staff to develop statistical evidence in support of legal filings and serve as expert witnesses for candidates, regardless of party affiliation.

US CountVotes.org



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Response to Criticisms of our work on USCountVotes.org

The first [Cornell et al. critique](#) of our analyses of the Florida data (expected vote based on registration vs. the actual vote <http://UScountvotes.org>) neglected to exclude the smaller counties in their analyses (A [Princeton critique](#) also made the same mistake.) The explanations of Mebane et al. of the causes for this high correlation between voting machine type and election results may explain some of the phenomenon, but does not explain the phenomenon in all counties.

The reason that we [statistically analyzed and compared](#) only the medium-sized counties against each other is that **everyone knows that county population size influences voting behavior, and that small counties in rural areas tend to vote Republican**. As we stated well prior to the Mebane et al. critique, "the entire two groups of counties (E-touch and Op-scan users in Florida) cannot be validly compared, as county-size itself might account for the data". Here is a study of how [population size affects cross-party voting](#).

Contrary to what our critics claimed, **the mid-sized counties we included in our analyses are not "primarily in the Panhandle"**, as in the cases mentioned by Mebane et al. See [our map of these counties](#).

For the 26 mid-sized counties with between 80,000 and 500,000 registered voters that we studied, the type of machine used was not significantly related to the number of registered voters in the county. Eight of these counties used E-touch machines, and 18 used Op-scan machines. There was no significant difference between these two groups of counties in either their numbers of registered voters or their proportion of registered Republicans to registered Democrats. Counties using E-touch machines showed significantly positive percent changes in vote for both Republican and Democrat candidates, with greater mean percent changes for the Democrat. However counties using Op-scan machines showed significant positive percent change only for the Republican candidate, the mean change for the Democrat being insignificantly greater than zero. The probability of this happening by chance would be less than one in one thousand. ($p < .001$)

The magnitude of the apparent effect of voting machine type on voter behaviour would seem to warrant further investigation based on our work.

We also noted that the FL 2000 results also have the same pattern as the FL 2004 results and we put the 2000 numbers out there so people could see them. Our group does not make the assumption that the FL 2000 election is necessarily a base model for measuring an honest, accurate election. We plan to go farther into historical analyses and also to compare Presidential race results with US Congressional and Senate

race results and [other measures](#) over the next two years, to pinpoint and provide statistical evidence for those who would like to investigate further.

Here are two excellent writeups of our results by [Elizabeth Liddle](#) and [Josh Mitteldorf](#) and a terrific visual representation by [Charlie Strauss](#). Here are responses by [Elizabeth Liddle](#) and [Marc Sapir](#) to the Critiques of [Our work to develop methods to pinpoint areas with possible vote counting errors](#), and here is [Josh Mitteldorf's](#) and [David Dodge's](#) responses to the [MITCalTech attempt to refute our work](#) and another [critique of another survey vote.CalTech.edu did on E-voting](#).

Here is the Mebane et al. response to [this response](#)

The [Berkeley study](#), which drew the conclusion that votes had been miscounted in counties using touchscreen voting machines, also had the same flaw of being done at the county level. Here is another [look at the Berkeley study](#).

After back and forth discussions of these analyses, statisticians agree that studies of voting data at the precinct level are needed before conclusions can be made to detect which voting precincts are likely to have miscounted votes.

So USCountVotes.org is forming a nonprofit to accomplish this [Mission](#).

Kathy Dopp

Votergate 2004: We Don't Need Paper to Prove Fraud,

by Sheldon Drobny

www.Opednews.com 9 November 2004
www.globalresearch.ca 11 November 2004

The URL of this article is: <http://globalresearch.ca/articles/DRO411A.html>

Votergate 2004: We Don't Need Paper to Prove Fraud, But We Do Need Money and Leadership, NOW.

Since last Tuesday there has been a justifiable uproar about the major differences between the exit polls in Ohio and Florida and the actual results. Democrats and Republicans, who both saw the same exit polls that showed an electoral landslide in favor of Kerry, have confirmed this. Investigative reporter Bob Parry confirmed from his sources that the Bush campaign was convinced they were going to lose. George H. W. Bush also confirmed this in an interview with The Today Show. So why have the exit polls been so wrong in the last two elections? It is clear that there must have been manipulation in the voting machines. While there's been a lot of talk of problems with not having paper trails, computer fraud is uncovered most of the time without paper trails.

As a former C.P.A and auditor, I have used statistical sampling throughout my career with great confidence. With electronic record keeping, it's easy to create a program to falsify the books. But there are ways to uncover that. Auditors have developed statistical ways to cut right through corruption in companies. You don't even need a paper trail. These statistical approaches can be used with almost 100% accuracy to uncover fraud.

With the votergate 2004 it's a numbers game just like it is with corporate accounting, even easier. All you're talking about is one number-- total votes for each candidate.

There's a huge difference between polling what WILL happen and polling something that has already happened. The reliability of polling something that has already happened is highly reliable vs. predictive polls, like Gallup or Zogby, which is very risky. The reliability can be, not plus or minus 4 percent as we see with predictive polls, but rather a much more reliable plus or minus one half or one tenth of one percent with exit polls, because those are based on asking people who already voted. I would even say that if the exit polling were done in the key precincts of Florida and Ohio, which it was, then these results should be practically "bullet proof."

It is important that people know how accurate random sampling of historical events can be in order for them to understand how unlikely it is that the exit polls were wrong. So if you want to fight the battle correctly, you must get more statisticians and forensic accountants involved as well as the lawyers. These statisticians can show with great credibility the probability of manipulation within the computer programs used for counting the ballots. They do this kind of work all the time to uncover fraud based upon computer manipulation in commercial and corporate activities. And these types of expert analyses are admissible in a court of law.

The problem with all of this is determining who is going to fund such an investigation. Where will the money come from?

Perhaps the Kerry/Edwards campaign fund has some surplus that can be used. It is possible that the DNC has some excess funds. How about the 527s and PACs who spent millions on ineffective political ads, coming up with a few million? In addition, who is going to lead the process of getting this done? This kind of an effort requires solidarity along with an organized coordinated effort. It's easy to come up with the forensic and technical people to get this done, but we need a strong leader and solidarity. Leadership and funding-- these are the two real challenges that must be dealt with in the coming days.

We have a Watergate story here that could give the media a post election explosive news story that could make the 2000 Florida vote debacle look like small potatoes. We need to get the media to see that votergate 2004 is huge news and we need to quickly fund the investigation and get Democratic leaders behind it.

Sheldon Drobny is CPA and Venture Capitalist and co-founder of Air America Radio; email at sdrobny@paradigmventure.com

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Footprints of Electoral Fraud: The November 2 Exit Poll Scam

by Michael Keefer

www.globalresearch.ca 5 November 2004

The URL of this article is: <http://globalresearch.ca/articles/KEE411A.html>

Republican electoral fraud in the 2004 presidential election was widely anticipated by informed observers--whose warnings about the opportunities for fraud offered by "black box" voting machines supplied and serviced by corporations closely aligned with Republican interests (and used to tally nearly a third of the votes cast on November 2) have been amply borne out by the results.¹

One of the clear indicators of massive electoral fraud was the wide divergence, both nationally and in swing states, between exit poll results and the reported vote tallies. The major villains, it would seem, were the suppliers of touch-screen voting machines. There appears to be evidence, however, that the corporations responsible for assembling vote-counting and exit poll information may also have been complicit in the fraud.

Until recently, the major American corporate infomedia networks (ABC, CBS, NBC, CNN, Fox, and AP) relied on a consortium known as the Voter News Service for vote-counting and exit poll information. But following the scandals and consequent embarrassments of the 2000 and 2002 elections, this consortium was disbanded. It was replaced in 2004 by a partnership of Edison Media Research and Mitofsky International known as the National Election Pool.

The National Election Pool's own data—as transmitted by CNN on the evening of November 2 and the early morning of November 3—suggest very strongly that the results of the exit polls were themselves fiddled late on November 2 in order to make their numbers conform with the tabulated vote tallies.

It is important to remember how large the discrepancy was between the early vote tallies and the early exit poll figures. By the time polls were closing in the eastern states, the vote-count figures published by CNN showed Bush leading Kerry by a massive 11 percent margin. At 8:50 p.m. EST, Bush was credited with 6,590,476 votes, and Kerry with 5,239,414. This margin gradually shrank. By 9:00 p.m., Bush purportedly had 8,284,599 votes, and Kerry 6,703,874; by 9:06 p.m., Bush had 9,257,135, and Kerry had 7,652,510, giving the incumbent a 9 percent lead, with 54 percent of the vote to Kerry's 45 percent.

At the same time, embarrassingly enough, the national exit poll figures reported by CNN showed Kerry as holding a narrow but potentially decisive lead over Bush. At 9:06 p.m. EST, the exit polls indicated that women's votes (54 percent of the total) were going 54 percent to Kerry, 45 percent to Bush, and 1 percent to Nader; men's votes (46 percent of the total) were breaking 51 percent to Bush, 47 percent to Kerry, and 1 percent to Nader. Kerry, in other words, was leading Bush by nearly 3 percent.

The early exit polls appear to have caused some concern to the good people at the National Election Pool: a gap of 12 or 14 percent between tallied results and exit polls can hardly inspire confidence in the legitimacy of an election.

One can surmise that instructions of two sorts were issued. The election-massagers working for Diebold, ES&S (Election Systems & Software) and the other suppliers of black-box voting machines may have been told to go easy on their manipulations of back-door 'Democrat-Delete' software: mere victory was what the Bush campaign wanted, not an implausible landslide. And the number crunchers at the National Election Pool may have been asked to fix up those awkward exit polls.

Fix them they did. When the national exit polls were last updated, at 1:36 a.m. EST on November 3, men's votes (still 46 percent of the total) had gone 54 percent to Bush, 45 percent to Kerry, and 1 percent to Nader; women's votes (54 percent of the total) had gone 47 percent to Bush, 52 percent to Kerry, and 1 percent to Nader.

But how do we know the fix was in? Because the exit poll data also included the total number of respondents. At 9:00 p.m. EST, this number was well over 13,000; by 1:36 a.m. EST on November 3 it had risen by less than 3 percent, to a final total of 13,531 respondents—but with a corresponding swing of 5 percent from Kerry to Bush in voters' reports of their choices. Given the increase in respondents, a swing of this size is a mathematical impossibility.

The same pattern is evident in the exit polls of two key swing states, Ohio and Florida.

At 7:32 p.m. EST, CNN was reporting the following exit poll data for Ohio. Women voters (53 percent of the total) favoured Kerry over Bush by 53 percent to 47 percent; male voters (47 percent of the total) preferred Kerry over Bush by 51 percent to 49 percent. Kerry was thus leading Bush by a little more than 4 percent. But by 1:41 a.m. EST on November 3, when the exit poll was last updated, a dramatic shift had occurred: women voters had split 50-50 in their preferences for Kerry and Bush, while men had swung to supporting Bush over Kerry by 52 percent to 47 percent. The final exit polls showed Bush leading in Ohio by 2.5 percent.

At 7:32 p.m., there were 1,963 respondents; at 1:41 a.m. on November 3, there was a final total of 2,020 respondents. These fifty-seven additional respondents must all have voted very powerfully for Bush—for while representing only a 2.8 percent increase in the number of respondents, they managed to produce a swing from Kerry to Bush of fully 6.5 percent.

In Florida, the exit polls appear to have been tampered with in a similar manner. At 8:40 p.m. EST, CNN was reporting exit polls that showed Kerry and Bush in a near dead heat. Women voters (54 percent of the total) preferred Kerry over Bush by 52 percent to 48 percent, while men (46 percent of the total) preferred Bush over Kerry by 52 percent to 47 percent, with 1 percent of their votes going to Nader. But the final update of the exit poll, made at 1:01 a.m. EST on November 3, showed a different pattern: women voters now narrowly preferred Bush over Kerry, by 50 percent to 49 percent, while the men preferred Bush by 53 percent to 46 percent, with 1 percent of the vote still going to Nader. These figures gave Bush a 4 percent lead over Kerry.

The number of exit poll respondents in Florida had risen only from 2,846 to 2,862. But once again, a powerful numerical magic was at work. A mere sixteen respondents—0.55 percent of the total number—produced a four percent swing to Bush.

What we are witnessing, the evidence would suggest, is a late-night contribution by the National Elections Pool to the rewriting of history.

It is possible that at some future moment questions about electoral fraud in the 2004 presidential election might become insistent enough to be embarrassing. The pundits, at that point, will be able to point to the NEP's final exit poll figures in the decisive swing states of Florida and Ohio—and to marvel at how closely they reflect the NEP's vote tallies.

The Ohio Fifty-Seven (is there a Heinz-Kerry joke embedded in the number?) and the Florida Sixteen will have done their bit in ensuring the democratic legitimacy of the one-party imperial state.

Michael Keefer, an Associate Professor of English at the University of Guelph, is a former president of the Association of Canadian College and University Teachers of English. His writings include *Lunar Perspectives: Field Notes from the Culture Wars* (Anansi) and the edited collection *War Against Iraq: Critical Resources* (<http://www.uoguelph.ca/~mkeef>).

Note

1. Among the warnings, see Bev Harris, Black Box Voting: Ballot Tampering in the 21st Century (Talion Publishing/Black Box Voting; free internet version available at www.BlackBoxVoting.org); Infernal Press, "How George W. Bush Won the 2004 Presidential Election" (Infernal Press, 25 June 2003); Steve Moore, "E-Democracy: Stealing the Election in 2004" (Global Outlook, No. 8, Summer 2004); and Greg Palast, "An Election Spolied Rotten" (www.TomPaine.com, 1 November 2004). Early assessments of the election include Greg Palast, "Kerry Won... Here are the Facts" (www.TomPaine.com, 4 November 2004); and Wayne Madsen, "Grand Theft Election" (www.globalresearch.ca, 5 November 2004).

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Electronic Voting

How the Grinch stole the White House . . . again

By Alan Waldman

Online Journal Contributing Writer

November 20, 2004—Despite corporate media attempts to kill or ridicule away the story, Talk Radio and the Internet are abuzz with considerable evidence that John Kerry was elected president on November 2, but that Republican election officials made it difficult for millions of Democrats to vote while employees of four secretive, GOP-bankrolling corporations rigged electronic voting machines and then hacked central tabulating computers to steal the election for George W. Bush.

Florida's 2000 election problems—votes spoiled by chads, overvotes, undervotes, exclusion of minority voters, etc.—were never repaired and both worsened and spread to many other states, exacerbated by new and more devious abuses. The Bush administration's "fix" of the 2000 debacle (the Help America Vote Act) made crooked elections considerably easier, by foisting paperless electronic voting on states before the bugs had been worked out or meaningful safeguards could be installed. In 2004, employees of the four Republican-connected firms that dominate the business allegedly hacked electronic machines and the op-scan tabulating computers that count votes from paper ballots to steal the election by adding GOP votes and reducing Democratic tallies.

The *Wall Street Journal* recently revealed that: "Verified Voting, a group formed by a Stanford University professor to assess electronic voting, has collected 31,000 reports of election fraud and other problems." AP/ABC observes that some of the first 1100 problem machines were taken off-line—but many others were not.

University of Pennsylvania researcher Dr. Steven Freeman, in his November 2004 paper "The Unexplained Election Poll Discrepancy," concludes: "The odds of the discrepancies between predicted [exit poll] results and actual vote counts in Ohio, Florida and Pennsylvania could have been due to chance or random error are 250 million to 1," so the unavoidable hypothesis is that they were caused by "systematic fraud or manipulation."

Here's a shocking fact. The reason it was so easy to steal this election is that, unlike the situation in Europe, where citizens count the ballots, employees of a highly secretive Republican-leaning company, ES&S, totally managed every aspect of the 2004 U.S. election. That included everything from voter registration, printing of ballots, the programming of the voting machines, tabulation of votes (often with armed guards keeping the media and members of the public who wished to witness the count at bay) and the first reporting of the results—for 60 million voters in 47 states—according to Christopher Bollyn, writing in *American Free Press*. Most other votes were counted by three other firms that are snugly in bed with the GOP. "Any actual counting of votes by citizens is very rare in the U.S., except for a few counties in Montana and other states, where paper ballots are still hand-counted," Bollyn explains.

The below mountain of evidence will demonstrate that the 2004 election fiasco had way too many "irregularities" for the late-Tuesday shift from Kerry (seen winning by 3 percent and more in exit polls and many other data) to Bush to possibly be an innocent coincidence.

This election is not the first to be hacked. In November 2002, Georgia Democratic Governor Roy Barnes led by 11 percent and Democratic Senator Max Clelland was in front by 5 percent just before the

election—the first ever conducted entirely on touch-screen electronic machines, and *counted entirely by company employees, rather than public officials*—but mysterious election day swings of 16 percent and 12 percent defeated both of these popular incumbents. In Minnesota, Democrat Walter Mondale (replacing beloved Senator Paul Wellstone, who died in a plane crash), lost in an amazing last moment 11 percent vote swing recorded on electronic machines. Convenient glitches in Florida aided Jeb Bush in the general election and defeated Janet Reno in the primary election. There is also reason to believe that North Carolina's Senate race may have been hacked.

Then, in 2003, what's known as "black box voting" helped Arnold Schwarzenegger, who had deeply offended female, Latino and Jewish voters, defeat a popular Latino Democrat who substantially led in polls a week before the election—in strongly Democratic California.

Actually, the first example of electronic machine fraud was probably recorded in 1996, when Nebraska Republican Chuck Hegel was CEO of ES&S whose voting machines recorded his long-shot first US Senate victory—and then his re-election in 2002.

The Smell of a Rat

Realizing that the 2004 election results are highly questionable, many prominent people and groups have begun to demand action. Recently, six important congressmen, including three on the House Judiciary Committee—Nadler (NY), Wexler (FL), Conyers (MI), Holt (NJ), Scott (VA) and Watt (NC)—asked the U.S. comptroller general to investigate the efficacy of new electronic voting devices, because of numerous reports of lost votes across the country.

[Black Box Voting](#) (BBV)—the nonprofit group which spearheaded much of the pre-election testing (and subsequent criticism) of electronic machines that found them hackable in 90 seconds—is filing the largest Freedom of Information Act inquiry in U.S. history. The organization's Bev Harris claims, "Fraud took place in the 2004 election through electronic voting machines. We base this on hard evidence, documents, inside information and other data indicative of manipulation of electronic voting systems."

In Volusia County, Florida, BBV has already discovered two sets of voting total tapes: the first being much more favorable to Kerry.

Florida Democratic congressional candidate Jeff Fisher charged that he has and will show the FBI evidence that Florida results were hacked; he claims to also have knowledge of who hacked them in 2004 and in the 2002 Democratic primary (so Jeb Bush would not have to run against popular Janet Reno). Fisher also believes that most Democratic candidates nationwide were harmed by GOP hacking and other dirty tactics—particularly in swing states.

Citizens for Legitimate Government recently called for an investigation of discrepancies in the 2004 election and may demand prosecution of those who carried out the second bloodless American *coup d'etat* in four years.

On November 18, a New Hampshire recount requested by Ralph Nader began. If it finds the totals were altered, recounts requests in Florida and Ohio are certain to follow. The Green and Libertarian parties have already requested an Ohio recount, because of voting fraud, suppression and disenfranchisement. Recounts are also being sought in Nevada and Washington.

Greens 2004 presidential candidate David Cobb charged, "It's Florida all over again. Except this time it's Ohio, where the person responsible for counting the votes is chair of the state Bush campaign. Once again there are widespread reports of intimidation, mismarked ballots and targeted disenfranchisement of African American voters. It's very possible the election has been stolen for the second time in a row. Again Democrats have conceded, rather than standing up for the right for people's votes to count."

The Indiana Recount Commission impounded election materials for a recount in the 9th District, where three-term incumbent Democratic Congressman Baron Hill lost by 1,485 votes—and machines were

suspected of misrecording votes. In nearby Franklin County, a recount proved that a tabulation error had given 600 straight-Democratic party votes to the Libertarian party.

Leading academics have also joined the fray, calling for widespread investigations. NYU Professor Troy Duster called for a full-scale probe, because “the data suggest that even if Bush won, he didn’t win by the kind of margins that are out there. We have a crisis here of potential legitimacy, and the way to deal with it is to do the research.”

Media Muzzled

Although the Internet is chock-a-block with stories of election fraud—and there are numerous stories about this crime in England, Canada and elsewhere, it is virtually nonexistent in the major U.S. media. Bev Harris reveals, “I have been told by sources that are fairly high up in the media—particularly TV—that there is now a lockdown on this story. It’s officially ‘lets move on’ time. I am very concerned about that, because it looks like we’re going to have to go to places like BBC to get the real story out.” So far, the only mainstream media outlet has been Keith Olbermann’s November 5 MSNBC *Countdown* show.

On November 6, Project-Censored Award-winning author Thom Hartman said, “So far, the only national ‘mainstream’ media outlet to come close to this story was Keith Olbermann, when he noted that it was curious that all the voting machine irregularities so far uncovered seemed to favor Bush. In the meantime, the *Washington Post* and other media are now going through single-bullet-theory-like contortions to explain how the exit polls had failed.”

The 2004 Election Fraud: Its Scope and Nature

In May 2004, Johns Hopkins researchers performed a detailed analysis of the major types of electronic voting machines. They concluded: “The voting system is far below even the most minimal security standards applicable in other contexts. We identify several problems, including . . . vulnerabilities to network threats. We show that voters, without any insider privileges, can cast unlimited votes without being detected. Furthermore, we show that even the most serious of our outsider attacks could have been . . . executed without access to the source code. Worries about insider threats are not the only concerns; outsiders can do the damage. We conclude that this voting system is unsuitable for use in a general election.”

Votes collected by electronic machines (and by optical-scan equipment that reads traditional paper ballots) are sent via modem to a central tabulating computer which counts the votes on Windows Software. Therefore, anyone who knows how to operate an Excel spreadsheet and who is given access to the central tabulation machine can make wholesale changes to election totals without being found out.

On a CNBC cable TV program, Black Box Voting executive Bev Harris showed guest host Howard Dean how to alter vote totals within 90 seconds. “By entering a two-digit code in a hidden location, a second set of votes can replace the original totals—in a matter of seconds,” Harris explains. Harris declared at a late-September press conference, “We are able to use a hidden program for vote manipulation , which resides on Diebold’s election software. It is enabled by a two-digit trigger. *This is not a ‘bug’ or accidental oversight; it is there on purpose.*”

Some wonder why Democrats weren’t bright enough to hack the election for Kerry. Well, it has been recently learned that at least one of the four firms slyly utilized an old source code—rather than its current code—to escape donkey party detection.

The Felonious Four

More than 35 Ohio counties used electronic voting machines from Diebold, whose CEO Warren O’Dell declared in 2003 that he was “committed to helping Ohio deliver its electoral votes to the president (Bush)” in 2004. Up to 50,000 Diebold touch-screen machines and 20,000 scanners of paper ballots were used in 38 states during the November 2004 election.

Four major companies control the U.S. vote count: Diebold, ES&S, Sequoia and SAIC. All of them are hard-wired into the Bush campaign and power structure. The Bush government gave them millions to roll out computerized voting machines. Diebold chief O'Dell is a top Bush fundraiser. Diebold's Election division is headed by Bob Urosevich, whose brother Todd is a top exec at "rival" ESS. The brothers were originally staked by Howard Ahmanson, bagman for the extremist Christian Reconstruction Movement, which advocates the theocratic takeover of American government. Sequoia is owned by a partner member of the Carlyle Group, which has dictated foreign policy in both Bush administrations and which had employed former President Bush for quite a while. The State of California recently received a settlement of \$2.6 million in its lawsuit against Diebold for lying about the security of its voting machines in Alameda County.

[Wayne Madsen](#), a Washington-based investigative reporter, recently wrote, "There has to be a way . . . to sue Diebold CEO Walden O'Dell and Diebold board member W.R. Timken for conspiring to deliver Ohio's electoral votes to Bush. O'Dell and Timken are top fund raisers for Bush—so-called 'Pioneers.' They should be the subjects of criminal investigations." Diebold gave at least \$195,000 to the GOP between 2000 and 2002.

All Early Tuesday Indicators Predicted a Kerry Landslide

Zogby International (which predicted the 2000 outcome more accurately than any national pollster) did exit polling which predicted a 100 electoral vote triumph for Kerry. He saw Kerry winning crucial Ohio by 4 percent.

Princeton Prof. Sam Wang, whose meta-analysis had shown the election to be close in the week before the election, began coming up with dramatic numbers for Kerry in the day before and day of the election. At noon, Eastern Standard Time, on Monday, Nov. 1, he predicted a Kerry win by a 108-vote margin. In the 23 closest states, Wang predicted Kerry's win chances in the following states to be: Florida 90 percent, Ohio 95 percent, Pennsylvania 100 percent, Hawaii 99 percent, Iowa 96 percent, Wisconsin 91 percent, Nevada 72 percent, Maine 100 percent, Michigan 100 percent, Minnesota, 100 percent, Oregon 100 percent, Washington 100 percent, Wisconsin 91 percent, New Mexico 60 percent, Arkansas 48 percent, Colorado 47 percent, Missouri 34 percent, New Mexico 20 percent, West Virginia 13 percent, Virginia 12 percent, Arizona 10 percent, Tennessee 8 percent and North Carolina 1 percent.

In the Iowa Electronic Markets (IEM), where "investors" put their money where their mouths are and wager real moolah on election outcome "contracts," Bush led consistently for months before the election—often by as much as 60 percent to 39 percent. At 1 p.m. CST on Election Day, however, before vote counting began anywhere, IEM had 51.9 percent of investors putting their money on a Bush win. Then something extraordinary happened: over the next six hours there was suddenly a massive shift to Kerry. At 3 p.m. CST, Kerry shot into the lead, with 60 percent of the hour's investors banking on his victory. At 5 p.m. a mind-blowing 79.5 percent were betting on Kerry. And when the final sale was made, at 7 p.m., 76.6 percent of the last hour's traders had gone to Kerry, with only 20.1 percent plunking their bucks down on Bush. These people knew something.

As the first election returns came in, broadcasters were shocked to see that seemingly safe Bush states like Virginia, Kentucky and North Carolina were being judged by the National Election Pool (NEP) as "too close to call." Then, at 7:28 EST, before the Ohio and Florida results were hacked, networks broadcast that both states favored Kerry by 51 percent to 49 percent.

All Exit Polls Showed Kerry Won—Until They Were Altered

In his research paper, Steven Freeman reports, "Exit polls showed Kerry had been elected. He was leading in nearly every battleground state, in many cases, by sizable margins. But later, in 10 of 11 battleground states, the tallied margins differed from the predicted margins—and in every one the shift favored Bush."

In 10 states where there were verifiable paper trails—or no electronic machines—the final results hardly differed from the initial exit polls. Exit polls and final counts in Missouri, Louisiana, Maine and Utah, for instance, varied by 1 percent or less. In non-paper-trail states, however, there were significant differences. Florida saw a shift from Kerry +1 percent in the exit polls to Bush +5 percent at evening's end. In Ohio, Kerry went from +3 percent to -3 percent. Other big discrepancies in key states were: Minnesota (from +10 percent to +4 percent), New Mexico (+4 to -1), Nevada (+1 to -3), Wisconsin (+7 to +0.4), Colorado (-2 to -5), North Carolina (-4 to -13), Iowa (+1 to -1), New Hampshire (+14 to +1) and Pennsylvania (+8 to +2). Exit polls also had Kerry winning the national popular vote by 3 percent.

In close Senate races, changes between the exit poll results and the fiddled final tallies cost Democrats anticipated seats in Kentucky (a 13 percent swing to the GOP), Alaska (9 percent), North Carolina (9 percent), Florida, Oklahoma, South Dakota and possibly Pennsylvania—as well as enough House seats to retake control of the chamber.

Republican consultant and Fox News regular Dick Morris wrote after the election, “Exit polls are almost never wrong. They eliminate the two major potential fallacies in survey research by correctly separating actual voters from those who pretend they will cast ballots . . . and by substituting actual observation from guesswork. According to ABC-TV's exit polls, Kerry was slated to win Florida, Ohio, New Mexico, Colorado, Nevada and Iowa—all of which Bush ultimately carried.”

Center for Research on Globalization's Michael Keefer (a Professor at the University of Guelph) states, “The National Election Pool's own data—as transmitted by CNN on the evening of November 2 and the morning of November 3—suggest that the results of the exit polls were themselves fiddled late on November 2, in order to make their numbers conform with the tabulated vote tallies. At 8:50 p.m. EST, CNN showed Bush leading by a massive 11-point margin and by 9:06 p.m., the incumbent had a 9 percent lead. However, at 9:06 p.m., exit polls showed Kerry leading by nearly 3 percent.”

This 12 percent gap caused embarrassment at NEP—the six broadcast networks' official polling, counting and reporting entity. Keefer continues: “One can surmise that instructions of two sorts were issued. The election-massagers working for Diebold, ES&S and the other suppliers of black box voting machines may have been told to go easy on their manipulations of back-door 'Democrat-delete' software. And the number crunchers at NEP may have been asked to fix up those awkward exit polls. Fix them they did. When the national exit polls were last updated at 1:36 a.m. EST, there was a 5 percent swing to Bush.”

How do we know the fix was in? Keefer explains, “Because the total number of respondents at 9 p.m. was well over 13,000 and at 1:36 a.m. it had risen less than 3 percent—to 13,531 total respondents. Given the small increase in respondents, this 5 percent swing to Bush is mathematically impossible.”

Keefer adds: “In Florida, the exit polls appear to have been tampered with in a similar manner. At 8:40 p.m., exit polls showed a near dead heat but the final exit poll update at 1:01 a.m. gave Bush a 4 percent lead.” Again, the number of respondents made this swing mathematically impossible—because there were only 16 more respondents in the final tally than in the earlier one. The major TV networks glibly blamed the discrepancies between the original (untampered) exit poll results and the final official tallies on faulty exit polls.

Election Fraud Came in Many Flavors

Spoilage. Investigative journalist Greg Palast, writing in the United Kingdom's *Guardian*, said, “The election in Ohio was decided . . . by spoilage. Typically, in the U.S., about 3 percent of the vote is voided. Most of these votes, say every official report, [are] in African American and minority precincts. In Florida in 2000, Katherine Harris excluded 179,855 spoiled votes. Most 'lost' votes in Florida then and Ohio now were cast on punch cards where the hole wasn't punched through completely, leaving a 'hanging chad.' The majority of the two million votes tossed out in Tuesday's election will be cast by minority citizens.”

Challenges. Palast continues: “First and foremost, Kerry was had by chads. But there were also the ‘challenges,’—the Ohio, Wisconsin and Florida Republican parties’ Supreme-Court supported use of an old Ku Klux Klan technique to block voters of color from voting.”

Provisional ballots that may or not be counted. In New Mexico, according to Albuquerque journalist Renee Blakely, “They were handing provisional ballots out like candy.” About 20,000 iffy provisional ballots were given out, mostly to Native Americans and Latinos, who tend to vote overwhelmingly Democratic. Santiago Juarez, who runs the “Faithful Citizenship” program for the Catholic Archdiocese of New Mexico, reported that his poor Hispanic voters were given provisional rather than countable ballots “almost religiously,” as they were questioned about their identification. Juarez added that some Hispanics were simply turned away. This activity was carried out in numerous minority communities across the country.

Florida Fiasco

[Kathy Dopp's](#) eye-opening examination of the State of Florida's county-by-county record of votes cast and people registered, by party affiliation, reveals systematic and widespread election fraud (in 47 of the state's 67 counties). Interestingly, this did not occur so much in the touch-screen counties, where public scrutiny would naturally be focused, but in counties where optically screened paper ballots were fed into a central tabulator PC, which is highly vulnerable to hacking. In these counties, had G.O.P. registrants voted Republican, Democratic registrants gone for the Kerry and everyone registered showed up to vote, Bush would have received 1,337,242 votes in the op-scan counties. Instead, his reported vote total there was 1,950,213! That discrepancy (612,971) is nearly double Bush's winning margin in the state (380,952).

In Baker, Bradford, Calhoun, Dixie, Franklin and 16 other counties—where 60 percent to 88 percent of voters registered Democratic, Bush won the reported vote. The Texan also won in 21 other op-scan counties where Democrats had a majority or plurality of registered voters. In Franklin County, 77.3 percent registered Democratic, but 58.5 percent of voters went for Bush. In Holmes County, the 72.7 percent Democratic voters went 77.3 percent for Bush. Bradford County had 61.4 percent Democratic registration but voted 69.6 percent for Bush; Calhoun County had 82.4 percent Democratic registration, but voted 63.4 percent for Bush. One egregious example: in Polk county, 42.6 percent registered as Democrats and 39 percent registered as Republicans. Yet the final vote count was: Bush 129,487 to Kerry's 85,923. It has been suggested, that in some counties, the presidential candidates' vote totals may simply have been switched.

Colin Shea of Zogby International analyzed and double-checked Dopp's figures and confirmed that op-scan counties gave Bush 16 percent more votes than he should have. “This would have not been strange if it were spread across counties more or less evenly,” Shea explains, “but it is not. In 11 different counties, the ‘actual’ Bush tallies were 50-100 percent higher than expected. In one county, where 88 percent of voters are registered Democrats, Bush got nearly two-thirds of the vote—three times more than predicted by my model. In 21 counties, more than 50 percent of Democrats would have to have defected to Bush to account for the county result; in four counties at least 70 percent would have been required. These results are absurdly unlikely.”

Interestingly, eight of the 15 touch-screen counties showed voters moving toward Kerry and away from Bush (as compared to the numbers of registered Democrats and Republicans), which indicates that an honest statewide count would have shown a Kerry win, rather than the stunning 5 percent Bush victory.

[In 47 of 67 Florida counties](#), the number of presidential votes exceeded the number of registered voters. Palm Beach County recorded 90,774 more votes than voters and Miami Dade had 51,979 more, while relatively honest Orange County had only 1,648 more votes than voters. Overall, Florida reported 237,522 more presidential votes (7.59 million) than citizens who turned out to cast ballots (7.35 million).

The number and range of election complaints in Florida are mind-boggling. Here are but a few instances. Broward Country electronic voting machines counted up to 32,500 and then started counting backwards.

The problem which existed in the 2002 election, but which was never fixed, overturned the exit-poll predicted results of a gambling referendum. In several Florida counties, early morning voters reported ballot boxes that already had an unusually large quantity of ballots in them. Throughout Florida, as in most tossup states, poll monitors saw prospective voters leaving because of long lines. There were numerous reports of sub-par facilities and faulty equipment in minority neighborhoods.

According to Canada's November 3 *Globe and Mail* newspaper, "several dozen voters in six states—particularly Democrats in Florida—said the wrong candidate appeared on their touch-screen machine's checkout screen (i.e. they voted one way and the result which appeared was the opposite).

Despite the registration of 20 times more Democratic new voters in Florida than Republican new voters (and 10 times as many in Ohio—as reported in *The New York Times*), final voting totals nationwide indicated that Bush must have gained 9 million new voters in 2004—to Kerry's 4 million. One million of those alleged new GOP voter were reported to be in Florida—a highly dubious prospect.

Republicans have argued that the Florida counties which had majority Democratic registration but voted overwhelmingly for Bush were all "Dixiecrat" bastions in Northern Florida that are traditionally very conservative—and that all the reported votes were accurate. The facts do not bear this assumption out. Keith Olbermann illustrated on MSNBC's *Countdown* program that many of these crossover states were voting Republican for the first time. Olbermann poked another hole in the Dixiecrat theory when he said, "On the same Florida Democratic ballots where Bush scored big, people supported highly Democratic measures—such as raising the state minimum wage \$1 above the federal level. This indicates that only the presidential voting was rigged; they didn't rig the rest of the voting form." The final stake in the heart of the Dixiecrat theory, however, is that 18 switchover counties were *not* in the panhandle or near the Georgia border, but were scattered throughout the state. For instance, voters in Glades County (Everglades region) registered 64.8 percent Republican but cast 38.3 percent more votes for Bush than for Kerry. Hardee County (between Bradenton and Sebring) registered 63.8 percent Democratic but officially gave Bush 135 percent more votes than Kerry—a ludicrous result.

The Ohio Outrage

A court decision allowed Republican intimidators to trash tens of thousands of Ohio votes and force hundreds of thousands of other voters to cast provisional ballots that may or may not be counted. In Gahana, Ohio, Bush was caught with a reported 4,258 votes . . . from only 638 voters. The two top election officials in quiet, rural Warren County lied to the press, claiming the FBI and Homeland Security Department told them they had a high terrorism risk, which made theirs the only Ohio county to bar media and other observers from the vote counting process. Staunchly Republican chief elections official J. Kenneth Blackwell arranged for ample voting booths in G.O.P. areas and a shortage in liberal college towns and minority precincts that caused hours-long lines in the pouring rain (and a consequent loss of many discouraged voters). Despite the huge increase in new voter registration (91 percent of which was Democratic), Blackwell provided fewer total voting machines than were used in 2000. A Toledo precinct opened 40 minutes late (causing 50 prospective voters to leave) and then halted voting later because it had "run out of pencils" (causing another 100 departures).

Lawyer Ray Beckerman reported, "Hundreds of thousands of people were disenfranchised in Ohio. People waited in line for as long as 10 hours—but only in Democratic precincts. All day long, touch-screen voting machines in Youngstown registered 'George W. Bush' when voters pressed 'John F. Kerry'—despite complaints to police throughout the day. Countless other frauds occurred, such as postcards advising people of incorrect polling places, registered Democrats not receiving requested absentee ballots, duly registered young voters being forced to cast provisional ballots and many bad-faith challenges in Democratic precincts."

In 29 Cayuhoga County (Cleveland) precincts, there were 93,136 more votes recorded than there were registered voters (at a time when minority voters were consistently harassed and many others were discouraged by 5-10 hour voting lines). One Cayuhoga precinct with only 1,000 registered voters cast

4,000 ballots for Bush. Lake County voters received bogus letters on official letterhead telling them they could not vote.

As in Florida, fraud is obvious because in many cases Kerry votes were mysteriously switched to Bush, while votes on other Democratic issues and candidates remained intact.

Officially, Kerry was trailing by 136,483 votes, before between 155,000 and 500,000 provisional ballots were examined and some overseas absentee ballots were to be examined and possibly counted.

Election Fraud in 39 States and Israel

[Voters Unite!](#) details 202 specific election problems (recorded through November 11) in 39 states and Israel. These include 84 complaints of machine malfunctions in 22 states, 24 cases of registration fraud in 14 states, 20 abusive voter challenge situations in 10 states, U.S. voters in 18 states and Israel experiencing absentee ballot difficulties, 10 states with provisional ballot woes, 22 cases of malfeasance in 13 states, 10 charges of voter intimidation in seven states, seven states where votes were suppressed, seven states witnessing outbreaks of animosity at the polls, six states suffering from ballot printing errors and seven outrages in four states where votes were changed onscreen. In addition, the Voters Unite! site cites four states with early voting troubles, three states undergoing ballot programming errors, three states demonstrating ballot secrecy violations, bogus ballot fraud in New Mexico, cases of double-voting for Bush in Texas and 15 states victimized by a range of miscellaneous voting problems. And this list does not count the millions of votes that were hacked in more than half the states.

On November 10, Keith Olbermann reported that computerized balloting in North Carolina was so thoroughly messed up that all statewide voting may have to be recounted. A Craven County, NC, district recorded 11,283 more votes than there were voters, overturning the results of a regional race.

In Chicago, journalist Christopher Bollyn discovered stacks of boxes containing “pre-punched ballots,” printed by ES&S, for the different precincts in Cook County.

The Election Was Clearly Stolen

It is not credible that Bush could have legitimately won the 2004 election. Kerry’s victory was predicted by previously extremely accurate Harris and Zogby exit polls, by the formerly infallible 50 Percent Rule (an incumbent with less than 50 percent in the exit polls always loses—Bush had 47 percent, requiring him to capture and improbable 80 percent of the undecideds to win) and by the Incumbent Rule (undecideds break for the challenger, as exit polls showed they did by a large margin this time). Nor is it credible that: the surge in new young voters (who were witnessed standing in lines for hours on campuses nationwide) miraculously didn’t appear in the final totals; that Kerry did worse than Gore against an opponent who lost support and that exit polls were highly accurate wherever there was a paper trail and grossly underestimated Bush’s appeal wherever there was no such guarantee of accurate recounts. Statisticians point out that Bush beat 99-1 mathematical odds in winning the election.

Zogby pollster Colin Shea, after thoroughly testing the discrepancies among total registration, turnout, party registration and the official tallies in Florida and Ohio, concluded, “The facts defy all logical explanations save one: massive and systematic voter fraud. We cannot accept the result of the 2004 presidential election as legitimate until these discrepancies are rigorously and completely explained. Until then, George Bush’s shameful legacy will have been that of seizing power through two illegitimate elections conducted on his brother’s watch, and engineering a fundamental corruption at the heart of the greatest democracy the world has known.”

Election results are not final until electors vote on Dec. 13. There is still time to investigate, to find the truth and to swear in legitimately elected President John F. Kerry.

Alan Waldman is a multiple-award-winning Los Angeles journalist and blogger

The End is Near: The Coming Constitutional Insurrection

© 2004 By David Lytel

If it is true that wisdom grows only from truth then the newspaper-reading public in the nation's capital is being starved of the food they need to be wise citizens. After more than a month of avoiding the single most urgent question before the American people – whether the presidential election was conducted lawfully and the actual winner awarded with the victory – the Washington Post has taken up the issue with appalling results, lending what credibility it has left as an objective news source to the White House's cover up of crimes against democracy.

In an effort to appear “even-handed,” which is to say to not provoke Bush and his cabal from damaging the company's ability to get government approval for its mergers, acquisitions and license renewals, the Post hides the most salient fact: There are considerably more reported cases of vote suppression, fraudulent vote casting and fraudulent vote counting than George W. Bush's margin of victory in Ohio. In all likelihood the surveys of voters as they left the polling places are accurate and considerably more people went to the polls that day to vote for John Kerry both in Ohio and nationwide. Should he be re-inaugurated on January 20th Bush will once again be securing the greatest prize the American political system has to offer, the presidency, through fraud, deception and illegal activity aided by a willfully ignorant press.

The commercial news media parrots the Bush “explanation” of the widespread misadministration of the 2004 election and is prepared to accept it as uncritically as it did Bush's deceit on weapons in Iraq, Saddam Hussein's involvement in the attacks of 9/11 or a host of other outright lies they have carried on Bush's behalf. They tell us that the fraud and deception used to maximize the vote totals of the party in power and minimize the votes of opposing parties are merely random “glitches” or “irregularities” and that the only recourse is to fix the system in time for the next election, but they are wrong on both counts.

The misadministration of the election was deliberate and purposeful and we have more than one course of action to return the nation to the proper path right now.

There is overwhelming evidence that the misadministration of the election was non-random. There are disparities between the number of people who signed in to vote at polling places on election day and the number of votes recorded on the machines in Ohio and Florida. The original records of who showed up to vote have been deliberately destroyed in Volusia County, Florida and elsewhere. Virtually all of Bush's statewide victory margin in Ohio comes from just 9 counties. In Warren County, for example, officials closed the vote counting to outside observers for the first time anyone can remember, on the advice of the national Department of Homeland Security, which now denies it. The county emergency services coordinator, however, reports he was told that Warren County, which is suburban Cincinnati, was a ten on a scale of ten as a likely target of terrorism. Warren County has nothing in it Al Qaeda cares about but it is the single

most important county in the nation to Bush's re-election, being the last polling place in the state to close and providing a third of the margin he needed to claim victory on election night. None of this passes the simple test of randomness – it is literally impossible that chance could produce errors that all point in the same direction, giving votes to Bush.

We do not have to suffer another four years of an illegitimate presidency since the Constitution provides us with two ways of successfully challenging Bush's reinauguration.

First, there almost surely will be a Constitutional challenge to the legitimacy of the electors from Florida, Ohio and potentially other states as well. I was involved in the drafting of the written challenge available to Florida Congressman Alcee Hastings and the other brave Members of Congress who challenged Florida's electoral votes in 2000, when there was no one alive who had ever experienced a Constitutional challenge of electoral votes. Now, however, I can say I have a pretty good idea how to succeed this time. Kerry must be told that he is not authorized to "accept" a fraudulent election on our behalf, and I suspect that once the dimensions of the conspiracy to steal the election in 2000 become known Al Gore will regret having done so four years ago. This time we can and will have widely recognized public advocates, a great legal team and leaders in both the House and Senate who are widely respected by their peers and the public.

When the Congress meets in joint session on 1/6 there will be a written challenge duly signed by at least one member of each house and they will return to their respective chambers to conduct a time limited debate. Can we actually win a challenge against the electors of Ohio, Florida and other states? Yes. If we have about 80 House co-sponsors by January 3rd or so then the House Democratic Caucus will stand united and we will have Nancy Pelosi as our leader. The historic decision on the continuation or termination of the Bush presidency will then rest with the most lonely and abused faction in the House – moderate Republicans. Look to Sherry Bohelert and Chris Shays and people like that to see what they will do. Not all Republicans back Bush or the brutal tactics he and his cronies are prepared to use to remain in power. With a dozen or so Republicans joining House Democrats the Bush presidency would be over and democracy restored. A similar dynamic will play out in the Senate if we have five or so co-sponsors before the session begins.

And if that doesn't work there is another way. Article 2 of the Fourteenth Amendment sets out penalties for massive vote suppression, since that is one of the problems the union faced after the Civil War. Northerners feared precisely what ended up happening – that the white elites in the South would take advantage of the increased number of citizens they now had once slavery was over but that they would not permit the freed slaves access to the ballot so they could successfully secure representatives they could trust. It says that if the right to vote in an election for president is "in any way abridged" then the representatives of that state will be reduced in proportion to the scale of the vote suppression. While this applies to representation in Congress, it also applies to the office of Elector, even though people only hold that office for a single day to do just one thing –

vote for president. A Federal lawsuit backed by 550,000 affidavits from a state would be sufficient to reduce the number of electors from that state and as a consequence the number of electoral votes it has to cast on January 6th. Happily, the Internet makes it possible to put up a form necessary to produce a legal affidavit on Monday and have well over 550,000 of them from multiple states on the next day. Bold and messy, but plausible.

The treasonous conspirators behind the unlawful theft of the presidency must stand trial if the nation is to heal and usher in a new era of democratic revival. Our deepest commitment is to democracy and to the rule of law, which must be able to produce a just outcome if our political system is not to bleed to death from the loss of legitimacy.

While the commercial news media is now reporting that something happened, the giant institutions protected by the First Amendment must now dust it off and take it out for a ride speaking truth to power once again. Just as the story of the fires in Charles County were not reported as an unexplained personal tragedy, the damage to our democracy is being done by arsonists. Worse, they appear to work for the fire department, and we need the news media to do its job and secure the truth for us so we may act widely as citizens.

David Lytel is the founder of ReDefeatBush.com, a political action committee. He lives in Washington, DC.

Word count: 1391

Thirty Things ReDefeatBush Has Done for You Since Election Day

Campaigns used to end on election night, but not anymore. Since 11/2 I have:

- Maintained a lively and vibrant Web site with news, commentary, videos and cartoons that reaches about 75,000 people daily via e-mail and about 250,000 people daily via the Web.
- Published an op-ed in the Baltimore Sun entitled Silencing the Vote (www.silencingthevote.org) that presents why we believe Bush did not win.
- Organized, promoted and paid for three demonstrations at LaFayette Park in front of the White House with speakers ranging from Libertarian Party Presidential candidate Michael Badnarick and Green Party Vice Presidential candidate Pat Lamarche to witnesses from Florida and Ohio.
- Testified before the Democrats on the House Judiciary Committee to and urged their consideration of the penalties for vote suppression in the 14th Amendment.
- Spoken at the pro-democracy rally at the Ohio State Capital.
- Met with key Congressional staff on both the House and Senate side to engage them in the Constitutional Challenge.
- Created PatrioticOutrage.org which hosts a list of a dozen things you can do to help right now to help.
- Run a banner ad campaign on Overture, Google and BlogAds to promote the site and get people to turn out for events.
- Created Bushcott.org to promote a boycott of the corporate underwriters of Bush's illegitimate tenure in office .
- Published several petitions including a request to Ukrainian president-elect Yuschenko to send observers to the U.S. once he begins his term of office.
- Hired a staff of four people to work on this full time
- Printed and begun to sell online and through our network 10,000 "Bush Cheated 04" buttons and bumper stickers
- Participated extensively in the CounterInaugural Committee including the group that has met with police forces to negotiate permits
- Published briefing materials to help citizens and Congressional staff understand the procedure and arguments for a Challenge at www.redefeatbush.com/briefing
- Organized the Rally for the Republic on 1/6 adjacent to the Capitol to support the Constitutional Challenge with Jesse Jackson, Green Party Presidential candidate David Cobb, Libertarian Presidential candidate Michael Badnarick and others.
- Created a bold new identity for ReDefeatBush and an exciting new mission that will be revealed at our Counterinaugural Ball the night of January 20th, which will provide drinks, dinner and entertainment for as many as 5,000 guests and put tickets on sale at www.counterinauguralball.org
- Secured two venues for speeches and performances during the day on 1/20 including the Jefferson Memorial, where the nation's premiere Jefferson impersonator will answer questions interactively with the audience in the character of Jefferson
- Begun to prepare the reprise of my own role as Alexis de Tocqueville, which I did 10 years ago in a program sponsored by the California Council on the Humanities,

so that I may lead a public conversation at the Jefferson Memorial on 1/20 as the author of Democracy in America.

- Negotiated and paid for the toilets that will be available to participants in the 1/6 rally on Capitol Hill and in three of the Counterinaugural venues.
- Negotiated and paid for the Old Town Trolley to serve as a shuttle carrying people to all the counterinaugural venues, enabling us to surround Bush's high security red zone in a sea of blue that people can actually travel all the way around, which makes the event considerably more family-friendly.
- Begun to assemble the team of videographers to produce a video program with highlights of the Counter Inaugural including speeches, musical performances, interviews and performances that will be put on the Internet at 10:00 PM on 1/20.
- Held a press conference on 12/29 at the National Press Club to help prepare the press for the idea that the Constitutional Challenge may actually succeed, and to show and distribute on tape some video of vote suppression in Florida and Ohio.
- Wrote and purchased a quarter page display advertisement in the Washington Post scheduled for 12/30 bringing the Challenge to the readers of that newspaper.
- Organized "Rally for the Republic" events in Boston on 1/3 and in San Francisco on 1/4 where citizens will ask their representatives to support the Constitutional Challenge.
- Invited labor and feminist leaders to join Rev. Jackson on 1/6 and to help underwrite the cost of 300 buses from the top 85 metropolitan areas to get people to Washington.
- Hired former Congressman Peter Deutsch of Florida to study the Florida irregularities to be able to present our case for why Florida's electoral votes are illegitimate to his former colleagues on 1/5 and 1/6.
- Appeared on C-SPAN and Fox News to talk about the Constitutional Challenge
- Prepared and mailed out this solicitation for financial support.
- Produced a 60 minute video entitled Patriotic Outrage: The Insurrection Connection, Web cast it live and put it on the ReDefeatBush.com Web site.

We did all this because we know that we can win this Challenge. However, that doesn't mean we can pay for it. That only becomes true if you will help us with your contribution at <http://www.redefeatbush.com/donate> Please be generous. We are efficient and effective with the use of your money. To find out more detail about how we spend the contributions we receive, please visit <http://www.redefeatbush.com/costs> and please show you are grateful that we have stepped up to this challenge on your behalf.

-- David Lytel

Come to DC on 1/6 to Demand Honest Elections

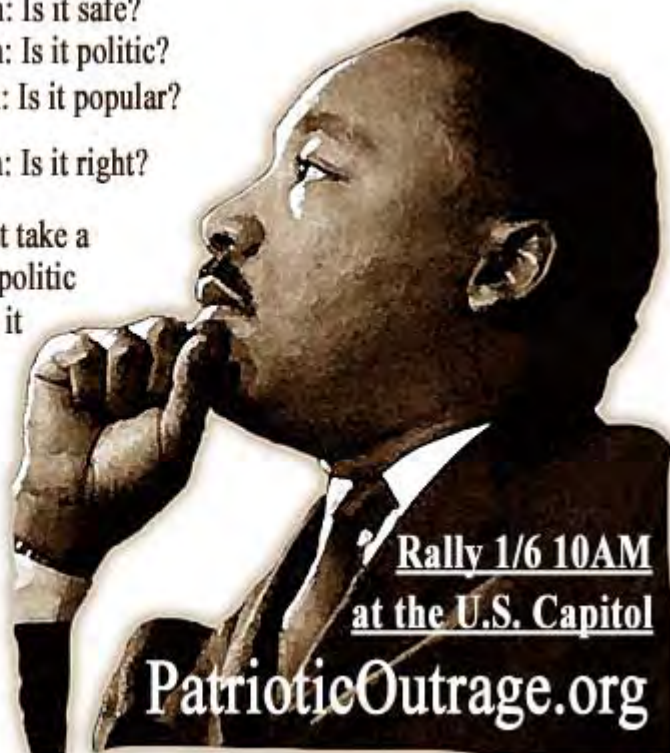
Cowardice asks the question: Is it safe?
Expediency asks the question: Is it politic?
Vanity asks the question: Is it popular?

But conscience asks the question: Is it right?

And there comes a time one must take a position that is neither safe, nor politic nor popular -- but one must take it simply because it is right.

-- *Martin Luther King*

**Democracy Demands our
Patriotic Outrage at
Dishonest Elections in Ohio,
Florida and nationwide**



Show You Won't Stand for Massive Vote
Suppression and Fraud in the Casting and
Counting of the Votes

Upper Senate Park next to the U.S. Capitol
Thursday January 6th Starting at 10:00 AM

Learn More, Get Rides and Donate Money
www.PatrioticOutrage.org