

Hand recounts in the US elections: fact and fiction

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Supporters and aides of Texas Governor George W. Bush have launched vehement attacks over the past week against the manual recounting of votes cast in the November 7 presidential election in several Florida counties.

One of Bush's chief point men, Montana's right-wing Republican governor Mark Racicot, declared over the weekend, "There is something obviously that is terribly, terribly wrong with what is occurring.... This is a process that is completely untrustworthy and this is what the campaign was warning about from the beginning." He suggested that "irreparable damage" was being done to the electoral process. The Montana governor alleged that if Americans were aware of how recounts were being conducted, they would be "flabbergasted."

Appearing on "Fox News Sunday," Racicot held up a plastic bag that he claimed contained 283 chads, the paper bits that fall out when a ballot is punched, from ballots in Broward County, one of the three counties currently recounting votes by hand. (A fourth, Volusia County, finished its hand recount last week.) He went on, "Now what that means, of course, is if you replicate that throughout these four entire counties, God only knows how many ballots have been altered in some fashion, either falling apart, or because of movement, or because of normal recounts or because of the manual recounts."

Karen Hughes, a Bush spokeswoman, in the finest traditions of Senator Joseph McCarthy, proclaimed, "We now have clear and compelling evidence from eyewitnesses that this manual recount process is fundamentally flawed and is no longer recounting, but is distorting, reinventing and miscounting the true intentions of the voters of Florida."

This is all nonsense. The Republicans are attempting to block and discredit a process that they fear would result in a victory for the Democratic Party candidate, Vice President Al Gore. Having lost a court battle to close down the manual recount, Republicans are making every effort to impede it. In Palm Beach County they are refusing to supply sufficient numbers of counters. The county planned to have 25 four-person teams working 14 hours a day; instead 15 teams are operating, for fewer hours each day. Republicans are also objecting to a high number of ballots, as many as one in six, in another effort to obstruct the process.

It is necessary to separate fact from fiction about the process of hand counting ballots.

The manual recount in Florida, first of all, is going on in front of the eyes of observers from both parties, and Green Party officials in some cases, with each party permitted to object. More than that, the counting is going on under the watchful eyes of journalists and camera operators. In Palm Beach County, for example, groups of reporters,

still photographers and video recorders are permitted to enter for 30 minutes at a time. There is a waiting list of those desiring to enter and there is a continual presence of cameras in the counting room, a large auditorium in the Emergency Operations Center.

Republican operatives could be heard muttering about incriminating videotape last Wednesday, in regard to allegations of partiality against Palm Beach County canvassing board member Carol Roberts—why have they produced nothing? And why, despite all the claims of nefarious and fraudulent activity by Democratic Party officials, have no charges been laid in a court of law?

Counters in Broward County must sign in and out of the second-floor rooms they are working in, including for bathroom breaks, and are escorted in groups of two to the cafeteria for lunch. One vote counter told the *Washington Post*, "there are literally 25 people walking around each side of the room monitoring. All you have to do is raise your hand and a canvassing person will come and answer questions promptly." As one volunteer in Broward County noted, "Anybody who commits fraud in this environment should be a magician."

The counters in Palm Beach County that I observed last week seemed to take their work extremely seriously, as a civic responsibility under extraordinary historical circumstances. Seymour Kaplan, a retired accountant from New York, now living in Jupiter, Florida, was typical. He simply felt, he said, that "everyone has the right to have a vote count."

The *Palm Beach Post*, in a November 17 editorial, noted numerous myths about the process, including the following: "Hand recounts are chaotic circuses during which political hacks attempt to divine the intent of the voter in an atmosphere ripe for mischief." The newspaper commented: "This inflammatory imagery, part of the Republicans' public relations campaign, insults the counters, who are civic-minded citizens wishing to be part of history. They are the people Mr. Bush says he 'trusts.'"

A particularly surreal scene unfolded Thursday when Republican strategist Tucker Eskew and Rep. Mark Foley (R-Fla.) gathered the press around them outside the Emergency Operations Center in West Palm Beach to introduce two witnesses for the prosecution—Republican observer Mark Klimek, described in one newspaper as an "investment banker," and former Republican state house candidate Beverly Green. Klimek, who had filed affidavits earlier in the week against Roberts, this time inveighed against the entire process of manual recounting.

For her part Green, a former school board member who is black, complained that she had lost a primary contest in September by 14 votes and had been denied a manual recount by the Palm Beach

canvassing board. "Here we are, eight weeks later, and they want to change the rules. I submit to the American public that it's all subjective," she declared.

Green failed to mention that the board was not obliged to grant her request because she had lost by more than the 0.5 percent margin that automatically triggers a recount. Aside from that, no one in the amassed media bothered to question the possible relevance of this minor Republican primary scuffle to an election result that would decide the presidency of the United States.

The Republican campaign against the manual recount is especially brazen insofar as George W. Bush, as governor of Texas, signed into law in 1997 a measure codifying the use of hand counting in that state. The rules for recounting ballots by hand in Texas, according to *ABC News*, "are included in Texas's 700-page Election Code and are similar to the standards currently being used in Broward County, Florida." The standards state "a manual recount shall be conducted in preference to an electronic recount."

The Texas code states that a vote must be counted if "at least two corners of the chad are detached" and "light is visible through the hole." It must also be counted if "an indentation on the chad from the stylus or other object is present and indicates a clearly ascertainable intent of the voter to vote" or the chad "reflects by other means a clearly ascertainable intent of the voter to vote." These are the methods that have been ridiculed by Republicans in the Florida controversy.

An article in the *Houston Chronicle* is headlined "Recounts a part of Texas politics," and notes that "This year, candidates unanimously chose hand counts as their preference in four contested elections. Three were district attorney races."

The fourth involves a race for the state House of Representatives. Republican Bill Hollowell has requested and been granted a manual recount of votes in his effort to overturn the initial result of the November 7 balloting. In the first count, Democrat Bob Glaze won Texas House District 5 by 2,000 votes. A committee of 12 registered voters, 6 Republicans and 6 Democrats chosen by a judge, will carry out the recount. Each of the three counties involved will have its own bipartisan recounting committee.

Punch-card systems are notoriously inaccurate. Most still in use in the US are at least 15 years old, and some date to the 1970s. "Old machinery," observes the *Los Angeles Times*, "can get worn down after voters jam cards through them for years, resulting in fewer completely punched holes."

The system, still used in Palm Beach, Broward, Miami-Dade, Volusia and 22 other Florida counties, fails to record votes at a rate five times higher than more modern vote-tabulating and -detecting equipment. Punch cards are still in use in the more populous urban counties where budget cuts and fiscal considerations have made updating election equipment politically difficult.

The *Orlando Sentinel* notes that "Counties with the pen-marked, precinct-tabulated voting system that consistently produced the most complete results also usually favored Bush.... That meant Bush was able to squeeze just about every available vote out of more friendly territory."

The newspaper goes on: "If all counties had been using the same type of system with an identical overall reliability rate, Gore might have gone ahead of Bush in the totals for Nov. 7 by a margin of more than 1,700 votes." In Brevard County, for example, a new optical scanning system counted presidential votes for 99.7 percent of all ballots cast, as opposed to a rate of 97.2 percent with punch cards in

1996. From this point of view, the Democratic Party effort is a belated attempt through the courts to level the playing field. Democrats, of course, preside over many of the governments in the larger urban centers that have allowed the electoral machinery to decay.

The punch-card system is so inaccurate that a US government study suggested that it was too unreliable to use. Now-retired researched Roy G. Saltman, in his 1988 report for the National Bureau of Standards (now the National Institute of Standards and Technology), wrote: "The use of pre-scored punch card ballots should be ended." Saltman was prompted by "concern about the potential for inaccuracy or fraud in computerized vote-tallying." The study mentioned numerous problems, including an election result in Palm Beach County in 1984. It also questioned the accuracy of machine counts, explaining that partially punched cards aren't always read the same way each time the cards pass through the ballot-scanning device.

Jackie Winchester, the former Palm Beach County Supervisor of Elections, told the *South Florida Sun-Sentinel* (of Ft. Lauderdale) that "problems with the punch ballot system began to surface shortly after the county instituted it in 1978. They rarely matter much, she said, because candidates usually win by a margin larger than the total number of ballots that can't be counted. 'Punch cards are not a problem until a real close election,' Winchester said. 'Then they're a big problem.'"

By any objective standard—if that standard were a desire to arrive at an accurate accounting of the voters' intentions—the Republican arguments are absurd. They are partisan, of course, but something more than that is going on. The flagrancy of the lies and the abusive character of the language employed by Republican representatives, which go virtually uncriticized and unchallenged in the media, speak to political objectives that are not purely electoral in the traditional sense. In an effort to seize control of the White House, the Republicans, turning reality on its head, are seeking to construct the legend within extreme right-wing circles of an attempt by their opponents to "steal" the election. This becomes the pretext for further extra-constitutional and conspiratorial moves.

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