



miami-dade election reform coalition

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For Immediate Release:

Contact: Sandy Wayland,
Legislative Chair
305-297-9921

Miami-Dade Election Reform Coalition
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Voting Reforms Group Calls on Governor to Order an Audit of Florida Voting Systems

(Tallahassee) – In a news conference in Tallahassee today, the Miami-Dade Election Reform Coalition (the “Coalition”) called upon Governor Jeb Bush to order an audit of Florida’s voting systems to determine whether they are working properly and to increase voter confidence that State officials are doing everything possible to protect the rights of voters.

The Coalition is asking the Governor to order independent audits of all Direct Recording Electronic voting machines or DREs during the August 31 election. The DREs are used in 15 Florida counties. The largest vendor of DREs in Florida is Election Systems & Software (ES&S), with 11 counties. The other 4 DRE counties buy their machines from ES&S’s competitor Sequoia.

The Coalition cites audit trail problems uncovered in Miami-Dade’s DRE voting system which is manufactured by ES&S, a Nebraska company. These problems caused Miami-Dade’s voting machines to produce inaccurate audit logs in actual elections. In one election held in Homestead, Florida in October of 2003, the audit logs failed to register the votes cast on five machines. The audit trail problems in Miami-Dade County were alarming enough to cause one county official to repeatedly sound the alarm, stating in a memo that the inaccuracy “would be cause for investigation and research – a lot of questions would be raised.”

“The audit log problems we uncovered in Miami-Dade should be a warning to the rest of the state,” said Sandy Wayland, Legislative Chair of the grassroots group “the time to heed the warning is now – while we can still do something about it.” Wayland cites to a Florida state statute Section 101.591, which permits the Legislature “upon specific appropriation and directive,” to require “an independent audit of the voting system in any county.” Wayland argues that “The buck stops with Governor Bush. He can either be the leader in election reform or he can stick his head in the sand and do nothing. We are calling on him to lead.”

The audit problems in Miami-Dade have since been publicly acknowledged by ES&S which has also admitted that these problems date back to at least 2002. At least one other Florida county has reported a similar problem and it is suspected that all 11 counties that use ES&S DRE voting machines are also affected. The group is also calling for random audits of the voting systems in the remaining 52 Florida counties that use optical scan technology. “The

defect uncovered with respect to the DREs reveals a breakdown in the state certification and oversight process,” says Martha Mahoney, a University of Miami law professor and a member of the Coalition. “Certification twice failed to catch this problem. Therefore, we need to make sure that we look just as closely at the optical scan systems because all Florida voters deserve to know that their voting technology really works.”

According to the Coalition, while county elections supervisors may choose to expend their own funds for audits, there is no assurance that they will. “Besides, implementation of a certified, secure and fully audited election system is a state responsibility,” said Wayland. “The Governor has several options including using funds already allocated to the Department of Elections or using a small portion of the \$47 million that the State just received from the federal government under the Help American Vote Act (HAVA). What better use can there be for this money?” What is more, said Wayland, “if necessary, Governor Bush can call a Special Session of the Legislature to have the funds appropriated and the audits ordered.”

Professor Mahoney added, "system audits must be independent and must focus on whether security procedures are actually being followed and on whether the systems accurately record and tabulate votes and produce reports on elections. This is why the Coalition calls for security reviews which include parallel testing, a procedure advocated by the National League of Women Voters and others. This procedure uses actual voting machines on election day to determine that votes on that machine are being recorded exactly as they are cast." According to Professor Mahoney, "voting system audits must also include performance evaluation of the special voting machines that are used by visually impaired voters."

"The League of Women Voters believes that voting systems should be secure, accurate, accessible and re-countable” says Bobbie Brinegar, President of the League of Women Voters of Miami-Dade County, a member of the Coalition. “We encourage citizens to join us in urging the Governor to conduct an independent audit during the August 31st primary in order to ensure the integrity of Florida’s voting systems.”

“It is the absence of consistent and thorough auditing of voting systems in Florida that has increased cynicism in the elections process - not our alerting public officials to the need for such audits,” said Howard Simon, Executive Director of the ACLU of Florida. “Mere assertions by state officials that everything is OK do not restore voter confidence. Democracy depends upon confidence in the electoral process,” Simon added. “We believe that the steps we have outlined today will help increase voter confidence in Florida's election system.”G

*The Miami-Dade Election Reform Coalition (Coalition) was born in Fall 2002, out of frustration over a controversial primary election. In the tradition of civic participation, this group of community organizations and citizen activists are all volunteers who make it their responsibility to call for basic voting reforms.