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No Paper Trail Left Behind: The Theft of the 2004 Presidential Election

By Dennis Loo, Ph.D.

Cal Poly Pomona

ddloo@csupomona.edu

"Alice laughed: "There's no use trying," she said; "one can't believe impossible things." "I daresay you haven't had much practice," said the Queen. "When I was younger, I always did it for half an hour a day. Why, sometimes I've believed as many as six impossible things before breakfast." (Through the Looking Glass)

In order to believe that George Bush won the November 2, 2004 presidential election, you must also believe all of the following extremely improbable or outright impossible things.

- 1) A big turnout and a highly energized and motivated electorate favored the GOP instead of the Democrats for the first time in history.
- 2) Even though first-time voters, lapsed voters (those who didn't vote in 2000), and undecideds went for John Kerry by big margins, and Bush lost people who voted for him in the cliffhanger 2000 election, Bush still received a 3.5 million vote surplus nationally.
- 3) The fact that Bush far exceeded the 85% of registered Florida Republicans' votes that he got in 2000, receiving in 2004 more than 100% of the registered Republican votes in 47 out of 67 Florida counties, 200% of registered Republicans in 15 counties, and over 300% of registered Republicans in 4 counties, merely shows Floridians' enthusiasm for Bush. He managed to do this despite the fact that his share of the crossover votes by registered Democrats in Florida did not increase over 2000 and he lost ground among registered Independents, dropping 15 points.
- 4) Florida's reporting of more presidential votes (7.59 million) than actual number of people who voted (7.35 million), a surplus of 237,522 votes, does not indicate fraud.
- 5) The fact that Bush got more votes than registered voters, and the fact that by stark contrast participation rates in many Democratic strongholds in Ohio and Florida fell to as low as 8%, do not indicate a rigged election.
- 6) Bush won re-election despite approval ratings below 50% - the first time in history this has happened. Truman has been cited as having also done this, but Truman's polling numbers were trailing so much behind his challenger, Thomas Dewey, pollsters stopped surveying two months before the 1948 elections, thus missing the late surge of support for Truman. Unlike Truman, Bush's support was clearly eroding on the eve of the election.
- 7) Harris' last-minute polling indicating a Kerry victory was wrong (even though Harris was exactly on the mark in their 2000 election final poll).

- 8) The “challenger rule” - an incumbent’s final results won’t be better than his final polling - was wrong;
- 9) On election day the early-day voters picked up by early exit polls (showing Kerry with a wide lead) were heavily Democratic instead of the traditional pattern of early voters being mainly Republican.
- 10) The fact that Bush “won” Ohio by 51-48%, but this was not matched by the court-supervised hand count of the 147,400 absentee and provisional ballots in which Kerry received 54.46% of the vote doesn’t cast any suspicion upon the official tally.
- 11) Florida computer programmer Clinton Curtis (a life-long registered Republican) must be lying when he said in a sworn affidavit that his employers at Yang Enterprises, Inc. (YEI) and Tom Feeney (general counsel and lobbyist for YEI, GOP state legislator and Jeb Bush’s 1994 running mate for Florida Lt. Governor) asked him in 2000 to create a computer program to undetectably alter vote totals. Curtis, under the initial impression that he was creating this software in order to forestall possible fraud, handed over the program to his employer Mrs. Li Woan Yang, and was told: “You don’t understand, in order to get the contract we have to hide the manipulation in the source code. This program is needed to control the vote in south Florida.” (Boldface in original).
- 12) Diebold CEO Walden O’Dell’s declaration in a August 14, 2003 letter to GOP fundraisers that he was "committed to helping Ohio to deliver its electoral votes to the president next year" and the fact that Diebold is one of the three major suppliers of the electronic voting machines in Ohio and nationally, didn’t result in any fraud by Diebold.
- 13) There was no fraud in Cuyahoga County, Ohio where the number of recorded votes was more than 93,000 larger than the number of registered voters and where they admitted counting the votes in secret before bringing them out in public to count. [See appendix – attached herein]
- 14) CNN reported at 9 p.m. EST on election evening that Kerry was leading by 3 points in the national exit polls based on well over 13,000 respondents. Several hours later at 1:36 a.m. CNN reported that the exit polls, now based on a few hundred more - 13,531 respondents - were showing Bush leading by 2 points, a 5-point swing. In other words, a swing of 5 percentage points from a tiny increase in the number of respondents somehow occurred despite it being mathematically impossible.
- 15) Exit polls in the November 2004 Ukrainian presidential elections, paid for in part by the Bush administration, were right, but exit polls in the U.S., where exit polling was invented, were very wrong.
- 16) The National Election Pool’s exit polls were so far off that since their inception twenty years ago, they have never been this wrong, more wrong than statistical probability indicates is possible.
- 17) In every single instance where exit polls were wrong the discrepancy favored Bush, even though statistical probability tells us that any survey errors should show up in both directions. Half a century of polling and centuries of mathematics must be wrong.
- 18) It must be merely a stunning coincidence that exit polls were wrong only in precincts where there was no paper ballot to check against the electronic totals and right everywhere there was a paper trail.

The Emperor (and the Electoral Process) Have No Clothes

The preceding list recounts only some of the irregularities in the 2004 election since it ignores the scores of instances of voter disenfranchisement that assumed many different forms (e.g., banning black voters in Florida who had either been convicted of a felony previously or who were “inadvertently” placed on the felons list by mistake, while not banning convicted Latino felons ; providing extraordinarily few voting

machines in predominately Democratic precincts in Ohio; disallowing Ohio voters, for the first time, from voting in any precinct when they were unable to find their assigned precincts to vote in; and so on). A plethora of reasons clearly exists to conclude that widespread and historic levels of fraud were committed in this election.

Indeed, any one of the above highly improbables and utterly impossibles should have led to a thorough investigation into the results. Taken as a whole, this list points overwhelmingly to fraud. The jarring strangeness of the results and the ubiquity of complaints from voters (e.g., those who voted for Kerry and then saw to their shock the machine record their votes as being for Bush), require some kind of explanation, or the legitimacy of elections and of the presidency would be imperiled.

The explanations from public officials and major media came in three forms. First, exit polls, not the official tallies, were labeled spectacularly wrong. Second, the so-called “moral values” voters expressed in the now ubiquitous “red state/blue state” formula, were offered as the underlying reason for Bush’s triumph. And third, people who brought forth any of the evidence of fraud were dismissed as “spreadsheet-wielding conspiracy theorists” while mainstream media censored the vast majority of the evidence of fraud so that most Americans to this day have never heard a fraction of what was amiss. I will discuss each of these three responses, followed by a discussion of the role of electronic voting machines in the 2002 elections that presaged the 2004 election irregularities, and then wrap up with a discussion of these events’ significance taken as a whole.

Killing the Messenger: the Exit Polls

Exit polls are the gold standard of vote count validity internationally. Since exit polls ask people as they emerge from the polling station whom they just voted for, they are not projections as are polls taken in the months, weeks or days before an election. They are not subject to faulty memory, voter capriciousness (voters voting differently than they indicated to a pollster previously), or erroneous projections about who will actually turn up to vote. Pollsters know who turned up to vote because the voters are standing there in front of the exit pollsters. Because of these characteristics, exit polls are exceptionally accurate. They are so accurate that in Germany, for example, they are used to decide elections, with the paper ballots being counted in the days afterwards as a backup check against the exit polls. Exit polls are used, for this reason, as markers of fraud.

Significant, inexplicable discrepancies between exit polls and official tallies only started showing up in the U.S. in 2000 and only in Florida (and notably, nowhere else). The discrepancy was not the exit polls’ fault, however, but in the official tallies themselves. Although the mainstream media fell on their swords about their election’s evening projections calling Florida for Gore in 2000, their projections were right. In analyses conducted by the National Opinion Research Center in Florida after the U.S. Supreme Court aborted the vote recount, Gore emerged the winner over Bush, no matter what criteria for counting votes was applied. The fact that this is not widely known constitutes itself a major untold story.

Exit polling’s validity is further affirmed by GOP pollster Dick Morris. Immediately after the 2004 election he wrote:

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 but never do and by substituting actual observation for guesswork in judging the relative turnout of different parts of the state...

To screw up one exit poll is unheard of. To miss six of them is incredible. It boggles the imagination how pollsters could be that incompetent and invites speculation that more than honest error was at play here.

Confounded and suspicious of the results, Morris resorted to advancing the bizarre theory that there must have been a conspiracy among the networks to suppress the Bush vote in the west by issuing exit poll results that were so far off from the final tallies.

A number of different statisticians have examined the 2004 election results. University of Pennsylvania statistician Steve Freeman, Ph.D., most notably, analyzed the exit polls of the swing states of Pennsylvania, Ohio and Florida and concluded that the odds of the exit polls being as far off as they were are 250 million to one. Exit polls in Florida had Kerry leading by 1.7 points and by 2.4 points in Ohio. These exit poll figures were altered at 1:30 a.m. November 3, 2004 on CNN to conform to the “official” tally. In the end, Kerry lost Florida by 5% and Ohio by 2.5%. This is a net shift of 6.7 points in Florida and 4.9 points in Ohio in Bush’s favor, well beyond the margin of error. By exit poll standards, this net shift was unbelievable.

A team at the University of California at Berkeley, headed by sociology professor Michael Hout, found a highly suspicious pattern in which Bush received 260,000 more votes in those Florida precincts that used electronic voting machines than past voting patterns would indicate compared to those precincts that used optical scan read votes where past voting patterns held.

The Edison-Mitofsky polling group that conducted the National Exit Poll (NEP) issued a 77-page report on January 19, 2005 to account for why their exit polls were so unexpectedly far off. Edison-Mitofsky rule out sampling error as the problem and indicate that systemic bias was responsible. They concluded that their exit polls were wrong because Kerry voters must have been more willing to talk to their poll workers than Bush voters and because their poll workers were too young and inexperienced. Edison-Mitofsky offer no evidence indicating that their conclusion about more chatty Kerry voters actually occurred, merely that such a scenario would explain the discrepancy. In fact, as nine statisticians who conducted an evaluation of the Edison-Mitofsky data and analysis point out, Bush voters appeared to be slightly more willing to talk to exit pollsters than Kerry voters. This would make the exit polls’ discrepancy with the official tallies even more pronounced. In addition, the Edison-Mitofsky explanation fails to explain why exit polls were only exceptionally wrong in the swing states.

Red State, Red Herring: the “Moral Values” Voters

A plausible explanation still needs to be offered for the startling 2004 election outcome – how did Bush, caught in a lie about why we went to war with Iraq, racked by prison abuse and torture scandals at Abu Graib and Guantanamo, bogged down in Iraq, failing to catch Osama Bin Laden, badly embarrassed during the debates, caught sleeping prior to 9/11, and so on, manage to win a resounding victory? Enter here the “moral values” rationale. As Katharine Q. Seelye of the New York Times wrote in a November 4, 2004 article entitled “Moral Values Cited as a Defining Issue of the Election:”

Even in a time of war and economic hardship, Americans said they were motivated to vote for President Bush on Tuesday by moral values as much as anything else, according to a survey of voters as they left their polling places. In the survey, a striking portrait of one influential group emerged - that of a traditional, church-going electorate that leans conservative on social issues and strongly backed Mr. Bush....

In the same issue, another article by Todd S. Purdum entitled “Electoral Affirmation of Shared Values Provides Bush a Majority” cited 1/5 (more precisely, 22%) of the voters as mentioning “moral values” as their chief concern. This was echoed throughout major media. The only person in the mainstream media to challenge this was New York Times columnist Frank Rich, on November 28, 2004 in an opinion piece entitled “The Great Indecency Hoax:”

The mainstream press, itself in love with the "moral values" story line and traumatized by the visual exaggerations of the red-blue map, is too cowed to challenge the likes of the American Family Association. So are politicians of both parties. It took a British publication, The Economist, to point out that the percentage of American voters citing moral and ethical values as their prime concern is actually down from 2000 (35 percent) and 1996 (40 percent).

As Rich correctly points out, no American media outlet repeated this statistic. Instead, the widely mentioned and oft-repeated “moral values” vote took on the status of an urban – or in this instance, suburban/rural -

legend.

Shocked by the election results, many people took out their anger at the perceived mendacity of Bush voters, especially those in the so-called “red states.” This fury, while understandable given Bush’s record, badly misses the point. Voters did not heist this election. As others have pointed out eloquently, many of the people who really did vote for Bush did so primarily because they were misled through systematic disinformation campaigns.

“Spreadsheet wielding conspiracy theorists”

In November 2004 major U.S. media gave headline news treatment to the Ukrainian Presidential election fraud, explicitly citing the exit polls as definitive evidence of fraud. At the very same time major U.S. media dismissed anyone who pointed out this same evidence of likely fraud in the U.S. elections as “conspiracy theory” crazies. A November 11, 2004 Washington Post article, for example, described people raising the question of fraud as “mortally wounded party loyalists and ... spreadsheet-wielding conspiracy theorists.” Tom Zeller, Jr. handled it similarly, writing in the November 12, 2004 issue of the New York Times (“Vote Fraud Theories, Spread by Blogs, Are Quickly Buried”): “[T]he email messages and Web postings had all the twitchy cloak-and-dagger thrust of a Hollywood blockbuster. ‘Evidence mounts that the vote may have been hacked,’ trumpeted a headline on the Web site CommonDreams.org. ‘Fraud took place in the 2004 election through electronic voting machines,’ declared BlackBoxVoting.org.”

Neither of these articles bothered to address even a fraction of the evidence of irregularities. They did, however, both dismiss the 93,000 excess votes in Cuyahoga County, Ohio as merely an error in how the votes were reported, the Washington Post article offering the strange explanation that in “even-numbered years” the county posts vote totals from other districts outside the county in the Cuyahoga totals. The Washington Post passed off the exit polls discrepancy as “not being based on statistics” since the exit polls “are not publicly distributed.” Both of these statements were untrue. The New York Times article for its part failed to even mention exit polls. Both articles explained away the glaring and unbelievable totals for Bush in hugely Democratic districts as due to the “Dixiecrat” vote. This would be plausible except for two things: first, Bush did not win over any more crossover votes in 2004 than he did in 2000, and second, these votes far in excess of Republican registered voters numbers occurred primarily in non-rural areas. In just one example of this, Baker County, Florida, out of 12,887 registered voters, of whom 69.3% were Democrats and 24.3% Republicans, Bush received 7,738 votes while Kerry only received 2,180. As Robert Parry of Consortiumnews.org points out:

Rather than a rural surge of support, Bush actually earned more than seven out of 10 new votes in the 20 largest counties in Florida. Many of these counties are either Democratic strongholds – such as Miami-Dade, Broward, and Palm Beach – or they are swing counties, such as Orange, Hillsborough, and Duval.

Many of these large counties saw substantially more newly registered Democrats than Republicans. For example, in Orange County, a swing county home to Orlando, Democrats registered twice as many new voters than Republicans in the years since 2000. In Palm Beach and Broward combined, Democrats registered 111,000 new voters compared with fewer than 20,000 new Republicans.

The only person in major media to treat these complaints seriously and at any length was Keith Olbermann at MSNBC who ran two stories on it, citing Cuyahoga County’s surplus 93,000 votes over the registered voter count, and the peculiar victories for Bush in Florida counties that were overwhelmingly Democratic scattered across the state. For his trouble, media conservatives attacked him for being a “voice of paranoia” and spreading “idiotic conspiracy theories.”

The Oh-So Loyal Opposition: the Democratic Party

An obvious question here is: why haven't the Democrats been more vigorous in their objections to this fraud? The fact that they haven't objected more (with a few notable individual exceptions) has been taken by some as definitive evidence that no fraud must have happened because the Democrats have the most to gain from objecting. In part the answer to this puzzle is that the Democrats don't fully understand what has hit them. The Kerry campaign's reaction to the Swift Boat Veterans attack ads that damaged them so much are a good illustration of this. The right-wing media hammered away at Kerry through their by now very heavy presence over talk radio, the Internet, Fox News, and other outlets. The mainstream media such as ABC, CBS, NBC, CNN and major newspapers and magazines, still adhering to the standards of "objective" journalism, which the right-wing media consider "quaint," legitimated these false allegations about Kerry by presenting "the two sides" as if one side made up entirely of lies and half-truths could be considered a legitimate "side." The Kerry campaign concluded that these ads were all lies and wouldn't have any effect, thus they took too long to respond to them. By the time they did, the damage had been done. In a CBS/NY Times poll taken September 12-16, 2004, 33% said they thought that the Swift Boast Veterans' charges against Kerry were "mostly true." A remarkable feat given that Kerry volunteered and was multi-decorated for heroism while Bush used his father's connections to dodge real service.

The Democrats' meek acceptance of other races' extremely peculiar outcomes prior to the 2004 elections illustrates this point further. As a result of the 2000 Florida debacle, Congress passed the "Help America Vote" Act in October 2002. While this act introduced a number of reasonable reforms, it also resulted in the widespread introduction of paperless electronic voting machines. This meant that there was no way to determine if the votes recorded by these computers were accurate and tamper-free. Efforts subsequently by a few Democratic Congresspeople, led by Michigan Rep. John Conyers, to rectify this and ensure a paper ballot, have been blocked by the GOP majority.

The following is a partial list of 2002 discrepancies that can be understood as dress rehearsals for the stolen presidential election of 2004:

On Nov. 3, 2002, the Atlanta Journal-Constitution poll showed Democratic Sen. Max Cleland with a 49-to-44 point lead over Republican Rep. Saxby Chambliss. The next day, Chambliss, despite trailing by 5 points, ended up winning by a margin of 53 to 46 percent. This was, in other words, an unbelievable 12-point turn around over the course of one day!

In the Georgia governor's race Republican Sonny Perdue upset incumbent Democratic Gov. Roy Barnes by a margin of 52 to 45 percent. This was especially strange given that the October 16-17, 2002 Mason Dixon Poll (Mason Dixon Polling and Research, Inc. of Washington, D.C.) had shown Democratic Governor Barnes ahead 48 to 39 percent, with a margin of error of ± 4 points. The final tally was, in other words, a jaw dropping 16-point turn-around! What the Cleland "defeat" by Saxby and the Barnes "defeat" by Perdue both have in common is that nearly all the Georgia votes were recorded on computerized voting machines, which produce no paper trail.

In Minnesota, after Democrat Sen. Paul Wellstone's plane crash death, ex-vice-president Walter Mondale took Wellstone's place and was leading Republican Norm Coleman in the days before the election by 47 to 39 percent. Despite the fact that he was trailing just days before the race by 8 points, Coleman beat Mondale by 50 to 47 percent. This was an 11-point turn around! The Minnesota race was also conducted on electronic voting machines with no paper trail.

Welcome to a world where statistical probability and normal arithmetic no longer apply! The Democrats, rather than vigorously pursuing these patently obvious signs of election fraud in 2004, have nearly all decided that being gracious losers is better than being winners, probably because – and this may be the most important reason for the Democrat's relative silence - a full-scale uncovering of the fraud runs the risk of mobilizing and unleashing popular forces that the Democrats find just as threatening as the GOP does.

The delicious irony for the GOP is that the Help America Vote Act, precipitated by their theft of the Florida 2000 presidential vote, made GOP theft of elections as in the preceding examples easy and unverifiable except through recourse to indirect analysis such as pre-election polls and exit polls. This is the political equivalent of having your cake and eating it too. Or, more precisely: stealing elections, running the country, and aggressively, arrogantly and falsely claiming that “the people” support it.

Flavor Flav of the rap group Public Enemy used to wear a big clock around his neck in order to remind us all that we’d better understand what time it is. Or, as Bob Dylan once said: “Let us not speak falsely now, the hour’s getting late.” To all of those who said before the 2004 elections that this was the most important election in our lifetimes; to all of those who plunged into that election hoping and believing that we could throw the villains out via the electoral booth; to all of those who held their noses and voted for Democrats thinking that at least they were slightly better than the theocratic fascists running this country now, this must be said: VOTING REALLY DOESN’T MATTER. If we weren’t convinced of that before these last elections, then now is the time to wake up to that fact. Even beyond the fraudulent elections of 2000 and 2004, public policies are not now, nor have they ever been, settled through elections.

The Role of Mass Movements and Alternative Media

What can be done? The Eugene McCarthy campaign of 1968 and the George McGovern campaign in 1972 didn’t end the war in Vietnam. The Vietnamese people and the anti-war movement ended the war. Civil rights weren’t secured because JFK and LBJ suddenly woke up to racial discrimination. The Civil Rights Movement and Black Power Movement galvanized public opinion and rocked this country to its foundations. Men didn’t suddenly wake up and realize that they were male chauvinist pigs - women formed the Women’s Movement, organized, marched, rallied, and demanded nothing less than equality, shaking this country to the core. The Bush administration is bogged down and sinking deeper in Iraq not mainly because the top figures of the Bush administration consist of liars, blind (and incompetent) ideologues, international outlaws and propagators of torture as an official policy, but because the Iraqi people have risen up against imperialist invasion. Prior to the war, the international anti-Iraq war movement brought out millions of people into the streets, the largest demonstrations in history, denying the U.S. imperialists the UN’s sanction and leading to Turkey denying US requests to use their land as a staging area. These are major, world-historic feats.

The 2000, 2002 and 2004 elections fraud underscores the critical importance of building a mass movement, a movement of resistance that doesn’t tie itself to the electoral road and electoral parties. In addition, as Robert Parry has eloquently argued, a counterforce to the right-wing media empire must be built by the left and by progressive-minded people. As it stands today, the right can get away with nearly anything because they have talking heads on TV, radio, the Internet and other outlets who set the tone and the political agenda, with mainstream media focusing on sex and sensationalism and taking their political cues to a large extent from the right.

Like a bridge broken by an earthquake, the electoral road can only lead to plunging us into the sea – which is precisely what happened in the 2004 election.

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Project Censored - Sonoma State University
1801 East Cotati Ave., Rohnert Park, CA 94928
(707) 664-2500
censored@sonoma.edu