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Vote spike blamed on program snafu

By ANNA M. TINSLEY and ANTHONY SPANGLER
STAR-TELEGRAM STAFF WRITERS

An undetected computer glitch in Tarrant County led to inflated election returns in Tuesday's primaries but did not alter the outcome of any local race, elections and county officials said Wednesday.

The error caused Tarrant County to report as many as 100,000 votes in both primaries that never were cast, dropping the local turnout from a possible record high of about 158,103 voters to about 58,000.

Because the errors added votes equally for each candidate, the glitch did not change the outcome of Tarrant County races but narrowed the margin of victory in some statewide races. In the close Republican primary race for Texas Supreme Court, for example, incumbent Don Willett edged past former Justice Steve Smith by only about 1 percentage point with the corrected vote tallies.

Questions about possible problems were raised by election staff late Tuesday night, as it became apparent to some that the county would far exceed the 76,000 votes cast in the 2002 primary elections.

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But elections officials did not look into the discrepancies that night because they were dealing with a new system, new procedures and some new equipment, said Gayle Hamilton, Tarrant County's interim elections administrator.

"We didn't think there was a problem," Hamilton said. "We should have stopped right then.

"But we didn't question it at that time."

The problem stemmed from a programming error by Hart InterCivic, which manufactured the equipment and wrote the software for the local voting system. The system is designed to combine electronic early voting results and totals from paper ballots on Election Day.

The error caused the computer to compound the previous vote totals each time the election totals were updated throughout the night, rather than keep a simple running total, officials said.

"The system did what we told it to do," said John Covell, a vice president with Hart. "We told it incorrectly."

The program was designed specifically for Tarrant County, and no other counties reported similar problems, elections officials said.

By 7 a.m. Wednesday, campaign officials for Robert Higgins, who ran against Republican state Rep. Anna Mowery in state House District 97, showed up at election headquarters wanting to know how more than 20,000 people could have voted in that race.

"We were watching the results and we knew what the universe of numbers should be," Higgins said. "We expected about 8,000 in our race and got about 21,000."

Election officials then began reviewing the results and discovered errors. Hart officials were called in and spent much of Wednesday reviewing election results.

By late Wednesday, officials were still running reports showing precinct-by-precinct totals -- about 5,000 pages in all -- to examine and compare the data with information collected by election judges countywide.

"Then we will feel very comfortable that the information is correct," County Administrator G.K. Maenius said. "We're going to be working on this continuously."

Democratic Party Chairman Art Brender said he had been on the verge of calling elections officials to get precinct-by-precinct data when he was told that there had been a problem with totals on election night.

"I was concerned about the results when I saw them," he said. "I thought there were too many."

Republican Party Chairwoman Stephanie Klick also said she was skeptical of the results when she saw that some GOP races had 114,000 voters turning out to cast ballots.

"That would have been a record turnout," she said.

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Brender said the glitch drives home the need for a paper trail for the next election. Officials hope by the May elections that a device will be added to the electronic eSlate machines used in early voting to record paper copies of ballots cast. The Texas secretary of state's office must first give its approval.

For the ongoing review of Tarrant County data, printouts kept by election judges are being matched to the recording tape in the voting machines.

"I'm not concerned about the accuracy of data when it came in and was preserved," Brender said. "I'll be comfortable with electronic voting when there's a verifiable paper trail."

County officials say they don't know how much it will cost to correct the numbers. Hamilton said the county will waive the usual charge for candidates who want a recount.

In 2002, Tarrant County election officials did not report final tallies for more than a day after polls closed because of a different programming error that caused machines to ignore votes for individual candidates when a voter cast a straight-party ballot.

Republican and Democratic party officials are responsible for canvassing the election returns, which makes them official, by March 18. The returns will then be turned over to the state, party officials said.

IN THE KNOW

Voting glitch

A sample of the vote tallies illustrates the computer glitch in Tarrant County that led to overcounting of votes for Tuesday's primaries. The results listed below were taken from the Republican governor's primary in Tarrant County. The computer erred by adding previous totals to the running vote total, compounding the number of votes cast each time election officials tallied the totals throughout election night.

Time	Vote counts	Ballots cast	Phantom votes
8:27 p.m.	1,352	1,352	0
9:04 p.m.	6,398	5,046	1,352
9:35 p.m.	14,129	7,731	6,398
10:15 p.m.	20,176	6,047	14,129
10:55 p.m.	27,895	7,719	20,176
12:30 p.m.	28,374	479	27,895

Source: Tarrant County Elections Center

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THE DAILY NEWS

New voting system, same problems

By TJ Aulds
The Daily News

Published March 8, 2006

Galveston County's elections were to have moved into the computer age Tuesday with the party primaries.

But despite a new electronic voting system and new software for voter registration, problems long a part of the county's election night history cropped up again.

Thousands of voters never received registration cards. It was a problem that had the phones at the county courthouse ringing with calls from frustrated voters across the county.

"It's been a nightmare, it really has," said County Tax Assessor-Collector Cheryl Johnson, who is also the county's voter registrar.

Johnson blamed the problem on a glitch with new software that was required under state law. The cards printed fine, but postal service scanning machines had trouble reading many of the addresses, she said.

"I'd say it's easily 10,000 that came back, probably closer to 20,000," Johnson said as she pointed at boxes full voter registration cards with bright yellow postal stickers indicating addresses were not valid.

"You always get some that come back because of a problem with the address, but with many of these we found there aren't any problems with the addresses," Johnson said. In many cases, she said, the glitch caused letters to be mailed to people stating they needed to update their addresses with the county, when they had never moved.

Problems retrieving data from the new eSlate system delayed the release of election results. The first returns, which included the results of the 5,700 early votes, did not emerge until 9:20 p.m. — two and half hours after the polls had closed.

County Clerk Mary Ann Daigle said it was mostly human error that caused the delays. The ballot board, a group of elected judges who go through mail-in ballots by hand, was delayed because of a late mail run, she said.

Poll workers at two locations, one in Texas City and the other in Galveston, also failed to bring all of the required equipment to the courthouse for counting, she said.

Daigle said problems existed at at least two polling locations where the eSlate and eScan systems used in the election malfunction more than once. The systems shut down at the Municipal Utility District No. 12 in Bayou Vista and at Weis Middle School, forcing those wanting to cast ballots to do so using emergency ballots. Daigle said those equipment malfunctions though did not have anything to do with the delays.

Johnson promised an investigation into the irregularities with the voter registration.

That was little comfort to Sharon Tipton, who moved from Galveston to Santa Fe in November. She was one of those who never received a registration card; her husband received his.

"In January, I checked on it and was told I had to complete the change form again, even though my husband's information had been sent in the same envelope as mine originally," said Tipton. "I went to the west county (annex) and completed the form again."

Still no card arrived.

"I didn't even bother to go and vote," said Tipton, who could have still voted had she provided a driver's license or other form of identification.

Even then, a provisional ballot could have been filed until her correct address information could be verified, Johnson said.

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QUOTE

Court-at-law recount suspended Electronic machines not providing all info

By Paul A. Anrthony
March 21, 2006

On orders from the Texas Secretary of State's office, the recount for the Tom Green County Court-at-Law No. 2 race has been suspended midway through its second day.

About 1:30 p.m. today, county Republican Chairman Dennis McKerley stopped the recount after workers found discrepancies of as much as 20 percent between what was counted Monday and what was reported Election Night.

"We're having some trouble with the electronic equipment," McKerley said.

Apparently, McKerley said, new electronic voting machines provided by vendor Hart InterCivic are not printing ballots for every vote cast on the machines. During recounts, which must be done by hand, the machines are designed to print out separate ballots for every vote.

A Hart InterCivic representative is expected to arrive Wednesday morning, McKerley said, to determine whether or how to retrieve the remaining printouts.

The problem affects early votes cast in what appears to be every precinct, McKerley said. All of commissioner's Precinct 1 was affected, he said, as were all the randomly selected voting precincts in other parts of the county.

Although sign-in sheets match the counts provided by the machines on Election Night, he said, the number of printouts does not match the sign-in sheets.

More than 3,000 early votes were cast in the race between Assistant County Attorney Julie Hughes, incumbent Judge Penny Roberts and former prosecutor Dan Edwards, meaning the problem likely affects more than 600 votes of the 9,500 cast early and on Election Day.

Just 12 votes separate third-place finisher Edwards from second-place finisher Roberts to see who will face Hughes in the April runoff election. Edwards requested and paid for the recount.

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Hart Intercivic in the News – A Partial List of Events

Date	Subject	Place/Description
1990	Origin	<p>Hart Intercivic originated in 2000.</p> <p>In the late 1990s Hart saw its primary government market becoming digitized. Voting was switching from paper ballot to electronic machines. Hart decided to develop e-voting equipment and bought a small Colorado company to get a start.</p> <p>There, a team of medical products engineers had incorporated technology from patient monitoring equipment into the design of an electronic voting machine. Hart refined the machine and by 2000 had a product that it could commercialize.</p> <p>It spun off Hart Intercivic as a separate company, to complete development of its invention, the eSlate.</p> <p>... Hart Intercivic is privately held and does not release revenue numbers.</p> <p>... The company has sold nearly 26,000 eSlates. The equipment is used by jurisdictions in 12 states and has counted almost 4 million votes, company spokesman Bill Stotesbury said.</p> <p>Hart Intercivic's biggest contracts so far, totaling \$51 million, are in the third- and fifth-largest U.S. counties Harris County (Houston), Texas, and Orange County (Anaheim), Calif.¹</p> <p>Both its largest customers have experienced problems with their purchases (see below).</p>

¹ A leap from paper to electronics. Plain Dealer. March 14, 2004. By Alison Grant, Plain Dealer Reporter.
<http://www.cleveland.com/search/index.ssf?/base/business/1079174115257380.xml?bxbiz>

Hart Intercivic in the News — A Partial List of Events

Date	Subject	Place/Description
November 2003	eSlate (DRE)	<p>Harris County, Texas. Poll workers couldn't get the machines to work.</p> <p>Hundreds of Houston area voters didn't get to cast ballots Tuesday morning because of problems with the eSlate system. The machines were down at some polling places so voters were told to come back later and try again. Despite ideal voting weather an Election Day storm cloud hung over the Greater True Light Baptist Church.</p> <p>"I came to vote this morning," said Norvie Marshall. "And all the machines was down. We waited and waited and waited."</p> <p>For two long hours they waited. Some voters who had to work had to leave. "Very, very frustrating," said Betty Mills. "I mean I've been voting here for 30 years."</p> <p>This year, of course, is different with the new eSlate style of voting. An election judge at Greater True Light says he couldn't get them to work. "We got nothing, nothing didn't come on," said Dwight Baldwin. "We couldn't get nothing to do nothing."²</p> <p>A later article claims that the poll workers were operating the machines incorrectly.</p> <p>Greater True Light Baptist Church, a northeast Houston polling site, did not open until about 9 a.m. An election worker there had difficulty setting up the equipment, and did not call for help quickly enough, Kaufman said. Between 50 and 100 voters were turned away.</p> <p>... At the Holiday Inn Hotel at 7787 Katy Freeway, election workers decided to use paper ballots when they thought the eSlate voting machines were not working properly. About 75 makeshift ballots were cast -- and signed.</p> <p>But the eSlates were not malfunctioning. Workers were entering incorrect information into the machines that assigned the wrong ballots to voters.³</p>
February 2004	eSlate	<p>Richmond, Virginia. One of the units inexplicably shut down during the election.</p> <p>City Registrar Kirk Showalter said both sets of machines worked well, with one exception. The eSlate machines at the Hermitage shut down at about 3:30 p.m. when the unit that controlled them "fried."</p> <p>While that unit was being replaced, about a dozen voters had to use paper ballots, she said.⁴</p>

² **Polling machine problems anger many voters.** From 11 News Staff Reports; 07:27 PM CST on Tuesday, November 4, 2003 http://www.khou.com/news/local/houstonmetro/stories/khou031104_mh_pollingprobs.1a536189.html

³ **Electronic Ballot: eSlate voting proves smooth, not flawless.** Houston Chronicle; Nov. 5, 2003; By Eric Berger. <http://www.chron.com/cs/CDA/ssistory.mpl/metropolitain/2201121>

⁴ **Polling places report light turnout here.** Times-Dispatch. February 11, 2004. By Will Jones, Staff Writer. http://www.timesdispatch.com/service/Satellite?pagename=RTD%2FMGArticle%2FRTD_BasicArticle&c=MGArticle&cid=1031773613003&path=news&s=1045855934842