



Justice Rising

Grassroots Solutions to Corporate Power

The People's Vote Must Count

Reclaim Elections, Restore Voting Rights, Protect Our Ballots

We essentially hand our ballots to a man behind a curtain who then announces that so-and-so won with no means of verification.

Jonathan Simon, Page 3

The actions of ALEC legislators, in state after state, have disenfranchised countless poor and non-white Americans.

Lisa Graves, Page 7

Voter-verified paper ballots, publicly-observable chains of custody, publicly-observable hand-counts, are the only way to preserve the republic.

Mimi Kennedy, Page 12

Without transparent and accurate vote counts, voting is theater.

Beth Clarkson, Page 21

A Publication of
Alliance for
Democracy



"The issue is not the issues; the issue is the system." — Ronnie Dugger



Alliance for Democracy (AfD). Since 1996, AfD has focused on liberating our cultural, economic and political systems from domination by transnational corporations and the wealthy 1%. Working with our members and chapters and in alliance with like-minded groups, AfD is building a strong national people's movement to end corporate rule and develop positive alternatives.

AfD's Major Campaigns



The People's Vote Must Count. To Reclaim Elections, Restore Voting Rights and Protect our Ballots, AfD's new campaign endorses the Principles of Reform and advocates for community organizing to introduce hand-counted paper ballots at the local level to support needed state and national election reform. See pages 10-11.



Corporate Globalization/Positive Alternatives. We are campaigning to stop three trade agreements — the Trans-Pacific Partnership (TPP), the EU/US TransAtlantic Trade and Investment Partnership (TTIP), and the Trade in Services Agreement (TiSA) that would extend corporate/financial rule to much of the world, further trample local democracy, and increase privatization of public services. Building local resistance through TPP/TTIP/TiSA-Free Zones is our key strategy.



Public Banking. We must also end the stranglehold, which Wall Street has on small businesses, our homes, and our communities. Public banks create public money for the public good. AfD is supporting local and state campaigns to create public banks.



Community Rights Not Corporate Rights/Local Food Ordinances. To promote community rights, not corporate rights, AfD is supporting the local movement of resistance to the federal/state regulatory system, which serves the interests of corporate agriculture and harms local farmers. This resistance includes local laws to protect local farmers and their customers.



Defending Water for Life. Water is a fundamental right for people and nature, not to be commodified or privatized for corporate profit. AfD opposes taking water from municipalities or spring sources for bottling. AfD supports local community resistance, including rights-based law.

AfD Provides Resources for Active and Concerned Citizens

AfD's Media Programs Go National. Populist Dialogues, the Portland Chapter's cable TV program, and Corporations & Democracy, the Mendocino Chapter's radio program, feature lively interviews on critical issues you won't hear on corporate-owned TV and radio. They are available at www.PopulistDialogues.org and <http://afdradio.org>. Corporations and Democracy airs alternate Tuesdays on www.kzyx.org 1:00-2:00 pm Pacific Time.

AfD Website. To keep current with these campaigns, to bring AfD's media programs to your community, and to find organizing resources, make the Alliance website—www.thealliancefordemocracy.org—one of your favorites.



ALLIANCE FOR DEMOCRACY 21 Main Street, #4, Hudson, Massachusetts 01749
978-333-7971 • afd@thealliancefordemocracy.org
www.thealliancefordemocracy.org

The People's Vote Must Count

Reclaim Elections, Restore Voting Rights, Protect Our Ballots

Across the country, Americans are realizing we can no longer just rise up every two or four years to protest what is clearly coordinated attacks on democracy: privatized and rigged elections; denial of constitutional voting rights by the Supreme Court and state legislatures; illegal gerrymandering; and the rampant voter purging and “caging” that disenfranchise African-Americans, minority voters and the poor.

As Dr. Reverend Rodney Sadler emphasizes (page 9), the summer of 2016 has been an awakening. We’ve seen successful legal challenges to restore voting rights, the House of Representatives has formed a Voting Rights Caucus, and a new historic bill, the Help America Vote Act, has been introduced in Congress to protect our elections from insider rigging of our voting technology, and restore transparency and public oversight to our elections.

However, to ultimately reclaim and reform our broken elections system, we must build a sustained, grassroots election defense movement, one that addresses money in politics, voter suppression, and the crisis of corruption in our voting technology. This last issue has been historically ignored, until now.

Our 2016 election season has engendered rampant suspicions, and evidence of rigged primaries and caucuses. Given our current “black box” voting technology, the accuracy of the vote count from the local to the national level must not be assumed, even if there is no apparent evidence of fraud.

American election officials were infatuated with the computer promise of fast, easy, and accurate voting, even before the Help America Vote Act of 2002 forced states to adopt insecure, easily rigged computer vote counting, with \$3 billion in federal money. The insanity of “faith-based voting,” in which nobody can directly verify the results, gained wide acceptance.

By nature, electronic vote counting lacks transparency: the counting process is hidden in the software. Extreme security vulnerabilities in our current machines have been widely documented. Together with long lines created by tabulator breakdowns, these factors have fueled public distrust of elections and voter discouragement.

We can no longer allow even the potential of our democracy being subverted by the powerful using machines to invalidate the vote of We, the People. Many other democracies rely on hand counting votes on paper ballots, and some have virtually banned electronic counting. We should learn from their experience. In England’s recent referendum

vote to exit the EU, the hand-counted results were available by noon the next day. Ireland’s national referendum on marriage equality was fully hand counted by the next morning. With public observers, well-trained counters who are fresh to the job, and accuracy controls, these elections rarely produce disputed results. Moreover, there are considerable local economic benefits, including employment of thousands of specially trained citizens in each election, as opposed to repeatedly spending three to five billion dollars on new voting machines, most foreign-made, with the same flaws and only a ten-year lifetime.

The center section of this issue of *JR* outlines the Alliance for Democracy’s new “People’s Vote Must Count” Campaign. It is based on all of the knowledge and experience of the many people who helped put this issue of *Justice Rising* together. Check it out and launch your own local campaign

Ultimately, the whole framework of our electoral process has to be reconfigured. Reclaiming our electoral system must include the Constitutional Amendment promoted by the Move to Amend Campaign that would overturn *Citizens United* and end court-granted corporate rights. Campaign financing has to come from public funds. Super delegates and the internal bias of political parties must not control the nomination process. A form of ranked choice voting should be instituted to stop the spoiler effect. Debates must include a broad spectrum of political parties and views. The dominance of the two-party, winner-take-all system has to be challenged, as does the unfair rural power grab that gives a voter in Wyoming anywhere from 58 times to 258 times the power of a voter in California, which is enshrined in our Electoral College.

Election Day should be a holiday. Corporations and corporate ethics should be banned from the electoral process. The man behind the electoral curtain should be exposed, and deposed.

None of this will happen unless we all jump on the bus and get started on a democratic revolution!

Welcome aboard!

We must build a sustained grassroots election defense movement, one that addresses money in politics, voter suppression, and the crisis of corruption in our voting technology.



graphic: collage thanks to Terrence Nowicki, Jr.

Congress Members & Activists Fight Voter Suppression

by Victoria Collier and Ben-Zion Ptashnik

In May, Members of Congress fought back against the Supreme Court's gutting of the "pre-clearance" provisions of the Voting Rights Act (1965) and the coordinated political coup to suppress progressive and liberal voters, especially voters of color. They launched a new Voting Rights Caucus, the first congressional organization devoted to defending electoral democracy. Now 71 Representatives strong, the caucus is made up of members of the Congressional Black Caucus, the Congressional Hispanic Caucus, the Congressional Asian Pacific American Caucus and the Congressional Progressive Caucus.

A main objective of the caucus is to force Congress to take up the Voting Rights Advancement Act (H.R. 2867), that restores gutted provisions of the Voting Rights Act. The Voting Rights Act had been renewed under both the Reagan and Bush administrations with overwhelming bipartisan support. Yet the new GOP majority in Congress has no intention of upholding this essential defense against discrimination.

At the grassroots level, citizens are organizing in profound ways to educate the population and inspire action. A new Voting Rights Alliance (VRA) formed in June to support the Voting Rights Caucus. VRA members from across the country came to DC for a rally and press conference. Speakers included Representatives Sewell and Veasey, Jesse Jackson, Terry O'Neill of the National Organization for Women, Rev. Lennox Yearwood of the Hip Hop Caucus, and Barbara Arnwine, Chair of the Voting Rights Alliance.

Thousands of callers flooded Capitol Hill, demanding the House Speaker and Judiciary Committee Chairs hold hearings on the Voting Rights Act. The VRA also held a Twitter town hall and a Twitter storm using the hashtag #ProtestShelby2016. The social media conversation included thousands of participants helping to launch a national campaign to push for the Voting Rights Advancement Act's remedial legislation to restore voting rights, and to build a

resistance movement to voter suppression.

In addition, the Poll Tax Prohibition Act (H.R. 5557) opposes a slew of new voter ID laws by prohibiting that an individual present ID that has an added cost. Currently, millions of voters in dozens of states face costly demands that force them to chase documents in order to vote.

Many elderly women of color are most affected, since they must prove why the maiden names on their birth certificates do not match their married names. They are also less likely to be able to drive themselves on the chase for newly required documentation.

The VOTE Act (H.R. 5131) and the Election Integrity Act of 2016 (H.R. 6072) introduced by Hank Johnson (D-GA) focus on the security of future elections, calling for transparency of election tabulation through mandating paper ballots and strong audits, and addressing the reliability of aging voting machines, which often wind up in minority districts, breaking down and causing long lines at the polls. Johnson believes that "non-proprietary, open-source software is imperative for next generation voting."

Last year, Virginia decertified 3,000 voting machines after determining that there were severe security problems, including a Wi-Fi feature for tallying votes that allowed someone to alter election results without leaving a trace. These machines had been used in hundreds of elections since 2003. Similar insecure voting systems are in use throughout the country.

Through the Election Integrity Act of 2016 and the VOTE Act, states will apply for federal funds to develop new, transparent "open-source" technology for vote tabulation that can be publicly owned. They also prevent Internet connections on electronic voting machines and call for the elimination of insecure Internet transfer of voting results.

The Election Integrity Act of 2016 also calls for a ban on Direct Voting Electronic (DRE) voting machines. This bill, which is focused on elections security, gained momentum after the hacking and release of the DNC e-mails, followed by the electronic penetration of the Illinois and Arizona election administration systems.

As the Voting Rights Caucus and the Voting Rights Alliance gear up to fight voter suppression and manipulation of elections, organizers are seeking to build broad-based participation in the actions and educational campaigns in the weeks leading up to the elections in November.

Victoria Collier is Communications Director and Ben Ptashnik is the Executive Director of the National Election Defense Coalition.

At the grassroots level, citizens are organizing in profound ways to educate the population and inspire action.



June 23 voting rights press conference; Rep. Veasey, (D-Texas), Rep. Sewell, (D-Alabama) Rev. Jesse Jackson, Rainbow – PUSH, Rev. Lennox Yearwood, Hip Hop Caucus, Barbara Arnwine, chair of the Voting Rights Alliance, Terry O'Neill, National Organization For Women and Rep. Charles Rangel (D-New York).
Photo: Ben Ptashnik



graphic: Thomas Nast

by Jonathan Simon

Computerized vote-counting takes place in the darkness of cyberspace. Memory cards, computer code, and voter-marked paper ballots are all regarded as corporate property and strictly off-limits to inspection by public, candidates, and election administrators alike. We essentially hand our ballots to a man-behind-a-curtain who then announces that so-and-so won with no means of verification.

Since computers took over the vote-counting in America, analysts are relegated to checking the announced results with exit polls as the only means of verification. Their conclusions have found a pervasive and signal disparity between exit polls and vote-counts in the hundreds of electoral contests that have come to determine the balance of political power in America and set national policy and direction. The moment that computers began to count votes is when exit polls suddenly ceased to match reported vote-counts. We have called it the “red shift” because, with hardly any exceptions, the disparity between the exit polls and the vote-counts favors the candidate (or proposition) further to the right on the political spectrum. The red shift is frequently so great as to be outcome-determinative—producing results “that Karl Rove would smile to see.”

This year’s primaries have presented a pattern of dramatic difference between exit poll “accuracy” in the Republican vs. the Democratic primaries. Through the New York primary, exit polls on the Republican side predicted the results within 0.5%. On the Democratic side, in stark contrast, the average exit poll-vote-count disparity was a whopping 6.0%! The difference, statistically speaking, is enormous.

We must ask why, in state after state, the same professional pollsters employing the same methodology at the same polling places on the same days would know just what they were doing and

Exit Poll Election Forensics

What We’ve Found in 2016 & Need To Do

perform splendidly when questioning Republican voters, but somehow turn into bumbling amateurs when questioning the Democrats. This stark nationwide pattern is a glaring red flag.

But as bizarre and suggestive as the whole pattern of exit-poll-based data is in 2016, I return to my opening point: none of this kind of indirect analysis, however telling, should be necessary. Nor should it be the basis for trust or distrust of our elections and the vote-counting process. The ballots sitting in the storage bins of those opscans (and on the chips of touchscreen machines and central tabulators too) are OUR BALLOTS. They belong, or should belong, to the public, not some shadowy corporation. If the voters cannot view them and count them observably in public, then our government no longer has the consent of the governed. It is time to reclaim that basic right and assume that basic duty to our democracy. The “smoking gun” of electronic fraud lies within those ballot bins. It is time these were opened to determine the validity of our elections, one way or the other.

Jonathan Simon is the Executive Director of the Election Defense Alliance and author of CODE RED: Computerized Election Theft and The New American Century.

The moment that computers began to count votes is when exit polls suddenly ceased to match reported vote-counts.

Exit Poll Manipulation

Could something be intrinsically wrong, and apparently unfixable, about the exit polls? Investigations by mainstream media suggest that pollsters always oversample Democrats or that Republicans habitually lie and say they voted for Democrats or that pollsters, acknowledged as the best in the business, simply do not know what they are doing.

Explanations such as these, while theoretically possible, are very unlikely. Exit polls “work” in other countries: in Germany — which now has gone back to hand counting its ballots — exit polls are consistently within one percent of vote-counts. Media explanations of the red shift refuses to consider the vote-counts.

Exit pollsters study the disparities between exit polls and vote-counts, and weight their exit poll results as much as they believe necessary to avoid the serial embarrassment of continually getting elections “wrong” in the same direction.

In the Democratic primaries this Spring, 17 of 19 states announced vote-counts favoring Hillary Clinton, far out of the margin of error when compared to exit polls. The Oklahoma disparity, however, shifted 6.1% of the vote from Clinton to Sanders. Interestingly, Oklahoma is the only state in which the state, rather than a corporation, programs the vote-counting computers. The fact that Oklahoma was significantly shifted the other way suggests that exit pollsters weighted the raw, exit-poll data expecting a vote-count shift to Clinton that did not happen because would-be manipulators did not have access to the state-controlled programming process.

Does the glaring exception that is Oklahoma suggest that other states also were subject to pre-adjusted exit polls? Would the exit-poll/vote-count disparities have been egregiously larger without the pre-adjusted exit polls throughout the Democratic primaries? Would those disparities scream even louder that electronic manipulation was endemic and that the announced vote-counts are the problem, not the exit polls?

War on the Dispossessed

by Robert J. Fitrakis and Harvey Wasserman

The foundation of election theft is the manipulation of race as a “divide and conquer” strategy. The advent of Jim Crow-style photo ID and other restrictive registration laws indicate massive intentional disenfranchisement through the 2016 primaries and into the general election. Fitrakis and Palast have estimated hundreds of thousands of disenfranchised voters in Ohio alone. The ACLU of Ohio sued Secretary of State Jon Husted for purging two million voters from the voting rolls in the run-up to the election.

But the Jim Crow restrictions on our purported democracy have been with us a long time. Once again, in revised modern form, they’ve swept through the nation’s electoral system like a plague.

As we approach the 2016 election, we fear yet another fiasco aimed at rendering our grassroots nation powerless amidst the worsening realities of social injustice, perpetual war and ecological catastrophe.

The electronic voting machines that will record more than half the nation’s votes are mostly a decade old, easily hackable and controlled in numerous key swing states by secretaries of state and governors that can manipulate the official outcome.

In March 2015, the Harvard Electoral Integrity Project reported that over fourteen hundred international election experts gathered data from 2014 and pronounced that the United States was 45th in election integrity among the world’s long-standing democracies. The Project reported that on a 100-point scale, the US received an integrity rating of 69.3%, one notch ahead of the narco-drug state Colombia at 69.1%.

As of this writing, the 2016 primaries have already been marred by voting machine shortages, elimination of precincts and long lines, resulting in mass disenfranchisement in Arizona and Wisconsin. In Latino areas of Arizona, voters stood in line for five hours and more.

The New York Times and others have estimated some 300,000 citizens were stripped of their right to vote in the Wisconsin primary by photo ID and other laws. More Republicans were reported as having voted in that primary than Democrats, with the margin likely to carry through the fall general election, thanks to the mass disenfranchisement.

Statistician, Dr. Beth Clarkson’s work noted that in certain elections, Democratic candidates seemed to benefit from vote flipping. In 2016, Josh Mitteldorf pointed out that the exit polls strongly suggested that Bernie Sanders had won



graphic: Caglecartoons.com

Massachusetts, but the official result gave the state implausibly to Hillary Clinton.

The unadjusted exit polls showed Sanders winning 52%–46% over Clinton. The actual vote count showed Clinton barely squeaking by 50–49. This seven-point disparity in the exit polls — the gold standard for indicating election fraud worldwide — should have caused a major scandal in the United States. Many political commentators felt that if Clinton lost to Sanders in Massachusetts it would shift her to an underdog position in the primary race.

In fall 2016, more than half the ballots in the general election will be cast on electronic voting machines whose tallies cannot be independently verified. In swing states like Florida, North Carolina, Ohio, Michigan, Iowa and Arizona, among others, Republican governors will have the opportunity to swing the electronic vote count without public disclosure or accountability.

Most of the nation’s electronic voting machines will have been purchased with funds from the Help America Vote Act of 2002, making them a decade or more in age, and highly vulnerable to even amateur hackers. Because court rulings still protect voting machine manufacturers, there will be no meaningful way to monitor or confirm the veracity of the vote count in the 2016 presidential race, or in those for the US Congress, governorships, statehouses and virtually all other elected offices in the United States.

As we approach the 2016 election, the prospects for a truly democratic outcome are grim. We face devastating crises of corporate domination, social injustice, military madness and ecological catastrophe. The only cure is a bottom-up revolution in human consciousness and action.

Excerpted from The Strip & Flip Selection of 2016: Five Jim Crows and Electronic Election Theft.

Robert J. Fitrakis is a lawyer, political author and Professor of Political Science at Columbus State Community College. Harvey Wasserman is an American journalist, author, and democracy activist. They are senior editors of Columbus Free Press.

Because court rulings still protect voting machine manufacturers, there will be no meaningful way to monitor or confirm the veracity of the vote count in the 2016 presidential race, or in those for the US Congress, governorships, statehouses and virtually all other elected offices in the United States.

Gerrymandering

The Civil War Over Public Policy

by Jim Tarbell

Civil war rages over who makes public policy in the United States. From climate change, inequality and social issues to corporate and imperial power, it is a war with many fronts and few morals. Our electoral process that selects the policy makers is the central battleground. Which candidates run for office; how elections are financed; who votes; who counts the votes; and whose votes count the most determine the result.

Voter suppression, vote rigging and gerrymandering make up the major weapons on this battlefield and they are used without moral restraint. Wealthy, white, land-owning males have used all these techniques to maintain their power and oppress the poor, non-white citizens of this country for over 200 years. One of their original strategies was to group voters into particular districts to favor the election of their preferred policy makers. The specific strategy is to put a bare majority of your voters in as many districts as possible and squeeze the opposing voters into as few districts as possible.

Elbridge Gerry, scion of a wealthy merchant family, collaborated in this technique in 1812 as the Governor of Massachusetts when he signed oddly shaped voter precincts into law, including one that looked like a salamander, thus spawning the term gerrymander. Many politicians have used that strategy to win elections throughout our national history. But a decade ago, the Republican Party took it to a new level. Using new, computer mapping technology, they undertook a national gerrymandering project that took control of most of our country's statehouses and the US House of Representatives.

The Republican State Leadership Committee (RSLC) headed up this project that became known as REDMAP, the Redistricting Majority Project. They succeeded in taking over the legislatures in 20 states in 2010 and then used their control of the redistricting process in those states to create enough Republican-majority Congressional districts nationwide so that they could control Congress. They called it a "firewall" and predicted it would guarantee their control of Congress for a decade.

That prediction became a reality in 2012 when they won a 33-seat majority in the House of Representatives even though Democratic candidates collected 1.7 million more votes nationally. Ben Ginsburg, the perennial Republican legal goon, called it "Project Ratfuck." That title is due to the dubious strategy

undertaken in the most competitive districts where, two weeks before the election, thousand of voters began receiving daily political mailers with fallacious information about Democratic incumbents that doomed their re-election and helped deliver the 33-seat majority to the Republicans in 2013.

Rachel Maddow on MSNBC has pointed out that, beyond taking control of Congress, the Republican-dominated state legislatures could start changing electoral rules around how Electoral College votes could be redistributed to favor the Republican presidential candidate. She calculated that if they had done this for the 2012 election that Mitt Romney would have won the presidency with 280 Electoral College votes to 258 for Obama, even though Obama won five million more popular votes.

Citizens have to bring this battlefield of our public policy civil war to an end. The solution is to create non-partisan, redistricting committees to redraw the congressional districts each decade after the census results are known. Arizona, California, New Jersey, Washington, Hawaii, Idaho, Montana and Iowa already have non-partisan redistricting processes for creating congressional districts. All other states should join them and leave the outcome of the civil war up to the voters.



From the cover of David Daley's book on how corporations and the Republican State Leadership Committee colluded to perpetuate elite rule.

The solution is to create non-partisan, redistricting committees to redraw the congressional districts each decade after the census results are known.

Corporate Financing of REDMAP

In 2010, "In the aftermath of *Citizens United*, the Republican State Leadership Committee (RSLC) raised nearly \$30 million. (Altria, the parent company of Philip Morris, contributed \$1.4 million; Reynolds American, owner of R. J. Reynolds and the American Snuff Company, kicked in another \$1.3 million.) Many of the contributions—roughly eighteen million dollars worth—were received just weeks before Election Day," according to Elizabeth Kolbert in the *New Yorker*. The *New York Times* pointed out that financing REDMAP was a "nationwide quest for cash... that would provide checks from dozens of out-of-state corporations, among them Exxon Mobil, Google, Facebook and Altria... Rich Robinson, the head of the Michigan Campaign Finance Network, a watchdog group, said he believed the transactions were designed in part to allow Michigan businesses, which could not give directly ... to exchange their contributions for money from out-of-state donors, who could legally donate. 'It appeared to be a currency swap to obfuscate the actual sources of money,' Mr. Robinson said. 'I had never seen anything like this before, particularly at this scale'."

According to Ari Berman writing in *The Nation*, The RSLC attracted six and seven-figure donations from the likes of the US Chamber of Commerce, Blue Cross and Blue Shield, the Karl Rove-founded American Crossroads, and the American Justice Partnership, a conservative legal group that has been a partner of the American Legislative Exchange Council (ALEC), a corporate-based conservative advocacy group."

Suppressing the 99%

by Marta Steele

Voter ID requirements that discriminate against lower classes, minorities, elderly people and college students as well as populations with handicaps was the first strategy to be employed.

Very rich people in this country fight against government of, by, and for the people in many ways. Those in the top one percent income bracket in this country feel threatened by the persistent battle by the 99% to hold on to democracy and the people's vote, which has sometimes cost these privileged few a pittance, though these days they succeed in paying even less. Warren Buffett admits to paying the same percentage of income tax as does his secretary and Donald Trump won't even disclose his tax returns. All in all, this extreme, highly privileged minority have resorted to many strategies in their war against the 99%.

Voter ID requirements that discriminate against lower classes, minorities, elderly people and college students as well as populations with handicaps are a key strategy. Strict voter ID, requiring a picture and, when even more stringent, an expiration date, which could be a driver's license, disenfranchises poor people, college students, and seniors. A passport will also do — but who among these categories usually has one — or a birth certificate, which could cause problems for people born at home and too poor to acquire costly equivalents. Those who move often — read: poor people, students, and military — are inconvenienced if not disenfranchised, but a gun

owner's license will sometimes suffice. College IDs with pictures are most of the time not accepted.

In addition to voter ID, two other devices, caging and purging, disqualify voters. Caging involves mailing out form letters to targeted registered voters known to be away from home for various reasons, including foreclosure or overseas military service. Marked "Do not forward, address correction requested," the names on the returned, unopened letters are purged from the voter rolls as no longer active. Purging also targets innocent people with names matching others who have been convicted of felonies or have common American,

Hispanic, or Asian names, which often characterize underprivileged or minority voters or both; many such names, therefore, are also stripped from the voter rolls.

To further inconvenience the 99%, voter access to the polls is reduced. This can be as simple as manipulating voting schedules to inconvenience those with long working hours; situating voting locations inconveniently, away from public transportation; or changing precinct locations at the last minute without posting the information.

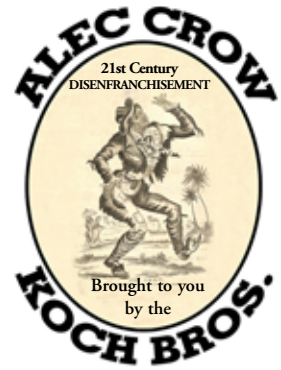
Shortening the time allotted for early voting is another way to force larger crowds of people in inner cities — where poor people usually live — to vote on Election Day. People who live away from the inner city — in affluent suburbs but not farther away, in remote rural areas — have a much easier time of it.

These are just some of the ways huge numbers of the 99% are kept from voting. Statistics verify that the fewer people who vote, the more likely candidates favoring the one percent will win, challenging the very notion of rule by the people.

In electoral races where pre-election polls show candidates in a virtual tie, such disenfranchisement is most effective. Races with larger margins, like Barack Obama's in 2008 and 2012, are less likely to be tampered with.

Rich people work very hard to keep Hispanics and blacks from voting, because they comprise such a large percentage of the population. Remember: the majority of our population will be Hispanic by 2050; even now more Hispanic babies than whites are born each day. Along with African Americans, Asian Americans, Native Americans, and yes, a burgeoning senior population (today's millennials will be aging by then), an even larger majority will challenge the upper class agenda. *Citizens United* has become a powerful weapon for them and it will be painfully fascinating to witness their next maneuvers.

Marta Steele is an editor and blogger and author of the book Grassroots Geeks, Pros and Pols: The Election Integrity Movement's Rise and Nonstop Battle to Win Back the People's Votes, 2000-2008 (Columbus: CICJ Books, 2012).



Big Oil, Big Pharma, the Scaife Family Allegheny Foundation, the Coors family Castle Rock Foundation, and more.

graphic: Donkey Hotey

The ALEC Connection

The American Legislative Exchange Council (ALEC) is a prime connection between the 1% and public policy making (see page 7). That has been the case since 1973, the year Paul Weyrich founded both the Heritage Foundation and ALEC. Much of his funding came from Joseph Coors, who was inspired to finance the right-wing resurgence after reading Lewis Powell's memo to the Chamber of Commerce that same year calling for a right wing war against the liberal successes of the 1960s.

Powell, a successful corporate lawyer and President of the American Bar Association, emphasized in his memo that, "the time has come — indeed, it is long overdue — for the wisdom, ingenuity and resources of American business to be marshaled against those who would destroy it." He then went on to urge the Chamber to create a broad-based campaign to counteract the popular social movements by subverting and regaining control of academics, scholarly journals, the media, the courts and politicians. Although the Chamber did not officially take charge of this initiative, in many ways ALEC did. Most of the state legislative initiatives aimed at suppressing poor and non-white Americans came out of ALEC, which then spread them across the country.

Voter Apartheid: ALEC's laws against poor, non-white America

by Lisa Graves

Lincoln's statement, in the depths of the Civil War, that "government of the people, by the people, for the people shall not perish from the earth," is the strongest declaration for our democracy. An assassin's bullet kept America's first Republican president from seeing the day that black men had the right to vote. And it took more than 50 years beyond that for the Constitution to recognize women's right to vote.

For a century after Lincoln freed the slaves, southern states imposed various tactics to block black Americans from their right to vote. It took an act of Congress to stop states from obstructing that right. A higher percentage of Republicans voted for the 1964 Voting Rights Act than Democrats, who were saddled with a bunch of racist "Dixiecrats" back then.

In the ensuing 50 years, the Democratic Party has shed the Dixiecrats, and the "modern" Republican Party has absorbed their hostility to expanded voting rights. Indeed, 21st century Republicans have betrayed Lincoln's vow at Gettysburg to protect the core element of government of, by and for the people. A central part of their effort is a multi-year campaign to establish restrictive voter ID requirements that disproportionately disenfranchise poor and non-white voters.

After a majority of the American people—with unprecedentedly high turnout by black Americans and college students — elected Barack Obama to be the first black president of the United States in 2008, these restrictions became a priority to Republicans in the American Legislative Exchange Council (ALEC). Over at ALEC, corporate lobbyists voted as equals with state legislators behind closed doors on a "model" bill that used "Voter ID" restrictions to make it harder for Americans to vote. The National Rifle Association co-chaired the ALEC task force where this bill was approved as a national model in 2009, and the bill was ratified as part of the ALEC agenda shortly thereafter.

After extraordinary vilification of Obama and his effort to increase access to more affordable health insurance to help save the lives of millions of Americans, the Republicans gained control of several states and ALEC's voter restrictions started steaming through those legislatures.

Charlatans like Donald Trump—arousing white racist sentiment — attacked the legitimacy of President Obama's election by claiming he was not a citizen — an absurd claim. Do they think that, in the segregated America of 1961, his white grandparents foresaw the future presidential run of their biracial grandson and put birth announcements into Hawai'i state newspapers to hide his purported foreign birth?

For those legislators less comfortable with the kind of racist, dog-whistle politics Trump is using, the ALEC bill provided a way for Republicans to suppress voting without invoking the racist rationales of Jim Crow era restrictions.

The pretext for the bill was the specter of "voter fraud" — people using the names of other registered voters to vote multiple times — as well as illegal immigrant voting. This kind of fraud is incredibly rare. The George W. Bush administration was so obsessed with hyping "voter fraud" that their Attorney General fired several Republican US Attorneys who were not doing enough to investigate and showboat "voter fraud" that was not a major problem and rarely occurred.

Yet, the actions of ALEC legislators in state after state have disenfranchised countless poor and non-white Americans, denying them their right to vote, to be represented in a representative democracy, of the people, by the people, for the people.

Restrictive voter ID laws are shameful. They must be repudiated and reversed.



graphic: Occupy.com

Restrictive voter ID laws are shameful. They must be repudiated and reversed.

Lisa Graves is the Executive Director of the Center for Media and Democracy which hosts ALECexposed.org

Law and Order

by Lisa Graves

Republican legislators who backed voter ID restrictions have been bragging about how effective voter ID restrictions are in disenfranchising people. In a trial in Wisconsin this spring, a Republican aide testified that ALEC's board chair, Senator Leah Vukmir (R-Wauwatosa) and then-Senator Randy Hopper, (R-Fond du Lac), were 'giddy' and 'politically frothing at the mouth' at the prospect of the law's passage.

Another ALEC legislator said that state senate elections committee Chair, Mary Lazich, "told the public it was all about preventing voter fraud ... [b]ut behind closed doors at a GOP caucus meeting ... Lazich and other GOP senators were excited at the prospect that Voter ID could prevent some Democratic populations from voting. She got up out of her chair hitting her finger on the table and said, 'Hey, we've got to think about what this could mean for the neighborhoods around Milwaukee and the college campuses around the state..'" Many of the neighborhoods around Milwaukee are predominately black.

Federal courts are divided about striking down these measures, with some judges finding them unconstitutional and unreasonable due to their disproportionate impact on minority communities. The Texas law was struck down, but the Wisconsin law was upheld.

In all, more than a dozen states have passed Voter ID restrictions that echo ALEC's law. According to the Brennan Center, this year "17 states will have new voting restrictions in place for the first time in a presidential election." These include restrictive ID requirements and limits on early voting, as Americans face one of the most pivotal and divisive presidential elections in US history.

Justice Rising
15168 Caspar Road, Box 14
Caspar, CA 95420
707-964-1323
rtp@mcn.org

Jim Tarbell

Editor and Layout, *Justice Rising*

JUSTICE RISING is a publication of **the Alliance for Democracy**, whose mission is to end the domination of our politics, our economics, the environment, and our culture by large corporations. The Alliance seeks to establish true economic and political democracy and to create a just society with a sustainable, equitable economy.

Alliance for Democracy

21 Main Street, #4
Hudson, MA 01749
Tel: 978-333-7971

Email: afd@thealliancefordemocracy.org
www.thealliancefordemocracy.org

Nancy Price and David Delk

Co-chairs of the AfD National Council

Copyright ©2016 Alliance for Democracy

Justice Rising

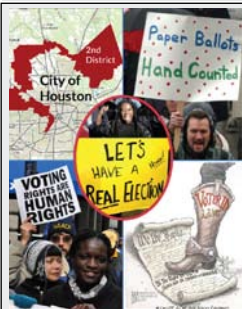


Corporate ethics, filled with lust for the bottom line and disregard for the common good, dominate our electoral system. Getting Congress to certify the presidential Electoral College vote is the bottom line in the Presidential election. Cheating, suppressing, lying, and partisan corruption that takes place in the process are embraced as strategies to get to that bottom line.

Like resource corporations that ravage our natural resources and destroy the global environment, showing no long-term responsibility to the resource they are exploiting, political campaigns and the politicians they produce often follow suit, destroying our common electoral system by cutting as many people as they can from the electoral roles, making it as difficult as possible for their opponents to vote; and privatizing as much control of our voting system as they can into the hands of secretive corporations. They show little responsibility for the well-being of the electoral system and fail to nurture an election system that truly reflects the broad public policy sentiments of the citizens of the country. They have no drive to create a real election.

It is time to separate corporations and the ethics they inculcate from our electoral system. We must place responsibility for our elections in non-partisan citizen commissions that are dedicated to electing policy makers who look out for our common good not for their political bottom line. One of the first actions of these citizen commissions should be to install a system of publicly observed, hand-counted paper ballots, just as they do in Columbia County, New York, so we can all have confidence that our elections are being recorded and counted fairly. They must expand the vote to as many citizens as possible and make voting as easy as possible. Cheating, vote suppressing, lying, and partisan corruption must be punished with severe penalties. Elections are the basis of our democracy. They must be legitimate if the will of the people is going to guide us into a healthy and prosperous future.

Many of the people that believe in this future helped put this issue of *Justice Rising* together including the authors of the articles and the artists that created many of the graphics. Special thanks go to Victoria Collier and Ben Ptashnik of the National Election Defense Coalition, and Nancy Price, Ethan Scarl, David Delk and Ruth Caplan of the Alliance for Democracy.



Clockwise from upper left, the gerrymandered district comes from reclaimtheamericandream.org; The Paper Ballots protester photo came out of a comment on paper ballots in Kentucky on democraticunderground.org; The lower left cartoon

is by Adam Zygliss at Buffalo News; The photo on the lower right is by Michael Fleshman at an Occupy protest in New York City; The sign in the center oval is from the movie *Stealing America: Vote by Vote*.



Dedicated to Ronnie Dugger, Ground Breaking Journalist

by Nancy Price

Over his 60-plus year career, Ronnie Dugger has produced "journalism of conscience, as a writer, editor, publisher, biographer and mentor," from his founding of the *Texas Observer* in 1954 to the founding of the Alliance for Democracy in 1995. He received the 2011 George Polk Career Award for a lifetime of achievement in journalism based on his three guiding principles: fairness, accuracy, and moral seriousness.

Believing journalists have a professional and ethical responsibility to penetrate a story deeply, Ronnie brought a topic into the light because it was both close to his heart and animated a desire to ensure a functioning democracy for all. His 1988 "Counting Votes" in *The New Yorker*, on the rise of computerized voting, and increasing disenfranchisement, especially of African-Americans that concerned only some election officials and lawyers, was a path-breaking, before-its-time article. He wondered, if "votes would be tabulated according to rules that programmers and operators, unknown to the public, fed into computers."

Ronnie's revolutionary 1995 "A Call to Citizens: Will Real Populists Please Stand Up!" in *The Nation*, was another path breaker, a "call to hope and to action...to reclaim and reinvent democracy...to the hard work of reorganizing ourselves into a broad national coalition, a call to populists, workers, progressives and liberals to reconstitute ourselves into a smashing new national force to end corporate rule." He continued, "We are ruled by Big Business and Big Government as its paid hiring, and we know it. Corporate money is wrecking popular government in the United States. The big corporations and the centimillionaires and billionaires have taken daily control of our work, our pay, our housing, our health, our pension funds, our bank and saving deposits, our public lands, our airwaves, our elections and our very government." This call raised the alarm among readers who met with Ronnie in Chicago to plan AfD's 1996 founding convention, in the Western Hills of Texas, heartland of 19th century Populists.

We dedicate this issue of *Justice Rising* on "The People's Vote Must Count" to Ronnie Dugger because of what he has done for so many years in so many prescient ways as both a journalist and active citizen. Ronnie is still "percolating along" at 86 years old, writing about the dangers of corporate power and the need for us all to be global Citizens. Thank you Ronnie for all you have done and continue to do.

Civil Rights

Deliberate Disenfranchisement of Communities of Color

by Dr. Reverend Rodney Sadler

This summer, something miraculous happened:

Judges in Republican-led states from Texas to Wisconsin, Kansas and North Carolina recognized the irrefutable truth that voting rights are sacred, overturning a series of cynical, discriminatory, anti-democratic laws. Such laws were found to have intentionally sought to undermine the rights of blacks and poor people, demonstrating an effort to diminish the voices of the marginalized in the public square.

These rulings underscore a crucial point: People around the country, across the political spectrum, are waking up to the injustice of modern voter suppression. While young folks in the Black Lives Matter movement are taking to the streets to demand racial justice, we should note that the deliberate disenfranchisement of black and brown peoples is just another mode of denigrating and devaluing the same people who have been the victims of police violence.

This recent awakening is a collective response to a concerted effort by extremists to limit the potential political power of black and brown peoples. This has been clear in my home state of North Carolina where, since 2011, the state has spent half of the \$9.3 million in external legal fees to defend such egregious laws as our monster voter disenfranchisement law that was crafted to eliminate modes of voting — same day registration, Sunday "Souls to the Polls" voting, and early voting — that were most popular among African Americans.

This election — the very first since the Supreme Court's rollback of the Voting Rights Act of 1965 in *Shelby County v Holder* (2013)— has already been marked by serious efforts to suppress democratic rights. The obvious and egregious forms of voter suppression are just the surface of this civil rights challenge. We also need to address systemic and discriminatory threats that go under the radar; like the technologies that count our votes.

Across the nation, election authorities are using out-of-date voting machines and antiquated software platforms. NYU's Brennan Center for Justice notes that 43 states use machines 10-15 years old. Last year, Virginia de-certified 3,000 voting machines used after security vulnerabilities, like unsafe Wi-Fi, created the possibility of unnoticed tampering. Such antiquated, insecure, and crash-prone machines are disproportionately concentrated in communities of color.

Equipment problems are an intended impediment that, like other forms of voter



Actress, singer and talk show host Keke Palmer announced as spokesperson for the hip hop caucus respect my vote! Campaign

suppression, keep black, brown, and poor people from fully participating in the democratic process. As disturbed as we were to learn that the Russians had hacked the Democratic National Committee to interfere with the US presidential election, we should be equally concerned that poorly-secured, Wi-Fi-connected voting machines could be another readily accessible target.

A decade ago, US Senators Feinstein, Obama, Clinton, and Sanders co-sponsored important legislation to phase out insecure electronic voting machines. This legislation is as valid and necessary today as it was then. Our nation's voting equipment needs to be upgraded and proper security and transparency standards must be utilized across the nation, particularly in marginalized neighborhoods.

The summer of 2016 has been an awakening: judges around the country are standing up to defend the sacredness of voting rights. But, to repair the integrity of the election system by ensuring safe and equal voting equipment, Congress and state legislatures must pass legislation to restore the (e)quality of voting technologies.

Voting in our system is not just a right, it is our obligation to participate in our governance as a people. In this regard, the way that we evaluate votes must take the gravity of each vote seriously to ensure that our results reflect the true will of the governed.

When machines in inner-city communities fail to work and we fail to do anything about it, it is tantamount to ignoring the humanity and dignity of people whose voice and participation in the overall system has been compromised. Knowing that there are still groups actively working to prevent voting should make us even more vigilant of the way technological "malfunctions" at the voting booth maintains the status quo power relationships. This isn't just about prudent standards — it's about civil rights.

Dr. Sadler is a widely published author and editor, a professor, a pastor, and a community leader.

The way that we evaluate votes must take the gravity of each vote seriously to ensure that our results reflect the true will of the governed.

The People's Vote Must Count – Are you sick and tired of not

*Are you fed up with corporate electronic voting machines secretly determining elections?
No matter what party you belong to, your vote should count – and be publicly verifiable.*



NO COMPUTER VOTING

Join the Alliance for Democracy's call for a community-based "People's Vote Must Count" campaign. Help create a national network of citizen activists working to implement paper ballot voting to stop the theft of our elections and restore transparency and public oversight. See all of our campaign materials at www.peoplesvotemustcount.org

To Launch a "People's Vote Must Count" Campaign Suggested Steps:

First, get out the word about ways voting machines, even the machines that count paper ballots, can be used to steal elections. Gather like-minded friends, colleagues and representatives to support the alternative of hand-counted paper ballots.

- Use this *Justice Rising* as a study guide to look at how the campaign for hand-counted paper ballots fits into the larger picture of needed electoral reform.
- Organize house parties and public events to show documentary movies like *Hacking Democracy* (2006) or *I Voted?* (2016).

Second, as you build your campaign,

- Reach out to unlikely allies to support your efforts — people from other political parties and groups working on different issues requiring a legislative vote.
- Engage professionally with your local election officials. You want them to provide you information and not to feel attacked or accused.

AfD Organizing to Rescue our Democracy

Starting in 1999, AfD organized "Democracy Brigades" in the Capitol Rotunda to speak out that "big money" in politics was corrupting policy-making to favor the elite. Brigade members discovered their First Amendment right to free speech and assembly are suspended in the House of the People. Police arrested them for unlawful assembly.

In February 2000, AfD Co-chair Ronnie Dugger welcomed Doris "Granny D" Haddock at the Capitol steps after her 18-month cross-country walk for campaign finance reform that raised national and Congressional support for passage of the Bipartisan Campaign Reform Act of 2002 (McCain Feingold), which was overturned by the Supreme Court's 2010 *Citizens United* decision.

At each AfD convention from 2000 on, advocates for campaign finance legislation, election reform and voting rights were featured as plenary speakers and workshops were offered. Following the 2000 election debacle, AfD's Honest & Clean Elections campaign was launched to sound the alarm and prepare for election fraud in 2004.

In 2005, the National Summit to Save Our Elections: A Call to Rescue Our Democracy was organized by the Oregon Voter Rights Coalition and AfD's, Portland, OR Chapter.

AfD's first *Justice Rising*, Spring 2005, "Creating Honest Elections: The Problem, The People, The Solution," included articles by David Cobb on the "New Voting Rights Movement," Paul Lehto on the corporate privatization of our electoral system, and Ronnie Dugger on AfD's involvement in the Ohio recount.



Third, study the election process in your town, city, or county to show ways people's votes are not secure.

- Form a non-partisan task force representative of your community.
- Document the chain of custody for ballots and machines.
- Identify the corporation(s) providing the machines and the contract for purchase or lease and repair.
- Investigate breakdowns/repairs.
- Report any evidence of financial and vendor contract irregularities, voter suppression, suspected fraud, or rigged elections.

Fourth, write a well-documented report with findings and recommendations to submit to your town, city or county council and election officials to make the case for hand-counted paper ballots.

Fifth, introduce legislation or an initiative calling for hand-counted paper ballots. Develop campaign materials and put together a team of organizers from among the partners you have developed. Resources include the book *Hands-On Elections* by Nancy Tobi. Other resources can be found at www.peoplesvotemustcount.org

Sixth, if your political jurisdiction is not yet ready to implement hand-counted paper ballots, consider implementing a HCPB process in one precinct to demonstrate this process is both reliable and doable. This depends on the size of your town, city or county.

Be sure to report your organizing to Barbara Clancy (afd@thealliancefordemocracy.org), AfD's national campaign coordinator, who will document what is going on around the country.



— Put Democracy in Our Hands

knowing who actually won?



PRINCIPLES OF ELECTORAL REFORM

From the National Election Defense Coalition

Equal Participation & Access: All eligible US citizens should be able to vote without restriction, with universal registration. All voters should have immediate and secure access to keep their registration up to date.

Privacy: Ensuring and enforcing voter anonymity is required. Measures should be taken to prevent linking voted ballots to voters.

Voter Support: Poll workers and election administrators must be fair and supportive, and take an enforceable oath to uphold the law. Voter information must be available explaining their rights as a voter.

Public Control: The following information must be available to the public: Who can vote (the voters list). Who voted (the polling place sign-in book). Whether the same ballots counted are the same ones as were cast (chain of custody). How the count was made, and how it was validated (public count).

Transparency: All voting processes should be accessible to political parties, candidates, and the public, without unreasonable or arbitrary barriers. Election materials and voted ballots must be public records. National and international observers must be granted appropriate access without unreasonable or arbitrary barriers. No paperless, non-verifiable voting systems or privately controlled "proprietary" software should be permitted.

Accuracy: Voters should be able to easily mark their preferences. Accurate, precinct-based hand

counting and statistically significant and secure machine auditing methods must be strictly maintained. Public reporting of discrepancies found during the hand count or audit must use the manual count to correct any initial reported results. The public must be able to verify the accuracy of polling place results that are communicated to central count locations.

Security: Casting of the ballots must be in public view. Counting ballots in public should occur before they are moved from public view. The election materials chain of custody should be protected by officials sworn to an oath. Ballots must be in the officials' sight at all times. Transport should be under video surveillance, with election materials stored in a public location under video surveillance.

Balance Of Power: All touching of election materials must be done by two people of different parties. All political parties should be represented on decision-making bodies for elections. Conflicts of interest must be prohibited.

Timeliness: Results should be announced at a time that does not compromise the accuracy and completeness of the counting process.



Hand Counting Paper Ballots Time for the US to Join the Rest of the World

by Jan BenDor, Director, Michigan Election Reform Alliance (MERA)

How can we move hand counting forward nationwide? Michigan Election Reform Alliance (MERA) has a proposal to determine best practice protocols for ballot construction, counting, accuracy verification, transparency and public access, and training.

Ballots designed to be read by tabulator scanners often confuse voters, due to such factors as lack of white space and monotonous type, and can be difficult to correctly read and hand tabulate. Design professionals can improve ballot readability and test for reduction of voting and counting errors. Since many states have laws that prescribe the exact format and layout of ballots, the project will need to develop model legislation to permit change.

Speed and accuracy of hand counting methods have never received testing with conditions comparable to a real-life election with controlled research parameters. The pressure of the 24-hour news cycle in the US has long emphasized speed over accuracy, and the narrative widely pushed is that hand-counting would lack both. In large turnout elections, with inevitable delays due to machine breakdowns, there is a brief burst of questioning the machines, but then an almost immediate return to the old narrative that they are the best technology.

To counter this inertia, we call for a credible and scientific study that would use established methodology from "human factors" research in industry. Results from the best-case hand-counted paper ballot (HCPB) methods will lead to a second phase: to develop and disseminate training materials and model legislation for a national educational campaign on HCPB. We will seek prospective national partners in the election integrity movement, and advocate for support in the form of federal legislation to provide incentives for states—the Trust America's Vote Act.

How Californians Saved the Paper Ballot And Maybe the Nation

by Mimi Kennedy

Voter-verified paper ballots, publicly-observable chains of custody as ballots are collected, transported, counted and stored, and publicly-observable hand-counts, either as completely redundant verification, or verification to a statistically sufficient degree, are the only way to preserve the republic.

In May 2004, California's Democratic Secretary of State, Kevin Shelley, de-certified Diebold voting machines and said they could not be used in California elections without paper trails or offering voters the option of a paper ballot. Diebold had used uncertified software in an Alameda county election, a violation of law; Shelley recommended the California Attorney General prosecute.

A drumbeat arose against Shelley in the media: he was a bad boss, a screamer, his employees hated him! In February, 2005, he resigned in tears at a press conference. Later he said that his staff, many of them holdovers from Republican administrations, had sabotaged his office processes, withholding messages, telling callers he was too busy for meetings, and generally disrupting whatever he tried to do. He warned that the same might happen to our then Democratic Secretary of State, the popular fighter Debra Bowen, and indeed, it came to pass.

As Secretary of State, Debra Bowen ran a "red team review" with computer scientists and security experts testing all the software used in California elections for vulnerabilities. Debra de-certified most of the systems, and re-certified them only with strict conditions. The effect was to establish paper ballots as California's only permissible legal ballot of record.

She paid a price; as with Shelley, she had trouble



photo: James Heddle

Mimi Kennedy and Election Integrity advocates, many involved with this issue, including Marta Steele, Bob Fitakis, Jonathan Simon, Bent Ptashnik, Greg Palast and Victoria Collier

with longtime staff. She ran for Congress in 2010 and lost, then retired in 2015. Her legacy to California, and the nation, is impossible to overestimate.

Legislators fascinated with futuristic technology still want us to "vote on our phones!" But wiser heads have prevailed, knowing that consumer transactions, which can be traced to the source by name, and checked, have no relation to voting, which is private and anonymous, and vulnerable to undetectable, aggregate manipulation.

Since Bowen's term, awareness of election security issues in California has multiplied. In this June 2016 primary, thousands of activists watched almost every county's vote count, uncovering violations and praising best practices. 60,000 provisional presidential votes were counted in Los Angeles that, if one sharp-eyed observer had not asked the right question, would have been disqualified in a way that she noted was a violation of CA's primacy of voter intent law.

As goes California, so goes the nation. Voter-verified paper ballots, publicly-observable chains of

custody as ballots are collected, transported, counted and stored, and publicly-observable hand-counts, either as completely redundant verification, or verification to a statistically sufficient degree, are the only way to preserve the republic. Thank you, Debra Bowen – and election integrity activists in California and their colleagues nationwide!

Mimi Kennedy is an actress, author, and activist. She is Chair of the Progressive Democrats of America and has worked on electoral, labor and other issues.

Mimi Kennedy on the Help America Vote Act (HAVA)

The Help America Vote Act of 2002, George W's big legislative push after the 2000 election not only wired America with electronic voting machines, but did away with paper ballots, the only voter-verifiable way to publicly-verify the accuracy of election results. In 2004, the CEO of Diebold, one of the companies that reaped the benefits of HAVA appropriations, promised to "deliver" Ohio to George W. Bush in the re-election. Diebold had been founded by Bob Urosevich. The other big voting machine winner from HAVA was ES&S, run by Todd, Bob's brother. Under HAVA, all 50 states had to acquire some version of wares such as theirs, ostensibly to provide access for people with disabilities by 2006. If that didn't happen, states in violation would be sued by Bush's Department of Justice. Diebold delivered Ohio to Bush in 2004.

In LA, I'd joined then-Registrar Conny McCormack's Community Voter Outreach Committee with a few other activists. We knew she wanted Diebold for the county. She was featured on the cover of a Diebold sales pamphlet, touting their wares. When Diebold's reputation

was smeared by a bribery indictment, she turned to ES&S, and we got some \$5000 Precinct Ballot Readers from the company, to give voters the HAVA-mandated "second chance" voting to correct under-or-over-voted ballots, and connected to an audio booth for disability access. McCormack promised, at a mass meeting of activists, never to tabulate with the machines, or use memory cards (digital transport media) in a tabulator. Then she tried to buy a tabulator from ES&S anyway, with the \$45 million she had left over from HAVA funds. Activists went to the Board of Supervisors and warned it was a waste of money. Conny McCormack resigned in early 2008 under investigation for ethics violation in her job.

The \$45 million that activists saved LA is now developing an open-source, paper ballot-based system that the county will own, removing the layer of legal unaccountability that corporate vendors utilize. The ballots will be hand-countable and human-readable in 10 languages, and the ballot generator will be accessible according to the Americans with Disabilities Act.

Hand Counting Ballots For Accurate Election Results

by Virginia Martin

For me, election administration raises one essential question. How can I be sure that I'm certifying the correct results?

My Republican counterpart and I ask: How do we know how any of our optical scanners tabulated the votes on each paper ballot? The answer is that we really can not know.

Computerized voting machines are unspeakably complicated, and we couldn't realistically examine the half-million lines of code in a single machine, much less in all of them. Can we be sure that our machines were programmed perfectly? That there are no bugs or glitches? That nobody tampered with the code? No.

But we do know how to keep ballots safe, how to account for every single one of them, and how to count each ballot's votes. Those are simple processes—and the ordinary person can do them.

Yes, computers are modern miracles. But they can be dreadful disasters for counting votes unless we check—audit—their results. And, because how everyone votes must be secret, accuracy checks must be particularly thorough to provide the high degree of confidence that's needed in a democracy.

A robust audit via hand count is essential. Ours is 100% for many races. For some, that's overkill, but since a full audit of a local race, for example, is easy to do and easy for the public to comprehend, that's what we do. We could use some statistician's algorithm instead. But how would the ordinary voter or candidate or party member know that an algorithm is enough? They wouldn't. Understanding vote counting should be accessible to anyone—not just people with advanced degrees.

So we pay trusted local people to keep our ballots safe, start to finish, and to tally the votes. They enjoy the process. We spend less than a week doing it. We let everyone watch, and they all feel welcomed. The upshot is that everyone here is satisfied that our final result is exactly how the voters voted. And, in the grand scheme of things, it barely makes a dent in our budget.

We have a happy, if unanticipated, marriage of computer-tabulated unofficial results—available quickly on election night—with hand-counted official results, which usually track the machine results closely—all within a week. The machines have worked well, and we use their results as a baseline; when the hand-count numbers differ, we can figure out why, and

whether the differences are legitimate or reflect a hand-count error. We always certify the hand-count result once we're satisfied that it's accurate.

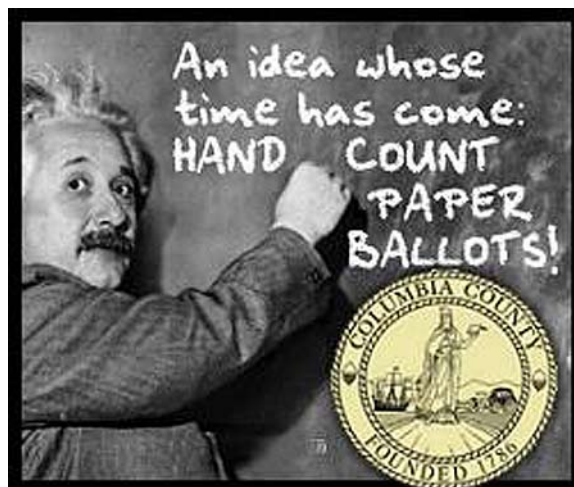
There's an important added benefit. With our hand count, we'll know if and when our aging machines start to fail.

Our process apparently is unique, although it doesn't have to be. I think it's replicable anywhere, in any sized county.

Here's what I like: When the election is over, everyone involved can get on with their lives. Nobody petitions us for a recount or accuses us of hiding anything or manipulating numbers or being unfair. They know the results are correct.

In the end, everyone's satisfied. Ours is an aspect of government that people here feel good about. What a shame it would be to wonder how your vote was counted. When all is said and done, my counterpart and I aren't the only ones that know for sure that the numbers we've certified are accurate. The voters, the candidates, and the parties know, too.

Virginia Martin is the Democratic Election Commissioner in Columbia County, New York.



graphic: NoMoreStolenElections

A robust audit via hand count is essential. Ours is 100% for many races.

RFK, Jr. on the Help America Vote Act

Instead of sharing culpability for the 2000 Florida catastrophe, voting-machine companies used their political clout to present their product as the solution. In October 2002, President Bush signed the Help America Vote Act (HAVA), requiring states and counties to upgrade their voting systems with electronic machines and giving vast sums of money to state officials to distribute to the tight-knit cabal of largely Republican vendors.

The primary author and steward of HAVA was Representative Bob Ney, then the GOP chairman of the powerful US House Administration Committee. Ney resigned in November, 2006 after a guilty plea to charges of conspiracy and making false statements in relation to the scandal surrounding disgraced lobbyist Jack Abramoff, whose firm received at least \$275,000 from Diebold to lobby for its touch-screen machines. Ney's chief of staff, David DiStefano, also worked as a registered lobbyist for Diebold, receiving at least \$180,000 from the firm to lobby for HAVA and other election reform issues. Ney — who accepted campaign contributions from DiStefano and counted Diebold's then-CEO O'Dell among his constituents — made sure that HAVA strongly favored the use of the company's machines. Ney also made sure that Diebold and other [election system] companies would not be required to equip their machines with printers to provide paper records that could be verified by voters. In a clever twist, HAVA effectively pressured every precinct to provide at least one voting device that had no paper trail.

Excerpted from Loser Take All: Election Fraud and the Subversion of Democracy 2000-2008 edited by Mark Crispin Miller.

The People's Vote Must Count: Reclaim Elections — Groups —



National Election Defense Coalition is working to restore democracy to US elections, because the will of the people is being profoundly undermined through coordinated attacks using, mass voter suppression, rigged voting machines and corrupt campaign finance. Democratic reform is a moral imperative. They are organizing to reclaim democracy and our future. They concentrate on public and transparent elections; voting rights and voter access; and campaign finance and clean elections. They are particularly involved in rebuilding the Voting Rights Act. See <http://www.electiondefense.org/>

Election Defense Alliance (EDA) is a participatory organization of citizens collaborating at the local, state, and national levels to defend against electoral theft, establish transparent vote-counting, and ensure that governments accountable to the people are legitimately elected. EDA seeks to expose election fraud and restore electoral integrity as the foundation of American democracy. They work to alert the citizenry to the illusions and dangers of privatized, computerized, fraud-prone voting machines, and work to replace this illegitimate system of secret vote-counting with hand-counted paper ballot elections, conducted by citizens in the precincts in public view, so that the vote-counting process is transparent, secure, verified, and fully accountable to the voters. This is Jonathan Simon's site complete with projects, topics resources and actions to take. See <http://electiondefensealliance.org>



Voting Counts
...when Your Vote is Counted.



The Alliance for Democracy has launched a community-based “People’s Vote Must Count” campaign to create a national network of citizen activists working to implement local hand-counted paper ballot voting so as to build the national movement to support the hand-counted paper ballot revolution. They promote a local six-step program that organizes local groups, promotes principles of reform, engages with local officials, and documents the electoral process in your community. From that basis it offers guidelines for preparing an official report to initiate a local Hand-counted Paper Ballot to be used locally. Check out their campaign materials at www.peoplesvotemustcount.org

No More Stolen Elections is a non-partisan campaign committed to voting rights, election reform, and deep democratic change. They promote the creation of voter assemblies, a space where people can come together to discuss incidences of voter suppression and election fraud that could cause the election to be stolen and, if necessary, decide to take action to stop the election from being stolen. They also have a Voter Bill of Rights and a Pledge of Action. See nomorestolenelections.org/



The Center for Hand-Counted Paper Ballots is an educational and research center that provides on-site instruction and resources to state and local election officials, poll workers, and voters on how to run publicly observed hand-counted paper ballot elections and recounts with a secure chain of custody. They have a large collection of articles and blogs around hand-counted paper ballots. See <http://www.handcountedpaperballots.org/>

The Voting Rights Alliance is a growing network of organizations, activists, and legislators working to restore and protect voting rights from concerted attacks that undermine our access to the polls, and to have our votes fairly counted. On April 21, 2016, nine members of Congress, two hundred activists and Congressional staff gathered for a historic Congressional briefing on voter suppression and manipulation of US elections. From that briefing, the Congressional Voting Rights Caucus was formed, and the Voting Rights Alliance soon followed. See <http://www.votingrightsalliance.net/>



Black Box Voting.org is Bev Harris' website for all of the work she has done around election defense issues. You can download her whole book or individual chapters. She does request a donation for the years of work she has put into this project.

There are also many blog postings she has made and a plethora of further information on Accountability, Election Records and Laws and Rules. See <http://blackboxvoting.org/>

Books — Restore Voting Rights, Reclaim Our Ballot

by Jim Tarbell

Whereas the current mainstream media has ignored the corruption of integrity in our electoral system, the publishing industry and a bastion of dedicated authors has helped put this story out in all of its facets. *Votescam: The Stealing of America* by James M. and Kenneth F. Collier is one of the originals. It traces the amazing 18-year journey of two entrepreneurial and concerned brothers as they worked to reveal the corruption they witnessed in a 1970 Florida election when Ken was running for Congress.

From there they trace vote rigging, forged signatures, blocked investigations, corrupt election officials, shady non-profits, broken promises, untrustworthy party elites, reluctant publishers, both good and bad media, and corrupt judges in the electoral system. They cover over twenty years of history moving from Florida to Washington DC to New York and include national figures from Antonin Scalia to Janet Reno.

Victoria Collier, James' daughter, is carrying on their pioneering investigations as co-founder of the National Election Defense Coalition and many of her writings can be found at the AfD website.

Black Box Voting: Ballot Tampering in the 21st Century by Bev Harris carries the journey on into the 21st Century. She starts back almost 150 years ago, with the passing of the Fifteenth

Amendment that gave citizens the right to vote with no interference from local or national governments. Then she brings us up into the 1950s with the introduction of the first voting machines in Louisiana and Governor Earl Long declaring "Gimme five (electoral) commissioners and I'll make them voting machines sing Home Sweet Home." Harris' important contribution is her classic research on voting machines, the companies that make them, the crooks that own them, the corruption that surrounds their marketing and the hackable software that Diebold left on the Internet for all to see. It is an alarming and revealing story.

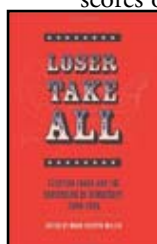
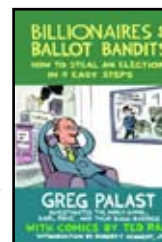
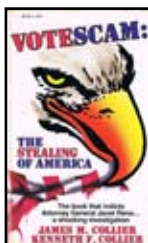
Then questions of fraud and corruption around the 2004 presidential election brought scores of experts out to work on alerting the American public about the dangers of electronic voting machines. New York University professor and media critic Mark Crispin Miller brought many of them together in his book *Loser Take All: Election Fraud and the Subversion of Democracy 2000-2008*. He and 16

co-authors cover the Florida boondoggle in 2000; the manipulated returns in Ohio in 2004; and the corporate bonanza and democratic disaster of the Help America Vote Act of 2002. They also cover obviously rigged elections in Florida, Tennessee, Georgia, Alabama and multiple other states. They take on voter suppression happening across the country, as well as the importance of instituting hand-counted paper ballots, as many countries have done around the world.

In his always-delightful style, journalist Greg Palast jumped into this area of concern with his book *Billionaires and Ballot Bandits: How to Steal an Election in 9 Easy Steps*. With that promise, he brings the big money involved in election corruption into the light and outlines nine of the multiple ways the man-behind-the-curtain manipulates elections to disenfranchise poor, non-white citizens and ensures the continued enactment of public policy favoring the wealthy elite. His nine easy steps to steal an election include: purging; caging; spoiling; ejecting; blocking; rejecting; prestidigitizing; tossing; and stuffing. Now Palast has made this into a movie about the stealing of the 2016 election. See it in a theater near you.

The real guru on the problems with computer voting is Jonathan Simon. His 2016 edition of *Code Red: Computerized Election Theft and the New American Century* answers all of your questions about the problems of computerized voting and vote counting. He goes through thirty of the most pressing questions about electronics in our electoral system and gives clear and precise answers. His most valuable contribution, however, is his description of what he calls "the red shift." That is the unmistakable pattern of how certified vote counts differ so consistently from professionally operated exit polls in a direction that would "make Karl Rove smile." He dispels all of the naysayers and doubters and leaves you to make your own decision.

Finally, veteran journalists Bob Fittrakis and Harvey Wasserman wrap it all up in a grand historical perspective in their book *The Strip and Flip Selection of 2016: Five Jim Crows and Electronic Election Theft*. They outline the centuries long practice of American elites disenfranchising the poor and communities of color in this country. Starting with Elbridge Gerry's gerrymandering on to Nixon's war on blacks and the counter culture, they outline how voter suppression and vote rigging is nothing more than a continuation of the war waged by the American wealthy on the huge percentage of the population that has been their servants, slaves and critics for centuries.



E-Voting's Corporate Pedigree

Swindlers Offering "Results Management Assistance"

by Bev Harris



As of 2016, three companies dominate computerized voting in the US: ES&S, Dominion, and Hart.

The computer voting industry evolved in the following way:

- First, someone offered a need-fulfilling product/service: ballot printing.
- Then, a few people invented what they believed to be better mousetraps: initially, lever machines.
- Over time, ballot printing corporations that best met "customer needs" accumulated accounts. In politics, "customer needs" can include products and "the need to hold power."
- Over time, inventors who could best market their voting machines gained market share. In politics, "marketing" of voting machines can include offering kickbacks and "results-management assistance," as well as supplying equipment.

Ballot printing corporations remained regional for many years, but lever machine companies expanded quickly, consolidating into two companies: Shoup Voting Machines Corporation and Automatic Voting Machine Corporation.

Automatic went bankrupt in 1983. Saved by a group of investors, it became Sequoia Voting Systems, then moved into electronic voting. Shoup went through a series of acquisitions and then began a romance with computerized punch card company Computer Election Systems (CES). Sequoia, Shoup, and CES all expanded partly through kickbacks. Over the years, salesmen from all three firms were convicted of bribery and related offenses.

Sequoia became a multinational corporation when acquired by Ireland's Jefferson Smurfit, then by Great Britain's De La Rue, from whence Sequoia moved into a brief dalliance with Venezuela's

Smartmatic. Sequoia is now part of Canada's Dominion Voting Systems. Through Dominion, voting systems with Sequoia genealogy still operate throughout the US and are often found in traditionally Democratic strongholds.

Cronus Industries Inc. acquired Computer Election Systems, and in turn was acquired by Business Records Corporation (BRC), then by American Information Systems (AIS), a firm whose chairman, Chuck Hagel, later was elected to the US Senate for two terms and subsequently became US Secretary of Defense. AIS changed its name to Election Systems & Software (ES&S). The Justice Dept. split up the company on antitrust grounds giving part to Sequoia and the rest to ES&S.

ES&S machines, especially popular with Republicans, are used throughout America.

Two other companies emerged around 2000: Diebold Election Systems and Hart Intercivic. Diebold had mixed political bloodlines, with a heavily Republican management but its lobbyist, Joe Andrew, was former chair of the DNC.

Diebold Inc. got into the business by purchasing a sketchy Canadian firm called Global, founded by two felons and a swindler — Michael K. Graye, embezzler & stock fraud; Norton Cooper, "defrauding the queen," and Charles Hong Lee, bilked Chinese immigrants out of \$600,000. Control of Global changed in 2000, when ownership transferred to 23-count embezzler Jeffrey Dean's wife, then owner of a ballot printing firm called Spectrum Print & Mail. Jeffrey Dean had developed vote-by-mail technology. He brought in prison buddy John Elder (narcotics trafficking) and together they got control of contracts in Colorado, Washington and 17 California counties. Global acquired Spectrum, making Jeff Dean's wife its largest stockholder and putting Jeff in charge.

If there was a political trend to Dean's associates, it was through elite Democratic players whose big push was to vastly expand vote-by-mail. As Jeffrey Dean developed vote-by-mail he worked with brother Neil Dean, whose company was acquired by Omaha's PSI Group, later acquired by Pitney Bowes, which now has strong mail-voting market share.

Diebold Election Systems, after name-change to Premier Election Systems, was acquired by ES&S. The Justice Dept. split the purchase between ES&S and Dominion for antitrust reasons.

The fourth major company, Hart Intercivic, grew from a Texas ballot printing firm. Hart's relatively tidy demeanor won it large contracts in central and western US markets. Hart was acquired by HIG Capital, a spinoff of Bain and Co. with ties to Mitt Romney donation bundlers.

As of 2016, three companies dominate computerized voting in the US: ES&S, Dominion, and Hart. A number of private middlemen, often working from their homes, service accounts, provide programming and other help. These middlemen get high levels of inside access.

Bev Harris is a writer and founder of Black Box Voting (blackboxvoting.org). She has researched and written about election transparency and computerized voting systems since 2002. Harris' research has been covered in The New York Times, Vanity Fair, Time Magazine, CNN and several international publications.



This presidency brought to you by

DIEBOLD

You don't count because we don't count.
graphic: Dave Ward

Impossible — Secure Computer Votecounting

by Dr. Ethan Scarl

“People make mistakes, but computers do not” is the classic justification for America's great investment in counting its votes electronically.

But a computer's code can be corrupted, in many and subtle ways, and fraudulent counting can have extremely high payoffs from public policies enacted by those elected, with very low risk of detection.

So here are the many steps would it actually take to know that electronic elections are accurate, and honest.

1. Check the design of the computer's program.

This requires the often impossible task of acquiring and evaluating the system's Requirements and Specifications documents. Without these, one has only their intuition of what the machine is intended to do.

2. **Obtain and Validate Source Code** for all machines. This is the code that is written and readable by humans. Without it, there is no way to test the system rigorously; testing becomes a haphazard business that might find some, but not all faults, but can never prove correctness. Unfortunately, American voting machine corporations are allowed to declare their code "proprietary," meaning that it cannot be examined by citizens or even by government officials who contract for it.

3. **Verify the Source Code.** This ensures that the program correctly implements its requirements. This is done by human expertise, often with software assistance, but the huge number of possible paths through the code typically makes any guarantee impossible.

4. **Verify verification software.** Although verification software is not an easy vehicle for intentional fraud, it could hide corruption in the voting software.

5. **Compile only verified source code.** The Compiler is the software that translates the human-written source code into the Object Code that actually runs on the vote-counting machines. It is critical that this object code actually came from the verified source. Protecting both source and object Codes during transport to and from the compiler is one of several "chain of custody" challenges to trusting a vote count.

6. **Certify code on all machines** that count votes. Even with careful transport, we need to ensure that this object code actually came from verified source code. This requires checking every voting machine and tabulator, a difficult task in both principle and practice.

7. Be sure that the compiler itself is clean.

A corrupted compiler can insert erroneous or malicious code into the object code while compiling legitimate source code. If the compiler is

compromised, we can verify and validate source code till doomsday and never spot the most blatant fraud. This means that we have to do the same verification on the compiler's own code, a daunting prospect rarely attempted.

8. **Guarantee all machine hardware.** Can we be certain there is nothing hiding in the memory cards or mother boards? Or even chips hiding in the cabling? Maybe something that accepts remote inputs? This is difficult to rule out definitively.

9. Guarantee the overall chain of custody.

Finally, we have to guarantee our loaded machines' physical and electronic isolation, allowing no access before Election Day. There are histories of vendor agents installing uncertified code "patches" in "selected" precincts just before elections. Any patched system (not just the patch) needs to repeat this entire validation process.

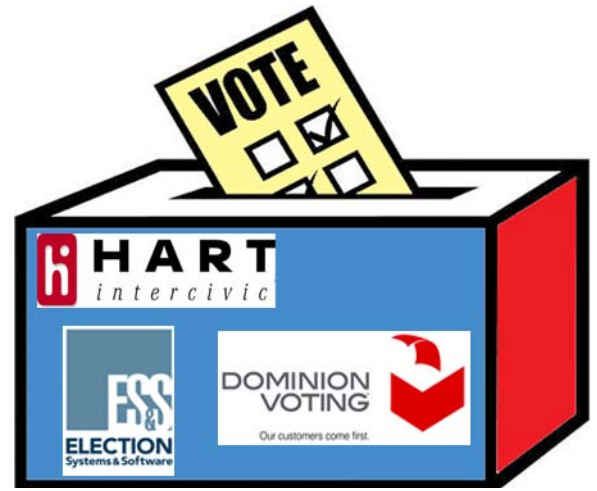
If each of these steps is not completed, the election results may be erroneous or fraudulent in ways virtually impossible even for expert observers to detect. Keep in mind that if any machine can be remotely accessed, then machines and code can be corrupted from step 5 on down, and even open source becomes irrelevant.

The inescapable conclusion is that guaranteeing a secure and uncorrupted computerized votecounting system has never been done, nor even attempted. To do so would be fantastically difficult and expensive.

Therefore, the only plausible way to have any confidence in computerized votecounting is to test its output with statistically valid hand-counted auditing of paper ballots.

Alternatively, we could save money and dramatically reduce risk by hand-counting all ballots in the first place, under proper supervision, as we once did and as is now done in many other countries without problem.

Dr. Ethan Scarl is a computer scientist on the AfD Council and has pursued election integrity issues since 2008.



graphic: Inspired by Ethan Scarl

The inescapable conclusion is that guaranteeing a secure and uncorrupted computerized votecounting system has never been done, nor even attempted.

Silence of the Lambs

Media Coverage of Election Integrity

Isn't it potentially the biggest story of their lives?

by Jonathan Simon

We have it... from several top journalists that their employers have flat-out prohibited them from writing or speaking on the matter of computerized election theft or reviewing any of the evidence that it is occurring

To begin, the mainstream media (MSM) is now almost entirely a subsidiary of mega-corporations, with news budgets slashed to the bone, opinions displacing reporting and investigation, and insidious limits on what is, as the *Times* still puts it, "fit to print." That said, it is still astounding how impervious the MSM has been to the e-voting story. We have it, off the record, from several top journalists that their employers have flat-out prohibited them from writing or speaking on the matter of computerized election theft or reviewing any of the evidence that it is occurring.

The MSM rule seems to allow reporters to write or talk about the potential vulnerability of the machines in the run-up to elections, but after the election, when actual evidence is available, all coverage is verboten. In 2004, Keith Olbermann did start covering what had happened in Ohio. He devoted several powerful, widely-viewed, and very enthusiastically received segments to it and then ... POOF! He was off on a two-week vacation of which there had been no prior mention. And when he

came back ... not another word, ever! It should be obvious that there are some powerful forces at work here, set on making sure this story never gets legs.

But it's not just the MSM. The progressive media—from *The Nation* to *Mother Jones* to *The Progressive Populist*—have all taken a pass. They bemoan the "new politics," with its gerrymandering, dark money, and voter suppression, but without an iota of attention paid to even the possibility that these bizarre and troublesome results may have something to do with a digital thumb on the electronic counting scale, not so much as a hint that there may be something to question or investigate.

It is mystifying to watch the progressives of America commit political suicide as

their media buy into a rigged game. It may be fear of

marginalization, that even mentioning the possibility of electronic election rigging will forfeit their hard-earned place at the "serious journalism" table or, for groups like Common Cause, People For The American Way, or the ACLU, their place at the "serious advocacy" table. If that seems exaggerated, recall the fate of Dan Rather, a titanic media figure permanently exiled after once stepping "out of bounds" when reporting on George W. Bush's National Guard records. As for whistle-blowers, one such demise sends a powerful and unambiguous message to the rest.

About the only press willing to stand up are web-based sites like *BradBlog* and *OpEdNews*. These merit high praise indeed, but any story that's not in the *Times* or the networks is a tin-hat conspiracy theory, no matter how well presented and documented.

Perhaps fear that everything will fall apart if truth is rigorously pursued paralyzing the media. If investigation leads to knowledge that mandates action, an inexorable process would begin. But who in the vast system of American politics and culture can imagine what action he or she might take? The personal blowback and the national earthquake would be unimaginable. So the "action imperative" itself may paradoxically operate to block investigation at its very beginning.

The most wretched villains in this play must be the American press and media. Those who actually do the rigging, whether a Rovean figure playing God or far-right true believers, are "doing their job." But the media, whose job is to expose and promulgate the truth, are the ones not doing their job. They appear to be either in deep denial, anesthetized, or content with a sham democracy, which would suit their corporate masters just fine. Individually, by the thousands, and collectively as a force, they have served as enablers.

We do not know the extent or source of intimidation, but it is time someone with a following found the courage to risk his or her job, or even his or her life, in service to the truth. That courage is surely not unprecedented in our nation's history and it is sorely needed now, if what the courageous have fought and died for is to survive.

This article and sidebar are excerpted from Jonathan Simon's book Code Red.



What about Whistleblowers?

- Clint Curtis, a computer programmer from Yang Enterprises testified under oath in 2004 before the House of Representatives Judiciary Committee, after the 2004 Ohio election debacle that in 2000. He said he was commissioned as a programmer to write a program for the Republican Speaker of the House of Florida designed to "flip the vote" in South Florida. Curtis twice passed a lie-detector test. He was ignored. Apparently not ignored was Raymond Lemme, the reporter actively investigating Curtis' allegations. Lemme told Curtis he had "tracked down corruption that goes all the way to the top" and the story would break shortly. Two weeks later, Lemme committed suicide, evidently, according to forensic photographs, by the popular method of stabbing and beating himself to death.

- Mike Connell, known as Karl Rove's "IT guru," who had set up the off-site SmartTech servers that processed the decisive presidential vote count in 2004, was compelled to testify in a lawsuit challenging the improprieties in that election. After giving a sealed deposition and being informed that he would likely be compelled to provide further testimony, Connell was killed when the plane he was piloting crashed. Attorneys for the plaintiff, taking seriously threats made by Rove against a conscience-driven Connell, had been denied FBI protection for their star witness. It is not hard to imagine other potential whistleblowers getting the message.

Failed Election Administration

by Marta Steele

“By the way — we have to fix that,” Barack Obama declared in his 2013 acceptance speech, referring to the long lines and hours of wait time as people attempted to vote. These words gave birth to a comprehensive report from the Presidential Commission on Election Administration (PCEA), led by lawyers for the Romney and Obama campaigns, and a host of commissioners from corporate America.

The Commission’s report addresses:

- Modernizing voter registration;
- Providing early voting to all Americans; and
- Revising systems so that no voter will have to wait in line longer than 30 minutes on election days.

However, the report does not mention or imply the most far-reaching atrocity: frequent hacking into electronic voting machinery to manipulate the vote away from the people’s choice—stripping We the People of our franchise and flipping votes into other candidates’ columns.

The PCEA recommends modernizing paper voter rolls via digitization — and the online voter registration it enables — that increases efficiency, but works against indigent populations. It is fallow ground for the kind of corruption that occurred in E-2000 in Florida, when tens of thousands of registered voters were illegally eliminated from county-based lists. Award-winning investigative journalist Greg Palast discovered this outrage, based on inaccurate and inadequate matching of common surnames with those of felons throughout the country and attempted to publicize it before the infamous December 12 Supreme Court’s (SCOTUS) decision “selected” G. W. Bush as President. Frequently these names were recognizably black or ethnic. Race was clearly indicated on the lists.

In the 2016 Arizona primary, in Maricopa County, which includes Phoenix, long lines and hours-long waits were attributed in part to the state’s closed primary system, which was limited to Republican, Democratic, and Green Party voters. Independents and those with other party affiliations who were unaware of this limitation were given provisional ballots.

Meanwhile, a decision that eliminated 140 precincts — from 200 down to 60, changing from the precinct system that served 2500 voters at each location to “voting centers” serving 20,833 each — caused further confusion and longer lines; some voters simply gave up, sacrificing their franchise. The last vote in Maricopa County was cast at midnight.

Election rights activist John Roberts Brakey, head of AuditAZ, points out that 150,000 voters were disenfranchised in this process where, as expected, the longest lines were in ethnic neighborhoods and on

college campuses. Of course, Arizona’s stringent voter ID requirements passed in 2013 abetted disenfranchisement, already facilitated by the SCOTUS’ gutting of section 5 of the Voting Rights Act (1965) (VRA).

Putting systems in place to “fix that,” as Obama recommended, opens up multiple challenges, including:

- Appointing or electing election administrations, poll-worker staffs, and redistricting boards, who are nonpartisan, to eliminate politicized decision-making. Today’s ratio of ethical poll workers to blatantly corrupt actors is around 50-50.
- Better equipping polling locations and “assuring that [they] are accessible to all voters and located close to where [the people] live.”

On the White House webpage, voting is not a top priority, but is hidden beneath the sixth link in the list of priority issues, Civil Rights.

Election law expert Professor Rick Hasen appreciates the commission’s recommendations, but writes that much more is needed. Law and Political Science Professor David Schultz asks why the president has not done more to implement the commission’s recommendations.

In September 2015, Obama recommended revising the VRA. Might an executive order from Obama “fix that”? Grassroots activists are laboring to implore their political representatives to intervene in countless violations of election integrity and voting rights, and pressing forward with litigation. Senator Bernie Sanders has expressed his disgust with this blatant election corruption that targets minorities, youth, seniors, and others: We the People.

“Discrimination” and “corruption” never appear in the Commission’s report.

This article is dedicated with deep esteem to Danny Schechter (1942-2015), the “news dissector,” prolific author, media critic, filmmaker, television producer, radio commentator, blogger, and more.

SQUIRE
PATTON
BOGGS LLP



The Presidential Commission on Election Administration exemplifies corporate influence over public policy.

Corporate Election Advisors

Obama’s Commission on Election Administration exemplifies corporate influence over public policy. Half of its members come from multi-national corporations. One of its co-chairs, Benjamin L. Ginsburg is a partner at Squire Patton Boggs, one of the biggest corporate lobbying firms in Washington DC. He also oversaw the Bush campaign’s successful effort to steal the election in Florida in 2000. He is joined on the Commission by:

- Brian Britton, Vice President Global Park Operations & Initiatives at Walt Disney World Company;
- Joe Echevarria, CEO of Deloitte LLP, one of the nation’s largest corporate accounting firms and deeply involved in some of the accounting disasters that led to the 2008 financial crisis;
- Trey Grayson, head of the Northern Kentucky Chamber of Commerce, who worked for a law firm that boasts that for “100 years, the biggest names in business have come to trust the bright minds at Bingham Greenebaum Doll LLP.”
- Michele Coleman Mayes, past Vice President and General Counsel for Allstate Insurance Company and Pitney Bowes;
- Tammy Patrick, Federal Compliance Officer for the questionable Maricopa County Elections Department in Arizona.

No one like Jonathan Simon or Victoria Collier, who have spent their lives analyzing electoral problems, was included in the Commission.

Photo IDs = False Security

by Jan BenDor

For most of the 20th century, the voter's identity for election purposes was a signature, signed in the presence of a sworn election official. Only in the past two decades has the photo ID requirement been added.

Prior to the late 1990s, the match of a polling place signature against a master signature was a secure system: it is very hard to put a forged signature past experienced election administrators, who are skilled in matching. In one case, election administrators in a Michigan community could tell the difference between signatures of father and son with the same name and address, when the return envelopes for their absentee ballots were accidentally switched.

When Republican-controlled legislatures enacted the requirement to show photo ID in state after state, Secretaries of State produced estimates that hundreds of thousands of registered or eligible voters had no photo ID. The demand for photo ID places a burden on large numbers of voters, but it does nothing to improve the security of voter identification.

To the contrary, replacing the master signature match with a voter-carried photo has made it easier to impersonate a voter. The typical precinct voter list is now a printout generated from a master voter file, with the voter's address and birth date, but no signature to check, and no master photo to match.

Instead, election workers ask the voter to produce certain forms of photo ID, which must include the voter's name and photo. Since election workers have no "photo standard" to match against, all they can do is approve the voter if, in their untrained judgment, the face of the person resembles the photo ID.

It is relatively easy to get a fake photo ID that matches your face — ask any teenager who wants

For a trusted and secure election, a person's unique signature is still the Gold Standard for voter identification.



WILL SCENES LIKE THE ABOVE PLAY OUT IN NOVEMBER? LET US SINCERELY HOPE NOT.

Voter ID Requirements

- ★ Requires a photo ID
- Requests a photo ID
- ◆ Requires a non-photo ID
- Does not require an ID

◆ Ala.	■ La.	○ Ore.
◆ Alaska	○ Maine	○ Pa.
◆ Ariz.	○ Md.	■ Puerto Rico
◆ Ark.	○ Mass.	◆ R.I.
○ Calif.	■ Mich.	★ S.C.*
◆ Colo.	○ Minn.	■ S.D.
◆ Conn.	○ Miss.	★ Tenn.
◆ Del.	◆ Mo.	★ Texas*
■ Fla.	◆ Mont.	◆ Utah
◆ Ga.	○ Neb.	◆ U.S. Virgin Is.
○ Guam	◆ Nev.	○ Vt.
■ Hawaii	○ N.H.	◆ Va.
■ Idaho	○ N.J.	◆ Wash.
○ Ill.	○ N.M.	○ W.Va.
◆ Ind.	○ N.Y.	◆ Wis.
◆ Iowa	◆ N.C.	○ Wyo.
◆ Kan.	○ N.D.	
◆ Ky.	◆ Ohio	
	◆ Okla.	

*Will require Department of Justice approval.

graphic: National Conference of State Legislatures & Election Boards

to pass as age 21. Anyone with a digital camera, the right software, and a laminator can create a facsimile of a "government-issued" photo ID. Election workers are rarely trained to spot a fake.

Even given a "valid" ID, election workers have a tough time figuring out if that low quality photo is really the person standing before them. A driver license photo might be ten years old, and in that time, people change haircuts, hair color, facial hair, make-up, glasses, and overall appearance by cosmetic surgery, injuries, or health conditions.

There is no standard law for the situation in which the election worker cannot match the person to the photo. Should they refuse the application to vote? Challenge the voter's ballot? Photo ID not only makes it easier to impersonate a voter, but also makes it easier to erroneously disenfranchise the voter.

In contrast, the elements of a voter's signature change very little. Even age and illness leave the basic characteristics of the signature unaltered. According to Ruth Holmes, Certified Document Examiner and handwriting expert, "A signature is unique to every individual. While there may be shared characteristics due to education, heredity and circumstances, there are distinct characteristics which allow a trained observer of signatures to verify the identity of an individual."

The Photo ID requirement is "security theater." There is no standard photo of a voter in the elections records in the same way there is a standard signature on file, so there can be no independent validation of identity.

For a trusted and secure election, a person's unique signature is still the Gold Standard for voter identification and it should be restored to the voting process.

Jan BenDor is the Statewide Coordinator of the Michigan Election Reform Alliance.



graphic: BBC

Voting Distortion

by Beth Clarkson

Voting is ritual, with tremendous cultural significance, but a ritual that has lost contact with reality. We are only allowed a funhouse mirror reflection of our national character. With computerized vote tabulation, used by all states, we have no transparency regarding the accuracy of the reported results. Polling numbers are routinely adjusted to match the official results of the election and raw data is not publicly released. Statistical analysis of official election results is frequently consistent with suspicions of election rigging. We have a government more and more skewed; a caricature rather than an accurate reflection of our cultural values.

Our voting process is systemically corrupt. This is not an indictment of the people working to conduct elections. Here in Sedgwick County, Kansas, election office employees work hard to run an election. The fault lies with our voting process designated by our elected representatives and implemented by officials appointed by them. Systemic bias is part of the design. The entire system allows only a façade of accuracy and security.

My expertise is in process control and quality improvement, certified as a quality engineer for nearly 30 years, with a Ph.D. in statistics. I know how to evaluate a process and audit to verify the results. The voting system where I live, which is similar to most of the rest of US, gives me no reason to expect accurate results. In many Kansas counties, it is a non-transparent system without a paper trail. Where paper trails exist those paper records are not audited by officials and no independent audits are performed or, in fact, even permitted!

I unsuccessfully sued Kansas Secretary of State Kris Kobach in 2015, for access to the Sedgwick County records necessary to audit the

official results. Secrecy with voting records is not unusual. Many states have laws exempting ballots from open records requests.

Mr. Kobach concentrates on voter fraud not election process corruption. He finds the idea of voter fraud so heinous that he was granted special powers to prosecute it. So far, six elderly Kansans with out-of-state property have been found to be afool of the law, hardly the legions of illegal voters Mr. Kobach has railed against.

In contrast, the idea of systemic election rigging via voting machine manipulation is not sufficient justification for him to support my independent academic inquiry into the accuracy of our county voting machines, an inquiry which would cost nothing but his endorsement. Instead, he chose to fight for a legal interpretation that would not allow it.

Kobach did introduce vote-audit legislation in the Kansas House as a result of my lawsuit. Sadly, the proposed law would give his office the authority to determine which precincts would be audited. This makes the difference between results we can have faith in, and results that we can't. Precincts to be audited must be chosen at random after the election, or we must audit them all. Anything else leaves the way open for all manner of systemic cheating. Imagine, for example, being able to tell police with a search warrant which rooms they can look in.

If something does not change before November, I will have no reason to believe that the reported election results of most states are accurate. Our voting process – from the collection of names of registered voters to the final tabulation on election night – has big, gaping, quality, security, and transparency holes. Why should the results be believed? Without transparent and accurate vote counts, voting is theater, not a realistic reflection of the voting public's wishes. Lack of sunlight rots the system!

Beth Clarkson is chief statistician for Wichita State University's National Institute for Aviation Research.

Systemic bias is part of the design. The entire system allows only a façade of accuracy and security.



ALLIANCE FOR
DEMOCRACY

JOIN NOW!

Membership includes a subscription to *JUSTICE RISING*

Name _____ ☐ \$50 membership
Address _____ ☐ \$35 regular membership
_____ ☐ \$25 tight-budget membership
Phone _____ ☐ Monthly sustaining member @ _____/mo.
Email _____ ☐ I want to be a member, but can't afford a
_____ additional contribution.
_____ donation now.

Chapter Affiliation _____

Method of Payment (circle one): Mastercard Visa Check Money Order

Card# _____ Exp. Date _____ Signature _____

Please clip and return to Alliance for Democracy, 21 Main Street, #4, Hudson MA 01749



ALLIANCE FOR DEMOCRACY

21 Main Street, #4,
Hudson, MA 01749

Tel: 978-333-7971

Email: afd@thealliancefordemocracy.org

www.thealliancefordemocracy.org

Why You Should Care

Election Rigging Controls Public Policy

Election rigging puts candidates in office to do business for the 1% at the expense of people and the planet. Public policy in the public interest and for the common good has ground to a halt – hijacked and obstructed as a result of a corrupt election system. Elected state and Congressional office holders, who want lucrative corporate and lobbying jobs, have no incentive to support overdue election reform.

E-Voting Is Ripe For Fraud

This Fall, electronic voting machines that will record more than half the nation's votes are mostly a decade old, have antiquated software platforms and are easily hackable. Similarly, electronic scanning machines counting hand-marked ballots can be hacked. The Help America Vote Act of 2002 put in place a privatized system of corporate vendors that profit from e-voting and use legal decisions to protect their computer code as "proprietary," not open to inspections that could prevent election fraud.

Voter Suppression is Undemocratic

Whipping up fear of non-existent voter fraud, right-wing state legislators and election officials have passed laws to block voters. From Voter ID laws to slashing early voting hours, eliminating same-day registration, changing poll locations, providing few machines to discourage voters with long lines, purging identical names, and disallowing felons in prison — or those who have served time — to vote, the right to vote of the poor, African-Americans, elderly and many others is stolen.

Democracy Needs Secure Elections

Is the US a Democracy? In March 2015, the Harvard Electoral Integrity Project reported the US was 45th in election integrity among the world's long-standing democracies, and based on a 100-point scale gave the US only a 69.3% integrity rating. We must mobilize to restore the integrity of our elections to ensure that election results reflect the true will of the governed.



What You Can Do

Reclaim Our Elections

Rise up and support the Election Integrity Act recently introduced by Representative Hank Johnson to amend the Help America Vote Act of 2002 and promote accuracy, integrity, and security in the administration of elections across America. Tell your Congressional Representative to be a cosponsor and make sure it is assigned to a Committee so that it can be debated and passed in Congress.

Promote Hand-Counted Paper Ballots

To reclaim our elections and protect the ballot, we must mobilize for reforms by 2018. There is no time for delay! Join the Alliance for Democracy's *People's Vote Must Count* Campaign — www.peoplesvotemustcount.org (see pages 10-11), and mobilize in your community to implement hand-counted paper ballots at county or precinct levels by 2018. This grassroots effort will support a national movement for HCPB.

Help Reinstate the Voting Rights Act

Call your Congressional Representative when the new Voting Rights Advancement Act (H.R. 2867) comes up for debate and a vote in the House and Senate. It will restore provisions of the Voting Rights (1965), gutted by the Supreme Court's decision in *Shelby County v Holder* (2013).

Create Independent Redistricting Boards

Start or join the call in your state for independent redistricting boards. We must undo the damage done when Republican efforts high-jacked the redistricting process by taking control of 20 state legislatures in 2010 and the US House of Representatives in 2012 to push through an extreme right-wing legislative agenda. It is time to end gerrymandering. By the next census in 2020, new impartial and independent redistricting boards must be in place.