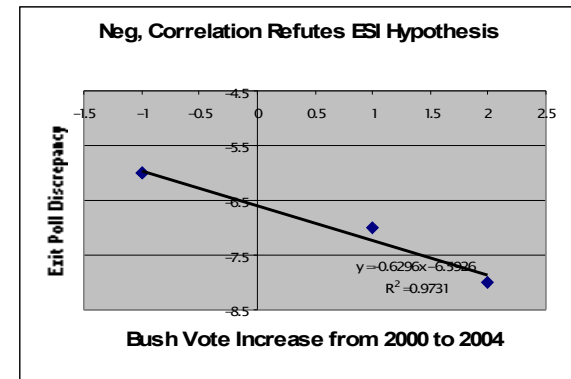


## 2004 Presidential Election – Compendium of Attempts to Dismiss “Vote Fraud”

1	<p>ESI’s Analysis Based on Invalid Inference</p> <p>The Election Science Institute (ESI) claims:</p> <p><i>If systematic irregularities in vote counting in some precincts had occurred in 2004 but not in 2000, we would expect that Bush would do significantly better in those precincts in 2004, and that larger exit poll differences would also tend to occur [in 2004] in those precincts.<sup>1</sup></i></p> <p>Election Science Institute concluded that since there is not a positive correlation between Ohio Bush vote increases from 2000 to 2004 and the size of 2004 Ohio exit-poll discrepancy, then “there is no exit poll evidence of vote fraud ...”</p>	<p>Why Is It Incorrect?</p> <p>Vote miscounts could alter an election outcome and produce <i>any</i> type of correlation between the variables that ESI examines.<sup>2</sup> A mathematical proof shows that ESI’s analysis method is mathematically invalid.<sup>3</sup> ESI’s analysis method is equally invalid as a statistical model or trend due to the invalidity of its basic premises and its lack of arithmetic consistency.</p>
---	--	---

There are count-ably infinite examples where ESI’s analysis fails to yield correct results. Here is one:

Cases for Precincts	Bush Wins Precinct in 2000	Example 2000 Bush Vote Count	Example 2004 Bush Vote Count	Example 2004 Kerry Vote Count	Original (Secret Ballot) 2004 Real Voter Bush Vote Share	Original (Secret Ballot) 2004 Real Voter Kerry Vote Share	Example Exit Poll Discrepancy due to Vote Miscount	Vote Miscounts and 2004 Bush Vote Share greater than in 2000
	Col 3 > 50%		Col 6 - .5* Col 8	100 - Col 4	Col 4 + .5*Col 8	Col 5 - .5*Col 8		Col 4 > Col 3 and Col 8 < 0
1	Yes	51	52	48	48.5	51.5	-7	Yes
2	Yes	52	51	49	48	52	-6	No
3	No	49	51	49	47	53	-8	Yes
4	No	49	48	52	45	55	-6	No



And, even if ESI’s premise wasn’t proven incorrect already, fewer than half of Ohio’s precincts had constant boundaries between the 2002 and 2004 elections. And this doesn’t even include precinct boundary changes between 2000 and 2002.<sup>4</sup>

<sup>1</sup> ESI’s method by Susan Kyle, Douglas A. Samuelson, Fritz Scheuren, and Nicole Vicinanza with Scott Dingman and Warren Mitofsky [http://www.electionscience.org/Members/stevenhertzberg/report.2005-07-19.7420722886/report\\_contents\\_file/](http://www.electionscience.org/Members/stevenhertzberg/report.2005-07-19.7420722886/report_contents_file/) and rephrased by Liddle and Lindeman: If there is vote fraud, then there will be a positive correlation between Bush vote increase from 2000 to 2004 and the exit poll discrepancy. <http://inside.bard.edu/~lindeman/slides.html>

<sup>2</sup> Outcome-altering vote miscounts as easily coexist with *decreases* in Bush vote share from 2000 to 2004 *and* negative correlation of Bush vote changes with exit poll discrepancy (Example below:  $R^2 > .97$ ).

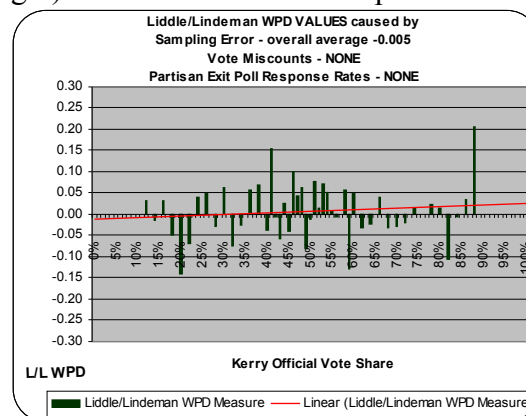
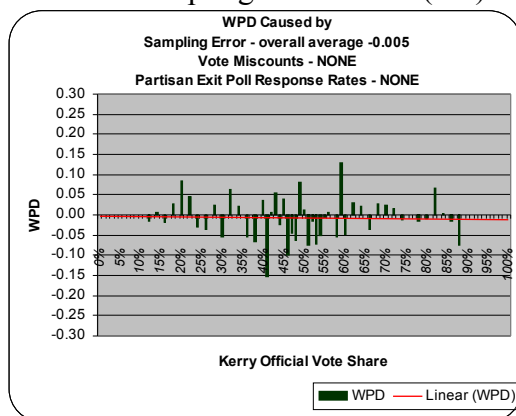
<sup>3</sup> A mathematical proof that ESI’s analysis is invalid: <http://electionarchive.org/ucvAnalysis/US/exit-polls/ESI/ESI-hypothesis-illogical.pdf>

<sup>4</sup> Email from Steve Freeman regarding information in the DNC report: (Section VI, P. 4)

## 2004 Presidential Election – Compendium of Attempts to Dismiss “Vote Fraud”

2	Liddle & Lindeman Distort and Analyze “Response Bias” Measures	Why Are These Incorrect?
	<p>Elizabeth Liddle and Mark Lindeman created “exit-poll-response-bias measure(s)” that were presented by Warren Mitofsky at the May 2005 AAPOR spring conference and at the October 2005 ASA fall conference in support of his exit poll response bias explanation.</p> <p>The Liddle “measure” was defined as <math>\ln\left(\frac{K}{B}\right)</math> where K is the Kerry voter exit poll completion rate and B is the Bush voter completion rate. The more recent Liddle/Lindeman measure<sup>5</sup> is defined as <math>[\arctan\left(\frac{K}{B}\right) - \arctan(1)]</math> where</p> <p style="margin-left: 40px;">K = (Kerry exit poll share/Kerry official vote share) and B = (Bush exit poll share/Bush official vote share).</p> <p>In both cases, the idea is to eliminate or ‘straighten out’ the influence of exit-poll-partisan-response bias by forcing U-shaped data to become linear.<sup>6</sup></p>	<p>Distorting data (in order to remove one suspected effect) distorts the shape of other effects as well, including the shape of random sampling error and other exit poll errors – increasing error size at the end points.<sup>7</sup> Liddle also drops roughly 10% of the data, the most suspicious (and most indicative of vote miscounts) precincts from her calculation as “outliers”. A “distort and then analyze” method, especially with crucial data removed, is useless and misleading for determining the cause of poll error.</p>

These two charts show simulated sampling error before (left) and after (right) Lindeman/Liddle’s “response bias” measure is applied.



<sup>5</sup> A similar measure was proposed ( <http://poq.oxfordjournals.org/cgi/content/abstract/69/3/342> ) by Martin, Traugott and Kennedy as a “poll accuracy” measure. However, Traugott et al. calculated a confidence interval and did not claim that their measure could be used to dismiss or determine the causes of poll inaccuracy.

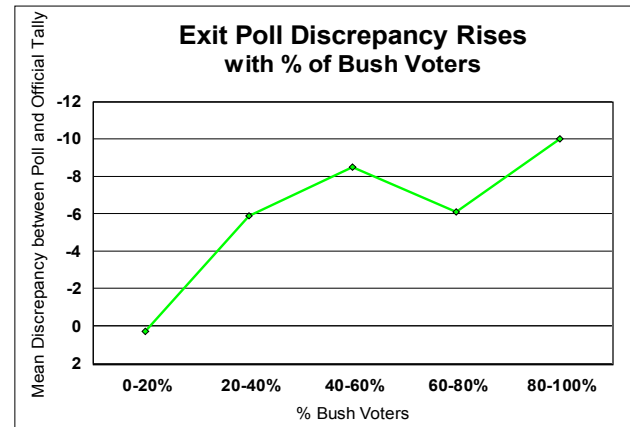
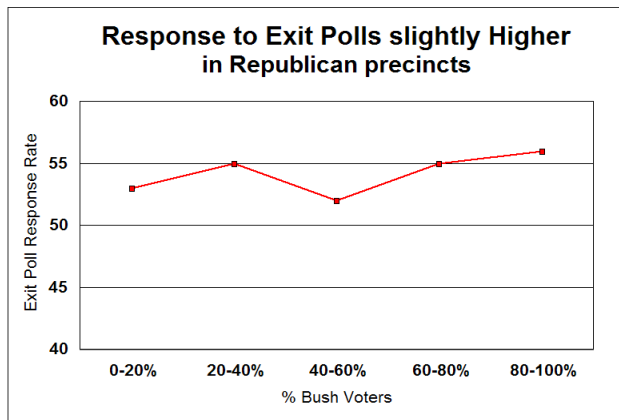
<sup>6</sup> Liddle and Lindeman’s methods are in <http://www.geocities.com/lizzielid/WPEpaperARCH.pdf> and <http://inside.bard.edu/~lindeman/slides.html>

<sup>7</sup> Notice that the slope of the trend line reverses when the Liddle/Lindeman “bias measures” are applied to simple simulated random exit poll error. On the other hand, a mathematically correct way to evaluate exit poll data for the presence or absence of partisan response bias was developed by Ron Baiman and Kathy Dopp in <http://electionarchive.org/ucvAnalysis/US/Exit-Poll-Analysis.pdf> and <http://electionarchive.org/ucvAnalysis/OH/Ohio-Exit-Polls-2004.pdf> .

## 2004 Presidential Election – Compendium of Attempts to Dismiss “Vote Fraud”

3	<p>Mitofsky’s Unsupported Exit Poll Response Bias Hypothesis</p> <p>Mitofsky claims that:</p> <p>"While we cannot measure the completion rate by Democratic and Republican voters, hypothetical completion rates of 56% among Kerry voters and 50% among Bush voters overall would account for the entire Within Precinct Error that we observed in 2004."<sup>8</sup></p>	<p>Data Refutes Mitofsky’s Hypothesis</p> <p>Mitofsky presented no valid analysis to support this hypothesis and his own data refuted it. The National Election Data Archive (NEDA) tested this hypothesis by deriving equations to estimate Bush and Kerry voter exit-poll response rates required to generate the reported exit-poll discrepancies.<sup>9</sup> In March, NEDA issued a report showing that this explanation cannot produce the actual average 2004 within-precinct exit-poll discrepancies (WPD) and overall response rates; or would require an unlikely pattern, with highest Kerry voter response rates in Bush strongholds.<sup>10</sup></p>
---	--	---

If this hypothesis were true, it would be simple to demonstrate scientifically by releasing sufficient precinct level data about exit pollsters and polling conditions, without posing any risk to voter anonymity. The rightmost chart below should more correctly be labeled “% Bush *Votes*” (not Voters).



<sup>8</sup> Edison and Mitofsky International had released its report on January 19<sup>th</sup>, 2005 one day before the swearing in of President Bush.

<http://exit-poll.net/election-night/EvaluationJan192005.pdf>

<sup>9</sup> NEDA used the data in the Edison/Mitofsky report to develop its analysis. [http://electionarchive.org/uevAnalysis/US/Exit\\_Polls\\_2004\\_Edison-Mitofsky.pdf](http://electionarchive.org/uevAnalysis/US/Exit_Polls_2004_Edison-Mitofsky.pdf)

<sup>10</sup> See July 8, 2005 and March 31, 2005 reports at: [www.uscountvotes.org](http://www.uscountvotes.org).

## 2004 Presidential Election – Compendium of Attempts to Dismiss “Vote Fraud”

4	Data for Valid Statistical Analysis – Withheld	Why Has Mitofsky Not Released It?
	<p>2004 Exit Poll Data &amp; Analyses That Are Missing:</p> <p>If pollsters have truly tested the above hypotheses that exit poll discrepancies are evidence of response bias and not vote miscounts then why have they not released valid data and analyses to support their case?</p> <ul style="list-style-type: none"> <li>• Mitofsky has not released the blurred precinct-level vote counts, exit poll results, and sample sizes - for even one state. NEDA estimated Ohio sample sizes from a sample of surveys released to Roper/UMich.</li> <li>• Mitofsky has not yet released the polling factors data that would allow regression analysis to test the notion that partisanship of pollsters could be a possible cause of high exit poll discrepancy as claimed.</li> </ul>	<p>Mitofsky has not released precinct-level exit poll data that would enable independent analysts to evaluate the 2004 exit poll results using standard proven statistical methods.</p> <p>There are standard statistical analyses that could be done with data that would pose <i>no</i> risk to voter anonymity.</p> <p><i>No scientific hypothesis can be considered proven before the supporting data are released to competing investigators.</i></p>
5	The DNC’s Ohio Conclusion Is Based on an Unsupported Assumption	DNC Assumption Is Contrary to Data & Logic
	<p>The Democratic National Committee (DNC) concluded that:</p> <p>“The statistical study of Ohio precinct-level data by the DNC<sup>11</sup> does not suggest the occurrence of widespread fraud that systematically misallocated votes from Kerry to Bush.”</p> <p>The DNC’s conclusion is based on:</p> <ul style="list-style-type: none"> <li>• The tendency to vote for Kerry in 2004 was the same as the tendency to vote for the Democratic candidate for governor in 2002 (Hagan).</li> <li>• Kerry’s support across precincts increased with the support for Eric Fingerhut, the Democratic U.S. Senate candidate, decreased with the support for a ballot initiative opposing same-sex marriage; and increased with the proportion of African American votes.</li> </ul>	<ul style="list-style-type: none"> <li>• Available election data is consistent with outcome-altering electronic vote miscounts in gubernatorial and senatorial races.<sup>12</sup></li> <li>• The DNC was not able to obtain and analyze the detailed vote count data that is needed to detect probable vote miscounts.<sup>13</sup></li> <li>• Un-audited vote counts give unfettered license to insiders to undetectably err in vote counts in <i>any</i> election contests.</li> <li>• The DNC report ignores a low-Kerry-support contest comparison.</li> </ul>

<sup>11</sup> <http://macht.arts.cornell.edu/wrm1/Ohio2004/OhioReportCover2Cover.pdf>

<sup>12</sup> See “Brief History of Academic Debate Surrounding the 2004 Presidential Election” <http://electionarchive.org/ucvAnalysis/US/Presidential-Election-2004.pdf> or descriptions of recent elections in Nebraska, Washington, and Georgia.

<sup>13</sup> Vote count data is needed broken out by precinct by vote-type (absentee, early, Election Day, overseas, military, provisional-early, provisional-election day, etc.) Ohio election procedures may be inadequately designed and thus hide evidence of vote miscounts rather than allow for monitoring of Ohio's election results. See "What Election Data ... to Monitor Elections for Accuracy" [http://electionarchive.org/ucvAnalysis/US/election\\_officials/ElectionArchive\\_advice.pdf](http://electionarchive.org/ucvAnalysis/US/election_officials/ElectionArchive_advice.pdf)

## 2004 Presidential Election – Compendium of Attempts to Dismiss “Vote Fraud”

6	<p>Mark Lindeman’s May 2006 AAPOR Paper – Factual Distortions</p> <p>The first ten pages of Lindeman’s “Beyond Exit Poll Fundamentalism: Surveying the 2004 Election Debate” are devoted to characterizing anyone who believes that exit polls are correct as “fundamentalists” analogous to “anti-evolutionists”.</p> <p>Lindeman devotes four pages to the mathematically invalid “vote share/red shift” analysis that ESI applied to Ohio (see above page one), which Lindeman says is “Happily” extended to the entire country.</p> <p>The majority of the rest of Lindeman’s paper is ad hominem attacks; incorrect or illogical statements; and mischaracterizations of others’ work too numerous to mention. For instance, he refers to others’ mathematical results as their “premises”. A reader of Lindeman’s paper is misled on many facts.</p>	<p>Incorrect Statements Too Numerous to List</p> <p>Lindeman’s incorrect statements include:</p> <ul style="list-style-type: none"> <li>• “ESI never claimed to rule out vote fraud”</li> </ul> <p>Yet ESI’s paper states: “<i>We conclude that the data do not support accusations of election fraud in the Ohio presidential election of 2004.</i>” And Mitofsky (ESI coauthor) announced that “<i>this [ESI analysis] kills the vote fraud argument</i>” both at the Spring ASA conference and in an email to Steve Freeman of that evening.</p> <ul style="list-style-type: none"> <li>• “..one wonders why Baiman and Dopp consider their own vote share/red shift analyses are legitimate,..”<sup>14</sup></li> </ul> <p>Yet Baiman and Dopp never did <i>any</i> “vote share/red shift analysis” because Dopp mathematically proved<sup>15</sup> that “vote share/red shift” analysis is useless for analyzing exit poll data.</p> <ul style="list-style-type: none"> <li>• “Baiman and Dopp seem hardly aware that non-response bias could be seriously considered...”</li> </ul> <p>Yet Baiman and Dopp derived new mathematical formulas for analyzing exit poll data to check its consistency with non-response bias; and all of Baiman and Dopp’s exit poll papers discussed and devoted appendices to calculations that evaluate the effect of non-response bias on exit-poll data. Dopp’s exit poll analysis methods paper describes how to evaluate exit poll data for consistency with non-response bias or with vote miscount.<sup>16</sup></p>
---	--	--

<sup>14</sup> This quote is from page 18 in Lindeman’s paper which extols the virtues of ESI’s invalid exit poll analysis method which compares Bush vote share differences from a prior election to exit poll discrepancy. See page one (1) of this document.

<sup>15</sup> Dopp, *Mathematical Proof that Election Sciences Institute’s Test to Rule Out Vote Fraud Is Logically Incorrect*

<http://electionarchive.org/ucvAnalysis/US/exit-polls/ESI/ESI-hypothesis-illogical.pdf>

<sup>16</sup> <http://electionarchive.org/ucvAnalysis/OH/Ohio-Exit-Polls-2004.pdf> and <http://electionarchive.org/ucvAnalysis/US/exit-polls/Ohio2004-US-future.pdf> and [http://electionarchive.org/ucvAnalysis/US/Exit\\_Polls\\_2004\\_Edison-Mitofsky.pdf](http://electionarchive.org/ucvAnalysis/US/Exit_Polls_2004_Edison-Mitofsky.pdf) and <http://electionarchive.org/ucvAnalysis/US/Exit-Poll-Analysis.pdf>

## 2004 Presidential Election – Compendium of Attempts to Dismiss “Vote Fraud”

7	<p>Michael McDonald’s 2006 AAPOR Paper - Logically Coherent</p>	<p>Yet Incomplete</p>
	<p>Michael McDonald makes a logically coherent argument by comparing the Current Population Survey, the post November 2004 voter registration records, and the National Election Poll (NEP) November 2004 presidential exit polls. He finds that the NEP exit polls report an electorate that is younger and composed more of minorities that tend to vote more for Kerry than the other two data sources.</p> <p>McDonald’s work is refreshingly coherent and he acknowledges that much work remains in this area of research of voter registration files.</p>	<p>McDonald’s study is not definitive, as he discusses:</p> <ul style="list-style-type: none"> <li>• NEP does not include as many early voters who tend to be older.</li> <li>• Some states purge voter registration records of voters who move and may tend to be younger or minority.</li> <li>• Hispanic, Black, &amp; Asian (non-whites) are lumped together and their voting patterns not demonstrated to be similar in McDonald’s paper.</li> <li>• The state-level NEP exit poll discrepancy data is omitted and is therefore not shown to be correlated with the factors discussed by McDonald; and an arithmetic comparison of the discrepancies with the size of the various effects McDonald discusses, is not presented.</li> <li>• It is uncertain which NEP data McDonald is reviewing because he says the over-all average discrepancy is 5%. Yet Mitofsky’s reports an overall average 5.5% in his January 2005 report.<sup>17</sup></li> </ul> <p>McDonald incorrectly states that “electronic voting or ballot tabulation machines have removed human recording error by automatically processing votes” when in fact humans program the machines and introduce new types of recording errors by electronic balloting.</p>

<sup>17</sup> page 20 of <http://exit-poll.net/election-night/EvaluationJan192005.pdf> Evaluation of Edison/Mitofsky Election System 2004 prepared by Edison Media Research and Mitofsky International for the National Election Pool (NEP)