

PRESS RELEASE: TrueVoteMD.org
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Emerging Scandal on MD Voting Machine Performance

**All MD Diebold Machines on Lockdown
Under Investigation for Widespread Statewide Election Day 2004
Failures
MD Election Group Calls for Independent Investigation and De-
Certification of Machines**

Montgomery County, Maryland. According to county election officials and other sources, all Maryland voting machines have been on "lockdown" since November 2, 2004 due to statewide machine failures including 12% of machines in Montgomery County, some of which appear to have lost votes in significant numbers. The State Board of Elections convinced the media that Election Day went smoothly, when in fact there were serious statewide, systemic problems with the Diebold electronic voting machines -- so serious that the SBE and Diebold still have not figured out how to prevent the loss of votes in the future.

"Election Day was anything but smooth. Votes were lost, computer cards storing votes were unreadable, thousands of error messages were reported, machines froze in mid-voting and machines refused to boot up. The problems with the machines were so widespread and serious that efforts to hide the problems have failed," said Linda Schade, director of TrueVoteMD.org. "It is not sufficient for Diebold and the SBE to investigate themselves. They have misled the public about this problem and an independent investigation is needed. Further, these problems indicate that the Diebold machines should be decertified as required by Maryland law and as provided for in the Diebold contract. This is an opportunity to correct the mistaken purchase of paperless electronic voting machines. Diebold should refund Maryland tax dollars and we should start anew with a system that voters trust because it can be independently audited and recounts can be meaningful."

VOTES LOST According to the IT Report to the Montgomery County Election Board, dated December 13, 2004 there were two broad levels of problems. Seven percent of units (189) failed. This included failure to boot up, screen freezes and a variety of other problems. Screen freezes, which occurred on 106 voting units were "the most serious of errors" because many "froze when the voter pressed the Cast Ballot button." As a result "election judges are unable to provide substantial confirmation that the vote was in fact counted." In addition there were "122 suspect units (5%) were identified because the unit had few votes captured compared to other voting units in the polling place. A unit was considered suspect if it had 25-50 votes captured when all other units in the polling place had over 150 votes," the report stated. The IT report includes other details of Diebold machine failures including smart card and encoder problems as well as thousands of yet unexplained error messages, now called 'ballot exception errors.'

UNREADABLE PC MEMORY CARDS Multiple sources also have revealed that the computer memory cards where vote totals are stored inside each voting machine were unreadable in multiple counties.

DIEBOLD UNABLE TO RESOLVE TECHNICAL FAILURE FOUR MONTHS AFTER ELECTION

After IT examinations within Maryland failed to decipher the root of these problems, the State Board and Diebold sent voting machines to several out-of-state locations in Texas and Ohio for further testing, according to a Diebold memo dated February 16, 2005. As of the March 3, Montgomery County Election Board meeting, the PC memory card problems as well as those listed above cannot be explained by Diebold, according to the IT report.

MACHINE FAILURES STATEWIDE Montgomery County Elections official Sam Statland has acknowledged that local boards around the state are gravely concerned about the Diebold system's performance and are pressuring the State Board of Elections for answers. In testimony before the State House Ways and Means on February 24, 2005, Mr. Statland cited the facts above and asserted that "Since the 2000 election cycle, the State of Maryland has become and still is a 'test site' for electronic voting." In the January State Board of Elections meeting, Linda Lamone discussed the "performance problems" and confirmed that "once [Montgomery County was] finished they will start the same process in the other counties, beginning with Baltimore County."

TRUEVOTEMD CALLS FOR INDEPENDENT REVIEW AND DECERTIFICATION OF MACHINES AS REQUIRED BY LAW

TrueVoteMD.org, an election integrity organization, is now calling for an independent investigation and for de-certification of the machines as required by Maryland election law (MD Code, Election Law § 9-102(c)(1)).* TrueVoteMD.org is a founding organization for VoteTrustUSA a national network of state election integrity groups and has been raising the alarm that the electronic Diebold voting system has serious vulnerabilities to computer malfunction and fraud for nearly two years. This information is confirmed by TrueVoteMD's Election Day report "When the Right to Vote Goes Wrong: Md Voters Tell The Story of Election Day 2004" <http://www.truevotemd.org/Resources/MDproblems04map.pdf>.

"If the gubernatorial race in 2006 is as close as 2002 it would only take four errors per precinct to change the outcome of the election. Maryland cannot risk the election disaster that is impending. Maryland was lucky the presidential election in Maryland was not close; otherwise we would be embroiled in scandal to this day. It is time to put in place a system that is reliable and that voters can trust," concluded Schade. "Three independent reports have raised serious concerns with the security of Diebold machines, now we have seen the worst come to pass. These machines are unreliable and insecure. How many more warnings to Maryland officials need in order to take action to protect the vote?"

*MD Code, Election Law § 9-102(c)(1) (emphasis added). The SBE "shall decertify a previously certified voting system if" that system "[does not] protect the security of the voting process," and "[does not] count and record all votes accurately." *Id.* § 9-103(a)(2) (emphasis added).

Copies of the source documents mentioned in this release are available upon request by contacting TrueVoteMD.org.

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