FOR IMMEDIATE RELEASE

November 16, 2002

IS A 0% ERROR RATE FOR VOTING UNATTAINABLE?

More than ten days after the November 5, 2002 General Election, there are still many federal, state, and local contests that are too close to call. Voters must wait until the final canvass is done.

In the state of California, for the position of State Controller, the difference in the race is only 0.29% (20,256 votes out of 7,065,734 votes cast, cumulative November 10 data). The "residual" votes for all counties for the State Controller contest range between 2.48% to 5%.

"Residual votes" are defined by Caltech/MIT and other research groups to be votes cast by voters that did not make a selection for a given contest. These votes can not be resolved as to the intent of the voter. There is no way to tell if the voter wished to skip the contest intentionally or if it was unintentional due to their overlooking the contest.

For paper ballots, it is relatively easy for voters not to cast their votes during the process of "transposing" their marked sample ballot onto punch cards or marksense paper ballots.

For DRE touch-screen systems, it is also relatively easy for voters to overlook the contest if they are presented more than one contest per screen. When they press on the "NEXT" button, some of the contests can be missed. There was an example where there were more than 12% under-votes when a U.S. Senate contest was placed next to another contest on the same screen. This 12.3% residual vote is much higher than the 5% residual votes experienced from the punch-card system used for the same election. There is no means of knowing whether the voter skipped the contest intentionally or unintentionally.

In the General Election 2002 in Sacramento County, VOTE-TRAKKER™ was used for the early voting. VOTE-TRAKKER™ was designed with only one contest per screen. The voters express their wish to not to vote in a contest by pressing on the "Skip Contest (No Vote)" button on the touch screen. The results demonstrated that only 2.5% of the voters actively expressed their wish not to vote for a given contest. This indicates that more than 175,000 voters statewide would have cast votes if they did not overlook the contest of State Comptroller. A slight shift of these votes could have changed the result of the race.

In comparison to other DRE touch-screen systems, which do not specify "SKIP CONTEST" as a choice, the residual voter numbers were higher. For example, in the State Controller race, 6.1% of 315,841 votes in Alameda County and 3.5% of 305,314 votes in Riverside County were residual votes. In a close race, these differences could change the result of the race.

For more details on this and other voting system issues that can be resolved with a properly designed voter interface, please visit www.vote-trakker.com

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ATTACHMENT

COMPARISON OF UNDER-VOTES AND RESIDUAL VOTES OF THE VOTE-TRAKKER™ SYSTEM AND OTHER DRE SYSTEMS USED IN CALIFORNIA FOR THE 2002 GENERAL ELECTION
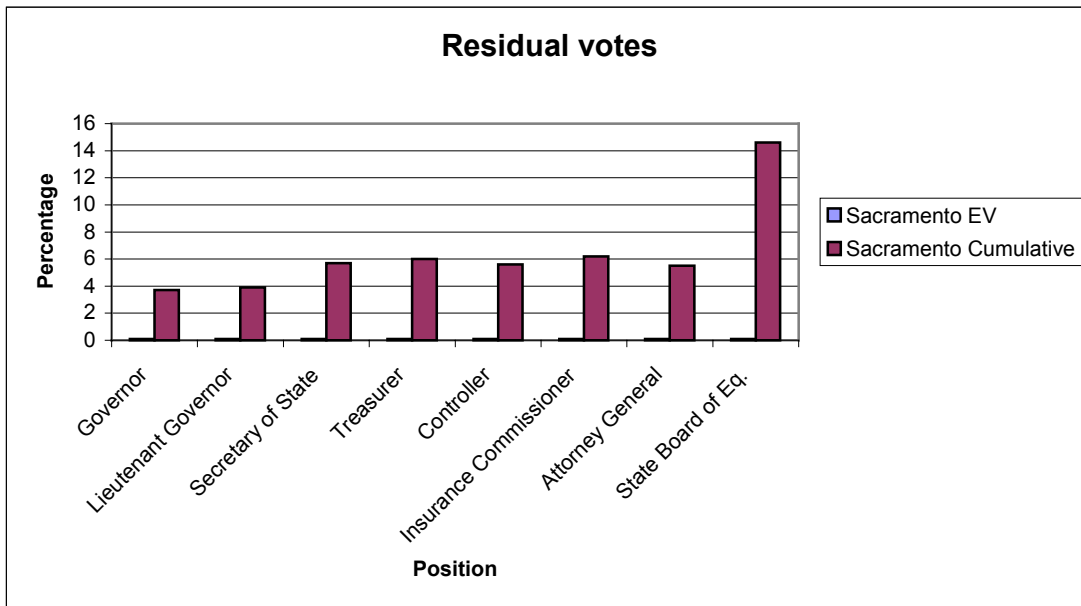
A: UNDER-VOTES COMPARISON BETWEEN VOTE-TRAKKER™ DRE TOUCH-SCREEN SYSTEM AND PUNCH-CARD SYSTEM USED FOR 2002 GENERAL ELECTION IN CALIFORNIA

(An under-vote is when a voter does not choose a candidate or a write-in for a specific contest)
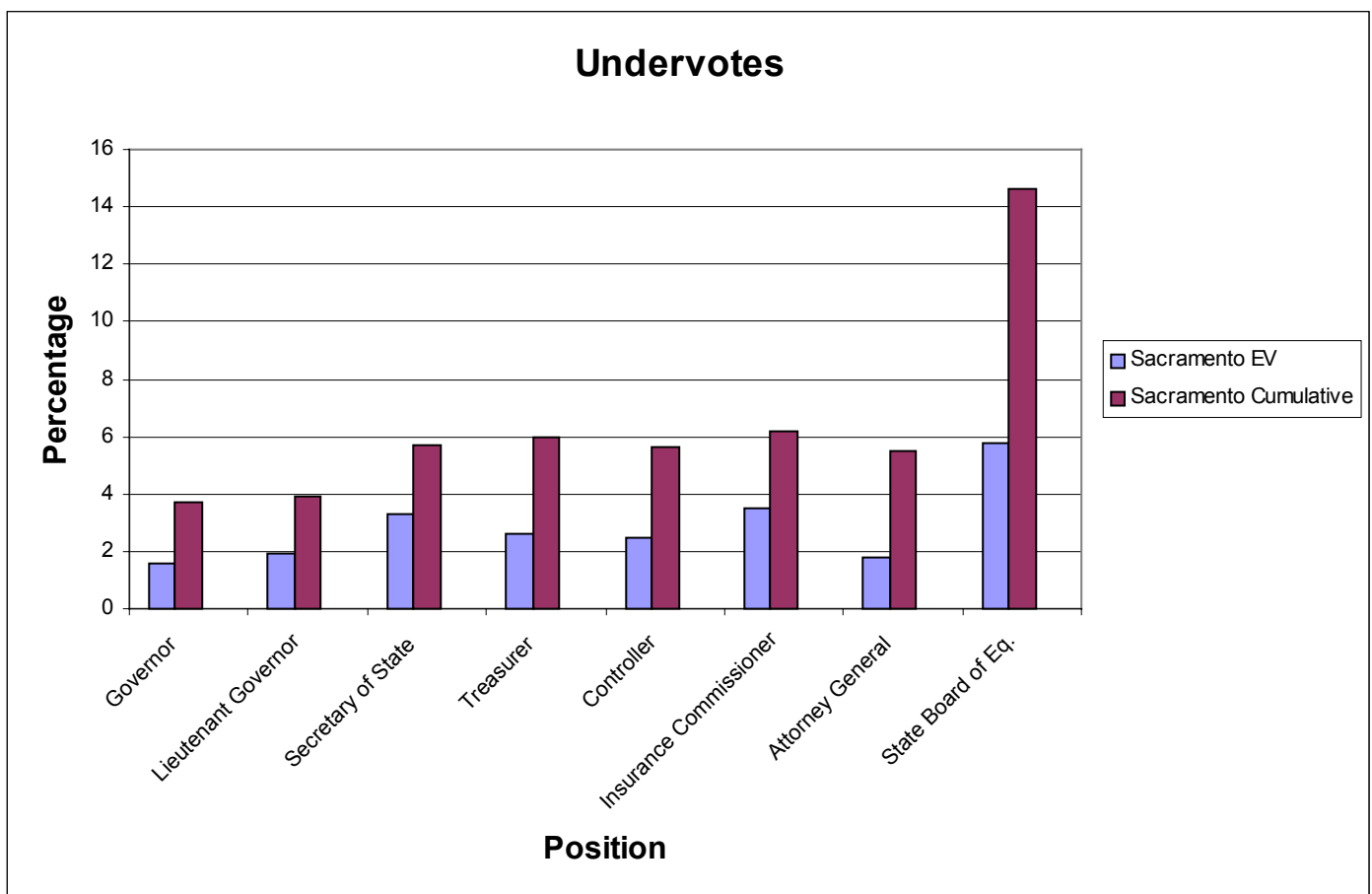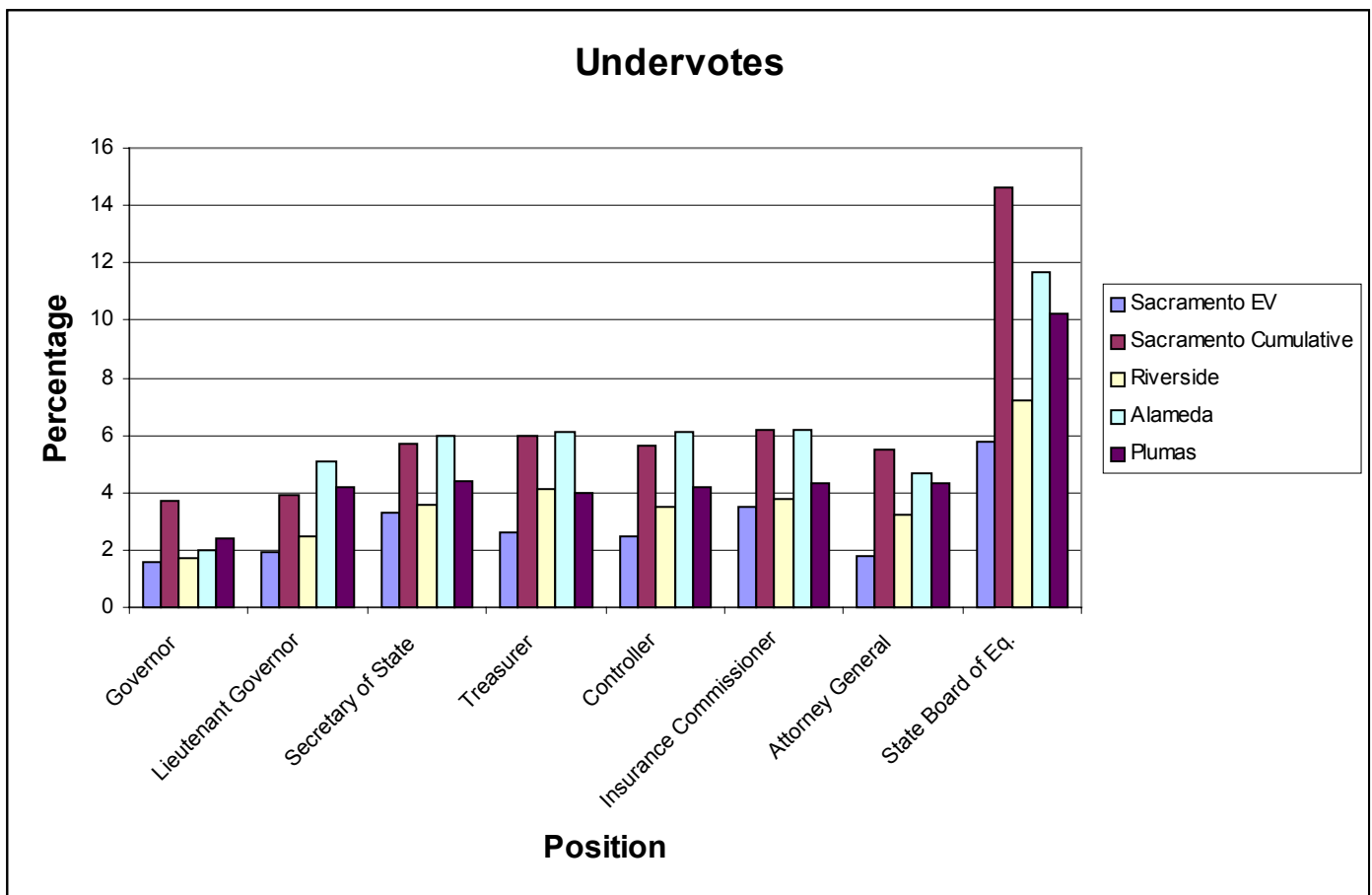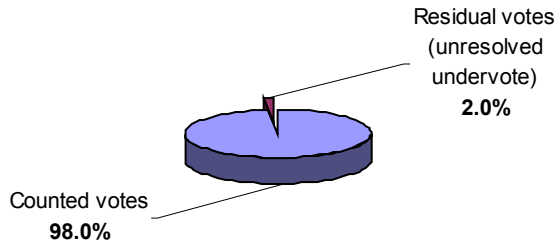
B: RESIDUAL VOTES COMPARISON BETWEEN VOTE-TRAKKER™ DRE TOUCH-SCREEN SYSTEM AND PUNCH-CARD SYSTEM USED FOR 2002 GENERAL ELECTION IN CALIFORNIA

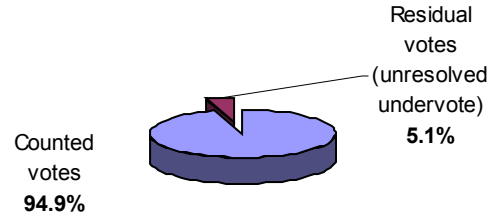**(A residual vote is an under-vote where the intent of the voter cannot be resolved)**

C: UNDER-VOTES COMPARISON BETWEEN VARIOUS DRE TOUCH-SCREEN SYSTEMS USED FOR 2002 GENERAL ELECTION IN CALIFORNIA

(An under-vote is when a voter does not choose a candidate or a write-in for a specific contest)

Undervotes

Legend:
- Sacramento EV
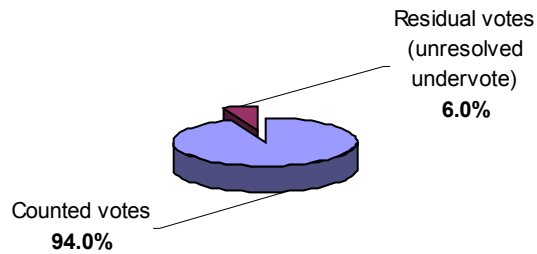- Sacramento Cumulative
- Riverside
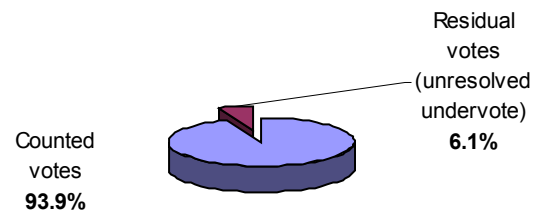- Alameda
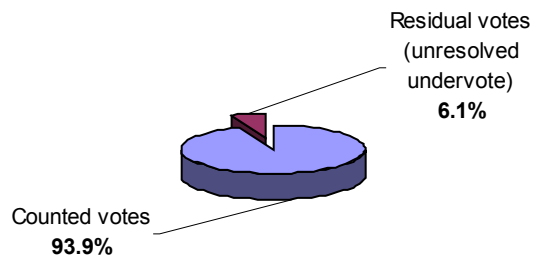- Plumas

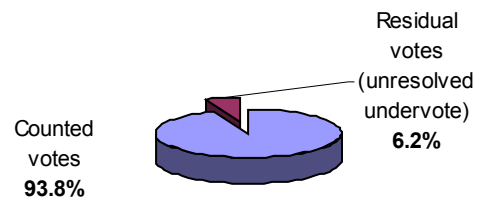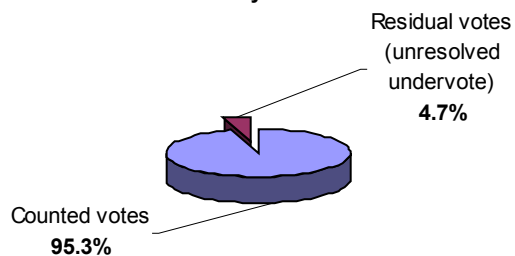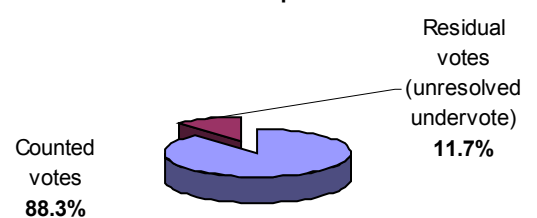X-axis (Position): Governor, Lieutenant Governor, Secretary of State, Treasurer, Controller, Insurance Commissioner, Attorney General, State Board of Eq.
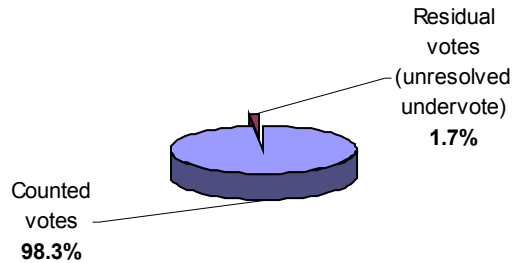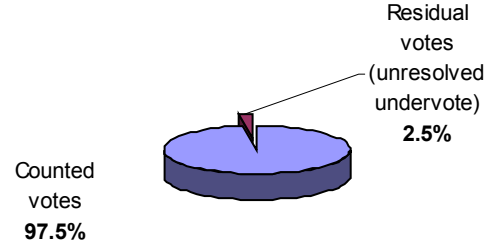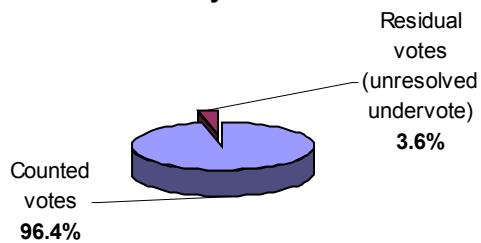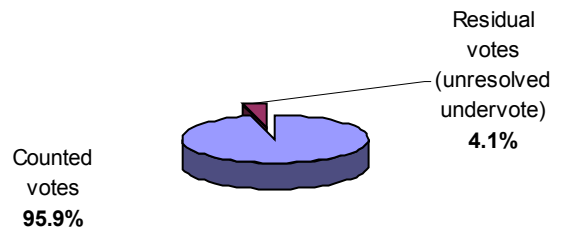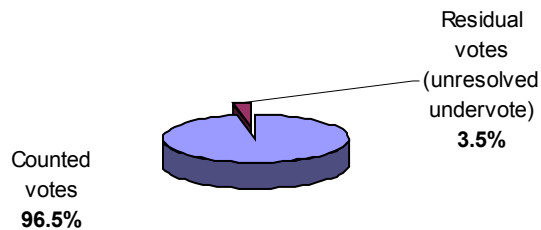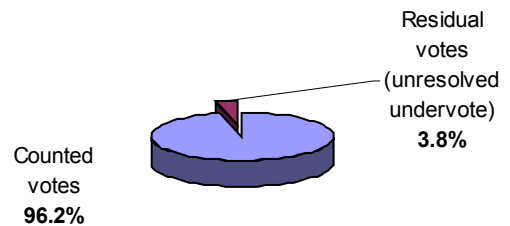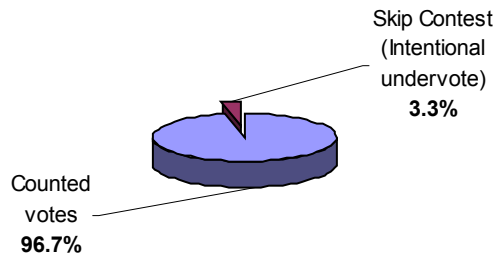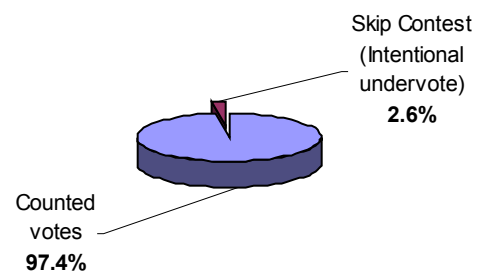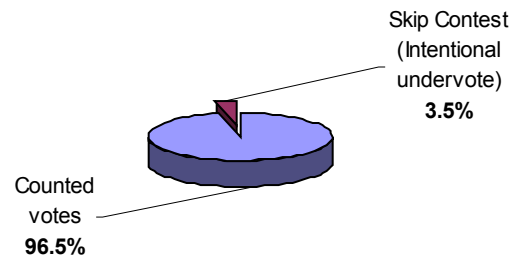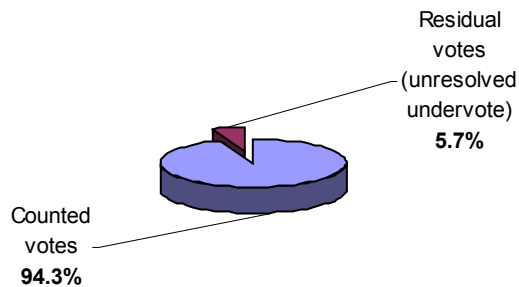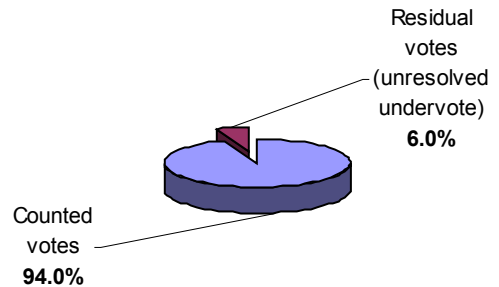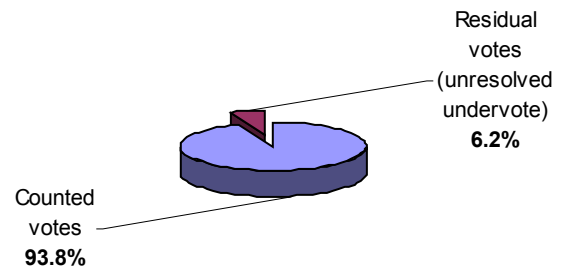
Y-axis: Percentage

D: RESIDUAL VOTES COMPARISON BETWEEN VARIOUS DRE TOUCH-SCREEN SYSTEMS USED FOR 2002 GENERAL ELECTION IN CALIFORNIA

(A residual vote is an under-vote where the intent of the voter cannot be resolved)

Residual Vote

Alameda County, CA (315,841 votes):   November 5, 2002 General Election

Governor

Residual votes (unresolved undervote) **2.0%**

Counted votes **98.0%**

Lieutenant Governor

Residual votes (unresolved undervote) **5.1%**

Counted votes **94.9%**

Secretary of State

Residual votes (unresolved undervote) **6.0%**

Counted votes **94.0%**

Treasurer

Residual votes (unresolved undervote) **6.1%**

Counted votes **93.9%**

Controller

Residual votes (unresolved undervote) **6.1%**

Counted votes **93.9%**

Insurance Commissioner

Residual votes (unresolved undervote) **6.2%**

Counted votes **93.8%**

Attorney General

Residual votes (unresolved undervote) **4.7%**

Counted votes **95.3%**

State Board of Eq. 1st District

Residual votes (unresolved undervote) **11.7%**

Counted votes **88.3%**

Riverside County, CA (305,314 votes): November 5, 2002 General Election

Governor

Residual votes (unresolved undervote) **1.7%**

Counted votes **98.3%**

Lieutenant Governor

Residual votes (unresolved undervote) **2.5%**

Counted votes **97.5%**

Secretary of State

Residual votes (unresolved undervote) **3.6%**

Counted votes **96.4%**

Treasurer

Residual votes (unresolved undervote) **4.1%**

Counted votes **95.9%**

Controller

Residual votes (unresolved undervote) **3.5%**

Counted votes **96.5%**

Insurance Commissioner

Residual votes (unresolved undervote) **3.8%**

Counted votes **96.2%**

Attorney General

Residual votes (unresolved undervote) **3.2%**

Counted votes **96.8%**

State Board of Eq. 3rd District

Residual votes (unresolved undervote) **7.2%**

Counted votes **92.8%**
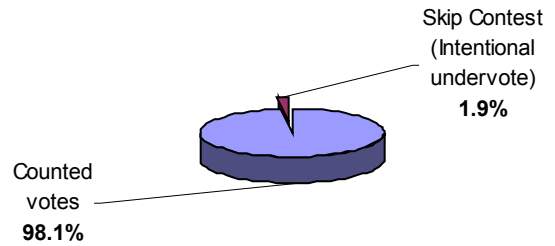
Sacramento County Early Voting (1,612 votes): November, 2002 General Election

Governor

Skip Contest
(Intentional
undervote)
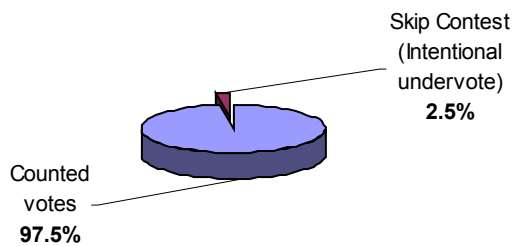**1.6%**

Counted
votes
98.4%

Lieutenant Governor

Skip Contest
(Intentional
undervote)
1.9%

Counted
votes
98.1%

Secretary of State

Skip Contest
(Intentional
undervote)
3.3%

Counted
votes
96.7%

Treasurer

Skip Contest
(Intentional
undervote)
2.6%

Counted
votes
97.4%

Controller

Skip Contest
(Intentional
undervote)
2.5%

Counted
votes
97.5%

Insurance Commissioner

Skip Contest
(Intentional
undervote)
3.5%

Counted
votes
96.5%

Attorney General

Skip Contest
(Intentional
undervote)
1.8%

Counted
votes
98.2%

State Board of Eq. 2nd District

Skip Contest
(Intentional
undervote)
5.8%

Counted
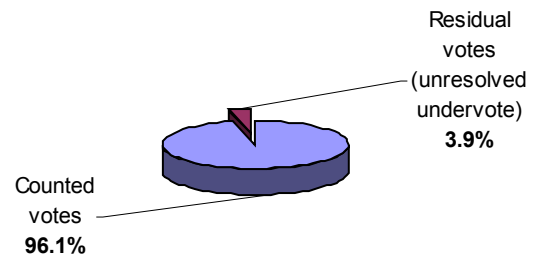votes
94.2%

Sacramento County Cumulative (275,487 votes): November, 2002 General Election

Governor

Residual votes (unresolved undervote) 3.7%
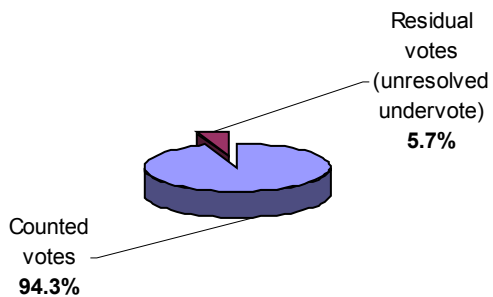
Counted votes 96.3%

Lieutenant Governor

Residual votes (unresolved undervote) 3.9%

Counted votes 96.1%

Secretary of State

Residual votes (unresolved undervote) 5.7%

Counted votes 94.3%

Treasurer

Residual votes (unresolved undervote) 6.0%

Counted votes 94.0%

Controller

Residual votes (unresolved undervote) 5.7%

Counted votes 94.3%

Insurance Commissioner

Residual votes (unresolved undervote) 6.2%

Counted votes 93.8%

Attorney General

Residual votes (unresolved undervote) 5.5%

Counted votes 94.5%

State Board of Eq. 2nd District

Residual votes (unresolved undervote) 14.6%

Counted votes 85.4%