

The Florida Disaster: Before, During, and After

As with other famous US controversies, the Florida election scandal will be debated for years. A promising quality to this scandal is the massive amount of evidence documenting injustice that is now available. Circulating this evidence can help prevent the rewrite of our history. Here is a condensed historical record, as of 1/26/2001.

Before the Election

1. The Florida Secretary of State, Kathryn Harris, hired the services of Choicepoint Inc. to “clean up” the Florida voter rolls in advance of the election at a taxpayer cost of \$4 million. The initial list of voters this firm recommended be “cleansed” from the rolls included 8,000 residents of Florida who had only committed misdemeanors in other states (i.e. drunk driving in Maine). As the Miami Herald reported, most counties did not use the flawed list; a new list without this error was prepared.

2. However, a team led by London journalist Gregory Palast reviewed this “corrected list” for 10 counties in early December and found a 15% misidentification rate resulting in 7,000 additional legal voters removed from the voting rolls. Palast's team also found 1,700 “cleansed” voters who had regained their right to vote in other states after serving a sentence, and could not be barred from voting by Florida law for offenses they did not commit in Florida. In the largest pro-Bush county, Hillsborough, 54% of the names on the “scrub” list belonged to African-Americans.

The company that did the cleansing received an award from a conservative “voting rights” organization based in Virginia, the Voting Integrity Project. Established in 1996, the VIP has been exposed as a conservative front group in exposes by Salon and Slate magazines (12/8/00, 4/4/00).

3. According to an NAACP lawsuit, thousands of citizens who registered to vote in a new polling place (or for the first time) were not added to rolls by county officials in time to allow them to vote in the election.

During the Balloting

1. Problems reported on election day included “spot-checks” of cars driving to vote in African-American areas and requests that Latino voters produce additional IDs beyond the one required. Some precincts reportedly ran out of ballots or closed while legal voters were in line.

2. By far the largest documented problem was the absence of voters from the voting rolls. For some of these voters, the problem could be addressed by precincts placing a call to the county election office. Due to the large number of problems, these help lines were jammed and many voters had to wait for hours to be approved to mark a ballot. Many gave up. Some precincts had laptop computers to allow precinct workers to directly access voting rolls. However, of 28 precincts in Hillsborough and Miami counties provided with laptops, only one was a “majority-black” precinct (source: NAACP lawsuit filed on 1/10/01).

3. Confusing ballots resulted in a whopping 41,000 “overvotes” for multiple presidential candidates in Duval and Palm Beach counties alone. Some Florida counties had error-checking voting equipment that made it impossible for a ballot to be submitted with multiple votes. The counties with error-prone equipment were disproportionately in Black and Hispanic areas, a clear violation of US civil rights laws.

After Election Day

1. All of the counties were immediately asked to conduct ballot recounts due to the closeness of the race. Five smaller counties in mostly white areas of Florida used partial hand counting in order to produce the most accurate count. However in the larger urban counties the ballot recounts were delayed and impeded by court cases, unsubstantiated accusations of fraud, a coordinated national media blitz to discredit hand counts, and by paid demonstrators flown to Miami from DC congressional offices just before Thanksgiving.
2. Some counties were pressured, again by a national media blitz, into counting overseas ballots for George Bush that were clearly postmarked after election day.
3. Even Pat Buchanan and his campaign manager Bay stated that Gore would have won the election if Palm Beach county votes intended for Gore did not end up going to Buchanan.
4. The Supreme Court of the United States eventually took up the case of Bush v. Gore. By an incredible stretch of legal doctrine, they applied arguments involving the issue of “equal protection” to the differing standards in hand counting of ballots. However, they failed (along with the Gore legal team) to raise the serious “equal protection” problems associated with differing voting equipment. The equipment-related errors were SIXTEEN TIMES the errors that the Supreme Court cited, in their 7-2 ruling, when they used an equal protection argument.
5. The arguments on equal protection that swayed the Court were developed by lawyers with close ties to the Bush administration and funded in part by a private foundation with a long history of supporting “eugenics” theories, dating back to the use of these theories in Nazi Germany.
6. Hand recounts conducted so far by the media (from 12/18/00 to 1/3/01 in six counties) have already given Gore enough votes to overtake Bush by over 300 votes.

REFERENCES to “The Florida Disaster: Before, During, and After” (Draft 1.1)
(Expired links have been corrected by Anitra L. Freeman)

Before the Election

1. See article by Gregory Palast, the Observer of London, December 10, 2000. Note that Choicepoint and DBT Technologies are related, through a recent acquisition. Online reference: <http://www.observer.co.uk/Print/0,3858,4103063,00.html>
2. Slate article on VIP: http://slate.msn.com/netelection/entries/00-04-04_78548.asp
(no longer online)
Voting Integrity Project is no longer online
Salon article, <http://archive.salon.com/politics/feature/2000/12/08/integrity/index.html>
3. Registered Voters’ Names Failed to Appear on Voting Rolls <http://cnews.tribune.com/news/story/0,1162,oso-nation-82375,00.html>

During the Balloting

1. Broward County — Problems at Polls Prevent Hundreds from Casting Votes
(Miami Herald, 11/8/00)

http://nl12.newsbank.com/nl-search/we/Archives?p_action=doc&p_docid=0EB72F25AD225211&p_docnum=2&s_orderid=NB0102120204393004066&s_dlid=DL0102120204395404190&s_username=KRDB646478
(\$2.95 archive charge)
or <http://anitrweb.org/politics/archive/miamiherald.html>

Ballots Ran Out According (St. Petersburg Times, 11/9/00) — http://www.sptimes.com/News/110900/Election2000/Voters_statewide_say_.shtml

Florida Cops Accused of Harassing Black Voters — <http://lists.indymedia.org/mailman/public/imc-sf/2000-November/002229.html>

Voting Scrutinized All Over Florida — http://quest.cjonline.com/stories/110900/gen_scrut.shtml

2. NAACP vs. Kathryn Harris et al, http://www.acluf.org/naACP_v_harris.html
See also <http://www.lawyerscommittee.org/>
3. Racial Patterns in Ballot Equipment (NY Times, 11/29/00) — <http://www.nytimes.com/2000/11/29/politics/29MACH.html>

After Election Day

1. Volusia Elections Votes for Manual Recount (Orlando Sentinel, 11/9/00) — <http://orlandosentinel.com/news/1109vol.htm>
(no longer online)

Miami Protesters Disrupt Ballot Count — http://abcnews.go.com/sections/politics/DailyNews/ELECTION_protests001124.html
(no longer online)

(also the Wall Street Journal, November 27, 2000)

Stories about the Miami protests that are still online:

Protesters included Congressional staff

<http://www.geocities.com/gopdeception/>

Republicans orchestrated “climate of fear

<http://www.bushnews.com/bush12.htm>

Bush Recount Troops Land Plum Jobs

<http://www.miami.com/mld/miami/news/nation/3656186.htm>

2. Overseas vote totals padded (Miami Herald, 11/30/2000)—<http://www.herald.com/content/today/news/florida/digdocs/048378.htm> (no longer online)
Statistical analysis of the late absentee
<http://www.people.fas.harvard.edu/~kimai/research/ballots.html>
3. Buchanan Says Disputed Florida Votes Are Gore’s —
<http://www.counterpunch.org/pipermail/counterpunch-list/2000-November/003494.html>
4. RWWATCH email digest, send blank email to rwwatch-subscribe@topica.com
see 12/22/2000 issue.
5. Bush Lawyer Ted Olson was the lead attorney for the Center for Individual Rights (CIR) in

the 1996 lawsuit against Affirmative Action, *Hopwood v. U. of Texas*. According to IRS tax returns obtained by the Institute for Democracy Studies, the CIR received funding in 1996 from the Pioneer Fund, a NYC-based foundation which funded the book *The Bell Curve*.

Antonin Scalia, Clarence Thomas, and Bush advisor Attorney C. Boyden Gray all were actively involved in anti-affirmative action groups. Scalia was the founding faculty advisory to the Federalist Society in 1982 when he was a law professor at the University of Chicago. Gray was a co-chair of the Society for many years and is now the board chair of the corporate lobbying powerhouse Citizens for a Sound Economy. Thomas has been a member of the Federalist Society and an advisory board member of the arch-conservative Lincoln Institute, which is made up of African Americans who have supported Apartheid in South African and opposed statehood for Washington, DC among other positions. Finally, Supreme Court Chief Justice William Rehnquist was involved in a group that challenged the voting credentials of minority residents of Phoenix during the 1960s. See:

Olson & Hopwood: http://www.austinchronicle.com/issues/dispatch/2000-11-24/pols_naked4.html

Scalia & Olson: Center for Individual Rights and Pioneer Fund: see "The Assault on Diversity," briefing paper dated December 1999, pages 12-15. This report is available from the Institute for Democracy Studies, 212-423-9237

Pioneer Fund Funding see <http://www.guidestar.org/search/report/docs.adp?ein=51-0181036>

Clarence Thomas: see <http://www.cco.org/right/blackconserv.html> (no longer online)

Available reference: A Few Facts About Clarence Thomas

<http://www.theroc.org/roc-mag/textarch/roc-07/roc07-13.htm>

Rehnquist: see <http://www.post-gazette.com/columnists/20001202roddy.asp>

Center for Individual Rights, 1233 20th St. NW Suite 200, Washington, DC, www.cir-usa.org

The Federalist Society, 1015 18th Street, NW, Suite 425, Washington, DC, www.fed-soc.org

Lincoln Institute for Res. and Ed., 1001 Connecticut Ave. #1135, Washington, DC, no web site

Citizens for a Sound Economy., 1250 H Street, NW, #700, Washington, DC, www.cse.org

6. See www.democrats.com for Lake, Broward, Hernando, Gadsden, and Hillsborough recount results.