

## **FOR IMMEDIATE RELEASE**

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### **Flawed Software Will Count 1/3 of Votes in Florida's January 29<sup>th</sup> Primary**

Nearly one-third of Florida's voters will cast their votes in the January 29<sup>th</sup> Presidential Preference Primary on machines that use software known by the state to contain serious flaws that undermine accurate voting and vote counting—even though new corrective software is available. That is the warning issued today by Florida Fair Elections Center, an election integrity organization that has spent more than a year studying the failures of the ES&S iVotronics in Florida's November 2006 election.

“This potentially jeopardizes the votes of more than 3 million of Florida's 10 million registered voters,” explained FFEC executive director, Susan Pynchon. “In 2006, the iVotronic touchscreens lost an estimated 100,000 votes statewide and may have changed the outcome of a congressional election. Yet, Florida voters are being asked to use them again, without any changes to correct flaws found nearly a year ago by the state's own study—even though new software is available that fixes some of the problems. This is nothing short of negligent.”

After the failed Sarasota congressional election, the Florida Secretary of State asked a group of computer scientists from Florida State University to review the software used on the

suspect iVotronic machines. The study<sup>1</sup>, released in February 2007, found serious flaws in the voting system software, one of which can create a “buffer overflow” that permits the overwriting of vital vote data, thereby producing incorrect election results. A second report<sup>2</sup> by the FSU computer scientists lists dozens of additional flaws—many of them serious—in the iVotronic voting system that can affect the security and integrity of an election. The state and ES&S have known about many of these critical problems for at least a year, and yet the Florida Division of Elections has confirmed in writing that the old, flawed software will be used in the Presidential Preference Primary.

“It’s a travesty,” said Susan Pynchon, Executive Director of Florida Fair Elections Center. “It’s the state’s responsibility—not the counties—to make sure that Florida’s voting systems meet minimum standards. It has failed to do so. The result is that millions of Florida voters will not know for sure that their votes are being accurately counted—or counted at all—in the Presidential Preference Primary election.”

A television show produced by Dan Rather Reports in August 2007, “The Trouble with Touchscreens,” showed that the ES&S voting machines currently being used by millions of Florida voters were manufactured under sweatshop conditions in the Philippines, with shoddy workmanship and little quality control. This startling and disturbing documentary may be viewed online at <http://www.hd.net/drr227.html> . The problems were so severe that ES&S replaced or attempted to repair the screens on touchscreens in many Florida counties in 2003

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<sup>1</sup> *Software Review and Security Analysis of the ES&S iVotronic 8.0.1.2 Voting Machine Firmware*; Alec Yasinsac et al.; Security and Assurance in Information Technology Laboratory, Florida State University, Tallahassee, Florida, February 23, 2007, <http://election.dos.state.fl.us/pdf/FinalAuditRepSAIT.pdf> (A partial list of security flaws begins on Page 57).

<sup>2</sup> *Software and Security Review for Elections Systems and Software iVotronic Firmware Versions 9.1.8.0 and 9.2.0.0*, Alec Yasinsac, Breno de Medeiros, David Gainey, John Kerski, Zachary Hartley, Ryan Walega, and Michael Gerke, August 14, 2007, Security and Assurance in Information Technology Laboratory, Florida State University Tallahassee, Florida. <http://election.dos.state.fl.us/pdf/SAITreport8-14-07.pdf> (Flaws are listed on Page 1 and in Appendix A, Page 23).

and 2004. Two studies released today by Florida Fair Elections Center show, however, that the replacement of the screens did not fix the problems.

Early voting for the primary began on Monday, January 14, but the majority of Florida voters are expected to show up at their polling places on January 29.

“To help safeguard their votes, we suggest that voters who are using the iVotronic touchscreens take a few precautions. First, they should be on the look out for a slow response from these machines,” explained Kitty Garber, FFEC’s research director. “Slow response means that they may have to hold down their selection for as long as 5 seconds for it to register—100 times longer than the recommended hold time of 30/1000 of a second. They should also be careful to check their review screens, since hundreds of voters complained in the November 2006 election that their votes mysteriously disappeared from the review screen *after* they had made their selections.”

Garber suggested that voters may want to ask to use a different machine if they experience slow response or any other machine problem. She also recommended that voters ask for a stylus to use for making their selections since the oily residue from people’s fingers can cause the machines to lose responsiveness. Finally, she asked that voters make sure to write down the identification number of the problem machine, fill out a written report with the poll clerk, and ask that the problem machine be taken out of service.

“Our voter hotline—386-736-8086—will be open all day on Election Day to answer voters’ questions and record their complaints,” Pynchon said, “or voters may email their voting problems to [floridafairelections@yahoo.com](mailto:floridafairelections@yahoo.com).”

The Presidential Primary will be the last time the iVotronic machines are used in Florida. The state legislature voted in 2007 to switch over to optical scan voting machines, which allow voters to fill out a paper ballot rather than vote on touchscreens. The new law does allow voters

with disabilities to continue to use the touchscreens until 2012, however, even though additional flaws in the iVotronic software for disabled-accessible machines destroys the audit records for most of the voters who use them.

The ten counties using the iVotronic touchscreens for all voters are Broward, Charlotte, Collier, Lake, Lee, Martin, Miami-Dade, Nassau, Pasco, and Sumter. An additional 21 counties will be using the iVotronics only for disabled voters. Of the counties that used the iVotronics in the November 2006 election, only Sarasota County has already switched over to paper-ballot voting on optical scan machines.

“We are releasing two studies that document the catastrophic failure of the iVotronic touchscreens in the 2006 election and back up our assertion that no one, anywhere in the country, should vote on these machines,” said Pynchon. In addition to the newly released studies, an earlier report by Kitty Garber analyzing the high undervotes (uncounted votes) statewide on the iVotronic voting system in the November 2006 election is also available at

[www.FloridaFairElections.org](http://www.FloridaFairElections.org).

**Florida Fair Elections Center is a nonprofit, nonpartisan research and education organization, dedicated to fair, transparent, accessible, secure, accurate, and audited elections throughout Florida and the nation. Since its founding in 2004, FFEC has worked to accomplish these goals through research and education, while its sister organization Florida Fair Elections Coalition has sought election integrity reform through lobbying. For more information about the Center and its sister organization, Florida Fair Elections Coalition, visit our website at <http://www.FloridaFairElections.org>.**