

## Exit Poll Problems: A Reply to Russ Baker

By Steven Freeman

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Russ Baker's critique of my work analyzing the exit poll discrepancy (Election 2004: Stolen or Lost )-and, by implication, of the courageous stand taken by John Conyers and a small number of his Congressional colleagues-is flawed from the first line. No one has said, "Exit poll results were more accurate than actual ballots." The question is whether the official count is an accurate reflection of ballots cast. In a system where campaign managers serve as election supervisors, where voting machines provide no assurance that votes are counted as cast, and where counts and "recounts" are conducted in secret, we must rely, unfortunately, on indirect evidence, such as exit polls, to ascertain the veracity of this official count as a measure of actual ballots cast.

Baker's critique begins with a sloppy attempt to shoot the messenger, questioning my credentials. For the record, since obtaining my Ph.D. in organization studies from the MIT Sloan School of Management in 1998, I have served for three years as an accredited member of the faculty of the University of Pennsylvania-originally at Wharton and now in the School of Arts and Sciences; and the remainder of that time at equivalently demanding institutions in Latin America, including an international MBA program established by Harvard University.

Baker discards my findings because I am "not an expert in polling," but I teach research methods and survey design (a domain that includes polling) at the University of Pennsylvania.

A study of election integrity also requires an understanding of election practices and voting systems, and, most importantly, an ability and willingness to investigate a complex subject in which the data and the accompanying official pronouncements are themselves suspect. I hold degrees in both political science and systems science, and have received four national awards for best research paper of the year-on four different topics in three different fields. The position I hold this year as visiting scholar in the University of Pennsylvania's School of Arts and Sciences, provided on the basis of these research accomplishments, affords me freedom to conduct interdisciplinary research of broad significance and obliges me to teach research methodology and help develop applied research capabilities at the University's Center for Organizational Dynamics

and the school.

Baker dismisses my work based on an unnamed source (why does he not name his source here?) who told him "that it is 'all wrong'." But the single shortcoming identified-that my analysis is based on "'screen shots' of raw numbers provided by CNN"-betrays a complete ignorance of my analysis, of basic survey research and of the issues at hand. I did not use "raw numbers," but rather the exit poll projections provided by the National Election Pool (NEP) to its media clients so that they could prepare their coverage and write their articles. I used these data, which were publicly available on election night, to document the obvious fact of an unexplained discrepancy between the exit poll projections and the official count-a discrepancy still unexplained more than two months later. I collected screen shots because the National Election Pool "corrected" its numbers later on election night to conform to the official count, leaving no public record of the original projections.

Baker dismisses the validity of exit polls, but prominent survey researchers (e.g., Asner 1999, Cantril 1991:142), political scientists (e.g., Edwards & Wayne 1999:84), and journalists (e.g., Jurkowitz 2000) concur that they are highly reliable. As far back as 1987, political columnist David Broder wrote that exit polls "are the most useful analytic tool developed in my working life" (1987:253). Edwards & Wayne (1999:84) caution only that, "Š the problem with exit polls lies in their accuracy (rather than inaccuracy). They give the press access to predict the outcome before the elections have been concluded."

An exit pollster himself for more than 20 years, St. Louis University Professor of Political Science Ken Warren (2003) has never had an error greater than 2 percent, except one time-in a 1982 St. Louis primary. In that election, massive voter fraud was subsequently uncovered.

Temple University professor of mathematics John Allen Paulos wrote in a column in the Philadelphia Inquirer that... "huge differences between the final tallies and the exit poll percentages occurred in 10 of the 11 battleground states, all of them in Bush's favor. If the people sampled in the exit polls were a random sample of voters, Freeman's standard statistical techniques show that these large discrepancies are way, way beyond the margins of error." (In regards to Mr. Baker's charge of unimpressive credentials, I note that Paulos, a prominent mathematician and author, was the winner of the 2003 American Association for the Advancement of Science award for

the promotion of public understanding of science).

Because of their reliability, exit polls are used to verify elections around the world. When exit polls deviated from the official count in Serbia and the former Soviet Republics of Belarus, Georgia, and the Ukraine; the world-led by the United States-accepted exit poll numbers over the official count, and in three of these nations, the election results were successfully overturned.

What might explain the U.S. exit poll/official count discrepancy? Alas, irregularities comparable to those documented in Georgia and the Ukraine have likewise been documented in the U.S. November election:

\* Vote suppression charges (e.g., voting lines up to 10 hours long). Baker dismisses these because a nominal Democrat serves on Ohio County Board of Elections. I point out that Teresa La Pore was a "Democrat" when she twice cost Al Gore victory in Florida in 2000 (first by approving the infamous butterfly ballot, and then by failing to submit the Palm County recount before the deadline). So is Brenda Snipes, election supervisor of Florida's heavily Democratic Broward County; Snipes "lost" 58,000 absentee ballots and rejected countless more allegedly because signatures didn't match. (Snipes was appointed by Gov. Jeb Bush as a replacement for a democratically elected Democrat that Bush had removed from office for "incompetence.")

\* Cuyahoga County's impossibly high third-party counts. Baker ineptly dismisses these as "mysteries." A highly plausible explanation, widely known to anyone who takes the time to investigate, is that these counts are the result of vote switching at co-located precincts in which ballot order varied, a process that may have resulted in substantial net loss of Democratic votes, not only to third parties but to Republicans as well.

Based on his limited ability to find conclusive evidence for a handful of the thousands of allegations, Baker speciously precludes the possibility of fraud. Among the Conyers' commission findings that he ignores:

\* Unmailed and lost absentee ballots

\* Obstacles to registration (although Secretary of State Ken Blackwell's "80 lb. text weight" requirement was eventually struck down, it did result in many rejected registrations, and this

was but one of many procedural tactics openly designed to make obstruct voting registrations)

\* Democratic precincts where 25 percent of voters reportedly did not vote for president

\* Several southwestern Ohio counties where Kerry mysteriously ran far behind both Gore 2000 and unfunded Democratic candidates for lower offices

\* Extraordinarily high voter registration and turnout inconsistent with precinct records in Appalachian Ohio

\* Secret counts, notably Warren County's lockout of observers because of a terrorist threat attributed to the FBI, which the FBI has denied

\* Recounts conducted in the absence of observers and in pre-selected precincts, in violation of state law

Beyond these and other conventional transgressions that have been widely documented in many states across the country, the United States has introduced a new system of potentially undetectable mass-vote manipulation: electronic voting machines that produce no confirmation that votes are recorded as cast. Stanford University computer scientist David Dill draws the analogy of telling a man behind a curtain whom you want to vote for and trusting that he has recorded it faithfully. Voters using electronic voting machines likewise blindly trust that the programmer has written code that can and will record their votes as cast.

It's absurd that we should ever have to trust such a system, but consider, moreover that the men behind the curtain of our voting machines included executives highly involved in the president's re-election campaign and a senior programmer convicted of 23 counts of felony theft involving software systems. Recently, a programmer has filed an affidavit that he designed and built a "vote rigging" software program at the behest of a Florida Congressman.

Lack of election transparency, alas, also plagues our exit polls. Baker's unnamed source comments, "To say you want the raw data is ludicrous," but elsewhere in the world, exit poll data are released as soon as voting ends. Here in the United States, the media consortium's exit poll data were promptly corrected to conform to the count, leaving no public record of the original projections.

Two-and-a-half months after the election, despite all the questions surrounding its integrity-and the integrity of NEP-we're still waiting for these data.

In his parting shot, Baker writes, "Half-baked conspiracy theories are damaging to the public confidence in democracy." One can understand why incumbent politicians would try to dismiss threatening thought as "conspiracy theory," but a serious journalist would not use pejorative labels so as to avoid engaging in the merits of a discussion.

Scrutiny of an election with many unanswered questions does not damage public confidence in the democracy; absence of scrutiny does.

Mr. Baker proudly claims to be an "old fashioned investigative reporter," which makes this article all the more disappointing.

Investigative reporting is exactly what the country needs; but time and money for it are scarce and precious. Spending them to relate the misbegotten and misleading critiques of an unnamed source who is, "familiar with the thinking of Warren Mitofsky," is a betrayal of readers and publishers, of millions of Americans who invested time and money in what they believed was an honest election, and, most of all, of voters whose ballots may have been discarded or altered.

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