

# **The First Texas GOP Straw Poll: A Lost Opportunity to Lead the Way with Transparent Elections**

By Karen Renick

In the days leading up to the Texas GOP Straw Poll in Fort Worth on September 1, 2007, members of VoteRescue, a voting reform organization based in Austin, TX, made repeated recommendations to the Republican Party of Texas (RPT) concerning the implementation of necessary security measures in the voting and counting that met the criteria for total transparency, thus ensuring accurate and fair poll results. The purpose of this article is to describe this effort and to include the actual correspondence between Vote Rescue and the RPT that preceded their straw poll in Fort Worth.

Alerted initially by Kathleen Wynne, former Associate Director of Black Box Voting who now lives in the Austin area, VoteRescue began to focus on voting transparency issues at the straw poll level and started making preparations to monitor the upcoming Texas GOP Straw Poll. After the messy finish at the Iowa Straw Poll on August 5, reportedly due to ballot scanner failures, our group became even more committed to finding out the details of the Texas GOP Straw Poll in order to shape our monitoring methods. With the invaluable help of several of our members who were also GOP delegates, we slowly pieced together the RPT's plans for conducting their first straw poll.

About two weeks before the event, we learned that paper ballots marked with "special quick-drying pens" would be used for voting in the straw poll. Upon hearing this news, many who are well aware of the dangers of electronic voting machines, were immediately relieved, thinking that the straw poll results would be safe from fraud. However, since the actual method of counting the paper ballots (either by hand or using a ballot scanner) was still unknown, Vote Rescue warned that it was still too premature to celebrate.

Then, one of our members, who was a delegate to the straw poll, was told by a spokesperson for the RPT that the decision regarding the method of counting the ballots would be made after the close of pre-registration on Friday, August 24. Evidently, the number of delegates registered by that date would influence the final decision how to count. It wasn't until the following Tuesday morning, August 28, four days before the straw poll would take place, that we finally learned that their decision was to hand count the paper ballots. VoteRescue was very encouraged by the decision, but still remained concerned because we had no details regarding the specific security measures other than use of the special quick-drying pens.

What follows below is the back and forth e-mail correspondence between myself and Hans Klingler, the Director of Communications & Political Operations of the Republican Party of Texas that began midday on Tuesday, August 28, the day we finally learned the counting method for the straw poll. As you will read, our first goal was to learn what security measures were planned for the voting and counting. Then, depending on the reply, we would make our security recommendations (if any were needed) to ensure total transparency and ultimately, an accurate vote count.

We received a response later that same day and it essentially contained a description of inadequate security measures to which we replied with a comprehensive list of recommendations. We acknowledged in our response that our list was being sent late in the game, but that the security measures we were recommending were not too difficult or time-consuming not to be able to incorporate them by the start of the straw poll at noon on Saturday. It was in this same reply that Mr. Klingler was informed that Vote Rescue and Vote in Sunshine, representing the coalition Texans

for REAL Elections, would be conducting an Election Verification Exit Poll (EVEP) at the TX GOP Straw Poll. Since no e-mail reply was received from Mr. Klingler by mid-morning on Friday, I called his cell number to personally apprise him that my reply had been sent the day before. He said he would check his e-mail for my message.

That was the last I heard from Mr. Klingler until I had a very brief exchange with him the next afternoon at the straw poll when the counting was well underway on the second floor of the convention center. The point I raised was about the absence of transparency, due to the RPT not allowing representatives of the public (and press) to observe the voting and counting process. His parting remark as he hurried away was extremely dismissive of my concern and was quite telling of the position that the RBT had decided to take regarding the security measures for the straw poll.

In an accompanying article, "Texans for REAL Elections Conduct Exit Poll at TX GOP Straw Poll in Ft. Worth, Texas, Saturday Sept. 1st, 2007, Serious Security Lapses Observed in Straw Poll Counting Protocols" about our presence in Fort Worth, Vickie Karp, PR Director of Vote Rescue, who co-directed our Exit Poll, reports on the results of our poll and also describes several of the most blatant security violations our group witnessed that day. These violations were either observed first hand by our members immediately outside the voting room or were reported to us by concerned delegates after they had cast their vote.

The following are the three e-mails sent between Mr. Klingler and myself before the straw poll:

Date: **Wed, 29 Aug 2007 1:12:23 -0700 (CDT)**  
From: "Karen Renick" <karen.renick@sbcglobal.net>  
Subject: A letter from VoteRescue and Texans for REAL Elections  
To: hklingler@texasGOP.org

Dear Mr. Klingler,

*On behalf of the members and supporters of both VoteRescue and the statewide coalition, Texans for REAL Elections, I wish to express my appreciation for your willingness to address our concerns and answer our list of questions regarding the upcoming Texas GOP Straw Poll on September 1, 2007 in Ft. Worth.*

*I would like to first provide you with a brief overview of both Vote Rescue and Texans for REAL Elections so that you can better understand the basis of our concerns.*

*Vote Rescue, founded in early 2005, is a non-partisan organization of Texans who are well aware of the serious failures, the enshrouding secrecy and the security vulnerabilities of electronic voting, including both Direct Record Electronic (DRE) voting systems and optical scanners. The first of our two main goals are to educate other Texas Citizens about the proven untrustworthiness of these machines and how they effectively steal their most fundamental right to have their vote counted accurately and reported accurately. This inalienable right alone assures that the consent of the Governed is given to those who were truly elected; to those whose main sworn duty is to protect this and all other rights of the people of Texas.*

*Vote Rescue's second goal is to continuously advocate with elected and appointed public servants, including the Texas Secretary of State, the Texas Election Director, County Clerks, County Commissioners and members of both houses of the Texas State Legislature, to help them understand their dereliction of sworn duty to protect the rights of all Texans because they are failing to protect the "purity of the ballot*

box", as written in the Texas Constitution. We explain that the only way to protect Texans' rights is to conduct elections that are 100% transparent from start to finish (excluding the marking of the ballot by the voter, of course) and that are open to citizen access, involvement and oversight.

Based on the above, all Texas elections must have a chain of custody that is unbroken and publicly viewable and must be conducted using voter-marked paper ballots that are hand-counted by citizens at the precinct level and in full public view. Immediately after the precinct's vote tallies are properly completed they are then posted in full public view in a protected manner outside each precinct's polling place for a specified length of time.

In the late Spring of 2007, in order to increase the number of like-minded supporters, we founded **Texans for REAL Elections**, a statewide coalition of citizen organizations that agree with the goals established by VoteRescue. To date, the coalition includes the Texas Motorcycle Rights Association (with its 300,000 members in Texas), Independent Texans, HCPBnow and Vote In Sunshine.

Once again, Texans for REAL Elections is pleased by the decision made by the Republican Party of Texas to conduct a hand-counted paper ballot election for the First Texas GOP Straw Poll, however, we do have concerns and questions about the transparency of the voting procedures to be used. Preserving the rights of your delegates to a fair and accurate straw poll we know is the RPT's foremost intention. Our questions include:

1. How and where will the ballot-marking and casting portion of the voting process be conducted?
2. How are the ballots kept secure after they are cast?
3. Who will be observing the marking and casting of the ballots?
4. Will the ballots be transported to another location to be counted?
5. If they are moved, who moves them?
6. Who will be observing the transporting of the ballots?
7. Who will open the ballot boxes and remove the ballots?
8. Who will observe the opening of the boxes and the removal of the ballots?
9. Who will be counting the ballots and how will it be done?
10. Who will be observing the counting?
11. Who will be tallying the results and how will it be done?
12. Who will be observing the tallying?
13. After the tallying, who is responsible for safeguarding the results?
14. Will the results be immediately announced?
15. Who will be observing the whereabouts of the results until the time they are publicly announced?
16. How will the results be announced and by whom?
17. When does the voting begin?
18. When will the voting end?

I thank you for your timely attention to our concerns. I can be reached on my cell phone at 512-496-7408.

Sincerely,

Karen Renick  
Director, VoteRescue  
[karen@voterescue.org](mailto:karen@voterescue.org)

Subject: RE: A letter from VoteRescue and Texans for REAL Elections

**Date: Wed, 29 Aug 2007 18:24:33 -0500**

From: "Hans Klingler" <hklingler@texasgop.org>

To: "Karen Renick" <karen.renick@sbcglobal.net>

1. Room 203 of the FW Convention Center.
2. The ballots will be placed in the ballot boxes until counting. After counting, they will be sealed in envelopes with a signed seal of the volunteer counters.
3. One person per campaign is allowed to monitor voting and counting.
4. No, the ballots will remain on site until the end of the event.
5. N/A
6. N/A
7. The seal to the ballot boxes will be broken by the Tarrant County Chairman and an RPT staffer, in view of the volunteer counters and poll watchers.
8. Same as #7
9. Volunteers will be broken into groups of three and be given a portion of the ballots. One person will read the ballots, the other two will keep tally sheets. After their pile is complete, they will verify that their numbers match before turning in their tally sheets.
10. See #3.
11. The tally sheet totals from each group will be independently compiled by the Tarrant County Chairman and an RPT staffer, in view of the poll watchers. Then, they will verify the totals match each others.
12. See #11
13. The results will be sealed in an envelope, signed by the people mentioned in #11 and escorted by police officer to the stage for announcing.
14. Yes.
15. See #13
16. The sealed envelope will be delivered on stage to Robin Armstrong, Vice Chairman of the RPT, and he will open and announce the results in front of the crowd.
17. Voting begins immediately after the morning session and Presidential candidates have spoken. Estimated time: Noon
18. Voting ends two hours after voting begins.

Hans Klingler  
Director of Communications and Political Operations  
Republican Party of Texas  
512.477.9821  
[hklingler@texasgop.org](mailto:hklingler@texasgop.org)

**Date: Thu, 30 Aug 2007 17:50:11 -0700 (CDT)**

From: "Karen Renick" <karen.renick@sbcglobal.net>

Subject: RE: A letter from VoteRescue and Texans for REAL Elections

To: "Hans Klingler" <hklingler@texasgop.org>

Mr. Klingler,

Thank you for your prompt response to our questions that came from our concerns about the transparency of the voting procedures that will be used in the Texas GOP Straw Poll on Saturday, September 1, 2007. Members of our ad hoc committee for examining the straw poll procedures were able to review your responses last night. I have consolidated all of their comments and they appear below.

To begin, **Vote Rescue** and our coalition partners in **Texans for REAL Elections** appreciate the far-sightedness that the RPT has shown by deciding to use hand-counted paper ballots in its upcoming straw poll in Ft. Worth as opposed to using electronic optical scanners that run on secret, proprietary software.

We are relieved that those in charge of the First Texas GOP Straw Poll have not been fooled by the unassuming and "aw, shucks" outer appearance of the typical ballot scanner. Those states and counties across the country that have proactively banished their costly DRE (Direct Record Electronic) voting machines to make counting failures and fraudulent manipulation a thing of the past and then turned to optical scanners as the "fix", are due for a very rude awakening. It is shocking that they have made these types of decisions even though it is **no secret** at all that the benign-looking optical scanner is just as prone to failures and manipulation as the DRE voting machine.

Two of the best known examples that demonstrate these vulnerabilities include (1) the 2006 HBO Documentary, "Hacking Democracy", which shows on film the ease of hacking into and manipulating the vote counts on an optical scanner, and (2) the recent de-certification decision made by the CA Secretary of State, Debra Bowen, of all electronic voting systems previously approved for use in the state based on the findings of two teams of computer experts from the University of California commissioned by Secretary Bowen earlier this summer in her campaigned-promised "top to bottom" review of these machines.

The new Texas Secretary of State, Phil Wilson, has not yet publicly commented on his intentions to continue, or not, the use in Texas of the very same voting systems that were recently decertified in California. Representatives of VoteRescue and Texans for REAL Elections have requested a meeting with Secretary Wilson in order to discuss this development and other issues related to secret, electronic voting. We anticipate this meeting happening in the next few weeks.

In early October 2006, Representatives from VoteRescue had a similar meeting with the previous Secretary of State, Roger Williams, at which time we strongly urged him to issue a statement to all elections officials in Texas that the 2006 Mid-Term elections would be conducted using emergency hand-counted paper ballots only. We also personally handed him three notebooks filled with documented evidence about the inherent problems with the machines, not only here in Texas, but throughout the country. Also included were copies and links to the numerous studies by various universities, the GAO, members of Congress, state agencies and computer experts all warning that our nation's electronic voting systems are extremely vulnerable to fraudulent manipulation.

We also provided him with written and visual copies of testimonies by citizens and computer experts condemning computerized voting systems before the Elections Committee in the Texas State House and at the public hearings held by the Office of the Secretary of State prior to the decision to certify a particular voting system by the panel of examiners assembled by the Secretary of State. The book, Hacked! High Tech Election Theft in America, edited by Vickie Karp and Abbe Waldman DeLozier, two nationally-recognized election integrity activists who live in Austin, was presented to him as well. Needless to say, Secretary Rogers did not go to hand-counted paper ballots for the 2006 Mid-Terms and the serious concerns expressed by Texas voters at public hearings were never included in any of the final written recommendation letters sent to Secretary Rogers.

In light of our serious dedication and vigilance to see that our elections are no longer held using high tech versions of the shady "Back Rooms" of the past and are returned to the citizens of Texas, who are the rightful overseers, we make the following recommendations in order to ensure a **secure public hand count**.

(Note: These are additions to the list of responses previously sent by Mr. Klingler to Karen Renick via e-mail on 8-29-07.)

To hold an indisputable, totally transparent election, the GOP Straw Poll voting process must:

1. Include representatives of the Public, i.e., Texas Citizens, as bona fide observers, equal in status and rights of the representatives of the candidates. The number of Public observers should at least equal to the number of candidate representatives. A Texas Citizen who wishes to be a public observer should submit their name on paper to the Tarrant County GOP Chair prior to the start of voting. If there are more names submitted than spaces available, then the names for the public observers will be drawn randomly from an open container in full view of those wishing to be an observer.
2. Permit members of the press to observe and record both visually and audibly the entire voting process.
3. Permit the representatives of the Public to fully videotape the counting, the tallying and the transporting of the results to the stage if they wish. (Videotaping is the best and most objective method in observing and capturing the entire process should there be any challenges later. In addition to including public observers, videotaping is an additional way to maintain confidence that the final tally is accurate and fair.)
4. Assign a dedicated observer to each ballot reader and each vote recorder on every counting team. Each dedicated observer continuously watches the reading or the marking on a tally sheet of the person they are assigned to. Each team of dedicated observers should include at least one public observer.
5. Assign two dedicated observers to the Tarrant County Chair and two to the RPT staffer who will each independently compile the final tallies received from the three counting teams. One person of each pair of dedicated observers should be a public observer.
6. Provide a copy of all the tally sheets with their totals and a copy of the final results sheet and post them in the counting room, viewable to the observers, BEFORE the official results are sealed in the envelope that is carried to the stage.
7. The sealed envelope with the official results inside should be carried by the Tarrant County GOP Party Chair from the counting room and handed directly to the announcer on the stage in full public view. A police officer and at least one candidate observer and one public observer must escort and accompany the Party Chair at all times from the counting room to the stage.

We consider none of the above recommendations too difficult or time consuming to not be incorporated into the voting procedures presently planned for the Texas GOP Straw Poll this Saturday. The difference, however, between an unsecured hand-counted paper ballot election as it is now planned and one that is totally observable and inclusive of the public and the press, is vast. We know that you and your colleagues in the GOP can appreciate the difference between the two and hope you will choose the latter.

We have held off issuing our press release about our assessment of the voting process for the straw poll until we hear back from you regarding our recommendations for adding the missing components that will make it a **secure public hand count**. If our recommendations are incorporated, we are poised to

*blast this groundbreaking news not only to the press, but to all corners of the voting integrity movement in this country and abroad.*

*In closing, I want to inform you that nearly two dozen Austin members of VoteRescue will be traveling to Ft. Worth this weekend to help execute the Election Verification Exit Poll (EVEP) which was devised by Kenneth F. Warren, Ph.D., president of The Warren Poll and author of the book *In Defense of Public Opinion Polling*, and Steven F. Freeman, Ph.D., Director of the web-based group, Election Integrity. We have been planning to add the volunteer-friendly EVEP process to our group's list of monitoring and verification skills since first learning about it several months ago because it is a polling process devised for citizen groups, not the media. And, since our organization is dedicated to bringing citizens into the entire process of voting (beyond just the casting step) it fits our educational goal quite well.*

*I look forward to hearing back from you. If you, Mr. Bryan and/or Ms. Klick should have any questions about our recommendations, please don't hesitate contacting me at 512-496-7408 at any time. I also look forward to meeting you and your colleagues handling the straw poll if the opportunity arises in Ft. Worth. I thank you for your continued attention to the concerns of all Texas voters.*

*Sincerely,*

*Karen Renick  
Director, VoteRescue*

Despite our best efforts on behalf of all Texas voters, it is clear that basic security measures critical to voting transparency and accuracy were not implemented during the straw poll on September 1, 2007. And, even though it was "technically" a hand-counted paper ballot election, without the public's watchful eyes in the room with the counting, it meant nothing at all.

For this reason, Texans for REAL Elections calls into serious question the official results of the First Texas GOP Straw Poll. What a missed opportunity it was.

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