

# Supplemental Report Regarding Invalid Ballots Cast in the 2004 Washington State Gubernatorial Race

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April 21, 2005

## Executive Summary

- 1) Based upon a tipping point analysis, the new dataset provided to me on April 18, 2005 contains a sufficient number of uncontested invalid ballots in King County alone to believe the 2004 Washington State gubernatorial election may have resulted in a victory for Mr. Dino Rossi had those invalid ballots not been cast or expunged prior to the manual recount completed on December 23, 2004.
- 2) My analysis of the probable distribution of invalid votes between Ms. Gregoire and Mr. Rossi based upon the new data provided provides stronger reason to believe that had those invalid votes been identified and removed prior to the manual recount, the election result would have been a victory for Mr. Rossi.

## **A. Introductory Statements**

### **A.1. Background.**

This document is a supplemental report to the earlier submitted to the Chelan County Superior Court regarding invalid ballots cast during the 2004 Washington State governor's race.

On April 18, 2005, I received a new dataset to analyze from Clark Bensen and Polidata. This statewide dataset included an additional set of invalid ballots reportedly cast by felon voters and apparently adjusted for several invalid ballots that were under challenge. Additionally, this statewide dataset provided precinct locations for a set of other invalid votes (e.g., deceased voter ballots, dual in-state ballots and dual multi-state ballots) for counties outside of King County that was not available in the previous statewide dataset. In the previous report, I was only able to estimate the effect of non-felon invalid ballots on the King County dataset. This new statewide dataset is used both for statewide calculations and estimations that separate King County and other counties. Additionally, the new statewide dataset aggregated all ballots not cast for Ms. Gregoire or Mr. Rossi into a category labeled "other." This "other" category includes ballots cast for Ms. Bennett, undervotes, overvotes, and write-in candidates.

Additional questions regarding the construction and proofing of the datasets should be directed towards Clark Bensen and Polidata (Lake Ridge, VA). The reasoning behind the determination of invalid ballots should be directed to the relevant parties as I played no role in determining what constituted an invalid ballot cast.

The sections in this report are presented to correspond to the sections in the earlier report. Sections that include duplicated information (e.g., biographical information) are excluded.

## **B. Central Objective and Considerations**

Please see initial report for discussion of central objective and considerations.

### **B.4. Summary of Invalid Votes**

Table B.4-1 provides a breakdown of the invalid votes as provided to me in the statewide dataset provided to me on April 18, 2005 and as described above. Table B.4-2 provides the county-by-county breakdown of felon votes. If a county was not listed in Table B.4-2, then no felon ballots were reported for that county.

Addendum Table B.4-1 Summary of Invalid Votes As of April 18, 2005			
Type	Total	King County Only	Other Counties
Felons	946	726	220
Deceased	53	39	14
Dual Multi-State	5	4	1
Dual In-State	22	20	2
Other (non-citizens)	2	2	0
Invalid Scanned Provisionals	92	92	0
Sum of All Invalid Ballots	1120	883	237
Felon Challenges	3	2	1
Other Challenges	16	16	0
Provisional Sum (excluding contested invalid ballots)	1101	865	236

Addendum Table B.4-2 Breakdown of Felon Ballots by County (Includes Contested Felon Ballots)	
County	Number of Felons
Benton	16
Clark	33
King	726
Kitsap	6
Lewis	7
Pierce	28
Skagit	1
Snohomish	26
Spokane	21
Thurston	37
Walla Walla	1
Whatcom	13
Yakima	31
Total	946

## C. Tipping Point Analysis

Please see the initial report for a discussion of the tipping point concept.

### C.5. Additional Tipping Point Calculation – Problem Precinct Level (Pooled)

As noted in the initial report, using precinct level data to examine only those precincts with at least one invalid ballot provide us another means of calculating the tipping point. Given that invalid ballots were concentrated in a subset of precincts, this provides us a more accurate picture of the vote distribution in the areas (precincts) where invalid ballots were located.

A tipping point analysis for King County alone, based on the new statewide dataset provided by Polidata, are summarized in the Addendum Table C.5-1.

Addendum Table C.5-1 King County Only – Precincts with at Least One Invalid Vote			
	Votes	Proportion of Vote	Gregoire-Rossi Difference
Gregoire	128,777	0.6059	0.2379
Rossi	78,215	0.3680	
Other Votes	5,529	0.0260	
Total	212,521	1.0000	
Precincts = 590			

As can be seen in Addendum Table C.5-1, in the 590 pooled precincts where there was at least one invalid vote cast, Ms. Gregoire received a higher percentage of the vote (60.59%) than in the countywide canvass (56.29%).

The resulting calculations for the probabilistic tipping point at the precinct level are:

$$\textit{Tipping\_Point\_Deadlock} = \frac{129}{0.2379} = 542.24$$

$$\textit{Tipping\_Point\_Altered\_Result} = \frac{130}{0.2379} = 546.45$$

If we round up in both cases – a more cautious approach that would set the level of proof at a higher standard – the results would be a tipping point of 543 invalid ballots for an electoral deadlock and 547 invalid ballots for an altered election result.

Again, in this instance, **the number of invalid ballots (883) and uncontested invalid ballots (865) in King County exceeds both the tipping point for an electoral deadlock (543) and for a tipping point resulting in an altered election result (547).**

#### **C.6. Conclusions of Tipping Point Analysis**

**Based upon a tipping point analysis, and with the highest tipping point calculated from my initial report (755), there are still a sufficient number of uncontested invalid ballots in King County alone to believe the 2004 Washington State gubernatorial election may have resulted in a victory for Mr. Dino Rossi had those invalid votes not been cast or expunged prior to the manual recount completed on December 23, 2004.**

### **D. Estimation of Probable Breakdown of Invalid Ballots**

#### **D.1. Estimation Procedures.**

Please see the initial report for a discussion of estimation procedures, including a hypothetical illustration.

#### **D.2. Estimation of Invalid Ballot Breakdown.**

##### **D.2a. Statewide Dataset (April 18, 2005) – All Counties Included.**

The following table provides a summary of the vote distribution (breakdown) of invalid ballots between Ms. Gregoire, Mr. Rossi and “other.” This table includes ballots segmented across different categories – all invalid ballots, all unchallenged (uncontested)

ballots, all felon ballots, all unchallenged felon ballots, invalid scanned provisional ballots, deceased and other invalid ballots. The Gregoire-Rossi Differential represents how many more invalid ballots I estimated to be cast in favor of Ms. Gregoire relative to Mr. Rossi. A negative differential would indicate that Mr. Rossi would have more invalid ballots being cast in his favor. To understand how this differential (or vote swing for Rossi) would affect the election, this figure needs to be put in comparison to the margin of victory for Ms. Gregoire in the manual recount (see below).

Addendum Table D.2a Summary of Invalid Vote Distributions Statewide Dataset -- April 18, 2005 Entire State				
	Gregoire	Rossi	Other	Gregoire-Rossi Differential (Vote Swing for Rossi)
All Invalid Ballots	665.87	423.22	30.91	242.66
All Unchallenged Invalid Ballots	653.27	417.30	30.43	235.97
All Felon Ballots	568.49	350.34	27.17	218.15
All Unchallenged Felon Ballots	566.91	349.01	27.08	217.89
Invalid Scanned Provisional Ballots	50.29	39.79	1.92	10.49
Deceased	29.25	22.61	1.14	6.64
Other Invalid Ballots	17.84	10.47	0.69	7.37

As can be seen from Addendum Table D.2a, Ms. Gregoire received 235.97 more of the unchallenged invalid vote distribution than Mr. Rossi, a figure that would represent a vote swing in Mr. Rossi's favor. This figure is above the 129 votes that separated Ms. Gregoire from Mr. Rossi in the final manual recount. Had these invalid ballots been eliminated prior to the manual recount, the result would have been a 106 vote victory for Mr. Rossi (the 235 vote swing, a figure that rounds the result downward, noted above minus the 129 vote advantage of Ms. Gregoire in the manual recount).

**Based upon a statewide analysis of invalid ballots, the estimated vote distribution of invalid votes would be sufficient to alter the manual election recount results towards a Rossi victory. The new statewide dataset (April 18, 2005) provides stronger evidence for similar conclusions reached with the earlier datasets.**

**D.2b. Statewide Dataset (April 18, 2005) – All Counties except King County.**

To see how this analysis would be affected by removing King County from the dataset and examining all other counties, we would get the following result (Addendum Table D.2b-1). There were no invalid scanned provisional ballots reported in counties other than King County, hence this row is labeled as “not applicable (NA).”

Addendum Table D.2b Summary of Invalid Vote Distributions Statewide Dataset – April 18, 2005 Non-King County				
	Gregoire	Rossi	Other	Gregoire-Rossi Differential (Vote Swing for Rossi)
All Invalid Ballots	111.12	119.49	6.38	-8.37
All Unchallenged Invalid Ballots	110.51	119.16	6.33	-8.65
All Felon Ballots	103.60	110.43	5.97	-6.83
All Unchallenged Felon Ballots	102.99	110.10	5.91	-7.11
Invalid Scanned Provisional Ballots	NA	NA	NA	NA
Deceased	6.27	7.40	0.33	-1.13
Other Invalid Ballots	1.25	1.67	0.08	-0.42

The results above indicate that if all counties other than King County are considered, Mr. Rossi would lose roughly 9 more votes (rounding upwards) than Ms. Gregoire in the case of all unchallenged invalid ballots. Thus, if all counties except King County were considered, the invalid votes would not have affected the results of the election – indeed, Ms. Gregoire’s electoral margin would have increased from 129 to 138. Of course, ignoring Washington State’s most populous county, and the county with the greatest number of invalid ballots, would not be advised as this county had a substantial effect on the outcome of the 2004 election. In fact, as seen below, invalid ballots in King County alone would overwhelm any advantage Mr. Rossi had elsewhere in the state. (It should be noted that this maximum differential of 8.65 in Ms. Gregoire’s favor is subsumed in the results presented in D.2a.)

**D.2c. Statewide Dataset (April 18, 2005) – King County Only.**

As noted above, it would be a mistake to ignore Washington State's most populous county. Moreover, given that King County was the only county with more than 129 unchallenged invalid ballots (our baseline tipping point), it is imperative to give this county a close examination.

The results for King County only, based on the new statewide dataset are presented in Addendum Table D.2c.

Addendum Table D.2c Summary of Invalid Vote Distributions Statewide Dataset – April 18, 2005 King County Only				
	Gregoire	Rossi	Other	Gregoire-Rossi Differential (Vote Swing for Rossi)
All Invalid Ballots	554.75	303.72	24.53	251.03
All Unchallenged Invalid Ballots	542.76	298.14	24.10	244.62
All Felon Ballots	464.89	239.91	21.20	224.98
All Unchallenged Felon Ballots	463.92	238.92	21.17	225.00
Invalid Scanned Provisional Ballots	50.29	39.79	1.92	10.49
Deceased	22.98	15.21	0.80	7.77
Other Invalid Ballots	16.59	8.80	0.61	7.79

As can be seen in the table directly above, Ms. Gregoire would have 244.62 more unchallenged invalid votes distributed to her than to Mr. Rossi. Again, this figure exceeds the 129 vote margin given to Ms. Gregoire in the manual recount. Even the differential in unchallenged invalid felon ballots (224.98) exceeds the 129 vote margin in the manual recount.

**Based upon a King County analysis of invalid ballots from the new statewide dataset, the estimated vote distribution of invalid votes would be sufficient to alter the manual election recount results.**

**D.2d. Comparison of Election Results Based on Estimation of Invalid Vote Distribution**

Addendum Tables D.2d-1 (all invalid ballots) and D.2d-2 (felon ballots only) place the aforementioned analysis in comparative perspective and reveals how the different estimations of how the invalid ballots were cast would have affected the outcome of the election had these invalid ballots been removed prior to the manual recount. I break down this analysis according to our three previous segmentations of the data – statewide, all counties excluding King County, and only King County. A positive number in the Rossi Vote Swing Advantage column indicates that Ms. Gregoire received more invalid votes (based on the above estimations) than Mr. Rossi. A negative number indicates that Mr. Rossi would have lost votes based upon the invalid vote distribution estimates above.

Calculations were based upon rounding Rossi’s vote swing advantage downwards, which would provide a more cautious analysis and favor Ms. Gregoire. Nonetheless, the tables below make it apparent that the invalid ballot distribution of King County, where most invalid ballots were located, would have altered the election results of the manual recount.

Table D.2d-1 Comparison of Election Results Based on Estimation of Invalid Vote Distribution Statewide Dataset – April 18, 2005			
Set/Subset of Invalid Votes	Rossi Vote Swing Advantage	Gregoire Manual Recount Advantage	Election Result
All Invalid Votes – Statewide	242	129	+ 113 Rossi Victory
All Unchallenged Invalid Votes – Statewide	235	129	+ 106 Rossi Victory
All Invalid Votes – King County Excluded	-9	129	+ 138 Gregoire Victory
All Unchallenged Invalid Votes – King County Excluded	-9	129	+ 138 Gregoire Victory
All Invalid Votes – King County Only	251	129	+ 122 Rossi Victory
All Unchallenged Invalid Votes – King County Only	244	129	+ 115 Rossi Victory

Table D.2d-2 Comparison of Election Results Based on Estimation of Invalid Vote Distribution Statewide Dataset – April 18, 2005 Felon Votes Only			
Set/Subset of Invalid Votes	Rossi Vote Swing Advantage	Gregoire Manual Recount Advantage	Election Result
All Felon Votes – Statewide	218	129	+89 Rossi Victory
All Unchallenged Felon Votes – Statewide	217	129	+ 88 Rossi Victory
All Felon Votes – King County Excluded	-7	129	+136 Gregoire Victory
All Unchallenged Felon Votes – King County Excluded	-7	129	+ 136 Gregoire Victory
All Felon Votes – King County Only	224	129	+ 95 Rossi Victory
All Unchallenged Felon Votes – King County Only	225	129	+ 96 Rossi Victory

The above two tables indicate that had all the identified unchallenged invalid ballots (or simply the unchallenged invalid felon ballots) been excluded prior to the manual recount, the election result would have been altered and Mr. Rossi would have prevailed in the vote count. Only if we ignore King County – where the majority of invalid ballots have been identified – would the election result have remained the same.

## E. Additional Considerations.

Please consult the initial report regarding additional considerations about estimations of felon voting patterns based upon an article by Christopher Uggen and Jeff Manza.<sup>1</sup>

<sup>1</sup> Uggen, Christopher and Jeff Manza. 2002. "Democratic Contraction? Political Consequences of Felon Disenfranchisement in the United States." *American Sociological Review* 67: 777-803.

## **F. Conclusion**

Based on the above analysis, I conclude the following (also stated in the Executive Summary).

- 1) Based upon a tipping point analysis, the new dataset provided to me on April 18, 2005 contains a sufficient number of uncontested invalid ballots in King County alone to believe the 2004 Washington State gubernatorial election may have resulted in a victory for Mr. Dino Rossi had those invalid ballots not been cast or expunged prior to the manual recount completed on December 23, 2004.
- 2) My analysis of the probable distribution of invalid votes between Ms. Gregoire and Mr. Rossi based upon the new data provided provides stronger reason to believe that had those invalid votes been identified and removed prior to the manual recount, the election result would have been a victory for Mr. Rossi.

**Polidata/Data**

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**From:** "Tony Gill" <gillgop@hotmail.com>  
**To:** <data@polidata.org>; <mbraden@bakerlaw.com>  
**Sent:** Thursday, April 21, 2005 1:18 AM  
**Subject:** The P-I Misrepresented Report

Hey guys,

I just realized something. The P-I this morning plucked one number (of a series of estimates) that I provided and misrepresented it in the paper. They pulled the number from Table D.2a-1, the Gregoire-Rossi differential in invalid felon votes, and reported it as the margin Rossi would win by. This ignores the fact that you still have to subtract the 129 vote margin Gregoire had in the recount. He should have quoted from Table D.2d-1, wherein the margin of victory would have been roughly 62 votes for Rossi.

Just FYI.

Tony

B/Gill 000201

4/26/2005

**Polidata/Data**

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**From:** "Tony Gill" <gillgop@hotmail.com>  
**To:** <laptop@polidata.us>  
**Sent:** Friday, April 22, 2005 12:45 AM  
**Subject:** [Spam] RE: state\_invalid\_ed19.pdf

Clark,

I know that lawyers are picky, so I just wanted to let you know that there is still an error. You need to subtract the one challenged felon from non-King County in the last row. It should read 236.

Tony

>From: "Polidata/Laptop" <laptop@polidata.us>  
>To: "ROSSI-Prof. Tony Gill" <gillgop@hotmail.com>  
>Subject: state\_invalid\_ed19.pdf  
>Date: Wed, 20 Apr 2005 09:40:27 -0400

>  
>i fixed the felon challenges i mentioned yesterday.

>-----  
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>Tel: 703-690-4066 | EFAX: 202-318-0793 | email: [data@polidata.org](mailto:data@polidata.org)

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> b.. Customize several office products with almost any political or census map.  
> c.. Visit the Polidata storefront at [www.cafepress.com/polidata](http://www.cafepress.com/polidata) for current products.  
> d.. Visit the Polidata ® Election Maps page at [www.polidata.org/maps](http://www.polidata.org/maps) for other maps or email us.

>  
>-----  
><< state\_invalid\_ed19.pdf >>

B/Gill 000202

4/26/2005

**Polidata/Data**

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**From:** "Tony Gill" <gillgop@hotmail.com>  
**To:** <data@polidata.org>; <mbraden@bakerlaw.com>  
**Sent:** Friday, April 22, 2005 3:05 AM  
**Attach:** Supplemental Rossi Report Professor Gill.pdf  
**Subject:** Supplemental Report from Professor Gill

Gentlemen,

Here is my supplemental report. Please proofread for any typographical errors.

Tony Gill

B/Gill 000203

4/26/2005

**Polidata/Data**

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**From:** "Tony Gill" <gillgop@hotmail.com>  
**To:** <data@polidata.org>  
**Sent:** Friday, April 22, 2005 3:08 AM  
**Attach:** Invoice 1 (April 28 2005).pdf  
**Subject:** Invoice

Clark,

Here is my very first invoice (other than stuff I've itemized for grants). I guess this is kind of like a businesses' first dollar that they staple to the wall. I used a Microsoft template that my wife provided for me. Let me know if there is anything else you need.

Also, I've been advised by someone who has done expert testimony in court to charge a higher rate for the actual testimony given the nature of the whole endeavor. Is this a typical practice?

Tony

B/Gill 000204

4/26/2005

**Polidata/Data**

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**From:** "Tony Gill" <gillgop@hotmail.com>  
**To:** <data@polidata.org>; <mbraden@bakerlaw.com>  
**Sent:** Friday, April 22, 2005 3:18 AM  
**Subject:** follow up

Gentlemen,

I will send Mark the datasets tomorrow. (Actually, it looks like it is today already -- i.e., Friday.)

Tony

B/Gill 000205

4/26/2005

**Polidata/Data**

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**From:** "Tony Gill" <gillgop@hotmail.com>  
**To:** <mbraden@bakerlaw.com>  
**Cc:** <data@polidata.org>; <harrykorrell@dwt.com>  
**Sent:** Saturday, April 23, 2005 5:35 PM  
**Attach:** waed09(1).XLS; king\_pr\_ex\_ed07a\_2x.DBF; WA04ED17.ZIP  
**Subject:** Data Files Used in Report (Gill)

Initial Report:

waed09.xls (statewide dataset for initial report)  
king\_pr\_ex\_ed07a\_2x.dbf (King County dataset for initial report)

Supplemental:

wa04ED17.zip (statewide dataset for supplemental report)

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4/26/2005

**Polidata/Data**

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**From:** "Tony Gill" <gillgop@hotmail.com>  
**To:** <data@polidata.org>; <mbraden@bakerlaw.com>  
**Sent:** Saturday, April 23, 2005 6:03 PM  
**Attach:** Supplemental Rossi Report Prof Gill.pdf  
**Subject:** Supplemental Report from Prof Gill

Here it is.

B/Gill 000207

4/29/2005

**Polidata/Data**

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**From:** "Tony Gill" <gillgop@hotmail.com>  
**To:** <data@polidata.org>  
**Sent:** Saturday, April 23, 2005 6:29 PM  
**Subject:** Re: Supplemental Report from Prof Gill

And I just left you a voicemail telling you that I'm going out to mow the grass. I don't know why that is relevant, but I said it anyways. Huh.

>From: "Polidata/Data" <data@polidata.org>  
>To: "Tony Gill" <gillgop@hotmail.com>  
>Subject: Re: Supplemental Report from Prof Gill  
>Date: Sat, 23 Apr 2005 18:20:49 -0400

>  
>Tony,  
>Thanks...got it and the datasets.  
>clark

>  
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>POLIDATA ® Political Data Analysis | [www.polidata.org](http://www.polidata.org)

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> d.. Visit the Polidata ® Election Maps page at [www.polidata.org/maps](http://www.polidata.org/maps) for other maps or email us.

B/Gill 000208

4/29/2005

**Polidata/Data**

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**From:** "Tony Gill" <gillgop@hotmail.com>  
**To:** <data@polidata.org>  
**Sent:** Saturday, April 16, 2005 11:58 PM  
**Subject:** Didn't call today

Clark,

I watched for the dataset to come through today, but didn't see it. I can only imagine how time consuming it is trying to match the felons in precincts. Also, my wife sidetracked me with lots of family errands and fun things to do, which I supposed I owed them since I was pretty scarce this week.

I might give you a call tomorrow after church.

Tony

B/Gill 000209

4/26/2005

**Polidata/Data**

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**From:** "Tony Gill" <gillgop@hotmail.com>  
**To:** <data@polidata.org>  
**Sent:** Monday, April 18, 2005 8:25 PM  
**Subject:** RE: new dataset notes

I'm set for Tuesday on this.

>From: "Polidata/Data" <data@polidata.org>  
 >To: "ROSSI-Prof. Tony Gill" <gillgop@hotmail.com>  
 >Subject: new dataset notes  
 >Date: Mon, 18 Apr 2005 15:16:17 -0400

>  
 >Tony, if you work on the new dataset tuesday that would be expeditious.

>  
 >  
 >Basically, it's the same format (with a few new fields) as the statewide file from before with the following differences:

>  
 >1) all invalids are put in by precinct for all counties (actually only 14 have any)

>  
 >2) i continue to clean up a few small precinct problems, which only affected a handful or two but now at least when you total up the votes for the O race you get Gregoire winning.

>There are still a few very small problems, mostly in counties that do not have any invalid votes.  
 >The two exceptions here are Pierce and Thurston.

>Pierce was a real problem to get together anyway due to their precinct and reporting structure. We are still over +6 Dem votes and +10 Republican votes, which i suspect were all in one of their small precincts (of over 700 records) but we haven't found it yet.)

>Thurston is a problem because (you'll like this one), they included the absentees (i believe they were federal absentees) of about 30 votes in the county total but for privacy reasons they would tell how these 30+ voted...at all. So, we could never have a correct sum of the precincts (250+ in all) and one volunteer spent hours on it. Nevertheless, Thurston is off by about 22 D and 11 R votes for every race.

>  
 >3) I have added the total votes cast for the Presidential race as well as the canvass governor's race. This is to better enable a calculation of the scattering (write-ins) and the under and over votes. Neither of these were ever entered outside of king county. The "uv" in the statewide dataset is a combination of these three. However, since the turnout number was slightly off in some counties, even this estimation presents some problems. However, aside from Kittitas, Pacific and Whitman, none of which have any invalids, there isn't too much of a problem. Nevertheless, having the total for the Presidential race might be a useful comparison for turnout. Note, however, that this inconsistency means the totals for all candidates (dem-rep-lbt + sct-under-over) may be slightly off.

>  
 >4) a few other problems are known to exist in this dataset, neither of which would affect your current analysis but i state them for the record: Pacific stills needs some review for some matching problems. Whitman has matching problems that are not solveable due to the way in which they reported the data.  
 >Franklin has some problems with turnout but we are trying to get that cleaned up before i send you the dataset.

>  
 >sorry to be so long-winded...

>i'll get it out to you as soon as the franklin problem is fixed or it is determined to be unfixable for the

B/Gill 000210

4/26/2005

moment. (no invalids in franklin)

>

>clark

>

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**Polidata/Data**

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**From:** "Tony Gill" <gillgop@hotmail.com>  
**To:** <data@polidata.org>  
**Sent:** Tuesday, April 19, 2005 2:41 PM  
**Subject:** RE: invalid vote summary

Clark,

Please clarify on this. The previous summary of invalid votes (April 4, 2005) had 7 challenged felons. Below you have 3 felon challenges. Did some get moved from challenged to unchallenged?

Tony

>From: "Polidata/Data" <data@polidata.org>  
>To: "ROSSI-Prof. Tony Gill" <gillgop@hotmail.com>  
>Subject: invalid vote summary  
>Date: Tue, 19 Apr 2005 13:36:51 -0400

>  
>i may have sent this yesterday but here it is again.

>  
>the fields in the dataset are:  
>invtot is the 1120 invalids (including felons)  
>invchall is the 16 challenges (non felons)  
>invnew is the 1120 invalids -16 non felon challenges and - 3 felon challenges.

>  
>You should call Mark about your deposition schedule.  
>I think he may be out of the office the rest of today though.  
>I'm leaving in a few minutes myself.

>  
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>Clark Bensen | POLIDATA | 3112 Cave Court | Lake Ridge, VA 22192  
>Tel: 703-690-4066 | EFAX: 202-318-0793 | email: data@polidata.org

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B/Gill 000212

**Polidata/Data**

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**From:** "Tony Gill" <gillgop@hotmail.com>  
**To:** <data@polidata.org>; <mbraden@bakerlaw.com>  
**Sent:** Wednesday, April 20, 2005 1:52 AM  
**Subject:** Report on New Dataset

Gentlemen,

I've run all the stats, checked the numbers and prepared the charts based on the new dataset that Clark gave me. I plan to write the report tomorrow afternoon/evening. I'm under an obligation to prepare lecture now. The new report will discuss that I received a new dataset, show the new calculations and reference all the procedures in the first report. In essence, it should be a shorter report and quicker to write as I'm not re-inventing the wheel so to speak.

Also, I plan to call the report something to the effect of "Addendum to Report Regarding Invalid..." Is saying "addendum" okay with the lawyer types, or is there some other naming protocol? I want to do things by the book and avoid any confusion.

As I sent Mark an email earlier, Saturday April 30th after 11 a.m. would be ideal for a deposition.

Finally, I received a call from a Seattle P-I reporter today. It surprised me a bit as I thought he was going to ask about the pope. (I've had several reporters contact me in the past week or so about pope stuff.) He told me that he obtained my report from a government website, so I assume it is posted somewhere. I guess that shouldn't surprise me. He asked me one simple question -- why weren't deceased and other (non-felo) ballots not calculated in the statewide dataset. I told him that they weren't in the dataset that I received. That's all.

In general, I do not like talking to the media, so I plan not to talk to them.

Tony

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4/26/2005