

Black Box Voting

How Blackwell and Petro saved Bush's Brain And the rise of the right-wing juggernaut in Ohio

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Online Journal Guest Writer

April 29, 2005 (freepress.org)—The hotly disputed results of the 2004 presidential election have become entangled in a fundamentalist crusade over who will control Ohio.

Extremist right-wing screechers, such as Pastor Rod Parsley of the World Harvest Church, Ann Coulter, Alan Keyes, Ohio gubernatorial candidate J. Kenneth Blackwell and followers of Jerry Falwell, have taken center pulpit in an escalated war over what really happened when George W. Bush was allegedly re-elected in November, 2004, and who will occupy the Buckeye Statehouse in 2006.

The bitterly contested 2004 election results in Ohio have taken a religious twist. As Pastor Parsley backed by his suburban Columbus mega-church, is now in the middle of a *Silent No More* book tour aimed in part at destroying the remnants of America's independent judiciary, but primarily aimed at electing Blackwell governor.

Hate-based anti-liberal activists Coulter and Keyes joined Parsley on April 16 to help launch the tour. Ohio's Secretary of State Blackwell, infamous for dubiously delivering Ohio and thus the presidency to George Bush in November 2004, is also part of the crusade. In his book dedication Parsley cites Blackwell for his "courageous and outspoken support of moral values and for your invaluable involvement during the *Silent No More* tour. Character like yours is instrumental in restoring honor to public service."

That "public service" recently came under new scrutiny when William Anthony, the Democratic Chair of the Franklin County Board of Elections, revealed that on November 2, a number of voting machines were transferred from inner city precincts to Parsley's suburban church. Thousands of African-Americans were deprived of their vote due to the fact that their precincts lacked sufficient balloting hardware. But voters at Parsley's extreme right-wing precinct had no such waits.

In nearby Gahanna, at a precinct housed in the New Life Church, the Republicans also got a faith-based boost. New Life's founder and senior pastor is Dave Earley, a graduate of Jerry Falwell's Liberty University. New Life's pastor of student ministry, Ron Vining, is also a Falwell product. The two of them helped lead a 30-day Pray Down for Bush victory leading up to the election. A key part of George W. Bush and Karl Rove's campaign strategy was Issue One, an anti-gay and domestic partnership amendment spearheaded by Blackwell and Parsley.

In keeping with Blackwell's faith-based tally of the Ohio vote, the New Hope precinct broke new ground. In the now infamous "loaves and fishes" parable precinct Gahanna 1B, after 638 citizens cast ballots there, the precinct's divinely inspired voting machines registered 4,258 votes for George W. Bush.

That absurd count was later adjusted, but not before Kerry conceded. Blackwell now has the inside track to the 2006 Republican nomination for governor. Emboldened by Bush's controversial win, and by the passage of Issue One, which bans gay marriage and spousal benefits for unmarried partners of all preferences, the extremist hate-based fundamentalists may have pushed Blackwell past two more moderate candidates in the gubernatorial race.

Attorney General Jim Petro, long known as Ohio's Republican "enforcer," and former Attorney General and current State Auditor Betty Montgomery are rightist conservatives. But they come up short on the anti-gay, anti-abortion litmus tests being applied by the likes of Blackwell and Parsley. The Columbus Dispatch reported that Blackwell supporters were referring to Petro as "pro-homo" and Montgomery as "pro-choice." Mainstream Republican leaders now fear their party—and the state—are about to be hijacked by the Parsley/Blackwell fundamental machine unleashed by Bush and Rove.

That move comes amidst lingering questions about the Bush family's ties to the voting machine industry. In 2003, a court case revealed that the VoteHere voting machine company included on its board of directors former CIA Director Robert Gates, a close Bush family confidante. Connections between the Bush family and ownership of voting machines have also raised questions about how future American elections will be decided.

Admiral Bill Owens is chair of VoteHere. Owens served as senior military assistant to Secretaries of Defense Frank Carlucci and Dick Cheney. Carlucci now heads the notorious Carlyle Group, whose associates include Cheney, George H.W. Bush and former Secretary of State James Baker, who iced George W. Bush's victory in Florida 2000.

Georgia has approved the purchase of VoteHere machines. The military considered them for overseas voting, and the company has planned to make components for other voting machine companies.

Blackwell recently announced that the partisan Republican firm Diebold, run by one of Bush's major donors, CEO Wally O'Dell, will get an unbid contract for all of Ohio's voting machines.

Meanwhile, a bi-partisan Ohio coalition is pushing for a statewide vote on three constitutional amendments to guarantee that the kinds of irregularities, fraud and theft that defined Ohio 2004 can never happen again, and that the next Buckeye State election and vote count might actually be fair and honest. Led by former Republican Ohio Supreme Court Justice Andy Douglas, former chairman of the Ohio Democratic Party Paul Tipps, Ohio State political science Professor Emeritus Herb Asher and the Ohio Civil Service Employees Association President Ron Alexander, the campaign is hoping to put three constitutional amendments on the November 2006 ballot.

One amendment would remove the Secretary of State from any role in administering statewide elections. This would outlaw the kind of conflict of interest that tainted Ohio in 2004, when Blackwell worked as co-chair of the Bush-Cheney campaign while controlling the state's vote count, a dual role many believe he used to wrongly hand Ohio—and the presidency—to George W. Bush.

A second amendment would create a new five-member redistricting commission. Two members from each major party and one independent would take responsibility for drawing up the congressional districts now being controlled by partisan legislatures.

A third amendment would restrict a new Ohio law allowing corporations to give up to \$10,000 directly to political candidates. The law was rammed through by Ohio Republicans in an attempt to give wealthy donors a dominant position over labor unions and grassroots groups in future political campaigns.

This attempt by many of Ohio's respected political elders to restore balance, dignity and reliability to the state's elections may be the opening salvo of widespread revulsion against Ohio's evangelical right-wing corruption and abuse that gave the 2004 election to George W. Bush.

The Mainstream Press Is Silent No More

Still, the battle over the bizarre 2004 election results in Ohio continues to rage. Karl Rove and George W. Bush, with the acquiescence of some Democratic Party leaders, are orchestrating a cover-up as, simultaneously, shocking new evidence is emerging and a few mainstream media sources are beginning to report the story of a possible election theft.

A headline in the Akron Beacon Journal, for instance, screams: "Analysis Points to Election 'Corruption': Group Says Chance of Exit Polls Being So Wrong in '04 Vote is One-in-959,000." This report, signed by 12 statistical scholars and social scientists, should have sparked more interest in a nation purporting to be "the world's greatest democracy."

The Irish Times noted that, "The Internet is still flickering with allegations of a conspiracy to steal the election, fueled by the discrepancies between exit polls that predicted Kerry would win by a margin of 3 percent and the official results which saw Bush win by a margin of 2.5 percent."

Investigative reporter Christopher Hitchens' article "Ohio's Odd Numbers" in Vanity Fair stated, "Given what happened in that key state on Election Day 2004, both democracy and common sense cry out for a court-ordered inspection of its new voting machines."

Prior to the election, Paul Krugman, warned in a New York Times article: "It's election night, and early returns suggest trouble for the incumbent. Then, mysteriously, the vote count stops and observers from the challenger's campaign see employees of a voting-machine company, one wearing a badge that identifies him as a county official, typing instructions at computers with access to the vote-tabulating software.

When the count resumes, the incumbent pulls ahead. The challenger demands an investigation. But there are no ballots to recount, and election officials allied with the incumbent refuse to release data that could shed light on whether there was tampering with the electronic records.

This isn't a paranoid fantasy. It's a true account of a recent election in Riverside County, California . . . "

The Seattle Post-Intelligencer reported that presidential candidate John Kerry's wife, Teresa Heinz Kerry, told a Seattle luncheon group that it is "very easy to hack into the mother machines," in reference to the commonly used central computer tabulators that count the votes on Election Day.

Robert Koehler of Tribune Media Services published perhaps the best piece entitled "The Silent Scream of Numbers: The 2004 election was stolen, will someone please tell the media?"

President Jimmy Carter actually mentioned the "f" word—fraud—recently in the Washington Post in reference to reforming the U.S. election system.

And even John Kerry finally acknowledged the obvious when he returned to the site of his concession speech in Boston and told the League of Women Voters, "Last year too many people were denied the right to vote; too many who tried to vote were intimidated."

Walled Off in Warren County

The Free Press is printing for the first time a hand-drawn map from an employee of the Warren County government. The employee, who wishes to remain anonymous for fear of retaliation, communicated to the Free Press thoughts on what happened on Election Day in the county that received national attention by declaring a "homeland security alert" while the votes were being counted.

With the media and independent election observers "walled off," as the Cincinnati Enquirer described, the employee claims that "some ballot boxes were taken to the holding area" where they were not monitored by election officials. The Warren County employee referred to the person supervising the unauthorized warehouse as a "Republican Party hack."

The employee is concerned that it would have been easy to "stuff" the ballot boxes or that "signatures could have been forged in the unauthorized holding area."

The anonymous employee told the Free Press that testimony would be provided if subpoenaed. A list of questions that remain unanswered in Warren County was also supplied: Which precinct ballot boxes were taken to the unauthorized holding area? Were officials from the Board of Elections present in the holding area? When were the ballots taken from the holding area to the check-in tent that was erected temporarily to count ballots? If Warren County was under a state of emergency, then why weren't any metal detectors engaged? The FBI has denied that there was any homeland security threat on Election Day.

At a November 18 Cincinnati public hearing investigating Ohio election irregularities, Liz Kent, a Democratic challenger from Warren County, testified under oath: "Warren County is the county that at the last minute, they barred the media from watching the vote counting on election night, claiming there was a level 10 homeland security threat. . . . The place I was a challenger in was a precinct that was in an elementary school that was within 300 yards of the Board of Elections. There was another elementary school directly behind that which was even closer to the Board of Elections, and we had two precincts voting in these.

". . . My biggest complaint is the fact that no politicians from Warren County ever told any of the citizens that there was a homeland security threat, that we were of increased levels. They never used the color system, whatsoever. I talked to a representative at the Board of Education and they were never told of an increased threat level to the citizens or could be to the students within 300 yards of the Board of Elections."

Add to this, the under oath testimony from Columbus, Cleveland, Cincinnati, Toledo and the Youngstown area regarding the long lines in poor and minority areas on Election Day, the Mighty Texas Strike Force allegedly threatening and intimidating would-be voters in addition to a reported 10,000 Republican lawyers and poll challengers, what emerges is chaotic disruption favoring Bush and Cheney.

The Rise of Rove

Such chaos has been a long-standing trademark of Karl Rove, Bush's key campaign strategist. As James Moore and Wayne Slater write in *Bush's Brain: How Karl Rove Made George W. Bush Presidential*, "Rove and [Lee] Atwater's plan, supported by a faction within the College Republicans sometimes called the Chicago Boys, took as a point of pride its influence on the gears and levers of the organization."

"Atwater and the Chicago Boys decided the best way to win an election was to make sure the votes that counted were their votes. There was suddenly a flurry of challenges at the credentials committee, which went into the night," write Moore and Slater.

The eerie similarities between Warren County and Rove's ascendancy as head of the College Republicans are further mirrored in a quote by his opponent Robert Edgeworth, "The credentials committee savagely went through and threw out, often on the flimsiest of reasons, most of my supporters."

Prior to becoming executive director of the College Republican National Committee, Karl Rove, according to the Washington Post, had been under investigation by George Herbert Walker Bush for allegedly teaching "political espionage" and "dirty tricks" during weekend seminars for College Republicans during 1971 and 1972.

Bush the Elder was then serving as chair of the Republican National Committee before going on to represent U.S. interests in China and to direct the CIA. Some suggest the Rove investigation may have been more in the order of verifying a promising resume.

Kevin Phillips, author of *American Dynasty: Aristocracy, Fortune And The Politics Of Deceit In The House Of Bush*, offers that dirty tricks and espionage are merely a standard part of Bush family electioneering "with a four-generation relationship to the intelligence community and a three-generation tie to the CIA"

"The late Lee Atwater, chief political advisor to the elder Bush, and Karl Rove, strategist for the younger Bush, friends and collaborators, were both devotees of Machiavelli and *The Prince*, hardly a coincidence," Phillips writes.

Phillips, a key Republican strategist and architect of Richard Nixon's southern realignment strategy, notes, "The Bushes appear to be a family that approaches a presidential election as something to be won with a CIA manual, not earned with commitment to Lincolnian precepts or popular sovereignty."

Whitewash with a Black Face

The current Bush-orchestrated cover-up of Ohio's presidential election fiasco is fashioned much like a CIA covert operation. Initially, Bush partisans and media allies denounce as "conspiracy theorists" anyone who mentioned the irregularities, probable exit poll results and precinct data suggesting election fraud in Warren, Clarmont, and Butler counties.

The emergence of phony non-partisan voting rights organizations mark the second phase of re-writing Ohio's 2004 election history. On the afternoon of Friday, March 18, Ohio Republican Congressman Bob Ney, Chairman of the U.S. House Administrative Committee, issued a press release announcing a hastily called hearing investigating Ohio presidential election irregularities.

Little noticed at the time, except for Brad Friedman at [bradblog](#), was the appearance of the self-proclaimed voting rights advocate Mark F. (Thor) Hearn, II. Speaking on the last panel, Hearn claimed to represent the "non-partisan watchdog" group, the American Center for Voting Rights (ACVR). The name sounded similar to actual voting rights organizations like the National Voting Rights Institute. Appearing with Hearn were two Ohio State University Moritz College of Law professors, Ned Foley, a former Republican-appointed state solicitor general, and Dan Tokaji.

On Monday, March 21, with no opportunity for citizen testimony or any well-known voting rights organizations to participate, the hearing proceeded at the Ohio Statehouse with Hearn playing the role of protector of democracy.

What Hearn failed to tell the congressional committee was that his organization, the ACVR, was newly formed and that he was national election counsel to Bush-Cheney '04. Also, Hearn's nonprofit center's publicist, Jim Dyke, is a former communications director for the Republican National Committee.

Hearn told the committee that ACVR was a "voting rights legal defense and education center committed to defending the rights of voters and working to increase public confidence in the fairness of the outcome of elections." He then immediately identified "massive registration fraud" as Ohio's key problem.

The former Reagan administration official proceeded to resurrect an old Gipper trick of putting a black face on Ohio's election disaster. Using an isolated incident, Thor thundered, ". . . while at the NAACP operative Georgiana Pitts' home, a 'nicely dressed' man with a briefcase came to the house to pick-up the voter forms. During the transaction Chad was asked to step into the other room while Pitts gave the nicely dressed man the voter registration forms. Ms. Pitts, who paid Chad the crack cocaine for the fraudulent voter registrations has since turned up dead from a drug overdose."

Machiavellian aficionados know that political perception creates reality. Just like the Gipper's infamous quote about a "welfare queen" spitting out babies while on the dole, Hearn's intent was to plant the image of the nation's oldest civil rights group bribing blacks with cocaine to destroy American democracy.

Hearn and Rove know that one racist image trumps 100,000 blacks waiting in the rain in three to seven-hour long lines in Ohio's urban cities. The Washington Post estimated between 15-20,000 people left the lines in Columbus alone, after waiting for hours. The conservative Columbus Dispatch editorial board immediately dismissed Hearn's claim as not the real problem.

Foley, Tokaji and Hearn were all recently named academic advisors to the Commission on Federal Election Reform, now known as the Carter-Baker Commission.

How Hearn, who does not list a single academic appointment on his posted resume, and his last degree was a J.D. in 1986, qualifies as an academic, remains a mystery, as does the source of the Moritz College Election Law Project funding. On the Moritz website, there is Hearn's testimony alongside that of Professors Foley and Tokaji.

Although privately admitting that he has no expertise in exit polling, Tokaji has continued to comment on the irrelevancy of the exit poll discrepancy.

On Friday, April 15, Cliff Arnebeck, one of the Moss v. Bush attorneys who challenged Ohio's presidential results, was disinvited from an Ohio Citizen Action forum at the Moritz College of Law, sponsored by the Election Law Project.

Had Hearn been a real non-partisan voting rights advocate, he would have been familiar with the work of Mike Swinford, who works with Ohio's Citizens Alliance for Secure Elections (CASE-OH).

In Knox County, where Kenyon College students finished voting at 4 a.m. only after a court order forced the polling site to remain open, it was not blacks who were engaged in fraudulent voting in the overwhelmingly white county. Swinford found that at the nearby conservative evangelical Mount Vernon Nazarene College, five miles from Kenyon, 186 registered voters used the business address of 800 Martinsburg for their voter registration.

Swinford issued a report noting that: "In Nov 2004, 46 of the 186, voted [having] . . . no second/ mailing address. . . . Using the business address instead of a resident address violates fed and state law." The names of all 46 voters documented in the Knox County Board of Elections records were forwarded to the Free Press.

Blackwell, like Hearn, told Rep. Ney's committee that his key objective was to prevent "fraud." Yet, as the co-chair of the Bush-Cheney campaign, the Ohio Secretary of State has displayed little interest in fraud at right-wing Republican Christian campuses.

Eyewitness Claims Blackwell Busy on Election Day Delivering the Vote to Bush

A Free Press reporter was present when Professor Robert Destro, Dean of Columbus School of Law at Catholic University of America, detailed Blackwell's Election Day activities at a Lenten presentation. Destro, who claimed to be in the secretary of state's office election night, described Blackwell as "panicky." He told the audience that Blackwell believed early in the evening that Bush was losing Ohio. Figuring Bush had lost the city of Cleveland, Blackwell "began to plot out with colored magic markers possible voter turnout in suburban counties."

Destro relayed the story as a supporter of Blackwell, yet never questioned why Ohio's top election officer would be focusing his energies on Election Day towards getting President Bush elected, while chaos reigned throughout Ohio's inner city polling places.

In March 2004, Blackwell had issued a release celebrating the fact that the secretary of state's office for the first time had the capacity for instant data exchange with the county boards of elections.

Unlike the exit pollers who predicted Kerry's victory, Destro attributed Bush's statistically improbable and unprecedented win to the morality issues in suburban Ohio.

Destro is a board member of the Marriage Law Foundation, set up to provide legal support and resources against any lawsuits challenging state bans on gay marriage. Blackwell, as the co-chair of Issue One, which was for constitutionally banning all forms of domestic partnership in the state, was also busy on Election Day sending phone messages around Ohio, according to the Associated Press.

Enter Petro—the Enforcer

Ohio Attorney General Jim Petro, long known as the Republican Party's enforcer, jumped into the election fray by seeking to sanction the Moss v. Bush public interest attorneys.

Petro, first as state auditor and now as attorney general, is running in the gubernatorial race. In violation of lawyerly protocol, Petro released the announcement concerning his motion for sanctions against the Moss v. Bush attorneys to the media before he notified the attorneys.

Petro told the media that the Moss v. Bush attorneys needed to be “punished” and the attorney general needed some ink in his battle for governor with the legendary Kenneth “Inkwell.” Petro's motion to sanction the attorneys appears not to be motivated by any significant cost incurred to the state of Ohio. Costs were minimal as Chief Justices Moyer and Maureen O'Connor moved slowly on the matter making the case moot after Bush's inauguration.

A public records request yielded the following information from Petro's office: Arthur J. Marziale, Jr., assistant attorney general, spent 15.25 hours working on the Bill Moss v. George W. Bush election challenge, but spent more time, 20.25 hours, attempting to sanction the public interest attorneys who filed the case. In the companion case, Bill Moss v. Thomas J. Moyer, Marziale spent 0 hours working on the case since Justice O'Connor blocked discovery. Marziale spent all his time, 7.5 hours, on the motion for sanctions. Also, Richard Coglianesse spent one hour reviewing “Moyer's sanction motion.”

Blackwell now looms as an obstacle to the Petro family's meteoric rise from Brooklyn, Ohio. Jim Petro's older brother, J. William Petro, served as co-chair of the 1980 Reagan-Bush campaign in Ohio. He was rewarded with an appointment as U.S. District Attorney for the Northern District of Ohio in 1982, but was fired after charges that he leaked confidential information to reputed organized crime associates. He was found guilty of criminal contempt of court in 1985, but the former state horse racing commissioner is remembered every year at the running of the J. William “Bill” Petro Memorial for three-year-old fillies at Thistledown track.

Early in April, Erie County Prosecutor Kevin J. Baxter announced an investigation into whether the Cuyahoga County Board of Elections broke the law during its recount of ballots in the November presidential election. As the evidence mounts of another stolen election and the mainstream media slowly begin to unravel the story, there's a chance of further, more in-depth criminal investigations.

Blackwell and his theocratic juggernaut may yet be derailed. Employees and former employees from the secretary of state's office continue to claim that Blackwell repeatedly violated Help America Vote Act (HAVA) laws. Perhaps Blackwell will be forced to remain silent as he invokes the Fifth Amendment.

Bob Fittrakis was one of the four attorneys in the Moss v. Bush case.