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August 20, 2009

Mr. Sam Reed
Secretary of State
PO Box 40229
Olympia, WA 98504-0229

Re: R-71 Checking processes

Dear Mr. Secretary:

It is enough that the people know there was an election. The people who cast the votes decide nothing. The people who count the votes decide everything. – Josef Stalin

This is to lodge a second protest concerning the latest round of misconduct from your office in the signature checking process on the R-71 petitions. Apparently, your office has initiated a “policy change” in how signatures will be validated, that has moved the invalidation rate up from a rate that was certain to allow the referendum to be considered by the voters, to a failure rate. In addition, the training of new personnel to validate signatures reflects a “policy change” that requires them to quickly verify or invalidate, rather than to correctly verify or validate. Policy changes by your office at this date constitute rule-making. Rule making at this stage of the count is a breach of the Administrative Procedure Act, RCW 34.05 et seq., and such new “policies” are invalid without proper notice and hearing.

Further, it appears as though the new policies enacted by your office midstream are designed to comport with the underlying political agenda of the staff within your office. To claim that they demonstrate political bias in the execution of their job is an understatement. There have been numerous examples of personnel in your office treating the observers from the R-71 campaign with disdain and condescension while affording observers from the opponents access to SOS personal offices. The new policy change is not only arbitrary and capricious, it is also fundamentally biased, and appears to be yet another attempt to destroy the voting rights of certain citizens of Washington. In addition, it appears your counters are discriminatorily disallowing a statistically abnormal number of signatures from new voters of Russian ethnicity.

Let's consider what left wing bloggers have analyzed so far:

horsesass.org

(politics as ^{un}usual)

<http://horsesass.org/?p=19270>

[Shifting fortunes for R-71?](#)

by [Darryl](#), 08/19/2009, 10:43 PM

Yesterday I took a break from my all-too-frequent analyses of the R-71 signature counts. I didn't even look at the numbers until this morning. When I did look, a Spock-esque twitch afflicted my left eyebrow. "Curious", I thought. "But maybe it's just a one-time fluke...."

The analysis of yesterday's data showed the probability of NOT making the ballot increased from a *nearly impossible 0.04% to an almost-interesting 0.91%*. In fact, this slow increase in the probability of not qualifying has continued a trend begun after 13 August. [Bold and italic emphasis added.]

Well, if you like that result, hold onto your sou'wester, because today's result will blow you away. I'll present the results in three parts. First, the basic results for today, then we'll explore the trends in the daily data dumps. Finally (and below the fold) we'll look at the micro-level volume data to divine what this trend suggests.

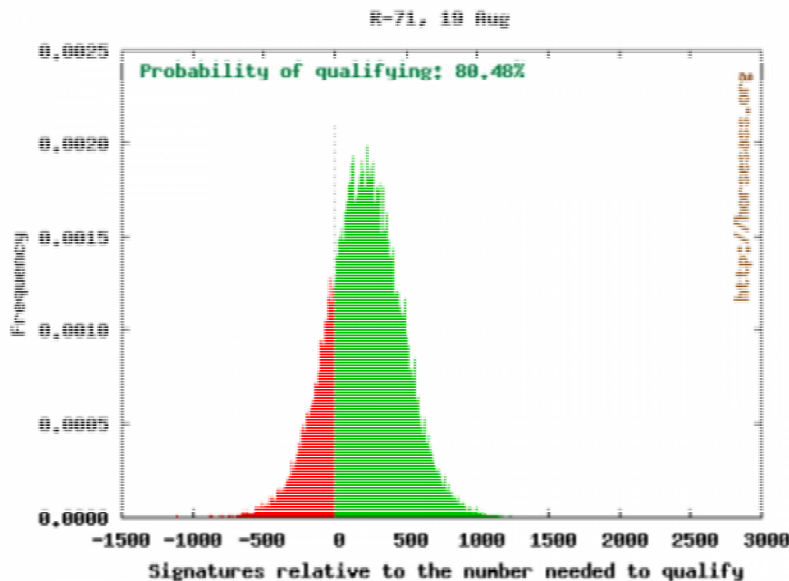
Today's [R-71 data release](#) has the signature count up to 79,195, (about 57.5% of the total). There have been 9,208 invalid signatures found, for a cumulative crude (non-duplicate-corrected) rejection rate of 11.63%.

The invalid signatures include 7,805 that were not found in the voting rolls, 703 duplicate signatures, and 700 signatures that mismatched the signature on file. There are also 38 signatures "pending"; I've ignored them in the analyses. The 703 duplicate signatures suggest a final duplication rate of about 1.90% for the petition. This continues the trend we've seen this week of the projected duplicate rate growing faster than the mathematical predictions under the assumption of random sampling.

Using the [V₂ estimator](#), the number of valid signatures is now expected to be 120,777 leaving a thin surplus of only 200 signatures over the 120,577 needed to qualify for the ballot. From the cumulative data to date, the overall rejection rate is projected to be 12.28%.

A Monte Carlo analyses consisting of 100,000 simulated petition samples suggests that the measure has an 80.48% probability of qualifying for the ballot, assuming the only "error" is statistical sampling error.

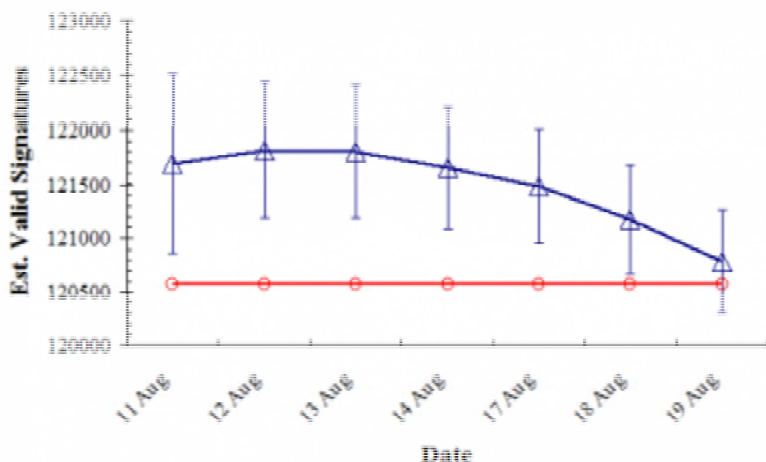
Here is the distribution of valid signatures relative to the number required to qualify.



The red bars on the left show the times R-71 failed to qualify among the 100,000 simulations; green bars show the

counts of signatures in which the measure qualified. Compare this to the results from [just two days ago](#). Quite a difference!

Let's examine the history since the SoS office started releasing accurate data a week and a half ago:



The red line shows the number of signatures needed to qualify, and the blue symbols show the daily projections of valid signatures, surrounded by 95% confidence intervals.

Clearly, since the 13th of August, the projected number of signatures has declined—and, as of today, declined more than we could expect by chance alone. Something is going on.

Tomorrow will be interesting...if the trend continues, success of the measure may dip below a probability of 50%.

The analyses I've done here are based on two assumptions: (1) that the signatures evaluated so far are just like signatures that remain to be evaluated, and (2) that the signature validation process is "stable" (the people validating signatures are not changing their standards over time).

Today we see some pretty good evidence that one (or both) of these assumptions is (are) violated.

The supporters of R-71 will, no doubt, focus on the second assumption. If the measure fails, Secretary of State Sam Reed will likely take much abuse from fringe homophobes for "personally pushing a homosexual agenda." To me, the simplest explanation is that the volumes being examined in serial order are chronologically correlated with the signature collection order. (I don't know if this is true; but, I cannot rule it out either.)

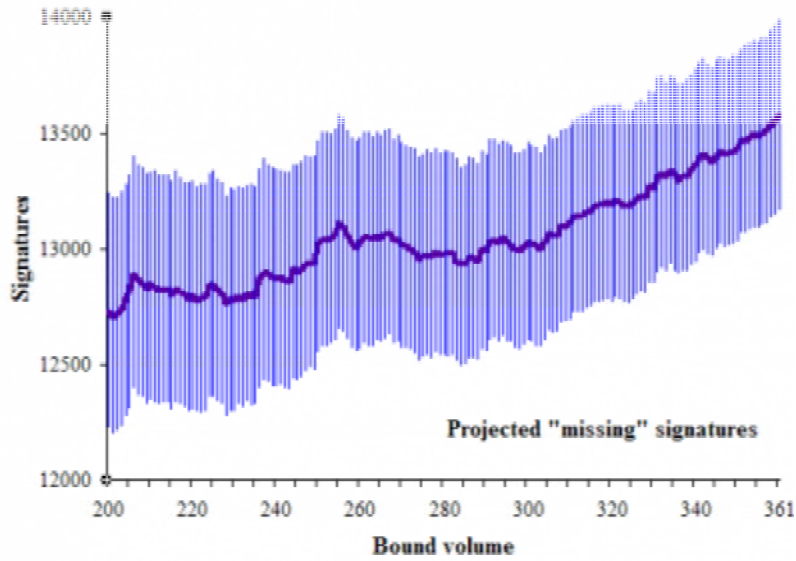
My thinking is that later-collected signatures (and therefore, later volumes) should have a higher duplication rate, just because there is an increasing chance with time early signers forgot whether or not they signed earlier.

Additionally, with the last push of getting as many signatures as possible with an approaching deadline, it seems plausible that errors would increase. I'm thinking errors like collecting more out-of-state signatures, underage signatures, and signatures from people not active on the voter rolls.

Below the fold, I examine the fine-level data to see just what types of errors are increasing as the process proceeds.

If you are still interested, click through...

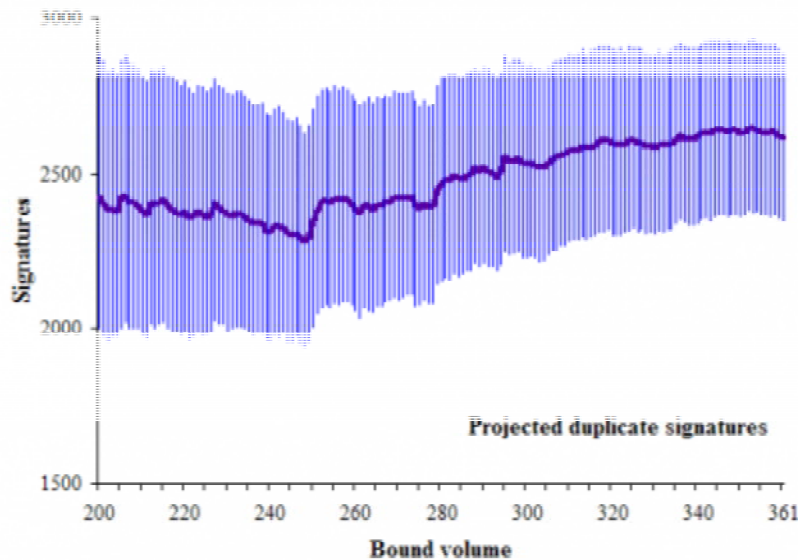
Let's first look at the trend in the projected number of signatures not found on the voter rolls (i.e. "missing" signatures). In these graphs, I look at volumes 201 through 361, and show the media and 95% confidence interval based on 10,000 Monte Carlo simulations. Volume 200 was completed in on the afternoon of 12th of August, and volume 361 was completed Wednesday afternoon:



Clearly there is a trend toward finding more missing signatures as the process continues. This could, conceivably, reflect reduced effort by signature checkers to find the signers in voter rolls. Alternatively, this might simply reflect the increasing sloppiness of signature collection over time.

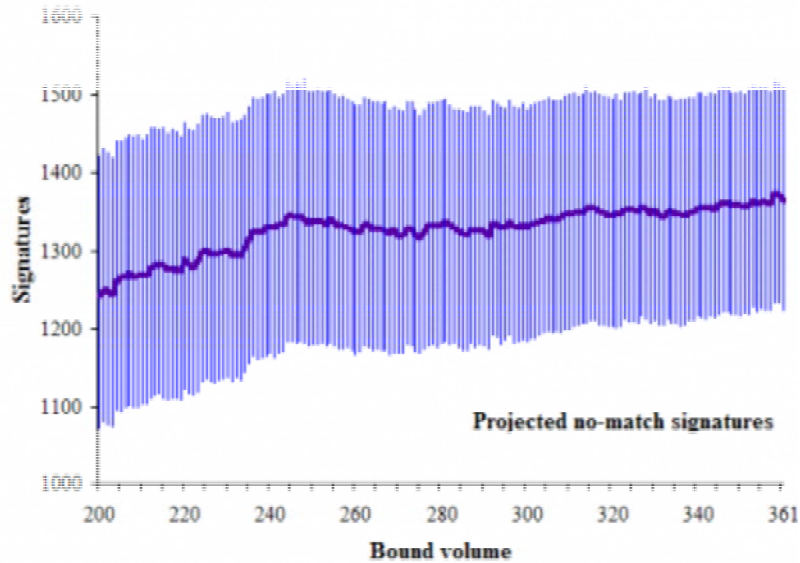
Either way, the trend shows no signs of slowing down.

Here are the projected final number of duplicate signatures:

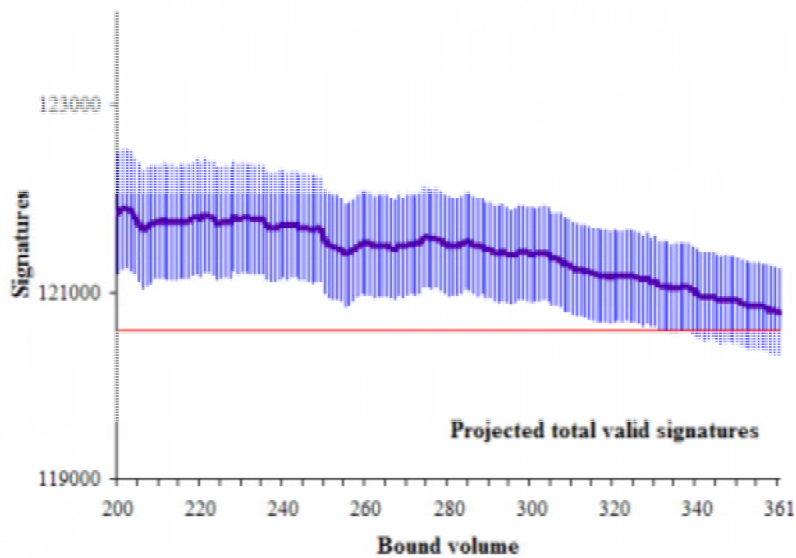


We see a positive trend from volume 245, but the trend stops increasing and shows signs of reversing itself at the end. It is difficult to know what to make of this trend.

Here are the projected number of mismatched signatures:



There is a whisper of a trend in mismatched signatures. But really, there is not much there. Here is the projected total number of signatures over time:



This is a fine-scale version of the second figure in this post. It strongly suggests a linear declining trend since about volume 300 (and a more slowly declining trend before volume 300).

As I said, tomorrow’s data release will be very interesting. From today’s perspective, the results should be considered encouraging for supporters of the “all but marriage” law, because of trends that defy the underlying assumption of random sampling.

Now, let us consider what the R-71 observers have seen in your office:

From A.S.

On 8/18/2009 I have volunteered to work as an observer for the R-71 signature verification. I immigrated to the US from Ukraine in 1998 being 20 years old at the time, so I am fully aware of the culture and how

names in Russian are spelled out and translated into English.

As I was watching one of the workers on the 3rd final check, I took notes for any mistakes in the process. I have noticed at least three cases when names of the people of Russian/Ukrainian (Slavic) origin were wrongly rejected. On one instance, the first letter of the last name was incorrectly read resulting in no database findings; I could see it from the Russian signature that the first letter was misunderstood. On the second instance, the Russian signature was only a half comparing to that of the database with the identical handwriting, the address was different though and as a result, another name got rejected. On the third instance, the name was found in the database, but the hand writing was different. Now, we have to remember that Slavic people who got used to write their signature in Russian a certain way for many years, may change their handwriting in English because not all of them really know English, so, being afraid to make a mistake, they spell out every letter resulting in a handwriting difference. Another point I want to make is that signatures in Russian don't have to include both first name and the last, it could be the first letter of the first name together with the full or partial last name, or simply the full or partial last name alone. And the last thing I want to say that, unlike American names which could be more than a few of the same in the database, when you come upon a Russian name, it is very likely that that is the very person who wrote it down, and there is no other with the same first and last names in the state of Washington. So even if the handwriting doesn't completely match, it would still be that same person.

Here is first-hand, eye-witness testimony of the system of checking being changed sufficient to create a statistical abnormality:

I have seen first hand how thorough investigating finds many valid signatures that are being ignored because of the rushing. Most of the checkers are college kids; I have seen the same kids spend 2 minutes investigating a signature, finding and validating it; and after they come back from a break complete with a supervisor pep talk, they resume their job spending less than 30 seconds - and rejecting the signatures. It is very frustrating. If the kids are encouraged to take their time and investigate, they find 90% of the signatures to be valid. **When they are encouraged to rush because of a deadline, they only do a cursory look and then reject them.** The bias is palpable in the room. They are now spacing the master checkers further away from each other so that we cannot watch them.

In addition, apparently master checker Nick Pharris, the son of the attorney representing the Secretary of State and the Public Disclosure Commission in the federal case Doe v. Reed, the brother of SOS executive secretary Ingrid Pharris, and the brother of Master Checker Mark Pharris, is allowing observers from the opponents of R-71 access to his personal office.

Here is eye-witness testimony:

P.V.

What is extremely TROUBLING is seeing the observer's walk into Nick Pharris's office as if they KNOW him - who is a Master Checker and full-time staff. There is something grossly wrong with this picture that something needs to be done about this. Can you look up Andrew Kamins? He has been here from the first week....as one of the lead supervisors/trainers of their side. Sue says he is an attorney.

In my opinion, HE should be pulled of the floor and investigated for this, don't you think? Granted, we had an attorney Nicoli on the floor yesterday...but he and our volunteers have NEVER gone into Nick's office....as if we know him...familiar with his office...showing our volunteers this....

Here is further evidence that your office issued a policy change which is now invalidating

signatures to create a significant statistical anomaly and to otherwise predestine this particular referendum to failure by means of bureaucratic manipulation. Consider this eye-witness account:

Dave Motz is doing the checks tonight and when asked about these "canceled" (per me) Dave stated that he was told (by Shane) he could not ACCEPT them because the POLICY (per Shane) says he can't. (NOTE: There are MANY tonight that should have been altered to accepted ...but were NOT because they were "canceled" due to their voter registration was "CANCELED.")

There were SEVERAL in just MINUTES in ONE VOLUME that were located and the address, name, and signature appeared to be correct...but the name was "canceled."

Therefore, their signature was NOT COUNTED.

This clearly begs the question of serious flaws in today's new "POLICY" handed out and explained by Shane, Katie Blinn, and Dave Motz this morning at their 11AM meeting with both PR, myself, MS and M. before this new "search" began...

Thus far as of today and tonight's check by Dave Motz (9:40PM) new check... we have gotten 38 signatures reversed to "Accepts" from the first 14 volumes. This is good...but by the above should be a LOT MORE unless Shane, Katie Blinn and some attorneys well versed in this area can explain the above.

We have many more eye-witness accounts of signatures being rejected by means of bias, sloppiness, and arbitrary changes in policy, which is an outrage, given the intensity of this campaign.

I remind you that R-71 campaigners have faced death threats as a result of their desire to pursue the constitutionally provided-for referendum process in this state. Your office could at least have the decency to provide an honorable counting. Apparently, the personal politics of those employed in your office are allowed to trump the integrity of this process. This is an outrage. Sincerely,

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Stephen Pidgeon
Attorney at Law, P.S.