

A blacklist burning for Bush

Gregory Palast

Hey, Al, take a look at this. Every time I cut open another alligator, I find the bones of more Gore voters. This week, I was hacking my way through the Florida swampland known as the Office of Secretary of State Katherine Harris and found a couple thousand more names of voters electronically 'disappeared' from the vote rolls. About half of those named are African-Americans. They had the right to vote, but they never made it to the balloting booths.

When we left off our Florida story two weeks ago, The Observer discovered that Harris's office had ordered the elimination of 8,000 Florida voters on the grounds that they had committed felonies in other states. None had. Harris bought the bum list from a company called ChoicePoint, a firm whose Atlanta executive suite and boardroom are filled with Republican funders. ChoicePoint, we have learned, picked up the list of faux felons from state officials in - ahem - Texas. In fact, it was a roster of people who, like their Governor, George W, had committed nothing more than misdemeanours.

For Harris, Florida Governor Jeb Bush and his brother, the Texas blacklist was a mistake made in Heaven. Most of those targeted to have their names 'scrubbed' from the voter roles were African-Americans, Hispanics and poor white folk, likely voters for Vice-President Gore. We don't know how many voters lost their citizenship rights before the error was discovered by a few sceptical county officials, before ChoicePoint, which has gamely 'fessed-up to the Texas-sized error, produced a new list of 58,000 felons. In May, Harris sent on the new, improved scrub sheets to the county election boards. Maybe it's my bad attitude, but I thought it worthwhile to check out the new list. Sleuthing around county offices with a team of researchers from internet newspaper Salon.com, we discovered that the 'correct' list wasn't so correct.

One elections supervisor, Linda Howell of Madison County, was so upset by the errors that she refused to use the Harris/ChoicePoint list. How could she be so sure the new list identified innocent people as felons? Because her own name was on it, 'and I assure you, I am not a felon'.

Our 10-county review suggests a minimum 15 per cent misidentification rate. That makes another 7,000 innocent people accused of crimes and stripped of their citizenship rights in the run-up to the presidential race. And not just any 7,000 people. Hillsborough (Tampa) county statisticians found that 54 per cent of the names on the scrub list belonged to African-Americans, who voted 93 per cent for Gore.

Now our team, diving deeper into the swamps, has discovered yet a third group whose voting rights were stripped. The ChoicePoint-generated list includes 1,704 names of people who, earlier in their lives, were convicted of felonies in Illinois and Ohio. Like most American states, these two restore citizenship rights to people who have served their time in prison and then remained on the good side of the law.

Florida strips those convicted in its own courts of voting rights for life. But Harris's office concedes, and county officials concur, that the state of Florida has no right to impose this penalty on people who have moved in from these other states. (Only 13 states, most in the Old Confederacy, bar reformed criminals from voting.)

Going deeper into the Harris lists, we find hundreds more convicts from the 35 other states which restored their rights at the end of sentences served. If they have the right to vote, why were these citizens barred from the polls? Harris didn't return my calls. But Alan Dershowitz did. The Harvard law professor, a renowned authority on legal process, said: 'What's emerging is a pattern of reducing the total number of voters in Florida, which they know will reduce the Democratic vote.'

How could Florida's Republican rulers know how these people would vote? I put the question to David Bositis, America's top expert on voting demographics. Once he stopped laughing, he said the way Florida used the lists from a private firm was, 'an obvious technique to discriminate against black voters'. In a darker mood, Bositis, of Washington's Center for Political and Economic Studies, said the sad truth of American justice is that 46 per cent of those convicted of felony are African-American. In Florida, a record number of black folk, over 80 per cent of those registered to vote, packed the polling booths on November 7. Behind the curtains, nine out of 10 black people voted Gore.

Mark Mauer of the Sentencing Project, Washington, pointed out that the 'white' half of the purge list would be peopled overwhelmingly by the poor, also solid Democratic voters.

Add it up. The dead-wrong Texas list, the uncorrected 'corrected' list, plus the out-of-state ex-con list. By golly, it's enough to swing a presidential election. I bet the busy Harris, simultaneously in charge of both Florida's voter rolls and George Bush's presidential campaign, never thought of that.

But enough is never enough, it seems. We have discovered a fourth group of Gore voters also barred from the polls.

It was Thursday, 2am. On the other end of the line, heavy breathing, then a torrent too fast for me to catch it all. 'Vile... lying... inaccurate... pack of nonsense... riddled with errors'... click! This was not a ChoicePoint whistleblower telling me about the company's notorious list. It was ChoicePoint's own media communications representative, Marty Fagan, communicating with me about my, 'sleazy disgusting journalism' in reporting on it.

I was curious about this company that appears - although never say never in this game - to have chosen the next President for America's voters. Its board dazzles with Republican stars, including billionaire Ken Langone and Home Depot tycoon Bernard Marcus, big Republican funders.

Florida is the only state to hire an outside firm to suggest who should lose citizenship rights. That may change. 'Given a new President, and what we accomplished in Florida, we expect to roll across the nation,' ChoicePoint told me ominously.

They have quite a pedigree for this solemn task. The company's Florida subsidiary, Database Technologies (now DBT Online), was founded by one Hank Asher. When US law enforcement agencies alleged that he may have been associated with Bahamian drug dealers - although no charges were brought - the company lost its data management contract with the FBI. Hank and his friends left last year and so, in Florida's eyes, the past is forgiven.

Thursday, 3am. (I should say both calls were at my request). A new, gentler voice giving me ChoicePoint's upbeat spin. 'You say we got over 15 per cent wrong - we like to look at that as up to 85 per cent right!' That's 7,000 votes-plus - the bulk Democrats, not to mention the thousands on the Texas list. Gore may lose by 500 votes.

I contacted San Francisco-based expert Mark Swedlund. 'It's just fundamental industry practice that you don't roll out the list statewide until you have tested it and tested it again,' he said. 'Dershowitz is right: they had to know that this jeopardised thousands of people's registrations. And they would also know the [racial] profile of those voters.'

'They' is Florida state, not ChoicePoint. Let's not get confused where the blame lies. Harris's crew lit this database fuse, then acted surprised when it blew up. Swedlund says ChoicePoint had a professional responsibility to tell the state to test the list; ChoicePoint says the state should not have used its 'raw' data.

Until Florida privatised its Big Brother powers, laws kept the process out in the open. This year, when one county asked to see ChoicePoint's formulas and back-up for blacklisting voters, they refused - these were

commercial secrets. So we'll never know how America's president was chosen.

ChoicePoint complains that I said Harris signed their contract. It was a Beth Emory. I'm still more than 85 per cent accurate.

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