

Report on City of Union Voting Irregularities in Precincts 1 and 4 December 2, 2024

Below is a summary of key points from my initial analysis of information on the problems related to the City of Union ballots on Election Day 2024.

1. Union Precinct 1 and 4

Union Precinct 1 and 4 are split precincts that serve voters who are residents of the City of Union as well as voters who are in unincorporated parts of Union.

In addition to federal, state and county races and questions, ballots intended for City of Union voters included the Union City Commissioner race and a ballot question on the sale of Cannibus within the City of Union. The ballots intended for voters from unincorporated parts of Union did not include the Union City Commissioner race or the Cannibus question.

2. Number of Printed Ballots

According to the Nov. 8 statement to the court submitted by Justin Crigler, Boone County Clerk, the initial number of ballots received by the precincts in question are as follows:

- Union Precinct 1 was provided 500 printed ballots for use by City of Union voters.
- Union Precinct 1 was provided 1750 printed ballots for use by non-City of Union voters.
- Union Precinct 4 was provided 300 printed ballots for use by City of Union voters.
- Union Precinct 4 was provided 1,350 ballots for use by non-City of Union voters.

3. Votes cast prior to the installation of a new scanning machine at each precinct

According to Crigler's Nov. 8 statement, precinct officers were directed to discontinue use of the scanning machine at each location sometime after his office received an 11:30 am call from officials at the precincts regarding concerns that voters at Precinct 1 and 4 had been provided the wrong ballots. Each precinct received a new scanning machine between 12:15pm and 12:30 pm.

According to Crigler, prior to the receipt of a new scanning machine at each location:

- In Union 1, 238 City voters and 759 non-City voters had requested ballots.
- In Union 4, 176 City voters and 517 non-City voters had requested ballots.

4. Number of Ballots Cast prior to installation of new scanning machine at each precinct

The results from initial machines set up in Precinct 1 and 4, indicate that the following votes were cast from City of Union ballots prior to the installation of the new machines:

Cannabis Question

	Precinct 1	Precinct 4
Yes	269	205
No	243	154
Undervote	45	16
Overvote	0	0
Total City of Union votes	557	375
Total City of Union ballots cast	557	375

City Commissioners - City of Union (Select up to 4)

	Precinct 1	Precinct 4
Mefford	239	162
Bine	159	111
Dulaney	201	140
Ramage	175	135
Garner	181	136
Write Ins	8	2
Undervotes	1265	814
Overvotes	0	0
Total City of Union votes	2228	1500
Total City of Union ballots cast	557	375

Total City of Union votes includes all votes for candidates, undervotes and overvotes.

Total City of Union ballots cast is determined from total votes cast divided by 4.

5. Discrepancy in Number of City of Union Ballots Cast versus Number of City of Union Ballots Provided

Crigler's Nov. 8 statement indicated that Precinct 1 was initially provided 500 ballots for City of Union voters. The Precinct 1 initial machine report indicates that 557 City of Union ballots were cast in Precinct 1. The reported number of City of Union ballots cast in Precinct 1 exceeds the reported number of City of Union ballots provided by 57.

Crigler's Nov. 8 statement indicated that Precinct 4 was initially provided 300 ballots for City of Union voters. The Precinct 4 initial machine report indicates that 375 City of Union ballots were cast in Precinct 4. The reported number of City of Union ballots cast in Precinct 4 exceeds the reported number of City of Union ballots provided by 75.

6. Discrepancy in total number of voters

- Crigler’s Nov. 8 statement indicates that prior to the installation of the new machine in Union 1, 238 City voters and 759 non-City voters had requested ballots. The total number of ballots requested in Union 1, therefore, was 997 (the sum of 238+759). The initial machine report indicates only 963 ballots were submitted in Precinct 1, a discrepancy of 34 fewer ballots submitted than reported number of ballots requested.
- Crigler’s Nov. 8 statement indicates that prior to the installation of the new machine in Union 4, 176 City voters and 517 non-City voters had requested ballots. The total number of ballots requested in Union 4, therefore, was 693 (the sum of 176+517). The initial machine report indicates that only 679 ballots were submitted in Precinct 4, a discrepancy of 14 ballots.

7. Discrepancy in Number of City of Union Voters and Number of City of Union Ballots Cast

As noted above, a review of the initial machine reports indicates that prior to the installation of the new machines, there were 557 City of Union ballots cast at Precinct 1 and 375 City of Union ballots cast at Precinct 4. According to Crigler’s Nov. 8 statement, 238 City voters and 759 non-City voters had requested ballots at Precinct 1 that morning.

Based on these figures, prior to the installation of the new machines:

- The number of City of Union ballots cast exceeded the number of City of Union voters by 319 in Precinct 1.
- The number of City of Union ballots cast exceeded the number of City of Union voters by 199 in Precinct 4.

Initial machine Totals (morning) versus number of initial City of Union voters

	City of Union Ballots Cast	City Voters	Discrepancy
Precinct 1	557	238	319
Precinct 4	375	176	199
Total	932	414	518

8. Determining the number of City of Union votes affected by the problems in Precincts 1 and 4

While it is impossible to know the number of votes affected for certain, we do know that the minimum number of *voters* affected is 518, which is the number of City of Union ballots cast in excess of the number of City of Union ballots (see section 7) prior to replacement of the machines in Precincts 1 and 4.

Because this is a City Council race, voters can cast votes for as many as four candidates for City of Union Council. Thus, the number of potential *votes* affected for City voters who were turned away or received non-City ballots could be determined by multiplying the number of City voters affected by 4.

The number of City of Union Council votes cast by non-City voters is unknown, but could be estimated by multiplying the number of non-City voters by the mean number of votes cast by voters. Given the average number of votes cast for Union City Council across all voting precincts varied between a low of 1.72 to a high of 1.95 (see Appendix 1), the minimum number of votes cast by the minimum number of non-City voters (518) is estimated to be between 891 and 1,010.

A full accounting of the number of votes affected must also take into consideration:

- a) The number of City of Union residents who cast non-City ballots. The number of City of Union residents who cast non-City ballots is unknown, but reports from City of Union voters who received non-City ballots suggests that some number of City voters received non-City ballots.
- b) For every City of Union voter that cast a non-City ballot, you would also have to add an additional non-City voter to the baseline of 518 miscast votes (since you would be subtracting one valid City voter from the number of City of Union votes cast).
- c) The number of City of Union residents who were turned away when the machines were down between 11:30 am and 12:15/12:30 pm (unknown number, but reports indicate that some voters were turned away and the start of lunchtime is typically a high-volume period for voting).
- d) Reconciliation of other discrepancies noted in this report, including the fact that the number of voters exceeded the number of ballots on hand by 132 (57 in precinct 1 and 75 in precinct 2) and the fact that the number of voters reported by the clerk exceeded the number of ballots cast by 48 (34 in Precinct 1 and 14 in Precinct 4).

9. Preliminary Conclusion

Given the number of votes that separated the fourth-place (elected) candidate and the fifth-place (non-elected) candidate was just 65 votes, the known mistakes that occurred in Precincts 1 and 4 may have altered the result of the election. This is particularly true when taking into account (a) voters could cast votes for up to four candidates in the City Council elections, making council results particularly volatile and (b) the number of voters affected exceeded the 518 votes that we have been able to identify.

It is important to note that my analysis here is preliminary and focused on the voting that took place in Precincts 1 and 4 prior to the installation of new machines. Additional time is needed to consider any new information that helps shed light on the discrepancies identified here, and further analysis is needed to assess the impact of problems in Precincts 1 and 4 on voter participation rates, partisan shifts, and undercounts, and conduct a more complete analysis of the data discussed in this initial report.

10. Appendix 1: Votes Cast on Election Day 2024 for City Council, Union

	Votes Cast	Voters	Council Votes per Voter
District 1	1159	675	1.72
District 2	2596	1441	1.80
District 3	51	27	1.89
District 4	833	449	1.86
District 5	1840	945	1.95
Total	6479	3537	1.83

Note: Figures include write-ins, but do not include early and absentee votes. Excludes undervotes and overvotes.