Produced, directed & written by
David Earnhardt

USA, 2007
In English
Running time: 81 minutes

www.UncountedTheMovie.com

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SYNOPSIS

UNCOUNTED exposes how Americans were cheated during the 2004 and 2006 elections and how enraged voters have turned their anger into citizen activism – to safeguard the vote. Eyewitness accounts from whistleblowers are backed up by election experts in revealing how Jim Crow tactics, electronic voting machine security breaches, vote count manipulation, and illegal behavior by a major voting machine manufacturer all threaten the very core of our democracy.   Democrats, Republicans, business leaders, elected leaders, and rank and file voters are all part of a growing movement in America to correct an election system gone bad.

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FILM SPECS

Completion Date: October 2007
Aspect Ratio: 16:9
Total Running Time: 80:00
Original Format: DVCAM
Screening Format: HD

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FILM DESCRIPTION

UNCOUNTED is an explosive new documentary that shows how the election fraud that changed the outcome of the 2004 election led to even greater fraud in 2006 - and now looms as an unbridled threat to the outcome of the 2008 election. This controversial feature length film by Emmy award-winning director David Earnhardt examines in factual, logical, and yet startling terms how easy it is to change election outcomes and undermine election integrity across the U.S. Noted computer programmers, statisticians, journalists, and experienced election officials provide the irrefutable proof.

UNCOUNTED shares well documented stories about the spine-chilling disregard for the right to vote in America. In Florida, computer programmer Clint Curtis is directed by his boss to create software that will "flip" votes from one candidate to another. In Utah, County Clerk Bruce Funk is locked out of his office for raising questions about security flaws in electronic voting machines. Californian Steve Heller gets convicted of a felony after he leaks secret documents detailing illegal activities committed by a major voting machine company. And Tennessee entrepreneur, Athan Gibbs, finds verifiable voting a hard sell in America and dies before his dream of honest elections can be realized.

UNCOUNTED is a wakeup call to all Americans. Beyond increasing the public's awareness, the film inspires greater citizen involvement in fixing a broken electoral system. As we approach the decisive election of 2008, UNCOUNTED will change how you feel about the way votes are counted in America.

CREDITS

Produced, Directed & Written by	David Earnhardt
Co-Producers	Glenna Johnson Mary Mancini Phil Bell
Executive Producers	Mac Pirkle Patricia Sommers Earnhardt
Editor	Stacie Schwarz
Principal Photography	Chris Conder Brett Johnson Scott Phelps
Field Producer	Kathy Conkwright
Additional Photography and Editing	James Southard

INTERVIEWS & SPEAKERS (in order of appearance)

Jonathan Simon – Co-founder, *Election Defense Alliance*

Robert Fitrakis, Ph. D. – Journalist & Co-author, *"What Happened in Ohio?"*

Rep. John Conyers – Chair, *House Judiciary Committee*

Harvey Wasserman – Journalist & Co-author, *"What Happened in Ohio?"*

David Cobb – Green Party presidential candidate, 2004

Robert Koehler – Syndicated Columnist, *Tribune Media (Chicago)*

Bernie Ellis – Organizer, *National Election Reform Conference*

Mary Beth Kuznik – Pennsylvania Poll Worker, Voting Rights Activist

Lowell Finley – Attorney, Election Law Specialist, CA Deputy Secretary of State

Andrew Gumbel – Journalist & Author, *"Steal This Vote"*

Dr. Mary Frances Berry – Chairperson (1999-2004), *U.S. Commission on Civil Rights*

Victoria Lovegren, Ph. D. – Computer Scientist & Voting Rights Activist

Teresa Hommel – Computer Scientist & Voting Rights Activist

Steve Heller - Whistleblower

Ian Hoffman – Reporter, *Oakland Tribune*

Bev Harris – Founder, *Black Box Voting*

Blair Berk – Attorney, represented Steve Heller

Brad Friedman – Investigative Journalist, *BradBlog.com*

Bruce O'Dell – Data Analyst, *Election Defense Alliance*

Rep. Cynthia McKinney – Former U.S. Representative

Rep. Bob Clement – Former U.S. Representative

Michael Grant – Worked with Athan Gibbs at *TruVote*

Rep. Jim Cooper – U.S. House of Representatives

Andy Stephenson – formerly with *Black Box Voting*

Bruce Funk – Former Utah elections official, Whistleblower

Cliff Arnebeck – Attorney, Election Law Specialist

About the Production

UNCOUNTED was shot in a wide variety of United States locales: election reform conferences in Nashville, Tennessee and Cleveland, Ohio; a national voting rights rally in Atlanta, Georgia; Election Day 2004 and 2006 footage from Ohio, Florida, and Tennessee; and, profiles of citizens fighting for honest and fair elections in Utah, California, Washington, DC and Florida. By taking a nationwide approach, the film shows that this problem is not isolated to any one area.

David Earnhardt, the film's director, conducted in-depth interviews with many of the national leaders of the election integrity and voting rights movements who have been instrumental in bringing attention to the problems with our election system. These include journalists, computer scientists, attorneys, political leaders, activists, and rank and file voters. The comments from these citizens form the foundation of the film.

UNCOUNTED makes extensive use of archival footage shot by citizen journalists. This includes: long lines footage shot in Columbus, Ohio on Election Day 2004; public hearings footage of citizens recounting the problems they observed or experienced on Election Day 2004; Clint Curtis' testimony before the House Judiciary Committee about being asked to create vote-flipping software; and, Athan Gibbs presenting his groundbreaking electronic voting machine that allowed citizens to verify their votes. This footage plays a huge role in the film, because it captures moments that were largely ignored by the mainstream media.

The film also includes archive network news footage from 2000 – 2006.   This footage illustrates: the media failings on Election Night 2000; its dismissal of 2004 election problems in the days following the election; its reporting on electronic voting through the years; and, the capturing of memorable events and moments associated with the 2000, 2004 and 2006 elections.
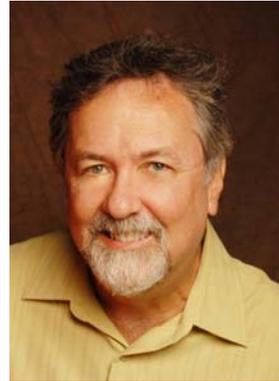
UNCOUNTED was shot over the course of 2 ½ years. All post production – editing, audio mixing, color transfer – was completed in Nashville, Tennessee over a four-month period of time. The film's story is told without a narrator, allowing the people featured in the film to tell the story in their own words.   A rich texture of music plays a huge role in driving the emotions of the film.

ABOUT THE FILMMAKER

David Earnhardt, Producer/Director/Writer

An Emmy-winning producer/director of 31 years, David has produced a wide range of television and video productions including documentaries, entertainment programs, and educational videos. His work has been recognized with numerous Emmy, Iris and Telly national awards. A national documentary on children's rights, a biographical documentary about jazz legend Helen Humes, and a comedy special featuring an up-and-coming Jay Leno are among Earnhardt's many credits.

After seventeen years in television, Earnhardt started a new phase of his career in 1993 with Earnhardt & Co., which has grown to be one of Nashville's most prestigious production companies. Originally co-founded by David and Patricia Earnhardt in 1993, the company specializes in high quality video presentations for a variety of nonprofit organizations. Longtime creative professional Mac Pirkle joined the firm as a partner in 2002 - and the company was soon after renamed Earnhardt Pirkle, Inc., acknowledging the strength of their partnership. Earnhardt Pirkle has produced projects for more than 250 clients and has won more than 60 national awards in its 14-year history. Mac Pirkle and Patricia Earnhardt are executive producers of UNCOUNTED.

David Earnhardt is a graduate of the University of North Carolina, where he majored in film studies. He was born in Alexandria, Virginia – and grew up in Greensboro, North Carolina. UNCOUNTED is Earnhardt's first full-length documentary film.

Interview with *UNCOUNTED* Filmmaker, David Earnhardt

What inspired you to make this film?

It started with what went wrong in the presidential election of 2004. I had lots of questions about the validity of the 2004 election results. The tabulated results were so out of synch with the exit polls. I knew about the lack of security in paperless electronic voting – and I knew about the long lines and missing machines in Ohio. So, I could see there was plenty of evidence that the irregularities likely affected the outcome of the presidential race. My biggest shock was that the mainstream media was completely ignoring the story. For example, I read the New York Times a couple of days after the election and there wasn't one word from anyone questioning the election results. Fortunately, there was plenty of information on the Internet. I read everything I could to increase my knowledge – and started considering whether we should do a documentary to bring focus to what went wrong with the 2004 election.

How did you get the film started?

I have been working in film & video as a producer, director and executive for 30 years and have owned a film & video production company for 15 years. But I had never made a full-length documentary. It was pretty much a "figure it out from the ground up" kind of thing. I considered going on the road to meet with many of the people involved with this issue and to gather footage for the documentary. Just as I was considering all this, the National Election Reform Conference was held here in Nashville. This conference attracted many of the very people I wanted to interview - journalists, computer experts, activists, and rank and file voters from 30 states all gathering to discuss what went wrong in the 2004 election, and how to keep it from happening again. The footage we gathered at this historic conference gave me the foundation from which to build the film.

What is the most shocking detail that you uncovered while making this film?

I was astounded that people across the country were forced to wait in lines as long as 15 hours to vote. And it was in Democratic leaning precincts across the board. People were still in lines in Ohio even after the election had been called for Bush. And the people in these long lines were mostly African American. To me, it looked like Jim Crow, pure and simple.

What are the key messages in UNCOUNTED?

Not only do people need to be aware; they must also be vigilant. The issue of the integrity of our vote is something people take for granted; it's part of our identity as a country and as individuals – and it's the core, the essence, of a democracy. It's the individual who has to be vigilant and protect these very ideals we have as a country – and nothing is more key to our freedom than the sanctity of the vote.

Who is the most important single figure in this documentary?

Probably Athan Gibbs. He was an accountant who had no direct experience with elections, other than being a voter. When he saw the millions of votes that went uncounted in the 2000 election, he felt he HAD to do something. He created voting machine software that enabled voters to verify that their votes had been received, recorded and counted. His voting system machine was light years beyond the paperless and unverifiable electronic voting machines that count most of our votes these days. He died in an auto accident before he could finish his work.

How do you view the future of elections?

Looking at the 2006 mid-term election, there is major evidence of vote shifting and manipulation of the vote totals. In fact, there is evidence that there were even more uncounted votes in 2006 than in 2004, so the problem is getting worse instead of better. The last thing people need to do is relax. Our vote is not protected – and it's likely that the 2008 election results will be manipulated as well.

What do you hope UNCOUNTED will inspire in others?

I hope those who are unfamiliar with the issue go "Uh-oh" and understand the need to keep their eyes open. Learning to interpret the news is a good start, because a questioning and alert electorate is more likely to take action when they see something is wrong. I want to instill the idea that democracy must be defended and constantly monitored, otherwise it will wither away and die. We can choose to fight or roll over. I think it's a fight worth winning.

If you had one wish about UNCOUNTED and the issue of election fraud, what would it be?

Election manipulation rarely even makes a top ten issues list. But think about it – if your vote doesn't count, then nothing else really matters. It's really the foundation for all other issues. If I can raise the level of awareness for how critical the issue is – that this, really, is the #1 issue - then I think I will have done my part.

UNCOUNTED
The New Math of American Elections
A film by David Earnhardt

THE ISSUES
An Introduction

"The notion of stolen elections is something we assign to Third World countries but not to this beacon of freedom and democracy that we like to view ourselves as."
~ Bernie Ellis, Election integrity activist

Our election process is a mess. Many of us consider voting to be a sacred act – core to our identity as a country – and something we all embrace as individuals. The notion is simple: you vote, and your vote gets counted. Yet, in every election, millions of votes go uncounted. Why and how does this happen?

UNCOUNTED is a journey through our dysfunctional election process – exploring the many different ways that our vote doesn't get counted. Everything from the intimidation of minority voters - to voting machines that don't work - to voters being denied the right to vote – to a national media that ignores and even makes excuses for what is wrong with the election system. Much of UNCOUNTED searches for answers to a fundamental question about our most recent presidential election: was it stolen and if so, how was it stolen?

Like many Americans and others around the world, filmmaker David Earnhardt spent Election Night 2004 watching the results come in. The exit polls earlier in the day had indicated an easy Kerry victory with George W. Bush's popularity ratings at an all-time low. But as the night went on, the official results started turning toward Bush – and by midnight, it appeared that Bush would win. After John Kerry conceded early the next day, the national media never questioned the results and turned a deaf ear to the many questions being raised by the public:

- Was there a concerted effort to suppress votes?
- Were the votes correctly counted?
- Did the rise of electronic voting and its documented lack of security allow for easy manipulation of the vote total?
- Why were the exit polls, which had been pinpoint accurate for 40 years, suddenly wrong in predicting a Kerry victory?
- Why were nearly 2 million people who tried to vote, told that they were not on the voter registration rolls?
- Perhaps most important – why was the national media, almost without exception, ignoring these serious and substantive issues in the months following George W. Bush's election?

These questions fueled a two-year journey for filmmaker David Earnhardt that led to the 2006 mid-term election where many of the same illegal and unethical tactics remained unchecked by election officials and by the media. UNCOUNTED tackles these critical issues that threaten the very core of our democracy – our vote.

THE ISSUES
Exit Poll Discrepancies in 2004

"Nearly all the experts are in agreement that the exit polls could not have been so far off that they gave such distorted results. It's far more rational to assume that the voting process was compromised."
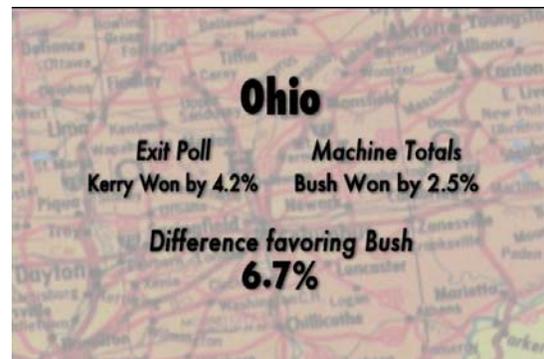~ Rep. John Conyers, Chair, House Judiciary Committee

For decades, exit polls have been used in democracies around the world to predict with a high degree of accuracy the outcomes of important elections. Exit polls are much more precise than pre-election polling in successfully predicting the outcome of elections. This is because they are surveying voters immediately after they have cast their ballots, rather than asking potential voters before an election who they might support.

However, the 2004 presidential race had unprecedented variations between exit poll results and the "reported" vote in almost all battleground states, as well as in other, less contested states. "We've relied on the exit polls for many elections now; they have a history of at least 40 years," contends Jonathan Simon, Co-founder of the Election Defense Alliance. "In 2004, we saw something very different. The discrepancy between the exit polls and the 'reported' vote counts was off the charts. And this was a new phenomenon."

The 2004 exit poll, commissioned by six major news organizations, showed that John Kerry won the popular vote with about 51% of the vote. The final tally of the voting machines showed George W. Bush with about 51% of the votes. In 10 out of 11 battleground states, the reported vote results differed significantly from what people told exit poll interviewers. The differences ranged from 1.6% in Michigan to 9.4% in New Hampshire. In every case, the difference favored George W. Bush. "Statistics can tell you what the chances are … that you'd be that far off," said Dr. Bruce O'Dell, a data analyst with the Election Defense Alliance. "It's between astronomically impossible and ludicrously impossible. So it just didn't happen by chance."

Professor Steven Freeman, a statistician at the University of Pennsylvania, did an in-depth study of the 2004 exit polls. His conclusions are presented in his groundbreaking academic report, "The Unexplained Exit Poll Discrepancy."
http://www.appliedresearch.us/sf/Documents/ExitPoll.pdf

Jonathan Simon of the Election Defense Alliance analyzed the 2004 exit polls and vote count data and concluded that John Kerry won the 2004 popular vote:
http://freepress.org/images/departments/PopularVotePaper181_1.pdf

THE ISSUES
"Jim Crow" Voter Suppression in the 21st Century

"The targeting of people of color is very political and very computerized. What they're saying is, 'Black people are voting Democratic. Poor people are voting Democratic. Therefore, we want to eliminate their votes.' "
~ Harvey Wasserman, Journalist & author

Despite the landmark Voting Rights Act of more than 40 years, African American voters and other minorities continue to face suppression and intimidation at the polls. Today, there are calculated strategies designed to reduce the number of votes by minorities. If yesterday it was poll taxes and literacy tests, today the strategies are subtler but every bit as effective.

Many saw evidence of Jim Crow strategies in African American precincts in Columbus, Ohio where voters were lined up for hours at inner-city precincts while the lines in Republican suburban precincts were consistently short. It was later discovered that voting machines were misallocated – with more machines going to Republican-leaning than Democratic-leaning precincts.

"The Long Shadow of Jim Crow," a report created by the NAACP and the People for the American Way, details the many new forms of voter suppression in the 21st Century – from felon purges to voter challenges to new voter ID laws. That report can be found at:
http://www.pfaw.org/pfaw/general/default.aspx?oid=16402

THE ISSUES
Undervoting

"When you see 42%, 70% and 80% undervotes in a precinct in this election, you know that's not real. There's something desperately not right."
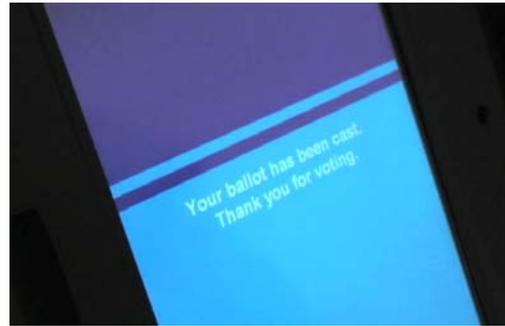~ Marybeth Kuznik, Pennsylvania poll worker

Massive get-out-the-vote efforts created a huge turnout on Election Day 2004, bringing more voters to the polls than ever before. But in key states, many voters showed up at the polls and waited in long lines for hours only to later discover the voting machines showed they had no vote recorded for any presidential candidate, even though their votes for other offices were counted.

These presidential "undervotes" – ballots cast without recording a choice for the highest office in the land – raised suspicions in many areas. UNCOUNTED focuses on instances of undervoting in two battleground states in 2004 – New Mexico and Pennsylvania. New Mexico had a particularly large problem, where presidential

undervote rates of 25% were reported in Democratic-leaning Hispanic and American Indian precincts. New Mexico had the nation's highest presidential undervote rate – 21,084. (George W. Bush won that state by less than 6,000 votes.)

This undervote problem also plagued the 2006 mid-term election. In one of Florida's most hotly contested Congressional races, more than 18,000 voters showed up at the polls in Democratic-leaning Sarasota County and apparently failed to cast a vote for a Congressional candidate on the paperless electronic voting systems there. This race was ultimately decided in favor of the Republican candidate by fewer than 400 votes.

Here's more startling information about what happened in New Mexico in 2004:
http://www.votersunite.org/info/NewMexico2004ElectionDataReport.pdf

Here's more about what happened in Sarasota County:
http://www.washingtonpost.com/wp-dyn/content/article/2006/11/28/AR2006112801382_pf.html

THE ISSUES
Electronic Voting

"With these [electronic] machines, you can alter the outcome of a national election in a way that is just unprecedented in terms of its reach and the power to really play around."
~ Andrew Gumbel, Journalist & author, "Steal This Election"

Anyone who uses the Internet is familiar with viruses that can spread rapidly and do serious damage to computers and the information stored on them. Unlike the

personal risks that computer malfunctions and viruses pose for our home computers, the very legitimacy of our government is threatened when similar problems occur with electronic voting equipment (either through innocent mishap or election fraud malice).

In the case of touch-screen voting machines, these problems are further compounded by the absence of any voter-verified paper records. The lack of sufficient expertise (or even access) at the local level to program, maintain, and trouble-shoot this equipment is also a problem. Additionally, the considerable expense of this equipment is an issue. Add to all that the relative inefficiency and the proprietary nature of touch-screen software, which prevents either local election officials or citizens from examining how the equipment is programmed to count votes, and you have a recipe for democratic disaster.

Since the 2004 election, there have been a number of scholarly and well-researched reports that have documented the many deficiencies with paperless electronic voting. The Brennan Center Task Force on Voting System Security at NYU School of Law concluded that all three of the nation's most commonly purchased electronic voting systems are vulnerable to software attacks that could threaten the integrity of a state or national election.
http://www.brennancenter.org/dynamic/subpages/download_file_38150.pdf

The Government Accounting Office, a nonpartisan research branch of the U.S. Congress, found flaws in security, access, and hardware controls in electronic voting equipment, as well as weak security management practices by voting machine vendors. The GAO report also identified operational failures in real elections.
http://oversight.house.gov/Documents/20051021122225-53143.pdf

THE ISSUES
The Privatization of Our Election Process

"Voters should not have to rely on any private company for the security and the fundamental fairness of their election system …. The further you go into privatizing this activity of running elections, the more you lose control over the very core of our democracy."
~ Lowell Finley, Deputy Secretary of State, California

Our election process is largely under the control of a few private companies that use secret software, unsecured hardware, and vote counting and recording methods that do not allow for accurate audits or recounts. The number of electronic voting machines has dramatically increased during the past decade. The equipment is typically sold with stipulations that the hardware and software components cannot be examined before or after elections by election officials or citizens to ensure that votes are being counted and recorded accurately.

Part of the problem lies with the complexity of the technology itself. Few election officials are capable of programming and maintaining the equipment without outside assistance. This puts election officials in the position of relying on the private companies for technical assistance. It is difficult to find other instances where public officials have so readily surrendered their power and control over vital functions of government than we have seen with the adoption of electronic voting systems.

John Gideon is co-director of the nonprofit, VotersUnite.org and has written extensively about electronic voting and privatization. His article here is titled "Corporate Control of the Election Process."
http://www.votetrustusa.org/index.php?option=com_content&task=view&id=86&Itemid=84

Ellen Thiesen, co-director with Gideon of VotersUnite.org and a computer software specialist, gave this speech to the Washington Federation of Democratic Women, where she spoke about the privatization of our elections:
http://www.votersunite.org/info/PrivatizationOfElections.pdf

THE ISSUES
Provisional Ballots

"On Election Day, I went to my polling place and was told that my name wasn't on the register. [But] I voted here in the primary. And they said, 'Well you can sign a provisional ballot.' Come to find out later, I followed up - my vote was never counted."
~ Bobby Jackson, Ohio resident

Imagine you are a typical American voter, anxiously awaiting your chance to influence the course of our nation by casting your vote for President, Congress, and other local and state offices. You've worked hard to support your candidates and you've made arrangements to get to your polling place to join your neighbors in this periodic renewal of our government's vitality and legitimacy. Only this time, when you arrive at your regular polling place, you find that your name is no longer on the rolls of eligible voters, despite your having voted there for years. How would you feel and what would you do? Well, all you could do – if you wanted a chance to influence the course of our country's future – would be to cast a provisional ballot.

If a person shows up to vote and is not listed on a precinct voting roll, the only way that person can vote is to cast a provisional ballot. Nearly 2 million provisional ballots were distributed in the 2004 election – and of that number, nearly one-third were rejected and never counted.

In 2004 and 2006, many Americans found themselves receiving provisional ballots, even though they were indeed eligible to vote. This happened because of improper voter registration purges, last-minute precinct changes and other dirty tricks intended to influence the outcome of those vitally important elections. As voter Bobby Jackson says in UNCOUNTED, "Everyone who has the right to vote [should be] able to determine the direction of this country. When you take that away, we're no better than any other country in the world."

Here is a report prepared by the U.S. Election Assistance Commission (EAC) showing how large a role provisional ballots played in the 2004 presidential election.
http://www.eac.gov/election_survey_2004/html/EDS-chap%206%20prov%20ballots2.htm
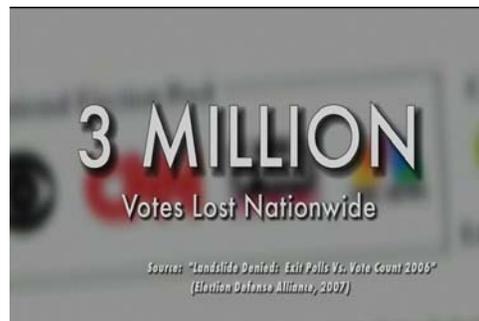
THE ISSUES
The 2006 Mid-term Election

"Election 2006 gives us no reason to assume that our elections are now being run fairly and honestly. Just the opposite. Look at the pattern of the last few elections. We have every reason to believe that the 2008 election is going to be manipulated."
~ Jonathan Simon, Co-founder, Election Defense Alliance

In the two years after 2004, hundreds of local voting rights and election integrity groups formed around the country, incensed by the evidence of an unsecured election process that demanded immediate attention. These groups began to have an impact. In many states, legislation was enacted to require voter-verified paper records as the "ballot of record". In some of the states, routine audits were also mandated to insure that votes were counted as they were cast.

At the same time, some national media began to give election integrity issues serious attention. Hundreds of American newspapers also editorialized about the risks of non-verifiable voting systems and the need to improve election safeguards. This overdue attention was well received. But were the problems with the security of our elections solved? Hardly.

As in 2004, reports poured in from around the country in 2006 that our election systems were still broken. Some examples:

- In Waterville, Maine, 27,000 votes were recorded on voting machines in a town with 16,000 registered voters.
- In Williamson County, Texas, touch screen machines counted every vote three times.
- In Marion County, Indiana, thousands of votes were lost when 66 touch screen memory cards went missing.
- In Denver, Colorado, over 20,000 voters were unable to vote due to long lines caused by slow machines. In state after state, problems with electronic voting continued to be reported and continued to improperly influence elections.

In addition, election researchers who compared the 2006 exit polls with the "reported" vote estimated that Democratic congressional candidates lost 3 million votes nationwide. They calculated the odds were greater than 1 in 10,000 that reported vote discrepancies occurred only by chance.

Jonathan Simon, along with Bruce O'Dell, prepared the following detailed report for the Election Defense Alliance analyzing the 2006 exit polls and vote count data:
http://www.electiondefensealliance.org/landslide_denied_exit_polls_vs_vote_count_2006

The Patriots
CLINT CURTIS

The journey from somewhat naïve computer programmer to street-savvy politician has been dirty, and rugged, and enormously eye opening for Clint Curtis.

Back in 2000 Curtis was a programmer for Yang Enterprises in Ovieda, Florida. One day his boss called him in to meet with the company's lobbyist and corporate attorney. The visitor also happened to be Speaker of the Florida House of Representatives Tom Feeney.

Feeney, whose up and down political fortunes included a no-win bid to be Jeb Bush's Lieutenant Governor in 1994, cut right to the chase. He wanted Curtis to design software that would flip votes.

Curtis, a Republican, assumed that Feeney, a fellow Republican, wanted to use this technology to somehow *prevent* voter fraud. So Curtis got to work and created the software for Feeney. Curtis presented the finished product to his boss at Yang along with a sheet on how to prevent vote fraud. At that point, Curtis says, he was told to hide what he had done in the source code of the software in a way that would make the vote flipping feature hard to detect. He says his boss told him, "This is to flip the vote in South Florida."

Curtis tendered his resignation and left Yang Enterprises in February 2001. He has since testified before the House Judiciary Committee and traveled the country extensively working for election integrity. Feeney won election to the U.S. House in 2002 and was re-elected in 2004. In 2006 he faced a new challenger for the congressional seat – Clint Curtis. Feeney claimed victory although many serious questions were raised by the Curtis campaign following a door-to-door canvass of voters. Although Curtis says he has affidavits that prove he received more of the vote than was officially reported, the House Administration Committee refused to review his affidavits and turned down his challenge.

Curtis plans to run against Feeney again in 2008.

The Patriots
BRUCE FUNK

For more than two decades, Bruce Funk was the County Clerk in Emery County, Utah and Emery County, Utah is in America. Yet what happened to Bruce Funk in Emery County is about as un-American as it gets.

As the popularly elected County Clerk, Funk was in charge of elections in Emery County. His problems started when he began asking questions about the electronic voting machines the county had gotten from Diebold. Initially, he had questions about why eight of the machines had low backup memory but he wasn't getting any answers from Diebold or from the state election officials. That's when something rare occurred. Funk – an elected official – allowed outside experts to come in and examine the machines. What they found was reported as "the nuclear bomb of security flaws" for electronic voting machines. The story found its way into the New York Time, Newsweek, NPR, the Wall Street Journal – and was the first story about electronic voting security problems to get a lot of attention in the national media. Since the machine in question was to be used by 10% of voters in the U.S. during the 2006 election, the story became a national scandal for Diebold.

Soon after the revelation, Diebold attorneys flew to Utah for a meeting with leading state officials. On the Monday after the meeting Bruce Funk, an elected county official, was locked out of his office and relieved of his duties as County Clerk. The loss of some friendships over the issue still causes him pain. Yet, Funk says all he was doing was his sworn duty by protecting the right to vote. Far beyond protecting the vote in Emery County, Utah, Bev Harris of Black Box Voting credits Funk with preventing a nationwide "meltdown" by making certain this problem was addressed before the 2006 election.

The Patriots
ATHAN GIBBS

Athan Gibbs had but one wish for every voter in America, "There should never be any uncounted votes, where the voter does not have an opportunity to verify that their votes have been received, recorded, and counted."

Gibbs knew whereof he spoke. He was an accountant with a reputation for being accomplished and highly competent. Athan was also known for being soft-spoken -- that is until the Election of 2000. 2000 was a year millions of votes didn't get counted, a year those votes would have made a difference in who was elected president. It was also the year Athan Gibbs decided he was going to do something about what was wrong with elections in America.

What he did was build a better voting system – one that generated a voter verifiable paper ballot. In the event of a recount, the verified paper ballots would be counted. Gibbs often compared his idea to what banks do with ATMs, which print a receipt and have a verifiable audit trail. He was particularly struck by the inconsistency in corporate giant Diebold manufacturing and marketing both ATMs and electronic voting machines.

Gibb's TruVote system was gaining national attention and his dream of verifiable, auditable voting appeared to be coming true when he died in an automobile accident in March 2004. That year, his company closed its doors. TruVote re-opened its offices in 2007, pursuing the dream Athan Gibbs began in 2000.

The Patriots
STEVE HELLER

His crime was revealing how one of the biggest makers of electronic voting machines in America was cheating the system during the 2004 election.

Steve Heller's *Uncounted* story begins when he, as a temp in a Los Angeles law firm, made a discovery that would forever alter his life as well as the way Diebold Election Systems is allowed to do business in California. Heller was confronted by proof that Diebold knowingly used illegal uncertified software in electronic voting machines the company sold to California counties. The software caused problems at polling places and kept thousands of people from voting. There was further proof Diebold lied to the state and to voters and taxpayers about what was going on.

After a sleepless night of wrestling with his conscience, Steve Heller took the bold and courageous step of making the documents public. While the move ultimately resulted in Diebold paying $2.6 million to settle a civil suit with the state and an order from California's Attorney General to remove the software, it also brought trouble for Heller. Several months after he discovered the documents, police invaded Heller's home with a search warrant and he was ultimately charged with three felonies related to violating attorney-client privilege. Even though his arrest creates a chilling effect for whistleblowing, Steve Heller maintains he did the right thing.

RESOURCES

As we began to develop our film in the months after the 2004 Election, we were amazed at how little was being written about this issue in the national media. Fortunately, we found a thriving network of dedicated journalists, bloggers, and activists that became great resources. The following is just a partial list of these resources:

www.bradblog.com –journalist Brad Friedman

www.freepress.net – journalists Bob Fitrakis and Harvey Wasserman

www.blackboxvoting.org – election consumer advocate Bev Harris

www.votersunite.org – non-partisan grassroots network for fair and accurate elections

www.electiondefensealliance.org – national election integrity organization

www.commonwonders.com – syndicated columnist, Bob Koehler

www.solarbus.org – packed full of information about election irregularities – 2004-2006

There are also some great books that were extremely helpful to us in making our film. Here are a few of them:

Robert Fitrakis & Harvey Wasserman, *"What Happened in Ohio?"*

Mark Crispin Miller, *"Fooled Again"*

Steve Freeman, *"Was the 2004 Presidential Election Stolen?"*

Bev Harris, *"Black Box Voting"*

Andrew Gumbel, "*Steal This Vote"*

Avi Rubin, *"Brave New Ballot"*

And, if you only read one article about the 2004 presidential election fraud, the one to read is Robert F. Kennedy, Jr.'s comprehensive article in *Rolling Stone* magazine, *"Was the 2004 Election Stolen?"*
http://www.rollingstone.com/news/story/10432334/was_the_2004_election_stolen