

'Stealing America': Voting-fraud documentary

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The numbers don't add up.

\$3.8 billion: The initial Help America Vote Act allocation that California Secretary of State Deborah Bowen said "pushed many counties into buying electronic systems that ... were not properly reviewed or tested."

IMAGES



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18,000: Votes that did not register in a 2006 Sarasota County, Fla., local election using touch-screen machines, in a Democratic stronghold that the Republican challenger won by 368 votes.

Negative 16,022: Votes counted for Al Gore on a Diebold tabulator in Volusia County, Fla., in 2000.

Zero: The number of proven instances of election fraud involving electronic voting machines, according to industry spokespeople.

John McCain, Barack Obama, Paris Hilton; it doesn't matter who one chooses if the votes aren't counted properly. Dorothy Fadiman's new documentary, "Stealing America: Vote By Vote," is the latest in a line of recent films that question our electoral system's ability - or propensity - to do just that (among the others: HBO's Florida election-disaster drama "Recount" with Kevin Spacey; and David Earnhardt's crisp documentary "Uncounted: The New Math of American Elections," on Starz this month and available on DVD).

"I was working at the polls as a volunteer in 2004, and while we were being oriented, we were told that people were reporting that when they vote for Kerry, they're getting Bush. It was rampant in South Florida. And we were told, 'Don't tell people, because we may be discouraging them from voting,'" said Fadiman, whose earlier documentaries on abortion rights garnered her an Oscar nomination and an Emmy win. Appalled by the lack of media coverage of the vote-switching phenomenon and other apparently widespread election irregularities, she spent the next four years making "Stealing America."

Fadiman's no-frills documentary touches on voters being purged from rolls in Florida in 2000 (she believes purging to be the single greatest threat to the 2008 election) and suspiciously insufficient distribution of voting machines in Ohio in 2004. But its most damning segments concern results that defied exit polling and the vulnerability of electronic voting machines.

"What we have here is an extraordinarily compelling case that our electoral system has gone terribly wrong," said Brad Friedman of BradBlog and the Huffington Post, who appears in both "Stealing America" and "Uncounted." "We've got one election after another that makes no sense whatsoever. They may have been rigged, they may have failed due to error - (but because they can't be audited) it's 100 percent faith-based voting."

Friedman said he personally experienced vote switching on a Diebold disabled-accessible machine in Los Angeles in 2006, as four of his 12 votes flipped: "The Kerry-Bush error has occurred all over the country. And they seem to constantly benefit the Republican over the Democrat. If this is a random error that occurs because the machines are crappy, it should be 50-50."

Chris Riggall is a spokesperson for Premier Election Solutions (formerly Diebold), one of the leaders in the voting-machine industry. When asked by e-mail if the machines' security vulnerabilities discussed in various scholarly studies had been addressed, he responded that "sometimes the criticisms are not factual because they are based on incorrect assumptions (such as networking or the presence of wireless ports on machines). On other occasions, the studies have recommended valuable improvements. ... There's no question that the emphasis on system security by voters, election officials and the industry is much greater now than it was, say, five years ago."

"I think the key issue right now is voter confidence," said Peter Lichtenheld of Hart InterCivic, another industry leader with a number of contracts with California counties. Lichtenheld blamed the controversial elections in 2000 and 2004 and the perceived misconduct of certain officials such as Katherine Harris in Florida, not faulty electronic voting systems, for generating what he called "a sense of distrust." While pointing out that his company's systems were the only ones for which California Secretary of State Bowen did not require changes for use in 2007, he added, "Watchdogs are appreciated, for people to say, 'Hey, we need to pay attention to this.' That's a great thing. (But) the naysayer community is marketing fear and intimidation."

Riggall and Lichtenheld roundly criticized former Diebold Chief Executive Officer Walden O'Dell for his infamous 2003 letter to Republican donors that stated, in part, "I am committed to helping Ohio deliver its electoral votes to the president next year," agreeing that it contributed to the atmosphere of distrust.

"It was a serious error in judgment that never should have occurred," Riggall wrote. "In the aftermath of that mistake, we instituted new prohibitions against any political contributions or support by the management and staff of our company." Riggall also said only two Ohio counties used Diebold equipment in that election, and that Kerry collected 59 percent of the votes in that county.

As to industry assertions that there are no documented incidents of election crimes involving their machines, Hart InterCivic recently issued a report that dismissed most problems with electronic voting as "technical glitches ... not indicative of election fraud." Friedman pointed out that the industry has spent a great deal on legal efforts to prevent independent examination of suspect machines.

The report, "Election Fraud: Fact or Urban Legend?," states that voter error, or more specifically, "ballot layout was determined to be the most likely explanation for the (18,000 non-votes) in the 2006 Sarasota County election." It also points out that taking issue with election results is natural for "supporters of the losing side." But Fadiman rejects the notion that such concerns are partisan.

"It turns out between 1996 and 2006, when you see these discrepancies between exit polls and vote tallies, they go in one direction. So that's like saying a film about slavery is partisan because you don't give equal credence to the position of slave owners," she says, then relates the story in her film of a Democratic Ohio state senator who personally experienced vote flipping and said he was told by his own party not to talk about it. "If the Republicans stole this election, the Democrats were willing accomplices."

Fadiman's film includes testimonials by people who saw their own votes switch.

"There were lots of tears in the interviews, anger, sadness, frustration," Fadiman said. "There's only one tear in the film: Kim Akins, an African American attorney doing election protection. What she saw was there were very long lines and not enough machines, and what she said was, 'I hope these people come back and vote again.'"