

A New Threat to the Integrity of Our Elections: Washington State Weighs the Introduction of Internet Voting

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In early 2009, fueled by a desire to streamline military and overseas voting, many states across the nation introduced internet voting bills in their legislative sessions. Washington Secretary of State Sam Reed also actively pursued implementation of an Internet voting pilot program for military and overseas voters. Reed's proposal, presented in the Washington House of Representatives and Washington State Senate, would have allowed for military and overseas voters to cast their votes through a website using their own laptops, which would mark the first such voting system in the country. The bills eventually died in the House because of the significant financial impact the program would have on counties and individual taxpayers that was not reflected in the original fiscal note.

Voter Action, and other major election integrity organizations, have joined leading computer scientists in expressing deep concern about the threat posed to our democracy by the introduction of a voting system that creates serious election vulnerabilities. We believe there are safer and more secure ways to address the issues facing military and overseas voting without undermining the integrity of the very votes that we are hoping to protect.

Internet voting is unreliable. With Internet voting, it would be impossible to ensure the accurate counting of votes as cast. Given the absence of any voter-marked paper ballots, an Internet voting system would prevent any meaningful recount or audit from being conducted. The recent recount of the 2008 US Senate contest in Minnesota between Democratic candidate Al Franken and Republican candidate Norm Coleman highlights the value of a voter-marked paper ballot system where ballots reflecting voter intent can be subject to review.

Internet voting is insecure. An Internet voting system presents serious security concerns. Such security concerns led the Pentagon, in 2004, to cancel Internet voting for as many as 100,000 military and overseas voters from seven states, including Washington. There is now overwhelming evidence that electronic voting machines do not meet basic security standards. Top computer security experts across the country agree that the security problems associated with Internet voting would be exponentially greater than the current problems associated with electronic voting machines.

Internet voting undermines the secrecy of the ballot. The Washington State Constitution makes clear that voters have the right to "absolute secrecy" of their votes. Washington State Constitution, Article VI, Section 6. Under the proposed legislation, military and overseas voters would be issued pin numbers to access a website for casting their votes, thereby creating unique and identifiable markers on ballots cast via the Internet. Such markers could be traced back to the individual voters either by the state or by a private party hacking the system, erasing the state constitutional guarantee of absolute secrecy of the vote.

There is an alternative way to improve the voting system for military and overseas voters that does not compromise the integrity of our elections. Military and overseas voters could apply electronically for a paper ballot which they could print from a government website. This would expedite access to such ballots and would address the problem military and overseas voters face when their ballots do not arrive on time in the mail. While such voters would still need to return their ballots via the mail, the concerns around reliability, security, and ballot secrecy associated with Internet voting would not be presented.

Internet voting legislation is being considered in states across the country. The current status of each bill is summarized on the following page.

Internet Voting Legislation by State

Alabama

HB 377 sponsored by Senator James Martin, has stalled in favor of the companion bill in the Senate. SB 180, sponsored by Senator Zeb Little, was introduced to the House of Origin on February 3, 2009.

Colorado

HB 09-1205, sponsored by Representatives Marsha Looper and David Balmer, has passed the House Appropriations Committee on 3/13/09. The bill has passed the third House reading on March 24, 2009.

Hawaii

HB 468, sponsored by Representative Angus McKelvey, was referred to the Judiciary, Finance Committee on January 26, 2009. SB 631, sponsored by Senator Will Espero, was referred to the Committee on Judiciary and Government Relations and the Committee on Ways and Means on January 28, 2009.

Illinois

HB 0092 would create the Internet Voting Act of 2009. The bill is sponsored by Representative Lou Lang and was referred to the House Executive Committee on February 4, 2009. Bill has been re-referred to the Rules Committee on March 13, 2009.

Missouri

HB 613, sponsored by Representative John Diel, was referred to the House Election Committee on February 17, 2009.

Montana

SB 367, sponsored by Senator Bradley Hamlett, has passed out of the Senate. A public hearing was held in the House on March 10, 2009. Bill concurred by State Administration Committee on March 23, 2009.

New Mexico

HB 487, sponsored by Representative Nathan Cote, passed the House and is currently awaiting hearing by the Senate Judiciary and Rules Committee. The bill has been withdrawn from the Senate Rules Committee and is awaiting hearing with the Senate Judiciary Committee. Bill was passed out of Senate Judiciary Committee.

Oregon

HB 2511, sponsored by Representatives Whisnant and Barker and Senators Devlin and Boquist, was given a public hearing on February 25, 2009 after being passed out of the House Ways and Means Committee.

Stay updated on internet voting bills, by visiting our website at www.voteraction.org.