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July 14, 2009

**VOTER ACTION STATEMENT IN SUPPORT OF PETITIONERS IN
*WHITE ET AL. v. REED ET AL.***

Fundamental to our democracy is the right to cast a ballot in private, protecting the democratic process and enabling all voters to exercise freely their right to vote.

Voter Action strongly supports the claims made by the Petitioners in *White et al. v. Reed et al.* to protect the rights of all voters in Washington State to a secret ballot. The Washington State Constitution guarantees all voters in the state “absolute secrecy in preparing and depositing his [or her] ballot.” Washington State Constitution, Article VI, Section 6. Washington state law reiterates this guarantee: “The rights of Washington voters are protected by its constitution and laws and include...[t]he right of absolute secrecy of the vote.” RCW 29A.04.206.

The Washington Secretary of State’s approval and implementation of election systems using unique ballot identifiers on every ballot cast violates the guarantee of a secret ballot for approximately one-third of Washington voters. Voters in Washington counties employing these systems cannot be assured of the “absolute secrecy” of their vote. The VoteHere system is particularly troubling as it maintains a link between the identity of the voter and the unique ballot identifier throughout the tabulation process. These systems are insecure and undermine the integrity of the election process. In recognition of this fact, at least one Washington county has determined that ballots containing unique bar codes shall be exempt from public observation and disclosure, further undermining election transparency.

Since the 2000 election, the nation has witnessed a new threat to the integrity of our election process: the increasing privatization of our elections in which key election functions are outsourced to private vendors with little or no public oversight and accountability. Washington State’s use of unique ballot identifiers represents a key example of this threat. The Washington State Constitution’s guarantee of a secret ballot to all state voters is undermined when a private vendor controls a system that links the identity of a voter with his or her ballot. The Washington State Supreme Court should assume original jurisdiction of this case and should intervene to protect the constitutional rights of all voters in the state.