



## VBM: Ballot tracking with and without a unique identifier on the ballot

The public and election officials expect accurate, problem-free elections. Ballot tracking technology developed for the elections business over the past three years allows voters to do just that. They will be able to verify their ballot is processed and see improved ballot reconciliation as well. Ballot tracking technology will be a feature of King County's move to all-mail voting in 2008.

To track a voter's unique ballot to the point of tabulation would require a unique identifier, such as a bar code, on each ballot. This unique identifier would allow voters to verify their individual ballot is counted using the Internet. Technology exists to track ballots from receipt to tabulation. King County held a series of focus groups in early April to assess how voters want to track their ballots. Do voters want to know their ballot was counted? Or, do voters just want reassurance their mail ballot was received by King County Elections?

### **Feedback from Focus Groups Conducted in April**

Overwhelmingly, voters were most interested in confirming their envelope had been received by King County. Being able to track the ballot all the way to tabulation was important for some people, but the majority felt confident that if their ballot had been received and their signature verified, their vote would be counted.

While participants were split on whether they would actually spend the time to check on their ballot if they could, most agreed that just having the option made them more confident. Several people said they might do it once just to see how it works, but wouldn't regularly check.

On the issue of being able to track ballots through a unique bar coding process, the participants were mixed. Those voters over the age of 50 felt strongly that their vote needs to be 100 percent private – no bar codes. As we gauged the opinions of others, however, the younger the age, the less it mattered.

*Asa, 29, cabinet maker – Seattle: "I honestly -- I don't -- I wouldn't have any concerns about, you know, loss of my anonymity. But with the vote, I guess -- and I would probably check to see where my vote was just out of curiosity because it would be a new thing. But I don't have a lot of concern about the security."*

*Albert, 63, retired – South County: "We forget one major thing here -- it's a secret ballot. Once you start putting barcodes on things like that, it's no longer going to be secret...Maybe I'm too much on the conspiracy theories, but I don't trust big government or Big Brother."*

Additionally, women between the ages of 45 and 65 were not as concerned about the privacy of their ballot choices as they were that their names would be



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given to or used by political parties or private interests and that they would be “placed on more lists for unsolicited mail or phone calls.”

Many people generally felt comfortable having a barcode on their ballot, but they were also not necessarily enthusiastic about adding it. Given that ballot reception and signature verification were the most important tracking points to participants, most focus groups came to a general agreement that a bar code or tracking system on the outer envelope was a much better option than having it on the ballot.

### King County Elections’ recommendation

King County Elections recommends King County invest in technology that allows voters to confirm:

- Their ballot packet has been assembled for mailing
- Their voted ballot packet has been received by King County Elections
- Their signature on the outer envelope has been verified; and
- Their ballot envelope has been opened and prepared for tabulation.

The ability to track and account for each ballot is essential to open and transparent elections. However, tying the voter back to his or her ballot may pose legal concerns and has several unknown risks that must be addressed carefully before King County considers ballot tracking through tabulation.

King County Elections is confident that ballot accountability can be maintained with this technology without sacrificing the secrecy of the ballot. Continuing to use the tracking system already in place, a bar code on the **ballot envelope and other data collection tools**, will improve ballot tracking and reconciliation, and give voters ultimately what they want: the ability to verify their ballot was received by King County and their signatures were verified.

The main concerns of placing unique identifiers on the ballot revolve around three aspects: political, legal, and preserving the secrecy of the voter’s ballot.

### 1. Political Concerns

The State of California has prohibited the use of a unique identifier on the ballot and Washington State may not be far behind. While an amendment was introduced but not adopted in the latest Legislative session, this issue is far from resolved and will likely be discussed in the future.

### 2. Ongoing Legal Issues

Four counties in Washington State offer voters a Web interface to track their ballot through tabulation. San Juan County is one of these counties and has been named in a lawsuit to remove this feature. The outcome of the court case



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is not yet decided and will likely set precedent regarding voter secrecy and ballot tracking in Washington.

### **3. Maintaining the secret ballot**

The use of a unique identifier on a ballot for the purpose of tracking voted ballots is viewed by some as compromising the voter's right to a secret ballot. While the encryption technology available is compelling, King County Elections does not want to compromise the spirit or legal definition of the secret ballot. Sufficient accountability can be attained with tracking to the signature envelope level, not to the ballot.

### **Next Steps**

As requested by the County Council in their ordinance to move to all-mail voting, King County Elections' ballot tracking and accountability business case lays out a plan that includes the use of a bar code on the ballot envelope to track ballots. This will give voters the ability to verify their mail ballot packet was mailed to them; their voted mail ballot was received by King County; their signature verified and that their ballot packet was opened and sent tabulation. It is our recommendation that a unique bar code on the ballot not be implemented at this time.

King County Elections' recommends further discussion and study of enhanced ballot tracking using a unique identifier on the ballot when and if legal issues in San Juan County are resolved and acceptance of such technology is studied. Until then, we believe the public is best served by tracking ballots by the outer envelope and not using bar codes.