

By Bev Harris, Founder of [BlackBoxVoting.org](http://BlackBoxVoting.org)

Don't be confused, and don't let anyone tell you that you shouldn't talk about this.

**TO BE CLEAR: THE PUBLIC HAS BOTH THE RIGHT TO INSPECT BALLOTS AND THE RIGHT TO A SECRET BALLOT**

We have a right to **BOTH**. Some election officials have been conflating these two issues, claiming that if we examine ballots we can see how people voted. Now, this raises a stunning question: If this is so, that means that election officials and vendors can also figure out how you voted.

We all need to grab a cleaver and chop these two rights into the two distinct rights that they are. The right to inspect; the right to privacy.

**AS FOLLOWS:**

**RIGHT TO INSPECT** - The public, in exercising its right to self govern, and under principles of Freedom of Information, has a right to examine the original evidence (the ballots) to authenticate reported results in elections.

But Washington State has denied 21 separate requests from citizens to inspect the ballots; the state of New Hampshire secretly excluded ballots from its Right to Know law in 2003; and Colorado election officials fought all the way to the state supreme court trying to hide ballots from the public (they lost; the court affirmed citizen right to inspect ballots).

Ballots are anonymous. Or at least, that's the way it's supposed to be.

**RIGHT TO SECRET BALLOT** - The public also has a right to a secret, anonymous ballot.

However, now we are learning that election officials and vendors believe they have the right to know how you voted. They have authorized unique marks to be placed on some or all ballots, and they have exploited their own intrusion into your privacy to deny you the right to examine ballots.

**"IT WOULD VIOLATE THE SECRECY OF THE BALLOT TO ALLOW THE PUBLIC TO**

**EXAMINE BALLOTS" simply means: "WE CAN FIGURE OUT HOW YOU VOTED AND WE DON'T WANT YOU TO KNOW THAT"**

Two lawsuits are taking place right now seeking to remove prying eyes of vendors and election officials from your vote.

Litigation led by The Citizen Center and sponsored by Black Box Voting's "Colorado Project" seeks to stop election officials from placing unique bar codes on voter ballots. Of course, the public has been mostly unaware that this is going on, so a threatened gag order from the judge on this case is a little creepy. Public education to let everyone know that political privacy is being compromised is crucial, and a gag order has no place in this fight.

In a second case, Tim White, part of a San Juan County, Washington group fighting to restore ballot privacy in *White v Reed*, is fighting to directly challenge the unique identifiers on ballots.

And in a third effort, not yet in court, citizens in New Hampshire have been investigating the secretive, and apparently unconstitutional, 2003 action by the state to exclude ballots from Right to Know.

One voting machine vendor, Hart Intercivic, has been especially brazen about printing unique bar codes on each ballot, a dead cinch for stripping out data on how you voted with absentee voting. Hart dominates most Colorado counties (where absentee voting is approaching 50% of all votes), and Washington State, which is now 100% vote by mail.

Though vendors and election officials claim they don't look, in the same breath they claim we can't examine ballots because they aren't private. But they can't have it both ways. There is no special class of election elites and vendors possessing the right to see how we voted!

**TO REITERATE:**

The public has **BOTH** the right to examine ballots **AND** to have privacy of the ballot.

Here's a link to the article on the gag order threat:

[http://www.chieftain.com/news/region/judge-threatens-gag-order/article\\_201011b0-c592-11e1-8284-001a4bcf887a.html](http://www.chieftain.com/news/region/judge-threatens-gag-order/article_201011b0-c592-11e1-8284-001a4bcf887a.html)

**JUDGE THREATENS GAG ORDER**

Oh, un-gag me.

Originally posted at <http://www.bbforums.org/forums/messages/8/82161.html>