

Verified Voting

May 22, 2025

Joint Committee on Veterans and Legal Affairs
Maine State Legislature
7 State House Drive, Augusta, ME 04333
via email

RE: LD1977 Amendment Request

Dear Chair Hickman, Chair Supica, and Committee Members,

On behalf of Verified Voting, a nonpartisan nonprofit organization, I write to request an amendment to LD1977. Verified Voting's mission is to strengthen democracy for all voters by promoting the responsible use of technology in elections. Since our founding in 2004 by computer scientists, we have acted on the belief that the integrity and strength of our democracy rely on citizens' trust that each vote is counted as cast and recorded accurately.

The bill requires cast vote records (CVRs), which are digital records of individual voters' selections, to be confidential except for ranked-choice voting elections. It seems the intent of the current language is to require that the *portions* of the cast vote record that contain the ranked-choice voting contest(s) become public record; not that ranked-choice voting cancels or eliminates all voter and ballot privacy and secrecy.

We suggest and recommend that Sec. 2. 21-A MRSA §22, sub-§8 be amended to read:

8. Digital cast vote record. The digital cast vote record is confidential, except that, for an election contest determined by ranked-choice voting, the digital cast vote record for the ranked-choice voting contest becomes a public record at the time the Secretary of State completes the tabulation of the vote.

Notably, making CVRs public records enables vote selling and coercion. When CVRs for entire ballots are made public, there is a real risk that individual CVRs can be linked with individual voters—effectively revealing the choices of individual voters. Voters could mark their ballots in a distinct way—known as pattern voting—or include an unusual write-in candidate, thus making their ballots identifiable. A ballot that has just ten contests with three candidates apiece can be voted in over 59,000 ways—or over one million ways if blank votes are considered. A publicly available CVR then can serve as “proof” that a voter voted as promised.

The secret ballot protects not only the secrecy of an individual voter's choices but also the overall integrity of the voting process and our democracy writ large. For these reasons, we urge the bill be amended as recommended.

Sincerely,

C.Jay Coles
Deputy Director of Legislative Affairs