

Verified Voting

April 30, 2025

The Honorable Katie Hobbs
Governor
State of Arizona
1700 W. Washington Street
Phoenix, AZ 85007

RE: Veto Request for Senate Bill 1280

Dear Governor Hobbs,

On behalf of Verified Voting, a nonpartisan nonprofit organization, I am writing to request a veto on Senate Bill 1280. 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 relies on citizens' trust that each vote is counted as cast and recorded accurately. The Arizona Constitution guarantees Arizona voters the right to a secret ballot, but SB 1280 would put this fundamental right at risk.

The bill would require cast vote records, which are digital records of individual voters' selections, to be treated as public records. When cast vote records (CVRs) are made public, there is a real risk that individual CVRs can be linked with individual voters—effectively revealing the choices of individual voters. The bill tries to address voters' choices being accidentally revealed by requiring data consolidation for small precincts and rare ballot styles, but the problems associated with making CVRs public records extend beyond this.

Notably, making CVRs public records enables vote selling and coercion. 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. (Some CVRs even include an image of a voter's handwritten write-in choice, making their vote even more readily distinguishable.) The longer and more complex a ballot, the easier pattern voting becomes. 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. SB 1280 jeopardizes the secret ballot, and we urge you to veto this bill.

Sincerely,

C.Jay Coles
Deputy Director of Legislative Affairs