

Basic Voting Principles

There are fundamental and universal principles of any election espoused by the Equal Justice Foundation. These principles may or may not apply to any given voting equipment, process, or jurisdiction. Conversely, no equipment, process, or jurisdiction may compromise these principles without endangering election integrity.

Secret ballot

The right to a secret ballot is guaranteed in most state constitutions.

- No election official, process, ballot, or voting equipment shall make it possible to determine or modify by any means, direct or indirect, how an individual votes in any race, on any issue, for any party, or any candidate.
- No election equipment or process shall make it possible by any means for any voter or election official to market a vote or ballots to any individual, group, or party.
- No election process or equipment shall make it possible to influence a voter as to who or what they vote for at any time while the ballot is in possession of the voter.

One man, one vote

The integrity and validity of an election fundamentally depends on the principle that each qualified citizen can vote once, and only once in an election.

- Each voter must be individually identified by the most reliable means available, preferably face-to-face with an election official.
- All reasonable precautions shall be taken to ensure ballots cannot be duplicated or fraudulent ballots cast in an election.
- The election results must be repeatable and reproducible by independent means.
- For verification, poll books and election audit data must be publicly available at no or minimal cost.
- All ballots for a given election, in whatever form, must be accounted for from the time they are designed, generated, or printed until the statutory limit on storage has expired, with a public audit available at any time during this period.
- All ballot counting shall be visible and observed by at least two people of opposing political parties.
- All recounts of ballots in an election shall be publicly done by methods and individuals from at least two opposing political parties independent of the initial count.

Voter eligibility

It is the responsibility of everyone involved in an election to ensure that only eligible voters are allowed to vote, and each voter is only allowed to vote in those races and on those issues they are eligible to vote for.

Principles affecting voter eligibility include, but are not limited to establishing:

- The voter is a citizen of the nation, state, and local jurisdiction in which they are voting.
- The voter exists, i.e., is corporeal, and is of age.
- The voter is not eligible to vote in any other jurisdiction in the same election.
- The voter has not been convicted of a crime, or had their citizenship revoked, that makes them ineligible to vote in the election.
- The voter is not voting by any means in another jurisdiction in the same election.
- The voter is presented a ballot that allows them to vote on all races, candidates, and issues for which they are eligible to vote.
- The voter is presented a ballot that contains only the races, candidates, and issues on which they are eligible to vote.

Equal Justice Foundation
Will Your Vote Count or Will A Computer Eat It?

Transparency

All ballots shall be counted under visible public scrutiny with at least one representative of each major party present at all times during the counting.

All poll books, ballots, testing, procedures, programs, equipment, hardware, connections, transmission facilities or methods, and storage facilities, shall be open to public inspection and review prior to and after any election.

Votes accurately recorded and counted

All processes, procedures, rules, personnel, and equipment used in an election shall work to standards and tests that demonstrably ensure all votes are accurately recorded and counted, and all counting methods and results shall be available for public review.

- All ballots shall be visibly counted by the most accurate and reliable means available and these methods shall be documented and approved by all affected parties prior to the election, including public inspection.
- There shall exist an independent and documented means of publicly verifying and recounting ballots in all elections.
- Before casting their ballot, a voter shall have a means of ensuring the ballot is marked and cast as they intend.
- All reasonable precautions shall be taken to preserve all ballots for the statutory period mandated.
- Every reasonable method shall be used to provide ways and means for the voter, election officials, and poll watchers to verify that ballots are accurately recorded and counted.
- All individuals involved in conducting an election shall be identified, their citizenship established, their criminal history investigated, and a brief description of their role and what access they have been granted shall be documented.
- All poll books, audits, rules, methods, procedures, documents, instruction and training manuals, test methods and results, problem reports, and other pertinent election information shall be publicly available to the extent possible without violating an individual voter's privacy.
- In cases where election fraud or equipment malfunctions are at issue in a court of law, no person or entity shall be entitled to claim immunity or proprietary interests as a defense, or to prevent examination of any equipment, components, processes, or methods thereof including any coding or processes used in the election. However, the court may mandate that anyone who examines or has access to a manufacturer's proprietary information sign a binding nondisclosure agreement.

Reliability

Voting equipment and processes must be demonstrably reliable and accurate.

- All equipment used in an election shall demonstrably and verifiably be reliably capable of performing the functions for which it is being used during the entire election period.
- All ballots, equipment, procedures, and processes used in an election shall be certified to appropriate standards that ensure the equipment and processes perform the functions for which it is being used in the election in the environment where the election is being held.
- Adequate safeguards against all known and preventable accidents, intrusions, and disruptions of an election shall be taken and processes specified to recover from such events when they do occur.
- An independent audit, or canvass of the election shall be conducted by representatives of at least two major parties and such candidates and citizens who wish to participate.
- An audit, or canvass must certify that the number of ballots counted does not exceed the number of ballots cast in all races and on all issues in each precinct, and that the number of ballots cast does not exceed the number of registered voters in each precinct.