

Cameras And Privacy In The Voting Booth

November 2, 2016 - With the general election looming, in less than a week millions of people will head to the polls to make their selections for numerous local, state and federal candidates. And some of those voters may be tempted to snap a selfie with their ballot. But you may be surprised to find out that there are only 22 states that allow you to do this. And there are 19 states in which it is specifically against the law. At first glance, you may think that everyone should have a right to take a picture of themselves with their completed ballot in the voting booth. But a closer examination may get you to think twice about this issue.

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The secret ballot is one of the backbones of a free society. It ensures that your vote is private and that nobody other than yourself actually knows who you cast a vote for. It is also the reason that other than for people requiring assistance, only one person is allowed into the ballot box at any given time.

Keeping people and cameras out of the voting booth is also in the public interest because it makes it much more difficult for anyone determined to tamper with an election to find out how you voted. Once you allow voters to snap a picture of a completed ballot, what is to prevent someone from paying them for their vote? The answer is, "nothing." Given the polarized nature of the electorate today, you wouldn't have to pay many people to swing an election in many areas of the country. That's a frightening prospect that affects us all.

The reason that we're bringing this up is other than the fact that privacy issues are one of our primary focuses is that some of the laws banning cameras in the voting booth are now being challenged. In California, a federal judge is about to hear a challenge to a camera ban in the voting booth that is being launched by the ACLU. Their challenge is based on the First Amendment and they could win.

While we're very pro First Amendment, we really don't think the ACLU is doing anyone any favors here. The long term consequences of a change to the law are likely to be detrimental to all Americans. The government has an obligation to protect the sanctity of the voting booth and to keep what goes on there totally private.

by Jim Malmberg

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