

Dear Senate State Affairs Committee Members

My name is Cora Dow and I am a Sitka High School student from House District 35. In this digital age, voters should be allowed to express their political opinions over the internet and social media without being punished for doing so. Posting about political opinions on social media happens and it is a necessary part of free speech. Law that makes the posting of these “ballot selfies” illegal is not useful anymore. The electioneering and buying of votes that made the original Alaska statute relevant does not occur, and the outdated statute only confuses voters. If a voter posts their ballot online, the only likely outcome is that another individual will see it and perhaps be encouraged to vote, too. You can’t prevent people from posting their very specific and often personal opinions online. The only difference between posting your ballot online and posting exactly who you voted for online is that the former is illegal. Ballot selfies are harmless and not allowing voters to post their marked ballots online does more harm than good.

Not only are ballot selfies not doing any harm, prohibiting voters from taking and sharing them online is restricting those voters’ right to free speech. Recently, the First Circuit Court ruled that the ban on “ballot selfies” was unconstitutional under the First Amendment. Since it only includes a ban on certain content (marked ballots), the court concluded that the ban was a “content-based restriction of expression”.

Furthermore, the court affirmed that problems that made the original statute necessary were no longer issues in modern-day society. The original statute was passed to prevent vote buying where people had to share a picture of their ballot to prove that they had voted for the person they had been told to. However, vote buying is very rare now and this statute is no longer needed.

In Alaska, voters are confused on what they can and cannot do. The Division of Elections often field calls from voters who are confused about whether or not they can post pictures of their ballot online or post who they put on their ballot online. Questions like these are hard to answer because the current version of the Alaska statute is so vague. We need to pass HB 7 because it will make it easier to understand what you can share. The only objections to ballot selfies are outdated and unconstitutional. People can already share exactly who they put on their ballot, so why can’t they post a picture of it?

Some people have raised concerns about social media sites such as Facebook collecting the information from the photo of your ballot. However, social media sites are doing this anyway when people are sharing their exact voting results online, as well as liking candidates’ facebook pages and events. You can’t control how much people will post about themselves online, so HB 7 will just clear up the confusion about how you can post your results online. Passing HB 7 would clear up existing law and encourage civic-minded voters to post their opinions online.

Thank you,

A handwritten signature in black ink, appearing to read 'Cora Dow', written in a cursive style.

Cora Dow