

AB 2097 Goldberg

Open Source Software for Elections

FACT SHEET



The vote counting process is supposed to be public! Currently, the ability of the public to scrutinize the process is being curtailed by secrecy. AB 2097 will require that all technical details, including computer source code (instructions programmers write), of computerized vote tabulating systems be publicly disclosed by June 30, 2007.

Even with very limited access to voting machine testing, independent testers have found serious flaws in voting machines. Opening up the system will mean more scrutiny, better quality, and improved public confidence that votes are being properly counted.

The Senate's Elections, Reapportionment and Constitutional Amendments committee is holding a series of hearings dealing with the need for better transparency in election administration. The February 8 hearing on open source software revealed that the state agencies are beginning to use open source software applications with success. Computer security experts, such as Peter Neumann, Principal Scientist at the Stanford Research Institute's Computer Science Laboratory, urged that the state move toward open source software for elections. The February 16 hearing on the voting system testing and certification process also included strong arguments for open source from scientists with ACCURATE, a National Science Foundation center.

Goldberg's ACR 242 in 2004 asked the Secretary of State to investigate the feasibility of using open source software and issue a report on that by January 1, 2006. The report includes this quote:

Dr. Michael Shamos, Co-Director of the Institute for eCommerce and Director of the Center for Privacy Technology at Carnegie Mellon University participated in the Security/Paper Trails/Accountability Panel and offered his viewpoint that “all voting system software should be disclosed to the public.” (emphasis added).

McPherson's report also notes that while open source is being used successfully in many applications, it is not currently available for voting systems in the United States. Is California shy about leading the way? **Have Californians ever pioneered anything having to do with technology?**

Sometimes experts refer to “open source” meaning software that is licensed under one of the free software licenses. Technically, this bill would make the software code “disclosed,” but not truly “open source.” Vendors would grant rights enabling public inspection and testing, but retain all other proprietary rights to the software.

The distribution of the software and specifications (via Internet) would be handled by the Secretary of State as part of the state's voting system certification process.

Sponsored by Open Voting Consortium

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