

# Some of the Past Support for Open Source Voting in SF and California

Prepared by: Commissioner Jerdonek (December 1, 2023)

This document reviews some of the past support for open-source voting in San Francisco, highlighting certain key moments and events. This is a slightly expanded version of a similar document that was included in the agenda packet of the Commission's May 17, 2023 meeting.

## May 2018 – Open Source Voting Campaign Kickoff in the Women's Building

Here is a picture from the Sunday, May 6, 2018 Open Source Voting Campaign Kickoff in the Women's Building in the Mission District.



The following were some of the speakers at the event. They can also be seen holding signs above (the office titles shown below were their elected positions at the time):

- State Assemblymember David Chiu
- State Senator Scott Wiener
- Assembly Speaker pro Tem Kevin Mullin
- SF Board of Supervisors President London Breed
- SF Board of Supervisors Budget Chair Malia Cohen
- Former State Senator Mark Leno
- Christine Pelosi, Chair of the California Democratic Party Women's Caucus.

The event was organized by the California Clean Money Campaign and cosponsored by many other organizations.

Here are a couple more photos from the event:



On the left are Christine Pelosi, David Chiu, London Breed, and Scott Wiener. On the right are Malia Cohen and Trent Lange. Mr. Lange is the President and Executive Director of the California Clean Money Campaign.

### **SF Board of Supervisors Legislation**

The Board of Supervisors has passed 6 pieces of legislation to advance open-source voting, starting 16 years ago in 2007 (authors shown in parentheses):

1. 2007 Resolution #330-07, File #70865 (Tom Ammiano): Passed 10 – 0
2. 2008 Ordinance #268-08, File #81227 (Tom Ammiano): 7 – 4
3. 2014 Resolution #460-14, File #141105 (Scott Wiener): 10 – 0
4. 2018 Hearing, File #180341 (Malia Cohen)
5. 2019 Resolution #377-19, File #190816 (Rafael Mandelman): 11 – 0
6. 2022 Ordinance #12-22, File #211303 (Shamann Walton): 11 – 0

The 2014 resolution authored by then-Supervisor Scott Wiener and co-sponsored by Supervisors Malia Cohen, Jane Kim, and Eric Mar began, in part:

Resolution committing the City and County of San Francisco to work with other jurisdictions and organizations to create new voting systems using open source software; ...

### **SF Elections Commission Resolutions**

The SF Elections Commission has adopted 7 resolutions in support of open source voting, all unanimous, with the first also from 16 years ago in 2007:

1. May 16, 2007 – Policy on Transparency and Security: Passed 6 – 0
2. Nov. 18, 2015 – Open Source Voting Systems Resolution: 6 – 0

3. March 21, 2018 – Support for \$4 million and matching funds: 4 – 0
4. June 20, 2018 – Open Source Voting Systems Resolution #2: 6 – 0
5. Nov. 17, 2021 – Open Source Voting Pilot Resolution: 4 – 0
6. Dec. 15, 2021 – OSV Pilot Legislation Resolution: 5 – 0
7. June 15, 2022 – Resolution on Dominion Voting Contract: 5 – 0

The Commission’s 2015 resolution began, in part:

Resolution to support the development and certification of an open source voting system running on commercial off-the-shelf hardware; ...

The RESOLVED clauses of the resolution included language to encourage collaboration with other groups, as well as conducting pilots:

...

(i) Certify and use components of the voting system in real elections prior to the completion of the full system, for example by facilitating pilot projects of the form permitted by SB 360 and/or the use of a blended system during a transition period that incorporates components from both a proprietary system and the open system being developed;

...

(k) Recruit other organizations, including other jurisdictions, universities, open source software organizations, and commercial entities with an interest in open source, to cosponsor, fund, and help manage the development, certification, and maintenance of the voting system;

(l) Explore the possibility of innovative partnerships with public and private entities that could let San Francisco further reduce, and even recover, project costs;

(m) Seek grants from foundations, other government agencies, and nonprofit organizations with a similar interest in election openness to help fund and support the project; and, be it

FINALLY RESOLVED, That it be the policy of the Department of Elections to support and work towards the adoption of a fully open voting system, including supporting the development, testing, and certification of such a system.

Note that one WHEREAS clause relates to the Commission’s recent discussion of the DVSystem privacy flaw found in the proprietary system that San Francisco uses. It says that open source allows for greater security because the code is under public scrutiny and can be examined by experts:

WHEREAS, The transparency of open source software promotes greater trust and public confidence in its use, and in particular permits greater security and correctness through increased public scrutiny and feedback from experts;

## California Little Hoover Commission

In April 2021, the bipartisan California Little Hoover Commission issued a report,<sup>1</sup> "California Election Infrastructure: Making a Good System Better," calling on California "to adopt an open source election system," among other things.

From the Executive Summary:

The state currently relies on for-profit producers of election equipment. An open source system would be more transparent, save money, increase versatility for counties, and align with a state goal to use open source software across government.

Such a system must be accompanied by policies to ensure its proper use, and its adoption must not be rushed.

The Commission recommends that the state invest in a publicly owned, open source elections system.

## October 2021 – Former Governor Jerry Brown

On Friday, October 1, 2021, former Governor Jerry Brown made the following statement in support of open-source voting in front of a live audience in San Francisco at an event organized by KQED at their headquarters (Governor Brown was speaking via a video feed):

Look, there is a risk with all this cyber power. They can turn off -- they can start a nuclear bomb attack. They can turn off your hospital, and the power. Can they change the election? It's all secret, secret, but it may be that people can do that. So these voting machines have to be squeaky clean, perfect, open to observation. We gotta know. There can be no obscurity here -- nothing, nothing hidden. That's what open source means. I'm all for it.

Secretary of State Shirley Weber was the other guest at the event.

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<sup>1</sup> California Little Hoover Commission, "California Election Infrastructure: Making a Good System Better," Report #259, April 2021: <https://lhc.ca.gov/report/california-election-infrastructure-making-good-system-better>

## Pre-2018 – Organizations in Support

Below is a list of organizations that wrote letters or passed resolutions in support of open source voting in San Francisco – before or in 2018:

- San Francisco Democratic County Central Committee (DCCC).  
Passed a unanimous “Resolution in Support of an Open Source Voting System for San Francisco” on April 13, 2016. Introduced by Joshua Arce and co-sponsored by Rebecca Prozan, Zoe Dunning and Kat Anderson.
- San Francisco Technology Democrats (SF Tech Dems)
- Harvey Milk LGBT Democratic Club
- SF Berniecrats
- San Francisco Green Party
- SF Chapter of Unite America
- Code for San Francisco
- Represent Us San Francisco
- Electronic Frontier Foundation (EFF)
- California Common Cause
- California Clean Money Campaign
- GitHub. CEO and Co-Founder Chris Wanstrath wrote a letter in support.
- FairVote
- Verified Voting Foundation
- Open Source Initiative (OSI)
- Voting Rights Task Force
- Open Source Election Technology Foundation (OSET Foundation)
- National Election Defense Coalition