



NEWS RELEASE

CALIFORNIA SECRETARY OF STATE **BRUCE McPHERSON**

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Statement by Secretary of State Bruce McPherson Regarding Third District Court of Appeal's Decision on Faxed Ballots for Military and Overseas Voters

SACRAMENTO, CA - Secretary of State Bruce McPherson issued the following statement after the Third District Court of Appeal's decision to uphold overseas civilian and military citizens' ability to return their ballots by fax:

"Today, the Court affirmed a long-standing practice to give overseas civilian and military voters more options in casting their votes in a timely manner."

"As Secretary of State, I want to encourage 100% participation. Faxed ballots have been a user-friendly method for those living abroad to participate in the democratic process. This ruling gives over 62,000 Californians more flexibility in casting their ballots."

"I applaud the Court's decision."

The Third District Court of Appeal today issued its opinion reversing the Superior Court ruling regarding the constitutionality of the waiver of the secrecy of a faxed ballot. The three-judge panel found that the Legislature may authorize voting by fax for citizens living outside the country and may, as part of that process, require voters returning their ballots by fax to waive their right to a secret ballot without violating the secret ballot guarantee of Article II, Section 7 of the California Constitution. For a copy of the court's complete opinion, go to <http://www.courtinfo.ca.gov/opinions>.

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