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Statement on Ballot Marking Device Disinformation

ANNAPOLIS, MD (November 4, 2024) – To correct the record under Election Law 2-110 (HB333 of the 2024 Maryland General Assembly Legislative Session) on election disinformation being disseminated on social media, the Maryland State Board of Elections (SBE) issued the following statement from State Administrator Jared DeMarinis regarding ballot marking devices.

“Ballot marking devices do not flip or switch votes. Unfounded claims of machines flipping votes have resurfaced and circulated in many elections. SBE has not substantiated any claim of vote flipping or changing of votes by a ballot marking device (BMD). Moreover, each BMD machine underwent logic and accuracy testing including a public demonstration prior to their usage for early voting and Election Day voting. No issues were reported during the testing conducted by the local boards of elections.

A BMD does not cast a vote. It only records the voter’s preferences for each contest, similar to filling in an oval with a pen. After marking all contests, the BMD allows the voter **to see, review and verify** those choices on screen. The voter can again **see, review and verify** the choices on a paper ballot before casting that paper ballot for tabulation. If the voter identifies a mistake on the BMD screen, the voter can change the selection to the appropriate candidate or ballot question answer. If the voter identifies a mistake on their paper ballot after it is printed, they can request a new ballot activation card (BAC) and their previous ballot can be spoiled, returning to start the voting process. This review and verification of choices made by the voter can be done at any point until the ballot is scanned into the scanning unit for tabulation. Once placed for tabulation, the ballot is officially cast.

We understand that some voters are being urged to file administrative complaints alleging vote switching or flipping. All allegations of vote flipping submitted under the administrative complaint procedure must be accompanied by: (1) an affidavit sworn under the penalties of perjury from the voter specifying the voting choice they are claiming was flipped; and (2) the BAC from the BMD the voter received showing the final selections recorded on the voter’s ballot. Failure to provide these documents with an administrative complaint may result in summary denial.”

For more information and a demonstration on how the ballot marking device functions, please visit SBE’s Press Room at elections.maryland.gov.

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