

Interim Report of the VT GOP
Committee on Election Operations, Procedures, And Integrity

December 31, 2023

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Introduction

At the spring 2023 meeting of the VTGOP State Committee, a resolution (Appendix A) was introduced that would establish the Committee on Election Operations, Procedures and Integrity (EIC) to investigate and address any issues concerning election operations, procedures and integrity in Vermont. While the committee was charged with looking at election operations, procedures and integrity as outlined in the resolution, it was not restricted to only investigate these areas.

The EIC was chartered to produce an interim report by December 31, 2023 and a final report by the December 1, 2024. The committee met several times, both virtually and in person to develop a plan to evaluate Vermont's elections procedures.

The EIC has worked through several barriers to completing the work with the highest possible quality, primarily with time and resources. The resolution was presented and approved at the State GOP meeting in April 2023 after review by the rules committee. It was June before County chairs had appointed members and the VT GOP chair had named a Committee Chair. The Committee Chair resigned in November, with a new chair named immediately prior to the December meeting. The initial Committee Chair is still on the committee as a county representative. Active participation in the EIC has only been from a few counties, with several county representatives resigning. The originating resolution made no provision for committee member replacement upon vacancy. A resolution proposed by Windham County is currently before the Rules Committee to allow counties to name EIC members and alternates in the case of vacancies for the 2024 committee work.

Background

Recent Rasmussen Reports polls show that 58% of voters expect cheating to influence next year's presidential election, and see mail-in voting as part of the problem.¹ Voters have seen expanded mail voting, loosening of voter registration rules, and an influx of illegal immigrants across the country and state. Vermonters are having more and more interactions with illegal immigrants across the state. Voters are concerned about the ability to hold elections complying to Article 8 of the Vermont constitution – Free and without corruption.

The prologue to the Vermont Election Procedures Manual from 17 V.S.A. §2101 states several purposes of election laws including *“to provide equal opportunity for all citizens of voting age to participate in political processes”* and *“to ensure that public service will be in the public interest, rather than the special interest of groups or individuals”*.

As Vermont's state house supermajority increases, Vermonters are seeing more legislation passed that does not represent the will of the people. In cases like Senate Bill 5 (Act 18) – Affordable Heat Act, the bill was first passed and the veto was subsequently overridden by the legislature despite strong citizen opposition to the bill. Activities like this veto override shows how far the VT legislature is from serving in the public interest.

The RNC report of the Temporary Committee on Election Integrity (Appendix D) stated *“The fate of the Republic rests on ensuring Americans have confidence in the integrity of elections”*. Vermonters and Americans are far from having confidence in the integrity of elections and the lawfare and lack of transparency only further erodes confidence.

In light of citizen concern about the transparency and integrity of the election process, the VT GOP EIC set out to:

1. Review Vermont Election Procedures and Statutes
2. Interview key players in the process including:
 - a. Town Clerks / Board of Civil Authority members
 - b. Elections division of the Secretary of State
 - c. Local Postmasters
3. Gather information relevant to the Vermont elections process from local, state and nationwide publicly available information
4. Collaborate with grassroots election integrity groups such as Cause of America.

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https://www.rasmussenreports.com/public_content/politics/biden_administration/election_integrity_56_say_cheating_likely_in_2024

Executive Summary

After an extensive review of the Vermont Constitution, relevant election related statutes, Vermont election practices and recent changes to these practices, the VT GOP EIC has identified several serious issues, and concerns about various election related practices. Chief among these is 3rd party influence on voter roll management, lack of chain of custody in the handling and processing of mail in ballots, and security and controls in the counting of ballots including but not limited to machine tabulators. Essentially, abuse or potential for abuse appears to exist in every phase of the Vermont voting process from campaign finance through election night reporting. Additional concerns relate to US Postal Service operational control of mail in ballots and their returns, excess ballots, town clerk operations and controls in early voting. Section One - The Voting System outlines the overall voting process. Summary of the findings of the EIC are found in Section Two - Findings & Concerns. Section Three - Recommendations details the recommendations and next steps towards a final report next December. Detailed backup information is found in the Appendixes.

In August of 2023 the Republican National EIC passed a Resolution Urging a - Return to Excellence - in American Voting and Elections (Appendix C). The VT GOP EIC supports the recommendation of the RNC Resolution “a return to the simple and proven methods of precinct, ward or geographically-defined localized voting with:

- auditable balloting procedures
- using paper ballots,
- in fair, reasonable limited time periods,
- using proper identification

... to strengthen voter confidence and to ensure that American election procedures can be a fair and open process for all to participate”.

The Vermont GOP EIC We would add the requirements of voting:

- in person
- on paper
- counted by hand, not tied to machines.

The biggest short-term opportunity that the VT GOP has with respect to election integrity is to ensure there is adequate Republican participation in each municipality’s **Board of Civil Authority** through elected Selectboard members, elected Justices of the Peace and appointed Justice of the Peace (Appendix I) where necessary, and that these JPs are well trained in the role and authority of the JP with respect to election operations.

The 2024 election is critical to the future of this country, and the Vermont GOP must ensure we have strong Republican candidates running in every race. “J6” was weaponized in 2022 as a form of election interference across the country and in Vermont against candidates. One can

expect the current lawfare practice of using the legal systems to damage, delegitimize or waste the time of an opponent that is focused on President Trump to trickle down to conservative candidates in the 2024 election cycle. Legal support will be needed for this trickle-down lawfare.

In addition, with the early voting / mail voting system, early campaigning is a must. The Vermont Election Management System (VEMS) provides daily reporting of each early ballot cast. There is debate on the merits of get out the vote (GOTV) effort focused on early voting, since any early voting GOTV efforts provide critical intelligence for voter fraud mechanisms. GOTV for Election Day voting is essential. Efforts should be taken to monitor VEMS results for critical evidence of errors, omissions and fraud in the voting process.

Vermont Constitution Article 8

Chapter I, Article 8 of the Vermont Constitution requires:

"That all elections ought to be free and without corruption, and that all voters, having a sufficient, evident, common interest with, and attachment to the community, have a right to elect officers, and be elected to office, agreeably to the regulations made in this constitution."

This is not just a homily. The purity and basic fairness of Vermont elections is both a philosophical and practical objective of our social and political lives as Vermonters. We begin this review of the Primary and General elections by proudly repeating the purposes of the Vermont election laws, as explained in 17 V.S.A. §2101:

- to provide equal opportunity for all citizens of voting age to participate in political processes;
- to assure that political campaigns are fairly and honestly conducted and financed;
- to define unacceptable conduct among political candidates and public servants;
- to ensure that public service will be in the public interest, rather than the special interest of groups or individuals;
- to encourage citizens to become more actively involved in the political processes which affect the quality of life; and
- to provide uniform practices and procedures in the conduct of elections throughout the state.²

²² VT 2024 ELECTION PROCEDURES, Page 2

Section One - The Voting System

“Constitutional Free and Without Corruption” Standard

The Vermont Constitution, Article 8 calls for elections to be free and without corruption. What is the standard for “without corruption”? At the federal level, this is defined by the Federal Election Commission as 0.002% or one ballot mark in 500,000³. This standard for system accuracy applies end-to-end from the printing of the ballots through the reporting of results at the secretary of state office. Unfortunately, the de facto standard commonly in place now in Vermont and often elsewhere is a weaker “did the variance change the results of a race?”, not “without corruption”.

Free Speech and Voting

Under the First Amendment of the US Constitution, citizens have a right to free speech, and political speech is a protected class within those inherent rights articulated in the First Amendment. Unfettered free speech is essential for the election process, allowing candidates to get their message to the citizens.

Campaign Finance

Candidate Finances

Campaign finance laws set very specific limits for the amount of donations from individuals to candidates, and specific reporting standards for candidates on the donations received. At the federal level, the Finance Election Commission (FEC) maintains a database of individual and corporate donations, and candidate receipts and expenditures.

PACs

Political Action Committees have different regulations regarding fundraising and expenditures, and can have a significant impact on elections and ultimately the behavior of elected officials once they are in office.

Voter Rolls

In order to analyze Vermont Elections, we first need to look at voter rolls. Voter rolls have been steadily growing across the nation since the passage of the National Voter Registration Act in 1992. Bloated voter registrations beyond legitimate registered voters on the rolls, provides multiple opportunities for fraud. Vermont is one of seven states in the country with [100% registration rate](#). Vermont voter rolls are maintained in an online system, [VT Election Management System](#) (VEMS), to facilitate interaction between DMV, the Secretary of State’s office and local municipalities.

Vermont DMV transactions automatically register voters unless the voter opts out of the registration. In the case of license applications, this automatic registration is done in 14 foreign languages as detailed in Appendix E. Voters also have the ability to register and maintain their registration through the [My Voter Page](#) at the Vermont Secretary of State Office and to register with the town clerk.

³ https://www.eac.gov/sites/default/files/document_library/files/Voting_System_Standards_Volume_1.pdf

Vermont is a member of the [Electronic Registration Information Center](#) (ERIC), and Will Senning from the Secretary of State's office sits on the ERIC board. ERIC is a Soros funded⁴, state-run voter monitoring system in which states periodically submit their voter rolls for review to purportedly identify incorrect and outdated voter information. Its membership consists of state-level election officials from member states. In the past year, nine states including Alabama, Florida, Iowa, Louisiana, Missouri, Ohio, Texas⁵, Virginia, and West Virginia have withdrawn from ERIC over a number of concerns. Arizona attempted to withdraw, but the legislation was vetoed by Katie Hobbs⁶. In Virginia's withdrawal from ERIC, Virginia cited concerns related to the sharing of data with outside organizations leveraged for political purposes. Some states objected to the membership requirement to contact would-be voters who may be eligible to register but haven't registered.

Poll Books

As noted, Vermont uses an online database for maintaining the registered voter database, known as the Vermont Election Management System (VEMS). Extracts of this database are provided to ERIC, to the Democratic National Committee and Republican National Committee and others. While Vermont uses paper poll books on the day of election, for the entire election season up to election day, these voter registration records are readily available with nearly real time records of who has voted by mail or early voted. In the voting system, knowledge of both who has and who has not voted is critical intelligence.

Mail Ballots and Early Voting

For the 2020 election, Universal Mail Ballots were implemented for the first time by executive order. In 2021, Vermont passed Senate Bill 21 (Act 60), which codified universal mail-in ballots for all general elections. Vermont's Universal Ballots require a signature, but do not require any verification of that signature. All active voters are mailed ballots. Absentee ballots are still supported for primaries and other elections, as well as early voting in town offices.

With significant numbers of ballots arriving at the town office before election day, election counting has also been expanded to start long before election day, new questions have arisen. What controls are in place in town clerk offices for dual control and chain of custody of early voting ballots? How is early voting managed? How consistent are the controls from town clerk office to town clerk office throughout the state?

Boards of Civil Authority

Each municipality in Vermont has a board of civil authority. In most towns, this board is headed by the town clerk. Membership also consists of the town select board, elected Justices of the

⁴ <https://www.influencewatch.org/non-profit/electronic-registration-information-center-eric/>

⁵ <https://www.nbcnews.com/politics/elections/texas-leaves-electronic-registration-information-center-aka-eric-rcna95428>

⁶ <https://www.democracymatch.com/news-alerts/arizona-governor-vetoes-bill-that-would-force-state-to-leave-eric/>

Peace (JP) and optionally appointed JPs. Each municipality by law should have equal representation of Justices of the Peace from each major party. If sufficient JPs are not elected from each party, there is a process for the party to nominate and have appointed additional JPs up to the three per party. These appointed JPs solely participate on the BCA for elections and do not fulfill other roles of the Justice of the Peace. This is more fully detailed in the [Vermont State Justice of the Peace Guidebook](#).

The BCA is responsible for keeping the voter rolls clean. Given the Vermont statutes and different entities providing input to the voter rolls, this can be a daunting task. Vermont Statute requires challenged voters to be retained on the voter rolls for two general election cycles after the challenge, unless the voter responds to the challenge letter or if a vote is cast in that voter's name. A voter challenged without response in 2023 will not be removed until after the 2026 general election. During the period of the challenge, the voter is inactive and does not receive automatic ballots, but can respond to the challenge and be restored to active status.

Election Day

Election Day operations at the municipal level in Vermont is run by the Board of Civil Authority, typically under the direction of the town clerk, the presiding officer for the election.

Tabulators

In Vermont, we use Dominion ImageCast Precinct machines in many municipalities, managed by an out-of-state contractor, [LHS Associates](#). For accessible voting, the Omniballot Tablet manufactured by Democracy Live is used. These machines are mandated for municipalities with more than 1000 residents. In a number of states, these tabulators are connected to FirstNet, a cellular first responder's network.

These machines produce what is known as a cast vote record, a record of the system's interpretation of the voter's choices on the ballot that is created and stored by the electronic voting system. The voting system should be able to produce a report of these data. If the electronic system can export a file of the Cast Vote Records for all the ballots in a way that allows each ballot to be associated to its interpretation by the voting system, the file can be used for auditing purposes.

Election Results & Certification

Nationwide, election results go overseas to Scytl, a foreign corporation, for distribution to Edison and Secretary of State Election Night Reporting. News organizations report election night results based on this data as extracted from Edison.

Section Two - Findings & Concerns

Free Speech and Elections

There are multiple facets of election interference with respect to free speech. Conservative candidates in Vermont have difficulty with getting placement of letters to the editor in the predominantly left leaning publications in the state. The U.S. House of Representatives Select Subcommittee on the Weaponization

of the Federal Government published an interim report “*THE WEAPONIZATION OF “DISINFORMATION” PSEUDO-EXPERTS AND BUREAUCRATS: HOW THE FEDERAL GOVERNMENT PARTNERED WITH UNIVERSITIES TO CENSOR AMERICANS’ POLITICAL SPEECH*” (https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/evo-media-document/EIP_Jira_Ticket_Staff_Report_11-6-23_Clean.pdf)

In the lead-up to the 2020 election, as American citizens, including candidates in these elections, attempted to exercise their First Amendment rights on world’s largest social media platforms, their constitutionally protected speech was intentionally suppressed as a consequence of the federal government’s direct coordination with third-party organizations, particularly universities, and social media platforms. Speech concerning elections—the process by which Americans select their representatives—is of course entitled to robust First Amendment protections. This bedrock principle is even more critical as it relates to speech by political candidates. But as disinformation “experts” acknowledge, the labeling of any kind of speech is “inherently political” and itself a form of “censorship.”⁷

In the workshop on Communications at the VT GOP Biannual Convention, November 18, 2023, when this topic of candidate suppression and censorship was brought up with Nick Clemens, Director RNC Communications Team, the solution was to buy direct mail to circumvent the censorship of political speech.

Coming into the 2024 Election cycle, the public is becoming more aware of the breach of first amendment rights. There is currently a free speech case working through the court systems, Missouri vs. Biden that has received a preliminary injunction against the federal government continuing to suppress speech through third parties. Through Twitter Files, where Elon Musk has released internal communications documenting collusion between social media companies and the government, further exposure of the collusion between government and non-government organizations has occurred. Both the censorship exposed through Twitter Files and the CITL Files have become public record through the congressional testimony of Matt Taibbi and Michael Shellenberger⁸

Campaign Finance

Vermont Republican Candidates frequently find themselves at a financial deficit vs. opponents in state and federal elections. O’Keefe Media Group did an expose on laundering funds through Act Blue to candidates by a process that Cause of America refers to as “smurfing”. The identities of small donors through Act Blue are used for large quantities of small dollar donations, with donors in some cases making thousands of individual donations during an election year. In OMG’s canvassing of a number of these donors there were a small number of legitimate donations made by the donor, but not the large number in the FEC database.

⁷ U.S. House of Representatives Select Subcommittee on the Weaponization of the Federal Government interim report “*THE WEAPONIZATION OF “DISINFORMATION” PSEUDO-EXPERTS AND BUREAUCRATS: HOW THE FEDERAL GOVERNMENT PARTNERED WITH UNIVERSITIES TO CENSOR AMERICANS’ POLITICAL SPEECH*” https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/evo-media-document/EIP_Jira_Ticket_Staff_Report_11-6-23_Clean.pdf Nov 6, 2023, p 2-3.

⁸ <https://public.substack.com/p/secret-government-censorship-sold>

In some initial evaluation of publicly available FEC data, it did not take much investigation to find donors in Texas and Alaska that match this smurfing profile that contributed to the Peter Welch senate campaign and the Becca Balint house campaign. Each of these candidates also had direct donations⁹ from Sam Bankman-Fried, founder of cryptocurrency exchange FTX, who was convicted of seven counts of fraud and conspiracy after a month-long trial in Manhattan. Bankman-Fried was charged with stealing as much as \$10 billion from customers to finance political contributions, venture capital investments, and other extravagant spending. FTX executive Nishad Singh also donated a whopping \$1.1 million to the LGBTQ Victory Fund, a political action committee, which then directed the money into Vermont's primary race, bombarding voters with pro-Balint campaign mailers and television ads in its final stretch. Singh's donation made up the vast majority of the PAC's treasury ahead of the primary.

Canvassing

Several members of the EIC received data on voters that appeared in the national change of address database and showed votes subsequent to the move. Canvassing of those addresses showed a number of these voters confirmed to not live at the address at the time of the vote.

Voter Registration

Vermont legislation does not require any voter identification to register to vote, and as outlined earlier, is done in English and fourteen additional languages through the DMV automatic voter registration. The voter simply needs to affirm that they are a US Citizen and have taken the voter oath. This raises concerns about the legal eligibility of all registered voters.

Voter Roll Maintenance

Vermont law makes it easy to add individuals to the voter rolls up to and including the day of election, and difficult to remove voters from the rolls, requiring two general election cycles to pass prior to removing a challenged voter. Furthermore, the legal barriers to cleaning voter rolls leads to inflated voter rolls opening up the potential to fraud. The BCA has responsibility to maintain accurate voter rolls. As discussed in the BCA section, this maintenance is abdicated to the town clerk in some jurisdictions, and some municipalities don't have major party representation on the BCA. Providing a utility bill does not confirm identity, nor citizenship.

Vermont became a member of ERIC to assist in the maintenance of voter rolls. ERIC has since transitioned to be more focused on ensuring every possible voting age individual was registered rather than that the voter rolls are accurate. Voter information supplied from states to ERIC and from ERIC to other third-party NGOs. In some cases, this information provided to ERIC is in violation of federal law¹⁰.

Universal Mail Ballots Chain of Custody Concerns

Current legislation mandates universal mail ballots for every general election. This has resulted in an extended election day, with counting of ballots in some municipalities starting 30 days before election day. A majority of ballots are already cast by election day. Ballots cast other than in-person on election day lacked all safeguards ensuring chain of custody. The Secretary of State vendors mail ballots to the address of intended recipients. Due to the voter identification issues already discussed, many ballot recipients may not have been eligible to vote on election day nor even on the day the ballot was mailed.

⁹ <https://vtdigger.org/2022/11/15/becca-balint-to-donate-2900-contribution-from-crypto-exec-sam-bankman-fried-to-charity/>

¹⁰ <https://www.thegatewaypundit.com/2023/10/huge-dem-sos-sued-violating-minnesota-law-when/>

Furthermore, when town clerks receive the ballots, they cannot document who had access to the ballot or who marked it or under what circumstances. Again, the sharp contrast between loose chain of custody controls for mail in ballots versus the careful chain of custody control of ballots at the polling place on election day violates the constitutional guarantee of a “fair and honest” election “free and without corruption.”

Since there is no voter ID or signature verification process in Vermont, there is no chain of custody for the ballots. As long as a ballot is cast in the name of a registered voter, which is publicly available information through posted voter checklists, and has a signature on the inner envelope, the ballot is likely to be counted. That ballot traverses a number of potentially unsecure places between the printer/shipper of the ballot and the voter’s mailbox. If a voter shows up on election day without the mailed ballot, they are required to sign an affidavit affirming they did not use the mail ballot.

In the 2020 General election, ballots traversed two states between the vendor assembling the ballots and the voter. The ballots were printed by several vendors and assembled by a mailing vendor near Springfield MA, then were mailed from the Springfield USPS Distribution Facility which forwarded them to the Nashua NH Regional Distribution Facility where they were sorted for forwarding to the various VT Post Offices including some sent to the White River VT and Williston facilities for further handling.

A recent poll by The Heartland Institute and Rasmussen Reports found one-in-five voters who cast mail-in ballots during the 2020 presidential election admit to participating in at least one kind of voter fraud.¹¹

Drop boxes are used by some municipalities. Some may be standard town boxes at the town hall, others are dedicated ballot boxes. The boxes don’t have the same level of physical security and legal protections that every USPS mail box with a restricted opening to limit deposits and prevent unauthorized withdrawals. Many of the boxes do not have video surveillance, nor are they monitored 24/7 during election periods.

“Harvesting” of election ballots, the coordinated effort to collect voters’ ballots, as permitted by 17 V.S.A. § 2543(f), contributes to the lack of chain of custody documentation. Ballot “harvesters” were not required to undergo any training in ballot handling procedures, were not required to register, and were not subject to any regulation at all. The “harvester” is not required to maintain records of the names of the individuals from whom ballots are harvested, record the date and time of the harvesting, state whether each harvested ballot was marked and signed by the individual on the checklist to whom it was addressed, state whether the harvested ballot was enclosed in a signed ballot envelope before it was harvested, attest that the ballot was not tampered with before it was conveyed to the clerk, or even attest that all harvested ballots are actually submitted to the clerk. Vermont courts would not admit or accept records as evidence with such an undocumented chain of custody. There are concerns surrounding harvesting at nursing homes, particularly with residents that are in memory care units. Vermont law allows two JPs to bring a ballot to a voter and assist the voter with the ballot. Ballot harvesting circumvents this more secure and bipartisan JP process. Appendix K Resident Voting at Assisted Living Facilities has recommendations on best practices for these facilities.

¹¹ <https://heartland.org/opinion/heartland-rasmussen-poll-one-in-five-mail-in-voters-admit-to-committing-at-least-one-kind-of-voter-fraud-during-2020-election/>

Tabulator Concerns

Dominion ImageCast Precinct Omniballot Tablet machines are used in Vermont for the balloting and tabulating process. Vermont, like most New England states, outsources the management of the machines to LHS Associates. This firm is responsible for the configuration and security of the machines. Local Boards of Civil Authority do not have access into the configuration of the machines nor do they have cybersecurity experts to ensure the machines comply with state law and are not connected to the internet. In a recount of the Bennington-1 2022 house race, all four municipalities were machine counted even though three were hand counted for certification on election day, and the recount total did not match initial election night count. Configuration of the machines was done by LHS staff in the courtroom for each municipality.

With the outsourcing of machine configuration and support to a non-government entity, there are barriers to transparency with the machines. In Appendix D, citizen concern about this lack of transparency and the ability to fully audit elections was a key concern, particularly with the machines and outsourcing. Vermont state law prohibits the tabulators from being connected to the internet. Across the country cellular communicators such as the FirstNet are used by municipalities to connect these very machines. Therefore, Vermonters have no way of knowing if the machines are compliant with the law and not connected to the internet and there by susceptible to misuse.

Machines produce a cast vote record, recording the ballot markings of all ballots. Numerous open records requests were done for the CVRs for the 2020 and 2022 elections nationwide. Vermont records were obtained for the 2022 general election and are in a database open for public analysis at <https://votedatabase.com/>. In preliminary analysis of Vermont CVR records, it appears that a number of state and federal races have the marks of PID control, making them suspect of algorithmic control of the results.

Board of Civil Authority

Vermont currently only has 118 organized municipalities. Even in the organized municipalities, many do not have full Republican representation on the Board of Civil Authority (BCA) as authorized by law. There is significant opportunity to strengthen Republican BCA representation both in encouraging JP participation in organized municipalities and following reorganization of these municipalities not currently organized.

With the extended voting season, rather than a voting day, poll watching and having bipartisan election officials involved with every ballot may not be consistently happening. Having full Republican representation is imperative. Upon receipt by the BCA, ballots need to be logged in the VEMS within 72 hours, showing that a mail ballot was cast by the reported voter if it was not defective. If defective, the voter must be notified by post card of the need to cure the ballot, unless the ballot is received within 5 days of the election. For these ballots received immediately before the election, the clerk must attempt to reach the voter by any available means such as phone or email on file. The BCA may vote to permit elections officials to deposit early voter absentee ballots that have not been deemed defective through the tabulator during

the 30 days preceding the election, in accordance with detailed procedures in statute, §2546a. This will result in inconsistencies state-wide. This could also lead to fraud in knowing who is leading in an election prior to election day, taking full advantage of ballot harvesting to remedy the winner.

Town Clerk Surveys

Generally, Town Clerks were very complimentary of the support and training provided by the Secretary of State's office for election support. A number of town clerks said the flip flop from town/primary elections to general election between requested absentee ballots and universal mail ballots is confusing to voters. Town clerks bear the brunt of criticism about a process they do not control. Town clerks generally seem to feel the election process is smooth and are seeing an increase in voter participation.

Town clerks have not questioned the fact that neither the BCA nor the public has no visibility into the tabulators – they are a black box managed by LHS Associates. Neither are Town clerks questioning the lack of chain of custody for mail ballots and the unequal process and protections between mail ballots and in person voting. Nor do they have any visibility into ERIC and thus do not notice the voter registration push (rather than voter roll maintenance) that ERIC is forcing. Professor David Clements in a recent quote summed up the situation: “Until the accuracy of our votes is more important to a clerk than the convenience of a rigged process, slavery will continue.”

Section Three - Recommendations

Legislative recommendations

The VT GOP EIC affirms the RNC recommendations in Appendix C of voter ID, use of auditable balloting procedures using paper ballots in fair, reasonable time periods – such as the election day specified in Article 8 of the Vermont Constitution.

In the absence of a reversal of SB60 implementing universal mail ballots, Appendix J outlines methods of improving validation of the voter using a mail ballot.

There should be some provision for proving legal US Citizenship status in order to register to vote. Illegal immigrants are able to obtain a driver's license. According to the SOS, producing a driver's license is enough to register to vote. This must be addressed.

Board of Civil Authority Recommendations

Under representation of Republican JPs on BCAs in many towns.

Town JPs are included in each town's BCA with control over election practices among other things. Per VT statute, after elections have concluded, if a town BCA has fewer than 3 Republican JPs, the Republican Town Committee may select up to 3 Republican town residents to be appointed to the BCA (for election related purposes only) by the current town BCA.

Appointments are requests but can not be denied by the town BCA (see attachments). If the town BCA is composed entirely of Democrats, Progressives, Independents, or some other party affiliation, Republicans can select up to 3 names for appointment to the BCA regardless of how many members the BCA normally has. Republicans are entitled to at least 3 JPs on each town BCA.

The Brattleboro Town Republican Committee has successfully petitioned for appointment of 3 JPs in each of the last 2 election cycles. Appointed Republican JPs are only involved in election actions of the BCA. Relevant statutes and a sample letter to the Brattleboro town clerk are provided Appendix I

Adding Justice of the Peace for insufficiently represented political parties.

It is not clear if Republicans in towns with no Republican Town Committee can petition for appointment to the town BCA. However, it may be appropriate for the VT State Committee to act in support of and as sponsor of such appointments on behalf of Republican residents in towns with less than 3 Republican JPs. That means with 250 or so towns in Vermont, Republicans should have a minimum of 750 JPs serving on Vermont BCAs and perhaps many more than that.

Recommendations for VT GOP, County, Town Committees

- A) VT GOP, County - Survey town BCAs to determine Republican representation on each BCA.
- B) VT GOP, County, Town - Train all town committee members on the significance of having JPs on each town's BCA.
- C) VT GOP, County - Enlist Republican Town Committees in towns with less than 3 Republican JPs to locate candidates for appointment as JP.
- D) County, Town - Conduct training for all current & potential JPs on the role of JPs in establishing & maintaining election integrity.
- E) County - Assist, as needed, each town pursuing the appointment of Republicans as town JPs.
- F) VT GOP - Provide legal support for town appointments if needed.

Improper delegation by town BCAs of voter roll management to town clerks.

It was discovered, upon inquiry by the Brattleboro Town Chair, that the Brattleboro BCA had delegated to the Brattleboro Town Clerk essentially the full function of management of the voter rolls in Brattleboro for several voting cycles. Brattleboro has about 8,000 registered voters. A letter challenging this practice was prepared and sent to the Brattleboro Town Clerk in Dec. 2022. The TC responded with summary of the history of the practice and a description of how the TC office handled the responsibility as well as statistics related to the outcome of the TC voter roll efforts. In a subsequent meeting with the TC and the Brattleboro town attorney, it was agreed that in 2023 the Brattleboro BCA would return to its primary and statutory role of reviewing the voter rolls and completing the review before the required Sept 2023 deadline. A copy of the challenge letter is attached.

Voter roll management is a primary function of town BCAs and therefore town JPs. Even for large towns like Brattleboro, it is not appropriate nor wise to delegate this function entirely to

town clerk staff. TC input and contribution to voter roll management is necessarily appropriate and significant but should not be the exclusive responsibility of the TC office. In larger towns, such a voter review process is challenging. That is one reason why there are as many JPs for each town as there are. Voter roll management takes place every odd calendar year.

Recommendations for VT GOP, County, Town Committees

- A) VT GOP, County - Encourage each town committee to discuss with their town clerk how the voter roll process normally functions including a time line.
- B) County, Town - Republican JPs should insist on full voter roll access and involvement in the next review process in 2025.
- C) Town - Even if a town BCA plans on delegating the voter roll process to the town clerk, each JP is entitled to receive a spreadsheet copy of the voter list to review on their own if they choose.
- D) VT GOP, County - For towns with no Town Committee, Republican voters can still speak to their town clerk about the review process. State and County committees can assist interested Republicans as needed.
- E) Town - Use the attached challenge letter as a template for communication with a town clerk, if needed.

Canvassing

Several committee members have worked with other organizations to identify areas where voters have moved and still voted based on a former address. Further canvassing of voter rolls and canvassing to validate potential campaign donation fraud through smurfing should be done before the final report.

Election Day Recommendations

BCA members, election workers and poll watchers should be trained on how to observe and report election anomalies. While there has been discussion by VT GOP about developing a system for election day reporting and for reporting of duplicate mail ballots or incorrectly delivered ballots, the Election Crime Bureau discussed in Appendix G Election Crime Bureau is making available tools for reporting and nationwide monitoring of elections. With the scarce resources of the VT GOP and donors bypassing VT GOP, publicly available tools such as those from the Election Crime Bureau and Turning Point USA should be used.

Next Steps for Committee

The EIC was charged with looking at a minimum of seven areas of election operations, procedures and integrity. The status of these efforts is as follows:

- a) Voter roll maintenance, examined in some depth, monitoring will continue.
- b) Mail ballot process, examined in some depth, monitoring will continue.

- c) Chain of custody, examined in some depth, monitoring will continue.
- d) Post Office impacts, work has begun but needs further development and follow through
- e) Drop boxes, ballot harvesting, voter ID and affidavits were each examined in some depth, monitoring will continue.
- f) “Excess Ballot” program was not studied in depth and requires further review. Note: Alternatives for handling excess ballots being proposed by Turning Point USA and Cause of America will be studied to potentially save precious VT GOP resources.
- g) While the Justices of the Peace process was reviewed, the EIC needs to work with VT GOP officers and county chairs to identify and train potential JPs and poll workers and maximize their participation in election activities.

The initial resolution allowed work beyond those items listed above. Such efforts include further investigation of smurfing and canvassing to identify how pervasive the practice is in Vermont campaign finance. In addition, detailed analysis of cast vote records is needed to show to what extent local, state-wide and federal races are controlled by machine algorithms.

The EIC should Build local teams to collaborate with non-partisan grass roots organizations on election monitoring and reporting of suspicious activity.

A current resolution before the VT GOP Rules Committee allows replacement or selection of delegates and/ or alternates to the EIC for the balance of 2024 when a county has no current representation.

The EIC also recommends extending the end for the committee from Dec 31 2024 to Dec 31, 2028 to allow for further research on topics above and also for training and development of local JPs on BCAs, poll watchers and poll workers. This resolution will be submitted to the VT GOP Rules Committee shortly.

Appendixes

Appendix A

VT GOP Committee on Election Operations, Procedures, and Integrity Resolution

The Vermont Republican State Committee resolves:

A: COMMITTEE ON ELECTION OPERATIONS, PROCEDURES, AND INTEGRITY

Pursuant to Rule 9 b), the Chair of the State Committee is directed to appoint a special Committee on Election Operations, Procedures, and Integrity, which shall render an interim report in accordance with this Resolution not later than December 31, 2023 and a final report not later than December 1, 2024, at which time the committee shall cease to exist.

B. FUNCTIONS AND SCOPE OF INQUIRIES

The Committee may consider all aspects of election law and procedures, including:

- a) The effectiveness and accuracy of current processes for purging voter rolls at state and municipal levels.
- b) The impact of universal mail-in ballots in recent elections, including the impact on municipal clerk operations.
- c) Chain of custody issues concerns related to blank ballots as well as voted ballots.
- d) Impact of Post Office operations upon voting procedures in this state.
- e) The impact of drop boxes, ballot harvesting, lack of voter ID processes, and handling of voter affidavits; and
- f) The effectiveness of the existing “Excess Ballot” program and ways to improve the program; and
- g) The duties, responsibilities, and limitations of Justices of the Peace, local election workers, and partisan observers, including building a contact list of Republicans in every voting district who are willing to serve in these capacities; developing an outline for local town committees as to how to maximize the participation of Justices of the Peace in election activities.

The Committee shall report its findings of fact and law and shall make such recommendations as it seems fit concerning recommendations for legislation, Republican Committee action, or otherwise.

C. MANNER OF APPOINTMENT

“Each County Committee shall, by appointment by its Chair or upon their election, designate a member and an alternate to serve on this committee not later than June 1, 2023. The State Chair shall appoint the Chair of the committee from among the county designees, with the concurrence of the Executive Committee.”

Appendix B

Data Collection

Survey development

The EIC assembled a list of questions drawing from personal election concerns and those of Republican voters in the community.

The EIC then interviewed dozens of Town Clerks and Post Offices across the state and collected unbiased unsolicited testimony.

Secretary of State Survey

The following survey was sent to the Secretary seeking clarification of our election process.

State Election Law Profile

VOTER ROLLS

1. What are the requirements that need to be met in order to add a voter to the voter checklist?
2. Are the requirements for same-day registrations different than pre-election?
3. Once a voter has applied to be added to the checklist, what verifications process, if any is conducted?
4. Who may challenge a voter from the voter checklist, and under what circumstances?
5. Is there a timeframe that challenges must be made by?
6. How does a challenged voter get removed from the checklist?
7. Are there federal laws that restrict the removal of voters?

POLL WATCHERS

8. What are the qualifications and residency requirements to serve as a poll watcher?
9. How are poll watchers credentialed and what is the deadline to submit names?
10. How many observers are allowed per precinct? How many at tabulation centers?
11. What if a poll watcher is being denied access into a polling place?
12. What if a poll watcher cannot see anything? What are they permitted to see/hear/observe?
13. Does the statute mention or define “meaningful observation” for poll watchers?
14. Are poll watchers permitted to view machine counts?
15. What are permitted and restricted activities for poll watchers at a voting location?
16. What should poll watchers do if they believe they have observed an infraction?
17. Can or should a poll watcher challenge a voter?

POLLING SITE

18. When do polls open and close? What if it does not open or close on time?
19. What are the poll worker duties for polls opening and closing?
20. Is parity required or encouraged by statute? Is there a written plan on how to accomplish this?
21. What is the prohibited electioneering zone?
22. Is photography allowed in the polling place?
23. What if a polling site runs out of regular or provisional ballots?
24. What are the different types of machines in a polling place?
25. Electronic poll book, ballot marking device, scanner/tabulator
26. Does state law prohibit voting machines from connecting to the internet?
27. What software is used?
28. What if a scanner is not “zeroed out” or there is a discrepancy with the previous day’s vote tally?
29. What if a machine breaks down? What is the emergency back-up protocol?
30. When should emergency ballots be used?
31. How are un-tabulated ballots kept separate and stored?
32. How is a ballot to be properly spoiled by officials? Where are they stored?

MAIL BALLOTS

33. Is the state universal/automatic all mail?
34. Who may request a mail ballot? Does an elector need an excuse to vote absentee?
35. How does an elector submit a request for a mail ballot?
36. Can electors opt in to the VBM list for multiple elections? Permanent or how many elections?
37. What is the deadline to request/apply for a mail ballot?
38. Does the state have an online tracking system for a voter to track their absentee ballot?
39. Is there any specific utensil requirement (i.e., pencil) for marking paper ballots?
40. When is the deadline for mail ballots to be received?
41. If a mail ballot is postmarked on Election Day, will it be counted?

42. What is the postmark-by date? Can ballots without a postmark be counted?
43. Does the state allow mail ballots to continue to be received/counted AFTER Election Day?
44. Does a voter casting a mail ballot need to include identification information: a copy of their ID, signature, witness signature, driver's license #, SSN, DOB?
45. What are the signature matching requirements in the state? How are signatures checked?
46. Are there any unique requirements for a FIRST-TIME voter voting by mail?
47. Where can a voter drop off an absentee ballot? What are the valid addresses for returning an ab?
48. What are the procedures for collecting ballots from congregate living facilities (nursing homes)?
49. Is ballot harvesting legal in the state? Can anyone besides the elector turn in their own ballot?
50. What is the timeframe range (and earliest date) that a county can mail out ballots?
51. When are absentee request/response files available for collection? What is the cost of these files? Who is allowed to request these files?
52. When are mail ballots allowed to be counted?

DROP BOXES

53. Drop Boxes – List of Locations, process for collections, security measures such as whether they are monitored by video or election workers (local).
54. What is the chain of custody for drop box collection?

ADJUDICATION/CURING

55. What are reasons that a mail ballot could be rejected (what disqualifies a ballot)?
56. How are inconclusive mail ballots adjudicated?
57. What are the rules for ballot duplication?
58. Is ballot curing permissible? What is that process and deadline? Are affidavits required?
59. What types of provisional ballots are resolved by the government and what types are the responsibility of the voter to cure?
60. What kind of outreach from election administrators is provided to voters to cure their ballots?
61. Does the county have a timeframe requirement for notifying voters to cure?
62. How, when, and to whom are lists released for provisional ballots and rejected mail ballots? Will these lists be updated as ballots are cured?

IN-PERSON VOTING

63. What are the hours and locations available for early in-person voting?
64. What are the voter ID requirements? What if the voter forgets their ID?
65. Is same-day voter registration permitted? Are there residency requirements to register to vote?
66. What is the official check-in process when an elector arrives to vote in-person?
67. What if a voter's name does not appear on the eligible voting list at the polls?
68. What if a voter's address or signature does not match? Do they vote regular or provisional?
69. What if an elector is told they already voted, however, they insist they have not yet voted?
70. Can someone vote in-person even if they requested a mail ballot? Do they need to surrender it?
71. Can an elector vote outside of their county? What if a voter shows up to the wrong precinct?
72. What if a voter is in line when the polls close?
73. Can someone assist a voter in marking their ballot?
74. Is curbside voting allowed and what is the process?
75. If a voter makes a mistake, can they receive a new ballot?
76. When is a provisional ballot necessary? What are the procedures for casting a provisional ballot?
77. When and where are ballots counted on Election Day?

Town Clerk Surveys

Surveys with a number of town clerks were conducted with the following outline of questions:

1. What about the voting system works well for you and what does not with regard to a) the voter checklist maintenance b) mail ballot handling and c) election day?
2. How have mailed ballots affected the voter participation compared to prior elections? If available, please send excel formatted, voted lists for 2016, 2018, 2020, & 2022. (Note per chapter 43, Subsection 2141, Town Clerk obligated to give checklist to county chair at no cost. Anyone else can request checklist at cost.)
3. Do you retain records based on statute 27071? What effect would it have on the clerk's department if Election material required to be maintained for 22 months for Federal elections included the affidavit envelope returned with each ballot?
4. How do you determine whether someone is eligible to register to vote? What documents do they need to provide? Other than someone "swearing" they are a US citizen, how do you make certain they actually are?
5. (Montpelier & Winooski) How do you make sure non-citizens don't vote in a Presidential election?
6. (Brattleboro) How do you ensure non-citizens or under age 18 voters only vote in local elections?
7. Do you receive voter registrations from any agencies, such as the DMV, housing and healthcare? If so, what do these registrations look like and how do you validate them? If all your information comes from the Secretary of State, how do you validate the information and how do you determine which agency the information comes from?
8. If you have a dropbox, what security measures are in place for it?
9. How has the implementation of the Electronic Registration Information Center (ERIC) impacted the maintenance of voter rolls for the town? Are you getting bi-monthly reports from the SoS on maintenance required on the voter rolls?
10. Is the SoS reporting who ballots are mailed to each election? What percentage of these ballots are being returned to the town clerk as undeliverable? What happens with these returned ballots?
11. Does the Board of Civil Authority have at least three members of each major political party per Chapter 43, subsection 2143
12. What additional expenses has the Clerk's office incurred with the implementation of universal mailed in ballots? Can you provide figures?
13. Are adequate resources available to ensure the BCA is fully trained for their role in the election process? If not, how can this be improved?

USPS Surveys

1. How do you receive ballots used in VT elections?
2. Where are they stored?
3. How do you determine what date to send out?
4. What kind of tracking method is used once they leave the post office building?
5. How are you certain of delivery?
6. How are you certain of delivery to the correct individual?
7. How are ballots delivered to individuals in nursing homes?
8. For the 2022 election, how many ballots were undeliverable at this office and forwarded to town clerks?
What percentage of the ballots were undeliverable?

Raw Survey Data

Secretary of State Survey

Response by Will Senning, Election Administrator, Vermont Secretary of State

State Election Law Profile

VOTER ROLLS

1. What are the requirements that need to be met in order to add a voter to the voter checklist? In VT, a person has to be a US citizen, at least 18 years of age by the general election, and a VT resident in order to register. [17 VSA 2121](#). [First time registrants in Vermont who register by mail or online are required to provide a copy of one of the following along with their application: Current and valid photo ID; Bank statement; Utility bill; or Government document that contains the person's name and current residential address.](#)
2. Are the requirements for same-day registrations different than pre-election? No.
3. Once a voter has applied to be added to the checklist, what verifications process, if any is conducted? [They provide either their VT driver's license number or their social security number, which is verified through the DMV. This verification is not required before the voter is added to the checklist \(for instance, there are individuals who may not have either of these forms of identification and they are still eligible to be added\).](#)
4. Who may challenge a voter from the voter checklist, and under what circumstances? [Each town's elected board of civil authority is in charge of the checklist and they would have to hold a meeting to revise the checklist in a situation like the above. 17 VSA 2146. The law requires the BCA to conduct a name by name review of the checklist every two years. 17 VSA 2150.](#)
5. Is there a timeframe that challenges must be made by? [There cannot be a "systematic review" of the checklist within 90 days of election, but the BCA can at any time consider the eligibility of an individual voter. 17 VSA 2150.](#)
6. How does a challenged voter get removed from the checklist? [They can respond to the challenge letter that the clerk sends to them and confirm they can be removed. If not, they remain in the challenged status for 2 general election cycles and then can be removed from the checklist.](#)
7. Are there federal laws that restrict the removal of voters? Yes, [Title 52](#).

POLL WATCHERS

Under Vermont statute, "poll watcher" fall under [17 VSA 2564](#) "Challenges.

8. What are the qualifications and residency requirements to serve as a poll watcher?
Here is the statute in its entirety and should answer each of the questions regarding poll watchers.
[§ 2564. Challenges](#)
[\(a\)\(1\)\(A\) Each organized political party, each candidate on the ballot not representing an organized political party, and each committee supporting or opposing any public question on the ballot shall have the right to **have not more than two representatives for each voting district, in a polling place but outside the guardrail**, for the purpose of observing the voting process and challenging the right of any person to vote.](#)
[\(B\) In no event shall such representatives be permitted to interfere with the orderly conduct of the election, and the presiding officer shall have authority to impose reasonable rules for the preservation of order.](#)
[\(C\) However, in all cases the representatives shall have the right to hear or see the name of a person seeking to vote, and they shall have the right to make an immediate challenge to a person's right to vote.](#)

- (2) The grounds of challenge of a person whose name appears on the checklist shall be only:*
(A) that he or she is not, in fact, the person whose name appears on the checklist;
or
(B) that he or she has previously voted in the same election.

[Please note that the grounds for challenging a voter are limited to the above two grounds and these do not include a challenge that the person is not a resident of the voting district.]

(b) If a challenge is issued, the members of the board of civil authority present in the polling place shall immediately convene, informally hear the facts, and decide whether the challenge should be sustained.

(1) If the board overrules the challenge, the person shall immediately be admitted within the guardrail and permitted to vote.

(2) If the board sustains the challenge, the person shall not be admitted unless, before the polls close, he or she shall obtain a court order directing that he or she be permitted to vote

9. How are poll watchers credentialed and what is the deadline to submit names? See statute above. There are no credentials required and no deadline to submit names.
10. How many observers are allowed per precinct? How many at tabulation centers? See statute above, no more than 2 per district.
11. What if a poll watcher is being denied access into a polling place? Ask to speak to the presiding officer to resolve issue locally. If there is still an issue, call SOS 802-828-2363
12. What if a poll watcher cannot see anything? What are they permitted to see/hear/observe? See statute above, they have the right to see and hear the name of those being checked in.
13. Does the statute mention or define “meaningful observation” for poll watchers? No, that word is not used in statute
14. Are poll watchers permitted to view machine counts? If you are referring to the number of people that have voted (i.e. the vote cast number), yes anyone, can that is public. The public must stay behind the guardrail. [17 VSA 2505](#). When the results tape is run from the tabulator at the end of the day, that is a public document that can be observed, but the request to do so is subject to the requirement in the above statute that members of the public not interfere with the orderly conduct of the election and may be provided in accordance with the public records law.
15. What are permitted and restricted activities for poll watchers at a voting location? See statute above, they cannot disturb the polling place in any way.
16. What should poll watchers do if they believe they have observed an infraction? See statute above. Ask to speak to the presiding officer to resolve issue locally. If there is still an issue, call SOS 802-828-2363
17. Can or should a poll watcher challenge a voter? See statute above, if they believe the person is not who they say they are or that they have already voted.

POLLING SITE

18. When do polls open and close? What if it does not open or close on time? Opening times vary around the state. All polls must be open by 10 am and all polls close at 7 pm. They can open as early as 5 am and it is up to the BCA to set the opening time. [17 VSA 2561](#). We have a polling place listing with hours on our website <https://sos.vermont.gov/elections/>.
19. What are the poll worker duties for polls opening and closing? I think the best resource would be to read the Elections Procedure Guide on our website <https://sos.vermont.gov/elections/town-clerks/election-procedures/>. Poll workers perform tasks as assigned by the presiding office for the polling place. [17 VSA 2453](#)
20. Is parity required or encouraged by statute? Is there a written plan on how to accomplish this? I

think you are asking about political representation of election officials. [17 VSA 2454 and 2453](#) requires the BCA to appoint and the presiding officer to assign, as far as possible, equal numbers of people from the major political parties. Please also note [17 VSA 2455](#), particularly subsection (c), which states: “(c) When the provisions of this title require two or more election officials of different political parties to perform an act, that political party representation requirement shall not be required if attempts to conform to it were not successful.” This provision typically comes into play when a given political party in the town has few or no representatives on the BCA or among the election officials appointed by the BCA.

21. What is the prohibited electioneering zone? [17 VSA 2508](#) lays out the rules for the polling place. No campaigning is allowed inside the polling place.
22. Is photography allowed in the polling place? Photography in the polling place is not specifically prohibited or allowed in the statute, but voters are entitled to privacy. Also please note that [17 VSA 2451\(b\)](#) allows the BCA to issue guidance for the conduct of elections as long as that guidance does not conflict with State or Federal laws.
23. What if a polling site runs out of regular or provisional ballots? They would contact us. We do work with towns before the election. [17 VSA 2478](#) requires that we print ballots for 100 percent of the checklist for the general election. We would advise that photocopies of the preprinted ballots be made in order to allow the voting process to proceed.
24. What are the different types of machines in a polling place? Only one vote tabulator is used in Vermont. It is the Dominion ImageCast Precinct. [17 VSA 2493](#) lays out the rules for vote tabulators. Each polling place also has an accessible voting system known as the [Omniballot Tablet](#) manufactured by Democracy Live.
25. Electronic poll book, ballot marking device, scanner/tabulator We do not use electronic pollbooks. Our accessible voting system, which is required by federal and [state law](#) to be available in every polling place, is a “ballot marking device”. Please note, however, that the machine produces a printed ballot with the voter’s selections marked thereon, and that ballot is tabulated by the tabulator in the same manner as the ballots marked by hand.
26. Does state law prohibit voting machines from connecting to the internet? Yes, see above statute
27. What software is used? [Democracy Suite 5.17](#)
28. What if a scanner is not “zeroed out” or there is a discrepancy with the previous day’s vote tally? I do not understand this question. If you are processing ballots, you would not zero out the report. You start at zero after running the logic and accuracy test. A zero report is run on the morning of the election prior to initiating the voting process. If the machine has not been zeroed following the logic and accuracy test, the presiding officer would follow the procedures to do so before tabulating any ballots.
29. What if a machine breaks down? What is the emergency back-up protocol? We have protocols in place with our vendor to ensure that someone can be on the ground on election day within an hour to either repair or replace the affected machine.
30. When should emergency ballots be used? Emergency ballots is the wrong term. If the machine is unable to accept ballots, then there is an auxiliary compartment that ballots can be deposited into and fed through the machine when the machine is back up. If there are ballots that are damaged or for any other reason cannot be fed through the tabulator, these are counted by hand following the close of the polls or the votes may be transferred onto a ballot that can be read by the machine. This transfer process is performed by two election officials of different political parties.
31. How are un-tabulated ballots kept separate and stored? See answer above regarding the [auxiliary compartment on the tabulator box](#).
32. How is a ballot to be properly spoiled by officials? Where are they stored? I am not sure I

completely understand this question. Are these ballots not read by the machine? [17 VSA 2547](#) is the statute on defective ballots, how they can be cured, and what to do if they cannot be counted.

MAIL BALLOTS

33. Is the state universal/automatic all mail? Yes, but only for the November general elections in VT. [17 VSA 2537a](#) requires that a ballot be mailed to all active voters.
34. Who may request a mail ballot? Does an elector need an excuse to vote absentee? (assuming by elector you mean voter?) Authorized requestors can be found in [17 VSA 2532](#). VT voters do not need an excuse to request a ballot.
35. How does an elector submit a request for a mail ballot? (assuming by elector you mean voter?) A voter can request online, by mail, in person, or over the phone with the town clerk. [17 VSA 2531](#).
36. Can electors opt in to the VBM list for multiple elections? Permanent or how many elections? (assuming by elector you mean voter?) Vermont allows a voter to request ballots for a calendar year. [17 VSA 2532](#)
37. What is the deadline to request/apply for a mail ballot? The last day a clerk's office is open prior to the election. [17 VSA 2531](#)
38. Does the state have an online tracking system for a voter to track their absentee ballot? Yes, [mvp.vermont.gov](#). This allows a voter to see that their request has been processed, when the ballot has been issued, and when it is received by the clerk.
39. Is there any specific utensil requirement (i.e., pencil) for marking paper ballots? We recommend black pen but it is not in statute. The ballot instructions say black pen.
40. When is the deadline for mail ballots to be received? Ballots must be received by the close of the polls on Election Day, either by mail to the clerk's office or by 7 pm at the polling location.
41. If a mail ballot is postmarked on Election Day, will it be counted? Not unless it is received at the polling place by 7 the close of the polls. VT does not have a postmark statute. Ballots must be returned by 7 pm in order to be counted.
42. What is the postmark-by date? Can ballots without a postmark be counted? See above
43. Does the state allow mail ballots to continue to be received/counted AFTER Election Day? See above
44. Does a voter casting a mail ballot need to include identification information: a copy of their ID, signature, witness signature, driver's license #, SSN, DOB? No. See [17 VSA 2542](#) for the certificate required to be submitted when voting absentee.
45. What are the signature matching requirements in the state? How are signatures checked? VT does not have a signature match statute. We are not required by law, and we do not, store images of a voter's signature.
46. Are there any unique requirements for a FIRST-TIME voter voting by mail? No.
47. Where can a voter drop off an absentee ballot? What are the valid addresses for returning an ab? [17 VSA 2543](#) says the town clerk's office, the drop box (if a town has one installed), or the polling place on the day of the election.
48. What are the procedures for collecting ballots from congregate living facilities (nursing homes)? Mobile polling stations may be set up at the discretion of the town clerk. [17 VSA 2532a](#). Some towns set up a mobile polling location at a senior living facility for instance. See [17 VSA 2543\(e\)-\(g\)](#) for the limitations regarding returning ballots for someone other than yourself. They state that, with limited exceptions, a candidate on the ballot or their staff may not return ballots for others, and that no individual may return more than 25 ballots for others.
49. Is ballot harvesting legal in the state? Can anyone besides the elector turn in their own ballot? [17 VSA 2543](#) provides the rules for the return of ballots. An individual is limited to returning up to 25

ballots.

50. What is the timeframe range (and earliest date) that a county can mail out ballots? Counties do not mail ballots in Vermont. Each town/city clerk would be responsible for mailing ballots in their town/city. For local elections, ballots must be ready at least 20 days prior to the election. [17 VSA 2680](#). For statewide elections, we (SOS) produce the ballots and we are required to have ballots to each town clerk by the 45th day prior to the election. [17 VSA 2479](#). [17 VSA 2539\(a\)\(2\)](#) states that “early voter absentee ballots shall be mailed forthwith upon the filing of a valid application or upon the town clerk’s receipt of the necessary ballots, whichever is later.”
51. When are absentee request/response files available for collection? What is the cost of these files? Who is allowed to request these files? We, the SOS provide that information for all statewide elections. [17 VSA 2534](#). There is no charge and no restrictions on who can request (it is a public record).
52. When are mail ballots allowed to be counted? Results are not tallied until after the close of the polls at 7 pm on election day. Ballots are permitted to be processed through the tabulator ahead of election day. [17 VSA 2546](#), [2546a](#), [2546b](#)

DROP BOXES

53. Drop Boxes – List of Locations, process for collections, security measures such as whether they are monitored by video or election workers (local). A list can be found on our website along with polling place locations. <https://sos.vermont.gov/elections/voters/>. [17 VSA 2543a](#) requires that the drop box be located on the town clerk’s property within site of the office or under 24 video surveillance.
54. What is the chain of custody for drop box collection? They are handled like absentee ballots.

ADJUDICATION/CURING

55. What are reasons that a mail ballot could be rejected (what disqualifies a ballot)? [17 VSA 2547](#) lays out the reasons for a defective ballot.
56. How are inconclusive mail ballots adjudicated? I am not clear what you mean by “inconclusive ballots”. [17 VSA 2587](#) lays out the rules for counting votes. Ultimately, it is up to the BCA to determine the intent of the voter “as expressed by markings on the ballot.”
57. What are the rules for ballot duplication? I am not sure I understand this question. A voter cannot vote twice. If a voter makes a mistake on a ballot, they can request a replacement ballot (up to 3 times). [17 VSA 2568](#).
58. Is ballot curing permissible? What is that process and deadline? Are affidavits required? Yes [17 VSA 2546](#) lays out a process where election officials determine if the return is defective, if so, notify the voter, and then the voter has the opportunity to cure by submitting an affidavit.
59. What types of provisional ballots are resolved by the government and what types are the responsibility of the voter to cure? VT has very few provisional ballots, if any. [17 VSA 2556](#) lays out the process where a person who is not on the checklist and will not register to vote, can submit a ballot to potentially be adjudicated later.
60. What kind of outreach from election administrators is provided to voters to cure their ballots? Statute requires town clerks to make a determination and notify the voter within 3 days of receipt of the ballot. [17 VSA 2546](#)
61. Does the county have a timeframe requirement for notifying voters to cure? See above but counties do not send out ballots nor notify voters. That is the town/city clerk.
62. How, when, and to whom are lists released for provisional ballots and rejected mail ballots? Will these lists be updated as ballots are cured? No, however a list of every voter that participated in any statewide election would be available within 60 days of an election.

IN-PERSON VOTING

63. What are the hours and locations available for early in-person voting? This would be the hours of the clerk's office prior to the election. Starting 45 days before the election, early in-person voting is available during all normal office hours of the clerk in the given municipality.
64. What are the voter ID requirements? What if the voter forgets their ID? A person has to be a registered voter in order to vote. If a person is on the voter checklist, ID is not required to vote at the polling place on election day or during early in-person voting at the clerk's office. In VT, a person has to be a US citizen, at least 18 years of age by the general election, and a VT resident in order to register. They have to provide their VT driver's license number or their social security number. A physical ID is not required to register. [17 VSA 2121](#)
65. Is same-day voter registration permitted? Are there residency requirements to register to vote? Yes and yes, a person must be a US citizen, at least 18 years of age by the general election, and a VT resident in order to register. [17 VSA 2121](#) Registration is available at the polling place on [Election Day](#).
66. What is the official check-in process when an elector arrives to vote in-person? [17 VSA 2563](#)
67. What if a voter's name does not appear on the eligible voting list at the polls? They could not vote unless they were registered. [17 VSA 2563](#). [If a person's name is not on the checklist, but they are eligible to vote in the jurisdiction, they may register at the polling place, be added to the checklist, and proceed to vote. If they are not eligible but demand a ballot, that is one of the limited circumstances where a provisional ballot could be used. These provisional ballots are kept separate and would not be counted unless the person is subsequently determined to in fact be eligible to vote in that jurisdiction.](#)
68. What if a voter's address or signature does not match? Do they vote regular or provisional? There is no signature match in VT. If in person voting and the person's address does not match, they should correct the information if they are in the right place or go to the correct polling location.
69. What if an elector is told they already voted, however, they insist they have not yet voted? (assuming by elector you mean voter?) They could fill out "[Affidavit of No Ballot Cast](#)" (link to the document on our website). [17 VSA 2548](#)
70. Can someone vote in-person even if they requested a mail ballot? Do they need to surrender it? Yes, they can. If they do not bring the ballot with them, they can fill out the above-mentioned affidavit and vote. [17 VSA 2548](#)
71. Can an elector vote outside of their county? What if a voter shows up to the wrong precinct? (assuming by elector you mean voter?) In VT, voters can only vote in the town they are registered in. A person registered in Newport City cannot vote in Montpelier. They must cast their ballot in [Newport City](#).
72. What if a voter is in line when the polls close? [Anyone in line at the close of the polls is able to vote. 17 VSA 2561.](#)
73. Can someone assist a voter in marking their ballot? Yes, [17 VSA 2569](#)
74. Is curbside voting allowed and what is the process? Yes, justices of the peace are permitted to [deliver ballots curbside](#).
75. If a voter makes a mistake, can they receive a new ballot? [If a voter makes a mistake on a ballot, they can request a replacement ballot \(up to 3 times\). 17 VSA 2568.](#)
76. When is a provisional ballot necessary? What are the procedures for casting a provisional ballot? [See above](#)
77. When and where are ballots counted on Election Day? [At the polling place unless they ask for permission to count somewhere else. 17 VSA 2582.](#)

Town Clerk Surveys

Town Clerk - Town population 2000-3999

Note – Clerk has been in role for more than 20 years.

1. What about the voting system works well for you and what does not with regard to a) the voter checklist maintenance b) mail ballot handling and c) election day?

Mail ballots in 2020 helped identify voters to be purged.

Mail ballots probably a net neutral for labor impact – reduces efforts of mailing absentee ballots for general elections. Find some older voters show up to polls having voted by mail and forgotten given the long cycle between receiving ballots and election day. A number of voters want to be removed from automatic mail ballots. Others would prefer permanent absentee status. Some like getting the ballot and having time to research candidates / issues.

Voters complain about having to do affidavit on election day if they don't bring mail ballot.

SoS office does a good job of keeping clerks abreast of deadlines in the election process.

2. How have mailed ballots affected the voter participation compared to prior elections? If available, please send excel formatted, voted lists for 2016, 2018, 2020, & 2022. *(Note per chapter 43, Subsection 2141, Town Clerk obligated to give checklist to county chair at no cost. Anyone else can request checklist at cost.)*

Voter participation has increased, particularly with younger voters.

3. Do you retain records based on statute 27071? What effect would it have on the clerk's department if Election material required to be maintained for 22 months for Federal elections included the affidavit envelope returned with each ballot?

Keep all envelopes – both outer and affidavit envelopes. Bring returned ballots to poll alphabetized so if a voter that voted early / voted by mail shows up, can pull the ballot for the voter. Use returned ballots in challenge process for voter roll maintenance.

4. How do you determine whether someone is eligible to register to vote? What documents do they need to provide? Other than someone "swearing" they are a US citizen, how do you make certain they actually are?

DMV opt-out registrations – just add to rolls. Receive town to town transfers.

5. (Montpelier & Winooski) How do you make sure non-citizens don't vote in a Presidential election? (Brattleboro) How do you ensure non-citizens or under age 18 voters only vote in local elections?

N/A

6. Do you receive voter registrations from any agencies, such as the DMV, housing and healthcare? If so, what do these registrations look like and how do you validate them? If all your information comes from the Secretary of State, how do you validate the information and how do you determine which agency the information comes from?

Receive DMV registrations from SoS. Not aware of other agency registrations.

7. If you have a dropbox, what security measures are in place for it?

Have a dropbox that was used in 2020. Discontinued use due to lack of security. Town Clerk dropbox is used to return ballots outside of business hours. No cameras on Town Clerk box.

8. How has the implementation of the Electronic Registration Information Center (ERIC) impacted the maintenance of voter rolls for the town? Are you getting bi-monthly reports from the SoS on maintenance required on the voter rolls?

Not familiar with ERIC. Get DMV registrations that are just added to roll. Get notices of town-to-town transfers and remove voters from roles based on notification. Occasionally get notified of an out of state move.

9. Is the SoS reporting who ballots are mailed to each election? What percentage of these ballots are being returned to the town clerk as undeliverable? What happens with these returned ballots?

Small number of undeliverable ballots in 2022, perhaps 5%. Used in challenge process.

10. Does the Board of Civil Authority have at least three members of each major political party per Chapter 43, subsection 2143

Mostly Independent JPs. One Republican.

11. What additional expenses has the Clerk's office incurred with the implementation of universal mailed in ballots? Can you provide figures?

Net Neutral. Reduces some effort to mail absentee ballots.

12. Are adequate resources available to ensure the BCA is fully trained for their role in the election process? If not, how can this be improved?

BCA could probably use more training. Clerk feels adequately trained. No specifics on what BCA might need.

Town Clerk – Population 2000-3999

1. What about the voting system works well for you and what does not with regard to a) the voter checklist maintenance b) mail ballot handling and c) election day? What works well for us in regard to the voting system is the incredible support and guidance that we have from the SOS office. All of the staff are available to us the entire election day and in the many months preceding each election. They send timeline reminders of things that we need to get done, update us on any changes that may have taken place and provide training on these changes well in advance of an election. Their expertise is beyond compare. The voter checklist that is generated from the statewide voter list is also wonderful. When we print the checklist for each election it contains very valuable and important information for each voter. It notes beside the name of a voter if they have been issued an absentee ballot, if that ballot has been returned, if the voter has not taken the voter oath, if the voter is under 18 and if the voter's status is challenged. All of this information is extremely helpful to us on election day.

What doesn't work for me is the universal mailing of ballots for the November General Election. The expense and the amount of paper used is huge. Also the amount of waste (recycling I hope) is big as well.

For the town in the November 2022 General Election the ballot stats are as follows:

SOS mailed out 2239 ballots

Absentee ballots returned were 985

Vote in person 475 and of those only 175 brought their ballots with them so that meant that 300 people had to sign an Affidavit of No Ballot Cast.

58 ballots were returned as undeliverable

1 ballot was returned after the election

So that leaves 1020 ballots unaccounted for. So you have 1020 ballots and with each of those ballots are 3 envelopes so $1020 \times 3 = 3060$. 3060 envelopes plus the 1020 ballots leaves a total of 4080 pieces of paper either in recycling or the landfills. And that is just for this town.

The other piece that is huge in my mind is the treatment that we as clerks receive from the voters. There are a large number of voters who do not like automatically receiving their ballots in the mail and make no bones about it to us. We have to deal with the very angry and hostile voters from the time the ballots are mailed by the SOS until the close of the polls on election day. This adds a whole new level of stress to an already stressful time for us. It takes several months to prepare for elections and of course we want everything to go smoothly and correctly and with the addition of having to endure nasty phone calls, in person hostility and even being accosted at the grocery store, by 7:00 pm on election day our stress levels are through the roof.

2. How have mailed ballots affected the voter participation compared to prior elections? If available, please send excel formatted, voted lists for 2016, 2018, 2020, & 2022. (Note per chapter 43, Subsection 2141, Town Clerk obligated to give checklist to county chair at no cost. Anyone else can request checklist at cost.)

	Absentee	In Person	Total	Voter Roll	Participation
8/9/2016 Primary	121	497	618	2084	29.65%
11/8/2016 General	326	1245	1571	2124	73.96%
3/6/2018 Town Meeting	8	249	257	2168	11.85%
8/14/2018 Primary	123	536	659	2207	29.86%
11/6/2018 General	264	1097	1361	2257	60.30%
3/3/2020 Pres. Primary	120	962	1082	2326	46.52%
8/11/2020 Primary	634	263	897	2369	37.86%
11/3/2020 General	1321	498	1819	2456	74.06%

3. Do you retain records based on statute 27071? What effect would it have on the clerk's department if Election material required to be maintained for 22 months for Federal elections included the affidavit

envelope returned with each ballot? Don't know what 27071 is but we do retain records based on the retention schedule issued by VSARA. We started retaining these envelopes in 2020 when we were notified by the SoS Elections office that we were required to do. They are put into a box, labeled with a destroy date and housed on a shelf in the vault. Really has no effect on us other than it is one or possibly two more box(es) in the vault, but usually by the time the same election rolls around 2 years later we have been able to destroy them to free up the space for the current election because the retention is 22 months.

4. How do you determine whether someone is eligible to register to vote? What documents do they need to provide? Other than someone "swearing" they are a US citizen, how do you make certain they actually are? There are several ways people can register to vote. If they register in person there is a Vermont Voter Registration Form that they must fill out and check on the form that they are a U.S. Citizen and they must provide their Vermont driver's or Vermont Personal ID number or the last four digits of their Social Security number. Then they sign the form "swearing" that the information they have provided is correct. If they register on line or by mail then they do have to provide a photocopy of their Vermont Driver's License or copies of bank statements or utility bills showing their name and current residential address. Voters can also register to vote when they renew their driver's license through the DMV.

This question is rather confusing. In order to be "eligible" to vote, you must be registered so in my thinking, if you are an "eligible" citizen then you must be registered, so the answer would be 100%. That being said, the statistics for the town are as follows. Our population as of the 2020 Census is 3016. Right now our number of registered voters is 2592 and of that number 330 are flagged as "challenged". A challenge happens when we get mail returned to us as undeliverable, or unable to forward, forwarding time expired, not at this address, etc. from the Post Office. Challenges can also be done based on Property Transfer Tax Returns that accompany deeds to property that has been sold. These documents give the current address of both the buyer and seller. On odd numbered years, the BCA is tasked with reviewing each name on the voter checklist and to determine whether or not each person is still residing in Westminster and therefore still eligible to vote. The BCA submits names of people they know have moved out of town and we send these people a challenge letter that includes a return postcard (postage paid) for the recipient to send back to us stating that either they have indeed moved out of town or they are still living in town but at a different address. We can also send a challenge letter based on a conversation with a family member that an individual has moved from town. We cannot just arbitrarily remove someone from the voter checklist without getting written notice from the voter that they have moved. If we have not heard of anything from a challenged voter for 2 General Election cycles and they have not come to the polls to vote, then we can remove them from the voter checklist. If a person that is "challenged" does come to the polls to vote, they first have to complete an Affirmation of Residence/Domicile giving their current address in town before they can vote.

5. (Montpelier & Winooski) How do you make sure non-citizens don't vote in a Presidential election? *N/A*
6. (Brattleboro) How do you ensure non-citizens or under age 18 voters only vote in local elections? *N/A*
7. Do you receive voter registrations from any agencies, such as the DMV, housing and healthcare? If so, what do these registrations look like and how do you validate them? If all your information comes from the Secretary of State, how do you validate the information and how do you determine which agency the information comes from? *We do receive registrations from the DMV. Those registrations come through the statewide voter checklist directly to each town. They contain the Vermont Driver's License number for each person registering to vote. See redacted (dob and VTDL blacked out) sample attached. We occasionally receive forms from Social Services Agencies and if they are received in the mail they have the form of ID required for registration by mail.*
8. If you have a dropbox, what security measures are in place for it? *We do have a drop box. There is a mail slot in the building to the right of the main entrance and anything put into that slot goes into a locked box in the entryway of the building which is also locked when we are not open.*
9. How has the implementation of the Electronic Registration Information Center (ERIC) impacted the

maintenance of voter rolls for the town? Are you getting bi-monthly reports from the SoS on maintenance required on the voter rolls?

Not sure about this one. We do get regular updates from the SOS office when they are notified by another state that a Vermont resident has registered to vote in their state. We also get updates from the SOS office of voters from our town who are deceased.

10. Is the SoS reporting who ballots are mailed to each election? What percentage of these ballots are being returned to the town clerk as undeliverable? What happens with these returned ballots?

First, I am assuming that the ballots that you are referring to are those that are mailed from the SoS office in November for the General Election. If we were the ones that mailed out the ballot, we would have an Absentee Ballot request form that the voter had filled out with the address where they want the ballot mailed.

To answer your question though, yes, we do receive undeliverable ballots back from the Post Office. The first thing we do is to check the voter checklist to see if we might have an updated address for the voter. If we do have an updated address that came in after the SOS office had “pulled” the checklist for mailing we will send the ballot to the updated address providing the voter still lives in town. If we cannot find an updated address, the ballot goes into a box in the vault labeled “undeliverable”. The envelopes are in alphabetical order so that if the voter comes in and states they didn’t receive their ballot, we can check in that box to see if the ballot is there. If it is, we first get the updated address for the voter so we can update our records and then give the ballot to the voter.

The only election where the SOS office mails the ballots to all voters is the November General Election. Once these ballots have been mailed for our town, the names of every voter on the checklist are flagged as having been sent an absentee ballot. For the Presidential Primary/Town Meeting vote in March and the August State Primaries, voters have to request their absentee ballots themselves either by calling our office, emailing us the request or coming to the office in person. After we have mailed the ballot to them, they are then flagged in the statewide voter checklist as having been issued an absentee ballot. When that ballot is returned, we then go into the statewide checklist and mark the voter as having returned their ballot. This information (ballot issued and ballot returned) will then show up on the checklist that we will use on election day so if someone comes to the polls in person but have already received an absentee ballot yet they claim they never received it and want to vote in person, they have to fill out an Affidavit for Undelivered or Lost Absentee Ballots before they can vote and these affidavits are kept in the bags with the voted ballots for the specified retention time.

In November General Election of 2022 we had 58 ballots returned to us as undeliverable.

11. Does the Board of Civil Authority have at least three members of each major political party per Chapter 43, subsection 2143? [Maybe](#)
12. What additional expenses has the Clerk's office incurred with the implementation of universal mailed in ballots? Can you provide figures? [The only expenses incurred for the November General Election in 2022 were for the mailing of absentee ballots to voters who registered after the SOS office had pulled our checklist and mailed out the ballots or for some unexplained reason a voter did not receive the ballot that was mailed from the SOS office and we did not get it returned to us or they were returned to us as “undeliverable” and we tracked down the updated mailing address for the town voter. That number for the 2022 General was 67. At the time postage was .84 to mail out the ballots so it cost us \\$56.28 but the SOS reimbursed us for that postage.](#)
13. Are adequate resources available to ensure the BCA is fully trained for their role in the election process? If not, how can this be improved? [Not Answered](#)

Note: Clerk is new to role – 2022 election was first election as town clerk.

1. What about the voting system works well for you and what does not with regard to a) the voter checklist maintenance b) mail ballot handling and c) election day?

Quite concerned about the talk about rank choice voting. Don't need a system where the third candidate wins the election based on Rank Choice.

Scans from Tabulator help in determining write-in voter intent.

Election Day a long day. Some complications with town spanning two districts.

2. How have mailed ballots affected the voter participation compared to prior elections? If available, please send excel formatted, voted lists for 2016, 2018, 2020, & 2022. (Note per chapter 43, Subsection 2141, Town Clerk obligated to give checklist to county chair at no cost. Anyone else can request checklist at cost.)

Mail in ballots have increased voter participation. Don't trust mail process Requested ballots okay – universal ballots – no control. Challenged voters don't get ballots. Minimal returned ballots.

3. Do you retain records based on statute 27071? What effect would it have on the clerk's department if Election material required to be maintained for 22 months for Federal elections included the affidavit envelope returned with each ballot?

Retain outer envelopes, inner envelopes saved with ballots.

4. How do you determine whether someone is eligible to register to vote? What documents do they need to provide? Other than someone "swearing" they are a US citizen, how do you make certain they actually are?

Mostly personal knowledge of voter. Some DMV registrations are incomplete – need to validate SSN or Driver's license number if mismatch.

5. (Montpelier & Winooski) How do you make sure non-citizens don't vote in a Presidential election? (Brattleboro) How do you ensure non-citizens or under age 18 voters only vote in local elections?

N/A

6. Do you receive voter registrations from any agencies, such as the DMV, housing and healthcare? If so, what do these registrations look like and how do you validate them? If all your information comes from the Secretary of State, how do you validate the information and how do you determine which agency the information comes from?

Receive DMV registrations from SoS. Lots of confusion due to lack of a town zip code – shared post office with adjacent town.

7. If you have a dropbox, what security measures are in place for it?

No Dropbox.

8. How has the implementation of the Electronic Registration Information Center (ERIC) impacted the maintenance of voter rolls for the town? Are you getting bi-monthly reports from the SoS on maintenance required on the voter rolls?

Not aware of ERIC. Get reports from SOS on in state moves. Not aware of other notifications related to ERIC.

SoS checklist software works pretty well. Long process to remove challenged voters except in the case of death or transfer to another Vermont town.

9. Is the SoS reporting who ballots are mailed to each election? What percentage of these ballots are being returned to the town clerk as undeliverable? What happens with these returned ballots?

Voter roll shows who was sent ballots. Approximately 37 challenged voters of ~850 registered voters.

10. Does the Board of Civil Authority have at least three members of each major political party per Chapter 43, subsection 2143

JPs all independent. 10 of 11 members of BCA at last meeting.

11. What additional expenses has the Clerk's office incurred with the implementation of universal mailed in ballots? Can you provide figures?

Mail ballots are a pain – lots of work. Effort to cure ballots when voter doesn't properly complete affidavit envelope.

12. Are adequate resources available to ensure the BCA is fully trained for their role in the election process? If not, how can this be improved?

Adequate training available from SoS for election administration.

Town Clerk – Population 4000+

1. What about the voting system works well for you and what does not with regard to a) the voter checklist maintenance b) mail ballot handling and c) election day?

2020 Universal mail ballots were a challenge – SNAFU with mail merge, particularly with Incorporated Village – Challenge with the zip codes in Town. SoS very supportive,

2021 – mailed ballots as requested,

2022 - Cast system challenges

Voter roll maintenance – send challenge upon property transfer.

Encourages voters to log into MyVoter annually.

Teamwork with BCA worked,

Pre-processed ballots up to 30 days before election. Didn't warn – did in Town Clerk's office during posted business hours.

Potential improvements

More PSAs to the public from SoS. Simple Q&A of frequently asked questions.

Happy with revamped SoS website –town website linked to SoS

Feels there is a partnership between Clerks and Elections Division.

Write-in ballots – would like candidates to notify clerk so the clerk knows write-ins are legitimate candidates.

2. How have mailed ballots affected the voter participation compared to prior elections? If available, please send excel formatted, voted lists for 2016, 2018, 2020, & 2022. *(Note per chapter 43, Subsection 2141, Town Clerk obligated to give checklist to county chair at no cost. Anyone else can request checklist at cost.)*
Voter participation increased.

3. Do you retain records based on statute 27071? What effect would it have on the clerk's department if Election material required to be maintained for 22 months for Federal elections included the affidavit envelope returned with each ballot?

Retain ballots 22 months. Transferred ballot envelope for duplicated ballots with sticker on original ballot noting "The voter's markings on this ballot were transferred to a machine readable ballot by _____ & _____."

4. How do you determine whether someone is eligible to register to vote? What documents do they need to provide? Other than someone "swearing" they are a US citizen, how do you make certain they actually are?

Mostly personal knowledge of voter. Some DMV registrations are incomplete – need to validate SSN or Driver's license number if mismatch.

5. (Montpelier & Winooski) How do you make sure non-citizens don't vote in a Presidential election?
(Brattleboro) How do you ensure non-citizens or under age 18 voters only vote in local elections?

N/A

6. Do you receive voter registrations from any agencies, such as the DMV, housing and healthcare? If so, what do these registrations look like and how do you validate them? If all your information comes from the Secretary of State, how do you validate the information and how do you determine which agency the information comes from?

VT Election Management System (VEMS) has queue of DMV registrations. Compare registrations with E911

viewer to confirm address. No email or phone on DMV reg. Need to mail voter when issues.

7. If you have a dropbox, what security measures are in place for it?

Curbside box on camera. Box outside door on camera. Box closed at 5pm on election day – helps traffic flow.

8. How has the implementation of the Electronic Registration Information Center (ERIC) impacted the maintenance of voter rolls for the town? Are you getting bi-monthly reports from the SoS on maintenance required on the voter rolls?

Familiar with ERIC. Not receiving many challenges.

9. Is the SoS reporting who ballots are mailed to each election? What percentage of these ballots are being returned to the town clerk as undeliverable? What happens with these returned ballots?

2022 ~70 returned ballots of 3300 registered voters.

10. Does the Board of Civil Authority have at least three members of each major political party per Chapter 43, subsection 2143

3 republicans appointed for elections.

11. What additional expenses has the Clerk's office incurred with the implementation of universal mailed in ballots? Can you provide figures?

No burden - manage mail in process. Looking forward to envelope opener machine for 2024 election.

12. Are adequate resources available to ensure the BCA is fully trained for their role in the election process? If not, how can this be improved?

Adequate training available from SoS for election administration.

Town Clerk – Population 2000-3999

1. What about the voting system works well for you and what does not with regard to a) the voter checklist maintenance b) mail ballot handling and c) election day? [Town clerk likes the system as is. The new vote tabulators \(didn't know who makes them\) work well and each ballot is copied and those are kept for 2 years.](#)
2. How have mailed ballots affected the voter participation compared to prior elections? If available, please send excel formatted, voted lists for 2016, 2018, 2020, & 2022. (Note per chapter 43, Subsection 2141, Town Clerk obligated to give checklist to county chair at no cost. Anyone else can request checklist at cost.) [Mailed ballots have increased voter participation by 15% or more. No checklist was provided.](#)
3. Do you retain records based on statute 27071? What effect would it have on the clerk's department if Election material required to be maintained for 22 months for Federal elections included the affidavit envelope returned with each ballot? [Town clerk keeps all records for two years or more whether required or not. TC is a Rep. in a Dem. town and covers all bases. TC doesn't want to give adversaries any reason to doubt. Therefore, there is no reason to believe that saving federal election for 22 months would increase the workload.](#)
 1. [Town clerk does receive ballots back; date stamps them and puts them on a ballot log. Then TC tries to send with a better address, if none is available, TC saves for two years and shreds.](#)
4. How do you determine whether someone is eligible to register to vote? What documents do they need to provide? Other than someone "swearing" they are a US citizen, how do you make certain they actually are? [Town clerk requires they show their VT driver's license and checks with the DMV driver's base. TC checks the address on that. TC has caught one non-citizen trying to register. If they assure her that they are citizens, they are given a provisional ballot to be adjudicated at a later time.](#)
5. (Montpelier & Winooski) How do you make sure non-citizens don't vote in a Presidential election?
 1. (Brattleboro) How do you ensure non-citizens or under age 18 voters only vote in local elections? [DNA](#)
6. If you have a dropbox, what security measures are in place for it? [We do have a dropbox which is secured to the ground and cannot be moved or the documents in it cannot be taken out. There is a security camera on it 24/7 in a lighted area. Anyone at the dropbox with have a Kodak moment.](#)
7. How has the implementation of the Electronic Registration Information Center (ERIC) impacted the maintenance of voter rolls for the town? Are you getting bi-monthly reports from the SoS on maintenance required on the voter rolls? [Town clerk did not know what ERIC is so she doesn't know whether it has impacted anything and she does not get statements for SOS on voter roll maintenance.](#)
8. Do you receive voter registrations from any agencies, such as the DMV, housing and healthcare? If so, what do these registrations look like and how do you validate them? If all your information comes from the Secretary of State, how do you validate the information and how do you determine which agency the information comes from? [Town clerk does receive registrations from other sources which she knows but she verifies each voter by checking the address, etc. About 75% of those eligible to register to vote are registered.](#)
9. Is the SoS reporting who ballots are mailed to each election? What percentage of these ballots are being returned to the town clerk as undeliverable? What happens with these returned ballots? [Yes, the SOS does report who is mailed a ballot. About one percent of them are returned to the town. They are date stamped and bagged and kept for two years, at least. After that, they are shredded.](#)
10. Does the Board of Civil Authority have at least three members of each major political party per Chapter

43, subsection 2143? Town clerk that the board does have 3 members but only at elections and we had to force her into it because the Dems have run everything for years. We need to be more proactive before the elections so that we have a seat at the table.

11. What additional expenses has the Clerk's office incurred with the implementation of universal mailed in ballots? Can you provide figures? The clerk must spend more time administering the votes but since clerk is salaried so no more expense. Some postage increases to resend ballots to corrected addresses.
12. Are adequate resources available to ensure the BCA is fully trained for their role in the election process? If not, how can this be improved? Not Answered

Town Clerk – Population 4000+

1. What about the voting system works well for you and what does not?

The VEMS (Vermont Elections Management System) makes voter transfers within Vermont easier and less time consuming. Information travels electronically and prevents dual registrations.

2. How have mailed ballots affected participation compared to prior elections? If available, please send excel formatted, voted lists for 2016, 2018, 2020, & 2022. (Note per chapter 43, Subsection 2141, Town Clerk obligated to give checklist to county chair at no cost. Anyone else can request checklist at cost.)

2016 and 2020 had a higher turnout because those were presidential elections. Some people only vote in presidential elections. Mail-in ballots in 2020 resulted in a higher voting turnout because people did not have to go to polling places, however, we are not sure of the exact difference. Risk was greater for election workers who had to be at the polls.

<i>Election Date</i>	<i># reg voters</i>	<i>ballots cast</i>	<i>absentee counted (# requested)</i>
<i>Nov 2016</i>	<i>4,169</i>	<i>3,334</i>	<i>1,328 (1347 some requested abs ballots are not returned)</i>
<i>Nov 2018</i>	<i>4,292</i>	<i>2,930</i>	<i>1,068 (1127 requested)</i>
<i>Nov 2020</i>	<i>4,465</i>	<i>3,693</i>	<i>3,147 (4,217 issued)</i>
<i>Nov 2022</i>	<i>4,417</i>	<i>3,080</i>	<i>2,318 (4,024 issued)</i>

Election Date: date of election (Presidential are every 4 years 2016 and 2020)

***# reg voters:** number of people registered to vote on Election Day, this includes anyone who registers at the polls on election day*

***ballots cast:** this is the number of ballots counted for the election (includes all absentee/early ballots received by 7pm on election day (in our town, these people are pre-checked off the entrance checklist or checked off with a black pen on election day) AND anyone who votes in person---"puts the ballot through the tabulator themselves", in our town, we check these people off the checklist in colored pencil)*

***absentee counted:** any absentee ballot that was returned timely either on election day by 7pm or prior to election day, these ballots are processed by the BCA members prior and on election day (black checkmark)*

this number does not include anyone who came to the polls in person with the ballot that was mailed to them, got their name checked off in colored pencil at the entrance checklist, then put the ballot through the vote tabulator themselves on election day

***# requested:** this is the number of absentee ballots that were requested by the voter, if they show up at the polls without the ballot that was mailed to them, then they fill out an affidavit and vote in person, some ballots don't get returned at all and some ballots arrive in the mail after the election date, so those don't get counted. the # requested will always be higher than the absentee ballots counted*

in 2020 and 2022, ballots were issued to anyone on our town's Voter Checklist at the beginning of September before the November election, this mass mailing of issuing the ballots to all registered voters in Vermont was coordinated by the Vermont Secretary of State's Office

the 2318 number is ballots received at the Town Clerk Office, by mail or voting in person at the Town Clerk Office before election day,

it also includes those received on election day that are brought in by a friend or family member that are still inside the certificate envelope

The BCA processed all 2,318 early/absentee ballots

3. Do you retain records based on statute 27071? What effect would it have on the clerk's department if Election material required to be maintained for 22 months for Federal elections included the affidavit envelope returned with each ballot?

Yes, we retain voted ballots for 22 months for the General and State Primary Elections

We do not retain the affidavit envelope for 22 months. Vault storage space is limited

Statute reference seems inappropriate. T17, Chapter 57, 2701.

4. Do you receive undelivered ballots back from the Post Office? If so, what do you do with them?

Yes. We save them and challenge the voter the following odd year.

5. How do you determine whether someone is eligible to register to vote? What documents do they need to provide? Other than someone "swearing" they are a US citizen how do you make certain they actually are?

People must fill out the application, part of which is to provide either a driver's license or the last 4 digits of their SS#. The application must be complete including that information. Then, they must sign under penalty of law that they are telling the truth. If there is a reason to suspect fraud, we would investigate. Otherwise, their signature that they have been truthful stands.

6. (Montpelier & Winooski) How do make sure non-citizens don't vote in a Presidential election?
(Brattleboro) How do you make sure under age 18 voters don't vote in a Presidential election.

NA

7. Do you receive voter registrations from any agencies, such as the DMV, housing and healthcare? If so, what do these registrations look like and how do you validate them?

Yes. The DMV sends information electronically through VEMS portal. Other agencies send paper applications. We have access to land records, dog registrations, etc., for our town as well, helping us to verify residency.

8. If you have a drop box, what security measures are in place for it?

The only drop box for our town is in front of the town hall. It is anchored in cement. It requires 2 keys to remove ballots.

9. How has the implementation of the Electronic Registration Information Center (ERIC) impacted the maintenance of voter rolls for the town? Are you getting bi-monthly reports from the SoS on maintenance required on the voter rolls?

ERIC is helpful in identifying voters who have registered to vote in another State.

We only get notified if our town is referenced on the list.

10. What percentage of the eligible citizens of the town are eligible to vote? How does this compare to the total number of individuals on the voter rolls?

Question is unclear. Anyone who would need to be 18 as of the next election is eligible to vote. The list is purged every 2 years.

11. Is the SoS reporting who ballots are mailed to each election? What percentage of these ballots are being returned to the town clerk as undeliverable? What happens with these returned ballots?

Yes. During the 2020 and 2022 elections. The Town Clerk provides the addresses. If one has a PO box, the PO box must be part of the address. If the PO box isn't part of the address, but there is a street address, the Post

office will only deliver if you also have a box at your street address. Non-deliverables do come back. The town clerk researches and mails to correct address.

12. Does the Board of Civil Authority have at least three members of each major political party per Chapter 43, subsection 2143?

There are at least 3 members for Democrat and Republican parties. Progressives do not have any members on the BCA and have not requested such.

13. What additional expenses has the Clerk's office incurred with the implementation of universal mailed in ballots? Can you provide figures?

We are reimbursed by the state for postage. Additional time is required to process ballots, because they arrive in batches over a period of 30 days instead of one day. BCA members and sometimes additional volunteers are needed to work at the Town Hall to process them. Volunteers are sworn in, and the Town Clerk is available for questions and to provide assistance.

1. What about the voting system works well for you and what does not? [The system is very user friendly. I like that it is statewide, so it reduces the possibility of a voter being registered in more than one town. What I don't like is the same with any electronic program, it can go down and be inaccessible until the problem is fixed. However, I feel that the benefits of the program outweigh this.](#)
2. How have mailed ballots affected the voter participation compared to prior elections? If available, please send excel formatted, voted lists for 2016, 2018, 2020, & 2022. *(Note per chapter 43, Subsection 2141, Town Clerk obligated to give checklist to county chair at no cost. Anyone else can request checklist at cost.)* [There is a gap in my service as the Westford Town Clerk and Essex Town Clerk. However, it is my understanding that voter participation is greater with the ability for absentee/early voting.](#)
3. Do you retain records based on statute 2701? ([TITLE 42 / CHAPTER 20 / SUBCHAPTER II / § 1974](#)) What effect would it have on the clerk's department if Election material required to be maintained for 22 months for Federal elections included the affidavit envelope returned with each ballot? [Yes; it would require additional space in the vault.](#)
4. Do you receive undelivered ballots back from the Post Office? If so, what do you do with them? [Sometimes. In Westford I would mark them undeliverable in the voter checklist unless I noticed that there was an error in the address. If that was the case, I would readdress and send out.](#)
5. How do you determine whether someone is eligible to register to vote? What documents do they need to provide? Other than someone "swearing" they are a US citizen, how do you make certain they actually are? [I follow State Statute. The person swearing on the application is responsible for their swearing their eligibility. I review the application to make sure all required fields are completed. The application requires they provide a drivers license or the last 4 digits of their SS# if they don't have one.](#)
6. (Montpelier & Winooski) How do make sure non-citizens don't vote in a Presidential election? (Brattleboro) How do you make sure under age 18 voters don't vote in a Presidential election. [N/A](#)
7. Do you receive voter registrations from any agencies, such as the DMV, housing and healthcare? If so, what do these registrations look like and how do you validate them? [DMV registrations are received through the statewide voter checklist.](#)
8. If you have a dropbox, what security measures are in place for it? The drop box is locked and the keys are secured in the clerk's office. [I am not familiar with the drop box for Essex. In Westford, the box is bolted to the deck and the key is locked in the safe.](#)
9. How has the implementation of the Electronic Registration Information Center (ERIC) impacted the maintenance of voter rolls for the town? Are you getting bi-monthly reports from the SoS on maintenance required on the voter rolls? [Not Answered](#)
10. What percentage of the eligible citizens of the town are eligible to vote? How does this compare to the total number of individuals on the voter rolls? [Not Answered](#)
11. Is the SoS reporting who ballots are mailed to each election? What percentage of these ballots are being returned to the town clerk as undeliverable? What happens with these returned ballots? [Not Answered](#)

12. Does the Board of Civil Authority have at least three members of each major political party per Chapter 43, subsection 2143? [Not Answered](#)

13. What additional expenses has the Clerk's office incurred with the implementation of universal mailed in ballots? Can you provide figures? [Not Answered](#)

USPS Surveys

None reported at this time.

Appendix C

RNC Election Integrity Resolution

In the summer of 2023, the Republican National Committee passed a Resolution Urging a - Return to Excellence - in American Voting and Elections

“The Republican National Committee calls for a necessary “return to excellence” or in other words, a return to the simple and proven methods of precinct, ward or geographically-defined localized voting with auditable balloting procedures using paper ballots, in fair, reasonable limited time periods, using proper identification to strengthen voter confidence and to ensure that American election procedures can be a fair and open process for all to participate.”

<https://prod-static.gop.com/media/Resolution-Urging-a-Return-to-Excellence-in-American-Voting-and-Elections.pdf>

Appendix D
RNC Election Integrity Report

[https://prod-static.gop.com/media/documents/RNC Election Integrity Committee Report 1629400766.pdf](https://prod-static.gop.com/media/documents/RNC_Election_Integrity_Committee_Report_1629400766.pdf)

Appendix E

Department of Motor Vehicles Voter Registration Forms

Current Law requires the Department of Motor Vehicles to register voters through DMV transactions. The registration is automatic / opt-out:

Application for Non-Driver ID:

https://dmv.vermont.gov/sites/dmv/files/documents/VL-017-NonDriver_ID_App.pdf

[Note – This form is also in the same 14 foreign languages as the License/Permit form.](#)

Application for License/Permit:

https://dmv.vermont.gov/sites/dmv/files/documents/VL-021-License_Application.pdf

(English)

[License/Permit Application - Ukrainian](#)

[License/Permit Application - Swahili](#)

[License/Permit Application - Spanish](#)

[License/Permit Application - Somali](#)

[License/Permit Application - Russian](#)

[License/Permit Application - Pashto](#)

[License/Permit Application - Nepali](#)

[License/Permit Application - Mandarin Chinese](#)

[License/Permit Application - Kirundi](#)

[License/Permit Application - French](#)

[License/Permit Application - Dari](#)

[License/Permit Application - Burmese](#)

[License/Permit Application - Bosnian Serbian Croatian](#)

[License/Permit Application - Arabic](#)

Replacement License/Permit:

https://dmv.vermont.gov/sites/dmv/files/documents/VL-040-Replacement_License.pdf

Application for Commercial License/Permit:

https://dmv.vermont.gov/sites/dmv/files/documents/VL-031-CDL_License.pdf

Appendix F
Secretary of State Election Procedures Guide

2024 Election Procedures Guide

<https://outside.vermont.gov/dept/sos/Elections%20Division/town%20clerks%20and%20local%20elections/election%20procedure/2022%20Election%20Procedures/Election%20Procedures%202024.pdf>

Appendix G Election Crime Bureau

After the 2020 election, Mike Lindell became the face of securing election platforms in America. IN JUST 2 YEARS Mike has AMPLIFIED the previously unspoken controversial topic to being mainstream conversation. In August of 2023 Mike announced the Election Crime Bureau. For the first time ever, a real national network has been created to save our country.

The Plan does not rely upon elected officials securing the rights of the governed. The Plan does not rely upon judges who issue opinions without political bias. The Plan does not rely upon law enforcement holding those responsible for election crimes accountable.

The Plan relies upon We the People. The Plan relies upon We the People being informed. The Plan relies upon We the People taking action. The Plan relies upon We the People holding elected officials, judges, and law enforcement accountable for their actions or inaction. All it takes is for Americans who love their country to honor the commitment of our Founders by dedicating themselves to a renewed commitment to freedom.

The Election Crime Bureau has a plan to secure elections through:

Real-time Election Monitoring

The Wireless Monitoring Device to provide REAL time election oversight. We will prove in real time whether voting machines ARE connected to the internet.

FrankSocial, an online app that connects average Americans to one another as a tool to report election malfeasance while watching real time accounts of election interference in their own backyard. EVERYONE can participate with a free account.

Cause of America

CAUSE OF AMERICA (COA); real time election monitoring with the largest grassroots effort in the country. Over 300,000 volunteers on the ground going county by county to change laws, remove machines, teach hand count voting and more.

Media Platform

FrankSpeech, the fastest growing media hub is sharing REAL news in REAL time. A user-friendly site, FRANKSPEECH is now better than ever for the masses.

Election Crime Bureau

The Election Crime Bureau is the central hub that brings information coming from COA and FrankSocial to one place. The information is parceled out to our

experts for cyber-crime investigation, or lawfare determination, or to be shared on media.

More detail on the Election Crime Bureau's plan to secure elections can be found in these documents:

Executive Brief: <https://electioncrimebureau.com/wp-content/uploads/The-Plan-Executive-Brief.pdf>

Whitepaper: <https://electioncrimebureau.com/wp-content/uploads/The-Plan-Detailed-Whitepaper.pdf>

Appendix H

Vermont Election Integrity Articles

Chittenden County GOP

Article 1: [Is “Election Integrity” Really an Issue?](#)

Article 2: [What would be needed to throw an election in the U.S.?](#)

Article 3: [What does Dr. Frank’s analysis actually show?](#)

Article 4: [What does election integrity canvassing look like?](#)

Rob Roper

More Vote Fraud that Never Happens Happened Again. And Again and Again.
Elections should not be determined by who cheats better.

<https://robertroper.substack.com/p/more-vote-fraud-that-never-happens>

Absentee Ballot Fraud Is Real! (When It Happens to a Democrat...)

Connecticut Democrats cry foul in Bridgeport mayoral primary

<https://robertroper.substack.com/p/absentee-ballot-fraud-is-real-when>

Joe Gervais – Vermont Musings

Setting up Election Steals Part One: Voter Rolls: The Election Fraud Credit Line

<https://joegervais.substack.com/p/setting-up-election-steals-part-one>

Setting Up Election Steals Part Two: Using Centralized Management to Drive the Results

<https://joegervais.substack.com/p/setting-up-election-steals-part-two>

Setting Up Election Steals Part Three: Where does Vermont Stand?

<https://joegervais.substack.com/p/setting-up-election-steals-part-three>

Setting Up Election Steals Part Four: Solutions to Restore Safe Elections

<https://joegervais.substack.com/p/setting-up-election-steals-part-four>

Is Vermont ready for a Presidential Caucus?

<https://joegervais.substack.com/p/is-vermont-ready-for-a-presidential>

Vermont Daily Chronicle

GOP demands paper ballots, audits, voter ID

<https://vermontdailychronicle.com/national-gop-committee-calls-for-election-reform/>

Appendix I

Adding Justice of the Peace for insufficiently represented political parties

Sample Town Clerk Letter for insufficiently represented political parties

December 6, 2022

Hillary Francis
Brattleboro Town Clerk
230 Main Street, Suite 108
Brattleboro VT 05301

Dear Hillary,

In keeping with 17 V.S.A. 2103 and 17 V.S.A. 2143 (See attached) which specify that a minority party is entitled to at least 3 Justice of the Peace positions on the Board of Civil Authority, the Brattleboro Republican Town Committee officially submits to the Brattleboro Board of Civil Authority the following three names to be added to the list of

Justices of the Peace for the town of Brattleboro:

Name	Address	Phone	Email	D
				3
				1
				1

Candidate Consent forms are not required for Justice of the Peace nominations.
Candidate Signatures are contained below.

There may be questions. Please contact me or, if necessary, each of us as indicated above.

Thank you for your assistance in this matter.

Sincerely,

Richard Morton, Chair
Brattleboro Republican Town Committee

§ 2103. Definitions

As used in this title, unless the context or a specific definition requires a different reading:

(1) "Early or absentee voter" means ...

(2) "Accept" means to solicit, receive, or agree to receive.

(3) "Anything of value" means, ...

(4) "Australian ballot system" means ...

(5) "Board of civil authority" means, unless otherwise provided by municipal charter, in the case of a town, the selectboard and town clerk and the justices residing therein; in the case of a city, the mayor, aldermen, city clerk, and justices residing therein; in the case of a village, the trustees, village clerk, and the justices residing therein; and, in any case, such suitable member or members of unrepresented or insufficiently represented political parties as may be appointed members of the board of civil authority under the provisions of section 2143 of this title. Except as otherwise provided in this title, those members of the board of civil authority present and voting shall constitute a quorum, provided that official action may not be taken without the concurrence of at least three members of the board.

17 V.S.A. § 2143

The Vermont Statutes Online

Title 17 : Elections

Chapter 043 : Qualification And Registration Of Voters

Subchapter 002 : Registration Of Voters

(Cite as: 17 V.S.A. § 2143)

§ 2143. Political representation on board of civil authority

(a) If the board of civil authority of any political subdivision does not contain at least three members of each major political party and the party committee or at least three voters request increased representation for an underrepresented major political party by filing a written request with the clerk of the political subdivision, the legislative body shall appoint from a list of names submitted to it by the underrepresented party a sufficient number of voters to the board of civil authority to bring the underrepresented major party's membership on the board to three. A person's name shall not be submitted unless he or she consents to serve if appointed.

(b) The persons so appointed shall have the same duties and authority with respect to elections as have other members of the board, but those persons shall have no authority with respect to functions of the board of civil authority that are not related to elections. (Added 1977, No. 269 (Adj. Sess.), § 1; amended 1979, No. 200 (Adj. Sess.), § 12; 2001, No. 5, § 13; 2013, No. 161 (Adj. Sess.), § 3.)

Appendix J

BCA Member Suggestion for improving mail ballot chain of custody

As a member of the Board of Civil Authority, I participate in our town's elections. The process is to work with a partner, preferably someone from the other major political party(s). We open the envelope, verify that all pieces are from the same person, verify that there is a signature on the certificate envelope, and check them off on the checklist. However, we have no way of verifying that the signature is really that of the voter. Since all ballots are mailed, it is possible that unclaimed ballots may be collected by another voter, filled out, and signed by someone other than the person to whom the ballot is addressed. This is most problematic in cases such as apartment complexes where turnover at the same address is more prevalent.

The paper application to register to vote in Vermont has a section which asks for either one's driver's license, PID, or the last 4 digits of one's SS#. The same identifiers are also requested on the online application

I would suggest that one way to confirm that the signature belongs to the named recipient might be to ask that the voter provide one of the 3 identifiers requested on the application. This information might also appear on the checklist. This way, those election officials assisting in the processing of ballots would have a way to verify that the ballot was, indeed, filled out by the owner of that ballot. When I brought this up to our town clerk and assistant clerk, they thought that this would be just one more spot in which a voter could make a mistake. However, even if the identifier was a bit hard to read, it would probably still be clearer than some of the signatures we see. The spots for an identifier would be under the signature line. Example:

Signature
Please provide one of the following (required)
VT Driver's License # _____
VT Personal ID # _____
Last 4 Digits of your SS# _____

Perhaps one of our legislators would be willing to propose a bill that would require this information to be requested on each certificate envelope before returning it. Those ballots which are cast without one of these identifiers would be dealt with the same way incomplete ballots are now. These are put aside, and in our town, the Town Clerk reaches out to the person to “cure” the ballot. The “cure” can be done electronically through VEMS, or one can come into the Clerk’s office and sign the certificate envelope. If the ballot is never cured, the name is checked off on the list, but the ballot does not become part of the total. This would serve everyone who votes in putting into place a viable way of protecting the integrity of our elections.

Appendix K

Resident Voting at Assisted Living Facilities

Various care facilities present challenges in election administration, particularly with the flip-flop between a standard absentee process in some elections and universal mail-in ballots in general elections. The following report provides a process for coordination between the care facility and the BCA to ensure maximum legal voter participation.

<https://drive.proton.me/urls/WV39P1CM9W#kvwM5avuYPvm>