

**To: Senate Government Operations Committee**  
**Fr: Paul Burns, VPIRG**  
**Dt: Feb. 10. 2021**  
**Re: The case for a “curing” mechanism for mailed ballots**

Thank you for the opportunities to offer thoughts on the many elections reform matters your committee is considering this year. I’m particularly hopeful about the breadth of support for making universally mailed ballots a permanent feature of our general elections.

Following up on today’s suggestion by Chairwoman White, I’m sharing for the record information that I hope will be useful to you as you consider specifically the question of a curing provision related to mailed ballots.

You will recall from earlier testimony that the votes of about 1,500 Vermonters in the 2020 general election did not count due to some defect. It is true that 1,500 disenfranchised Vermonters is better than 3,000 or 5,000, but it’s not success. Until that number is zero, it is still a problem. It is in fact a much bigger problem than the fallacy of widespread voter fraud, for which there is no evidence.

Voter education can help to minimize the kind of errors that result in defective ballots. VPIRG and our many allied groups are committed to continuing this kind of voter education. But it is time for Vermont to have a curing process too, just as 18 other states already have.

We believe that this is an equity issue; many Vermonters lack any reasonable means of discovering that there is a problem with their ballot. Their right to vote successfully must not be compromised just because they don’t have a computer or smart phone, or reliable access to the Internet, or frankly too many other things to worry about in life than to track down their ballot online.

VPIRG is not anxious to place more burdens on our local clerks, but it turns out, having them send a postcard to each person who submitted a defective ballot will not be a substantial burden. In fact, we requested from the Secretary of State’s Office a detailed breakdown of the number of defective ballots in 2020 as reported by each municipality (see attached). This is what we found:

**2020 Defective Ballots by the Numbers:**

- 98 municipalities have no defective ballots reported.
- 122 municipalities reported between one and twelve defective ballots.
- 26 municipalities reported more than a dozen defective ballots.
  - Of those 26, just 11 municipalities reported more than two dozen defective ballots.
    - Of those 11, just 4 municipalities reported 50 or more: Barre Town: 55; Brattleboro: 83; Burlington: 133; South Burlington: 95.

An effective curing provision is the main improvement we and our coalition partners would like to see made to the system that was in place last year. In addition to the curing provision itself, there must also be requirement that ballots be opened as they are sent in so voters can be notified of a problem. Here is more information on what the 18 states with curing policies have in place now:

<https://www.ncsl.org/research/elections-and-campaigns/vopp-table-15-states-that-permit-voters-to-correct-signature-discrepancies.aspx>

Thank you for considering this information and feel free to contact me if you have any questions.