Vermont Elections - Administrative Complaint

SETH ADAM MANLEY, Offended Party
Mailing Address:
70 South Street Unit A
Essex Junction, VT 05452
Phone: 802-373-0960
Email: samofvt@proton.me

v.

SARAH COPELAND HANZAS, in her official capacity as Secretary of State of Vermont, or his or her designee
Mailing Address:
26 Terrace Street
Drawer 9
Montpelier, VT 05609-1101

Complaint dated 19 OCT 2026

FOREWORD

1. This complaint is being filed according to procedures documented in "04-010-004 Vt. Code R. § 1, Vermont Elections – Administrative Complaint Procedures" (Effective Date: April 6, 2004 Secretary of State Rule Log # 04-10).

STANDING OF OFFENDED PARTY

2. This Complaint is submitted by Seth Adam Manley (Offended Party), a United States Citizen, residing within the State of Vermont at the physical address denoted above for more than 10 years. The Offended Party has been a registered voter in the State of Vermont for more than 10 years.

DESCRIPTION OF COMPLAINT

3. Due to the new "Universal" or "Automatic" mailed ballot procedures, a ballot was mailed to the Offended Party in October of 2026 for use . That ballot has printed on it a machine readable code. That same code was exposed in public view next to the Offended Parties Name and Address. See Attachment A for a reproduction of that same unopened ballot and envelope with the machine readable code .

4. After comparing the code to many other ballots from willing volunteers in the same voting district, and also throughout the State of Vermont, it has been discovered that the machine readable code of every ballot tested

has a unique identifier encoded in the matrix. The unique identifier is appended to the district code. See Attachment B for photographs that detail a decoded example.

5. In 17 V.S.A. § 2531, the law provides that "(c) Australian Ballot. Voting by early voter absentee ballot shall be allowed only in elections using the Australian ballot system."

6. In 17 V.S.A. § 2103 (4), the law provides that "...An 'Australian ballot' means a uniformly printed ballot, typically confined to the secret vote election of specified offices as previously warned to be voted upon by the Australian ballot system…."

7. The facts from paragraphs (3) and (4) mean that the ballot mailed to the Offended Party is neither a secret ballot nor is it uniformly printed as specified by law in (5) and (6). Furthermore, all ballots observed fail to meet the the legal requirements: All Mailed Ballots are likely to be DEFECTIVE.

8. In addition, in mailing these defective ballots without disclosing the fact that they contain trackable identifying marks and printed in a non-uniform fashion, a breech of Article 8 of the Vermont Constitution has occurred: "That all elections ought to be free and without corruption"

INITIAL REPLY FAILS TO ADDRESS CONCERNS

9. A public inquiry gathering was held Monday, October 12, 2026 in Essex Junction, VT. A representative from the Elections department of the Vermont Secretary of State's office attended. During the gathering, many ballots were examined and shown to contain the unique, non-uniform and machine reproducible markings. There was discussion, questions were asked, and remedies to solve the issue were proposed.

10. The representative from the Elections department did graciously reply to some of the questions by email. See Attachment C.

11. The reply failed to satisfactorily address several concerns that were discussed. For starters, the excuse provided for printing unique codes directly on the ballots is irrelevant. If the code only contained the district code and every ballot in the district was likewise printed so as to be indistinguishable from one another, there would be no problem. Secondly, if a unique code was required for some unknown reason, it should not have been printed on the ballot itself: a technical failure is no excuse for circumventing the law. Finally, none of the easily applied and highly warranted remedies discussed were mentioned in the reply.

RELIEF SOUGHT

13. The Secretary of State has a sworn duty to uphold the constitution and implement elections that comply with the law. It is incumbent on the state to prevent the harm that would result if individual voting records were obtained by anyone: either deliberately, inadvertently, or through illegal means such as electronic warfare.

12. In order to prevent harm to the voters who received such defective ballots, the Secretary of State for the State of Vermont, or appropriate designated agent, should immediately begin a campaign to broadcast a warning to all Vermont voters that the ballots mailed may be defective and they should obtain a clean, non-defective ballot from their local Town Clerk.

13. In order to prevent harm to those who do not hear the warning message, or who are unable to obtain a non-defective ballot, no machine tabulators should be used in any district. The ballots need to be hand counted only. This measure is most important for safety's sake to prevent any chance that the voter's electronically recorded intentions could be identified by any agent who may be able to hack or obtain the electronic tabulator images or data, on election day or in the future.

14. Due to the severe nature of the threat and proximity to early vote counting, a response to this complaint is requested no later than Noon on Thursday, October 22, 2026. Response by email is acceptable in addition to a written mailed or otherwise delivered printed statement.

Submitted By

S. Manley on October 19, 2026

Seth Adam Manley
samofvt@proton.me

On this 19th day of October 2026 before me personally appeared Seth A. Manley to me known to be the person described in and who executed the foregoing instrument and acknowledge that he executed it as his own free act and deed.

Hannah Cronin
Commission
* No. 157.0014423 *
Notary Public State of Vermont

H Cronin notary public Hannah Cronin expires 01/31/2027

CERTIFICATE OF SERVICE

In Reference To: Election **Complaint dated 19 OCT 2026**

I certify that on October 19, 2026 I served a true copy of the Complaint and all attachments

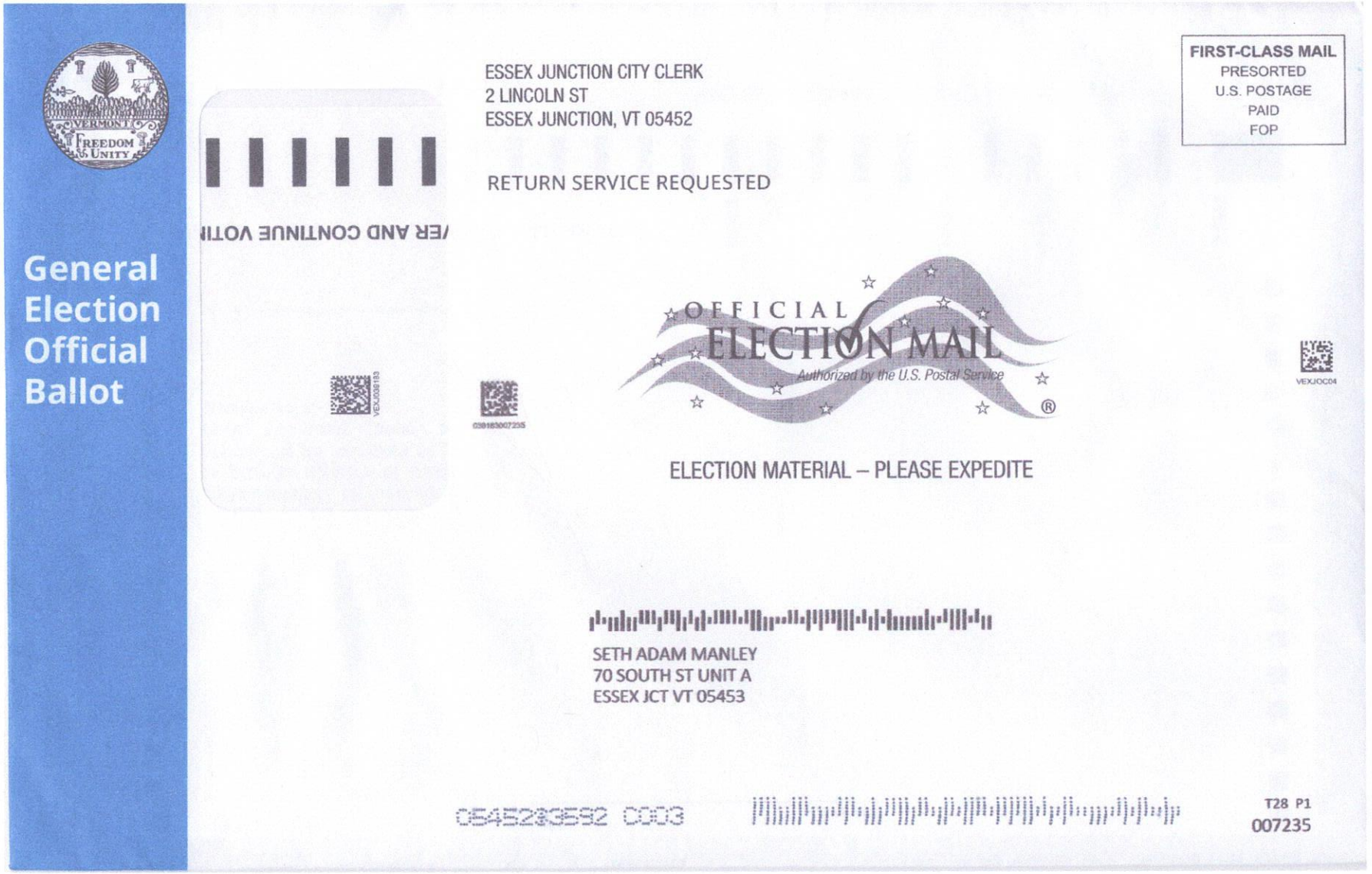
by the following method(s):

Secretary Sarah Copeland Hanzas
Atn: Election Complaint
26 Terrace Street
Drawer 9
Montpelier, VT 05609-1101

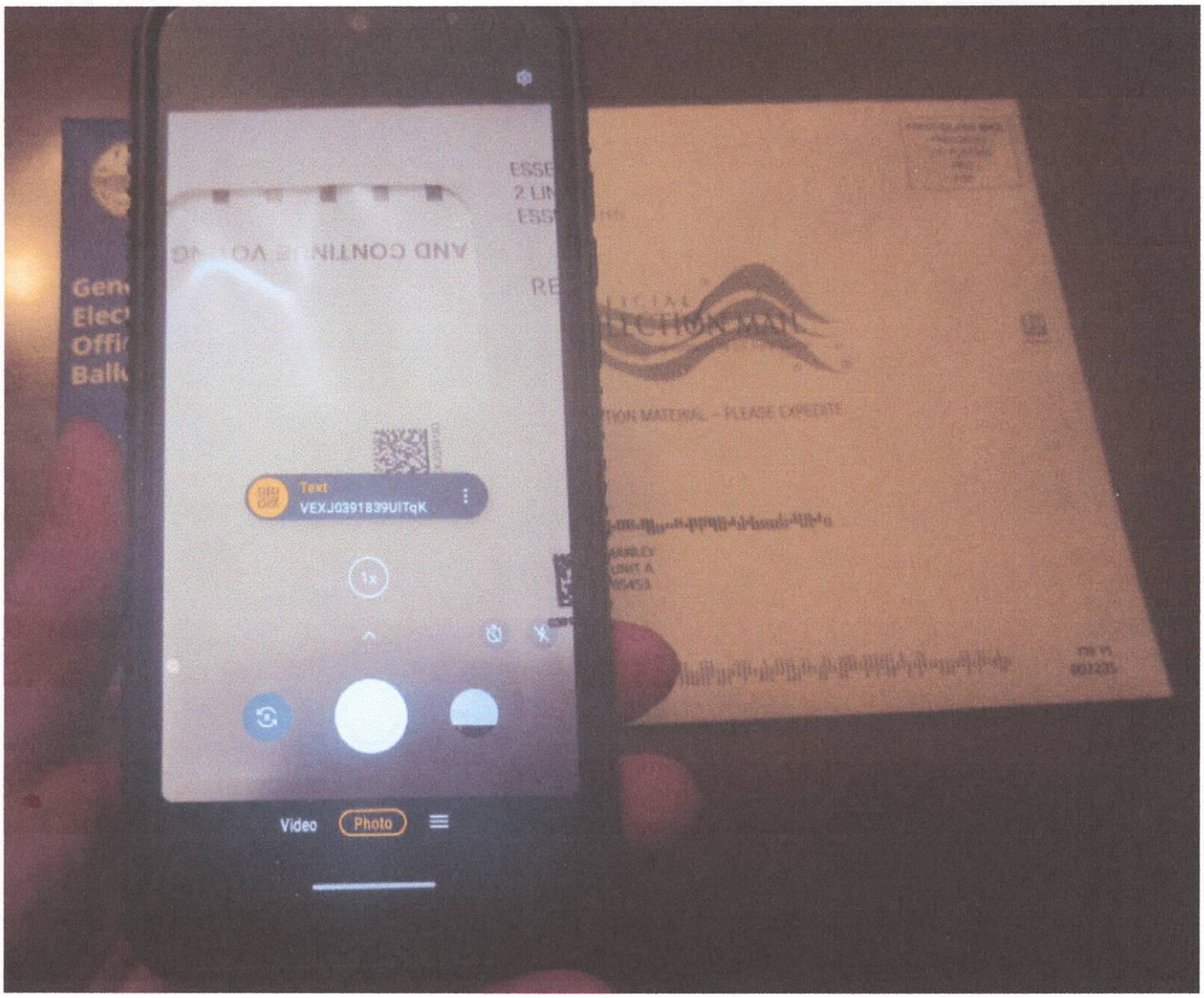
Method: First Class Mail
also By Email as PDF document to Sean Sheehan at Sean.Sheehan@vermont.gov
also Delivered in Person to
Office of the Secretary of State
128 State Street
Montpelier, VT 05633-1101

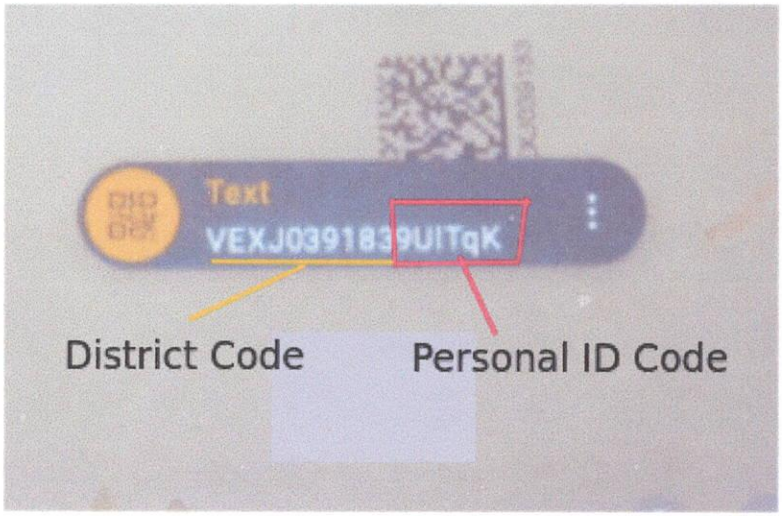
19OCT26

Seth Adam Manley, voter


General
Election
Official
Ballot
ESSEX JUNCTION CITY CLERK
2 LINCOLN ST
ESSEX JUNCTION, VT 05452
RETURN SERVICE REQUESTED
FIRST-CLASS MAIL
PRESORTED
U.S. POSTAGE
PAID
FOP
OFFICIAL
ELECTION MAIL
Authorized by the U.S. Postal Service
ELECTION MATERIAL – PLEASE EXPEDITE
SETH ADAM MANLEY
70 SOUTH ST UNIT A
ESSEX JCT VT 05453
T28 P1
007235

Complaint dated 19 OCT 2026 – Attachment B – Machine Readable Code Examined





follow up

From Sheehan, Sean (he/him) <Sean.Sheehan@vermont.gov>

To S. Adam Manley <samofvt@proton.me>; [redacted]

Date Friday, October 16th, 2026 at 5:03 PM

Hi Seth and [redacted]

Thank you again for the discussion the other day. I wanted to follow up on the topic of production codes, options for Vermonters, and next steps.

Production codes

As for the reason for the data matrices on all components of the ballot mailing, they are part of the quality control process to ensure the inserting machines put the right pieces in the right envelopes. As to the reason for the window in the outgoing ballot package envelope, it is an additional quality control (QC) measure. The printing system scans all of the assembled packages to confirm that the correct components have been inserted.

All of the data matrix codes on the various pieces are distinct from each other. Once the print job is successful, all codes are deleted. The only traceable information that emerges from the production process into the mailing packets is the names, addresses, barcodes (IMb) on the envelopes – nothing from the ballots.

To address the concern that someone could assemble a list of codes from either the printer or the U.S. Postal Service, I confirmed processes and technical capabilities with both entities.

First, our print vendor affirmed that their system does not have functionality to allow an employee to access or export any production codes. They will confirm this in writing.

Second, our regional postal representative reported that photo images of mail are only used for voters who have informed delivery and would not be accessible to employees. They are also going to elaborate in writing.

And again, the data matrices and the rest of the printing process aren't new this year. The exact same process was followed in 2022 and 2024.

Options for Vermonters

As discussed, any Vermonter who does not want to vote a mailed ballot is certainly welcome to go to their clerk's office or polling place and exchange it for another ballot.

If they don't bring their ballot to exchange, they can still get a replacement if they sign an affidavit that they have not previously cast a ballot in the election. And again, this is not the policy of our office, it is stipulated in state law. I have pasted 17 V.S.A. § 2548(b) below.

Next steps

As with any process, there is always room for improvement and innovation. The contracting process offers a particular opportunity to innovate. Our office has operated under the same ballot mailing contract and followed the same ballot mailing procedures since Act 60 of 2021 brought universal ballot mailing to Vermont. However, that contract expires after this election. We will then initiate an RFP process. I welcome the opportunity to further discuss the topic with you as that contracting process approaches.

In appreciation,

Sean

17 V.S.A. § 2548(b)

(4) If the voter brings the unmarked ballot, the voter shall be marked off the checklist and allowed to proceed to a voting booth to mark that ballot and cast it into the ballot box or tabulator in the same manner as other voters who are voting in the polling place. The presiding officer may choose to provide any such voter with a

new ballot in exchange for the unvoted ballot that the voter brought to the polls. The clerk shall record any such voter as having voted in person on election day in the online election management system.

(5) If the voter does not bring a marked or an unmarked ballot with them to the polls, the voter shall be required to sign an affidavit that the voter has not previously cast a ballot in the election and only then shall they be checked off the checklist and allowed to vote in the same manner as all other voters who are voting at the polling place. The clerk shall record any such voter as having voted in person on election day in the online election management system. Any affidavits signed by voters at the polling place pursuant to this section shall be retained for a period of 90 days following the election.

VERMONT

Sean Sheehan
Director of Elections and Campaign Finance
Office of the Secretary of State

https://sos.vermont.gov/elections/

6.74 KB 1 embedded image

//end of Attachment C page 2//