

☞ **05hr_SC-LEPR_sb0042_pt02**



Details: Public Hearing held in Altoona, Wisconsin on March 3, 2005
(FORM UPDATED: 08/11/2010)

**WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS**

2005-06

(session year)

Senate

(Assembly, Senate or Joint)

**Committee on Labor and Election Process
Reform...**

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

Wisconsin Coalition for Advocacy

16 N. Carroll Street, Suite 400
Madison, WI 53703
608/267-0214 phone/tdd
608/267-0368 fax

Wisconsin Coalition of Independent Living Centers

6320 Monona Drive, Ste 408
Madison, WI 53716
608-819-1300 phone/tty
608-819-1301 fax

February 3, 2005

To: Senator Scott Fitzgerald and Representative Dean Kaufert, Co-Chairs
Members
Joint Committee on Finance

From: Lynn Breedlove and Alicia Sidman, Wisconsin Coalition for Advocacy
Maureen Ryan, Wisconsin Coalition of Independent Living Centers

Subject: **Opposition to Assembly Bill 63 and Senate Bill 42**

The Wisconsin Coalition for Advocacy (WCA) and the Wisconsin Coalition of Independent Living Centers (WCILC), are organizations that advocate for the interests of people with disabilities in Wisconsin. We have serious concerns about Assembly Bill 63 (AB 63) and Senate Bill 42 (SB 42) and how it will affect people with disabilities.

AB 63 and SB 42 will make it more difficult for people with disabilities to vote and will have the unintended consequence of disenfranchising the disability community from the electoral process. We do not support these bills, and believe that alternative solutions to address fraud should be followed that do not discourage people with disabilities from voting.

There are approximately 600,000 people with disabilities in Wisconsin who are of voting age. People can have a wide range of disabilities from physical to cognitive to sensory to mental and to medical disabilities. They are members of all communities in Wisconsin, and encompass all ages from young to elderly.

Over the years, individuals with disabilities have faced both discrimination and physical barriers to the electoral process. Examples of this include being wrongfully turned away from the polls because an individual with a disability does not "appear" to be eligible to vote, not being able to access the polling site because it is not accessible, and not being able to cast a private and independent ballot. These barriers are reflected in the statistics, which highlight that individuals with disabilities vote at a rate of 15 percent below the rate of the general voting population.

The disability population received some hope of increased access to the voting process when the federal Help America Vote Act (HAVA) was passed in 2002. One of the most notable aspects of that law is the provision to make it easier for people with disabilities to vote. Specifically, it mandates that every polling site in the United States have an accessible voting machine that allows an individual with a disability to cast a private and independent ballot by January 1, 2006.

Through the passage of HAVA, the federal government made a formidable statement that access to cast a ballot is an important fundamental right of all people in this country. Ironically, as the disability community is on the verge of actualizing the removal of one barrier to the voting process through federal legislation, the suggestion of increasing barriers in Wisconsin by the introduction of AB 63 and SB 42 doesn't seem to follow suit.

Currently, people with disabilities rely heavily on others to corroborate their residence when they register to vote. This option is utilized because some individuals with disabilities do not manage their own finances and therefore do not receive bills at their address. In addition, people can move often, or are homeless. In fact, studies have consistently found that one-third of individuals who are homeless have a mental illness. Both AB 63 and SB 42 remove the right to have someone corroborate a residence, except in the instance when a person is indefinitely confined and is applying for an absentee ballot. For many people it is already difficult to register to vote. Requiring a photo ID and disallowing corroboration will make it even more difficult.

Many individuals with disabilities do not have a drivers' license or state issued identification. SB 42 and AB 63 place the burden on individuals to obtain this identification in order to register or vote. Compared to the general population, the burden is significantly higher for people with disabilities to acquire this identification. People struggling with maintaining their physical health and/or mental health, living on low incomes, and who already have a difficult time finding appropriate transportation to meet their daily needs, will find it difficult to prioritize obtaining the identification specified in this bill. In addition, there can also be physical and communication barriers for people with disabilities that make it difficult to obtain the necessary identification issued by the Department of Transportation.

Those who do not know that the photo identification is necessary, would be forced to vote provisionally, and may find it more difficult to meet the identification requirements by the imposed deadline. For example, in many Wisconsin communities, people who need specialized accessible transportation must request the ride at least 24 hours in advance. Under the provisional ballot laws, an individual is required to produce necessary documentation by 4:00 PM the day after the election. It would be impossible under these circumstances to meet the deadline. Not only would these votes not be counted, but these individuals would likely be discouraged from voting in the future.

Provisional ballots should be cast in rare instances. Under the proposed bill, however, the number of provisional ballots cast is likely to increase. We would argue that throwing out the ballots of honest voters who are not able to obtain an identification card in time does not protect the integrity of the voting system in Wisconsin. It weakens it.

Clearly, voter fraud is important to control, but we do not believe that SB 42 and AB 63 are the right way. Alternative solutions such as stricter penalties for voter fraud could be passed. The newly mandated voter registration lists can be used as a tool to identify voter fraud if accurately maintained and regularly checked for inconsistencies. In essence, there are ways to address voter fraud that do not penalize the vast majority of people in Wisconsin who have no intent to undermine the voting process.

We strongly oppose SB 42 and AB 63, and request that voter fraud be addressed by using alternative methods that do not further disenfranchise the disability community.

Wisconsin Coalition for Advocacy
16 N. Carroll Street, Suite 400
Madison, WI 53703
608/267-0214 (voice/TDD)
608/267-0368 (fax)

Wisconsin Council on Developmental Disabilities
201 West Washington Avenue, Suite 110
Madison, WI 53703
608/266-7826 (voice)
608/266-6660 (TTY/TDD)
608/267-3906 (fax)

Wisconsin Coalition of Independent Living Centers
6320 Monona Drive, Ste 408
Madison, WI 53716
608/819-1300 (voice/TTY)
608/819-1301 (fax)

February 22, 2005

To: Special Committee on Election Law Review
From: Lynn Breedlove & Alicia Sidman, Wisconsin Coalition for Advocacy
Jennifer Ondrejka, Wisconsin Council on Developmental Disabilities
Maureen Ryan, Wisconsin Coalition of Independent Living Centers
Re: **Disability issues to be considered by the Legislative Council Special Committee on Election Law Review**

Dear Committee Members:

The Wisconsin Coalition for Advocacy (WCA), Wisconsin Coalition of Independent Living Centers (WCILC), and the Wisconsin Council on Developmental Disabilities (WCDD) are organizations that work to address issues of interest to the disability community. We have all worked closely with the Wisconsin State Elections Board on the state's implementation of the Help America Vote Act (HAVA), and throughout Wisconsin to address voting rights and increase participation for individuals with disabilities.

First, we are proud that Wisconsin has traditionally had a high rate of voter turnout for the general population. This speaks to the commitment of the citizens to the democratic process, to the commitment of the municipal clerks and the State Elections Board, and to the strength of our voting laws. It is also true, however, that because of a variety of barriers, individuals with disabilities vote at a rate of 15 percent lower than the general population.

The number of individuals with disabilities in Wisconsin is substantial. According to the American Association of People with Disabilities (AAPD), there are approximately **600,000 individuals with disabilities in Wisconsin who are of voting age**. This number includes individuals with all disabilities including sensory, cognitive, physical, mental, learning, and other disabilities.

We have attended the Legislative Council Special Committee on Election Law Review meetings and would like to bring forth our positions and concerns on some of the items discussed during the meetings. We are pleased that the Committee on Election Law Review is meeting to discuss how we can make the elections process in Wisconsin even better.

During the meetings, a number of issues have arisen that we think the Committee on Election Law Review should take into consideration when thinking about changes to our elections laws because individuals with disabilities may be positively or negatively affected by the changes.

Absentee Ballots

The committee discussed restricting the instances when Wisconsin voters can request an absentee ballot. It is clear from the November 2004 presidential elections that absentee voting is essential for many of Wisconsin's eligible voters. **There are many reasons why individuals with disabilities might choose to vote by absentee ballot. These reasons include, but are not limited to, inaccessible polling sites¹, inability to find transportation or accessible transportation to the polls, and the specific nature of the disability or medical conditions itself that makes it difficult or impossible to make it to the polls, stand in line to wait or cast a ballot.** We would oppose changing Wisconsin from a "no excuse" state back to an "excuse" state. Further, we would oppose restricting this law in ways that would adversely disenfranchise the disability community or other Wisconsin citizens.

The committee discussed restricting who can provide assistance to voters who are voting by an absentee ballot including who can pick up and deliver absentee ballots. The intent behind this is to keep political operatives from influencing or tampering with the ballots. While we understand the reasoning behind this proposed restriction, we want to make sure that the committee does not unintentionally restrict human services workers who assist individuals with disabilities from delivering or assisting with the absentee ballot process.

The committee mentioned having the voter pay for the return postage of their absentee ballots. We strongly oppose this option. As discussed above, absentee voting is often the only way an individual is able to participate in the electoral process. Charging a fee, by forcing individuals to pay for return postage, unfairly charges the voter and is likely to significantly decrease the number of individuals in Wisconsin with disabilities who vote. We know that people with disabilities often represent some of the lowest incomes in the state. We view providing return postage as a part of the cost of having an election and therefore should not be changed.

¹ We recently conducted surveys of over 150 polling sites across Wisconsin using the State Election Board accessibility survey and found that approximately 75 percent of the polling sites surveyed had at least one accessibility barrier.

On October 8, 2004 Kevin Kennedy wrote you a letter on proposed changes in election law to be considered by the Legislative Council Special Committee on Election Law Review. We support Mr. Kennedy's recommendation to maintain the current law that specifies that only one person needs to witness the absentee ballot except in the instance of casting an absentee ballot by individuals residing in a nursing home, which currently requires two voting deputies to administer the process. We believe that requiring more than one witness, or complicating the absentee process in other ways, will discourage individuals with disabilities from voting. By increasing the witness requirements, the consequence of decreased voter turnout from the disability community is likely to increase.

Registration

It seems to be the consensus of the committee to recommend no changes to the current same day registration law in Wisconsin. We agree wholeheartedly. We believe that one of the main reasons Wisconsin has traditionally had such high voter turnout is due in part to this law. Proudly, Wisconsin is one of six states that have same day registration. If same day registration was revoked, Wisconsin would have to follow other laws, such as the Motor Voter Act and provisional voting requirements in HAVA, for which we are currently exempt. This would increase the burden to municipal clerks, the State Elections Board, the citizens of Wisconsin, and others. Our current system works. We strongly support a recommendation to keep this law in tact.

There are many individuals with disabilities in Wisconsin who rely on corroboration to prove that they live at a particular residence. Many individuals with disabilities don't have a driver's license, State issued ID, or do not receive their bills at their home location because they have a financial guardian. Disallowing people to register to vote who have a corroborator would make it difficult for them to vote. Changing this requirement and/or changing the current registration guidelines, such as requiring a photo ID in order to register to vote, would disenfranchise the disability community, among others. We strongly urge the committee to explore other ways to decrease fraud other than to make the process of registering to vote more burdensome.

HAVA requires the establishment of a statewide voter registration list by January 1, 2006. This requirement was added to HAVA to address potential voter fraud. To date we have not allowed this system to work. Before we add another potential barrier to the voting process, i.e. photo ID, let's first analyze whether the registration system works and eliminates voter fraud.

Voting Equipment

The Committee on Election Law Review may be considering whether or not to redefine polling sites in order to decrease the cost of voting equipment for municipalities. This issue was first addressed to the committee in a letter from Mr. Kevin Kennedy dated October 8, 2004.

To clarify, HAVA requires one accessible voting system at each polling site. Under the law, each polling site must have an accessible voting machine by January 1, 2006. The purpose of the accessible voting machine is so individuals with disabilities, who are currently unable to cast a private and independent ballot using the current voting equipment, will be able to do so. This law is extraordinarily important to members of the disability community who have not been able to participate equally in the voting process, and who have been waiting for years to be able to have equal access to cast a ballot.

The spirit of HAVA is to increase accessibility of voting so that individuals with a wide range of disabilities will have equal access to the electoral process.

Consolidating or regionalizing polling places would work against that intent by increasing *other* barriers to voting. For example, it may be much more difficult for an individual with a disability to get to the polling site. In fact, research shows that the farther an individual has to travel to the poll site, the less likely they are to vote. In other words, distance to the polls affects voter turnout. Moreover, during the November 2nd election, there were numerous reports across the country of long lines at the polls. This was in part due to the record-breaking voter turnout; however, in some areas the lines were exacerbated by consolidation. A variety of disabilities make it difficult or impossible to stand for long periods of time.

Finally, it is possible that the cost to purchase and maintain the voting equipment is lower than anticipated. We contacted Elections Systems and Software (ES&S) and were told that the cost to purchase the AutoMark voting system would be approximately \$5,000 per unit and there would be a one time cost of approximately \$2,500 for software for all units purchased in Wisconsin. In addition, the annual cost to maintain one piece of equipment would be about \$275². This cost includes firmware, hardware and labor costs associated with programming the equipment for an election. Depending on the system, therefore, the total cost that municipalities will incur could vary and may well be lower than expected.

In sum, we are concerned that consolidation or regionalization will be particularly burdensome to people with disabilities. We recommend that the committee look into the nuances of these issues and look into alternatives to consolidation or regionalization of polling sites prior to making a recommendation.

We also respectfully ask the committee to consider how changes to the current law may either positively or negatively affect the voting practices of people with disabilities in all issues up for discussion. We support your efforts to maintain high integrity in our voting process, while at the same time making voting accessible and convenient for people with disabilities in Wisconsin.

² Note that the \$275 annual fee does not include storage and replacement costs as estimated by Kevin Kennedy in the letter dated October 9, 2004.



From ...
Linda Stokes

MARCH 2, 2005

RE: BILL TO REQUIRE PHOTO I D'S AT THE POLLS

TO WHOM IT MAY CONCERN:

The bill to require photo ID's at the polls is a great first step to cut down On Voter fraud in the State of Wisconsin. (Although, personally, I do not Believe it will help all that much, without also passing a bill to stop same day Voter registration.)

When I worked the polls, I saw over 20 students come in and present a utility Bill to a woman working at the voter registration table, and without photo ID, Was able to receive the necessary paperwork and vote. There is nothing in Place to stop a person from voting absentee, and then voting again in the City where that person is a student, and going from one precinct to another. It is quite obvious that industrious individuals could conceivably vote several Times in the same election.

I AM URGING OUR ELECTED OFFICIALS TO CONSIDER THE IMPACT OF THEIR VOTES (or vetoes), AND TO VOTE "YES" TO PHOTO ID REQUIREMENT AT THE POLLS. If we are to have an honest representation of the will of the people, we must have Honest elections.

Sincerely,

Linda K. Stokes
Linda K. Stokes
March 2, 2005

OVER →

-over-

I forgot to add that the 20 Students,
when each were asked How Long they
Lived at that Residence (a Utility Bill
in someone else's name)

they each said "20 days".
A Red Flag should have gone up at
the Registration table.

JKA





Testimony on 2005 Senate Bill 42
Senate Committee on Labor and Election Process Reform
March 3, 2005

Good morning, Mr. Chairman and members of the committee, and thank you for the opportunity to testify today on behalf of Senate Bill (SB) 42, commonly known as the Voter ID bill.

Wisconsin has a history of open and honest elections and it's important that free and fair elections continue. To protect that tradition I've joined many of my colleagues in supporting Senate Bill (SB) 42, which will require voters to verify their identity by presenting a photo ID card at the polls before voting in Wisconsin elections. Voters could use a valid Wisconsin Driver's License, a Wisconsin Identification (ID) Card or an active military ID. Under provisions of the bill, people who do not have one of these standard forms of identification could get a Wisconsin ID card at no cost.

The opportunity to vote and democratically elect our government representatives is a fundamental building block of American democracy. Voting allows us to express our opinions and let our voice be heard. Problems in our election process, whether caused by human error or fraudulent activity, hamper those basic rights. That's why I support legislation that changes the way we vote in Wisconsin.

Numerous investigations and media reports over the last few months have raised questions regarding the reliability of our voting procedures, and I've heard concerns from people throughout the 31st District. In Milwaukee, the City Election Commission cannot verify addresses for approximately 10,000 people who registered to vote in November, 2004. Recently, the Milwaukee Journal Sentinel newspaper indicated that several polls in Milwaukee reported more votes than voters -- two polling places reportedly have 500 or more ballots cast compared to the number of voters.

Fraudulent ballots cancel out legitimate votes! If just a portion of the questionable ballots cast in Milwaukee are false, they would cancel out legal votes cast by all the people living in Tomah, or all voters in Mondovi and Sparta combined!

I've heard from several constituents with concerns of voter fraud. Given the slim margin of victory in recent elections, the need to be certain that Wisconsin elections are conducted correctly and fairly has never been greater. SB 42 is an important first step in regaining voter's trust and making sure that all votes are cast and counted correctly throughout the state.

Thank you for your consideration of this legislation.



NOVEMBER 2ND, 2004 ELECTION DAY TESTIMONY
FOR VOTER ID HEARING IN ALTOONA, MAR. 3, 2005

I am the Chairman of the Eau Claire Co. Republican Party. Election irregularities and yes- fraud - did not start this past Presidential election. It was first seen in the Presidential election of Nov. 2000 here in Eau Claire. We then experienced it again, in the fall of 2002. That is why we believe there are some serious problems here in this city and our county that will be worse in the fall of 2006. These must be addressed in legislation and education of the electorate, clerks and those that work the polls.

I am in full support of the Voter Id bill. We must have uniformity, so these indiscretions stop. If everyone in the state must provide the same identification - it makes it simple for all. The voter knows what they must bring. The clerks know what is acceptable and can instruct poll workers. The Poll workers will know exactly what they can accept for registration and voting. This makes it easy.

I hope in the future you add one more bill. Please address same day registration in our state. Why are we one of only 4 states to still have this?

We plan for everything in our lives. Students cannot register to take classes at the universities - the same day they start. They must get housing, apply to the school, and register months in advance. Yet they do not state that the universities are dis-Infranchising them from attending classes!

Everyone I have talked to that works the polls - democrats included - feel that same day registration causes great problems, is open to fraud, it burdens the clerks and ends up being the greatest cause of mistakes and confusion from the election officials. You must be a resident of the state, and locality for 10 days prior to voting - why shouldn't you have to register 10 days prior too? Other states do this, and have no problems.

Why don't we dip our fingers in ink as the Iraqis did? Then we know someone cannot vote multiple times on election day. It is so simple, and inexpensive, it would be a very powerful symbol for people who wish to cheat - it will not be tolerated any more. If Iraqis can prevent fraud, why can't we as the greatest nation on earth!

We must have very specific details from the legislature on what is legally allowed for ID at the polls, so this "interpreting" stops. We must have education to the public of what the laws are - that you can only vote once, in each election, that fraud can land you in jail. We need for you in Madison to clean up the system, so that voters are confident that when they exercise their right to vote as a legal citizen - that it will not be tampered with. We must have clean, honest elections in our state, or we will have chaos each election day.

Thank you for being in Altoona today!

Sincerely,

Laurie Forner -

213 Garfield Ave., Eau Claire, 54701- 835-6024



March 3, 2005

TO: Senators with the Eau Claire **Senate Hearing on the Voter I.D. Bill**

FR: Kathy Mentink, college educator;
poll watcher on November 2, 2004
in City of Eau Claire, ward 2 – Grace Lutheran Church (7 am – noon)
and **poll worker** on November 2, 2004
in City of Eau Claire, ward 3 – Masonic Temple (1-9 pm)

RE: **Observations regarding Voter Registration and Voter Participation in the November 2 Elections**

I attended a training session for poll workers, conducted voter registration, and worked at the polls on Nov. 2. I am a college educator who had many discussions regarding the election cycle in my contacts with students during fall semester.

I strongly support a more well-defined and enforced system for voter identification, to maintain the integrity of the voting process. My observations and concerns include the following:

1. Multiple voting; buying and selling votes

Numerous students discussed their access to information from groups and individuals encouraging them to consider multiple voting, or to sell or buy votes. They indicated this information was readily available from various sources including online, and they were aware of individuals who were absentee voting combined with on-site voting in one or more wards, and were using others' IDs. They were aware that such practices violated various laws, but also stated they were aware that there is no statewide or national system for verifying voter identification, multiple voting or selling or buying votes, thus they perceived the likelihood and actual experience of anyone being caught or prosecuted for such activity as being extremely small.

2. Identification discrepancies

a. Lack of any identification: numerous individuals presented at the polls to register to vote on-site, stating they had no identification with them. There was a group of five men who presented together at Grace Lutheran, all of whom indicated they had no identification of any type with them. A "corroborating witness" signed for the first man's registration; he then signed for the man behind him, etc.

b. Lack of required, current identification: numerous individuals presented with a Minnesota driver's license or other identification listing a residence that was not from the ward in which they presented to vote; many brought with them or were offered a "corroborating witness."

c. Acceptance of "bank statements" was applied to mean acceptance of any mailed or online statement of any type of financial report, including credit card statements from banks and from retail stores. "Best Buy," "Savers Club," "Younkers," and other retail store credit statements were accepted. Please note that some online financial statements can be easily altered through word processing; one's name, address, and even the transaction and balance data can be altered with a few keystrokes.

d. Acceptance of a credit card or bank card application, or practically any piece of mail addressed to the individual, came to be accepted as the voting day continued. Individuals

presented with mail addressed to their name "or current resident" which was an application for credit or a piece of unsolicited mail; we were told to give them a ballot.

.....

Individuals affiliated or in active communication with various politically active organizations remained at the polling sites throughout the day to serve as a "corroborating witness" to sign voter registration forms of individuals without ID or without correct address. In questioning these corroborating witnesses, they had no personal knowledge of the registrants whose forms they were signing, and we, as poll workers, were not directed to verify whether the corroborating witness was a registered voter or had personal knowledge the registrant's address.

When poll watchers or poll workers raised questions about the practices listed above, the attorneys and individuals at the polls interjected and offered several statements that were not confirmed. For example, they stated that at 11:00 am on election day the attorney general's office had issued a ruling for acceptance of credit card and other financial statements. However, this was not verified on that day, nor through follow up phone calls to our local elections office, the attorney general's office or the state election board office.

Poll watchers and poll workers who questioned the practices listed above were also told that they were suppressing the vote or intimidating voters. We were questioned repeatedly, and presented with information that could not be verified.

When one cannot check out a library book at the college or public library without some ID card, it is expected and necessary that correct ID be required to obtain a ballot to vote. It is also reasonable and necessary to require current, photo ID for voters, to ensure greater integrity and address many of the issues we faced.

I have requested to work in upcoming elections to continue to monitor and collect data on these concerns.

I sincerely request that you take whatever action is possible to address the potential and actual instances of voter fraud listed above. Voter fraud affects all voters, erodes confidence in a fair election system, and may be addressed through legislation and court decisions. Please take the steps toward ensuring fair elections for all. Thank you.

Kathy Mentink
1909 Hatch Street
Eau Claire, WI 54701
715-833-0324
Kmentink4him@charter.net



March 3, 2005

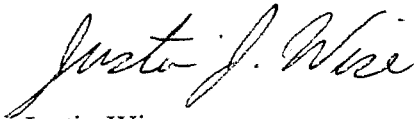
To Whom It May Concern:

I would like to give an account of one specific case of fraudulent voting I witnessed on November 2, 2004. I was a poll-watcher at Bethesda Lutheran Church where three of the Eau Claire city wards voted.

In the case which I witnessed a middle-aged woman came to the ward table to vote, she was asked to state her name, she was then given a ballot. While she was in the voting booth, the poll-worker realized that she had not asked the woman her address. The poll-worker asked the woman to return to the ward table and state her address. The address she gave was not the same as what was in the book, and she claimed she had moved within the ward, which is a logical possibility. The woman said she would return with proof of address. The woman set the ballot on the ward table face up and left. The ballot sat on the table for a few minutes until the poll-worker from the Democratic Party noticed the ballot which was face up on the table. The poll-worker then proceeded to place the ballot into the counting machine herself. During the rest of my watch, I did not witness the woman returning for her ballot and to cast her vote. Not only did the woman who could not prove her residence, get to vote, but in-essence the poll-worker voted twice!

This whole situation could have been resolved if the woman who was there to vote had to show proof of identity. If she was in fact falsifying her identity it would be known by a simple comparison between her and her identification (driver's license, voter card, etc.). On the positive side, if she was to show her identity, she would have been able to vote and would have saved herself time, as she would not have to return home to prove her residence.

Thank you,



Justin Wise

UW-Eau Claire Student and American Citizen

1609 Mitchell Ave.
Eau Claire, WI 54701





March 7, 2005

To: Members of the Senate Committee on Labor and Election Process Reform

From: Thomas J. Diedrick, Executive Director
Kathryn C. Barry, Assistant Director

Subject: Comments on Senate Bill 42 and Assembly Bill 63

Dear Committee Members:

Options for Independent Living (*Options*) would like to submit the attached comments for your consideration regarding Senate Bill 42 (SB 42) and Assembly Bill 63 (AB 63).

Options is a non profit organization assisting people with ALL types of disabilities and ALL age groups the live independently in their respective community. *Options* serves a 17 County area of Northeast Wisconsin and the Fox Valley. *Options* is unique in that the Board of Directors and majority of Staff are persons with disabilities. *Options* is one of eight Wisconsin Independent Living Centers (ILC's) who have a similar operating structure.

Options supports the positions as presented in the attached Position Papers. The turnout of people with disabilities voting in this last election was the highest ever. This despite obstacles such as inaccessible voting locations and voting machines. Transportation to vote for people with disabilities is another huge problem, especially in communities without public transportation. Rural transportation is virtually non existent.

We understand the need to insure that there are no abuses to this wonderful privilege of voting. But it is imperative that any changes in the process not restrict people more than the problems herein defined.

We thank you for taking these comments into consideration.



no date

Good Afternoon, Senator Brown, State Senators from across the Badger State, and Fellow Citizens of this great State of Wisconsin:

My name is Kevin Balash. I have lived in Wisconsin all of my 46 years. I have been a resident of Eau Claire since 1986.

I would first like to Thank you for holding a hearing here in Altoona, and for allowing the residents of western Wisconsin to offer our testimonies on such an important topic that certainly was a huge concern in this past Presidential election cycle. While the news media has been focused on the Milwaukee area, and perhaps Madison, we, the citizens of Eau Claire, believe we have our own questions, concerns, and irregularities, right here that lead us to have serious doubts about the integrity of the most recent Election!

I rise today to address the issue of whether a Voter ID card should be required to vote in Wisconsin. Let me state that I am 100 % in favor of identifying myself, and for that matter, feel it is within reason for any resident of this State to properly identify themselves when going to an Election Poll, to cast their personal ballot.

Over the past year, to two years, I have been a poll-worker here in Eau Claire. During that time, and even before that, I, quite frankly, have been very disappointed with the voter turn-out that we quite often see, on behalf of fellow citizens. However, that all changed this past November, with the fantastic turn-out that occurred. What is scary though were the numerous and questionable events that occurred.

- ***Shortages of voter registration forms at the poll where I worked, plus in talking with other poll workers who were at other sites, this was common.***

- *People whom I recognized from the neighborhood, had seen at previous elections and were on the election roster previously, have lived in the same home for decades, were “omitted” from this elections roster?(They would finally get to the front of the line, state their name and address, we would search the list of voters and have to disappoint the by stating: “I’m sorry you are not on our list” That meant, they needed to go wait in the same day registration line, fill out the form, show identification, then return to again wait in line to be approved, and be issued a ballot.)*
- *Being a rather active community person, both my profession and by the clubs, events, activities, that I get involved in, I meet people daily, and have been blessed with a knack for “name recall” I could not believe the number of people I have never in my life set eyes on. It seemed also, that of those same day registrants, an apartment building at 2215 Folsom Street, on our west side must be at 100% occupancy, because everyone and their brother lived there!*

As the events of this past November 2nd, 2004 occurred, I began to question some of the unusual things that occurred. For the first time ever, there was an AM and a PM attorney at our site. Second, a reporter from the local paper showed up, having been called and informed that there were “reports” of “voter disenfranchising” going on at our site! When the poll workers there... (A fair mix of Republicans and Democrats), got word of this we simply laughed!

I would like to give you a list of “ballot numbers” that I wrote down as the day went on. The PM Attorney, Lori Frandsen, soon recognized that I was questioning some of the events which I’ll call either suspect or “shenanigans.” She also wrote them down, what she did with her list, I do not know, but I truly believe that if

thoroughly investigated, you too will find inconsistencies or irregularities with them !

With all of this in mind, I do NOT necessarily favor every voting age Wisconsin resident being required to obtain " another " State issued card, I see that as another layer of government bureaucracy, with too many costs or Taxes tied to it. Plus, let's face reality, most of us have far too many cards in our wallet or purse already. I believe showing existing identifications, the Wisconsin Driver's License, for those who do not drive, the already existing Wisconsin State ID Card, or a Military ID issued to our military personnel, again identifications that are already in place, as our answer! Bottom line however, is something must be done!!

In closing, I would again Thank you for being here. My intent is not to stop anyone from voting, nor disenfranchise anyone. This is America, and we all should take pride in our process and do our civic responsibility or duty. I simply believe, and the facts that have been made public, cast doubt on the integrity of our election process. Showing a Voter ID card when we vote should be normal procedure, accepted by all. When I shop at the local K-Mart or Shopko, and pay by check or register for a library card at our local L.E. Phillips Public Library, I am asked to show proper identification. That is normal procedure and we all do it! Ladies and Gentleman, at those places I'm simply buying clothes, health & beauty aides or asking to have permission to take a book out for a short time. Why WHY when I am casting a vote to determine the leadership of this great country should I not be asked to prove... I AM WHO I SAY I AM!

Thank you!



(no date)

As a poll watcher in ward 31 for the 2004 Presidential Election there were several things that happened that causes me to be in favor of the Voter Identification Bill.

We had too many people coming to the polls to vote with nothing in their possession to verify who they really were. A comic book with an address on its label was accepted but is hardly adequate. Also a citation from the Eau Claire police dept for disorderly conduct was accepted. The use of a photo ID will eliminate the frustration and dishonesty that is occurring. Voting in this country is a privilege and should be treated with respect. If a person needs a photo ID to get into SAM's club why not to vote for the leaders of our country.

Gary Eslinger
5434 Olson Dr.
Eau Claire, WI.



no date

Some Notes from the Republican De-briefing Meeting - held on November 8th, 2004

Election Debriefing for Eau Claire Republicans who were at the polls on Election day - Nov. 2nd 2004.

Election Day DETAILS.:

There were 49 attorneys on the Democratic side that were trained and spread over western Wisconsin. Even sent some as far north to the Reservations. On ground here for the **Republicans we had only 5 attorneys TOTAL** on the day of the election

- 1 Problems with young people (students) vouching for one another at Grace Lutheran and Masonic Temple voting locations. **One student aged person would stand there and vouch for anyone who came in without ID. He was finally kicked out of one polling place and went to another polling place and did the same thing. (This is the guy we call "pony tail man - we could only get his 1st name - Eric, he would not provide any ID, nor could we attest to the fact that he was a registered voter and had signed the proper forms to vouch for people. When he was pressed - he would disappear to another polling location.)**
- 2 Some confusion with the HAVA act (mostly applies to funding but also allows registration by mail) and our State election law. If you registered ahead of time it is a much broader list of what you can use for ID. The HAVA had a much more restricted list. The Democrats were trained to jam through **anything** that had their current address on. They were also telling the Republicans that there was an Attorney General's opinion. Apparently a roving AG assistant was coming around saying that the challenges had to stop or the people challenging would be thrown out. They identified themselves as from the Department of Justice. no documentation ever shown though. There are sheets at the polling places that post incorrect documents that could be used for ID they are from the state statutes.
- 4 In Altoona – tremendous number of first time registered voters. More and more of these came through and the people who were giving out ballots were also registering voters. All of absentee ballots were in a box back in the kitchen without any oversight. Couldn't follow what was going on as there were so many of them.
- 6 Longfellow school: One young man – kept bringing in people and vouching for them – they seemed to be borderline intelligence people and he kept vouching for them.
- 7 **Grace Lutheran- heavy student ward – a number of people who had " ID needed" by their name in the poll book were told by dems that they could show any kind of drivers license from any state and it was acceptable. Dave D. said at any given time – not less than 10 Move On.Org people there passing out information and telling them that they should not accept any rejection for their id. Also had a feminist organization from the campus slapping on stickers that said "Vote as if your Life Depended Upon it." Then there were people from America Coming Together there asking people if they had had any problems. With 2700 people voting there it moved through fairly quickly but fully half to 2/3 that registered that day. Three to six Democratic attorneys there at any time so they had plenty of legal advice. 9 dem attorneys at one point. They were also advising the Feminists, Move On.Org and America Coming Together. Troubled by that because we are, as a City, ceding to a**

private group who has the right identify who has the right the vote. Students would come in and say that "They told me..." Feels that these people who are not official should not be allowed on site to advise everyone. Paid election officials were completely disregarded. The groups there - should be seen not heard. What a lousy way to run a railroad – found it very disconcerting. Also concerned about the security of the ballots – absentee ballots piled up and not under any real security. No non-polling person cannot even touch the ballot. We shouldn't have to have 10 to 15 people at the polls watching each other but should have a system that has this built into it. One Democrat was explaining how you vote and was directing them to a straight party ticket vote and the students were relieved and they were being led to "buy the value meal" – think there should be a more scripted message, that is uniform on how to instruct folks to vote - non-partisan. We need to discourage people from either party from leading people to vote a straight party ticket. Part of trouble is training. Also appears that election law is not clear as to what is acceptable form. Jay said – statute spells out certain requirements for proof of residency. In South they did have a sign that said state your name and address.

- 8 Masonic Temple– Heavy student ward. Don Motzing – there was an individual who appeared to be (ponly tail man), who was identifying /vouching for many people there – he was apparently also over at Grace Lutheran doing the same thing. Also a woman came in with a big Kerry sign and just stayed there – she was not there to vote. She left very slowly when finally asked to go. Also someone was at door handing out info to college students on hot pink paper – she did not get to see what was on this. Also Irene was not on registration very much – pulled her off because she was asking for proper ID, we heard this often, the dems pulled republican poll workers off the registration tables and they did all the registering .
- 10 St. Olafs – Connie and Mike Griffin. Military ballots get counted on a different sheet. **the "Ponytail guy" was there also vouching for people** and there was a Kerry Attorney (Dana Smeta) and she was on the cell phone continually and out in the hall.
- 11 Dorothy Schwankl – she was in charge of registration with a high school student doing registration. Another Dem who was first time worker and a Hmong man came in and she was telling him what to do. **A Latino man came in with a green card. He admitted that he was not a citizen. He said that he had voted before.** A lady came in with a Yonkers bill for Id - Carol Schumacher - city clerk- said it was okay. They were accepting credit card bills for ID. Another kid came in with an envelope with his name on it and a date stamp. Dorothy turned that one down.
- 18 ****Good Shepherd – Peggy Peterson came to vote – someone had already voted in her place. She did eventually get a ballot and was allowed to vote.** The lady from Move On.Org was from California and she seemed to know the people that came in and she was from California. She had also been spotted down at the election office with her lap top doing data on voter lists, believe she stated she was from Move On.Org.??? When one of the voters was challenged, the Democratic person there said in a loud voice that she was a Democrat and this person challenging you is a Republican. The Republican attorney there stood her ground. Dems had to move additional lawyers there.
19. Our Savior' Lutheran – A point at which a lot of students coming in. There was one guy with a Madison ID and a marvel comic book with his address on, this is what he used as ID to vote. Also were accepting social security cards. City clerk came down and said that the AG and a law enforcement agency said we must stop the challenging. After that we made record of people who

had questionable identifications. Blond attorney there was showing a voter how to vote and she said "for instance you can vote Kerry/Edwards" but said nothing about Bush/chenev. We were told we could have one HAVA person, one Republican person, etc., but there were multiples of the Democratic supporters there. Pollworkers Often felt like a fifth or sixth wheel with all the other groups there.

*These are notes from eye witnesses to these happenings at several polling locations throughout Eau Claire. We wanted to do this while it was fresh in people's minds in November. If you have questions regarding the ward numbers of the various locations listed, or the full names of those who gave the testimonies above- we can provide that, we can also get more information to you if you would like a follow up on some items. Many of those listed above will be at the hearing to give their information in person, if not, they submitted their statement in writing. We just wanted you to have a copy of some of what was stated at our de-briefing in case it was not covered today in the hearing.

For follow up on the above you may call - Laurie Forcier - 715-835-3277 - Eau Claire Co. GOP Chair



no date

Dear Sirs;

I worked the Polls in the 2004 election in the township of Ludington, Wis. This is a small rural area where you wouldn't expect any problems. When there was a large influx of voters, not all d.d.'s were checked - one girl stated she had voted at college and wanted to vote in her home town. She was allowed to vote - which was challenged. There were many college age students that were new registers. There was no way of knowing if they had already voted at school or not. It is necessary to have a way of identifying a person who has already voted, and has the right to vote at the proper poll. If this can be done in drag with a finger dipped in ink, why can't it be done with a card here?

I remain

Kathy Conroy
606 W. Lincoln St.
Augusta, WI 54724
(715-286-2881)



no date

The Voter Identification Bill

Two basic principles seem to be at play here. One that everyone has a right to vote and two that anyone who votes is who they say they are.

If one of these two conditions is not met the question has to be asked, "Can we really say that we have "Free and Fair elections"?"

It just makes sense that to vote, we should have to identify ourselves. In fact, this common sense approach exists in 44 other states. I am of the understanding that Wisconsin is one of only six states that do not have such a bill or requirement.

Students are required to have them for every university. High school kids have them for school. Hospital employees, big companies, airports, service personnel that come to your home, and many other common places use ID's. Why do they have them? They have them for security reasons and to say "this person is allowed to be right here, right now, doing this task." A voter ID would do the same thing that the rest of society already demands and adheres to.

The access question then gets asked, "By requiring a photo ID to vote do we disenfranchise a portion of the population that doesn't have access to an ID? Do we cause people not to vote?"

General society already has access to photo ID's beyond that of a driver's license and state issued ID card. The "access to and ID card" argument really has no merit.

The "well I don't drive, so I don't have an ID" is very flawed as well. People obtain ID cards for all types of other services besides driving. I recently got a photo ID at the Indoor Soccer Park. They had me stand on a line, took my picture with a tiny computer camera, sent my information through the computer, and 5 minutes later I had a laminated photo ID for the park. I have one for Sam's Club as well.

The Voter ID card, for those who do not have a state issued ID, could be offered at places that people regularly go, like grocery stores, shopping centers, etc. There could be a system set up to get one the next time you applied for a hunting/fishing license, went to the library, walked past your police station, or fire house, had an appointment at the clinic, cashed a check, had a visiting nurse come to your house.

The next question, "I have no money to pay for the photo ID?" Offer a voucher in their next government assistance check.

The instant technology is already here to accomplish this task. As I stated earlier, this ID problem has been overcome by many other institutions and organizations, yet it appears too big a task for the state of Wisconsin to overcome for voting.

A photo ID can present just enough of a discouragement to keep a person from trying to commit voter fraud in the first place. What chief executive officer would not want such accountability with in his organization?

Our right to vote is something we should fiercely protect and we must ensure that we do indeed have "Free and Fair Elections". The "Voter ID Bill" is the first step in this process.

Respectfully submitted, Clara Nohre, Eau Claire Wisconsin, and March 3, 2005.



no date

To Whom It May Concern:

Having worked the polls for the 2004 Presidential election **I am firmly convinced that it is 100% necessary that the Voter I.D. bill is passed** – the sooner the better.

I was an election observer at the Town of Washington Town Hall on Election Day. While the whole experience was new to me, though very interesting, I saw a few discrepancies that bothered me at the time and that I feel would never happen if every qualified voter were issued an I.D. card.

As voters were coming through the long lines they would give their name to the women who sat with the poll books. First of all, the women should have asked these people for their identifying facts such as address, etc. In fact, on some occasions the women did ask. However, with the vast majority of voters the poll workers volunteered the address information and then proceeded to ask the voter to verify it. Of course this opened up the possibility that anyone could have agreed to the address as it was read and with no proof of identity or real proof of address it could certainly lead to huge fraud issues.

The second problem I witnessed that would be cleared up with voter I.D. cards was that on several occasions the voter would proceed through the line and would give his name to the poll workers only to find out that his name had already been crossed off. At that point the poll workers would determine that they must have crossed off the wrong name at some other point and would hand out the ballot as though there was no problem. This makes it very obvious that our present day system is not working. The poll worker had no idea who had voted and who had not. With all the chaos that went on in the town hall that day there could have been many, many cases of voter fraud, all of which would not be an issue if I.D. cards were issued to all pre-approved voters.

It seems to me that it would only make sense that a card should be issued to each and every pre-approved voter that would contain photo identification, just as on a driver's license, however, with the person's name omitted.

Please don't let this become a huge bi-partisan issue – we have way **TOO MANY** of those issues already. And personally, **I am WAY fed up with bi-partisan politics.** Let's come together as a state, and join with so many other states that are using similar, successful I.D. programs, and make our state a fraud-free voter state!!!!!! It is, most importantly, in my best interests as a voter and in your best interests as a candidate to be sure that each and every legal vote is counted and cast without fraud. **Be there for me as the voter and pass this bill.**

Thank you,



Jan Nyhus
E2270 Kirk Court
Eau Claire, WI 54701
715-832-1116



no date

EAU CLAIRE VOTER FRAUD PROJECT

My name is Richard Schwankl and I live in Eau Claire.

Thank you for coming to Eau Claire and seeking the input of the citizens of this area on this timely and important topic.

I obtained from the EC elections office the list of voters in the November 2, 2004 election. I then had it run through the US Postal Service National Change of Address.

However, I later discovered I did not have all the voters. I was missing over 1,350 voters. Subsequent analysis showed that the Eau Claire elections office forgot to scan in the poll books for ward 5 and that about 750 voters were missing from other wards. This was confirmed by a discussion with the elections clerk. You will recall this is what happened in Maiwaukee. These 1,350 voters are not included in my analysis. An updated list was provided to me recently that, apparently, includes all voters.

I will share with you my findings and I think it will help you to see that our present system of voter registration and voting is woefully inadequate.

I will also give you my suggestions on ways to make the system better.

My analysis of the voter list showed:

150 sets of duplicate or triplicate names. That's FirstName, MI, LastName. After going thru the online white pages and student directory to verify that there were indeed individuals at those addresses with those names I was left with 90 sets of duplicate or triplicate names that could not be verified as being unique individuals. None of these sets were JR-Sr. Only four of the 150 sets were with both names at the same address.

This shows the need for better controls on registration to prevent duplicates.

54 voters with non-existent addresses. This is after the NCOA said it couldn't find the addresses, after going through the white pages, student directory, Eau Claire city assessor's online property listing, and driving to the locations and verifying they do not exist.

(25 of the 54 registered within two weeks of the election or at the polls. There was not time to verify their address. The other 29 were already in the poll books had to state their name and current address when presenting themselves to vote-at the non-existent address. Poll workers should catch this.)

This shows the need to require identification when voting.

381 voters who filed change of address forms with the post office indicating that they moved from the address listed in the poll books before November 2, 2004. The 381 is after verifying that they are not still listed in the online white pages at that address. (These people also had to state their current name and address when voting.)

This also shows the need to require identification when voting.

SOLUTIONS:

1. Do away with same-day registration. Most voter problems are related to same-day registration. I haven't heard of a single election official that thinks same-day registration is good. Make the registration deadline AT LEAST equal to the 10-day residency period.

Make the postal verification card part of the registration process. When a person registers, the clerk shall provide the person who is registering or changing his/her registration information with the postal card that shall be sent to the residence to verify the information and notify the voter of the place to vote. The post office shall be instructed to return the card if it is not deliverable to the addressee at the specified address. Upon the receipt of the card the elections clerk shall set the voter's registration status to ineligible

Special procedures will have to be instituted for those people who vote early by absentee-before the verification cards can be returned by the post office. Anyone who registers or changes his/her registration information and then votes absentee, if his/her registration verification card is later returned by the post office, that voter is classified ineligible to vote, and the absentee ballot shall not be forwarded to the polling place for processing, unless the problem is rectified before election day.

Registering at the polls. (Heaven forbid!) If you don't get rid of same day registration, then AT LEAST make the voter fill out the registration verification card at that time so the verifications can be sent out IMMEDIATELY instead of three months later like we have now.

Require the person to present up-to-date photo ID when he registers. No more using drivers licenses or other documents with out-of-date information.

2. Require the voter to dip his finger in ink up to the first knuckle when he votes. (This takes care of all voting more than once except that which involves absentee voting.) The Iraqis have made fools of us. Let's learn from their example.

OR

2A. Require the voter to present up-to-date photo ID every time he votes. Background: We need to prepare for the future. The technology is possible already available to enable a poll watcher with a cell phone to lean over the shoulder of poll workers and snap a picture of pages of the poll book shortly before 8 p.m. and transmit the pictures to a computer offsite. The pictures could be enlarged to reveal who has NOT voted yet. These names and addresses could be phones to persons waiting outside the poll. Under the current system, which does not require ID every time you vote, these persons could go in and state the names and addresses of persons who have not yet voted.

Specify in the statutes exactly what constitutes a valid proof of residence. We had people coming in with statements from Victoria's Secrets, and personal letters addressed to them as proof of residence.

Require Drivers Licenses and WI IDs to indicate whether the individual is an alien. If the person is an alien, have the drivers license expire on the date the person's visa expires.

My understanding is that by 2006 the state will have a statewide voter database.

Make sure the statutes are crystal clear as to who has what responsibilities in this new scenario.

Who is responsible for verifying driver's licenses or Ids?

Who is responsible to maintain the list?

Make sure the clerks have the tools to carry out these responsibilities: e.g. queries mentioned above and Ability to download data for their municipality.

Ability to upload registrations by batches overnight with automatic error reports.

Ability to add or change registrations online and have the program check for duplicates at that time.

Ability to data enter the name and address of a person who vouches for another person and automatically check if the one who vouches is a registered voter in the municipality.

Have the system check for felons or known aliens (green cards?). Who maintains these lists?

Contact other states who may be further along in this process to learn from them.

and attempt to contact the voter by other means. If the status is still ineligible when the poll books are printed, the poll book shall indicate that the voter is required to prove identity and residence before being allowed to vote. In order for this to work, the pre-registration deadline must be far enough in advance for the cards to be mailed out, returned to the clerk, status entered as ineligible, and attempt made to correct the problem. The election inspectors shall be instructed to verify that the information on the card is legible (capable of being read or deciphered.) and agrees with the information on the registration form before accepting it.

Special procedures will have to be instituted for those people who register and vote by absentee. Anyone who registers or changes his/her registration information and then votes absentee, if his/her registration verification card is later returned by the post office, that voter is classified ineligible to vote, and the absentee ballot shall not be forwarded to the polling place for processing, unless the problem is rectified before election day.

Require the person to present up-to-date photo ID when he registers. No more using drivers licenses or other documents with out-of-date information.

2. Require the voter to dip his finger in ink up to the first knuckle when he votes. (This takes care of all voting more than once except that which involves absentee voting or voters from other states.)

The Iraqis have made fools of us. Let's learn from their example.

OR

2A. Require the voter to present up-to-date photo ID every time he votes. We need to prepare for the future. The technology is possibly already available to enable a poll watcher with a cell phone to lean over the shoulder of poll workers and snap a picture of pages of the poll book shortly before 8 p.m. and transmit the pictures to a computer offsite. The pictures could be enlarged to reveal who has NOT voted yet. These names and addresses could be phoned to agents waiting outside the poll. Under the current system, which does not require ID every time you vote, these agents could go in and state the names and addresses of persons who have not yet voted.

Specify in the statutes exactly what constitutes a valid proof of residence. We had people coming in with statements from Victoria's Secrets and personal letters addressed to them as proof of residence.

Require Drivers Licenses and WI IDs to indicate whether the individual is an alien. If the person is an alien, have the drivers license expire on the date the person's visa expires.

My understanding is that by 2006 the state will have a statewide voter databasc.

1. Make sure the statutes are crystal clear as to who has what responsibilities in this new scenario.
2. Who is responsible for verifying driver's licenses or Ids?
3. Who is responsible to maintain the list?
4. Make sure the clerks have the tools to carry out these responsibilities: e.g. queries mentioned above and
5. Ability to download data for their municipality.
6. Ability to upload registrations by batches overnight with automatic error reports.
7. Ability to add or change registrations online and have the program check for duplicates at that time.
8. Ability to data enter the name and address of a person who vouches for another person and automatically check if the one who vouches is a registered voter in the municipality.
9. Have the system check for felons or known aliens (green cards?). Who maintains these lists?
10. Contact other states who may be further along in this process to learn from them.

Thank You.
Revenue Loss?
Vouching

???. This on List of ? for City Clerks.

EC DA⁵-returned cards

ELECTIONS HEARINGS

Questions to ask city (elections) clerks

Tell the clerks to limit their consideration of these questions to Presidential and Gubernatorial elections. (Most of these things aren't problems for other elections.)

SAME DAY REGISTRATION ISSUES

On Election Day, when someone who vouches for another person is not from a ward at the polling place, how can your election officials confirm that the person who vouches is a qualified elector in the municipality? Background: Sec 6.55 (2)(b) and 6.55 (3).

What percentage of the time in the last presidential election would you say election workers did verify that the person who vouched was a qualified elector?

Does your registration database capture the *name and address* of the person who vouched for a registrant? Background: Sec. 6.56 (5). If the database doesn't capture this information the election clerk cannot fulfill this section of the statutes.

Do you have the ability to determine from that database how many times an individual has vouched for others in a given time frame? Background: In Eau Claire, poll workers reported that one man with a ponytail vouched for MANY registrants at that polling place in the morning. In the afternoon, poll workers at another polling place reported the same man doing the same thing. The chief poll inspector finally told him he could not vouch for any more people.

Have you been regularly sending out same-day registration confirmation cards after the November elections? Background: In Eau Claire, the elections clerk told my wife and me on separate occasions that she doesn't send out verification cards after presidential elections. However, she did send them out after THIS election.

How long did it take you to enter the same-day registrations and send out confirmations for the last November election? Background: Sec. 6.56 (3). In Eau Claire registrations weren't all entered until the very end of January. Also see the COMMENTS below.

When you send out verification cards for same-day registrations and cards come back, do you have a way to determine if someone has vouched for any of those registrants? Do you so determine? Background: Sec. 6.56 (5). If the database doesn't capture the name and address of the person who vouches for the elector, the election clerk cannot fulfill this section of the statutes.

When you send out verification cards for same-day registrations and cards come back, do you have a way to set the voter record to ineligible? Background: Sec 6.56(3).

Do you send out verification cards to people who change their registration information, or only to those who say they are new registrants? Background: Eau Claire verifies only new registrations. The law is not clear on whether a change in name or address constitutes a new registration. Since this is an opportunity for fraud or error, these changes should be verified also. Someone could vote at his old and new addresses. The Eau Claire input program does not check to see if a new/change registrant has already voted.

VOTING IDENTITY ISSUES

How do you prevent a person from being registered and voting twice? For example, someone who has recently moved and is registered at his old address, comes in and registers as a new voter in the city, and gives his new address and a false birth date. (He registers using his SS card, which doesn't have street address or date of birth.) He then votes at his old address and his new address.

Background: 6.56(4). Clerk is required to look for persons who voted more than once.

Do you record driver's license numbers or social security numbers in your database?

Do you have the ability to query for duplicate license numbers?

VOTER CHALLENGE ISSUES.

The law states that you can challenge a person "offering to vote". Does this mean that you cannot challenge a person when he registers at the registration table but, instead, you have to wait until the person presents himself at the poll table "offering to vote" before you can challenge him? If so, the whole challenge provision is absolutely unworkable.

The law doesn't spell out the procedure for handling challenged ballots. They just fall into a big black hole. How are the election inspectors supposed to handle them? How are the canvassers supposed to handle them? How is the District attorney supposed to handle them? Until these things are spelled out in the statutes, NOTHING will happen to them.

COMMENTS:

Most city clerks have learned that when they send returned confirmation cards to the DA he ignores them. Therefore most clerks don't send them out after November elections. Most DAs have learned that by the time they get the confirmation cards (two to three months after the election) most of the cards have been returned because the voter has moved since the election. That, together with the fact that it is almost impossible to get a voter fraud conviction is the reason why they ignore the cards when they do get them. Even if you catch fraud, the votes are already counted.

THE BOTTOM LINE IS: WE MUST PREVENT FRAUD ON THE FRONT END, NOT AFTER THE FACT.

My wife was registering people at the polls in November. A man came in to register and confidently presented his green card as identification. She asked him "Are you a citizen of the United States?" He answered "No." She told him he could not register or vote. His response was, "But I have voted before." Although the statutes do state that, "The municipal clerk may require naturalized applicants to show their naturalization certificates." (Sec 6.325), the Eau Claire elections office does not even mention this provision in their training. This is in spite of the fact that there was a Hmong candidate on the ballot for State Representative and Eau Claire has a high percentage of Hmong immigrants, many of whom are not citizens.

SOLUTIONS:

1. Do away with same-day registration. Most voter problems are related to same-day registration. I haven't heard of a single election official that thinks same-day registration is good. Make the registration deadline AT LEAST equal to the 10-day residency period.

Make the postal verification card part of the registration process. When a person registers, the clerk shall provide the person who is registering or changing his/her registration information with the postal card that shall be sent to the residence to verify the information and notify the voter of the place to vote. The post office shall be instructed to return the card if it is not deliverable to the addressee at the specified address. Upon the receipt of the card the elections clerk shall set the voter's registration status to ineligible and attempt to contact the voter by other means. If the status is still ineligible when the poll books are printed, the poll book shall indicate that the voter is required to prove identity and residence before being allowed to vote. In order for this to work, the pre-registration deadline must be far enough in advance for the cards to be mailed out, returned to the clerk, status entered as ineligible, and attempt made to correct the problem. The election inspectors shall be instructed to verify that the information on the card is legible (capable of being read or deciphered.) and agrees with the information on the registration form before accepting it.

WARD	EC	OLD	% OFF	OFF	PER	PER	PRESIDENTIAL VOTES							WALTER BROWN	WRITE IN
							DEM	REP	LIBERTARIAN	GREEN	NADER	JAMES HARRIS	JAMES HARRIS		
1		1097	-2.1%	-24	1156	1132	740	370	5	4	7	10	1	3	2
2		1029	-0.4%	-4	1047	1043	741	285	3	2	10	17	0	0	2
3		1757	-1.2%	-22	1784	1762	1230	508	4	2	17	4	0	1	0
4		907	0.7%	6	909	915	447	459	3	1	4	4	0	0	1
5		630	-3.2%	-41	1322	1281	853	410	3	1	11	8	0	0	3
6		761	-1.0%	-8	810	802	537	252	2	2	8	2	0	1	0
7		730	-1.8%	-13	746	733	397	327	2	2	2	7	0	0	3
8		1063	5.1%	58	1086	1144	634	496	4	0	7	7	0	0	3
9		69	-1.4%	-1	70	69	49	20	0	0	0	0	0	0	0
10		568	0.9%	5	574	579	346	230	2	0	0	0	1	0	0
11		1286	-1.2%	-16	1299	1283	655	620	2	0	5	5	0	0	1
12		1248	-0.5%	-6	1248	1242	714	516	2	1	8	8	0	0	1
13		727	0.3%	2	731	733	360	365	5	0	3	3	0	0	0
14		1153	0.2%	2	1165	1167	674	480	3	0	8	8	0	0	2
15		1246	1.2%	16	1304	1320	688	622	3	0	6	6	0	0	1
16		964	0.0%	0	984	984									
17		1521	0.6%	9	1527	1536	719	801	4	1	11	11	0	0	0
18		1750	0.4%	7	1836	1843	900	921	4	3	14	14	0	1	0
19		542	-0.4%	-2	556	554	365	181	1	1	5	5	0	1	0
20		2520	-2.1%	-54	2579	2525	1487	996	8	0	25	25	0	0	9
21		835	0.3%	3	855	858	517	333	1	1	5	5	0	0	1
22		573	-1.4%	-8	581	573	275	292	3	1	2	2	0	0	0
23		1774	0.1%	1	1788	1789	1029	738	2	2	15	15	0	1	2
24		270	-1.8%	-5	276	271	185	76	3	1	4	4	0	0	2
25		1237	0.6%	7	1238	1245	586	645	2	2	9	9	0	0	1
26		593	0.5%	3	594	597	315	279	1	1	1	1	0	0	0
27		589	1.2%	7	590	597	326	267	0	0	4	4	0	0	0
28		856	-0.4%	-3	860	857	404	445	4	0	4	4	0	0	0
29		1148	-1.3%	-15	1160	1145	714	415	4	1	9	9	0	0	2
30		1402	-0.2%	-3	1443	1440	816	601	6	1	13	13	0	1	2
31		1628	-1.2%	-20	1743	1723	1147	538	6	7	19	19	1	0	5
32		251	7.7%	21	251	272	165	105	2	0	0	0	0	0	0
33		123	-3.1%	-4	135	131	71	60	0	0	0	0	0	0	0
34		739	1.3%	10	763	773	461	296	6	2	6	6	2	0	0
35		107	-4.9%	-5	108	103	66	36	1	0	0	0	0	0	0
36		724	0.7%	5	732	737	444	286	1	3	3	3	0	0	0
37		579	0.9%	5	580	585	290	287	2	1	5	5	0	0	0
38		684	-1.0%	-7	688	681	306	368	3	1	2	2	0	0	0
39		477	3.4%	17	486	503	260	240	0	0	3	3	0	0	1
TOTAL		36157	-0.2%	-77	37604	37527	20913	15166	107	44	255	255	5	9	44



no date

November 2, 2004 Poll Worker Testimony

Steve Wood
Eau Claire, WI
715-835-6002

I worked the polls on Election Day. We began by reporting to the polling place at 6:00 am and did not leave until 1:30 am the following morning. There were still some workers who stayed later than that, wrapping things up. It was a fascinating experience. The following are my observations:

As a first-time poll worker, I was impressed by the process. Being new, I pretty much just did what I was told, observing what was happening and taking mental notes during the day. Prior to Election Day, I had some limited training and read through the election laws to get myself familiar with the process, but still felt "raw" and although I questioned some things that were happening, I didn't feel experienced enough or knowledgeable enough to "push" any issues. After the election, I reread the election laws and found some very real areas of concern.

Before I get into any criticisms of the process, I do want to make it clear that the workers and chief inspectors that I spent the day with were very good people. Although there were workers who were on the opposite sides of the political spectrum, there was absolutely no animosity between any of us. We worked great together and got along well. I truly believe that, to a person, all of the workers were intent on providing a fair and legal voting process, although views on what was fair and legal differed.

The problems I observed were mainly in the area of same day registrations and verifying identity:

The polling place I worked was very heavily attended by college students. This meant that many of them were first time voters and many were just registering on Election Day. In fact, there were probably more votes cast at that polling place from same day registers than there were from those who were already registered.

Wisconsin is one of the few states that allow same day registration on Election Day. Some of us believe that allowing same day registration opens up the system to fraud. Yes, we want everyone to vote who is legally eligible to vote, as is their right, and we want to make it as easy as possible for people to legally vote, but along with this right comes responsibility. I don't think it's too much to ask to have voters take their rights seriously and have enough responsibility to pre-register so that we can be assured of the legal eligibility. But, be that as it may, Wisconsin does allow this same day registration, so we can only work with it.

However, the least we can do is make sure that the law is followed in the registration process and not let things slide that further increases the chance for fraud. For example, when a person registers on Election Day, they have to demonstrate two things: their identity and their residence. The very least we can ask and should verify is that these citizens, who chose to wait until the very last minute to register, be able to prove who they are and where they live so that we can be sure they are eligible voters in the ward they are voting. So, the law says that certain documents can be used on Election Day to show identity and residence. Here's where some confusion seems to be. The law is very specific on which documents can be used to verify residence. What I witnessed at the polling place was that many new voters were allowed to register using documents that are not on the list of acceptable documents. There seems to be confusion because when new voters are allowed to register prior to Election Day through the mail, they are allowed to use other types of documents. The reason for this is that more can be done prior to Election Day to confirm their eligibility, so they are allowed to use more "lenient" documents. However, on Election Day, further confirmation is not possible; therefore, they need to use the specific documents listed as acceptable. Our polling place, and I would assume others across the state, were allowing new voters to

use the more lenient documents allowed during pre-election day registration on Election Day. This goes against our election laws, which are in place for good reason.

For example, prior to Election Day, new voters are able to register through the mail and use documents such as bank statements and paycheck stubs as residence verification. These documents are not allowed on Election Day, but were being accepted anyway. Election observers rightly challenged these registrations but were told that these documents were allowed and were given a pretty hard time for questioning it. What should have happened is that these voters should have been allowed to vote with a provisional ballot and then be required to return with their proper documents. However, they were allowed to vote just like everyone else. Also, new voters were using a variety of documents that were deemed "utility" bills. However, the law specifically states that not just any utility bill can be used, but rather specifically states "gas", "electric", or "telephone" bill. Other types of bills were being accepted, such as cable bills... a minor distinction, but it should be cleared up.

If a new voter does not have the proper residence documentation, they do have another option. They can have another citizen "vouch" for them, corroborating their residence and eligibility. When one citizen vouches for another, he must sign the registration form of the person he's vouching for and include his address. Afterwards, he must show his verifying residence documentation. The problem we saw in our polling place is that many were not including their address when signing and they were not being asked to show their documents. In fact, in many cases we had situations where two people were vouching for each other! Or once someone vouched for a person, the person just vouched for would vouch for others (so called "chain-vouching"). Clearly this practice is not legal.

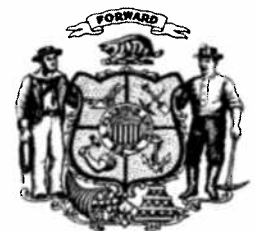
Another problem I observed was the address verification process. When a voter would state their address and it did not match the address in the voter list, in most cases it was simply chalked up to being a typo and the voter was allowed to go ahead and vote with no further verification. Granted, in most cases, it probably was simply a typo. However, I don't think we should just assume that, but rather require documentation and verification prior to the voter being allowed to vote. This same "lax" verification was used with many absentee ballots as well when addresses did not match. These ballots should have went through "provisional balloting" procedures before counting them, but were instead ran through as a regular vote.

The bottom line is that the same day registration system and identity verification is very lax. It's one thing to have same day registration at all, as it really opens up the system to fraud, but then to have the process not follow the specifics of the law, makes it even worse.

With our elections being so tight, we cannot afford to have the slightest perception of voter fraud. From my direct experience, I can attest that the current system is flawed in many ways and makes it way too easy for fraud to occur, even if all of the current laws are followed to a tee. Eliminating same day registration, along with requiring photo identification when voting, would alleviate these real areas of vulnerability.



WISCONSIN STATE LEGISLATURE



No date

"November 2nd, 2004 Election Day Re-Cap"

**Plymouth United Congregational Church
2010 Moholt Drive
Eau Claire, WI 54703**

**Stella
Lori Frandsen**

**A.M. Attorney
P.M. Attorney**

Ballot #

692

693

1532

1533

1534

1535

1563

1619

1678

"Contested Votes"

1684

1693

1728

1730

1735

1737

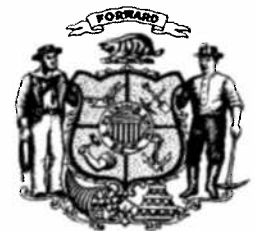
1770

Note:

Shortly after the polls officially closed a "Kent Hranicka" stated that he was a "campaign official" with the Joe Bee Xiong campaign and demanded the ballot totals. I took objection to his request, and I informed him, he was not entitled to that data. He disappeared to a back room for minutes and returned stating that his "representation" said that he could gather the data. I continued to decline to provide him with the information. He then protested to Head Election Official Jerry _____ whom had run the "tape/documentation" from the voting machine. Mr. Hranicka then phoned Election Officials in the downtown Election office, whereupon, Carol Schumacher, instructed me, that I was to give Mr. Hranicka the numbers. I did so in protest and commented that I was considering filing a complaint with State Election Officials!



WISCONSIN STATE LEGISLATURE



no date

Those who oppose valid
voter ID are complicit in
voter fraud!

EASY VOTING DOES NOT
ENCOURAGE AN INFORMED
ELECTORATE

MOTOR VOTER AND ONSITE
REGISTRATION CORRALS THE PREY
FOR CHARLATANS



Sen. Brown Altoona Hearing 3-3-05

<u>Speakers</u>	<u>For</u>	<u>Against</u>
Clara Nohre - gave written info.	X	
Paige Wiersgalla	X	
Terry Ewing		X
Kevin Batash	X	
Arlette Jorgensen	X	
Vicki Anderson	X	
Brian Weststrate	X	
Vivian Danielson	X	
Shelley Aamodt	X	
Suzan Gordon		X
Richard Schwankl	X	
Sandy Boettcher (inform. purposes)		
Verna Dewitz (inform. purposes)		
Donald Brill	X	
Donna Austad (inform. purposes)		
Laurie Forcier	X	
Justin Wise	X	
Loretta Haddleston	X	
Maripat Krueger	X	
Alta Bragg		X
BilliJo Larson	X	
Tom Jorgensen	X	