

Individual and/or Organization

Wisconsin Elections Commission

Rep. Joe Sanfelippo

Rep. Scott Allen

Curtis Uhl

Dominique Uhl

Elayna Uhl

Christy Uhl

Alise Uhl

Dale R Beyer

Lori Kowieski

Lynda Hopkins

Michael J Dreyer

Tom Woloszyk

Kyle Kleist, Center for Independent Living for Western Wisconsin

Lana Bero, City of Marinette Clerk

Janet Zander, Greater WI Agency on Aging Resources, Inc.

Kim Pytleski, Oconto County Clerk

Angela & Michael Dreyer

Lori Kowieski

Bart Williams

Joan Andrusz, City of Monona Clerk

Kelly Michaels - Brookfield Clerk and Municipal Clerks Assn (AVEO)

Donna Hann - Town of Merton Clerk (AVEO)

Gail Obradovich - Town of Mukwonago Clerk (AVEO)

GWAAR - Greater Wisconsin Agency on Aging Resources, Inc.

LWV - League of Women Voters, Wisconsin

WiBPDD - Wisconsin Board for People with Developmental Disabilities

WDVC - Wisconsin Disability Vote Coalition

ACLU

Testimony of Meagan Wolfe
Joint Legislative Audit Committee
February 11, 2021

Testimony of Meagan Wolfe
Administrator
Wisconsin Elections Commission

Joint Legislative Audit Committee
February 11, 2021

412 East, State Capitol
Executive Session

Co-Chairs Cowles and Kerkman, and Honorable Members of the Committee:

Good morning and thank you for inviting me to testify today. The six-member Wisconsin Elections Commission has not met to discuss today's hearing or to approve testimony. Therefore, I am providing today's testimony for information only. But I can say that all of our Commissioners and staff share the common goal of transparency in elections. We welcome any opportunity for an independent review of the election that can help answer questions of voters, lawmakers, and the public at large. Our hope is that an audit of Wisconsin's election processes will provide insight to what worked well and should be sustained, and to provide data to drive conversation about improvement at both the state and local level.

To that end, I also want to provide information that may be helpful to committee members as you consider the structure of the proposed audit. We want you to find all of the data and answers you are seeking. Understanding the structure of the Wisconsin Elections Commission and the administration of elections by our local election officials is a big part of that. Wisconsin's election administration system is unique from other states in two major ways.

First, in 46 other states elections are overseen by a partisan, elected official, usually the secretary of state. In Wisconsin, elections are overseen by a six-member Commission appointed by Republican and Democratic legislative leadership and the Governor. The Commission then appoints an administrator, who is required to be non-partisan. The Commissioners are the decision makers, their actions require at least four of six votes to move ahead. The Commission makes the decisions, and the non-partisan staff is then required to implement their will. This structure means that decisions of the Commission are made as part of public, open meetings. In 2020, the Commission held 40 public meetings. The meetings are publicly observable, recorded, and available for review. The guidance the Commission issues is then also made available to the public. This level of transparency is incredibly unique, not only to the process of administering elections, but is an additional level of transparency in government administration. When a WEC process is questioned, an audit is conducted, or a matter is litigated, each nuance of the decision-making process is fully on display and available for examination.

The second unique thing about Wisconsin is that we administer elections at the municipal level. In the vast majority of states, elections are conducted at the county level. In Wisconsin, we have 1,850 municipal election officials exercising their independent authority in each of Wisconsin's cities, towns, and villages, as opposed to other states who may have fewer than 100 county election officials managing elections. Most Wisconsin's officials are also part time, especially in our 1,200 towns. Those part time clerks may be paid for as little as five hours of work a week. Many do not have town offices and are asked to conduct election business, including absentee voting, from their homes. Wisconsin also has 72 county clerks who play an important role in elections, but it is our municipal officials who register voters, issue ballots, train poll workers, and implement the mechanics of election administration. This means that unlike other states who may have to train and communicate changes and directives to 100 local election officials and their staff, we have to communicate with and train 1,922 local election officials and their respective staffs. This means that every time we have to communicate a change or directive of the Commission, we have to do so with nearly 3,000 local election partners. In 2020, the Commission issued over 200 memos to local election officials outlining commission advice or relaying training opportunities. Each of these is posted publicly to our website, not just for the clerks, but for the benefit of the public as well.

To that end, we are here today, and at the Committee's and the Bureau's disposal to answer any questions and to provide information throughout the process. Our hope for an audit is that it will serve two goals:

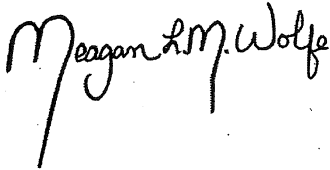
Goal one, to answer voter questions about election administration in Wisconsin and increase public confidence in the procedures used to conduct Wisconsin elections. We hope this process will provide facts from a trusted source on how our elections are administered. In addition to the scope proposed in the Audit Bureau's proposal, we hope that the audit would also examine common questions and concerns received by the legislature and our office related to the elections. We are glad to provide a list of the most common concerns and questions we have received and hope that an audit report will provide an additional tool to election officials, legislators, and the public to answer questions and dispel myths about the election. Some of this analysis can be accomplished through examining state policy, some by looking at the implementation at the local level, and others through forensic auditing of the data and numbers of the election in the statewide voter registration database. WEC and local election officials conduct many checks and audits on each election, including the canvass at the municipal, county, and state level, voting equipment audits before and after the election, and data auditing and reconciliation in the statewide database. An additional audit would serve to augment these many efforts and provide an additional vantage point.

Testimony of Meagan Wolfe
Joint Legislative Audit Committee
February 11, 2021

And goal two, we hope that an audit will provide a data driven, factual roadmap for potential changes to elections. As lawmakers consider changes in the future, and as WEC considers updates to technology and training, we need data to drive these conversations – not rhetoric or opinion. This will help us understand what processes are working well and should be sustained, and to identify where there is room for improvement or gray areas in our laws that need to be addressed. We also need to consider resourcing of elections. Something as fundamental to our society as elections needs to be resourced and supported in a sustainable way. If we want to see our elections continue to be secure, resilient, and administered consistently across the state, we must make sure that we have the resources to sustain those efforts at both the state and local level. We hope that an audit will provide data on where those efforts and resources should be augmented and sustained and where important election administration programs are under resourced at the state and local level.

In closing, we look forward to fully cooperating with the committee and LAB and hope that you will also consider some of the additional areas we suggested to provide a comprehensive, holistic report that can help answer questions about the 2020 elections and that can serve as a point of confidence for voters, a communication tool for our local and state election officials, and a roadmap for our law makers and election officials as changes are considered in the future.

Respectfully submitted,

A handwritten signature in black ink that reads "Meagan M. Wolfe". The signature is written in a cursive style with a large, looped "M" at the beginning.

Meagan Wolfe
Administrator
Wisconsin Elections Commission
608-266-8005



JOE SANFELIPPO

STATE REPRESENTATIVE • 15th ASSEMBLY DISTRICT

(608) 266-0620
FAX: (608) 282-3615
Toll-Free: (888) 534-0015
Rep.Sanfelippo@legis.wi.gov

P.O. Box 8953
Madison, WI 53708-8953

February 11, 2021

Rep. Sanfelippo's Testimony on Proposed Elections Administration Audit

I would like to thank Co-Chairs Kerkman and Cowles, as well as other committee members, for allowing me the opportunity to testify on the proposed audit of elections administration here in Wisconsin.

The ability to cast a vote in an election is, inarguably, one of our most precious constitutional rights. Regardless of the specific outcome of any election, it is critical that every citizen has complete confidence in the honesty and integrity of the election process. Trust in the fair operation of our elections is the foundation upon which the right to vote and the legitimacy of our democratic system rest.

Wisconsin has a robust set of laws and regulations governing the conduct of elections. However, the mere existence of those rules does not automatically ensure fair elections: they can only work if the people we trust to oversee our voting choose to follow the law and if we, as citizens, all demand that the law is followed.

In the past year, however, there were a significant number of irregularities, both leading up to and during, the elections. These included inaccurate guidance being sent to voters by some election officials, established statutory requirements being ignored or inconsistently applied, and other procedural safeguards being casually abandoned throughout the election process.

It is critically important that we take a careful, methodical, and transparent look into how recent elections transpired. We must examine whether there was full compliance with our state's election laws and ensure accountability for any instances in which there was not. Therefore, I strongly urge you to pursue a comprehensive audit of the elections held over the past year. As you structure your examination, I would also encourage you to specifically review each of the following.

- 1) The absentee ballots in Milwaukee, Madison, Green Bay, Kenosha, and Racine to match ballots returned with envelopes and ballot request forms;
- 2) All non-governmental funding of elections to determine how much was received, where it came from, how it was used, and whether it complied with all state and federal laws;
- 3) The individuals who registered on the indefinitely confined list in 2020 to determine whether they meet the statutory definition of such a designation;
- 4) All guidance issued by the Wisconsin Elections Commission in 2019-2020 for compliance with existing statutes;
- 5) Whether elections laws are currently administered uniformly across the state.

We entrust our local clerks, as well as the Wisconsin Elections Commission board members and staff, to conduct our elections in a fair and transparent manner. If an investigation demonstrates that anyone, be they election officials, appointed board members, or agency staff, violated our laws, we must hold them fully accountable. The faith of our citizens in the legitimacy of our elections depends on us continuously and thoroughly monitoring all facets of the voting process to ensure that they are fairly administered. Our democracy depends on our ongoing vigilance.



SCOTT ALLEN

REPRESENTATIVE • 97TH ASSEMBLY DISTRICT

February 11, 2021

**Testimony before the Joint Legislative Audit Committee
On the Proposed Audit of Elections Administration**

Co-Chairs Kerkman and Cowles, members of the Committee, thank you for permitting me to testify today.

Since the election, constituents from the 97th Assembly district, from around Wisconsin, and across the nation have contacted my office raising concerns about election integrity. Their specific concerns are widely varied, but at their core, they are citizens who do not have faith Wisconsin's 2020 general elections were conducted properly.

Election integrity and confidence in the accuracy of results are necessary to continue as the world's finest example in self-governance. The results of any election – especially presidential elections – need to be trusted by people on both sides of the political aisle. Wisconsin had previously enacted legislation to ensure ballot integrity, with both in-person voting and absentee voting. Were those laws followed in 2020?

The concerns my constituents raise are unrelated to some of the misinformation out there. The concerns shared with my office are about the administration of ballot procedures that are inconsistent with the law. And they are about the inconsistent application of the law by some clerks and by the Wisconsin Elections Commission.

For example:

- Clerks who failed to require an application prior to issuing absentee ballots, a practice which has been occurring in Wisconsin for some time.
- Clerks and deputy clerks failing to place their initials on absentee ballots as required by law, presumably as a security measure.
- Failing to properly maintain the integrity of voter rolls and registrations as prescribed by law.
- Ballot collections by the Clerk in the City of Madison, prior to the statutorily permitted time for early voting at drop off locations not in close proximity to the Clerk's office.
- Clerks failing to verify that voters had met or were exempt from the voter ID requirements.
- Clerks, unlawfully declaring hundreds of thousands of voters "indefinitely confined" due to the pandemic, and therefore, exempt from voter ID requirements.

(Continued on page 2)

(Continued from page 1)

- Clerks who received – and allowed to be counted – absentee ballots with improperly completed certificates with missing information, such as addresses, for both voters and witnesses. And an unwillingness to follow the law for the completion of missing information.

One constituent who contacted my office shared that his mother – who lives in a nursing home and suffers from severe dementia to the point where she is unable to make basic decisions – he found out that she voted. He filed a complaint with the Wisconsin Elections Commission, but it was too late, the vote was cast.

Imagine if this was your mother, and you discovered her identity was used to cast a vote.

Some feel that further scrutiny of efforts by clerks to comply with elections laws such as processing absentee ballots properly, or performing recount responsibilities, would lessen voter participation, as some ballots could be disqualified, or that inviting scrutiny disparages hard-working clerks.

However, those perspectives necessarily disregard the sovereignty of the legislature, speaking for the People, in creating laws for us all to follow on an equal footing.

Government officials are to faithfully execute the laws as written.

They are trusted by the people of Wisconsin to carry out the laws that the people of Wisconsin enacted—that the elected legislature proposed, passed, and the elected executive signed. Clerks who follow the laws, and parties objecting to a vote cast for a particular reason and supported by state law, are not “disenfranchising” a voter. They are obeying the sovereign will of the People.

If we allow administrators to selectively enforce laws based on their own preference, particularly in the area of election law, then we sink into a realm of institutional corruption not unlike many Third World countries. Election integrity is vital to our country.

I encourage the Committee to direct the Legislative Audit Bureau to perform a thorough audit of elections administration in 2020.

Thank you.

Testimony in favor of Proposed Audit of the Election Administration

Throughout my life, throughout the various official election categories, from local alderman to US President, depending on the candidate, I've cast votes for four political parties – republican, democrat, libertarian, constitutional – and even write-in. Sometimes my candidate will win. Sometimes they will lose. And that is fine as long as its an honest loss. As long as its an honest election.

And before someone jumps down my throat that this was an honest election, let me just point out an analogy:

I'm going to tell you there is no traffic on I-94 because I'm not looking at I-94 and I won't look at I-94 because my position is that there is no traffic on I-94. So to make an irrational statement that there is no traffic on I-94 when we all know there is, is no more ridiculous than saying there is no election fraud when we all know there is. Refusing to look at the evidence of voter fraud, because its your position that there is no voter fraud, doesn't change the fact that there is voter fraud. It just means you won't look at the evidence.

In 2020, allowing thousands of absentee ballots without addresses or id verification or clerk initials was against WI election laws, in other words, illegal. NOT ONE incomplete or un-verified ID envelope should have had the vote taken out to be put in the vote tally – let alone 170,000 of them!! This made a huge difference in a victory margin of only 20,000. Of course the recounting of the same 170,000 illegally allowed ballots would accomplish nothing. Also, Democracy in the park was an obvious and successful attempt to secure more votes that were not verified. For a list of 9 violations of WI election law in the 2020 election, please see the 2021 Assembly Resolution 3 that passed unanimously a month ago.

It doesn't seem possible that all of this was the accidental blundering of a few clerks. Orchestrating the acceptance of these illegal votes on such a grand scale took planning and organization.

Those in leadership who committed this atrocity against WI voters should be held to account, as they violated their oath of office and/or the election laws, and broke trust with the people of WI that they answer to. And the perpetrators should be removed from those positions of trust. This would not only protect the integrity of the system, but serve as a deterrent for other's illegal acts in the future.

Basically, "you broke your promise, you broke the law, you've cheated all of Wisconsin, you're out." It needs to be as basic as that. We can't turn a blind eye, we can't reward this behavior.

I would also request that on-site accountability be put in place that ensures election laws are strictly followed, especially in regard to absentee ballots. There are reports that the definition for "Indefinitely confined" was un-lawfully expanded in Milwaukee and Dane counties, specifically for the 2020 election to make 130,000 more votes quote-unquote "eligible." The definition needs to be investigated. Then every one of the tens of thousands of absentee voters that were labeled "indefinitely confined" need to be reevaluated as to the true condition of the individual voter to see if they really meet the correct qualifications. I further request that we clean up voter rolls to only have those who are indeed legally eligible to vote, and to vote only once.

Thank you,
Curtis Uhl
2/11/21

Testimony in favor of Proposed Audit of the Election Administration

In any story, be it real life or movie or book, only the criminals fight transparency. If you're innocent, you've got nothing to hide. So if anyone on this committee, or in the votes to come in the Assembly and Senate, be they democrat or republican, if anyone will vote against an investigation of what really happened, you can bet they have something to gain by keeping it hidden.

I ask that our WI election violations be thoroughly investigated. I know that a routine audit of the machines is under way, but I would like to request that we petition for a forensic audit of the electronic voting machines that were used in over 60% of our state, or at least in several of the major counties, including Dane and Milwaukee counties.

Cyber security experts collected terabytes of information before, during, and after the election. It reveals foreign intrusion into nearly 3,000 counties with the most activity in the battleground states. WI, of course, is one of them.

Since I live in Waukesha County, I'm going to give the information from cyber security records for one of those foreign intrusions:

On Nov 4, 2020 at 10:39 and 38 seconds am internet protocol address 123.125.71.41, the owner being YVB CN (FYI 67% of the owners of this foreign interference are the CCP - Chinese Communist Party) and the ID of the exact computer used is F0:8c:f2:8d:1b:4c and it targeted IP address 205.213.0.202 and the target state was WI, county Waukesha and the exact computer ID targeted was Ce:79:f4:18:12:10. The method of intrusion they used to get in was fake credentials and the amount of votes they transferred away from Trump to Biden was exactly 18,404 votes – almost eliminating Biden's margin of victory in my county alone with one foreign intrusion report. Its interesting that the foreign enemy powers only stole votes from Trump to ensure Biden's victory.

I saw reports for Racine County, Milwaukee county, Clark county, Winnebago county and that was only on the first page of thousands of pages detailing every time stamp, every US county hacked into from each foreign owner down to the very location of the computer used down to the very amount of votes stolen. In these four counties alone for one foreign intrusion each, the total of the transferred votes away from Trump was 82,968 and if you add the 18,404 votes from the prior mentioned Waukesha County you have over 100,000 votes stolen from the voters, stolen from Trump and gifted to Biden – *against the will* of the 101,372 voters!

If anyone has not SEEN the cyber security and the live time streaming of packets being transferred out of America into foreign countries and transferred back again that changed our Country's presidential election, I would highly recommend the online video Absolute Proof! It's a non-partisan 2 hr. documentary, watch it in its entirety. In less than a week it has received over 100 million views. Also 21 million people have downloaded the documentary across 42 countries. I've included the link at the end, but you can also search for Absolute Proof.

A regular routine audit of our machines will not uncover the algorithms or the details that a forensic audit will. If you would like to see the INCREDIBLE report that one expert forensic team did on the sequestered Dominion machines – under court order – in Antrim County MI, I have the link included here or you can find it on [depernelaw.com](https://www.depernelaw.com), d-e-p-e-r-n-o law:

[https://www.depernelaw.com/uploads/2/7/0/2/27029178/antrim_michigan_forensics_report \[121320\] v2 \[redacted\].pdf](https://www.depernelaw.com/uploads/2/7/0/2/27029178/antrim_michigan_forensics_report_[121320]_v2_[redacted].pdf)

And if this well documented vote flip in Antrim County from 65% Rep 35% Dem to the complete reverse of 65% Dem and 35% Rep was prioritized and accomplished in a county that only has 15 thousand voters, you can bet electronic compromises and shenanigans are happening in counties that have half a million voters.

I would like to request that we protect WI from foreign interference and draft legislation that dispenses with these electronic voting machines altogether and return to a strict paper ballot vote with signature ID, transparency, and honoring the protective laws that are in place. It doesn't matter if the vote takes 3 days or a week to tally with multiple people from various parties there to insure there is integrity, as long as its done honestly and legally.

Voting under any type of dishonest system would be a farce and a complete waste of time. Communist countries still have elections, but it doesn't matter if you vote or if you don't, because there is no integrity in the process and the people have no say.

The world's most cruel dictator, Joseph Stalin, is credited with this mindset:
"Its not the people who vote that count: its the people who count the votes."

Between foreign enemies who attacked us from without and domestic traitors within, we have a breach of election security in WI, and a national threat to America.

Our very Country rests on the Constitutional foundation of a free and fair election, and to achieve this, there must be transparency and accountability to following our election laws in Wisconsin, no matter our party.

Thank you,
Dominique Uhl

The link for foreign interference in our election documentary:
<https://www.worldviewweekend.com/tv/video/absolute-proof-exposing-election-fraud-and-theft-america-enemies-foreign-and-domestic>

Testimony in favor of Proposed Audit of the Election Administration

I will be celebrating my sixteenth birthday this coming March. I have been greatly looking forward to my opportunity to vote as a proud woman and American citizen in two years. Yet, in reality, I may never have that chance, the chance to vote in the renowned fair and free elections known to the American people...

100 years ago in August 1920, American women won the right to vote. That was a triumphant day in our history. I and the women of this country are proud of our right to vote, as we understandably should be. It is hard to believe though, that I, as a woman, am nearly in the same place women found themselves before women's suffrage was achieved. It is uncertain as to whether or not my vote will actually count in a future presidential election, or in *any* election for that matter.

As a woman and as an American, will I *really* have the right to vote? In words, yes, but in this all-too-real world with an all-too-fraudulent election, I lost that privilege – a privilege that I highly value. True, when I turn eighteen, I can still go to the polling-booth and “vote” for the candidate of my choice, but when that vote can get stolen from me and changed to a different candidate, the sanctity of my vote has virtually been confiscated.

The right to vote was won by the women of my country; and now, a century later, I have to try to win it back. Every single vote used to hold great sanctity – it was an invaluable key into the affairs of our constitutional government. The freedom for women to vote in fair and free elections is something envied by women all around the world. Yet when my vote as a woman can be manipulated or canceled due to illegal votes being counted, we've lost women's suffrage; and frankly, American suffrage as well.

When the vote is taken from the hands of the American people, the citizens of the United States will no longer live in a free society. If we do not investigate this, if we do not *uphold our laws for our election processes* to keep our elections free, fair, and non-federalized, we will always live with manipulated, government-run elections. Our nation will never be able to reverse it, for once election fraud such as what happened this past year is allowed to go unchecked, there is no earthly reason why it will *not continue* to happen just like this – and grow inevitably worse. That failure will put the recognition and protection of my God-given, inalienable rights to “life, liberty, and the pursuit of happiness” at risk.

“We the people.” That is a phrase close to every patriotic American's heart, and we need to clean up this election and keep all future elections free and fair, ***for every legitimate citizen of the United States of America***, so that our country, for as long as God wills it, will always remain “we the people.”

Thank you,
Elayna Uhl

Testimony in favor of Proposed Audit of the Election Administration

Hi, I just turned eleven. I love my country greatly and am very proud to be an American. There is no other country as lovely as our America, that possesses such rights and freedoms as we have, and there are not many other countries that are founded on God. That's what made our country great, for God will bless a nation that loves Him and follows Him. The Bible clearly states that in Psalm 33:12 – “Blessed is the nation whose God is the Lord; and the people whom He hath chosen for His own inheritance.”

But some are turning to unfair treatment of others and hurting their rights, cheating and stealing to get their way. That's why we have such a terrible problem that could forever change the fate of America if we simply let some people tear down our country and seize our rights.

I have been taught that cheating and stealing is wrong. Shouldn't adults also not be allowed to cheat and steal? If they get away with this, they're a *terrible* example to me – and other kids.

We must do something to stop this and that's what I'm asking you today. I ask that you will take the time, look into the election fraud, uncover the truth, and that you as Americans will do your best to defend our country.

In school, I learned a quote by Alexis de Tocqueville who visited our Country years ago and said, quote, “America is great because America is good; if America ever ceases to be good, she will cease to be great.”

Thank you,
Christy Uhl

Testimony in favor of Proposed Audit of the Election Administration

Hello, I am a twelve-year-old patriot, and I am very concerned about what I have seen in our 2020 election because a free and fair election is the basis of our free Country.

Every time I think of our United States' history and the men and women who fought for freedom, for justice, for equality for all, my heart swells with a pride that I cannot express. I wish that I would have had the opportunity to be a woman of liberty who fought beside the men, maybe in different ways, but in the same spirit to gain the very same liberty that is being taken from us today.

How can we, as citizens of the United States of America, a people of the land of the free, even abide the knowledge that in this land of freedom, injustice is creeping like a stalking animal over our nation and turning the people's hearts to stone. We may not know the good we are doing our country if we only dig into the facts... and the fraud hidden behind the dark veil of lies. Please, let us stand up for what we know in our heart of hearts is right.

So please, *please* stand up as men and women of fire in *your* day. Show the world that you are a patriot ready to do what is necessary for our freedoms to be restored – no matter what the cost. No matter what the cost. And not only shall you be doing your duty to your country but you shall be doing your duty before God – He to Whom “the nations are as a drop of a bucket, and are counted as the small dust of the balance.” *This* is your time to stand. And with Patrick Henry I say, “I know not what course others may take, but as for me, give me liberty or give me death!”

Thank you,
Alise Uhl

Dale R Beyer

Janesville, WI 53548 - SD 15 / AD 44

Comments:

1. Everyone in the Voting process should strictly adhere to all laws sent forth by the Wisconsin Legislature, including: all voters, poll workers, poll supervisors, all Clerks (municipal, township, and county, etc.), and Election Commission. All individual break any law/s should be quickly prosecuted and punished if convicted to the fullest extent of the law.
- 2 Minimum training requirements (including “hands on training”) established where individuals are familiar with multiple areas of the voting process. Individuals can be placed where needed.
3. Reasonable payment for hours worked or establish a law stating an individual may work at a polling place in lieu of their regular job receiving current wage, with some employers being exempt.
4. Paper ballots and hand counting only (1 vote = 1 vote) NO MACHINES
5. No More Mail-out-ballots except for voter confined in Nursing Homes and verified 3 month/or more prior to voting
6. No More Caravan of illegal/on-of-State voter swarming Dept of Transportation for Voter IDs /individual and addressed most be varied three (3) months/ or more in advance of voting with ID and two or more utilities companies including one from the municipality the individual lives.
7. System developed where deceased individuals are remove immediately from the voting records.
8. System where individual/s leave a municipalities utilities system (move to another jurisdiction or out-of-State. The individual/s or removed from the voting records.

Wished I had time for more!

Dale

2nd Submission

1. System developed where deceased individuals are remove immediately from the voting records. Funeral Homes and local cemeteries can assist.
2. Special paper ballots (Watermarked) where it can not be copied or duplicated.
3. Stricter signature verification and Thumb or Index Finger Print
4. No Poll Worker should be able to touch or see a voter ballot prior to submitting it.
5. Any/All training paid with refresher classes before any/all election.

Lori Kowieski

Oconomowoc, WI 53066 - SD 13 / AD 38

Comments:

The WEC is our biggest obstacle to free and fair elections in Wisconsin.

Let's rewind for a moment to early 2020 to a non-partisan mayoral race in Oconomowoc, Wisconsin, in which my husband was a candidate. In January, a group of individuals tied to the county democrat party led an effort to have my husband removed from the ballot to ensure an easier path for their chosen candidate. Using the legal machinery and money of the county democrat party, these individuals challenged my husband's signature paperwork that is required to obtain a place on the ballot. The submitted paperwork had more than enough legal and legitimate signatures to be included as a candidate on the ballot. The signatures had already been verified and certified by the city clerk. What was contested by the democrat party lawyers were a couple of missing dates and unchecked boxes located on the signature forms. They contested the minutiae on the periphery of the paperwork, not the signatures themselves. According to the city clerk, the WEC had given past guidance to clerks to err on the side of keeping candidates on the ballot as long as the signatures were valid. Additionally, the lawyers filed the contestation with the city clerk very close to the final filing deadline purposefully, leaving no time for my husband to correct the errors on the paperwork. The same paperwork that he had submitted days earlier and had already received official certification from the city clerk.

If the actual six member Wisconsin Election Commission had reviewed the case, they most likely would have sided along party lines with a 3-3 tie vote. In the event of a tie vote, the decision remains with the city clerk. Continuing with this unethical game, staff members from the WEC called the city clerk and informed her that she had to de-certify the signatures and remove the candidate from the ballot. These staff members knew that if the Commission heard the case and tied, the city clerk's decision would remain. So they dictated to her what that decision needed to be. My husband did appeal his case to the WEC (at personal expense), but the WEC upheld their decision, even though this decision goes against their own precedent and the prescribed practices that they have put in place in their guidance to city clerks. If we examine that precedence, it appears that the WEC is just fine with bending the rule of law when it benefits a candidate with a D next to their name. We cannot forget that the WEC was fine with Mickey Mouse and Adolf Hitler signatures on the Walker recall papers. It would be interesting to investigate how many decisions the unelected, unaccountable staff members of the WEC have made that directly or indirectly benefit candidates of only one political party. How is this equal protection under state election laws? Why do the unelected, unaccountable staff members at the WEC get to make up the rules as they go? How is removing a candidate (with more than enough legal, valid signatures) from the ballot allowing for fair and open elections?

My husband chose not to be silenced and continued his mayoral campaign as a Write In candidate. However, the unethical (and probably illegal) actions of his opponents continued. In March, an anonymous postcard appeared in mailboxes around the city of Oconomowoc. This postcard directed the voters to a fraudulent and malicious website created to discredit my husband. The website was registered to John T. Doe, paid for with a pre-paid credit card using a fake email address. This matter is currently under FBI investigation.

The arrival of Covid made campaigning door to door for a Write In candidate impossible. So my husband contracted with a company in New Berlin to print and mail a postcard with his name and sticker on it to specific voters in the city of Oconomowoc. As part of a quality check, the mailing was also sent to three

Web form submissions

employees of the company. All of these employees, living a different nearby cities and Iowa, received the mailing on or before the Saturday before the election. However, every voter in Oconomowoc mysteriously did not receive their mailing, reminding them of the Write In the candidate, until the Thursday AFTER the election. Coincidence?

If this much time, effort, and resources were put into questionable actions to elect the democrat candidate in a local mayoral race in a small town in fly-over country, wouldn't it be reasonable to think that greater efforts would be used in bigger-target national elections? Why is it unreasonable to investigate the irregularities, inconsistencies, and improbabilities that plagued the 2020 elections? The states that boldly ignored and violated their own election laws need to be held accountable.

I implore the elected representatives of Wisconsin to investigate and hold accountable the staff members of the WEC and any clerks that violated state election law and court orders. It is beyond time to dismantle and replace the WEC. The laundry list of overt violations that WEC staff and city clerks participated in during the 2020 election cycle needs to end. Does anyone think that it is a coincidence that the only two candidates for President that were not allowed on the ballot were the two that could hurt the democrats? Has the staff of the WEC ever made a decision that didn't help a democrat candidate?

Free and fair elections are central to our representative republic. In 2020, the WEC showed very clearly that they have no interest in free and fair elections and it is the responsibility of our state representatives to return integrity to our elections. This is our "Florida" moment. Please don't fail to seize it.

Sincerely,

Lori Kowieski

Oconomowoc, WI 53066

Lynda Hopkins

Mequon, WI 53092 - SD 8 / AD 23

Comments:

If we can't follow our own elections laws then whats it worth? No one stood up for the people. I just can't believe our so called leaders stood by and watched this happen and allowed it. The people told you how they felt and you turned your backs. The People will never forget this.

Tom Woloszyk

Spring Green Wi 53588-9080 - SD 17 / AD 51

Comments:

Senator Kerkman,

1. I'd like to say thank you for holding this hearing.
2. Things with our elections MUST change!
3. We Republicans must fight harder. The left are bullies and we need to fight now!

I worked Madison Recount for 5 days. It was a joke. No count was done. We challenged thousands of ballots, envelopes. I had them pulled out to be told overruled, standing objection blah blah blah. Email ballots that were adjudicated and accepted. Wrong.

Harvesting, wrong. Democracy in the park, wrong, Zuckerberg money, wrong. Illegal drop boxes, wrong. unfolded absentee ballots, wrong. Clerks of other townships using Madison clerk initials. I alone counted 13 different signing of her initials. Why are absentee envelopes pre-printed? Why are labels put over hand written absentee ballot envelopes? Some labels had bar codes, some didn't. Hmmm. Odd isn't it? No continuity. I was told it was new voter. Hmmm. If it was, i would think a bar code would be created, right? Overruled. Democracy in the park had "clerk" initials that were not clerks. None of the initials matched our township clerks. Who are they then. Overruled. I was disgusted by what I saw and heard. I was also harassed daily, threatened with contempt for challenging ballots. They gave the liberals red, yellow and green cards. The libs hold up the red card and a lib lawyer comes over. All to distract and harrass. Yellow card brought monona terrace "personnel" to then be approached by police to be removed for not social distancing. I was talking to the Trump lawyer. I had my BS mask on, but not good enough for the libs. The libs had their lawyers posing as observers. It said Biden lawyer on badge. I caught one, had 2 Trump attorneys validate what I saw, filed my affidavit. She was monitoring where Trump objections were coming from. She was texting the clerk handing out ballots. Suddenly I would only get 50 ballots and others not challenging as much got hundreds at a time. Right after my affidavit brought up to the head attorneys. She disappeared. I monitored 4 large bags of ballots dated 9/25/2020 come rolling in on a cart. Too early for ballots. Was told it just an old bag and forgot to change date and bags are expensive. Overruled. I watched those ballots. They went into a NEW bag with a NEW date. Overruled. WTH. Totally clean election.

This election was a sham, a disgrace to this state, this country and all the legal votes cast were for nothing. A communist agenda that the state Republicans and legislature should have challenged and changed, Cowards. There will never be a fair election going forward.

Kyle Kleist

Center for Independent Living for Western Wisconsin

Menomonie, WI 54751 - SD 10 / AD 29

Comments:

February 11th, 2021

Testimony to Wisconsin Joint Legislative Audit Committee Hearing

Members of the Wisconsin Election Commission, I would like to start by thanking the commission and staff for their work to address accessibility, including the Accessibility Advisory Committee and their collaboration with disability advocates from Wisconsin Council of the Blind and Visually Impaired, Disability Rights Wisconsin, and Access to Independence on the webinar for municipal clerk, Polling Place Set-up, to address accessibility.

I would like to address a number of issues concerning voting for persons with disabilities in Wisconsin. The first is the importance of absentee and mail in voting. With limited access to accessible and affordable transportation, especially in rural areas of the state, many persons with disabilities are unable to cast their ballot in person. Further, the cost of personally paying for transportation to a polling place, if it is available, such as taxi, Uber, Lyft, or specialized medical vehicle for persons with mobility disabilities, is not affordable to the majority of persons with disabilities on a fixed income.

Many persons with disabilities are non-drivers, so they do not have a driver's license and may have difficulty obtaining acceptable photo ID. This again is an issue due to limited access to accessible and affordable transportation, which creates a barrier in getting to a local DMV office to obtain a photo ID. Then there are the limited office hours by many DMV offices, especially in rural areas of the state, that are only open 2 – 3 days a week. This again creates a barrier to obtaining a photo ID.

The COVID-19 pandemic continues to be an issue for persons with disabilities, especially many that have pre-existing health conditions, to cast their ballot in person. Although I completely support the wearing of face mask or covering in public, this also creates a barrier for persons who are deaf and hard of hearing that read lips. Few polling places have access to face mask with a transparent area of the mouth to address this issue. This is yet another reason why providing the ability to cast an absentee ballot and mail in voting is so important.

There needs to be continued oversight and audits to address accessibility at polling places, as well as provision of curbside voting. Many rural polling places have accessibility issues that have gone unaddressed for too long. Poll workers also need to be trained on the provision of curbside voting for persons with disabilities. If a polling place is not accessible, curbside voting is the only means to cast a ballot, especially for persons with mobility disabilities.

There needs to be an accessible absentee ballot that addresses the needs of all persons with disabilities. Wisconsin does not have a screen reader accessible Americans with Disabilities (ADA) compliant absentee ballot. Voters with blindness, vision impairment, or other disabilities who do not have the ability to physically mark the ballot do not have equitable access to absentee voting and are unable to

Web form submissions

privately, securely, and independently vote absentee. Under current Wisconsin statute, absentee ballots may not be transmitted electronically, except to overseas and military voters. A recommendation to address this is to develop a screen reader accessible, ADA compliant absentee ballot which can be electronically sent to the voter to allow voters with disabilities, including those who are blind or low vision, to vote privately and independently. The voter can then complete the ballot using appropriate assistive technology and electronically and securely submit the ballot to the municipal clerk. This will provide equitable access to absentee voting for voters who rely on assistive technology to vote privately and independently.

Many of these issues could be addressed with training for new poll workers on voter rights, accessibility, and accommodations for voters with disabilities. Before serving, new poll workers should be required to complete the Wisconsin Election Commission Chief Inspector training, or equivalent training developed by local clerks. The training topics should include voter rights, accessibility, and accommodations for voters with disabilities. Poll workers should also be required to attend a minimum of one training program annually thereafter. Completion of training would be tracked by the Wisconsin Election Commission.

Thank you for your time today and allowing me to address these issues that affect voting for persons with disabilities in Wisconsin.

Sincerely,

Kyle Kleist
Executive Director
Center for Independent Living for Western Wisconsin

Web form submissions

Lana Bero

City of Marinette

Marinette, WI 54143 - SD 30 / AD 89

Comments:

I support the AVEO bill that we introduced last session whereby in-person absentee voters can feed their own ballot into voting equipment. In-person absentee continues to be very popular with our voters. Absentee voting has been an area of contention so making it more secure, transparent and efficient is a win-win.

Kim Pytleski

Oconto County Clerk

Oconto, WI 54153 - SD 30 / AD 89

Comments:

To steal a line from a friend, sometimes you just want to see how the sausage is made.

I welcome this audit as an opportunity highlight the good work processes followed by all election officials, uncover any weaknesses, and restore confidence in the elections process.

My request is that the legislature not only address media hot topics, but the entire process. We need to make sure that any changes to the law help everyone navigate the process - from the moment a candidate takes out election papers to the certification of results. Sometimes laws are written to put out the current “fire” without regard for how that plays out in the long run. And for municipal clerks each law change plays out differently depending on if you are a full-time big city clerk or a part-time small town clerk (who typically has a full-time job elsewhere). A piecemeal approach only adds confusion – and confusion leads to mistrust of the process. To restore the public trust in the process we must welcome the scrutiny and be open with our work product.

Thursday’s hearing could be an airing of grievances or an opportunity. I choose to view this audit as an opportunity to see the areas where misinformation exists. Only then can we address it head on. And finally, I am boldly asking the elected legislature and staff reach out to their county and municipal clerks. Get to know them on a first name basis. Ask them how a proposed bill strengthens the process and where there are weaknesses. Working together will grant us great results!

Thank you for the opportunity to share my thoughts. I welcome any future opportunities to help make Wisconsin elections the gold standard!

Kim Pytleski

From: [Angela Dreyer](#)
To: [Rep.Kerkman <Rep.Kerkman@legis.wisconsin.gov>](mailto:Rep.Kerkman@legis.wisconsin.gov); [Sen.Cowles <Sen.Cowles@legis.wisconsin.gov>](mailto:Sen.Cowles@legis.wisconsin.gov)
Subject: Testimony submission for JLAC 2/11/2021
Date: Wednesday, February 10, 2021 8:34:10 PM

Michael and Angela Dreyer
Burlington, WI 53105

Recommendations:

1. Same day Voter Registration needs to be stopped. In our wards, 47% of the votes cast, were by same day registering. Many of these voters could not fill out the registration forms in Spanish nor in English in spite of being "US Middle Aged Citizens". During the Milwaukee recount, there were no difference in the voting numbers which implied all of these people who could not read or write were truly Americans.
2. Voters were not required to show their faces even though they wore a burka, large Mexican hat with large dark sun glasses. Same rules that the federal government applies at the airports by TSA should apply in Wisconsin. Voting locations.
3. We had strong disagreement with our Poll Inspector and in the end, he stated, "It is your word against the word of the Poll Worker. Called the hot line, for the Republican Party and no action is taken.
4. BLM and other political statements were being worn by the voters. We need Police Officers available at each Milwaukee voting location for enforcement in cases where the Poll Inspector is silent.
5. Election Inspector needs to be present 100% of the time while there is voting going on.
6. In November a company wanted to do an electronic audit, let's do it and find out how many felons, underaged, dead and illegals voted.
7. Install cameras and microphones which will be used only in the cases where the poll observer is challenging a poll inspector. This is very important.
8. Poll Workers should be split by major party affiliation. You should not have to be a Biden supporter to be a poll worker.
9. Stop the massive involvement of major corporations I.e. Face Book, Apple and other in Wisconsin Politics.
10. Stop Electioneering or campaigning all together.
11. No FOOD, Water, and other items can be given to voters closer than 500 foot.
12. Rotate the Poll Workers so that they do not always work in the same locations.

13. Increase the state penalties for election violations I.e. Poll Workers helping voter, illegals voting etc.

Previously submitted report;

My name is Michael Dreyer and my wife, Angela, live in Walworth County. We are both fluent in Spanish and we chose a Polling Station especially dear to myself.

General Observations:

-Strong Democratic turn out as Poll Observers which numbered seven at various times including two attorneys from Chicago.

-When we arrived at the Polling Station, the Poll Inspector said “that we were too many” and we became concerned that he was going to prevent us from observing together.

-We volunteered as Republican Poll Observers. We were scheduled only for the morning shift, but stayed the complete day over concern of what we had observed in the morning. We also had an attorney, who was canvassing between a number of polling stations including our location.

-We expected a heavy turnout, but compared to the 2016 election, only 4 more ballots were cast for the presidential candidates of 2020.

-The percentage of voters who registered and voted at our Polling Station was 47% of the total votes cast.

Specific Observations:

-Hispanic Poll Worker registering new voters would tell voters to vote for “Biden”. After complaining to the Poll Inspector, and not knowing that we were fluent in Spanish, the Hispanic Poll Worker was telling voters to vote for the President beginning with a “B”.

-Registering US Citizens for voting ?????? An example, Hispanic New Voter, middle aged male, could not even fill out the New Voter Registration in English nor in Spanish beyond his name and address despite being a US citizen. Numerous other “new voters” had the same problem. Question.....Can you take the US Citizenship test and be illiterate?

-Hispanic Poll Worker filling out the registration form in Spanish saying, “Let me fill it out for you, this is why we are here for”.

-Hispanic Poll Workers not checking the Voter Ineligible List prior to giving a new

voter a ballot.

-The Hispanic Poll Worker would complain in Spanish and English to the voters who were registering to vote that the Poll Observers were accusing her of doing dishonest deeds.

-Hispanic Poll Worker asking a voter, who are you going to vote for?

-Hispanic Poll Working pointing on the ballot who the voter should vote for at the polling station.

-Hispanic Poll Workers going to the voting station and helping the voter fill out the ballot even though there were instruction in Spanish and English. One Hispanic Poll Worker actually was seen filling in the ballot for a voter.

-The organization, Voices of the Frontier, (Voces de la Frontera) led voters to the voting station and assisted voter in voting.

-Voces de la Frontera, (Voices from the Frontier) openly helped with the Biden vote inside of the building, but outside of the general voting area.

-Voces de la Frontera was also giving out water and masks within 100 feet of the entrance to the polling station.

-Poll Inspector distributed ballots which only had President Trump and Biden on the ballot. When questioned, He stated that many voters only want to vote for the President and are not interested in voting for other candidates i.e. aldermen, congressmen etc.

Other:

-Hispanics with "Democracy is Delicious" distributed hot dogs, cookies and water within 10 feet of the polling entrance door.

- Masks often covered the entire face and was not being requested to be removed for identification because of the Covid-19.
- One Spanish speaking woman, wearing a burka, came into vote and was not requested to show her face.

From: [Lori Kowieski](#)
To: [Rep.Kerkman](#); [Sen.Cowles](#)
Subject: Testimony submission for JLAC 2/11/2021
Date: Wednesday, February 10, 2021 6:25:21 PM

The WEC is our biggest obstacle to free and fair elections in Wisconsin.

Let's rewind for a moment to early 2020 to a non-partisan mayoral race in Oconomowoc, Wisconsin, in which my husband was a candidate. In January, a group of individuals tied to the county democrat party led an effort to have my husband removed from the ballot to ensure an easier path for their chosen candidate. Using the legal machinery and money of the county democrat party, these individuals challenged my husband's signature paperwork that is required to obtain a place on the ballot. The submitted paperwork had more than enough legal and legitimate signatures to be included as a candidate on the ballot. The signatures had already been verified and certified by the city clerk. What was contested by the democrat party lawyers were a couple of missing dates and unchecked boxes located on the signature forms. They contested the minutiae on the periphery of the paperwork, not the signatures themselves. According to the city clerk, the WEC had given past guidance to clerks to err on the side of keeping candidates on the ballot as long as the signatures were valid. Additionally, the lawyers filed the contestation with the city clerk very close to the final filing deadline purposefully, leaving no time for my husband to correct the errors on the paperwork. The same paperwork that he had submitted days earlier and had already received official certification from the city clerk.

If the actual six member Wisconsin Election Commission had reviewed the case, they most likely would have sided along party lines with a 3-3 tie vote. In the event of a tie vote, the decision remains with the city clerk. Continuing with this unethical game, staff members from the WEC called the city clerk and informed her that she had to de-certify the signatures and remove the candidate from the ballot. These staff members knew that if the Commission heard the case and tied, the city clerk's decision would remain. So they dictated to her what that decision needed to be. My husband did appeal his case to the WEC (at personal expense), but the WEC upheld their decision, even though this decision goes against their own precedent and the prescribed practices that they have put in place in their guidance to city clerks. If we examine that precedence, it appears that the WEC is just fine with bending the rule of law when it benefits a candidate with a D next to their name. We cannot forget that the WEC was fine with Mickey Mouse and Adolf Hitler signatures on the Walker recall papers. It would be interesting to investigate how many decisions the unelected, unaccountable staff members of the WEC have made that directly or indirectly benefit candidates of only one political party. How is this equal protection under state election laws? Why do the unelected, unaccountable staff members at the WEC get to make up the rules as they go? How is removing a candidate (with more than enough legal, valid signatures) from the ballot allowing for fair and open elections?

My husband chose not to be silenced and continued his mayoral campaign as a Write In candidate. However, the unethical (and probably illegal) actions of his opponents continued. In March, an anonymous postcard appeared in mailboxes around the city of Oconomowoc. This postcard directed the voters to a fraudulent and malicious website created to discredit my husband. The website was registered to John T. Doe, paid for with a pre-paid credit card using a fake email address. This matter is currently under FBI investigation.

The arrival of Covid made campaigning door to door for a Write In candidate impossible. So my husband contracted with a company in New Berlin to print and mail a postcard with his name and sticker on it to specific voters in the city of Oconomowoc. As part of a quality check, the mailing was also sent to three employees of the company. All of these employees, living in different nearby cities and Iowa, received the mailing on or before the Saturday before the election. However, every voter in Oconomowoc mysteriously did not receive their mailing, reminding them of the Write In the candidate, until the Thursday AFTER the election. Coincidence?

If this much time, effort, and resources were put into questionable actions to elect the democrat candidate in a local mayoral race in a small town in fly-over country, wouldn't it be reasonable to think that greater efforts would be used in bigger-target national elections? Why is it unreasonable to investigate the irregularities, inconsistencies, and improbabilities that plagued the 2020

elections? The states that boldly ignored and violated their own election laws need to be held accountable.

I implore the elected representatives of Wisconsin to investigate and hold accountable the staff members of the WEC and any clerks that violated state election law and court orders. It is beyond time to dismantle and replace the WEC. The laundry list of overt violations that WEC staff and city clerks participated in during the 2020 election cycle needs to end. Does anyone think that it is a coincidence that the only two candidates for President that were not allowed on the ballot were the two that could hurt the democrats? Has the staff of the WEC ever made a decision that didn't help a democrat candidate?

Free and fair elections are central to our representative republic. In 2020, the WEC showed very clearly that they have no interest in free and fair elections and it is the responsibility of our state representatives to return integrity to our elections. This is our "Florida" moment. Please don't fail to seize it.

Sincerely,

Lori Kowieski
Oconomowoc, WI 53066

From: [Bart Williams](#)
To: [Sen.Cowles](#); [Rep.Kerkman](#)
Cc: [Sen.Bernier](#); [Sen.Stroebel](#); [Rep.Allen](#); [Rep.Gundrum](#); [Rep.Brandtjen](#)
Subject: Testimony re: 2/11 Joint Audit Comm. - Proposed Audit: Elections Administration
Date: Thursday, February 11, 2021 3:57:40 AM
Attachments: [AR-3 Addressing Election Law Violations 1-4-21.pdf](#)
[Bolter complaint to WEC 11-30-2020.pdf](#)
[Milwaukee Response Bolter v. Milwaukee Elections Commission, et al.pdf](#)

Dear Sen. Cowles and Rep. Kerkman,

I tried to submit this testimony via e-form, but because I do not live in Rep. Kerkman's district, the system would not allow me to submit the e-form. I live elsewhere in Wisconsin.

1. Here is what I most respectfully request and expect in terms of a full, fair, timely, independent, complete, STATEWIDE (i.e., all 72 counties) audit of the terrible, criminal, and fraudulent administration of the 11/3/2020 election by the horribly partisan (i.e., Democratic-run and Democrat-staffed), dysfunctional, lying, and law-breaking Wisconsin Elections Commission (WEC) and numerous criminal/lawbreaking ballot/election clerks across the state, especially those in Milwaukee, Dane, Kenosha, Brown, and Racine Counties:

a. A full forensic audit and recount of all the ballot drop boxes and ballots that were in them - all of which I fully maintain were completely ILLEGAL since they were not properly authorized by any law passed by the Wisconsin Legislature and, further, these illegal ballot drop boxes were not properly secured, monitored, opened properly and accounted by multiple witnesses from all parties (nor did they include independent observers), etc., etc., - in other words, they were completely illegal to start with, and there was no chain of custody or control maintained over them whatsoever. They were ripe with fraud, and THEY MAY HAVE SINGLE-HANDEDLY ACCOUNTED FOR ENOUGH FRAUDULENT DEMOCRAT VOTES FOR BIDEN AND HARRIS THAT THEY ALONE ALLOWED THE CRIMINAL DEMOCRATS AND OTHERS INVOLVED TO ILLEGALLY STEAL THE ELECTION FROM TRUMP, PENCE, AND WE THE PEOPLE.

b. A full forensic audit and recount of all voting machines, software, logs, and records, and START with Dominion Voting (i.e., FRAUD) Systems.

c. A full forensic audit, full signature match, and recount of all absentee ballots.

d. A full forensic audit and recount of all the "express" (skinny) ballots, such as all the manytens of thousands of these used in Milwaukee.

e. A full forensic audit and recount of all ballots for which a ballot application is required by Wisconsin law (vs. the DEMOCRATIC WEC's illegal, partisan "guidance").

f. A full, independent, and statewide (i.e., ALL 72 counties) investigation of any and all of the other illegal activities not addressed above that are listed and described in 2021 Assembly Resolution 3 (copy attached), which I agree with and was passed during the first full business week of January 2021 (thank you, Rep. Allen)

g. Full, independent, due-process investigations of everyone involved in the criminal theft of the 11/3/2020 election from the rightful winners, President Trump and VP Pence. I fully request and expect, for instance, a full, independent, honest, legal, and rigorous investigation of the WEC head (Meagan Wolfe), all WEC Commissioners and staff, Claire Woodall-Vogg

(in Milwaukee) and all other clerks who appears to have committed multiple felonies like Ms. Woodall-Vogg by deliberately violating Wisconsin's election laws, and all other parties involved in these many felonies (i.e., each illegal/fraudulent ballot they manufactured, processed, and/or counted was a separate felony), criminal charges brought and fully prosecuted against all of them, a trial of each person so charged, and all persons found to have committed these election law violations sent to prison for the maximum number of years allowed by law for each felony count of their proven election law violations.

2. With the passage of 2021 Assembly Resolution 3 (copy attached) during the first full business week of January 2021, the Wisconsin Assembly finally and officially recognized that numerous election clerks in Wisconsin [e.g., I personally witnessed Claire Woodall-Vogg, Executive Director of the Milwaukee Election Commission, deliberately, seriously, and repeatedly violate numerous Wisconsin election laws on 11/3/2020 at Central Count (more accurately, CENTRAL FRAUD) in Milwaukee and direct her hundreds of poll workers to also violate these laws] deliberately violated Wisconsin election laws in numerous, serious, repeated, proven, and provably ways in conjunction with the 11/3/2020 election. I agree with all the specifics of Assembly Resolution 3, that these clerks and others involved (e.g., Meagan Wolfe, head of the horribly partisan and deliberately lawbreaking Wisconsin Elections Commission (WEC)), deliberately, seriously and repeatedly violated Wisconsin's election laws, which allowed our state's legitimate, majority-vote will to re-elect President Trump and Vice President Pence, to be wrongfully, fraudulent, illegally, criminally, dishonestly, unethically, and immorally stolen by the massive fraud and/or law-breaking deliberately committed by these clerks, the WEC "leader" and staff, and many Wisconsin Democrats to make it appear fraudulent/illegitimate Joe Biden and Kamala Harris won. For further proof, besides all the testimony I and 23 others provided to a joint committee of the Legislature on 12/11/2020 (I am not counting WEC commissioner, Dean Knutson, since he deliberately lied repeatedly to cover up his and the rest of the WEC's criminal wrongdoing), please see the 2/5/2021 Time magazine article which details how the criminal Democrats actually involved, other Extreme Leftists, Soros, Zuckerberg, Dorsey, the lying, manipulating, Leftist mainstream media, censoring, bullying, and Hitlerian Big Tech, and other criminals and forces coordinated massively to STEAL (they falsely call it "save") the 11/3/2020 election. The recent, two-hour Mike Lindell documentary, "Absolute Proof!," captures in great and truthful detail how the actual criminal Democrats involved and others specifically cheated massively in all six swing states, including WI, to illegally steal the 11/3/2020 election from Trump, Pence, and WE THE PEOPLE!!

3. Partly as a result of these clerks' criminal conduct consisting collectively of many tens of thousands of felonies, we now have a totally fraudulent, completely illegitimate, so-called "president" (Joe Biden, the fraud) and "vp" (Kamala Harris, also a fraud) in office already doing dozens of horrible, tyrannical, freedom-killing, and nation-destroying actions. **OUR ENTIRE FREE USA REPUBLIC AND ALL OUR PRECIOUS INDIVIDUAL RIGHTS, LIBERTIES, AND FREEDOMS ARE NOW AT REAL RISK OF BEING STOLEN FROM US FOREVER BY THOSE TYRANNICAL DEMOCRATS WHO GOT THEIR "POWER" ILLEGITIMATELY AND ARE NOW DRUNK WITH IT!! :(:(**

4. Again, I testified at length on Dec. 11, 2020 before a joint committee of the Legislature. My testimony can be found at approximately the 4-hour, 15-minute mark to the 4-hour, 40-minute mark of the WisconsinEye record of this proceeding, so I won't re-hash it here. I will say that everything I stated then and now is correct, complete, and true to the very best of my knowledge. Unfortunately, the Legislature did not convene as I and others had requested by or before Dec. 14, 2020 and decertify the fraudulent electors for Biden/Harris. As a result, all

of you have personally and directly placed our entire free nation and all our precious rights, freedoms, and liberties entirely at risk potentially forever.

5. Since Dec. 11, 2020, I received a copy of Ms. Woodall-Vogg's letter dated 12/7/2020 to the WEC (copy attached), responding to David J. Bolter's formal 11/30/2020 complaint about Ms. Woodall-Vogg to the WEC (my affidavit supported Mr. Bolter's complaint and was attached to it; please see the attached copy). Shamefully, the WEC unreasonably withheld Ms. Woodall-Vogg's response letter FOR OVER A MONTH (i.e., until 1/8/2021, I fully believe in serious violation of the WEC's own timeliness/response requirements and I further believe on purpose until after the fraudulent electors were "certified" nationally for illegitimate Joe Biden and Kamala Harris on 1/7/21). Ms. Woodall-Vogg provably lies seriously and repeatedly in writing in her letter, which I will prove to the Legislature and its relevant committees. Three of her false official statements (by themselves, each a crime) stand out.

6. First, on purpose, she never addresses Mr. Bolter's truthful allegation that she deliberately, seriously, and repeatedly violated section 6.87(6d) and 6.87(9), *Wis. Stats.*, by instructing her staff at least twice to write in assumed - but unverified - addresses of witnesses on the certification envelopes. Ms. Woodall-Vogg deceptively and dishonestly fails to address this serious violation of the law by her because she knows she is guilty of these crimes. Second, I agree with Mr. Bolter that Ms. Woodall-Vogg purposely laid out the room and restricted visual access (i.e., we were called "election OBSERVERS" and were supposed to be able to observe!) to the vast majority of the ballots. In other words, we were not allowed to see tens and tens of thousands of ballots - many times Biden's and Harris' fraudulent, supposed 20,600-vote "margin of victory." Ms. Woodall-Vogg deliberately and brazenly lies about this near the bottom of her second page and the top and middle of her third page. She even deceptively includes a photo of a single table - which was very much the very rare exception from the majority of tables that were in several banks of six long, parallel rows, and we were not allowed to visually access every four of each of the six rows. Third, by her own admissions in her item D on her second page, Ms. Woodall-Vogg truly proves my allegation (included as item #3 on Continuation pages 1 and 2 of my affidavit) that 15 election observers of each party - to observe her hundreds of ballot processors/counters - were not nearly adequate to provide meaningful visual access to most of the ballots. Mr. Bolter's, Ms. Weymier's, and my allegation all remain true, and Ms. Woodall-Vogg deliberately, seriously, and repeatedly lied in writing to try to justify and cover up the thousands of felonies she committed on 11/3/2020.

Thank you.

Sincerely signed,

Bart Williams



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-1154/1
JK:wlj

2021 ASSEMBLY RESOLUTION 3

January 4, 2021 - Introduced by Representative ALLEN.

1 **Relating to:** addressing election law violations.

2 Whereas, in the United States, the power to govern is given by the people
3 through the process of democratic elections. It is by this process that our government
4 obtains legitimacy; and

5 Whereas, we have three branches of government, and the legislative branch,
6 consisting of duly elected representatives of the people, is the branch charged with
7 the power to write the laws. It is through this process that our government maintains
8 legitimacy; and

9 Whereas, when the executive branch or administrative agencies charged with
10 enforcing the laws instead choose to step outside of the law, or go beyond the law, or
11 stretch the law to something other than what is written, the legitimacy of the
12 government begins to erode; and

13 Whereas, the 2020 election and the recount of the results of the presidential
14 election have brought to light a number of areas in which the letter of the law is not

1 being followed. Those circumstances of departure from the letter of the law include,
2 but are not limited to, the following:

3 1. Clerks provided absentee ballots to electors without applications, as
4 required by Wis. Stat. § 6.86.

5 2. Clerks and deputy clerks authorized by the municipal clerk failed to write
6 on the official ballot, in the space for official endorsement, the clerk's initials and
7 official title, as required by Wis. Stat. § 6.87 (1).

8 3. Clerks issued absentee ballots to electors who were required to enclose a copy
9 of proof of identification or an authorized substitute document, but who failed to do
10 so under Wis. Stat. § 6.87 (1).

11 4. Clerks failed to enter initials on ballot envelopes indicating whether the
12 elector is exempt from providing proof of identification, as required by Wis. Stat. §
13 6.87 (2).

14 5. Clerks in Milwaukee and Dane Counties declared electors in their counties
15 to be "indefinitely confined" under Wis. Stat. § 6.86 (2), causing chaos and confusion,
16 and failed to keep current the mailing list established under that subsection; more
17 than 215,000 electors thus avoided identification requirements and safeguards that
18 the legislature has established.

19 6. Clerks and the boards of canvassers permitted absentee ballots returned
20 without the required witness address under Wis. Stat. § 6.87 (2) to be counted in
21 contravention of Wis. Stat. § 6.87 (6d).

22 7. Clerks who received absentee ballots with improperly completed certificates
23 or no certificates filled in missing information in contravention of Wis. Stat. § 6.87
24 (9).

1 8. The Wisconsin Elections Commission, in contravention of Wis. Stat. § 6.875,
2 barred special voting deputies from entering qualified nursing homes and assisted
3 living facilities, instead mailing ballots to residents directly, thereby avoiding
4 safeguards the legislature put in place to protect our most vulnerable citizens and
5 loved ones.

6 9. The clerk of the City of Madison ignored Wis. Stat. § 6.855 and created an
7 event named “Democracy in the Park” and, of her own accord, designated alternate
8 sites where absentee ballots could be collected; these ballots were counted in
9 contravention of Wis. Stat. § 6.87 (6); and

10 Whereas, without legitimacy, the government of the people, by the people, and
11 for the people shall not stand. Instead, our government will devolve into a system
12 of coercion and bribery that seeks to use the guise of elections to hold a degree of
13 credibility; and

14 Whereas, the people of Wisconsin are demanding that the legislature address
15 questions of legitimacy; now, therefore, be it

16 ***Resolved by the assembly, That:*** the Wisconsin State Assembly recognizes
17 that the most important function for a government is to conduct fair and honest
18 elections that follow the duly enacted law; and, be it further

19 ***Resolved, That*** when there are significant portions of the population that
20 question the integrity of the elections due to the failure of election officials to follow
21 the letter of the law, it is incumbent upon the legislature to address the issues that
22 are in question; and, be it further

23 ***Resolved, That*** the members of the Wisconsin State Assembly place the
24 redress to these and other election law violations and failed administrative

1 procedures as its highest priority and shall take up legislation crafted to ensure civil
2 officers follow the laws as written.

3 (END)

STATE OF WISCONSIN
ELECTIONS COMMISSION

COMPLAINT FORM

Please provide the following information about yourself:

Name David J. Bolter, COL US Army (ret)
Address [REDACTED]
Telephone Number [REDACTED]
E-mail [REDACTED]

State of Wisconsin
Before the Elections Commission

The Complaint of David J. Bolter

_____, Complainant(s) against
Claire Woodall-Vogg, Executive Director, and Brenda Wood, Respondent, whose
address is Milwaukee Election Commission, City Hall, 200 E. Wells Street, Rm 501, Milwaukee WI 53202

This complaint is under Ch. 6 (e.g., 6.87), 5, and others (Insert the applicable sections of law in chs. 5 to 10 and 12 and other laws relating to elections and election campaigns, other than laws relating to campaign financing)

I, David J. Bolter, allege that:

The US Constitution (Article. II and Amendment. XII), Wisconsin Constitution, and relevant sections of Wisconsin Statutes (e.g., 6.87, 5.05, and 5.06) govern elections in Wisconsin. Despite our and other ballot-counters objections, Ms. Woodall-Vogg and Ms. Wood allowed without authority: tens of thousands of ballots to be tampered with by red-ink cross-outs by election staff of the certificate's "10 days before the election" and writing in by staff of "28 days" (in violation of S.S>6.87(2)); staff to look up, assume without verification, and tamper with by writing in unconfirmed addresses of the alleged ballot witness (in violation of S.S> 6.87(6d) and 6.87(9)) on numerous ballots; and no physical or reasonably readable access to 80% of all ballots by designated observers, in violation of free & fair elections. In addition, numerous ballot envelopes failed to have witness signatures, further covered in my affidavit dated 11NOV2020.

Attached are two (2) supporting declarations
and my previous affidavit.
DB

(Set forth in detail the facts that establish probable cause to believe that a violation has occurred. Be as specific as possible as it relates to dates, times, and individuals involved. Also provide the names of individuals who may have information related to the complaint. Use as many separate pages as needed and attach copies of any supporting documentation.)

Date: 11/30/2020

[Signature]
Complainant's Signature

I, David J. Bolter, COL US Army (ret), being first duly sworn, on oath, state that I personally read the above complaint, and that the above allegations are true based on my personal knowledge and, as to those stated on information and belief, I believe them to be true.

[Signature]
Complainant's Signature

STATE OF WISCONSIN

County of Milwaukee
(county of notarization)

Sworn to before me this 30th day of
November, 2020.

[Signature]
(Signature of person authorized to administer oaths)

My commission expires 11-15-22 or is permanent.

Notary Public or Milw. County
(official title if not notary)



Please send this completed form to:

Mail: Wisconsin Elections Commission
P.O. Box 7984
Madison, WI 53707-7984
Fax: (608) 267-0500
Email: elections@wi.gov

DECLARATION

1. My name is David J. Bolter. I am over the age of 18. All the facts stated herein are true and based on my personal knowledge.
2. I am a resident of Milwaukee County and live at [REDACTED]
3. I was employed by the Milwaukee County Election Commission at Central Count, 501 West Michigan Avenue.
4. I served as a paid ballot counter/inspector in the November 3rd, 2020 election. I worked three (3) shifts, from 0530hrs Tuesday to 0145hrs Wednesday, November 4th, 2020
5. While at the Central Count location, 501 West Michigan Avenue, I observed the following irregularities:
 - a. Hundreds of ballot envelopes had the 10-to-28 day (or 28-to-10 day) statute issue, where one date was written in red over the other., in conflict with Statute 6.87(2). I had initially informed Ms. Claire Woodall-Vogg, as a 'challenge'. It was dismissed as not-important by Ms. Woodall-Vogg, which later I complained further as an 'objection' with Ms. Woodall-Vogg. Again the objection was noted but ultimately ignored.
 - b. Dozens of ballot envelopes had no witness signature properly in the allocated envelope location; instead a few had a signature under 'Assistant'; in response to this, Ms. Woodall-Vogg announced on the loudspeaker that it was allowed as long as there was a 2nd signature found on the envelope, many were written in red ink.
 - c. Several envelopes had no witness (or assistant) signature and was given to who I believe was an Election Commission employee, but not returned.
 - d. Election Day Observers were kept behind small orange cones, typically 15-20 feet away from ballot inspection tables (grouped in 'Pod' locations). Few if any observers came near tables due to stated 'COVID concerns'.
 - e. I had personally seen several dozens of ballots with only 'Presidential Candidate' selection marked (no other votes indicated). A few of the ballots also had all of the 'Presidential

Candidate' selections marked, except for Donald J. Trump. When I brought this to the attention of the Election employees running the 'tabulator' they informed me that the intent of the voter would be sorted out by the tabulator. The virtue of several presidential candidates (except Donald Trump) seem more of a prankish attempt by the voter, but was nevertheless brought to attention.

f. At around 1230am on 4NOV2020, it was announced that a huge truckload of ballots were going to be delivered shortly. Workers were urged to stay on for them to be counted. I cannot attest to whether that was part of standard delivery procedures from external polling locations, but it seemed odd.

6. I declare under penalty of perjury pursuant to that the forgoing is true and correct. (28 U.S.C. § 1746)


Executed on 11NOV2020.


David J. Bolter, COL USAR (ret)

11NOV2020

State of Wisconsin
County of Milwaukee
Subscribed and sworn before
me this 11 day of November
2020 by David J. Bolter




Notary

my commission expires!

05-28-2022



DECLARATION

1. My name is Bartholomew R. Williams. I am over the age of 18. All the facts stated herein are true and based on my personal knowledge.
2. I am a resident of Wisconsin and live at [REDACTED].
3. I was appointed as a watcher for Central Count in Milwaukee, 501 W. Michigan St., Milwaukee, WI 53203, as an independent election/poll observer.
4. I arrived at the above address at 6:00 a.m. on Tuesday, November 3, 2020 but was not allowed to go to the Central Count area/floor until 7:00 a.m. Then, I had to wait in line, present photo identification, sign in, and await instructions from the ballot processing/counting leadership/staff. As a result, I was not able to actually start observing ballot processing/counting until at least 7:30 a.m., and therefore, I was excluded from the first full 30 minutes of observing the ballot processing/counting.
5. I did not enter or attempt to enter restricted places at Central Count. I did not interfere in any way with the process of ballot processing/counting, nor mark or alter any official election record.
6. As mentioned in paragraph number 4 above, Claire Woodall-Vogg, Brenda Wood, and several supervisors (none had a visible name badge nor told me their name) refused to allow me access to Central Count in Milwaukee, Wisconsin, from the time that the ballot processors/counters met prior to the opening of Central Count at 7:00 a.m. until approximately 7:30 a.m.; refused to allow me to remain in an unobtrusive area of the ballot-processing/counting location from which I reasonably could see and hear what was occurring for the vast majority (at least two-thirds) of the tables being used for ballot processing/counting; stopped allowing me to keep a list of voters – beyond the five I logged – with ballot defects that I genuinely believe were tampered with (in

violation of the State of Wisconsin Constitution and/or applicable *Wisconsin Statutes*) by the ballot processing/counting leadership and/or staff; refused to allow me to challenge several of the qualifications of a legal, valid, and complete ballot (including proper, accurate, and complete voter certification and required witness information) for any ballot; and refused to require the ballot processors/counters to announce the names of electors in a way that allowed me to hear each name and ballot number. In addition, it is my genuine belief Ms. Woodall-Vogg, Ms. Wood, and other members of their supervisory staff violated numerous other applicable laws, regulations, and/or other rules – as well as reasonable intent – associated with the ability and rights of election observers/watchers to have meaningful physical and visually-close [i.e., close enough for an average person to see the ballot details such as whether or not the voter signed the ballot, whether or not all required voter certification and witness information (including signature and address) was present, whether or not any pre-printed ballot information (e.g., the number of days (for example, 10 vs. 28 days) the voter certified he/she was a resident of the district he/she voted in), etc.] access to all the ballots. Also, I believe Ms. Woodall-Vogg, Ms. Wood, and other supervisors deliberately, seriously, and repeatedly violated my rights and/or access as an election observer/watcher in the numerous other ways (for example, since the ballot processing/counting is a highly manual process subject to significant variation (i.e., substantial differences in the process) – and other election observers/watchers and I were not allowed to access/inspect the vast majority of the ballots – we therefore were truly not allowed to observe most of the process) included in the three-page document entitled, “Continuation Pages of Bartholomew R. Williams’ Declaration as an Election Observer/Watcher at Central Count in Milwaukee, WI on November 3, 2020,” and a sketch of some table configurations at Central Count referred to therein, both of which together are an integral part of this Declaration (Affidavit) and are incorporated herein by reference.

7. As a result of Claire Woodall-Vogg's, Brenda Wood's, and other supervisors' acts, I was unable to fulfill my responsibilities or exercise my rights to meaningful observation as an election/ballot-processing/counting observer/watcher.

8. I declare under penalty of perjury pursuant to that the forgoing is true and correct. (28 U.S.C. § 1746).

Executed on November 16, 2020.

Bartholomew R. Williams
Signature of Declarant (Bartholomew R. Williams)

**Continuation Pages of Bartholomew R. Williams' Declaration as an Election
Observer/Watcher at Central Count in Milwaukee, WI on November 3, 2020**

1. My partial sketch of the table configuration at Central Count (see the top sketch of **observation #1** of the attachment to this Continuation Pages document, is an integral part of it, and is hereby incorporated by reference) shows how Claire Woodall-Vogg (Executive Director of the Central Count operation), Brenda Wood, and maybe others made it difficult for election observers to truly observe all ballots being processed at all times. First, they only allowed one chair for every four tables, and if more than one person was at that chair (standing or sitting), Claire, Brenda, or one of the supervisors under them made us go to the edge of the bank of tables (i.e., even further away). One would have to have eyes in the back of her/his head to continuously monitor all four tables at ones. Second, we were restricted from observing entire rows of tables two and three deep [please note that the third row of tables is not included in my attached sketches due to limited space in the small notebook I had with me, but they existed and were actively used throughout my shift for ballot processing/counting at Central Count in Milwaukee on 11/3/2020] from where we were allowed to observe, which was at least 6' from the inner (closest) edge of the nearest (first row) of tables. We were repeatedly not allowed to access observing the second and third rows deep of tables away from our observation line. Those tables were at least 22-24' and 32'-34' (and possibly even further) from where we were allowed to observe from, respectively. We (and anyone with average eyesight) could not possibly see any of the ballot or ballot envelope details from those distances. In the top diagram (observ. #1), from that chair, I could only see ballot and envelope details at the four nearest tables to/around me. Looking to the upper right, I could not see (it was too far away) ballot and envelope details at Pod 9's Table 9 (in the second row of tables deep, away from us), the next (third row) of tables after that (not pictured in my diagram because I could not even see the Pod and Table # details from that distance, let alone any ballot and ballot envelope details). I listed the wards those tables were working on at the time of my observations, but as you know, the wards change as the tables finish working those ballots. Overall, since ballot processing is a highly manual process, there is real variation in how each of the pairs of ballot processes were doing their jobs. My best estimate of the total percentage of all ballots that we were not allowed to observe either because we physically could not access them (i.e., second and third rows of tables deep away from us) and/or could not see them because they were too far away (due to being at the second and third row of tables deep away from us, and when we not the one person allowed to access the one chair in the middle of the four tables in the first row of tables) is between 67% and 75%, at least.

2. Since only ONE person - i.e., a GOP, Democratic, OR independent observer - was allowed by Claire W. and Brenda Wood to be at each chair surrounded by four tables, that meant effectively no GOP observer could watch those four tables (and again, one cannot watch four tables at a time since we do not have eyes in the back of our heads) while a Democratic observer was in/at that chair. This actually happened to me, and other election observers, several times (e.g., I had to leave for a few minutes to go the bathroom, and this Democratic observer (a lady) would grab the chair and stay there for a long time). Jean Weymier (of West Bend, WI) witnessed this, too. So effectively, we were barred observation access to those four tables for as long as a non-Republican observer was at that chair. Now multiply this by all the tables thusly restricted (i.e., dozens and dozens of tables), and it is a major (and I believe unreasonable) restriction on access to observing.

3. We were only allowed 15 total Republican observers in the Central Count area per shift. I can tell you this was way too low of a number to allow anything approaching full observation access to all

the tables. At best, I would say we could maybe only cover (observe) 20-25% of all the tables, with 15 observers - again, at best. So, I believe this small total number of observers of each party was also a huge and illegal access restriction. Yes, it was equal (i.e., 15 for the Dems) for all affiliated observers, but truly they should have allowed many more observers of each affiliation in at the same time. I guarantee you that with more like 45-60 observers of each affiliation allowed in at one time, social distancing still could have been maintained, so I hereby dispute as false any excuse by election officials to the contrary.

4. In the bottom diagram (observation #2), the chair was the chair nearest the end of the tables area. From that chair, I could observe Pod 8, Table 8 - with a man closest to me and a woman on the other side of the table. However, at the next table in (second row), a man and woman were working seated next to each other at the far side of the table (I assume they live together and were exempt from social distancing). However, at that distance, neither I nor anyone else (e.g., Jean W.) could see any ballot or envelope details. Plus, they held the document up at an angle towards them (makes sense, for them) to be easier to read, but this then only allowed me to see the back of each document - completely useless for observation purposes. Again, I wrote the ward numbers they were working on at time of my observation.

5. Brenda Wood (second in charge, I believe) and a supervisor both acknowledged to me verbally that "many" of the ballots had the election staff-performed red ink cross-outs of the 10 days and red-ink write-ins of the 28 days residency requirement on the ballot envelope/certification. The best estimate by my fellow election observers of the total percentage of all ballots that had this defect is at least 20% of all ballots processed at Central Count in Milwaukee. Claire W. made a loudspeaker announcement to all early in the day that this issue is not a basis to challenge the ballot. She also made a separate similar announcement that if a witness' address was missing from the ballot envelope/certification, a ballot processor could go to the computer set up for the staff, look it up, and write it in, and they did not need to find and write in a ZIP code for the witness. Claire at no point stated that the ballot processor had to verify the witness' address with the witness or voter. She also did not address the possibility of common names (e.g., John Smith) and that there can be multiple addresses for that common-name person (i.e., which address is the correct one?). Here is a very partial list (due to the many physical and visually-observable access restrictions detailed above) of wards with this 10 vs. 28 days issue, and it is the absolute minimum in each ward (there are very likely many more; again, I believe this is at least a 20%-of-all-ballots issue):

<u>Ward no.</u>	<u>No. of ballots</u>
187	23
186	38
189	20
190	18
211	4 [I had just started observing this table near the very end of my shift.]
219	1 [I had just started observing this table near the very end of my shift.]

6. I picked up a form to start tracking the voter name and ballot ID number of each ballot envelope on which I saw the situation listed above in item #5. Occasionally, I had to ask an election worker (they were talking through masks) to repeat a name or part of a name. After I documented five such instances, one of the workers got up and brought Brenda Wood over, who told me I could no longer do this because it was slowing them down. She insisted, so I could no longer document any more such instances. My best estimate of how many ballot envelopes fell in to this situation is about 20%,

and I observed for over 6 hours. Overall, Claire, Benda, and the rest of the election staff seemed hostile to our questions and observing in every interaction we had with them.

7. The election officials had told us not to expect that many "skinny" or express ballots, but there many. I would estimate they comprised 25-35% of the ballots I saw. I asked and was told by a supervisor (wearing orange vests) that express ballots came from one of two places - the Ziedler building and one other place (she did not say). She said they were for people who had a hard time writing. They could use a special keyboard/machine at one of those two buildings to generate an express ballot. This seems suspicious to me - unlikely there were that many people who have a hard time writing. Plus, two supervisors acknowledged there were a lot more express ballots than they expected.

Sincerely/signed,



Bartholomew R. Williams



JURAT WITH AFFIANT STATEMENT

State of Wisconsin }
County of Washington } ss.

- See Attached Document (Notary to cross out lines 1-7 below)
- See Statement Below (Lines 1-7 to be completed only by document signer[s], not Notary)

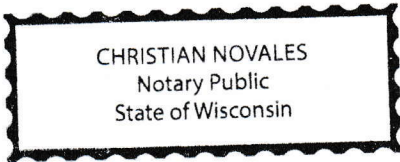
1 _____
2 _____
3 _____
4 _____
5 _____
6 _____
7 _____

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

Subscribed and sworn to (or affirmed) before me
this 16th day of November, 2020, by
Date Month Year

Bartholomew Williams
Name of Signer No. 1



Place Notary Seal/Stamp Above

Name of Signer No. 2 (if any)

Signature of Notary Public

**My Commission Expires
March 29, 2022**

Any Other Required Information
(Residence, Expiration Date, etc.)

OPTIONAL

This section is required for notarizations performed in Arizona but is optional in other states. Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Declaration of Bartholomew R. Williams, Continuation Pages, Sketches

Document Date: November 16, 2020 Number of Pages: 7

Signer(s) Other Than Named Above: none

DECLARATION

1. My name is Jean M. Bury Weymier. I am over the age of 18. All the facts stated herein are true and based on my personal knowledge.

2. I am a resident of _____ and live at [address].

3. I was appointed as a watcher for Precinct **Central Count**, located at, **501 W Michigan Street, Milwaukee, WI 53203** and was named as 'Independent'.

4. I arrived at the above address at **6:00 a.m.** and checked in at 7:00 a.m.

5. I did not enter or attempt to enter restricted places within **Central Count**. I did not interfere in any way with the process of voting, nor mark or alter any official election record.

6. **Claire Woodall-Vogg, Brenda Wood and other supervisors who were not identified refused to allow me physical and visual-inspection access to the vast majority of ballots; did not allow an adequate number of observers to cover all of the ballot processing tables; stated that certain ballot defects were acceptable; and did not allow writing down of our specific objections or even ask name, address and ballot number of the particular ballot. See the two-page document entitled, "Jean M. Bury Weymier – key points of affidavit regarding being an election observer at Central Count in Milwaukee, WI on election day (11/3/2020)," which is an integral part of this Declaration and is incorporated herein by reference.**

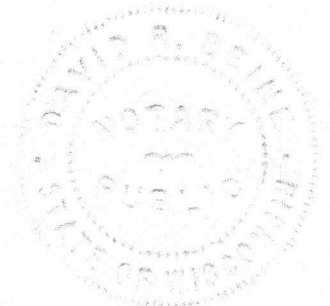
7. As a result, of Claire Woodall-Vogg's and Brenda Wood's and other supervisors' acts, I was unable to fulfill my responsibilities and/or exercise my rights to meaningful observation as a poll Watcher.

8. I declare under penalty of perjury pursuant to that the forgoing is true and correct. (28 U.S.C. § 1746).

Executed on November 16, 2020

Jean M. Bury Weymier
Jean M. Bury Weymier

David R. Beine
DAVID R. BEINE
NOTARY PUBLIC
PERMANENT COMMISSION
NOVEMBER 16, 2020



****Jean M. Bury Weymier – key points of affidavit regarding being an election observer at Central Count in Milwaukee, WI on election day (11/3/2020)**

1. Claire Woodall-Vogg (Executive Director of the Central Count operation), Brenda Wood, and maybe others made it difficult for election observers to truly observe all ballots being processed at all times. First, they only allowed one chair for every four tables, and if more than one person was at that chair (standing or sitting), Claire, Brenda, or one of the supervisors under them made us go to the edge of the bank of tables (i.e., even further away). Second, we were restricted from observing entire rows of tables two and three deep from where we were allowed to observe, which was at least 6' from the inner (closest) edge of the nearest (first row) of tables. We were repeatedly not allowed to access observing the second and third rows deep of tables away from our observation line. Those tables were at least 22-24' and 32'-34' (and possibly even further) from where we were allowed to observe from, respectively. We (and anyone with average eyesight) could not possibly see any of the ballot or ballot envelope details from those distances
2. Since only **one** person - i.e., a GOP, Democratic, OR independent observer - was allowed by Claire W. and Brenda Wood to be at each chair surrounded by four tables, that meant effectively no GOP observer could watch those four tables while a Democratic observer was in/at that chair. Bart Williams (of West Bend, WI) witnessed this, too as we worked in close proximity of each other. We were barred observation access to those four tables for as long as an observer of a different party was at that chair. Multiply this by all the tables thusly restricted (i.e., dozens and dozens of tables), and it is a major, and unreasonable, restriction on access to observing. I feel that there should have been one Democrat and one Republican at each table (or pair of tables) observing.
3. We were only allowed 15 total Republican observers, 15 Independent and 15 Democrat in the Central Count area per shift. This was way too low of a number to allow anything approaching full observation access to all the tables. We could maybe observe 20-25% of all the tables, with 15 observers - at best. I believe this small total number of observers of each party was also a huge and illegal access restriction. Yes, it was equal (i.e., 15 for the Dems) for all affiliated observers, but truly they should have allowed many more observers of each affiliation in at the same time. With more like 45-60 observers of each affiliation allowed in at one time, social distancing still could have been maintained, so I hereby take issue with any election officials claiming otherwise.
4. There were a few **announcements made to the whole room**. 1) If there were any **addresses missing**, they were to **take the ballot to the computer in the back of the room and look up the address and fill it in**. We were told to disregard any red marks on the envelope such as the spot where they say how long they have lived at an address. Everything we were trained to be watching for they told us to ignore – that it didn't make a difference. These other Democrat observers kept bullying us and 'telling' on us whenever we wanted to hear a name or address again so that we could challenge what we were seeing on the envelope. (see below)
5. Brenda Wood and a supervisor both acknowledged to both me, and Bart, verbally that "many" of the ballots had the election staff-performed red ink cross-outs of the 10 days and red-ink write-ins of the 28 days residency requirement on the ballot envelope/certification. The best estimate by my fellow election observers of the total percentage of all ballots that had this defect is at least 20% of all ballots processed at Central Count in Milwaukee. Even with that, the poll workers covered the envelopes with their hands so it was very difficult to see anything. Claire W. **made a loudspeaker announcement to all** early in the day that this issue (the red marks) is not a basis to challenge the ballot. She also made a separate similar announcement that if a witness' address was missing from the ballot envelope/certification, a ballot processor could go to the

computer set up for the staff, look it up, and write it in, and they did not need to find and write in a ZIP code for the witness. Claire at no point stated that the ballot processor had to verify the witness' address with the witness or voter. She also did not address the possibility of common names (e.g., John Doe) and that there can be multiple addresses for that common-name person (i.e., which address is the correct one?). Here is a very partial list (due to the many physical and visually-observable access restrictions detailed above) of wards with this 10 vs. 28 days issue, and it is the absolute minimum in each ward (there are very likely many more; again, I believe this is at least a 20%-of-all-ballots issue):

6. Occasionally, I had to ask an election worker (they were talking through masks) to repeat a name or part of a name. After hearing me ask the poll worker, one of the democrat observers got up and brought Brenda Wood over, who told me I could no longer do this because it was slowing them down. She insisted, so I could no longer document any more such instances. My best estimate of how many ballot envelopes fell in to this situation is about 20%, and I observed for at least 6 hours. Overall, Claire, Benda, and the rest of the election staff, including the Democrat poll observers, seemed hostile to our questions and observing in every interaction we had with them. Since Bart and I worked closely together in this same room, we were addressed at the same time by both Brenda and Claire. We were definitely in a hostile environment and we were discouraged in any way to be able to complete the job we were there to do. We were purposely delayed until 7:00 a.m. after arriving at 6:00 a.m. to go up to the room where the poll watching would take place. By the time they started the process we were then delayed another half hour so they could explain their rules. We ended up missing the first half hour of poll watching. **(END)**

Jean M. Bury Weymier





Election Commission

Commissioners
Stephanie Findley
Carmen Cabrera
Jess Ripp

Executive Director
Claire Woodall-Vogg

December 7, 2020

Mr. James Witecha, Staff Attorney
Wisconsin Elections Commission

Sent via Email to james.witecha@wisconsin.gov

RE: Complaint Filed by David J. Bolter

This letter is in response to the November 30, 2020 (received by the City of Milwaukee Election Commission on December 3, 2020), complaint filed by David J. Bolter alleging that the City of Milwaukee Election Commission knowingly violated elections law by allowing ballots to be tampered with when deadlines were manually changed, witness information was added/modified, and observers were not given reasonable access to ballots at Central Count.

A. Mr. Bolter asserts that I declined his “challenge” of envelopes where my staff, prior to mailing the envelope and ballot to the voter, had crossed out “10” days and written “28” days to reflect current law. First, these ballots were marked out according to Wisconsin Election Commission guidance issued on July 29th which reads:

Absentee Ballot Certificate Envelope: State law requires the certification language on the absentee ballot return envelope to include the residency requirement in the voter affirmation section. Wis. Stat. § 6.87(2). Existing stock of return envelopes that list the 10-day residency reference may still be used, but the clerk should manually change the reference to the 28-day residency requirement, and initial this change, before issuing the return envelope to an absentee voter.

Additionally, the process for challenging a ballot focuses on the voter’s qualifications, not on the formatting of the ballot or of the accompanying envelope. Any challenger must show cause to believe that the voter is not a “qualified elector.” See Wis. Stat. §§ 6.02, 6.03. As a result, I correctly issued guidance to the room that challenges based solely on the marking out of “10” and writing of “28” days on the envelope would not be heard based solely on these grounds.

B. Per a phone call with Wisconsin Election Commission (WEC) Administrator Meagan Wolfe on Election Day, WEC staff instructed that envelopes that had an assistant signature and address but not a witness signature on the correct line should be counted. I instructed the room accordingly. Mr. Bolter asserts that many of these envelopes had an assistant signature in red ink. The majority, if not all, of envelopes were signed in black ink in the incorrect spot by an in-person absentee voting worker. The Milwaukee County recount did not reveal any ballots with assistant signatures in a different color ink to my knowledge.



- C. The City of Milwaukee Election Commission staff operate under a vision statement that “every eligible City of Milwaukee voter who wishes to participate in our democracy is able to successfully vote.” Because of this commitment, we continued to contact voters whose ballots were to be rejected on Election Day if we had phone numbers on file for those voters, giving them or their witness an opportunity to come in by 8:00pm and have their envelope corrected and counted. As a result, several envelopes lacking a witness signature were likely removed from Mr. Bolter’s table so that phone calls could be placed.
- D. The November 3, 2020 General Election took place in the midst of global pandemic. In Wisconsin, we have experienced a surge that has garnered national attention. As a result, Central Count was set-up with worker and observer safety in mind when figuring out how to accommodate over 500 people safely. We limited observers to 60 at a time on Election Day to ensure that we did not overcrowd the room and create an unsafe environment. Each political party was allotted 15 spaces, unaffiliated or independent observers were allotted 15 spaces, and media were allotted the remaining 15 spaces.

We placed workers into 12 pods in order to limit their movement through the room and limit their interaction. These pods were set up around tabulating machines to ensure that wards were processed on the correct machine; machines had to be laid out in the room according to electricity availability. Observers were asked to remain behind orange cones, which were spaced throughout the room. Observers had access to every single area of the room. In the interior areas of pods that did not allow for freedom of movement due to the number of workers and tables in the area, we accommodated observers by placing them at stationary chairs within 6-8 feet of tables. As with any polling place, there is not an obligation to allow an observer freedom of movement, although we did allow free movement in approximately 80% of the room.

Per the Wisconsin Observer “Rules At A Glance”:

Observers may ask the chief inspector or designee to view other documents, such as the poll list, that are available when doing so will not delay or disrupt the process, but this may not be possible when polls are busy, and they may not view confidential information. The chief inspector or designee has sole discretion to determine whether such documents may be viewed or photographed

The statute related to observers reads, 7.41(2): “The chief inspector may restrict the location of any individual exercising the right under sub. (1) to certain areas within a polling place. The chief inspector shall clearly designate such an area as an observation area. Designated observation areas shall be so positioned to permit any authorized individual to readily observe all public aspects of the voting process.”

These measures of observer access were both met, despite pandemic conditions. To assert that observers had access to only 20% of the tables has been disproven by the plethora of media images and video footage from Central Count:

Photo credit to Jeremy Jannene:

https://www.amazon.com/photos/shared/GbUBPKYIRBa3w_78orE09w.3Aez7S0FQ1VNX0ioKDKPqV/gallery/7I_IzTkkT-u9s3ObtGTXaw

Photo credit to Lee Matz:

<https://www.facebook.com/media/set/?set=a.1564711320396895&type=3>

Video Credit to Milwaukee Journal Sentinel:

<https://www.jsonline.com/videos/communities/lake-country/news/2020/11/03/inside-central-count-milwaukee/6147356002/>

In this particular photo by Jeremy Jannene of Urban Milwaukee, Mr. Bolter is in the black square on the right-hand side of the frame. His table was able to be accessed within 6 feet to his left (to the right on the photo), exactly in the same way that the observers in the left of this photo are shown observing from the aisle.



- E. Mr. Bolter states that he saw several dozen ballots with only the Presidential contest completed, as well as some that were overvoted. He is correct that the Election Commission teaches and continued to instruct on Election Day that staff at tables should not be looking at how voters completed the ballots. At Central Count, staff are announcing voters' names and recording voter numbers on ballots. In order to preserve a voters' right to a secret ballot, we instruct that the table pairs should not be looking at how the person voted. Instead, the tabulator machine will kick out anything problematic such as an overvote. Tabulators only

see a voter number, not a voter name, so the vote remains anonymous. Tabulators work in pairs to review the ballots to see if intent is clear; they then give any ballots that need to be reconstructed according to voter intent to a pair of reconstructionist.

- F. Mr. Bolter's assertion that around 12:30am on November 4th it was announced that "a huge truckload of ballots were going to be delivered" is outlandish and not factual. Central Count was livestreamed and media were present at all times for additional transparency. No announcement was made regarding truckloads of ballots. Our last delivery of ballots was made by 13 separate teams of ballot runners shortly before 8:00pm. These teams completed chain of custody logs for each transport between a drop box and Central Count, documenting box seal numbers and the seal numbers put on the bags to transport the ballots.


Sincerely,

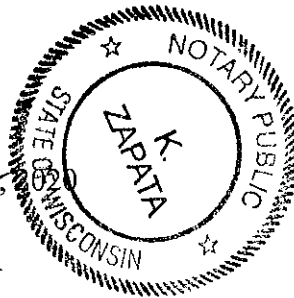


Claire Woodall-Vogg
Executive Director

STATE OF WISCONSIN
County of Milwaukee

Sworn to before me this 7 day of December, 2020


Notary Signature



My commission expires 6-9-2024, or is permanent

From: [Joan Andrusz](#)
To: [Rep.Kerkman](#)
Subject: February 11 Public Hearing
Date: Monday, February 08, 2021 10:13:01 AM

Good morning,

Because I am unable to attend the February 11 Public Hearing due to conflicts with preparing for the February 16 Spring Primary, I am writing to express my concerns.

I am in support of the AVEO absentee voting option which allows in-person absentee voters to put their ballots directly into the vote tabulator machine at the time that they fill in their ballot. Absentee voting continues to increase in popularity, but we still have voters who question what happens to their ballot. Using AVEO shows them their ballot is cast, not counted, and is safe and secure until it is counted on Election Day.

In addition, I urge flexibility on the Special Voting Deputy option for care facilities. It made sense to cancel this service during the pandemic, which continues. Facilities currently do not allow visitors of any kind, so our staff would be a distinct exception. I would have difficulty opposing management at the facility here, and I would have difficulty finding members among my staff of Election Inspectors willing to take the risk of exposure. I would feel morally challenged as well. We aren't a military function and sending people into a risky, possibly life-threatening, situation is not what I signed up for. This may sound dramatic, but it is a very real concern. Especially because most of my Election Inspectors are elderly and have other risk factors themselves.

Otherwise, I welcome the scrutiny of election processes and any improvements or clarifications that can be made. I just hope all of us are on the same page in our efforts to help, not hinder, people's right to vote.

Thank you,

Joan Andrusz, WCMC
City Clerk

City of Monona
5211 Schluter Road
Monona, Wisconsin 53716
Population: 7,920
608-222-2525
Fax: 608-222-9225



From: [Kelly Michaels](#)
To: [Kelly Michaels](#)
Cc: [Rep.Brandtjen](#)
Subject: Absentee Voting Efficiency Option
Date: Friday, February 05, 2021 3:36:03 PM
Attachments: [FACTS ABOUT AVEO.pdf](#)

Honorable Representatives: Welcome to the state legislature! We look forward to working with you.

The Wisconsin Municipal Clerk's Association has been working with Representative Janel Brandtjen to get bi-partisan legislation passed that would allow voters to feed their own ballot into voting equipment during the in-person absentee voting period. We believe this process offers a win-win solution to many of the inefficiencies and issues with absentee voting. The process would allow voters the confidence of knowing their absentee ballot counted. It would also assist municipalities in reducing the rising costs of elections as we could decrease the number of envelopes we need, the number of seasonal hires to manage thousands of envelopes from receipt to election day processing. Last, it would allow us to have a head start on having absentee ballots already fed into machines which would significantly improve our ability to report results quickly. The process has been thoroughly vetted and is safe and secure. Attached is the FAQ we utilized with last year's bill that was adopted by the assembly. The bill was messaged to the Senate in February 2020, however it was not placed on an agenda before Covid hit and no other sessions met. We are again, working with Representative Brandtjen to introduce a bill to address absentee voting efficiency and ask that you offer your support to the bi-partisan bill by contacting Representative Brandtjen and joining her as a sponsor. Thank you for your consideration.

Kelly Michaels, MMC, WCPC
Brookfield Certified Professional Clerk
WMCA Legislative Communications and Advocacy Chair
2000 N Calhoun Rd, Brookfield WI 53005

Phone: (262) 796-6653

ABSENTEE VOTING INFORMATION: <http://www.ci.brookfield.wi.us/510/Absentee-Voting>

2010 Census Population: 37,920

Final estimate of January 1, 2019 population is 39,951

The City of Brookfield is subject to Wisconsin Statutes related to public records. Unless otherwise exempted from the public records law, senders and receivers of City email should presume that the emails are subject to release upon request, and are subject to state record retention requirements. If you are not an intended recipient of this email, please notify the sender immediately.

This message is intended for the sole use of the individual and entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended addressee, nor authorized to receive for the intended addressee, you are hereby notified that you may not use, copy, disclose or distribute to anyone the message or any information contained in the message. If you have received this message in error, please immediately advise the sender by reply email and delete the message.

FACTS ABOUT AB-203 ABSENTEE VOTING EFFICIENCY OPTION

What is the Absentee Voting Efficiency Option?

FACT: AVEO is legislation to allow in-person absentee voters to feed their own ballot into electronic voting equipment INSTEAD of placing their ballot inside an envelope.

Why do we need this process?

FACT: Not all communities will need or want to use this process, which is why it is optional. We know there are communities in the state that are experiencing a very large number of absentee ballots and of the total absentee ballots cast, 75-80% are being cast by voters who are appearing in-person to do so. Communities are experiencing as many as 60,000 absentee ballots. We also know there are communities who experience very few absentee ballots. Communities need to determine locally, based on their experiences as to their needs in serving their community of voters.

Why is using machines a better process to using envelopes?

FACT: We know absentee ballots rejected on Election Day, are not being counted or being remade by poll workers erroneously. The Stein recount in 2016 showed us over 11,000 errors in counting ballots. While this is a small percentage of the total ballots voted across the state, we know we could significantly improve if we allowed in-person absentee voters to feed their own ballots into the electronic voting equipment. The voter would be alerted by the machine and would correct the ballot error themselves. Who better than the voter to determine their ballot intent?

FACT: We know the expense of absentee balloting involves purchasing thousands and thousands of envelopes, staffing to manage thousands of envelopes; secure delivery of envelopes; staffing to open envelopes at polls or central count; leasing of additional equipment to process ballots in envelopes on Election Day. Treating an in-person absentee voter who is standing right before you as a mail process is inefficient and expensive. The act of allowing the voter to feed the ballot into an electronic voting machine eliminates 75-80% of envelopes, eliminates the cost of managing and opening those envelopes; eliminates the expense to lease additional equipment as municipalities could utilize equipment they already own that is just sitting there doing nothing in the weeks leading up to Election Day. The machine is tested no less than three times. It is secure and capable of holding ballots. Why aren't we using the expensive machines we own?

FACT: We know in communities where there are 10,000 – 60,000 absentee ballots being opened and fed into voting equipment on Election Day that delays in reporting results occur as poll workers work late into the evening or early morning to get the ballots in. If AB-203 were adopted, 75-80% of absentee ballots would already be scanned into the equipment by the voter themselves.

FACTS ABOUT AB-203 ABSENTEE VOTING EFFICIENCY OPTION

Are the ballots counted early?

FACT: No, they are not. The electronic voting equipment used is the same certified equipment used on Election Day. Ballots are scanned into the equipment. The equipment records an optical image of the front and back of the ballot. **The ballots are NOT counted!** Just like on Election Day, tabulation does not occur until the close polls button is activated and the program goes through a tabulation process. The equipment holds the scan in memory until tabulation is activated. The paper ballots are kept in secure tamper evident ballot bags for the audit trail to the imaged record.

Is this process safe and secure?

FACT: Yes. The equipment is not connected to the internet and AB-203 has numerous safety precautions that must be met prior to and during use. The equipment must be publicly tested prior to use. The equipment's memory device must be sealed with a tamper evident seal and checked prior to use and at the conclusion of use daily. The Clerk must publicly notice the activity including notice to the two major political parties. AVEO voting must take place in the presence of at least two Election Officials not including the Voter or a Candidate for Office. Observers may be present. Ballots fed into the machine must be sealed inside tamper evident ballot bags and secured daily. The equipment must be secured in a double lock location when not in use. The municipal plan to utilize AVEO must be reviewed and certified by the Wisconsin Elections Commission prior to use. The municipality must suspend use of AVEO anytime security provisions detailed in AB-203 can't be met.

How long would this activity go on?

FACT: Each participating municipality would decide. There are state and federal laws pertaining to the times in which absentee voting may occur. There is also a federal court case involved. AB-203 does not promote any political agenda or strategy, but rather acknowledges the laws and court actions already in place. AB-203 is non-partisan and endorsed by various legislators of both parties. The Wisconsin Municipal Clerk's Association, a non-partisan, professional organization of Professional Municipal Clerks supports this common sense legislation. The arguments and questions of how long absentee voting can go on, has nothing to do with providing a secure, efficient process of scanning a ballot. AB-203 is about using a machine to hold the ballot instead of an envelope. Envelopes can be damaged, lost and tampered with. A ballot scanned into the equipment by the voter can't. AB-203 is a more secure process than the current envelope method.

Has there been a pilot of this process?

FACT: No, not yet. A pilot of the process can't be performed until the law provides for the process. We are in favor of a test pilot and have asked the Wisconsin Elections Commission to do so in several communities prior to using the process statewide. This is something they did

FACTS ABOUT AB-203 ABSENTEE VOTING EFFICIENCY OPTION

when rolling out the electronic Badger Books which is also an optional program used in managing elections across the state.

Who is supporting this and how long have they been working on AVEO legislation?

FACT: The machines instead of envelopes concept began following the Presidential Election in 2016 when a group of Professional Municipal Clerks from Southeastern Wisconsin got together to talk about election issues and brainstorm solutions. The focus expanded to solicit feedback from Municipal Clerks, County Clerks, Political Parties, League of Women Voters, Wisconsin Elections Commission staff and other interested individuals. Members of the group partnered with a local Legislator to write the legislation. In 2018, the Wisconsin Municipal Clerk's Association officially offered their support of the bill. The bill was introduced during the 2017-2018 legislative session. A public hearing was held and the measure passed the committee on the assembly side but failed to be heard by the committee on the senate side. Legislation was re-introduced during the 2018-2019 session. A joint public hearing between both assembly and senate committees was held and the measure was recommended for scheduling on the floor. AB-203 was set to be considered but was removed from the October agenda when various individuals opposed to AVEO advanced a campaign of mis-information and mis-truths. The purpose of this FACT sheet is to set the record straight about AVEO (AB-203).

I have more questions. Who can I contact?

FACT: Wisconsin Professional Municipal Clerks are the best resource for information. This is because Professional Municipal Clerks are non-partisan, professionals whose work on this legislation was for the benefit of the residents in their communities. Your local Professional Municipal Clerk is responsible for Election Administration. We are not politicians or affiliated with political parties. We are Professional Municipal Clerks who take an oath to uphold the laws of the United States, the State of Wisconsin and our communities. This is not about politics or political strategies. We are caring, local professionals who, based on our expertise in Election Administration, are trying to implement common sense, secure processes to instill voter confidence and benefit the local tax-payer. We know the job and the processes including where there are issues.

Diane Coenen, City of Oconomowoc, dcoenen@oconomowoc-wi.gov

Kelly Michaels, City of Brookfield, michaels@ci.brookfield.wi.us

Gina Kozlik, City of Waukesha, gkozlik@ci.waukesha.wi.us

Marie Moe, City of Portage, marie.moe@portagewi.gov

Elena Hilby, City of Sun Prairie, ehilby@cityofsunprairie.com

Kelly Hurst, City of Black River Falls, Kelly.hurst@blackriverfalls.us

Georgia Stanford, City of New Berlin, gstanford@newberlin.org

FACTS ABOUT AB-203 ABSENTEE VOTING EFFICIENCY OPTION

Joan Andrusz, City of Monona jandrusz@ci.monona.wi.us

Janice Moyer, Village of Menomonee Falls, jmoyer@menomonee-falls.org

Melissa Hongisto, Village of Suamico, melissah@suamico.org

Gale Tamez, Village of Wales, walesclerk@bizwi.rr.com

Wendy Helgeson, Town of Greenville, whelgeson@townofgreenville.com

Kathy Nickolaus, Town of Waukesha, clerk@townofwaukesha.us

Meri Majeskie, Town of Genesee, merim@towngenesee.org

What can I do to help?

Contact your Wisconsin Assembly Representative and Senator and tell them you support AB-203 and encourage them to support it too!

From: [Hann, Donna - MUN](#)
To: [Rep.Kerkman](#)
Subject: AVEO Bill
Date: Monday, February 08, 2021 11:03:48 AM
Attachments: [image001.png](#)
[image004.png](#)

I also ask that you take the opportunity to support the AVEO bill that we introduced last session whereby in-person absentee voters can feed their own ballot into voting equipment. In-person absentee continues to be very popular with our voters. Absentee voting has been an area of contention so making it more secure, transparent and efficient is a win-win.

Donna Hann, **WCMC**
Clerk/Deputy Treasurer
Town of Merton
W314N7624 Hwy 83
North Lake, WI 53064
262-966-2651 phone 262-966-2801 fax



**WISCONSIN TOWNS
ASSOCIATION**
Empowering Town Officials

From: [Obradovich, Gail - MUN](#)
To: [Rep.Kerkman](#)
Subject: AVEO
Date: Monday, February 08, 2021 11:07:30 AM
Attachments: [image001.png](#)

Good Morning

I ask that you please support the AVEO bill that we introduced last session whereby in-person absentee voters can feed their own ballot into voting equipment. In-person absentee continues to be very popular with our voters. Absentee voting has been an area of contention so making it more secure, transparent and efficient is a win-win.

Gail Obradovich

Gail Obradovich
Deputy Clerk/Treasurer
Town of Mukwonago
W320 S8315 Beulah Rd
Mukwonago, WI 53149
www.townofmukwonago.us/

p. 262.363.4555 option #5
f. 262.363.8377

“If you are the smartest one in the room, find a new room”

Register, request absentee ballot, and more... <https://myvote.wi.gov/>



Pop. 8156

Confidentiality Notice:

This transmission may contain information that is privileged, confidential, legally privileged, and/or exempt from disclosure under applicable law. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or use of the information contained herein (including any reliance thereon) is STRICTLY PROHIBITED. Although this transmission and any attachments are believed to be free of any virus or other defect that might affect any computer system into which it is received and opened, it is the responsibility of the recipient to ensure that it is virus free and no responsibility is accepted the Town of Mukwonago, as applicable, for any loss or damage arising in any way from its use. If you received this transmission in error, please immediately contact the sender and destroy the material in its entirety, whether in electronic or hard copy format. Thank you.

Elected Officials and Members of Official Committees: In order to comply with open meeting requirements, please limit any reply to only the sender of this electronic communication.



Date: February 11, 2021

To: Co-Chairman Cowles, Co-Chairwoman Kerkman, and members of the Joint Legislative Audit Committee

From: Janet L. Zander, Advocacy & Public Policy Coordinator

Re: Informational Testimony

The Greater Wisconsin Agency on Aging Resources, Inc. (GWAAR) is a nonprofit agency committed to supporting the successful delivery of aging programs and services in our service area consisting of 70 counties (all but Dane and Milwaukee) and 11 tribes in Wisconsin. We are one of three Area Agencies on Aging in Wisconsin. We provide lead aging agencies in our service area with training, technical assistance, and advocacy to ensure the availability and quality of programs and services to meet the changing needs of older people in Wisconsin. Our mission is to deliver innovative support to lead aging agencies as we work together to promote, protect, and enhance the well-being of older people in Wisconsin. There are over one million adults age 60 and older residing in our service area.

Thank you for this opportunity to share informational testimony on Wisconsin election laws and how they impact older adults as you discuss a proposed audit of the state's Elections Administration. As a member of the Wisconsin Elections Commission's (WEC) Accessibility Advisory Committee, I have had the opportunity to work with WEC staff on important issues such as accessible voting machines and polling sites, outreach and training, polling place accessibility checklists and audits, the complaint process, electronic voter resources, and more. As a member of the advisory committee and as an aging advocate, I am impressed by the work of this agency to address accessibility issues for older voters and voters with disabilities. The staff have always been willing to listen to our concerns, work with us on solutions, and engage with us in training efforts and resource development.

As the Joint Legislative Audit Committee meets to discuss a proposed audit of Election Administration, I would like to take this opportunity to address needed improvements to the voting process to ensure every eligible older adult (and adult with disabilities) who wants to vote, can vote, no matter where they live. In 2020, nearly 25% of the electorate were age 65 and older. Voting is a high priority for many older adults resulting in older voters forming a much larger share of actual voters than their share in the electorate (64% in the 2018 election). Despite a strong desire to vote, as people age, there are often barriers standing between their desire to vote and actually voting.

Mobility

There are a lot more older adults in Wisconsin than there used to be. Within the older population, a large and growing percentage of people are age 85 and older. And the older people get, the more likely they are to have multiple chronic illnesses, which can make it harder to get around. On top of that, many older adults no longer drive. Some parts of Wisconsin, particularly in the sparsely populated north, are a lot “older” than other parts. In those less densely populated areas, many people have a long way to go to vote. Because many Wisconsin communities don’t have public transit and it’s too far or unsafe to walk, people who don’t drive depend primarily on the generosity of friends and family to get to the polls.

Voting Requirements

Our state’s photo ID requirement put in place to help crack down on voter fraud, has been a challenge for some older voters. Getting the necessary paperwork needed to obtain a photo ID and getting to the DMV is very challenging for some older adults who can’t easily get around on their own. Because a number of older people don’t have the required ID, however, they couldn’t vote anymore. Voting absentee by mail is always a possibility, although many people aren’t sure how the process actually works. The requirement for copies of photo IDs, residency documents and witness signatures are tough for people who live alone, particularly in rural communities.

COVID-19 Pandemic

The pandemic hit Wisconsin and the rest of the country in the spring of 2020. COVID-19 was particularly dangerous for older people who were supposed to stay inside, distance themselves from other people, and wear a mask when they went outside. The pandemic exacerbated the existing challenges already facing many older voters and exposed a whole new group of older voters accustomed to voting at the polls to the challenges of navigating the absentee voting process, particularly if they lacked computer literacy or the technology needed. Many older adults and people with disabilities were self-isolating at home for health reasons and found it extremely difficult to obtain documents, copies, witness signatures, and the technology needed to register and/or vote by absentee ballot.

Voting in Residential Care Facilities and Qualified Retirement Homes

COVID-19 was especially challenging for Wisconsinites living in residential care facilities and qualified retirement homes. Facilities were/are restricting visitors, including visits by Special Voting Deputies (SVDs). The difficult decision had to be made to not send in SVDs, only to have them turned away, leaving too little time for voters to pursue the absentee voting process on their own with no support. We appreciate the efforts of WEC staff, the Board on Aging and Long Term Care staff, local clerks, the Disability Vote Coalition, and care facility staff who worked together to provide training and resources to assist facility staff providing support to voters in their facilities.

Safe, accessible, and inclusive voting has always been important to us and the aging network. The last 11 months have further elevated the challenges some older voters and voters with disabilities face – at the polls, voting absentee, and in care facilities - even more. For more information, see the Wisconsin Aging Advocacy Network's [Voting Recommendations](#).

We appreciate the interest in and efforts of policy makers to preserve, protect, and enhance the voting rights of older adults and people with disabilities. We look forward to continuing to work with you on policies that improve the quality of life of older people in Wisconsin.

Thank you for your consideration of these comments.

Contact:
Janet Zander
Advocacy & Public Policy Coordinator, MPA, CSW
Greater Wisconsin Agency on Aging Resources



612 W. Main Street, #200
Madison, WI 53703

Phone: (608) 256-0827
www.lwvwi.org



The League of Women Voters believes that voting is a fundamental citizen right that must be guaranteed. We believe election administration should be adequately coordinated and funded to achieve both statewide standards uniformly applied and local municipal effectiveness. In approaching an audit of our state's election administration system, we urge you to consider the following:

The COVID-19 pandemic complicated the elections in April, August and November of 2020. It put our election administration system to the test, and now we have an opportunity to reflect on the challenges inherent in administering elections as well as some solutions that have been shown to work.

Our state and local election officials learned from the failures of the April election and rose to the challenge to make it possible for a record number of citizens in our state to cast a ballot and have it counted in November despite the pandemic. The April election was the first in the nation to take place under protective orders in the pandemic. There was little time to adapt, and there are many reports of mailed ballots that did not reach the voters or were not returned in time. Most of these problems had been addressed by the August election. The November 2020 election, in particular, was smoothly administered and had high voter participation. These changes/improvements were only possible because of the large influx of funding from the federal government and private grantors. We commend our state and local election officials for their long hours of diligent work, and we also recognize the efforts of thousands of citizens who assisted local clerks and worked at the polls.

After the 2016 election database security breaches across the country, election agencies were provided funding designated for security. This enabled the Wisconsin Election Commission to take action to improve security of our statewide systems and provide support to local officials. The WEC was called a "model partner" by MIT staff and election security experts for its response to this threat. Additional funding from the federal government greatly reduced the burden of upgrading equipment and improving training. Our elections will continue to be under threat and future budgets and administrations must continue to support the evolving security landscape.

While the challenges of 2020 were many, some unexpected positive outcomes included enhanced methods of voter outreach, including a mailing from the Wisconsin Elections Commission encouraging registered voters to request an absentee ballot, and a younger Election Day workforce. This year our municipal clerks offered multiple ways for citizens to vote safely and securely - from home, at In-Person Absentee Voting (IPAV) sites, or at the polls on Election Day. Knowing that many of the older poll workers were at higher risk for COVID-19,

hundreds of younger community members stepped up and became election inspectors. We hope they will continue to serve in future elections.

The League had observers monitoring the voting process, including early voting, polling places, central count locations, post-election equipment audits, and the recount. As always, our observers commended the local election officials for creating a fair, efficient, and safe voting experience.

The election was secure and accurate. The recount in two counties found very few irregularities or problems, most of which were the result of human error. The audit found no evidence at all of widespread or systemic fraud in the election. Two Wisconsin State Journal reporters followed up on numerous allegations of irregularities that were received by lawmakers, and none of these allegations proved accurate. Indeed, the safeguards in our election system and our state's highly competent and responsible election officials are sufficient to ensure that our elections are fair and clean.

We can use what we have learned from elections during the pandemic to make voting more secure and accessible for all citizens in good times as well as bad. We recommend the following reforms to achieve this:

- Give the Wisconsin Elections Commission authority to create and require minimum training standards for poll workers across the state and a mechanism to ensure that training is completed.
- Implement Automatic Voter Registration to automatically update voter information whenever voters interact with the DMV. This would improve voter roll accuracy and ensure that Wisconsin has real-time address and name updates for voters.
- Expand access options to obtain a state ID for voting. Increase the options Wisconsin voters can use as forms of photo ID.
- Require risk limiting audits after each election.
- Allow voters to register to vote online whether or not they have a DMV product. This could be accomplished by allowing voters to upload a copy of their proof of residence document as they register on MyVote.
- Amend Wisconsin law to allow the Wisconsin Elections Commission to develop a screen-reader accessible, ADA compliant absentee ballot which can be electronically sent to the voter to allow voters with disabilities, including those who are blind or low vision, to vote privately and independently.
- Ensure that all who are living in residential care facilities are served by Special Voting Deputies (SVDs). In addition, expand the role of SVDs so they are dispatched to facilitate voting for voters who are in jail and are eligible to vote. Provide additional funding to municipalities to ensure they are able to fund their use.
- Restore voting rights to those who are out of jail but are completing probation or are under supervision.
- Set a standard that ensures every municipality has a minimum number of polling locations within their community based on the size of the population, located in areas

that can serve all populations in the municipality and allow voters to register and vote quickly and efficiently if they choose to vote in person on election day.

- Related to absentee voting -
 - Retain the provision for indefinitely confined voters to self-certify and to request absentee ballots without an ID.
 - Keep Wisconsin a no excuse absentee state and allow voters who are not indefinitely confined to be added to the permanent absentee list, so they do not need to re-request absentee ballots every year.
 - Continue to allow use of drop boxes.
- Counter misinformation by providing adequate funding to state and local election officials to produce and disseminate excellent voter information that is tailored to reach all voters in our diverse state population.

We urge lawmakers to reflect on the lessons of 2020 and use that knowledge to support the needs of our local election officials in their work to make it possible for every eligible citizen to register to vote, cast a ballot and have it counted.



February 10, 2021

Public Comments for Joint Audit Committee public hearing on Feb 11, 2021

The Board for People with Developmental Disabilities is Wisconsin's developmental disability council, authorized under the federal Developmental Disabilities Assistance and Bill of Rights Act (DD Act). BPDD is charged with bringing people together to solve problems, remove barriers and create statewide change for the developmental disability community. In collaboration with Disability Rights Wisconsin, BPDD leads a nonpartisan coalition to ensure the full participation of voters with disabilities in the entire electoral process.

Specific issues we have experience in working with directly with voters with disabilities that we would like to bring to your attention include:

- The need for more uniformity across the state in terms of access to accessible voting machines and accommodations. For example, curbside voting is handled differently in each municipality, but many do not have clear directions on their website or signage outside the polls about how a person should use this accommodation. Every municipality is required to have an accessible voting machine on site; however, one of the most common complaints we hear is that the machine wasn't working, wasn't turned on, or poll workers weren't trained on how to use it. Some voters with disabilities who needed assistance at the polls were not allowed to vote because the poll workers weren't trained that it is acceptable for a voter with a disability to bring an assistant with them (as long as it is not their employer or union representative).
- Poll workers need to have more training around disability accommodations to ensure they understand voting regulations and voter rights. Wisconsin should require new poll workers to complete training on core competencies before serving. This requirement may be met by completing the Wisconsin Election Commission Chief Inspector training, or equivalent training developed by local clerks. The training topics should include voter rights, accessibility, and accommodations for voters with disabilities. In addition, poll workers should be required to attend a minimum of one training program annually thereafter. Completion of training should be tracked by the Wisconsin Election Commission
- Wisconsin needs to develop a screen reader accessible, Americans with Disabilities Act (ADA) compliant absentee ballot to allow equitable access to absentee voting for voters with blindness, vision, or other disabilities who do not have the ability to physically mark the ballot and rely on assistive technology to vote privately and independently. The ballot should be electronically sent to the voter, who can then complete the ballot using appropriate assistive technology, then electronically and securely submit the ballot to the municipal clerk.
- When public health conditions permit, continue and expand the Wisconsin Election Commission Polling Place Accessibility Audits program, conducted on Election day. This should include increasing the number of audits, providing supplies to correct accessibility issues, and for WEC staff to provide additional oversight and monitoring with municipalities, as well as training for clerks and poll workers on accessibility.

BPDD would like to take this opportunity to thank the Wisconsin Elections Commission staff for their attention and response to disability related issues that have been brought to their attention including improving clerk and poll worker training, providing accessible items to municipalities, creating a better grievance system for voters who experienced problems, addressing emerging issues around curbside voting and increased absentee voting and so much more.

Beth Swedeen, Executive Director

WI Board for People with Developmental Disabilities



The #2020Census counts:

Be counted!

1-844-DIS-VOTE
www.disabilityvote.org

**Wisconsin Disability Vote Coalition
Informational Testimony for Joint Legislative Audit Committee:
Proposed Audit of Election Administration
February 11, 2021
Barbara Beckert, Disability Rights Wisconsin**

Thank you for the opportunity to share this informational testimony with the Joint Legislative Audit Committee, as a resource to provide information about the voting experience of many Wisconsinites who have a disability and older adults. We are on the frontline providing assistance to Wisconsinites with disabilities and older adults to support their participation in the electoral process, and can be a resource for your review of election administration.

The audit of election administration provides an opportunity to address the need to ensure the rights and accommodations that are essential to preserving participation of Wisconsinites with disabilities in the electoral process.

About the Wisconsin Disability Vote Coalition

The Wisconsin Disability Vote Coalition is a non-partisan effort to help ensure full participation in the entire electoral process of voters with disabilities, including registering to vote, casting a vote, and accessing polling places. The Coalition is coordinated by Disability Rights Wisconsin and Wisconsin Board for People with Developmental Disabilities. Other members include people with disabilities, and representatives of community agencies including People First Wisconsin, Wisconsin Coalition of Independent Living Centers, Access to Independence, Wisconsin Council of the Blind and Visually Impaired, Wisconsin Association of the Deaf, NAMI Wisconsin, GWAAR, the Arc Wisconsin, IndependenceFirst and many others. Our resource materials are available at <https://disabilityvote.org/>

In coordination with the Coalition, Disability Rights Wisconsin (DRW) staffs the Disability Rights Wisconsin Voter Hotline which is open year round. We provide

disabilityrights | WISCONSIN



*The Wisconsin Disability Vote Coalition is a project of
Wisconsin Board for People with Developmental Disabilities and Disability Rights Wisconsin*

direct assistance to many voters with disabilities and older adults, family members, services providers, and others seeking assistance.

Voters with Disabilities

A significant number of Wisconsin voters have a disability. To get sense of the scope of the disability vote, the CDC indicates that 26% (1 in 4) of adults have some type of disability. According to the American Association of People with Disabilities (AAPD), approximately 23% of the electorate in November election were people with disabilities.

This is a diverse group of voters. It includes people who are blind and low vision, deaf and hard of hearing, with intellectual and developmental disabilities, physical disabilities, mental health disabilities, complex medical needs, and chronic health conditions. Many older adults have disabilities acquired through aging, although they may not formally identify as a person with a disability.

Historically voters with disabilities are underrepresented at the ballot box and many experience barriers to voting including accessibility challenges, lack of transportation, lack of photo ID as so many are nondrivers, and limited information about disability related accommodations and voting rights. This year there were unprecedented challenges because many Wisconsinites with disabilities and older adults are at greater risk for COVID-19. A very high percentage of these voters wanted to vote absentee or vote early to isolate themselves from exposure to COVID 19.

Public Health Challenges

Because of the pandemic, the 2020 General Election posed unprecedented challenges. Many individuals with disabilities and older adults did not feel safe voting in person, and many were isolated at home, because of their high vulnerability to COVID 19. Health data supports this concern. Wisconsinites with disabilities and older adults enrolled in Wisconsin's waiver programs (Family Care and IRIS) comprise 17.5% of the state's total deaths. According to DHS data, 26.2% of cases in the waiver system result in hospitalization and 9.6% result in death, compared to 4.4% and .9% in the general state population, respectively. ([Medicaid Adult Home and Community-Based Services: COVID-19 Data | Wisconsin Department of Health Services](#))

Election officials had a legal and moral imperative to implement public health guidance, and ensure that voters could safely participate in a manner that did not put their health at risk. The challenges were many but WEC staff, clerks, poll

workers, and volunteers worked very hard to ensure the safety of this election and support the right of Wisconsinites to cast a ballot.

Wisconsin's Decentralized Voting System

As noted by the National Conference of State Legislatures, Wisconsin's voting system is a "unique case study in elections administration" because it is highly decentralized. Elections are run by 1,852 jurisdictions at the city, town and village level, rather than on the county level as in most other states. The smallest election jurisdiction in the state has just 45 voters and most have fewer than 1,000. Voters with disabilities experience wide variations at the local level in terms of accessibility, knowledge and enforcement of voting rights and accommodations, and training of election workers. The Wisconsin Election Commission (WEC) has provided helpful guidance and information about accessibility requirements and voter rights, but their authority and capacity to provide oversight and enforcement is limited.

VOTER RIGHTS AND ACCOMMODATIONS

Whether disabled and elderly voters voted in person or absentee, additional challenges created by the pandemic meant that it was more important than ever to have access to needed rights and accommodations which are protected by federal and state law. It is essential that these rights be protected moving forward to ensure that disabled and older voters are not disenfranchised. Our Coalition continues to see significant variation around the state in terms of the accessibility and inclusion of voters with disabilities. This testimony highlights some of the areas that could be included in the audit.

Polling Place Accessibility. Under federal law, all polling places for federal elections must be fully accessible to older adults and voters with disabilities. While Wisconsin has made progress, in this regard, the decentralized nature of our election administration means there is limited oversight and enforcement of accessibility requirements. To ensure accessibility at the thousands of Wisconsin polling places, there is a need for additional oversight and accountability.

The Wisconsin Election Commission Polling Place Accessibility Audits program is an important safeguard to identify and address accessibility concerns, however, the number of audits has decreased in recent years. When public health conditions permit, we recommend expansion of the Wisconsin Election Commission Polling Place Accessibility Audits program conducted on Election day. This should include increasing the number of audits, providing supplies to correct accessibility issues, and for WEC staff to provide additional oversight and monitoring with municipalities, as well as training for clerks and poll workers on accessibility.

WEC instituted an accessibility supply program during the pandemic provided municipalities with the option to order signage for disabled parking, curbside voting, cones, and other materials. For example, 306 curbside voting signs were distributed in the August and November elections. This successful program should be continued and expanded.

WEC provided a webinar for clerks that addressed accessibility at the polling place and legally required accommodations. Our Coalition was pleased to have the opportunity to provide suggestions on content and provide some speakers for the webinar. There is a continued need for this training.

Curbside Voting. Wisconsin law requires that curbside voting must be available at early voting sites and on election day for voters who have difficulty entering their polling place due to disability. This is a very important accommodation, and became even more important during the pandemic to accommodate individuals who are immunocompromised or have symptoms of COVID-19. During the November and April elections, we heard from voters who were unable to vote because of the lack of curbside voting. The majority of municipalities do not provide information about curbside voting or other accommodations on their websites, and it's likely that the majority do not have signage at the polling place. Given Wisconsin's aging population the need for curbside voting will continue to increase. The audit provides an opportunity to look at how this law can be more uniformly applied.

Accessible voting machines. Federal law requires that every polling place have an accessible voting machines that allows voters with a disability to vote independently and privately. Polling places audits as well as voter feedback indicate that many election workers are not familiar with the accessible voting machine and may not offer it as an option to voters. We have reports of accessible machines that are not working, not turned on, or in rare cases not available at all. There is a need for additional oversight of this requirement and training on how to educate voters and poll workers on the option to use accessible voting machines. Our Coalition welcomes the chance to partner in these efforts.

Accessible Absentee Ballot. A growing number of states are providing voters with disabilities with the option of a screen reader accessible, Americans with Disabilities Act (ADA) compliant absentee ballot to allow equitable access to absentee voting for voters with blindness, vision, or other disabilities who do not have the ability to physically mark the ballot and rely on assistive technology to vote privately and independently. The ballot is electronically sent to the voter,

who can then complete the ballot using appropriate assistive technology, then electronically and securely submit the ballot to the municipal clerk. During the pandemic, we were contacted by voters with disabilities who were seeking an accessible absentee ballot to allow them to privately and independently cast an absentee ballot. They did not feel safe voting at their polling place, and did not want to have someone else complete their absentee ballot on their behalf. Wisconsin should join other states in providing voters with print disabilities with equitable access to absentee voting.

Assistance with marking a ballot. Voters have the right to receive assistance with marking their ballot. A voter may bring someone to assist them or ask a poll worker. Poll workers are required to assist the voter if they request it. A voter cannot receive assistance from their employer or union representative. The person providing assistance must sign the ballot in the space provided for the assistor and the election worker also records the name of the assistor. There is also space to record the assistor on the absentee ballot and certificate envelope. We continue to hear from some voters with disabilities who needed and wanted assistance with marking their ballot and were denied this right.

Other Disability related Accommodations. Some voters reported denials of requested accommodations that should be available to them. These may include a chair to sit on while waiting in line, signature guide to sign their name, magnifying glass, assistance stating your name/ address, tools to help poll workers communicate with the voters such as pen/paper or easel for public announcements.

Poll Worker Training. Because of the decentralized nature of Wisconsin elections, there is wide variation in the content and amount of training for poll workers. As a result, many poll workers are unfamiliar with the rights of voters with disabilities and the accommodations they are entitled to by law, such as to have an assistor complete their ballot or to use an accessible voting machine. To ensure poll workers understand voting regulations and voter rights, Wisconsin should require new poll workers to complete training on core competencies before serving. This requirement could be met by completing the Wisconsin Election Commission Chief Inspector training, or equivalent training developed by local clerks. The training topics should include voter rights, accessibility, and accommodations for voters with disabilities. In addition, poll workers should be required to attend a minimum of one training program annually thereafter. Completion of training should be tracked by the Wisconsin Election Commission.

The Right to Vote. In Wisconsin, the right to vote is guaranteed by our state Constitution. Any person age 18 or older is eligible to vote unless the court has taken away that right. The right to vote may only be taken away by a court, usually in a guardianship proceeding, but only if the court decides that the person is *"incapable of understanding the objective of the elective process."* Wisconsinites who are under guardianship retain the right to vote unless the court has expressly removed it. The right to vote cannot be taken away by a family member, by an election official, or a care provider. Voters with disabilities sometimes have their right to vote challenged at their polling place, or may be told by a family member or guardian that they won't allow them to vote, or that they will determine who they vote for.

Many adults with cognitive disabilities are able make informed choices, but may need support to ensure that they can appropriately take part in the voting process. People who support adults with cognitive disabilities can help them register to vote, explain what to expect when they are voting, and make sure they know where they can vote in their community. If requested by the voter, they can assist them in filling out a mail in ballot or accompany them to the polling place. A voter is allowed to have someone assist with completing their ballot, but the ballot must be completed as directed by the voter. It would be illegal for a staff person, a family member, guardian or anyone else to complete a ballot not as directed by the voter.

Based on the importance and sensitivity of these voting rights concerns, we see a clear need for training for election officials, guardians, and for care staff on these aspects of voter rights and accommodations is needed for.

Access to Photo ID. Access to photo ID can be barrier for some voters with disabilities. Many people with disabilities do not drive; they do not have a driver's license and may not have other acceptable photo ID. While a free ID for voting can be obtained at Department of Motor Vehicle (DMV) offices, many people with disabilities have very limited access to transportation, especially accessible transportation. This is especially challenging in rural areas where many DMV locations have limited hours and a long commute to access of 40 minutes or more. During the pandemic, DMV locations were closed for months; some locations are still closed.

Many of the voters we support are on a fixed income; a ride to the DMV office to obtain a photo ID is not funded by Medicaid or other state transportation programs, and have limited or no access to transportation. Volunteer programs

that provide transportation to polling stations for person do not have lift equipped vehicles, so they are not usable for persons with mobility disabilities.

Wisconsin must take steps to expand options for obtaining photo ID. This could include improving DMV access by expanding hours including adding evening and Saturday hours, and co-locating state ID operations at locations that are already accessed by people with disabilities and older adults such as Aging and Disability Resource Centers and income maintenance offices. The physical accessibility of DMV offices should also be addressed.

Wisconsin could also increase acceptable photo ID options for voting purposes to be inclusive of non-drivers. Some options to consider are: Any photo ID card issued by the federal government, the state of WI, or a Wisconsin county, local government, or other governmental entity; regular college and university ID cards from all WI colleges and technical schools; high school student photo ID cards, out-of-state drivers' licenses; an affidavit for voters who have reasonable impediments to obtaining a photo ID.

Absentee Voting

Voters with disabilities and older adults always have a higher utilization of absentee voting. Many are non-drivers with limited access to transportation. In addition, polling place accessibility issues and/ or disability related or health concerns may limit their ability to vote in person. Because of the pandemic, we found that many more disabled and elderly voters wanted to vote absentee in the November election, some for the first time. Although the ability to request an absentee ballot in MyVote is very helpful, many of the voters we assist do not have the access to technology or the technical expertise to complete an online application and upload a photo ID. For those voters, it was important to also have the support to receive an absentee ballot application.

Our coalition members supported the Wisconsin Election Commissions decision to send out an absentee ballot application to every registered voter and recommend that this process continue. We were able to assist many disabled and elderly voters with the process of requesting an absentee ballot. Some still struggled with the requirement to provide a copy of a photo ID as they did not have someone to assist them with making a copy and were isolating during the pandemic and not able to go to a retail outlet or public facility to have a copy made.

Because of isolation and lack of transportation, many voters struggled with the witness requirement. We tried to assist those voters with options to secure a witness and in some cases were able to recruit a community volunteer to serve as

a witness. In some cases, we were not able to assist and voters may not have been able to safely secure a witness.

Voters were also anxious to ensure that their absentee ballot would be received on time and that their vote would be counted. Media coverage about delays in postal service as well short timelines contributed to the challenges. We were able to provide voters with information about secure absentee drop boxes as an option for returning their absentee ballots. Because of disability and/or lack of transportation, many disabled and elderly voters relied on a neighbor, family or other community members to return their ballots.

Early in person voting is another form of absentee voting that was vitally important to many disabled and elderly voters. We assisted many voters who had questions about options for voting safely and were worried about heavy turnout on election day. Early voting provided them with an important option to vote safely. Since so many are non-drivers, it also provided more options to schedule a ride.

For voters with disabilities, it is very important to continue to have a continuum of options to cast a ballot including absentee voting, early in person voting, and options such as secure drop boxes for returning a ballot.

Importance of Indefinitely Confined provision

Wisconsin's indefinitely confined statute has been on the books for decades, and provides an important safeguard to ensure many disabled, elderly and chronically ill voters can cast a ballot. An Indefinitely confined voter is a person who, because of age, physical illness, infirmity or disability, may have difficulty traveling to the polling place, and wants to cast an absentee ballot. An indefinitely confined voter can reside in their own home, apartment, nursing home, or other care facility. An indefinitely confined voter does not need to provide a copy of photo ID. Instead, the witness' signature on the Absentee Ballot Certificate Envelope **satisfies the photo ID requirement**. The voter registration process also requires the voter to prove their identity with proof of residency.

In our work assisting voters with disabilities and caregivers, we have seen the importance of the indefinitely confined provision. It is understandable that usage increased this year. Many individuals did not feel safe voting in person, and many isolated at home, because of their high vulnerability to COVID 19. This provision is very important to many voters with disabilities, older adults, and voters with physical illness who live in the community as well as in care facilities, who have difficulty voting at their polling place. Wisconsin's Indefinitely Confined provision allows these voters to automatically have an absentee ballot sent to them for

every election. It is also helpful for voters who may be confined on an interim basis such as recovering from surgery – they may designate as indefinitely confined for a period of time, then notify their clerk when their status changes.

The voters we assisted rely on the indefinitely confined provision, not because they do not want to provide a photo ID, but because of their disability, illness, infirmity, or age. In some cases, these voters have a photo ID: the recent WEC report on the 2020 election indicates that 80% of all indefinitely confined voters had a photo ID on file or had shown their ID sometimes in the past four years when they voted in person. Voters may be unable to upload a photo ID because of limited access to technology or limited ability. Obtaining a copy of a photo ID can also be a barrier for many voters with disabilities, especially during the pandemic, as addressed earlier in this document. The Indefinitely Confined provision allows these voters the option to satisfy the photo ID requirement through the witness' signature on their absentee ballot certificate envelope.

Wisconsin's photo ID law includes a substitution for military and overseas voters and indefinitely confined voters; confidential voters are exempt from the requirement. These provisions ensure that these voters are not excluded and discriminated against and can participate in the electoral process. We received many calls from older adults and people with disabilities requesting assistance with requesting an absentee ballot and this provision was very important to them.

Because of these significant barriers, Wisconsin provides the option for Indefinitely Confined voters to satisfy the photo ID requirement by the witnesses' signature. The Indefinitely Confined option is vital to preserving this constitutional right for many Wisconsinites who are disabled, elderly, ill or infirm. It would be helpful to have education for members of the public, as well as local election officials to provide a better understanding of the Indefinitely Confined provision.

Voters in Care Facilities

A significant number of indefinitely confined voters live in congregate care facilities. These include nursing homes, group homes, adult family homes, and other assisted living facilities. Residents include younger people with disabilities, as well as older adults.

Many, but not all care facilities, are eligible to have Special Voting Deputies dispatched by the clerk conduct in person absentee voting. Based on recommendations from public health experts regarding the high vulnerability of residents in nursing homes and other care facilities, Special Voting Deputies (SVDs) were not dispatched in the recent elections. This was a very difficult

decision to make but was made to protect the health and the lives of care facility residents and staff.

The *Wisconsin Election Commission November 3rd Data Report* indicates that in November 2020, 22,303 active registered voters who previously were served by SVDs requested a by-mail absentee ballot. This compared with November 2016, when the special Voting Deputy population size was 21,701.

We look forward to a time when it will be safe to bring in SVDs, and see opportunities to improve the SVD program:

The audit is an opportunity to determine if and how clerks are reaching out to care facilities. Are all eligible care facilities supported by SVDs, and are care facility residents receiving the assistance they need with voter registration and with applying for an absentee ballot? The data from 2016 indicates a relatively small number of care facility residents are participating in the SVD program: 21,701.

As of February 9th, 2021, these are the number of potentially eligible care facilities and beds in Wisconsin. Although not all residents may be eligible to vote, the presence of over 87,000 beds suggests that Wisconsin can and must do more to support the right of care facility residents to vote.

Facility Type	Facilities	Beds
Nursing Home	360	28,057
CBRF	1,655	34,375
AFH	2,137	8,254
RCAC	349	16,598

We strongly support provision of training to facility staff to ensure the voting rights of residents. This should include offering assistance with voter registration as part of the intake process. Care facility care plan/chart for each resident should indicate whether an individual wishes to vote in upcoming elections, so assistance filing an absentee ballot request and ongoing voting support can be provided.

There will continue to be smaller residential facilities who do not have access to SVDs and there may be other health outbreaks that limit use of SVDs at some facilities. SVDs only visit a facility twice and this may not provide the opportunity to assist all residents. In addition, given the number of potentially eligible facilities, and the small number of SVD voters, it's unclear how eligible facilities

are being identified and what proactive outreach is taking place. The current statute indicates that the second SVD visit can take place as late as the Monday before the election, and clerks can not mail out absentee ballots until that second visit occurs. This has the potential to disenfranchise some care facility voters. We recommend that the Audit review and reconsider this process. Wisconsinites should not lose their right to vote privately and independently because they live in a group home or nursing home.

Given the current limitations of the SVD program, some care facility voters will need to vote without an SVD. In those cases, residents should have the option of requesting assistance from staff. If requested by the voter, staff can assist them in filling out a mail in ballot or accompany them to the polling place. A voter is allowed to have someone assist them with completing their ballot, but the ballot must be completed as directed by the voter, and the assistor must be recorded. It would be illegal for a staff person, a family member, guardian or anyone else to complete a ballot not as directed by the voter. Care facility staff who assist voters should have the opportunity to participate in training on voter rights, voting regulations and timelines, and the specifics of the process for providing assistance and for witnessing a ballot.

Thank you for your consideration and we stand ready to work with you to ensure the accessibility of Wisconsin elections and to preserve the rights of voters with disabilities and older adults.

From: [Molly Collins](#)
To: [Sen.Cowles](#); [Sen.Marklein](#); [Rep.Kerkman](#); [Sen.Kooyenga](#); [Sen.Carpenter](#); [Sen.Agard](#); [Rep.Macco](#); [Rep.Born](#); [Rep.Hesselbein](#); [Rep.Hong](#)
Subject: Wisconsin Election Protection Report on November Election
Date: Thursday, February 11, 2021 8:05:40 AM
Attachments: [Election Protection Report - Nov 2020.pdf](#)

Dear Legislators,

I write to share Wisconsin Election Protection's report on the November 3, 2020 general election, which was released today. Wisconsin Election Protection is a non-partisan organization, part of a nationwide coalition of organizations that include Advancement Project, Alliance for Youth, All Voting is Local, American Civil Liberties Union of Wisconsin, Asian American Legal Defense and Educational Fund, Brennan Center for Justice, Common Cause, Democracy Initiative, Disability Rights Wisconsin, Lawyers' Committee for Civil Rights Under Law, League of Women Voters, Milwaukee Area Labor Council, NAACP, National Action Network, National Bar Association, National Coalition on Black Civic Participation, State Voices, Sojourners, Religious Action Center, Rock the Vote, Verified Voting Foundation, Voces de la Frontera, Voting Rights Lab, Wisconsin Conservation Voices, and Wisconsin Voices.

We hope you will consider these findings in your efforts to ensure Wisconsin elections run smoothly in the future, and that all Wisconsin voters are able to cast a ballot.

--

Molly Collins
Advocacy Director
ACLU of Wisconsin

Pronouns: She/Her/Hers

Visit our website at aclu-wi.org
Like our [Facebook](#) page or follow us on [Twitter](#)



Release Date: February 11, 2021

Wisconsin Election Protection 2020 Fall Election Report

*Report from Non-partisan Observers of Voting in the
November 3, 2020 General Election*

By:

Legal Coordinating Committee of WISCONSIN ELECTION PROTECTION
& LEAGUE OF WOMEN VOTERS OF WISCONSIN

TABLE OF CONTENTS

Introduction	2
General Findings	4
Voter Turnout	5
Voting Absentee by Mail	6
Early Voting	10
Election Day Voting	11
Accessibility	23
Misinformation & Intimidation	27
Recount	29
Post Election Equipment Audit	29
Recommendations	31
Conclusion	42

Introduction

WISCONSIN ELECTION PROTECTION (WEP) is a non-partisan organization, part of a nationwide coalition of organizations including Advancement Project, Alliance for Youth, Asian American Legal Defense and Educational Fund, Brennan Center for Justice, Common Cause, Democracy Initiative, Lawyers' Committee for Civil Rights Under Law, League of Women Voters of the United States, NAACP, National Action Network, National Bar Association, National Coalition on Black Civic Participation, State Voices, Sojourners, Religious Action Center, Rock the Vote, and Verified Voting Foundation. Locally, WISCONSIN ELECTION PROTECTION includes affiliates of these national groups, as well as Milwaukee Area Labor Council, American Civil Liberties Union of Wisconsin Foundation, All Voting is Local, Wisconsin Conservation Voices, Disability Rights Wisconsin, Voting Rights Lab, Wisconsin Voices, and Voces de la Frontera.

The LEAGUE OF WOMEN VOTERS OF WISCONSIN (LWVWI OR THE LEAGUE) is a nonpartisan, grassroots, political organization established in 1920 that advocates for informed and active participation in government. Our members are women and men who work to improve our systems of government and impact public policies through education and advocacy. The League of Women Voters of Wisconsin operates at the state level with grassroots support from 20 local Leagues across the state.

Both WEP and LWVWI actively engaged in election protection work before, during, and after the November 3, 2020 election.

The Purpose of ELECTION PROTECTION & ELECTION OBSERVATION

The purposes of WISCONSIN ELECTION PROTECTION and of the LEAGUE OF WOMEN VOTERS OF WISCONSIN'S ELECTION OBSERVATION PROGRAM are to protect voter rights, to expose and prevent voter intimidation, and to preserve access to the polls for all eligible voters. These initiatives also allow us to document problems and best practices for the purpose of improving election administration and ensuring that elections continue to be free, fair, and accessible in Wisconsin. ELECTION PROTECTION's participating organizations have differing responsibilities before the election, on Election Day, and in the reporting afterwards. All organizations contribute to recruiting volunteers, and citizen election observers are critical to these efforts.

The LEAGUE OF WOMEN VOTERS OF WISCONSIN'S ELECTION OBSERVATION PROGRAM serves dual purposes – to monitor and document the voter experience on Election Day and to have trained election observers at polling sites to intervene if necessary to prevent voter disenfranchisement. For

this election, the LEAGUE OF WOMEN VOTERS OF WISCONSIN, in collaboration with their election protection partners, expanded their election observation program and recruited over 200 non-attorney volunteer election observers to monitor early voting in select communities, over 600 polling places on Election Day, 27 central count locations, 38 post-election equipment audits, and the partial recount in Dane and Milwaukee Counties.

The polling sites were selected by the organizers of this program in an effort to objectively observe the Election Day process at a variety of sites across Wisconsin. These sites include urban and rural areas as well as polling places with reported problems by this program in past years. Observers were also placed at polling sites that have large populations of student voters and serve Tribal communities in Wisconsin.

The LEAGUE trained observers to witness the application of laws concerning the use of IDs in voting, polling site organization and mechanics, the ease of registration, as well as the knowledge of election officials and polling site management. Observers were given access to the WISCONSIN ELECTION PROTECTION team of attorneys to answer legal questions and report issues that needed to be addressed on Election Day. LWVWI staff also coordinated with WISCONSIN ELECTION PROTECTION to dispatch LEAGUE observers as needed to polling sites requiring additional attention.

Post-election, LEAGUE election observers returned 500 reports from 433 polling sites, which were used for the analysis of this report. The organizers analyzed the information for trends and flagged narrative information on voters who had specific problems voting in the November 3 election. LWVWI also created a survey (in English and Spanish) through which voters could share information on their experiences voting, to which 423 voters responded.

In addition to the LEAGUE OF WOMEN VOTERS OF WISCONSIN'S ELECTION OBSERVATION PROGRAM, the LEAGUE helped recruit poll workers at the state and local levels. LWVWI reached over 16,500 people with poll worker recruitment messages. Many local League members serve their communities every election as election officials. Additionally, many past volunteer election observers go on to serve as poll workers in future elections.

The MILWAUKEE AREA LABOR COUNCIL implements the national AFL-CIO's voter protection program, which is a non-partisan effort to protect voting rights. The Labor Council recruited, trained and placed observers in Milwaukee Aldermanic Districts 1, 2, 4, 6, 7, 9, and 15. The Labor Council has worked diligently over the years to dispatch African American union members to monitor polling places in locations that have predominantly African American voters, as such locations have had the most interference in past elections.

The WISCONSIN ELECTION PROTECTION Legal Coordinating Committee recruits, trains and assigns lawyers who have volunteered to address problems that arise on Election Day. Prior to the November 2020 election - and particularly in light of April, 2020's dramatic decline in poll workers

due to the pandemic - WISCONSIN ELECTION PROTECTION also made the decision to help ensure adequate staffing at polling places by referring many well-educated, lower-risk persons to volunteer as poll workers.

WISCONSIN ELECTION PROTECTION monitored the election by answering hotline calls and by posting on social media. In conjunction with the Lawyers' Committee for Civil Rights and the national 1-866-OUR-VOTE hotline, WISCONSIN ELECTION PROTECTION answered calls from voters for assistance and information in the days leading up to the election and on Election Day. Throughout Election Day, nearly a dozen volunteer attorneys staffed a central command center, answering and responding to calls to the 1-866-OUR-VOTE hotline and to social media requests, and responding by telephone to questions from poll observers and attorneys in the field as they identified problems at polling sites. In addition, Wisconsin Election Protection relied on 60 volunteer attorneys in 20 communities to "rove" to multiple polling sites, some previously assigned and some added as needed. WISCONSIN ELECTION PROTECTION trained these attorneys on the intricacies of Wisconsin election law.

Social media was also an important part of these efforts. WISCONSIN ELECTION PROTECTION AND THE LEAGUE OF WOMEN VOTERS OF WISCONSIN used Facebook, Instagram and Twitter to reach out to hundreds of thousands of voters around Wisconsin – both to provide and receive information. Voters posted questions and concerns that were answered by WISCONSIN ELECTION PROTECTION attorneys. In the month prior to Election Day until Nov. 6, the provisional ballot cure deadline, WISCONSIN ELECTION PROTECTION'S Facebook postings reached more than 109,000 viewers and our tweets had more than 54,000 impressions. The LEAGUE OF WOMEN VOTERS OF WISCONSIN'S Facebook posts reached more than 1.2 million viewers in the month leading up to the election, including more than 78,000 viewers on the day before Election Day and on Election Day.

General Findings

We are pleased to report that most polling sites across the state correctly and efficiently administered this election. The Wisconsin Elections Commission (WEC) estimated that a record number of Wisconsin citizens voted in this election, more than 72 percent of the voting age population. As in the past, our observers and attorneys were impressed by the professionalism and dedication of Wisconsin's Election Day workforce. Election officials maintained orderly polling places where voters were welcome, safe and well-served. The problems that did arise appeared to be limited and site-specific, rather than the result of a generalized inability of the system to handle a large turnout amid changes in the law.

Most notably, despite the vast increase in absentee voting by mail, elections officials, community advocates, and voters themselves, stepped up to provide full and accurate information and facilitate

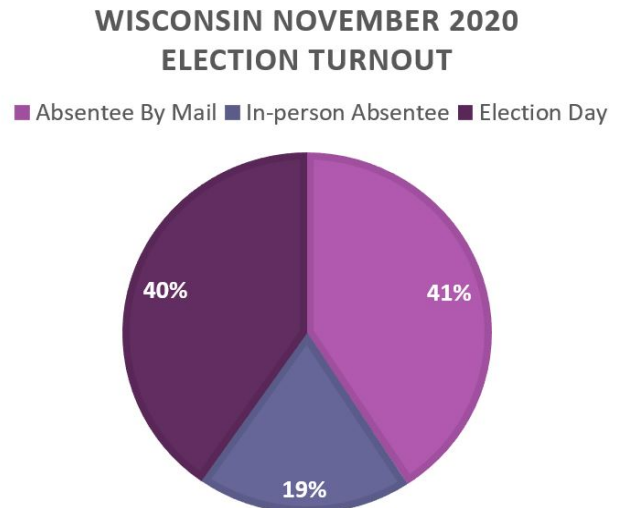
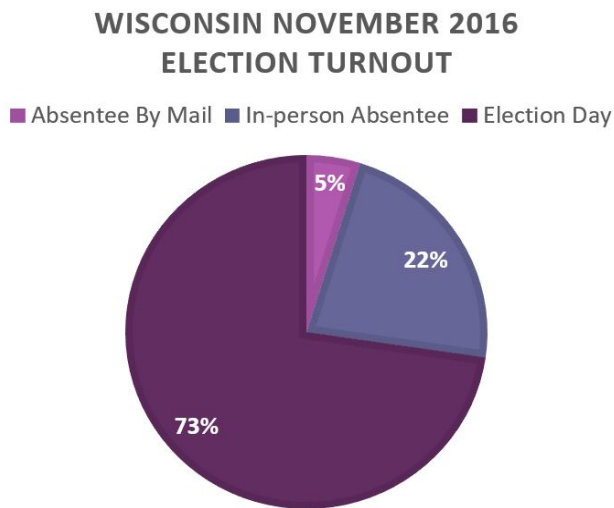
absentee ballot applications and returns, especially between the time when the COVID-19 pandemic began in March and the fall election season. As a result, the rate of rejected absentee ballots plummeted from 1.8 percent in April 2020 to a mere 0.2 percent in November 2020.¹

There are areas, as discussed below, where we do see room for improvement. Nevertheless, Wisconsin elections officials, advocates, and voters should be proud of their successful participation in a major election in the midst of a pandemic.

Voter Turnout

A record number of voters - 3,297,524, more than 72 percent of Wisconsin's voting age population - participated in the November election.² Most striking, though not surprising in light of the pandemic, was the massive increase in both raw numbers and percentages of persons voting absentee by mail, especially compared to prior general elections.

- Absentee by Mail - 1,346,731;
- In-person Absentee (Early Voting) - 653,236;
- In-person on Election Day - 1,297,557.³



¹ Wisconsin Elections Commission, November 2020 Election Data Report (“Election Data Report”) (released Feb. 3, 2021) at 13 (viewed 2/4/21) at: <https://elections.wi.gov/sites/elections.wi.gov/files/2021-01/D.%20November%202020%20Election%20Data%20Report.pdf>

² Election Data Report at 3-4.

³ *Id.* at 4, 12 (Election Day voters calculated by subtracting mail and in person absentee voters from total number of voters).

Voting absentee by mail means that voters *received* their ballots by mail. While some voters also mailed their ballots back, many took advantage of other options, such as using a drop box or delivering the ballot to their clerk's office.

For example, according to the LWVWI survey, in which 287 of the respondents received an absentee ballot by mail:

- 162 people voted absentee by mail;
- 144 people received their ballots by mail but returned them to a drop box or clerk's office;
- 66 people voted early; and
- 45 people voted on Election Day.

Voting Absentee by Mail

As noted above, there was a substantial increase in absentee by mail voting for the November election compared to prior general elections. In contrast to the April election, where we were inundated with complaints and concerns about the absentee by mail process, the November absentee process was vastly improved.

Credit is due to the WEC and municipal clerks for learning lessons from the mail-voting failures of the April 2020 election and taking numerous steps to improve the process and facilitate voting by mail. Credit is also due to the numerous civic groups who worked to improve voter knowledge about the absentee process.

November's absentee by mail voting ran smoother due to a number of improvements that were implemented. These include more lead time for voters to prepare for the process (in contrast to the last-minute flood of absentee requests that occurred in March and April); voters' ability to request absentee ballots for the full year so that there was not the high number of last-minute requests that occurred earlier in the year; the WEC's decision to mail ballot applications to all registered voters about two months before the election; clerks' mailing ballots to voters with absentee requests on file by mid-September; software upgrades and the addition of intelligent mail barcodes that helped ensure timely ballot processing and allowed voters to track the status of their ballots; and widespread promotion and use of drop boxes to facilitate ballot return by voters concerned about mailing completed ballots back to the clerks.

In stark contrast to the concerns about the April election, voters responding to LWVWI's survey reported significantly fewer issues voting absentee in the November election. The rate of voters reporting issues voting absentee dropped from approximately 60 percent of voters in April to approximately 3 percent of voters in November. For the November election, we only received two complaints about ballot application problems and both were related to minor technological problems.

- *A Milwaukee voter “went to the website to complete my request for an absentee ballot, the site kept telling me that my application was accepted, but every time I checked, it said I was not registered. I completed the process seven times, and each time with the same result -- that I was not registered for an absentee ballot. I finally got help from a real person on the phone and she was able to complete the application for my absentee ballot successfully.”*
- *“Requesting the absentee ballot online required uploading a picture of my drivers license. That I could do but only a portion of my license was displayed and it did not match the full license used in the example so I thought something was wrong.”*

The vastly increased satisfaction with mail absentee voting showed in contacts we received from voters.

- *In Madison, “My husband and I were able to order all of our absentee ballots for the year, which was very helpful. . . I also appreciated being able to check myvotewi to see when my ballot was received. It was recorded as received the day after I dropped it off.”*
- *Also in Madison, “It would be great if there was a way to convince more voters to sign up for absentee voting at the beginning of the year. My ballot arrived very quickly from the election commission, but it also was sent out in Sept.”*

We also heard from voters who appreciated the ability to go on a “permanent” absentee list as indefinitely confined.

- *In Kaukauna, “I love that my disabled husband will always get a ballot automatically.”*

In contrast to the 107 voters who reported not receiving ballots in April, for this election only three voters, one each in *Madison, Milwaukee, and Stevens Point*, reported to us that they had requested but not received their absentee ballots. Unfortunately, one person was out of state and therefore was not able to vote at all.

Ballot Return Processes

Numerous voters expressed appreciation for the improvements made by municipalities around the state to facilitate mail absentee ballot collection for voters uneasy with returning ballots by mail.

- *In **Hartland**, “I requested and received an absentee ballot, but the envelope to return it did not have an address on it, and I was hesitant to write it on the envelope because it is supposed to be stamped on it, so I took it directly to the village clerk.”*

Drop boxes were particularly appreciated, were found around the state, and, according to reports to LWVWI, were used more frequently than in April. Twelve LWVWI volunteers also reported on 19 drop boxes in about 10 communities, among many other municipalities. Not only were they more available, but municipalities shared more information about where and how to use them. Observers reported that all of the drop boxes were clearly labeled and looked secure. The vast majority were easy to locate, although in some cases signage could have been improved or the boxes could have been placed in locations with better lighting in the evening.

- *In **Madison**, “The tamper-proof temporary ballot collection boxes were awesome! So easy!”*
- *In **Green Bay**, the drop box was easily accessed from a car.*
- *In **La Crosse**, a description and photo of the ballot dropbox, security, and so on, was included with the absentee ballot mailed to voters.*
- *In **Beloit**, “it was great to have a drop box outside City Hall so that my absentee ballot did not have to go through the USPS.”*
- *However, in **Janesville** the proximity of an absentee ballot drop box next to another drop box used for other municipal purposes also created the potential for confusion among voters looking to use their community’s drop box. It is important drop boxes have clear signage to avoid potential confusion.*

At some ballot return locations, voters also could obtain witnesses if needed.

- *In **Milwaukee**, there were people available at the drop box location who were able to serve as witnesses for voters completing their absentee ballots. This is a great service for voters who might not otherwise have had a witness.*

- *In **Madison**, “Finding a witness for my absentee ballot is always a bit of an issue, because I don't like to ask someone else to do that. Democracy in the Park was very helpful to me and thousands of other Madison residents; other municipalities should consider similar events.”*
- *In **Tomahawk**, the “clerk served as a witness willingly. I live alone and otherwise would have had more trouble voting because of the requirement.”*

Many municipalities provided information on drop boxes about collection times and processes, including 63 percent of those our volunteers observed. Other municipalities did not provide information regarding drop boxes or did not give any notice to voters about when the last pick up would be, which is a particular concern on Election Day.

- *In **Milwaukee**, drop boxes indicated both intervals when ballots would be collected (e.g., every two hours), and the final collection time on Election Day.*
- *In contrast, in **Oconomowoc** the final pick up time was not noted on the signage at this “slot” in the back of City Hall outside the door to the old police department, and the voter had to speak with the clerk to ascertain the final pick up time.*

It is also important to educate voters about the drop box process and make sure they know that they must use the drop box that corresponds to their municipality, even if that is farther from their home than another box.

- *One **Brown County** voter reached out to Wisconsin Election Protection because the voter wanted to use the drop box nearest their home and did not realize (until they contacted us) that they had to use the drop box for their own municipality.*
- *“As a City of Madison ballot drop-off courier, I found dozens of ballots from outside of Madison. Hopefully most reached their destination but those collected in the last day simply could not have.”*

These improvements almost certainly contributed to the significant decline in rejected absentee ballots. Of nearly 2 million absentee ballots returned, only 4,270 were rejected, including only 0.07 percent for insufficient certification, 0.06 percent for voter ineligibility, and 0.05 percent for arriving after Election Day.⁴ This stands in contrast to April, when 23,196 returned absentee ballots were rejected, including 1.2 percent for insufficient certification, 0.004 percent for voter

⁴Election Data Report at 12.

ineligibility, and 4.5 percent for being postmarked after Election Day or arriving after the extended deadline.⁵

Early Voting

Early voting, which in Wisconsin is a form of absentee voting, was used by almost one in five voters. While it largely occurred in person at designated locations, some communities included drive up early voting as an option. It was a vast improvement that more voters were aware of options like early voting, absentee voting, and curbside voting, but more needs to be done to ensure voters know they always have these options, not just during a pandemic.

- *As a **Green Bay** voter noted, “Good experience. Will probably vote early again if given the option”*

This year early voting posed more challenges because a few months before Election Day, a court decision restricted the time for early voting to at most the two weeks before the election.

- *On the first day of early voting, lines more than an hour long were reported in multiple locations, including **Green Bay, Milwaukee, Middleton and Racine**. There were also relatively long lines in **Madison and Oshkosh**.*
- *In **Appleton**, “the line at 0800 on the 1st day of voting stretched out onto the city sidewalk in the cold morning. Only 20 voters were allowed on the 6th floor for voting. By threes we could enter the elevator to get to the 6th floor to vote. Not physically distanced in the lobby--no floor markers--so was ‘on one’s honor’ to space out. No masks available for those without them. The entire process took 45 minutes.”*
- *A voter also reported that **Appleton** did not have early voting for the entire two week period. This was also likely true in other parts of the state.*

Contributing factors reported to us that added to the delays included a lack of trained staff available to work early voting, the compressed timeline for early voting, and limited processing capacity of WisVote. In response to those delays, some clerks, including ones in Milwaukee and Madison, made plans to have additional poll workers available for subsequent early voting days. The WEC also added additional bandwidth to WisVote to speed up processing times during early voting.

⁵Election Data Report at 13.

In addition, state law requires that early voting sites be selected no fewer than 14 days prior to the time absentee ballots are available for the primary. For the November 2020 election, this meant early voting locations were required to be established by June 11, 2020. Consequently, municipalities that sought to use bigger or more convenient early voting sites in light of the pandemic and/or the decrease in early voting duration, were unable to make those changes.

- *In Milwaukee, the city had to cancel its plans to use the (large) Fiserv Forum for early voting and Miller Park for drive up early voting, because it had not listed those sites months earlier, before the city knew they would be available.*
- *An Appleton voter questioned why large facilities, such as school auditoriums or empty “big box” locations, were not being used for early voting.*

Election Day Voting

Because far more voters voted early - by mail or in person - this Election Day was quieter than in past major elections. It is also clear that elections officials worked hard to remedy failures from April - particularly regarding the lack of poll workers to staff the election.

In particular, while in April 46 percent of survey respondents reported long lines at polling places, by November only 21 percent did. In addition, nearly 73 percent of survey respondents reported there were exceptional poll workers at their polling places.

Change of Polling Locations

Over the course of 2020, locations of polling places changed significantly from previous years. Many communities - most notably Milwaukee and Green Bay in the April 2020 election - moved and consolidated their polling places due to COVID-19. For the November 2020 election, officials made concerted efforts to improve staffing to keep more polling places open. For example, Madison, Milwaukee, and Waukesha increased their number of polling places so that 85 percent of polling places were open. Nevertheless, some municipalities, including Green Bay, Janesville, and Kenosha, opened less than 50 percent of polling places. Changes in polling places caused confusion for voters and poll workers alike.

- *A Milwaukee poll worker noted, “I was a poll worker and the main issue we had was that people were getting bounced around to different polling sites.”*

<u>Number of Open Polling Places in April Elections in 2018 and 2020 and in November Elections in 2016 and 2020 in the Top 10 Most Populous Municipalities in Wisconsin</u>						
Municipality	# Polling Places April 2018	# Polling Places April 2020	% Polling Places Open in April 2020	# Polling Places Nov 2016	# Polling Places Nov 2020	% Polling Places Open in Nov 2020
Milwaukee	182	5	2.7%	181	173	95.6%
Madison	87	66	75.8%	87	86	98.9%
Green Bay	31	2	6.4%	38	16	42.1%
Kenosha	23	10	43.5%	24	10	41.7%
Racine	17	14	82.4%	18	14	77.8%
Appleton	15	15	100%	15	15	100%
Waukesha	15	1	6.7%	15	13	86.7%
Oshkosh	16	14	87.5%	16	16	100%
Eau Claire	20	20	100%	20	20	100%
Janesville	10	4	40%	10	4	40%

Municipalities are required to establish the location of polling places 30 days before an election, although emergency changes are allowed. This minimum time frame is important, as it allows voters a chance to identify where they are supposed to vote and gives election officials time to update WisVote and MyVote. Unfortunately, there were a few instances reported by observers where changes to polling places were made after the 30 day deadline. For example:

- *Wingra School in **Madison** was listed as a polling place, however it was closed less than 30 days before Election Day, and lacked signage to redirect voters to the correct polling location.*
- *The Sunnyview Exposition site in **Oshkosh** had been converted to a COVID-19 testing site and the wards absorbed into the polling place at Oshkosh Elks Lodge.*

Public Health/COVID Safety

Public health and safety were of critical importance for poll workers and voters who chose to vote in person. Organization of and supplies at polling places were much improved since April, and most poll workers and voters observed appropriate safety protocols. For example,

- 367 polling sites offered hand sanitizer to voters.
- 36 locations offered masks to voters who did not have them.
- *Lodi had a dedicated voting booth sanitizer volunteer.*
- *In Greenville, all staff were wearing masks and plexiglass barriers were in place between workers and voters.*
- *In Antigo, in addition to plexiglass, a disposable Q-tip, rather than the voter's finger, was used to use the voting machine and voters were given clean pens to sign the poll list.*
- *In Cottage Grove, they asked voters to use hand sanitizer and cover their fingers with a tissue before signing the Badger Book screen.*
- *At one site in Fort Atkinson, there were marks on the floor to help with social distancing.*
- *In Green Bay, the Packers' Tailgate Village at Lambeau Field and Bay Beach amusement park - both larger facilities - were used as polling places.*
- *In Bayfield a voter reported, "Our polling place Layout was at least double its usual size to allow for social distancing and extra protection measures."*

On the other hand, there was non-compliance with COVID-19 safety protocols in a number of locations. For example, while the WEC determined that voters could not be forced to wear masks, it required poll workers to do so. That did not always occur. For example:

- At 45 polling sites it was reported that poll workers did not have methods set up to maintain social distancing.
- At 81 sites observers reported that the poll workers were not sanitizing stations regularly.
- *At polling sites in locations including Appleton, Grafton, Green Bay, Hudson, Knapp, and South Milwaukee, and the towns of Lessor, Stanton, Waterford, Farmington and*

Newport, observers and survey respondents reported that poll workers were not wearing masks.

- *In Edgerton, “two people with Covid-19 came into the polling place. The Chief Inspector asked the two people to immediately leave through the back door (which meant they walked through the building) and then closed the polls while the Chief Inspector and another poll worker went outside with them to let them vote. They cleaned surfaces after the two people left. Polls were probably closed for about 10 minutes.”*

Half of those who responded to the survey and voted in person were at sites where they reported there was an innovative layout of the polling place allowing for safe social distancing.

Nevertheless, there were 36 reports that some polling sites were just too small for social distancing, and efforts to distance required voters to wait outdoors. For example,

- *At one Milwaukee location, “There was a line outside. Fortunately it moved rather quickly and the weather was good. The process went smoothly. It took about an hour overall to wait in line and to vote. My biggest concern was the air quality in the building where I voted. It seemed ‘stuffy’ and I was concerned about Covid-19 transmission due to poor ventilation.”*
- *At a Madison location, “People were literally standing smashed together. There was room in the hallway for voters to wait with 6 feet between them, but no attempt at social distancing inside the voting room. Even under non-pandemic conditions, this tight space cannot accommodate all the polling place functions.”*
- At eleven percent of observed sites, because of Covid distancing, there was no place between 3 and 8 feet from poll workers for observers to sit.

Polling Place Organization

Signage both inside and outside of a polling place provides important instructions for voters attempting to cast their ballot on Election Day. Outdoor signage, when done well, directs voters to the polling place, helps voters find accessible entrances, and helps voters utilize curbside voting, if needed. This was not, however, always present.

Of the sites observed:

- 53 sites did not have obvious signage outside of the polling place
- 85 sites did not have clear signage distinguishing registration lines from voting lines;

- 72 sites did not have clear signage showing ward boundaries.
- *An observer also assisted a voter at one dark and vacant-looking **Milwaukee** site, helping the voter find the polling place entrance on the far side of the building. There was not any signage to show where the entrance was. Without the observer's help, the voter would not have made it inside the polling place to vote before 8 pm.*

Even though the number of in person voters on Election Day was lower than in past years, there were still a considerable number of reports of lines at polling sites. Eighty seven of the observed sites had more than 15 voters waiting to vote, 37 had more than 10 voters waiting to register, and 26 had long lines for both registration and voting.⁶ Some locations were significantly worse. For example:

- *In **Appleton**, "I had arrived about 11:30am and approximately 100-125 voters were waiting. This location had the most poll workers of the 4 I saw but clearly not enough. Once an additional station was opened the line began moving more quickly."*
- *In **Greenfield**, two sites had long lines of 150 or more people waiting to vote. At one site the line wrapped around the block.*
- *A **Janesville** voter waited 1 hour and 15 minutes to vote over the noon hour.*
- *In **West Allis**, there were more than 200 people in line to vote.*
- *In **Grafton**, "the line was long because the site is too small. In trying to maintain social distancing, only a few people were allowed in at a time. There did not appear to be any effort to efficiently sort the waiting voters by ward that might have helped move it along faster."*
- *In **Evansville**, registration stopped for about 30 minutes because they ran out of registration forms and had to wait for them to be brought from City Hall.*
- *In **Newport**, they ran out of ballots. The copies that were made would not work in the machine, so some voters had to wait until the clerk came back with more ballots.*

⁶The communities with one or more polling places observed to have long lines for both registration and voting were Appleton, Baraboo, Beloit, Colfax, Evansville, Fort Atkinson, Glendale, Grafton, Greenfield, Hobart, Janesville, Middleton, Milwaukee, Oconomowoc, Pleasant Prairie, Racine, Verona and West Allis.

- *A **Fort Atkinson** voter suggested a need for better signage to separate registered from unregistered voters.*
- *A **Milwaukee** site opened late, and later in the day had long lines. The site would have benefitted from splitting the poll books.*

Unfortunately, lines can lead to people not voting.

- *In **Menomonie**, there were voters waiting an hour or more and complaints that same day registrants were being allowed to jump in line and vote ahead of those who are already registered. One voter saw a number of people leave the line because they couldn't wait any longer.*

Some polling places had helpful methods to decrease waiting time to vote.

- *377 observed polling places had a designated greeter, which was helpful with line management, assisting voters to navigate the space, and helping redirect voters who were at the wrong polling place.*
- *In **Cross Plains**, “there are social distancing guidelines and someone directing the line to the correct check in line based on the first letter of their last name.”*
- *In **Racine**, they added more poll workers and registration tables to speed up the line.*
- *In **Cudahy**, poll workers were talking to people in line and moving them to the correct section of the polling place for their ward.*
- *In **New Franken**, there were marks on the floor to show where to stand, separate lines for registering and voting, and chairs for people needing them if there was a line.*
- *In **Kenosha**, more poll workers were sent to assist at a site with long lines.*

Election Workers

In sharp contrast with April’s election, in which the number of poll workers plummeted due to the pandemic, many municipalities made heroic efforts to ensure that polling places would be well-staffed and that the election would run smoothly in November. Their efforts showed in compliments we received from voters.

- **Door County:** *“In my county, I thought the officials did a careful job of planning and executing our polling. I did not hear of ANY issues here. Kudos to them!”*
- *“The **Sister Bay** clerk was exceedingly helpful. Many of our friends who voted early or by mail commented on how easy she made the process.”*
- *The **Madison** clerk “and her staff deserve the highest of awards for their commitment to making the vote accessible to all citizens. Their creativity, compassion, and incredible hard work are inspiring and provide a model for what democracy means.”*
- *“I really appreciated the commitment of **Ashland City** and **Ashland County** in making sure all questions were answered in the period leading up to Election Day. And of course, their absolute commitment to making sure everyone was able to vote and all votes were counted.”*
- *“The City Clerk in **Glendale** was fantastic about sending information online and through the mail about voting.”*
- *“I am grateful for the service of the poll workers and in particular for the service of the director of the **Milwaukee Election Commission**. My husband and I wanted to send her flowers. I am grateful that Milwaukee was able to provide adequate polling locations even in the face of a pandemic.”*

Nearly every observer reported that the poll workers were generally professional, welcoming, and helpful (reported at 487 of 500 observed sites). Voters as well as observers were very appreciative of the efforts of poll workers.

- *In **Glendale**, poll workers were courteous and detailed in the explanation of the voting process.*
- *In **Menomonie**, “It went great. Friendly and professional workers. Plenty of space. Short wait times. New pen to use on the paper ballot I asked for.”*
- *In **Milwaukee** there was cross training of positions, to allow new poll workers - including many young poll workers - to experience all duties whenever possible, positive attitudes and veteran poll workers thanking new workers. There were also many helpful, organized and knowledgeable chief inspectors reported.*
- *At a **Milwaukee** site, poll workers applauded every new voter.*

- *In **Madison** someone was so appreciative that they sent pizza for the poll workers.*

Despite these efforts, however, observers at 30 polling sites reported that there were not enough poll workers to handle the volume of voters.⁷ COVID-19 played a role in reducing the number of available workers, and it is important that clerks have reserve staff to call on to fill in when there are shortages.

- *In **Evansville**, a “Chief Inspector told me that 5 of their usual poll workers were unable to work today because they had been exposed to COVID-19 during early voting last week.”*

Observers also reported poll workers at 20 sites having political conversations among themselves or with voters.⁸ In addition, in **Green Bay**, a poll worker openly questioned the chief inspector about how to tell if a voter was an “illegal immigrant.”

Registration

Proof of residence requirements were confusing to some voters and poll workers as well. While generally most voters were able to register and vote, the requirements for and limitations on proof of residence documents led to some confusion and did keep some voters from voting.

- *In **Milwaukee**, a group of students attending a private religious academy (not a regular college) came to the polling place and wanted to register. They were from out of state, did not live in dorms or apartments, and did not have things like utility bills or other listed proof of residence documents. The dean of the school came to the polling place and tried to get poll workers to register these students. However, the dean did not have any authorized proof of residence documentation either. In the past, the dean could have corroborated the residence of these students, but in 2020 the law did not allow him to do so. Therefore the students could not register or vote.*

⁷Appleton, Brookfield, Cudahy, Deerfield, Edgerton, Elkhorn, Glendale, Grafton, Hudson, Janesville, La Crosse, Lake Geneva, Milwaukee (one site), Pleasant Prairie, Racine, Verona, Watertown, Wauwatosa, and West Allis (5 sites).

⁸This included sites in Beloit, Brookfield, Glendale, Grafton, La Crosse, Madison, Menasha, Milwaukee, New Glarus, Oconomowoc, Oshkosh, Racine and Ripon.

- *A **Milwaukee** voter had recently moved and was staying with his mother; he had proof of residence at his old address, but not his mother's address. He was unable to register or vote.*
- *Another **Milwaukee** voter produced a promotional mailing, which was not accepted as proof of residence. The poll worker did not ask about electronic documents. An observer spoke to the voter outside the polling place and discovered she had an electronic utility bill, which she was able to use.*
- *In **Green Bay**, a caregiver brought a voter living in a group home to the polls, but the voter did not have proof of residence.*
- *A **West Allis** voter did not have proof of residence when he went to vote, and apparently was not able to get proof of residence at home and return to the polling place to register and vote.*

Provisional Ballots

While use of provisional ballots in Wisconsin remains low, there appears to have been an increase in the use of provisional ballots in 2020. According to the WEC, 333 voters cast provisional ballots due to the lack of an ID and 187 due to the lack of a driver's license number. Only 147 of these 520 ballots were cured and counted.⁹

Cure rate of provisional ballots varies by community as does follow up with provisional voters. In some communities, groups like the League of Women Voters of Dane County actively work with clerks after election day to provide voters assistance with curing their provisional ballots.

In-Person Voters with Absentee Requests

Poll workers at multiple sites were confused about what to do if a voter came in and wanted to vote when they had already been issued an absentee ballot but had not returned it yet. While these voters were clearly eligible to vote, some locations improperly imposed additional requirements. For example:

⁹ Wisconsin Elections Commission, 2020 General Election (EL-190F) Election Statistics Report 2021-02-04, see spreadsheet at: <https://elections.wi.gov/node/7299>

- *In **Oneida**, a voter was incorrectly told that they would not be allowed to vote unless they turned in their unvoted absentee ballot.*
- *In **Waukesha**, the Chief Inspector called the clerk to check whether every voter who had been issued an absentee ballot had returned it before allowing the voter to vote at the polling place, rather than accepting the voter's affirmation that the ballot had not been returned.*
- *In **Janesville**, a voter brought her unvoted absentee ballot with her. The Chief Inspector took the absentee ballot and put it in a sealed envelope in the safe to wait for the Clerk to provide instructions on how to handle the situation.*

Electronic Poll Books

Observers noted 85 sites that used electronic poll books, known as Badger Books. This was a significant increase from the nine polling sites, primarily in small communities, who used Badger Books during the 2018 general election. In general, the process worked smoothly.

Observers reported that a major improvement in the Badger Books was that voters could now see their address on the sign-in screen when attesting that their registration information is current.

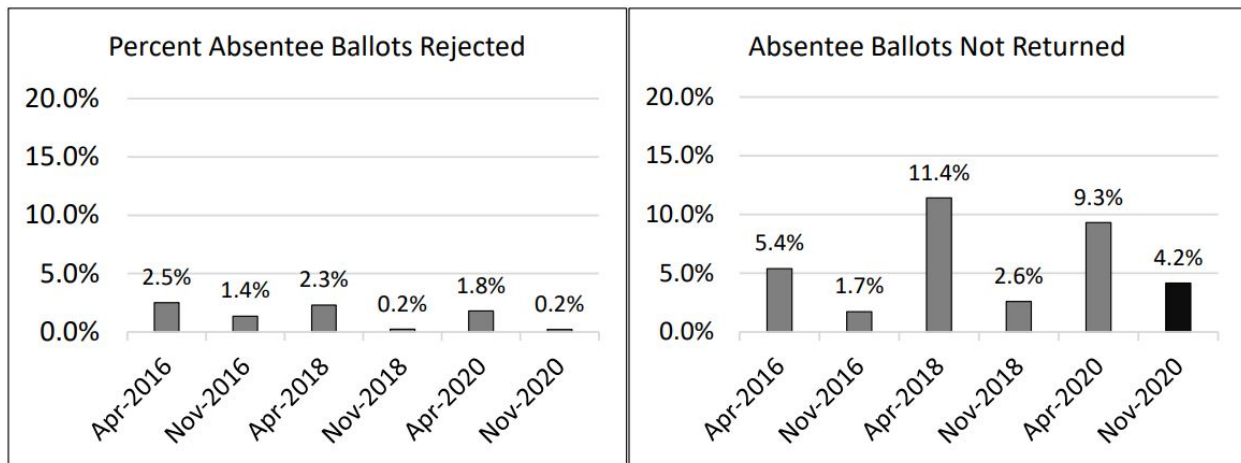
- *In most sites, there were enough stations for the number of voters. However, at some locations in **Appleton, Beloit, Edgerton, Franklin, Lake Geneva, Middleton, Milwaukee, Pleasant Prairie, Racine, Verona, and West Allis**, there were not enough Badger Book stations to serve voters.*
- *In all but three sites, observers indicated that poll workers appeared comfortable with the equipment, but in **Edgerton, Racine and West Allis** not all the Badger Books were working - which also may have contributed to reports of insufficient voting stations.*
- *In **West Allis**, a poll worker said using more Badger Books just slowed down the internet.*
- *In **Portage**, a voter reported that a barcode scanner was not working properly. This was the only site where that or any similar problem was reported.*

Observers also noted that the Badger Books were helpful in redirecting voters who showed up at the wrong polling site.

Absentee Ballot Counting

Because of the unprecedented number of absentee voters, poll workers played a much bigger role in counting absentee ballots than in any other previous election. As Wisconsin law prohibits municipalities from counting absentee ballots until Election Day, the large volume of absentee ballots in many communities kept poll workers working diligently throughout the night and into the next morning to ensure every eligible ballot was counted.

The work of elections officials and voters alike to properly complete and process absentee ballots is demonstrated in the significant decline in the percentage of absentee ballots that were rejected from April to November.



Source: Election Data Report at 13.

The vast majority of municipalities count their absentee ballots at the voter's polling place; however, as permitted by Wisconsin law, 39 municipalities utilize a central count location where all of the municipality's absentee ballots are sent to one location to be processed and counted.¹⁰ LWVWI observers monitored both absentee processing at some polling places, and at 22 central count locations. Many other observers were also monitoring the process, and were at 21 of these 22 central count locations.

Observers commented on the transparency of the process and professionalism of the poll workers. For example:

- *In **Beloit**, "Everything is going pretty well here. The people processing the work all seem very capable and ethical."*

¹⁰ A full list is at Central Count Absentee Ballot Municipalities, Wisconsin Elections Commission, <https://elections.wi.gov/clerks/guidance/central-count-absentee> (accessed 2/2/2021).

- *In **Brookfield**, “This site seems very well organized.”*
- *In **Germantown**, “Great election officials make things run smoothly.”*
- *In **West Allis**, “This place is being run smoothly and with open transparency.”*

Municipalities have some flexibility in setting up their central count locations and establishing specific central count procedures. Variations in setup included using one room or multiple rooms to process the absentee ballots. Of course, there was a large variation in the number of staff at the central count locations because of varying municipality size, ranging from three poll workers in Brookfield to as many as 100 poll workers in Green Bay.

Observers paid particular attention while election workers inspected absentee ballot certificates to identify any deficiencies that would cause a ballot to be set aside to be rejected. Some municipalities, such as Greendale, had presorted the absentee ballots and set aside those identified as to be rejected. The ballots appropriately set aside included those with certificates missing voter signatures, witness signatures, witness addresses, and ballots that were rejected because the voter had died after sending back the absentee ballot.

For ballots rejected due to problems with certificate envelopes, voters had until 8 p.m. on Election Day to cure those certifications, although on or in the few days before Election Day the voter must bring the original witness with them. Wisconsin law does not require clerks to contact voters to correct deficiencies, and some lacked procedures to notify voters and facilitate correction of such errors. Municipalities are, however, allowed to contact voters to notify them of problems, and some did so.

- *For example, **Pleasant Prairie** mailed deficient ballot envelopes/ballots back to the voter for correction prior to Election Day.*
- *In **Kenosha**, election officials contacted everyone with certificate envelope deficiencies at least 2 times.*
- *In some municipalities, such as **Neeah**, one of the central count workers would leave the room to call the person whose ballot was rejected to alert them.*
- *In some cases, volunteers also assisted in reaching out to voters.*

Observers witnessed several voters who were able to come in and correct their absentee ballot certificates.

Observers also paid particular attention to the process followed for any ballots that needed to be remade - according to the voter's intent - because of overvoted or damaged ballots, or for reasons such as processing ballots that had been emailed or faxed to military and overseas voters.

Accessibility

All eligible voters have the right to cast their votes privately and independently and to be sure their vote is counted. This is true even if the voter is in a care facility, or if a voter is purportedly incompetent but a judge has not taken away the right to vote. We received one report that:

- *In West Allis, a family member had claimed a woman was incompetent. The Clerk appropriately researched the situation and learned there was no judicial determination of incompetence. The woman was able to have her vote counted.*

One of the most important roles of clerks and poll workers is to ensure voters of all abilities are able to access their right to vote - whether they choose to vote absentee or in person. One problem for voters with disabilities is the lack of accessible mail absentee ballots. As a voter noted:

- *“Since I am legally blind and the ballot is available in a paper form, I was unable to vote without assistance. While my municipality offers a braille ballot, I did not choose this option. The majority of people with vision loss are not braille readers. Additionally, uploading the ID on my vote is very challenging for those who cannot see. I needed assistance with this task as well.”*

For voters with hearing impairments, communication can be an obstacle. Many polling sites had writing implements or signs to assist with communication.

- *In Delavan and Hartford, there were poll workers fluent in American Sign Language.*

Some locations also had helpers designated to assist elderly persons and persons with disabilities.

It is also important that voting locations provide accessible parking.¹¹ One of the most common complaints about accessibility was polling places not providing paths of travel that are free of obstacles and navigable for those using mobility devices.

¹¹ Twenty polling sites did not have clearly marked accessible parking spaces: Black Earth, Edgerton, Fitchburg, Fort Atkinson, Hudson, Keshena, Knapp, Madison, Milwaukee, Monroe, Racine, Waterford,

Accessible Supplies and Equipment

One key component of making voting accessible is having accessible voting equipment at all polling locations. Unfortunately, not all municipalities have consistently made the accessible voting equipment available.

- A voter from **Sturtevant** commented “For the first time my polling place had accessible voting booths for people with disabilities.”
- At 10% of polling sites observed by specially trained volunteers, it was not clear to observers if the accessible voting equipment was set up and available for voters to use,¹² which means it was likely more difficult for voters to identify accessible equipment.
- At 7% of polling sites observed, the observer reported that the accessible voting equipment was set up, but in a way that did not give voters privacy.¹³

On the other hand,

- **Janesville** ensured that the accessible voting equipment was available for all to use for all in-person early voting.
- In **Milwaukee**, touch screen devices were easy to use and poll workers also clearly explained how to use them.

In addition, the WEC offers clerks various informational materials and supplies to make voting more accessible. These materials include assistive tools for visually impaired voters, communication cards, magnifying glasses, and curbside voting signs. Dry erase boards for

Whitefish Bay, Whitewater, Wisconsin Dells. Two polling places, one in Hudson and one in Milwaukee had neither an accessible parking spot nor an accessible passenger drop-off area.

¹² The following municipalities had some polling sites where it was unclear if the accessible voting equipment was set up: Baraboo, Brodhead, Elkhorn, Fox Point, Green Bay, Janesville, Keshena, Lima, Town of Dunn, Mequon, Middleton, Milwaukee, Monroe, New Glarus, Oak Creek, Oshkosh, Racine, Ripon, Sheboygan, Sheboygan Falls, Superior, and Whitewater.

¹³ The following municipalities had some polling sites where the accessible voting equipment was set up in a way that did not allow the voter to vote privately: Beloit, Edgerton, Fitchburg, Green Bay, La Crosse, Lodi, Madison, Middleton, Milwaukee, Oak Creek, Palmyra, Ridgeway, Sheboygan, Stoughton, West Allis, and Wilmot.

communicating and extra seating are also helpful supplies to have on hand at polling sites to make the voting process more accessible.

- At 63 percent of polling locations observed, observers saw at least one of these supplies available for voters. The most common resource was extra seating, available at 57 percent of polling sites observed. The least common was magnifying glasses, available at 25 percent of polling sites observed.

Curbside Voting

Wisconsin law requires that curbside voting be an option for persons with disabilities. As a *Deforest* voter noted:

- “I was able to cast a drive up vote. Poll workers came out to me with my ballot and turned it in for me.”

Not all voters were aware of this option. For example, a *Whitefish Bay* voter wished that curbside voting information had been published on the village’s website along with the other voting information.

It is also important that the voter be able to *access* curbside voting. Observers at 328 (76 percent of observed sites) sites reported that the poll workers at the polling place did have a plan in place to facilitate curbside voting. These included such options as:

- *In Appleton, there was a push button to alert poll workers.*
- *In Janesville, among other locations, there was a greeter at the door.*
- *In Beloit, there was a sign facing the parking lot with the number to call.*
- *In Waukesha, a sign that was on a building was moved to the location of the accessible parking space.*
- *In Racine, someone monitored an outdoor security camera to watch for curbside voters.*
- *In Bayfield, the voter was directed to honk their horn and a poll worker would come outside.*

- *In **Madison**, there was a doorbell on a post with instructions in English and Spanish; when rung, poll workers went to the car and checked voter registration and ID, then retrieved the ballots for the voters.*

Some locations did more to encourage drive up voting due to the pandemic.

- *In **Evansville, Fitchburg and Madison**, poll workers were stationed outside to assist curbside voters.*
- *At a site in **Kenosha**, there were clearly marked lanes and a tent for poll workers.*
- *In **Dodgeville**, there was a garage-type space that people could use for drive through voting.*

However, having a plan to offer curbside voting does not necessarily mean that curbside voting is accessible to voters. In addition, some locations made it more difficult for voters to vote curbside.

- *In locations including **Brown Deer and Fort Atkinson**, voters had to ask a friend, relative or some other person walking into the polling place to notify poll workers of curbside voting needs.*
- *In **Edgerton**, the sign with information on whom to call for curbside voting was on a small, hard to read piece of paper taped to the door.*
- *In a **Kenosha** site, the sign about curbside voting was inside an entryway, which therefore required a voter to get out of the car to find the information.*
- *At locations including **Caledonia, Monona and Stoughton**, there was no information posted about curbside voting.*
- *In **LaCrosse**, election officials explicitly expressed concern that if they put a sign out about curbside voting, people who might not need to vote curbside would use it. They refused to place signs anywhere but on the polling place doors, so that curbside voting information was not visible from where a driver parked.*

Of note, some municipalities had plans for curbside voting that differed from one polling place to another within the municipality. Clerks should ensure that all polling places in their municipalities have plans to facilitate curbside voting that are truly accessible.

Misinformation & Intimidation

There always is some confusion during election season, but the amount of confusion and misinformation was heightened by the fact that many voters had not voted absentee by mail before 2020 and were unfamiliar with the rules, and by exposure to mis- and disinformation concerning Wisconsin election laws in the media and on social media.¹⁴

One point of confusion was from voters who had requested mail absentee ballots and either did not receive them or decided they wanted to vote in person instead. As noted above, some voters - and poll workers - incorrectly thought this was impermissible, especially if the voter did not bring the unvoted ballot to the polls. Conversely, there were also voters who, due to misinformation in some media, questioned whether they could vote in person on Election Day even if they had returned their ballot, if the ballot had not been listed as received in the MyVote database, something Wisconsin law does not allow.

Other voters did not previously understand that in Wisconsin, early voting is a form of absentee voting. For a few voters, this realization also led to concern about early voting.

- *“I did not understand that early voting meant I was going to complete an absentee ballot at that time. I now understand that there was no benefit for me to have done this. It would have been safer for me to drop off my ballot. I voted in person because I was afraid of my ballot not getting counted. My decision was affected by [a candidate’s] claim that there was going to be ballot fraud.”*

There also were questions and comments about signature matching. Unlike some other states, Wisconsin does not have a “signature match” requirement. (The law requires a signature on an absentee ballot envelope, and on a poll list when voting in person, but there is no “match” required). Thus, we received comments such as the following from a voter who did not understand that this was not required.

- *“A few years ago I started with a condition called Essential Tremors, what makes my hand shake when I write. That is why I went to early vote in person, so they could check thru my ID that it was me. But then I kept thinking, what if, when they start counting the votes, my signature doesn’t match? I heard that some votes were invalidated because of that.” - A **Shawano** voter.*

¹⁴ Our role did not include taking calls from voters after the election, but we note with concern the extensive, post-election mis- and dis-information about Wisconsin’s election rules and processes that occurred more broadly in the media and social media.

There also were isolated reports of other misinformation. One *Milwaukee* voter, for example, reported that his father had been “called from a mysterious number and was told to stay home multiple times.”

There were a few complaints of voters wearing political clothing to the polls. There also were a few complaints of observers and third parties behaving in an intimidating manner, although far fewer incidents than some had predicted before Election Day.

- *In **Brown Deer**, a partisan observer kept “hovering” near poll workers and the absentee count area.*
- *In **Green Bay**, a partisan observer attempted to interfere with the delivery of a ballot box to central count, and accused the election worker - a person of color - of being a "third-party plant" who was trying to "steal the election." That observer was ultimately removed from the polling place.*
- *In **New Franken**, there was a voter with a firearm at a polling place.*
- *In **West Allis** there were anti-abortion activists with a megaphone standing within 10 feet of the line of voters outdoors.*

The most common complaint of intimidation, however, involved police officers stationed outside or inside polling places. While most communities did not have police at polling sites, those that did caused great concern.

- *We received numerous complaints from **Kenosha** about police sitting in squad cars outside of polling places. The voters and observers felt this was intimidating, especially in light of the protests against police which had occurred after the Jacob Blake shooting.*
- *In the town of **Campbell**, “1-2 police officers were acting as gatekeepers between the registration table, check in table and the polling booths. They were standing in the middle of the walkway only moving aside when someone had talked to the check in staff and had their info ready. They multiple times had to move out of my way while staring at me, without saying a word. This is intimidating and as a brown latinx person I know they would intimidate other people if they were just voters and not staff like myself.”*
- *In **Mequon**, “two auxiliary officers entered the polling station and hung around for 5-10 minutes. The Chief Inspector seemed uncomfortable with it and wanted them to sign in as an observer which they were unwilling to do. I asked them what they were doing here and*

they said they were just checking to ensure that everything was calm. It all felt a bit uncomfortable.”

- *We also received complaints of police in or near polling places in **Appleton, Baraboo, Dodgeville, Hobart, Lodi, Menomonee Falls, Milwaukee, Neenah, Pleasant Prairie, Racine, Sheboygan Falls, and Watertown.***

Recount

On November 19, the WEC ordered a partial recount of presidential election results in Dane and Milwaukee counties. LWVWI, as well as the parties, observed the recounts. Observers witnessed ballots being challenged and reported that the proper procedures were followed as decisions were made about challenged ballots.

Tensions were high during the recount and observers reported a few concerns about potential intimidation. For example, in Dane County, COVID-19 public health protocols were not universally followed, leading some observers and election officials to feel unsafe. In Milwaukee County, an LWVWI observer witnessed a partisan observer removed from the recount for being aggressive towards election officials and other observers.

During the recount process, there are no formal guidelines for allowing nonpartisan or independent observers to observe the process. This caused some confusion and led to a lack of access to monitor some portions of the recount process. This confusion over the role of nonpartisan observers did not hinder the ability of partisan observers to participate in the recount.

Post Election Equipment Audit

Post-election equipment audits of the voting equipment used in Wisconsin are required after each general election to ensure the equipment used in the election accurately counted ballots on Election Day. The audit is performed by election officials conducting a hand count recount of the ballots and races selected for audit. The WEC is responsible for determining the scope of the audit and determined that the audited sample size should include:

- At least 5 percent of statewide reporting units
- At least one reporting unit in each county

- At least 5 samples from each piece of voting equipment approved for use that records and tabulates votes

LWVWI staff observed the WEC staff randomly select the reporting units to be audited. In total, 190 reporting units in 166 municipalities were selected to be audited. Races selected for audit included:

- President/Vice President
- Congressional Representative
- State Senate or County Clerk (in reporting units where State Senate was not on the ballot)
- Assembly Representative.

Information on the times and locations of the post election equipment audits was not always readily available on municipal websites. Some municipal clerks did not respond to requests for information, or only responded after the audit had already occurred. Information was also difficult to find on municipal websites. A few municipalities even inaccurately stated that they had not been selected for audit. Despite the hurdles to find information on the time and location of the audits, LWVWI observers observed nearly a quarter of the post election equipment audits. The observed audits included seven different types of voting equipment used in November 2020, from ES&S, ClearCast, Dominion, and Sequoia Voting.

Observers reported that all auditors worked with at least one other person, and sometimes in groups of up to five persons. At most of the audits observed, election officials used the WEC's recommended ballot sorting method to conduct the audit.

In addition, election observers were very impressed by the way the audits were conducted in the overwhelming majority of municipalities. For example:

- *In La Crosse, "The counting teams worked for hours on end never giving up. The environment was professional and the lead people were extremely efficient and competent."*
- *In Harmony, there was "Excellent work by the participants at the Town. Everything was accurate that was checked and the clerk is doing a great job. It was well organized and went very smoothly. It was a positive experience for me to see our local voting processes first hand and that the machines are working well."*

The only machine-related issue was observed during the *Oshkosh* audit of the Dominion - ImageCast Evolution machine. Observers witnessed election officials discover a small discrepancy between the audit count and the Election Day count for the State Senate race, one

which did not alter the outcome. The issue arose because apparently the machine may have incorrectly counted ballots that had a fold over the write-in line as write-in ballots, leading the machine to read them as an overvote. In this one situation, likely due to a training issue, rather than remaking the ballots a poll worker overrode the equipment and those ballots were counted. This discrepancy was reported to the WEC for any additional investigation.

Recommendations

Wisconsin should celebrate our high voter turnout for the November 3, 2020 election. It is clear that Wisconsin is doing a great job of allowing people to vote, whether in person or by mail. Many lessons were learned from the April election, and in November voters experienced greater access despite the pandemic. The hard work of election officials, voters, and voting rights groups led to this significant improvement in access, and Wisconsin should continue this strong commitment to greater civic engagement and voter participation.

Recommendations for Absentee Voting

Between the April and November 2020 elections, the WEC made a number of improvements that clearly facilitated absentee voting by mail - including a number of recommendations raised in our report on the April election,¹⁵ from sending absentee ballot applications to setting up a system for ballot tracking. These should be continued and in some cases expanded.

Facilitate Absentee Ballot Application and Return

The WEC's decision to send applications for absentee ballots to all registered voters - and to do so well in advance of the November election - was a great success. At least for as long as the pandemic continues, the WEC should consider continuing to send those ballot applications to voters at least 60 days before any election. The WEC should also consider sending reminders to voters (other than indefinitely confined voters) of the need to reapply for absentee ballots each calendar year.

It is also important to retain the option for "indefinitely confined" voters to self-certify. The WEC's own materials made clear that the vast majority of voters who were so confined were not

¹⁵ https://www.aclu-wi.org/sites/default/files/field_documents/april_7_2020_election_report_1.pdf

using it as an excuse to avoid obtaining ID: they already had valid identification on file, and two thirds of those applications came from elderly voters.¹⁶ It is also entirely possible, if not likely, that the increase in the use of this status in 2020 was in part related to the fact that special voting deputies were not used and thus residents of nursing homes and care facilities - persons who are clearly confined - had to apply for absentee ballots. In order to protect the rights of these voters, the indefinitely confined status must be retained as is.

The addition of intelligent mail barcodes on the envelopes used by clerks to mail voters their absentee ballots was a resounding success. They allowed for greater transparency and allowed voters and election officials to identify if there was an issue transporting the ballot to the voter. Intelligent mail barcodes should also be utilized on the envelopes voters use to mail their ballots back to their municipal clerk, allowing for voters and election officials to better track absentee ballots on the return trip to be counted.

Wisconsin unfortunately lacks ADA-compliant accessible mail absentee ballots, such as ballots that can be used with screen readers. Voters who have visual impairments or other disabilities and are unable to physically mark a ballot lack equitable access to private, independent mail absentee voting. Under current Wisconsin statute, absentee ballots may not be transmitted electronically, except to overseas and military voters. The WEC must be authorized to develop a screen reader accessible, ADA compliant absentee ballot which can be electronically sent to the voter to allow voters with disabilities, including those who are blind or low vision, to vote privately and independently.

Finally, one of the most successful improvements for absentee ballot returns was to provide secure drop boxes where voters who are, for whatever reason, concerned about mailing back their ballots, can deliver them in a timely manner. We encourage communities to continue to use these drop boxes; for larger communities to provide multiple drop boxes easily accessible to various neighborhoods; to ensure that instructions are posted in multiple languages, in communities with limited English proficient voters; and to ensure that the last election day drop box pickup time is posted and readily visible to voters choosing to use a drop box.

Ensure Absentee Ballots Count

The absentee ballot tracking function WEC developed on MyVote is important and helpful to allow voters to monitor their applications and ballot processing and to keep track of any delays or problems. That said, the mail absentee process is complicated and confusing for some voters, and there are at times errors and omissions on the ballots. While some clerks notify voters of

¹⁶ Election Data Report at 17-18.

those mistakes and of opportunities to correct them, that notification is neither mandatory nor universal. To help ensure that votes count, we encourage WEC to develop guidance for all clerks to monitor returned absentee ballots, notify voters of any errors on the certification envelopes, and train clerks and central count election officials on how to assist voters in correcting their ballots. It is particularly important that this be done for ballots received before the absentee ballot application cutoff date, as that would more easily allow a voter to spoil the prior ballot and vote a new absentee ballot (such as at early voting). We recognize that this is an additional task, but particularly given the low rate of improperly completed certifications in this election, it should not be unduly burdensome and is a critical task to help ensure that voters' ballots count.

Recommendations for Early Voting

Early voting opportunities are also critical to allow voter participation and to ease the burden on polling sites on Election Day. We urge the state to consider expanding this option to allow municipalities who are most familiar with their own voters' needs to expand the time period during which early voting is allowed.

We also recommend changing requirements that prohibit changing early voting locations after the initial deadline has passed. Just as Election Day polling places may need to be changed in emergency or unforeseen situations, the same may be true of early voting locations. Municipalities should be given the option to change early voting locations under such circumstances, at least up until 30 days before the early voting period begins. If this is permitted, the WEC should ensure clerks are aware of this new deadline.

Another option that proved successful in this election was drive-up early voting locations, which were, in the pandemic, safer for voters and poll workers, and very convenient for voters. We also urge municipalities to consider such opportunities in the future.

Election officials who work at early voting sites must be trained on specific early voting procedures that do not apply on Election Day. It is important for municipal clerks to ensure they have enough properly trained staff and back up staff to handle the volume of early voters.

Finally, due to reports of WisVote slow downs at the beginning of every early voting period, which lead to long lines during early voting, we encourage the WEC to consider increasing WisVote processing capacity in advance of the start of early voting to avoid these slow downs in the future.

Recommendations for Election Day Voting

Enhance Staffing

Especially at busy locations, encourage or require clerks to ensure that sites have adequate staff to provide greeters to ensure voters are in the correct polling place, the correct line for registration, and, in multiple-ward sites, in the correct line for voting. This election showed that outreach efforts to ensure enough election officials are recruited to serve on Election Day can be successful, and it should be continued and expanded. Seeking to recruit young people, bilingual workers, and persons with disabilities as poll workers should be of particular emphasis.

Municipalities should also have supplemental or on-call staff available on Election Day to deal with unexpected contingencies, such as unusually long lines or, as this year showed, poll worker illness.

Facilitate Splitting Poll Books

At busy polling sites, splitting the poll books shortens lines and facilitates the voting process. Before each election, and especially before general elections, communities should determine which polling sites are expected to have the highest turnout, obtain additional staff, and split the poll books in advance. Communities should also have supplemental staff available to deploy to additional polling sites if splitting the books at additional sites is needed.

Improve Polling Site Layout and Location

Clerks and chief inspectors statewide should give careful evaluation to the ability of their poll sites to accommodate voters in large turnout elections. This must include consideration of persons with mobility problems, the protection of voters from waiting in inclement weather, and the provision of privacy in the completion of the voting process. While care should be given to moving poll sites from their expected location to a new site, creative use of existing facilities can make voting much easier. An analysis of existing poll sites throughout the state should be encouraged well in advance of Election Day.

Proper and helpful signage is a great asset to a polling place. Signage should be visible – especially during busy times – and used to direct voters to the proper line. It would be helpful for signs/instructions to help voters in line to register to get started with a registration form and to have

their proof of residence documents (including electronic documents) ready when they get to the registrar.

Finally, although consolidation of polling places was less dramatic in the November election than the April election, voters still experienced a significant reduction in the number of polling places in communities across Wisconsin. To avoid such problems in the future and provide voters with convenient access to polling places, municipalities should review polling place locations and seek to ensure that there are polling places accessible and easily reachable by all voters in the municipality.

Ensure Accessibility

Care must be taken to ensure that polling locations are accessible to all voters. Therefore, elections officials must ensure that polling sites – and the paths to approach those sites – are accessible. All polling sites also should have a plan to ensure that voters who need to vote curbside can readily access elections officials without having to leave their vehicles or rely on another person to make that contact.

It is also important to ensure that accessible voting equipment is set up and available to all voters who want to use it. Elections officials need to be adequately trained to ensure the equipment is set up and that they can assist voters use it if necessary.

In addition, elections officials should provide additional resources and support for voters with disabilities wherever possible, from magnifying glasses to chairs for voters who need to rest while waiting to vote. The WEC provides supplies to make voting more accessible at no cost. This program should be continued and all clerks should obtain and equip polling places with these supplies.

Consider Increased Use of E-Poll Books

Voters and poll workers alike at sites currently using e-poll books are having good experiences with the technology. Utilizing e-poll books, poll workers can process more voters in less time more flexibly with fewer workers. Additionally, e-poll books significantly reduce the amount of work for poll workers at the end of the night on Election Day. As funds are available, we encourage municipalities to consider whether e-poll books would be a good fit for their communities. Sites already utilizing the e-poll books may also benefit from purchasing additional machines to handle the volume of voters they need to process on Election Day.

Recommendations for Voter Registration

Expand and Improve Online Registration

In recent years, the state has also opened opportunities for online voter registration until 20 days before Election Day. This provides the opportunity for more voters to register, or update their registration online, avoiding these confusing requirements. There are certain limitations with online registration, especially that it is only available to voters with Wisconsin driver's licenses or ID cards - a restriction that should be eliminated. One possibility for online registration is to allow voters to submit registration forms with documentary proof of residence electronically, so voters do not need to print out and mail in documents. Since the state already allows voters to present proof of residence on electronic devices, and also allows voters to upload photos of their IDs to request absentee ballots, it would not and should not be a stretch to expand capabilities to allow electronic submission of proof of residence.

In order to facilitate registration, the state should also combine voter registration with other state processes, such as allowing registration at the time a voter obtains or renews ID or a driver's license, and incorporating online registration for voters who engage in other transactions with the state which already collect residence information, such as applying for a hunting or fishing license or applying for benefits. Having registration handled by state entities already collecting residence information would ensure more consistency in the state databases and more effectively facilitate voter registration and voting.

Restore Corroboration

For decades and without adverse incident, Wisconsin allowed voters who lacked proof of residence to use another voter to corroborate their residence. Statutory corroboration also required the poll worker to take identifying information from the corroborator, which provided an additional safeguard.

Although most voters do have proof of residence, not all do. In the 2020 general election, this meant that, for example, a group of students attending a private religious academy and a person living in a residential care facility were unable to register and vote.

Require Posting of DMV Information

More than one third of the provisional ballots cast in November were due to the voter's lacking their driver's license number to put on the registration form. To ensure that these voters - whose licenses may well have been lost, stolen or misplaced - are able to register and vote a regular ballot, the WEC should require all polling sites to post the Department of Motor Vehicles (DMV) phone number and Department of Transportation (DOT) web address through which voters can obtain their license numbers. We also recommend that this contact information be included on the state voter registration forms. Additionally, poll workers should be trained to assist voters who need to look up these license numbers.

Retain Same-Day Registration

Election Day registration remains an important safeguard for voters and should be protected. During the November 2020 election, Wisconsin's poll workers registered hundreds of thousands of voters, and the only reported problems involved a few voters who lacked proof of residence and therefore could not register or vote.

Election Day registration protects voters from being disenfranchised in situations where there are errors in the poll books, voters believe they are registered only to find out they need to re-register on Election Day, or first-time voters that need to register for the first time. It should be noted that same-day registration has been in effect for more than 40 years in Wisconsin. Clerks and poll workers are not only accustomed to it, they are well trained in it and enthusiastic about its retention. In recent years, however, there have been some calls to eliminate same day registration. Not only would doing so make it more difficult for many voters to vote, but elimination of same-day registration would create confusion at the polls. Additionally, it would disenfranchise the many registered voters who, for various reasons, do not appear on the rolls, and disenfranchise many otherwise eligible voters.

Recommendations for Voter ID

There remains no evidence from Wisconsin of voter impersonation fraud which would be resolved by the use of Voter ID, and we continue to believe that this is an unnecessary and burdensome requirement that discourages and deters eligible voters from voting. In the November 2020 election, only 147 of the hundreds of provisional ballots cast were cured.

Expand Forms of ID

To the extent that the state insists on keeping the voter ID requirement which, the state asserts, is to prevent impersonation, there should be an expansion of the types of ID permissible for voting. This is particularly true when, as this year, the pandemic limited DMV hours and made voters more reluctant to go to such agencies. There are many forms of secure photo ID other than the kinds of ID currently listed in the statute. Additional forms of ID to consider include:

- Any photo ID card issued by the federal government, the state of Wisconsin, or a Wisconsin county or local government;
- Regular college and university ID cards from all Wisconsin colleges and technical schools;
- Out of state driver's licenses, to allow voting by many legal Wisconsin voters live part year in another state (*e.g.*, snowbirds), or have recently moved to Wisconsin and not yet been able to obtain new licenses; and
- An affidavit for voters who have reasonable impediments to obtaining photo ID.

Wisconsin does allow citizens who due to age, disability, or infirmity are indefinitely confined to home, to vote by mail without *providing* a copy of their ID card when they request an absentee ballot.¹⁷ This option is clearly necessary to protect some of the most vulnerable voters - a number that indisputably increased due to the significant health risks the pandemic imposed. Moreover, in this fall's election it is likely that the increase in such requests was also related to the WEC's decision not to allow special voting deputies to enter care locations such as nursing homes, forcing such voters to request mail absentee ballots.

Facilitate ID Issuance

WISCONSIN ELECTION PROTECTION is also concerned that DMV continues to have unreasonably restrictive processes for ID issuance, and in situations like this year, during a pandemic, those processes are even more burdensome.

¹⁷ WEC found that 80 percent of these voters actually had provided such identification in the past. But, as we noted in our April report, technological and practical barriers kept some voters from being able to provide copies of that identification. Election Data Report at 15-17.

Among the other photo ID-related matters that we believe require improvement, based upon our observations in this and prior elections, are:

- Require posting in DMV, at all polling sites, and as information is provided with all provisional ballots, about the ID requirement and about the ID Petition Process (IDPP), (including what documents can be used to get ID);
- Require DMV to amend rules so that voters only have to go to DMV once (and can bring whatever alternative documents they have at that time), instead of requiring multiple visits to DMV;
- Require DMV to issue receipts valid for voting to all applicants at the time of application, to ensure that voters who enter the IDPP process are able to obtain a form of ID valid for voting without delay;
- Restore the length of time IDPP receipts are valid to 180 days;
- Allow voters to renew IDPP receipts online;
- Require DMV to publicize and post information on the digital photo look-up option for those who have had ID in the past;
- Allow voters with out-of-state driver's licenses to obtain Wisconsin ID cards to vote, including through the IDPP process, without surrendering those licenses;
- Allow voters who lack one or more documents, and/or corroborators, to attest to those facts by sworn affidavit; and
- Require the DOT to release annual reports on the IDPP process, including the number of IDs issued through the IDPP process and the length of time it is taking from IDPP application to final ID issuance.

In addition, there are transportation and scheduling barriers that preclude some Wisconsin residents from obtaining an ID; therefore, the DMV should also:

- Ensure evening and weekend hours are available at all DMV service centers during the 60 days prior to any election, and publicize that availability;
- Provide mobile vehicles to take DMV services to communities, especially communities of rural, homeless, indigent and disabled voters; and

- Consider establishing a system so that voters without ID could have photographs taken and an ID application initiated at polling sites and vote at that time.

Recommendations to Prevent Intimidation

Although the level of third-party disruption of the election that was feared did not materialize, in advance of Election Day there was widespread concern about potential efforts to intimidate voters who were waiting in line *outside* polling places. While *within* polling places, Chief Inspectors can control such behavior, the rules do not directly extend to inappropriate interactions with voters who are not physically within those spaces. The WEC should consider expanding the rules of appropriate observer behavior and electioneering to encompass a floating “bubble” around voters waiting in line but physically outside of polling places.

In this election, we also received many complaints about police presence at polls. It should be made clear that law enforcement, especially uniformed law enforcement, has no place at polling sites unless and until they are called to address a specific disturbance. Voters - some of whom may well have had adverse interactions with law enforcement in the past - should not have to be in fear of such interactions as they exercise their constitutional rights to vote.

Recommendations for Outreach & Education

As the changes in voter behavior from April to November shows, voter education is a key component of a successful election. The WEC and municipal clerks are authorized to develop and conduct “educational programs to inform electors about voting procedures, voting rights, and voting technology.” Wis. Stat. §§ 5.05(12), 7.15(9). This election made clear that voter education must continue.

Proactive voter education and outreach from state and local election officials will help voters find official sources to get their information rather than problematic third-party sources of election information. Municipal and county websites should be kept up to date with accurate and easy to find election information. In addition, MyVote should be made fully accessible in Spanish, so key variable information like the election date is available in Spanish. ***Voter outreach must include methods to reach voters who lack internet access or are otherwise not well-connected digitally.*** Hundreds of thousands of Wisconsin residents lack computers, broadband internet, or both, and

those persons are disproportionately low-income and voters of color.¹⁸ The WEC call center - which was heavily used this year - should continue and expand, especially within 60 days of Election Day, and it must be publicized and accessible to all Wisconsin voters, including those with limited English proficiency.

In addition, written materials on topics like how to vote absentee by mail, how to register and re-register, and how to obtain free voter ID, can and should be created in multiple languages, publicized and also distributed in paper format to clerks and community locations. WEC should provide (and, in the case of public entities, requiring posting of) multilingual notices and postings, in easy-to-understand language, to government and non-government entities. These locations should include all clerks offices and all polling sites; all offices involved in application for or issuance of government benefits such as food stamps, Badgercare, Family Care, SeniorCare, Wisconsin Shares, unemployment compensation, workforce development, and Aging and Disability Resource Centers; community and senior centers, schools, public transit (such as ads on buses), minority media, and inner-city (or other) businesses targeted at low-income residents (e.g., grocery stores, dollar stores). This kind of outreach and publicity is critical to reach the most vulnerable voters.

Recommendations for Training

The WEC has continuously improved training modules to incorporate new requirements and procedures. While training is necessary on substantive issues, Chief Inspectors also need guidance and suggestions on poll site management, including instructions how to utilize greeters, expediting the registration process, handling voters with ID problems and questions, and physically arranging the poll site. The Cities of Madison and Milwaukee have done an excellent job in providing such training and it is reflected in the increasing number of well-trained chiefs who are able to effectively manage their polling sites.

Some, but not all, municipalities require poll worker training before every election. At a minimum, the WEC should require that municipalities train all new poll workers prior to the poll worker's first election, and train other poll workers at least annually (and more frequently in the case of significant changes in election law). Specific training on the broad range of documents that can be used as proof of residence and as a photo ID for voting, and how voters can obtain an appropriate ID is important. Additionally, training on accessibility, voting rights, the provisional ballot process,

¹⁸See, e.g., Wisconsin Policy Forum, "Wisconsin's Digital Divide and its Impact on Learning" (May 2020) at 2 ("A racial divide in broadband access is also evident. Statewide, 13.6% of black residents and 11% of Hispanic/Latinx residents lack broadband access ... For white residents, the statewide average is 5.8%."), at https://wispolicyforum.org/wp-content/uploads/2020/05/Focus_COVID_Internet_Access.pdf.

and finally, how to handle voters who requested but did not return absentee ballots, are all especially important areas for poll worker training. WisVote should track completion of the training by poll workers. The WEC should continue to serve as a backup resource to the municipal clerks who normally conduct such training. We encourage the continued use of webinars and other new ways to disseminate information that make it easier to train poll workers in a uniform and professional fashion.

Recommendations for Audits

The post-election audits conducted are an important way to provide transparency and reduce false or exaggerated claims. We urge the WEC to implement risk-limiting audits after every election, or at least after every general election. Municipalities undergoing the audit should be required to publicly post the audit details, including time and place of the audit, in advance, to allow public viewing.

We also urge WEC to develop standardized post-election audit procedures that clearly dictate what issues would lead to broader audits to verify result accuracy prior to certification of results. It may be useful to audit all ballots tabulated on Dominion ICE machines to further test if the issue identified, regarding marking a “folded” area as an overvote, has been corrected.

Conclusion

Wisconsin voters who voted in record numbers in the midst of a pandemic should be commended. So should the elections officials and poll workers who worked hard to create and improve systems to facilitate that voting - efforts that can and should continue even after the pandemic ends. We hope that our observations and recommendations will assist in making voting easier and better for Wisconsin voters.

Respectfully submitted:

The Legal Coordinating Committee of WISCONSIN ELECTION PROTECTION, by:
Karyn L. Rotker, American Civil Liberties Union of Wisconsin Foundation
Summer Murshid, Hawks Quindel, S.C.

LEAGUE OF WOMEN VOTERS OF WISCONSIN, by:
Eileen Newcomer, Voter Education Manager