### Voter Registration in Wisconsin

9.33

Dr Douglas G Frank 12/8/2021

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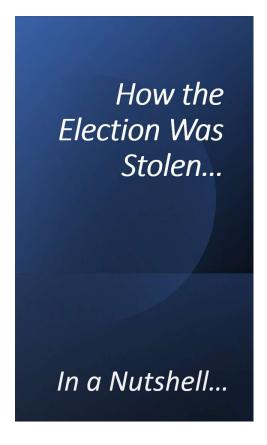












#### • Before the Election...

- Decide What the Outcome Will Be for Each State
  - Regulated at the County Level (3,142 Counties)
- Inflate the Registration Databases
  - · "Credit Line" of Phantom Voters
- Program the Machines

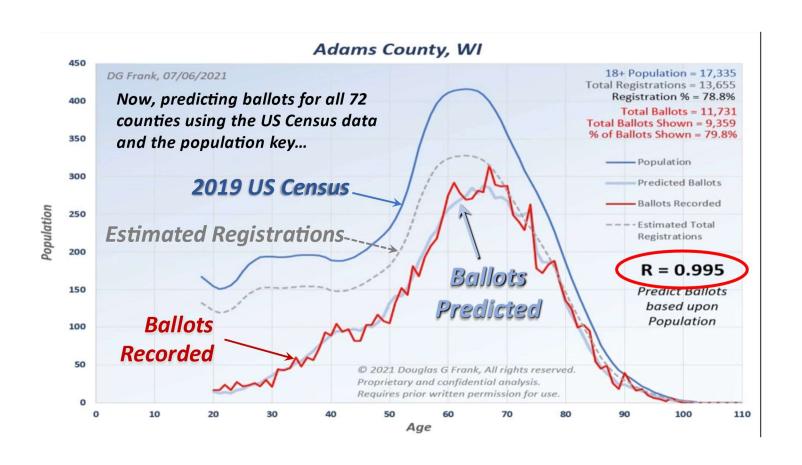
#### • During the Election...

- · Databases and Machines are Hacked & Tracked
  - Manipulate Votes and Voters
  - Regulate County Outcomes

#### • After the Election...

- Pair Last Minute Voter ID's with Phantom Voters
- Clean Up the Evidence
  - Remove Phantom Voters
    - Computer Algorithms Deployed Throughout!



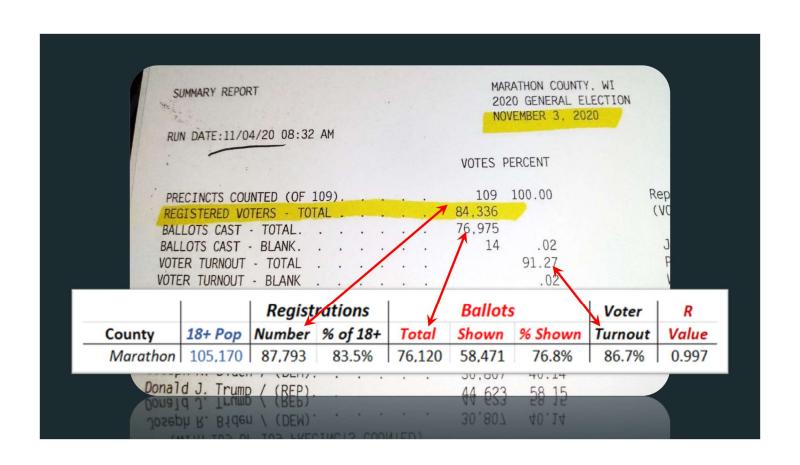


		Regist			Bellets	A	Voter	R				retions		Bellets	A	Voter	
County	18+ Pop	Number	_	Total	Shown	N Shown	Turnout	Volue	County	18+ Pop	Number	-	Total	Shown	N Shown	Turnout	Volur
Adoms	17,335	13,655	78.8%	11,731	9,359	79.8%	85.9%	0.995	Marathon	105,170	87,793	83.5%	76,120	58,471	76.8%	86.7%	0.997
Ashlond	12,068	20,355	85.8%	8,606	6,109	70.9% 70.0%	83.2%	0.986	Morinette	32,737	26,899	82.2%	22,725	17,742	78.1%	84.5%	0.993
Barron	35,584	29,329	82.4%	25,054	19,190	76.6%	85.4%	0.992	Morquette	12,554	10,269	81.8%	9,004	7,220	80.0%	87.5%	0.988
Boyfield	12,413	12,261	98.8%	10,659	8,039	75.4%	86.5%	0.992	Menominee	3,001	2,055	68.5%	1,572	961	61.1%	76.5%	0.902
Brown	202,367	166,241	82.2%		107,859	75.5%	85.5%	0.998	Milwoukee	718,486	571,576	79.6%	451,741	303,808	67.3%	79.0%	0.998
Suffolio	10,338	8,843	85.5%	7,734	5,999	77.6%	87.5%	0.987	Monroe		25,759	74.3%	22,388	16,917	75.6%	86.9%	0.996
Burnett	12,715	11,491	90.4%	9,906	7,428	74.8%	86.4%	0.992	Oconto	30,321	26,183	91.0%	23,073	18,648	30.8% 70.6%	88.1%	0.992
Columet	38,514	34,253	88.9%	30,660	24,396	79.6%	89.5%	0.992		29,534	26,874		23,777	-	78.6%	88.5%	
Спірремо	50,627	40,937 16,669	80.9% 67.7%	35,720	27,816	77.5% 79.8%	87.3%	0.997	Outagamie	70,198	122,955 67,922	85.2%	61,149	80,259	74.7% 78.8%	87.4%	0.997
Clark	24,617							0.989	Ozoukee	-	-	96.8%	-	48,161		90.0%	0.992
Columbia	45,508 12,897	38,400 9,994	77.5%	8,593	6,859	78.5% 79.8%	87.5%	0.596	Pepin	5,720	26,774	81.7%	4,092 22,980	3,154	77.1% 73.3%	87.5%	0.976
Crawford Done	435,323	356,680	91.6%	-	229.528	67.4%	85.4%	0.962	Polit	33,387	29,878	85.7%	26,095	19,539	75.0%	87.1%	0.994
				-	-	79.8%	88.0%							30.873	76.4%		
Dodge	23,170	22,475	97.0%	19,864	15,782	79.5%	88.4%	0.996	Portage	56,712	9.535	87.2%	8,442	6,924	82.0%	88.5%	0.994
Douglas .	34,599	28,889	83.5%	24,211	17,931	74.1%	83.8%	0.990	Price Racine	151,739	123,693	81.5%	105,524		75.8%	85.3%	0.996
Dunn	35,863	27,275	76.1%	23,375	16,787	71.8%	85.7%	0.993	Richland	13,490	10,412	77.2%	8,957	7,077	79.0%	86.0%	0.982
Eau Claire	82,963	68,259	82 9%	57,473	41,778	72.7%	84.2%	0.993	Rock	125,998	100,597	79.8%	84,483	64,391	76.2%	84.0%	0.996
Florence	3,641	3,300	90.6%	2,852	2,207	77.4%	86.4%	0.993	Ruck	11,282	8,509	75.4%	7,745	6,082	78.5%	91,1%	0.987
Fond du Lac	81,395	64,257	78.9%	56,723	44,998	79.3%	88.3%	0.998	St. Croix	68,638	64,402	93.8%	55,816	40,591	72.7%	86.7%	0.996
Forest	7,170	6,024	84.0%	4,991	4,038	80.9%	82.9%	0.984	South South	49,962	41,327	82.7%	36,029	27,638	76.7%	87.2%	0.995
Grant	39,918	29,352	73.5%	25,343	18,998	75.0%	86.3%	0.995	Sowyer	13,339	12,204	91.5%	10,323	7,476	72.4%	84.6%	0.967
Green	28,844	24,003	83.2%	21,342	16,760	78.9%	88.5%	0.994	Shawana	32,233	25,802	80.0%	22,466	17,743	79.0%	87.1%	0.992
Green Lake	14,770	12,192	82.5%	10,553	8,278	78.4%	86.6%	0.994	Sheboygon	90,276	74,660	82.7%	65,469	51,745	79.0%	87.7%	0.996
Jowe	18,409	15,807	85.9%	13,863	10,974	79.2%	87.7%	0.990	Taylor	15,581	12,106	72.7%	10,599	8,546	30.6N	87.6%	0.983
Bone	4,792	4,565	95.3%	3,934	2,930	74.5%	86.2%	0.978	Trempeoleou	22,240	17,651	79.4%	14,938	11.504	77.0%	84.6%	0.992
Jackson	16,127	11,898	73.8%	10,081	7,808	77.5%	84.7%	0.586	Vernon	22,858	17,581	76.9%	15,806	12,382	78.3%	89.9%	0.994
Jefferson	66,768	54,391	81.5%	47,592	36,947	77.6%	87.5%	0.995	VSec	13,446	17,446	94.6%	15,044	11,358	75.5%	86.2%	0.990
Juneou	21,374	15,675	73.3%	13,512	10,095	74.7%	86.2%	0.991	Wishesth	82,443	65,835	79.9%	56,768	40,768	71.8%	86.2%	0.997
Kenosho	131,144	109,711	79.1%	87,331	62,952	72.1%	84.2%	0.994	Worldwin	12,737	11,676	91.7%	10,159	7,889	77.7%	87.0%	0.988
Kinwouney	16,052	13,571	84.5%	12,093	9,944	82.6%	88.7%	0.583	Weshington	106,887	97,202	90.9%	87,773	70,769	80.6%	90.3%	0.995
La Crosse	93,935	80,020	85.2%	67,125	47,689	71.0%	83.5%	0.996	Woukesho	318,797	296,544	93.0%	266,836	212,131	79.5%	90.0%	0.995
Lafayette	12,651	9,544	75.4%	8,471	6,795	80.2%	88.8%	0.586	Woupece	40,782	33,180	81.4%	28,758	22,829	79.4%	86.7%	0.995
Langlode	15,456	12,893	83.4%	11,070	8,950	80.8N	85.9%	0.991	Woushord	19,990	15,417	77.1%	13,414	10,802	80.5%	87.0%	0.993
Lincoln	22,647	18,604	82.1%	16,327	13,113	80.3%	87.8%	0.995	Winnebago	136,450	108,519	79.5%	93,005	70,851	76.2%	85.7%	0.997
Monitowoo	62,937	50,831	80.8%	44,397	35,957	81.0%	87.3%	0.995	Wood	57,357	47,065	82.1%	41,027	32,781	79.66	43.36	0.996
Avera	ge Regi	stration	= 83%			Averag	e Turno	ut = 87%	A	verage i	Ballots	Tracked	= 77%	Aw	roge R	Value =	0.991
					*Calle	marked	in rad d	lennes uni	ues over 90	100							



### A Serious Loophole...

- Counties only report their registration database to the state once per month (the beginning).
- Same day registration and voting is permitted.
- ➤ A voter can be registered and a ballot cast for them on election day.
- > The new "voter" registration record can be removed before the next reporting cycle.
- The only way to catch this is to obtain detailed election records county-by-county. Like this...





### Serious Issues...

Crying for investigation.

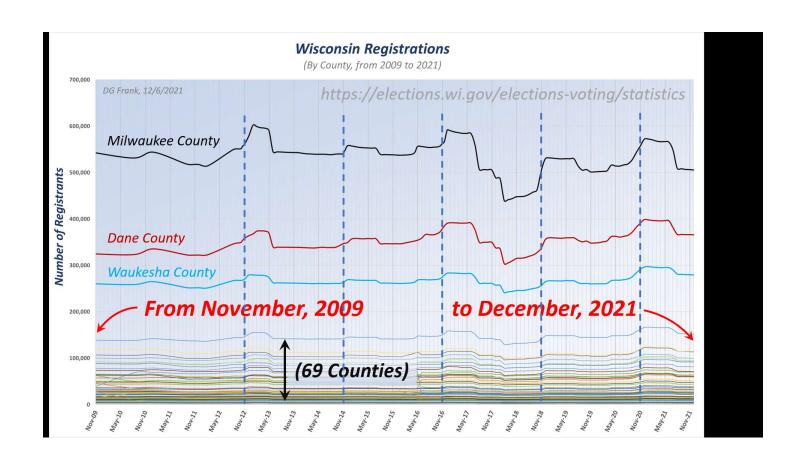


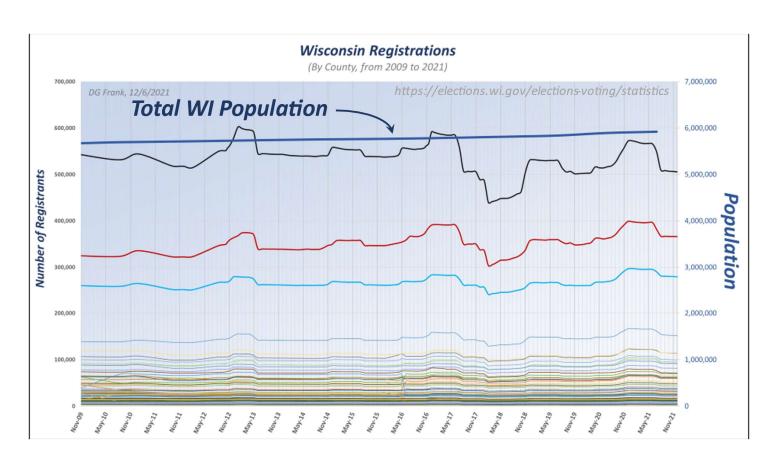


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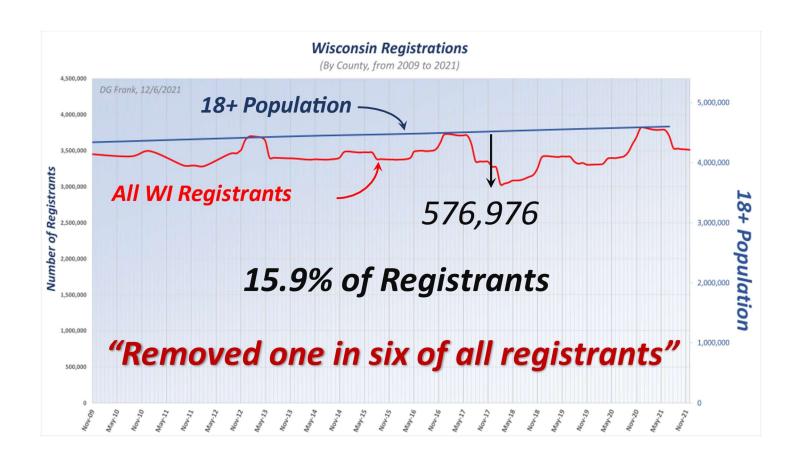


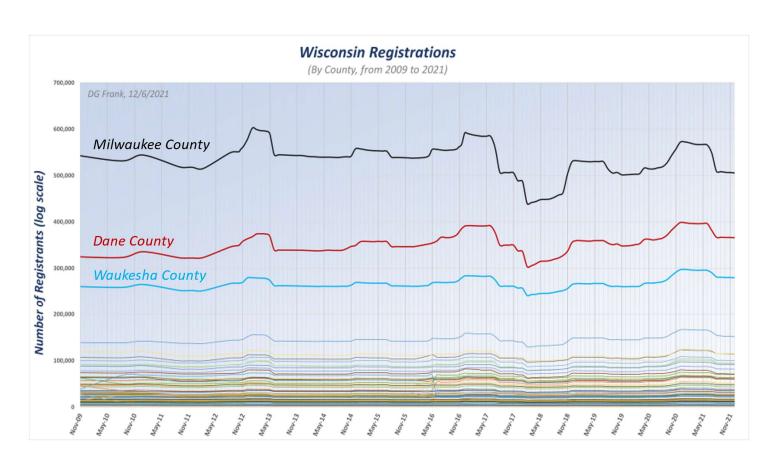




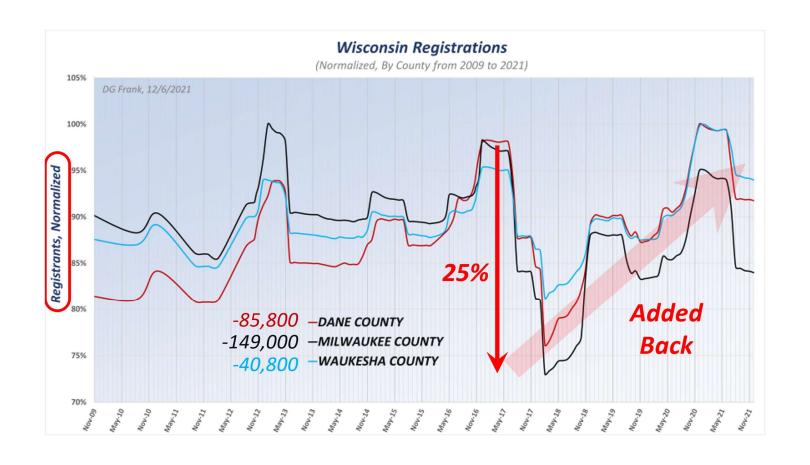






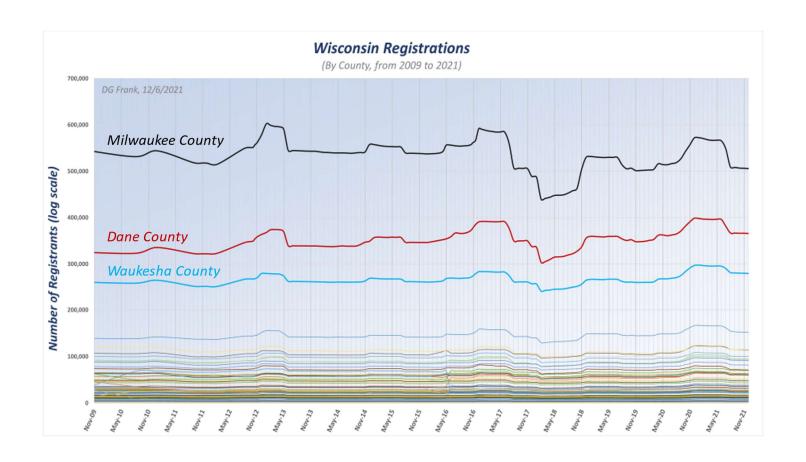


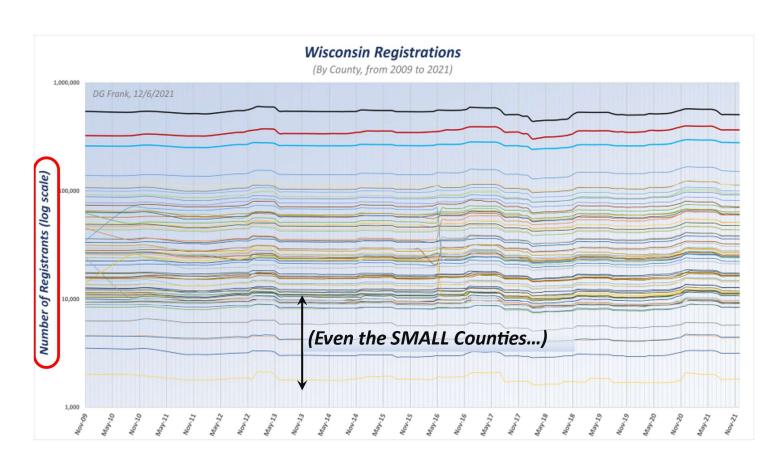














### A "Simple" Question...

"Can you provide me with a list of everyone who voted in the November, 2020 election?"

"Reconciliation."

They can't.

Because voters are removed before the counties report.





### Conclusion

Your elections are not free and fair.

They are being manipulated by computer algorithms.



### "What do we need?"

We need to see a list of the voters.

We need an investigation.





# ELECTION INTEGRITY

Protecting Vulnerable Voters

# JUDY INVESTIGATED HER MOTHER'S VOTING HISTORY

- Judy went on MyVote Wisconsin (www.myvote.wi.gov) and discovered her mother, Shirley, voted absentee for the November 3, 2020, election
- Shirley died on October 9, 2020 Before the election
- According to My Vote Wisconsin, prior to being admitted to the Ridgewood Care Facility, Shirley last voted in 2016







### JUDY CONTACTS RIDGEWOOD CARE CENTER

- Executive Director stated that the WEC gave facility staff the authority to help residents fill out their ballots
- Judy asked how Shirley could have voted without any knowledge of current events or the news
- The Executive Director stated the staff would ask the residents who they voted for in the past and following party lines that would be their choice
- Judy asked, "So if she could only recall JFK as President, Democrat would be their choice?"
- The Executive Director answered "Yes"
- Judy asked about Shirley's broken glasses and impaired vision how can we know the staff member assisting filled in the ballot correctly







### ORIGINAL COMPLAINT TO THE WISCONSIN ELECTION COMMISSION

- NOVEMBER 24TH, 2020

- Judy filed a sworn affidavit with the Wisconsin Election Commission stating that she believed the Ridgewood Care Facility "took advantage" of her mother's "diminished mental capacity and filled out ballot(s) in her name."
- Shirley, Judy's Mother
  - Broken glasses no interest in reading or keeping up on current events
  - Difficulty recognizing her daughter
  - Could not remember her last meal
  - Would not know what day it is
  - Saw flying objects outside of her room that were not there



- They received letters from the Wisconsin Election Commission ("WEC") dated March 12, 2020, June 24, 2020, and September 25, 2020, stating that "Municipalities shall not use the Special Voting Deputy process" and should instead mail the absentee ballots
- No notice was posted at any of the facilities because of COVID-19
- 42 Ridgewood residents voted
- 38 Ridgewood residents made a fresh request for an absentee ballot during 2020
- The Voting Clerk stated during a Presidential or non-Presidential election, usually approximately 10 people will vote and 0 to 3 people will make a fresh request for an absentee ballot from the Ridgewood Care Center
- RASO received copies of the Request for Absentee Ballots and the Ballot Envelopes







#### Wisconsin Elections Commission

212 East Washington Avenue | Third Floor | P.O. Box 7984 | Madison, WI 53707-7984 (608) 266-8005 | elections@wi.gov | elections.wi.gov

DATE: For the March 12, 2020 Commission Meeting

TO: Members, Wisconsin Elections Commission

FROM: Meagan Wolfe, Administrator

Wisconsin Elections Commission

SUBJECT: Guidance Regarding Election Procedures and Public Health Emergency

Governor Evers issued Executive Order #72 today proclaiming that a public health emergency exists in the State of Wisconsin as a result of the COVID-19 Coronavirus. The Order designates the Department of Health Services as the lead agency in responding to the public health emergency and directs all state agencies to assist in the State's ongoing response to the emergency. A copy of the Executive Order is attached.

Also today, the Department of Health Services (DHS) issued directives related to public health, vulnerable populations and large public gatherings. The DHS directives included provisions related to nursing homes and other licensed care facilities, including that all "non-essential" individuals be prohibited from visiting such facilities. The directive includes some exceptions such as a visit from one family member per day but all individuals entering care facilities must be screened for coronavirus infection and recent travel.

The Executive Order and DHS directive make it necessary to provide guidance to local election regarding specific election procedures for the Spring Election and Presidential Preference Primary as well as the May 12, 2020 Special Election in the 7<sup>th</sup> Congressional District. The two most immediate issues requiring Commission attention relate to the Special Voting Deputy process and polling places which are currently located at care facilities. WEC staff has received numerous inquiries from local election officials expressing concerns and seeking guidance regarding these issues.

#### Special Voting Deputy Process

Wis. Stat. § 6.875 outlines the process for voting by special voting deputy (SVD). SVD's are individuals who are deputized by the clerk of each municipality to not only bring enough ballots to each residential care facility to vote, but to assist the voters with the voting process. Beginning Monday, March 16, municipal clerks are required to begin sending two SVD's to each facility for two visits prior to the election to conduct in-person, on-site voting with the residents.

Sometimes this process happens in a common area in the facility, and sometimes the voting occurs in individual voters' rooms depending on the voter's mobility and health needs. The process also requires that public observers be allowed to watch the voting process in these

Wisconsin Elections Commissioners

Dean Knudson, chair, J. Marge Bostelmann | Julie M. Glancey | Ann S. Jacobs | Robert Spindell | Mark L. Thoms

Administrator Meagan Wolfe

# Mount Pleasant Village Hall

1) In light of Executive Order #72 and directives of the Department of Health Services, the Commission finds that Special Voting Deputies are "non-essential" individuals who are not permitted to enter nursing homes and other care facilities without completing a screening process that is not feasible to implement prior to the Spring Election and Presidential Primary. For that election and the May 12, 2020 Special Election in the 7<sup>th</sup> Congressional District, the Commission directs that municipalities shall not use the Special Voting Deputy process to serve residents in care facilities and instead shall transmit absentee ballots to those voters by mail.

# Review of Documents

#### **APPLICATION FOR ABSENTEE BALLOTS**

- Pre-filled out by facility staff
- The Certification of being "indefinitely confined" prechecked by staff

#### OR

- The Certification of being "indefinitely confined" post-checked by the municipal clerk

#### **VOTER ENVELOPES**

- Certification of Witness – Facility staff

### **WEC LETTERS TO MUNICIPAL CLERKS**

- Coordinate with the dates of the open meetings by the WEC
- Open meetings can be viewed on WisEye www.wiseye.org



# Review of Documents



-			Wisconsin	App	lica	ation f	or A	bsente	ee E	Ballo	ot		pul Clark) If in- hock hore	erion 🗖
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_	3	Confidential 6	Elector IDIII					WisVote (Officer Use					Ward No.	
	Yo	ed instructio u must be reg	ns for completion are o sistered to vote before you QUIRED, unless you qu	u can r	ecelve	an absen	tee bati	o. You can	confir	m your	voter reg			
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	Municipality Uttops								Cour	nty				
	Last N	lame					F	rst Name	2	sic.L	21			
1	Middle	Name		Suffor	(r.g. 3),	f, rsc.)		Date of	Birth					
1	Phone		Fax					Email	_					
-		ence Address: umber	Street Number & Name					St	ate & 2	ZIP				
1	II int	ne appropriate o	drde if applicable (see in	etruction	ns for d	definitions):	$\top$	Miltary			ent Overs	eas Te	emporary Ov	erseas
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TF	_	MAIL	Mailing Address: Street			Ť	ADSHIRO	e ballots ma	y not i	DE IOIW	aroco.)			
0	VOTE IN	Apt. Number	$\neg$	City						St	ate & ZIP	Т		
	_	CLERK'S OFFICE	Care Facility Name (if	applica	ible)									
	(		C / O (if applicable)		and the second									
	O 1	AX	Fax Number										er and print	
Г	7	EMAIL	Ernail Address							must b	e returne	d by mail.		
QU	EST	AN ABSE	NTEE BALLOT BE	SENT	гто	ME FOR	t: (mar	s only one)	_					
	For	elections from indefinitely- uest absentee lements in ord	n the following date(s): _ today's date through the confined voters only: I ballots be sent to me as ler to obtain an absented .13(3)(i), 12.6D(1)(b).	certify	that	l am Indef	initely	confined be	cause r I fall	of age	n a ballot	. Anyone	who makes	false
MPO	RAR	ILY HOSPI	TALIZED VOTERS	ONL	Y (ple	oase fill in o	circle)							
			not appear at the polling nt to Wis. Stat. § 6.86(3)		on ele	ction day b	ecause	I am hospita	slized,	and ap	point the	following (	person to se	erve as
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_	the a	pplication is m	nade on request and by a	uthoriza	ation o	f the name	d electe	r, who is uno	able to	sign th	e applica	tion due to	physical dis	ability.
ture	X					Today's (	Date	3/10	10	0				
rerea	DEC	LARATION	/ CERTIFICATION	(requi	ired fo	r all voters	)	- /	1					
IEK	prec	eding this elec	ctor, a U.S. Citizen, at lea- tion, not currently serving w to acknowledge that y	a sont	ence l	naluding pr	obation	or parole for	a felo					
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ify that	x	De Alex				Today's D	ate	3/11	20	a				11



# WISCONSIN STATUTE

LEGISLATIVE POLICY. The legislature finds that voting is a constitutional right, the vigorous exercise of which should be strongly encouraged. In contrast, voting by absentee ballot is a privilege exercised wholly outside the traditional safeguards of the polling place. The legislature finds that the privilege of voting by absentee ballot must be carefully regulated to prevent the potential for **fraud or abuse**; to prevent **overzealous solicitation** of absent electors who may prefer not to participate in an election; to prevent **undue influence** on an absent elector to vote for or against a candidate or to cast a particular vote in a referendum; or other similar abuses.





# WISCONSIN STATUTE

### Absentee Voting in Facilities

- This statute is the **"exclusive means"** of absentee voting in residential care facilities
- Shall dispatch two Special Voting Deputies ("SVDs") to the facility
- The SVDs **shall** personally deliver the ballot
- NO employee (or past employee of the last two years) may be an SVD
- Notice of the SVDs visit **shall** be posted at the facility
- The SVDs **shall** witness the vote and **may assist** in marking the ballot
- The SVDs shall NOT accept an absentee ballot not issued by an SVD
- No individual other the a SVD or relative may assist the voter
- The SVDs **shall** seal the ballot envelope and deliver it to the clerk





# WISCONSIN STATUTE

### Absentee Voting in Facilities

·§ 6.875(6)(e) – "If a qualified elector is not able to cast his or her ballot on 2 separate visits by the deputies to the home or facility, the deputies shall so inform the municipal clerk . . . Who may then send the ballot to the elector . . ."

The WEC falsely reasoned that since the Special Voting Deputies could not be allowed into any facilities, the Special Voting Deputies "program" could be "suspended", and the municipalities could go directly to the mailing process. The WEC also improperly/illegally advised the facilities to have staff members assist the residents in voting.



# UNITED STATES

### CONSTITUTION

Article II, Section 1, paragraph 2 – The state legislature is to determine the "Manner" in which the President is elected

Article I, Section 4, paragraph 1 – It is up to the state legislature to determine "the Times, Places and Manner of holding Elections for Senators and Representatives"



### RIDGEWOOD CARE FACILITY DECEMBER 18, 2020

- The Executive Director stated he "hoped" his staff was "honest" while marking the voting ballot for the residents
- The Director of Recreational Therapy stated that if a resident could only point to the ballot, her staff would fill in the appropriate dot
- The Director of Recreational Therapy was "confident" Shirley wanted to vote, but then admitted she did not have contact with Shirley – her staff would have contact with the residents
- The Activities Aid stated if the resident did not want to vote, she would come back later
  - The Activities Aid stated she would leave the news channel on for a few days and then come back and see if the resident wanted to vote (List of preferred channels or NBC)
  - The Activities Aid stated she would keep the ballots in her desk drawer when she was waiting for the residents to decide to vote



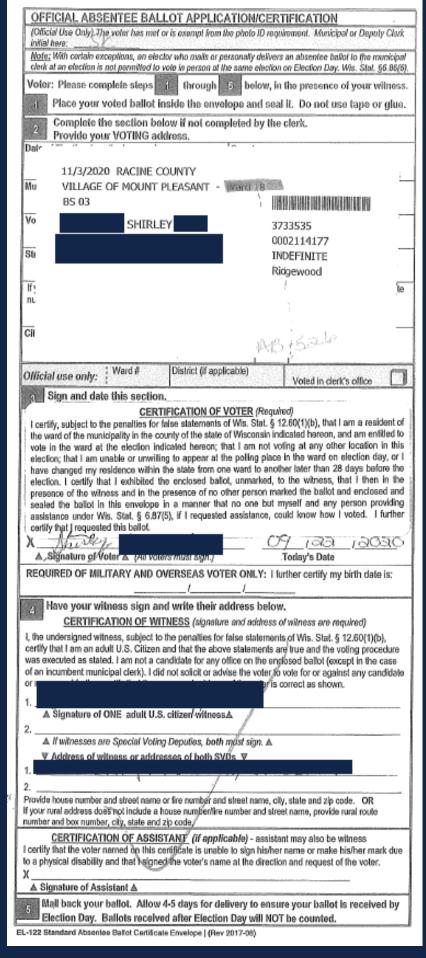
### RIDGEWOOD CARE FACILITY DECEMBER 18, 2020

- The procedure implemented by the facility did not comply with the instructions on the ballot envelope
- The Director of Recreational Therapy and the Activities Aids agreed that:
  - If the resident did or did not vote, the Activities Aid would place the ballot in the envelope (unsealed) and give it to the Director of Recreational Therapy
  - The Director of Recreational Therapy would seal the ballot envelope and mail it to the municipal clerk





# Review of Documents





### Other Concerned Families

DF was adamant that her mother, OF, would not have requested an absentee ballot. She was unable to remember what she ate for breakfast that day. DF stated, "It is so hard to get her to sign something, even things that I need, you know, to conduct business, it is very hard to get her to sign anything. So, she would not have requested a ballot and then sat there and signed it, no. I just don't believe that." According to My Vote Wisconsin (Since 2012), there is no record of OF voting in any other election.

RP stated that her father, NG, had difficulty recognizing his own grandchildren. He would not know that Trump was the president nor who was elected the new president, and he would not know what the candidates stood for on the issues. RP stated NG only asked about "Doritos" and "Snickers". According to My Vote Wisconsin (Since 2012), there is no record of NG voting in any other election. When asked if NG would have the mental ability to express his desire for an absentee ballot and exercise his right to vote, RP responded, "No! No, I'm sorry, no!". According to My Vote Wisconsin (Since 2012), there is no record of RP voting in any other election.





### Other Concerned Families

LM stated her mother, RL, is confused, not sure where she is, does not recognize her own children, and is not right in her own mind. LM stated RL would not have known who the candidates were, and someone had to have taken advantage of her. According to MyVote Wisconsin (since 2012), there is no record of RL voting in any other election.

RS stated his mother, FP, is 102-years-old and is experiencing dementia. RS stated that FP is starting to forget to eat; that she cannot recognize her own children; that she is starting to forget to eat; and that she only remembers the past. According to MyVote Wisconsin (since 2012), FP voted in this election and an election in 2012.

TM stated his father, MR, did not have the desire to vote absentee. TM stated MR informed her and her mother that if he cannot vote in person, he did not want to vote. According to MyVote Wisconsin (since 2012), there is no record of MR voting in any other election.



### Other Concerned Families

RM is the legal guardian for SL, and RM stated that SL has been determined to be incompetent by a probate court. RM stated she believed SL's right to vote had been taken away. RM stated SL is unable to make any decisions for herself and she has no ability to know what is going on. RM stated SL would not know how to request an absentee ballot. RM stated SL is not allowed to sign any legal documents because she is so impaired. RM stated SL would have no inclination to vote and she would have no idea what she was doing. AS stated, her mother, SL, was suffering from dementia and she did not have the sound mind necessary to request an absentee ballot and to exercise her right to vote. **According to MyVote**Wisconsin (since 2012), SL voted in this election and an election in 2012

GH stated his mother, BH, would ask him, "Who are you?" and GH would respond, "I'm your youngest boy." GH stated BH believed her own mother died a few weeks ago but her mother actually died in 1965.

According to My Vote Wisconsin (since 2012), BH voted in two elections in 2020 and no other elections.



# WISCONSIN ELECTIONS COMMISSION



**SECRETARY** 

Marge Bostelmann



COMMISSIONER

Julie M. Glancey



CHAIR

Ann S. Jacobs



COMMISSIONER

Dean Knudson



COMMISSIONER

Robert F. Spindell, Jr.



**VICE-CHAIR** 

Mark L. Thomsen





## Timeline



### MARCH 10, 2020

- The WEC sent a letter to the Governor requesting the "suspension" of "several provisions of Wisconsin election law"
  - Special Voting Deputies
  - Moving the location of polling places
- The Governor's Office informed the WEC that the Governor does not have the power to "suspend" parts of Wisconsin's voting law during an emergency

### MARCH 12, 2020

- Governor Ever's issued Executive Order #72
- The WEC issued a directive stating Special Voting Deputies shall not be sent to facilities
- Commissioner Knudsen, "what we are really saying here, is once again, we are saying that, despite what the law says, the election commission is saying, in this instance, we need to have some flexibility, **to not follow the law."**

## Timeline

### MAY 26, 2020

- Governor's extended "Safer at Home" order expires

### JUNE 24, 2020

- The WEC extended their previous March 12, 2020, orders
- Commissioner Knudson, "We need to go back to following the law, but for the Special Voting Deputies, following the letter of the law here would mean putting hundreds and hundreds of nursing home residents' lives at severe risk. There is got to be a way to do this without doing that."
- Commissioner Spindell was concerned with fraud in nursing homes and suggests PPE's



## Timeline

### **SEPTEMBER 16, 2020**

- The WEC extended their previous March 12, 2020 orders
- Commissioner Spindell stated the law stated the WEC is supposed to do something, and the WEC is not doing that task Spindell asked where that power came from. He also suggested use of technology to facilitate Special Voting Deputies.
- Commissioner Knudson stated, "My thinking going back to March on this, from the time I first communicated with the Governor saying I thought that we should not follow this law during this pandemic."
- Chair Jacobs stated the "state law" or "rulings of DHS" would not allow for Special Voting Deputies inside of facilities



# Review of Documents

### How to assist the voter in filling out their absentee ballot

If a voter requests assistance, you may read the ballot, including candidate names, party affiliations and ballot instructions, to the voter or mark the ballot as directed by the voter. If the voter asks questions about individual candidates or their political platform, you cannot answer those questions. You cannot in any way prompt the voter to vote for a particular candidate. If uncertain for whom to vote, the voter may decide to leave a contest unvoted. After assisting the voter, you will sign the ballot in the box that says, "Certification of Voter Assistance."



#### **Absentee Voting at Care Facilities in 2020**

#### Your Role as a Care Facility Administrator

In a typical election, Special Voting Deputies (SVDs) may be coming into your facilities and conducting absentee voting with your residents. However, due to safety concerns, SVDs will not be entering your facility for the November election. Instead ballots will be mailed out to individual voters with current requests on file. Many care facility and nursing home residents rely on family members for assistance in voting. Because most care facilities and nursing homes are not allowing guests at this time, some voters may require assistance from care facility staff to vote. We know that this may be difficult for many facilities due to competing priorities and staffing. This document will provide resources to make absentee voting and registering to vote as smooth as possible for your facility and your residents.

As a care facility administrator or staff member, you are able to:

- Assist residents in filling out their ballots or certificate envelopes.
- Assist residents in completing voter registration forms and absentee requests.
- Sign the special certificate envelope (EL-122sp) if necessary (see below for explanation).
- Witness ballots.

#### Absentee Voting for Residents of Your Facility

Ballots began being mailed out on September 17 for voters with current absentee requests on file for the November 3 election. Most ballots will be mailed to voters, but some clerks have indicated that they are hand delivering ballots to care facilities in a large envelope or other sealed container. After receiving ballots, you must distribute ballots individually to those voters. If a voter no longer lives in your facility or is deceased, please mark the ballot carrier envelope "moved" or "deceased" and return it to the municipal clerk as soon as possible.

Each absentee carrier envelope should contain the ballot, an instruction sheet and a certificate envelope used to return the ballot (referred to as the EL-122).

#### How to assist the voter in filling out their absentee ballot

If a voter requests assistance, you may read the ballot, including candidate names, party affiliations and ballot instructions, to the voter or mark the ballot as directed by the voter. If the voter asks questions about individual candidates or their political platform, you cannot answer those questions. You cannot in any way prompt the voter to vote for a particular candidate. If uncertain for whom to vote, the voter may decide to leave a contest unvoted. After assisting the voter, you will sign the ballot in the box that says, "Certification of Voter Assistance."

Wisconsin Elections Commission
212 East Washington Avenue | Third Floor | P.O. Box 7984 | Madison, WI 53707-7984
(608) 266-8005 | elections@wi.gov | elections.wi.gov



# Timeline

## **JANUARY 15, 2021**

- The WEC extended their previous March 12, 2020, orders
- Commissioner Knudson:
  - Expressed his concern that the "policy" of the WEC was "telling the clerks to break the law" and he stated, "But I continue to have great discomfort with the idea that our motion is going to direct them, that we're the ones directing them to break the law."
  - Suggested the use of technology so that all of the policies "as required by law are being followed".
  - The "SVD law is a law" and "some of the prohibitions on visitors at nursing homes . . . was a guidance, a directive."



# Timeline

## **FEBRUARY 11, 2021**

- Legislative Council provided an opinion to the Joint Committee for the Review of Administrative Rules (JCRAR) that state law does not empower the WEC to waive the Special Voting Deputies, nor does the law contain an exemption for a pandemic
- JCRAR notified the WEC to promulgate an emergency rule or cease issuing such directives

## MARCH 2, 2021

- WEC amends their directive and now calls for Special Voting Deputies to be sent to facilities two times prior to mailing the ballot

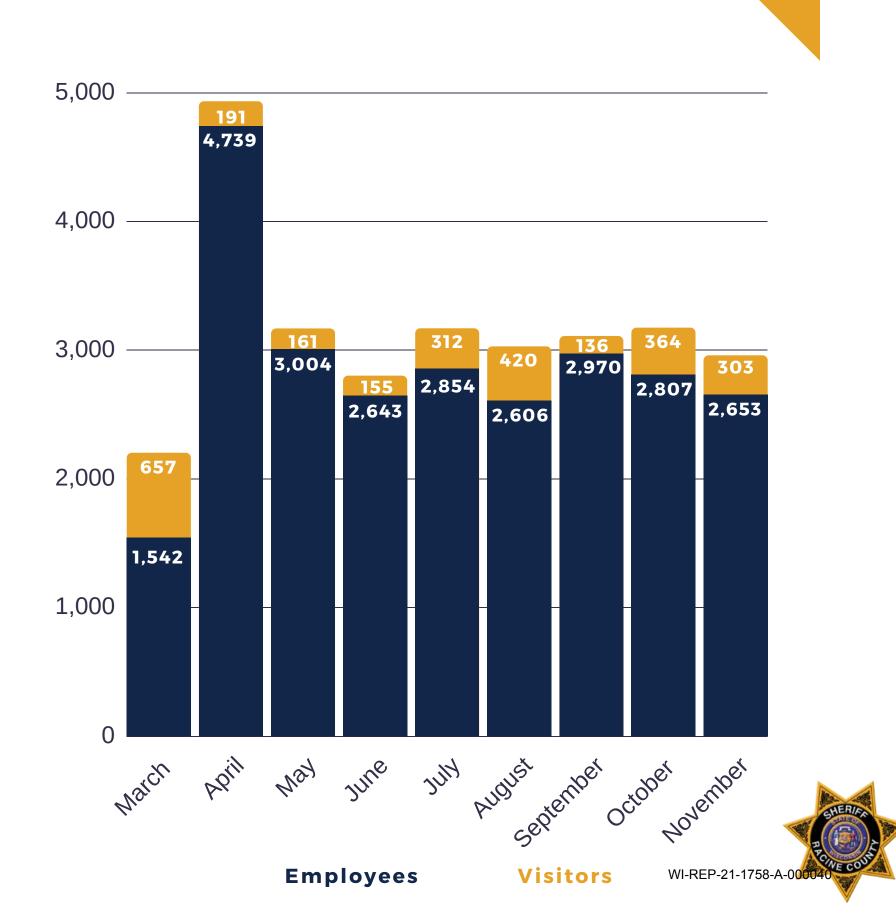


# Ridgewood Care Facility

Employees and Visitors

### 333 Employees

### 899 Visitors





# Interview or Job Interview

24 Times

# **Orkin Service**

19 Times

# Kitchen or Kitchen Repair

17 Times

## **Elevator**

AMERICAN OVERSIGHT

## Instructor

4 Times and 19 Times with Students

# TYPES OF VISITORS

# Vendor/Vending Machine

17 Times

# Cleaning Fish Tank, Cleaning Tanks, or Tank Maintenance

11 Times

# Laundry or Laundry Repair

8 Times



# Maintenance

6 Times

# TYPES OF VISITORS

Copier

4 Times

# Clean Bird Cage

3 times

Inspection

2 times

Looking for a Job

DoorDash Delivery







# WISCONSIN STATUTE Election Fraud

·§ 12.13(2)(b)(7) – "In the course of the person's official duties or on account of the person's official position, intentionally violate or intentionally cause any other person to violate any provision of chs. 5 to 12 for which no other penalty is expressly prescribed."

·§ 12.13(3)(n) – "Receive a ballot from or give a ballot to a person other than the election official in charge."

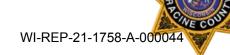
·§ 12.13(3)(p) – "Receive a completed ballot from a voter unless qualified to do so."

•§ 12.13(3)(s) – "Solicit another elector to offer assistance under s. 6.82 (2) or 6.87 (5), except in the case of an elector who is blind or visually impaired to the extent that the elector cannot read a ballot."





Wisconsin Elections Commission





### Wisconsin Elections Commission Special Teleconference Meeting

On June 24, 2020, the Wisconsin Elections Commission held a special teleconference meeting to discuss Special Voting Deputies for the August Election.

Categories: Meetings











WI-REP-21-1758-A-000050

# Moving Forward

Wisconsin
State Legislature

Governor

Tony Evers
Office of the Governor | State of Wisconsin

**Attorney General** 







262-636-3853



voterintegrity@racinecounty.com





Office of the Special Counsel

First Interim Report

Delivered to the Wisconsin State Assembly November 10, 2021



"I am writing this, as I feel my mother was taken advantage of in her mental state. Parents and loved ones should be protected, not exploited, for an ink mark on a piece of paper and questionable agenda." *Judy Weshphal-Mitchell, discussing how actions of the Wisconsin Election Commission affected her family* 



Elections in the United States are the bedrock of our constitutional republic. They are subject to the law, including the fundamental laws found in the Constitutions of the United States and the State of Wisconsin. But fair elections are not a mere checkbox exercise. To secure republican government it is important not just that the law is followed, but that the citizens have confidence the law is followed. In the run up to the election of November 3, 2020, polling showed a majority of Americans did not have confidence their vote would count. In a democracy, this is as untenable as it is unacceptable.

To help address these concerns, the state Assembly established a new office, the Office of the Special Counsel, to investigate the recent elections in our state. As head of this new office, I am authorized by law to take all reasonable steps to investigate what happened in regard to the November 2020 election, what should have happened, why there was a difference between the two, and to recommend steps to enhance the transparency of our elections as well as restore public confidence in elections going forward.

This interim report is a first step in discharging that mission.

While this report does not definitively answer all questions that might be asked about the November 2020 election, it takes an important step in collating those questions and presenting them in a structured manner.

Over the approximately sixty days since my office was created and has been funded, we have spoken with, and listened to, everyone who has wanted to talk. This open-door policy will remain throughout the entirety of this investigation, and any future investigation with which this office is charged. We have drawn some criticism from those in the media who would suggest my discussions with various individuals or groups implies an endorsement of their views. This is not the case. I do not apologize for this open-door policy: the views of all Wisconsinites matter and sidelining or even laughing



at serious concerns of any citizen of this state would call into question whatever may be discovered by my investigation.

In the short time the Office of the Special Counsel has been funded, we have not only met with many individuals and groups, but we have collected, and in some cases compelled by law, the production of relevant information. Further, our investigation has gone beyond, and will continue to go beyond, the investigation recently conducted by the Legislative Audit Bureau (LAB). One purpose of this interim report is to lay out for the public how my Office's investigation differs significantly from the LAB investigation.

Notwithstanding lawsuits and threats of more lawsuits supported by high-priced, outof-state lawyers, my office expects to depose government officials, under oath, to
determine whether state and federal law were followed in our elections, whether good
management held, and if not, who might have been responsible. If necessary, we stand
prepared to refer all relevant information to appropriate state and federal law
enforcement authorities. The wagon-circling by government entities in our state is
concerning and is not limited to my investigation: the City of Madison, the City of
Milwaukee, and the town of Little Suamico all refused to fully cooperate even with the
LAB investigation, cooperation to which our legislature and the people are entitled by
our State Constitution.

Make no mistake: I sincerely hope the law was followed in Wisconsin. It would give me the greatest satisfaction to deliver to the speaker of the Assembly and the public a final report which analyzes the November 2020 election in a complete and thorough manner, concludes no major overhaul of our laws or practice are necessary, and the election was administered in a legal and appropriate manner. And yet, as the following interim report demonstrates, many important questions remain unanswered. These questions include: were all lawful votes, and only lawful votes, counted? Did the machines work as advertised and expected? Were all election processes followed to the letter? Did clerks and other election officials have all the tools they needed to deal with the unprecedented



challenge posed by the COVID lockdowns and historic levels of absentee voting? Did outside corporate money unduly influence the election and/or the administration of the election? Above all, what changes can the state of Wisconsin make to ensure our future elections are not only secure, but as important, widely known to be secure?

In the coming weeks, my Office will continue to collect and analyze information about the November 2020 election, because the public has a right to know what happened. I have no partisan agenda: I am not running for office, and I do not know of any lawful remedy in the state of Wisconsin to change the certification of its electors from our current President Joe Biden to former President Donald Trump. Furthermore, I do not come with preconceived answers to any questions. Why were so many voter registrations at a single address? Why were so many voter registrations given under a single phone number? Why was there a "blip" at 4:00 a.m. in the reported statewide returns the morning after the election? All of these questions may have innocent explanations. My investigation intends to discover facts which will allow the legislature and the people of Wisconsin to draw their own conclusions about the integrity of the November 2020 election.

Many of these answers might have already been obtained were it not for unjustified obstruction of this investigation. Specifically, I requested information from the Wisconsin Elections Commission (WEC) and certain clerks about election procedures and information they possessed. With a large degree of political theater, some of this information has been withheld. I issued subpoenas, as I am lawfully authorized to do as part of my Office's investigation as a function of legislative oversight. Rather than simply provide the information, WEC has filed a lawsuit in an attempt to quash the subpoenas and avoid providing governmental data and information to my office. I am aggressively defending the subpoenas in our state courts—courts which I once helped to oversee in my capacity as a Justice—but WEC's actions beg the question: What are WEC and the recalcitrant city clerks hiding from the public and our legislature?



Nevertheless, I have had many productive conversations with government officials. In fact, in the many discussions my Office has had with the fine public servants in the state of Wisconsin, I have learned that complicated questions may have simple answers. But many complicated questions deserve honest answers that take time to process and report. I ask each reader of this interim report to take this as a jumping-off point for learning about the administration of elections in Wisconsin. And again, please reach out to my office if you have any information of relevance. Your voice matters.

Michael J. Gableman

Special Counsel



#### What is the OSC Investigation?

November 3, 2020, was election day nationwide, and was, in our State of Wisconsin, the culmination of months of work by dedicated election workers and volunteers. It was a monumental and expensive undertaking which is critical to our representative democracy. However, it is beyond debate that questions remain about the integrity of that election. In discharging its duty under both the Federal and State Constitutions, the Wisconsin State Assembly saw fit, on June 26, 2021, to appoint a Special Counsel, establish the Office of the Special Counsel to investigate the election, make findings, and report those findings and recommendations to the Assembly. This report is a first step in fulfilling that duty.

The Office of the Special Counsel is an authorized agency of the State of Wisconsin. Its staff, including and especially the Special Counsel himself, take care to abide by all applicable state and federal laws, including open records laws and regulations relating to the practice of law. My Office will abide by the highest ethical standards to maintain a commitment to transparency, inclusion, and accountability. As such, the Office has established various internal policies, continues to maintain records, and commits to full disclosure of all public records upon the conclusion of the present investigation.

To-date, my Office has already collected and reviewed thousands of governmental and other documents. My Office has interviewed numerous witnesses and will continue to do so until the conclusion of the present investigation. The Office has been allocated a comparatively modest budget and has relied heavily upon volunteers and input by citizens' groups: the vast majority of the Office's budget, while allocated, has not been spent.

The Office may be reached at (262) 202-8722 or online at <a href="www.wifraud.com">www.wifraud.com</a>. As noted below, testimony compelled by this Office bears with it the promise, mandated by Wisconsin law, that any information so compelled may not be used in a criminal



proceeding against the individual from whom it was provided. *See* Wis. Stat. § 13.35. This Office has already been in contact with certain whistleblowers and commits to taking all steps to protect their interests and those of future whistleblowers.

#### **Constitutional Authority**

Pursuant to the federal Constitution, Article I, Section 4, it is state legislatures who are authorized to set "The Times, Places and Manner of holding Elections for Senators and Representatives..." The Supreme Court of the United States has clarified that this means the Wisconsin legislature bears primary responsibility for establishing rules regarding things like voter registration, poll watching, penalties, ballot counting, and certification. This primacy of the state legislature is ratified by the Wisconsin Constitution, which in Article IV, Section 1 declares "The legislative power shall be vested in a senate and assembly." Whether this means the state Assembly and Senate may, by joint resolution and without gubernatorial signature, tighten up or loosen election security for federal elections, and whether there are limits on how much of this constitutional responsibility can and should be delegated to other state actors (such as the Wisconsin Elections Commission), is an open question in state law.

There is some debate that the Elections Clause of the United States Constitution authorizes states to regulate legislatures alone to dictate the time, places, and manner of elections. While the word "legislature," is used several times in the federal constitution, its meaning differs according to the context in which it appears, dependent upon the character of the function which the legislature is called upon in each respective instance to exercise. Ariz. State Legislature v. Ariz. Indep. Redistricting Comm'n, 576 U.S. 787, 808 (2015) (citing Atlantic Cleaners & Dyers, Inc. v. United States, 286 U.S. 427, 434 (1932)). Even if the constitution authorizes the Assembly and Senate to jointly amend parts of our election code without gubernatorial signature, the Wisconsin constitution provides that the legislature should create bills of law which become effective only when signed by the governor. Wis. Const. Art. 4, Section 17; Article 5, Section 10. It may be the case that the



Senate and Assembly can change election regulations in the absence of a statute on the books, indeed Wisconsin law appears silent on this question, but it would be another matter for the Senate and Assembly to seek to repeal an extant portion of the election code.

This brings up a second, equally important issue—certification of the vote. There are serious and legitimate questions that the certification of Wisconsin's election results may have been undertaken in an unlawful and unconstitutional manner. While the Wisconsin legislature has specified how presidential electors are selected, that statute does not empower the governor or WEC to certify the results of the election. The acceptance of electors by the governor while recount challenges were pending deprived the legislature of the right to certify the vote pursuant to Article II of the United States Constitution. Hasty certification of electors in a tightly contested election may disenfranchise voters to the same extent as missing a deadline and failing to certify electors at all. While hasty certification may violate the state constitutional duties of the legislature, delaying certification of electors until resolution of relevant issues does no such violence to our legal system.

#### Statutory Authority

The authority of the Legislature brings with it the legislative prerogative to gather information, debate bills, and pass laws. In discharging these duties, the legislature bears the constitutional obligation and has the authority to conduct oversight, including the ability to compel production of documents and testimony. Under Wis. Stat. § 13.31, the legislature has the authority to subpoena information from individuals. Because this legislative subpoena is a part of common law legislative authority which holds that without access to all available information a legislature cannot properly legislate—and because this subpoena does not directly relate to or contemplate criminal proceedings, criminal due process rights are not implicated. *See* Wis. Stat. § 13.35. To this end, § 13.35 expressly provides that documents and testimony provided by a witness pursuant to a



legislative subpoena cannot "be used in any trial or criminal proceeding against such person in court." This does not preclude this Office from turning over information to relevant law enforcement agencies, or by talking with this Office any given individual is somehow immune from criminal prosecution.

This office has, to-date, issued seventeen subpoenas for documents as well as testimony for governmental information from sitting government officials and has obtained some voluntary compliance. These subpoenas, properly issued pursuant to and in furtherance of the legislature's core oversight function, have nevertheless been attacked by the media, are subject to pending litigation, threats of more litigation, and have involved nationwide attention and the work of out-of-state partisan attorneys. Given the substantial recent history of municipal non-compliance with the LAB investigation and the plenary authority of the legislature, the Assembly and this Office are defending these subpoenas. The legislature, and the public, have a right to all available information and the testimony of election officials about elections administration in Wisconsin.

#### A. How This Investigation Differs from the LAB's Investigation.

The LAB, established in 1971, is authorized by Wisconsin statutes to "conduct...audits of the accounts and other *financial* records of departments to assure all *financial* transactions have been made in a legal and proper manner." Wis. Stat. § 13.94(1) (emphasis added). LAB has a large staff and a laudable history of working with all state instrumentalities, but its relatively narrow mission is to ensure taxpayer money is well-spent. Its report issued October 22, 2021, notes up-front that it is concerned with "audits and evaluations of public finances and the management of public programs." As such, its interest is neither in addressing policy concerns nor the concerns of the full legislature, but of responding to directed audits of the "records of each department" of the state of Wisconsin. Further, as the recommendations in the LAB report suggest, its ability to make recommendations is statutorily limited to the four corners of current Wisconsin law and it does not generally make recommendations to improve the law. When it does, as



in the case of the current report, these changes are extraordinarily modest, perhaps recognizing its limited authorization. Finally, its sole product is a "detailed report" to the legislature, which includes discussion of any "illegal or improper expenditures." To the extent illegal or improper conduct does not implicate the state fisc, that conduct is beyond the purview of LAB inquiry.

By contrast, my Office's investigation has a wide mandate to investigate elections in Wisconsin, beyond mere "waste, fraud, and abuse," as well as the authority to gain access to necessary testimony and documents, even when recalcitrant individuals or municipalities are not otherwise inclined to "cooperate."

### Can Private Groups be Involved in Running Wisconsin Elections?: Delegation and Undue Corporate Influence

While this Office draws no conclusions yet, initial interviews and discussions with clerks suggest there is widespread and substantial confusion about the appropriate role of outside money in the administration of Wisconsin elections. Evidence is already in this Office's possession indicates undue influence by well-funded private groups, who leveraged large grants to certain Wisconsin cities in order to co-opt our election apparatus to their benefit. The recent LAB investigation did not comprehensively investigate or address these concerns by clerks and the public, concerns which led to frustration and untimely resignation of at least one long-serving clerk and numerous unanswered complaints to WEC. Indeed, contracts made between outside groups and certain municipalities led directly to actions contrary to Wisconsin state law, which some clerks noted harmed both election security and the physical safety of voters. The public has a right to know if there was a *quid pro quo* arrangement between outside groups and cities, and if so, what the terms of that agreement were.

How much authority can clerks contract away to private organizations? As the LAB report contends: "Statutes do not specify the actions and responsibilities that consultants



are allowed to take at polling places and central count locations on Election Day." Nevertheless, for the purposes of legislative inquiry, this is not, and cannot, be the end of the story. Whether certain organizations and individuals operated within a grey area in state law does not preclude obtaining all relevant facts and attempting to draw fine distinctions to facilitate legislative oversight, dialogue with the public, present legislative recommendations, and restore confidence in Wisconsin's system of elections. We need to gather all facts so the legislature can address any problems.

Oblique reference to at least one major issue is made in the LAB report which bears mentioning. Specifically, the LAB report notes the following:

"We asked the clerks of all thirty-nine municipalities [that used central count locations] whether consultants worked at central count locations during the November 2020 General Election. Clerks indicated consultants associated with private organizations worked at the central count locations in two of the thirty-nine municipalities. Specifically:

- One municipality indicated a consultant attended the August 2020 primary as an
  observer, helped to modify the municipality's election training materials from
  August 2020 until October 2020, and was at the central count location on Election
  Day in November 2020 to provide technical assistance for electronic voting
  equipment. The municipality indicated at least five poll workers monitored such
  assistance at all times.
- A second municipality indicated a consultant provided logistical support and offered elections administration recommendations but did not have the authority to make decisions and did not count ballots. The municipality indicated the consultant initially wore a city employee identification badge at the central count location on Election Day in November 2020 but subsequently became an observer after the deputy clerk spoke with WEC's administrator about this individual."



This cursory reporting is concerning, because it substantially waters down already-public information relating to the involvement by a number of private groups in election administration, and it suggests problems were raised and adequately resolved by clerks and WEC.

In fact, in both instances, evidence is already available to this Office that is inconsistent with the LAB's report, and which indicates a more widespread and deeper issue. For example, one private organization referred to in the LAB report was directly involved in all aspects of management of election officials, was entrusted with the only sets of physical keys to the city's central count location, managed the transportation of ballots, and instructed the counting of unlawful ballots that had arrived at the central count location beyond the lawful time window.

Furthermore, under Wis. Statutes § 7.41, there are express rules for "members of the public" to exercise their right to observe Wisconsin elections, which include limitations on the ability of observers to obtain confidential voter information or to communicate with election officials. Individuals are, under Wisconsin law, either election officials or members of the public, and do not "become" observers, as the LAB report suggests. Finally, issues involving possible unauthorized access to election materials or impersonation of a municipal employee cannot be remedied by *ex parte* discussion with a single bureaucrat at WEC. None of these issues are directly addressed by the LAB report.

The LAB report also fails to address to what degree state instrumentalities may properly contract with private groups for purposes of administering public elections. Clerks have already raised concerns to this Office that there are certain election administration functions which they are simply unable to perform. Clerks and the public have raised concerns about the ability of outside contractors to legally bind election officials with onerous contractual terms.



#### Contracts with private groups for election administration and management.

This Office is reviewing contracts between municipalities and private groups which gave preferential access to voter data to those private groups and prohibited contracting municipalities from exercising their legal right to change election procedures, lest they be on the hook for paying substantial sums of money back to those groups. Clerks have also raised concerns about technical contracts which limit their ability to review the inner workings of equipment and software related to voter registration and vote tabulation.

A major concern raised by numerous members of the public is whether outside contractors abided by all applicable state and federal antidiscrimination laws, a question not addressed in the LAB report.

This Office has also already uncovered evidence of selective targeting of voters by these private groups, raising questions as to what extent nonpartisan government agencies were turned into partisan get-out-the-vote operations, or whether this targeting was performed on any other unlawful basis. Some of this targeting was apparently in the context of recommending ballot "drop boxes" in certain locations, but not others, a violation of Wisconsin Stat. § 6.855 (see below). Each of these facts, if true, are concerning, and this Office continues to investigate the extent of this entanglement. Furthermore, without statutorily mandated training for clerks, the possibility of undue outside influence in our elections increases. In the vacuum created by WEC, understaffed and overworked clerks can find it all-too-easy to take money and personnel from private groups that might not have compliance with the law as their top priority.

Some clerks have noted to this office the complexity and scope of Wisconsin elections will always and necessarily require delegation of at least some election functions to private companies. But clerks have suggested a line must be drawn somewhere and many express concern over the 2020 election. Indeed, one current clerk specifically recommended to this Office that private money be prohibited. This Office continues to



investigate precisely how much authority was ceded to private entities and whether that subservience hindered the fair administration of elections and/or diminished public confidence in that fairness.

Who Runs Wisconsin Elections? Finger-Pointing and the Wisconsin Elections

Commission

Clerk Authority

The core of the constitutional and statutory responsibility for election administration in Wisconsin resides with county and municipal clerks. Under Wisconsin Statute § 7.15(1), the municipal clerk has "charge and supervision" of not only state, but also federal elections within a municipality. In turn, these municipal clerks report electoral results to the county clerk and provide county clerks with all materials the county clerks need to discharge their lawful duty to administer elections in their county. While municipal clerks are appointed by political officials such as mayors, county clerks in our state are directly elected.

Government Accountability Board Scandal and Creation of Wisconsin Elections Commission

To assist with developing best practices, the Wisconsin Elections Commission (WEC) was established in 2016. Prior to 2016, a large, opaque, politically partisan, and unaccountable agency, the Government Accountability Board (GAB), was charged with administering vast swaths of statewide ethics and election law. In the wake of a major statewide scandal that drew national attention, the John Doe investigations, the legislature and Governor took the unprecedented step of abolishing that agency and amending state election laws. However, rather than returning the state to a system of clear delegations of authority and broad clerk autonomy, those amendments created WEC, drawing criticism from many quarters, including Kevin Kennedy, the outgoing Director of GAB, who remarked that



the new system would have essentially no changes, and that the new system would be "no more transparent" than the old one.

One example of Kennedy's fulfilled prophecy is the abundance of inconsistent information relating to voter data in the registration database. In its waning days of 2015, the GAB was confronted with 28,906 voters whose information about their name and address as reported to the DMV was inconsistent with information for the same voter in the voter registration database. The GAB dismissed those concerns. However, as of 2021, those same numbers not only continue to exist and have never been adequately explained but increased in number under WEC's tenure.

Pursuant to Wisconsin law, WEC is tasked with certain portions of "the administration of...laws relating to elections." Wisconsin Statutes § 5.05(1). Precisely how far this delegation goes is an open question. WEC authority as expressly laid out in that section contemplates public rulemaking, investigation, and enforcement. However, the election code sections over which WEC has regulatory authority include numerous provisions which expressly delegate authority to individual actors, such as county and municipal clerks. In fact, Wisconsin law delegates to the "board" the duty to certify the state's electors in a presidential election, a job fulfilled in 2020 solely by the Chairperson of WEC, without board vote. *Compare* Wis. Stat. § 7.70(5). The LAB report does not make an effort to systematically review these delegations but does note in several places the "shared" election administration responsibilities.

#### Confusion about WEC Authority

While this Office draws no conclusions yet, initial interviews with clerks suggest there is widespread confusion about the lawful role of WEC in the state, and concern that WEC has acted outside its lawful purview. There is evidence numerous complaints by clerks to WEC were ignored. This problem is exacerbated by a lack of clarity as to the legal status of WEC guidance: some clerks are convinced compliance with WEC guidance



provides them with a legal "safe harbor" in the event the Clerk's directives consistent with the guidance are challenged in court. In a recent statement, WEC expressly disavowed that its actions could provide a basis for a defense but instead opined that it is the clerks who bear all the responsibility for election related litigation.

Additionally, WEC guidance, such as online FAQs, are apparently issued without a full Commission vote. Other documents, as the LAB report notes in the case of the March 2020 Commission-approved guidance regarding Special Voting Deputies are flatly contrary to law. As noted above, much authority is delegated to the WEC administrator. Importantly, under Wisconsin law, there is slight legal recourse other than a petition to WEC to challenge such unlawful behavior. When WEC implicitly or explicitly authorizes actions contrary to Wisconsin law, such as enabling poor security for access to statewide voter registration data systems or authorizing "shortcuts" such as issuing absentee ballots without applications or enabling widespread ballot curing, voters and candidates are left with no choice but to file expensive and time-consuming lawsuits. The LAB report, consistent with the LAB mission discussed above, did not investigate these issues, which this Office continues to investigate and collate.

#### Lack of Legal Remedies

Furthermore, the LAB did not investigate various decisions WEC and others made in the run-up to the 2020 election, some of which appear designed to prevent the Wisconsin courts, including the Wisconsin Supreme Court, from weighing in. Specifically, the decision by WEC to quickly issue ballots without a Green Party candidate was the determining factor in the Wisconsin Supreme Court declining to address the merits of that exclusion. WEC's action was of dubious legality. In the 2020 case of *Hawkins v. Wisconsin Elections Commission*, the 4-3 majority held that because WEC had claimed it had already issued an unknown number of ballots, there was no time to properly address the claims of the excluded Green Party candidate. In other words, WEC's own actions operated to neuter the ability of our state's highest court to address whether WEC's



actions were lawful and to provide a remedy if they were not. Then Chief Justice Patience D. Roggensack wrote a forthright dissent, noting "The court's silence not only affirms lawless conduct by the Commission, but also provides no directive for the required treatment of nomination papers in the future." This Office continues to formulate legislative options to ensure this remedial gap in Wisconsin law is repaired.

#### Absentee Balloting

A second action has evaded both LAB and state judicial review andinvolves the issue of absentee balloting. Precisely what rules govern the requirements for mail-in and inperson absentee voting in the state of Wisconsin? It is clear in some instances the safeguards mandated for the protection of honest absentee ballots were ignored by WEC.

Many of these safeguards were apparently abrogated by WEC and municipalities in 2020, with COVID-19 as a proffered excuse. One issue involved the illegal mass self-certification of individuals as "indefinitely confined" under the statute, a category which enables a voter to evade state voter ID requirements, but which is intended to apply to physically or physiologically immobile residents confined to their home because of their condition. Presented to the Wisconsin Supreme Court, again the majority ducked a ruling on the merits, prompting then Chief Justice Roggensack to note that it appears the Court "cannot be bothered with addressing what the statutes require to assure absentee ballots are lawfully cast." It is up to the state legislature to investigate if, how, and why state law was not followed and take legislative action.

One major issue identified involves "Democracy in the Park," which were citywide events in Madison before the election exclusively related to absentee ballots. The LAB report mentions this issue in passing as a "Special Event" occurring in a "specified outdoor setting." Without explaining the issue, the report recommends the Legislature "clarify" statutes so individuals know whether or not they can engage in absentee ballot activities contrary to the procedures laid down in Wis. Stat. § 6.855. In other words, the



LAB report implicitly notes the statutes were violated by Democracy in the Park and recommends the law be changed.

What was Democracy in the Park, and why has it been the subject of numerous citizen complaints, lawsuits, and legislative inquiries apart from this Office's investigation?

While this Office draws no conclusions, we possess evidence that the events, which occurred on September 26 and October 3, 2020, involved numerous possible violations of state law, calling into question the validity of over 17,000 absentee ballots. Specifically, these involved large outdoor gatherings where purported designees of the City Clerk's office assisted with absentee ballots that yielded over 17,000 votes. Furthermore, it is not clear that all of the workers at those events were properly deputized and trained, swore and filed the mandatory oath of office, or documents related to absentee ballots were properly handled. Finally, this Office also seeks to review the processing of those ballots. Each of these fact-intensive avenues of inquiry are crucial for determining what was improper and how to prevent future impropriety in absentee voting.

#### Clerk Training

In addition, this office has obtained evidence that WEC failed to complete its statutorily mandated training duties. As the LAB report notes, Wisconsin Statutes § 12.01 *et seq.*, lays out training protocols for clerks. But county clerks are politically accountable to their voters, and WEC certification or lack of certification does not affect a clerk's legal rights. However, if a clerk is *not* certificated by WEC, such as for failing to be properly trained, WEC is required by law to notify the "governing body" of that clerk's county or municipality. In other words, WEC is mandated by law to train clerks, and clerks who fail to complete training are reported by letter to the mayor or county board. Yet, as the LAB found, at least 17.5% of clerks were not properly trained, and no letters from WEC went out notifying cities and boards about the failure to complete training. This Office continues to review the issue. Moreover, this Office already has ample evidence that in



the absence of this legally mandated training, certain private groups filled the vacuum, perhaps for their own, self-interested purposes, providing some municipalities with incorrect and even unlawful advice. In a statement, at least one clerk has noted outside advice negatively impacted the security of the vote and the physical safety of voters.

#### **Exploitation of Elders**

This Office continues to review the issues involving WEC more generally, as well as other plain rules that are apparently without remedy in Wisconsin law, such as the editing of ballot applications by clerks and voting procedures at nursing homes. A recent investigation and report by the Racine County Sheriff's Office highlighted the exploitation of some of our most vulnerable citizens. Furthermore, complaints were apparently made to WEC and ignored, in a system which the sheriff described as leading to our election system being "not just broken, but shattered." I believe many Wisconsinites share the Sheriff's sentiment. It is my hope a continued investigation and final report from this Office will help change those perspectives and sentiments.

In the run-up to the November 3, 2020, election, clerks and WEC took numerous steps to alleviate public fears about COVID-19. But in this perceived crisis there was the opportunity for electoral partisan advantage. For example, Wisconsin law mandates individuals in various types of communal living facilities may have special access to absentee voting in person, but only subject to the rules of § 6.875. These rules govern the "Special Voting Deputies" that a municipality may, in turn, train and authorize to collect absentee votes in person: this is the *only* lawful method for collecting absentee ballots outside normal procedures, as Special Voting Deputies swear an oath and become duly authorized "election officials." Without the availability of Special Voting Deputies under the statute, it would be much more difficult for many senior citizens or those in assisted living facilities to vote. Yet in 2020, at the recommendation of its top administrator, WEC voted to unilaterally prohibit the use of Special Voting Deputies, explaining that COVID-19 made it too dangerous to allow for Special Voting Deputies to enter these facilities.



This Office has evidence that WEC and some clerks instructed residential care employees to act in a manner prohibited by law, collecting and assisting in completing ballots for individuals in these group facilities, including those with dementia. This led to record-high voting by individuals who had not voted for nearly a decade and may have lacked the cognitive ability to vote.

On its face, this type of activity could lead to criminal referral for the residential care employees, as the Chairperson of WEC has suggested. But residential care staff represent the "little fish" in this alleged criminal enterprise. This Office is reviewing the relevant Wisconsin statutes to facilitate the criminal referral process and make legislative recommendations. This includes reviewing legal methods for ensuring our senior citizens are not bullied or taken advantage of, and neither nursing homes nor their residents are used for any unlawful election activity, merely because these citizens are vulnerable, easy targets for partisan predators.

WEC: Self-Policing and Self-Serving

Numerous members of the public, as well as the clerks, have questioned the independent authority clerks have to administer an election consistent with state law in light of WEC's guidance, which in several instances was contrary to those voting laws. Some clerks feel WEC may legally bind the clerks in granular decisions about their local needs. Other clerks are concerned about repercussions for not following WEC guidance. Many clerks have expressed disagreement with WEC conclusions, and some have done so publicly. Numerous members of the public have raised concerns about WEC's ability to police itself: the discretionary nature of WEC intake, review, and response to complaints, and the fact that complaints about WEC are handled—or not handled, as the case may be—by WEC itself.





This Office continues to interview clerks and expects to discuss with WEC staff precise nature of WEC's role in future Wisconsin elections.

### How can the Public be Confident in Our Elections? The Black Box

As former GAB Director Kevin Kennedy noted, the new WEC system is, apparently, "no more transparent" than the old one which he ran. Without robust legislative oversight, many Wisconsinites are at risk of feeling their vote does not count, or that there is widespread election fraud in the state. Worse, their fears may be well-grounded. Two major areas of inquiry are being looked at by my Office, both dealing with the appropriate level of transparency for our election systems. First, my Office is reviewing the laws and procedures relating to the use of technological tools in administering elections: the "voting machines" and the various election databases used by WEC. Second, my Office is reviewing barriers to public access to information, such as excessive charges for public access to public registration data.

While this Office draws no conclusions, interviews with clerks, citizens, and other groups suggest there is widespread concern about the inability of an average citizen to track how elections are run. This inability has huge downstream consequences, as citizens are often presented with snippets of information reminiscent of the "confusopoly" in health insurance. Presented with outdated data sets of dubious accuracy, citizens seeking to use public information to confirm election results are unable to do so, while those with money and access (or preferential contracts, as noted above) can access better data, more quickly. Further, the precise operations of voting machines are not readily accessible or understood by the public, or by commissioners on WEC itself. As with health insurance, the system operates on autopilot, with the insured praying their bill is accurate, and with voters praying the system is working as it is supposed to.

Election systems in Wisconsin are governed by state and federal law. Specifically, the federal Election Assistance Commission (EAC) created under the Help America Vote Act



of 2002 (HAVA) is tasked with approving all voting systems used in federal elections, and with approving all modifications of voting systems used in federal elections. 52 U.S.C. § 20971. As a part of this, voting systems vendors submit their proposed systems to the EAC for approval. Typically, once a system is tested and approved by the EAC, the vendor will make a similar application to WEC, which may approve the system for sale and use within the state of Wisconsin. However, beginning in 2015 the state of Wisconsin allowed GAB (and now WEC) to approve systems for use in the state which are not approved by the EAC. Wis. Stat. § 5.591. While there is thus wide discretion vested in WEC to approve changes to voting systems, federal law mandates that "all records and papers... relating to any application, registration, payment of poll tax, or other act requisite to voting in such election" be preserved by the State for twenty-two months following the election. 52 U.S.C. § 20701.

But as was made eminently clear in a recent WEC meeting held after a preservation request issued by this Office, WEC officials and staff are not at all clear as to what "modifications" to voting machines require WEC approval, which modifications can lawfully be made, or what certain software updates actually entail. Further, WEC approval of actions that might violate federal record keeping laws are no guarantee of legal immunity for clerks with final say over what happens to voting machines in their locales. In fact, as one machine vendor noted during that open meeting, in order to install a software update, that company would be obliged to entirely "wipe" a machine. That is, to delete all information from election hardware. Whether this technical process destroys election records in contravention of federal law is a question that WEC has yet been unable to answer.

In order to address this and related questions, this Office has been allocated a budget to engage neutral, certificated data security experts, and has already taken steps to initiate an open and full technical audit of various voting systems to understand and report on the security of these systems. Whatever the results, various clerks have already suggested they themselves do not know precisely how the voting machines work and



rely entirely upon private contractors to assure them of system integrity. This in and of itself may be a problem. The problem is further exacerbated in that WEC, who is responsible for training the clerks on the machines, may not itself know how the machines work.

Prior to the establishment of this Office, the Special Counsel did personally engage with various outside individuals relating to various voting machine concerns. This Office neither endorses the views of any particular outside individual nor has this Office yet uncovered any evidence of foreign hacking of elections in the state of Wisconsin. Nevertheless, the opacity of elections systems has given rise to numerous theories and concerns about the 2020 election.

A second issue related to the transparency of our election system in the state is the public availability of voter data. While this Office as yet draws no conclusions, there is already evidence that security surrounding the WisVote (SVRS) system is lax. This statewide system enables clerks to track absentee ballot requests and includes highly sensitive personal information. As such, it is supposed to be subject to a high level of security laid out in WEC guidance. Nevertheless, there is already some evidence of unauthorized access to this database. Further, several clerks have complained that they were provided by WEC with numerous, unrequested access keys, leading to a security headache and concerns that the statewide system was not secure.

In addition to concerns about too much access, concerns have been raised about not enough access, or about unequal access, to voter registration information. This is important because access to this data is necessary for tracking the accuracy of reported election results. WEC does provide statewide voter registration data for a fee up to, and usually, \$12,500. This fee is set by WEC administrative rule, and it is mandated by statute that the fee be set "at an amount estimated to cover both the cost of reproduction and the cost of maintaining the list at the state and local level." Wis. Stat. § 6.36(6). Nevertheless, it is apparently the case that the fee is charged for each reproduction, no matter the actual



cost, and that subsequent individuals requesting a list that has already been produced are charged the same rack-rate. Further, there is some evidence that outside groups were provided privileged access to this data without fee, and on an expedited basis. This Office continues to investigate this matter, and again, this issue is not addressed in the LAB report.

### Conclusion

The people of the state of Wisconsin have a right to know how our elections are run. The legislature has the common law and constitutional right and obligation to investigate how our state laws are being administered. Without adequate information and oversight, citizens in a democracy justifiably lose confidence that their vote counts and their system of government is working properly.

This Interim Report seeks to build upon the good work of many citizens and government officials including the vast majority of county and municipal clerks, and to shine a light on issues and concerns of interest. It is a healthy exercise in good government, not an attempt to overturn any election. As this investigation continues, my Office will vigorously seek out and obtain all available truthful information, so that it can present this information to the public and to the Assembly.

If, in the course of this investigation, the Office obtains information that could be used in a criminal prosecution, this Office will cooperate fully with all appropriate law enforcement entities.





### Campaigns & Elections Committee

December 8, 2021

### eMail Communication Summary

### The following is a set of communications between

Claire Woodall-Vogg

Michael Spitzer-Rubenstein

Milwaukee Elections Commission Director

National Vote at Home Institute (WI Lead)

### **Pertaining To**

Data acquisition/database development activities

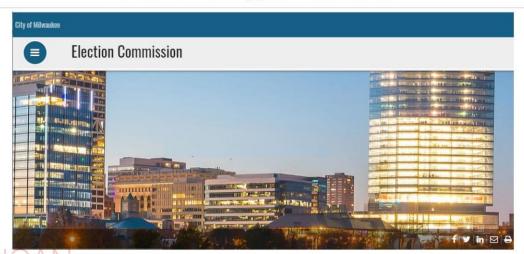
### **Time Period**

Aug 2020 – Nov 2020





Claire Woodall-Vogg, Executive Director





Our 2021 State Profiles are out now! Learn more about the vote at home options in your state. CLICK HERE FOR MORE >>>

VOTING AT HOME IS

Accessible Accessible Reliable

Secure Transparent

Equitable Fair

From: Wolfe, Meagan - ELECTIONS < Meagan.Wolfe@wisconsin.gov>

Sent: Tuesday, March 24, 2020 7:49 AM

To: Woodall-Vogg, Claire

Cc: Elections HelpDesk;Rydecki, Richard H - ELECTIONS

Subject: Re: WIsVote Logins Update?

Thanks Claire, I followed up with the team and they should be getting back to you this morning.

Meagan

On Mar 24, 2020, at 7:07 AM, Woodall-Vogg, Claire <cwooda@milwaukee.gov> wrote:

Good Morning,

Any update on when we could expect to receive logins that were sent yesterday? I sent some over the weekend and would ask that yesterday's be prioritized for the City of Milwaukee. We literally have 10 people sitting at home with their FIDO keys ready to enter 200 apps a day for us. I know you guys are swamped, but we get more swamped here the longer it takes!

Thanks for all you are doing! This email isn't to nag, but just to stress that you are about to be our saviors when you send me those logins.  $\bigcirc$ 

Who knew we would all be considered essential workers during a pandemic?!?!?!

Thanks again,

Claire

### Aug 2020



From: Michael Spitzer-Rubenstein <michael@voteathome.org>

Date: Friday, August 21, 2020 at 5:19 PM

To: cwooda@milwaukee.gov <cwooda@milwaukee.gov>

Subject: Update + Questions: QuickBase, Drop boxes, Voter Instructions, Processes

Hi Claire,

Following up on yesterday, I have an update and a few questions. Apologies that this is a longer email; feel free to answer in parts if that's easier.

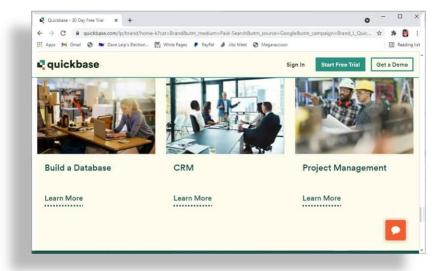
- . Quickbase: their data analysis should be done Monday and I'll get the information to you as soon as we have it.
- Dropbox Siting: either before or after your tour, do you want me to run any numbers? We generally look at
  distance from voters (both maximum and average) and density (how many voters per dropbox), as well as how
  they fit into existing neighborhood and transportation patterns. If you're evaluating a few different sites or need to
  justify locations, I'm happy to provide my statistical skills.

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- Voter Instructions/Marketing Materials: do you have any existing marketing materials that we should review in advance of the call on Wednesday? Hillary thought any voter instruction sheets would be good but if <u>anything</u> else seems useful, we're happy to take a look.
- Mail Ballot Processing: Do you have any benchmarks for how long each step should take or how many ballots a
  given worker should be able to do? e.g. the machine that opens envelopes can handle 400/minute, it takes 15
  seconds on average to check a ballot in and verify the signature, etc. If you don't have these already, we can talk
  through it on Thursday.

Thanks, Claire, and have a good weekend!





From: Michael Spitzer-Rubenstein <michael@voteathome.org>

Sent: Friday, August 28, <u>2020</u> 10:17 AM

To: Woodall-Vogg, Claire
Subject: Ops Meeting Follow-up

Claire,

Great talking to you yesterday. Just a few notes on follow-ups:

Can you connect me to Reid Magney and anyone else who might make sense at the WEC?

- Would you also be able to make the connection with the Milwaukee County Clerk?
- · If you could send the procedures manual and any instructions for ballot reconstruction, I'd appreciate that.

On my end:

- By Monday, I'll have our edits on the absentee voter instructions.
- We're pushing Quickbase to get their system up and running and I'll keep you updated.
- I'll revise the planning tool to accurately reflect the process.
- I'll create a flowchart for the VBM processing that we will be able to share with both inspectors and also
  observers.
- I'll take a look at the reconstruction process and try to figure out ways to make sure it's followed.

Thanks, Michael



From: Woodall-Yogg, Claire <cwooda@milwaukee.gov>

Sent: Friday, August 28, 2020 10:55 AM

To: Magney, Reid - ELECTIONS < Reid. Magney@wisconsin.gov >; Wolfe, Meagan - ELECTIONS

<Meagan.Wolfe@wisconsin.gov>; Rydecki, Richard H - ELECTIONS <Richard.Rydecki@wisconsin.gov>

Cc: Michael Spitzer-Rubenstein <michael@voteathome.org>; Hillary Hall <hillary@voteathome.org>

Subject: Introduction to Vote At Home

Hi Meagan, Richard, and Reid,

I just wanted to reach out and connect you with Michael Spitzer-Rubenstein and Hillary Hall from the Vote at Home Institute in case you think other clerks or the WEC staff would find working with them useful.

I have been working with Hillary since early May...She was a tremendous resource in helping me decide to seek out a vendor to automate our absentee assembly process, as well as selecting drop boxes early on that were secure and met all of the requirements the WEC put forth last week.

I have been working with Michael to create inputs and outputs to help us determine staffing needs and staffing responsibilities at Central Count based on actual quantitative data. They have created a tool that is extremely useful in visualizing the time certain processes take. They will also be helping the Election Commission with our voter education communications around absentee voting and the messaging we will use. They have an extremely useful communications toolkit for clerks with zero resources to those that are hiring communication firms.

Hillary used to be a clerk in Colorado, so she also understands all of the other work we are doing and how precious and valuable time is.

All in all, they have essentially made my life much easier with the absolutely free technical assistance they are offering.

Claire



Michael Spitzer-Rubenstein <michael@voteathome.org>

Friday, August 28, 2020 12:42 PM

Woodall-Vogg, Claire: Wolfe, Meagan - ELECTIONS: Magney, Reid - ELECTIONS: Rydecki,

Richard H - ELECTIONS

Cc: Hillary Hall

Subject: Re: Introduction to Vote At Home Thank you, Claire! Good to meet you, Meagan, Reid, and Richard.

We already have meetings scheduled about working with Madison, Green Bay, Kenosha, Racine, Eau Claire, Wauwatosa but are certainly interested in other jurisdictions, as well.

We're working on a Wisconsin-specific version of our <u>communications toolkit</u> with language about voter ID and absentee witness requirements informed by behavioral science. It would be great to do Zoom trainings for clerks about communications/voter education, operational planning, and could also facilitate sessions on more technical issues like curing absentee ballots, signature verification, etc.

Do you have any time to talk next week about how we can support your work? Right now, it looks like Monday morning, Wednesday, or Friday morning are probably best for <u>us</u> but we can work around your schedules.

Michael

From: Woodall-Vogg, Claire <cwooda@milwaukee.gov>

Date: Friday, August 28, 2020 at 12:01 PM

To: Wolfe, Meagan - ELECTIONS < Meagan. Wolfe@wisconsin.gov >, Magney, Reid - ELECTIONS

<Reid.Magney@wisconsin.gov>, Rvdecki, Richard H - ELECTIONS <Richard.Rydecki@wisconsin.gov>

Cc: Michael Spitzer-Rubenstein <michael@voteathome.org>, Hillary Hall <hillary@voteathome.org>

Subject: RE: Introduction to Vote At Home

Absolutely! They should reach out to <u>Michael</u> and I am happy to provide a reference. They are extremely respectful of time, are not "selling" anything, and have incredible resources.



Hi Claire,

Monday, August 31, 2020 3:30 PM

Woodall-Vogg, Claire

Voter Instructions + QuickBase + Drive-Thru

2020 November Instructions DRAFT comments.docx

I'm attaching the voter instructions with our edits and comments (using track changes). Let me know if anything is unclear or you want to talk through it.

As far as QuickBase, I have a call with them tomorrow morning--really hoping you'll be able to start using it after that.

We also have a video from Harris County about drive-thru voting. Do you want me to connect you with folks there to speak more about it?

https://www.youtube.com/watch?v=3m27Q8F6PM4&feature=youtu.be

Hope you're having a decent start to the week, Michael From: Michael Spitzer-Rubenstein <michael@voteathome.org>

Sent: Tuesday, September 1, 2020 3:00 PM

To: Woodall-Yogg, Claire

Cc: Xanthe Thomassen Hillary Hall
Subject: Quickbase - Talk Tomorrow?

Hi Claire, we just got the Quickbase access; expect an email to create an account and login momentarily.

However, I think it's going to need some work before it's <u>really useful</u>. Do you have a few minutes to talk tomorrow (10:30-12 or after 3 PM)? I want to nail down what we should prioritize.

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## Sep 2020



Thursday, September 3, <u>2020</u> 11:34 AM Woodall-<u>Vogg</u>, Claire Re: Voter Instructions + QuickBase + Drive-Thru

Hi Claire! You've gotten a lot of great news hits lately. Congrats!

### I wanted to follow up on these:

- 1. Let me know if you need any more eyes on the voter instructions or anything else.
- 2. Happy to connect you with the Harris County, Texas election administrators about drive-thru voting.
- You should have received a login to Quickbase. It's not done yet (we're still working on building out all the reporting and some of the features) but quickly getting there.

Also had a couple other questions for you:

- 4. Are you using unique intelligent mail barcodes (IMB) to track each ballot or just standard ones?
- How did you end up getting dropboxes? Middleton is trying to get a new outdoor dropbox and was hoping you could point them to a source.

Thanks! Michael

From: Michael Spitzer-Rubenstein <michael@voteathome.org>

Sent: Thursday, September 10, 2020 4:59 PM

To: Woodall-Vogg, Claire

Cc: Boushell Molly:Hersch, Harrison:Hillary Hall:Hinshaw, Alice:MacIntyre, Jacob:Xanthe

Thomassen

Subject: Re: Call: Vote At Home & Quick Base

I can do 12-12:30 (central, 1-1:30 Eastern) 2:30-3 (3:30-4) or after 4 (5 PM Eastern).

Quick Base team, do any of those other options work for you all?



From: Boushell, Molly <mboushell@quickbase.com>

Sent: Thursday, September 10, 2020 4:38 PM

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To: Boushell, Molly; MacIntyre, Jacob; Hersch, Harrison; Hinshaw, Alice; Michael Spitzer-Rubenstein

Cc: Hillary Hall; Xanthe Thomassen

Subject: Fwd: Call: Vote At Home & Quick Base

When: Friday, September 11, 2020 2:00 PM-2:30 PM (UTC-05:00) Eastern Time (US & Canada).

 $Where: \underline{https://quickbase.zoom.us/j/97352085354?pwd=MjU1ZmdMdENISmdoTnB6RlFESm5XUT09}\\$ 

Hi Claire, we have a VAH - Quick Base call scheduled for tomorrow afternoon at 1 PM Central. Would you happen to be free then to explain some of the data questions we have?



## 11th



From: Michael Spitzer-Rubenstein <michael@voteathome.org>

Sent: Friday, September 11, 2020 9:59 AM

To: Woodall-Vogg, Claire
Subject: Scheduling Follow-Ups
Claire, love the dropbox news stories! They look great.

Wanted to check about scheduling a meeting with CMR to go over working together. We should also do another meeting to go over operations: the process flow-chart I put together, the VBM time calculations, and the reconstruction instructions (I want to get Ideas42's feedback on that, as well).

Here's our availability for next week (all times Central).

Monday: 2-5:30 PM Tuesday: 1:30-3

Wednesday: 8:30-10, 12-1, 1:30-2:30, 3:30-4:30

Friday: before 10 AM

Can we get two meetings on the calendar, one with CMR (for comms), and one with you (about ops)?

Thanks and speak later today about Quick Base and the data.

Michael



From: Woodall-Vogg, Claire < cwooda@milwaukee.gov > Sent: Friday, September 11, 2020 4:56 PM To: GIS < GIS@milwaukee.gov > Subject: Census Tracts Question Hi, I wasn't sure whether this would be RITS-ticket-worthy or not. I was wondering if the City has any type of database file that lists the city address with census tract. We are trying to overlay our voting data with census tracts and addresses seems to be the most efficient way. The group I am working with says that the census data for this info is less than accessible. I thought that since Map Milwaukee has Census 2010 data, it might exist in a CSV file or something similar. Thanks! Claire



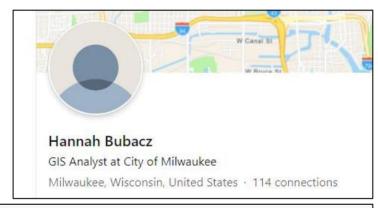
# 14th



From: <u>Bubacz</u>, <u>Hannah < hbubac@milwaukee.gov</u> > Sent: Monday, September 14, <u>2020</u> 8:23 AM

To: Woodall-Vogg, Claire < cwooda@milwaukee.gov > Subject: Re: Census Tracts Question 151

No problem that this is not a RITS ticket at this time. Can I ask what program you are trying to use this data



using takes in this format.\_\_

### **ArcGIS REST Services Directory**

Home > services

JEON I SOAP

### Folder: /

**Current Version: 10.71** 

View Footprints In: ArcGIS Online Map Viewer

### Folders:

- Accela
- · AGO
- assessor

### • census

- · DPW
- · ECO
- election
- GeoEventFleet
- · MFD
- · MPD
- MPDTritech planning
- property



From: Hersch, Harrison < hhersch@quickbase.com > Sent: Monday, September 14, 2020 9:22 AM To: Woodall-Vogg, Claire < cwooda@milwaukee.gov >; Bubacz, Hannah < hbubac@milwaukee.gov > Cc: Boushell, Molly < mboushell@quickbase.com >; MacIntyre, Jacob < jmacIntyre@quickbase.com >; Hinshaw, Alice <a href="michael@voteathome.org">ahinshaw@quickbase.com</a>; Michael Spitzer-Rubenstein <a href="michael@voteathome.org">michael@voteathome.org</a>> Subject: RE: Census Tracts Question Hi Hannah! Can you send me that REST URL? I can take a look. In short, we are looking for a 1-to-1 mapping of a street address and Census Tract. 150

Harrison Hersch

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From: Woodall-Yogg, Claire < cwooda@milwaukee.gov >
Sent: Monday, September 14, 2020 9:51 AM
To: Bubacz, Hannah < hbubac@milwaukee.gov >
Cc: Boushell, Molly <a href="mailto:specification-color: blue-color: blue-colo
Harrison < hhersch@quickbase.com >; Hinshaw, Alice < ahinshaw@quickbase.com >; Michael Spitzer -
Rubenstein <michael@voteathome.org >
Subject: FW: Census Tracts Question
Hi Hannah,
I'm looping in a whole bunch of people who are working on the tool from Quickbase that can likely answer the
question about what we are looking for more accurately than I can. In short, they are building a tool that
overlays voting data with census data so we can get a better picture of trends and demographics within voting
(which surprisingly doesn't exist already!).
Thanks!
Claire
```



From: Hersch, Harrison < hhersch@quickbase.com >

Sent: Monday, September 14, 2020 9:59 AM

To: Bubacz, Hannah < hbubac@milwaukee.gov >; Woodall-Vogg, Claire < cwooda@milwaukee.gov >

Cc: Boushell, Molly <mboushell@quickbase.com >; MacIntyre, Jacob <jmacIntyre@quickbase.com >;

Hinshaw, Alice <a hinshaw@quickbase.com >; Michael Spitzer-Rubenstein <michael@voteathome.org >

Subject: RE: Census Tracts Question

Thanks. It looks like a lot of this content is intended for the visualization layer. We aren't quite there yet. Is there somewhere in this data that we can find a more streamlined set of <u>data?</u> Or is what you are suggesting that we would need to take the coordinates from the Census boundaries and correlate that to the coordinates of address boundaries?

Another way to ask the question would be, how would you use this data to find out the Census Tract associated with this address: 726 W GALENA ST APT 103, MILWAUKEE, WI 53205-2203

Harrison Hersch



Monday, September 14, <u>2020</u> 10:31 AM Woodall-<u>Vogg</u>, Claire 10 Min Later Today? County Collaboration

Claire,

Hope you had a good weekend and thanks for connecting the Quickbase team with Hannah Bubacz.

Do you have 10 minutes to talk this afternoon (1 PM or later)? Have been talking with George and Julietta with the County and want to run some ideas past you about working together.

125

310-980-2872

Michael



From: Bubacz, Hannah < hbubac@milwaukee.gov >
Sent: Monday, September 14, 2020 10:50 AM
To: Hersch, Harrison < hhersch@quickbase.com >; Woodall-Vogg, Claire < cwooda@milwaukee.gov >
Cc: Boushell, Molly < mboushell@quickbase.com >; MacIntyre, Jacob < imacIntyre@quickbase.com >; Hinshaw, Alice < ahinshaw@quickbase.com >; Michael Spitzer-Rubenstein < michael@voteathome.org >
Subject: Re: Census Tracts Question

The REST URL is https://milwaukeemaps.milwaukee.gov/arcgis/rest/

You will have to bring in the layers yourself using this URL. Are you able to join the layers within the program that you are using to get the map layer that you want?

Hannah Bubacz



From: Hersch, Harrison < <a href="https://hersch@quickbase.com">https://hersch@quickbase.com</a> > Sent: Monday, September 14, 2020 2:54 PM

To: Bubacz, Hannah < hbubac@milwaukee.gov >; Woodall-Vogg, Claire < cwooda@milwaukee.gov >

Cc: <u>Boushell</u>, <u>Molly < mboushell@quickbase.com</u> >; <u>MacIntyre</u>, Jacob < <u>imacIntyre@quickbase.com</u> >; Hinshaw, Alice < ahinshaw@quickbase.com >; Michael Spitzer-Rubenstein < michael@yoteathome.org >; Enos,

John < jenos@milwaukee.gov >
Subject: RE: Census Tracts Question

Hi Hannah -

I'll try and do a better job clarifying the current need. We are not actually using anything visual right now (though will in the future). In the <u>state of affairs</u> now, we are just looking for raw data. The <u>end result</u> of this data will be some formulas, <u>algorithms</u> and reports that cross reference information about ballots and the census data. For example, we want to deliver to Milwaukee + <u>Voteathome</u> answers to questions like "How

many of age residents are also registered to vote?" or "what percentage of ballots are unreturned in areas with predominantly minorities?". To do that, we need a clear link between address + Census Tract. We need this for all ~300k voters and the ~200k+ absentee ballots, and it needs to be able automatic as we perform more inserts. To accomplish this, we were making calls to the Census API. They allow you to pass in an address and get the Census Tract. That solution "works", but is far too slow. Their batch solution isn't working either.

So, we are looking for a single file that has all addresses and Census Tracts. We could then keep those stored in the application and do the joins. Does that help?

Harrison Hersch



John < jenos@milwaukee.gov > Subject: Re: Census Tracts Question Hey Harrison, Yes, I think I understand what you need. I will start working on getting you the files and then ask you to please check and make sure all is good. The files I will provide will be addresses joined with what census tract they are in and give a CSV and shapefile. Does that work for you? Thanks, Hannah Bubacz



From: Bubacz, Hannah < hbubac@milwaukee.gov >
Sent: Monday, September 14, 2020 3:30 PM

To: Hersch, Harrison < hhersch@quickbase.com >; Woodall-Vogg, Claire < cwooda@milwaukee.gov >

Cc: Boushell, Molly < mboushell@quickbase.com >; MacIntyre, Jacob < jmacIntyre@quickbase.com >;

Hinshaw, Alice <a href="michael@voteathome.org">ahinshaw@quickbase.com</a>; Michael Spitzer-Rubenstein <a href="michael@voteathome.org">michael@voteathome.org</a>; Enos,

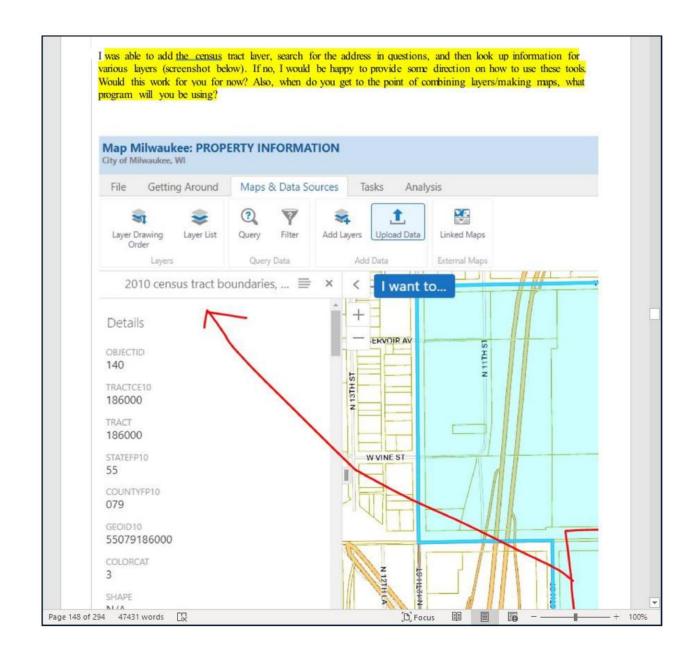
John < jenos@milwaukee.gov >
Subject: Re: Census Tracts Question

Hey Harrison,

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I was able to add the census tract layer, search for the address in questions, and then look up information for various layers (screenshot below). If no, I would be happy to provide some direction on how to use these tools. Would this work for you for now? Also, when do you get to the point of combining layers/making maps, what program will you be using?







# 15th



From: Hersch, Harrison < hhersch@quickbase.com >
Sent: Tuesday, September 15, 2020 11:19 AM

To: Bubacz, Hannah < hbubac@milwaukee.gov >; Woodall-Vogg, Claire < cwooda@milwaukee.gov >

Cc: Boushell, Molly < mboushell@quickbase.com >; MacIntyre, Jacob < jmacIntyre@quickbase.com >;

Hinshaw, Alice <a href="michael@voteathome.org"><a href="michael@v

John < jenos@milwaukee.gov >

Subject: RE: Census Tracts Question

One other question – what data would be in the CSV vs the Shapefile?

Harrison Hersch



From: Bubacz, Hannah < hbubac@milwaukee.gov > Sent: Tuesday, September 15, 2020 11:25 AM

To: Hersch, Harrison < hhersch@quickbase.com >; Woodall-Vogg, Claire < cwooda@milwaukee.gov >

Cc: Boushell, Molly < mboushell@quickbase.com >; MacIntyre, Jacob < jmacIntyre@quickbase.com >;

Hinshaw, Alice <a href="mailto:shirth: Alice delign: hinshaw@guickbase.com">hinshaw@guickbase.com</a>; Michael Spitzer-Rubenstein <michael@voteathome.org >; Enos,

John < jenos@milwaukee.gov >

Subject: Re: Census Tracts Question

Let me make sure on the apartment numbers/suffixes before I let you know.

The two files would be the same data-wise. Using ArcMap, I can export the joined files to an Excel/CSV table. So the shapefile could be loaded to see it visually into whatever system you are using and the Excel/CSV would be a table of all the same fields without shapes. Does that help?

Hannah Bubacz

GIS Technician II



From: Hersch, Harrison

Sent: Tuesday, September 15, 2020 11:57 AM

To: Bubacz, Hannah < hbubac@milwaukee.gov >; Woodall-Vogg, Claire < cwooda@milwaukee.gov >

Cc: Boushell, Molly < nboushell@quickbase.com >; MacIntyre, Jacob < jnacIntyre@quickbase.com >;

Hinshaw, Alice <a href="michael@voteathome.org"><a href="michael@v

John < jenos@milwaukee.gov >

Subject: RE: Census Tracts Question

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That...would...be...amazing!

If you want to send me a couple of sample records, I can check in advance too. One quick question, how will the permutations of things like apartment numbers work?



From: <u>Bubacz</u>, Hannah < <u>hbubac@milwaukee.gov</u> > Sent: Tuesday, September 15, 2020 12:47 PM

To: Hersch, Harrison < <a href="mailto:hhersch@quickbase.com">hhersch@quickbase.com</a> >; Woodall-Vogg, Claire <a href="mailto:cwooda@milwaukee.gov">cwooda@milwaukee.gov</a> > Cc: Boushell, Molly <a href="mailto:hhersch@quickbase.com">hhersch@quickbase.com</a> >; MacIntyre, Jacob <a href="mailto:jmacIntyre@quickbase.com">jmacIntyre@quickbase.com</a> >; Hinshaw, Alice <a href="mailto:hinshaw@quickbase.com">ahinshaw@quickbase.com</a> >; Michael Spitzer-Rubenstein <a href="mailto:michael@voteathome.org">michael@voteathome.org</a> >; Enos, John <a href="mailto:jenos@milwaukee.gov">jenos@milwaukee.gov</a> > Subject: Re: Census Tracts Question

Hey Harrison,

Here is the setup of our data for apartments/multiple units. The main address is in a field called <u>HouseNumber</u> (first red box). When they are letter based, it will be in the Suffix field (second red box) and the units with numbers in the Unit field (third field).

### Publication.Parcel.ParcelPolygonAddress

	FK_Tax	FK_LandUse	HouseNumber	Suffix	Direction	StreetName	StreetType	Unit	FK_Zip	Plu
	2061401000	8830	4821	<null></null>	N	22ND	ST	3105	53209	
	2061401000	8830	4821	<null></null>	N	22ND	ST	3106	53209	
	2061401000	8830	4821	<null></null>	N	22ND	ST	3107	53209	4
	2061401000	8830	4821	<null></null>	N	22ND	ST	2411	53209	4
F	2061401000	8830	4821	<null></null>	N	22ND	ST	2412	53209	7



# 16th



Wednesday, September 16, <u>2020</u> 2:13 PM Woodall-<u>Vogg</u>, Claire <u>WisVote</u> data - Walkthrough with USDR?

### Hi Claire!

We're bringing on <u>US Digital Response</u> to help with the Quick Base dashboard project. (They're also a CTCL technical assistance partner).

We're hoping there's an easier way to get the data out of <u>WisVote</u> than you having to manually export it every day or week. To that end, we have two questions:

- 1. Would you or someone else on your team be able to do a screen-share so we can see the process for an export?
- Do you know if WisVote has an API or anything similar so that it can connect with other software apps? That would be the holy grail (but I'm not expecting it to be that easy).

Thanks, Michael



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### About

U.S. Digital Response (USDR) is a nonprofit, nonpartisan organization that helps governments and organizations respond quickly and efficiently to support the critical needs of the public.

Leveraging a network of pro-bono technical expertise and modern, resilient technology, USDR addresses and uncovers solutions for common, systemic challenges that public servants are facing, leaving them better equipped to deliver services and support to millions of people nationwide.

We operate with humility and deep respect for our partners and believe that modern and resilient technology applied in the public interest can deliver people-centered services at the speed of need.

As of May 2021, USDR has partnered with more than 230 government and nonprofit partners on 300+ projects, impacting more than 42 million people across 36 states and territories, and we've built a dedicated community of nearly 7,000 pro bono specialists driven to serve in a time of need.



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### Templates and Graphics



#### COVID-19 Vaccine Website Template

USDR created a vaccine website template, designed for communication and development teams to launch their own vaccine website or webpages in hours.



### Election Website Template

Our elections website template has been built in partnership with the Center for Tech and Civic Life, based on research from the Center for Civic Design. In just a few hours, you'll set up a modern, user-friendly site that works on desktops and mobile phones. Your new website comes pre-built with a navigational homepage and over 20 pages of content, featuring the most important election resources voters care about.



### Woodall-Vogg, Claire

From:

Michael Spitzer-Rubenstein <michael@voteathome.org>

Sent:

To:

Subject:

That sounds like a real pain. It would be helpful to just understand the system and maybe the USDR folks can figure out a way to simplify something for you.

Would any of these times work? Friday 10-1 CT Tuesday after 3 CT

If it's okay with you, they'd also like to record the screen-share to refer back to, if needed.

Thanks, Michael

On Wed, Sep 16, 2020 at 3:40 PM Woodall-Vogg, Claire < cwooda@milwaukee.gov > wrote:

Our export process is so cumbersome that I am the only person on staff that can do it with the confidence that it is accurate and includes everyone. Sad, right? There isn't even a way to set up the system to have a report that automatically runs on a nightly basis. I have to go in every single night to remember to run the report that generates our current absentee application number...

I'm going to guess it is a definite no to the API and hesitate to involve the WEC staff on any more external projects right now...

Michael Spitzer-Rubenstein <michael@voteathome.org> From: Wednesday, September 16, 2020 4:21 PM Sent: Woodall-Vogg, Claire To: Re: WisVote data - Walkthrough with USDR? Subject: I completely understand. Will just ask them to work on other aspects of the project. On Wed, Sep 16, 2020 at 5:13 PM Woodall-Vogg, Claire <cwooda@milwaukee.gov> wrote: While I completely understand and appreciate the assistance that is trying to be provided, I am definitely not comfortable having a non-staff member involved in the functions of our voter database, much less recording 131 While it is a pain to have to remember to generate a report each night and less than ideal, it takes me less than 5 minutes. Without consulting with the state, which I know they don't have the capacity or interest in right now, I don't think I'm comfortable having USDR get involved when it comes to our voter database. I hope you can see where I am coming from - this is our secure database that is certainly already receiving hacking attempts from outside forces. Thanks, Claire

# 17th



From: Hersch, Harrison < hhersch@quickbase.com> Sent: Thursday, September 17, 2020 11:44 AM To: Bubacz, Hannah < hbubac@milwaukee.gov > Woodall-Vogg, Claire < cwooda@milwaukee.gov > Cc: Boushell, Molly <mboushell@quickbase.com>; MacIntyre, Jacob <imacIntyre@quickbase.com>; Hinshaw, Alice <a href="mailto:spitzer-Rubenstein"><a href="mailto:hinshaw@quickbase.com"><a href="mailto:hinsh <jenos@milwaukee.gov > Subject: RE: Census Tracts Question Hi Hannah -Unfortunately we don't have any sort of visualization/GIS software to open this or leverage as we are a database/application platform. Are you able to export in chunks or is that too much work? Could you give us a JSON file? We could take virtually any sort of file that has the relational data like csv, tsy, xls, ison, xml, etc. 156



From: Michael Spitzer-Rubenstein <michael@voteathome.org>

Sent: Thursday, September 17, 2020 11:48 AM

To: Hersch, Harrison

Cc: Bubacz, Hannah: Woodall-Vogg, Claire: Boushell, Molly: MacIntyre, Jacob: Hinshaw,

Alice:Enos, John

Subject: Re: Census Tracts Question

Harrison, I'm going to bring in our partners with US Digital Response to work on this.

Thank you for your help with this project, Hannah.

Michael



From: Bubacz, Hannah < hbubac@milwaukee.gov > Sent: Thursday, September 17, 2020 12:15 PM To: Hersch, Harrison < hhersch@quickbase.com >; Woodall-Vogg, Claire < cwooda@milwaukee.gov > Cc: Boushell, Molly < mboushell@quickbase.com >; MacIntyre, Jacob < jmacIntyre@quickbase.com >; Hinshaw, Alice < ahinshaw@quickbase.com >; Michael Spitzer-Rubenstein < michael@voteathome.org >; Enos, John < jenos@milwaukee.gov > Subject: Re: Census Tracts Question	
Hey Harrison,	
Attached is a zip file of parcel point address with census information joined as a shapefile. I cannot export it to a CSV as there are too many records. I also could not do polygons at this time but let me know if you need those in the future when you do need these as a visual representation. Does this work?	
Thanks,	
Hannah Bubacz	



From: Michael Spitzer-Rubenstein <michael@voteathome.org>

Sent: Thursday, September 17, 2020 12:42 PM

To: Bubacz, Hannah

Cc: Hersch, Harrison; Woodall-Vogg, Claire; Boushell, Molly; MacIntyre, Jacob; Hinshaw,

Alice:Enos, John

Subject: Re: Census Tracts Question

Give me a day or so. I'm waiting to hear back about whether USDR can make this all easier and save you

from more work, Hannah.

Thanks,

Michael

On Thu, Sep 17, 2020 at 12:50 PM Bubacz, Hannah < hbubac@milwaukee.gov > wrote:

Ah, I see. Yes, I could break the city into chunks and export as a CSV, if needed.

Michael, please let me know if that is the route you want to go.

Hannah Bubacz



## Oct 2020



Sent: Michael Spitzer-Rubenstein <michael@voteathome.org>

To: Tuesday, October 6, <u>2020</u> 4:01 PM

Woodall-Vogg, Claire Hi Claire,

Cc:Hillary HallWe (finally) have a firstSubject:Data Analysis + Check-Inpass of our data analysis

project, with a ranking of wards that could benefit from the most focus: map and Excel list. We're still working on adding demographic data from the Census but should have that soon.

Are you available in the next few days to check-in, go over this, and our next steps? Thursday morning is probably best on my end but I can obviously be flexible around your schedule.

Michael



Friday, October 9, <u>2020</u> 11:04 AM Woodall-<u>Vogg</u>, Claire Update & Data Questions

### Hi Claire,

In order to get the data by ward, are you able to run a summary in <u>WisVote</u> or do you have to download all the active voters, absentee applications, etc. and then do an Excel pivot table or something similar?

We added Census data and zip codes to the map and so now we're moving to figure out how we'll update this.

Also, if you can send these reports (whether in summary form or just the raw data), we can put them in:

- Active voters
- Absentee applications
- Ballots received
- Ballots rejected/returned to be cured

Thanks!

Michael



Friday, October 9, 2020 11:12 AM Woodall-Vogg, Claire Re: Update & Data Questions Thank you! In that case, then, we can just use the raw data. We already have the code from dealing with the previous export, so we'll just need to test and make sure it works for this and future exports. Thanks, Michael On Fri, Oct 9, 2020 at 12:06 PM Woodall-Vogg, Claire <cwooda@milwaukee.gov> wrote: I have to run the full report and then sort it to get the ward data. Sadly. I forgot to take my security key home with me last night, so I didn't have a chance to run the absentee stats. I will already ran them this morning and will also run active voters. Thank you!

The map keeps looking more amazing!

Claire



From: Michael Spitzer-Rubenstein <michael@voteathome.org>

Sent: Monday, October 12, <u>2020</u> 10:52 AM

To: Woodall-Vogg, Claire
Subject: Re: Ballot Stats by Ward

Thank you, Claire! Here's the updated map:

https://voteathome.carto.com/builder/501807d9-7657-4d0f-8d7b-5649468b0a91/embed

How difficult was it to set up and run this report? This will be very easy to update on my end but there might be the things we can do to make it easier for you.

Michael

On Sun, Oct 11, 2020 at 1:26 PM Woodall-Vogg, Claire <cwooda@milwaukee.gov> wrote:

Claire Woodall-Vogg



# 19th



Monday, October 19, <u>2020</u> 12:13 PM Woodall-<u>Vogg</u>, Claire Quick Q: Update and Share Map?

Hi Claire, question about the map of voting data:

1. Through partners, we should be able to access the voter file to update the map without you needing to pull the data from <u>WisVote</u>.

2. They'd want to be able to share the map internally.

Is that okay with you or should we create a separate map for them?

Thanks, Michael



On Mon, Oct 19, 2020 at 5:59 PM Woodall-Vogg. Claire < cwooda@milwaukee.gov > wrote:

Additionally, would you be okay if we actually shared the map on our website? I think it is fascinating data all around that media might love. We could promote the partnership and that this has been available through Vote at Home. Let me know!

Michael Spitzer-Rubenstein <michael@voteathome.org>

Monday, October 19, 2020 7:46 PM

Woodall-Vogg, Claire

Attachments: Carto Map Embed Code.txt

Sure, feel free to share it! I'm attaching code so that you can embed it in your website.

And I can update this daily going forward if it's not too much hassle to send the data. Should we have separate layers for in-person absentee versus mail ballots or do you just want to combine that data?

Michael



# 30th



From: Michael Spitzer-Rubenstein <michael@voteathome.org>

Sent: Friday, October 30, 2020 5:43 PM

To: Woodall-Yogg Claire

Subject: Re: Green Bay central count consult

Hi Claire! Sorry about the delay—lots of schedules to coordinate. Would Monday work instead? If not, 4 PM tomorrow works and I can send a Zoom link around.

Thank you so much for your generosity!!

Michael

P.S. Will send a separate email but bringing in another person from Vote at Home to help with assigning wards to machines and any other data needs that come up.



# Nov 2020



4

From: Michael Spitzer-Rubenstein <michael@voteathome.org>

Sent: Monday, November 9, 2020 4:46 PM

To: Woodall-Vogg, Claire

Subject: Wrap-up call Thursday or Friday?

Claire,

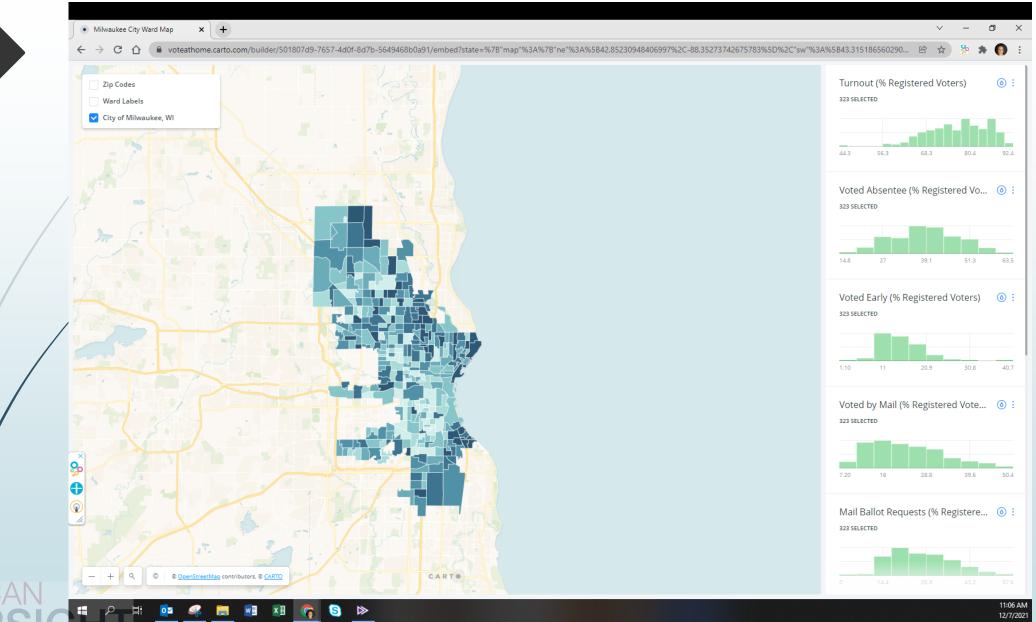
I'm glad we could support Milwaukee in this <u>election</u> and it was a relief that Election Day was generally smooth, albeit long.

My term with Vote at Home ends on Friday. Before I go, do you want to do a final wrap-up call Thursday or Friday? Morning would be better or could do early afternoon either day before 2 PM.

It would be helpful to discuss how everything went from your perspective and if there are additional areas where the National Vote at Home Institute could support you and other cities, whether in the recount or future elections.

Michael

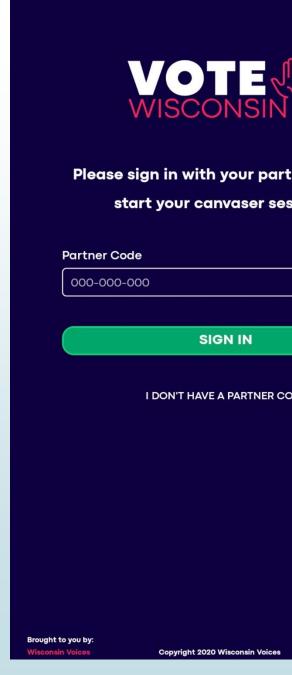








This application checks Wisconsin voter registration status, and allows a user to complete a new registration or even modify an existing registration at the Wisconsin State site. By the end of the process, a user will be registered to vote in the State of Wisconsin. The application can be used as an official canvasser tool, or by anyone that wants to register people in Wisconsin to Vote.



VOTE WISCONSINITY Please sign in with your partner code to start your canvaser sessions: I DON'T HAVE A PARTNER CODE

WI-REP-21-1758-A-000134



Last Name\*

Doe

Email Address\*

jane@email.com

\*Denotes required field

GET STARTED



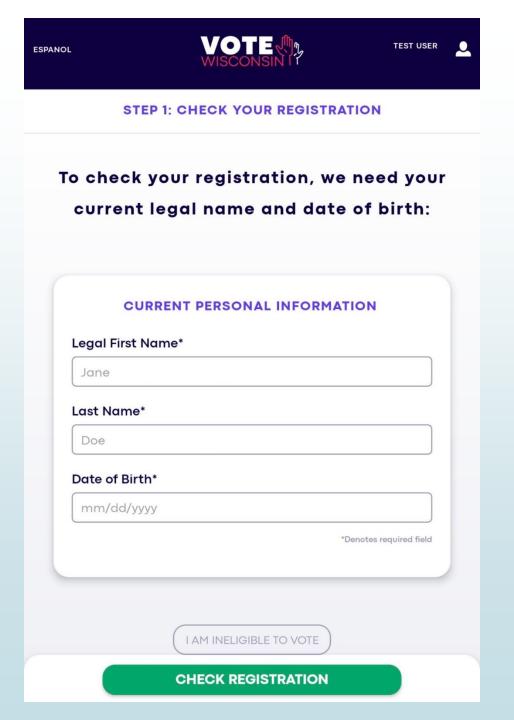
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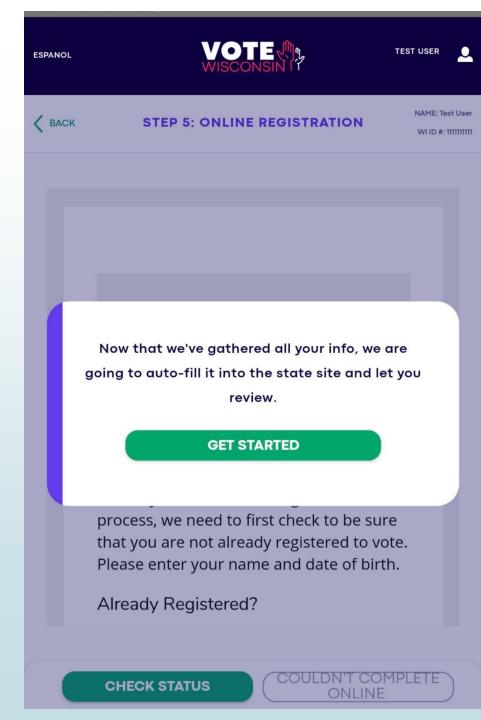
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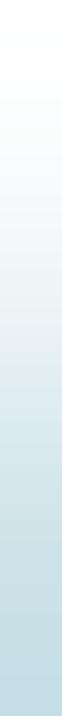
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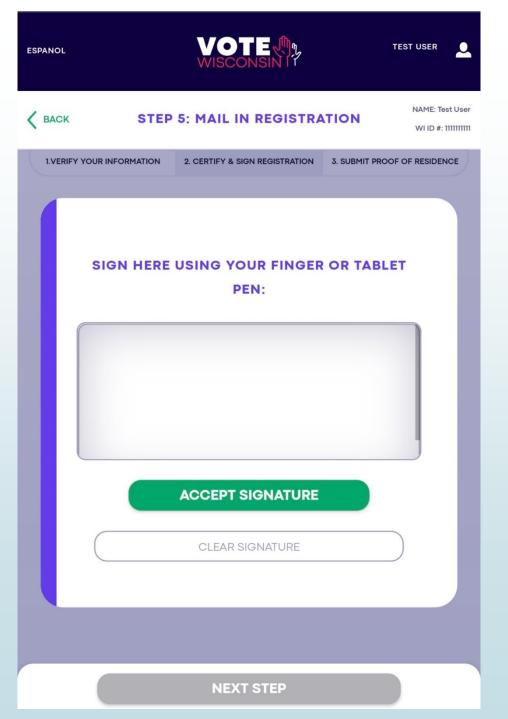






WI-REP-21-1758-A-000137







### **Canvasser Log Out**

Thanks for all your hard work today!

SHIFT TIME 00:01

MAIL IN REGISTRATIONS 0

**ONLINE REGISTRATIONS** 0

#### **START NEW SESSION**

PARTNER SIGNIN

Brought to you by:









Updated Size
September 18, 2020 56M

Installs Current Version

100+ 1.0.10

Requires Android Content Rating

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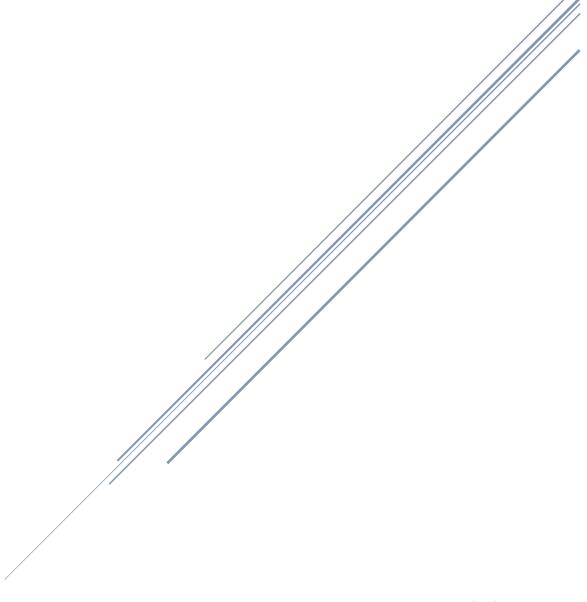
### **Our Purpose**

Wisconsin Voices provides essential resources to neighborhoods and community partners.



## WISCONSIN VOTER FILE ANALYSIS

Jeff O'Donnell



12/4/2021



#### Contents

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### About the Author

Jeffrey O'Donnell has been a professional software and database engineer for 40 years. During that time, he has worked or consulted for numerous Fortune 500 companies, including Rockwell International, Westinghouse Electric, Mellon Bank, and U.S Steel. He has been working with Microsoft SQL Server since its inception and has designed and worked with software data systems containing hundreds of millions of data points.



#### Introduction

An analysis of the Wisconsin voter file revealed significant "red flags" in the data, some in concert and some in addition to the issues identified in the report authored by Jay Valentine (the "Valentine Report"). These anomalies are summarized below, but generally center around the use of non-"best practices" in the database design, and non-standardized processes by which voters are added. As a result, highly suspicious issues have been found in the data.

#### General Information and Observations

Data from the August version of the Wisconsin Voter Roll and History export has been used to create this report. The file contains 7,098,448 separate voter records. According to World Population Review, the population of Wisconsin is currently approximately 5,852,490. Based upon these numbers, it seems probable that voters are never actually removed from the database, but rather a status field is used to set them to "Inactive".

The Wisconsin Elections Commission's site lists the number of "of age" Wisconsin citizens at the time of the 2020 General election as 4,536,417.

In the file, 3,529,835 are listed as "active" voters. This indicates that approximately 60% of Wisconsin citizens are registered as active voters.

In the November 2020 election, the voting method used by Wisconsin Voters broke down as:

Absentee 1,970,059

At Polls 1,338,575

Total 3,308,634

If there are 4,536,417 of-age voters, and 3,308,634 of them voted, then the state-wide turnout for the national election would calculate as 72.9%. The percent of active voters who cast a vote was 93.7%.

The Wisconsin Elections Commission's site reports the presidential vote total as 3,297,352. The number of votes reported for the various U. S. House Races in Wisconsin totals only 3,238,051. Thus, the state undervotes / unreported Write-In totals would have to be 10,593 for the Presidential race, and 70,583 for the House races in order to make the numbers from the two sources match. Because Wisconsin does not disclose total vote or card counts, an investigation is necessary to determine if these numbers reconcile.

#### Registration Number Dangerous Practice Summary

As outlined in the Valentine Report, the registration number field is a string rather than an actual number, with inconsistent "0" paddings, i.e. zeros have been added at the beginning of the registration number field. This is a dangerous practice to employ in a database because duplicate numeric values can exist with differing numbers of zeroes as padding. This caused duplication of the "numeric" values of registered voters.

My findings on the duplicates are:



157,758 voters have the same registration number if the "zero padding" is disregarded and they are interpreted numerically.

In 62,175 of these cases, multiple voters with the same numeric registration number are listed as active

In 52,720 of these cases, multiple voters with the same numeric registration number voted in November 2020

It is also found that these registration numbers are not sequentially allocated. For instance, if the last registration given was 10, database best practices would dictate that the next voter added would automatically be assigned 11. This method of automatically allocating sequential identification numbers eliminates human error and removes the possibility of intentionally placing new records between two existing records, which happens regularly in the Wisconsin Registration System. Because of how registration numbers are allocated, it is impossible to determine the actual entry order of voters into the system, which makes investigation of the sequence in which voters were entered impossible.

Wisconsin's method of registration number creation also allowed 16 records with non-numeric registration numbers to exist in the system.

#### Registration Number Length Analysis

In most database systems which use an identification field that is not numeric, there is a standardized field length. For instance, driver's license numbers in most states are not numeric, but all have the same number of characters.

The registration number strings in the Wisconsin Voter file show a variety of lengths. For analysis purposes, here are each "length of registration number", the number of occurrences, and the earlies and latest application dates of each length.

Length	Occurrences	<b>Earliest Application Date</b>	<b>Latest Application Date</b>
1	13	2006-04-04	2012-06-05
2	24	2005-11-08	2020-04-07
3	54	2006-04-04	2020-11-03
4	1	2007-04-03	2007-04-03
6	3	2008-05-28	2008-10-01
7	1	2006-04-04	2006-04-04
8	61783	1917-10-29	2021-08-16
9	1596226	1918-01-01	2021-11-03
10	5440341	1900-01-01	2021-11-18
11	1	2006-03-29	2006-03-29
15	1	2006-11-07	2006-11-07

Note: Lengths of registration numbers assigned in 2020 or 2021 are indicated in bold

This indicates that registration numbers of lengths 8, 9, and 10 are still being commonly used, and the reason that they are not standardized is not known. It could be understood if the registration number length used in different counties or precincts was not the same when they were merged together, but the recent use of three different lengths would remove that possibility. This is another "red flag", because the differing lengths could indicate that multiple entities are creating these records, and not



just the Election Commission. The WEC procedure manuals which dictate how registration numbers are created should be made public in order to provide public confidence in the procedure.

#### Sequential Voter Registration ID Analysis – Supplemental Analysis

As noted in the Valentine Report, there were consistent sequential gaps in voter registration IDs. Although gaps themselves could be remnants of voters moving out of state, it's very unusual that these consistent gaps span thousands of voter registration IDs. Registration IDs where gaps of 10 sequential numbers were present appear to be very prevalent with voter IDs that started with a 7. Also, there is no definable pattern between the sequences and the application dates. This is further proof that the numbers are *not* assigned sequentially, nor are they being auto-assigned by a computer as expected.

#### Application Date Analysis (Active Voters Only)

The voter file contains the application date for each voter. An analysis of these dates shows the following ranges of years that currently active voters have been registered:

Voters
9
121,251
12
41
491
6,884
18,658
60,501
95,840
186,846
815,882
2,176,300
47,067

Please note that these are not ages of voters. The Wisconsin voter file did not contain Birth Dates, for an unknown reason. These numbers represent how many years the active voters have been registered. Thus, each voter in a category is at least 18 years older than yearly figures identified above.

The most obvious "red flag" in this table is the 120K+ voters who have, according to the system, been registered between 100 and 119 years. This is explained by the following table, which lists the 5 dates in history where, according to the voter file, the most people were registered who are still active:

#	Date	Voters (still active)		
1	2020-11-03	205,355		
2	2018-11-06	181,047		
3	2004-11-02	176,022		
4	2016-11-08	136,190		
5	1918-01-01	119,283		



Sitting in 5<sup>th</sup> place all time is the improbable date of 1/1/1918, with 119,283 voters. The most likely reason for this would seem to be some date-type incompatibility in a merge. However, analyzing the application source field (where merges are listed) revealed it to be empty in more than 112,000 cases. This is a red flag because these records are obviously inaccurate. Should there be some reason that the records were created with those incorrect dates, then the next question is why no steps were taken to correct them.

It should be noted that the total count of voters with the 1/1/1918 application date, active or inactive, is 569,277. This is far too large a number to be explained simply.

November 3, 2020 was the single most significant registration date in Wisconsin's history with 205,355 people registering to vote that day. Given the findings of the Legislative Audit Bureau ("LAB") detailed in their October 2021 Report, and the use of API's granting third parties access to Wisconsin's registration database, such numbers raise a number of significant red flags.

For example, the LAB Report detailed the WEC's and other elections officials' lack of cooperation noting that the City of Madison refused to let the LAB auditors handle absentee ballots despite their county (Dane County) having the highest percentage of absentee ballots in the state at 74.4 percent of ballots. [LAB Report at 6] The LAB also stated that county clerks for Milwaukee County and the Town of Little Suamico refused access to their ballots. Combined, these areas accounted for 623,700 of the 3.3 million ballots cast in the November 2020 election. (18.9 percent). Lab Report at 7. The LAB also noted that three WEC members refused to speak with the auditors. *Id.* at 5.

The LAB also found that, nearly 220,404 voters said they were indefinitely confined in the 2020 election—thereby avoiding statutory voter identification requirements—including 169,901 individuals (77.1 percent) who indicated for the *first time* that they were indefinitely confined. [LAB Report at 50]. Moreover, according to WEC's data, 48,554 of those first-time individuals (22.0 percent) had not previously voted by methods that required them to have provided photo identification or did not have photo identifications on file with clerks. [LAB Report 51].

Lastly, according to the LAB Report, in 2020, 957,977 Wisconsinites registered to be a new voter. Of that figure, 45,665 new voters registered with driver's license information that did *not* match DMV records or 4.8% of registrants. Of the 45,665 total non-matches, 63.1 percent were from a name non-match, meaning the name submitted by the new voter on the ballot application did not match the name on file at the DOT. [Lab Report at 21-22]

All of the above issues, raise significant red flags as to whether Wisconsin's registration database contains a material number of illegal voters or voters who are not who they say they are.

#### Voters Who Voted in November 2020 but are now inactive

Focusing on 2021, the data shows that 779,237 voters, around 10% of the total voter roll and 22% of all active voters, registered within the six months prior to and including November 3, 2020. Of those, 31,872 (about four percent) are now listed as inactive. These 31,872 voters should be investigated to determine why they were removed. Wisconsin Public Radio reported on August 4, 2021, that the WEC had removed 174,307 voters from the rolls that had not voted in four years, and another 31,854 who



were on a 2019 voter list because of a lawsuit. None of these 31,872 people would seem to be on either of these lists of removals.

Perhaps partially because of this anomaly, Wisconsin lists 42,114 voters currently marked as "inactive" who voted in the 2020 Election. This is another "reg flag" because there would be few reasons to remove a voter from the rolls when they had voted just ten months earlier. The number of voters involved would seem to be more than can be explained by any known reason.

### Inactive Voters Registered Prior to 2016 and Have Not Voted in at least Four Years

When reviewing the voter registration database, it was noted that just under 2.8M inactive voters were registered prior to 2016 but hadn't voted in 4 years. Given the known vulnerabilities with the Wisconsin registration database API, it would be possible to switch these voters to active at any time as needed by a nefarious actor to vote those individuals without their knowledge. An investigation into whether that event occurred could be undertaken by examining the computer log files for the Wisconsin registration database.

Additionally, 9,749 active voters who were registered prior to 2016 and voted in November 2020, had not participated in any election since at least November 2015. Going back even farther, 1,578 voters who had been registered prior to 2011 and had **never voted** in any election since and including 2011 are recorded as having voted in 2020. These are additional "red flags" because it may indicate that votes were cast in their name as they were not considered likely to vote for themselves.

#### Conclusion

The irregularities and red flags found by both this report and the "Valentine Report" indicate a huge potential for nefarious actors to access the Wisconsin voter registration system and allow them to manipulate any voter's status. There needs to be an investigation by competent outside database experts to explain the causes of the specific anomalies stated in the reports. This investigation needs to determine the complete database structures, hosting locations, access lists, and to examine the system log files for evidence of external intrusion. The investigation also needs to determine if third party voter organizations have been granted access to the system to create, manipulate, or improperly utilize voter records in contravention of state law.

In addition, the procedures and standards for creating and updating voter registration records must be determined, published, and rigorously followed. Only by these actions can we assure the public that their duly appointed election officials, have been, are being, and will be faithful executors of the duties with which they are entrusted.



## Avoiding 2022 Election Abuses in Wisconsin

Remedying the "Wisconsin 5" Cities' 2020 Safe Voting Plan

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## Objectives

#### This presentation will summarize the following

- Preventing election abuses in 2022 election and beyond
- Using Election Bribery Statute as a catalyst for discussion
- Wisconsin 5 Safe Voting Plan background
- Safe Voting Plan provisions
- Legal analysis of Election Bribery Statute
- Wisconsin Election Commission response
- Recommendations



## Wisconsin Election Bribery Statute: Relevant Sections

#### Wisconsin Statutes § 12.11

- **Definition of "anything of value"** Includes any amount of money, or any object which has utility independent of any political message it contains and the value of which exceeds \$1. Statute also applies to the distribution of material printed at public expense and available for free distribution if such materials are accompanied by a political message.
- Whether anything of value is "given" to a "person" Violators of this statute must offer or give anything of value to another person. The word "person" is not defined in this section; so, it could have a broad definition for enforcement purposes including municipalities and their public officials.
- The offer or provision of anything of value must induce an elector to go to polls, to vote or not to vote Anything of value given to another person must influence electors in regard to going to the polls, or their voting decision or who they will vote for while filling out their ballot.



## Wisconsin Election Bribery Statute: Relevant Sections

#### Wisconsin Statutes § 12.11

### Exceptions (subsection 3)

Certain activities are exempt from being violations of the Election Bribery Statute. These include:

- 1) candidates pledging support for any other candidate running on the same ballot;
- 2) authorized election related legal expenses;
- 3) uniform paid holidays offered by employers;
- 4) free transportation of people to polling stations; and
- 5) candidate promises to reduce government taxes or expenditures



## Wisconsin Safe Voting Plan: Background

#### Chan Zuckerberg Initiative

In 2020 the Chan Zuckerberg Initiative provided over \$400 million dollars to the Center for Tech and Civic Life and the Center for Election Innovation and Research.

#### Center for Tech and Civic Life (CTCL)

After the 2020 spring primaries, CTCL solicited the City of Racine to apply for a \$100,000 grant to recruit other cities to apply for grants offered by CTCL.

#### City of Racine recruits the other four cities of the Wisconsin 5

The City of Racine Mayor's Office recruits the Mayors from Milwaukee, Madison, Green Bay, Racine, and Kenosha to develop a grant proposal eventually titled the "Wisconsin Safe Voting Plan" (WSVP). The Wisconsin 5 submitted the WSVP as a group.

#### > CTCL approves WSVP Grant - Sends Wisconsin 5 cities \$8.8 million for election purposes

CTCL approves the grant, subject to certain requirements, and eventually gives \$8.8 million to the Wisconsin 5 cities. This private funding represented 87% of all CTCL funding in Wisconsin. The private grant included numerous provisions for increasing absentee and in-person voting opportunities, as well as access to several CTCL preferred partner organizations.



## Wisconsin Safe Voting Plan: Racine Recruits

### > City of Racine acted as CTCL Recruiting Agent

On or about May 28, 2020, the Racine Common Council approved, and signed, the CTCL conditional grant in the amount of \$100,000 to recruit cities to join in a "Safe Voting Plan" to submit to the CTCL.

### > Racine Focused on five Largest Cities in Wisconsin

CTCL utilized Racine for recruitment and information to prepare the WSVP grant in advance of distribution of the offered funds.

### > Meetings between Mayors and Staff of the Wisconsin 5

Hosted by the Mayor of Racine, the Wisconsin 5 Mayors met virtually on May 16, 2020, June 13, 2020, and August 14, 2020. The mayors and their staff were invited to the meetings, but Common Council members apparently were not informed of the meetings, nor was the public informed of the meetings. The Common Council members of Racine were later asked to vote to approve what was decided at the meetings. It is believed that the Common Councils of the other four cities of the Wisconsin 5 were not asked to vote on the \$100,000 grant, except perhaps long after they had already received the money and committed to accepting the larger grant and its conditions.



## Wisconsin Safe Voting Plan: Racine Recruits

### > City of Racine Distributes \$10,000 to other 4 Cities

Each Wisconsin 5 city was provided \$10,000 for preparing the WSVP. Racine received an additional \$50,000 for recruiting the other cities.

### > CTCL's offer of conditional grants is accepted- \$6.3 Million

On July 6, 2020, CTCL emailed Racine city employee Vicky Selkowe stating CTCL intends to fund each of the Wisconsin 5 Cities for election purposes:

Green Bay--\$1,093,400

Kenosha--\$862,779

Madison--\$1,271,788

Milwaukee--\$2,154,500

Racine--\$942,100

TOTAL: \$6,324,567



## Wisconsin Safe Voting Plan: CTCL Partners

### > CTCL Directs Wisconsin 5 Cities to Organizations

On July 10, 2020, Racine employee Vicky Selkowe started contacting each of the Wisconsin 5 cities to let them know CTCL will contact each of the Wisconsin 5 Cities to introduce CTCL's "partners" and to start engaging the services of CTCL's "partners" on behalf of the Wisconsin 5 Cities.

"Tiana and her team have arranged for extensive expert technical assistance from fantastic and knowledgeable partners across the country, to help each City implement our parts of the Plan."

- > First Time Cities were aware of the conditions attached to the Grant
- In the July 10<sup>th</sup> E-mail, Ms. Selkowe notes, "Tiana will send a draft grant agreement for the city's review and approval on Monday."
- ➤ By the end of July, the Wisconsin 5 cities agreed to the CTCL private monetary grants and the attached conditions

## Wisconsin Safe Voting Plan: Grant Conditions

- > To keep grant money, the Wisconsin 5 Cities promised to keep CTCL's Conditions
- > And, to use CTCL's "partners" for election administration.
- ➤ And, to report on the city's use of the CTCL funds for election administration



## Wisconsin Safe Voting Plan: Grant Conditions

### > No budget reductions for Election Administration

On July 24, 2020, Dennis Granadas of CTCL wrote Celestine Jeffreys of Green Bay:

"Please find attached the revised grant agreement for review and signature. Please note that we made a few edits to clean up language, but this did not change the substance of the agreement, unless an update was requested. If you have any concerns please let me know. In addition, we also updated Section 7 for clarity to the following (changes highlighted in bold): "The City of Green Bay shall not reduce or otherwise modify planned municipal spending on 2020 elections..."

#### No sub-recipients of Grant Funds

The Wisconsin 5 cities were prohibited to pay any part of the grant money to another organization "unless CTCL agrees ... in advance, in writing."

#### > NOT Boilerplate

CTCL provided a grant tracking form the Wisconsin 5 cities to keep track of their expenditures, which they would later have to report to CTCL. After the election in November 2020, CTCL demanded that the grant recipient cities, i.e. the Wisconsin 5, submit forms to CTCL to prove they complied with the grant conditions by January 31, 2021.



## Wisconsin Safe Voting Plan: Analysis

### ➤ WSVP Not Just About Safe Voting in a Pandemic: Government Runs Private GOTV

Documents and personal testimony indicate the WSVP and the justification to provide voting in accordance with public health requirements in the midst of the COVID-19 epidemic was a Trojan Horse. Once funding was approved, the WSVP allowed CTCL to lend or engage the services of other private corporations, through the use of the \$8,800,000 on behalf of the Wisconsin 5 cities, to increase voter turnout in their respective cities and target "communities of color."



#### Wisconsin Safe Voting Plan Provisions

The WSVP included 8 provisions for increasing access to absentee and in-person ballots during the COVID-19 epidemic.

#### Provision #1: Intentional Voter Targeting

The WSVP's first provision commits the Wisconsin 5 to "be intentional and strategic in reaching our historically disenfranchised residents and communities; and, above all, ensure the right to vote in our dense and diverse communities"

#### Problems: Government Run Private GOTV prioritizes targeted voters of Wisconsin 5 Cities



Provision #2: Government Action to Promote Turnout

The WSVP's second provision commits the Wisconsin 5 to "be an opportunity to plan for the highest possible voter turnouts..."

Problems: Government Run Private GOTV prioritizes targeted voters of Wisconsin 5 Cities



Provision #3: Target GOTV to Disenfranchised City Residents

The WSVP's third provision commits the Wisconsin 5 to devote one-half of the grant money to "encourage and increase ... in-person" voting and "dramatically expand strategic voter education & outreach efforts"—"particularly to historically disenfranchised residents"

Problems: Government Run Private GOTV prioritizes targeted voters of Wisconsin 5 Cities

Provision #3: Target GOTV to Disenfranchised City Residents

Recommendation	Green Bay	Kenosha	Madison	Milwaukee	Racine	Totals
Encourage and Increase Absentee Voting By Mail and Early, In-Person	\$277,000	\$455,239	\$548,500	\$998,500	\$293,600	\$2,572,839
Dramatically Expand Strategic Voter Education & Outreach Efforts	\$215,000	\$58,000	\$175,000	\$280,000	\$337,000	\$1,065,000
Totals:	\$1,093,400	\$862,779	\$1,271,788	\$2,154,500	\$942,100	\$6,324,567

Provision #4: Voter Education and Outreach to Specific Communities

Dramatically Expand Voter & Community Education & Outreach, Particularly to Historically Disenfranchised Residents"

Problems: Government Run Private GOTV prioritizes targeted voters of Wisconsin 5 Cities

Examples Include:

**Green Bay** – Intentional targeting of organizations serving African immigrants, LatinX residents, and African-Americans.

**Kenosha** – Social Media Advertising, targeted radio and print advertising, graphic posters.

Milwaukee – Target Felons, LatinX and African-American communities with a communications effort.

**Madison -** Publications serving communities of color such as Spanish language newspapers and radio and African-American print and online publications.

**Racine** – Purchase of a Mobile Voting Precinct (government owned RV) to enable people to vote at targeted community centers and partner locations.



## WSVP Provisions: Government Run Private GOTV - Milwaukee CTCL Worksheet

### Milwaukee intended to utilize protests and citizen unrest to drive private GOTV

- "...we would like to find a marketing consultant who could create an edgy but non-partisan and tasteful campaign *to harness current protests that are highlighting inequity*."
- > "focus on appealing to a variety of communities within Milwaukee, including LatinX and African American voters."
- > "focusing on the re-enfranchisement of voters who are no longer on probation or parole for a felony."
- For example, there is no mention of driving or encouraging all Milwaukee residents to the polls or of informing all Milwaukee residents of the importance of exercising rights.
- \*Notably, there is nothing wrong with getting out the vote; but, here, instead of government-funded policy, private offers of promised money are given to government officials to induce targeted residents to go to the polls or vote.



## WSVP Provisions: Government Run Private GOTV - Green Bay CTCL Worksheet

## Green Bay city government committed to racial GOTV goals

- "...we'd like to...increase voter participation in underrepresented groups by 25% for November...reach out to the Hmong, Somali and Spanish-communities with targeted mail, geofencing, posters (billboards), radio, television and streaming PSAs, digital advertising, robo calls and robo texts, as well as voter-navigators. We would also employ our voter navigators to have town halls, registration drives in trusted locations and conduct virtual events."
- > "We believe this would establish trust and encourage voters from underrepresented groups to participate in greater numbers...."
- \*Notably, there is nothing wrong with getting out the vote; but, here, instead of government-funded policy, private offers of promised money are given to government officials to induce targeted residents to go to the polls or vote.



## WSVP Provisions: Government Run Private GOTV - Madison CTCL Worksheet

### Madison city government prioritized race to target GOTV

"...we'd like to...run ads on Spanish language radio and in our municipality's Spanish language newspapers. We would also like to run ads on our local hip hop radio station, in our local African-American print publications, and in our online publications run by and for communities of color."

\*Notably, there is nothing wrong with getting out the vote; but, here, instead of government-funded policy, private offers of promised money are given to government officials to induce targeted residents to go to the polls or vote.



## WSVP Provisions: Government Run Private GOTV - Kenosha CTCL Worksheet

### Kenosha city government prioritized race in public transportation to the polls.

"...Care-a-vans, team up with a local van service, would provide much more affordable and practical transportation for the elderly, people of color and disabled voters who prefer to vote in person. The vans could also be used to transport the voters before election day to the municipal building to early vote, or to a library to request a ballot."

\*Notably, there is nothing wrong with getting out the vote; but, here, instead of government-funded policy, private offers of promised money are given to government officials to induce targeted residents to go to the polls or vote.



## WSVP Provisions: Government Run Private GOTV - Racine CTCL Worksheet

- Racine City Government targeted large increases in early voting and new registrations.
- "…Billboards, voter ambassadors, and social media outreach. I believe this will greatly increase our number of early voters, especially new registered voters."
  - \*Notably, there is nothing wrong with getting out the vote; but, here, instead of government-funded policy, private offers of promised money are given to government officials to induce targeted residents to go to the polls or vote.



## WSVP Provisions: Absentee Ballot Promotion

Provision #5: Encourage Voters to Vote Absentee as part of GOTV Plan

The WSVP states the following for the Wisconsin 5 cities:

Absentee Voting (By Mail and Early, In-Person)

- Provide assistance to help voters comply with absentee ballot requests & certification requirements
- Utilize secure drop-boxes to facilitate return of absentee ballots
- Deploy additional staff and/or technology improvements to expedite & improve accuracy of absentee ballot processing
- Expand In-Person Early Voting (Including Curbside Voting)
- Problems: Government Run Private GOTV prioritizes targeted voters of Wisconsin 5 Cities



## WSVP Provisions: Absentee Ballot Assistance

Provision #6: Government Guidance to Fill Out Absentee Ballots

The WSVP commits the Wisconsin 5 cities to "provide assistance to help voters comply with absentee ballot request & certification requirements" within the Wisconsin 5 cities."

Problems: Privately-funded and prioritizes specific communities of voters in Wisconsin 5 cities

Examples Include:

**Green Bay** – Bilingual "Voter Navigators," and Create Social Media and print advertising to advise on filling out absentee ballots

**Kenosha** – Train library staff to help residents complete absentee ballots

Milwaukee - Train library staff to help residents complete absentee ballots

**Madison** – Pay for technology and promotional materials for "Get your ID on file" events so voters could register and vote all at once.

**Racine** – Employ and train "Voter Ambassadors" who would assist with absentee ballot requests at Community Centers.



## WSVP Provisions: Unsecured Drop Boxes

Provision #7: "Secure" Drop Boxes

The WSVP commits the Wisconsin 5 cities to "Utilize Secure Drop-Boxes to Facilitate Return of Absentee Ballots." These boxes were not subject to constant surveillance or monitoring.

Problems: Privately-funded, unsecured and prioritizes specific communities of voters in Wisconsin

Examples Include:

**Green Bay** – Unsecured Drop Boxes at Transit Center, Fire Stations, Libraries, Police Buildings and other locations like grocery stores or the University of Wisconsin-Green Bay along with City Hall.

Kenosha – 4 Unsecured Drop Boxes at libraries and the Water Utility

Milwaukee –24 hour unsecured drop boxes at all public libraries.

**Madison** – One unsecure drop box for every 15,000 voters.

**Racine** – 3 unsecure Drop Boxes.



## WSVP Provisions: Expand Early In-Person Voting

Provision #8: Expand Early In-Person Voting

The WSVP commits the Wisconsin 5 cities to, "Expand In-Person Early Voting (Including Curbside Voting)"

Problems: Privately-funded and prioritizes specific communities of voters in Wisconsin

Examples Include:

**Green Bay** – Establish three new early in-person voting sites.

Kenosha – City Hall Drive Through Voting.

**Milwaukee** – Three in-person early voting locations for August Primary and 15 in-person early voting locations and 1 drive through location for General Election.

Madison – 18 Early In-Person Absentee ballot locations. Begin 4 weeks before election.

**Racine** – Three Early In-Person locations for a week before the August Primary and 4 two weeks for the general election as well as one at the Clerk's office 6 weeks before.



## Legal Analysis - WSVP

## > Three Questions Regarding WSVP and the laws such as the Bribery Statute

- Whether the CTCL transfer of \$8,800,000 to the Wisconsin 5 Cities would satisfy "anything of value" requirement under Wisconsin Statutes § 12.11 (1)?
- Whether the CTCL transfer of \$8,800,000 to the Wisconsin 5 Cities would satisfy "given" to "another person" requirement under Wisconsin Statutes \$ 12.11 (1m)?
- Whether the CTCL transfer of \$8,800,000 to the Wisconsin 5 Cities would satisfy "induce electors" to "go to the polls" and to "vote" requirement under Wisconsin Statutes § 12.11 (1m)?



## Election Bribery or other Exceptions?

The CTCL money does not fall under any of the exceptions to the Bribery Statute because they are narrowly defined and limited.



## First Amendment exception

The WSVP does not fall under protection of the First Amendment because CTCL was transferring private money to the Wisconsin 5 cities. Thus, there is no private speech, protected by the First Amendment, involved.



## Legal Analysis - Issue of First Impression?

No case law precedents under the Election Bribery Statute exist to analyze WSVP.



# Wisconsin Election Commission: not involved with WSVP and "up to the Legislature to decide"

From Wisconsin Election Commission website (https://elections.wi.gov/node/7533):

Grant Funding in the Election Process

On the matter of grant funding in elections, the Wisconsin Elections Commission Administrator provided written and in-person testimony on this topic to the Wisconsin Assembly Committee on Campaigns and Elections on March 31, 2021.

WEC also complied with a Committee request to produce all emails and documents related to this matter prior to the hearing... In brief, the Commission Administrator testified that the agency was not involved in municipalities applying for or receiving private grant funds. WEC did not inform clerks about the private grants and did not promote them. Acceptance of grant funds by a municipality is a municipal decision that is subject to a municipality's approval structure, be it by the clerk's supervisor, mayor, City Council, or Town or Village Board. Whether statutes should regulate private election grants in the future is up to the Legislature to decide...



### Recommendations

- The Legislature needs to lead on prohibiting private money directing public election administration.
- If that doesn't work, the counties and cities need to lead on prohibiting private money directing public election administration.



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# Voter Registration Numbering: State of Wisconsin December 2, 2021

The voter registration data was downloaded from the WEC database on 8/19/2021 and contains 7,098,446 registered voters' name and assorted information.

### **Definition of Terms:**

**WEC** = Wisconsin Election Commission

**Voter ID:** a unique data representation attached to each voter identity for the purposes of tracking that individual's address and other identifying information and election voting history. This is typically a primary key for a computer search of a database.

**String:** In this context, a string is any series of characters. A string can contain alpha/numeric characters, spaces or other characters on a keyboard, such as an asterisk or apostrophe.

### **WEC Numeric String Voter IDs**

The objective of this review is to examine if WEC applies best practices for its voter data files that promote honesty, transparency and citizen confidence. Any citizen should be able to look at the voter registration files, understand them and peruse them with traditional, commonly used, inexpensive computer programs.

The voter registration information for any state uses a unique identifier for every voter. That representation is commonly the voter identification number otherwise called a voter ID.

The voter ID provided by WEC is a numeric string.

A numeric string is NOT a number.

A numeric string is a string where the only characters that are used in the string are numeric characters (the characters 0-9). Strings are commonly used by computers and the use of a string in this context is not an unusual choice. Strings are often indicated by surrounding them with double quotes.

This is a number: 1345

This is a string: "1345"



#### **Best Practices**

There are best practices for the implementation of numeric strings in the context of voter rolls or other similar tabular information.

WEC does not follow best practices and their voter ID numbering system is fraught with inconsistent voter ID identifier types, sequencing variances and other data in voter ID fields that are inconsistent with data best practices. Because of this lack of best practices, there is a lack of transparency using common data analysis tools.

If one chooses to use strings, there are two best practices.

1. Create a variable width string with no leading zeros

Examples look like this:

```
"9"
"10"
"14"
"1003"
"104057"
```

The width (number of characters) can vary. To the left of the character string there are no zeros, spaces or other characters, visible or hidden.

They are easy for other computer programs to check. They are easy for humans to check. They make sense to both computers and humans.

2. Create a fixed width string and zero pad it.

Here, one determines how many instances the set is likely to contain over a reasonable period and chooses that many spaces.

For a state like Wisconsin, one might choose 100 million knowing that for the next few decades, all existing and new voter IDs would not exceed that number of zeros. The prior examples would look like this:

```
"00000009"
"00000010"
"00000014"
"000001003"
"022104057"
```



The strings are padded with zeros on the left in order to make the length of the strings consistent.

They are easy for other computer programs to check. They are easy for humans to check. They make sense to both computers and humans.

### **WEC Non-Best Practice Approach**

Best practices exist to make data easy to understand by both common software programs and by humans. Systems that do not follow best practices produce data that is confusing for both common software programs (such as Excel) and for humans.

WEC's approach to Voter ID' is a variable width, multi-data type, optionally 0-padded string.

This choice "works" in that it is possible to write a program that works with strings of this type but it makes the exported data from the WEC system confusing and increases the difficulty of auditing and data checking. If the data is more difficult to check and verify, it opens the door to unwanted activities that are difficult to detect.

WEC Voter ID strings can look like the following:

"717827990" "0717827990"

This is potentially very confusing to typical software programs that the average citizen would use to examine the data.

For example, Excel will likely interpret both Voter IDs (above) as being the same ID – making the average citizen believe that two different records are referring to the same person.

In the WEC database, this results in significant confusion.

For instance, WEC has 147,537 IDs, similar to those above, that appear to be duplicates when searched with commonly used technology. Thus, citizens cannot be assured that these 147,537 IDs are duplicates or not.

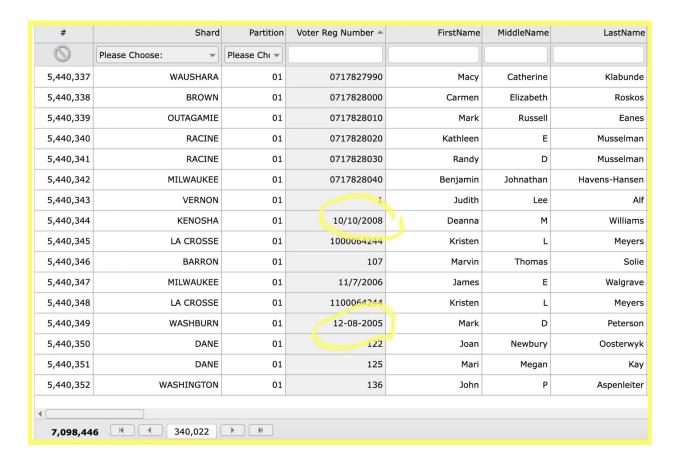
In other places the Voter ID's take on an entirely different format like:

"10/10/2008"

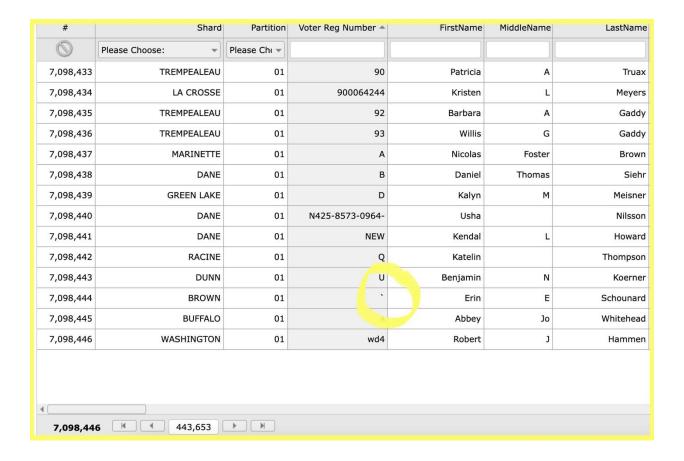
and in another it looks like this: "12-08-2005"

According to WEC, all are voter IDs. **Exhibit 1b** below:





They sometimes create a voter ID with a character that is neither alpha nor numeric. **Exhibit 3b.** 



Look carefully, the yellow circle is NOT highlighting a spec on the reader's screen. The circle is pointing out that WEC uses an apostrophe for a voter ID number.

An apostrophe is the smallest symbol on the keyboard; it is the character between the t and s in it's. Here WEC has made an apostrophe a voter ID "number."

Data best practices exist for a reason. They make data import/export efficient. They enable computers and humans to make sense of oceans of data. They are easily auditable by humans using widely available computer software.

Most importantly, in this context best practices protect the data from unwarranted intrusion and malicious insertion of false data.

Let's take an example.

If everyone has a sequential voter ID, there is no chance anyone can insert a number between 0000123456 and 0000123457. There is no space.

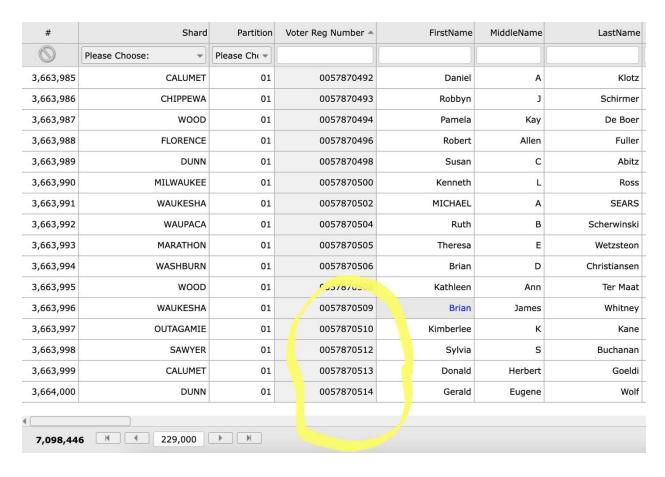
However, WEC does not apply sequential numbering (strings) throughout its voter ID system.



WEC has strings where the sequencing is 1,2,3,4 increases by one digit for tens of thousands of voter IDs. Then, the sequence increases by 2 for tens of thousands of IDs. There is no apparent reason for this change. Later, the sequencing increases by 10.

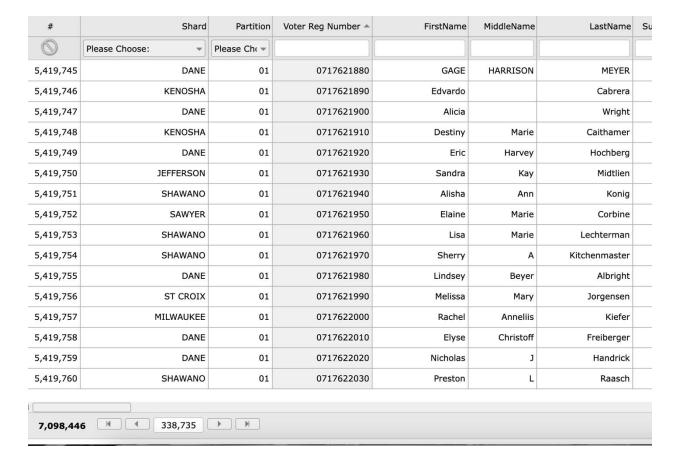
Thus, there are empty slots for voter ID insertions. In the yellow circle in **Exhibit 4**, the reader will see the digits increasing by 2 as well as some insertions in that sequence.

#### Exhibit 4.



### Why is this important?

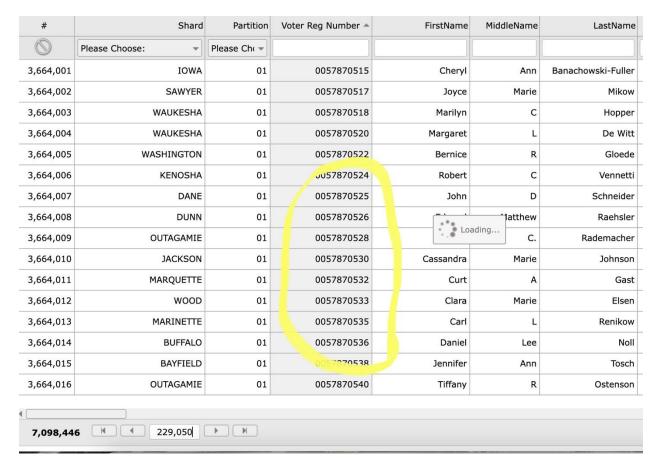
If voter ID numbers go from 000001230 to 000001240, to 000001250 there are 9 slots where a third party can insert 9 new IDs without easy detection in each sequence.



**Exhibit 6**, above shows the sequencing which skips 9 lines jumping by 10 for each row.

The question with WEC is: did anyone insert numbers into these sequences? The answer is YES as the **Exhibit 5**, below, yellow circle shows.

Examining Exhibit 5, below, one sees that the digits (strings) grow from 0515 to 0517 growing by 2 as the last thousand such numbers grew. One would be surprised to see a new number inserted as 0518 which is the case. Here an even number is inserted in a 2 digit odd number sequence.



#### Exhibit 5.

More interesting in Exhibit 5, one would expect to see the sequence revert back to the odd digit sequence after the insertion. That is NOT what happens. The sequence is resequenced at 0518 into an even number sequence until another insertion, where it goes back to odd.

Thus it appears that when WEC or another party inserts a new voter ID into an empty slot, all subsequent VOTER IDs resequence back to 2s or 10s.

With this approach to sequencing, it is more challenging to detect if an unauthorized party has inserted data into the sequence of records.

### Merges

There are best practices for data merges and they do not appear in the WEC system.

WEC has what appear to be multiple ID schemes in the data, some are dates, some are variable width string, some are fixed width strings, some are zero-padded, some are keyboard characters.

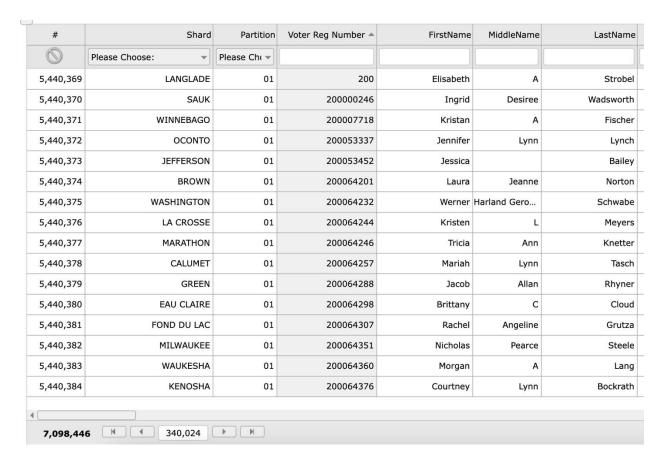


Best practices for data merges are to map identifiers into a single consistent representation – and then use that representation on an ongoing basis.

If a data merge had followed best practices, these different ID schemes would have disappeared or they would have been segmented into one traceable such merge set.

WEC has a current voter ID system with space for over 700 million entries. There are plenty of places where WEC could find the precise number of voter IDs to assign to any type of merge. Instead, WEC has voter IDs inserted throughout its system and the different data types of date, keyboard character, digit with hidden spaces remain.

WEC not only has sequencing that is hard to follow and open to insertions, it has many different numbering sequences (strings). For instance:



Here in **Exhibit 6a,** WEC is using a sequencing of 200000246 followed by sequences with insertions, as the sequence changes from odd to even to odd.

Comparing Exhibit 6a with Exhibit 6 above, looking at the left most column, one sees that the WEC sequence for WEC provided voter IDs jumps from the 700 million sequence in Exhibit 6 to the 200000246 sequence yet both remain around the 5400000 sequence of voters.

Exhibit 7, below shows that around the same left column sequence, WEC moves to a different numbering system beginning with 575xxxxxx.

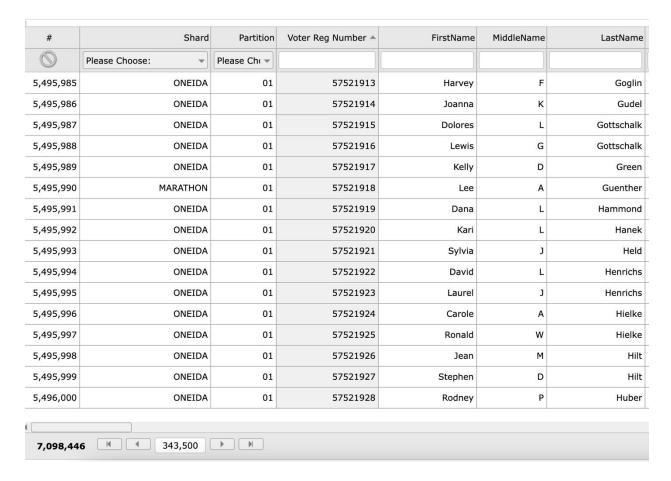


Exhibit 8 demonstrates that WEC uses another sequencing approach in the general vicinity of 5400000. This sequence begins with the 300xxxxxx then reverts to voter IDs with only two or three digits.

#	Shard	Partition	Voter Reg Number A	FirstName	MiddleName	LastName
0	Please Choose:	Please Chr ▼				
,494,033	CLARK	01	292	Brittany	Lee	Vandeberg
,494,034	BROWN	01	300064201	Laura	Jeanne	Norton
,494,035	LA CROSSE	01	300064244	Kristen	L	Meyers
,494,036	MARATHON	01	300064246	Tricia	Ann	Knetter
,494,037	GREEN	01	300064288	Jacob	Allen	Rhyner
,494,038	EAU CLAIRE	01	300064298	Brittany	С	Cloud
,494,039	WINNEBAGO	01	300064351	Nicholas	Р	Steele
,494,040	WAUKESHA	01	300064360	Morgan	Α	Lang
,494,041	KENOSHA	01	300064376	Courtney	Lynn	Bockrath
,494,042	TAYLOR	01	300064461	Evelin		Correia
,494,043	MILWAUKEE	01	300130661	Albertina		Dimartino
,494,044	WAUPACA	01	300294945	Ellen	Sue	Chowning
,494,045	ROCK	01	300432055	Shane	Lee	Niedzwecki
,494,046	KENOSHA	01	31	Dawn	Marie	Zabroski
,494,047	WASHINGTON	01	316	Lawrence	N	Thomas
,494,048	WASHINGTON	01	317	Jody	L	Strupp
7,098,44	<b>5 H 343,378</b>	► H				

### Exhibit 8.

WEC does not appear to use generally accepted best practices for its voter ID system. The voter ID is the most important identifier in the entire system because it is unique to every voter, past or present, active or inactive.

The key question one must ask is whether individuals can insert voter ID numbers into the WEC voter registration system without going through its inherent number assigning program. The answer would appear to be yes as the data shows.

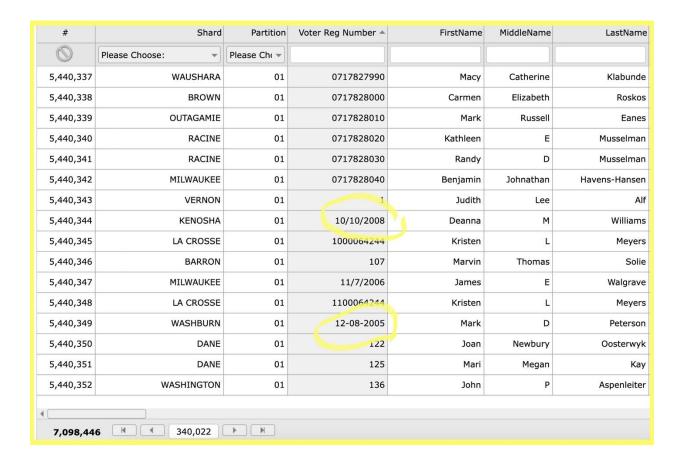
## Let's revisit **Exhibit 1b**.

Like other states, Wisconsin assigns voter ID numbers by a machine, a computer. There is some mechanism for a central agency to assign a voter identification number to a person and it should generally be an identifier that is incremented as each new voter is registered.

Can individuals enter the WEC system and apply arbitrary identifiers to a voter?

As Exhibit 1b below demonstrates, humans can and do enter arbitrary strings:





A human entered the system and inserted the "apostrophe" for a voter registration number.

There is no question the WEC system is open to human intervention and from the inconsistent naming conventions seen throughout the WEC system and highlighted in **Exhibit 1b**, there appears to be neither proper security nor control.

If citizens are not able to reasonably deal with the voter rolls either by reviewing them manually or with commonly available computer programs, there will continue to be a lack of trust in the voting institution.

The danger in Wisconsin is significant that a bad actor can access the WEC system and can take advantage of the egregious poor data practices to influence an election outcome.

Report prepared by:

Jay Valentine
President, ContingencySales
www.ContingencySales.com











## VoteWisconsin

Wisconsin Voices, Inc. Tools

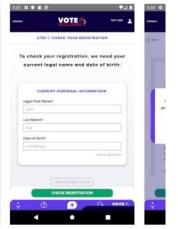
**E** Everyone



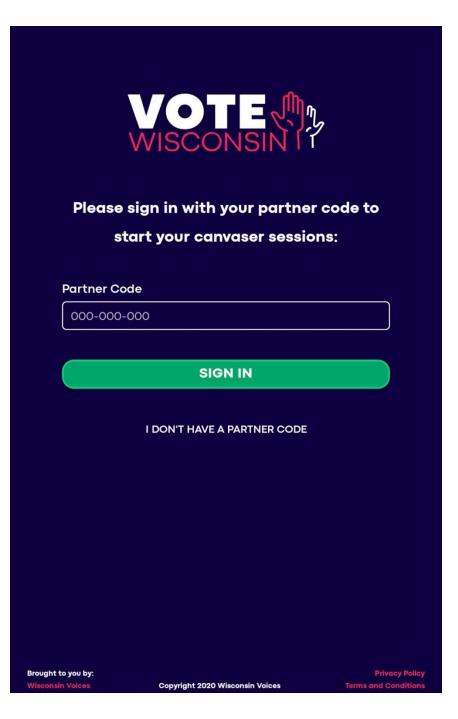
Add to Wishlist



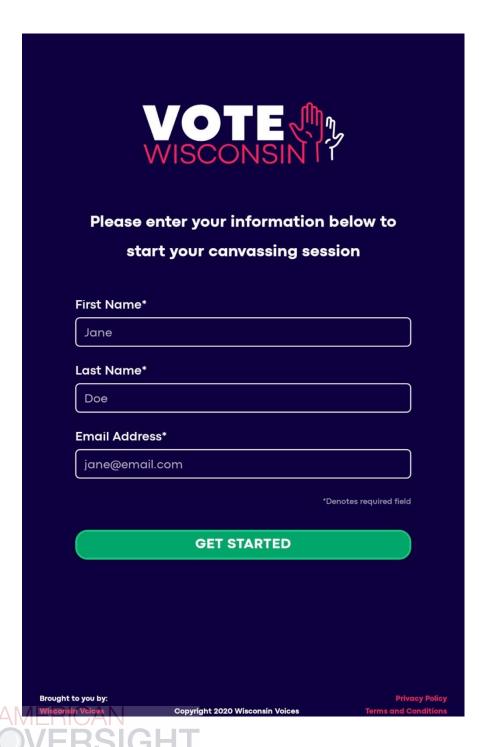




This application checks Wisconsin voter registration status, and allows a user to complete a new registration or even modify an existing registration at the Wisconsin State site. By the end of the process, a user will be registered to vote in the State of Wisconsin. The application can be used as an official canvasser tool, or by anyone that wants to register people in Wisconsin to Vote.





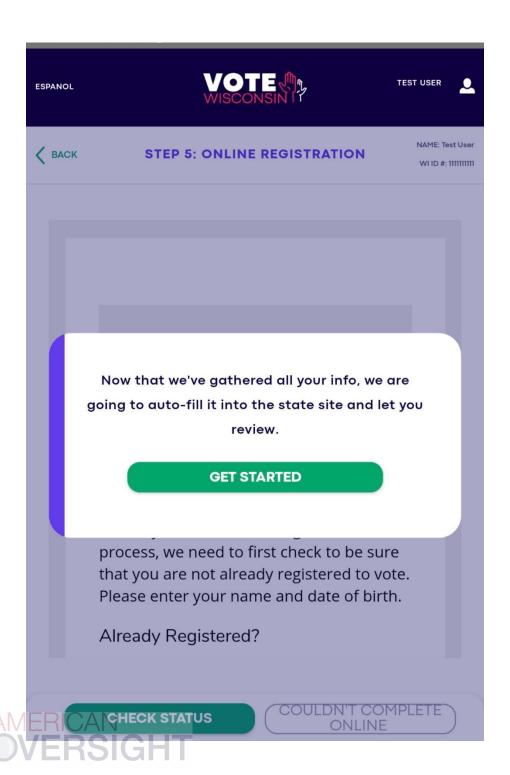


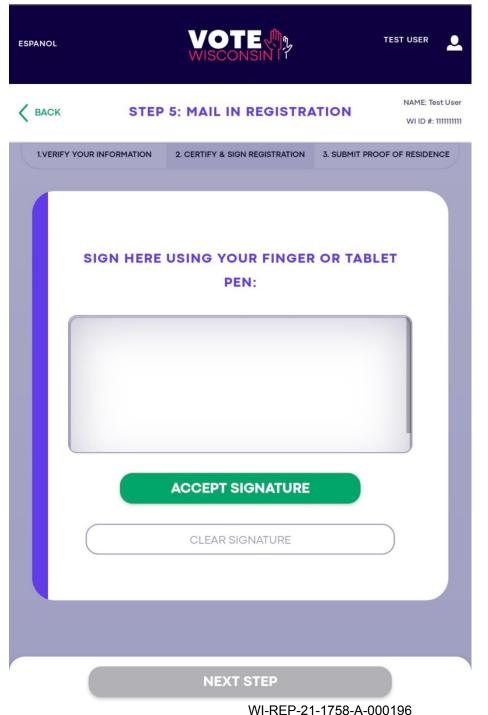


#### STEP 1: CHECK YOUR REGISTRATION

# To check your registration, we need your current legal name and date of birth:

Jane	
ast Name*	
Doe	
ate of Birth*	
	*Denotes required field







## **Canvasser Log Out**

Thanks for all your hard work today!

SHIFT TIME 00:01

MAIL IN REGISTRATIONS 0

ONLINE REGISTRATIONS 0

START NEW SESSION

PARTNER SIGNIN





Q

# Additional Information

**Updated** Size September 18, 2020 56M

Installs Current Version

100+ 1.0.10

Requires Android Content Rating

5.0 and up Everyone

Learn more

Permissions Report

View details Flag as inappropriate

Offered By Developer

Wisconsin Voices, Inc. Visit website

support@votewisconsin.zendesk.com

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Firedcy Folicy Ferms and Conditions



#### OUR PARTNERS





















#### OUR PARTNERS





























# **Our Purpose**

Wisconsin Voices provides essential resources to neighborhoods and community partners.



	Raci	ne County	Sher	iffs Office	(RASO)	Incide	nt Re <sub>l</sub>	port	Date:
	Incident: Election	Incident: Election Laws							12/
W. W.		ort Number: 51588		Between: Date - Time 3/16/20	00:00	And/At: Dat	te-Time 3/20	23:59	12/11/2020
	Incident Loc 1 Rac	ation: ine County, F	Racine.	WI. 53403					020
	CFS Code-1		CFS Code		CFS Code-3:		Offense (	Code-4:	
\ <b>\\</b>	5999 CFS Code-5	i:	CFS Coo	de-6:	CFS Code-7:		CFS Code	∍-8:	
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MEN Address: (Address, City, S	Plata 7(a)		4		- Landerson	}	Di-		_
1	Rd, Racine, WI,	53406					Phone 1		CFS
Employer							Phone 2		CFS Code-1:
Employer Address			,				Work Pho	ne#	
Nam	e (Last, First, Middle)				DOB:		Race/Sex	,	5999
MEN Fi	rkus, Jill						/ Addo/Od/	W/F	9
Address: (Address, City, S	State, Zip) s Dr,2, Mount P	leasant. WI	53406				Phone 1	52) 664-7800	
Employer	<i>5 51,72,110ane</i> 1	700001717 1117					Phone 2		1
Employer Address		·					Work Pho	one #	-
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Phone	Vehicle Information: (Ye	-7800 ear, Make, Model, Style,	Color)						Incident Report Number:
License Number:	State:	Expiration Year:	Vin:		Insurance Company	:			2
Other Vehicle Information:		1				NCIC#			20-061588
Reporting Officer(s):					Payroll Number :			Report Date:	158
Luell, Michael					10511	1 -		12/11/2020	ر ها
Time Received: 10:40:59	Time Cleared: 10:41:25	Unit(s) Assigned: 5076, 507	7		Pages:			Of 23	
Reviewed by: Schmidt, Aard	GHT	Payroll Number : 7688			Сору То	WI-REP	-21-17	58-A-000199	

Racine Coun	Continuation	
ent Report Number ) – 0 6 1 5 8 8	Incident Location:  1 Racine County, Racine, WI, 53403	Incident Date: 12/08/202
Other	d Care Center of 3205 Wood Rd;MP,Racine,WI,5340	16
Riagewoo	d care center or 3203 wood ha, in , haerne, wr, 3010	
Mentioned-3		
Scott, M	yers L of 3205 Wood Rd, Racine, WI, 53406	5
Deceased		53406
westphal	, Shirley M	. 33400
Complainant Westphal	-Mitchell, Judy	,53142
Webephar		
Mentioned-4		
		53402
		•
NARRATIVE		,
On Tuesday	December 8, 2020, I, Investigator Michael J. L	uell #10511, was
assigned to	investigate an election complaint that was file	ed by Judy A.
Westphal-Mit In a notari	cchell to the Wisconsin Election Coxed statement, Judy alleged the following:	OHURITESTOIL ( WEC ).
	prior/present Ridgewood Care Center took advan	tage of my mothers
Carev Manor	prior/present Ridgewood Care Center took advant mental capacity and filled out ballo	caye or my mounters

| WI-REP-21-1758-A-000200 | Payroll Number: | Payroll Number: | Pages: | Luell, Michael J. | 2 Of 23

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Incident Report Number 20-061588

Incident Location:
1 Racine County, Racine, WI, 53403

Incident Date: 12/08/2020

had to file a letter of incapacitation in 2012 to become her POA for Health/Finance because she was unable to do for herself

When we were permitted to visit in person early 2020 prior to covid, I noticed her that along with her teeth gone missing, her glasses were broken, and she was not interested in getting them replaced, as she told me, there was nothing she needed to read. She had lost all interest in TV or newspapers years prior and was not up to date on news or current events.

As to her mental capacity, she sometimes could not recognize me, remember what her last meal was or what day it even was. She would also tell me of helicopters and other flying objects landing either in the parking lot or just over/behind the trees out the 2nd story window where she would sit regularly and lookout/nap during the day. There is no airport or facility that a helicopter could or would land.

Prior to contacting Ridgewood directly, I contacted the Mt. Pleasant Clerk Kohlhagen, and she state that they cannot deny anyone a ballot and any determination of mental incapability would have to come from the care facility.

I contacted the manager at Ridgewood Care Center, Scott Myers (sp?) with my concerns of ethicality, legality of my mother's eligibility/ability to vote.

I inquired who had requested a ballot for her and had access to her to assist her in filling out the ballot as I have not been able to visit her personally for months. He never gave me an answer on how she even received a ballot. He told me that in the age of covid, the WEC gave facility activity director/social worker the authority to help residents fill out their ballots. I inquired how she was even able to receive a ballot in her diminished mental capacity, his reply was "that they cannot deny anyone a ballot and"

, they legally allowed her to participate". I also inquired to how they made her choice without any knowledge of current events or news? He told me "they ask the residents who they had voted for in the past, and following party lines, that would be their choice". I asked, "so if she could only recall JFK as president, Democrat would be the choice"? He replied, "yes". Asking him about the broken glasses (impaired vision), how could she be sure that whomever "assisted" would fill ballot out to her choice? He said, "he hoped that those that assisted were honest".

I am writing this, as I feel my mother was taken advantage of in her mental state. Parents and loved ones should be protected not exploited for an ink mark on a piece of paper and a questionable agenda.

I have also phoned WEC 11/11/2020 and left VM for Nathan Judnick (sp?), have

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# Racine County Sheriffs Office (RASO) Incident Report Number 20-061588 Incident Location: 1 Racine County, Racine, WI, 53403 Continuation 1/2/08/2020

not received any call back to date.

The Complaint Form was signed and notarized on November 24, 2020.

I was able to review an Email Judy sent to Racine County District Attorney Patricia Hanson where she relied her concerns about her mother, Shirley, voting while she was a resident at Ridgewood Care Facility. I also reviewed an Email sent by WEC Staff Attorney to DA Hanson relying Judy's concerns about Shirley voting.

I researched the November 3, 2020, election. I was able to determine that voters in Racine County were able to vote in the race for President of the United States, United States Representative for the First District of Wisconsin, Racine County District Attorney, Racine County Treasurer, Racine County Clerk, and Racine County Register of Deeds.

# Telephone conversation with Judy Westphal-Mitchell

I had telephone contact with Judy during the morning of December 10, 2020. Judy confirmed the allegations she swore to when she completed the WEC's Complaint Form. Judy informed me that her mother, Shirley, died on October 9, 2020, before the most recent election — an election were Shirley's vote was cast in. Shirley Emailed me copies of the documents declaring her Power of Attorney over Shirley's Finances and Property, signed December 30, 2012, and Power of Attorney for Health Care, signed February 22, 2013. Judy also sent me a Death Certificate for Shirley which confirmed her date of death to be October 9, 2020.

On December 10, 2020, at approximately 3:00 p.m., Inv. Johnson and I went to the Mount Pleasant City Hall and made contact with Village Clerk/Treasurer Stephanie Kohlhagen and Deputy Clerk/Treasurer Jill Firkus. The conversation was recorded by Inv. Johnson using the Axon Capture app on his department issued cell phone. This report is a summary of our conversation, please see the recording for exact details of the conversation.

## Meeting at Mount Pleasant Village Hall

I explained to Clerk Kohlhagen and Deputy Clerk Firkus that we were investigating the complaint Judy Westphal-Mitchell made about the practices at the Ridgewood Care Center concerning voting, specifically her mother, Shirley Westphal, voting in the most recent election on November 3, 2020. I informed them that I was interested in locating Shirley's ballot to verify her signature and identify the witness to her vote. They informed me that the envelop for the ballot was being held by "the county" and they would be able to get me a copy of the ballot. They stated that the ballot would contain Shirley's signature and the signature of the witness. Clerk Kohlhagen stated to me that unless they have an order signed by a judge that an individual has been deemed

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incompetent and their voting rights have been taken away, the village has to issue that person a ballot. Clerk Kohlhagen stated that she also explained this information to Judy.

I requested a list of all the times Shirley had voted since 2012, because that was the time that Shirley suffered significant physical/mental difficulties and signed the Power of Attorney to Judy. I was provided with a list of Shirley's voting history which showed she voted two times while she lived at the Ridgewood Care Center in the Village of Mount Pleasant. The records showed that Shirley voted in the 2020 Spring Election/Presidential Preference Vote, which was held on April 7th, 2020, and the 2020 General Election, which was held on November 3, 2020. Shirley also voted in the past when she lived in Kenosha County. Shirley voted four times in 2016, one time in 2015, three times 2014, one time in 2013, and six times in 2012. In all of these elections, Shirley voted with an absentee ballot.

Clerk Kohlhagen stated that they were informed "that our special voting and registration deputies were not allowed into nursing homes because of COVID". Clerk Kohlhagen stated that they normally send two special voting deputies into nursing homes to collect the vote, but they did not follow this procedure this time. Clerk Kohlhagen stated they received this information about not being allowed into retirement homes in April of 2020. Clerk Kohlhagen stated she believed the WEC sent the clerks a notification letter. I requested a copy of that letter, but I was not provided with the copy during this meeting.

I told the clerks that I was informed that people can be signed up to be sent an absentee ballot for every election. Clerk Kohlhagen informed me that if someone is "indefinitely confined", they would be sent an absentee ballot for every election. Clerk Kohlhagen stated there is a part of the application where "you are signing under oath that you had a condition". Clerk Kohlhagen stated, "The only reason we mailed the ballots this time, those ballots, to the nursing home, was because we were on lockdown with COVID and we could not go in there; therefore, we're obligated then to mail them. Otherwise, our special registration and/or voting deputies would actually physically have the ballots on them, be in the presence of that voter while they're voting, but that obviously did not happen. They're typically not mailed to the nursing home. It's just during COVID we had that."

Clerk Kohlhagen explained to me that the special registration deputies and the special voting deputies are different functions but the same people. Clerk Kohlhagen explained that they send the two people to the nursing home first to register people and then a week, or so, later they will send the two people out with the ballots to collect the vote. Clerk Kohlhagen stated that they normally post notices at the nursing homes as to when the special voting deputies are going to be at the facility, and she provided me copies of previous notices. Clerk Kohlhagen stated the patients' family members are supposed to pay attention to the notices when they are at the facility so that

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Luell, Michael J.

Payroll Number:
10511

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they have notice of when the voting is going to occur. Clerk Kohlhagen confirmed that no notice of voting was posted for the two most recent elections "because of COVID".

Deputy Clerk Firkus stated that the woman who worked at Ridgewood Care Center, and would coordinate the voting, just started when the COVID-19 shutdowns of nursing homes started in the spring of 2020. Deputy Clerk Firkus believed the woman's name was "Jennifer".

I was provided with a list of all the individuals that were registered to vote at Ridgewood Care Center. I was provided with a list of 53 people, 44 of the people voted in the November 3, 2020, election. The list included Shirley's name as a person who voted. I was provided with a booklet entitled "Absentee Voting in Residential Care Facilities and Retirement Homes" that was dated October 2018. I was informed that this booklet was previously provided to the Ridgewood Care Center and other facilities in the Village of Mount Pleasant. I requested information as to who was the witness(es) to the 44 votes that were cast from the Ridgewood Care Center. I requested the application that Shirley would have filled out to get an absentee ballot and/or oath of being indefinitely confined. I was informed the clerks would never be able to identify Shirley's exact ballot, but they would be able to identify Shirley's absentee ballot envelope.

# Review of documents provided by the Village of Mount Pleasant

On December 10, 2020, at 6:03 p.m., I received an Email from Clerk Kohlhagen which contained the Wisconsin Application for Absentee Ballot that was filed out for Shirley and contained a signature consistent with Shirley Westphal. The majority of the form is completed in blue ink. The person who used the , wrote down blue ink, later determined to be Shirley's name, date of birth, telephone number and address. the box citing Shirley's preference to receive a ballot by mail. In the next section, which was section 6, it stated, "I REQUEST AN ABSENTEE BALLOT BE SENT TO ME FOR: (mark only one)". marked the box before the statement, "The election(s) on the following date(s):" and no election date was written on the following line. A person using red ink put an "X" in the box before the fourth statement: "For indefinitely-confined voters only: I certify that I am indefinitely confined because of age, illness, infirmity or disability and request absentee ballots be sent to me automatically until I am no longer confined, or I fail to return a ballot. Anyone who makes false statements in order to obtain an absentee ballot may be fined not more than \$1,000 or imprisoned not more than 6 months or both. Wis. Stat. sec. 12.13(3)(i), 12.60(1)(b)."

signed on the line entitled "Agent Signature" and dated the form "3/16/20". It should be noted that the information above the "Agent Signature" line stated, "I certify that the application is made on request and by

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authorization of the named elector, who is unable to sign the application due to physical disability." On the line entitled "Voter Signature" the apparent signature of Shirley Westphal was written in black ink. The date after Shirley's signature was written by as "3/16/20". Wrote the last four digits of Shirley's social security number on the form. The apparent signature of Shirley was on the "Voter Signature" line certifying, amongst other things, that "all statements on this form are true and correct" with the penalty for providing false information being a "fine or imprisonment under State and Federal laws" The "Assistant Signature" line was signed by

It should be noted that the sentence below the word "Assistant" stated, "If someone assisted you by signing this form, they must complete this section."

The last part of the document was entitled "This Section for Official Use Only". The section is filled out in red ink and it contains the apparent signature of "Jill M. Firkus". The red ink was used to write the date of completion as "3/16/2020". Therefore, it appears that Deputy Clerk Firkus marked the box certifying that Shirley was indefinitely confined after Shirley signed the form, and Shirley certified the document under penalty of "fine or imprisonment under State and Federal laws".

## Review of applicable law

I researched some of the law surrounding elections. I observed that it stated in Wis. Stat. sec. 6.84(1) "LEGISLATIVE POLICY. The legislature finds that voting is a constitutional right, the vigorous exercise of which should be strongly encouraged. In contrast, voting by absentee ballot is a privilege exercised wholly outside the traditional safeguards of the polling place. The legislature finds that the privilege of voting by absentee ballot must be carefully regulated to prevent the potential for fraud or abuse; to prevent overzealous solicitation of absent electors who may prefer not to participate in an election; to prevent undue influence on an absent elector to vote for or against a candidate or to cast a particular vote in a referendum; or other similar abuses."

I observed Wis. Stat. sec. 6.875 which is entitled, "Absentee voting in certain residential care facilities and retirement homes". Wis. Stat. sec. 6.875(2)(a) stated, in part, Absentee voting in person inside [retirement homes] shall be conducted by municipalities only in the manner prescribed in this section" and "At any [retirement home] where a municipality dispatches special voting deputies to conduct absentee voting in person under this section, the procedures prescribed in this section are the exclusive means of absentee voting in person inside that facility . . .".

I observed that in Wis. Stat. sec. 6.875(4)(a) it stated, in part, ". . . the municipal clerk . . . of each municipality . . . shall appoint at least 2 voting deputies for the municipality"; that the two voting deputies shall be

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dispatched to the retirement home "for the purpose of supervising absentee voting"; and that "The 2 deputies . . . shall be affiliated with different political parties " when available.

I observed that in Wis. Stat. sec. 6.875(4)(at) it stated, in part, that the clerk "shall give the absentee ballot to the special voting deputies who shall personally deliver the ballot to the elector . . . ". I observed that in Wis. Stat. sec. 6.875(4)(b)(b) it stated, in part, "No individual who is employed or retained, or within the 2 years preceding appointment has been employed or retained, at a [retirement home] . . . may be appointed to serve as a deputy."

I observed that in Wis. Stat. sec. 6.875(5) it required that the special voting deputy take an oath. It further stated, in part, "the individual shall swear that he or she is qualified to act as a deputy . . . that he or she has read the statutes governing absentee voting, that he or she understands the proper absentee voting procedure, that he or she understands the penalties for noncomplience with the procedure under s. 12.13 [Voter Fraud], that his or her sacred obligation will be to fully and fairly implement the absentee voting law and seek to have the intent of the electors ascertained. In addition, the oath shall state that the individual realizes that any error in conducting the voting procedure may result in the invalidation of an elector's vote under s. 7.51(2)(e) and that the individual realizes that absentee voting is a privilege and not a constitutional right."

I observed that in Wis. Stat. sec. 6.875(6)(a) it required that municipal clerks post when the special deputies are going to be at the retirement homes to administer the absentee ballots. In Wis. Stat. sec. 6.875(6)(b), it is required that the municipal clerk provide the deputies with a sufficient number of ballots as it relates to the number of valid applications and it also requires the deputies to return to the clerk every ballot issued to them.

I observed that in Wis. Stat. sec. 6.875(6)(c)1. it stated, in part, "The deputies shall each witness the certification and may, upon request of the elector, assist the elector in marking the elector's ballot. The deputies shall not accept an absentee ballot submitted by an elector whose ballot was not issued to the elector by the deputies. All voting shall be conducted in the presence of the deputies. Upon request of the elector, a relative of the elector who is present in the room may assist the elector in marking the elector's ballot. No individual other than a deputy may witness the certification and no individual other than a deputy or relative of an elector may render voting assistance to the elector."

I observed that in Wis. Stat. sec. 6.875(6)(d) the deputy is required to place the ballot inside a sealed envelope, sign their name on the seal, have the elector sign the envelope, place the envelope in a ballot bag, and deliver the ballot bag to the clerk within 18 hours.

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I also reviewed the United States Constitution, specifically Article I, Section 4, paragraph 1, where it stated, "The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the <a href="Legislature">Legislature</a> thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators." (Emphasis added). It is also stated in the United States Constitution, specifically, Article II, Section 1, paragraph two, (concerning how the Electoral College will select the President of the United States), "Each State shall appoint, in such Manner as the <a href="Legislature">Legislature</a> thereof may direct . . ." (Emphasis added).

# Request for additional information from the Village of Mount Pleasant

On Friday, December 11, 2020, I Emailed Clerk Kohlhagen and Deputy Clerk Frikus. In the Email, I documented my previous requests of a copy of Shirley's Application for Absentee Ballot (already received), a copy of the envelope that contained Shirley's absentee ballot, and a list of the witness(es) for the other ballots that were cast absentee from the Ridgewood Care Center. I also requested any documentation provided by the WEC to the Village of Mount Pleasant notifying the municipal clerks that the numerous requirements of Wis. Stat. sec. 6.875 need not be followed.

# Review of additional information provided by the Village of Mount Pleasant

On Thursday, December 17, 2020, I received multiple Emails from Clerk Kohlhagen which contained the following:
A sample voting notice for the Ridgewood Care Center from April of 2020

- (1) A letter dated March 12, 2020, from the WEC to Wisconsin Municipal Clerks (et al.) ordering municipalities to not use special voting deputies in the Spring Election and Presidential Preference Primary and the Special Election in the 7th Congressional District. The municipalities were ordered to mail the ballots to the facilities. The municipalities were authorized to relocate polling places. In the letter it is stated that the WEC would be providing future training material. The basis for the WEC's orders appeared to be where it is stated in the letter: "[Governor Evers Executive Order #72] designates the Department of Health Services as the lead agency in responding to the public health emergency and directs all state agencies to assist in the State's ongoing response to the emergency. In light or Executive Order #72 and directives to the Department of Health Services, the Wisconsin Elections Commission held a special Commission meeting concerning Special Voting Deputy voting in care facilities and the relocation of polling places located in care facilities for the upcoming [elections]." The letter is from WEC Administrator Meagan Wolfe.
- (2) A letter dated September 25, 2020, from the WEC to Wisconsin Municipal Clerks (Et al.) from Administrator Meagan Wolfe and Assistant Administrator

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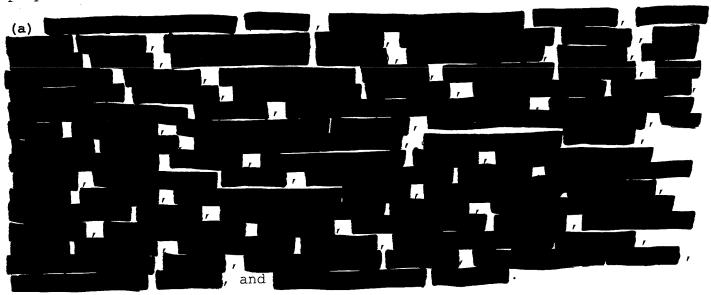
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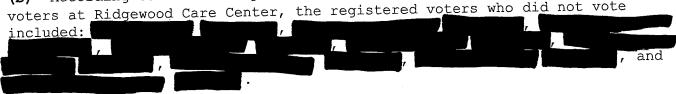
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Richard Rydecki with the subject being: "Absentee Voting at Care Facilities Information Documents". In this letter, it is stated: "The Wisconsin Elections Commission determined on June 24, 2020 and reaffirmed the decision on September 16, 2020 that Special Voting Deputies (SVDs) will not be dispatched to nursing homes and facilities to administer voting for the remaining elections in 2020. Residents of facilities normally served by SVDs will instead be mailed absentee ballots for each remaining 2020 election. Many nursing home and care facility residents rely on assistance from others to vote. Because most nursing homes and care facilities are not allowing guests at this time, some voters may require assistance from care facility staff to vote. Facility administrators and staff are able to assist residents in filling out their ballots or certificate envelopes and assist in completing voter registration forms and absentee requests, witness ballots, or sign a special certificate envelope (EL-122sp) if necessary." It is then stated that the WEC created and attached two training documents.

Scans of the Certification of Voter envelope that were signed by the voter and the witness for people who resided at the Ridgewood Care Center. These people included:



According to the list provided by Deputy Clerk Firkus of registered voters at Ridgewood Care Center, the registered voters who did not vote



Search warrant for the Ridgewood Care Center

I drafted a Search Warrant to be served at the Ridgewood Care Center. The

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items that I was seeking to seize included: (1) Shirley's resident/patient file and (2) the contact information for the Power of Attorney, designated family member(s), and/or other responsible party for the above stated individuals who voted in the November 3, 2020, election. The Search Warrant was reviewed by District Attorney Patricia Hanson and authorized by Judge Wynne Laufenberg.

Execution of search warrant and interview of Executive Director Scott L. Myers

On Friday, December 18, 2020, at approximately 12:30 p.m., Inv. Andersen, Inv. Srnka, and I served the search warrant on the Ridgewood Care Center. We met with Executive Director Scott L. Myers and interviewed him in his office. This interview and the following interview were recorded using Inv. Anderson's body Worn Camera. Please see that recording for exact details of the interviews. This report is a summary of the interviews.

I explained to Director Myers the nature of the investigation and the Search Warrant. I requested to be allowed to make copies of Shirley's complete file and to get the contact information for the family members or responsible parties for the people who voted in the November 3, 2020, election. Director Myers stated he would arrange to provide us with that information. Inv. Srnka was taken to a records room where the requested documents were copied.

I asked Director Myers to explain the process of how a resident would request an absentee ballot and then vote absentee. Director Myers stated I could speak with the Director of Recreational Therapy, to get more information about the voting process. Director Myers gave a general statement that would determine who was eligible to vote and who was interested in voting. Director Myers stated absentee ballots would be requested for those residents. Director Myers stated Director Heesch was in contact with the "election committee board" several times to make sure she had what she needed.

I informed Director Myers that Judy had sent a sworn affidavit to the WEC documenting her concerns about her mother, Shirely, voting in the November 3, 2020, election. I informed Director Myers that Judy had stated in her affidavit that she asked him how the staff determined who the resident wanted to vote for and he allegedly stated that the staff would ask how the resident voted in the past, and if they stated democratic, the staff would vote party lines on the ballot for the resident. Director Myers stated that statement was "not from me". Director Myers gave an example that if a resident stated they only vote republican and that is what they wished to do, the ballot would be marked as the resident wished. I paraphrased to Director Myers Judy's statement of: Well if the only thing my mother can remember is JFK, is the person assisting her going to vote democratic and the answer was "yes". Director Myers stated he was not familiar with anyone saying that and he stated the previous statement seemed "a bit simplistic". I confirmed with Director

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Myers that he was "Scott Myers" and I informed him that Judy stated in her sworn affidavit that the person making these statements was him. Director Myers stated "that's definitely not the case". I explained to Director Myers that Judy took the time to place his alleged statement in her sworn affidavit, and that if she is lying it is a crime. Director Myers responded, "I do not recall talking with that." Director Myers stated he did discuss some examples and he did give Judy information on how to file a complaint.

I informed Director Myers that Judy was alleging that, given her mother's vision problem and broken glasses, how they could know the person assisting a resident was marking the correct vote and he stated he "hoped" they were honest. I informed Director Myers that Judy even put the statement in quotation marks. Director Myers stated he was trying to remember the conversation, but he could recall that Judy was "very upset". Director Myers stated there "were several things we discussed" and he "tried to reassure her as far as what our understanding was from our guidance and I spoke to the guidance and what we are charged with is to assist." Director Myers stated his statement was not quite like what Judy wrote. Director Myers stated, he stated, "Well I would hope that people were honest with what we are doing and that we are not doing something that we are not supposed to do." Director Myers stated, "We are charged with something we take very seriously." Director Myers stated if someone has the "desire" to vote and the "ability" to do so, then they would be given the opportunity to vote.

I explained to Director Myers that I would like to talk about a resident having the "desire" to vote, because Judy's position was that Shirley would not have had the ability, desire, or interest to vote. I explained that Judy probably knew her mother better then anyone, and Judy had concerns because Shirley had such cognitive difficulties that Shirley could not remember what she ate for lunch; she did not recognize her own daughter; and she was seeing airplanes and helicopters outside of her window that were not there. I told Director Myers that it was difficult to understand how someone like Shirley would express a desire in obtaining an absentee ballot. I explained to Director Myers that Judy was stating that Shirley did not keep up with current events; she did not care that her glasses were broken because she did not want to read anymore; and she spent most of her time gazing out the window. I explained to Director Myers that the last time Shirley voted was in 2016. I stated to Director Myers that for four years Shirley expressed no desire to vote and she was suffering from sever cognitive limitations, but Director Myers was now representing that Shirley articulated a desire to vote and who to vote for. Director Myers stated he could not attest to what Shirley said because he was not there. I explained to Director Myers that he was representing that the procedures of the facility are that Shirley would have had to express a desire to vote. informed Director Myers that we do know that Shirley signed the request for an absentee ballot and then she voted. I stated to Director Myers that, to many people, this would seem troublesome. Director Myers responded, "Well, I can understand that".

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Director Myers explained that the staff would get "guidance" of the residents "capabilities" from social services. I asked if this information would be documented in Shirley's file, and he stated that he had not reviewed Shirley's file. Director Myers directed me to contact the Director of Social Services, "Erin Luna-Blanco".

At this point,, Director Myers took Inv. Srnka to the records department, and Inv. Andersen and I waited to see if Director Heesch would be available for an interview. Director Meyrs came back into the room and worked at his desk while we waited for Director . During our conversation, I asked Director Myers if the Ridgewood Care Center had any procedure to notify the municipality or voting clerk when someone dies at the facility. Director Myers stated that they notify the "coroner" and the family, but they do not notify the municipality. I informed Myers that one of the issues with Shirley's case, is that she voted on September 22, 2020, but the election was not until November 3, 2020 - and her vote was still cast and counted. I suggested that someone at Ridgewood may want to look into this problem so that it does not happen in the future.

Execution of search warrant and interview of Director of Recreational Therapy, Activities Aid and Activities Aid

At approximately 1:45 p.m., Inv. Andersen and I began to interview Director Heesch. I began to explain that I was investigating some concerns about the absentee voting at the facility. I told Director that I was contacted by a resident's daughter, and Director interjected and stated, "All was not the person who made the complaint that I was assigned to investigate. I told Director that the complaint was from Judy Westphal-Mitchell and it was about her mother, Shirley Westphal.

Director when the COVID-19 restrictions were going into affect. I asked Director what her opinions were of Shirley's cognitive limitations. Director stated that she did not know everyone at the facility. Director stated that she instead wanted to talk about the "process that we take". Director stated that "we go around" and ask everyone on that list if they want to vote. Director stated in Shirley's case, she could still vote because it was not specifically stated in her file that she could not vote. Director stated that she had her "ladies, if they want to vote, I register them". Director stated once the ballot comes to the facility, her staff will take the ballot to the resident's room. Director stated if the resident cannot answer the question or they do not want to vote, "that's

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I asked Director about the last four digits of Shirley's social security number having been written on the form, and she agreed she wrote the digits on the form. Director stated she wrote the last four digits of the social security number on all of the forms. Director explained, "because, of course, a lot of people are not going to remember that". Director

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confirmed that she wrote all of the writing in the blue ink and that was her signature on the form. Director confirmed that she checked the box on the form that Shirley was requesting an absentee ballot for the following elections and no date was filed in. Director agreed neither Shirley nor herself checked the box certifying that Shirley was indefinitely confined, which was done in red ink. Director agreed that the red ink was most likely written by Deputy Firkus at the Mount Pleasant Village Hall. I summarized that Shirley did not actually declare, when she signed the form, that she was indefinitely confined and that falsely making that declaration is a crime punishable by up to \$1,000, 6 months in jail, or both. Director responded, "I think there is a lot more to it." and I invited her to explain it to me.

Director stated Shirley had the right to vote and I agreed. I added to that statement that Shirley had to express her desire to vote and Director signed the form representing that Shirley expressed the desire to vote. I stated to Director that she did not actually know if Shirley expressed the desire to vote and Director did not know who allegedly communicated with Shirley. I further explained to Director that Shirley had not voted since 2016, which meant Shirley did not want to vote in 2017, 2018, or 2019. I told Director that it appeared that her position was: when Shirley moved into the Ridgewood Care Center, while she was experiencing significant cognitive issues, was not interest in the news or current events, and was two weeks away from her death, she expressed a desire to vote and did in fact vote -- but we do not know who she communicated this desire to or what was said. Director stated, "I go off what my staff says" and "they said, she can have moments of clarity."

At this point, Director left the room to get Aid and Aid to join the meeting. I asked Aid how Shirley expressed to her that Shirley wanted to vote absentee. Aid stated she did almost 500 hundred voting ballots and she did not remember them all specifically. Aid stated that if the resident tells her that they are a democrat or republican, she will read off all of the choices, tell them which person is a democrat or republican, and mark their response. Aid stated that the residents will say things to her like: "where is my ballot" or "I didn't get anything." Aid stated they will then get the resident registered to vote and assist the resident in voting.

I explained to Aid that the information I had on Shirley is that she had a significant cognitive decline; she had no glasses and was uninterested in reading; and she had no interest in the news or current events. I informed Aid that based upon Shirley's condition, her daughter, Judy, found it highly unlikely that Shirley would express an interest in getting an absentee ballot. Aid stated she would not have done a voting ballot if Shirley had no interest in voting. I asked Aid if she had a specific recollection as to her conversation with Shirley, and Aid stated she

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did not because she assisted so many people. I asked Aid specific recollection about when she assisted Shirley in voting, and Aid could not remember the exact conversation because she would do about "50 ballots a day".

Aid explained to me that if a resident wanted to vote, they would get registered (if they were not already), and an absentee ballot would be sent to the facility. Aid stated that once the ballot was received, she would go to the resident's room and ask if they were still interested in voting. If the resident said yes, Aid would assist the resident in voting. If the resident did not want to vote at that moment, Aid stated she would come back at a later time to see if they then wanted to vote. Aid after going back to the resident, if they still did not want to vote at all, she would return the ballot to Director who would send the ballot back to the Mount Pleasant Village Hall.

how the residents would express who the wanted to vote I asked Aid for, and she stated her process was pretty "uniform". Aid would come into the room and say "hi" and ask the resident if they vote democrat or republican. Aid stated she would read off the list of the stated she would tell the resident which candidate was candidates. Aid a democrat and which was a republican. Aid stated the resident would stated even if make their selection and she would mark the ballot. Aid a resident stated they wanted to vote democrat or republican across the ballot, she would still ask the resident about their choice for every race.

I questioned Aid about the Application for Absentee Ballot that was signed by Shirley. I asked Aid that would it not have been move proper for her to sign the form as the witness to Shirley requesting an absentee ballot as opposed to Director signing the form. Aid she would execute the form with a resident, she would sign the form as the witness. Director interjected and stated she would fill out the form to that their and Director assist her staff. I informed Aid statements were inconsistent with each other.

The two women talked it out and then agreed that Aid and did some of the Application for Absentee Ballot forms and Aid did most of the voting ballots with the ballot envelopes. However, Aid still maintained that still maintained that if she executed the Application for Absentee Ballot form, she would have signed as the witness. I then asked Aid if she executed the Application for Absentee Ballot with Shirley, and Aid stated "no" because Director signed the form. Based upon the statements of Director , I am unable to determine who executed the form with Shirley. informed Director that her signing the form as the witness prior to the form being executed and with her having no contact with the actual voter was problematic.

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## Continuation Racine County Sheriffs Office (RASO) Incident Date: Incident Location: Incident Report Number 12/08/2020 1 Racine County, Racine, WI, 53403 20-061588 I read to Director , Aid , and Aid , the quotations Judy wrote in her affidavit that she was alleging was stated by Director Myers about how the voting was conducted. Aid and Aid stated that description was not the way they conducted the vote. I asked if they believed there were other residents at the facility that had similar cognitive issues as did Shirley. Aid stated that if some people do not respond, they would return the blank ballot to Director . I confirmed with everyone in the room that they were stating that the procedure would be if the resident voted or did not vote, they would return the ballot to Director would then send Director would seal up the envelop, and Director the envelop to the Mount Pleasant Village Hall. Director Aid all agreed that this was the procedure they followed. I informed them that this procedure was also problematic. I informed Director that after the ballot was executed, the and Aid , Aid ballot should be placed in the envelop, the envelop should be sealed, the voter should sign the form, and the witness should sign the form - in that order. This procedure is clearly described on the Absentee Ballot Certification Envelope in five clearly marked steps that begin with the instructions "Voter: Please complete steps 1 through 5, in the presence of your witness." Aid admitted that she would collect the ballots that were either completed or blank and she would not seal the envelops. Inv. Andersen asked how it was handled if a resident did not know the difference between a Democrat and a Republican. Inv. Andersen asked if they would explain to the residents what each candidate stood for on various issues. Inv. Andersen asked if there was a sheet that the Aid's would read to explain the issues in the election. Aid stated there was no sheet, but she would ask the resident if they wanted her to set up a news channel on their television and then come back the next day. Aid stated that the news, at that time, was constantly covering the election. Aid would leave the news channel on for a day or two and then she would come back stated she would ask the resident, "Hey, did you to the resident. Aid ever get a chance to research that? and if they said 'yeah, this is what I want' or 'no, I don't really feel like voting' however way. If they didn't feel like voting. If they didn't see that there was an elector that was fit for it, I wouldn't have them vote. But if they looked at it and said 'yes, this is what I want', then that is what I would do." I asked Aid she would leave the ballot with the resident while they were deciding if they wanted to vote, and she stated "no" and that she would keep the ballots in her desk until she returned. Aid and Aid if they received any I asked Director training information, pamphlets, or videos on how to administer the vote at the facility. All three ladies shook their heads in the negative and stated they received no training on this issue. Director stated, "I kept calling

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the village, but we can't get through there. I leave messages, please call me,

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please call me, please!" Aid stated all that she was told was what told her, and Director received that information from Director Myer.

I provided Director , Aid , and Aid with my business card, and I encouraged them to contact me if they had any questions, concerns, or additional information.

Inv. Srnka, Inv. Anderson, and I left the Ridgewood Care Center.

## Telephone conversation with Aid

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On Monday, December 21, 2020, at approximately 2:40 p.m., I made telephone contact with Aid . I asked Aid where she stored the ballots and envelopes when she was giving the residents more time to decide if they wanted to vote. Aid stated she placed the ballots and envelops inside the stated she placed the bottom drawer on the left side of her desk. Aid ballots and envelopes in the back of the drawer. Aid stated there is no lock on the drawer. Aid stated her desk is in the Life Enrichment Room. Aid stated the room is "locked at all times", but the following people have keys to the room: Director Myer, Director Aid ", and herself.

about her statement that if the resident did not want to I reminded Aid vote at a specific time, she would turn on a news channel and leave the news on the television for a day or two. Aid stated she remembered the statement. I asked Aid what channel she would put on for the resident, and she informed me that the residents, at times, have a list of preferred stated if the resident did not have a list, she would channels. Aid normally put "NBC" on the television.

# Meeting with Clerk Stephanie Kohlhagen at Mount Pleasant Village Hall

On Wednesday, December 23, 2020, at approximately 9:30 a.m., Inv. Andersen and I made contact with Clerk Kohlhagen at the Mount Pleasant Village Hall. Clerk Kohlhagen provided me with copies of the Application for Absentee Ballot from the other registered voters at Ridgewood Care Center. Clerk Kohlhagen stated there were three or four names on the list that were older and would require more effort to locate. I informed Clerk Kohlhagen that she could hold off on looking for those additional applications. I added the information to the spreadsheet I had already created. It should be noted that it appeared that there were eight occasions (including Shirley Westphal) where it appeared that an employee of the Village of Mount Pleasant checked the box, after the voter signed the document, certifying, under penalty of law, that the voter was indefinitely confined.

I questioned Clerk Kohlhagen about Judy's Application for Absentee Ballot. I

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informed Clerk Kohlhagen that it appeared that Deputy Clerk Firkus checked the box certifying, under penalty of law, that Judy was indefinitely confined. I stated that this certification would have occurred after Judy signed the form and it was delivered to the Village of Mount Pleasant. I added that the original document appeared to be incomplete because the only box that was checked was the request for an absentee ballot on "The election(s) on the following date(s):" with no dates listed. Clerk Kohlhagen admitted that the correct procedure would be to have the voter check the "indefinitely confined" box, but the clerks just "corrected" the error.

I asked Clerk Kohlhagen if the WEC provided any training information for the municipalities and/or the employees at the retirement homes. Clerk Kohlhagen stated she did not believe the WEC provided any training material. Clerk Kohlhagen stated the WEC may have put out a Webinar. Clerk Kohlhagen stated the Ridgewood Care Center would have previously been provided with the booklet entitled "Absentee Voting in Residential Care Facilities and Retirement Homes" dated October of 2018.

Clerk Kohlhagen stated the rate of new people registering to vote and the number of people voting at the Ridgewood Care Center was unusually high in the November 2020 election. Clerk Kohlhagen stated for most previous elections at the Ridgewood Care Center, including presidential elections, the number of people voting would be approximately ten. Clerk Kohlhagen stated the number of people registering as a new request for an absentee ballot would be around zero to two people. Clerk Kohlhagen stated that she would usually be informed that a few people were no longer at the facility.

Clerk Kohlhagen stated that prior to the November 2020 election, Director would call her and tell her that she had "80 people" who were newly requesting absentee ballots. Clerk Kohlhagen stated she would question Director on why the number was so high, and Clerk Kohlhagen would only state that this was the number of people she had that wanted an absentee ballot. Clerk Kohlhagen stated that the other retirement homes in the Village of Mount Pleasant did not show any unusual increases in applications for absentee ballots nor casting of absentee ballots - she stated the other facilities averaged around zero to two applications for absentee ballots and approximately ten absentee ballots cast per facility. According to the documentation from Ridgewood Care Center, in the Spring election of 2020, nine new people submitted an application for an absentee ballot, and, for the Fall election, 27 new people submitted an application for an absentee ballot. Furthermore, 43 residents of the Ridgewood Care Facility voted in the Fall election.

### Review of Shirley Westphal's resident records at the Ridgewood Care Center

On Monday, January 4, 2021, I reviewed the documents that were copied from Shirley Westphal's resident file from the Ridgewood Care Center.

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Reporting Officer(s):

### Racine County Sheriffs Office (RASO) Continuation Incident Date: Incident Location: Incident Report Number 12/08/2020 1 Racine County, Racine, WI, 53403 20-061588 In a document dated September 23, 2020, Nurse Practitioner stated she was writing a report in accordance with the federally mandated visit she performed for acute and chronic medical conditions. NP summarized Shirley's history as follows: She has a history of disability for years. In a document entitled "Hospital Admission History and Physical", which is dated December 28, 2017, Physician DO summarizes Shirley's admission to the hospital as follows: 92-year-old white female Patient's daughter was contacted who is her healthcare power attorney. She was updated Shirley was admitted to the Ridgewood Care Center on June 13, 2019. The following information is from passages contained within the Ridgewood Care Center Progress Notes: (1) Effective date: 12/17/2019 Effective date: 12/26/2019 Effective date: 3/26/2020 (3) (4) Effective date: 6/29/2020

DVERSIGHT
Reporting Officer(s):

Inell, Michael J

Payroll Number: 10511

Pages:

WI-REP-21-1758-A-000218

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### **Racine County Sheriffs Office (RASO)**

Continuation

Incident Report Number 20-061588

Incident Location:

1 Racine County, Racine, WI, 53403

Incident Date: 12/08/2020



(6) Effective Date: 9/29/2020

On October 2, 2020, Shirley was transferred hospice care. Shirley died on October 9, 2020.

#### Explination of the Brief Interview for Mental Status (BIMS) Test

I researched the BIMS test on the website "MDApp". I learned that the general purpose of the BIMS test is to evaluate cognitive impairment.

The BIMS test is scored from 0 to 15 points. The BIMS test has three parts.

Part One is the repetition of three words. The questioner is to inform the resident that the questioner is going to say three words and the resident needs to remember the words and repeat them back when requested to do so. The questioner then states the words: sock, blue, and bed. The questioner then asks the resident to reproduce the three words and the results are scored as follows:

- (1) No word repeated (0 points)
- (2) One word repeated (1 point)
- (3) Two words repeated (2 points)
- (4) All three words repeated (3 points)

Part Two is temporal orientation. The following questions are to be asked of the resident:

- (1) Ask the resident what year it is right now and score their answer as follows:
- a. Missed by more then five years or no answer (0 points)
- **b.** Missed by two to five years (1 point)
- c. Missed by one year (2 points)
- d. Correct (3 points)

WI-REP-21-1758-A-000219

Reporting Officer(s):
Luell, Michael J.

Payroll Number: 10511

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Pages:

### Racine County Sheriffs Office (RASO)

Continuation

Incident Report Number 20-061588

Incident Location:
1 Racine County, Racine, WI, 53403

Incident Date: 12/08/2020

- (2) Ask the resident what month we are are in at the moment and score their answer as follows:
- a. Missed by more then one month or no answer (0 points)
- b. Missed by six days to one month (1 point)
- c. Accurate within five days (2 points)
- (3) Ask the resident what day of the week it is today and score their answer as follows:
- a. Incorrect or no answer (0 points)
- **b.** Correct (1 point)
- (4) Part Three is recall. The questioner is to tell the resident they were going to go back to the earlier question and the questioner is to ask the resident to say the words they were asked to repeat earlier. If the resident is unable to remember a word, the questioner is to provide a cue to help the resident remember the word. The resident's responses are graded as follows:
- a. Able to recall "sock"
- 1. No, could not recall (0 points)
- 2. Yes, after cueing "something to wear" (1 point)
- 3. yes, no cue required (2 points)
- b. Able to recall "blue"
- 1. No, could not recall (0 points)
- 2. Yes, after cuing "color" (1 point)
- 3. Yes, no cue required (2 points)
- c. Able to recall "bed"
- 1. No, could not recall (0 points)
- 2. Yes, after cuing "a piece of furniture" (1 point)
- Yes, no cue required (2 points)

The results of the BIMS are interpreted as follows:

- (1) 0-7: Severe cognitive impact
- (2) 8-12: Moderate impairment
- (3) 13-15: Intact cognitive response

Investigation to continue.

Respectfully submitted:



Luell, Michael J

Pages:

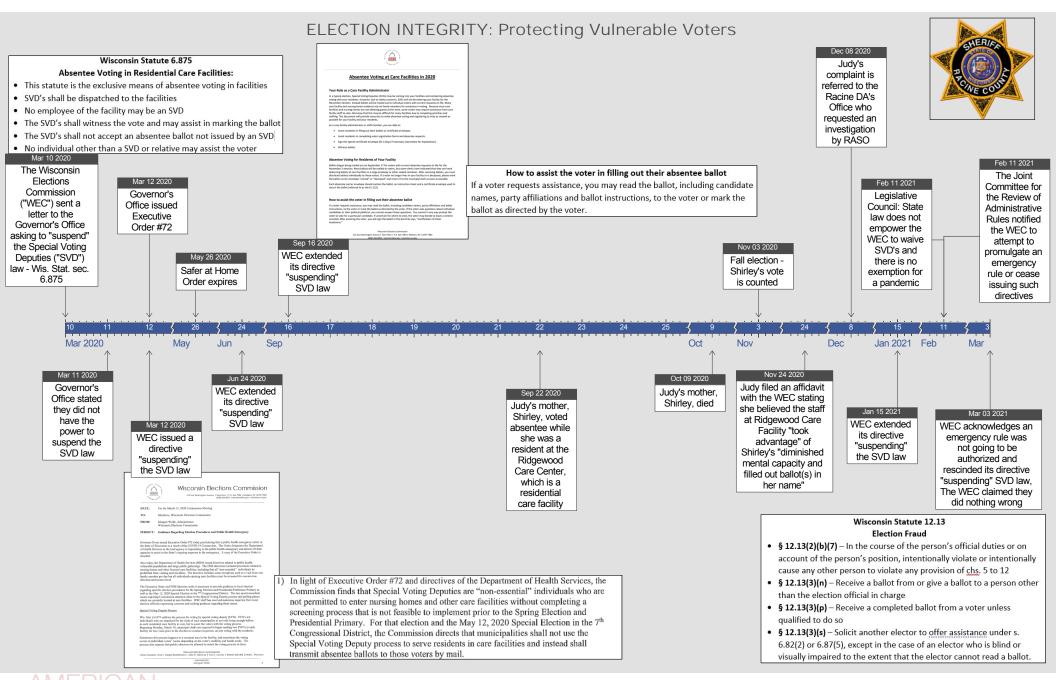
**Racine County Sheriffs Office (RASO)** Continuation Incident Report Number Incident Location: Incident Date: 1 Racine County, Racine, WI, 53403 12/08/2020 20-061588

Inv. Michael J. Luell #10511

Reporting Officer(s):

WI-REP-21-1758-A-000221

Payroll Number: 10511





From: Elections PIO <Electionspio@wisconsin.gov>

Sent: Tuesday, November 23, 2021, 2:24 PM

To: "Rep.Brandtjen - LEGIS" <Rep.Brandtjen@legis.wisconsin.gov>

Subject: WEC Inactive Voters Request Response

Dear Representative Brandtjen,

This email is in response to your November 4 public records request concerning inactive voters. Your request is partially answered, partially denied, and, because the records that exist are comprised of WisVote data, you will need to submit any remaining questions through Badger Voters, <a href="https://badgervoters.wi.gov/">https://badgervoters.wi.gov/</a>. I will respond individually to each part of your request below.

1. WEC keeps inactives in the database for historical purposes. Where is the time and date stamps of when voters are registered and changed status (active/inactive).

The time and date stamps for registrations and for any changes to registration statuses are recorded within WisVote. The WEC keeps inactive accounts in WisVote because Wisconsin law requires it. Under the statutes there are two statuses, "eligible" and "ineligible," that apply to individuals on the registration list. The change from eligible to ineligible is repeatedly referenced in the statutes, including but not limited to Wis. Stats. §§ 6.36(1)(e), 6.50(2)–(7), (10), 6.55(2)(cs), and 6.56(3-4). No statute mentions any process for deleting an individual from the list, and therefore the WEC does not delete accounts. Within WisVote, the WEC uses the term "active" to refer to "eligible" voters and the term "inactive" to refer to ineligible voters. An individual being registered and entered into WisVote generates registration data, and every action taken involving that account generates more data in WisVote. Actions would include an eligible elector applying for an absentee ballot, an eligible elector participating in-person at a polling place, or a person's status being changed from eligible to ineligible. If you are seeking registration data or data about changes to eligible or ineligible statuses, that data can be sought through a Badger Voters request. In the interest of total clarity, eligible records (electors) are registered to vote, appear on pollbooks, and can cast a ballot in statewide elections. Ineligible records are not registered to vote, do not appear on pollbooks, and cannot cast a ballot in Wisconsin elections.

2. If an inactive voter is turned active, voted and turned inactive again, will the ballot cast or voter rolls on WisVote show that ballot cast? Will the ballot cast not show up if the voter voted, and then turned off?

First, information is never deleted from WisVote. The scenario described by the question would be permanently documented in dozens of places (possibly more). For example,

- 1. The date and time of each reactivation is recorded
- 2. The identity of the individual performing the reactivation is recorded
- 3. The elector's new status reason is recorded
- 4. If the elector voted absentee:
  - a. The date and time of the absentee ballot request is recorded
  - b. The location and manner of the absentee ballot request is recorded



- c. A record of the voter's photo ID is recorded
- d. The date and time of the absentee ballot delivery is recorded
- e. Unique bar codes associated with the elector and the ballot are generated, recorded, and affixed to the ballot.
- f. The location and manner of absentee ballot delivery is recorded
- Ballots delivered by mail may additionally be tracked by Intelligent Mail Barcode while in the custody of the USPS
- ii. Ballots issued in person will identify the issuing authority
- g. The date and time of absentee ballot return is recorded
- h. The location and manner of absentee ballot return is recorded
- i. The final disposition of the absentee ballot is recorded.
- j. The original ballot request is retained
- k. The ballot envelope is retained
- I. The ballot is retained
- m. Voter participation is recorded
- 5. If the elector voted at the polls:
  - a. The voter must present photo ID and the voter's signature is recorded on the poll book
  - b. The poll book is retained
  - c. The ballot is retained
  - d. Voter participation is recorded

Note also that the terms "reactivation" and "registration" are synonymous. There is nothing distinguishing a reactivation from a registration, just as there is nothing distinguishing an inactivation from ineligibility. Chapter 6 of the Wisconsin Statutes provides detailed guidance regarding the registration of electors.

Second, WisVote does not contain data about ballots cast. Instead, WisVote contains data about which eligible electors participated in which elections. Voter participation data is available through Badger Voters.

Overall, data about voter participation remains in WisVote whether an account remains active or becomes inactive. If an individual votes and that individual's account is later inactivated, the record of voter participation for that individual will still be viewable in WisVote and that data can be sought through a Badger Voters request. Because it has happened that inactive accounts have been reactivated, and because it is possible that some individuals whose accounts have been reactivated have subsequently been permanently inactivated, some accounts may have gone from active to inactive, back to active, and then finally inactive. If any of these individuals voted, WisVote will have data pertaining to those individuals' participation which can be sought through a Badger Voters request.

3. Is there a list of inactives that were activated to vote in November and left on? Who can activate these voters and why? Can they be left active?

This request is partially denied, and any remaining questions will need to be submitted through Badger Voters. Insofar as your question asks if inactive accounts were registered for the purpose



of voting in the November 2020 election, your request is denied because the WEC does not possess any responsive records. Any inactivated account that was reactivated by one of the few individuals with appropriate privileges to do so went through this process for a specific reason but not for a specific election. An active account corresponding to an eligible elector, including an account that was reactivated, will remain registered until there is a reason to inactivate it, such as the voter moving to another state, becoming a felon, or dying. It is possible that an individual whose account underwent the rare process of reactivation voted in the November 2020 election. If so, that individual's participation would be recorded within WisVote. It would be possible to submit a custom request to Badger Voters asking for any records that had both undergone this process within a given timeline and that have participation data for the November 2020 election.

#### Sincerely,

Brandon Hunzicker
Staff Attorney
Wisconsin Elections Commission
212 East Washington Avenue, Third Floor
P.O. Box 7984
Madison, WI 53707-7984
Electionspio@wisconsin.gov













# Wisconsin Safe Voting Plan 2020 Submitted to the Center for Tech & Civic Life June 15, 2020

The State of Wisconsin found itself in the midst of an historic election in April of 2020 when statewide elections occurred in the midst of the COVID-19 pandemic. These elections included not only the presidential preference vote, but also local races for city councils, county boards, school board, and mayors, a statewide election for a seat on the Wisconsin Supreme Court, and numerous district-wide school referenda.

Municipalities were required to make rapid and frequent adjustments to ensure compliance with the rapidly changing Supreme Court, Wisconsin Supreme Court, and Wisconsin Election Commission (WEC) rulings about the election. (The April 2020 Election may go down in history as the only election in which the Wisconsin Supreme Court and the US Supreme Court weighed in on the same day on how the election would be conducted.)

The shifting legal landscape was also complicated by the extraordinary lengths municipal clerks went to to ensure that both voting and election administration were done in accordance with prevailing public health requirements.

As mayors in Wisconsin's five biggest cities - Milwaukee, Madison, Green Bay, Kenosha, and Racine - we seek to work collaboratively on the two remaining 2020 elections (August 11th and November 3rd) to: safely administer elections to reduce the risk of exposure to coronavirus for our residents as well as our election officials and poll workers; identify best practices; innovate to efficiently and effectively educate our residents about how to exercise their right to vote; be intentional and strategic in reaching our historically disenfranchised residents and communities; and, above all, ensure the right to vote in our dense and diverse communities.



Table 1: Summary of Municipalities' Electorate Data, June 2020

	Green Bay	Kenosha	Madison	Milwaukee	Racine
Estimated Eligible Voters	71,661	73,000	213,725	430,000	56,000
Registered Voters	52,064	47,433	178,346	294,459	34,734
2020 Election Budget	\$329,820	\$205,690	\$2,080,283	\$2,986,810	\$409,529

All five jurisdictions share concerns about how to best facilitate voter participation and limit exposure to coronavirus. All five jurisdictions spent all or most of the budgeted resources for all of 2020 on the extraordinary circumstances this Spring. If no plan is approved, it will leave communities like ours with no choice but to make tough decisions between health and the right to vote; between budget constraints and access to fundamental rights. The time that remains between now and the November Election provides an opportunity to plan for the highest possible voter turnouts in the safest possible ways.

We are collectively requesting a total of \$6,324,527 as summarized in Table 3 below and detailed extensively in the plan.

### **Review of the April 2020 Election**

The April 2020 election placed two sacred duties of cities in conflict: keeping our residents safe and administering free and fair elections. Since Wisconsin's elections are administered at the municipal level, each municipality was on its own to deal with these dynamics. Our Municipal Clerks and their staff are all remarkable public servants, who responded nimbly and effectively to marshal the resources needed to run these elections under exceedingly challenging circumstances. In this election, all five of our municipalities faced:

- Precipitous drop-offs of experienced poll workers;
- A scramble to procure enough PPE to keep polling locations clean and disinfected and to mitigate COVID-19 risk for election officials, poll workers, and voters;
- A never-before-seen increase in absentee ballot requests;
- High numbers of voters who struggled to properly submit required photo ID and/or provided insufficient certification of absentee ballot envelopes; and
- Voters who, understandably, were completely confused about the timeline and rules for voting in the midst of a pandemic and required considerable public outreach and individual hand-holding to ensure their right to vote.



See Table 2, below, for detailed data on all five municipalities' April 2020 absentee mail and in-person early voting experiences.

Table 2: Summary of Municipalities' Experiences in April 2020 Election

	Green Bay	Kenosha	Madison	Milwaukee	Racine
# of voters who requested absentee ballots for April election	15,509	16,017	89,730	96,712	11,615
# of absentee ballots successfully cast in April	11,928	13,144	77,677	76,362	9,570
# of absentee ballot requests unfulfilled due to insufficient photo ID	Unknown	Unknown	1,840	2.5%	Estimated hundreds
# of absentee ballots rejected due to incomplete certification	312	196	618	1,671	368
# of secure drop-boxes for absentee ballot return	1	2	3	5	1
# of days of early voting	12	10	19	14	13
Use curbside voting for early voting?	~	*	•	<b>~</b>	~
# of voters who voted in-person early absentee	778	85	4,930	11,612	1,543
# of additional staff enlisted for election-related efforts	86	60	225	95	20
\$ spent on PPE	\$2,122	\$13,000	\$6,305	Unknown	Unknown
# of polling locations	2	10	66	5	14
Use drive-thru or curbside voting on Election Day?	•	*	~	•	~



### **Comprehensive Election Administration Needs for 2020**

In early June 2020, all five municipal clerks and their staff, with review and support from all five cities' Mayors and Mayoral staff, completed a detailed, multi-page template (attached) providing both data and information about the municipalities' election plans and needs. This Wisconsin Safe Voting Plan 2020 is based on that comprehensive information. All five of our municipalities recommend the following four strategies to ensure safe, fair, inclusive, secure, and professional elections in our communities for the remaining 2020 elections:

# <u>Recommendation I:</u> Encourage and Increase Absentee Voting (By Mail and Early, In-Person)

- 1. Provide assistance to help voters comply with absentee ballot requests & certification requirements
- 2. Utilize secure drop-boxes to facilitate return of absentee ballots
- 3. Deploy additional staff and/or technology improvements to expedite & improve accuracy of absentee ballot processing
- 4. Expand In-Person Early Voting (Including Curbside Voting)

Recommendation II: Dramatically Expand Strategic Voter Education & Outreach Efforts, Particularly to Historically Disenfranchised Residents

Recommendation III: Launch Poll Worker Recruitment, Training & Safety Efforts

Recommendation IV: Ensure Safe & Efficient Election Day Administration

As detailed in this plan, our municipalities are requesting <u>a total of \$6,324,567</u> to robustly, swiftly, comprehensively, and creatively implement these four strategic recommendations in each of our communities. That request is summarized as follows in Table 3, below, and detailed extensively in the remainder of this plan.



Table 3: Summary of Resources Needed to Robustly Implement All Four Recommendations

Recommendation	Green Bay	Kenosha	Madison	Milwaukee	Racine	Totals
Encourage and Increase Absentee Voting By Mail and Early, In-Person	\$277,000	\$455,239	\$548,500	\$998,500	\$293,600	\$2,572,839
Dramatically Expand Strategic Voter Education & Outreach Efforts	\$215,000	\$58,000	\$175,000	\$280,000	\$337,000	\$1,065,000
Launch Poll Worker Recruitment, Training & Safety Efforts	\$174,900	\$145,840	\$507,788	\$800,000	\$181,500	\$1,810,028
Ensure Safe & Efficient Election Day Administration	\$426,500	\$203,700	\$40,500	\$76,000	\$130,000	\$876,700
Totals:	\$1,093,400	\$862,779	\$1,271,788	\$2,154,500	\$942,100	\$6,324,567



### Recommendation I: Encourage & Increase Absentee Voting By Mail and Early, In-Person

Of all the things that need to be done to ensure access and safety at the polls, this is perhaps the most important and timely. It is time, resource, and labor intensive but results in the voter being able to vote by mail or from the relative safety of their car or at a socially distanced and carefully planned early voting site.

### **Overview of Absentee Voting in Wisconsin**

Before discussing our strategies and plans to encourage and increase absentee voting, both by mail and in-person, early voting, it's important to first understand the absentee voting context in Wisconsin.

There are two ways to vote early in Wisconsin: in-person and through the mail. Both are technically called "absentee voting," a phrase held over from a time when absentee voting required you to affirm that you were over 80, ill, or going to be out of the municipality on Election Day. Those requirements no longer exist in the statutes, and people can vote early, or absentee, for any reason. The April 2020 election saw dramatic increases in the number of absentee ballot requests over previous elections.

While for many regular voters, absentee voting - whether completed by mail or early, in-person - is a relatively easy process, our five cities understand that absentee voting does not work easily for all voters. Our communities of color, senior voters, low-income voters without reliable access to the internet, people with disabilities, and students all have legitimate concerns about the absentee voting process.

Voting absentee by mail has been complicated by the fairly recent imposition of state law requiring voters to provide an image of their valid photo ID prior to first requesting an absentee ballot. While this works relatively easily for voters who have valid photo IDs and the technology necessary to upload an image file of that valid ID into the state's myvote.wi.gov website, it does not work well or easily for other voters who do not have valid photo ID (complicated by closure of DMVs due to the pandemic), lack access to reliable internet (also complicated by coronavirus-related closures or reduced hours at libraries and community centers, leaving those residents without regular public internet access that our municipalities normally provide), those who don't have smart phones to take and upload photos, and those who need additional education about what constitutes a valid photo ID. (For example, countless voters in our municipalities attempted to submit "selfies" as valid photo ID. Explaining to them that this was not a valid form of photo ID and instructing them on how to properly submit valid ID took considerable staff time and resources.)

Once the absentee ballot is received, it must be completed correctly to be successfully cast, and there are numerous certification requirements on the absentee ballot envelope; if not correctly completed, the ballot could be rejected. Prior to this April's



election, very small numbers of voters had traditionally chosen to cast ballots by mail. Municipal clerks' offices simply were not prepared and do not have the staffing or technological resources needed to quickly process dramatically higher numbers of absentee ballot requests, troubleshoot problems, answer voter questions, provide information and to expedite the processing of thousands of received absentee ballots on Election Day.

In-person early absentee voting also poses challenges for voters and election administrators. While all of our communities had previously offered early voting locations and hours, April's election required election officials to creatively and quickly expand in-person early voting opportunities, including curbside voting, all while prioritizing necessary COVID-19 precautions.

As indicated by Table 4, below, all five of our municipalities are already experiencing dramatic increases in the number of voters requesting to vote absentee, compared to pre-pandemic, and must procure resources to enable voters in our communities to meaningfully access absentee voting.

Table 4: Absentee Ballots in All Municipalities as of June 2020

Tubie 4.7 Absolute Bullete II.7 All Infantico de di Guile 2020						
	Green Bay	Kenosha	Madison	Milwaukee	Racine	
# of voters on permanent absentee list prior to 2/18/20	1,628	1,856	2,062	6,252	613	
# of voters on permanent absentee list as of 4/7/20	4,306	3,469	8,665	23,374	2,684	
# of voters who have already requested absentee ballots for August 2020	5,162	9,450	36,092	53,438	3,389	
# of voters who have already requested absentee ballots for November 2020	4,859	9,123	34,164	50,446	3,204	

We are committed to making voting accessible via mail, in-person prior to Election Day, and at the polls on Election Day. Particularly in the midst of a global pandemic when many voters are rightfully apprehensive about in-person voting, we want to ensure that voters in our communities know they have options and we are committed to conducting the necessary voter outreach and education to promote absentee voting and encourage higher percentages of our electors to vote absentee.



Increasing the number of voters who cast votes prior to Election Day minimizes the risk of spreading COVID-19 on Election Day from in-person contacts at our polling locations, and it reduces the chance for lines and delays in voting on Election Day.

The Wisconsin Election Commission (WEC) has approved a proposal to mail all registered voters absentee ballot request forms, which allows our five communities to focus on helping voters overcome the barriers to successfully returning those forms so they can obtain, and then successfully submit, their completed absentee ballots. This measure will provide absentee request information directly to voters, alleviating the need for municipalities to expend the cost to send the mailing. However, it is unclear how this measure will affect the workload of municipal clerks. Although the WEC has directed that the forms be returned to the WEC for entry, municipal clerks must still review each record, process, mail, record receipt and canvass each absentee ballot.

All of our municipalities anticipate continued large increases in absentee voting based on the April 2020 trends. Milwaukee, for example, anticipates that 80% of residents will vote absentee by mail for both the August primary and the November general election.

All five cities have identified numerous barriers to successful absentee voting, including: voters facing numerous challenges to successfully submitting valid photo ID; voters needing assistance complying with absentee ballot certification requirements, including obtaining the required witness signature on the absentee ballot return envelope; the labor-intensive process faced by all of our clerks' offices of processing absentee ballot requests; and U.S. Postal Service errors and mail delays. All of these are challenges for our municipalities in normal elections, but they are all compounded by the coronavirus pandemic, and made exponentially more difficult by the unprecedented volume of absentee voting requests. This puts tremendous strain on municipal election clerks and their staff.

Our five cities share the desire to assist as many residents as possible with casting ballots before Election Day, serving as the greatest opportunity we have to mitigate the spread of COVID-19 in our communities. We have identified several strategies to help voters in each of our communities overcome these barriers to successful absentee voting, both by mail and in-person early voting.

Overall, our five communities are requesting **\$2,572,839** in resources related to enabling our municipalities to overcome these particular barriers and ensure that our voters can meaningfully access absentee voting, both by mail and in-person early voting. These strategies and resource needs are broken down into four distinct component recommendations, within the overall umbrella of increasing and encouraging absentee voting:



- 1. Provide assistance to help voters comply with absentee ballot requests & certification requirements
- Green Bay: The City would like to employ bilingual LTE "voter navigators"
   (\$45,000) to help residents properly upload valid photo ID, complete their ballots
   and comply with certification requirements, and offer witness signatures. These
   voter navigators can assist voters prior to the elections and then also be trained
   and utilized as election inspectors. They would also like to utilize paid social
   media and local print and radio advertising to educate and direct voters in how to
   upload photo ID and how to request and complete absentee ballots. (\$2,000)
   Total: \$47,000
- Kenosha: The City would like to have Clerk's staff train library staff on how to help residents request and complete absentee ballots, would like to produce (\$3,000) and mail (\$26,200) a bilingual absentee ballot instruction sheet with all absentee ballots to increase correctly completed and submitted ballots. The City would like to hire a trainer for seasonal election workers, volunteers and poll workers. This employee would also coordinate assignments to polling locations, the early driver up voting site, the Clerk's office for assistance in processing, data entry and filing of absentee requests and the Absentee Board of Canvassers (approximately \$50,000). The increase in absentee ballots due to COVID-19 has tremendously increased the workload of the department. In order to properly serve the citizens and voters additional LTE employees are needed (approximately \$175,000). Total: \$254,200
- Madison: Plans to hold curbside "Get your ID on File" events with the Clerk this summer utilizing volunteers or paid poll workers (\$15,000) equipped with PPE (estimated \$5,000) and digital cameras (\$4,500) to capture voter ID images for voters who are unable to electronically submit their IDs to the Clerk's office. They also need large flags to draw attention to these curbside sites (\$4,000). Would also like mobile wifi hotspots and tablets for all of these sites (\$100,000) so voters could complete their voter registration and absentee requests all at once, without having to wait for staff in the Clerk's office to follow up on paper forms. (These mobile wifi hotspots, tablets, and flags, could all then be repurposed for early in-person voting closer to the election.) Total: \$128,500
- Milwaukee: The City notes that the biggest obstacle to Milwaukee residents, particularly those in poverty, to applying for an absentee ballot in April was access to the internet and securing an image of their photo ID. To address this, the City will be promoting and utilizing Milwaukee Public Library branch staff (\$90,000 for both elections) for 3 weeks prior to each election to assist any potential absentee voters with applying, securing, and uploading images of their valid photo ID. Total: \$90,000
- Racine: The City will recruit and promote (\$1,000), train (\$3,000), and employ paid Voter Ambassadors (\$8,000) who will be provided with both PPE and



supplies (\$4,000) and set up at the City's community centers to assist voters with all aspects of absentee ballot request, including photo ID compliance. Due to the increase of absentee mailed requests the City of Racine will need an additional 2 full time staff members in the Clerk's Office in order to have a reasonable turnaround time for absentee requests (\$100,000). Total: **\$116,000**.

### Total: \$635,700

### 2. Utilize Secure Drop-Boxes to Facilitate Return of Absentee Ballots

Our five communities all share a desire to expand voters' ability to easily return absentee ballots to the municipality without having to rely on the postal service, since, after April's election, many voters are (rightfully) apprehensive that putting their completed ballot in the mail does not guarantee it will be received and counted by the municipality by statutory deadlines. Voters also need to have confidence that they are returning their completed absentee ballots into secure containers that are not at risk of tampering. All five cities need resources to purchase additional secure drop-boxes and place them at key locations throughout their cities, including libraries, community centers, and other well-known places, to ensure that returning completed ballots is as secure and accessible to voters throughout our cities as possible.

- Green Bay: The City would like to add secure (security cameras \$15,000) ballot drop-boxes (approximately \$900 each) at a minimum of the transit center and two fire stations, but if funding were available would also install secure drop boxes at Green Bay's libraries, police community buildings, and potentially several other sites including major grocery stores, gas stations, University of Wisconsin Green Bay, and Northern Wisconsin Technical College, in addition to the one already in use at City Hall. Total: \$50,000
- **Kenosha:** The City currently has two drop-boxes that are checked throughout the day, and would like to install 4 additional internal security boxes at Kenosha libraries and the Kenosha Water Utility so that each side of town has easy access to ballot drop-boxes. **Total:** \$40,000
- **Madison:** The City would like to have one secure drop box for every 15,000 voters, or 12 drop boxes total (\$36,000). The City would also like to provide a potential absentee ballot witness at each drop box, utilizing social distancing and equipped with PPE (staff costs unknown): **Total:** \$50,000
- Milwaukee: The City would like to install secure 24-hour drop boxes at all 13
   Milwaukee Public library branches, staffed with socially distanced volunteers to
   serve as witnesses. Total: \$58,500



• Racine: The City currently has one secured drop box for absentee ballots, and would like to have 3 additional drop boxes, each equipped with security cameras, to install at key locations around the City. **Total:** \$18,000.

### Total: \$216,500

3. Deploy Additional Staff and/or Technology Improvements to Expedite & Improve Accuracy of Absentee Ballot Processing

The process of assembling and mailing absentee ballots is labor-intensive, slow, and subject to human error. Absentee ballot requests must be approved and entered into the statewide system, labels must be printed and applied to envelopes, ballots must be initialled, folded, and inserted into the envelope along with instructions. Ballots must be logged when received back from the voter. Undeliverable ballots must be reviewed, reissued or canceled. When voters make mistakes on ballots the requests to reissue must be completed. These tasks are time-consuming and utilizing existing clerk's office staff pulls them away from all of the other service requests, phone answering, and tasks handled by busy municipal clerks' offices.

The tremendous increase in absentee ballot requests in April was unprecedented, and municipal clerks and their staff were unprepared for the volume. They responded remarkably well - particularly since many of their staff were, by late March and early April, working remotely or, at a minimum, all needing to adhere to social distancing and masking precautions when working together in the same room - but all five municipalities need additional resources to accurately and swiftly process absentee ballot requests.

- Green Bay: The City needs 45 additional staff to process absentee ballot requests before the election, to open and verify envelopes on Election Day, and insert them into the tabulators. After the election, staff are needed to enter new voter registrations and assist with all election certification tasks (\$140,000 for staffing) The City would also like to purchase a ballot opener and ballot folder to expedite processing (\$5,000). Total: \$145,000.
- Kenosha: The City needs resources for absentee ballot processing, to staff and process early, in-person absentee requests, and to answer voters' questions (approximately \$100,000). Additional workers are also needed to canvass absentee ballots (approximately \$11,000) Total: \$111,000
- Madison: Based on data from April, the City estimates it will need additional staffing (\$110,000) for hourly election clerks for the fall elections, and will incur



additional overtime costs (\$100,000) for staff processing of absentee ballots and other election-related tasks. **Total: \$210,000** 

- Milwaukee: Given its tremendous volume of absentee ballot requests and processing tasks which far exceeds that of the other municipalities, Milwaukee would like to completely automate and expedite the assembly and mailing of requested absentee ballots. The City would like to purchase a high-speed, duplex printer, a top-of-the-line folding machine, and a high quality folding and inserting machine. This would reduce staff costs and eliminate the use of absentee labels, by enabling the City to print directly onto inner and outer envelopes. This would also allow the City to have a small 2D barcode that the inserter machine would be able to scan to ensure that the outer envelope is for the same voter; increasing quality controls. This automation would enable the City to eliminate the assembly delay no matter the volume of daily absentee requests, allowing experienced election workers and previously trained election temporary employees to be re-deployed to early voting sites as supervisors and lead workers. Total: \$145,000
- Racine: To process absentee ballot requests in April, the City estimates that it
  will need seven additional full-time employees to process fall election requests.
  These employees will be needed full-time for one month prior to the August
  Election (approximately \$17,000) and seven weeks prior to the November
  election (approximately \$30,000). Total: \$47,000

Total: \$658,000

### 4. Expand In-Person Early Voting (Including Curbside Voting)

For a variety of reasons, many voters in our municipalities do not want to vote by mail and prefer to vote in-person. As a result of the coronavirus, far more voters are interested in early, in-person absentee voting (EIPAV) than we've seen in previous elections, wishing to avoid lines or crowds on Election Day. All five municipalities would like to have resources to accommodate these early, in-person voters. Expanding access to early, in-person voting also will lessen lines at polling places on Election Day and allow for proper social distancing and other pandemic precautions to be uniformly implemented.

Curbside and drive-thru voting have been very popular with residents of our municipalities, particularly for those with health concerns who can remain in the cars and have a virtually contact-less voting process. For example, Milwaukee previously operated in-person early voting for one week leading up to the April election at three sites and then transitioned to one site of drive-thru voting. 11,612 cast ballots through these options: 5,571 via in-person and 6,041 at drive-thru, and these numbers represent a 46% increase over April 2016 "early voting" totals. However, it is slow-moving and



labor-intensive. Additionally, particularly in the larger cities among us, it requires law enforcement and traffic control assistance to help manage traffic.

- Green Bay: The City would like to expand and establish at least three EIPAV sites in trusted locations, ideally on the east (potentially UWGB) and west sides (potentially NWTC or an Oneida Nation facility) of the City, as well as at City Hall. The City is planning to offer early voting starting two weeks before each election, with several weekdays available until 6:30pm and Saturdays 10am-4pm. They would like to staff these early voting sites with election inspectors who are bilingual and would like to increase the salary rate for these bilingual election inspectors to assist with recruitment and retention, as well as in recognition of their important role at these sites. The City also will need to print additional ballots, signage, and materials to have available at these early voting sites. Total: \$35,000.
- **Kenosha:** The City plans to have one early voting location, at City Hall, and plans to hold early voting two weeks before the August election, with no weekend or evening hours planned, and 4 weeks before the November election, with access until 7pm two days/week and Saturday voting availability the week before the election. If City Hall is still closed to the public, they will explore offering early drive thru voting on City Hall property. Resources are needed for staffing (approximately \$40,000), PPE (\$1,050), signage (\$200), laptops, printers, and purchase of a large tent (\$8,789) to utilize for drive thru early voting. Staff could see voters' ID, print their label, hand them their ballot, and then collect the completed envelope. This would also allow staff to help voters properly do certification and provide witness signatures if necessary. The City could do this for one full week before elections. **Total \$50,039**.
- Madison: The City would like to provide 18 in-person absentee voting locations for the two weeks leading up to the August election, and for the four weeks leading up to the November election. Their original plan was to offer in-person absentee voting at all nine library locations, the City Clerk's Office, a city garage, Edgewood College, two Madison College locations, and four UW-Madison locations. Due to weather uncertainties, they will need to purchase and utilize tents (\$100,000) for the curbside voting locations in order to protect the ballots, staff, and equipment from getting wet and will also need large feather flags to identify the curbside voting sites. (Additional staff costs covered by the earlier question re. Absentee ballot processing.) The City would also like to get carts (\$60,000) for our ExpressVote accessible ballot marking devices so we can use the ExpressVote for curbside voting to normalize the use of ExpressVote to help voters with disabilities feel less segregated during the voting process. Total: \$160,000.
- **Milwaukee:** The City would like to set up 3 in-person early voting locations for two weeks prior to the August election (\$150,000) and 15 in-person early voting



locations and 1 drive-thru location, potentially at a central location like Miller Park, for four weeks prior to the November election (\$450,000). (Establishing this many EIPAV sites requires a significant investment in IT equipment, an additional ballotar printer, tents, signage, and traffic control assistance. Milwaukee would also like to offer evening and weekend early voting hours which would add additional costs for both August (\$30,000) and November (\$75,000). **Total: \$705,000**.

• Racine: The City would like to offer a total of 3 EIPAV satellite locations for one week prior to the August election, as well as offering in-person early voting curbside, if City Hall is still closed to the public - at the Clerk's office for 2 weeks prior to the August election. For the November election, Racine would like to offer EIPAV at 4 satellite locations two weeks prior to the election and at the Clerk's office (again, potentially curbside) 6 weeks prior. The City would need to obtain PPE, tents, supplies and cover staff time and training (\$40,000). Racine would also like to have all satellite locations available for half-day voting the two Saturdays (\$17,000) and Sundays (\$17,000) prior to the November election, and the library and mall locations would be open until 8pm the week prior to the Election. Additional resources needed include one-time set-up fee per location (\$7,500), laptops and dymo printers (\$10,000), training (\$1,100), and signage (\$12,000.) As well, the City would like to host at least one drive-thru Voter Registration Day, where City Hall would be set up for residents to come get registered, curbside, and get their voting questions answered by Clerk's staff. Newly registered voters could also get assistance requesting absentee ballots for upcoming elections while they're there. (\$8,000) Total: \$112,600

Total: \$1,062,639.00

Recommendation I Total for All Strategies to Encourage and Increase Absentee Voting by Mail and Early, In-Person: \$2,572,839.00



# Recommendation II: Dramatically Expand Voter & Community Education & Outreach, Particularly to Historically Disenfranchised Residents

All five municipalities expressed strong and clear needs for resources to conduct voter outreach and education to their communities, with a particular emphasis on reaching voters of color, low-income voters without reliable access to internet, voters with disabilities, and voters whose primary language is not English. This outreach is particularly necessary given the voter confusion that ensued in the lead-up to the April election, and voters' concerns and questions about voting during the COVID-19 pandemic. We understand that our communities of color do not necessarily trust the voting process, and that we need to work to earn that trust. We want to be transparent and open about what happens behind the scenes in elections, and what options are available for casting a ballot. We also want to make sure we are listening to groups that have historically been disenfranchised and groups that are facing obstacles with voting during this pandemic, and working with them to effectively respond to their concerns.

Voter outreach and education is also needed to encourage and explain new voter registration, and to encourage voters to verify and update their address or other voter registration information to do so prior to the Election. None of our communities have sufficient resources budgeted or available for the strategic, intentional, and creative outreach and education efforts that are needed in our communities over the summer and into the fall.

We all want our communities to have certainty about how the voting process works, trust in our election administration's accuracy, and current, accurate information on what options are available to vote safely in the midst of the pandemic. Significant resources are needed for all five municipalities to engage in robust and intentional voter education efforts to reduce confusion; encourage and facilitate new voter registration and registration updates; provide clear, accessible, and accurate information; address voters' understandable pandemic-related safety concerns; reassure voters of the security of our election administration; and, ultimately, reduce ballot errors and lost votes and enhance our residents' trust and confidence in our electoral process.

• Green Bay: Would like to reach voters and potential voters through a multi-prong strategy utilizing "every door direct mail," targeted mail, geo-fencing, billboards, radio, television, and streaming-service PSAs, digital advertising, and automated calls and texts (\$100,000 total). The City would also like to ensure that these efforts can be done in English, Spanish, Hmong, and Somali, since roughly 11% of households in the Green Bay area speak a language other than English. Ideally, the City would employ limited term communications staff or engage communications consultants (\$50,000) from August through the November election to design these communications and design and launch paid advertising on Facebook, Twitter, and Instagram, also in multiple languages. The City would also like to directly mail to residents who are believed to be eligible but not registered voters, approximately 20,000 residents. It would require both



considerable staff time to construct that list of residents and directly mail a professionally-designed piece (in multiple languages) to those voters. (\$50,000 total for staffing, design, printing, and postage). To assist new voters, the City would also like resources to help residents obtain required documents (i.e. birth certificates) which are needed to get a valid state ID needed for voting. These grant funds (\$15,000) would be distributed in partnership with key community organizations including churches, educational institutions, and organizations serving African immigrants, LatinX residents, and African Americans.

Total: \$215,000

• **Kenosha:** Would like to directly communicate to all Kenosha residents via professionally-designed targeted mail postcards that include information about the voter's polling location, how to register to vote, how to request an absentee ballot, and how to obtain additional information. The City would have these designed by a graphic designer, printed, and mailed (\$34,000). The City would also like resources for social media advertising, including on online media like Hulu, Spotify, and Pandora (\$10,000) and for targeted radio and print advertising (\$6,000) and large graphic posters (\$3,000) to display in low-income neighborhoods, on City buses, and at bus stations, and at libraries (\$5,000).

Total: \$58,000

- Madison: Would like to engage the City's media team to produce videos to introduce voters to the election process, voting options, and to explain the safety precautions taken at polls and early voting sites. These videos would then be shared in numerous ways, including through partner organizations and on the City's social media platforms. The City would also like to partner with community organizations and run ads on local Spanish-language radio, in the Spanish-language newspapers, on local hip hop radio stations, in African American-focused printed publications, and in online publications run by and for our communities of color (advertising total \$100,000). Additionally, the City has many poll workers who are from historically disenfranchised communities. The City would like to pay those poll workers (\$75,000) to conduct voter outreach and additional poll worker recruitment activities. Total: \$175,000.
- Milwaukee: Would like to partner with other City divisions to develop mailings and door hangers (\$10,000) that could accompany water bills, be distributed by the Department of Neighborhood Services, or hung on trash receptacles by sanitation staff. The City would also like to revamp current absentee voting instructions to be more visual, address issues specific to the pandemic such as securing a witness signature, prepare it in English and Spanish, and print 150,000 color copies (estimated total \$15,000). The Election Commission would also like to produce a short video (\$5,000) with visuals showing voters how to apply for an absentee ballot and how to correctly complete and return the ballot. Additionally, the Election Commission would like to hire a communications firm to prepare and implement a comprehensive voter outreach communications plan



(\$250,000). This communications effort would include numerous voter education ads and PSAs on radio, billboards, buses, with some using local celebrities like Milwaukee Bucks players. This communications effort would focus on appealing to a variety of communities within Milwaukee, including historically underrepresented communities such as LatinX and African Americans, and would include a specific focus on the re-enfranchisement of voters who are no longer on probation or parole for a felony. Additionally, this campaign would include an edgy but nonpartisan and tasteful communications campaign to harness the current protests' emphasis on inequity and ties that message to voting. The video, the ads, and the PSAs could all also be placed on social media, the Election Commission and City websites, and GOTV partner websites and social media. **Total: \$280,000** 

• Racine: The City would like to retain a communications firm to design and implement a comprehensive voter outreach communications plan (\$80,000). This would include ads on Facebook, Instagram, and Snapchat. The City would also like to rent billboards in key parts of the City (\$5,000) to place messages in Spanish to reach Spanish-speaking voters. The City would also like to do targeted outreach aimed at City residents with criminal records to encourage them to see if they are not eligible to vote; this outreach will be accomplished with the production, editing, and sharing of a YouTube video (\$2,000) specifically on this topic shared on the City's website, social media channels, and through community partners. Racine would also like to purchase a Mobile Voting Precinct so the City can travel around the City to community centers and strategically chosen partner locations and enable people to vote in this accessible (ADA-compliant), secure, and completely portable polling booth on wheels, an investment that the City will be able to use for years to come. (Estimated cost \$250,000). Total: \$337,000

Recommendation II Total For All Strategies to Dramatically Expand Strategic Voter Education and Outreach Efforts, Particularly to Historically Disenfranchised Residents: \$1,065,000.00



## Recommendation III: Launch Poll Worker Recruitment, Training, and Safety Efforts

The pandemic made conducting Election Day activities extremely challenging. Most poll workers in Wisconsin are retirees doing their civic duty to help facilitate the election. Given the increased risk for the elderly if exposed to COVID-19, many experienced poll workers opted out. Milwaukee had so many poll workers decline to serve that the City went from 180 polling locations to five polling locations. Green Bay, facing a similar exodus of poll workers, went down to two polling locations. Racine usually relies on nearly 190 poll workers for a spring election; only 25 of those experienced poll workers were under the age of 60.

As fears about the coronavirus increased in mid-late March and early April, poll workers in all five municipalities declined to work the election, leaving cities scrambling to quickly recruit enough bodies to keep polling locations open. All cities were appreciative of the last minute assignment of hundreds of Wisconsin National Guard members to assist with Election Day activities, and all of our cities re-assigned City staff from other departments to serve as poll workers and election officials and to assist with the myriad of tasks related to Election Day administration. The remainder of positions were staffed by high school students, college students, and members of the National Guard. Many of our poll workers had never worked an election before.

- **Green Bay:** The City needs to hire a total of 380 workers per election (total \$112,660). The City would like to pay poll workers more than they have previously received, to signify their importance in the process and to acknowledge the extra challenge it represents to serve as an election official during a pandemic. The City would like to increase poll worker salaries by 50% (additional \$56,330). All poll workers will be trained through the Wisconsin Elections Commission website and the City's own training manual (\$6,000). **Total:** \$174,900
- **Kenosha:** The City needs to hire 350 poll workers per election (\$100,000). They would like to offer hazard pay to increase pay to \$160/worker and \$220/chief inspectors (\$10,840). To aid in recruitment efforts, the City would like to hire a recruiter and liaison position for poll workers (\$35,000). **Total:** \$145,840.
- Madison: The City utilizes the election toolkit available through the MIT Technology Project to determine the staffing levels needed to ensure that voters will not have to wait in line for more than 15 minutes. In addition to the one Chief Inspector per polling location, Madison also has additional election officials who are certified as the Absentee Lead at each polling location. Madison estimates that if 75% of votes cast are absentee, the City will need 1,559 election officials at the polls in August. The City envisions a robust and strategic poll worker recruitment effort, focusing on people of color, high school students, and college students. The City would like to have resources for hazard pay for poll workers this fall at a rate comparable to what the U.S. Census is paying in the area



(\$369,788). The City has also found it challenging to convince facilities to host a polling location in the midst of a pandemic, and would like to provide each facility with a small amount of funds to compensate for their increased cleaning and sanitization costs (\$750/location, \$138,000 total). **Total: \$507,788** 

- Milwaukee: The City plans to have 45 voting locations in August and to keep open as many of the normal 180 polling places as possible in November. August will require 3 chief inspectors per site and 20 election workers per site, for a total of 1200 election workers minimum and 150 chief inspectors. The City has a goal of recruiting 1,000 new election workers. The City would like to add an additional \$100 per worker in hazard pay to the poll workers' stipends of \$130 (\$460,000) additional for both elections) and \$100 hazard pay to chief inspector stipends of \$225 (\$87,750 additional for both elections). Additionally, the City of Milwaukee utilizes a Central Count of absentee ballots, which necessitates 15 chiefs and 200 election workers per election at Central Count (\$50,000/day for 2- days each election for a total of \$200,000). Total payroll for both elections will reach \$750,000 based upon these calculations. The City will launch a recruitment campaign for a new generation of election workers to sign up and be involved in their democracy, and hopes this effort can be included in the above request for resources for a marketing firm. Recruiting new and younger poll workers means that the Election Commission will need to innovate in election training. The Commission would like to produce polling place training videos (\$50,000) with live small-group, socially distanced discussions and Q&A sessions. These videos will augment existing training manuals. Total: \$800,000
- Racine: The City needs approximately 150 poll workers for August and 300 for November, in addition to 36 Chief Inspectors, and would like to pay all workers a \$100/election hazard pay (\$118,000 total payroll for both elections). City notes that its desire to have more early voting locations and hours is directly impacted by its ability to hire and train election officials. To that end, the City would like to launch a recruitment campaign that includes radio ads (\$1,000), ads on social media platforms (\$10,000), billboards in strategic City locations (\$5,000), and film videos for high school students in history/government classes (\$500). The City would also like to enlist a communication firm to: create a training video for election officials, develop an online quiz, detailed packets for election officials, and a PPE video filmed by a health professional about necessary COVID-19 precautions during all voting operations (\$22,000 total). Racine would also like to hire a liaison position to schedule, training and facilitate poll workers. (\$35,000) Total: \$181,500.

Recommendation III Total for All Strategies to Launch Poll Worker Recruitment, Training and Safety Efforts: \$1,810,028.00



### Recommendation IV: Ensure Safe & Efficient Election Day Administration

It is no small task to mitigate risk of a lethal pandemic at all polling locations and throughout all required Election Day processing. Municipal clerks must ensure they have done everything possible to comply with public health guidelines and mitigate the risk of COVID-19 for all of the election officials, poll workers, observers, and voters. Our five municipalities are in need of numerous resources to both ensure seamless processing of voters on the upcoming Election Days, procure Personal Protective Equipment (PPE), disinfectant, and cleaning supplies to protect election officials and voters from the coronavirus, and to aid in processing of an expected high volume of absentee ballots. Additionally, as several of our municipalities move to add or expand drive-thru voting on Election Days, those expansions come with additional unbudgeted expenses for signage, tents, traffic control, publicity, and safety measures. All of our municipalities need resources to ensure that the remaining 2020 Election Days are administered seamlessly and safely.

- **Green Bay:** Green Bay would like to purchase 135 electronic poll books (\$2,100/each for a total of \$283,500) to reduce voter lines, facilitate Election Day Registrations and verification of photo ID. The City would also like a high speed tabulator (\$62,000) to count absentee ballots on Election Day, a ballot opener and ballot folder (\$5,000), and additional staff to process absentee ballots on Election Day (\$5,000). The City also needs masks, gloves, gowns, hair nets, face shields (\$15,000), cough/sneeze guards (\$43,000), and disinfectant supplies (\$3,000). **Total:** \$426,500
- **Kenosha:** The City would like to purchase automatic hand sanitizer dispensers for all polling locations (\$14,500) as well as PPE (gloves, masks, disinfectant, etc.) for all poll workers and voters (\$15,200). Kenosha would also like to be able to offer elderly residents and people with disabilities who wish to vote in person on Election Day two-way transportation, utilizing a local organization such as Care-A-Van (\$2,000). The City also needs resources for technology improvements to include a ballot opener, a ballot folder, 12 additional laptops and dymo printers, and high-speed scanner tabulators (\$172,000 total) to expedite election day processing and administration. **Total:** \$203,700
- Madison: The City needs hand sanitizer for all poll workers and voters, disinfectant spray, plexi-glass shields to allow poll workers to split the poll books, face shields for curbside election officials, and face masks for all poll workers and observers (\$20,000) as well as renting additional space to safely and accurately prepare all supplies and practice social distancing at the public test of election equipment (\$20,000) If the new voter registration form is not translated by the state into both Spanish and Hmong, Madison plans to translate the form (\$500).

Total: \$40,500



- Milwaukee: The City will be purchasing 400 plexiglass barriers (\$55,000) for election workers at all polling location receiving and registration tables. Additionally, the Milwaukee Election Commission will need to acquire 400 face shields for workers not staffed behind plexiglass (\$4,000), gloves for all poll workers (\$3,000), masks on hand for election workers and members of the public (\$5,000), hand sanitizer (\$2,000) and disinfectant (\$2,000). Additionally, since Milwaukee also plans to offer curbside voting as an option at all polling places, updated, larger, more visible signage is necessary (\$5,000). Total: \$76,000
- Racine: Racine plans to issue all 36 wards its own PPE supply box which will each include masks, cleaning supplies, pens for each voter, gloves, hand sanitizer, safety vests, goggles, etc. (\$16,000). The City also needs large signs to direct and inform voters printed in English and Spanish (\$3,000). Additionally, the City would like to deploy a team of paid trained EDR Specialists for each polling location (\$10,000, including hourly pay, training expenses, and office supplies). As well, Racine would like iPads with cellular signal for each polling location to be able to easily verify voters' registration status and ward (\$16,000). The City would like to equip all wards with Badger Books (\$85,000); Racine began using electronic poll books in the February 2020 election and has found they dramatically increase and facilitate EDR, verification of voters' photo ID, expedite election processes, and reduce human error. Total: \$130,000

Recommendation IV Total for All Strategies to Ensure Safe & Efficient Election Day Administration: \$876,700.00

#### Conclusion

As Mayors in Wisconsin's five largest cities, we are committed to working collaboratively and innovatively to ensure that all of our residents can safely exercise their right to vote in 2020's remaining elections in the midst of the COVID-19 pandemic. The April 2020 election placed two of our most sacred duties in conflict: keeping our residents safe and administering free, fair, and inclusive elections. This Wisconsin Safe Voting Plan 2020 represents a remarkable and creative comprehensive plan, submitted collaboratively by all five of our cities. With sufficient resources, all five municipalities will swiftly, efficiently, and effectively implement the recommended strategies described in this plan, to ensure safe, fair, inclusive, secure, and professional elections in all of our communities this year.

