



Wisconsin Elections Commission

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DATE: January 2, 2020

TO: Wisconsin County Clerks
Wisconsin Municipal Clerks
Milwaukee County Election Commission
City of Milwaukee Election Commission

FROM: Meagan Wolfe
Administrator

SUBJECT: Public Records Requests for ERIC Movers List Information

The Wisconsin Elections Commission held a meeting on December 30, 2019 to discuss the status of litigation regarding the voter records of those who were sent the 2019 ERIC movers mailing and have not updated their registration status. The Commission did not pass any motion directing staff to take action on the movers mailing list. This means the Commission will await further direction from the courts regarding whether the Commission is required to deactivate any voter registrations at this time. Depending upon any court decisions, the Commission may hold another meeting to discuss next steps.

Staff has received several inquiries from clerks and outside groups regarding the ability to publicly release information about the voters who were sent the 2019 movers mailing, including the names and addresses of those voters. The release of the contents of the movers list is restricted by the ERIC membership agreement and this information should not be released to the public or provided in response to a public records request without a court order requiring such release. Upon receipt of such a request, clerks are advised to not provide this information and may refer requestors to our office with any questions about why such requests cannot be honored. If your legal counsel advises that you release this information, please contact the WEC before doing so as we have certain obligations under the ERIC membership agreement. WEC staff can also assist clerks or their legal counsel with responding to public records requests for the names of individuals that received the 2019 movers mailing.

Statistics regarding how many mailings were sent to each Wisconsin municipality are a matter of public record. This information has been posted to the agency website for reference here:

<https://elections.wi.gov/node/6649>. The Commission will continue to provide updated statistics on an ongoing basis regarding the status of the movers mailing. Clerks may provide statistical information regarding the voters in their jurisdictions. In addition, the 2018 ERIC supplemental poll lists which were based on the 2017 ERIC mailing are public records and can be provided upon request.

If you have any questions regarding this information, please contact the WEC Help Desk and reference “ERIC Movers public records requests” by phone at 608-261-2028 or e-mail elections@wi.gov.

Wisconsin Elections Commissioners

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

Administrator
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