

# State of Wisconsin \ Government Accountability Board

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**DATE:** September 10, 2010

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

**FROM:** Nathaniel E. Robinson  
Elections Division Administrator  
Wisconsin Government Accountability Board

**SUBJECT:** Friendly Reminder – Reiteration of Basic Polling Place Behavior  
2010 September 14 Partisan Primary and November 2 General Election

As public rhetoric increases about voter fraud, intimidation, discrimination, and rumors we are hearing about some individual's intent to challenge electors during the September Primary and the November General Election based on non-statutory grounds, we have been asked by Legislators and other organizations to reiterate the law and guidance regarding challenges and to ensure the orderly administration of elections within the polling place.

Additional reiterations will be forthcoming prior to the November 2 General Election but for now, please consider the following existing guidance as a friendly reminder:

- Ensure the Constitutional right of every eligible resident of this State to cast their vote independently and privately regardless of race, ethnicity, national origin, language, or religion, and without discrimination, suppression, interference or intimidation.
- If any form of voter intimidation occurs inside the polling place such as the voter being asked to show a picture ID in order to receive the ballot, or if the voter is challenged on grounds that are not specifically delineated in strict accordance with Wis. Stats. §§ 6.92 - 6.97, such as property foreclosures, outstanding parking tickets, a non-HAVA match and other such grounds that are not recognized in the Statutes, the voter should be directed to the Chief Inspector.
- The Chief Inspector should summarize all anomalies and incidents on the Inspectors Statements (GAB-104 Form).
- If the voter is not satisfied with the resolution by the Chief Inspector of a problem experienced in the polling place, the voter should be directed to contact the municipal clerk, the district attorney, and the G.A.B. office. On each election day, we operate a Command Central Clerk Support and Voter Resolution Center from 6:30 a.m. until at least 9:00 p.m., or until the calls cease.

- We have had a “complaint” section on our website since the 1990’s (<http://gab.wi.gov/complaints>), and have had a toll-free voter helpline, 1-866-VOTE-WIS, since implementing the Help America Vote Act of 2002. Voters and members of the public may call us at the toll-free helpline, or they may e-mail us at [gab@wi.gov](mailto:gab@wi.gov).
- GAB-111 and GAB-117 forms, along with others, are required to be posted in each of Wisconsin’s polling places. Form GAB-111 is a notice about Election Fraud. Form GAB-117 advises voters about Federal laws prohibiting voter intimidation and unequal treatment of voters.
- As we did before the 2008 November Presidential and General Election, we are reaching out to the major Wisconsin political parties to remind them as they educate and train their respective election observers, to include information not just on potential acts of fraud, but also on avoiding making challenges unrelated to voter qualifications and refrain from engaging in activities that have the effect of intimidation of voters or discrimination based on race, ethnicity, national origin, language, or religion.
- Also, as we did in 2008, our training to District Attorneys, in coordination with the Wisconsin Attorney General’s Office, includes similar information, and the importance of giving attention and serious consideration to these types of cases once they are referred.
- Finally, as was the case in 2008, our Election Observer Rule will be in effect for both the September 14 Primary and the November 2 General Election.

Once again, this is not new information but a reiteration of existing protocol. Please ensure that your Chief Inspectors and poll workers are aware of these refreshers. Thank you for your usual cooperation.

cc: Kevin J. Kennedy  
Director and General Counsel  
Government Accountability Board