
In the Matter of:)	
)	
Retention of 2008 General Election Records)	Findings and Order
)	Case No. EL10-19
)	
)	
)	
)	

Pursuant to Wis. Stats. §§5.05(1)(e) and 5.06(6), the Wisconsin Government Accountability Board (hereinafter, the “Board”) hereby makes the following Findings and Order:

FINDINGS

- 1) On September 8, 2010 the Board issued an order directing that local election officials retain the originals of the following 2008 election records until further notice from the Board:
 - Voter registration forms of electors participating in the 2008 General Election.
 - Poll lists
 - Absentee ballot applications
 - Absentee ballot certificate envelopes
 - Absentee voter logs
 - GAB-104 Inspectors’ Statements

- 2) The 2010 order for record retention was issued to help facilitate an investigation into whether individuals voted in Wisconsin and in another state at the 2008 General Election.

- 3) The Board no longer requires the 2008 records for its investigation purposes and they may be destroyed pursuant to the destruction schedule established by §7.23, Wis. Stats.

- 4) Section 7.23(1)(c), Stats. provides that registration forms of electors whose registrations are changed to ineligible status may be destroyed 4 years after the change, unless an elector becomes eligible again during that period.

- 5) Section 7.23(1)(e), Stats., provides that poll lists may be destroyed 22 months after the election at which they were created.

- 6) Section 7.23(1)(f), Wis. Stats., provides that ballots, applications for absentee ballots, or other records and papers requisite to voting at any federal election, other than registration forms, may be destroyed after 22 months from the date of the election.
- 7) The 2008 Presidential and General Election was held on November 4, 2008.

ORDER

Based upon the above Findings, the Board orders that local election officials are no longer required to retain the above-mentioned original election records and may destroy them pursuant to the retention periods established by §7.23(1)(c), (e), and (f):

Pursuant to §5.05(1)(e), the Board authorizes its Director and General Counsel to execute these Findings and Order.

Pursuant to §5.06(8), Wis. Stats., parties may appeal this Order to circuit court within 30 days of issuance of the Order.

Dated this 11th day of May, 2012.

Government Accountability Board

A handwritten signature in black ink that reads "Kevin J. Kennedy". The signature is written in a cursive, flowing style.

Kevin J. Kennedy
Director and General Counsel