

WISCONSIN ELECTIONS COMMISSION

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MEMORANDUM

DATE: March 30, 2017

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

FROM: Michael Haas
Administrator

Diane Lowe
Lead Elections Specialist

SUBJECT: Participants in the Safe at Home Program May Register as Confidential Voters

Wis. Stat. §6.47 provides that certain individuals may apply to the municipal clerk to register to vote as a Confidential Voter. Currently, a prospective confidential voter must submit one of the four documents listed in Wis. Stat. §6.47(2) as verification of their eligibility for confidential voter status:

- a protective order
- an affidavit from a sheriff, police chief or district attorney that verifies the requester is a victim and continues to be threatened
- a statement of the operator of a shelter verifying the requester resides there
- a statement from the authorized rep of a domestic abuse shelter or sexual assault victim service provider that indicates receipt of services.

As of April 1, 2017, a fifth document may be provided.

- Confirmation from the Department of Justice that the requester is a participant in the Safe at Home program.

Background

2015 Wisconsin Act 356 established the Safe at Home program which is set out in Wis. Stat. §165.68. Safe at Home is an address confidentiality program administered by the Wisconsin Department of Justice (DOJ) which is available to persons who are victims of an act or threat of physical abuse, are a parent or guardian of an abuse victim, or are a resident of a household in which a victim of abuse also resides which is a location currently unknown to the perpetrator of the crime.

This program expands the pool of individuals eligible to apply for confidential elector status as it includes family members as well victims.

A participant is assigned a confidential address to use as a mailing address. DOJ will forward any mail received at the confidential address to the participant's actual address. A Safe at Home participant who wishes to register to vote as a confidential elector will be issued an "Affidavit of Safe at Home Address Confidentiality Program Director with Respect to Elector Request for Confidential Listing." This affidavit may be submitted to the municipal clerk as confirmation of participation in the Safe at Home program which entitles the participant to register as a confidential voter.

Registration of Safe at Home Participant as a Confidential Voter

A Safe at Home participant who wishes to register as a confidential voter must follow the procedures set out in Wis. Stat. §6.47, which include submitting a written request for confidentiality accompanied by one of five documents listed in sub. (2).

...To be valid, a request under this subsection must be accompanied by a copy of a protective order that is in effect, an affidavit under sub. (1) (am) 2. that is dated within 30 days of the date of the request, *confirmation from the department of justice that the person is a program participant, as provided under s. 165.68 (4) (c)*, a statement signed by the operator or an authorized agent of the operator of a shelter that is dated within 30 days of the date of the request and that indicates that the operator operates the shelter and that the individual making the request resides in the shelter, or a statement signed by an authorized representative of a domestic abuse victim service provider or a sexual assault victim service provider under sub. (1) (am) 4. that is dated within 30 days of the date of the request...*(Emphasis supplied)*

As confirmation of participation in the program, DOJ will issue the participant an "Affidavit of Safe at Home Address Confidentiality Program Director with Respect to Elector Request for Confidential Listing."

The voter's confidential status will terminate upon expiration of the voter's participation in the Safe at Home program or upon disenrollment in the program. DOJ will notify WEC when a program participant ceases to be enrolled in the program. WEC, in turn, will notify the appropriate municipal clerk.

It may take some time for Safe at Home participants to register and obtain the proper document from DOJ. But it is possible that clerks may see an application for confidential elector status based upon the Safe at Home program and which includes the Affidavit described above. These applications are to be processed as any other request for confidential elector status.

Thank you, and if you have any questions regarding the Safe at Home program or confidential electors, please contact the WEC Help Desk at (608) 261- 2028 or elections@wi.gov.

More information on the Safe at Home program can be accessed at safeathome@doj.state.wi.us.