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DELIVERED VIA EMAIL

March 20, 2025

Wisconsin Elections Commission
201 W. Washington Avenue
Madison, Wisconsin 53703

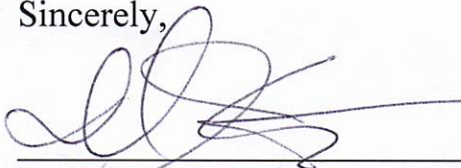
To Whom it May Concern:

We represent Ms. Angela Hansen-Winker, elected member and President of the Wrightstown, Wisconsin School District Board of Education.

Attached is an **official complaint and supporting exhibits** filed under Wis. Stat. § 5.06 by Ms. Winker against Mr. Anthony Decker, member and Secretary of the Wrightstown School District Board of Education **for wrongful and illegal certification of a recall petition** against her. Mr. Decker certified the recall on March 11, 2025 and this complaint is filed within the allowed ten days of certification.

Please acknowledge receipt of this complaint via return email and contact me if you need any additional information.

Sincerely,



Daniel J. Eastman
Attorney at law
Wis. Bar No. 1011433

In re: the Matter of:

March 11, 2025 Recall Petition Filed Against
Wrightstown School District Board Member
Angela Hansen-Winker

**WRIGHTSTOWN COMMUNITY SCHOOL DISTRICT
BOARD PRESIDENT ANGELA HANSEN-WINKER'S
VERIFIED COMPLAINT TO APPEAL
THE CERTIFICATION OF THE RECALL PETITION**

INTRODUCTION

Complainant Angela Hansen-Winker (Winker) brings this complaint against Wrightstown School District Clerk Anthony Decker (Decker) for violating Wisconsin election statutes and administrative rules by certifying the Recall Petition brought by Petitioner Wrightstown School Board Member Rayn Warner. Winker resides at 2140 School Road, Greenleaf, Wisconsin 54126. Decker's address is 351 High Street, Wrightstown, Wisconsin 54180.

On March 11, 2025, Decker certified the Recall Petition against Winker as "sufficient" and declared 1,264 valid signatures – 58 more than the required 1,206 signatures. (*See Ex. 1 - Certificate of Sufficiency/Insufficiency*). In certifying this recall, Decker has ignored violations of Wis. Stat. § 8.40(1) and (2) and Wis. Stat. § 9.10(2) and has ignored gross violations of the election fraud protections set forth in Wis. Stat. § 12.05 and Wis. Stat. § 12.13. As such, Winker is injured in her capacity as an elected public official and has probable cause to bring this action before the Wisconsin Elections Commission (WEC) under Wis. Stat. § 5.06(1).

Winker now demands an investigation into Decker’s actions and an evidentiary hearing under Wis. Stat. § 5.06(1) and Wis. Stat. § 227.42(1) to determine whether Decker acted ultra vires and in contravention of state law.

BACKGROUND

On February 17, 2025, the Recall Petition against Winker was filed with Decker for his review. Winker then filed a challenge to the Recall Petition on February 21, 2025 under Wis. Stat. §9.10(4)(a) claiming that the “reason” for the recall printed on the face of the Recall Petition was impermissibly vague and was materially different from the reasons given in the Official Recall Statement Petitioner filed with Decker. *See Ex. 2 (Winker Challenge & Exhibits)*. Winker also showed that a majority of the signatures collected during the recall effort were invalid due to fraud and multiple violations of election statutes. *Id.* The circulation of the Recall Petition was riddled with fraud, undue influence, bribery, threats, misuse of school district property, manipulation of petition signers’ data by the circulators (some of whom were school board members) and promotion by some school board members on private internet chatrooms in violation of Winker’s First Amendment rights – all in violation of Wis. Stat. § 8.40(1) and (2), Wis. Stat. § 9.10(2), Wis. Stat §12.05 and Wis. Stat. § 12.13. *Id.*

Petitioner rebutted Winker’s challenge on February 25, 2025 but offered no sworn affidavits in support nor provided any verification or signature for his rebuttal. (*See Exhibit 3 - Rebuttal*). Winker then filed a reply to Petitioner’s rebuttal on February 27, 2025 responding to the issues raised by Petitioner in his rebuttal that clearly showed multiple statutory violations and fraud in the circulation of the Recall Petition. (*See Exhibit 4 - Reply*). The allegations and claims set forth in *Ex. 2* and *Ex. 4* are incorporated herein and made a part of this complaint.

Despite all the clear evidence of fraud, vagueness, and other statutory violations presented in Winker’s challenge, Decker still found the Recall Petition to be “sufficient” and certified the recall on March 11, 2025. Decker then admitted in public email that he relied upon guidance from WEC staff in making his decision. (*See Exhibit 5 - Decker Email*). In certifying the Recall Petition, Decker ignored multiple statutory and regulatory violations which should have prohibited him from finding the Recall Petition “sufficient.” As such, there is probable cause for Winker to bring this complaint under Wis. Stat. §5.06(1) because Decker acted ultra vires and in contravention of multiple state statutes and WEC regulations.

Winker demands WEC investigate Decker’s conduct and actions in certifying the Recall Petition and ordering the recall election. In light of the fact that WEC staff advised Decker to certify the Recall Petition, Winker also demands a contested case hearing as authorized under both Wis. Stat. §5.06(1) and Wis. Stat. § 227.42(1) to determine whether Decker acted ultra vires and in violation of state law and regulations or was otherwise influenced by WEC staff to violate Wisconsin statutes and regulations in his certification of the Recall Petition.

JURISDICTION

The Wisconsin Elections Commission has jurisdiction under Wis. Stat. § 5.06(1) and Wis. Stat. § 227.42(1) to hear this complaint.

ARGUMENT

I. Winker is entitled to an evidentiary hearing under Wis. Stat. § 5.06(1) and Wis. Stat. § 227.42(1).

Wis. Stat. § 5.06(1) allows WEC to investigate this complaint but does not guarantee Winker an evidentiary hearing on the merits which would allow Winker to present clear and substantial evidence of Decker ignoring in his decision vagueness of reason under Wis. Stat. § 9.10(2)(b) and evidence of fraud, undue influence, bribery, threats, misuse of school district

property, manipulation of petition signers' data by the circulators and others, and violation of Winker's First Amendment rights under Wis. Stat. § 8.40 (1) and (2) and Wis. Stat. § 12.05 and § 12.13. Winker has been injured by these actions in her capacity as an elected public official and is entitled to a hearing.

Wis. EL §20.06 allows WEC to conduct an evidentiary hearing on a recall petition challenge under Wis. Stat. § 5.06(1). Given the apparent fraud, vague allegations, and other serious misconduct by the Recall Petition circulators, an evidentiary hearing is appropriate. In *Matter of Recall of Redner*, 153 Wis. 2d 383, 394 n.6, 450 N. W.2d 808 (Ct. App. 1989), the court noted "one instance where it may be proper to hold an evidentiary hearing is when significant fraud or misrepresentation is alleged by the challenger..." In her challenge, Winker has produced voluminous evidence of fraud and misrepresentation by the Petitioner and the circulators of the Recall Petition that required Decker to strike a majority of the signatures collected. At minimum, an evidentiary hearing is necessary under EL 20.06(1)(a) to protect Winker's due process rights and assure this matter is heard in a fair forum.

Winker also demands, and is entitled to, an evidentiary hearing before WEC under Wis. Stat. § 227.42(1) to protect her due process rights. Under Wis. Stat. § 227.42(1) any person filing a written request with an agency for a hearing shall have the right to a hearing which shall be treated as a contested case if:

- a. A substantial interest of the person is injured in fact or threatened with injury by agency action or inaction;
- b. There is no evidence of legislative intent that the interest is not to be protected;
- c. The injury to the person requesting the hearing is different on kind or degree from injury to the general public caused by the agency action or inaction; and
- d. There is a dispute of material fact.

Winker has established all elements required under Wis. Stat. § 227.42 because the recall is specific to her substantial interest in her unique elected position and she has a significant interest in retaining her elected position. See: *In re Petition for Recall of Jensen*, 360 N.W.2d 535 (Wis. Ct. App. 1984). Wis. Stat. § 5.06(1) allows WEC, in its discretion, to call a hearing in matters such as this, and there is no state legislative provision or intent that denies a hearing to any party in a recall dispute. The injury to Winker is specific to her as an elected public official, and there is a dispute of material facts surrounding the circulation of the Recall Petition.

Next, WEC is prohibited from issuing any official guidance unless such guidance is voted upon and approved by the six WEC commissioners. See: *Pellegrini v. WEC, Case No.: 22-cv-1656 (Waukeshu)(2024)*. But here, WEC staff advised the Recall Petitioner (Rayn Warner) and Decker on material elements of the certification review that directly influenced Decker's decision to certify the Recall Petition. See Ex. 5. This influencing WEC staff guidance was never approved by the WEC commission or written in WEC administrative rules or the published WEC recall guidelines. (See *Recall of Local Elected Officials*, Wisconsin Elections Commission, August 2020). WEC's unofficial guidance to Decker that influenced his decision, in violation of state law, and the Petitioner, leading to the multiple flaws in the petition, mandates an evidentiary hearing to protect Winker's rights. See Ex. 5.

In *Milwaukee Metropolitan Sewerage District v. DNR*, 126 Wis 2d 63, 375 N.W. 2d 649, the court determined that any person who satisfies the conditions of Wis. Stat. § 227.42(1) is entitled to a contested case hearing regardless of whether another legal right to a hearing exists. As such, Winker is entitled to a contested case hearing under Wis. Sta. § 227.42(1) notwithstanding WEC's discretion to conduct a hearing under Wis. Stat. § 5.06(1).

II. The Recall Petition is insufficient because it fails to state a legitimate claim and is impermissibly vague.

A recall petition “shall contain a statement of a reason for the recall which is related to the *official responsibilities* of the official for whom removal is sought.” Wis. Stat. § 9.10(2)(b) (emphasis added). The Recall Petition against Winker was the only information seen by the electors when presented with the Recall Petition and so failed to meet this legal standard. Instead of articulating any specific allegation regarding the performance of her *official responsibilities* as a school board member or as president of the school board, the Recall Petition merely asserted:

“Disregard for board procedures. Lack of transparency and communication. Conflict of interest and ethical violations. Violation of district policies and code of conduct.”

None of these allegations are supported by any factual evidence or even touch on Winker’s specific conduct, behavior or performance in her capacity as an elected public official. In fact, it is just the opposite. Winker is an advocate for open, transparent and honest school board governance. She has exposed fraud and maladministration in school district operations, which incidentally occurred just prior to this recall effort. The promoters of the Recall Petition failed to state on the Recall Petition any specific act suggesting any action by Winker that reflects the performance of *her* official responsibilities. They offer mere opinions and misstatements of her character, driven by long-simmering political animosity, revenge and fear of her investigation into school board corruption and potential misuse of public funds. This recall is not about the constitutional right to recall an elected official for actual misconduct. It is about trying to prevent Winker from performing her duties as a school board member. Decker accepted the Recall Petition filed in his office, with these glaring inconsistencies in violation of Wis. Stat. 9.10(2)(b).
Ex. 2.

The lack of specificity in the Recall Petition made it impossible for signers to understand the nature of the allegations so electors who signed the Recall Petition were not able to make an

informed decision as to whether Winker has performed her official responsibilities. The Petitioner failed to state even the most rudimentary reasons why she has failed in her official responsibilities. Electors have a right to understand the accurate allegations raised in a recall election from the face of the Recall Petition. Vague allegations of “mere procedural violations” are not sufficient to support a recall under Wisconsin law. Wis. Stat. § 9.10(2)(b). *Id.* As such, Decker should not have certified the Recall Petition, and WEC staff should not have advised Decker or the Petitioner to certify the recall petition with these glaring violations.

Because of these vague allegations, electors who signed the Recall Petition were misled by Petition circulators on multiple occasions who used such vague statements to misrepresent the nature of the recall in whatever way they needed to harvest signatures, including offering money or threatening people who did not sign it. *See e.g.* Ex. 2 (*Winker Challenge, Ex. G*). Circulators relied on and used the vague “allegations” on the petition to provide any litany of false or fictitious information they could to garner signatures. In fact, over a dozen electors have requested to have their names removed from the Recall Petition for this very reason—even though Winker had only a mere couple weeks to try and respond to the litany of false information that had been circulated orally about her. Under Wisconsin law, the Recall Petition must clearly state the allegations as they relate to her official responsibilities. Mere criticism of her character is not enough to meet this burden. Wis. Stat. § 9.10(2)(b). *Id.*

The absence of any factual specificity in the Recall Petition is not enough to meet the statutory standard. Because the Recall Petition reason is impermissibly vague and does not establish a legally sufficient cause for removal, the Recall Petition should have been rejected by Decker on its face under Wis. Stat. § 9.10(2)(b).

Substantial compliance with Wis. Stat. §8.40(2) requires the Recall Petition to be circulated in a manner that protects against fraud and that assures the signers knew the reason for the Recall Petition. And substantial compliance with recall procedures is necessary because of the significant interest of the office holder in retaining her position. *In re: Petition for Recall of Jensen*, 360 N.W.2d 535 (Wis. Ct. App. 1984). It is the law in Wisconsin that:

“There must be substantial compliance with legally required recall procedures. But substantial compliance is all that is necessary. Nevertheless, it has been ruled that noncompliance with a statutory provision intended to safeguard the operation of constitutional recall procedures is fatal to the validity of a recall petition.” *Beckstrom v. Kornsi*, 63 Wis. 2d 375; 217 N.W.2d 283 (1974).

As such, Decker was required to reject the Recall Petition as facially insufficient because it expressly violated Wisconsin state law requiring specific allegations relating to the official responsibilities of the official (Winker). Decker is required to consider both Winker’s and the general public’s rights who elected her to her current position. See *State ex rel. Baxter v. Beckley* 192 Wis. 367, 370, 212 N.W. 792 (1927).

III. Recall Petition signatures that were accepted contained numerous false and fraudulent addresses by unknown third-party edits of elector information without consent.

It is the exclusive duty and obligation of Recall Petition signatories to complete the required information *themselves* unless allowed by statute to have assistance due to physical disability.

Wis. Stat. § 8.40(1).

“Each signer of such a petition *shall* affix his or her signature to the petition accompanied by *his or her municipality of residence for voting purposes*, the street and number, if any, on which the signer resides, and the date of signing... No signature is valid under this subsection unless the signer satisfies the requirements under this subsection.” Wis. Stat. §8.40 (1) (emphasis added).

The plain language of the statute requires the signer to disclose his or her *municipality of residence* for purposes of voting. *Id.* The signer, herself, “shall” write the required information

on the Recall Petition when deciding to participate in the process. *Id.* Electors capable of signing the Recall Petition are presumed to know the municipality in which they reside and vote.

Yet, here, over 258 Recall Petition signatures (over 80% of the signature sheets presented as the Recall Petition) contain third party alterations of elector addresses and municipality information. *Ex. 2 (Winker Challenge, at Ex. A)*. Because the Recall Petition was edited, without verification, to create two or more municipalities of residence, neither Decker nor Winker can determine which residence is the accurate residential address of the voter. Certainly, where the edits are clearly not in the signatories' handwriting with no apparent consent or verification initialing by the elector signatories. As such, Decker should not have accepted these signatures. Wis. Stat. § 9.10(4)(a). *See id.*

The recall of a public official is an extraordinary proceeding with serious implications. The right of an elected official to complete the term for which he was elected is a substantial one, and statutes providing for recall must be complied with substantially. Substantial compliance with recall procedures is necessary because of the significant interest of the officeholder in retaining his position. *In re Petition for Recall of Jensen*, 360 N.W.2d 535 (Wis. Ct. App. (1984)).

Substantial compliance requires that petitions be circulated in a manner that protects against fraud and that assures that signers know the content of the petition. *See Montoya v. Lopez*, 659 P.2d 900, 901-02 (N.M. 1983). Therefore, it is imperative that the circulation of recall petitions be done in the absence of fraud. A review of the Recall Petition has uncovered widespread

improper alterations made by circulators. Specifically:

- Signers' addresses and municipalities of residence were **pre-filled, rewritten or changed** by circulators without the signer's consent or knowledge.
- Municipality names were **changed** by circulators to make it appear that signers resided in the district when, in fact, they did not. Circulators are obligated to know the municipality of each signer at the time the signer signs the petition. Wis. Stat. §8.40(2).

- Some circulators **crossed out information and replaced it in clearly different handwriting**, which violates Wis. Sta. § 8.40(1) and (2).

Under **Wis. Stat. § 9.10(2)(e)(4)**, all such modified signatures are invalid if the residency of the signer cannot be determined. Because circulators altered the municipal information of over 258 signatures who show two or more residence locations all such signatures that have been modified by the circulators or others must be **stricken**. As this number exceeds 258 signatures, the Recall Petition falls short of the 1,206 signatures necessary to order a recall election.

If someone other than the elector signed for the elector, the signature may not be counted. Wis. Stat. § 9.10(2)(j). Here, we have over **258 examples** of someone other than the signer changing and manipulating the signature information *after* the Recall Petition was signed. *Id.* Despite this, each of these signatures were counted with Decker's decision to certify the Recall Petition. But they should have been voided for violation of state law. Wis. Stat. § 8.40(1) and (2) and Wis. Stat. §91.10(4)(a).

While technical defects in the Recall Petition alone may not warrant dismissal, defects that rise to the level of facilitating misrepresentation can be grounds for rejection of the Recall Petition. See *Matter of Recall of Redner*, 153 Wis2d 383 (1989). Similarly, in *Stahovic v. Rajchel*, 122 Wis.2d 370 (1984), the court implied fraud can be a reason for a clerk to reject recall signatures. In *Friends of Scott Walker v. Brennan*, 340 Wis.2d 499 (2012), the court determined that recall petitions containing patently fictitious names or *illegible addresses* may be challenged and the clerk may be directed to eliminate such signatures during their review of the recall petition. *Id.*

The perpetrators of these edits have not only denied the signer their constitutional right to recall but have harmed Winker, the electorate, and the school district by fraudulent abuse of the recall process. The persons editing or modifying information given by the Recall Petition

signers have committed election fraud under Wis. Stat. § 12.13(1)(b) by making a false statement to an election official. Manipulation of over 258 signers' information to trigger a statutory recall is a criminal offence. *See e.g.* Wis. Stat. §12.13. As Decker is not only the school district clerk but also a sitting elected school board member, he has a duty to protect the school district and school board members from fraudulent and illegal acts by recall promoters. This is especially true where the Petitioner Rayn Warner, and another main circulator, Tiffany Van Vreede, are both current School Board members facilitating such violations and fraud on their electorate to target a fellow Board Member with whom they politically disagree.

The circulators have no authority under state law to edit or change any information on the Recall Petition inscribed by the signer. Wis. Stat. § 8.40(1) and (2). Yet, here, multiple circulators edited the Recall Petition to mislead Decker into believing the Recall Petition signatures contained accurate information. All of these edited signatures must be excluded because, *on its face*, Decker could not determine the correct address of these signers on the Recall Petition based on such ambiguities and varying handwriting. *See In re Petition for Recall of Jensen*, 360 N.W.2d 535 (Wis. Ct. App. (1984)). None of these 258 signatures should have been counted, certified, or accepted without, at a minimum, some verification or opportunity to correct.

The obligations of recall petition circulators are clearly set forth in statute. Wis. Stat. § 8.40(2). Circulators are required to know that petition signers are electors of the jurisdiction or district in which the petition is circulated and that they signed the Recall Petition with full knowledge of its content. The circulator must know **“their respective residence given”** and falsifying the certification without elector consent is punishable under wis. Stat. §12.13(3)(a). Wis. Stat. § 8.40(2) (emphasis added).

It is long-settled law in Wisconsin that circulators are obligated to know the respective residences of electors signing the Recall Petition. *State v. Beckley*, 192 Wis. 367, 212 N.W. 792 (1927). Here, over 258 municipality entries signed by electors were changed post hoc by the circulators or other third parties without the consent or permission of the signers. *Id.*

Accordingly, over 258 signers now have multiple addresses and municipalities listed on the Recall Petition signature sheets shown by page, row, and number in the chart below. Therefore, the Recall Petition, on its face, is insufficient.:

| <u>Recall Petition PAGE</u> | <u>Row(s)</u> | <u>Recall Petition PAGE</u> | <u>Row(s)</u> |
|-----------------------------|---------------|-----------------------------|--|
| 7 | 1,2,4 | 68 | 9, 10 |
| 10 | 7 | 70 | 9,10 (entire street address written by circulator – not elector) |
| 11 | 4,7,8 | 71 | 4,3,2 |
| 12 | 8,9 | 75 | 7 |
| 14 | 6 | 81 | 3,4 |
| 17 | 2,6 | 83 | 1,2 |
| 25 | 2,3 | 85 | 9,10 |
| 28 | 10 | 88 | 10 |
| 32 | 10 | 91 | 7 (appears that signature of elector was crossed out) |
| 38 | 3 | 92 | 2,3 (address does not exist) |

| | | | |
|----|---|-----|---|
| 39 | 5,6 | 93 | 2,5,7,9 |
| 40 | 2,6,7,8,9,10 | | |
| 41 | 2,3 (no cross out but different signature than the elector) | 101 | 3,4,5,6 |
| 42 | 4,7,8,9 | 103 | 5 |
| 44 | 9 | 110 | 8 |
| 45 | 8,9 | 118 | 2,3 |
| 47 | 8,9 | 121 | 8 |
| 48 | 1 (cross and date) | 125 | 1,2 |
| 49 | 3,4 | 126 | 1,2 |
| 51 | 2 (cross address), 3 | 127 | 2,3,4 |
| 52 | 9 | 128 | 1,2 |
| 53 | 8 | 129 | 8,9 |
| 59 | 10 | 132 | 6 |
| 61 | 3, 4 | 133 | 1,2,4,5,6 |
| 63 | 1 | 137 | 3, 4, 5 |
| 65 | 1,2 | 145 | 3,4 (unknown handwriting – likely other circulator) |
| 66 | 9 | 146 | 4,5,7,9 |
| 67 | 2 (strike w/ different pen) | 147 | 4,7,8 |

The circulators' conduct in using false representations to coerce information relating to the Recall Petition proves that certain circulators are not above using false identifications or pseudonyms to induce signatures, information, and otherwise blemish the sacred election process. *See infra* pt. V. Decker should have investigated this obvious fraud before certifying the Recall Petition. *Id.* At a minimum, Decker should have required the Petitioner and other circulators implicated to obtain verifications from the signers to these fictitious edits. Neither occurred prior to certification.

There is ample precedent and statutory justification that permits and requires Decker to reject the Recall Petition based solely on the foregoing. Indeed, recently, WEC rejected a recall petition against Wisconsin State Assembly speaker Robin Vos and nullified 188 names that either had crossed out addresses, insufficient addresses, names and address information added without the elector's consent, and other implications of fraudulent and violative circulation measures.¹

Finally, the law requires that each signer "shall *legibly* print his or her name in a space provided next to his or her signature. No signature is valid... unless the signer satisfies the requirements under this subsection." Wis. Stat. § 8.40(1) (emphasis added). Certain signatories have names that cannot be reasonably read so Winker has no way of knowing the identity of the signer. As such, she could not verify the signer's identity, signature, name, or address. These seventeen (17) entries should not have been counted or certified. Indeed, Winker could not decipher names, and thus, did not have sufficient information to assess whether these electors were valid or otherwise forged:

¹ <https://apnews.com/article/wisconsin-speaker-recall-robin-vos-election-2b0678771b4ef4317bee76f88a6a9600>.

| <u>Recall Petition PAGE</u> | <u>Row(s)</u> | <u>Recall Petition PAGE</u> | <u>Row(s)</u> |
|-----------------------------|---------------|-----------------------------|---|
| 3 | 6, 7 | 33 | 10 |
| 4 | 2 | 36 | 2, 3, 4 (there are arrows, marks, diff handwriting, unclear whether elector signed) |
| 5 | 10 | 40 | 8 |
| 34 | 3 | 52 | 4 |
| 57 | 3 | 77 | 10 |
| 141 | 1 | 84 | 5 |
| 122 | 1 (name) | 94 | 2 |

IV. Recall Petition signatures were circulated and induced in violation of multiple policies, rules and laws, and, on that basis, should be stricken.

Using district logos and branding on recall-related websites, a recall-related Facebook page, and materials to create an appearance of official endorsement by the school district is an egregious violation of Wrightstown School District Policy, state law, and public policy regardless fraudulent inducement of officially endorsed actions—especially where such fraudulent representations are to induce election related signatures. This tactic has been a consistent and ongoing practice with the Recall Petition circulators maintained solely to gather signatures from the electorate. Decker is not only school district clerk but also an elected school board member. Neither Decker, nor the School District, should have allowed the Petitioner and circulators the fraudulent use of official District logos and branding to gather signatures. Neither Decker nor the District released any public statement condemning the fraudulent use of their logo that feigned endorsement of the recall efforts. No statement was made or published

informing the misled electorate that the District did not condone or support or endorse the recall of Winker. The Petitioner's shallow rebuttal that "we changed the logo in January" does nothing to correct the fraudulent representation of District endorsement of the Winker recall.

First, Recall promoters and circulators used the school district logo on a private website – Residents for Wrightstown Community School District (r4wcsd.com) that was created to promote the recall and the Recall Petition in an effort to gain more signatures. *See* Ex. 2 (Winker Challenge, at Ex. E). The same official logo was used on a restricted Facebook page that neither Winker, nor many other citizens, were allowed to access. This is a blatant violation of the law and public policy to fraudulently induce signatures using official governmental logos to feign "official endorsement" by the Wrightstown Community School District itself. Persons who signed the Recall Petition as a result of reading the content of this website and Facebook page falsely believed the District had endorsed or supported the recall against Winker.

Statements on the website and the Facebook page (or regarding the Facebook page) were intentionally made to appear to the public as if the Wrightstown School District was authorizing, sponsoring, or otherwise "involved" in "getting this information to the public" about Winker and the recall. *See e.g.* Exs. 7 & 8. This misappropriation of the logo, in direct violation of school board policy, was a fraudulent attempt to gain signatures in violation of Wis. Stat. §12.05. In their rebuttal, the petitioners stated that the use of the official logo ceased around mid-January 2025. This required Decker to reject *all* petition signatures that were induced or coerced prior to this date. At a minimum, Decker was required to ask that all prior petition pages be recirculated with published information that the School District does not, and has never, endorsed the website, Facebook page, or the recall of Winker. None of this occurred. Indeed, the circulators

misappropriations *did, in fact*, confuse and make electors think that the Recall Petition was being done officially by the school district. *Id.*

Second, multiple circulators induced signatures at local bars after electors had been drinking, were distracted with Packer games, and were otherwise unaware of what they were signing. *See e.g.* Ex. 2 (Winker Challenge, at Ex. F). Circulators Tricia Vande Hay, Carrie Van Vreede, Rayn Warner, and Kyle or Jason Gerend were observed engaging in this practice on December 21, 2024 (Vande Hay), December 28, 2024 (Gerend and Warner), and January 5, 2025 (Van Vreede). These were concerted efforts to obtain signatures from people who did not know what they were signing. *See id.* Decker must immediately reject all Recall Petition pages from the above circulators on the dates above because electors may, to this day, not even know they signed any recall petition. Wis. Stat. § 8.40(2).

As one example of the amount obtained from persons drinking at a bar, Tricia Vande Hay alone got total **21 signatures** on the date she engaged in this conduct all on December 21:

- Recall Petition page 137 (Rows 9 and 10).
- Recall Petition page 130 (in full – 10 signatures).
- Recall Petition page 129 (Rows 6 and 7).
- Recall Petition page 93 (Rows 1, 2, 3, and 4).
- Recall Petition page 47 (Rows 5, 6, and 7).

All of these signatures should have been rejected by Decker—specifically because the electors did not, and in many cases still may not, know that they signed the Recall Petition nor even what they were signing. Wis. Stat. 8.40(2). *Id.* The law is clear that “Substantial compliance requires that petitions be circulated in a manner that protects against fraud and that assures that signers

know the content of the petition. *In re Petition for Recall of Jensen*, 360 N.W.2d 535 (Wis. Ct. App. (1984)).

Third, far worse, Recall circulators offered bribes and threats to electors via monetary payments, threats, and food gifts to teachers to persuade them to sign the Recall Petition. Decker is aware of this information and district officials are aware that teachers were bribed, induced, and other electors threatened to sign the petition—particularly in late December 2024 – early January 2025. Decker, and the school district, were required to reject those signatures. At a minimum, Decker was required to publicly announce through official district channels that such methods were improper and that the School District condemns the use of its facilities, resources, teacher emails/identities, and logos to support the Recall effort.

This never occurred. In one alleged instance, circulator Vande Hay brought the Recall Petition to young electors at a party at her home over Christmas break saying they would have to pay her \$10 if they did not sign the recall petition and did not want to be forced to leave the party. *Ex. 2* (Winker Challenge, Ex. G). Wis. Stat. § 12.11 (1)(m) prohibits any consideration or thing of value paid or given to another to participate in the election process. Such violations are a Class I felony. Although the elector who raised this concern is very afraid of retaliation because of the bullying and harassment by the circulators, (and thus did not want to come forward in any way), the circulator was willing to identify the Recall Petition page that resulted from this conduct as page 25. *Id.* Winker’s challenge asked that all names from this date and specific circulator be removed, but the District accepted all of these signatures.

To the extent that signatories and witnesses believed the School District condoned and supported the Recall and such actions, many people were, and remain, reasonably scared of retribution from government officials at the District—including potentially, Mr. Decker himself.

These tactics, bullying, fraud, threats, and bribes are clearly violations of state law, public policy, and the First Amendment's provisions against compelled speech.

The use of the school board logo to promote the recall created the misleading appearance of endorsement from the Wrightstown Community School District which, by law, is not allowed to take sides in any recall effort. This abuse of the school board facilities, events and logo are illegal under § 12.05 and a Class I felony. All signatures obtained this way should be stricken from the count. Winker estimates that nearly all signatures obtained in December 2024 and January 2025 were induced from the website, Facebook page and postings, and school events using Wrightstown logos and carefully crafted language to create an appearance of District sponsorship. The District intentionally failed to make any announcement (nor require the circulators) to correct and make clear that the District has never endorsed the recall of Winker.

Third, the use of school property and events in violation of anti-political activity prohibitions is a fraudulent act that allows all such signatures gathered to be stricken—not merely 1 page from one circulator who “felt like correcting it.” These actions were a gross misuse of public resources and are clearly prohibited by school board policy and should have been grounds enough for Decker to reject the Recall Petition, or *at the very least*, officially address these serious violations and require compliance or correction of all of these pages at issue. This did not occur.

Rather, the Recall Petition was circulated multiple times at school events and functions on school property in direct violation of school district policies. As examples, the week of January 8, 2025, Board members Tiffany Van Vreede and Jonathan Curtis were seen circulating recall petitions to electors on school property at school activities—solely to solicit recall signatures. *See e.g.* Ex. 2 (Winker Challenge, at Ex. D). These actions violated po2430

(regulating political activity in school settings) and the school district staff handbook, which expressly prohibits the use of district resources for political campaigns. While the Petitioner’s rebuttal showed that Mr. Curtis re-circulated one page from this, the petitioners provided no information showing that Tiffany Van Vreede and Rayn Warner’s violations were otherwise corrected from use of school property or events—including use of District resources to obtain parent and teacher emails. *See e.g.* Ex. 7. Further, there was no correction regarding circulators sending bribery gifts to District teachers in efforts to induce them into signing the petition. *Id.* Circulators have passed around the Recall Petition at school games and functions while on school district property. *See e.g.* Ex. 2 (Winker Challenge, at Ex. D). Because these policies were violated, all signatures collected under these circumstances must be invalidated. Even with only one page of Mr. Curtis’s signatures being allegedly “re-circulated,” the page still should have been rejected because the names and signatories were originally approached in violation of these policies, using District resources.

Circulators of the Recall Petition publicly, and blatantly, violated other sections of school district policy in the circulation of the Recall Petition, including:

- **po2430** (regulating political activity in school settings).
- **po9700** (prohibiting unauthorized use of district materials for political purposes/relations with non-school affiliated groups).
- **po3210** (governing ethical conduct of district employees).
- **po0144.5** (regulating board members' political involvement).
- **Page 29 of the school district staff handbook**, which expressly prohibits the use of district resources for political campaigns.

To the extent that any teachers, staff, or officials with the school district violated these policies to induce signatures, all signatures collected by circulators under these circumstances must be **invalidated and rejected** by Decker.

V. The Recall Petition Signatures were fraudulently induced by knowing and intentional false statements and representations by current School Board Members.

In Wisconsin, recall petitions must be circulated in a manner that protects against fraud and assures that signers know the contents of the petition. *Matter of Recall of Redner*, 153 Wis. 2d 383, 450 N.W.2d 808 (1989); **see also** *In re Petition for Recall of Jensen*, 360 N.W.2d 535 (Wis. Ct. App. (1984)). Here, circulators openly and intentionally misrepresented the nature and purpose of the Recall Petition to entice signatures—made easy by their vague recall “reasons” on the face of the petition.

Circulators knowingly misrepresented Winker’s positions and actions. False claims against Angela, repeated and condoned by *current school board members* Warner, Van Vreede, and Melinda Lemke (who knew they were false) included allegations that Winker used district legal counsel for her personal objectives, and that he secretly started an investigation into the (now) former district administrator. Neither of these statements were true. Winker had no knowledge that these allegations were being made by fellow board members, with the authority of the District and the Board, until mid-January 2025 when persons that were granted access to the “restricted” Facebook page informed her of what her fellow Board members (and petitioner/circulators) were saying to many third persons—using their official position on the Board.

Ms. Winker has not challenged the false statements (through facially vague petition allegations) circulated by private citizens who may have relied on the “official positions” of Rayn Warner and Tiffany Van Vreede—both School Board members with Winker. But Winker aptly challenged all pages circulated by Rayn Warner and Tiffany Van Vreede for multiple reasons—notably because Mr. Warner and Ms. Van Vreede both had direct, express, and written information that their statements about Winker’s misuse of legal counsel and alleged “secret”

investigation were unequivocally false. AS Board members, circulators Warner and Van Vreede knew this, and instead, made up these and other false statements about Winker using their official position with confidential (yet false) Board information to fraudulently induce signatures. *See Wrightstown Community School District Board, Special Meeting, February 13, 2025, available at <https://youtu.be/MGOUzexwnE0>.*

Because these signatures were fraudulently induced by Warner and Van Vreede with potentially far worse false information that even Winker was aware, while using their official position on the Board with Winker, all of these pages should not have been counted by Decker. *See Beckstrom v. Kornsi*, 63 Wis. 2d 375, 383, 217 N.W.2d 283 (1974) for the proposition that “equity may determine a charge of fraud in securing signatures to the recall petition.” Specifically, Warner and Tiffany Van Vreede’s pages should not have been counted because there was *no statement or publication ever issued by the District* clarifying that the District did not officially endorse the recall nor have anything to do with the Recall against Winker.

Indeed, school board petitioners (Rayn Warner and Van Vreede) were so aware of their fraudulent oral representations that they turned in their petition prior to the deadline solely to avoid the official public meeting from the District Board where information was published that Winker never used any resources for personal gain and did not secretly start any investigation into the former administrator.² Warner and Van Vreede knew this Board meeting would include these publications exposing their false oral statements, so they quickly turned in their petitions to ensure that *no voters could request to strike or cross out their name*.

² *See* Wrightstown Community School District, Board Meeting, February 13, 2025, available at https://youtu.be/MGOUzexwnE0?si=2SH1BYJ5Z9k_z8-X.

Winker was forced to issue a **public statement** to correct false statements she learned from a few citizens who had access to the restricted Facebook recall page that contained official and closed session “statements” from current Board members Rayn Warner, Tiffany Van Vreede, and Melinda Lemke. *Current* fellow Board Members Rayn Warner, Tiffany Van Vreede, and Melinda Lemke—all had access and authority and control to restrict access to Winker and others from their “recall Facebook page” in violation of the First Amendment, leaving Winker almost no information about the false information they were spreading about her until after signatures were gathered. However, despite this **publicly available clarification** from the falsehoods Winker became aware of, circulators and school board members **continued to knowingly spread falsehoods** to secure additional signatures without referencing Winker’s personal statements. *See* Wis. Stat. § 9.10(2)(m).

Circulators, including *current Board Members Tiffany Van Vreede and Rayn Warner*, told the public, parents, and teachers that Winker was using district legal counsel and resources for personal gain which was knowingly false information. Wis. Stat. § 9.10(2)(a); *see* Ex. 7 & Ex. 8. Far worse, Van Vreede and Warner used their official positions to obtain all the email addresses and contact information of School District *parents and teachers* to send out emails supporting the recall against Winker. *Id.* All of this without District staff or parental consent for such contact information use. *See* Ex. 7.

In fact, Warner and Van Vreede (as well as Melinda Lemke who echoed the allegations to the Green Bay Press Gazette) received direct notification and evidence that Winker never used any legal counsel for any personal matters in September 2024. *See* Ex. 6. Despite having this information Warner and Van Vreede circulated multiple Recall Petition pages for signatures

using their official status as current board members to fraudulently induce the electorate to sign. *See* Ex. 7 and Ex. 8; *see* Wis. Stat. § 9.10(2)(a).

Recall Petition signatures can be stricken by Decker if the purpose of the Recall Petition was misrepresented by the circulator. Wis. Stat. 9.10(2)(m). It is clear from the facts and documents available that many, *if not nearly all*, electors' signatures were gained through misrepresentation and the fraudulent action of the circulators.

Numerous electors have come forward with affidavits and statements saying that they were **deceived** about the purpose of the recall petition or solicited for their signatures under false pretext or while under the influence of alcohol at social events. *See* Ex. 2(a). Some were led to believe they were signing a general support petition for local education initiatives, while others were falsely told their signatures would support nonpartisan school policies. Several individuals formally requested that their signatures be removed upon discovering the **true intent** of the Recall Petition. *Id.* However, these requests were ignored by the circulators, rendering those signatures **fraudulently obtained and void**.

Many signatories are frightened of retaliation because the main circulators, Tiffany Van Vreede and Rayn Warner, are current government officials serving on the school board. Ex. 8. Far worse, members of the public strongly fear retribution from the circulators and recall supporters because they have maintained a campaign of fear, intimidation, bribery, coercion, threats, bullying, cyber harassing, petty accusations, and other highly inappropriate conduct. *See* Exs. 2 & 4, 7. This coercion and undue influence by public officials makes the Recall Petition, on its face, insufficient. Under these extreme circumstances, Decker had a duty to protect the electorate and an elected official Ms. Winker from fraud-induced recall proceedings and should not have certified the Recall Petition or scheduled the recall.

Decker should have wholly rejected every Recall Petition pages that was circulated by both Warner and Van Vreede, but these repeated and intentional false statements about Winker from current board members, using their official status about official board matters, clearly violate Wis. Stat. § 12.05 and 12.13. These actions and false statements by circulators show **intentional, knowing misrepresentation**. Because signers of the Recall Petition were **deceived and manipulated by Board members acting and speaking with knowledge from their official capacity**, their signatures should have been **removed and every page they circulated rejected**. Wis. Stat. §9.10(2)(m). The Recall Petition pages that were circulated by Tiffany Van Vreede and Rayn Warner are:

- Warner petition pages: 3, 4, 6, 14, 15, 16, 18, 19, 20, 23, 26, 38, 79, 94, 95, 98, 114, 117.
- Van Vreede petition pages: 10, 13, 17, 28, 29, 30, 32, 39, 41, 49, 58, 59, 60, 65, 66, 81, 118, 136, 139.

If Decker had rightfully rejected these pages, it renders the total signature count to well below 700 total – far short of the 1,206 signatures needed to certify the recall. Further, because of the vague and improper reasons for the recall set forth in the text of the Recall Petition, signatories had no solid or factual information to make a decision - which allowed circulators to provide false and misleading information to electors outside of the official stated reasons for the recall. *Id.* In short, Decker reviewed and certified this recall in plain view of a myriad of fraudulent and illegal activities surrounding the circulation of the Recall Petition.

CONCLUSION

The recall efforts against Angela Hansen-Winker are permeated with impermissible vagueness which led to false information, fraudulent activity, policy and serious law violations by circulators (including public officials) that have fatally tainted the Recall Petition. On its face,

the Recall Petition lacks the requisite number of *qualified* and lawful signatures to allow the recall effort against Winker to move forward. WEC should direct Decker to carefully examine the face of the Recall Petition and reject the Recall Petition as **insufficient** and should state the particulars creating the insufficiency which include the lack of a sufficient number of legitimate signatures, the number of defective signatures, the fraudulent and misleading statements made by circulators in the solicitation of signatures and the payment of bribes and misuse of school board property, facilities and events all used to induce electors to sign the Recall Petition. Wis. Stat. §9.10(4)(a). Based on the **above-documented violations**, WEC must order Decker to:

1. Reject the Recall Petition as impermissibly vague under Wis. Stat. § 9.10(2)(b).
2. Remove all signatures obtained through fraudulent misrepresentation. Wis. Stat. § 9.10(2)(m).
3. Invalidate all signatures that contain addresses which were altered by circulators without verification in violation of Wis. Stat. § 9.10(2)(e).
4. Strike all signatures collected in violation of district policies and other laws and public policy. This includes all signatures collected under duress or at bars or from intoxicated or distracted persons. Wis. Stat. § 9.10(2)(m).
5. Reject all signatures from electors who requested removal and those that are unintelligible. Wis. Stat. § 8.40(1) and Wis. Stat. § 9.10(2).
6. Invalidate all petition pages circulated by current board members Rayn Warner and Tiffany Van Vreede who had prior evidence that their oral statements to electors about Winker regarding an internal investigation and district legal resources were unequivocally false. And used that false information in their official capacities to fraudulently induce elector signatures. Wis. Stat. § 9.10(2)(m).
7. Decline to certify the Recall Petition in its entirety and stay the scheduled recall election.

For the reasons set forth herein, the Wisconsin Elections Commission must stay the recall election and remand the Recall Petition to Decker to find - on its face - the Recall Petition to be insufficient and to **reject the Recall Petition** in accordance with Wisconsin election law.

Dated: March 20, 2025

Respectfully submitted,

Electronically signed by: /s/ Daniel J. Eastman

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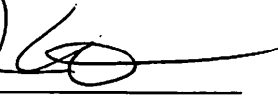
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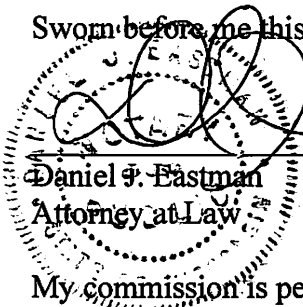
I Angela Hansen-Winker, being duly sworn on oath state that I personally read the above complaint, and the above allegations are true based on my personal knowledge and, as to those stated on information and belief, I believe them to be true.



STATE OF WISCONSIN)
) ss.
County of Ozaukee),

Sworn before me this 20th day of March, 2025



Daniel F. Eastman
Attorney at Law


My commission is permanent.

