

Official Election Complaint Form



STEP 1

Complaint Type

Please select the statutory process that governs your complaint:

Note: you should choose only one statutory process per complaint; if you feel that your allegations fall under more than one statutory process, you should submit separate complaints under each process.

- [5.05 \(Election Law Violation\)](#)
- [5.06 \(Violations by Election Officials or Appeals of Decisions of Election Officials\)](#)
- [5.061 \(Help America Vote Act Violation\)](#)

STEP 2

Complainant Contact Information

Please provide the following information about yourself.

Note: Anyone filing this complaint with you can add their information on a separate page (see page 4).

First Name	Last Name
Beth	Kreitzer
Residential Address	
S70W24530 Maple Hill Dr. Waukesha, WI 53189 (registered voting address)	
Mailing Address (if different)	
34 Tyndall St. Waiwhetu, Lower Hutt 5010 New Zealand	
Telephone (optional)	Email
	bkreitzer70.3@gmail.com

STEP 3

Respondent

Please provide the following information about the individual or individuals whom you allege violated or improperly administered election laws:

Note: For 5.06 complaints, each respondent must be an election official. If there are multiple respondents, you can add their information on a separate page (see page 5).

Respondent Name	Respondent Title (5.06 complaints)
Brad Calder	
Mailing Address	
W249 S8910 Center Dr., Vernon, WI 53103	
Telephone (if available)	Email (if available)
262-662-2039	clerk@villageofvernonwi.org



Applicable Statutes

Please cite each statute within Chapters 5 to 10 and 12 of the Wisconsin Statutes, as well as any other laws relating to elections, other than laws relating to campaign financing, that you allege were violated or improperly administered.

Note: The Commission cannot accept a complaint that does not cite specific provisions, including the correct subsections, of election law.

section 7.15, part cm "no later than the 47th day".
6.87 Sections 3a, 3d, and 4b.
12.13 section 2a and 2b7.



Allegations

Set forth in detail the facts that establish probable cause to believe that a violation occurred. Be as specific as possible as it relates to dates, times, individuals, and actions involved. Use as many separate pages as needed and attach copies of any supporting documentation, evidence, or affidavits.

I ensured I was enrolled and registered for the 2024 general election with plenty of time. I emailed the clerk, Brad Calder on September 18 (US time) to ensure my vote would be coming. Brad emailed back that he would send it that day, on the 19th of September. On the 20th, I still had not received the ballot, but the computer system was showing it was sent. I emailed Brad again asking where it was. The ballot was finally sent on September 21st (NZ time, September 20 US time), after the 47 days pre-election deadline as required under section 7.15.

When the ballot was finally sent it only included the 2 ballot pages and one side of the envelope along with email instructions to scan it back to him and have the witness signed by a US Citizen. Both of these instructions are contrary to 6.87. The prescribed commission instructions were not included, nor was the front of the envelope with the mailing address required in breach of 6.87.

At first, I believed that I would be able to scan it, and did not print and send right away (New Zealand post + USPS can mean the ballot can take more than a month to arrive). However, when I checked the WI elections website on October 1st, it seemed to indicate that scanning a ballot was illegal, and would disallow my vote. I emailed Brad to double check that it could be scanned, he replied " It can be scanned to me and it will be counted."

I called WI Elections Commission to verify the law (a surprising number of people couldn't seem to answer what seems like a pretty straight forward legal question of if a ballot can be scanned) and sent the email chain through to Erin Bentley.

As the postal service is very slow, I looked at sending my ballot to the consulate, who could then send it on. However, this process requires a US stamp (obviously not available overseas) unless the postage is paid on the envelope. As Brad had only sent the one side of the envelope, I did not have the address for the Village of Vernon, nor a postage paid envelope as is required. I emailed Brad on October 2nd to get the front of the envelope. He responded without the requested front of the envelope nor the address to mail it to. I emailed again to get the requested information. He finally sent the front of the envelope on October 3rd, however it did not include the postage paid, forcing me to send my ballot through the mail to Village of Vernon rather than to the consulate. I believe the ballot should have qualified for free postage within the US (which sending through the consulate is) under section 6.87 and federal law.

As there are no drop boxes for Vernon, there is no other way for me to attempt to vote. Because of all the delays, it's unlikely my vote will make it in time despite my best efforts. If it had been one or two issues (falsely marking my record as ballot sent, twice telling me to scan it, not sending the complete documents, not including postage paid) I would have assumed incompetence, however, at this point it seems that Brad Calder is actively seeking to ensure overseas votes are not counted and has breached section 12.13 several times.

As I could not initially access the statute, likely because of security settings preventing access from a foreign IP, I have not been able to verify the likely breach of the law and file the complaint until now. This is well within the 10 days under section 5.06, as I only received PDFs of the statute yesterday.

Please see the attached email chain for evidence of the breaches.

STEP 6

Sign

Each complainant must complete **either** step 6a, "Unsworn Statement," or Step 6b "Sworn Statement." For either option, you may enter your digital signature by clicking the box and following the instructions, or you may print the form and sign it.

STEP 6a

Unsworn Statement

I declare under penalty of false swearing under the law of Wisconsin that the foregoing is true and correct. Signed on the [25] day of [October], [2024] at [Lower Hutt, NZ] (city or other location and state or country).

[Beth Kreitzer]
Printed Name

[]
Signature

STEP 6b

Sworn Statement (to be completed in the presence of a notary)

I, [] being first duly sworn, on oath, state that I personally read the above complaint, and that 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.

[]
Complainant's Signature

Note: Each complainant listed above in section 6b must have this form sworn before a notary or other official able to swear oaths.

STATE OF WISCONSIN

County of, [] (county of notarization)

Sworn to before me this day of, []

[]
(Signature of person authorized to administer oaths)

Stamp Here

My commission expires on [] or is permanent.

Notary Public or [] (official title if not notary)

STEP 7

Filing the Complaint

Please send this completed form to the Wisconsin Elections Commission

Email:
elections@wi.gov
Please put your name and "Complaint" in the email subject field

Mail:
Wisconsin Elections Commission
P.O. Box 7984
Madison, WI 53707-7984

Fax:
608-267-0500



Beth Kreitzer <bkreitzer70.3@gmail.com>

Absentee ballot

Beth Kreitzer <bkreitzer70.3@gmail.com>
To: Clerk Administrator <clerk@villageofvernonwi.org>

Thu, Oct 3, 2024 at 5:56 AM

Thank you. It should not have taken 2 weeks to get the correct information to me. It is now less likely my ballot will arrive on time. Maybe the referendum will pass and you won't have to deal with overseas voters in the future.

On Thu, 3 Oct 2024, 05:41 Clerk Administrator, <clerk@villageofvernonwi.org> wrote:

Beth,

Your parents stopped in this morning and shared with them the same thing I shared with you in my email earlier today. Attached is the front of the envelop. If you have any questions please let me know.

Sincerely,

Brad Calder

Brad Calder

Village Administrator/Clerk

Village of Vernon

W249 S8910 Center Dr

Vernon, WI 53103

PH: 262-662-2039

FX: 262-662-3510

Population 7,655

Email: clerk@villageofvernonwi.org

www.villageofvernonwi.org

Open Meetings Disclaimer: The email above contains the thoughts, opinions, and commentary of the author alone. It is intended as a one-way transmission of a thought, idea, or information related to my role as municipal official or issues within the municipality, but is not intended to serve as an invitation for reply, rebuttal, discussion, debate or responsive commentary. Please do not respond to this email, unless specifically requested to do so above, as it is the author's intention to utilize the informality and convenience of this electronic message while simultaneously avoiding any and all violations of the Wisconsin Open Meetings Law contained in Section 19.81 of the Wisconsin Statutes or elsewhere within Wisconsin law, as applicable to this municipality as described in 66 Op. Att'y Gen. 237 (1977). Specifically, there is no intention on the part of the author to engage in or foster any "governmental business" as defined in State ex.rel. Newspapers v. Showers, 398 N.W.2d 154 (Wis. 1987). You are specifically requested to refrain from forwarding or "replying to all" with regard to its contents, so as to avoid the possible "walking quorum" proscriptions, including those considered in State ex.rel. Lynch v. Conta, 239 N.W.2d 313 (Wis. 1976). It is the author's motive and intent to comply with the overriding policy of the open meetings law - to ensure public access to information about governmental affairs. Your cooperation in accomplishing this end is most appreciated.

From: Beth Kreitzer <bkreitzer70.3@gmail.com>

Sent: Wednesday, October 2, 2024 11:37 AM

To: Clerk Administrator <clerk@villageofvernonwi.org>

Subject: Re: Absentee ballot

I believe there should be another side to that envelope document that has an address to mail to. Please send that through.

On Thu, 3 Oct 2024, 03:35 Clerk Administrator, <clerk@villageofvernonwi.org> wrote:

Beth,

I apologize for the confusion that is correct. In my original email there was the attachment for the envelop. I have reattached it to this email. That should be printed out along with the ballot. The envelop should be signed by you and by a witness who is a United States Citizen and is 18 years of age. That can then be glued to the back of the envelop that the ballot is inside of. It can mail back through the post office in the country you are in or it can be put in to an envelop for UPS or FedEx or similar company and mailed to the Vernon Village Hall. If you have any further questions, please let me know. Again I apologize for the confusion.

Sincerely,

Brad Calder

Brad Calder

Village Administrator/Clerk

Village of Vernon

W249 S8910 Center Dr

Vernon, WI 53103

PH: 262-662-2039

FX: 262-662-3510

Population 7,655

Email: clerk@villageofvernonwi.org

www.villageofvernonwi.org

Open Meetings Disclaimer: The email above contains the thoughts, opinions, and commentary of the author alone. It is intended as a one-way transmission of a thought, idea, or information related to my role as municipal official or issues within the municipality, but is not intended to serve as an invitation for reply, rebuttal, discussion, debate or responsive commentary. Please do not respond to this email, unless specifically requested to do so above, as it is the author's intention to utilize the informality and convenience of this electronic message while simultaneously avoiding any and all violations of the Wisconsin Open Meetings Law contained in Section 19.81 of the Wisconsin Statutes or elsewhere within Wisconsin law, as applicable to this municipality as described in 66 Op. Att'y Gen. 237 (1977). Specifically, there is no intention on the part of the author to engage in or foster any "governmental business" as defined in State ex.rel. Newspapers v. Showers, 398 N.W.2d 154 (Wis. 1987). You are specifically requested to refrain from forwarding or "replying to all" with regard to its contents, so as to avoid the possible "walking quorum" proscriptions, including those considered in State ex.rel. Lynch v. Conta, 239 N.W.2d 313 (Wis. 1976). It is the author's motive and intent to comply with the overriding policy of the open meetings law - to ensure public access to information about governmental affairs. Your cooperation in accomplishing this end is most appreciated.

From: Beth Kreitzer <bkreitzer70.3@gmail.com>

Sent: Tuesday, October 1, 2024 8:47 PM

To: Clerk Administrator <clerk@villageofvernonwi.org>

Subject: Re: Absentee ballot

This is wrong and scanning the ballot is illegal. Is there an actual envelope you were supposed to send me that allows me to mail my vote in?

Beth

On Tue, 1 Oct 2024, 09:24 Clerk Administrator, <clerk@villageofvernonwi.org> wrote:

Beth,

It can be scanned to me and it will be counted.

Brad

Brad Calder

Village Administrator/Clerk

Village of Vernon

W249 S8910 Center Dr

Vernon, WI 53103

PH: 262-662-2039

FX: 262-662-3510

Population 7,655

Email: clerk@villageofvernonwi.org

www.villageofvernonwi.org

Open Meetings Disclaimer: The email above contains the thoughts, opinions, and commentary of the author alone. It is intended as a one-way transmission of a thought, idea, or information related to my role as municipal official or issues within the municipality, but is not intended to serve as an invitation for reply, rebuttal, discussion, debate or responsive commentary. Please do not respond to this email, unless specifically requested to do so above, as it is the author's intention to utilize the informality and convenience of this electronic message while simultaneously avoiding any and all violations of the Wisconsin Open Meetings Law contained in Section 19.81 of the Wisconsin Statutes or elsewhere within Wisconsin law, as applicable to this municipality as described in 66 Op. Att'y Gen. 237 (1977). Specifically, there is no intention on the part of the author to engage in or foster any "governmental business" as defined in State ex.rel. Newspapers v. Showers, 398 N.W.2d 154 (Wis. 1987). You are specifically requested to refrain from forwarding or "replying to all" with regard to its contents, so as to avoid the possible "walking quorum" proscriptions, including those considered in State ex.rel. Lynch v. Conta, 239 N.W.2d 313 (Wis. 1976). It is the author's motive and intent to comply with the overriding policy of the open meetings law - to ensure public access to information about governmental affairs. Your cooperation in accomplishing this end is most appreciated.

From: Beth Kreitzer <bkreitzer70.3@gmail.com>
Sent: Monday, September 30, 2024 3:07 PM
To: Clerk Administrator <clerk@villageofvernonwi.org>
Subject: Re: Absentee ballot

Hello,

I am reading on the my vote.wi.gov page that ballots cannot be returned electronically, yet you had told me to scan it and email it to you. Which is the legal way to submit my ballot so that it is counted?

Thanks,

Beth Kreitzer

On Sat, 21 Sept 2024, 07:08 Clerk Administrator, <clerk@villageofvernonwi.org> wrote:

Beth,

Attached is your absentee ballot for the November 5, 2024 General Election. Please fill out the ballot and scan back to me via this email address clerk@villageofvernonwi.org. The absentee ballot envelope is also attached. This can be printed out on regular letter size paper. The absentee ballot envelope sheet needs to be signed by you in the middle section. The bottom section needs to be signed by a witness, that witness must be 18 years of age and a United States Citizen. Then scanned back to me with the ballot. Both the ballot and the absentee ballot envelope need to be back to me by the close of polls on election day which is Tuesday, November 5, 2024 at 8:00 p.m. central standard time. If you have any questions please do not hesitate to contact me.

Sincerely,

Brad Calder

Brad Calder

Village Administrator/Clerk

Village of Vernon

W249 S8910 Center Dr

Vernon, WI 53103

PH: 262-662-2039

FX: 262-662-3510

Population 7,655

Email: clerk@villageofvernonwi.org

www.villageofvernonwi.org

Open Meetings Disclaimer: The email above contains the thoughts, opinions, and commentary of the author alone. It is intended as a one-way transmission of a thought, idea, or information related to my role as municipal official or issues within the municipality, but is not intended to serve as an invitation for reply, rebuttal, discussion, debate or responsive commentary. Please do not respond to this email, unless specifically requested to do so above, as it is the author's intention to utilize the informality and convenience of this electronic message while simultaneously avoiding any and all violations of the Wisconsin Open Meetings Law contained in Section 19.81 of the Wisconsin Statutes or elsewhere within Wisconsin law, as applicable to this municipality as described in 66 Op. Att'y Gen. 237 (1977). Specifically, there is no intention on the part of the author to engage in or foster any "governmental business" as defined in State ex.rel. Newspapers v. Showers, 398 N.W.2d 154 (Wis. 1987). You are specifically requested to refrain from forwarding or "replying to all" with regard to its contents, so as to avoid the possible "walking quorum" proscriptions, including those considered in State ex.rel. Lynch v. Conta, 239 N.W.2d 313 (Wis. 1976). It is the author's motive and intent to comply with the overriding policy of the open meetings law - to ensure public access to information about governmental affairs. Your cooperation in accomplishing this end is most appreciated.

From: Beth Kreitzer <bkreitzer70.3@gmail.com>
Sent: Friday, September 20, 2024 2:00 PM
To: Clerk Administrator <clerk@villageofvernonwi.org>
Subject: Re: Absentee ballot

Hi,

I haven't received my ballot and have checked my spam folder. Has it been delayed?

Cheers,

Beth

On Fri, 20 Sept 2024, 02:59 Clerk Administrator, <clerk@villageofvernonwi.org> wrote:

Beth,

You will receive an email from me later today (Thursday, September 19, 2024) with your ballot and instruction on how to complete and return to me.

Sincerely,

Brad Calder

Brad Calder

Village Administrator/Clerk

Village of Vernon

W249 S8910 Center Dr

Vernon, WI 53103

PH: 262-662-2039

FX: 262-662-3510

Population 7,655

Email: clerk@villageofvernonwi.org

www.villageofvernonwi.org

Open Meetings Disclaimer: The email above contains the thoughts, opinions, and commentary of the author alone. It is intended as a one-way transmission of a thought, idea, or information related to my role as municipal official or issues within the municipality, but is not intended to serve as an invitation for reply, rebuttal, discussion, debate or responsive commentary. Please do not respond to this email, unless specifically requested to do so above, as it is the author's intention to utilize the informality and convenience of this electronic message while simultaneously avoiding any and all violations of the Wisconsin Open Meetings Law contained in Section 19.81 of the Wisconsin Statutes or elsewhere within Wisconsin law, as applicable to this municipality as described in 66 Op. Att'y Gen. 237 (1977). Specifically, there is no intention on the part of the author to engage in or foster any "governmental business" as defined in State ex.rel. Newspapers v. Showers, 398 N.W.2d 154 (Wis. 1987). You are specifically requested to refrain from forwarding or "replying to all" with regard to its contents, so as to avoid the possible "walking quorum" proscriptions, including those considered in State ex.rel. Lynch v. Conta, 239 N.W.2d 313 (Wis. 1976). It is the author's motive and intent to comply with the overriding policy of the open meetings law - to ensure public access to information about governmental affairs. Your cooperation in accomplishing this end is most appreciated.

From: Beth Kreitzer <bkreitzer70.3@gmail.com>
Sent: Wednesday, September 18, 2024 2:45 PM
To: Clerk Administrator <clerk@villageofvernonwi.org>
Subject: Absentee ballot

Hi,

I've submitted a request for an absentee ballot for the upcoming election. When might I expect to receive it? I live in New Zealand and the post takes a very long time to get to WI (I'm assuming there's not a system to upload overseas votes like we have in NZ and I'll still have to mail it). I want to ensure in checking my email on the right day so I can get it returned in time.

Thanks,

Beth Kreitzer