

The Complainants alleges the following:

1. Complainant David VanderLeest is a registered Wisconsin voters, and qualifies as an “elector” within the meaning of Chapters 5 and 6 of the Wisconsin Statutes. The complainant resides in the City of Green Bay, Wisconsin.

2. Respondent, Celestine Jeffreys, is the City Clerk for the City of Green Bay. Clerk Jeffreys is an “election official” within the meaning of Chapters 5 and 6 of the Wisconsin Statutes and is sued in that capacity. Clerk Jeffreys was appointed to the office by Mayor Eric Genrich in January 2021.

<https://www.greenbaypressgazette.com/story/news/2021/01/13/green-bay-mayor-eric-genrich-appoints-celestine-jeffreys-city-clerk/6641714002/>.

3. Respondent Municipal Board of Canvassers: Celestine Jeffreys, Jaime Fuge, Pam Vanderbloemen, and Steven Grenier, are “election official” within the meaning of Chapters 5 and 6 of the Wisconsin Statutes and are sued in that capacity.

JURISDICTION

4. This Complaint is brought against Clerk Jeffreys and the Green Bay Municipal Board of Canvassers:, Jaime Fuge, Pam Vanderbloemen, and Steven Grenier under Wisconsin Statute § 5.06.

Whenever any elector of a jurisdiction or district served by an election official believes that a decision or action of the official or the failure of the official to act with respect to any matter concerning nominations, qualifications of candidates, voting qualifications, including residence, ward division and numbering, recall, ballot preparation, election administration or conduct of elections is contrary to law, or the official has abused the discretion vested in him or her by law with respect to any such matter, the elector may file a written sworn complaint with the commission requesting that the official be required to conform his or her conduct to the law, be restrained from taking any action inconsistent with the law or be required to correct any action or decision inconsistent with the law or any abuse of the discretion vested in him or her by law. The complaint shall set forth such facts as are within the knowledge of the complainant to show probable cause to believe that a violation of law or abuse of discretion has occurred or will occur. The complaint may be accompanied by relevant supporting documents. The commission may conduct a hearing on the matter in the manner prescribed for treatment of contested cases under ch. 227 if it believes such action to be appropriate.

Back Ground

5. On Tuesday, April 2nd, 2024 an election took place for Green Bay City Council, District 6. This race was also on the same ballot as the Presidential Primary election. The election for City Council, District 6 had a total of 695 votes. The initial results show that Steven Campbell lost by 15 votes. The election results were certified by the Green Bay Board of Canvassers (BOC) on April 8th, 2024. On April 11th 2024 Steven Campbell filed a timely petition for a recount. The recount was granted. Since the percentage was outside the threshold for a free recount, the Petitioner/Candidate Steven Campbell decided to proceed with a recount for which he would bear the responsibility to pay for which had a cost estimate was \$4306.76.

6. After the petition and fee were paid the recount commenced the next day on, Friday, April 12th, 2024, at 9:00am, **ten days after the election took place**. The petitioner asked for a manual recount. The BOC denied this request. On April 12th 2024 Steven Campbell filed for emergency relief in the Brown County Circuit Court, seeking an order to require the BOC to do a manual recount under the authority of Wis Stats 5.90(3).

7. The emergency injunction was assigned to Judge Legois who was out of town; and the matter was never heard, the BOC continued to move forward despite protest from the Petitioner/Candidate Steven Campbell. The emergency injunction was scheduled for Monday April 15th 2024. The BOC proceeded with a machine recount, instead of recessing for a Circuit court decision. The recount took 15 hours and concluded on April 16th at around 12:18 am, and affirmed their original results of the alder-person election.

8. Petitioner David A. VanderLeest was Steven Campbell's chosen recount representative. I have first hand knowledge of Ballot tampering and fraud that occurred, as I was able to personally see the evidence described below.

Evidence of Fraud and Tampering Discovered During Recount

9. During the process of the recount, the petitioners gained personal knowledge and undeniable evidence that the ballot for Green Bay councilperson, District 6 was tampered with or never secure. The serial numbers on three out of four sealed in person polling locations ballot bags did not have matching Tamper-Evident Seal Serial Number on the Inspectors statement (EL-104). This can be proven by simply reviewing the BOC's own recount minutes (see ex 1). During the recount Clerk Jeffreys admitted as clerk she was in possession of extra ballot bags and security tape. I asked if there was any way to tell if the bag containing the ballots were opened, tampered with, and simply put in a new bag and taped, since the EL-104 did not contain the security number from the bag. Jeffrey's said something to the effect that would be fraud and she takes her job seriously with professionalism. I then asked her if she could offer any other proof the ballot was secure besides her word in the absence of matching EL-104 forms with Tamper-Evident Seal Serial Numbers that match the ballot bag numbers. She only smiled and then called a vote of the BOC where they determined there was nothing to see here, everything was great, that they all trusted each others professionalism, and that matching ballot bag tamper-evident seal serial numbers and EL-104 forms are not required to prove a ballot is secure and not tampered with.

10. At the time it was discovered the ballot was tampered with, an objection was made to all the ballots in the bags that did not have the correct number from the ballot bags on the corresponding EL-104 forms. The Board of Canvassers voted that the ballot was security despite undeniable proof security measures were not in place. The BOC proceeded to count the tampered ballots despite objections from the petitioner and his recall representative.

11. This is in violation of Wisconsin Statutes 7.51 2d, 3a, and 3c. Accepting non secure ballot bags without matching tamper-evident seal serial numbers is an abuse of discretion.

12. The main reason all the poll workers' signatures are required on the EL-104 is to verify and confirm matching security numbers, to ensure ballot integrity and security. The absence of tamper-evident seal serial numbers matching ballot bag security number is undeniable proof that the ballot was never secure, tampered with and, should have been set aside, nullifying the election.

In plain terms, without matching tamper-evident seal serial numbers as required by the Wisconsin State Statutes, there is no proof someone did not have their hand in the cookie jar.

13. Celestine Jeffreys, Jaime Fuge, Pam Vanderbloemen, Steven Grenier should have known that accepting this ballot as secure despite undeniable proof it was never secure is an abuse of discretion. A veteran clerk should know that if anyone did open and tamper with secured ballot bags, that person would be in violation of WI Statutes 12.13 (2) a, b2, b4, b6, and b7, (3) f, l, m, x, z. Which according to WI statutes 12.60, is guilty of a class I felony, can be imprisoned for six months, fined \$1000 per occurrence, and be removed from being an election official for five years. A veteran clerk should know a ballot cannot be certified without matching ballot bag tamper-evident seal serial numbers and the matching numbers of the Inspector's statement EL104 form.

HISTORY OF PREVIOUS ILLEGAL ACTIVITY BY CLERK CELESTINE JEFFREYS

14. 2022-Spring Election, Matt Roeser v. Celestine Jeffreys (EL 22–37): The state elections commission found in December 2023, that Jeffreys violated election law in the 2022 spring election when she accepted multiple absentee ballots brought in on behalf of voters. “Based upon the above review and analysis, the Commission finds probable cause to believe that a violation of law or abuse of discretion occurred under Wis. Stat. § 6.87(4)(b)1. due to the Respondent’s policy that could allow accepting a voter’s ballot that was returned to a clerk by a third party when the voter was “sick” but not necessarily disable.”
15. 2022-Spring Primary Election: Jeffreys violated WI statutes 985.02 for improperly noticing the time at which the counting of absentee ballots began being counted. According to Clerk Jeffreys, she began counting absentee ballots 7 hours before the noticed time, due to a typo. After being made aware of the typo, she decided to continue with the counting, knowing proper notice was not given to legally proceed. Only after being given a cease and desist letter, did Clerk Jeffreys stop counting absentee ballots until the time the public notice met the statutory public meeting notice requirement as defined in WI Statute 985.02.
16. 2022-Fall Election, Brown County Case Number 2022CV001322, Nathan D. DeLorey et al vs. Celestine Jeffreys, Jeffreys was ordered by Brown County Circuit Court Judge Marc Hammer “to allow better access for election observers to observe all aspects of the

in-person absentee voting process that has been underway since October 25, 2022 at the office of the City Clerk for the City of Green Bay.”

17. Spring 2024 Hogan et al. v. Jeffreys - EL 24-35 Clerk Jeffreys concedes that she does not comply with the requirements of Wisconsin Statutes Section 6.56 concerning undeliverable Election Day Registration postcards. She has been in violation of WI Statutes 6.56 since accepting the office of city clerk in 2020.

PRAYER FOR RELIEF

WHEREFORE, the Complainants requests the following relief:

18. Nullify the Election for Green Bay City Council, District Six which took place on April 2nd, 2024 and nullify the Recount Results from April 12th 2024 because there is undeniable proof the ballot was tampered with and never secure.

19. Order a Special election to be held as soon as possible for Green Bay City Council District Six.

20. Demand for Discovery -Direct Celestine Jeffreys and the Green Bay BOC to release the entire recount video to David VanderLeest and the WEC.

21. Motion for Costs -Issue a refund of the recount fees to the recall petitioner Steven Campbell of \$4306.76 which were already paid and void the remaining \$2317.49 balance as the recount procedure produced verifiable undeniable proof that the ballot was never secure, and tampered with, and should be set aside.

22. Complainants would like the WEC to look at all the election ballot bags and EL-104 forms for the entire city of Green Bay. YES EVERY WARD in its investigation. Complainant would like to know if this is a citywide election security tampering problem or if it only happens to occur in races where recounts are requested.

23. Any other such equitable or other relief as is just and appropriate.

Dated: Friday the 13th of September, 2024

For the Complainants:

David VanderLeest

9-13-24

David VanderLeest propria persona

Date:

I, David VanderLeest, 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.

David VanderLeest
146 Alpine Dr.
Green Bay, WI 54302
920-784-7807
davidavanderleest@gmail.com

Subscribed and sworn to before me by

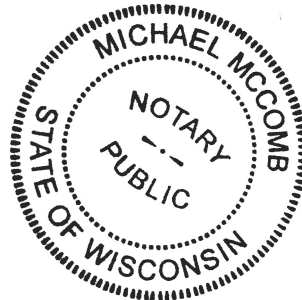
David VanderLeest upon his oath this 13 day of September, 2024.

BY: /s/ Michael McComb
Michael McComb

{ SEAL }

Notary Public, State of Wisconsin

My Commission expires: 7-30-2027



Copy of Certified Complaint sent to:
Wisconsin Elections Commission
Copies were emailed to:

Wisconsin Elections Commission
elections@wi.gov

Clerk Celistine Jeffreys
clerk@greenbaywi.gov

Green Bay Municipal Board of Canvassers
law@greenbaywi.gov
clerk@greenbaywi.gov