

**STATE OF WISCONSIN
ELECTIONS COMMISSION**

COMPLAINT FORM

Please provide the following information about yourself:

Name Andrew Yunker

Address 17830 W North Ave, Brookfield, WI 53045

Telephone Number 262-488-7302

E-mail yunker88@gmail.com

**State of Wisconsin
Before the Elections Commission**

The Complaint of Election Official Abuse or Violation (§5.06)

of Wisconsin State Statutes 6.87(6), 6.86(6), 6.88(1), 6.88(2), 6.88(3)(b), 6.85, 6.20, 12.13(3)(c), Complainant(s) against

Michelle Luedtke, Brookfield City Clerk, Respondent, whose

address is 2000 North Calhoun Road, Brookfield, WI 53005-5095

This complaint is under ^{Election Official Abuse or Violation (§5.06), Wisconsin State Statutes 6.87(6)} (Insert the applicable sections of law in chs. 5 to 10 and 12 and other laws relating to elections and election campaigns, other than laws relating to campaign financing)

I, Andrew Yunker, allege that:

Michelle Luedtke abused their election official discretion and/or violated

laws regarding election administration of absent voter ballots including:

Wisconsin State Statutes 6.87(6), 6.86(6), 6.88(1), 6.88(2), 6.88(3)(b), 6.85, 6.20, 12.13(3)(c)

(Set forth in detail the facts that establish probable cause to believe that a violation has occurred. Be as specific as possible as it relates to dates, times, and individuals involved. Also provide the names of individuals who may have information related to the complaint. Use as many separate pages as needed and attach copies of any supporting documentation.)

Date: 2/28/2024

Andrew J. Yunker
Complainant's Signature

I, Andrew J. Yunker, 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.

Andrew J. Yunker
Complainant's Signature

STATE OF WISCONSIN

County of Waukesha
(county of notarization)

Sworn to before me this 28th day of

February, 2024.

S. Abdel-Hamid
(Signature of person authorized to administer oaths)

My commission expires 3/27/2026 or is permanent.

Notary Public or _____
(official title if not notary)

Please send this completed form to:

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

Fax: (608) 267-0500

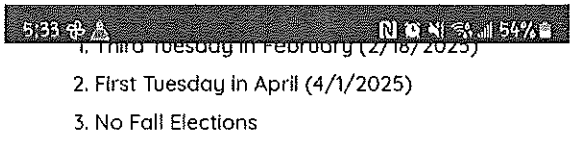
Email: elections@wi.gov

To: Wisconsin Elections Commission

From: Andrew Yunker

Subject: Supporting documents for Official Sworn Complaint under §5.06

Between 5 PM-8PM on election day, Tuesday, February 20th, 2024, my wife and I experienced difficulties voting in Brookfield, Wisconsin. I left my home at 17830 W North Avenue after 5 PM to deliver our absentee ballot votes to our polling place. I googled Brookfield voting locations and looked at Brookfield's elections website, <https://www.ci.brookfield.wi.us/212/Elections>, which at the time contained incorrect information about polling locations when viewing the website on my phone. See attached Screenshot of Brookfield Elections Site on Mobile Phone pdf.



ELECTION POLLING PLACES

Voting Hours are from 7:00AM to 8:00PM.

Bring your photo ID.

1

1, 2, 3

Brookfield East High School
3305 Lilly Road

2•

4, 5, 6, 22

Brookfield Central High School
16900 Gebhardt Road

3

7, 8, 9

Brookfield Central High School
16900 Gebhardt Road

4

The list of polling locations didn't indicate what the numbers mean next to the different polling locations. We had already sealed our ballots so I couldn't see what district/ward we were in, but I remembered the number 5. So, I looked at the Brookfield site for the number 5 and Brookfield Central High School had a 5 next to it in the table that again is unclear it doesn't say district 5 wards 13,14, 15, it just says 5, 13,14,15. Then, I followed my GPS's directions to Brookfield Central High School, as I was convinced I was traveling to the correct polling location based on the flawed Brookfield Elections website. I drove around Brookfield Central High School for a while, searching for a polling location, and finally found a police

officer Tony Kader, who said there was no voting at the high school, even though it is listed as a poll location for 2 districts on the website. Officer Kader also stated he knows there is incorrect info on the Brookfield website. I spoke to Officer Kader again on February 27, 2024, and he confirmed several people showed up the Brookfield Central High School on February 20, 2024 looking to vote. It sounds like several people were being directed to the wrong polling place, possibly in viewing the unclear info on the Brookfield elections website.

This problem regarding unclear polling locations on the city website was fixed within a few days after contacting Mary Schulz, a Brookfield city clerk, schulz@ci.brookfield.wi.us on Wednesday, February 21, 2024.

Following the directions of the police officer at Brookfield High School, I headed to the correct polling location. I ended up making two trips to the Brookfield Public Safety Bldg., Courtroom, 2100 N. Calhoun Road, which is the polling place for my address (17830 W North Ave) in Brookfield district 5 wards 13, 14, 15. During both visits I spoke in-person with Michelle Luedtke, the Brookfield City Clerk. During both visits I attempted to perform step 6 of the Uniform Instructions for Wisconsin Absentee Voters, returning mine and my wife's absentee ballots which were completed through step 5 of the Uniform Instructions for Wisconsin Absentee Voters. Michelle, the city clerk, refused to secure or count either of our absentee ballots, despite having both of our ballots in her hands on election day with over an hour left to vote at the very slow (not busy) polling location serving my address. Michelle said absentee ballots need to be delivered to the city clerk's office, but also informed me that nobody would be able to take my ballot if I went to the city clerk's office because they were all in a meeting. I asked what time absentee ballots need to be returned to the City Clerk's office and she said 5 PM on election day. I argued with Michelle that I received the Uniform Instructions for Wisconsin Absentee Voters with my ballot and that I interpreted those instructions as being able to drop off my ballot at the polling place before 8 PM. Michelle said in-order-to vote, my wife and I would have to turn-in our absentee ballots to be destroyed and marked as un-returned in the system, then we would be issued a ballot to complete in-person, and my wife would also have to come vote in-person. Michelle's reasoning behind this was to prevent people from voting twice. My neighbor, Lisa Youretz, is a volunteer poll worker and witnessed my attendance at my polling location on election day. Lisa also asked me how it was going, and I expressed difficulties voting and our absentee ballots were not being accepted. Lisa and other poll workers directed me back to the city clerk Michelle. Then I went home to tell my wife she would have to vote in-person because our absentee ballots were not being accepted. I also brought the Uniform Instructions for Wisconsin Absentee Voters document that we received with our ballots from my house back to the polling location on my second attempt to vote absentee. After reviewing the Uniform Instructions for Wisconsin Absentee Voters with Michelle, she still refused to count our absentee ballots. I was then asked why I was voting absentee if I was able to make it to the polls. I didn't answer. Michelle then said absentee voting is for people who can't vote in-person. In-order-to vote, I had to hand over my completed absentee ballot to a poll worker named Jim and I was informed my absentee ballot would be marked as un-returned. I have no idea what happened to my absentee ballot. I then voted in-person and left. My wife then went and voted in-person after Jim was rude to her and ripped up her absentee ballot before issuing an in-person ballot to vote. I bet Elizabeth's ballot is not in the collection of rejected absentee ballots with a reason for rejection on it, because Jim ripped it up rudely in front of her.

On Wednesday, February 21, 2024 I contacted the city clerk's office and spoke to Mary Schulz about the problems I was having and she directed me to City Clerk Michelle Luedtke. See attached Email Correspondence with Brookfield Clerk pdf.

Andrew Yunker
<yunker88@gmail.com>
to cityclerk

Feb 21, 2024,
5:42 PM (6 days ago)

Why do our absentee ballots have to be dropped off at the city clerks office by 5 pm on election day but I can't drop it off in person at the polling place before 8pm?

----- Forwarded message -----

From: **Andrew Yunker** <yunker88@gmail.com>
Date: Wed, Feb 21, 2024, 5:35 PM
Subject: Voting difficulties
To: schulz@ci.brookfield.wi.us <schulz@ci.brookfield.wi.us>

my wife and I had a heck of a time trying to vote yesterday. we requested absentee ballot but didn't get it until it was too late to return by mail. instruction form with ballot said another way to submit absentee was to deliver in-person to city clerk so it can be delivered to the polling place before 8 pm. very ambiguous unclear language. I thought I would have time to go home after work for dinner and some family time then drop off both of our ballots quickly at the polling location. encountered multiple barriers though. I googled Brookfield voting locations and looked at Brookfield website with incorrect information about polling locations when viewing website on my phone. See attached. The table on the website doesn't indicate what the numbers mean next to the different polling locations. <https://www.ci.brookfield.wi.us/212/Elections>

we had already sealed our ballots so I couldn't see what district/ward we were in, but I remembered the number 5. so I looked at the Brookfield site for the number 5 and the central high school had a 5 next to it in the table that again is unclear it doesn't say district 5 wards 13,14, 15, it just says 5, 13,14,15. so went to central high nobody was around drove around finally found a police officer who said no voting at the high school, even though it listed as a poll location for 2 districts on the website. Policeman also said he knows there is incorrect info on the website so it sounds like several people are being directed to wrong polling place from your website. Eventually went to correct location at the public safety building. I thought I was home free drop off absentee ballots and go home, but, nope. the city clerk said I cant drop off our absentee ballots there and I needed to go to city clerk office at the court house but they probably wouldn't be able to help because they were in a meeting. at this point I went home to get document about absentee instructions and tell my wife she would have to vote in person because they weren't accepting our absentee ballots. I went back to polling place and showed them instructions that looked like I was following. i had our absentee ballots signed and sealed, delivering them personally to the city clerk, at my polling location, before 8 pm on election day. mean while there's about a dozen city officials and poll workers sitting around doing nothing just watching and rolling their eyes at me. they tried asking why we were voting absentee if I was able to make it to the poll. I didn't answer I don't think that is there business.

to actually be able to cast my vote an election worker said he needed to take my absentee ballot because we only get 1 ballot, which is just weird. is he going to look at my vote on my absentee ballot? then my wife went to get her ballot taken away and submit an in person vote and they (Jim) was condescending to her saying I bet your husband was just here and do you want me to spell it all out for you? working at the VA I don't like people trying to deny my vote. Vets have died for our U.S. birth right to vote. let me know if u have any questions. 262-488-7302 text or call. Andrew Yunker 17830 W North Ave

One attachment • Scanned by Gmail



Cityclerk Mailbox

Feb 22, 2024,
9:52 AM (5 days
ago)

to me

Hi Andrew,

Wisconsin State Statute 6.87(6) indicates that the ballot shall be returned so it is delivered to the polling place no later than 8 p.m. on election day. It goes on further to state that the clerk shall secure the ballot and cause the ballot to be delivered to the polling place serving the elector's residence before 8 p.m.

We have 5 polling locations with 7 districts. When you return your ballot to the clerk's office or by mail, we must enter it into the state system as returned. We do not have that option at the polling sites. It is then possible for someone to vote twice. If someone votes twice, we need to report them to the District Attorney's Office. We do not designate the polling site as an alternate drop off, because of the number of sites. It was a fluke that I was at the site at the same time you were. I understand smaller municipalities have the luxury of being able to do it all at one site.

We ask on our website that absentees get their ballot to the city hall no later than 5pm as we have an abundance of staff who can accept it, log it, and get it ready for delivery. After 5pm, we ask that the voters who can - vote on site. The instructions, included in the absentee mailing, is a statewide generic form. Although it is worded oddly, still has the idea that you must get it to the Clerk's Office with enough time for us to deliver it to the site.

Our goal is to get resident's vote counted while following all applicable laws. Although it was not how you wanted to proceed, your vote was counted.

If you wish to continue to be an absentee voter, meaning you cannot make it to the polls on election day (WI SS 6.85), I encourage you to:

1. Mail it back if there is time.
2. Bring it to the Clerk's Office if there is not enough time. Preferably before Election Day. At the Clerk's Office on Election Day until 5:00pm.

3. Or vote on Election Day at the polling location.

Furthermore, if you wish to get a better idea of what we are and are not able to do for elections, I encourage you to sign up to be a poll worker. You will learn how the process is administered and why we have certain rules we have to follow. If you want to sign up, please visit our Poll Worker Information page on our website.

Thank you,

MICHELLE LUEDTKE

Brookfield City Clerk
2000 North Calhoun Road
Brookfield, WI 53005-5095
262-787-3550
luedtke@ci.brookfield.wi.us
2020 Census Population: 41,121

The City of Brookfield is subject to Wisconsin Statutes related to public records. Unless otherwise exempted from the public records law, senders and receivers of City e-mail should presume that the e-mails are subject to release upon request and are subject to state record retention requirements. If you are not an intended recipient of this e-mail, please notify the sender immediately.



Andrew Yunker <yunker88@gmail.com>

Feb 22, 2024,
6:23 PM (5 days
ago)

to Cityclerk

Wisconsin State Statute 6.87(6) goes on further to state: "if the municipal clerk receives an absentee ballot on election day, the clerk shall secure the ballot and cause the ballot to be delivered to the polling place serving the elector's residence before 8 p.m."

Help me understand how you interpret that as not having to secure me and my wife's ballots that I was giving to you on election day?



Cityclerk Mailbox

Feb 23, 2024,
8:21 AM (4 days
ago)

to me

Hi Andrew,

I have explained why in my previous email. We have many sites, do not have the luxury that smaller communities have, and have to enter it into the state system so people do not vote twice. The polling places are not listed as alternate sites where the clerk will accept absentees. I can only be in one place. We have designated that one place as City Hall.

Just because I was at the site the same time you are does not mean I have access to the secure state system. We have computers with special securities added on where we enter voter information.

As you were physically at the site, you did not meet the definition of an absentee voter. This is why we asked you to vote while you were there. And you did.

Again, if you want to know the process, I encourage you to become a poll worker so you can get the entire picture.



ReplyForward

Add reaction

Today, February 27, 2024, I went to the city clerk's office and asked who Jim was that tore up my wife's absentee ballot. Michelle informed me they were a poll worker and that he didn't rip up the ballot, rather he spoiled the absent ballot on purpose to allow her to vote in-person.

Additionally, the City of Brookfield's website

Election Official Abuse or Violation of Wisconsin State Statute 6.87(6)
[https://docs.legis.wisconsin.gov/document/statutes/6.87\(6\)](https://docs.legis.wisconsin.gov/document/statutes/6.87(6))

The ballot shall be returned so it is delivered to the polling place no later than 8 p.m. on election day. Except in municipalities where absentee ballots are canvassed under s. 7.52, if the municipal clerk receives an absentee ballot on election day, the clerk shall secure the ballot and cause the ballot to be delivered to the polling place serving the elector's residence before 8 p.m. Any ballot not mailed or delivered as provided in this subsection may not be counted.

The municipal clerk had our ballots in her hands, on election day, at the polling place, over an hour before 8 PM. It looks like they violated wi ss 6.87(6).

Brookfield is not a canvassed absentee ballot municipality. Brookfield municipal code Title 2 ELECTED OFFICIALS, ADMINISTRATION AND PERSONNEL, Chapter 2.16 ELECTIONS, Section 2.16.060 says the central count ordinance has been repealed. ORDINANCE # 2591- 20 OF THE CITY OF BROOKFIELD, WISCONSIN of the Brookfield Municipal Code providing for the Canvassing of Absentee Ballots for all Elections in the City of Brookfield by the Municipal Board of Absentee Ballot Canvassers commonly referred to as Central Count, was repealed in ORDINANCE # 2791- 22 OF THE CITY OF BROOKFIELD, WISCONSIN Repeal Section 2.16.060 of the Brookfield Municipal Code

Providing for the Canvassing of Absentee Ballots for all Elections in the City of Brookfield by the Municipal Board of Absentee Ballot Canvassers commonly referred to as Central Count.

See attached Supporting Documents:

1. Email Correspondence with Brookfield Clerk
 - a. City clerk acknowledged we communicated on election day at the polling location
2. Andrew Yunker's Google Maps Trip History on February 20, 2024
 - a. Shows rough timeline and location data of me driving around trying to vote for my alder person between 5-7 PM near Brookfield polling location
3. Uniform Instructions for Wisconsin Absentee Voters
4. Brookfield ordinance repealing central count aka absentee canvassing
5. Are our in-person voted ballots somewhere in a box with a different ballot # than the absentee ballots we were issued. And our absentee ballots are supposed to be secured in some sort of "rejected, vote not counted" receptacle? This could support fact that they did not accept our absentee ballots and made us vote in-person.
6. My voting activity from My Vote Wisconsin shows I voted at the polls and requested an absentee ballot on February 9th, 2024, consistent with the facts I have provided about being asked to forfeit our absent ballots and vote in-person. I was told my absentee ballot that I returned would be marked as not returned. I cannot yet see my absentee ballot return status yet, sounds like it takes up to 30-days after election for those updates. I bet it will say not received.
7. The city of Brookfield's website obtains conflicting information about time deadlines to return absentee ballots. [Absentee Voting | Brookfield, WI - Official Website](#)

Election Official Abuse or Violation of Wisconsin State Statute 6.86(6)

[https://docs.legis.wisconsin.gov/document/statutes/6.86\(6\)](https://docs.legis.wisconsin.gov/document/statutes/6.86(6))

Except as authorized in sub. (5) and s. 6.87 (9), if an elector mails or personally delivers an absentee ballot to the municipal clerk, the municipal clerk shall not return the ballot to the elector. An elector who mails or personally delivers an absentee ballot to the municipal clerk at an election is not permitted to vote in person at the same election on election day.

I delivered my absentee ballot personally to the municipal clerk who immediately returned the ballot to me the elector. For me to vote, I then had to return my absentee ballot to the clerk who would only allow me to vote in-person in the same election as the absentee ballot I gave them! I was informed my ballot would be documented as not returned, even though I returned it they just didn't accept it.

Election Official Abuse or Violation of Wisconsin State Statute 6.88(1), 6.88(2),

6.88 Voting and recording the absentee ballot.

(1) When an absentee ballot arrives at the office of the municipal clerk, or at an alternate site under s. 6.855, if applicable, the clerk shall enclose it, unopened, in a carrier envelope which shall be securely sealed and endorsed with the name and official title of the clerk, and the words "This envelope contains the ballot of an absent elector and must be opened in the same room where votes are being cast at the polls during polling hours on election day or, in municipalities where absentee ballots are canvassed under s. 7.52, stats., at a meeting of the municipal board of absentee ballot canvassers under s. 7.52, stats." If the elector is a military elector, as defined in s. 6.34 (1), or an overseas elector, regardless of whether the elector qualifies as a resident of this state under s. 6.10, and the ballot was received by the elector by facsimile transmission or electronic mail and is accompanied by a separate certificate, the clerk shall enclose the ballot in a certificate envelope and securely append the completed certificate to the outside of the envelope before enclosing the ballot in the carrier envelope. The clerk shall keep the ballot in the clerk's office or at the alternate site, if applicable until delivered, as required in sub. (2).

(2) When an absentee ballot is received by the municipal clerk prior to the delivery of the official ballots to the election officials of the ward in which the elector resides or, where absentee ballots are canvassed under s. 7.52, to the municipal board of absentee ballot canvassers, the municipal clerk shall seal the ballot envelope in the carrier envelope as provided under sub. (1), and shall enclose the envelope in a package and deliver the package to the election inspectors of the proper ward or election district or, in municipalities where absentee ballots are canvassed under s. 7.52, to the municipal board of absentee ballot canvassers when it convenes under s. 7.52 (1). When the official ballots for the ward or election district have been delivered to the election inspectors before the receipt of an absentee ballot, the clerk shall immediately enclose the envelope containing the absentee ballot in a carrier envelope as provided under sub. (1) and deliver it in person to the proper election officials.

Upon delivery of me and my wife's absentee ballots in-person to the clerk, the clerk did not secure our absentee ballots or deliver them to the proper election officials. Instead, our absentee ballots were confiscated, and we were required to vote in-person. Our absentee ballots were not delivered to the proper election officials. My wife's ballot was ripped up in front of her, which was rude and looks like violation of WI SS 6.88 (1) and (2).

Election Official Abuse or Violation of Wisconsin State Statute 6.88(3)(b)

[https://docs.legis.wisconsin.gov/document/statutes/6.88\(3\)\(b\)](https://docs.legis.wisconsin.gov/document/statutes/6.88(3)(b))

When the inspectors find that a certification is insufficient, that the applicant is not a qualified elector in the ward or election district, that the ballot envelope is open or has been opened and resealed, that the ballot envelope contains more than one ballot of any one kind or, except in municipalities where absentee ballots are canvassed under s. 7.52, that the certificate of a military or overseas elector who received an absentee ballot by facsimile transmission or electronic mail is missing, or if proof is submitted to the inspectors that an elector voting an absentee ballot has since died, the inspectors shall not count the ballot.

The inspectors shall endorse every ballot not counted on the back, "rejected (giving the reason)". The inspectors shall reinsert each rejected ballot into the certificate envelope in which it was delivered and enclose the certificate envelopes and ballots, and securely seal the ballots and envelopes in an envelope marked for rejected absentee ballots. The inspectors shall endorse the envelope, "rejected ballots" with a statement of the ward or election district and date of the election, signed by the chief inspector and one of the inspectors representing each of the 2 major political parties and returned to the municipal clerk in the same manner as official ballots voted at the election.

My wife's absentee ballot was ripped up in front of her, so I doubt it made it into the collection of rejected ballots. I didn't see what happened to my absentee ballot after it was confiscated from me. I doubt it made it in the collection of rejected ballots but if it did, I want to see what the rejection reason was.

Election Official Abuse or Violation of Wisconsin State Statute 6.85.

<https://docs.legis.wisconsin.gov/document/statutes/6.85>

6.85 Absent elector; definition.

- (1) An absent elector is any otherwise qualified elector who for any reason is unable or unwilling to appear at the polling place in his or her ward or election district.
- (2) Any otherwise qualified elector who changes residence within this state by moving to a different ward or municipality later than 28 days prior to an election may vote an absentee ballot in the ward or municipality where he or she was qualified to vote before moving.
- (3) An elector qualifying under this section may vote by absentee ballot under ss. 6.86 to 6.89.

History: 1971 c. 304 s. 29 (2); 1975 c. 85, 199; 1977 c. 394; 1979 c. 232; 1983 a. 484; 1999 a. 182; 2011 a. 23.

Discussing voter residency and absentee voting, 60 Atty. Gen. 214

Michelle asked me why we were voting absentee if I was able to make it to the poll. I didn't answer because I don't think that is any of their business. Michelle told me in-person on election day that absentee voting is only for people who couldn't make it to the polls. Michelle continues to incorrectly interpret the definition of an absentee voter when I asked for clarification via email between February 21, 2024, and February 23, 2024. Michelle completely ignores the fact that absentee voting is also for people unwilling to appear at the polling place. Honestly after this experience I am unwilling to appear at my polling place.

Election Official Abuse or Violation of Wisconsin State Statute 6.20

<https://docs.legis.wisconsin.gov/document/statutes/6.20>

6.20 Absent electors. Any qualified elector of this state who registers may vote by absentee ballot under ss. 6.84 to 6.89.

Michelle refuses to acknowledge that an absent elector is more than someone who can't make it to the polls. Michelle insists absent voting is only allowed for people that cannot make it to the polls, even after asking for clarification multiple times in email.

Election Official Abuse or Violation of Wisconsin State Statute 12.13(3)(c)

[https://docs.legis.wisconsin.gov/document/statutes/12.13\(3\)\(c\)](https://docs.legis.wisconsin.gov/document/statutes/12.13(3)(c))

(3) Prohibited Acts. No person may:

(c) Willfully or negligently fail to deliver, after having undertaken to do so, official ballots prepared for an election to the proper person, or prevent their delivery within the required time, or destroy or conceal the ballots.

My wife's absentee ballot was destroyed by a poll worker named Jim, he ripped it up in front of her after being rude and condescending. My absentee ballot was confiscated and concealed. We were both informed our absentee ballots would be, in a way concealed, marked as "not returned" although they were received by election officials, destroyed, and/or concealed as being "not returned".

Voting difficulties


5 messages

Andrew Yunker <yunker88@gmail.com>

Wed, Feb 21, 2024 at 5:35 PM

To: "schulz@ci.brookfield.wi.us" <schulz@ci.brookfield.wi.us>

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Screenshot_20240221_173309_Chrome.jpg
305K

Andrew Yunker <yunker88@gmail.com>

Wed, Feb 21, 2024 at 5:42 PM

To: cityclerk@ci.brookfield.wi.us

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Date: Wed, Feb 21, 2024, 5:35 PM

Subject: Voting difficulties

To: schulz@ci.brookfield.wi.us <schulz@ci.brookfield.wi.us>

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Screenshot_20240221_173309_Chrome.jpg
305K

Cityclerk Mailbox <cityclerk@ci.brookfield.wi.us>
To: Andrew Yunker <yunker88@gmail.com>

Thu, Feb 22, 2024 at 9:51 AM

Hi Andrew,

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Furthermore, if you wish to get a better idea of what we are and are not able to do for elections, I encourage you to sign up to be a poll worker. You will learn how the process is administered and why we have certain rules we have to follow. If you want to sign up, please visit our Poll Worker Information page on our website.

Thank you,

Michelle Luedtke

Brookfield City Clerk

2000 North Calhoun Road

Brookfield, WI 53005-5095

262-787-3550

luedtke@ci.brookfield.wi.us

2020 Census Population: 41,121

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From: Andrew Yunker <yunker88@gmail.com>
Sent: Wednesday, February 21, 2024 5:43 PM
To: Cityclerk Mailbox <cityclerk@ci.brookfield.wi.us>
Subject: Fwd: Voting difficulties

Why do our absentee ballots have to be dropped off at the city clerks office by 5 pm on election day but I can't drop it off in person at the polling place before 8pm?

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Andrew Yunker <yunker88@gmail.com>
To: Cityclerk Mailbox <cityclerk@ci.brookfield.wi.us>

Thu, Feb 22, 2024 at 6:23 PM

Wisconsin State Statute 6.87(6) goes on further to state: "if the municipal clerk receives an absentee ballot on election day, the clerk shall secure the ballot and cause the ballot to be delivered to the polling place serving the elector's residence before 8 p.m."

Help me understand how you interpret that as not having to secure me and my wive's ballots that I was giving to you on election day?

On Thu, Feb 22, 2024, 9:52 AM Cityclerk Mailbox <cityclerk@ci.brookfield.wi.us> wrote:

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Cityclerk Mailbox <cityclerk@ci.brookfield.wi.us>
To: Andrew Yunker <yunker88@gmail.com>

Fri, Feb 23, 2024 at 8:21 AM

Hi Andrew,

I have explained why in my previous email. We have many sites, do not have the luxury that smaller communities have, and have to enter it into the state system so people do not vote twice. The polling places are not listed as alternate sites where the clerk will accept absentees. I can only be in one place. We have designated that one place as City Hall.

Just because I was at the site the same time you are does not mean I have access to the secure state system. We have computers with special securities added on where we enter voter information.

As you were physically at the site, you did not meet the definition of an absentee voter. This is why we asked you to vote while you were there. And you did.

Again, if you want to know the process, I encourage you to become a poll worker so you can get the entire picture.

Thank you,

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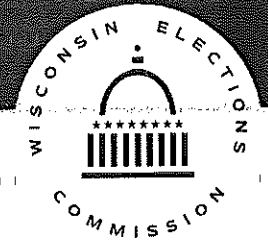
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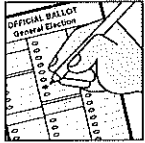
Uniform Instructions for Wisconsin Absentee Voters



STEP 1 Read and follow the instructions on your ballot.
Mistakes may prevent your votes from being counted.

STEP 2 You must vote your ballot in the presence of an adult witness:

- Mark your ballot in the presence of your witness.
- Your witness cannot tell you who or what to vote for and cannot see the choices you make on your ballot.



Who can be a witness?

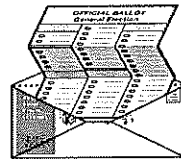
- A witness must be a U.S. Citizen who is at least 18 years old.
- For military or overseas voters, your witness must be at least 18 years old but is not required to be a U.S. Citizen.
- A witness can be a friend, spouse, family member, neighbor, etc.

Who cannot be a witness?

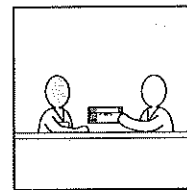
- A candidate on the ballot for this election.

If you're having trouble finding a witness or have questions about the witness requirement, please contact your municipal clerk.

STEP 3 Refold your voted ballot and place it inside of the return envelope.



STEP 4 Seal the envelope in the presence of your witness.



Make sure your envelope is completely sealed

STEP 5 Fill out the required sections of the absentee return envelope.

Required Elements

VOTER	Your voter information <i>(may already be complete)</i>
	Signature
WITNESS	Signature
	Printed Name
	Address

STEP 6 Return your ballot.

Unless you are a voter with a disability, you must personally return your own ballot and it must be received in time to be delivered to your polling place **no later than 8:00 p.m. on Election Day.**

- Mail it back. Allow at least **one week** for mail.
- Drop it off at your municipal clerk's office.
- Drop it off at your polling place or central count location.
- Voters with disabilities have the right to assistance in returning an absentee ballot. The voter's assistant can be anyone who is not the voter's employer, an agent of the employer, a representative of their labor union, or a candidate on the ballot.
- **Absentee ballots may not be returned by email or fax.**

Getting Assistance

If you need help reading or filling out your ballot or absentee return envelope, you may ask for assistance from anyone who is not your employer or a representative of your labor union. **Your assistant may also serve as your witness.** Explaining how to fill out your ballot or return envelope is not "assistance."

With your absentee return envelope

- If someone signs your absentee return envelope on your behalf, make sure they also sign in the *Certification of Assistant* section.
- Your assistant may also serve as your witness.

With your ballot

- Your assistant must sign in the *Certification of Assistant* section.
- Your assistant can read your ballot to you or fill out your ballot under your direction but cannot tell you how to vote.

Ballot Damage & Mistakes

If you make a mistake while marking your ballot or completing the return envelope, **please contact your municipal clerk.** They can also field questions about how to request a new ballot and return it if you make a mistake.

You can find their information below or by scanning the QR code.



Voter Photo ID

- If you have received your ballot, then a copy of your photo ID is already on file or you are exempt from the requirement. You do not need to provide another copy of photo ID unless instructed by your clerk.

myvote.wi.gov/en-us/My-Municipal-Clerk

If you have any questions, please contact your municipal clerk for assistance.

Municipal Clerk Contact Information

(Name of Municipal Clerk)

(Name of Municipality)

Phone:

Email:

Fax:

State Election Official Contact Information Wisconsin Elections Commission

Help Desk: (608) 261-2028

Email: elections@wi.gov



Check absentee ballot return status, find voter information, and more on MyVote.wi.gov

Uniform Instructions for Wisconsin Absentee Voters

EL-128 | Rev 08-2023 | Wisconsin Elections Commission, P.O. Box 7984, Madison, WI 53707-7984 |

(608) 261-2028 | elections.wi.gov | elections@wi.gov



MY VOTER INFORMATION

 Yunker, Andrew John

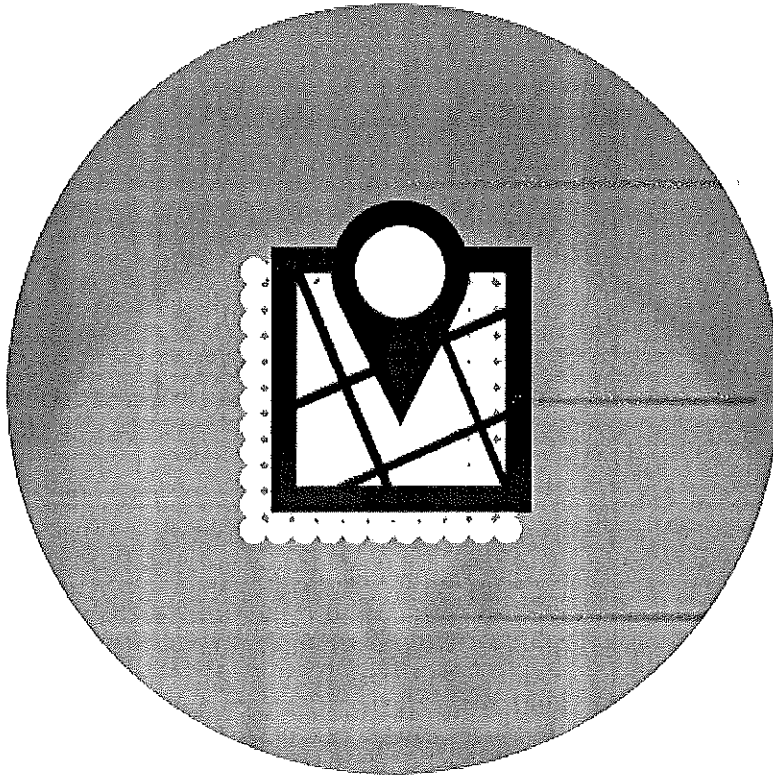
Status: You are Registered to Vote!

Current Address: 17830 W North Ave , Brookfield, WI 53045

MY NEXT ELECTION

**2024 Spring Election and
Presidential Preference Vote**

Tuesday, April 2, 2024



Polling Place:

Brookfield Public Safety Building, Voting Room: Court Room
2100 N Calhoun Rd, Brookfield, WI 53005

Hours:

7.00 AM - 8.00 PM

[More Information](#)

City Of Brookfield - Ward 14

**If you were issued a provisional ballot on Election Day,
please check your voting activity below to see more
information about your provisional ballot.**

MY ABSENTEE STATUS

Absentee request submitted Feb 9, 2024
Absentee request approved Feb 9, 2024
Preparing your absentee ballot Absentee ballot sent
Completed absentee ballot received.

Can't make it to the polls due to age, hospitalization or disability?
[Request an absentee ballot for all elections](#)

MY VOTING ACTIVITY

Feb 20, 2024 - 2024 Spring Primary

You voted in this election!

Voting Method: At Polls

Polling Place: Brookfield Public Safety Building, 2100 N
Calhoun Rd, Brookfield, WI 53005

Voting Municipality: City Of Brookfield - Waukesha
County

Apr 4, 2023 - 2023 Spring Election

Nov 8, 2022 - 2022 General Election

Nov 3, 2020 - 2020 General Election

Aug 11, 2020 - 2020 Partisan Primary

**Apr 7, 2020 - 2020 Spring Election and Presidential
Preference Vote**

Nov 6, 2018 - 2018 General Election

Aug 14, 2018 - 2018 Partisan Primary

Apr 3, 2018 - 2018 Spring Election

Nov 8, 2016 - 2016 General Election

Nov 4, 2014 - 2014 GENERAL ELECTION

Voting activity older than 10 years is available by request to the
Wisconsin Elections Commission. Please contact us at
elections@wi.gov.

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Bring It to the Ballot

ORDINANCE #2591-20 OF THE CITY OF BROOKFIELD, WISCONSIN

Committee: **Legislative & Licensing**
Committee Date: **January 21, 2020**
Committee Action: **Adopted 5-0**

Public Hearing: n/a
Council Date: **January 21, 2020**
Council Action: **Adopted 14-0**

Creating Section 2.16.060 of the Brookfield Municipal Code providing for the Canvassing of Absentee Ballots for all Elections in the City of Brookfield by the Municipal Board of Absentee Ballot Canvassers commonly referred to as Central Count.

The City of Brookfield Common Council do ordain as follows:

PART I. Section 2.16.060 is hereby created to read as follows:

Section:

2.16.60 Municipal Board of Absentee Canvassers (Central Count)

- A. Except as otherwise provided herein, the provisions of Wisconsin Statutes Sections 7.52 and 7.53(2m), as amended, relating to the canvassing of absentee ballots and board of absentee ballot canvassers, are hereby adopted by reference.
- B. The Common Council of the City of Brookfield hereby establishes the Municipal Board of Absentee Ballot Canvassers, pursuant to Wis. Stat. § 7.53(2m). The board and city clerk shall have the duties and authority to act as set forth in Wis. Stat. Sections 7.52 and 7.53(2m). The City Clerk may appoint additional inspectors under §7.30(2)(a), to assist the board in canvassing absentee ballots under this section.
- C. The Common Council of the City of Brookfield hereby provides for the canvassing of absentee ballots by the municipal board of absentee ballot canvassers in lieu of canvassing absentee ballots at polling places, pursuant to Wis. Stat. § 7.52(1)(a), for all elections held in the City of Brookfield.

PART II. All ordinances and parts of ordinances contravening the provisions of this ordinance are hereby repealed.

PART III. Severability. If any section or portion of this ordinance shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other

ORDINANCE #2591-20 OF THE CITY OF BROOKFIELD, WISCONSIN

provisions, sections, or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect.

PART IV. The provisions of this ordinance shall be in full force and effect from and after its passage and publication.

Adopted by the Common Council this 21st day of January, 2020.

Approved:



Mayor Steven V. Ponto

Attested:



Kelly Michaels, City Clerk

Publication Date: January 29, 2020

ORDINANCE #2791-22 OF THE CITY OF BROOKFIELD, WISCONSIN

Committee: Legislative and Licensing
Committee Date: March 15, 2022
Committee Recommendation: 5-0

Public Hearing: n/a
Council Date: April 5, 2022
Council Action: Adopted 14-0

Repeal Section 2.16.060 of the Brookfield Municipal Code Providing for the Canvassing of Absentee Ballots for all Elections in the City of Brookfield by the Municipal Board of Absentee Ballot Canvassers commonly referred to as Central Count.

The Common Council of the City of Brookfield do ordain as follows:

PART I. Section 2.16.060 of the City of Brookfield Municipal Code is hereby repealed.

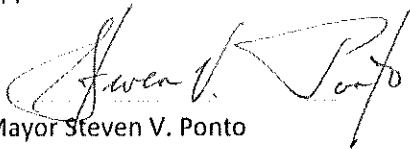
PART II. All ordinances and parts of ordinances contravening the provisions of this ordinance are hereby repealed.

PART III. If any section or portion of this ordinance shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections, or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect.

PART IV. The provisions of this ordinance shall be in full force and effect from and after its passage and publication.

Adopted this 5th day of April 2022.

Approved:



Mayor Steven V. Ponto

Attested:



City Clerk Michelle Luedtke

Publication Date: April 9, 2022

Chapter 2.16 ELECTIONS

Sections:

- 2.16.010 Aldermanic districts.**
- 2.16.020 Spring primary.**
- 2.16.030 Polling places.**
- 2.16.040 Appointment of alternative election officials.**
- 2.16.050 Election day campaigning restricted.**
- 2.16.060 Repealed.**

2.16.010 Aldermanic districts.

A. Designated. Pursuant to Section 62.08, Wisconsin Statutes, the boundaries of the city's seven aldermanic districts shall be as shown on a map designated as the aldermanic district map of the city as adopted by ordinance. Such map shall be kept in the office of the city clerk. (Ord. 2131-08 § 1 (part), 2008)

2.16.020 Spring primary.

Whenever three or more candidates file nomination papers for an elective city office, a primary election shall be held for the nomination of candidates for such office. (Ord. 2131-08 § 1 (part), 2008)

2.16.030 Polling places.

The polling place for each aldermanic district shall be as follows:

1. First Aldermanic District

Wards 1, 2 and 3

Brookfield East High School

3305 Lilly Road

2. Second Aldermanic District

Wards 4, 5, 6, and 22

Brookfield Central High School

16900 Gebhardt Road

3. Third Aldermanic District

Wards 7, 8, and 9

Brookfield Central High School

16900 Gebhardt Road

4. Fourth Aldermanic District

Wards 10, 11, and 12

Sharon Lynne Wilson Center for the Arts

3270 Mitchell Park Drive

5. Fifth Aldermanic District

Wards 13, 14, and 15

Public Safety Building

2100 N. Calhoun Road

6. Sixth Aldermanic District

Wards 16, 17, and 18

Brookfield Conference Center

325 S. Moorland Road

7. Seventh Aldermanic District

Wards 19, 20 and 21

Brookfield Conference Center

325 S. Moorland Road

(Ord. 2846-23 § 1, 2023; Ord. 2824-22 §§ 1, 2, 2022; Ord. 2807-22 § 3, 2022; Ord. 2021-101921 § 3, 2021; Ord. 2021-060114 § 1, 2021; Ord. 2731-20 § 1, 2020; Ord. 2483-17 § 1, 2017; Ord. 2339-13 § 1, 2013; Ord. 2262-11 § 3, 2011)

2.16.040 Appointment of alternative election officials.

The city clerk shall have the discretion to hire election officials to work less than a full day on the day of the election. (Ord. 2131-08 § 1 (part), 2008)

2.16.050 Election day campaigning restricted.

A. No election official may engage in electioneering on election day.

B. No person may engage in electioneering during polling hours on election day within one hundred (100) feet of an entrance to a building containing a polling place.

C. The city clerk, election inspector or law enforcement officer of the city may remove signs or posters or other advertising which is placed in violation of this section.

D. For purposes of this section, "electioneering" means any activity which is intended to influence voting at an election, but shall not include the placement of signs or posters or other advertising on private real estate/property. (Ord. 2131-08 § 1 (part), 2008)

2.16.060 Municipal board of absentee canvassers (central count).

Repealed by Ord. 2791-22. (Ord. 2591-20 § 1, 2020)

ABSENTEE VOTING

In-Person Absentee Ballots a/k/a EARLY VOTING:

Location/Hours for In-Person Absentee Voting are listed below:

Location: City Hall Clerk's Office, 2000 N Calhoun Road
Brookfield WI 53005

Dates: Begins Tuesday, February 6th, 2024, and Ends:
Friday, February 16th, 2024

Hours: 8:00 am., to 5:00 pm., (Weekdays, Monday-
Friday)

For 2024 - we will ask for poll workers to volunteer for extended hours during in-person voting to offer voting until 8:00PM. Those hours will be listed here when confirmed.

By Mail Absentee Ballots:

[Request an Absentee Ballot ONLINE](#)

[OVERSEAS AND MILITARY ABSENTEE VOTING](#)

REQUESTS FOR ABSENTEE BALLOTS: You must make the request for an absentee ballot in writing. You may do this online, via email, or by mailing us a letter. Acceptable Photo ID is required for voting absentee both by mail and in-person. Absentee voting can be done in-person or by mail ballot as indicated in the Option for Voting materials. Once ballot stock has been received in our office from the printers, we are able to get them in the mail to you within 1 business day of your request.

RETURNING YOUR MAIL BALLOT:

YOU MUST RETURN YOUR BALLOT IN PERSON OR BY USPS MAIL. Any ballots not at the polling location by 8:00 PM on Election Day will not be counted.

- **USPS Mail Return:** The ballot must be received back by no later than Election Day in order to count. The Postal Service advises at least 5 days for local delivery and one month or more for overseas delivery.
- **Personal Delivery Return:**
 - **Before Election Day** - You may personally deliver your ballot to the Clerk's Office at City Hall at 2000 North Calhoun Road, Brookfield WI 53005 Monday to Friday from 8:00 am - 5:00 pm.
 - **On Election Day**, you may vote in person at your polling location. If you want to return your absentee, you may return your absentee ballot to the Clerk's Office.
 - Keep in mind the Clerk must have enough time to get your ballot over to the polling site - Wis Stat 6.87(6). We recommend dropping it off BEFORE 5:00 PM to make sure your vote counts.

CAN I USE A BALLOT DROP BOX?

No. Any ballots returned in the drop box will be mailed back to the voter.

TRACKING YOUR MAIL BALLOT:

You can track the status of your absentee ballot from the request to delivery and also when it has been received back by the City, on the [MyVote Wisconsin website](#) under the MyVoterInfo tab. Once you return an absentee ballot, you may **NOT** vote at your polling location. If you have questions concerning your absentee ballot, please contact the City Clerk's Office at (262) 782-9650

MAIL BALLOT ENVELOPES ARE INSPECTED BY ELECTION INSPECTORS FOR THE FOLLOWING:

- **Voter Signature Required:** Sign the certificate envelope where it indicates Voter Signature. Don't forget to enclose the ballot.
- **Witness Signature Required:** Any qualified elector (18 years or older, US Citizen, Not a felon) can sign as your witness including spouses, siblings, adult children, neighbors, or friends. If you don't have a witness to sign, we encourage you to vote in-person absentee.
- **Witness Address Required:** Even if the address is the same as yours, you must include the witness's address. This means the number, street name, city, state, and zip code.
- **Evidence of Tampering: DON'T TAPE YOUR ENVELOPE!** Election Inspectors will view that as evidence that your envelope was opened and resealed as a tampering event and will reject your ballot. Please use a damp cloth or envelope sealant to seal your ballot envelope.



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