



# Wisconsin Elections Commission

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September 10, 2024

Scott Harbridge  
2209 N Senesac Road  
Radisson, WI 54867

**Sent via email:** [harbridgeforassembly@protonmail.com](mailto:harbridgeforassembly@protonmail.com)

**Re:** Complaint Filed with Wisconsin Elections Commission  
Scott Harbridge v. Wisconsin Elections Commission and Kaci Jo Lundgren

Dear Mr. Harbridge,

I am in receipt of the complaint filed with the Wisconsin Elections Commission (“the Commission”), received on August 27, 2024, against the Wisconsin Elections Commission and Clerk Kaci Jo Lundgren (Douglas County). The administrative rules governing the Commission’s processing of complaints require that I review the complaint and determine within 10 business days whether the complaint is timely, is sufficient as to form, and states probable cause. Wis. Admin. Code EL § 20.04(1).

While I find your complaint states allegations that could lead to a finding of probable cause, I also find that your complaint is not sufficient to form and is not timely. Therefore, I am returning the complaint to you without prejudice pursuant to Wis. Stat. § 5.06 and Wis. Admin. Code § EL 20.04(1) and (2).

Your complaint is not timely because Wis. Stat. § 5.06 complaints pertaining to ballot preparation must be filed no later than 10 days after you knew or should have known that a violation of law or abuse of discretion occurred. Wis. Stat. § 5.06(3). Even if you first discovered the error in ballot preparation in Douglas County on election day on August 13, 2024, it has now been more than 10 days since that occurred. You would have needed to file your complaint by August 23, 2024 for it to be considered timely.

Your complaint is not sufficient as to form because you do not appear to be an elector served by Clerk Kaci Jo Lundgren’s jurisdiction. Wis. Stat. § 5.06(1). The address you provided in Radisson, WI is located in Sawyer County, and neither Radisson nor Sawyer County are located within Douglas County.

Finally, the Commission cannot accept your complaint to the extent that it names the Wisconsin Elections Commission as a respondent. It is the position of the Commission that a complaint against the Commission, against Commissioners in their official capacities, or against Commission staff, including the Administrator, warrants an ethical recusal by the body. The Commission’s position reflects the need to avoid conflicts associated with an adjudicative body deciding a matter brought against itself, similar to the provisions of law and ethics precluding a judge from presiding over a case filed against herself, or someone with personal or professional ties to her.

*Wisconsin Elections Commissioners*

Ann S. Jacobs, chair | Marge Bostelmann | Don M. Millis | Carrie Riepl | Robert Spindell | Mark L. Thomsen

Administrator  
Meagan Wolfe

Additionally, the lead opinion of the Wisconsin Supreme Court in *Teigen et al v. Wisconsin Elections Commission et al*, stated that “it would be nonsensical to have WEC adjudicate a claim against itself under § 5.06(1).” 2022 WI 64, 33, 403 Wis. 2d 607, 976 N.W.2d 519, overruled in part on other grounds by *Priorities USA v. Wis. Elections Comm’n*, 2024 WI 32. Justice Hagedorn’s concurrence further stated that “the better reading is that the § 5.06 complaint process does not apply to complaints against acts of WEC as a body.” Id. ¶169.

I am returning the complaint, without prejudice, pursuant to Wis. Admin. Code § EL 20.04(2), as it is not timely sufficient as to form. I have specified the defects in the complaint (form). The timeliness of the complaint cannot be cured to the extent that the complaint raises allegations of ballot preparation.

Accordingly, the Commission now considers this complaint to be disposed of pursuant to Wis. Stat. § 5.06(2).

Please feel free to contact me if you have any additional questions regarding this complaint.

Sincerely,

A handwritten signature in black ink that reads "Meagan L.M. Wolfe". The signature is written in a cursive, flowing style.

Meagan Wolfe  
Administrator

**WISCONSIN ELECTIONS COMMISSION**

Cc: Commission Members