



Wisconsin Elections Commission

201 West Washington Avenue | Second Floor | P.O. Box 7984 | Madison, WI 53707-7984
(608) 266-8005 | elections@wi.gov | elections.wi.gov

August 16, 2024

David Strange
1437 N. Jefferson Street
Unit 308
Milwaukee, WI 53202

Sent via email: dhollander@staffordlaw.com; dpoland@staffordlaw.com; sgoettsche@staffordlaw.com; cgerads@staffordlaw.com; rledonne@staffordlaw.com

Re: Complaint Filed with Wisconsin Elections Commission
David Strange v. Meagan Wolfe et al – EL 24-84

Dear Mr. Strange,

This communication is to inform you that the verified complaint you submitted which names the Wisconsin Elections Commission, the six Commissioners and the Commission Administrator as Respondents is being disposed of without consideration by the Commission. 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.

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.

Furthermore, it appears as if the complaint you submitted again identifies the Wisconsin Green Party as a Respondent. As the Commission explained in a letter to you on August 15, 2024, a political party does not meet the definition of an election official for the purposes of a complaint under Wis. Stat. § 5.06(1), and cannot properly be a Respondent to a § 5.06 complaint.

Accordingly, the Commission is disposing of this complaint without consideration under Wis. Stat. § 5.06(2).

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

Sincerely,

Wisconsin Elections Commissioners

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

Administrator
Meagan Wolfe

Angela Sharpe

Angela O'Brien Sharpe
Staff Attorney
angela.sharpe@wisconsin.gov

WISCONSIN ELECTIONS COMMISSION

Cc: Commission Members
Meagan Wolfe, Commission Administrator