

**BEFORE THE WISCONSIN ELECTIONS COMMISSION**

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DENISE WHITE,

Complainant,

Complaint No. EL 24-02

v.

Donna Ott (f/k/a Donna Cox),

Respondent.

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RESPONSE OF RESPONDENT DONNA OTT

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STATE OF WISCONSIN            )  
  ) SS.  
WASHINGTON COUNTY        )

DONNA OTT, being duly sworn on oath, deposes and states as follows:

1. My name is Donna Ott, however prior to my recent wedding, I was known as Donna Cox.
2. On August 21, 2023, I was appointed as the Village Clerk for the Village of Germantown.
3. Prior to my appointment in Germantown, I worked as a Deputy Clerk since 2015 in the Village of Richfield and the Town of Lisbon.
4. Having worked as a clerk during the COVID-19 pandemic, I was aware of the various guidance from the Elections Commission related to voters wishing to identify as indefinitely confined because of the pandemic.
5. I was also aware of the Election Commission’s Clerk Guidance dated May 10, 2021 (updated June 17, 2021) entitled *Indefinitely Confined Absentee Ballot Requests Clean-Up Process* (located at <https://elections.wi.gov/sites/default/files/documents/IndefinitelyConfinedClean-UpProceduresMemo%20UPDATED%20FINAL.pdf>) and the Guidance dated January 8, 2021 (updated June 17, 2021) entitled *Additional Indefinitely Confined Absentee Request Confirmation Processes Beyond that Required in Wis. Stat. § 6.86(2)(b)* (located at

[https://elections.wi.gov/sites/default/files/legacy/2021-06/Indefinitely%2520Confined%2520Cleanup%2520Clerk%2520Memo%25202021\\_UPDATED%2520FINAL.pdf](https://elections.wi.gov/sites/default/files/legacy/2021-06/Indefinitely%2520Confined%2520Cleanup%2520Clerk%2520Memo%25202021_UPDATED%2520FINAL.pdf)

6. Upon assuming the position of Germantown Village Clerk, I noted that there appeared to be an inordinately high number of voters identifying as indefinitely confined, and that it did not appear that my predecessor had utilized the optional clean-up procedure authorized in those two Guidance documents.

7. Accordingly, I decided that I would utilize that optional clean-up procedure and sent letters to all of the indefinitely confined voters in the Village's voter rolls asking them to confirm their status.

8. Unfortunately, in the letter sent to these voters, I mistakenly included a sentence that reads "If our office does not receive the form below by the deadline, your absentee application will be deactivated."

9. While I am not certain as to my reason for adding that language, I believe I may have mistakenly confused the optional clean-up process with the required 30-day verification process when a voter fails to return a ballot.

10. I know that I am unable to deactivate indefinitely confined registrations unless the voter expressly revokes the registration, fails to return a ballot and does not respond to the 30 day verification letter, or if I have other reliable information concerning the voter's status.

11. The Complainant in this case was not removed from the indefinitely confined list because she confirmed her status (see the exhibit attached to the complaint).


12. The only voters removed from the indefinitely confined list were those voters that responded with an express request to be removed. This was approximately 14% of the voters who were sent the letter.

13. No voter who failed to respond to my mailing has been, or will be, removed from the indefinitely confined list based on their failure to respond to the letter.

Dated this 22<sup>nd</sup> day of January, 2024.

  
Donna Ott

Subscribed and sworn to before me  
this 22<sup>nd</sup> day of January, 2024.

  
Kasie R. Miller  
Notary Public, State of Wisconsin  
My Commission: 05/03/25

