

BEFORE THE WISCONSIN ELECTIONS COMMISSION

DENISE WHITE,

Complainant,

vs.

Complaint No. EL 24-02

DONNA OTT,

Respondent.

REPLY OF COMPLAINANT DENISE WHITE

In reply to the Response, the undersigned states as follows:

Statement of Facts and Issues

Wisconsin election statutes allow voters to apply for status as “indefinitely confined” (IC) by virtue of age, illness, infirmity or disability. IC voters are entitled to receive absentee ballots without the need to reapply on a continuing basis. IC voters are entitled to automatically receive an absentee ballot for all future elections **until the voter** requests to no longer receive them, fails to return them, relocates or becomes deceased.

Wisconsin law provides that only the individual IC voter can determine whether they qualify for status as indefinitely confined.

Under Wisconsin statutes and Election Commission Guidelines, clerks are permitted to contact voters who appear on the IC voter list to request an update on the voter's IC status.

Under Wisconsin statutes and Election Commission Guidelines, an otherwise qualified IC voter may not be deactivated because of failure to respond to the clerk's request for an update on IC status

On Nov. 6, 2023, the Clerk for the Village of Germantown, WI, issued a letter to individuals appearing on the Village's IC list. **This letter informed voters that failure to respond to the clerk's request for updated IC status would result in deactivation of the voter's absentee application.**

The notice failed to provide any address to which the response was to be sent.

This action by the Germantown Clerk was without authority and contrary to the provisions of Wisconsin statutes and Election Commission guidelines.

Subsequent to receiving the clerk's Nov. 6, 2023 letter, I twice attempted to contact her via email to request clarification and an opportunity for comment. After a significant delay and my repeated attempt to communicate, the only response I received was a redundant email instruction to return the signed form. See email copies attached hereto.

On Nov. 22, 2023, I initiated a telephone conversation with Ms. Ott. During that conversation I was unable to get any information that addressed my repeated questions and concerns.

It is unknown how many individuals were sent notices by the clerk as described above.

It is unknown how many individuals receiving the clerk's notice did not respond to the request for updated status and, relying on the misinformation contained in that letter, wrongfully believe their IC status and absentee ballot has been deactivated.

Relief Requested:

1. It is imperative that the clerk's office for the Village of Germantown **immediately** send corrective letters to all individuals previously receiving the invalid notice. **Given that primary elections are set to take place in February 2024, time is of the essence.**

The Complainant proposes the following language be included in any corrective letter:

The letter you received from this office dated Nov. 6, 2023, seeking to update your status as an indefinitely confined voter contained **incorrect information.**

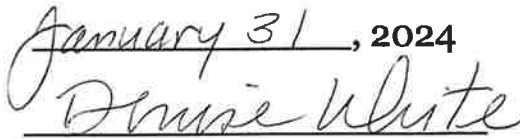
If you did not respond to the clerk's letter of request dated Nov. 6, 2023, that **failure to respond DOES NOT AFFECT** your continuing status as an indefinitely confined voter or your entitlement to receive absentee ballots.

You will continue to receive absentee ballots until you request to no longer receive them, you fail to return to your ballot, you relocate or you become deceased.

You can contact the clerk's office at the following address, email or telephone number.----- if you have any questions.

2. Any other and further remedial measures and/or sanctions the Elections Commission deems necessary and appropriate.

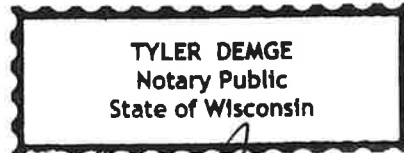
Respectfully submitted this January 31, 2024


Denise White
Denise White

Affirmation

I declare and affirm under penalty of perjury under the laws of Wisconsin that the above contained in my Reply in the matter of Complaint No. EL 24-02 is true and correct to the best of my knowledge and recollection.

Dated this January 31, 2024. Denise White
Denise White



[Handwritten Signature] 1/31/24
EXP 4/5/25

Introduction

The purpose of this report is to provide a comprehensive overview of the current state of the market for [Product/Service]. This report will analyze the market's growth, key players, and future prospects. It will also identify the challenges and opportunities facing the market and provide recommendations for stakeholders.

Executive Summary: [Product/Service] market is expected to grow at a CAGR of X% over the next five years. Key players include [Company A], [Company B], and [Company C].



Exhibit(1)

VILLAGE OF GERMANTOWN

November 6, 2023

Dear Denise White,

Our voter records reflect that you are currently signed up to participate in all future elections by absentee ballot. On a previous application for an absentee ballot request, you marked yourself as an *Indefinitely Confined* voter. Voters that mark themselves as being Indefinitely Confined are certifying that due to age, illness, infirmity, or disability that he or she are unable to go to the polls on election day and wish to participate in all future elections by absentee ballot.

Indefinitely Confined electors will automatically receive an absentee ballot for all future elections until the elector requests to no longer receive them, fails to return them, relocates, or becomes deceased.

Indefinitely Confined electors are not permitted to vote in-person at the polls on Election Day or early absentee vote at Village Hall or other designated location as this will cancel the Indefinitely Confined status.

In an effort to keep our voter records current and in preparation of the 2024 Election Cycle, please indicate your absentee voting status below by checking the correct box and return this form to our office **NO LATER** than **December 8, 2023**. If our office does not receive the form below by the deadline, your absentee application will be deactivated.

If you have moved out of our jurisdiction or to a new address in the Village of Germantown since your last application – you will need to re-register at the new address and re-submit your request for an absentee ballot.

If you have any questions regarding this notice, please feel free to contact me at (262) 250-4745 or email donna@germantownwi.gov.

Sincerely,

Donna Cox

Donna Cox
Municipal Clerk

Certification of Absentee Voting Status 0007105508

- Please remove my name from the Indefinitely Confined Voter List
- I certify that I am Indefinitely Confined due to age, illness, infirmity, or disability and wish to continue receiving absentee ballots for all future elections

Denise White
Signature of Absentee Elector
Denise White

11/12/23
Date

UNITED STATES

DEPARTMENT OF JUSTICE

Office of the Inspector General

Washington, D.C. 20535

Enclosed for the Inspector General are two copies of a report of the Special Agent in Charge, New York, dated and captioned as above. The report contains information regarding the activities of the New York Chapter of the American Friends Service Committee (AFSC) during the period from January 1, 1964, to December 31, 1964. The report also contains information regarding the activities of the AFSC during the period from January 1, 1965, to December 31, 1965. The report is being furnished to you for your information and for your use in the performance of your duties.

Sincerely,
Special Agent in Charge

Very truly yours,
Special Agent in Charge

Very truly yours,
Special Agent in Charge

UNITED STATES DEPARTMENT OF JUSTICE

OFFICE OF THE INSPECTOR GENERAL

Washington, D.C. 20535

100-100000-1000

100-100000-1000

Exhibits (2)

From: Denise White <dreamdancing@gmail.com>

Date: Mon, Nov 13, 2023 at 7:26 AM

To: <dcox@germantownwi.gov>

Dear Ms. Cox,

I received a letter from your office regarding my voting by absentee ballot.

The opening sentence states, "Our voter records reflect that you are currently signed up to participate in all future elections by absentee ballot."

It goes on to state, "Indefinitely Confined electors will automatically receive an absentee ballot for all future elections until the elector requests to no longer receive them, fails to return them, relocates, or becomes deceased."

I have not requested to no longer receive them, I have not failed to return them, I have not relocated, and I am not deceased.

Yet, I have received this letter saying if I do not check the correct box and return the form to your office by December 8, 2023, my absentee application will be deactivated.

There is no return envelope, and there is no return address on the letter. How and where should it be returned?

Please refer me to the applicable state statute or local ordinance pertaining to this matter, that explicitly requires this action to be taken, in order for me to continue voting by absentee ballot.

Thank you,
Denise White

From: Denise White <dreamdancing@gmail.com>

Date: Tue, Nov 28, 2023 at 12:45 PM

To: <dcox@germantownwi.gov>

Please respond. I originally sent this on Nov. 13. Thank you, Denise White

From: Donna Cox <dcox@germantownwi.gov>

Date: Wed, Nov 29, 2023 at 12:19 PM

To: Denise White <dreamdancing@gmail.com>

Hello Ms. White,

Please return your certification to the Village of Germantown Clerks Office at the address below:

N112W17001 Mequon Road
Germantown, WI 53022

Thank you,
Clerk's Office

