

STATE OF WISCONSIN  
BEFORE THE WISCONSIN ELECTIONS COMMISSION

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CHARLES HANNA,

Complainant,

Case No. EL 24-39

v.

CLAIRE WOODALL and  
MILWAUKEE ELECTION COMMISSION

Respondents.

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**COMPLAINANT’S REPLY**

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Claire Woodall (“Woodall”) and the Milwaukee Election Commission (“MEC”) respond to one allegation set forth in the verified complaint (*e.g.*, that Respondents failed to schedule Charles Hanna despite him being appointed and meeting all the statutory qualifications to be an election inspector at the April 2, 2024 election) by asserting that newly appointed election inspectors were required to complete an application and information sheet, and asserting that Hanna “apparently received . . . initial communications” from the Respondents. In particular, Respondents rely on a Woodall’s affidavit that asserts that “MEC staff” sent e-mails to Hanna on January 2, 16, 30; February 12; March 5, 18, and 25. (Woodall Aff. ¶¶ 3, 5). Respondents did not attach any of the purported e-mails they contend were sent to Hanna and did not indicate what e-mail address they used to send e-mail communications to Hanna.

Contrary to Respondents’ assertions, Hanna received no e-mail communication from Respondents and the only reason he was able to locate the online application is because another Republican Party official became aware of the online application and forwarded a link to Hanna.

(See Hanna Aff. ¶¶ 2-7). Moreover, Respondents offer no explanation concerning the huge disparity between, on one hand, the small fraction of Republican Party election inspectors who were scheduled to work the polls on April 2, 2024 in Milwaukee (approximately 49 scheduled out of about 200 who were appointed) and, on the other hand, a significantly larger number of Democratic Party and unaffiliated election inspectors who were scheduled to work the polls in Milwaukee on April 2, 2024 (approximately 200 Democratic Party election inspectors and over 1000 unaffiliated election inspectors who were scheduled). As such, and based on the submissions, it is clear that Respondents violated Wis. Stat. § 7.30 as further explained below.

**I. HANNA WAS NOT SCHEDULED TO WORK THE POLLS IN MILWAUKEE ON APRIL 2, 2024, DESPITE BEING PROPERLY APPOINTED AND OTHERWISE QUALIFIED, AND THERE IS NO EVIDENCE THAT RESPONDENTS ATTEMPTED TO SCHEDULE HIM.**

It is beyond dispute that, although appointed to be an election inspector in Milwaukee on December 20, 2023, Hanna was never scheduled to work at any polling location in Milwaukee on April 2, 2024. Respondents’ only explanation for their failure to schedule Hanna is to suggest that Respondents sent e-mails to Hanna—but Respondents fail to submit copies of any such e-mails, fail to describe what information was set forth in such e-mails, and fail to even identify what e-mail address they allegedly used to try and communicate with Hanna. In any event, Hanna received no such e-mails.

As a preliminary matter, Woodall’s affidavit does not indicate that she sent any of the purported e-mails to Hanna. Rather, she claims that other “staff” sent e-mails or that Hanna was contacted from an unidentified “online portal,” presumably operated through or by a third-party. From the face of her affidavit, it is clear that she does not have personal knowledge in relation to any e-mails allegedly sent to Hanna and, as a result, such assertions must be disregarded. *Gemini Cap. Grp., LLC v. Jones*, 2017 WI App 77, ¶ 22, 378 Wis. 2d 614, 627, 904 N.W.2d 131, 137

(“Affidavits ‘made by persons who do not have personal knowledge’ are insufficient . . . ‘and will be disregarded.’”)

In any event, it is clear that no such e-mails were ever sent to Hanna. Hanna has, again, reviewed his [crayskier@gmail.com](mailto:crayskier@gmail.com) e-mail address (which is his personal e-mail and the e-mail address that was provided to Respondents when Hanna was nominated) for any such e-mails and Hanna reaffirms that he did not receive any e-mails from Respondents concerning becoming, acting, or serving as an election inspector in Milwaukee. (Hanna Aff. ¶¶ 2-4). In particular, Hanna reviewed his inbox, spam folder, and deleted folder on each and every date Respondents allege to have sent him an e-mail. (*Id.* ¶ 4). If the Respondents did send e-mails that were intended to reach Hanna, it is unquestionably clear that such e-mails never made it to Hanna’s e-mail address. (*Id.* ¶ 5).<sup>1</sup>

Respondents also contend that Hanna completed MEC’s online application on January 30, 2024 and, as a result, Respondents apparently surmise that Hanna must have received either a January 2<sup>nd</sup> or January 16<sup>th</sup> e-mail from the Respondents. Again, it is important to reiterate that Respondents failed to produce copies of any the e-mails they purport to have sent to Hanna. Nonetheless, although Hanna did complete the online application, it was not the result of any e-mail sent by Respondents.

To the contrary, a representative of the Republican Party of Milwaukee County (“RPMC”), Sharon Foley, had e-mailed Hanna on January 30, 2024 at 9:54 a.m. notifying him (and others) after learning that Respondents required an online application to be completed prior to being able to work the polls. (Hanna Aff. ¶ 6, Ex. 1). In particular, the e-mail stated that “[i]f

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<sup>1</sup> Furthermore, to the extent that Respondents attempt to blame an online system, third-party software, or others for any failure to communicate, Respondents are ultimately responsible for their obligations under Wis. Stat. § 7.30, which would include confirming all communications with election inspectors of necessary information, steps, or conditions to being appointed and scheduled to work at a polling location.

you have not heard from the clerk, please use the link below and sign up ASAP” and then provided a link to: <https://milwaukeekeepwp.pollchief.com/worker-portal/application>. (*Id.* Ex. 1). The e-mail from Ms. Foley of the RPMC was the only e-mail that Hanna received related to completing an online application. (*Id.* ¶ 7).

Shortly after receiving the e-mail from Ms. Foley, Hanna completed the online application through the link that Ms. Foley provided. (*Id.* ¶ 8). Thereafter, Hanna responded back to Ms. Foley at 11:09 am on the same day that he “successfully applied on line.” (*Id.* ¶ 9). Hanna did not receive any follow-up e-mail from Respondents after he completed the online application. (*Id.* ¶ 10). Hanna did not receive any “Employee Information Sheet” from Respondents after he completed the online application. (*Id.* ¶ 11)

In summary, and despite Respondents’ vague suggestions to the contrary, Hanna did not receive any communication from Respondents related to being an election inspector in Milwaukee after he was appointed on December 20, 2023. The only e-mail he received related to completing an online application was from the RPMC and, once he completed the online application, he received absolutely no follow up from Respondents and was never scheduled to work the polls on April 2<sup>nd</sup> in Milwaukee. As such, whatever purported process Respondents are utilizing in relation to scheduling Hanna and other Republican Party election inspectors, it is clear that said process is preventing Hanna and other Republican Party election inspectors from actually being scheduled to work the polls. Moreover, Hanna had, and continues to have, a right to work the polls in Milwaukee before any unaffiliated election inspector pursuant to Wis. Stat. § 7.30(4)(c).<sup>2</sup>

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<sup>2</sup> Since Respondents have now provided the “Employee Information Sheet” to Hanna, and represented that if Hanna completes and returns the same he will not be precluded from “moving on to the training portion of the process and serving as an election inspector for the remainder of the 2024-25 term, if he successfully completes the training,” counsel for Hanna will be providing Hanna’s completed Employee Information Sheet to Respondents.

## II. RESPONDENTS FAILED TO RESPOND TO THE ADDITIONAL ALLEGATIONS, WHICH SHOULD BE DEEMED ADMITTED.

Respondents fail to respond to the allegations that they violated Wis. Stat. § 7.30 since they “have improperly added requirements, procedures, and/or other conditions to the appointment of election inspectors process that are . . . contrary to law” (Compl. ¶36); that they have “made it more difficult for Complainant Charles Hanna and Republican Party election inspectors to serve as election inspectors” in Milwaukee (*Id.* ¶ 38); that, despite the Republican Party nominating over 250 individuals, who were thereafter appointed, only 49 Republican Party appointees who were actually scheduled to work the polls, which is substantially less than the almost 200 Democratic Party election inspectors and over 1000 unaffiliated election inspectors who were scheduled to work the polls on April 2, 2024 (*Id.* ¶¶18-20, 25-26). Respondents failure to respond to the foregoing material allegations requires that such allegations be deemed admitted. Wis. Stat. § 802.02(4); *Kramer Heating & Mfg., Inc. v. United Bonding Ins. Co.*, 47 Wis. 2d 191, 195–96, 177 N.W.2d 119, 121–22 (1970) (“It is elementary law that allegations not denied may properly be accepted by the court as a verity.”)

Moreover, the information that Respondents did provide, in part, demonstrates that the process utilized by Respondents goes beyond the limited, statutory qualifications for election inspectors. For example, upon review of the online application (found at <https://milwaukeepwp.pollchief.com/worker-portal/application>), it indicates that only those who have “[n]ever been convicted of a felony and not otherwise disqualified from voting” are permitted to be an election inspector. Thereafter, all applicants required to answer “no” to the question: “Have you ever been convicted of a felony?” As such, it appears that Respondents process improperly prevents those who, although they may have been previously convicted of a felony, had their right to vote restored. Wis. Stat. § 6.03(1)(b). Additionally, the “Employee

Information Sheet” utilized by Respondents (*see* Woodall Aff. Ex. D) requiring appointees to provide social security numbers, date of birth, or other information not specifically required by Wis. Stat. § 7.30(2). As such, these additional qualifications that Respondents utilize are in violation of Wis. Stat. § 7.30.

In conclusion, Hanna affirmatively states that he did not receive any e-mail communications from Respondent related to the election inspector application, process, or related information. (Hanna Aff. ¶ 12). In particular, even if, *arguendo*, Woodall’s affidavit is admissible, none of the purported e-mails mentioned in Woodall’s affidavit were received by Hanna. It is clear from the submissions that Respondents have failed to properly appoint, schedule, and/or allow Hanna and other Republican Party appointees to serve as election inspectors in the City of Milwaukee during the April 2, 2024 election; that Respondents have made it more difficult for Hanna and Republican Party appointees to serve as election inspectors when compared to unaffiliated or Democratic Party election inspectors; and that Respondents improperly appointed and/or scheduled unaffiliated election inspectors to work at polling locations before allowing Hanna to work at a polling location in the City of Milwaukee on April 2, 2024. As such, Respondents violated Wis. Stat. § 7.30 and Hanna is entitled to the relief requested in his verified complaint.

Respectfully submitted this 11th day of June, 2024.

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*Electronically signed by Kurt A. Goehre*

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