



Wisconsin Elections Commission

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DATE: March 12, 2025

TO: Wisconsin Municipal Clerks
City of Milwaukee Election Commission
Wisconsin County Clerks
Milwaukee County Election Commission

FROM: Wisconsin Elections Commission

SUBJECT: Post-Election and Absentee Best Practices Reminders

Introduction

On March 7, 2025, the Wisconsin Elections Commission (“the Commission”) voted unanimously to direct staff to prepare a statewide Clerk Communication detailing best practices for handling, processing, and counting absentee ballots ahead of the April 1, 2025, Spring Election. This motion was passed as a result of the Commission’s investigation into the City of Madison relating to 193 absentee ballots that were not counted in the November 2024 General Election.

Clerks, election inspectors, boards of canvassers, and the Commission all bear the responsibility to ensure that every ballot that is lawfully received from every Wisconsin voter is properly counted and included in the final vote tally for every election.

The purpose of this guidance document is twofold: 1) to provide a comprehensive checklist for election officials and boards of canvassers to use ahead of April 1 to ensure that their current policies and procedures align with best practices; and 2) to provide a resource for election officials to use on Election Day before polls close, or after polls close during the canvass process, to ensure that every ballot that was lawfully returned is counted.

Purpose

This memorandum is intended as reminders to clerks about existing post-election and absentee procedures. All of the guidance in this document is currently reflected in WEC manuals.

Best Practices: Pre-Election Procedure

These best practices focus on steps clerks should take to ensure that their election inspectors are equipped to verify that all absentee ballots are received and accounted for from the clerk’s office.

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

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1. **Enter absentee ballots as Returned in WisVote as they arrive.** Marking absentee ballots as “returned” in WisVote immediately upon receipt is the best way to ensure that the clerk’s office has a complete record of the number of absentee ballots received before the polls open.
2. **Organize Ballot Carrier Seal Log electronically or by ward.** When seal numbers are generated and recorded for absentee carrier envelopes or courier bags, the best practice is to keep that log electronically so that seal numbers are easily searchable. Another best practice is to organize the seal numbers by ward so that a record exists of the number of absentee ballot vessels that exist for each ward or polling place.
3. **Provide each polling place with a Log of Absentee Ballot Carrier Bags or Envelopes.** Each polling place should be equipped with the total number of carrier bags, envelopes, or other transport vessels that are expected at that polling place. This is especially important for absentee ballots that are received by the clerk’s office ahead of Election Day. Couriers delivering absentee ballots on Election Day should have a chain of custody documents that detail the number of absentee ballot bags that are delivered to each polling place, and the number of ballots in each bag. This can be done by providing a polling place with the list of seal numbers for each vessel that will be transporting absentee ballots, or by labelling absentee ballot bunches as “1 of 10” or similar.
4. **Generate Number of Total Absentee Ballots Returned and share with polling places.** If ballots are marked as returned in WisVote as they are received, clerks can access real-time data of the number of returned absentee ballots at any time. The best practice is for clerks to generate this number at least twice: 1) once at the close of business the day before the election; and 2) **again** an hour before polls close on Election Day. Once this number has been generated, it should be shared with each polling place in the way that makes the most sense for each jurisdiction. It can be emailed, relayed by telephone, or printed and distributed to the polling places. The important thing is that Chief Inspectors and poll workers should be trained on where to find this number and how to use it to ensure that the total number of recorded absentee voters in the poll book matches the total number of absentee ballots received.
5. **Print poll books as close to Election Day as possible.** Printing the poll book as close as possible to Election Day will ensure that the poll book accurately reflects which voters were issued and returned an absentee ballot. An accurate poll book will help election inspectors better determine if there are returned absentee ballots that have not been processed.

Best Practices: Polling Place Procedure

These best practices focus on specific steps election inspectors should take to ensure that all absentee ballots have been located and counted, including end-of-night procedures to check the number of absentee ballots counted against the total number of absentee ballots received by the clerk.

6. **Review the Log of Absentee Ballot Carrier Bags or Envelopes.** A municipal clerk should provide the total number of absentee ballot carrier bags or envelopes that will be delivered to the polling place on Election Day. Election inspectors should ensure that all of the absentee ballot carrier bags or envelopes have been received by 8 p.m. on Election Day.
7. **Review the number of voters and the number of ballots cast throughout the day.** The WEC recommends comparing the first and last number on each page, as well as every third or fifth number to make sure they match. Reviewing the number of voters and the number of ballots cast throughout the day

can prevent differences in the number issued to voters and ensure that there are not unexplained differences in the total number of voters and the total number of ballots cast at the end of the night.

8. **Thoroughly document any incidents that occur on Election Day in the Inspectors' Statement.** The Inspectors' Statement is the official record of the events that occurred in the polling place on Election Day. This document is also referenced during the canvass. It is vital that the various boards of canvass be able to easily identify and understand any anomalies that may have occurred during the day. Please see the Election Day manual for more information about properly completing the Inspectors' Statement.

Best Practices: Post-Election Procedure

These best practices are focused on prioritizing the organization of election materials before the convening of the municipal canvass to ensure no uncounted absentee ballots were missed.

9. **Ensure all materials have been returned from the polling place and reviewed.** To canvass the election, the municipal clerk will need to ensure all materials have been returned to the clerk's possession. The clerk should ensure they have received all voted ballots in their sealed ballot bags, any provisional ballots in their sealed bag, the original tally sheets and voting equipment results tapes, the original Inspectors' Statement and any attachments, one original poll book, an absentee ballot log, and the provisional ballot reporting form if any provisional ballots have been issued. For a detailed checklist, please see the Election Day manual.
10. **Review all voting equipment ballot bins for any possible ballots.** Each piece of voting equipment should be thoroughly inspected to ensure that no ballots remain in either the ballot bin or any auxiliary bin.
11. **Route materials to the county clerk and school district clerk, if necessary.** Any non-municipal contests that are on the ballot will require a separate board of canvass to review the election returns and certify their contests. A detailed list of what types of documents need to be provided to a county clerk or a school district clerk can be found in the Election Day manual.

Best Practices: Reconciliation Procedure

These best practices are focused on the early entry of voter participation data after the election so that clerks can verify that the number of absentee ballots returned matches the total number of absentee ballots counted or properly rejected for all wards in their jurisdictions.

12. **Prioritize entering voter and absentee data after the election.** The municipal clerk or filing officer has responsibility for recording accurate election data in WisVote and the Election Voting and Registration Statistics Report (formerly EL-190F) per Wis. Stats. §§ 6.275, 6.276, and 6.33(5). After each election, municipal clerks are required to complete specific reconciliation procedures to ensure that election information in the statewide voter registration system is updated, as specified in Wis. Stats. §§ 6.33(5)(a)3. and 6.275. Clerks must record election data in the statewide election administration system (WisVote) within 30 days after an election in which a state or national office is filled or statewide referendum held, or within 45 days following a General Election. Wis. Stat. § 6.33(5)(a)3. If performed in a timely manner, reconciliation helps municipalities and the various boards of canvass identify errors or omissions in their election and voter data.

- 13. Review Inspectors' Statements to provide any information on differences between the number of voters and the number of ballots cast.** Any difference between the number of voters who were issued a voter number and the number of ballots that were cast on Election Day will require an explanation. The Inspectors' Statement should have information from the election inspectors determining the reason for the difference.

Best Practices: Canvass

These best practices focus on the types of data and documents clerks should prepare for their municipal boards of canvass so that the canvassers can double check to ensure nothing was missed. This section also includes guidance for county boards of canvass so they can serve as a further check to ensure that all forms of election data align.

- 14. Ensure that all required materials for each reporting unit in the municipality have been gathered.** To properly canvass your election, it is vital that the Municipal Board of Canvassers ("MBOC") and the County Board of Canvassers ("CBOC") have all of the necessary materials from Election Day. The MBOC will need the original tally sheets (EL-105), a copy of the voting equipment results tape if your municipality uses voting equipment to tabulate their results, the municipal ballots if your municipality does not use voting equipment to tabulate their results, the original Inspectors' Statement (EL-104) and any attachments, a statement from the Local Board of Canvassers ("LBOC") if there is more than one reporting unit or any provisional ballots were issued, one original poll list and one original supplemental poll list (EL-107), the Absentee Ballot Log (EL-124), and the Provisional Ballot Reporting Form (EL-123r). A checklist of these materials can be found in the Election Administration manual.
- 15. Review the poll book and ensure the number of voters is equal to the number of votes cast.** The MBOC and CBOC should review the poll book and determine the final voter number that was issued and compare that number with the total number of ballots that were cast. If there is a difference in the number of voters and the number of ballots cast, the MBOC and CBOC should review the Inspectors' Statement from that reporting unit to determine if there is an explanation for the difference. If the number of voters is slightly more than the number of ballots cast, this is not necessarily an issue as there could be voters who decided to not cast their ballot after being issued a voter number, but the canvassers should make an effort to validate that. However, if the discrepancy is large, every effort should be made to discover the reason for the discrepancy before the canvass continues.

If the number of ballots cast is more than the number of voters, the MBOC and CBOC should review the Inspectors' Statement to determine any explanation on the overage from the election inspectors. If the discrepancy cannot be explained, the MBOC should contact the chief inspector for that specific reporting unit to determine the reason for the discrepancy. If the discrepancy still cannot be reasonably determined after reviewing the Inspectors' Statement and discussing the overage with the chief inspector, the MBOC shall perform a draw down of ballots. If the overage is identified during the county canvass, the CBOC may send the results back to the MBOC for further review and action. Please see the Election Day Manual for information about performing a draw down.

- 16. Review Inspectors' Statements from all reporting units.** Confirm the tamper-evident serial numbers from the voting equipment have been recorded and initialed by the chief inspector. Review each Inspectors' Statement for any information that may describe any events that occurred during the election that could impact the total number of voters.

17. **Review the Total Absentee Ballots Returned report and compare against the Inspectors' Statement.** Every reporting unit should list the total number of absentee voters for each election. Members of the MBOC and CBOC should compare the total number of absentee voters against the total number of absentee ballots that were returned for that specific reporting unit. There may be discrepancies due to some returned absentee ballots that were rejected due to insufficient certificate envelopes. However, if there is a discrepancy, members of the MBOC or CBOC should review the Inspectors' Statement for information about the rejected absentee ballots and the overall number of rejected absentee ballots.
18. **Complete the Canvass Statement after all reporting units have been reviewed.** Once all reporting units have been reviewed, any discrepancies have been identified and resolved, and the tabulator statements have been updated, the MBOC must perform a final review of the tabulator statement, the summary statement, and finally the certification document. When the MBOC members are certain the results are correct as recorded and all eligible ballots have been counted, all members will sign the certification statement and certify the election results.

Best Practices: Response Planning

These best practices focus on how clerks should respond if they discover uncounted ballots after the close of polls. It provides information on how to contact boards of canvassers, as well as how to properly document the ballots in WisVote. It also provides the best practices for what clerks should do if unprocessed ballots are discovered after the Commission has certified the election.

19. **If needed, reconvene to correct any errors discovered after the canvass and prior to state certification.** If an error in the results of a contest is discovered after the MBOC has met, the MBOC can be reconvened to correct any error discovered prior to state certification. If the CBOC receives any returns that contain errors or discrepancies that cannot be canvassed, the CBOC can require the MBOC to reconvene and correct the discrepancy. Wis. Stat. §7.60(3).
20. **Contact your County Clerk and the County Board of Canvassers.** If an error in the municipal canvass occurs or uncounted ballots are discovered, the clerk should contact their county clerk in writing, alerting them of the situation and to provide the location and time the MBOC is reconvening. The municipal clerk should also coordinate with their county clerk to receive any materials that may have been provided to the CBOC in order to reconvene the MBOC.
21. **Contact the WEC and legal counsel immediately if any potential errors or uncounted ballots have been uncovered.** The WEC cannot canvass or certify an election until all counties have canvassed their election. If uncounted ballots have been discovered prior to state certification, there could still be time to reconvene the MBOC even if the CBOC has already been convened. The WEC will be able to assist in discussing possible timelines to reconvene prior to state certification. Legal counsel should also be consulted to ensure that they are aware of the situation and can advise on next steps.

Questions

Contact the WEC Help Desk at elections@wi.gov or 608-261-2028 if you have any questions.