

January 17, 2023

VIA EMAIL

elections@wi.gov

Wisconsin Elections Commission
P.O. Box 7984
Madison, WI 53707-7984

Re: Complaint of Gloria Smith Against City of Milwaukee Election Commission

Dear Wisconsin Elections Commission:

Enclosed for filing, please find the Complaint of Ms. Gloria Smith against the City of Milwaukee Election Commission, brought pursuant to Wis. Stat. § 5.06. Also enclosed is an Affidavit of Mailing, which certifies the mailing of this Complaint and enclosed documents to the City of Milwaukee Election Commission prior to this submission to the Wisconsin Election Commission. Wis. Admin. Code EL § 20.03(6).

Enclosed are the following documents:

- Complaint of Gloria Smith;
- Complainant's Memorandum in Support of Her Complaint Against the City of Milwaukee Board of Election Commissioners;
 - Exhibit A, Relevant Portions of MEC Agenda Packet;
 - Exhibit B, Unofficial Minutes of the 1/9/2023 Board of Milwaukee Election Commissioners;
 - Exhibit C, Affidavit of Melissa Zombor;
 - Exhibit D, *Milwaukee J. Sentinel* article, "Milwaukee School Board Candidate Initially Disqualified Over Signatures is Allowed Back in Race" and
- Affidavit of Service by Mail.

Please contact me with any questions or concerns. Thank you.

Sincerely,

PINES BACH LLP

A handwritten signature in black ink that reads "Eduardo E. Castro". The signature is written in a cursive style with a long horizontal flourish at the end.

Eduardo E. Castro

EEC:hkb
Enclosures

(Set forth in detail the facts that establish probable cause to believe that a violation has occurred. Be as specific as possible as it relates to dates, times, and individuals involved. Also provide the names of individuals who may have information related to the complaint. Use as many separate pages as needed and attach copies of any supporting documentation.)

Date: 1-17-23 Gloria J. Smith
Complainant's Signature

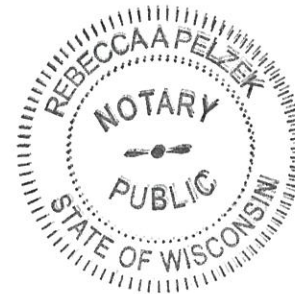
I, Gloria J. Smith, being first duly sworn, on oath, state that I personally read the above complaint, and that the above allegations are true based on my personal knowledge and, as to those stated on information and belief, I believe them to be true.

Gloria J. Smith
Complainant's Signature

STATE OF WISCONSIN

County of Milwaukee,
(county of notarization)

Sworn to before me this 17 day of
January 1, 2023.



Rebecca A. Pelzek
(Signature of person authorized to administer oaths)

My commission expires 10/31/24, or is permanent.

Notary Public or _____
(official title if not notary)

Please send this completed form to:

Mail: Wisconsin Elections Commission
P.O. Box 7984
Madison, WI 53707-7984

Fax: (608) 267-0500

Email: elections@wi.gov

In re the Complaint of
GLORIA SMITH,
Complainant,

v.
CITY OF MILWAUKEE ELECTION COMMISSION
Respondent.

**COMPLAINANT'S MEMORANDUM IN SUPPORT OF HER
COMPLAINT AGAINST THE CITY OF MILWAUKEE ELECTION COMMISSION**

Gloria Smith, by her undersigned counsel, submits this memorandum in support of her Complaint against the City of Milwaukee Election Commission pursuant to Wis. Stat. § 5.06.

Introduction

Gloria Smith is an elector of District 1 of the City of Milwaukee Board of School Directors ("District 1"). On January 9, 2023, the City of Milwaukee Election Commission ("MEC") voted to approve the placement of Shandowlyon Hendricks Reaves ("Hendricks Reaves") on the Spring 2023 Election Ballot for the election to the District 1 seat. It incorrectly determined that it could consider the 141 nominating signatures submitted by Hendricks Reaves above the maximum 800 signatures allowed by law to be filed (the "excess signatures"), considered those excess signatures, and determined only by counting some of the excess signatures that she had submitted at least the minimum 400 valid nominator signatures to qualify her for ballot placement.

This decision was unlawful for two reasons. First, MEC did not have authority to take any action pursuant to Wis. Admin. Code EL § 20.03. Second, the MEC violated

Wis. Stat. § 8.10(3)(i) and Wis. Admin. Code EL § 2.05(3) by accepting excess signatures to meet the minimum qualified nominators. Accordingly, Gloria Smith requests that the Wisconsin Elections Commission (“WEC”) direct MEC to correct its action inconsistent with the law by reversing its placement of Hendricks Reaves on the Spring 2023 ballot for the District 1 seat.

Factual Background

On January 3, 2023, Hendricks Reaves filed 103 pages of nomination papers containing 941 nominating signatures with MEC. (Exhibit A, Excerpts of MEC Agenda Packet (“Packet”) at 4, 6). MEC staff reviewed each nominating signature Hendricks Reaves submitted until it reached 800 signatures (*id.* at 6), the maximum number of signatures permitted by law to be filed for this race, to determine the facial sufficiency of the papers filed. Wis. Stat. § 8.10(3)(i); Wis. Admin. Code EL § 2.05(3). MEC staff determined that of those 800 signatories, only 362 were valid electors. (Packet at 6). The remaining 438 signatures reviewed were from individuals who reside outside of District 1. (*Id.*).

On January 6, 2023, Hendrick Reaves and Elijah Reaves (“Reaves”) each submitted an “Affidavit to Contest per Wisconsin Statute EL 20.03” to MEC. (*Id.* at 2-5). In their affidavits, Hendricks Reaves and Reaves argued that Wisconsin law did not permit MEC to stop counting after reaching the 800-signature limit. (*Id.*).

The affidavits were considered by MEC at its January 9, 2023 meeting (Packet at 1). At the meeting, MEC staff referred to a video created by WEC that referred to counting “supplemental signatures” beyond the maximum 800 allowed by law.

(Exhibit B, Unofficial Minutes of the 1/9/2023 MEC Meeting (the “Minutes” at 1); (Exhibit C, Aff. of Zombor, ¶ 5). Despite MEC staff and the City of Milwaukee City Attorney both advising that this video conflicted with state law, MEC staff recommended that MEC vote to place Hendricks Reaves on the ballot because of MEC’s “long history of following the standards set by WEC.” (Minutes at 1); *See also* (Exhibit D, Kelly Meyerhofer, “Milwaukee School Board Candidate Initially Disqualified Over Signatures is Allowed Back into Race,” *Milwaukee J. Sentinel*, at 1-2).

MEC voted unanimously to place Hendricks Reaves on the ballot. (Minutes at 2); (Aff. of Zombor, ¶ 7).

Legal Analysis

This complaint is filed pursuant to Wis. Stat. § 5.06(1), which allows an elector to challenge an action by an election official that is contrary to law. Upon such a finding, WEC may issue an order requiring an election official to conform their conduct to the law and require the official to correct any action or decision inconsistent with the law. Wis. Stat. § 5.06(6). Here, MEC committed two independent violations of law that should be corrected by WEC with an order to not place Hendricks Reaves on the ballot.

A. MEC erred in considering the “Affidavits to Contest.”

The “Affidavits to Contest” purport to challenge MEC staff’s decision to not review signatures 801 and above, and were brought pursuant to Wis. Admin. Code EL § 20.03 (erroneously referred to as a “State Statute”). Only WEC has jurisdiction to consider a complaint brought pursuant to EL § 20.03. For that reason alone, MEC had no jurisdiction to entertain the “Affidavits to Contest.”

Moreover, even if MEC were to construe the “Affidavits to Contest” as complaints pursuant to Wis. Admin. Code EL § 2.07(1), MEC had no authority to grant the relief requested in those Affidavits. EL § 2.07(1) allows MEC to review “any verified complaint concerning the sufficiency of nomination papers of a candidate for local office that is filed with the local filing officer.” *See also* Wis. Stat. § 8.10(6)(c) (identifying MEC as the local filing officer for this race). Under such a challenge, MEC is limited to determining the sufficiency of nomination papers under the standards in EL § 2.05. That rule limits the review of nomination papers and signatures to only those “up to the maximum number permitted.” EL § 2.05(3). State law sets the limit of 800 signatures. Wis. Stat. § 8.10(3)(i).

Hendricks Reaves and Reaves, by their “Affidavits of Contest,” sought relief that MEC has no authority to afford. It was the decision of MEC to not consider excess signatures, consistent with state law – not the sufficiency of the first 800 signatures filed that MEC did and could consider – that Hendricks Reaves and Reaves challenged. Therefore, because MEC did not have authority under EL § 2.07 to grant the relief requested in the “Affidavits of Contest,” WEC should reverse MEC’s decision.

B. MEC erred in considering the excess signatures.

Wisconsin law plainly provides that local filing officers may only review nomination papers up to the maximum thresholds. For this school board race, Wis. Stat. § 8.10(3)(i) provides that “the number of required signatures on nomination papers filed [is]... not less than 400 nor more than 800 electors for members of the board of school directors elected from election districts.” EL § 2.05(3) requires the local filing officer to review “all

nomination papers filed with it, **up to the maximum number permitted**, to determine the facial sufficiency of the papers filed.” (emphasis added).

Simply put, MEC could only determine the sufficiency of Hendrick Reaves’s first 800 nominating signatures. It violated Wisconsin law by going beyond that threshold to consider the excess signatures submitted by Hendrick Reaves to find additional valid nominators and place her on the ballot.

The fact that MEC relied on a WEC video suggesting that it could consider excess signatures is unavailing. WEC guidance not grounded in statute or regulation does not carry the weight of law. See *Teigen v. Wisconsin Elections Comm'n*, 2022 WI 64, ¶ 72, 403 Wis. 2d 607, Wis. Stat. § 227.112(3) (“A guidance document does not have the force of law and does not provide the authority for implementing or enforcing a standard, requirement, or threshold.”). Therefore, MEC’s decision to consider the excess signatures was legal error and should be remedied.

Conclusion

For the reasons provided herein, Gloria Smith requests that WEC order MEC pursuant to Wis. Stat. § 5.06(6) to conform its conduct to the law and require it to correct its decision inconsistent with the law by reversing its decision to place Hendricks Reaves on the Spring 2023 ballot.

Respectfully submitted this 17th day of January, 2023.

PINES BACH LLP

A handwritten signature in black ink, appearing to read "Eduardo E. Castro", written over a horizontal line.

Tamara B. Packard, SBN 1023111

Eduardo E. Castro, SBN 1117805

Attorneys for Complainant Gloria Smith

Mailing Address:

122 West Washington Ave

Suite 900

Madison, WI 53703

(608) 251-0101 (telephone)

(608) 251-2883 (facsimile)

tpackard@pinesbach.com

ecastro@pinesbach.com



Commissioners:
Terrell Martin, Chair
Patricia Ruiz-Cantu
Douglas Haag

Executive Director:
Claire Woodall-Vogg

**Meeting of the City of Milwaukee Board of Election Commissioners
Monday, January 9, 2023, 5:00pm
City Hall, 200 E Wells St, Room 501**

AGENDA:

1. Call to Order
2. Roll Call
3. Approval of polling place changes for Spring 2023
4. Review of Verified Complaints and Challenges to Nomination Papers; and action thereon
 - a. Jackson v. Hart
 - b. Reaves v. Milwaukee Election Commission
 - c. Chavez v. Griffin & Griffin v. Chavez
 - d. Convene into Closed Session
The Commission may adjourn into closed session under the provisions of Wisconsin Statutes Section 19.85(1)(a) for the purpose of deliberating concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before the Commission. At the conclusion of the closed session, the Commission may reconvene in open session to take whatever actions it may deem necessary.
 - e. Reconvene into Open Session
5. Certification of Candidates for 2023 Spring Election and 2023 Special Election; and action thereon
 - a. School Board Director Districts 1, 2, 3, and 8
 - b. School Board Director At-Large
 - c. Municipal Judge Branch 2
 - d. Municipal Judge Branch 3
 - e. Alderperson District 1
 - f. Alderperson District 5
 - g. Alderperson District 9
6. Ballot Order Draw by the Executive Director
 - a. School Board Director District 3
 - b. School Board Director At-Large
 - c. Municipal Judge Branch 2
 - d. Municipal Judge Branch 3
 - e. Alderperson District 1, 5, 9
7. Adjournment

Reasonable accommodations, of an auxiliary aid or service required due to a disability, for a City of Milwaukee event will be provided upon request. Contact the City of Milwaukee ADA Coordinator, 414-286-3475 or adacoordinator@milwaukee.gov as soon as possible but no later than 72 hours before the scheduled event.

City Hall, Room 501, 200 East Wells Street, Milwaukee, Wisconsin 53202
Telephone: (414) 286-3491 - Fax: (414) 286-8445 - Milwaukee.gov/election

**EXHIBIT
A**



Affidavit to Contest
Per Wisconsin State Statute EL 20.03

RECEIVED

I, ELIJAH REAVES, residing at 3328 W Silver Spring Dr, in the City of Milwaukee and State of Wisconsin, contest the Milwaukee Election Commission's challenge of nomination papers submitted on January 5, 2023 for Milwaukee Public School Board Director, District 1 candidate, SHADOWLYON HENDRICKS REAVES.

2023 JAN - 6 P 4: 35

CITY OF MILWAUKEE
ELECTION COMMISSION

Description of error and clarification:

The Milwaukee Election Commission counted, verified, and received 103 nomination papers that included 941 electors' signatures on January 3, 2023. 941 electors nominated SHADOWLYON HENDRICKS REAVES for MPS Board of Directors, District 1 as evidenced by providing required information on nomination papers filed with the Milwaukee Election Commission on January 3, 2023. The Milwaukee Election Commission ceased counting signatures provided by 941 electors after reviewing the first 800 signatures. Wisconsin State Statutes nor Wisconsin Administrative Code does not authorize the Milwaukee Election Commission to cease counting all nomination papers submitted by a candidate that contains electors' signatures. The Milwaukee Election Commission disregarded 141 electors' signatures that were submitted on pages #83 through #103 and did not count certifiable signatures that would allow SHADOWLYON HENDRICKS REAVES to reach the threshold of 400 to 800 required certified signatures. The Milwaukee Election Commission's challenge that they have the right to stop counting electors' signatures beyond a total of 800 is unlawful. The Milwaukee Election Commission violated the right of each elector beginning with #801 through #941 whose valid signature appeared on pages #83 through #103 of nomination papers submitted January 3, 2023. Actions taken by the Milwaukee Election Commission are consistent with election fraud.

The Milwaukee Election Commission must review nomination papers containing electors' signatures to ascertain if the candidate collected between 400 and 800 required signatures from the district. The Milwaukee Election Commission ceased counting prior to ascertaining if there were 400 to 800 electors in District #1 among the 941 electors' signatures submitted on all nomination pages.

- 8.10(3) The number of required signatures on nomination papers filed under this section is as follows:

8.10(3)(i)

8.10(3)(i) not less than 400 nor more than 800 electors for members of the board of school directors elected from election districts.

Nomination papers submitted contained at least the minimum required number of signatures. Wisconsin statutes are silent on the maximum number of signatures that can be submitted for consideration of certification.

- EL 2.05(6) Nomination papers shall contain at least the minimum required number of signatures from the circuit, county, district or jurisdiction which the candidate seeks to represent.

The Milwaukee Election Commission is not authorized to remove signatures, including those in excess of 800

- EL 2.05(16) After a nomination paper has been filed, no signature may be added or removed.

Electors' signatures appearing on pages #83 through #103 were not counted because the Milwaukee Election Commission cease counting after the 800th signature. This is not a valid reason provided in Wisconsin Statutes.

-EL 2.05(15) An individual signature on a nomination paper may not be counted when any of the following occur:

(a) The date of the signature is missing, unless the date can be determined by reference to the dates of other signatures on the paper.

(b) The signature is dated after the date of certification contained in the certificate of circulator.

EL 2.05(15)(c)(c) The address of the signer is missing or incomplete, unless residency can be determined by the information provided on the nomination paper.

(d) The signature is that of an individual who is not 18 years of age at the time the paper is signed. An individual who will not be 18 years of age until the subject election is not eligible to sign a nomination paper for that election.

(e) The signature is that of an individual who has been adjudicated not to be a qualified elector on the grounds of incompetency or limited competency as provided in s. 6.03 (3), Stats., or is that of an individual who was not, for any other reason, a qualified elector at the time of signing the nomination paper.

I, Elijah Reaves, being first duly sworn on oath state that I personally read the above complaint, and that the above allegations are true based on my personal knowledge and, as to those stated on information and belief, I believe them to be true.

Elijah Reaves 1/6/2023

Subscribed and sworn to before me

this 04 day of January, 2023.

Pamela J. Holmes
(signature of person authorized to administer oaths)

My commission expires 05/14/2025 or is permanent

Notary Public , or _____



Affidavit to Contest
Per Wisconsin State Statute EL 20.03

RECEIVED

I, SHANDOWLYON HENDRICKS REAVES, residing at 3328 W Silver Spring Dr, in the City of Milwaukee and State of Wisconsin, contest the Milwaukee Election Commission's challenge of nomination papers submitted on January 5, 2023, for Milwaukee Public School Board Director, District 1 candidate, SHANDOWLYON HENDRICKS REAVES.

Description of error and clarification:

The Milwaukee Election Commission counted, verified, and received 103 nomination papers that included 941 electors' signatures on January 3, 2023. 941 electors nominated SHANDOWLYON HENDRICKS REAVES for MPS Board of Directors, District 1 as evidenced by providing required information on nomination papers filed with the Milwaukee Election Commission on January 3, 2023. The Milwaukee Election Commission ceased counting signatures provided by 941 electors after reviewing the first 800 signatures. Wisconsin State Statutes nor Wisconsin Administrative Code does not authorize the Milwaukee Election Commission to cease counting all nomination papers submitted by a candidate that contains electors' signatures. The Milwaukee Election Commission disregarded 141 electors' signatures that were submitted on pages #83 through #103 and did not count certifiable signatures that would allow SHANDOWLYON HENDRICKS REAVES to reach the threshold of 400 to 800 required certified signatures. The Milwaukee Election Commission's challenge that they have the right to stop counting electors' signatures beyond a total of 800 is unlawful. The Milwaukee Election Commission violated the right of each elector beginning with #801 through #941 whose valid signature appeared on pages #83 through #103 of nomination papers submitted January 3, 2023. Actions taken by the Milwaukee Election Commission are consistent with election fraud.

The Milwaukee Election Commission must review nomination papers containing electors' signatures to ascertain if the candidate collected between 400 and 800 required signatures from the district. The Milwaukee Election Commission ceased counting prior to ascertaining if there were 400 to 800 electors in District #1 among the 941 electors' signatures submitted on all nomination pages.

-~~8.10(3)~~ The number of required signatures on nomination papers filed under this section is as follows:

8.10(3)(i)

8.10(3)(i) not less than 400 nor more than 800 electors for members of the board of school directors elected from election districts.

Nomination papers submitted contained at least the minimum required number of signatures. Wisconsin statutes are silent on the maximum number of signatures that can be submitted for consideration of certification.

- EL 2.05(6) Nomination papers shall contain at least the minimum required number of signatures from the circuit, county, district or jurisdiction which the candidate seeks to represent.

The Milwaukee Election Commission is not authorized to remove signatures, including those in excess of 800.

- EL 2.05(16) After a nomination paper has been filed, **no signature may be added or removed.**

Electors' signatures appearing on pages #83 through #103 were not counted because the Milwaukee Election Commission cease counting after the 800th signature. This is not a valid reason provided in Wisconsin Statutes.

-EL 2.05(15) **An individual signature on a nomination paper may not be counted when any of the following occur:**

(a) The date of the signature is missing, unless the date can be determined by reference to the dates of other signatures on the paper.

(b) The signature is dated after the date of certification contained in the certificate of circulator.


EL 2.05(15)(c)(c) The address of the signer is missing or incomplete, unless residency can be determined by the information provided on the nomination paper.

(d) The signature is that of an individual who is not 18 years of age at the time the paper is signed. An individual who will not be 18 years of age until the subject election is not eligible to sign a nomination paper for that election.

(e) The signature is that of an individual who has been adjudicated not to be a qualified elector on the grounds of incompetency or limited competency as provided in s. 6.03 (3), Stats., or is that of an individual who was not, for any other reason, a qualified elector at the time of signing the nomination paper.

The Milwaukee Election Commission accepted, counted and verified that 951 electors' signatures were collected on 103 nomination papers on January 3, 2023. Upon receiving nomination papers, the Milwaukee Election Commission did not communicate that only 800 signatures would count toward establishing the threshold of 400 to 800 valid signatures of electors who reside in District #1.

I, SHADOWLYON HENDRICKS REAVES, being first duly sworn on oath state that I personally read the above complaint, and that the above allegations are true based on my personal knowledge and, as to those stated on information and belief, I believe them to be true.

 1/4/2023

Subscribed and sworn to before me

this 6th day of January, 2023.


(signature of person authorized to administer oaths)

My commission expires 05-14-2025 or is permanent

Notary Public , or _____





Commissioners:
Terrell Martin, Chair
Patricia Ruiz-Cantu
Douglas Haag

Executive Director:
Claire Woodall-Vogg

January 7, 2023

TO: Milwaukee Election Commissioners
FROM: Claire Woodall-Vogg, Executive Director
RE: Reaves Affidavit to Contest

1. On Tuesday, January 3, 2023, Shandowlyon Hendricks Reaves filed 103 pages of nomination papers.
2. Wis. Statute 8.10(3)(i) specifies that the number of required signatures on nomination papers filed for city offices in 1st class cities shall be not less than 400 nor more than 800 electors for members of the board of school directors elected from election districts.
3. Election Commission Administrative Rule EL 2.05(3) states "The filing office shall review all nomination papers filed with it, up to the maximum number permitted, to determine the facial sufficiency of the papers filed."
4. The City of Milwaukee reviewed each signature that Hendricks Reaves submitted until it had reached 800 signatures, the maximum number of signatures permitted. Of those 800 signatures, 362 electors resided in School Board District 1 and were certified after corrective affidavits were received for some minor issues. 438 electors resided outside of School Board District 1.
5. As a result, Hendricks Reaves did not meet the minimum number of signatures required to gain placement on the ballot.

Respectfully submitted,
Claire Woodall-Vogg
Executive Director



**Meeting of the City of Milwaukee Board of Election Commissioners
Monday, January 9, 2023, 5:00pm
City Hall, 200 E Wells St, Room 501**

Minutes:

1. The meeting was called to order by Chair Martin at 5:12pm.
2. Executive Director Woodall-Vogg took a roll call; Commissioner Martin, Ruiz-Cantu, and Haag were all present.
3. Approval of polling place changes for Spring 2023
 - a. Commissioner Haag motioned to approve the polling place change of Ward 50 to Villard Library; seconded by Commissioner Ruiz-Cantu. Motion carried without a negative vote.
4. Review of Verified Complaints and Challenges to Nomination Papers
 - a. Jackson v. Hart
 - i. Executive Director presented a summary of the issues.
 - ii. Commissioner Martin provided Mr. Jackson and Ms. Hart the opportunity to make an oral statement.
 - iii. Commissioner Haag asked if any circulators of Ms. Hart's nomination papers were present. Melissa Zombor and Kristina Funa identified themselves as circulators for Ms. Hart's papers.
 - iv. Executive Director placed Ms. Zombor and Funa under oath. Commissioner Haag asked if any voters were confused as to Ms. Hart's committee and candidate names. Neither Zombor nor Funa found any voters were confused.
 - b. Reaves v. Milwaukee Election Commission
 - i. Executive Director Woodall-Vogg presented that she was changing her recommendation regarding ballot placement for Hendricks Reaves. A video on Getting on the Ballot on the Wisconsin Election Commission's (WEC) website refers to counting "supplemental signatures," beyond the maximum threshold established by state statute. While Woodall-Vogg and Assistant City Attorney Block both think that state statute and administrative rules are very clear regarding the maximum number of signatures, the Commission has a long history of following the standards set by WEC.
 - ii. Commissioner Martin provided Hendricks-Reaves with the opportunity to make an oral statement.
 - c. Chavez v. Griffin & Griffin v. Chavez

- i. Executive Director Woodall-Vogg presented a summary of Mr. Chavez's complaint and Ms. Griffin's complaint. She specifically reviewed the City of Milwaukee Charter that requires Municipal Judges be licensed attorneys in Wisconsin, along with State Statute 8.30 that outlines reasons someone may be ineligible for ballot placement.
 - ii. Commissioner Martin provided the representative of Mr. Chavez, Michael Maistelman, and Ms. Griffin the opportunity to make an oral statement.
 - iii. Executive Director placed Ms. Griffin under oath for the Commissioners to ask additional questions.
 - iv. Commissioner Ruiz-Cantu ask Ms. Griffin to explain her qualifications to occupy this office in light of the evidence presented that she is not a license attorney.
 - v. Ms. Griffin cited her written response to the challenge, including *Keller v. State Bar of California* and the separation of powers clause regarding the City's inability to establish such a rule. She also asserted that she is a paralegal, has assisted people in court, and that the court grants waivers for attorneys.
 - d. Commissioner Haag motioned that the Board convene into closed session, per Wis. Statute 19.85(1)(a) for the purpose of deliberating concerning a case which was the subject of a quasi-judicial hearing before the Commission. Commissioner Ruiz-Cantu seconded. Motion carried with a roll call vote all in favor.
 - e. Commissioner Martin called the meeting back to order at 6:07pm with all commissioners present.
 - f. Commissioner Ruiz-Cantu moved to dismissed the challenge of *Jackson v. Hart*; Commissioner Haag seconded. Motion carried without a negative vote.
 - g. Commissioner Haag moved to grant Ms. Hendricks Reaves request and place her on the ballot for School Board District 1 based upon her supplemental signatures; Commission Ruiz-Cantu seconded. Motion carried without a negative vote.
 - h. Commissioner Martin turned the meeting over to Commissioner Haag to act as chair.
 - i. Commissioner Martin motioned to remove Ms. Griffin from the ballot for Municipal Judge Branch 3 based upon the evidence that Ms. Griffin would not be able to meet the qualifications to hold office by May 1, 2023 if elected; Commissioner Haag seconded. Motion carried without a negative vote.
 - j. Commissioner Martin motioned to dismiss the challenge of *Griffin v. Chavez*; Commissioner Ruiz-Cantu seconded. Motion carried without a negative vote.
 - k. Commissioner Martin resumed leading the meeting as the Board's chair.
5. Certification of Candidates for 2023 Spring Election and 2023 Special Election

- a. Commissioner Haag motioned to certify the candidates as presented by Executive Director Woodall-Vogg; Commissioner Ruiz-Cantu seconded. Motion carried without a negative vote.
6. Executive Director Woodall-Vogg commenced the ballot order draw for all contests with multiple candidates:
 - a. School Board Director District 3
 - b. School Board Director At-Large
 - c. Municipal Judge Branch 2
 - d. Municipal Judge Branch 3
 - e. Alderperson District 1, 5, 9
7. Commissioner Haag motioned to adjourn at 6:25pm; Commissioner Ruiz-Cantu seconded. The motion carried without a negative vote and the meeting was adjourned at 6:25pm.

AFFIDAVIT OF MELISSA ZOMBOR

STATE OF WISCONSIN)
) ss.
COUNTY OF MILWAUKEE)

Missy Zombor, being first duly sworn on oath, deposes and says:

1. My name is Melissa “Missy” Zombor and I am an adult resident of the State of Wisconsin. I make this affidavit based on my personal knowledge of the facts set out below.
2. On Monday, January 9, 2023, I attended the meeting of the City of Milwaukee Board of Election Commissioners.
3. At this meeting, the City of Milwaukee Board of Election Commissioners (the “Board”) voted to place Shandowlyon Hendricks Reaves on the 2023 spring election ballot for the Milwaukee School Board of Directors election in District 1.
4. Prior to the January 9 meeting, it was my understanding that the Milwaukee Election Commission (“MEC”) decided that Hendricks Reaves did not submit enough valid nomination signatures prior to the filing deadline and would not be placed on the ballot. MEC also decided that it would not consider supplemental nomination signatures Hendricks Reaves submitted beyond the maximum, 800-signature threshold.
5. During the Board’s deliberations at the January 9 meeting, Claire Woodall-Vogg of MEC stated that it had obtained a video created by the Wisconsin Election Commission (“WEC”). In that video, WEC advised that candidates could submit supplemental signatures with their nomination papers.
6. Because of this video, MEC decided that it would reverse its recommendation that Hendricks Reaves not be placed on the Spring 2023 ballot.
7. Ultimately, the Board voted unanimously in favor of putting Hendricks Reaves on the Spring 2023 ballot.

Dated this 13th day of January, 2023

EXHIBIT C

Melissa Zombor

Melissa "Missy" Zombor

Subscribed and sworn to before me
this 13th day of January, 2023.

Rebecca Pelzek Rebecca Pelzek

Notary Public, State of Wisconsin
My Commission Expires: 10/31/24



milwaukee journal sentinel

EDUCATION

Milwaukee School Board candidate initially disqualified over signatures is allowed back in race

Kelly Meyerhofer Milwaukee Journal Sentinel

Published 2:05 p.m. CT Jan. 10, 2023

Milwaukee election officials on Monday recommended a previously disqualified Milwaukee School Board candidate be placed on the ballot this spring, reversing an earlier decision to reject her nomination papers because they said she hadn't secured enough valid signatures.

The city election commission's decision clears the way for former state superintendent candidate Shandowlyon Hendricks Reaves to challenge incumbent Marva Herndon for the far north side District 1 seat.

Hendricks Reaves' candidacy was in jeopardy over a paperwork dispute. She said she had turned in 941 signatures, including 424 that she verified herself as District 1 residents. But election officials only allow a maximum submission of 800 signatures, as capped by state law. They didn't find 400 valid signatures within the first 800 Hendricks Reaves provided.

Hendricks Reaves said she was unaware election officials would only look at the first 800 signatures and submitted a challenge over the city's refusal to review more than the first 800 signatures.

Claire Woodall-Vogg, executive director of the city's election commission, previously said she didn't anticipate the challenge would pan out for Hendricks Reaves, noting state law and administrative rules are clear on the point.

But Woodall-Vogg said a city elections commissioner discovered a Wisconsin Elections Commission video that said supplemental ballot signatures can be counted if the minimum number of valid signatures falls below 400.

Even though the Milwaukee Election Commission believes the guidance conflicts with state statute and administrative rules, Woodall-Vogg said the department has historically followed

EXHIBIT

D 1/3

the state elections commission's direction and therefore recommended Hendricks Reaves for ballot placement.

The city election commission plans to seek clarification from the Wisconsin Elections Commission about the practice of accepting supplemental signatures, she said.

"Once we have more clarification, our Board will then determine what our practice will be moving forward," Woodall-Vogg said.

Hendricks Reaves said she followed state guidance from the start and the paperwork dispute "highlights the importance of one possessing proficient reading and comprehension skills, critical thinking skills, and the ability to communicate effectively." These are skills that she said demonstrate why she's a qualified candidate for school board and what she wants every Milwaukee Public Schools student to possess upon graduation.

Other MPS races

In another Milwaukee School Board race, candidate Darryl Jackson filed a challenge against opponent Gabi Hart over her nomination signatures for the District 3 seat on the near north side. The complaint was dismissed, Woodall-Vogg said.

A third contested school board race is between former board member Jeff Spence and Rethinking Schools marketing director Missy Zombor. They are running for the citywide seat being vacated by current board president Bob Peterson.

Two incumbents, Erika Siemsen and Megan O'Halloran, are set to run unchallenged in Districts 2 and 8.

School board terms are four years, with the seats on two staggered election cycles. The election is on April 4.

Contact Kelly Meyerhofer at kmeyerhofer@gannett.com. Follow her on Twitter at [@KellyMeyerhofer](https://twitter.com/KellyMeyerhofer).

Eduardo E. Castro

Eduardo E. Castro

Subscribed and sworn to before me
this 17th day of January, 2023.

Heidi K. Buttchen

Notary Public, State of Wisconsin

My Commission expires: 9/7/2025

