
From: ANTHONY DECKER <decker@wrightstown.k12.wi.us>
Sent: Tuesday, March 11, 2025 7:43 PM
To: Jen DeMaster; Mark S. Kapocius; Patrick J. Leigl
Subject: Fwd: Petition sufficiency decision
Attachments: SCAN0000.PDF

Good evening, everyone,

This is an FYI...Below is my email to the entire Board informing them of my findings. Attached is my sufficiency document.

Thank you,

Tony Decker
WCSD Board Clerk

----- Forwarded message -----

From: ANTHONY DECKER <decker@wrightstown.k12.wi.us>
Date: Tue, Mar 11, 2025 at 7:35 PM
Subject: Petition sufficiency decision
To: ANGELA HANSEN-WINKER <hansen-winker@wrightstown.k12.wi.us>, JEFFREY NELSON <jjnelson@wrightstown.k12.wi.us>, Tiffany Van Vreede <vanvreede@wrightstown.k12.wi.us>, RAYN WARNER <warner@wrightstown.k12.wi.us>, MELINDA LEMKE <mlemke@wrightstown.k12.wi.us>, MICHAEL MOLLEN <mmollen@wrightstown.k12.wi.us>, RONALD SAARI <saari@wrightstown.k12.wi.us>

Good evening, everyone,

This email serves as notification for my findings regarding Rayn Warner's recall of Angela Winker-Hansen as a Wrightstown Community School District Board member.

After reviewing the recall petition, challenge, rebuttal, and response, and following the advice and direction given me by our legal team and the Wisconsin Elections Commission, I find that the recall petition of Angela Winker-Hansen is sufficient pursuant to Wis. Stat. § 9.10, and related administrative code provisions.

Respectfully,

--
Tony Decker
WCSD Board Clerk

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Tony Decker
WCSD Board Clerk

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Re: Petition signature questions

From ANTHONY DECKER <decker@wrightstown.k12.wi.us>
Date Wed 2/19/2025 7:45 AM
To Willman, Riley P - ELECTIONS <Riley.Willman@wisconsin.gov>

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Good morning, Riley!

Thank you again for your direction. A couple other items and confirmation of dates for the recall.

Challenges to a recall petition

Are the only reasons for a challenge to a submitted petition found in WI Stat 8.9 items "(e)" through "(L)"?

I ask this because there is a statement in item "q" "Challenges are not limited to the categories set forth in pars. (i) to (L)" What does that statement mean?

What are these "categories"?

What are examples of "Challenges are not limited to the categories set forth in pars. (i) to (L)"?

Timeline questions

I need some of your guidance. Kinda sorta confused. Please verify or correct the below statements.

The recall package was submitted to the District on February 12, 2025.

Any challenge would need to happen no later than 5 p.m. on February 22? Is that correct?

Of course that is a Saturday. The District will need to be open till that time?

Also, if a challenge is filed to me, do I forward the challenge to the petitioner, and then the petitioner has five days to provide a rebuttal?

What about any time from when the challenge is submitted and when the petitioner is notified? For instance, the challenge happens late in the day and I don't get around to it for several hours because I am working or am unavailable for some reason? Does the five days commence when I formally notify the petitioner or when the challenge is submitted and accepted by the District?

I guess the next timeline area depends on your above answers.

So let's say a Challenge is filed at 10 a.m. on 2/22/2025, then the petitioner would have until 5 p.m. on 2/27/2025 to provide a rebuttal? Is that correct?

And if that happens, then the challenger would have up until 5 p.m. on Saturday March 1, 2025 to file a final response? Is that correct?

I would then have 14 days to make a sufficiency/non-sufficiency decision? So up to 5 p.m. on March 14, 2025 to make a decision? Is that correct?

Thank you so much for your time and advice.

Have a great day!

Tony Decker
WCSD Board Clerk

On Tue, Feb 18, 2025 at 4:08 PM Willman, Riley P - ELECTIONS <Riley.Willman@wisconsin.gov> wrote:

Hi Tony,

An elector does not need to initial next to a correction on their signature. Additionally, voters can have someone complete the rest of the petition for them/receive assistance in completing the form. They do not need to indicate if they received assistance in completing their line on the petition. As for your final question, the box does not need to be checked, however the municipality and address must be within your school district.

Please let me know if you have any questions and I'd be happy to help.

Thanks,

Riley Willman

Elections Supervisor

Wisconsin Elections Commission

Riley.Willman@wisconsin.gov

From: ANTHONY DECKER <decker@wrightstown.k12.wi.us>

Sent: Monday, February 17, 2025 12:56 PM

To: Willman, Riley P - ELECTIONS <Riley.Willman@wisconsin.gov>

Subject: Petition signature questions

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Hi Riley,

Hope you are well. I have a couple of quick questions regarding signatures/ names / info on petitions.

1) If an elector makes a change, does the elector need to initial it? I ask because there are corrections without initials.

2) I have also noticed there are a number of instances where there is the same writing on multiple lines but the signature styles are different. So my question is must each elector completely fill out each line, unless disabled or need assistance, or can someone else complete everything other than the signature?

3) If someone doesn't check the Village/Town/City box is that an issue?

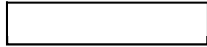
Thank you so much in advance for your help!

Respectfully,

Tony Decker

WCSD Board Clerk

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Recall Questions

From Tiffany Van Vreede <vanvreede04@gmail.com>

Date Thu 2/27/2025 10:07 AM

To Willman, Riley P - ELECTIONS <Riley.Willman@wisconsin.gov>

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Good Morning Riley!

Just a little information on where we are in the recall process. We submitted 1308 signatures on February 12th to our District Office and board clerk. Since then, our board president filed a rebuttal within the 10 days of receipt of those signatures. We then made a rebuttal back within 5 days and are currently waiting to see if she has a rebuttal within the 2 days allowed for her to do so. We do have a couple of questions for you on the timeline and some other things that have been going on.

1. Our board president, who is being recalled, received a copy of all signatures. We know she is entitled to this information with the request of open records which she did not do. Our superintendent just gave her the signature sheets without having an open records request and therefore none of the teachers that signed were redacted from those sheets. On top of that she is now reaching out to community members that have signed the petition and is trying to persuade them to change their minds. Is there anything we can do about this?
2. What happens if WEC declares signatures are sufficient and she doesn't agree? Can she go to court regarding this? Who would the case be against if she is able to do this?
3. Also, I had verified with you that as circulators we were able to change the municipality if incorrect on the recall sheet. I did not mention that it was before we turned them in to the clerk. Is that still ok that we corrected them? We have the annexation situation that went through and the website was stating both municipalities at the time.
4. If insufficiency is declared by the board clerk and we want to file an appeal we are showing that it has to be a written, formal sworn complaint to the WEC within the 10 days from the date the clerk filed insufficiency. How do we do this? Is there something online to follow? Does a lawyer need to do this? Does it need to be notarized? What documents are needed, if any?

Thank you for helping us with all of our questions. You have been great to work with and we appreciate your patience and your knowledge in this process!

Thank you,
Tiffany

Re: Recall Petition

From Rayn Warner <raynw@yahoo.com>

Date Sat 2/8/2025 7:43 PM

To ELECTIONS HelpDesk <elections@wisconsin.gov>; ANTHONY DECKER <decker@wrightstown.k12.wi.us>

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Hi Tony,

I wanted to inform you that three community members, who have never signed the petition, have reached out via the page requesting to be removed. I just wanted to make you aware of this concern. At this point, I believe WEC is the only support needed.

Additionally, I'm sharing the state statutes that address any concerns regarding tampering or sabotage of a recall petition, in case any issues arise on your end.

Let me know if you need anything else.

Best,

Rayn

On Saturday, February 8, 2025 at 04:18:55 PM CST, ANTHONY DECKER <decker@wrightstown.k12.wi.us> wrote:

Hi Rayn,

Watching it snow and getting ready for a workout once it begins. :)

I certainly saw one signature request for sure that was bogus. I think we have only had four come from the portal so far.

What concerns do you have about the information collected?

I'll need that info so I know how to proceed.

I did have someone ask if a portal can be used for signature removal requests, and I checked with the elections office and was told it was okay.

Since you have cited a decent amount of legal statute, I will need to get our legal counsel involved so I do not do anything that could place the district at risk.

Thanks and have a great one!

Tony

On Sat, Feb 8, 2025 at 1:52 PM Rayn Warner <raynw@yahoo.com> wrote:

| Hi Tony,

I hope you're having a good weekend. I'm reaching out with some concerns regarding the use of the portal created to request the removal of signatures from the recall petition. There appear to be some questionable practices in play, and I believe it is important to address these issues promptly.

If you happen to know who created and is managing the portal, I would highly recommend reviewing the information below with them regarding the consequences of attempting to sabotage or tamper with the recall petition process.

I have multiple concerns about the information being collected through the portal, as well as its validity. As it stands, the recall petition committee (R4WCSD) is diligent in appropriately handling all requests to remove a community member's signature at their request. However, there are several instances where the requests coming through the portal have been proven to be false.

I've copied the Wisconsin Elections Commission (WEC) on this email to provide further insight and guidance on the matter.

Link to the portal:

https://wrightstowninsight.com/get-your-name-off-the-list/?fbclid=IwY2xjawlUkVlleHRuA2FlbQIxMQABHVFGWY7JF4qYvq0IGuDD3Y3II_kBqLbyWTpfSnxwQWRLgbHFncNkPrMLBw_aem_aLt02H5EO0IMVfheZAmzFQ

In Wisconsin, sabotaging a recall petition effort can have legal consequences under both state election laws and criminal statutes. The following documents and legal provisions support the repercussions for interfering with or sabotaging a recall petition effort in Wisconsin:

1. Wisconsin Statutes - Recall Procedures and Penalties

- **Wisconsin Statutes Chapter 9 (Elections):** This chapter outlines the procedures for recall elections, including the rules for petitions and the penalties for violations.
 - **Section 9.10:** This section addresses the recall petition process, including the requirements for filing and submitting petitions, and details the rules surrounding recall efforts. While it focuses primarily on the procedural aspects, any fraudulent or obstructive behavior can result in penalties under other provisions.
- **Section 12.13(2)(a):** This statute defines various election offenses, including interference with the petition process. The law prohibits any acts of fraud or misconduct regarding elections, including recall petitions. Those found guilty of tampering with petitions or obstructing the process could face criminal penalties.

2. Criminal Penalties for Election Law Violations

- **Wisconsin Statutes § 12.13 (Election Offenses):** This section covers election offenses, including fraudulent actions that affect recall petitions. Some key points include:
 - **§ 12.13(1)(a):** This provision makes it a crime to **knowingly provide false information or commit fraudulent acts** related to elections, which can include signing a recall petition with false or forged signatures.
 - **§ 12.13(3):** This section specifically addresses penalties for tampering with or falsifying any petitions, including recall petitions. Violation of this provision can lead to criminal charges, fines, or imprisonment.

3. Fraudulent or False Signatures

- **Wisconsin Statutes § 12.11 (False Signatures):** This law specifically addresses the issue of fraudulent signatures on recall petitions. If someone intentionally falsifies signatures, such actions are classified as a criminal offense.
 - Any individual who **knowingly signs a petition falsely** or **misrepresents their intent** could be prosecuted under this statute.
- **Penalties for Fraudulent Actions:** A person found guilty of committing fraud in relation to a recall petition could face criminal penalties, including **fines** and **imprisonment**. For example, making false statements or submitting false signatures on a petition could lead to up to **3 years and 6 months in prison** and a fine.

4. Voter Intimidation and Obstruction

- **Wisconsin Statutes § 12.03 (Electioneering and Voter Intimidation):** Although this statute mainly deals with electioneering, it also covers actions that can **intimidate or obstruct voters** from participating in the electoral process, including interference with petitions.
 - This could apply to actions that **sabotage or obstruct** individuals from freely signing a recall petition, and such actions may be punished under election-related intimidation laws.
- **Wisconsin Statutes § 12.05 (Voter Intimidation):** This provision prohibits any act of voter intimidation or obstruction in the petitioning process. It is a crime for any individual to knowingly intimidate, threaten, or coerce individuals to prevent them from participating in the petition process. Violating this statute can result in both criminal and civil penalties.

5. Case Law

- **Wisconsin Case Law on Election Fraud:** Wisconsin courts have interpreted these statutes to criminalize various actions that disrupt or sabotage recall petitions. For example, **State v. Brown** (2013) was a case that involved fraudulent signature collection, where the court found that such actions, in violation of election law, could lead to criminal liability. Case law has helped reinforce the legal consequences for petition interference in the state.

6. Election Commission Guidelines and Other Resources

- **Wisconsin Elections Commission (WEC):** The WEC provides official guidelines on how recall petitions should be handled. The **WEC's Administrative Code** includes provisions about the process of recall petitions, including the collection of signatures and rules for verifying their authenticity. The **WEC's Election Manual** and guidance documents often include information on penalties for actions that undermine or disrupt the petition process.
- The WEC website also details the process for filing complaints or grievances regarding violations of election law, including sabotage of recall efforts. If you suspect sabotage, you can file a complaint with the WEC.

In summary:

In Wisconsin, sabotaging a recall petition can lead to serious legal repercussions, including criminal charges for election fraud, voter intimidation, and interfering with the petition process. The key statutes that address these actions include **Wisconsin Statutes §§ 9.10, 12.13,**

12.11, and 12.03, all of which criminalize interference, fraud, or intimidation related to recall petitions.

Thank you for your attention to this, and I look forward to your response.

Rayn Warner

raynw@yahoo.com

920-850-2240

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#80423 Recall Petition

Submitted February 8, 2025 at 13:53
Received via Mail
Requester Rayn Warner <raynw@yahoo.com>

CCs
ANTHONY DECKER <decker@wrightstown.k12.wi.us>

Status category Closed
Ticket status Solved
Priority Normal
Group EA Team
Assignee Jacob Walters

Customer Type Voter/General Public
Ticket Type Comment or Informal Complaint

Rayn Warner February 8, 2025 at 13:53

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I've copied the Wisconsin Elections Commission (WEC) on this email to provide further insight and guidance on the matter.

Link to the portal:

https://wrightstowninsight.com/get-your-name-off-the-list/?fbclid=IwY2xjawlUkVileHRuA2FlbQlxMQABHVFGWY7JF4qYvq0IGuDD3Y3ll_kBqLbyWTpfSnxwQWRLgbHFncNkPrMLBw_aem_aLt02H5EO0IMVfheZAm

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In summary:

In Wisconsin, sabotaging a recall petition can lead to serious legal repercussions, including criminal charges for election fraud, voter intimidation, and interfering with the petition process. The key statutes that address these actions include **Wisconsin Statutes §§ 9.10, 12.13, 12.11, and 12.03**, all of which criminalize interference, fraud, or intimidation related to recall petitions.

Thank you for your attention to this, and I look forward to your response.

Rayn Warner
raynw@yahoo.com
920-850-2240

ANTHONY DECKER February 8, 2025 at 16:19

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Hi Rayn,

Watching it snow and getting ready for a workout once it begins. :)
I certainly saw one signature request for sure that was bogus. I think we have only had four come from the portal so far.
What concerns do you have about the information collected?
I'll need that info so I know how to proceed.
I did have someone ask if a portal can be used for signature removal requests, and I checked with the elections office and was told it was okay.
Since you have cited a decent amount of legal statute, I will need to get our legal counsel involved so I do not do anything that could place the district at risk.

Thanks and have a great one!

Tony

Rayn Warner February 8, 2025 at 19:43

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Hi Tony,

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Additionally, I'm sharing the state statutes that address any concerns regarding tampering or sabotage of a recall petition, in case any issues arise on your end.

Let me know if you need anything else.

Best,

Rayn

Jacob Walters February 10, 2025 at 11:02

Internal note

As I understand it, this is someone running a school board recall who's concerned about phony signature removal requests coming in.

We're just cc'd on this, and they aren't asking us any questions directly, so I think we're good to just mark this as solved and move on.