



Wisconsin Elections Commission

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Media Advisory: Covering the August 2022 Partisan Primary

MADISON, Wis. – To assist reporters covering the August 9, 2022 Partisan Primary, the Wisconsin Elections Commission is issuing this advisory with guidance for news reporters and photographers. This advisory is designed for planning purposes, but media are also welcome to quote from it in their reporting.

At the Polling Place

Members of the news media may be inside polling places on Election Day, subject to most of the same restrictions on other election observers. Please refer to our election observer brochure (<https://elections.wi.gov/publications/brochures/observer-rules>) for details. Reporters and photographers may wish to print the brochure to take with them in the event there are questions.

Media may record sound, images, and video for short periods of time inside the polling place as long as it is not disruptive. However, no media should broadcast live or tape reports (stand-ups) from within a polling place because of the potential to disrupt or distract the voting process. Extended photography or video in a polling place could also be disruptive or intimidating to poll workers.

When you arrive at a polling place, find the Chief Election Inspector and notify him or her who you are and what organization you represent. The Chief Inspector keeps a list of media, but you are not required to sign in.

You should not contact (interview) voters when they are in line waiting to vote. The area 100 feet from any entrance to a polling place is an electioneering-free zone. The only people authorized to have contact with voters in this zone prior to voting are the election workers. Please do not take images/video of voters' faces as they are going into polling places, which some voters find intimidating. Taking photos or video of lines of voters from a distance is not a problem. After voters have finished, you are free to ask them for interviews outside the polling place. Please do not block the exits. If you are going to ask voters questions about candidates or issues on the ballot, these discussions must take place away from voters who may be entering the polling place or waiting in line to enter so they do not hear your interview.

Which polling places are good candidates for stories? The best sources of information about polling places are municipal clerks, who are responsible for operating them. A directory of clerks is on our website: <https://elections.wi.gov/clerks/directory>.

Wisconsin Elections Commissioners

Don M. Millis, chair | Marge Bostelmann | Julie M. Glancey | Ann S. Jacobs | Robert Spindell | Mark L. Thomsen

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Election Day Information

Wisconsin will have 3,618 polling places on August 9. Due to the decentralized nature of Wisconsin's election system, the Elections Commission has very little real-time information about what's happening inside or outside polling places.

If you get tips about problems at a polling place, your best and most immediate source of information about it is likely the city, village, or town clerk's office that oversees the polling place. You can find a directory of clerk's offices with phone numbers here: <https://elections.wi.gov/clerks/directory>.

Of course, if you see or hear something questionable, please contact the Elections Commission so staff are made aware of the problem.

The Commission also does not have much real-time information about turnout during the day, other than what staff are seeing on media websites and social media accounts. Municipal clerks are much better sources for turnout throughout the day.

Counting and Reporting on Election Night

Election results reported by counties on Election Night are *unofficial* and subject to change. Wisconsin's official results are triple checked at the municipal, county, and state levels before they are certified. Reminding voters of this fact can be beneficial to preventing the spread of false information about elections.

Voters should be extremely cautious about drawing any conclusions based on changes in numbers during Election Night reporting.

Wisconsin does not have a statewide system for reporting unofficial results on Election Night, and there is not a central official website where results will be reported, nor is there a feed you can subscribe to. The WEC does have links to the 72 county clerk websites, where clerks are required to post unofficial results: <https://elections.wi.gov/clerks/directory/county-websites>.

The most reliable and accessible source of statewide and legislative district totals is the Associated Press, which gathers information from all 72 counties and provides unofficial results to its members. Some media organizations in Wisconsin that are not AP members also collect election results.

The polls normally close at 8 p.m. unless there are still voters waiting in line at 8 p.m. If there are still absentee ballots that have not yet been counted at 8 p.m., poll workers will continue processing them until they are finished. State law does not permit them to stop working and come back the next day.

There are three steps to Wisconsin's certification process. The first step starts once all the ballots have been fed into the voting equipment and the polls are officially closed. Poll workers may begin feeding absentee ballots into the voting equipment as early as 7 a.m. on Election Day.

Once all ballots have been fed into the voting equipment and the polls are closed, the poll workers will convene what is known as the board of local canvassers. This election night activity is a public meeting, and the media and public are welcome to attend and record what happens. The voting equipment will be switched into reporting mode and will print a results tape, which will be read aloud, announcing the vote totals for that polling place. Members of the public and the media may also view, copy, or photograph the results tapes from voting equipment. The poll workers will also take care of administrative work, including sealing ballot bags and filling out chain-of-custody reports required before taking everything to the municipal clerk.

Municipal clerks provide unofficial results to their county clerks, who will post them to the county's website. In some locations, unofficial results are transmitted from the polling place to the county clerk's office by the voting equipment. This is generally done via a secure, encrypted cellular telephone transmission.

Municipal clerks must report unofficial results to the county clerk within two hours of the results being tabulated (counted using the results tape), and county clerks must post the results within two hours of receiving them from the municipal clerk. Usually, this process takes much less time.

Municipal clerks have a statutory deadline of 4 p.m. the Wednesday after the election to deliver election materials to the county clerk. However, there is no state law that specifically says that ballots cannot be counted after a certain date or time.

Municipalities are required to post on the Internet on Election Night the number of provisional ballots issued. Provisional ballots are issued to voters who do not have an acceptable ID on Election Day; these numbers are usually very small. Even more rarely, voters registering on Election Day who cannot provide the number on their driver license or state ID (if they have one) would also receive a provisional ballot. Voters have until 8 p.m. on Election Day or 4 p.m. on Friday, August 12 to bring an acceptable photo ID (or their DL/ID number) to the municipal clerk's office to have their vote counted.

Further Certifying the Vote

The second step of the certification process is at the county level. Counties must convene their boards of canvassers by 9 a.m. on Tuesday, August 16 to begin certifying official results. The county board of canvassers is made up of the county clerk and two other people. County clerks are elected on a partisan basis, so one of the other two members must be from the opposite party of the county clerk. The deadline for counties to provide certified results to the Wisconsin Elections Commission is Friday, August 19.

In the third step of the certification process, the WEC staff receive results from the counties, recheck all the counties' numbers and combine them to arrive at totals. The statutory deadline for the Chair of the WEC to certify statewide results is Wednesday, August 24.

Central Count Absentee Processing

Currently, 38 cities, villages and towns in Wisconsin count all their absentee ballots (including in-person absentee ballots) at a central facility. The other roughly 1,800 municipalities process their absentee ballots at their polling places on Election Day.

Central count facilities are open to public and media observation. No voting takes place at these facilities and election inspectors will be reviewing return envelopes for required information before recording these ballots in the poll book. Once a voter number is assigned to the voter, each envelope will be opened, the ballot will be removed and flattened, and the ballot will then be processed on the voting equipment.

Several large cities, including Milwaukee, Green Bay, Kenosha, Racine and Wausau, count their absentee ballots centrally. A full list of the municipalities which use central count can be found here:

<https://elections.wi.gov/clerks/guidance/central-count-absentee>.

It is important for the media and the public to understand the difference between places that count absentee ballots at polling places and central locations for two reasons. First, voters in central count municipalities cannot return their absentee ballots to the polling place on Election Day. They must return them to their clerk's office or the central count location. This information is included in the instructions voters receive.

Second, unofficial results for each ward in the municipalities that use central count to process absentee ballots should not be considered as complete until all absentee totals have been added to the polling place totals.

Because municipalities may not finish processing their absentee ballots by the time the polls close at 8 p.m. on Election Day, there may be a delay in reporting those results to county clerks until late on Election Night or even the next morning.

Unofficial election results from municipalities that use central count may be provided to the county clerks and the public in two different phases. The initial results will either be the totals from ballots cast in person at the polling place on Election Day or may be the totals from absentee ballots processed at central count. Once both results sets are available, the vote totals from absentee ballots will be added to the polling place totals and complete results sets for each ward will then be posted.

Central count municipalities are required to post on their websites on Election Night the number of absentee ballots they have issued and received to be counted. The number received is the potential number of absentee ballots that will be added to the polling place totals.

Voters May Only Vote for Candidates of One Party in the Primary

Unlike most other states, Wisconsin law gives voters the freedom to choose which political party's primary they wish to vote in without having to register to vote with a party affiliation or designation. However, they may only vote within one party's primary on the August ballot.

If a person votes for candidates in more than one party, that person's votes will not be counted. If a voter makes a mistake when voting on Election Day, he or she may ask to spoil the ballot and request a new paper ballot, up to a total of three.

Recount Information

Wisconsin does not have automatic recounts, even if the unofficial results are extremely close. A losing candidate who wants to ask for a recount must wait until the last day a county board of canvassers meets, which is at least one week after the election. The deadline for requesting a recount is three business days after the Elections Commission receives the last statement from a county board of canvassers.

Only an aggrieved candidate, defined as a candidate for an office whose total votes were within 1% of the winner's vote total when at least 4,000 votes were cast or within 40 votes of the winner's total if fewer than 4,000 votes were cast, may request a recount of results for an office.

There is no cost to the losing candidate if the difference between the leading candidate is 0.25% or less. If the difference is more than 0.25%, the WEC will estimate the cost, which must be paid before the recount begins.

More information about recounts is available here: <https://elections.wi.gov/resources/manuals/recount-manual>.