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October 4, 2022

Meagan Wolfe
Administrator
Wisconsin Elections Commission
201 West Washington Avenue Second Floor
Post Office Box 7984
Madison, Wisconsin 53707-7984

Via Email – meagan.wolfe@wisconsin.gov

Re: *In the Matter of Sandy Weidner et al. v. Tara Coolidge* (Case No.: EL 22-24)

Administrator Wolfe:

City of Racine City Clerk Tara McMenamain has received the Decision Letter of the Wisconsin Elections Commission in the above-referenced matter dated September 30, 2022. Clerk McMenamain understands the Commission's decision with regard to the use of the City's mobile elections unit ("Precinct") as an alternate voter registration and absentee ballot site to be as follows:

- The Precinct qualifies as a lawful alternate absentee ballot and voter registration site.
- The locations at which the Precinct have been used as alternate absentee ballot sites have gone through all the appropriate approval processes to notice and use the Precinct.
- The Precinct has limitations as to its entrance, route, corridor, and turning space that do not comply with the requirements of the American's with Disabilities Act
- The Commission has ordered her to cease use of the City's Precinct as an alternate voter registration and absentee ballot site until such time as the Precinct is made compliant with the accessibility requirements placed upon such a facility.

Clerk McMenamain also understands that, in accordance with the Commission's previous interpretation of Wisconsin Statutes section 6.855, alternate in-person absentee voting locations established for an August Partisan Primary must also be used for the respective November General Election. Stated otherwise, because of this requirement and the Commission's recent order, the City of Racine is in a position to be required to use the same alternate absentee ballot locations for the

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November 2022 General Election as were used for the August 2022 Partisan Primary, however *without* allowing voter entry to the Precinct. Therefore, I write to notify you how Clerk McMenammin and the City of Racine will proceed as to alternate absentee ballot sites for the impending November 2022 General Election in-person absentee voting period.

Clerk McMenammin will use the same alternate absentee ballot locations for the November 2022 General Election as were used for the August 2022 Partisan Primary. The Precinct will be moved to and posted at such locations when they are in use. However, no voter will be permitted to enter the Precinct and no voting activities will occur therein. Instead, all in-person absentee voting activities will be conducted outside of the Precinct. Voters will be permitted to engage in all in-person absentee voting activities under cover of the Precinct's awning or under a separate tent erected for such purpose, or both, depending upon the site. In all additional regards, the requirements of Wisconsin law as to in-person absentee voting activities shall be met.

Please advise me if you have any questions regarding Clerk McMenammin's plan.

Sincerely,

/s/

Scott R. Letteney
City Attorney

Cc: City Clerk Tara McMenammin – via email
Attorney James Witecha – via email
Attorney Brandon Hunzicker – via email
Attorney Kelly McCormick – via email