NOTICE OF OPEN AND CLOSED MEETING
Wisconsin Elections Commission
Special Teleconference-Only Meeting
Wednesday, May 20, 2020
4:00 P.M.

Due to the COVID-19 pandemic, this meeting is being held via teleconference only. Members of the public and media may attend by telephone. Please visit https://elections.wi.gov/node/6857 for call-in information. All public participants' phones/microphones will be muted during the meeting. Members of the public wishing to communicate to the Commissioners should email elections@wi.gov with "Message to Commissioners" in the subject line. Those messages will be provided to the Commission members.

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AGENDA – OPEN SESSION

A.   **Call to Order**

B.   **Administrator's Report of Appropriate Meeting Notice**

C.   **Discussion of Absentee Ballot Report for April 7 Spring Election and Presidential Preference Primary**   **2**

D.   **Discussion of Federal CARES Grant**   **3 1**

E.   **Discussion of ERIC Data and Mailings for 2020**   **41**

F.   **Request by ES&S for Testing of ExpressVote**   **45**

G.   **Approve Ballot Templates for August and November 2020 Elections**

H.   **Update on Cross-State Voting Matches and District Attorney Referrals**

I.   **Closed Session**

    1. Litigation Updates (*§ 19.85 (1) (g) - The Commission may confer with legal counsel concerning litigation strategy.*)

J.   **Adjourn**
The Elections Commission will convene in open session but may move to closed session under Wis. Stat. § 19.851.

April 7, 2020
Absentee Voting Report

May 15, 2020

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I. Executive Summary

Absentee voting in the April 2020 election reached unprecedented levels but Wisconsin voters, local election officials and election administration systems largely adapted to the demand and managed the volume successfully. At a macro level, the processes to request, receive, return, and review absentee ballots proceeded normally and without inconsistencies. At a local level, the extraordinary volume placed enormous stress on election officials, elections systems, and the United States Postal Service ("USPS").

Absentee voting remains a largely manual, labor-intensive process administered by each individual jurisdiction across the state. While voters can request a ballot and upload a photo ID on their smart phone in just a few minutes, behind the scenes clerks must still manually verify the IDs, stuff and seal envelopes by hand, apply postage, carry boxes of envelopes to the post office, and physically check off each request. These manual processes have worked well in the past, but they are not easy to scale up without advance warning or extensive preparation. When mail volume is up to ten times higher than anticipated, clerks must complete the same tasks without the benefit of having more staff, additional supplies or more hours to meet statutory deadlines.

Despite these challenges, clerks across the state did what was necessary to complete the task. Many jurisdictions hired and trained temporary staff, developed new procedures, and worked long nights and weekends to meet voter needs. The Wisconsin Elections Commission ("WEC" or "Commission") likewise hired temporary staff, rapidly expanded technical systems, and worked around the clock to keep up with demand. The data in this report affirms that these efforts were successful, while still revealing opportunities for improvement and important lessons learned.

WEC staff, Wisconsin clerks, and the USPS are working together to make improvements to the absentee voting process and prepare for continued high vote-by-mail volume for the remainder of 2020 and beyond. Process improvements in development will revise the absentee ballot request application, ballot mailing, ballot tracking, and overall quality control. Every step in the process, from the application form, to the envelope, to the tracking tools, is under examination and being evaluated for potential improvements. The tools now in development will provide voters, clerks, and WEC staff with a simpler process and improved communication.

II. Facts: Absentee Voting Data

The April 2020 election broke absentee voting records in Wisconsin while maintaining relatively high turnout for a spring election. Indeed, the April 2020 election produced several state records, including:

- Most by mail ballots ever cast in any Wisconsin election
- Most absentee ballots ever cast in any Wisconsin election
- Second most total ballots ever cast in a Wisconsin Spring Election
- Most in-person absentee ballots in a Wisconsin Spring Election.

The total number of absentee ballots cast by mail easily surpassed the previous record set in April 2016.
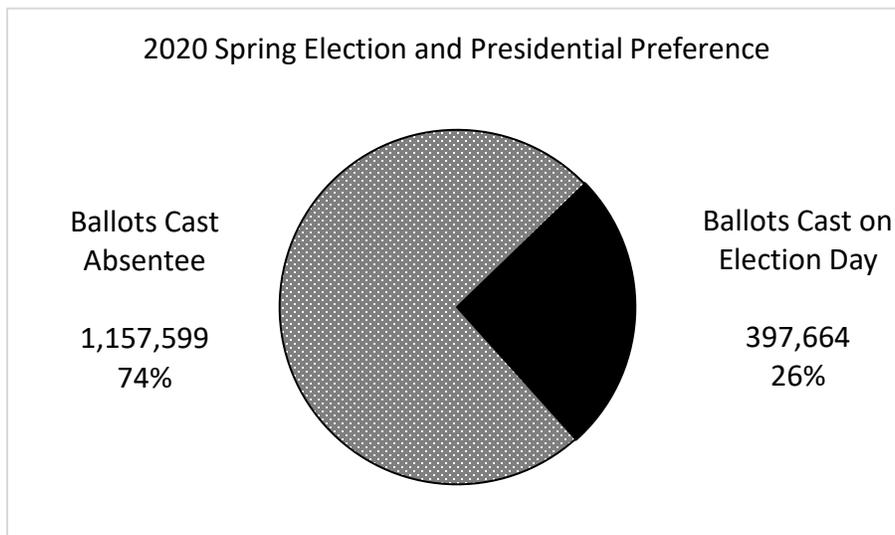
Table 1.

Total Ballots Cast by Mail
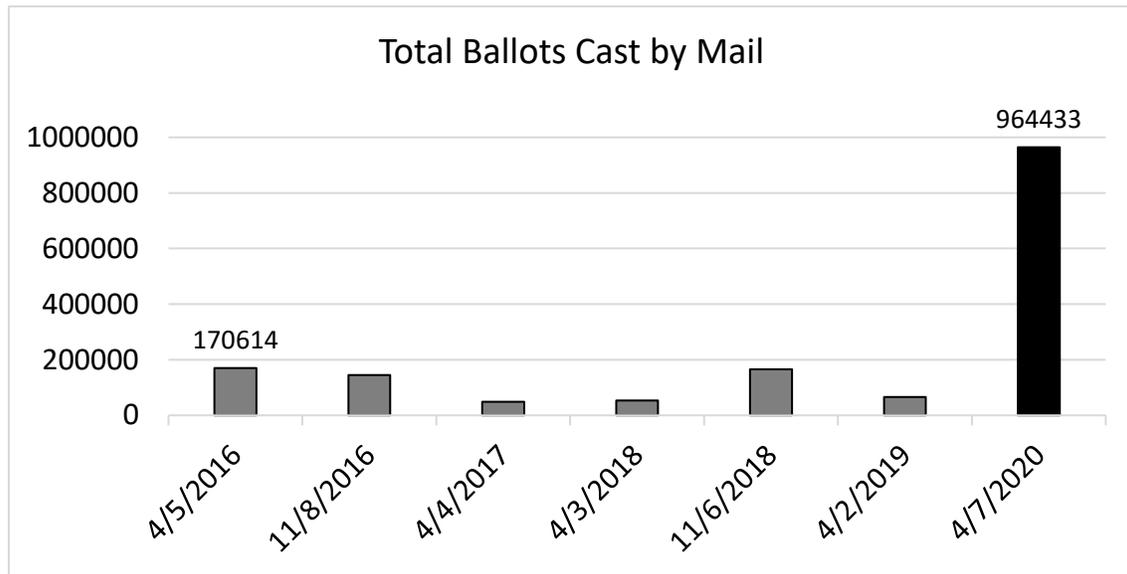
While the COVID-19 pandemic produced an exceptional shift to vote-by-mail, it is not clear that the crisis influenced overall participation. The total ballots cast in the Spring Election and Presidential Preference Vote were not markedly different from previous spring elections. While voter participation for this election was consistent with historic turnout numbers for similar elections, it is also impossible to determine how many voters were unable to cast a ballot for this election due to concerns and complications related to the COVID-19 pandemic. As demonstrated by the chart below, total ballots cast for this election were comparable to the 2008 Spring Election and Presidential Preference Vote and trailed only the same election in 2016 where both major political parties had competitive presidential primaries on the ballot in Wisconsin.

Table 2.

Spring Elections Total Ballots Cast

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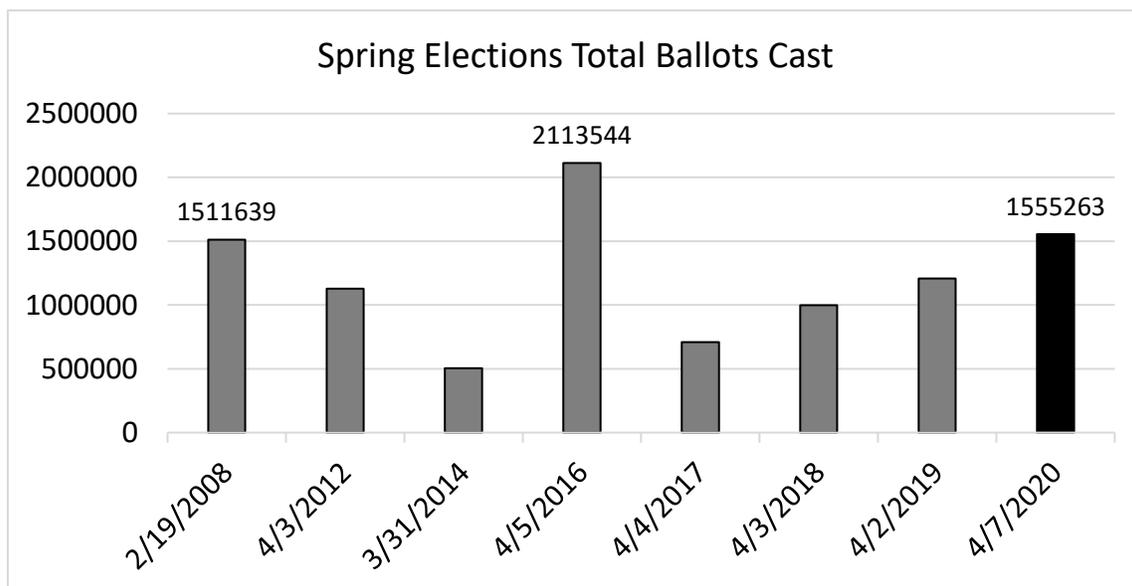
Absentee ballots cast for the April 2020 election also represented a far greater percentage of the ballots cast than is typical. More than three-quarters of the ballots cast were absentee and more than 60% were delivered by mail. Historically, over 80% of ballots in Wisconsin are cast in person on election day and only 6% are cast as by mail absentee ballots. Wisconsin has seen a steady rise in absentee voting percentages in recent years, but those gains could be attributed to an increase in in-person absentee voting, commonly referred to as early voting. For this election, almost 75% of all ballots cast were by absentee voters with over 60% issued and returned by mail. For this election, Wisconsin local election officials saw increases in both in-person absentee voting and absentee by mail, which created resource issues for a system primarily designed to support polling place voting on election day. Some smaller staffs were nearly overwhelmed by the demand and many had to recruit assistance from other municipal departments or secure temporary staff.

Table 3.

2020 Spring Election and Presidential Preference

Ballots Cast Absentee

1,157,599
74%

Ballots Cast on Election Day

397,664
26%

As compared with earlier elections, the 2020 shift to voting by mail is distinct, with barely one quarter of voters choosing to cast a ballot on election day. In person voting on election day was still required for this election and each municipality had to dedicate resources to securing, staffing and supplying polling places, while also processing the increased volume of absentee voting. Almost 400,000 voters cast their ballot at a Wisconsin polling place on election day and each municipality operated at least one polling place. The combination of increased by mail absentee voting and continued support of in person voting has resulted in many local election officials reporting that their 2020 municipal postal budgets have already been exhausted or are on pace for shortages.

Table 4.

Voting Method
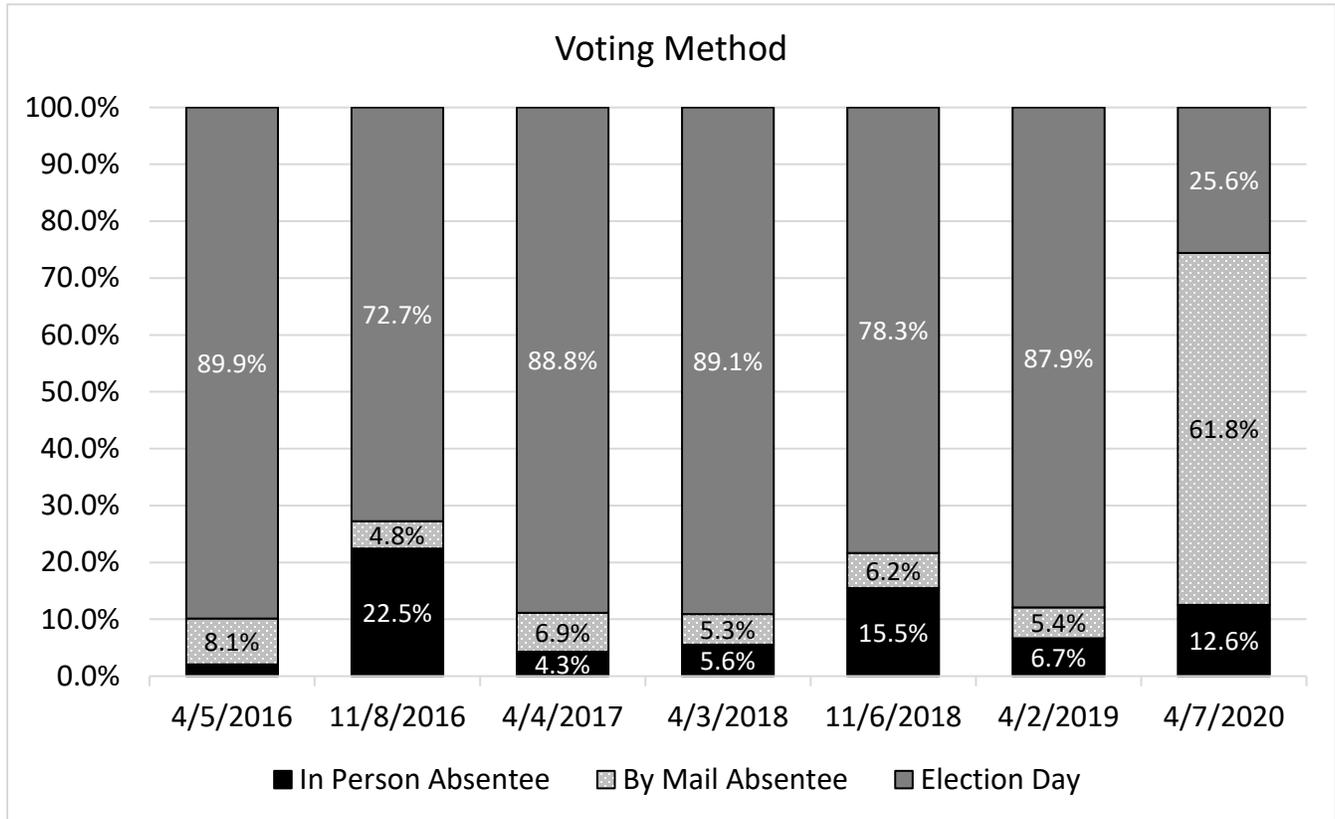
Nearly 1.3 million absentee ballots were delivered to voters for the April election, either by mail or in person at local clerks' offices. While almost 90 percent of ballots were returned and counted, approximately 1 in 10 ballots were either not returned to the clerk or were returned but rejected. Almost 121,000 absentee ballots were issued by local election officials, but not returned by voters. This report will provide information about several factors that contributed to the number of unreturned ballots.

Table 5.

April 7, 2020 - Absentee Ballots	Absentee Ballot Count	% of Ballots
Total Absentee Ballots Sent[1]	1,303,985	100.00%
Absentee Ballots Returned and Counted	1,159,800	88.94%
Absentee Ballots Returned and Rejected – After 4/13	2,659	0.20%
Absentee Ballots Returned and Rejected - Other	20,537	1.57%
Absentee Ballots Not Returned	120,989	9.28%

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[1] An additional 21,301 absentee ballot records were created by clerks but deactivated for administrative reasons (e.g. clerk error, voter error, voter request, ineligible voter, etc.). This represents approximately 1.6% of the total absentee ballot records. Since 2016, the median rate of administrative cancellations is approximately 2.3% of the total absentee ballot records created, with a range of 1.1% (November 2018) to 4.0% (April 2016).

The figures above are largely consistent with the percentage of ballots rejected or not returned in recent April elections. Both the ballot rejection and unreturned ballot rates were consistent with or lower than the previous rates. This comparison does not seek to downplay the concerns and experiences reported by voters who had difficulty receiving or returning their ballot or voters who could not meet the witness requirement due to COVID-19 concerns. It does demonstrate the Wisconsin vote by mail system for the April 7, 2020 election performed consistently with its performance in previous comparable elections, but there are still several opportunities for improvements. The State is currently pursuing multiple initiatives that will improve the by mail absentee process prior to the fall 2020 elections.

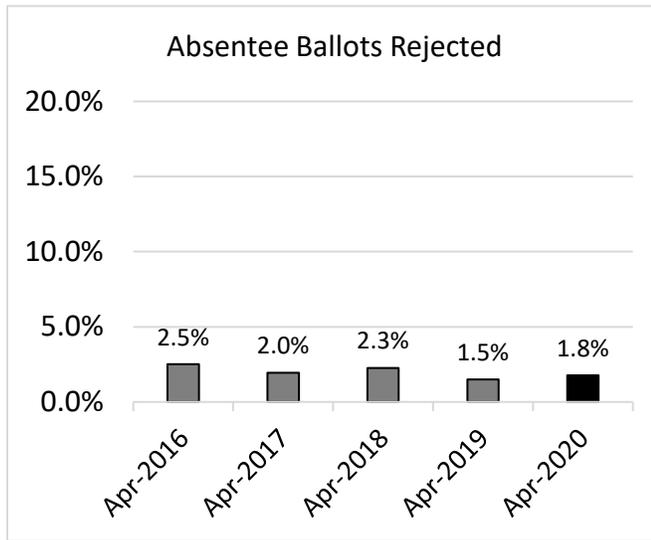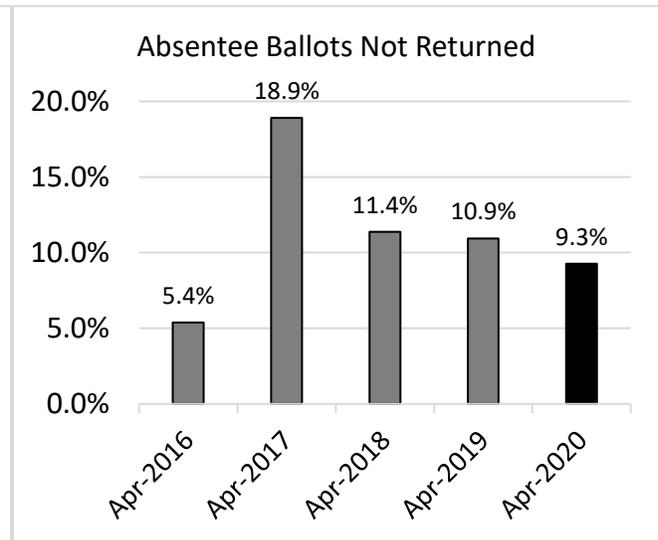Table 6.   Table 7.

Likewise, most ballots were returned prior to Election Day, but nearly 7% arrived in the window between Election Day and the court ordered deadline of 4:00 p.m. on 4/13/2020. Over 1.1 million of the absentee ballots that were issued for this election were returned in accordance with current Wisconsin state law that requires ballots to be received by 8:00 PM on Election Day in order to be counted. Judge Conley's extension of the ballot return deadline to 4:00 PM on April 13, 2020 resulted in an additional 79,054 ballots being counted for this election. Local election officials have also reported 2,659 ballots that were returned after the April 13 deadline that were not counted due to their late arrival.

Table 8.

April 2020 Absentee Ballot Return Dates	Absentee Ballot Count	% of Ballots
Total Absentee Ballots Returned	1,182,996	100.00%
Ballots returned before 4/8/2020	1,101,324	93.09%
Ballots returned between 4/8/2020 and 4/13/2020	79,054	6.68%
Ballots returned after 4/13/2020	2,659	0.22%

Additional historical data is attached to this report as Exhibit A - Absentee Voting Data.

III. Findings: Absentee Performance During the April 2020 Primary

A. General Assessment

Wisconsin voters demonstrated an unprecedented commitment to the democratic process in the April 2020 election. In the midst of a COVID-19 pandemic and rapidly changing voting rules and protocols, nearly 1.2 million voters cast an absentee ballot in the Spring Election and Presidential Preference Primary. This section assesses the performance of the absentee voting process during the April 2020 election and examines the experiences of voters, election officials, and election systems. The assessment will consider both a broad overview and examine specific case studies from across the state.

1. The Absentee Process in Wisconsin

The Wisconsin Legislature has determined that the vigorous exercise of our constitutional right to vote should be strongly encouraged. The Legislature also recognizes that it is difficult for some individuals to get to their polling place on Election Day. In order to meet this need, the Legislature has established the privilege of absentee voting as an extension of the right to vote on Election Day. The Legislature recognized that the privilege of voting absentee is exercised wholly outside the traditional safeguards of the polling place. It has determined that the privilege of absentee voting must be carefully regulated to prevent the potential for fraud or abuse, overzealous solicitation of absent electors who may prefer not to participate in an election, and undue influence on an absentee elector to vote for or against a candidate or referendum. Wis. Stat. § 6.84(1).

Any qualified elector who is unable or unwilling to appear at the polling place on Election Day may vote by absentee ballot. Wis. Stat. § 6.85. Registered electors wishing to vote absentee must submit an absentee ballot request in writing to the municipal clerk. The request is made to the municipal clerk in writing or electronically using the Application for Absentee Ballot (EL-121), or a letter requesting an absentee ballot which provides the information required on the application form. The written request should include the elector's: 1. Name 2. Residential address 3. Mailing address, if different than residential address 4. Signature 5. Proof of identification, if necessary. Military and Overseas electors may also use the Federal Postcard Application (FPCA), which is a combination registration form and absentee ballot request. Voters may also apply for and vote an absentee ballot in person at the municipal clerk's office. Wis. Stat. § 6.86.

Municipal clerks prepare official absentee ballots for delivery to electors requesting them. An absentee ballot must be sent to any voter with an absentee application on file, no later than 47 days before a federal election, and no later than 21 days before a primary or other election. Otherwise, the municipal clerk shall send or transmit an official absentee ballot within one business day of the time the elector's request for such a ballot is received. Wis. Stat. § 7.15(1)(cm).

The municipal clerk or the clerk's designee is required to enter absentee applications and ballot information into the WisVote system maintained by the Commission within 48 hours after mailing or receiving an in-person absentee ballot application. Wis. Stat. § 6.33(5). Or, in the case where the

municipality relies on the county or another municipality, the clerk shall submit the information to the clerk's WisVote provider, and the provider shall enter the absentee information into the WisVote system within 24 hours. Wis. Stat. § 6.33(5).

2015 Wisconsin Act 261 charged the Government Accountability Board (G.A.B.), and later the Wisconsin Elections Commission, with developing a subscription service that would allow the public to access absentee ballot data that is tracked in WisVote. Given the implementation of the absentee subscription service available in BADGER Voters as well as increase in absentee voting and the growing public interest in obtaining absentee ballot data, it is important that clerks are able to timely and accurately enter absentee ballot data into WisVote including entry of absentee applications, issuance of ballots, and recording ballot statuses. The WEC staff plays an important role in assisting clerks with entering and tracking absentee ballots in the WisVote system.

a.   Support Provided by the WEC

Commission staff do not process or send absentee ballots to voters in Wisconsin; all requests are required to be fulfilled by a local municipal clerk. However, Commission staff provide a range of both technical and direct support to municipalities for the absentee request process. The Commission provides access to and maintains the WisVote system and the MyVote website, along with technical support and training related to these products.

The WisVote system is the primary administrative means of tracking and supporting the absentee process in Wisconsin. Along with voter registration records, WisVote allows clerks to track absentee requests for single and multiple elections, create records for issued ballots, and record the final disposition of ballots. Centralized absentee tracking allows Commission staff to monitor and support clerk compliance with Federal and State UOCAVA requirements. It also allows Commission staff to gather and submit federally required absentee information to the U.S. Elections Administration Commission on behalf of all Wisconsin clerks.

WisVote has several built-in reports and report-building functions to further support clerks in the entering and tracking of absentee applications and ballot records. Commission development will also create new reports based on clerk feedback and needs, such as the recent Photo ID Not on File report created to assist clerks in finding and entering any absentee applications missed due to the large influx of requests. This report was created, tested, and deployed in less than one week.

The MyVote Wisconsin website is another integral piece of the absentee voting process. MyVote is a public-facing website that provides a central location for voters to submit an absentee ballot request regardless of where they reside in the state. All requests submitted via MyVote are then transmitted to the municipal clerk via an email notification that includes a copy of the photo ID file, if required, and a PDF version of the absentee request that includes election information, delivery method, and separate mailing address, if provided. MyVote reduces the number of misdirected absentee requests and speeds the absentee process by providing a standard email to assist in organizing emailed requests and

automatically assigning them to the correct jurisdiction based on the voter's address. When a photo ID is not required, the MyVote site will create the tracking record in WisVote automatically while still sending the notification, removing the data-entry requirement for these requests. Voters who do not use the MyVote site may send absentee requests to the incorrect jurisdiction, or even the Elections Commission directly, which leads to requests being delayed or even unfulfilled if the misdirected request is received after a statutory deadline.

Commission staff maintains and develops extensive training materials to update clerks on changes to WisVote and MyVote while also allowing new clerks to obtain the necessary training to use these systems effectively. All clerks and their support staff are given access to an elections training site referred to as The Learning Center ("TLC"). The site includes interactive training modules covering the various functions of WisVote and links to all training webinars produced by Commission training staff. Commission staff also publish and update a user manual for WisVote which includes detailed instructions on using the various functions and features of WisVote. Along with these existing materials, Commission training staff produce and record several training webinars during each election cycle to review topics of concern, preview/review recent updates to WisVote and solicit clerk feedback.

b.   Processes at Individual Communities

The absentee request and fulfillment process will include many of the same processes regardless of municipal size or circumstances. Requests must be reviewed to determine type and period of request, if the voter is currently registered, within the jurisdiction, and if an acceptable photo ID was required/provided. All municipalities must mail/email/fax any ballot requests themselves and have a supply of envelopes and ballots to do so. Based on request volume and municipality size, clerks may use WisVote to generate mailing labels while other municipalities will opt for hand-written labels. If a clerk is a self-provider, has WisVote access and tracks their own information, they would also enter the necessary information into WisVote. In municipalities where the clerk is not a WisVote user, they will contract with another municipality or county to enter this information on their behalf while reviewing and fulfilling any absentee requests directly.

For a more detailed accounting of how various municipalities handled the absentee process, please see the Case Studies section below.

2. Voting for April 2020

The April 7 Spring Election and Presidential Preference Vote was by all definitions unprecedented. Wisconsin was the only state thus far to conduct a statewide election during a COVID-19 pandemic stay at home order. Wisconsin is also the most decentralized state for election administration, meaning that 1,850 municipal election officials and 72 county election officials had to adapt to significant changes from court rulings, public health guidance and voter behavior shifts towards vote by mail.

The surge in absentee voting was first felt on the MyVote Wisconsin website. On the MyVote website, voters can request an absentee ballot, track when their ballot was sent and received by their clerk,

register to vote online, find their polling place, view a sample ballot, view their voting history, and more. The site was built and updated regularly by WEC staff with extensive usability studies conducted with hundreds of voters to learn how they use the site.

Based on historical data, most voters went to MyVote to find their polling place or to view a sample ballot. Site analytics show this to be true in February 2020, where traffic to the polling place look up tool reached a new record high. Features like requesting an absentee ballot were previously used by voters, but never at the rate they were utilized in the lead up to the April 2020 election. As a result, the look up tools garnered more attention from developers prior to the COVID-19 pandemic.

To accommodate the rapidly evolving environment, WEC staff were required to make more than a dozen changes to the MyVote system in the 60 days prior to the election. Deadlines for online voter registration and for absentee requests were extended multiple times by court actions prior to this election and deadlines for ballots to be returned and witness requirements were also changed initially, but then changed back. Because this information is hardcoded in the MyVote system, each change required extensive reprogramming and testing to avoid unintended consequences.

The other statewide system supporting the absentee process is WisVote. The WisVote database is the system used by almost 3,000 local election officials to administer elections. While WisVote and the WEC do not issue ballots, the clerks use WisVote to record when they send and receive absentee ballots, generate an absentee ballot log, enter voter registrations, and record voter participation. The system was built by the WEC team and launched in 2016.

WisVote was built based on the way Wisconsin conducts elections, which involves mostly voting in-person at the polls and registering to vote at the polls on election day. By mail voting and registration options are accounted for in the system, but most municipalities had never received a large volume of absentee requests for a specific election prior to this election. Clerk activity in WisVote prior to the election was much higher than any prior election because clerks were all entering and issuing record numbers of absentee requests at the same time. The system performed very well but required around the clock monitoring and auditing to handle this unique and unprecedented user behavior and traffic.

Like MyVote, WisVote required several updates to accommodate extended deadlines for absentee requests and online voter registration. These extensions meant changing automation in the system to assign voter records and allow requests to new deadlines and elections. WEC staff also monitored capacity of the system to ensure adequate memory space. Multiple increases of memory were needed to keep pace with absentee requests and attached copies of photo ID's. WEC staff also created two significant new processes to assist local election officials with the new volume of absentee requests.

One change was to create an absentee ballot request report that documents when a voter submits a request that includes a photo ID. This change was significant because it allowed WisVote to view photo ID files within the system. This process is usually completed by email. Photo files are very large, therefore the storage and capacity in WisVote had to be significantly adjusted.

WEC staff also created "poll book" reports or pages so that jurisdictions with consolidated polling places could use the WisVote system to check in voters, produce and print an individual poll book page for them, and record new registrations and participation in real time on election day. These were not processes that had been conceptualized previously and required significant development and testing completed in one week.

As the enormous quantity of absentee ballots began entering the mail system, voters began asking more questions and expressing concerns about ballot deliveries. With nearly six times more ballots in circulation, the number of complaints and concerns increased by a similar amount. Some voters also reported not receiving their absentee ballots while others reported that their completed ballots were not returned to the clerk in a timely fashion. Starting on April 8, municipalities began reporting irregular or illegible postmarks on ballot return envelopes. WEC staff asked clerks to report their postmark and mailing issues to the USPS and the WEC for investigation. Findings from that research is discussed in the Case Studies section below.

WEC staff also worked with local election officials to understand and collect postmark examples and postal issues. WEC then worked with USPS personnel at the local, state, regional, and national level to get information about the postmark process. Ultimately, USPS provided information that each postal branch made best attempts to postmark ballots on election day, but in the case of missing or illegible postmarks there was no way to determine what date the ballot was marked. WEC staff also sent a letter to local, state, regional, and national USPS representatives asking for them to provide additional information on ballots that were not received and on outgoing ballots that were returned to municipalities without explanation. A response has not yet been received.

Finally, any report on the April 2020 election must include mention of the tremendous support received from partners not typically involved in the elections process. In addition to our regular law enforcement partners, the WEC received exceptional support from the State Emergency Operations Center, Wisconsin Emergency Management, the Wisconsin National Guard, the Wisconsin Department of Health Services, and the federal Cybersecurity and Infrastructure Security Agency. These agencies, working closely with Wisconsin's 72 county clerks, played a key role in distributing personal protective equipment, sanitization supplies, and even poll workers to more than 2,000 polling places across the State.

3. Other 2020 Elections

Looking ahead to the remainder of 2020, the WEC staff anticipate continued high demand for by mail absentee voting, even if the COVID-19 pandemic begins to subside. November elections generally see high turnout, particularly in presidential election years. The last three presidential general elections all saw more than 3 million ballots cast. If voting patterns from April hold true, the state could see more than 1.8 million requests for absentee ballots by mail. This kind of volume would present terrific challenges for Wisconsin election officials at all levels.

Table 9.

Total Ballots Cast: Spring to Fall
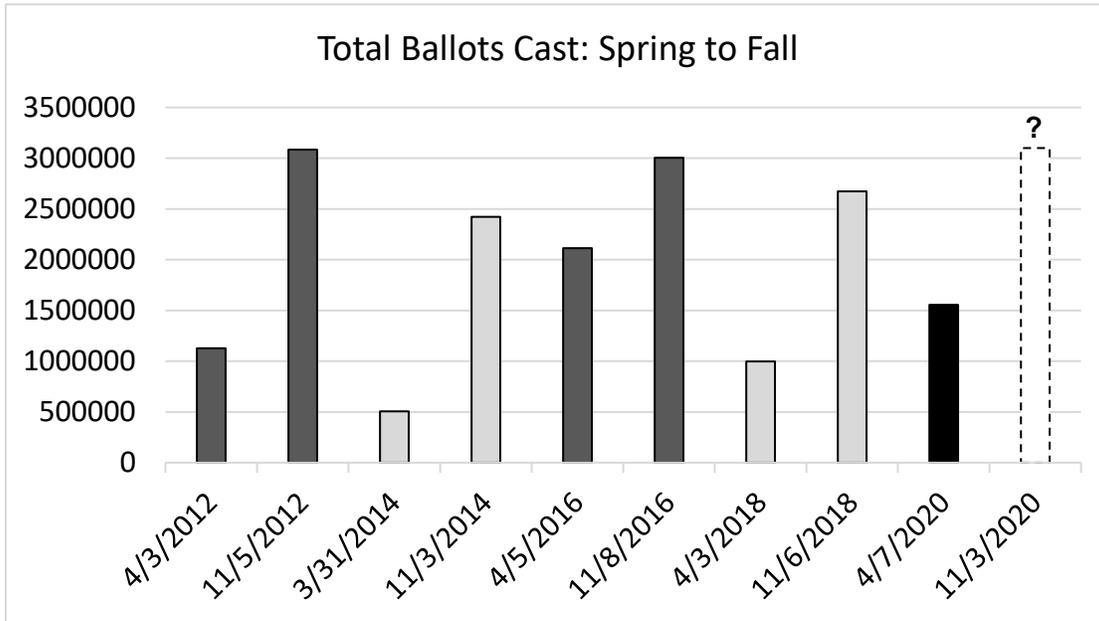
November presidential elections also tend to see a greater proportion of inexperienced voters. That is, voters who vote infrequently or are voting for the first time. These less-experienced voters are more likely to have difficulty navigating the absentee voting process. As a result, the clarification of the process may help voters in November.

B. Specific Case Studies

The absentee voting experiences of voters and election officials were as varied as the 1,850 jurisdictions in the state. Nearly every community experienced unprecedented absentee request volume, and many hired temporary staff to cope with demand. Many small and medium size jurisdictions learned to use WisVote absentee batch processing tools for the first time, having never previously needed any automation assistance to manage their workload. Larger cities, while used to higher volumes, were forced to work around the clock and conduct much larger batch mailings then previously experienced. For all jurisdictions, the statutory requirement to mail ballots within 24 hours of receiving a request presented a significant challenge.

This section examines specific challenges, problems, complaints, and solutions reported by municipal, county, and state election staff.

1. Meeting Overwhelming Demand

The most fundamental challenge faced by election officials was simply meeting the unprecedented demand. In addition to keeping up with the requests for mailed absentee ballots, clerks continued to service voters in their office wishing to participate through in-person absentee voting. On top of that, clerks were tasked with providing polling places with equipment on election day to meet appropriate

CDC guidelines, not to mention the challenge of recruiting and training new election inspectors taking the place of long-serving election inspectors, many of whom chose not serve due to their risk category to COVID-19. While meeting the requirements above, clerks had to remain in communication with the WEC on updates and changes applied by all levels of the legal system. Most critically, hundreds of Wisconsin clerks had to complete all the tasks above while working alone and part time.

The increase in demand appeared consistent across the state, with large, medium and small jurisdictions all showing similar patterns.

Table 10.

Rapidly changing guidance further complicated the environment for clerks. Multiple decisions in the weeks leading up to election day required clerks to communicate new deadlines and requirements impacting voters who may have received conflicting information made no longer relevant by late hour court decisions. No city, village, or town was able to avoid these extraordinary challenges presented in

addition to the increased demand for absentee voting – and their efforts navigating all the situations presented by the pandemic should not be overlooked.

For elections prior to the April 7 election, the City of Racine managed ballot requests received by email with just one election staffer who printed and distributed the requests to four additional staff members for entry into WisVote and for the records to be filed according to public records statutes. Once the pandemic hit and absentee request volume grew exponentially, the city quickly adapted by recruiting 20-30 additional city staff members to process absentee ballot requests from printing the request to sending the ballot out the door. Staff are still catching up on filing these documents appropriately.

Some communities, like the Village of Cottage Grove (Dane County), were fortunate to have hired and trained new elections staff just before the pandemic crisis began. Staff were able to manage the demand for absentee ballots by printing off every email notification of an absentee ballot request, whether it required photo ID or not. A staff of three processed each request individually, ensuring the steps of entering the request, issuing the ballot, printing the label, and applying it to the ballot occurred for every printed email. High school students were brought in to assist with the manual work of stuffing envelopes with ballots, while the clerk staff managed work in the voter registration system and fielded calls from voters with limited experience with absentee voting and navigating MyVote. Clerk staff found some success when directing voters to using smartphones (when available) to upload a copy of their photo to complete the absentee ballot request process.

Even the smallest of jurisdictions were not immune from the increased demand. While they did not have to contend with thousands of requests, individual town clerks often worked alone and with limited resources. In the Town of Washington in Shawano County, a part-time clerk went from managing eight absentee ballot requests in February to processing 312 in April. Many clerks were in a similar position of putting in extra hours to scale up their election's operations with no additional compensation, all while balancing a separate full-time job.

To provide clerks adequate time to complete all their election responsibilities, WEC is committed to reducing the administrative burden of data entry required by the current absentee ballot request process. Proposed adjustments to the system include generating a pending absentee request in WisVote that can be approved or denied once photo ID is reviewed. Additionally, WEC hopes to assist clerks with common issues with absentee ballot requests, such as "selfies" submitted as photo ID, by communicating that information back to the voter through MyVote or available email or phone contact information. Finally, the staff recommends conducting voter outreach programs as described in the CARES Grant memorandum associated with this Commission meeting.

2. Concerns about Mail Service

Clerks in some parts of the state encountered issues with absentee ballots reaching voters or being returned to their offices. In some cases, voters expected to receive a ballot when a request was not submitted or not completed. These issues are discussed further under Voter Experience & Education below. After ruling out cases of voter error, there remained cases that could not be explained or could

not be explained definitively. For example, the City of Oshkosh and other Fox Valley communities all reported voters complaining that their ballots were arriving late or not arriving at all. WEC staff investigated each complaint received where enough information was available to identify the voter.

On the morning of April 8, 2020, WEC staff received a telephone call from a Political and Election Mail Coordinator at the Great Lakes Regional office of the USPS in Chicago. The USPS official reported that the post office had located "three tubs" of absentee ballots for the Appleton/Oshkosh area and that the ballots were being processed. The official was unable to confirm how many ballots were in the three tubs but stated that "it could be quite a lot" as they were large two-handled tubs. In a follow up communication, the USPS indicated that there were approximately 1,600 ballots in the batch.

WEC staff attempted to follow up with the USPS to further identify the ballots and determine what happened but did not receive any further information about these ballots. Written inquiries to the USPS did not produce any specific information about these ballots. Wisconsin's two U.S. Senators have asked the USPS Inspector General to investigate, but WEC staff have been unable to learn anything about the status of the inquiry.

The WEC also investigated reports from the City of Oshkosh suggesting that ballot requests were received but not fulfilled. While many of the cases involved incomplete requests (e.g. no photo ID provided) other records appeared complete. WEC staff researched several dozen Oshkosh area ballot requests that were entirely valid, including those of Assembly Representative Gordon Hintz (D – Oshkosh) and his spouse. The ballot records in question were generated as part of a batch on March 24, and analysis of the ballots associated with it showed that a large part of the batch was not returned by voters. Of the first quarter of records generated, more than 90% were returned. Of the remaining three-quarters of records, less than 1% were returned. This suggests that something happened to the ballots in the latter portion of the batch.

WEC and Oshkosh staff could find no evidence of a technical failure. The Oshkosh batch was produced very quickly by the system (two minutes and seven seconds), did not include any unexpected applications, and occurred during normal operating hours when no system maintenance was underway. Furthermore, the City of Oshkosh Clerk reports with confidence that the ballots were mailed to voters. Thus, in this case, there is no evidence of a system error and no evidence of a printing problem. Instead, one of two events are possible: either a user did not apply the mailing labels to ballot envelopes, or these ballots were bundled together and collectively encountered an issue in the mailing process.

As with the larger cities, smaller municipalities also reported issues with ballots reaching residents or being returned to the clerk in a timely fashion. The Village of Fox Point was among them and experienced an unusual chain of events that garnered some media attention. For two weeks, absentee ballots that were supposed to be mailed to Fox Point residents were repeatedly returned to the Fox Point Village Hall by the post office before reaching voters.

The village reported receiving anywhere from 20 to 50 of these returned absentee ballots per day two weeks ahead of the election. The problem continued to grow as election day neared. In the week prior

to the election, 100 to 150 ballots per day were returned to the village. On the morning of Election Day, Fox Point Village Hall received a plastic mail bin with 175 ballots. In each case, the returned ballots were unopened, unmarked and had not been received by voters. The postage was not cancelled, and no explanation was provided.

Each time they received a batch of absentee ballots, village officials immediately drove the ballots back to the nearest post office. They asked post office supervisors what was wrong with the ballots, but they did not receive any explanation. Fox Point Village Clerk Kelly Meyer reports it is unclear how many voters were affected by the undelivered ballots. Residents who did not receive an absentee ballot in the mail were advised to vote in person at their polling place on Election Day. Residents who called village hall inquiring about their absentee ballot on Election Day could retrieve their ballot from village hall if the ballot still un-sent and the resident could confirm their identity with a photo ID.

Statewide, the volume of absentee requests received remained high in the week prior to April 7th. Clerks received over 60,000 requests alone on the Friday before election day. Even if all these requests were mailed on Saturday, it is unknown how long those ballots took to reach voters. Current capabilities do not permit election officials to monitor the movement of ballots in the mail system. Thus, the next data point available to election officials is the date the completed ballot is returned to them.

Table 11.
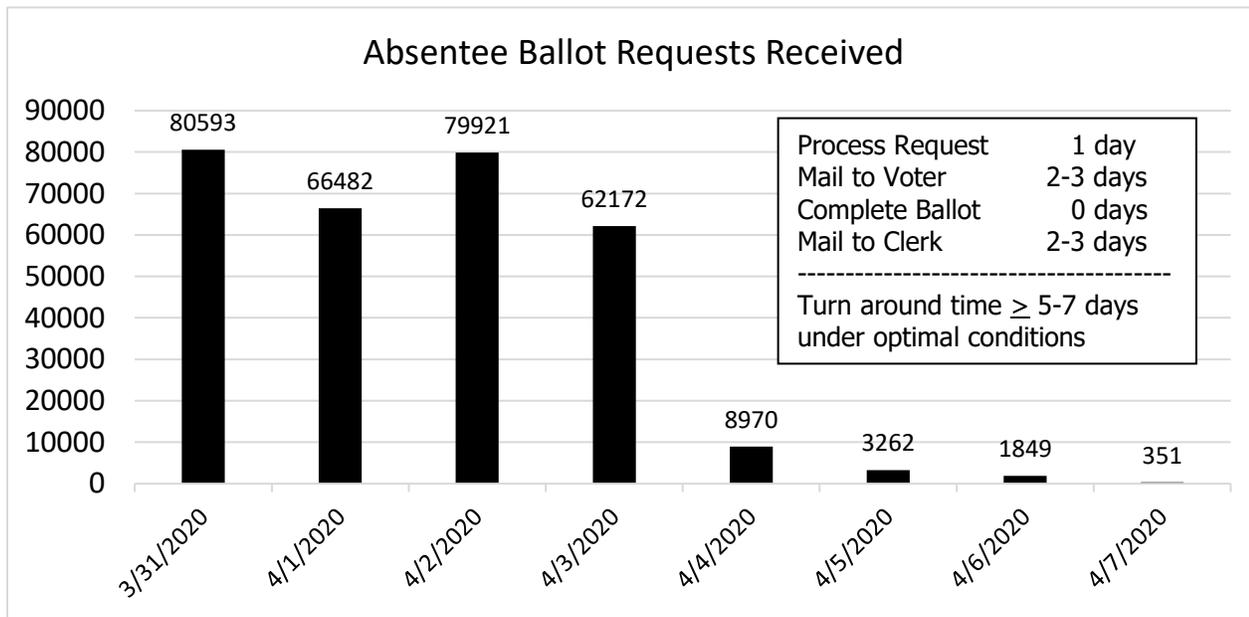
The absence of information about ballots in the mail system is a significant concern for voters, clerks, and Commission staff. To improve visibility of these ballots, WEC staff are working to incorporate Intelligent Mail Bar Codes (IMBs) as a tracking tool for future absentee mailings. The IMB is a 65-bar USPS barcode that allows internal tracking information to be shared with the mailer and or recipient.

Although still dependent on the postal service, the IMB allows greater visibility of individual pieces in the mail stream. IMBs and tracking tools are discussed further in the Recommendations section below.

3. Process Improvements

The enormous volume of absentee requests for the April 2020 election magnified the effect of typically small concerns that ordinarily presented minor issues. Complex process flows that were a minor annoyance in prior elections became major headaches for April. Counties faced a particularly difficult challenge of attempting to complete the data entry for multiple relier communities where the absentee voting rates had previously been low. This data entry provides these voters with the opportunity to track their ballot on MyVote.

For example, in Shawano County, the clerk's office typically has three staffers but operated with just two as a result of the pandemic. This reduced staff of just two people was responsible for entering the absentee information for 25 municipalities. The Shawano County staff encountered problems working in the voter registration system, including the inability to pull reports at the county level. Additionally, the ballot count associated to an absentee application does not always immediately update due to allocation of system resources, creating confusion for users looking for confirmation a ballot was created and slowing the processing of information.

Grant County, located in southwest Wisconsin, also provides absentee processing support for its municipalities. Grant County is made up of 52 municipalities, 41 of which rely on the county to enter and update the status of their absentee ballots in WisVote. Previously the volume of absentee ballots was manageable through a simple absentee ballot log passed between the municipality and county. The county clerk's office revamped this absentee ballot log and asked all 41 reliers to stick with the standard format in the weeks leading up to April 7. The log asks for the necessary information to enter it correctly and efficiently in the voter registration system. The county also asks the reliers to highlight any changes from the last time the absentee ballot log had been sent so they could focus on the work to be completed.

Another contributor to processing time is the requirement to individually validate the photo identification of each voter. While validating any one request is quick, the manual nature of the process proved challenging when contending with high volume and simultaneously responding to hundreds of voter inquiries. Compounding the problem was the fact that MyVote shows only complete, accepted requests. Voters with a request pending ID approval are given no indication that their request is on file. Improving feedback to voters, and tools available to clerks, is therefore a top agency priority before the August 2020 election.

4. Technical Problems.

Some voters and clerks have questioned if technical failures caused absentee requests or ballots to be lost. As a result, WEC technical staff spent considerable time researching this possibility both before and after election day. Detailed auditing were performed on individual complaints and no technical problems were detected prior to election day. WisVote and its associated systems maintain meticulous

details of each and every transaction occurring in the system, precisely when it occurs to the fraction of a second, and who or what executed the transaction. These highly detailed records allow staff to retrace events, locate errors, and validate system operations. The records enabled staff to review tens of thousands of transactions from hundreds of jurisdictions. This research revealed one isolated and unique incident where technology and volume combined to create an error. Staff found no evidence of any technical error that could have caused an absentee ballot request or a completed ballot to be lost.

The single failure identified came to light after the City of Milwaukee's Election Commission (MEC) conducted a post election review that could only be identified after election participation was entered. Upon investigation, MEC staff discovered that the WisVote record for tracking this voter's ballot had been created in the middle of the night, at a time when MEC staff would not have been creating ballot records. They further determined that the ballot record was associated with a batch. A batch is a WisVote entity that allows clerks to select broad categories of absentee application records and request the system create ballot tracking records and subsequently generate mailing labels for each of those absentee applications. Many of the absentee ballots associated with this batch had been created in the middle of the night, and many of them had not been returned. MEC referred the issue to the WEC for further investigation during the post-election data reconciliation process.

Upon initial analysis of the batch, WEC staff identified trends that appeared similar to the Oshkosh case. As in Oshkosh, there was a sharp decline in ballot return rates for a specific subset of ballots. Of the 5,913 ballot records created on or before 10:42:32 p.m. on March 22, 5,237 were recorded as having returned in some way to the clerk's office. This is an 88.5% return rate. Of the 2,693 ballots generated after 10:42:32 p.m., only one was recorded as returned.

Further investigation disclosed several factors unique to Milwaukee. In particular:

- It was the largest batch processed by WisVote; ultimately including 8,607 absentee ballot request records. The median batch size for the same day was 32 records.
- It started at 5:16 p.m. on March 22 and did not complete until 1:31 a.m. on March 23. Typically, batches complete within a few minutes.
- Of the absentee application records associated with the batch, many were created **after** the batch was generated. Since the first thing the batch does is select the absentee application records that match its criteria, this should not be possible.

Upon review, it was determined that the timeframe of this particular batch overlapped with maintenance on a known server issue. On March 22, WEC staff observed high utilization rates in some WisVote servers that could potentially cause user interface degradation, such as slow page loads or poor performance of some tasks. In consultation with Microsoft, plans were made to implement server improvements to prevent further issues. In the interim, system resources were freed by restarting the servers that process background jobs, called asynchronous servers. Background jobs are intended to be short-running, and by restarting one server at a time during a period when few users would be interacting with the system, staff believed that WisVote's load balancing would shuffle background jobs as needed and there would be no impact. That has been staff's experience in past server restarts, and in

testing no impact was observed. However on subsequent code review it was determined that it is possible, if a batch workflow is restarted, for that workflow to select applicable ballot requests a second time, which would generate ballot tracking records for absentee applications not originally associated with the batch.

It is staff's belief that an extraordinary confluence of events resulted in additional ballot records being generated after MEC staff printed their mailing labels, leading MEC to believe those ballots had already been sent when in fact they had not. First, Milwaukee's extraordinarily large batch of more than 8,000 ballots, exacerbated by the high user load on the system in the run up to the April election, resulted in the processing of this batch taking several hours, instead of a few minutes. Second, unbeknownst to MEC, Commission staff conducted an unscheduled restart of the asynchronous servers to address an unrelated issue, interrupting this long-running job. Third, an oversight in the development of this process meant that the system failed to handle the restart gracefully, selecting an entirely new collection of absentee applications instead of continuing from where it had been interrupted.

Since the database contained detailed information tracking batch creation, staff could develop precise criteria to determine the impact and review transactions across the state. As a result, staff can conclusively determine that this restart issue only impacted this one batch in the City of Milwaukee. As a result of this issue, staff believes that 2,693 requested ballots were never sent to City of Milwaukee residents. Of the affected voters, 52.5% voted in the election either on a replacement absentee ballot or at the polls on election day.

Ensuring the voting rights of Wisconsin citizens is a hugely complex task without room for error. It requires, at a minimum, the ability to immediately identify and remedy errors before they affect the voting process. In this instance, detailed records enabled agency staff to retrace these events, they did not provide information in a proactive manner allowing a system problem to be identified in real time. Neither clerks nor the state would have been able to identify this issue in real-time or based on single voter reports. Staff are now adopting real-time performance tracking tools for IT professionals and building user-friendly audit tools for clerks and other election officials. Measures to identify and avoid technical failures like this one are discussed in the Recommendations section below.

5. Voter Experience & Education

The April 2020 election introduced hundreds of thousands of voters to the absentee process for the first time. Naturally, many were unfamiliar with the process and did not understand the requirements. Common errors included:

- providing a written request (letter or e-mail) with insufficient information
- submitting a personal photograph instead of an acceptable form of photo ID
- not completing the on-line application process

An additional complication resulted from third parties mailing absentee application request forms that did not adequately highlight the photo ID requirement. In these cases, the clerk was unable to fulfill the

request until they could follow up with the voter to obtain a valid photo ID. Most voters do not provide a phone number or email, so the clerk must rely on a mailed notification to the voter that their request is not yet valid. Clerks in these situations were often unfairly blamed for not fulfilling a request that was not valid in the first place.

WEC staff believes that the creation of voter outreach programs to explain the absentee voting process will be beneficial, particularly if demand for absentee ballots remains high.

IV. Recommendations: Proposed Courses of Action

A. Assessment Resources.

WEC staff is working with various partners to assess and improve the absentee voting experience. Changes to the voter registration system, public facing websites, paper forms, and envelopes will largely impact individuals outside of the agency, and the Commission should provide opportunities to receive and incorporate feedback from our core users.

In addition to the existing Clerk Advisory Committees, a new Clerk Advisory Committee dedicated to Vote by Mail revisions has been created and is meeting on a weekly basis to provide direction and feedback on staff proposals. The committee is composed of clerks from jurisdictions of various sizes and resources. A separate committee dedicated to "reliers" -- clerks who rely on the county or another municipality to complete some or all of their WisVote work -- will also be convened so that new workflows meet their unique needs.

Staff is also working with non-profits in the elections space who are stepping up their efforts to support the nationwide increase in absentee voting. Staff reached out to the Center for Civic Design for guidance on holding and recruiting inexperienced and first-time voters for remote, video conference usability sessions. The Center for Civic Design has previously trained staff on making user-centered design decisions through holding usability sessions, where voters are asked to test-drive new or updated products such as the absentee ballot request form. Staff is in the process of holding remote video conference sessions with voters.

WEC staff is also working with Democracy Works - a nonprofit that builds software applications to assist voters and election officials. WEC has been working with Democracy Works since 2011 in providing our Voting Information Project data feed, which serves as our alternate means for voters to locate Election Day polling places. Ballot Scout is another Democracy Works product that tracks absentee ballots using information from USPS via their Intelligent Barcode and Informed Visibility mail tracking system. Ballot Scout can be inserted as a "widget" or feature into a website like MyVote, allowing voters and clerks to track a ballot as it travels through the USPS mail system.

Since April 23, USPS Election Mail and Business Mail integration experts and WEC staff have been meeting weekly. The focus of these meetings is to provide WEC staff with guidance on the implementation of intelligent mail barcodes and support in absentee ballot envelope revisions. USPS is

committed to building a relationship with our agency with the goal of improving the experience of voting by mail in Wisconsin.

B. Ballot Request Process

Staff, clerks, and voters have provided ample observations on how to improve the absentee ballot request process. Voters are required to submit a written request to their municipal clerk to receive an absentee ballot. Requests can be submitted in a standard format when requested through MyVote and when using the Absentee Ballot Request form (EL-122) or can be submitted in an unstandardized format through an email or mail correspondence. No matter how the voter submits it, any request that gets to the clerk must be entered by hand into the voter registration system. Many first-time absentee voters visited MyVote in the weeks up to the April 7 election to request their ballots where they had to navigate unfamiliar language and requirements such as uploading a photo ID.

In response, WEC staff will focus on three specific improvements to the process of requesting an absentee ballot. First, we recognize that technology and internet is not accessible to all voters. WEC staff is revising the paper Absentee Ballot Request form (EL-122) to be more user friendly and is exploring the opportunity to mail this form to every registered voter without a current absentee ballot request on file for 2020. Additional directions on how to provide a copy of a valid photo ID will be required for this mailing. Second, while hundreds of thousands of voters successfully navigated the absentee ballot request process on MyVote, the process can be improved, particularly in the areas of photo ID upload and confirmation of submission. Finally, information submitted to clerks through MyVote should not require manual data entry into the voter registration system or rely on an email-based process for most users. WEC staff will work with clerks and voters to review new designs before implementation of these three improvements ahead of the 2020 Fall elections.

C. Mailing Process and Ballot Tracking

In its current state, the mailing process for absentee ballot requests allows each jurisdiction flexibility to approach the process in the manner that best meets their needs. As a result, there are situations that lead to less visibility of the ballot's mailing status that may not be ideal. One potential direction for improvements in WisVote is integration of USPS Intelligent Mail Barcodes. Integrating Intelligent Mail Barcodes would allow those who use the Absentee Ballot mailing label features within WisVote to track the delivery status of the absentee ballot.

The USPS has the ability to allow WEC to generate a unique serial number from within WisVote; once the unique serial number is generated, the Absentee Ballot mailing label can be printed using a font that translates the unique number into a bar code used to identify a mail piece as election mail. The bar code also enables scanning and tracking the mail piece as it progresses through USPS facilities. For those who choose to use this function within WisVote once it is developed, clerks will be able to generate and print a label with a barcode that the USPS would then scan once the mail pieces is received at a Postal Service location. Once the mail piece is received, tracking information can be updated as frequently as every hour to track the current location and projected arrival of the mail piece.

With tracking information provided by USPS, WEC can provide specific updates and enhanced transparency into the vote by mail process to clerks and voters. The hope is that with this addition, the number of calls and emails to clerks will be greatly reduced as voters will be able to track their ballot by accessing MyVote or receiving push notifications to an email or phone number. WEC staff is currently evaluating options for integrating this data and evaluating the effects this may have on existing clerk workflows as well as feasibility and timelines.

While evaluating these options and potential for tracking ballots and their return, we are also very cognizant of WisVote relier clerk access to this information and how reliers may be able to obtain the barcode for their mail pieces. This specific topic requires quite a bit more consideration and input from relier community clerks. WEC staff is actively pursuing input from those clerks in order to carefully assess their current workflow and any potential assistance that could be provided by the intelligent mail barcode tracking as well as any potential unintended workflow requirements that may be imposed on those reliers. Integration of tracking via the intelligent mail barcode will increase the transparency of the mailing process for absentee ballots as they are delivered to voters and as they are returned to their municipal clerk.

D. Reports and Audit Tools

Wisconsin's voter registration system serves many purposes for clerks and voters. It maintains the list of registered voters, the set of candidates and contests assigned to specific districts, tracks absentee ballot requests and ballots, houses the data displayed to voters on MyVote, and generally facilitates the administration of elections in Wisconsin. Due to the current pandemic environment, the administration of elections is changing to occur increasingly by mail and the voter registration system must be adjusted to support that shift.

The voter registration system currently offers multiple methods to manage absentee ballot request and ballot records, originally meant to meet the needs of all sizes of communities in Wisconsin. While meant to be helpful, multiple methods can create confusion among clerk staff using different methods within an office and require WEC staff to adequately train and support all methods. As utilization of absentee voting by mail increases all across the state, WEC staff will work with clerks to identify which method to process absentee ballot requests, ballot records, and absentee address labels is best in managing high volumes of absentees and then popularize and train clerk staff on this method.

Staff intends to implement additional tracing procedures and tools to enable early detection of issues such as the batch that restarted in Milwaukee. This will give technical staff greater insight into the internal processes of WisVote beyond what it presently visible in logs and reports and give near-real-time data on system performance in a more meaningful way. In addition, some tools under WEC evaluation can provide certainty that workflows and system processes are behaving as expected after system deployment and provide staff instant notifications if a change is detected.

In response to clerk and voter feedback, WEC staff is investigating numerous methods to improve the immediacy and accuracy of user feedback. In addition to increasing user satisfaction, improved

feedback should reduce the number of incomplete absentee applications from voters and increase confidence from both clerks and voters that requests are being correctly processed, and ballots are sent out timely.

Additionally, WEC staff will create reports to help clerks manage and audit absentee ballot requests and ballots coming into and leaving their office so that they identify issues, anomalies, and ensure all requests are successfully fulfilled and tracked. WEC staff hopes to provide clerk staff the tools to monitor their data so that they can identify and resolve issues. Maintaining and verifying data in the voter registration system database enables our critical role in providing accurate information to voters.

V. Conclusions

The April 7, 2020 election introduced countless challenges that Wisconsin clerks successfully overcame, enabling a record number of voters to cast their ballots through the absentee process. Moreover, the final election data conclusively indicates that the election did not produce an unusual number unreturned or rejected ballots. Despite the overwhelming success of absentee voting as a whole, the experiences leading up to election day were not trouble-free and illuminated several critical areas for improvement. The absentee voting process in Wisconsin can be complex for some users and the current system favor the technically savvy. Voters and clerks would benefit from more information about the status of their absentee ballots, particularly once they enter the mail system. Finally, clerks and WEC staff need more powerful but easy-to-use tools that will enable them to quickly identify and correct problems. The 2020 CARES Act affords Wisconsin the necessary resources to implement many of these improvements, but long-term sustainment will require additional support. With adequate backing, the challenges of April 2020 should ultimately yield voters, clerks, and WEC staff a much-improved absentee voting process.

Absentee Voting Data 2016-2020

This reflects data in agency systems as of May 7, 2020.   While most clerks have completed data entry for the April 2020 election, some jurisdictions continue to record or revise data.   Older data used different reporting conventions and terminology; therefore, the contents of some data fields may differ when comparing information from different years.

April 7, 2020 - All Ballots

Ballot Status	Ballot Count	% of Ballots
Total Ballots Counted[1]	1,555,263	100.00%
Ballots Cast In Person	395,463	25.4%
Ballots Cast Absentee	1,159,800	74.6%

April 7, 2020 - Absentee Ballots

Ballot Status	Absentee Ballot Count	% of Ballots
Total Absentee Ballots Sent	1,303,985	100.00%
Absentee Ballots Returned and Counted	1,159,800	88.9%
Absentee Ballots Returned and Rejected – After 4/13	2,659	0.20%
Absentee Ballots Returned and Rejected - Other	20,537	1.57%
Absentee Ballots Not Returned	120,989	9.27%

April 2, 2019 - All Ballots

Ballot Status	Ballot Count	% of Ballots
Total Ballots Counted	1,207,569	100.00%
Ballots Cast In Person	1,061,465	87.90%
Ballots Cast Absentee	146,104	12.10%

April 2, 2019 - Absentee Ballots

Ballot Status	Absentee Ballot Count	% of Ballots
Total Absentee Ballots Sent	166,846	100.00
Absentee Ballots Returned and Counted	146,104	87.57%
Absentee Ballots Returned and Rejected - Other	2,492	1.49%
Absentee Ballots Not Returned	18,250	10.94%

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[1] An additional 21,301 absentee ballot records were created by clerks but deactivated for administrative reasons (e.g. clerk error, voter error, voter request, voter refused, etc.). This represents approximately 1.6% of the total absentee ballot records. Since 2016, the median rate of administrative cancellations is approximately 2.3% of the total absentee ballot records created, with a range of 1.1% (November 2018) to 4.0% (April 2016).

November 6, 2018 - All Ballots

Ballot Status	Ballot Count	% of Ballots
Total Ballots Counted	2,673,308	100.00%
Ballots Cast In Person	2,094,208	78.34%
Ballots Cast Absentee	579,100	21.66%

November 6, 2018 - Absentee Ballots

Ballot Status	Absentee Ballot Count	% of Ballots
Total Absentee Ballots Sent	595,914	100.00%
Absentee Ballots Returned and Counted	579,100	97.17%
Absentee Ballots Returned and Rejected - All Causes	1,379	0.23%
Absentee Ballots Not Returned	15,435	2.59%

April 3, 2018 - All Ballots

Ballot Status	Ballot Count	% of Ballots
Total Ballots Counted	997,485	100.00%
Ballots Cast In Person	888,715	89.09%
Ballots Cast Absentee	108,770	10.90%

April 3, 2018 - Absentee Ballots

Ballot Status	Absentee Ballot Count	% of Ballots
Total Absentee Ballots Sent	125,936	100.00%
Absentee Ballots Returned and Counted	108,770	86.37%
Absentee Ballots Returned and Rejected - All Causes	2,845	2.26%
Absentee Ballots Not Returned	14,321	11.37%

April 4, 2017- All Ballots

Ballot Status	Ballot Count	% of Ballots
Total Ballots Counted	708,711	100.00%
Ballots Cast In Person	629,649	88.84%
Ballots Cast Absentee	79,062	11.16%

April 4, 2017 - Absentee Ballots

Ballot Status	Absentee Ballot Count	% of Ballots
Total Absentee Ballots Sent	100,249	100.00%
Absentee Ballots Returned and Counted	79,062	77.88%
Absentee Ballots Returned and Rejected - All Causes	1,982	1.95%
Absentee Ballots Not Returned	19,205	18.91%

November 8, 2016 - All Ballots

Ballot Status	Ballot Count	% of Ballots
Total Ballots Counted	3,004,051	100.00%
Ballots Cast In Person	2,184,735	72.72%
Ballots Cast Absentee	819,316	27.27%

November 8, 2016 - Absentee Ballots

Ballot Status	Absentee Ballot Count	% of Ballots
Total Absentee Ballots Sent	845,243	100.00%
Absentee Ballots Returned and Counted	819,316	96.93%
Absentee Ballots Returned and Rejected - All Causes	11,447	1.35%
Absentee Ballots Not Returned	14,480	1.71%

April 5, 2016 - All Ballots

Ballot Status	Ballot Count	% of Ballots
Total Ballots Counted	2,113,544	100.00%
Ballots Cast In Person	1,898,891	89.84%
Ballots Cast Absentee	214,653	10.15%

April 5, 2016 - Absentee Ballots

Ballot Status	Absentee Ballot Count	% of Ballots
Total Absentee Ballots Sent	233,073	100.00%
Absentee Ballots Returned and Counted	214,653	92.10%
Absentee Ballots Returned and Rejected - All Causes	5,860	2.51%
Absentee Ballots Not Returned	12,560	5.39%

Absentee Voting by Method 2016-2020

	4/5/2016	11/8/2016	4/4/2017	4/3/2018	11/6/2018	4/2/2019	4/7/2020
Total Ballots	2113544	3004051	708711	997485	2673308	1207569	1555263
Absentee Ballots	214653	819316	629649	888715	579100	146104	1159800
Absentee In Person	43911	674514	30380	55457	413882	80577	195367
Absentee By Mail	170742	144802	599269	833258	165218	65527	964433

2020 Spring Election and Presidential Preference Vote
Absentee Ballot Status

The data below is entirely dependent upon manual data entry by 1,850 jurisdictions throughout the State of Wisconsin. Most clerks have completed recording participation and are now performing reconciliation tasks to correct errors. After initially recording data, the system also runs a reconciliation audit where it compares related numbers and flags anomalies; therefore, the numbers below will change as clerks enter data and as they complete the reconciliation process.

In addition, clerks have the option to choose from a variety of predefined ballot status types and sometimes interpret ballot status definitions differently. This was particularly relevant to the April 7, 2020 election, since the normal statutory deadlines associated with absentee ballot return did not apply. For example, the status "Ballot Not Returned by Deadline" is sometimes used by clerks to mean different things. In this case, some clerks interpreted the status to mean ballots not postmarked by April 7th, while others interpreted it as ballots not returned by April 13th. Still others thought it meant any ballots that have not been returned to the clerk. The reconciliation process allows clerks the opportunity to revise figures using uniform definitions, thus we can expect the figures to continue changing slightly in the future.

Type	Ballot Status Reason	Absentee Ballot Count	% of Ballots
Returned Ballots	Ballot Returned and Counted	1,159,800	88.94%
	Rejected - Certification Insufficient	14,042	1.08%
	Rejected - Postmarked After Election Day	5,526	0.42%
	Rejected - Ballot Not Returned by 4:00 pm April 13th Deadline[1]	2,659	0.20%
	Rejected - Superseding Ballot Returned	795	0.06%
	Rejected - Certificate Envelope Compromised[2]	98	0.01%
	Rejected - Voter Deceased Before Election Day	25	0.00%
	Rejected - Voter Ineligible	31	0.00%
	Rejected – Other	20	0.00%
Unreturned Ballots	Ballot Not Returned	120,989	9.28%
Admin Action	Request Cancelled by Clerk	10,563	n/a
	Request Cancelled by Voter	10,185	n/a
	Ballot Returned Undeliverable	4,960	n/a
	Voter Refused Ballot from SVD[3]	301	n/a
	Voter Ineligible to Receive Ballot	252	n/a

Since the April 17, 2020 report, most figures increased as clerks continued entering data. Three fields declined:

1. *Rejected – Ballot Not Returned by 4:00 p.m. April 13th Deadline*. (Previous figure 4,678) This field previously included some ballots that were not returned at all and should have been documented as "Ballot Not Returned." The new figure more accurately reflects ballots that were returned to clerks but arrived late.

2. *Rejected – Certificate Envelope Compromised.* (Previous figure 229) This field previously included ballots listed as pending rejection by the Board of Canvassers. The lower number indicates that Boards of Canvassers decided to accept some ballots after assessing the reported damage to the certificate envelope.

3. *Voter Refused Ballot from SVD*. (Previous figure 304) This figure appears to have been revised to correct a data entry error.

Wisconsin Elections Commission

212 East Washington Avenue | Third Floor | P.O. Box 7984 | Madison, WI 53707-7984
(608) 266-8005 | elections@wi.gov | elections.wi.gov

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DATE: For the May 20, 2020 Commission Meeting

TO: Members, Wisconsin Elections Commission

FROM: Meagan Wolfe, Administrator
               Wisconsin Elections Commission

SUBJECT: CARES Grant Planning

1. **Summary.** The COVID-19 pandemic crisis created a difficult and fast changing environment for elections across the country, especially here in Wisconsin where election officials and voters were faced with an election scheduled while the Safer-At-Home order was in effect. The federal Coronavirus Aid, Relief and Economic Security (CARES) Grant allows states access to funds that can be provided to municipalities to help offset the costs they will incur when conducting safe and secure elections in August and November of 2020. Grant funds must be spent for the 2020 election cycle, so time is of the essence. All of the items recommended will need to be approved and implemented in May in order to be accomplished and effective for the August and November 2020 elections.

2. **Purpose.** As authorized under Section 101 of the Help America Vote Act of 2002 (P.L. 107-252) (HAVA) and provided for in the CARES Act, 2020 (Public Law 116-136), the purpose of this award of federal funds to states is to "prevent, prepare for, and respond to coronavirus, domestically or internationally, for the 2020 Federal election cycle."

To maximize the benefit of Wisconsin's CARES funding, the WEC staff proposes a four-part program to offset unbudgeted expenses, enhance absentee voting, and prepare for the August and November elections. The four components of the plan are: (1) a subgrant to offset mailing expenses for Wisconsin localities; (2) a program to promote absentee voting in the general election; (3) redesigned absentee ballot envelopes to enhance usability; and (4) a program to fund sanitation supplies needed for the remainder of 2020. Each of these components is discussed in turn.

3. **Subgrant to Offset Mailing Costs.** One of the major costs we know municipalities incurred from the impact of COVID-19 was the sudden influx of absentee ballot requests to be mailed. This caused municipalities to exhaust their absentee envelope supplies and incur larger than budgeted sums of postage costs. The recommendation is to allot a portion of the CARES grant funds directly to municipalities to help offset costs incurred from the additional mail supplies required for April 2020 and provide funds to assist with the added costs heading into the next two elections. WEC staff is recommending funds be based on a $1.10/per voter allocation in order to help offset those past and future mailing costs. Allocation of the CARES subgrant funds would be based on the number of

Wisconsin Elections Commissioners
Dean Knudson, chair | Marge Bostelmann | Julie M. Glancey | Ann S. Jacobs | Robert Spindell | Mark L. Thomsen

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Administrator
Meagan Wolfe

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registered voters and expected turnout and number of by mail absentee requests in each municipality for the August and November elections.

A. **Requirements.** Under the staff recommendation, jurisdictions would not need to apply to receive their CARES grant funds for postage and mailing costs. After paying for mailing costs, leftover funds may be used to help cover additional COVID-19 resources.

Municipalities will not need to provide the Wisconsin Elections Commission with receipts or expense reports but are being asked to maintain records for potential future audits. WEC will provide training and guidance to the municipalities regarding how to document incurred postage costs and to ensure federal grant guidelines are followed.

B. **Timeline.** If approved by the Commission, checks will be mailed to municipalities by June 30 to ensure they can use the funds toward mailing absentee ballots for the August Partisan Primary.

C. **Costs.** WEC is recommending dispersing a total of $2.6 million to municipalities to help offset the costs that will occur with the impact of additional absentee ballot mailings projected for the August and November elections. Based on turnout for past August and November elections and using current registration numbers as a guide, WEC staff used an estimated statewide total of approximately 750,000 voters will turn out in August, and approximately 3,000,000 ballots will be cast in November. These numbers may be higher than actual turnout but are consistent with recent similar elections.

The April 2020 Spring Election had a record setting rate for absentee ballots that were issued, and staff expects the numbers for the next two elections will be proportional due to COVID-19. The average issue rate for by-mail absentee ballots was 61% and staff used that as a baseline number for all municipalities for the remainder of the year. If a municipality had a higher percentage of absentees issued, that number was used. Based on that calculation, staff projects there will be an estimated 418,900 absentee ballots mailed for August and 1.95 million will be mailed for November.

Statewide Registered Voters:	Potential Postage Costs for Aug '20	Potential Postage Costs for Nov '20	Total potential postage costs for rest of 2020
3,415,026	$460,780.28	$2,151,260.99	$2,612,041.27

Since Wis. Stat. § 6.87(3)(a) requires clerks to provide return postage on all mailed ballots, staff's calculations assume two stamps for each ballot mailing. Staff, therefore, recommend a reimbursement of $1.10 per expected by mail ballot due to the postage cost for two stamps. We believe this expected cost per absentee ballot mailing is the best way to offset the expected municipal postage costs. This metric is how staff will calculate the amount of CARES funds to be distributed to each municipality.

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Municipality	Aug 2016 Turnout	Nov 2016 Turnout Avg	Registered Voters May 2020	Predicted Aug 2020 Turnout	Predicted Nov 2020 Turnout	Muni Avg Apr '20 Absentee Ballots cast vs Total Votes	Projected Absentee Ballots for Aug 2020	Projected Absentee Ballots for Nov 2020
City of Appleton	14%	67%	41,187	5,583	27,529	87%	4,873	24,028
Town of Deerfield - Dane	16%	74%	1,019	163	753	82%	134	619
Village of Wheeler	7%	51%	137	10	70	61%	6	42

4. **Promoting Absentee Voting.** The overwhelming surge in absentee ballot requests for the April 7th election created many challenges for both voters and election officials. Part of the difficulties stemmed from the sudden influx of voters unfamiliar with the absentee process. In an effort to make the absentee process accessible to as many voters as possible, and to increase lead times for clerks, WEC staff studied the requirements and costs of mailing an absentee ballot request form to all registered voters in the state without an active absentee request on file in time for the November election.

    A. **Requirements.** This mailing would include an explanation of how to request an absentee ballot through MyVote Wisconsin, a paper absentee ballot request form as an alternative option, and a business reply return envelope pre-addressed to the Wisconsin Election Commission. The use of business reply mail ensures that neither voters nor municipalities are responsible for postage expenses if they need to use the paper request form. It also ensures that WEC only pay for pieces that are actually mailed back to us. A small contingent of temporary staff will be hired to process returned applications. As with the postage, a central processing plan ensures that individual municipalities do not incur significant additional costs or labor. Municipalities will, however, still have to physically mail the ballots to voters who request them.

    B. **Mailing Size.** Staff identified 3,396,906 total active voters in Wisconsin. After removing voters with existing absentee requests on file, and those still on the active-mover's list, yields 2,709,942 voters currently eligible for the absentee mailing.

    C. **Timeline.** As with other state agencies, the Department of Administration (DOA) has been affected by COVID-19 and is working with a reduced staff. DOA further indicated that total production time for printing and mailing would be approximately 8-12 weeks. This would be approximately 283,000-340,000 pieces per week. In addition, DOA would need a minimum 1 week for testing and development, but 2 weeks advance time would be more advantageous. This puts total project time at 11-14 weeks after DOA receives all files and approvals are received by DOA Bureau of Printing and Design (BPAD). Because these timelines do not reconcile with a June mailing, both DOA and WEC are looking at third-party vendors who may be able to complete the job on an accelerated timeline.

    D. **Costs.** Total costs for the project are estimated at not more than $2.1 million. WEC staff contacted the DOA's Distribution and Publishing to obtain a cost estimate and timeline for the mass mailing. Final costs will vary based on final mailing specifications.

Printing	$267,152
Supplies & Processing	$267,909
Postage	$1,360,000
TOTAL	**$1,895,061**

Return postage via business reply mail will add to the project cost depending on response rate. Additional expenses will be incurred to hire 3-6 temporary staff to process returned applications.

    E. **Data Entry Support.** While providing voters an opportunity to request their absentee ballot using a paper application by mail is an important option for voters who do not have access to or do not feel comfortable with technology, it also means manual data entry for municipal clerks. Currently, when clerks receive absentee ballot requests by mail or by email, they need to enter that data into WisVote. They also need to approve and maintain copies of photo ID's and contact the voter if there is a deficiency.

With a state-sponsored absentee request mailing, WEC staff recommends that all the absentee request forms sent back by mail be returned to the WEC office. WEC would then use CARES Act grant funds to hire temporary staff or work with a data warehouse to enter the request information as a pending request in WisVote and scan in the photo ID and application materials. The municipal clerk would then review and accept or deny the application in WisVote. The clerks would still have complete authority, as required by law, to review and accept or deny the applications. WEC would also explore ways to use this same process to help contact voters who have a deficiency in their application. If a clerk denies an application in WisVote for lack of or insufficient photo ID, WEC temporary staff could then generate a letter or email to the voter letting them know about the deficiency and asking the voter to send the missing information to their clerk to complete their request.

This proposal allows WEC to utilize two new efficiencies. First, WEC staff will be able to use the new "pending absentee" feature in WisVote where applications can be entered through MyVote for clerks to approve or deny, and to communicate the result of the application and its status to voters without manual data entry. Second, it allows WEC to more economically provide a return postage option to voters who return their absentee ballot request by mail. USPS has an option for "business reply mail" meaning that the customer is only billed for reply postage that is used. Therefore, if 3 million absentee request forms are sent, but only 20,000 voters return their request by mail, WEC will only be charged for 20,000 pieces of return mail rather than 3 million. This option for "business reply" is not available if the mail is returned to 1,850 separate municipalities.

5. **Redesigning Absentee Envelopes.** Due to the large increase in absentee voting during the Spring Election and Special Election in Congressional District 7, it is evident that more Wisconsinites will be voting absentee by mail in future elections. Accordingly, and in order to take advantage of funding made available under the CARES grant, staff has begun redesigning the envelopes and materials that voters and clerks will use in the absentee voting process.

WEC staff hopes to have an updated absentee envelope solution in place in time for pilot opportunities in the August Partisan Primary and a full implementation of the new materials for the November General Election. The redesign process has included researching how other states have modernized their vote-by-mail processes and discussions with usability experts to ensure that any redesign maximizes utility for voters and election officials.

In researching potential solutions to guide the redesign of the absentee envelopes, staff and usability experts identified four potential envelope system options:

1. A **standard envelope** similar to the one that exists currently but redesigned to promote voter usability. This is a two-envelope system in which voters receive their ballot and a return envelope in a carrier envelope.
2. An envelope with a large fold-over flap, also known as a **remittance envelope**, that would hide private information. This option maintains the two-envelope system.
3. A **three-envelope system** in which the voter receives both a return envelope and a more private certification envelope inside the carrier envelope they receive from their municipal clerk.
4. A **tearaway envelope** where a voter and witness sign and then seal the envelope. Election officials tear away a panel on the flap of the envelope, revealing the voter and witness information without opening the envelope.

After identifying potential options for envelopes, WEC staff collected feedback using a survey and feedback from a clerk work group. The standard 2-envelope system was favored in both groups due to cost, familiarity, clerk and election official time to open ballots, and being able to process certificate envelopes easily.

Staff is now creating prototypes of the new envelope using size #12 (4.75" x 11") and #14 (5" x 11.5"), the same sizes most clerks currently use. The envelope redesign includes usability-tested envelopes that would maximize the awareness of required information for voters receiving them while decreasing the number of envelopes that are returned with incomplete certificate sections. Additionally, WEC staff is working with the United States Postal Service to ensure the envelope design is compatible with postal equipment and will not interfere the voting process.

A. **Different Envelopes Types.** Colored envelopes, or envelopes with color blocks, help to differentiate between different sets of materials and different types of voters. For example, some states have set colors for their outgoing and return envelopes and a separate color to denote ballots that are sent to UOCAVA voters. This design makes the envelope easier to process by election officials and more visible during the mailing process. These colors can distinguish different types of envelopes for regular absentee voters, UOCAVA voters, and voters served by Special Voting Deputies.

At feedback sessions, clerks were split regarding whether having these different designed and colored envelopes were more convenient for them. Some preferred a universally designed envelope, while others wanted separate envelopes for voter types. WEC staff is considering the possibility of providing two different envelope options for clerks to choose from. The first option would have separate envelope designs for Regular, UOCAVA, and SVD voters, while the second option would be a universally designed option that accommodates all voter types. Clerks could then decide which envelope option works best for their municipality and voters.

At this time, staff believes that soliciting feedback from clerks and usability testing prototypes will inform the best way forward in terms of introducing different envelopes without creating additional complications in the absentee voting process.

B. **Bullet Pointed Certifications.** The certification of voter and witness in Wis. Stat. § 6.87(2) provides a long list of required language that must be on the certificate envelope. Wis. Stat. § 6.87(2) says: "The witness shall execute the following" before the certification language. The paragraph above that says the certificate "shall be in substantially the following form." It is unclear whether the "substantially" phrase applies to the witness certification or only the voter certification. Usability sessions and clerk feedback overwhelmingly support the use of bullet-points for the certificates.

Following is the proposed language for the new envelope:

Voter Certification:

Statutory language:

I, ..., certify subject to the penalties of s. 12.60 (1) (b), Wis. Stats., for false statements, that I am a resident of the [.... ward of the] (town) (village) of ...., or of the .... aldermanic district in the city of ...., residing at ....* in said city, the county of ...., state of Wisconsin, and am entitled to vote in the (ward) (election district) at the election to be held on ....; that I am not voting at any other location in this election; that I am unable or unwilling to appear at the polling place in the (ward) (election district) on election day or have changed my residence within the state from one ward or election district to another later than 28 days before the election. I certify that I exhibited the enclosed ballot unmarked to the witness, that I then in (his) (her) presence and in the presence of no other person marked the ballot and enclosed and sealed the same in this envelope in such a manner that no one but myself and any person rendering assistance under s. 6.87 (5), Wis. Stats., if I requested assistance, could know how I voted.

Proposed Language:

- I am a resident of the ward of the municipality in the county of the state of Wisconsin indicated hereon.

- I am entitled to vote in the ward at the election indicated hereon.

- I am not voting at any other location in this election.

- I am unable or unwilling to appear at the polling place in the ward on election day, or I have changed my residence within the state from one ward to another later than 10 days before the election.

- I exhibited the enclosed ballot, unmarked, to the witness.

- I then in the presence of the witness and in the presence of no other person marked the ballot and enclosed and sealed the ballot in this envelope in a manner that no one but myself and any person providing assistance under Wis. Stat. § 6.87(5), if I requested assistance, could know how I voted.

Witness Certification:

Statutory language:

I, the undersigned witness, subject to the penalties of s. 12.60 (1) (b), Wis. Stats., for false statements, certify that I am an adult U.S. citizen** and that the above statements are true and the voting procedure was executed as there stated. I am not a candidate for any office on the enclosed ballot (except in the case of an incumbent municipal clerk). I did not solicit or advise the elector to vote for or against any candidate or measure.

Proposed Language:

- I am an adult U.S. Citizen.

- The above statements are true and the voting procedure was executed as stated.

- I am not a candidate for any office on the enclosed ballot (except in the case of an incumbent municipal clerk).

- I did not solicit or advise the voter to vote for or against any candidate or measure.

- I further certify that the name and address of the voter is correct as shown.

C. **Highlighting and Type Point.** The current prototypes feature larger text. The font on the current iteration of the absentee certificate is quite small and requires voters to provide a fair amount of information in a limited space. It is staff's opinion that, by enlarging the font, increasing the space available for the voter to input information, and more clearly indicating which information is required by using highlighting, the process of voting and returning an absentee ballot would be more intuitive and the probability of a voter returning a certificate with insufficient information would be greatly reduced.

D. **Envelope Cost.** Due to the vast increase in absentee voting by mail in 2020, many municipal supply budgets have been exhausted for the remainder of this election year. To offset these shortages, staff has explored using CARES Act funding to purchase additional absentee envelopes for each municipality.

Using the estimated turnout for August and November from above, staff estimate turn out to be roughly 3 million for November and 750,000 for August. In April 2020, almost 75% of voters voted absentee (62% by mail and 13% in-person) for a rough estimate of 2.8 million absentee ballots for the remainder of 2020. WEC staff has requested pricing from several vendors and have found vendors that would be able to fulfill the quantity needed for 2020. We would recommend a purchase of 5,600,000 envelopes (2.8 million of transmittal, 2.8 million of certificate/return). Below are the estimates for the total cost using 2.8 million requests as the basis for the estimated amount of absentee envelopes needed (please note that the cost is based on the bulk rate of 5 million so this is subject to change).

Envelope #	2-sided printing 3 colors (including black)
Vendor #1	
#14 (transmittal)	$66,472
#12 (return)	$66,848

Total	$133,320
Vendor #2	
#14 (transmittal)	$100,884
#12 (return)	$100,884
Total	$201,768

At this bulk rate, staff estimate the procurement and printing of 5.6 million envelopes would cost approximately $133,320. This pricing includes incorporating black ink and two additional colors. However, this price does not include the self-adhesive for the #12 envelopes for the return so voters will not have to lick the envelope in August or November. We are working with different vendors to estimate shipping costs as well which are not included in the printing estimate. While bulk pricing provides a significant costs savings for a statewide purchase, staff is considering also smaller quantity costs when evaluating options for envelope printing to ensure the new design is cost-effective for clerks after 2020.

Cost-comparisons are being done to ensure future purchases for municipalities remain sustainable for 2021 and beyond. WEC staff are also estimating costs for municipalities that are not in large bulk orders. As the envelope sizes are the same, municipalities should not see an increase in their costs. Municipalities are not required to pay for highlighting nor self-adhesive envelopes in the future, so they can work with their printers to add extra features. Below is a chart estimating two different vendors and the envelope types listed in 1,000 quantity and 5 million quantity (prices are per 1,000 envelopes when ordering at that quantity):

Envelope #	2-sided printing 1 color	2-sided printing 2 colors	2-sided printing 3 colors	2-sided printing 1 color	2-sided printing 2 colors	2-sided printing 3 colors
Vendor #1						
	Quantity 1,000			Quantity 5 Million		
#14	1267.06	1408.24	1338.82	23.60	23.66	23.74
#12	1267.06	1408.24	1338.82	23.06	23.11	23.16
Vendor #2						
	Quantity 1,000			Quantity 5 Million		
#14	80.00	90.00	100.00	35.38	35.38	36.03
#12	85.00	95.00	105.00	35.60	35.60	36.03

E. **Next Steps.** Staff research on this topic has also been highly focused on creating materials that are more usable and efficient, both for voters and the election officials who will ultimately interact with them. With this in mind, the current draft prototypes being considered have been

crafted in such a way as to make it easier for voters to provide all required information while also cutting down on the likelihood of ballots being returned with insufficient certificate information or with other issues that will result in the ballot being rejected on Election Day.

Staff is soliciting clerk and voter feedback through advisory committees and usability testing in May and plans to have a final design by Friday, May 29.

Once finalized, the WEC would work with a state-contracted vendor to order 5.6 million of both the mailer and return sizes. The printing process takes approximately four weeks to complete with rollouts of finished product on a weekly basis. WEC staff is still exploring distribution options but could disperse envelopes to each county for further distribution to municipalities.

Local election officials may already have a stock of envelopes procured for the August and November 2020 elections. Staff recommends that jurisdictions use old envelope stock for in-person absentee and care facility voting for remaining elections in 2020 and in future election years. Further, WEC staff believes that because of the timing clerks could be permitted to use existing envelope stock, if they wish, for by-mail absentee for the August 2020 election. For by-mail absentees for the November 2020 election it is recommended that only new envelopes be used. This is because WEC will work with the post office on the specification of the new design to ensure Intelligent Mail Barcodes can be incorporated and that a consistent by-mail experience is available to all voters. IMB's cannot be incorporated into the current design as the specification (spacing, layout, etc.) have already been approved by USPS. Changes outside of the approved design could result in mailing issues. It is also staff's hope that videos and other voter education materials on the by-mail process can be produced with reference to the new envelope and certificate design.

6. **Funding COVID-19 Election Supplies.** The COVID-19 pandemic generated unanticipated demand for absentee ballots and an urgent need for sanitation supplies and personal protective equipment (PPE). The Department of Administration (DOA) and the State Emergency Operations Center (SEOC) ultimately helped obtain the requested supplies. The WEC then worked with SEOC and state procurement to send the supplies where needed. Wisconsin's 72 county clerks played a key role in distributing supplies to more than 2,000 polling places. Supplies that were distributed include:

- Over 2 million absentee ballot envelopes
- Over 8,000-liter bottles of liquid 70% ethyl alcohol solution that was used as a hand and surface sanitizer. The solution was sourced from a local distillery as all other state and national supply chain options were exhausted
- Over 10,000 16oz plastic spray bottles and printed labels for the bottles for the liquid alcohol solution
- 500,000 isopropyl alcohol wipes for use on voting equipment and electronic touchscreens.
- Surgical masks for poll workers
- Latex gloves for poll workers
- 1.5 million ballpoint pens so that each voter would have their own to sign the poll book and mark their ballot
- Approximately 2,000 rolls of painter's tape to facilitate social distancing
- 10,000+ social distancing and public health signs

With the benefit of time that was not available before the April 7 election, WEC staff can begin to assist jurisdictions with finding the needed supplies for the August and November statewide elections. State and local election officials will be able to better gauge the amount of supplies they may need, based on their experience in April. WEC staff is also hopeful that with additional time, there will be the opportunity to procure more traditional sanitation supplies and to provide them to the jurisdictions well in advance of the election so that they have time to incorporate the supplies fully into their election day plans and pre-election in-person voting processes.

Supplies obtained by the state for the April 2020 election totaled over $150,000, not including envelopes. With November turn-out likely to be two or three times greater than April, it is likely that required supplies could cost upwards$500,000. Envelope costs are broken out separately in the section above.

7. **Summary of CARES Act Project Costs.**

Project	Estimated Cost
Postage Grant Program	**$2,612,041**
Absentee Mailing	**$2,100,000**
Envelope Purchase and Printing	**$133,320**
Sanitation Supplies	**$500,000**
Total	**$5,345,361**

These totals do not include additional expenditures such as shipping and distribution of absentee envelopes and sanitation supplies and PPE and costs for data entry of returned absentee requests. Other expenditures for items such as software development and consultation, system load testing, and staff time will also account for the remaining funds. Those costs are currently unknown and would represent additional required expenditures in addition to those listed above but will likely individually fall under the $100,000 threshold.

Recommended Motion: The Commission approves the recommended plan and expenditures outlined above to improve the absentee voting process and assist local election officials with costs to be funded by the CARES Act.

Wisconsin Elections Commission

212 East Washington Avenue | Third Floor | P.O. Box 7984 | Madison, WI 53707-7984
(608) 266-8005 | elections@wi.gov | elections.wi.gov

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DATE: For the May 20, 2020 Commission Meeting

TO: Wisconsin Elections Commission

FROM: Meagan Wolfe, Administrator

Prepared by:
Jodi Kitts, Senior WisVote Specialist
Connie Shehan, WisVote Specialist

SUBJECT: Election Registration Information Center (ERIC) Updates

This memo provides updates on the most current data for the 2019 Movers List maintenance process, discussion on future practices, participation referrals, as well as the Eligible but Unregistered (EBU) mailing.

2019 Movers Mailing Data

The Commission requested updated counts regarding voters identified as a Mover that subsequently signed a poll book confirming they did not move and have resided at the address printed on the poll book. The chart below includes this data and was generated on Friday, May 8, 2020. Some municipalities are still entering participation for the April 7, 2020 Spring Election and Presidential Preference Vote ; therefore, this data is incomplete as the data reconciliation process is still underway at this time, but it will be updated again at the June 10, 2020 meeting.

The data presented in the charts below is divided in two main categories:

- **Inactive** voters do not appear on the poll book and need to register to vote before they can participate. Voters can be inactive because they became ineligible to vote or because they were inactivated for required list maintenance or other reasons as permitted by statute.

- **Active** voters appear on the poll book and are actively registered.

Further, there are two types of Active voter records as they relate to the ERIC movers mailing:

- **Active-Movers** records are voters who were sent the 2019 Movers mailing, but have not requested continuation of their address, have not re-registered at a new address, and have not voted in an election since October 2019. Put simply, they have not taken any action in response to the mailing. A "Movers" watermark appears on the poll book next to these voter's records and they must affirm they live at that address or re-register at a new one

Wisconsin Elections Commissioners
Dean Knudson, chair | Marge Bostelmann | Julie M. Glancey | Ann S. Jacobs | Robert Spindell | Mark L. Thomsen

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Administrator
Meagan Wolfe

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> before they can receive a ballot.

- **Active-Registered** records are voters who have either requested continuation of their registration, have re-registered to vote, or who have affirmed their registration by signing the poll book and voting since October 2019. No watermark appears in the poll book next to these records.

The total letters mailed to potential movers in October 2019 was 232,579. These are in-state voters who had a transaction with the Department of Motor Vehicles or United States Postal Service listing a residential address that was different from their voter record. The initial list included 36,602 voters who were confirmed as having moved out of state and were not included in the mailing, rather, their voter record was updated to Inactive-Moved due to the ERIC list indicating they initiated registration in another state.

Of the 2019 movers letter recipients, just under 55.53% have not updated their voter records and remain on Active- Movers status. 26.57% of voters who were sent the mailing have either registered to vote at a new address or have requested continuation at their original address. Another 17.9% now have inactive records because since the mailing, they have become ineligible for reasons such as: moving out of state, being deemed incompetent, being listed as deceased, a felony conviction, the voter having requested deactivation, or because the clerk has other reliable information that the voter moved or is ineligible.

Table 1: Current Status of All 232,579 ERIC Voters Sent a Movers Mailing in 2019

All Movers Current Status	Voter Count	Percentage of Mailing
Active – Movers	129,151	55.53%
Active – Registered	61,797	26.57%
Inactive	41,637	17.9%
Total Records	**232,579**	**100%**

Of the 232,579 voters who were sent the Movers mailing, 2% of them either sent back the continuation postcard, continued their registration on MyVote, have re-registered at their original address, or have signed the affirmation on the poll list that they have not moved. These 4,709 voters have taken an action to affirm they have not moved and are now actively registered at their original address and the watermark has been removed from their poll book record. Another 24.57% of these voters, or 57,088 of the 232,579 voters, have re-registered at a new address either online, by mail, or at the polls on election day. They are now actively registered to vote at their new address and the watermark has been removed from their poll book record.

Table 2: Movers List Recipients Who Updated Their Registration

Movers List Voter Registrations	Voter Count	Percentage of Mailing
Voters who updated or affirmed their registration at same address	4,709	2%
Voters who updated their registration at new address	57,088	24.57%
Total Voters with Updated Address Records	**61,797**	**26.57%**

Of the 232,579 voters who were sent a Movers postcard, 3,631 or 1.5% affirmed their original address by casting a ballot. One of the ways a voter can confirm that they have not moved is by affirming their address by participating in an election. For the February and April 2020 election, these voters affirmed their original address by voting using the methods shown in Table 3.

Table 3: Voting Data – Movers Who Requested Continuation and Voted Absentee

Movers List Voter Absentee Participation – Requested Continuation at the Movers List Address	February Count	April Count
Voted absentee by mail	192	2742
Voted absentee in person	73	454
Voted absentee through a Special Voting Deputy (SVD)*	82	88
Total	347	3284

Please note that for the April 7 election in-person SVD voting in care facilities was suspended. Some clerks still use this code to track by mail ballots issued to facilities typically served by SVD's.

2020 Eligible but Unregistered Mailing

Per ERIC membership requirements, WEC must provide an outreach mailing to at least 95% of eligible but unregistered voters by October 1st prior to even year General Elections. Based on feedback from other member states, the Eligible but Unregistered (EBU) is most fruitful when mailed close to the fall elections. Staff took that feedback into consideration, however the funds for our EBU mailing are budgeted in the 2020 cycle, which means they must be used by June 30, 2020. Staff proposes staying on track with the budgeted funds and sending the mailing next month as planned.

A postcard mailing was originally planned but in light of heightened requests for absentee ballots, staff believes the most effective method would be to mail a letter that would also include copies of a registration form, an absentee request form and, a return envelope. This will help individuals uncomfortable using technology to register and request an absentee ballot by mail. This mailing would also include use of intelligent barcodes which will provide staff with detailed information on

undeliverable mailings and delivery statistics. KW2 was contracted to produce a professionally designed mailing. Usability sessions are scheduled for four days in May. As approved by the Commission, CARES Act funds will be applied to professional design costs and a portion of mailing fees to help WEC reach out to unregistered voters during this uncertain time.

Staff collaborated with the Department of Transportation (DOT) to receive a monthly file, instead of bi-monthly submissions. This process started at the end of April. For the most current EBU mailing data, the April file was processed by ERIC and returned to the WEC. The preliminary number of files being analyzed for the EBU mailing is 205,891. In general, this file requires minimal data work, so the number should not change significantly. As a reminder, if a voter received an EBU postcard in 2016 or 2018 they will not receive one in 2020 unless they have a new address on their DMV record since the last EBU, and in that case they may receive one again.

2020 Movers Mailing

The other ERIC mailing, the "Movers" mailing, is scheduled to be sent every 18 months to voters who have a different address on file with the DMV than in their voter record. As has been previously discussed with the Commission, the 2020 election calendar poses challenges with sending this mailing prior to the November 2020 election. Staff proposes sending a mailing after participation is recorded for the November 2020 election. The budget cycle for this project therefore falls into the 2021 biennium. The recommended timeline of this mailing would allow for participation data to be recorded and for most reconciliation to be completed from the 2020 General Election, including entry of all new registrations. The timeline will also give the Commission the opportunity to consider options for the handling of future Movers mailings in coordination with list maintenance tasks for those still flagged as movers from the 2019 mailing.

2018 General Election Participation Referrals

The 2018 General Election Cross-State Referrals were made in early March for those records that met the matching criteria approved by the Commission. Two district attorneys' offices have reached out at this time; one to ask for further documentation, and the other to let us know they are declining to prosecute as they believe, after their investigation, it involved a case of stolen identify. Staff will continue to track the responses and provide updates as they become available.

Wisconsin Elections Commission

212 East Washington Avenue | Third Floor | P.O. Box 7984 | Madison, WI 53707-7984
(608) 266-8005 | elections@wi.gov | elections.wi.gov

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DATE: For the May 20, 2020 Elections Commission Meeting

TO: Members, Wisconsin Elections Commission

FROM: Meagan Wolfe
              Administrator

              <u>Prepared and Presented by:</u>
              Cody Davies
              Election Administration Specialist

              Robert Williams
              Election Administration Specialist

SUBJECT: Consideration of a Testing Campaign for ES&S EVS6.0.4.3

Background

On April 24, 2020 Election Systems and Software (ES&S) submitted an application for the testing and consideration of system version EVS 6.0.4.3. EVS 6.0.4.3 is an EAC certified update to a previously certified system, EVS 6.0.4.0. EVS 6.0.4.0 and EVS 6.0.5.0 were approved by the Commission for sale and use in Wisconsin at its September 24, 2019 meeting. There was a single component of EVS 6.0.4.0, the ExpressVote tabulator (EVT), which was not approved by the Commission for use in Wisconsin. The EVT functions both as a ballot marker and a tabulator, allowing purchasing jurisdictions the option to forego the additional purchase of a DS200 tabulator.

However, as tested as part of EVS 6.0.4.0, the EVT did not include automatic ballot card return for a final visual review prior to the voter casting their ballot. Although the voter was presented with the option to physically review the ballot card prior to casting it, this review was not a mandatory step in the voting process. As a result, staff recommended against certification of the EVT, as it did not meet the provisions of Wis. Stat. § 5.91(15) and (18). Technical data package documentation for EVS 6.0.4.3 indicates that the EVT now includes the option for automatic return of a ballot card for voter review prior to casting.

Staff has held conversations with both ES&S and Taylor County regarding the possibility of a test campaign for EVS 6.0.4.3 in 2020. In all conversations, the stated position of staff has been that a 2020 test is not feasible. With a full election schedule, various ongoing agency projects, and additional complications related to COVID-19, staff believes the time and resources required to coordinate and execute a full voting equipment test campaign are not available in 2020.

Wisconsin Elections Commissioners
Dean Knudson, chair | Marge Bostelmann | Julie M. Glancey | Ann S. Jacobs | Robert Spindell | Mark L. Thomsen

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Administrator
Meagan Wolfe

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ES&S 2019 Certifications

Throughout 2019, WEC staff dedicated a considerable amount of both time and resources to testing and certifying ES&S voting equipment across three certification test campaigns. Each test campaign took roughly six weeks to coordinate and execute. This timeline includes proofing ballots to be tested, marking test ballots, arranging and conducting the Voting Equipment Review Panel and public demonstration meetings, conducting the functional testing in office and modem testing across the state, as well as documenting all findings to be assembled in a final report to the Commission. In addition, Commission members reviewed staff materials and received demonstrations regarding each of these ES&S system approvals.

As a result of tests conducted in 2019, five ES&S voting systems were certified by the Commission for sale and use in Wisconsin: EVS 5.3.2.0 and 5.3.4.0, EVS 6.0.4.0 and 6.0.5.0, and EVS 5.3.4.1. Absent the ExpressVote tabulator, all components offered as part of EVS 6.0.4.3 are available in one of these previously certified system versions, including the DS200 precinct tabulator and an ADA-compliant version of the ExpressVote ballot marking device that does not include the tabulation functionalities.

Taylor County Interest in EVS 6.0.4.3

In multiple conversations with WEC staff, Taylor County has stated that it wishes to purchase new voting equipment for their municipalities in 2020. The Taylor County Clerk has expressed interest in purchasing voting equipment from ES&S and has asked that WEC staff undertake a full test campaign of EVS 6.0.4.3. Despite most components of EVS 6.0.4.3 being available as part of a system certified for use in 2019, Taylor County has expressed a specific interest in the ExpressVote tabulator. The reason given for this is cost. In smaller municipalities, there may be budgetary constraints that would complicate the purchase of both a DS200 and a standard ExpressVote. Voting equipment purchases, especially on a countywide scale, are major expenditures, requiring a tremendous amount of research on the part of both the county and municipalities which will operate the equipment. As a result of research conducted by the County Clerk, Taylor County has concluded equipment offered by ES&S included in EVS 6.0.4.3 is what it would like to implement moving forward.

Some municipalities in Taylor County, particularly those with fewer than 100 voters, were exploring the option of implementing ExpressVote Tabulators as their primary piece of voting equipment, as they were concerned about their ability to support the cost of purchasing both a tabulator and a piece of equipment that would satisfy ADA requirements for accessible voting equipment. While this approach would satisfy ADA requirements, election inspectors would also need to either maintain separate hand-count ballots or remake all absentee ballots, as ExpressVote ballot cards cannot be utilized in the by-mail absentee voting process.

Basis for Staff Recommendation

At this time, staff does not support conducting a full test campaign to certify EVS 6.0.4.3. Staff has previously expressed concern to ES&S regarding the time and resources needed to conduct this test campaign during a busy election year, complicated by the agency response to the COVID-19 pandemic.

Perhaps the most obvious issue that would complicate initiating a certification campaign is that 2020 is a Presidential Election year in which staff have been tasked with overseeing the successful administration of five major elections throughout the state. If the Spring Primary and Spring Election are indicative of voter participation and turnout for the rest of the year, staff will be working tirelessly to prepare for the

remaining elections in 2020. Staff has also undertaken a significant number of additional projects, at the direction of the Commission, to make improvements to Wisconsin's vote by mail infrastructure in advance of the fall elections.

In addition to this preparation and to the regular slate of projects that agency staff would typically undertake during such an election cycle, staff, and all other election officials throughout the state, have found themselves altering the very nature of their work to ensure personal safety and election integrity in the midst of a global pandemic. The COVID-19 pandemic has presented unique challenges to the successful administration of elections in Wisconsin and, although election officials have continued to rise to the occasion, doing so has put a tremendous strain on all involved. Reallocation of staff time to prepare for upcoming elections during the pandemic and limited access to municipal or county facilities are two reasons that it does not currently seem feasible or wise to conduct a certification campaign in the same manner in which past voting systems have been tested.

In past equipment certification tests, staff would conduct an in-office round of testing, in which staff would test the equipment by conducting three mock elections and reconciling the results, and a "road test," in which three municipalities in each of three counties would volunteer their facilities to test the capability of the equipment to successfully transmit results to the county seat. However, as this system version primarily focuses on modifications to a piece of hardware that is not capable of transmitting results, it is unclear as to whether a modified test plan could be implemented in lieu of the traditional test plan. Having no telecommunications component to test shortens the length of the overall test by approximately three days. However, in the potential test timeline, outlined below, telecommunications testing is not a consideration.

Within the past three months, the voting equipment team, in addition to their other areas of focus, has also been heavily involved in the review and approval of eight Engineering Change Orders (ECOs) from the three vendors who currently field voting equipment in Wisconsin. ECOs are submitted when a vendor wishes to alter a previously certified system already in use and can range from a component reaching end-of-life status and requiring replacement to the addition of wheels to ballot bags already in use. Each ECO, prior to submission to the WEC, must be determined to be *de minimis* by the EAC and by a certified Voting System Test Laboratory (VSTL). As a result of these changes being *de minimis*, they do not require a full test or certification campaign but do, logically, require a fair amount of staff time to review and process prior to presentation to the Administrator and to the Chair.

Potential Test Campaign Timeline

The time and attention of WEC staff responsible for voting equipment testing will be focused on reviewing nomination papers and processing any ballot access challenges until the next Commission meeting on June 10, 2020. That process will be immediately followed by staff review of ballot formats submitted by counties. The Partisan Primary will be officially underway when municipal clerks issue absentee ballots by June 25, 2020.

Based on previous experience, staff expects that planning and implementation of a test campaign would take 4-6 weeks. For every voting equipment test campaign, staff conducts equipment functional testing using three specified election types: A General Election with a special partisan contest, a Partisan Primary with a special referendum, and a Presidential Preference Primary with a multiple seat race and a special referendum. For EVS 6.0.4.3 testing, staff would mark 400 paper ballots by hand to ensure the accuracy of the DS200, DS400, and DS850. Since there is the additional ExpressVote tabulation

component with this system version, staff would also mark at least several hundred ballots per election type on the EVT to ensure its accuracy.

Below is a typical timeline for coordinating and executing a voting equipment test campaign. Please note that this timeline is condensed to accomplish the testing in 4 weeks. Certain variables can push the timeline beyond week 4. If a system is capable of transmitting results, an additional 3-5 days would be added to this schedule during week 4.

Week 1
1. Confirm testing dates with ES&S
2. Ballots
   a. Proof test ballot templates from ES&S
   b. Receive test ballots from ES&S
      i. Ballots for General and Presidential Preference elections sent from ES&S in Omaha
      ii. Partisan Primary ballots sent from secondary printer in Alabama
3. Draft test script and proof against test matrix
4. Invitations sent to members of the Voting Equipment Review Panel

Week 2
1. Staff hand mark 400 paper test ballots per election type
   a. Additional staff are often recruited to assist
2. Staff reconciles marked ballots to test script to ensure all marks are accurate
   a. Additional staff are often recruited to assist

Week 3
1. ES&S arrives on Monday and sets up equipment
   a. Staff mark EVT ballots
      i. 300 ballots per election type will take 1-2 days
      ii. 1-2 additional staff are recruited to assist
2. Functional testing continues all week until all test elections reconcile
3. Conduct Voting Equipment Review Panel meeting and public demonstration

Week 4-5
1. Staff compiles findings and organizes test report for Commission

Staff Recommendation

Postpone the testing and Commission consideration of ES&S EVS 6.0.4.3 until the spring of 2021.