

# NOTICE OF OPEN AND CLOSED MEETING

## Wisconsin Elections Commission

Regular Meeting

Wednesday, February 3, 2021

9:00 A.M.

*Due to the COVID-19 pandemic, this meeting is being held via video teleconference only. Members of the public and media may attend online or by telephone. Please visit <https://elections.wi.gov/node/7305> for login/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 [electioncomments@wi.gov](mailto:electioncomments@wi.gov) with "Message to Commissioners" in the subject line.*

---

### AGENDA

- A. Call to Order**
- B. Administrator's Report of Appropriate Meeting Notice**
- C. Personal Appearances (Time reserved for personal appearances may be limited by the Chair)**
- D. Report on November 2020 Election Data** 2
- E. Report on ERIC Movers List Status** 32
- F. Report on WEC September 2020 Informational Mailer** 38
- G. Final Report on 2020 Voting Equipment Audit** 44
- H. 2021/2022 Commission Meeting Schedule** 74
- I. Approval of Minutes from Previous Meetings** 76
- J. Closed Session**
  - 1. Election Complaints – Wis. Stat. § 5.05**
  - 2. Litigation Update**

*§19.851 - The Commission's discussions concerning violations of election law shall be in closed session.*

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

- K. Adjourn**





# November 3, 2020 Election Data Report

February 3, 2021

Wisconsin Elections Commissioners

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

---

Administrator  
Meagan Wolfe

## TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
EXECUTIVE SUMMARY	3
ELECTION DATA	
General Information	4
Election Preparation	5
Absentee Voting	11
Special Voting Deputies	14
Indefinitely Confined Voters	15
E.R.I.C. Movers List Voters	18
SUPPLEMENTAL DATA	21

## I. Executive Summary

In the 2020 General Election, Wisconsin clerks and their staffs demonstrated nearly limitless dedication to successfully serve a record number of voters during a global pandemic. These local election officials, in 1,850 municipalities and 72 counties, have the statutory responsibility to perform the hard work of running elections in Wisconsin. Thousands of election officials across the state worked countless nights and weekends to deliver a well-administered election despite the challenges of an ongoing pandemic, a battle against election misinformation, and a heightened level of scrutiny which often unfairly villainized them for simply doing their jobs. Local election officials received support from the small staff of just 31 full-time employees at the Wisconsin Elections Commission who provided around-the-clock training and technical support. In the lead up to the General Election, some election officials worked more than 50 consecutive days without pause. They deserve our gratitude.

The data contained in this report represents the labor of tens of thousands of volunteer poll workers and officials in every town, village, city, and county in Wisconsin. The figures are exceptional:

- Nearly 3.3 million Wisconsin residents voted in the General Election – representing more than 72% of the state’s Voting Age Population of 4,536,417.
- An entirely new absentee ballot tracking system on MyVote Wisconsin was used more than 1.5 million times by Wisconsin voters.
- Wisconsin Elections Commission staff responded to over 300 calls and emails per hour on Election Day.
- Clerks in nearly every town, village, and city in Wisconsin processed more absentee ballot requests than ever before – nearly 2 million statewide.
- In-person voting on Election Day more than tripled between April and November, which required election officials to manage both the increase in absentee voting and prepare for high voter turnout on November 3.

Despite these superlatives, this report does not conclude that the 2020 General Election was without difficulties or room for improvement. The massive increase in by-mail absentee voting this year revealed public confusion about the process and differing opinions about previously obscure statutory provisions. More than a quarter-million Wisconsin voters chose to certify they were indefinitely confined under Wis. Stat. § 6.86(2)(a), generating controversy over their right to do so. Likewise, long-term care facilities accustomed to the assistance of Special Voting Deputies had to make do without hands-on support. The concerns expressed by many residents after the election – founded or not – suggest election officials should continue to seek greater transparency, simplicity, and clarity in election processes. Sharing data openly, as with this report, is one step toward that goal.

## II. Election Data

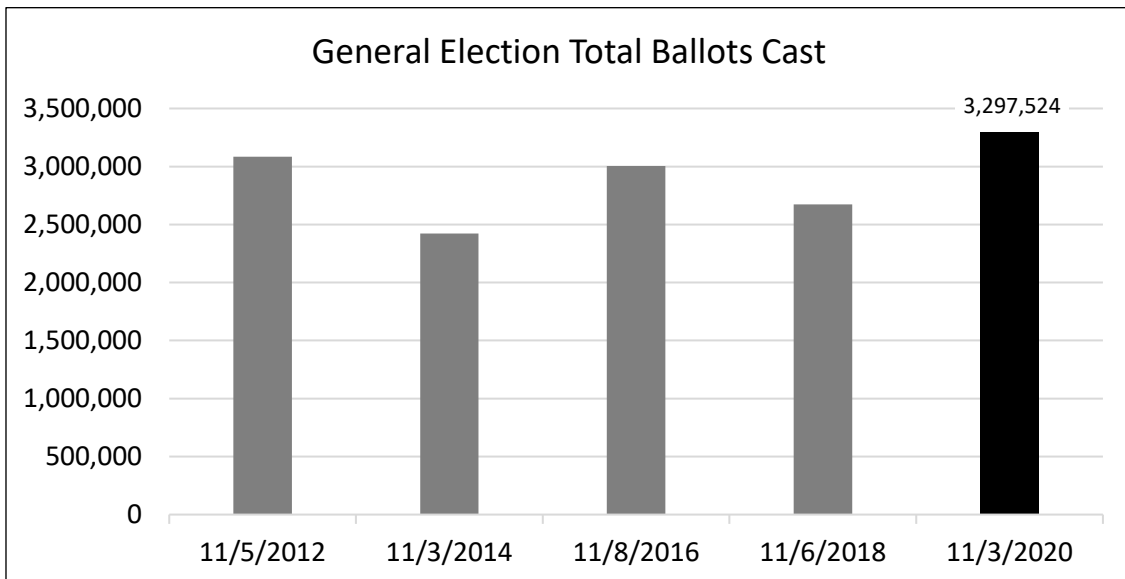
### A. General Information

The 2020 General Election saw record voter turnout despite the ongoing COVID-19 pandemic. Having experienced the April 7 Spring Election and Presidential Preference Primary, both voters and election officials modified their behavior for the General Election. As compared with April, a greater percentage of voters chose to vote in person at their local polling place. Voters who chose to vote absentee submitted their requests well in advance of the deadline as compared with the many last-minute requests received near April 7. Finally, the General Election saw a smaller percentage of voters claiming indefinitely confined status than did in April. Election officials were likewise better prepared for November, with ample time to prepare for increased mail volume and refined plans to establish safe polling places in a pandemic.

This report summarizes data regarding voter behavior in the 2020 General Election. Most of the data contained in this report was recorded by town, village, city, or county clerks in the statewide voter registration and election administration system. Although this report aggregates the information at a high level, nearly all the information contained within can be broken down by county, municipality, and reporting unit, down to individual voters.

Nearly 3.3 million Wisconsin citizens voted in the 2020 General Election – nearly a 10% increase over the 2016 Presidential race.

Table 1.



## **B. Election Preparation**

In preparation for the General Election, the WEC implemented many improvements based on lessons learned in April. Between April and November, the WEC expanded the Clerk Advisory Committee program, implemented biweekly meetings with County Clerks, and introduced open Q&A sessions for all election officials. In response to clerk and voter requests, the WEC developed voter education and poll worker training materials, implemented USPS mail tracking tools, and reinforced monitoring of election systems. Local clerks across the state contributed to these initiatives while simultaneously managing absentee ballot requests, establishing safe polling places, recruiting, and training poll workers, and continuous maintenance of the voter registration list.

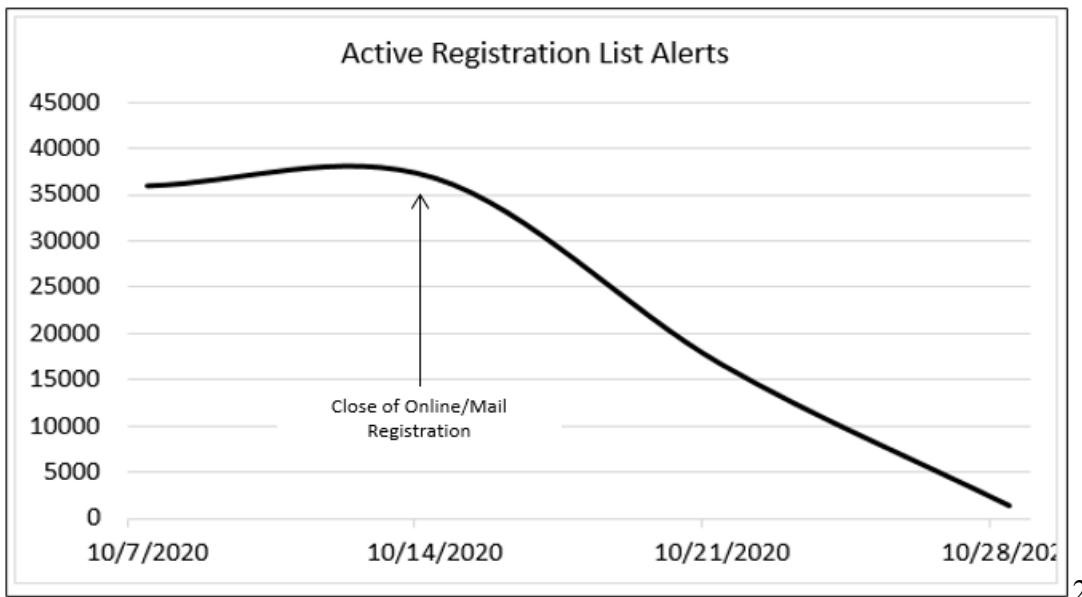
Maintenance of the voter registration list is a never-ending process conducted almost entirely by clerks at the local level. The statewide voter registration system is a living, dynamic system where data is entered daily and each of the 1,850 municipal clerks are responsible for examining voter records to ensure the accuracy of the registration lists, poll books, and absentee ballot logs. WEC provides the technological framework for this process and monitors compliance to make sure appropriate action is taken.

When a voter record requires attention, the clerk responsible for maintaining that record receives an electronic alert in the voter registration database through a process called “registration list alerts.” In the months before a major election there are many registration list alerts, as voters are re-registering at new addresses to prepare for election day. The number of alerts reaches almost zero on the days that poll books are printed. This data, along with all election data, is also available for parties, candidates, media, and the public to purchase and analyze through the WEC’s data request system. Registration list alerts fall in three categories as follows:

- a) New Voter Registrations. On 10/15/2020 these alerts represented 98.8% of the total registration list alerts. For any voter who moves or changes their name, the clerk must merge their new record with their former record. There are thousands of these coming in every day, especially during open registration, because as voters submit a new registration either through MyVote, or by mail, that new registration creates a registration list alert. There were fewer new registration list alerts after the close of online/by-mail voter registration on October 14, 2020.
- b) Deceased. On 10/15/2020, 0.9% of the total registration list alerts were due to possible death matches in the system. This data comes from the Wisconsin Department of Health Services monthly. In addition to the data about deceased voters provided to clerks through the registration list alert process, they may also independently receive this information from obituaries and other sources.
- c) Felon. On 10/15/2020 this represented 0.2% of the total registration list alerts. This data comes from the Wisconsin Department of Corrections nightly and identifies all Wisconsin residents whose voting rights have been restricted due to a felony conviction.

This data changes constantly and was tracked closely ahead of the election to ensure clerks are maintaining their registration records. Prior to printing poll books WEC staff conducted daily follow-up with clerks to ensure they are addressing any registration list alerts. Pre-election data indicates clerks processed a considerable number of alerts prior to Election Day. Because new alerts are constantly created it is impossible to achieve a zero statewide total. Registration list alert data received after the printing of poll books appears in the supplemental poll books and ineligible lists that are required at each polling place. Thus, Wisconsin clerks actually processed far more than 40,000 alerts to achieve the reduction shown below.

Table 2.



Voter registration activity in all forms – online, by-mail, in-person, and election day – was high throughout the last six months of 2020, as shown in Table 3.

Table 3.

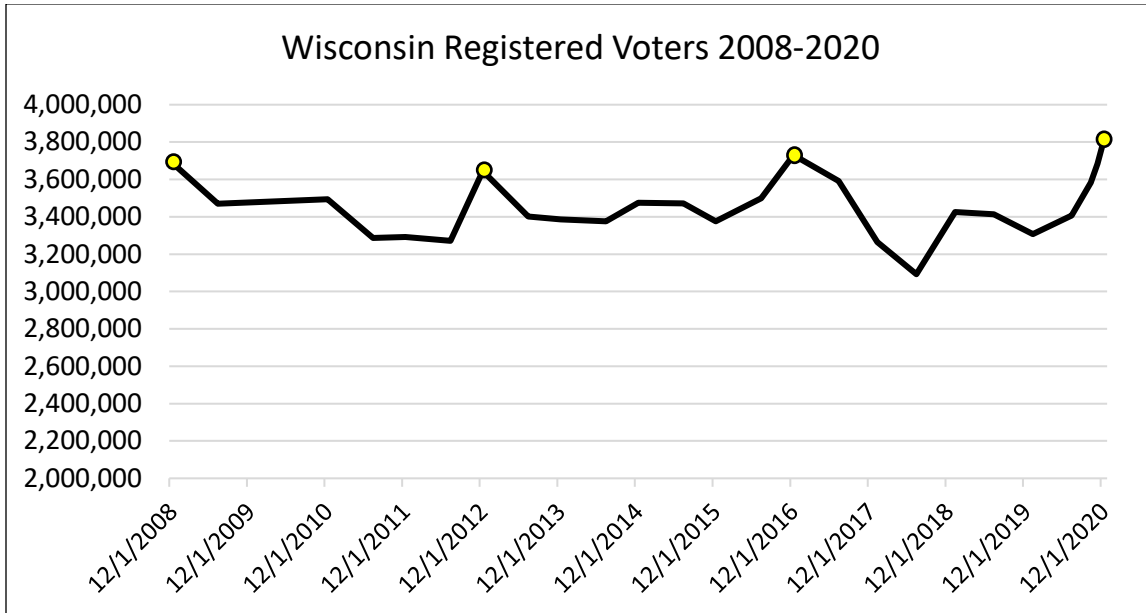
Age Group	Wisconsin Active Voter Registrations						Jul-Dec Increase
	7/1/2020	8/1/2020	9/1/2020	10/1/2020	11/1/2020	12/1/2020	
18-24	278,940	280,709	291,145	318,394	346,498	378,054	35.5%
25-34	489,225	492,731	507,006	535,314	556,117	589,016	20.4%
35-49	760,814	763,289	776,456	801,114	822,349	854,227	12.3%
50-64	954,185	955,669	964,614	981,433	1,000,526	1,020,885	7.0%
65+	917,692	922,085	931,113	941,617	953,968	963,887	5.0%
No DoB <sup>1</sup>	6,096	6,104	6,013	5,932	5,268	5,124	N/A
<b>TOTAL</b>	<b>3,406,952</b>	<b>3,420,587</b>	<b>3,476,347</b>	<b>3,583,804</b>	<b>3,684,726</b>	<b>3,811,193</b>	<b>11.9%</b>

This 2020 increase in active registrations appears consistent with peaks seen in other presidential election years, as shown in Table 4 on the following page.

<sup>1</sup> Some voter records predating 2005 do not have a date of birth recorded in the voter registration system.



Table 4.



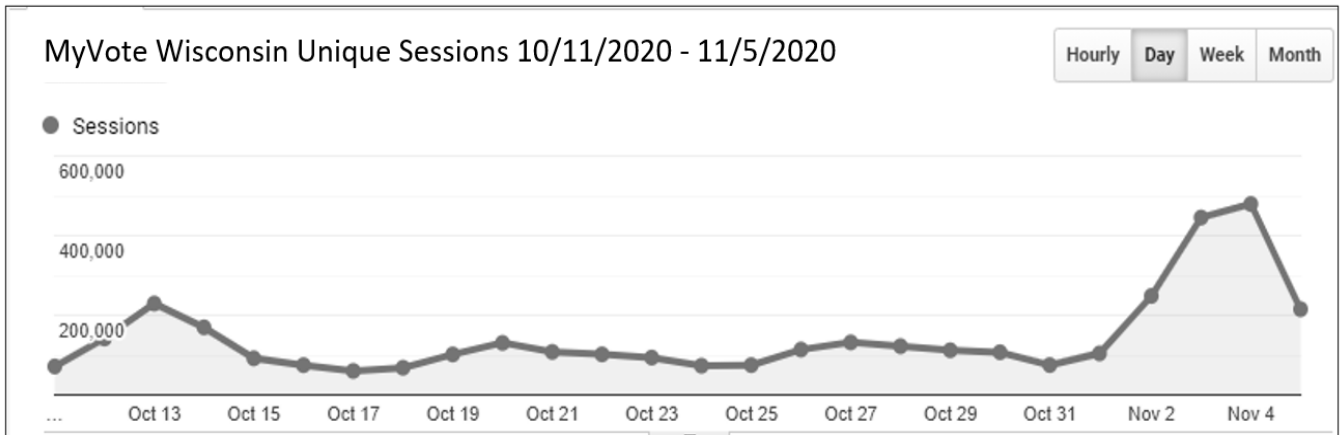
Throughout the summer and fall of 2020, WEC staff also worked closely with the USPS, meeting weekly to improve service and investigate concerns over by-mail absentee ballots. With the assistance of the USPS Lakeland and Northland Districts, the WEC implemented absentee ballot tracking from USPS via their Intelligent Barcode and Informed Visibility mail tracking system. These systems provided Wisconsin voters one-way visibility for outgoing ballots coming from their municipal clerk, but future iterations will provide more detail and an option for two-way tracking. In the weeks ahead of Election Day, ballot tracking turned out to be one of the most popular tools on the MyVote Wisconsin website.

Table 5.

Top Ten Visited Pages (myvote.wi.gov)	
Number of Unique Sessions 10/11/2020-11/5/2020	
1. My Voter Info	2,507,692
2. Track My Ballot	1,520,268
3. Where is my Polling Place	1,201,563
4. Register to Vote	1,070,632
5. Request an Absentee	642,456
6. Find My Municipal Clerk	274,444
7. What is on My Ballot	428,550
8. Update Name/Address	355,192
9. Absentee Options	67,163
10. Be a Poll Worker	46,690

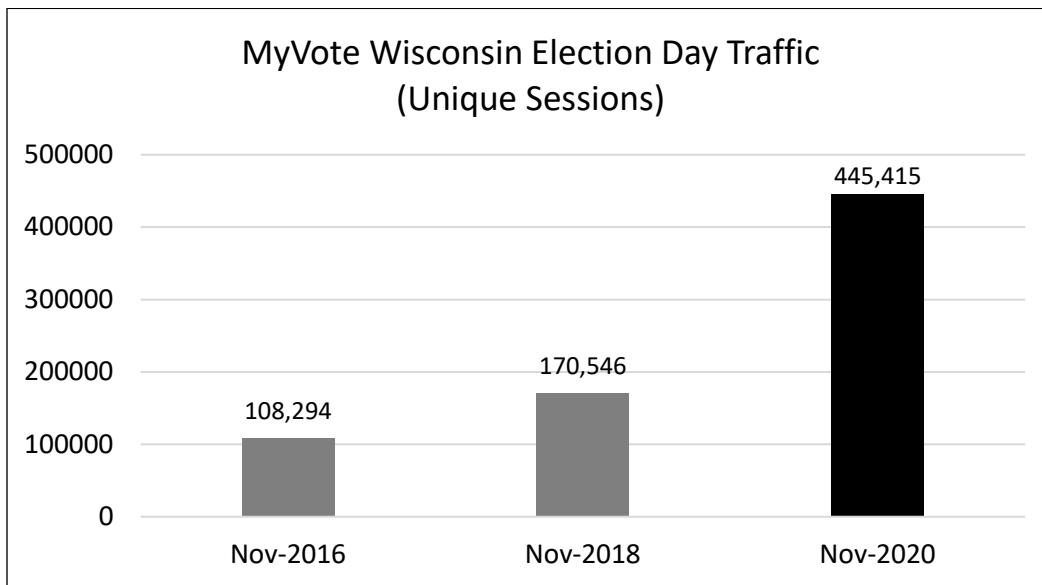
Finally, the WEC implemented additional tracking tools to enable early detection of technical issues and improve redundancy of elections systems. These changes provided technical staff greater insight into the internal processes of the voter registration database and offered near-real-time data on system performance. Fortunately, the 2020 General Election was uneventful from a technical standpoint, with no service interruptions or other problems. Approaching Election Day, the MyVote Wisconsin website averaged nearly 100,000 unique sessions per day, with more than 400,000 sessions on November 3, 2020.<sup>2</sup>

Table 6.



Public interest in the MyVote Wisconsin website has steadily increased since its inception, however the addition of ballot tracking seems to have generated significantly more traffic for the site.

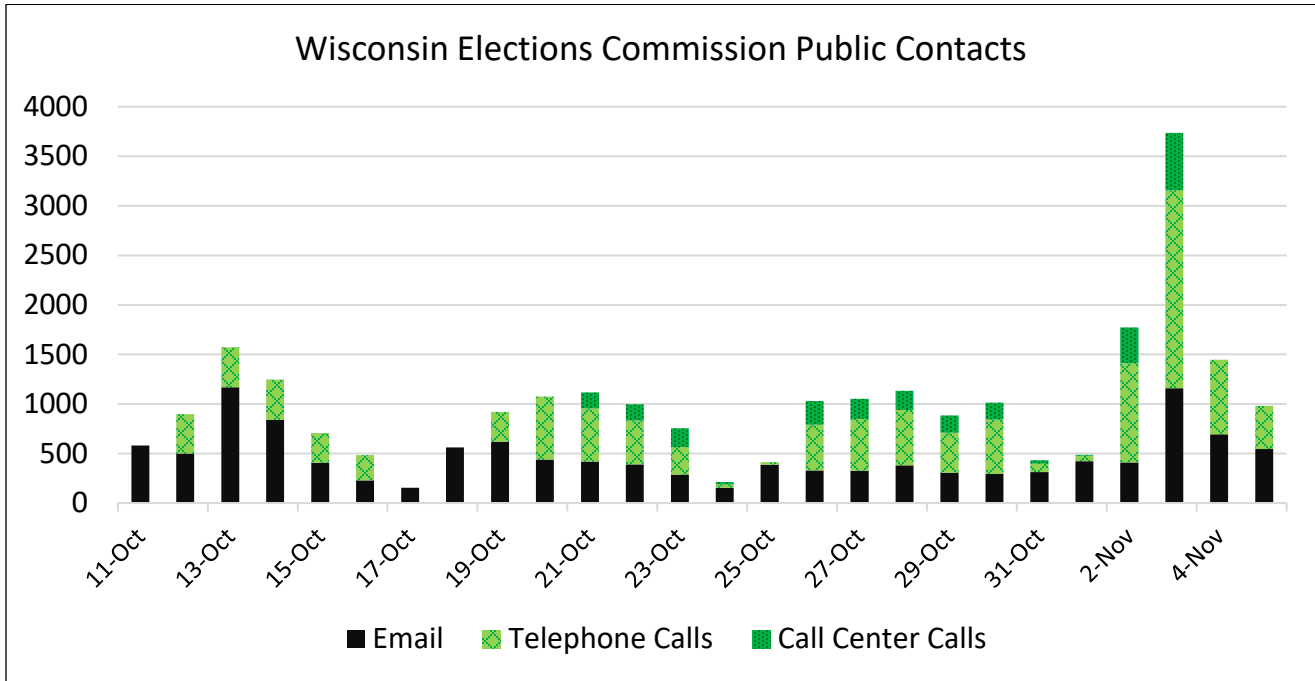
Table 7.



<sup>2</sup> A session is the entire time a single device spends on a website, which can include multiple pageviews or transactions. A user who disconnects and reconnects, or who remains inactive for 30 minutes, creates a new session.

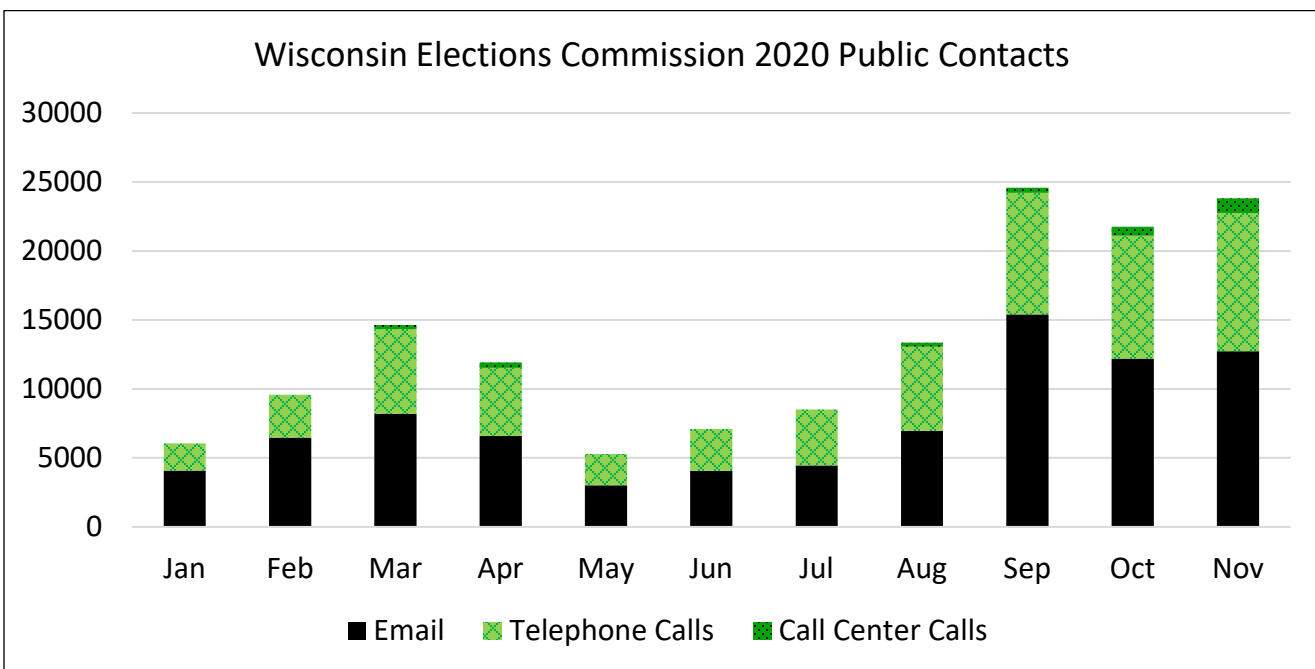
Telephone call and email volume for WEC staff also hit record heights in 2020, peaking at over 300 contacts per hour on Election Day.

Table 8.



As compared with the rest of 2020, public engagements peaked just prior to and after the General Election. As captured in these tables, the WEC employed a call center to answer basic voter questions and assist as many customers as possible ahead of Election Day.

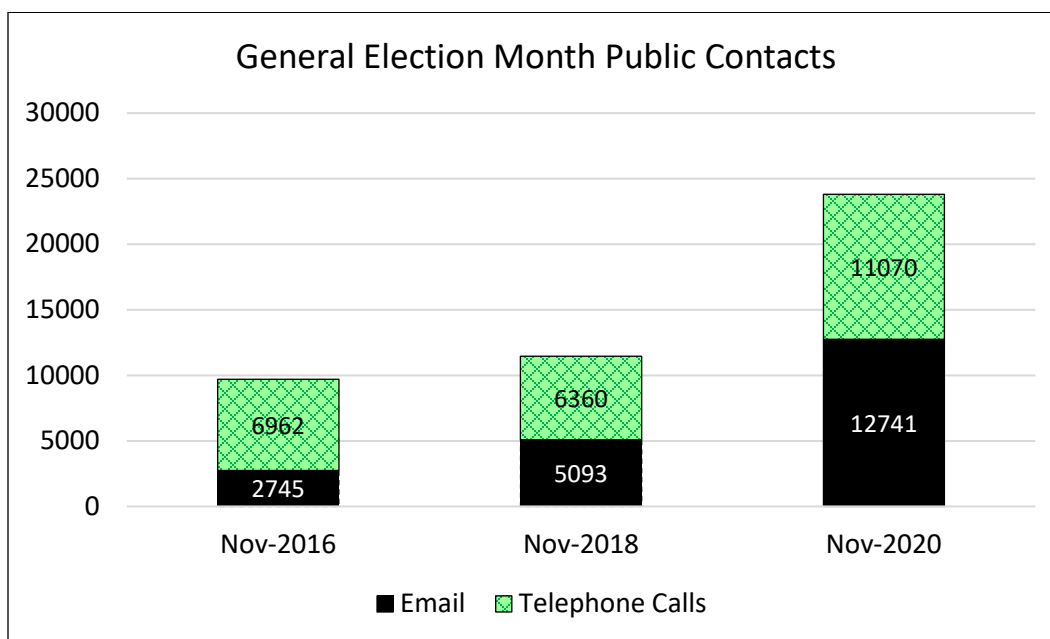
Table 9.



Because of the continuous nature of the election cycle in 2020, WEC staff experienced call spikes throughout the year. Notably, in September of 2020 call and email volume reached a peak as political interest groups launched call and email campaigns to WEC offices. WEC was also providing support to voters who received the WEC informational mailer at this time. The volume of contacts in 2020 represented a dramatic increase from previous years. Because of the call campaigns, WEC staff worked through most evenings and weekends to sort through the scripted calls, emails and voicemails to identify voters calling with questions or substantive concerns in order to respond to them timely. It was challenging to discern clerk contacts during these times as well, as some call campaigns would use social media to encourage followers to saturate WEC call lines, including the dedicated clerk phone number. This happened during a critical point in the election calendar where WEC was also assisting clerks with closing out the August election, sending ballots for the November election, and assisting voters with absentee requests and online registration because of the WEC’s statewide informational mailer. This new phenomenon has led the WEC staff to explore other software or solutions to manage and respond to surges in public advocacy contacts without missing real-time clerk and voter service request contacts.

Compared to previous general elections, public contacts with the WEC more than doubled in 2020.

Table 10.



A call center, temporary staff, and a state employee interchange were used to help increase WEC capacity to answer inquiries. This was useful in assisting with basic voter questions such as “where is my polling place?” However, most inquiries involve complex election questions from either clerks or voters that require either detailed election knowledge or technical expertise. These inquiries are all routed to WECs small staff of 31 full time state employees. WEC staff is continuing to examine the customer support model, considering the dramatic increase in contacts in 2020 to implement sustainable customer support models for the future.

### B. Absentee Voting

Absentee voting remained exceptionally popular for the 2020 General Election but to a lesser degree than in April. Instead, voting at the polls on Election Day increased from 25% of ballots cast on April 7 to just over 40% on November 3. This figure, however, remains well below Wisconsin’s historical average of 70%-80% election day voting.

Table 11.

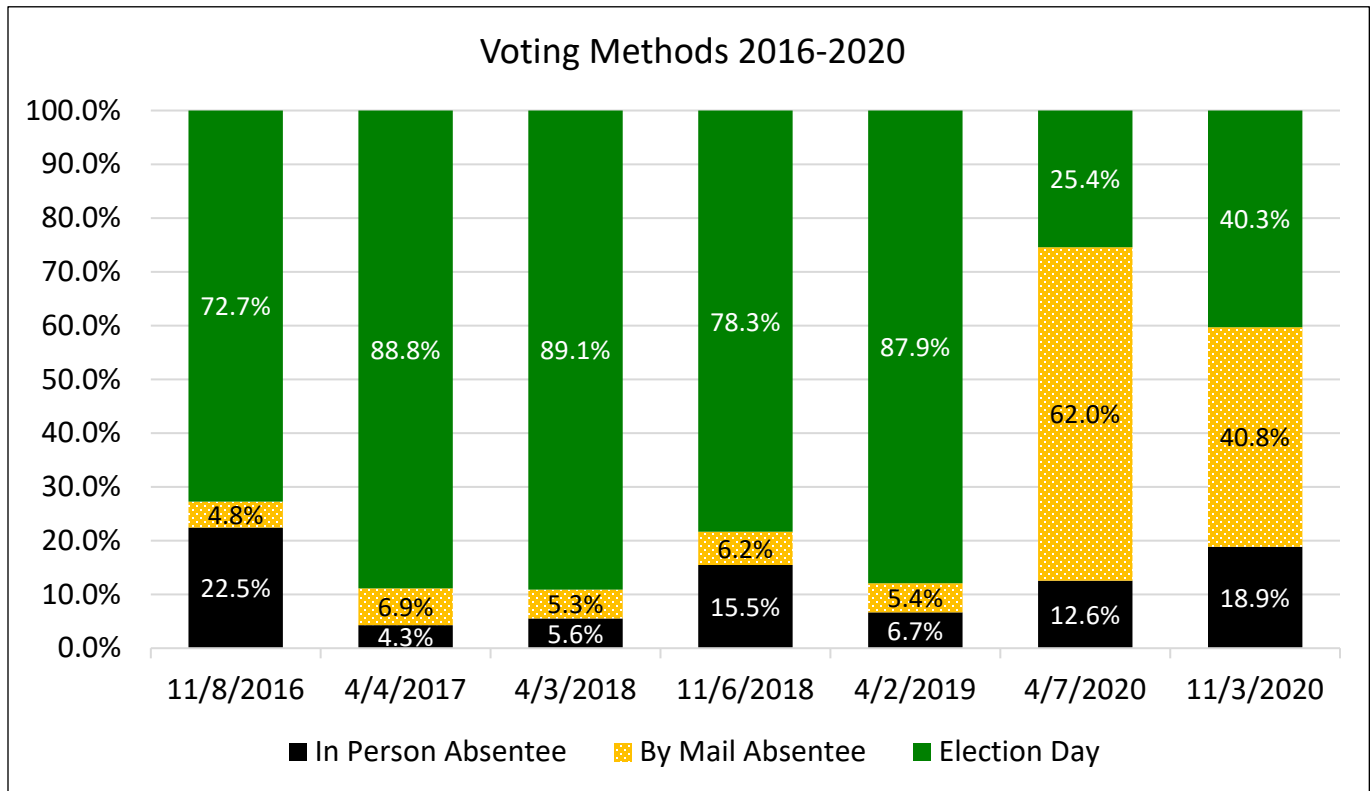


Table 12.

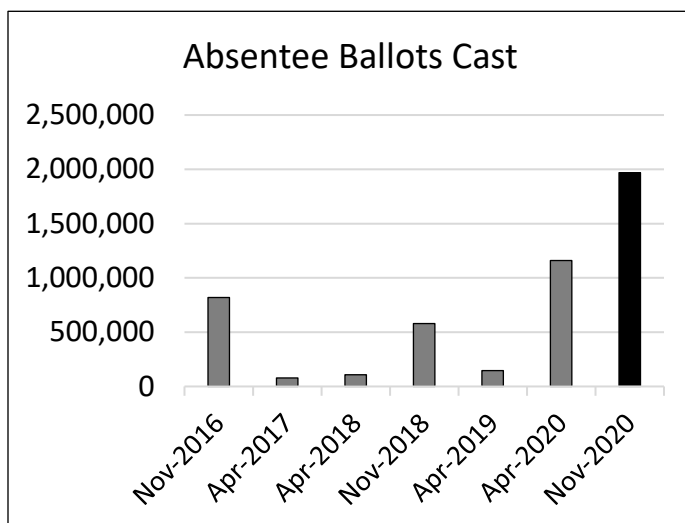


Table 13.

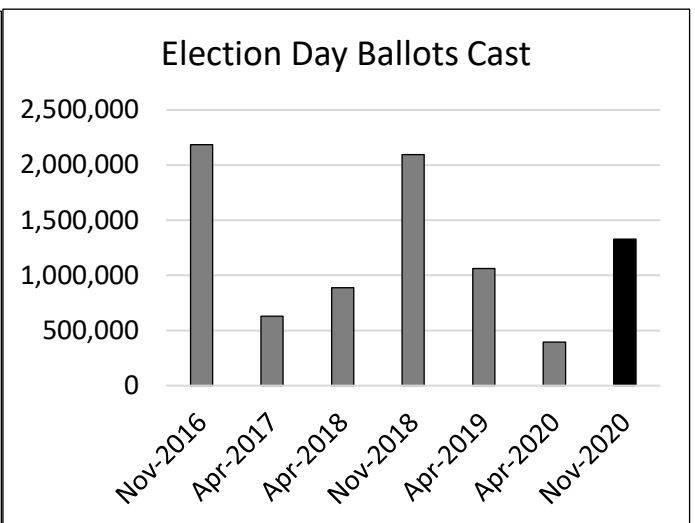
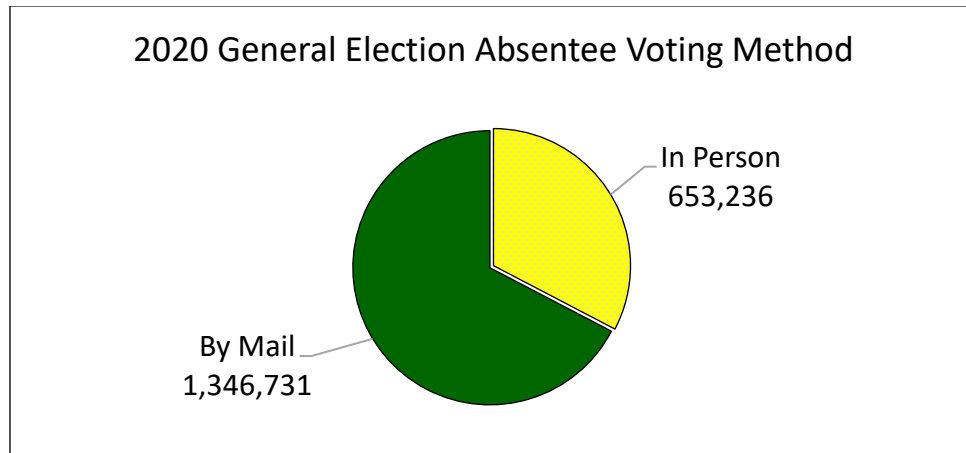


Table 14.



More than 2 million absentee ballots were delivered to voters for the April election, either by mail or in person at local clerks’ offices. More than 95% percent of ballots were returned and counted. A by-county breakdown of absentee by-mail voting may be found in Supplemental Table 2 at the end of this report.

Table 15.

Type	2020 General Election Absentee Ballot Status	Absentee Ballot Count	% of Ballots
Returned Ballots	Ballots Returned and Counted	1,969,274	95.64%
	Ballots Returned and Rejected – All Reasons	4,270	0.20%
	Rejected - Certification Insufficient	1,434	
	Rejected - Not Returned before Polls Close	1,045	
	Rejected - Superseding Ballot Returned	275	
	Rejected - Certificate Envelope Compromised	41	
	Rejected - Voter Deceased Before Election Day	240	
	Rejected - Voter Ineligible	1,151	
Rejected – Other	84		
Unreturned Ballots	Ballot Not Returned	85,586	4.16%
Admin Action	Request Cancelled by Clerk	19,727	n/a
	Request Cancelled by Voter	52,148	n/a
	Ballot Returned Undeliverable	9,330	n/a
	Voter Refused Ballot from SVD	0	n/a
	Voter Ineligible to Receive Ballot	15	n/a

See Supplemental Table 4 for ballot status definitions.<sup>3</sup>

<sup>3</sup> The technical structure of the voter registration database is far more detailed than the categories applied in this chart and includes three variables with over 60 different combinations to define the status of an absentee ballot. Clerks have the option to choose the appropriate ballot status explanation and sometimes apply different ballot status definitions to describe the same situation. Supplemental Table 4 displays the full range of ballot status combinations and how they were defined in this report.

News reports and social media rumors of postal service problems may have contributed to a shift away from voting by mail. Some clerks reported that voters were cancelling their by-mail absentee ballot requests in favor of voting in-person absentee or in-person on Election Day. While these reports are anecdotal, more than 52,000 cancelled absentee ballot requests seem to support this claim.

The figures in Table 15 above are largely consistent with the percentage of ballots rejected or not returned in recent November elections. The number of rejected ballots was exceptionally low but similar to the rejection rate seen in recent elections. As shown below, both the rejection rate and the unreturned rate tend to be lower in November than in April.

Table 16.

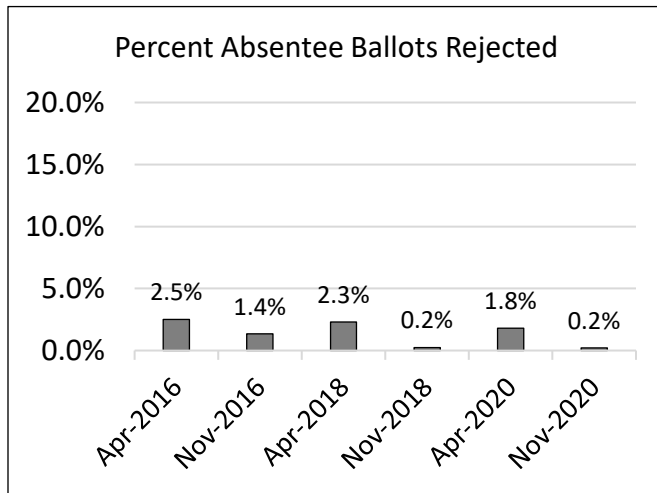
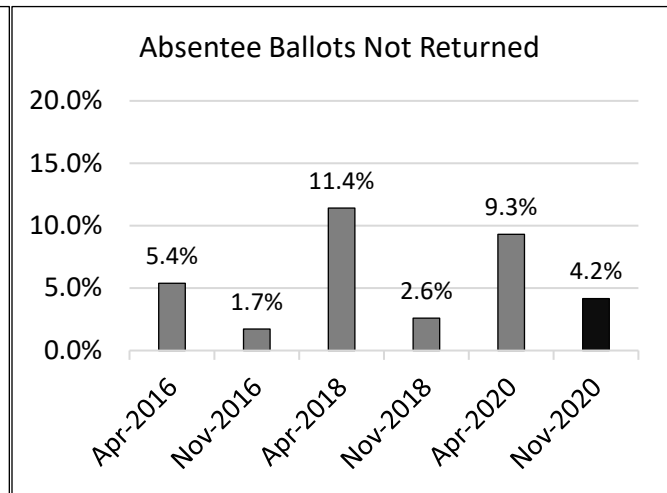
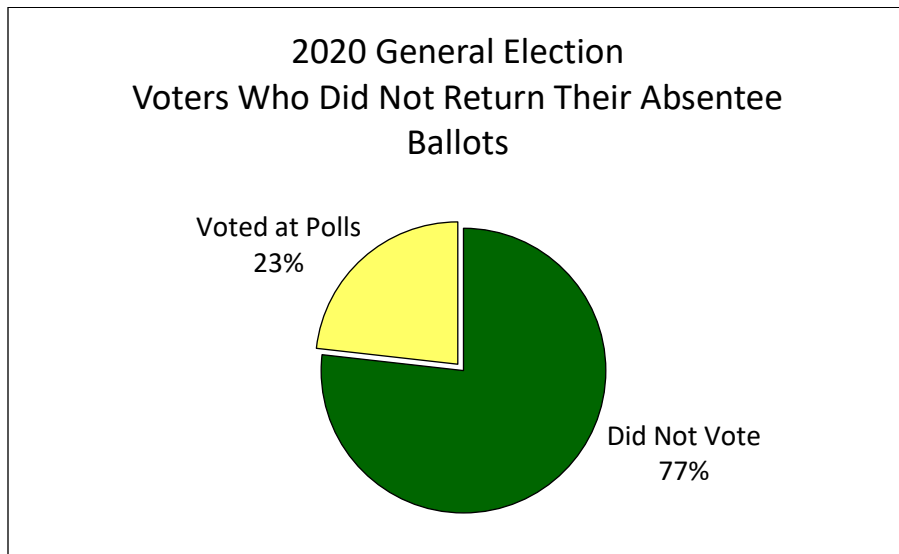


Table 17.



Separately, voters who did not return a ballot or cancel their ballot request were less likely to participate by another voting method. An examination of unreturned ballots found that most of those voters simply did not vote in the General Election. Just under a quarter of them voted at the polls on Election Day.

Table 18.



### C. Special Voting Deputies

In 2020 the absentee voting population included people who previously would have voted with the in-person assistance of a Special Voting Deputy (SVD). The Wisconsin Legislature created the SVD program in order to assist individuals residing in residential care facilities such as nursing homes, community-based residential facilities, qualified retirement homes, residential care complexes, and adult family homes. Wis Stat. § 6.875. SVDs are appointed by the municipal clerk and must meet specific eligibility criteria.<sup>4</sup>

Beginning in March 2020, municipal and county clerks began asking WEC staff how to handle SVD voting in light of the heightened COVID-19 threat to older people. Care facilities likewise began closing their doors to visitors, including SVDs. In both 2020 and early 2021, most care facilities prohibited access to all except essential medical personnel. There is no legal exception that allows SVDs access, even with protective equipment or other preventative measures. Ordinarily, SVDs must make at least two separate attempts to visit a covered facility before the clerk may send an absentee ballot to the voter. Wis. Stat. § 6.875(6)(e). If the SVDs are unable to make the two scheduled visits, or a resident is unable to attend one of the visits, the law directs clerks to send voters their ballot. After reviewing the statutory guidance, the Wisconsin Elections Commission directed that clerks should not delay ballot delivery by making two failed attempts to visit each facility. The Commission stated that local election officials may advance to mailing an absentee ballot to those registered voters who reside in care facilities that are typically served by SVDs if they request an absentee ballot or have an active request on file.

This decision was made by the Commission in acknowledgement that SVDs would not be granted access to qualified care facilities. The Commission determined that it was unnecessary and wasteful to send SVDs in person only so that they could be rejected on two separate occasions. Instead, delivering ballots immediately would give voters who reside in care facilities adequate time to receive, vote, and return their ballot, just like any other voter. If a clerk were to wait until they had scheduled two facility visits, and were ultimately denied access to those facilities, the voter would be left with significantly less time to participate. The acknowledgement by the Commission that SVDs would not be granted access to qualified facilities allowed staff to provide clear and uniform guidance to clerks. The WEC continues to partner with state government agencies and aging and disability advocacy organizations to provide uniform guidance and training about the absentee voting process for care facility residents.

At the time of the General Election, the population of Wisconsin voters normally serviced by SVDs was 22,303 voters residing in 503 municipalities. This figure is a slight increase over the 2016 population size. A breakdown of these voters by county is available in Supplemental Table 5 at the end of this

---

<sup>4</sup> Special Voting Deputies must: (1) be a qualified elector of the county; (2) attend training; (3) take the Oath of Special Voting Deputy (Form EL-155); (4) not currently be employed by the facility; (5) not have been employed by the facility within two years of the appointment; (6) not be an immediate family member of anyone currently employed by the facility or employed by the facility with two years of the appointment. Wis. Stat. § 6.875.



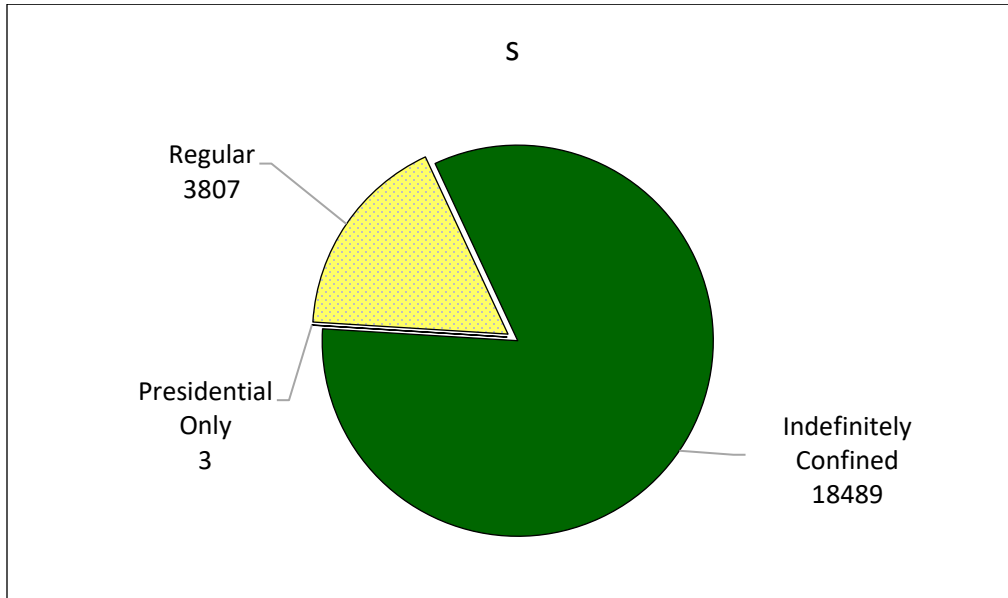
report. The data below shows the population that was scheduled to be served by SVDs, plus those active registered voters who previously were served by SVD but this year requested a by-mail absentee ballot.

Table 19.

Special Voting Deputy Population Size

November 2016:	21,703
November 2020:	22,303

Table 20.



**D. Indefinitely Confined Voters**

Another group generating considerable interest in 2020 was the subset of voters who certified they were indefinitely confined. The Wisconsin statutes state that an elector who is indefinitely confined because of age, physical illness or infirmity or is disabled for an indefinite period may by signing a statement to that effect require that an absentee ballot be sent to the elector automatically for every election. Wis. Stat. § 6.86(2)(a). 2011 Wisconsin Act 23, the voter photo ID law, exempted voters who certify that they are indefinitely confined from providing their clerk with a copy of their acceptable photo ID in order to receive an absentee ballot; instead, state law allows their witness to verify their identity.

As the pandemic worsened in March 2020 and Wisconsin went into a lockdown, many voters looked at their options for absentee voting in light of technological challenges to providing their municipal clerk with a copy of their photo ID. This was especially true for voters without ready access to a smartphone, digital camera, scanner, or photocopying machine. There was a great deal of public discussion about whether the pandemic and stay-at-home order meant all, or most, voters were indefinitely confined. At its meeting of March 27, 2020, the Wisconsin Elections Commission adopted the following guidance related to the use of indefinitely confined status to assist local election officials working with absentee voters:

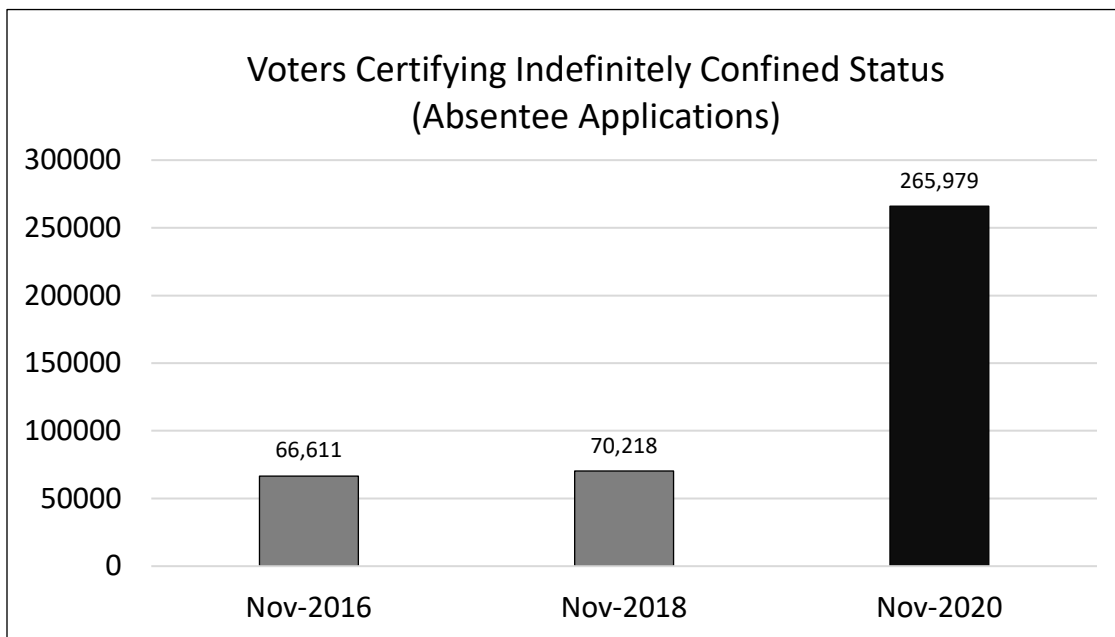
1. Designation of indefinitely confined status is for each individual voter to make based upon their current circumstance. It does not require permanent or total inability to travel outside of the residence. The designation is appropriate for electors who are indefinitely confined because of age, physical illness or infirmity or are disabled for an indefinite period.
2. Indefinitely confined status shall not be used by electors simply as a means to avoid the photo ID requirement without regard to whether they are indefinitely confined because of age, physical illness, infirmity or disability.

This guidance was and is consistent with and supplements previous statements of the WEC related to absentee voters who may qualify as indefinitely confined or “permanent” absentee voters.

Due to the heightened interest in this subset of ballots, WEC staff examined the available data regarding indefinitely confined voting in the General Election. It is important to note that Wisconsin election systems do not associate “indefinitely confined” status with a voter record. The status is associated only with an active absentee application and does not exist independently of the absentee ballot process.

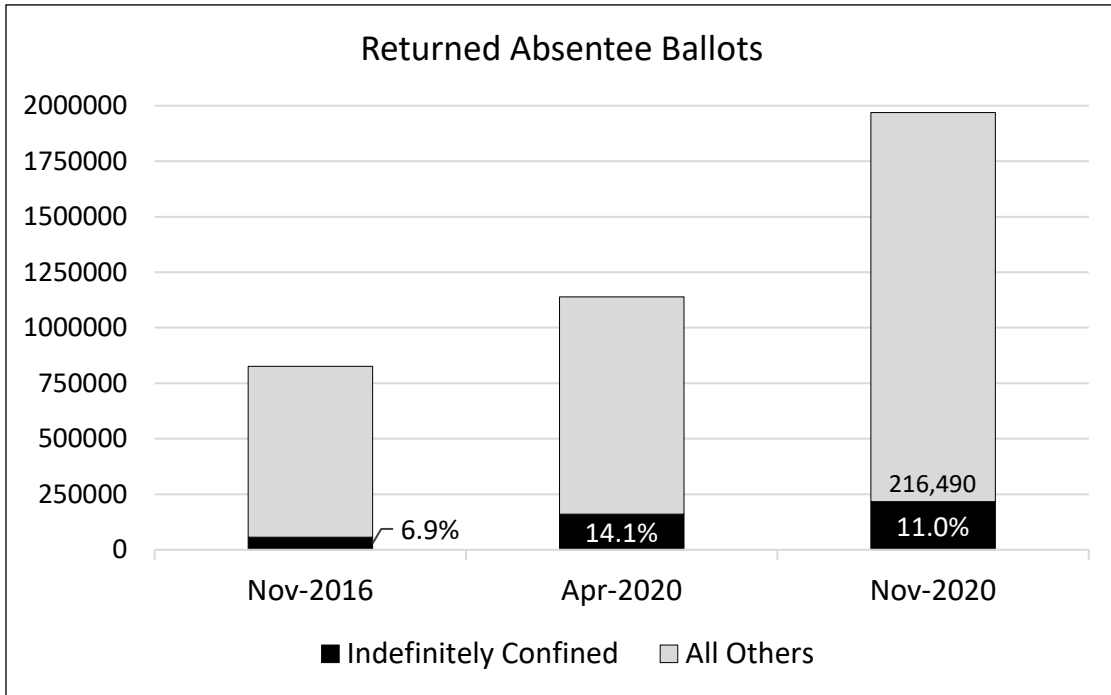
As with absentee voting, the COVID-19 pandemic clearly affected indefinitely confined voting. Significantly more people claimed the status in 2020 than did in the two prior November elections.

Table 21.



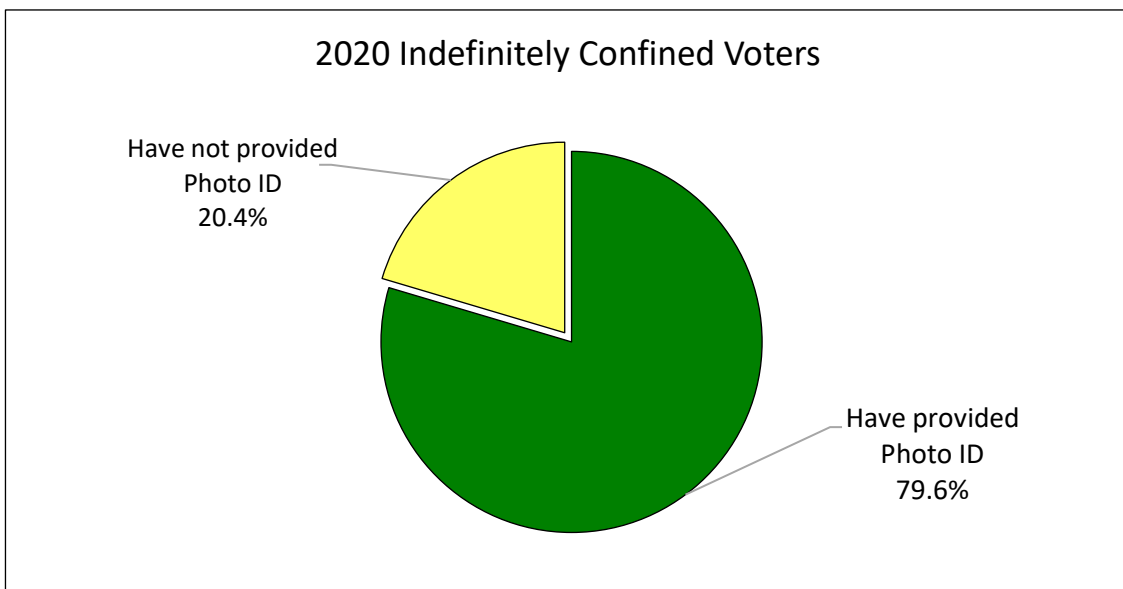
As with voting by mail, voter interest in the indefinitely confined process declined between April and November, with a smaller percentage of absentee ballots coming from indefinitely confined voters. Eleven percent of General Election absentee ballots came from indefinitely confined voters versus 14% of April ballots. A breakdown by county is available in Supplemental Table 3 at the end of this report.

Table 22.



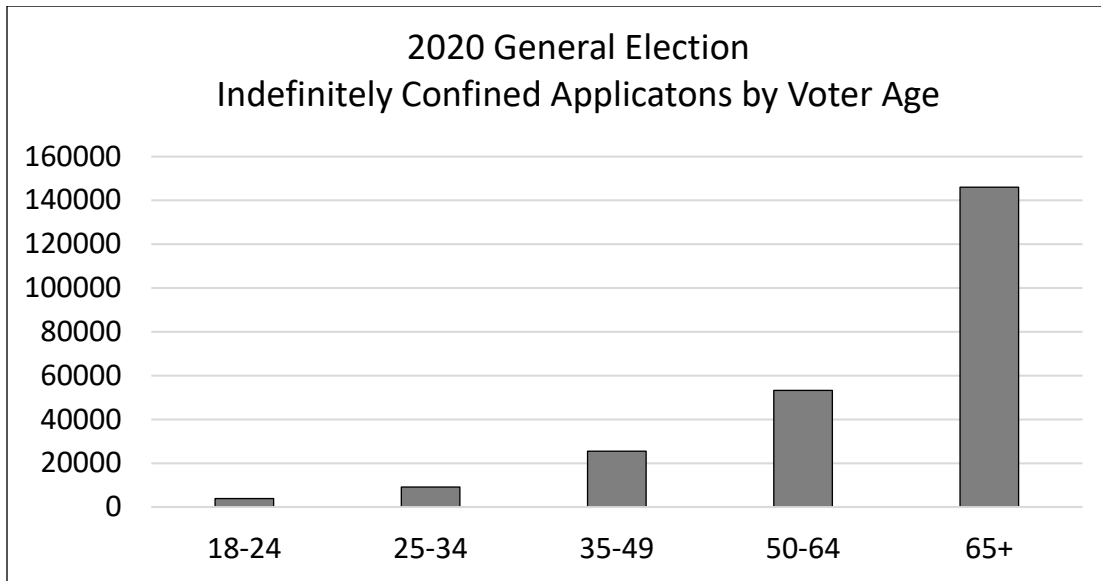
Indefinitely confined voters have come under scrutiny in part because the law permits them to obtain a ballot without providing a copy of their photo ID. As a result, legislators, media and members of the public asked WEC staff to evaluate how many General Election indefinitely confined voters have a photo ID on file or have otherwise previously presented photo ID to vote in a recent election. A review of election records found that approximately four fifths of the voters meet these criteria.

Table 23.



Finally, staff obtained a breakdown of indefinitely confined absentee ballot applications by age group. The results show that approximately two-thirds of indefinitely confined applications come from voters over age 65.

Table 24.



### E. ERIC Movers List Voters

Another subset of voters garnering considerable attention are those individuals on the ERIC Active Movers list. ERIC is the Electronic Registration Information Center in Washington, D.C. The group consists of thirty member states plus the District of Columbia. Wisconsin is a member of ERIC and WEC Administrator Meagan Wolfe is a member of its 2020-2021 Board of Directors.

As part of Wisconsin’s membership in ERIC, WEC staff are required to reach out to voters who ERIC has flagged as having potentially moved. ERIC obtains data from a variety of sources, such as Wisconsin motor vehicle records, voter registration and motor vehicle records from participating states, and the National Change of Address database from the U.S. Postal Service. These individuals are considered the “Mover’s List” and assigned the status of “Active-Mover” in the statewide voter registration database. This status indicates their voter registration is active but additional follow-up is required to evaluate if the person has moved. Voters in this category have not voted since 2019, have not affirmed their registration address, and have not updated their registration address.

Active-Movers appear on the poll book with a watermark on their name. The watermark signals to poll workers that the voter must affirm his or her address before being issued a ballot. If the voter has moved, he or she must re-register before a ballot is issued. If the voter has not moved, they must sign, affirming that their address is still current, before receiving a ballot. In the most recent mover’s list review, 232,579 voters were identified by ERIC as potentially having moved.

There was extensive litigation in 2019 and 2020 regarding the ERIC Active Movers list and whether the WEC was required to deactivate those voters under Wis. Stat. § 6.50(3). While the Ozaukee County Circuit Court initially ordered the WEC to deactivate the voters, the Wisconsin Court of Appeals District 4 unanimously reversed that order and found that WEC does not have that statutory authority to deactivate those voters. The Wisconsin Supreme Court accepted the case on appeal and in September of 2020 heard oral arguments but has not yet issued a decision. The WEC is currently bound by the Court of Appeals decision, meaning it may not take action on 2019 Mover records or on future Movers data until the Wisconsin Supreme Court renders their decision.

As a result of this litigation, there was also a great deal of public misunderstanding about the purpose of the list and who was on the list. It was not uncommon to see false claims that there were more than 200,000 deceased or ineligible voters on Wisconsin’s registration list.

The number of people in “Active-Mover” status continually declines as voters either verify their status or their registration is inactivated. As of this report, the original Active-Mover group of 232,579 voters has declined to fewer than 72,000, none of whom voted in 2020. Table 25 depicts the size of the Active-Movers group over time. The current breakdown of the original group is shown below in Table 26. A detailed analysis of this data is provided as a separate memo for the Commission’s February 3, 2021 meeting.

Table 25.

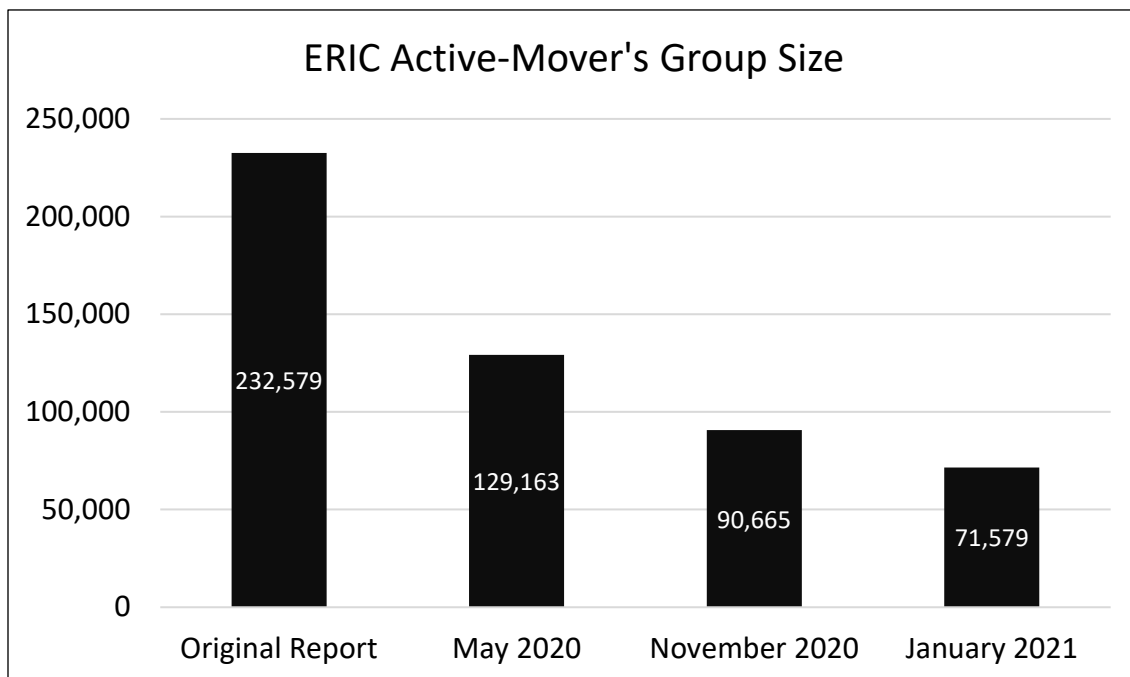
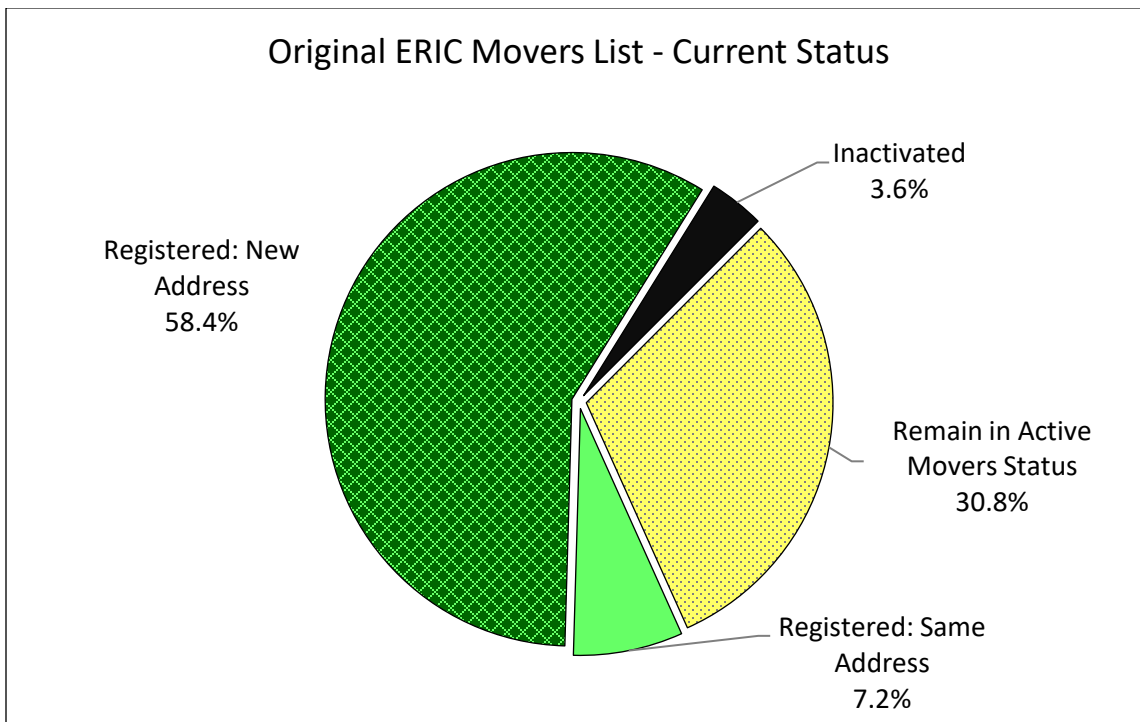


Table 26.



As noted above, most voters originally on the Movers List have confirmed a new Wisconsin address and updated their registration. A much smaller subset – of nearly 17,000 Wisconsin voters – has affirmed that their original address is correct. Finally, the smallest group has had their registrations inactivated by local clerks for the variety of reasons depicted in Table 27 below.

Table 27.

ERIC Movers List – Reasons for Inactivation	
Inactive – Moved	3,845
Inactive – Deceased	2,538
Inactive – Undeliverable Mailing	1,308
Inactive – Felon	357
Inactive – Incomplete EDR	225
Inactive – Administrative Action	123
Inactive – Voter Request	67
Inactive – Incompetent	11
Inactive – 4-Year Maintenance	1
Inactive – Presidential Only – Expired	1

Of the original 232,579 voters on the Movers List, 30.3% voted in the 2020 General Election. Of the group that voted, 19,086 of them had not updated their registrations or affirmed their address in 2020.

Table 28.

<b>Original ERIC Movers List – General Election Voting</b>	<b>Voter Count</b>	<b>Percentage of Mailing</b>
1. Voted: Registered Status <sup>5</sup>	51,460	22.1%
2. Voted at Same Address: Active-Mover Status	5,329	2.3%
3. Voted at New Address: Active-Mover Status	13,757	5.9%
4. Did Not Vote: Registered Status	81,980	35.2%
5. Did Not Vote: Active-Mover Status	71,578	30.8%
6. Did Not Vote: Inactivated Status	8,476	3.6%
<b>7. Total</b>	<b>232,579</b>	<b>100%</b>

### III. Supplemental Data

Wisconsin is the most decentralized election administration system in the country. This means 1,850 municipal clerks in each city, town, and village administer elections. Municipal clerks are required to enter, and maintain, their election data in the statewide voter registration database. It is their data, and municipal clerks frequently make changes to it as needed to correct issues, add detail, or otherwise update the information about their voting population. Therefore, the data available in this report and through the statewide voter registration database is tracked, entered, and certified at the local level. The tables that follow have summarized data at the county level but remain a simplified version of the actual data.

---

<sup>5</sup> Registered status in this table indicates the voter’s status on Election Day. It indicates that these voters either re-registered at a new address or affirmed their existing registration at the original address prior to November 3, 2020.

### Supplemental Table 1 (List of Graphics and Charts)

Table 1	General Election Total Ballots Cast
Table 2	Active Registration List Alerts 10/7/2020 to 10/28/2020
Table 3	Wisconsin Voter Registration Jul-Dec 2020
Table 4	Wisconsin Voter Registration 2008-2020
Table 5	Top Ten Visited Pages (myvote.wi.gov) 10/11/2020 to 11/5/2020
Table 6	MyVote Wisconsin Unique Sessions 10/11/2020 to 11/5/2020
Table 7	MyVote Wisconsin Unique Sessions 2016, 2018, 2020
Table 8	Wisconsin Elections Commission Public Contacts 10/11/2020 to 11/5/2020
Table 9	Wisconsin Elections Commission 2020 Public Contacts
Table 10	General Election Monthly Public Contacts 2016, 2018, 2020
Table 11	Voting Method by Election 2016-2020
Table 12	Absentee Ballots Cast 2016-2020
Table 13	Election Day Ballots Cast 2016-2020
Table 14	2020 General Election Absentee Voting Method
Table 15	2020 General Election Absentee Ballot Status
Table 16	Percent Absentee Ballots Rejected 2016-2020
Table 17	Absentee Ballots Not Returned 2016-2020
Table 18	2020 General Election Voters Who Did Not Return Their Absentee Ballots
Table 19	SVD Voting Population November 2016 and November 2020
Table 20	2020 General Election SVD Voting Population
Table 21	Voters Certifying Indefinitely Confined Status General Elections 2016-2020
Table 22	Returned Absentee Ballots 2016-2020
Table 23	2020 Indefinitely Confined Voters
Table 24	2020 General Election Indefinitely Confined Applications by Voter Age
Table 25	Active-Mover's Group Size
Table 26	Original ERIC Movers List - Current Status
Table 27	ERIC Movers List Reasons for Inactivation
Table 28	Original ERIC Movers List - General Election Voting

Supplemental Table 1	List of Graphs and Charts
Supplemental Table 2	Absentee Voting by Mail by County
Supplemental Table 3	Indefinitely Confined Absentee Ballot Requests by County
Supplemental Table 4	Absentee Ballot Status Definitions
Supplemental Table 5	2020 General Election SVD Voters by County



**Supplemental Table 2 (Absentee Voting by Mail)**

<b>2020 GENERAL ELECTION COUNTY</b>	<b>PERCENT OF VOTES CAST BY MAIL</b>	<b>NUMBER OF VOTES CAST BY MAIL</b>
DANE COUNTY	57.7%	199054
BROWN COUNTY	49.0%	70617
MILWAUKEE COUNTY	47.4%	217424
OUTAGAMIE COUNTY	43.8%	47294
WAUKESHA COUNTY	42.8%	114636
IRON COUNTY	42.7%	1713
WINNEBAGO COUNTY	42.5%	39981
ONEIDA COUNTY	42.4%	10235
DOOR COUNTY	42.2%	8484
LA CROSSE COUNTY	42.1%	28603
OZAUKEE COUNTY	41.7%	25627
CALUMET COUNTY	41.6%	12807
<b>STATEWIDE</b>	<b>40.8%</b>	<b>1346731</b>
ROCK COUNTY	40.1%	34214
BAYFIELD COUNTY	39.5%	4300
KENOSHA COUNTY	39.5%	35055
PORTAGE COUNTY	38.9%	15799
VILAS COUNTY	38.9%	5972
SAUK COUNTY	38.5%	13936
ST. CROIX COUNTY	37.9%	21464
RACINE COUNTY	37.3%	39662
IOWA COUNTY	37.0%	5180
EAU CLAIRE COUNTY	36.6%	21323
MARATHON COUNTY	36.6%	28059
DOUGLAS COUNTY	36.5%	9000
ASHLAND COUNTY	35.8%	3137
COLUMBIA COUNTY	35.6%	12041
WASHINGTON COUNTY	35.4%	31150
JEFFERSON COUNTY	35.0%	16785
SHEBOYGAN COUNTY	34.9%	23045
SAWYER COUNTY	34.8%	3659
FOND DU LAC COUNTY	34.2%	19569
WALWORTH COUNTY	34.1%	19667
GREEN COUNTY	34.1%	7296
PIERCE COUNTY	33.8%	7890
MANITOWOC COUNTY	33.6%	15058
FLORENCE COUNTY	33.4%	983
KEWAUNEE COUNTY	32.9%	3984

<b>2020 GENERAL ELECTION COUNTY</b>	<b>PERCENT OF VOTES CAST BY MAIL (CONTINUED)</b>	<b>NUMBER OF VOTES CAST BY MAIL (CONTINUED)</b>
VERNON COUNTY	32.9%	5241
OCONTO COUNTY	32.8%	7605
WOOD COUNTY	32.7%	13497
GRANT COUNTY	32.4%	8290
CHIPPEWA COUNTY	32.1%	11522
FOREST COUNTY	31.9%	1614
CRAWFORD COUNTY	31.9%	2776
MARINETTE COUNTY	31.3%	7203
DUNN COUNTY	31.2%	7350
WASHBURN COUNTY	31.1%	3224
WAUPACA COUNTY	30.7%	8957
POLK COUNTY	30.7%	8084
LINCOLN COUNTY	30.1%	4970
ADAMS COUNTY	30.1%	3556
BARRON COUNTY	29.9%	7578
RICHLAND COUNTY	29.3%	2645
PRICE COUNTY	28.9%	2474
SHAWANO COUNTY	28.8%	6514
LANGLADE COUNTY	28.7%	3203
LAFAYETTE COUNTY	28.5%	2436
MARQUETTE COUNTY	28.4%	2577
PEPIN COUNTY	28.4%	1177
DODGE COUNTY	28.4%	13753
WAUSHARA COUNTY	28.0%	3794
BURNETT COUNTY	27.9%	2832
GREEN LAKE COUNTY	27.2%	2905
MENOMINEE COUNTY	27.2%	432
JUNEAU COUNTY	26.9%	3695
MONROE COUNTY	26.6%	6016
TAYLOR COUNTY	25.6%	2736
RUSK COUNTY	24.9%	1968
TREMPEALEAU COUNTY	24.4%	3752
CLARK COUNTY	23.4%	3492
BUFFALO COUNTY	23.3%	1823
JACKSON COUNTY	22.9%	2337

**Supplemental Table 3 (Indefinitely Confined Ballot Requests)**

<b>2020 GENERAL ELECTION COUNTY</b>	<b>PERCENTAGE OF ABSENTEE BALLOT REQUESTS THAT CERTIFIED INDEFINITELY CONFINED STATUS</b>	<b>NUMBER OF ABSENTEE BALLOT REQUESTS THAT CERTIFIED INDEFINITELY CONFINED STATUS</b>
IRON	23.4%	487
DOUGLAS	22.2%	2726
LAFAYETTE	19.8%	622
LINCOLN	17.1%	1245
RUSK	16.6%	425
MILWAUKEE	16.3%	57498
RICHLAND	16.3%	641
ONEIDA	15.8%	2003
ASHLAND	15.6%	626
CLARK	15.4%	694
MARQUETTE	15.4%	526
FOREST	15.2%	293
WAUPACA	15.1%	1998
KEWAUNEE	15.0%	791
PRICE	14.9%	514
JUNEAU	14.8%	798
WAUSHARA	14.7%	758
MARINETTE	14.7%	1683
SHAWANO	14.6%	1430
GRANT	14.4%	1682
GREEN LAKE	14.0%	675
WOOD	13.9%	2993
BURNETT	13.8%	522
FOND DU LAC	13.7%	4148
DODGE	13.7%	3294
RACINE	13.5%	10188
SAWYER	13.5%	754
CRAWFORD	13.4%	495
MARATHON	13.4%	5532
SHEBOYGAN	13.3%	5192
SAUK	13.3%	2793
DUNN	13.2%	1333
BROWN	13.1%	13731
IOWA	13.0%	1022
JACKSON	12.9%	458
TREMPEALEAU	12.8%	700
FLORENCE	12.8%	167
MANITOWOC	12.8%	3109
ROCK	12.8%	6858

<b>2020 GENERAL ELECTION COUNTY</b>	<b>PERCENTAGE OF ABSENTEE BALLOT REQUESTS THAT CERTIFIED INDEFINITELY CONFINED STATUS</b>	<b>NUMBER OF ABSENTEE BALLOT REQUESTS THAT CERTIFIED INDEFINITELY CONFINED STATUS</b>
CHIPPEWA	12.8%	2275
<b>STATEWIDE</b>	<b>12.6%</b>	<b>265979</b>
COLUMBIA	12.5%	2360
MONROE	12.4%	1223
WINNEBAGO	12.4%	7442
ADAMS	12.3%	626
KENOSHA	12.3%	7591
WASHBURN	12.2%	524
BUFFALO	12.1%	313
POLK	11.8%	1307
PEPIN	11.7%	172
WALWORTH	11.6%	4237
DOOR	11.6%	1417
BARRON	11.6%	1346
BAYFIELD	11.5%	617
VILAS	11.5%	998
LANGLADE	11.4%	493
JEFFERSON	11.3%	3238
GREEN	11.3%	1231
VERNON	11.2%	766
LA CROSSE	11.2%	5081
OUTAGAMIE	11.0%	7767
MENOMINEE	10.9%	70
PIERCE	10.9%	1217
WASHINGTON	10.8%	6431
WAUKESHA	10.8%	21464
OCONTO	10.7%	1155
EAU CLAIRE	10.6%	3805
OZAUKEE	10.5%	4723
CALUMET	10.3%	1912
PORTAGE	10.1%	2531
ST. CROIX	9.9%	3210
DANE	9.8%	26674
TAYLOR	9.7%	359

**Supplemental Table 4 (Absentee Ballot Status Definitions) – See footnote 3 on page 12**

Report Definitions Absentee Ballot Status Reason	Statewide Database Classification Fields (Defined by Municipal Clerks)		
	BALLOT STATUS REASON	REASON TYPE	BALLOT STATUS
Returned & Counted	Returned	Null	Active
Rejected Certification Insufficient	Returned, to be Rejected	Certification insufficient	Active
	Cancelled Administrative Action	Certification insufficient	Inactive
	Ineligible	Certification insufficient	Inactive
	Rejected at Polls/MBOC	Certification insufficient	Inactive
	Rejected at Polls/MBOC	No POI enclosed and no certification from care facility representative when voter resides in an SVD-eligible facility not visited by SVDs	Inactive
Rejected Not Returned Before Polls Close	Ballot Returned After Deadline	Null	Inactive
	Ballot Returned After Deadline	Certification insufficient	Inactive
	Ballot Returned After Deadline	Voter not qualified	Inactive
	Ballot Not Returned by Deadline	Certification insufficient	Inactive
Rejected Superseding Ballot Returned	Returned, to be Rejected	Superseding Ballot Returned	Active
	Cancelled Administrative Action	Superseding Ballot Returned	Inactive
	Ineligible	Superseding Ballot Returned	Inactive
	Rejected at Polls/MBOC	Superseding Ballot Accepted	Inactive
	Rejected at Polls/MBOC	Superseding Ballot Returned	Inactive
	Rejected at Polls/MBOC	Vote already recorded for this voter	Inactive
Rejected Certificate Envelope Compromised	Returned, to be Rejected	Certificate envelope compromised or resealed	Active
	Cancelled Administrative Action	Certificate envelope compromised or resealed	Inactive
	Rejected at Polls/MBOC	Certificate envelope compromised or resealed	Inactive
Rejected Voter Deceased Before Election Day	Returned, to be Rejected	Voter Deceased	Active
	Cancelled Administrative Action	Voter Deceased	Inactive
	Ineligible	Voter Deceased	Inactive
	Rejected at Polls/MBOC	Voter Deceased	Inactive
	Voter Spoiled	Voter Deceased	Inactive
Rejected Voter Ineligible	Returned, to be Rejected	Voter not qualified	Active
	Cancelled Administrative Action	Voter not qualified	Inactive
	Ineligible	Null	Inactive
	Ineligible	Voter not qualified	Inactive
	Rejected at Polls/MBOC	Voter not qualified	Inactive
Rejected Other	Returned, to be Rejected	Null	Active
	Rejected at Polls/MBOC	Null	Inactive
	Rejected at Polls/MBOC	More than one of the same type of ballot enclosed	Inactive

Report Definitions Absentee Ballot Status Reason	Statewide Database Classification Fields (Defined by Municipal Clerks)		
	BALLOT STATUS REASON	REASON TYPE	BALLOT STATUS
Ballot Not Returned	Not Returned	Null	Active
	Not Returned	Voter not qualified	Active
	Not Returned, sent to voter for resolution	Null	Active
	Not Returned, sent to voter for resolution	Certification insufficient	Active
	Ballot Not Received	Null	Inactive
	Ballot Not Received	Certification insufficient	Inactive
	Ballot Not Returned By Deadline	Null	Inactive
Admin: Clerk Cancelled	Cancelled Administrative Action	Null	Inactive
	Voter Moved	Null	Inactive
Admin: Voter Cancelled	Voter Refused	Null	Active
	Voter Request	Null	Inactive
	Voter Request	Certification insufficient	Inactive
	Voter Request	Superseding Ballot Accepted	Inactive
	Voter Request	Superseding Ballot Returned	Inactive
	Voter Request	Voter not qualified	Inactive
	Voter Spoiled	Null	Inactive
	Voter Spoiled	Certificate envelope compromised or resealed	Inactive
	Voter Spoiled	Certification insufficient	Inactive
	Voter Spoiled	Superseding Ballot Returned	Inactive
Admin: Undeliverable	Undeliverable	Null	Inactive
	Undeliverable	Certification insufficient	Inactive
	Undeliverable	Superseding Ballot Accepted	Inactive
	Undeliverable	Superseding Ballot Returned	Inactive
	Undeliverable	Voter deceased	Inactive
	Undeliverable	Voter not qualified	Inactive
Admin: Voter Ineligible	Voter Moved	Voter not qualified	Inactive
	Voter Spoiled	Voter not qualified	Inactive

**Supplemental Table 5 (2020 General Election SVD Voters by County)**

<b>COUNTY</b>	<b>SVD VOTER COUNT</b>
ADAMS	52
ASHLAND	141
BARRON	76
BAYFIELD	46
BROWN	976
BUFFALO	35
BURNETT	42
CALUMET	614
CHIPPEWA	228
CLARK	165
COLUMBIA	179
CRAWFORD	30
DANE	2032
DODGE	254
DOOR	147
DOUGLAS	125
DUNN	139
EAU CLAIRE	440
FLORENCE	14
FOND DU LAC	378
FOREST	39
GRANT	345
GREEN	167
GREEN LAKE	80
IOWA	74
IRON	14
JACKSON	18
JEFFERSON	156
JUNEAU	754
KENOSHA	346
KEWAUNEE	889
LA CROSSE	873
LAFAYETTE	26
LANGLADE	5
LINCOLN	55
MANITOWOC	315
MARATHON	301
MARINETTE	76
MARQUETTE	28

COUNTY	SVD VOTER COUNT (CONT.)
MENOMINEE	0
MILWAUKEE	2523
MONROE	181
OCONTO	47
ONEIDA	124
OUTAGAMIE	450
OZAUKEE	771
PEPIN	10
PIERCE	113
POLK	136
PORTAGE	149
PRICE	80
RACINE	464
RICHLAND	54
ROCK	488
RUSK	64
SAUK	300
SAWYER	33
SHAWANO	122
SHEBOYGAN	334
ST. CROIX	298
TAYLOR	47
TREMPEALEAU	123
VERNON	44
VILAS	89
WALWORTH	469
WASHBURN	48
WASHINGTON	618
WAUKESHA	2315
WAUPACA	408
WAUSHARA	49
WINNEBAGO	390
WOOD	284





# 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

---

**DATE:** For the February 3, 2021 Commission Meeting

**TO:** Wisconsin Elections Commission

**FROM:** Meagan Wolfe, Administrator

Prepared by:

Dawn Soletski, WisVote Specialist

Connie Shehan, WisVote Specialist

Jodi Kitts, Senior WisVote Specialist

**SUBJECT:** Election Registration Information Center (ERIC) Movers List Update

This memo provides updates on the most current status for the 2019 Movers List maintenance process and discussion of future requirements.

## **2019 Movers Mailing Background**

The Electronic Registration Information Center (ERIC) is a non-profit organization with the mission of: (1) assisting states to improve the accuracy of America's voter rolls and (2) increasing access to voter registration for all eligible citizens. ERIC obtains data from a variety of sources, such as Wisconsin motor vehicle records, voter registration and motor vehicle records from participating states, and the National Change of Address database from the U.S. Postal Service.

As part of Wisconsin's membership in ERIC, the WEC is required to contact voters who ERIC has flagged as having potentially moved. These individuals are considered the "Movers List" and assigned the status of "Active-Mover" in the statewide voter registration database. This status indicates their voter registration is active but additional follow-up is required to evaluate if the person has moved. In the most recent Movers List review 232,579 voters were identified by ERIC as potentially having moved.

At the June 11, 2019 meeting, the Commission adopted a process for the 2019 Movers List maintenance. Among other things, this process flagged voters who did not respond to Movers mailings within 30 days with a pollbook watermark. It also allowed those voters to affirm their active registrations during the 2020 election cycle. Any voters that did not affirm their active registrations would be inactivated following the Spring 2021 election.

*Wisconsin Elections Commissioners*

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

---

*Administrator*  
Meagan Wolfe

The 2019 ERIC Movers Mailing process was challenged and has been in litigation since 2019. The Ozaukee County Circuit Court granted a writ of mandamus and ordered the Commission to comply with the provisions of Wis. Stat. § 6.50(3) and deactivate voter registrations of individuals present on the ERIC Movers List and later found three members of the Commission in contempt of court for failure to comply with that order. After the Wisconsin Supreme Court denied a motion to bypass the Court of Appeals, that Circuit Court's decisions (mandamus and contempt) were stayed. In February 2020, the Wisconsin Court of Appeals reversed the Circuit Court decision on the writ of mandamus and vacated the contempt order. The Wisconsin Court of Appeals concluded "that the phrase "board of election commissioners" in WIS. STAT. § 6.50(3) does not refer to the Commission, and the Commission has no duties pursuant to § 6.50(3)." *State Ex Rel Zignego, et al. v. WEC, et al.*, 2020 WI App 17, ¶71. Additionally, the Wisconsin Court of Appeals concluded that under the statutory scheme set forth by the Legislature, the Commission did not have the authority to deactivate voter registrations based on the 2019 ERIC mailer. *Id.* at ¶91. That decision was then appealed to the Wisconsin Supreme Court. The case was fully briefed, and oral argument took place on September 29, 2020. The Commission is currently waiting for the decision from the Wisconsin Supreme Court to determine what authority the Commission has under current statutes regarding the voter registration status of individuals on the 2019 ERIC Movers List. Ultimately, this means that until the Wisconsin Supreme Court renders a decision, the Wisconsin Court of Appeals ruling remains in place, and WEC may not take action on deactivating 2019 Movers or Movers identified in future lists provided by ERIC.

### 2019 Movers Mailing Status

After each election since August 2019, WEC staff has analyzed the voter participation of those records that were flagged as part of the Movers process. The analysis helps us to understand how many of these voters either re-register, affirm that they have not moved, have taken no action, or have been deactivated by local election officials for other reasons. The data presented in the charts below is divided into 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 before they can receive a ballot.

- **Active-Updated Registrations** 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 number of voters in Active-Movers status has declined as voters have affirmed their active registrations, as shown in Table 1. The number of Active-Movers who remain on the list are voters who have taken no action on their voter record.

Table 1: Active - Movers Status Timeline

<b>Voter Status</b>	<b>Voter Count</b>
Original 2019 Active – Movers Designations	232,579
May 2020 Active – Movers Designations	129,151
January 2021 Active – Movers Designations	71,579

The tables below include data generated on January 25, 2021 regarding voters marked as ‘Movers’. 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.

Of the 2019 Movers mailing recipients, 30.8% have not updated their voter records and remain on Active-Movers status. Almost 66% of voters who were sent the mailing have now either registered to vote at a new address or have requested continuation at their original address. Another 3.6% are inactive 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 2: Current Status of All 232,579 ERIC Voters Sent a Movers Mailing in 2019

<b>All ERIC Movers Status as of January 25, 2021</b>	<b>Voter Count</b>	<b>Percentage of Mailing</b>
1. Active - Movers Designations	71,579	30.8%
2. Active – Updated Registrations (includes Inactive-Merged records replaced by new registrations)	152,524	65.6%
3. Inactive Records	8,476	3.6%
<b>4. Total Records</b>	<b>232,579</b>	<b>100%</b>

Of the 232,579 voters who were sent the Movers mailing, 152,524 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 in the poll book that they have not moved. Approximately

7.2% of the original group 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 58.4% of these 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 3: Movers List Recipients Who Updated Their Registration

<b>Movers List Registrations as of January 25, 2021</b>	<b>Voter Count</b>	<b>Percentage of Mailing</b>
1. Voters who updated or affirmed their registration at same address	16,698	7.2%
2. Voters who updated their registration at new address	135,826	58.4%
<b>3. Total Voters with Updated Address Records</b>	<b>152,524</b>	<b>65.6%</b>

In the 2020 General Election, 30% of the original Active-Movers list cast a ballot. While most updated their registration data prior to Election Day, a small number remained on Active-Movers status and were required to affirm their address when signing the pollbook.

Table 4: General Election Participation

<b>Original ERIC Movers List - General Election Voting</b>	<b>Voter Count</b>	<b>Percentage of Mailing</b>
1. Voted: Registered Status <sup>[1]</sup>	51,460	22.1%
2. Voted at Same Address: Active-Mover Status	5,329	2.3%
3. Voted at New Address: Active-Mover Status	13,757	5.9%
4. Did Not Vote: Registered Status	81,979	35.2%
5. Did Not Vote: Active-Mover Status	71,578	30.8%
6. Did Not Vote: Inactivated Status	8,476	3.6%
<b>7. Total</b>	<b>232,579</b>	<b>100%</b>

<sup>[1]</sup> Registered status in this table indicates the voter’s status on Election Day. It indicates that these voters either re-registered at a new address or affirmed their existing registration at the original address prior to November 3, 2020.

## **2021 Movers Mailing Process**

Since joining ERIC in 2016, Wisconsin has performed just two iterations of the Movers process. These processes helped staff and clerks to refine procedures, but also revealed several noteworthy opportunities for improvement. The considerable time between mailings meant that an effective backlog of routine registration updates accumulated over months. Previous iterations of Movers List maintenance involved hundreds of thousands of records and represented an enormous amount of additional work for clerks and WEC staff. The large volume also created a large one-time expense for the WEC and presented printing, storage, and mailing challenges for the Department of Administration Publishing and Distribution office. Finally, the large number of potentially out-of-date records generate public concerns about the accuracy and integrity of voter rolls.

The ERIC Membership Agreement recommends that member states obtain the Movers list annually but does not require states to make a request. (ERIC Membership Agreement Sec 5.) Upon receipt of the list, Wisconsin has until October 1 of the next even numbered year to initiate contact with at least 95% of the eligible or potentially eligible citizens on the list. (ERIC Membership Agreement Sec 5(a)). Although the agreement recommends an annual review, it does not prohibit procurement of the Movers List at more frequent intervals. In fact, ERIC staff report that some states obtain the list multiple times each year.

A more frequent Movers List maintenance process may address the drawbacks listed above and simplify the process for both voters and clerks. Clerks would have a smaller number of files to process at more frequent intervals and voters would receive more timely reminders to update their registration. WEC staff are currently exploring how to implement the Movers process on a bi-monthly interval, and will bring a plan to the Commission for review at a future meeting. Subject to that guidance, and any future court decisions, staff will research alternative approaches more fully. Regardless of the process that is ultimately applied, the next iteration of the Movers List will be available to Wisconsin no later than early summer 2021. A Court decision in this matter is necessary before WEC will know how to instruct voters in future mailing and what action to take on records of voters who do not respond. However, WEC staff continue to build the technical framework for more regular intervals to prepare for the specifics that will be determined by the Court.

## **Other ERIC Processes**

Other processes performed in conjunction with ERIC, and pursuant to the Member Agreement, are a review of cross-state voter participation and a review of citizens who are eligible to vote but unregistered.

The Voter Participation comparison between states will be provided by ERIC by summer of 2021. This process is performed in order to identify people who may have voted in different states for the same election. Staff will contact other states, research with clerks to make sure there were no data entry errors, and use the matching criteria set by the commission to finalize a referral list for the commission to review, no later than September 2021. Once approved by the commission, the referral list is provided to district attorneys for further investigation and possible criminal prosecution.

The ERIC agreement specifies that list maintenance reports, such as the Movers, duplicates, and deceased list must be requested every 425 days. Wisconsin is currently in compliance with this requirement by accepting duplicate record and deceased reports which are implemented into our statewide system for local election officials to examine as part of the registration list alert process.

The review of eligible but unregistered (EBU) voters is performed to identify people who are eligible to vote and to encourage them to participate. The next Eligible but Unregistered (EBU) mailing will not be done until the summer of 2022 in accordance with the ERIC agreement.



# 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

---

**DATE:** For the February 3, 2021 Commission Meeting

**TO:** Members, Wisconsin Elections Commission

**FROM:** Meagan Wolfe, Administrator

Prepared by:  
Sara Linski, IT Project Manager

**SUBJECT:** Analysis of WEC September 2020 Informational Voter Mailer

## 1. Background

On May 27, the Commission directed staff to develop an informational mailing that described the voting options available for the November 3, 2020 General Election. The mailing also encouraged voters to verify that their registration was up to date, discussed the requirement for proper photo ID, and directed voters where to find public health information related to elections and COVID-19. The mailing included a blank absentee application designed specifically for use with the mailer and a pre-addressed, business reply return envelope to the WEC (no postage required by voter). The three-piece package was approved by the Commission at its June 10 Commission Meeting. The Commission approved the exact language of and process for sending the mailer to 2.6 million registered Wisconsin voters who did not already have an absentee application on file for the 2020 General Election. Voters in “Active-Movers” status were not included in the mailing. On June 25 the final mailer was sent to the printer, where it was printed, folded, stuffed, sorted, and metered over the next two months and mailed on September 1.

## 2. Mailing Reception and Impact

On September 1, 2020, the informational mailing hit the mail streams across the state. WEC staff immediately felt the impact with an increase in calls from voters and an increase in traffic to the MyVote Wisconsin website, where voters can verify their registration status, register to vote at their current address, and request an absentee ballot. The mailer also encouraged voters to call WEC with any questions or for assistance. WEC subsequently hired a call center and dozens of temporary staff to assist with the increased number of contacts. During the first week that the mailer reached voters, 25,198 voters registered online, and 47,377 voters requested their absentee ballot for the 2020 General Election through MyVote. For context, the table below outlines the number of online voter

*Wisconsin Elections Commissioners*

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

---

Administrator  
Meagan Wolfe

registrations and absentee applications submitted through MyVote in the three months ahead of Election Day.

It should be noted that some voters questioned the mailing or complained that they had already submitted their request for an absentee ballot. This was to be expected due to the printing timelines and volume of mail, voters who requested an absentee between May and September 1 were not able to be removed from the final mail shipment. The mailer was purely informational, receiving the mailer was of no consequence to the voter, even if they had already updated their registration or requested a ballot. If a voter already had a request on file and a subsequent, duplicate request was made this would be identified in the statewide system and does not result in multiple ballots being issued to the voter.

<b>Week start date</b>	<b>Voter Registration Activity (MyVote)</b>	<b>Absentee Request Activity (MyVote)</b>
16-Aug	27,548	41,225
23-Aug	18,001	22,951
30-Aug	25,198	47,377
6-Sep	22,088	39,660
13-Sep	27,687	40,890
20-Sep	60,513	64,518
27-Sep	45,925	61,707
4-Oct	42,408	50,359
11-Oct	53,118	49,006
18-Oct	330	21,883
25-Oct	224	8,985

**a. Process**

During the second week of September, absentee application mailer forms began to return to the WEC office for data entry. WEC staff was directed to take on the data entry of these applications on the behalf of municipal clerks. Manual opening and scanning of the paper absentee applications was handled with the generous assistance and expertise of the Department of Revenue (DOR) through a state interchange. DOR staff are experienced in handling large volumes of mail from tax season and assisted in opening the envelopes and using high-speed scanners to digitize their contents, mailer absentee application forms and copies of photo IDs. The scans were then reviewed and entered into WisVote by WEC staff and staff from other state agencies assigned to work on this project through an interagency agreement.



Once applications were opened and scanned, the absentee applications were entered into WisVote in a “pending” status until reviewed by municipal clerks, who have the responsibility of verifying that a voter meets all qualifications for voting, including approval of the voter’s photo ID if not already on file. Clerks without direct access to WisVote were sent an email with the absentee mailer form and photo ID attached when the application was entered into WisVote. Before entering an application, data entry staff verified a voter did not already have an application on file and only entered applications that were not duplicates. Municipal clerks received scanned copies of each application and photo ID with the data entry, which were used to approve or deny applications. Original paper applications also had to be looked up and sorted into 1,850 parcels to be sent to each of the respective municipal clerks.

These tasks, in addition to the additional customer service demands, were laborious and led to WEC staff, temporary staff, and interchange employees to work overtime, nights, weekends, and holidays for the months leading up to and after the election. WEC staff was also judicious in using resources and innovative in leveraging technology and expertise available that allowed the project to stay within the timeline and the budget directed by the Commission. WEC staff wishes to thank DOR and the many other state employees who worked with WEC through the interchange for their help and support with this important task, which allowed us to scan, process, and data enter applications in a timely manner. This was the WEC’s first mailer project of this type and scale, and the team’s efforts to successfully implement it should be commended.

#### **b. Registration and Absentee Request Numbers**

In total, 49,783 absentee mailer applications were received and entered for municipal clerk review. Upon review, 6,131 of these applications were declined by municipal clerks. Applications were most commonly declined due to a lack of photo ID (42.2%). The next most common reason was that in the time between entry of the pending application and the clerk’s review, the voter had submitted an acceptable application through other means (29.5%). Other reasons for an application being declined include photo IDs with invalid expiration dates, invalid forms of photo IDs, and that the photo provided was illegible. Indefinitely confined applications were received from 1,916 voters, of which 19 failed to sign the attestation that they are indefinitely confined and had their applications declined. WEC staff also created a process for clerks to indicate a reason for rejecting an application. Based on the clerk’s review, WEC was then able to issue a letter, on the behalf of the clerk alerting the voter of the error and asking them to resubmit required information to their clerk. WEC also developed this functionality into the MyVote website, so that if a voter submitted an incomplete or unacceptable application they were alerted to their error.

An additional 2,953 mailer absentee applications are still listed as Pending Review, meaning the clerk never updated the final disposition of the pending absentee application record. Many of these applications are from communities where the clerk does not have direct access to WisVote. Those

clerks, known as reliers, were emailed scanned copies of the absentee mailer form and photo ID (if provided by the voter). Reliers also receive applications submitted through MyVote in this way. Reliers keep a record of each request, including its source, in their Absentee Ballot Log that is shared regularly with the clerk who provides them with data entry services for WisVote. Some clerks may have listed the source for these emailed absentee mailer form scans as “email” or “mail”. There are 1,928 voters who have an application in Pending Review status who also have an absentee application on file where the source is “email” or “mail” that can likely be attributed to the absentee mailer form emails generated from the entry of the pending application. An additional 475 of these voters submitted an absentee application request through another method such as fax or through MyVote.

The remaining 40,686 applications were approved by the clerk’s office, which then issued an absentee ballot, resulting in 37,481 returned and counted absentee ballots. An additional 13 applications were approved, but a ballot was not issued. The figures in the table below are consistent with absentee voter behavior observed statewide.

It should be noted that it is estimated another 50,000 return envelopes were received which contained either duplicate applications or notes/comments not related to the absentee application. While duplicate and erroneous applications were not entered into the system, this means that nearly 100,000 envelopes had to be opened, scanned, and looked up in the statewide database. When conceptualizing this project, WEC staff had estimated, based on available postal data on return rates, that 10,000 voters would utilize a paper application return option. The actual usage represented a 100% increase. This was the first mailer of its type which made estimating difficult. WEC staff and partner agencies were able to quickly scale the operation and adjust the project in order to meet commission, statutory, and voter facing deadlines.

Ballot Disposition	Absentee Ballot Status Reason	Absentee Ballot Count	
Returned Ballots	Returned and Counted	37,481	91.66%
	Ballots Returned and Rejected	137	0.335%
	Rejected - Not Returned by Polls Close	22	
	Rejected - Voter Ineligible	9	
	Rejected - Certification Insufficient	95	
	Rejected - Certificate Envelope Compromised	4	
	Rejected - Superseding Ballot Returned	5	
	Rejected - Voter deceased before Election Day	2	
Unreturned Ballots	Ballot Not Returned	1,667	4.08%
Admin Action	Request Cancelled by Voter	1,214	2.97%
	Request Cancelled by Clerk	285	0.70%
	Ballot Returned Undeliverable	108	0.26%
Total		40,892*	

\*206 applications required a second or third ballot to be issued to the voter. This most commonly occurs when a voter requests an absentee ballot to be mailed and instead votes in-person absentee at the clerk's office.

### 3. Undeliverable Mailings

The address list for the September 2020 mailer was generated in May 2020. This means that there were four months, a special election, and the August statewide election between pulling the addresses and sending the mailer. It was anticipated that in those four months, some voters would move or re-register to vote. When the Commission directed the process for the mailer, they also directed the mailer not be forwarded. This ultimately meant that there are no attempts made by the post office to standardize or fix an address, or to send to another address if the voter has moved or is away. If the address and recipient names are not exact matches, the mail is returned undeliverable. According to USPS, there are several reasons a mail piece is not delivered including an illegible or incorrect address, addressee not known at that address (deceased, moved, or unknown), mail is refused by addressee, addressee is temporarily away and is having mail forwarded to a P.O. box or elsewhere, or mail has been unclaimed for 30 or more days. Illegible addresses could mean there is an extra character, space or other small error in the standardization of the address. There were 231,533 informational mailings returned to the WEC office as undeliverable. These envelopes were sorted and the information on undeliverable mailers was sent to each of the respective 1,850 municipal clerks.

Of the 231,533 undeliverable mailings, 94,955 (41%) of these voters did not participate in the November 3, 2020 election, nor did they reregister to vote at another Wisconsin address. There were 4,285 (1.8%) voters who re-registered at a new address but did not vote in the 2020 General Election. Of the 231,533 there were 132,293 voters (57.1%) who did vote in the 2020 General Election. Of the 132,293 voters who voted in the election, 100,060 voters re-registered at a new address before voting. There were 32,233 of the 132,293 voters who remained registered at their original address and participated in the November 2020 General and Presidential Election.

## **Conclusion**

While voters were inundated with voting information from political parties, candidates, nonprofit groups, social media promotions, and other information sources, the WEC mailer was unique for several reasons. It presented official information about voters' options for participating, it was not targeted at specific demographic groups or geographic areas, and was mailed consistently to voters in all corners of the state. It is difficult to determine the exact impact of the WEC's voter information mailer. In that context, we can conclusively say that at least 37,481 returned absentee ballots, issued based on WEC mailer applications, are directly linked to the WEC mailer. The project represented an enormous undertaking, requiring the hiring of up to 150 temporary staff to assist with phone support, application data entry, and undeliverable mailer data entry. As the mailer hit the mail stream, WEC staff received many calls from voters. While some did not agree with WEC providing information to voters on how to vote absentee by mail, many of the calls were from voters who appreciated receiving the mailing. For many, the mailing provided a source of trusted information about election procedures in an overwhelming and changing environment.



# 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

**DATE:** For the February 3, 2021 Commission Meeting

**TO:** Members, Wisconsin Elections Commission

**FROM:** Meagan Wolfe  
Administrator, Wisconsin Elections Commission

Prepared and Presented by:

Robert Williams      Cody Davies  
Elections Specialist   Elections Specialist

**SUBJECT:** 2020 Post-Election Voting Equipment Audit Final Report

## **2020 Post-Election Voting Equipment Audit Results Summary**

Over 6 days in November, county and municipal clerks directed the hand tally auditing of more than 145,000 ballots from the November 2020 General Election. The findings of the 2020 Post-Election Voting Equipment Audit showed that there was no evidence that any voting equipment subject to audit and used in the 2020 General Election in Wisconsin changed votes from one candidate to another, incorrectly tabulated votes, or altered vote totals in any way. The concerns identified in this report do not represent programming errors, unauthorized alterations or “hacking” of voting equipment software or malfunctions of voting equipment that altered the outcome of any races on the ballot. They do, however, highlight the limitations of electronic voting equipment and underscore the necessity of comprehensive administrative procedures required to ensure the effectiveness of voting equipment used in Wisconsin elections.

## **Post-Election Voting Equipment Audit Introduction**

Wis. Stat. § 7.08(6) is the state embodiment of § 301(a)(5) of the Help America Vote Act of 2002 (HAVA) (52 USC §21081) and requires the Wisconsin Elections Commission (“WEC” or “Commission”) to audit each voting system that is used in this state following each General Election:

**Enforcement of federal voting system standards.** Following each general election audit the performance of each voting system used in this state to determine the error rate of the system in counting ballots that are validly cast by electors. If the error rate exceeds the rate permitted under standards of the federal election commission in effect on October 29, 2002, the commission shall take remedial action and order remedial action to be taken by affected counties and

*Wisconsin Elections Commissioners*

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

*Administrator*  
Meagan Wolfe

municipalities to ensure compliance with the standards. Each county and municipality shall comply with any order received under this subsection.

The WEC approves the sample size, procedures and timeline for conducting the audit. Each selected municipality is required to conduct the audit, and some local election officials receive assistance from their county clerk's office. Wisconsin has conducted a post-election voting equipment audit after each General Election since 2006. Audits are required to ensure that tabulation equipment is performing at the standards set forth in the certification for each piece of equipment. Equipment is audited to the testing standards set forth in the Help America Vote Act (HAVA), which requires all voting tabulation equipment accurately tabulate ballots and not exceed a pre-determined error rate. Sec. 301(a)(5) of HAVA states that the error rate is determined by the standards set forth under section 3.2.1 of the federal Election Assistance Commission ("EAC") voting system standards. The current federal standard maximum acceptable error rate for testing purposes is 1 in 500,000 ballot positions. Accordingly, auditing teams conducting the post-election voting equipment audit must reconcile the ballots and votes recorded by equipment and eliminate any potential non-tabulation related sources of error including printer malfunctions, voter generated ballot marking errors, poll worker errors, or chief inspector errors.

The audit process is designed to ensure that the equipment is performing up to certification standards and to identify any issues that impact vote tabulation. The acceptable error rate established in HAVA is intended for equipment certification testing scenarios which are conducted in lab settings under optimized conditions using test deck ballots that are marked in accordance with ballot instructions and do not include the same imperfections as an average absentee ballot that is required to be handled multiple times prior to processing. Auditing the machines to this certification standard as part of a performance audit can complicate the review of the results as it considers how the equipment performs during live elections where voter behavior and ballot marking is not scripted. When testing for certification purposes, the results set is pre-determined so that if there is an error in tabulation it will be noticed and investigated. In a performance audit, however, the teams of auditors are sometimes left to make their own determinations on how the equipment may have counted a ballot, especially if there are ambiguous marks. The benefit of using the certification standard for this audit is that it identifies performance areas where certification standards and required administrative procedures need adjusting or reconsideration. While the equipment met certification standards during the election, it is important to note that things like auditor error and election day ballot jams impact the data collected during a performance audit.

### **Reporting Unit Selection Process**

Wisconsin Elections Commission staff randomly selected a pre-determined number of reporting units across Wisconsin for participation in the post-election voting equipment audit. The selection took place as part of a public meeting on November 4, 2020 in accordance with the guidelines approved at the September 16, 2020 meeting of the Wisconsin Elections Commission.

For the 2020 post-election audit, the Commission approved a continuation of the 5% sample size of all reporting units statewide that was used during the 2018 audit. The application of this sample size established a minimum standard of 184 reporting units selected for the 2020 audit. The Commission also determined that at least one reporting unit from each county be included in the sample selected for audit. In summary, the Commission approved the following selection criteria for the 2020 audit:

1. Establish the audit sample as 5% of all reporting units statewide for a minimum of 184 total audits.
2. Ensure that at least one (1) piece of voting equipment is selected for audit in each of the 72 Wisconsin counties.
3. Ensure that a minimum of five (5) reporting units are selected for each piece of equipment certified for use in Wisconsin that records and tabulates votes.

#### **Reporting Unit and Contest Selection Outcome and Clerk Notification**

Staff randomly selected 190 total reporting units that were ultimately subject to audit, with 7 additional reporting units excused due to zero voters residing within those reporting units. With 3,698 total reporting units across the state, the final selection represented 5% of all statewide reporting units. Every county was represented by at least one reporting unit and 166 different municipalities participated in the audit including 18 municipalities required to conduct audits of more than one reporting unit. Staff developed a tiered selection algorithm that was intended to provide a more representative sample of ballots cast in the 2020 General Election by allowing larger municipalities to have more reporting units selected for audit. These criteria established a maximum of four reporting units to be selected from Wisconsin's two largest municipalities (Cities of Milwaukee and Madison), up to three reporting units from the top twenty other municipalities in terms of voter population, and one reporting unit maximum for the remainder of all reporting units across the state. A complete list of all selected reporting units is included with this memorandum as **Appendix A**.

The total ballots cast for the 2020 General Election in selected reporting units represents approximately 4.2% of all ballots cast statewide, with over 145,000 ballots hand-counted during the audit process. The random selection process also resulted in reporting units from 9 of the 10 most populous Wisconsin municipalities being audited.

In addition to the reporting units selected, staff also selected the contests for audit during the public meeting on November 4, 2020. All statewide contests were included as possible selections, including the office of State Senate. As this contest is not on all ballots statewide, it had never been included as part of the audit prior to 2018. Staff included this contest in the list of possible selections, with the caveat that if State Senate was selected an alternate contest would be selected for reporting units whose State Senator was not up for election this cycle. The result of the contest selection is as follows:

1. President/Vice President (required)
2. Representative to Congress
3. Representative to the Assembly

4. State Senate or County Clerk: Selected municipalities with a **State Senate** race on the ballot audited that contest. If that contest was not on the ballot in that reporting unit, the **County Clerk** contest was audited instead.

Staff reviewed the initial sample selected for audit to ensure that all voting equipment that records and tabulates votes were represented by at least 5 reporting units. The only exceptions to the 5-reporting unit rule were the ES&S DS850 and DS450, high-speed scanners and tabulators, which were used by only a small number of municipalities to tabulate absentee ballots at their central count facilities.

All selected municipalities were notified of their selection by email on November 4, 2020. Included in the email was a [link to a page on the agency website](#) where audit materials were posted, including a training webinar, instructions, tally sheets, reporting forms and municipal reimbursement information. Notification of selection for audit was sent to both municipal and county clerks for impacted jurisdictions.

### **Audit Completion Timeline**

For the 2020 post-election voting equipment audit, the Commission determined that all post-election audits should be conducted prior to the state deadline to certify election results on December 1, 2020. The Commission specifically established November 27, 2020 as the deadline to complete and report the results to the WEC. Staff also recommended that any selected municipality may request an extension waiver if it shows cause that it will not be able to meet this deadline and the Commission set a submission deadline of November 10 for those requests, but no extensions were requested or granted by the deadline. As previously reported to the Commission, all audits were completed by December 1.

### **2020 Voting Equipment Summary**

Audit results reported by local election officials, and reviewed by WEC staff, did not identify any issues with the tabulation functionality of the voting equipment in the majority of reporting units in which audits were conducted. The audit did, however, identify an issue with how one type of equipment, the ImageCast Evolution, identified write-in votes in one contest. The issue was identified in 2 of the 28 reporting units selected for audit using the equipment and had no material effect on the outcome of any contest. A detailed summary of this issue can be found in the Election Administration Errors section of this report.



Accessible Voting Equipment Summary

<b>Accessible Voting Equipment that Records Tallies Votes</b>	<b>Audits Conducted</b>
Sequoia Edge	60
<b>Ballot Marking Devices that Assist Voters with Marking Ballots Processed by Optical Scan Equipment</b>	<b>Audited as Part of Optical Scan Ballots</b>
ES&S AutoMark	31
ES&S ExpressVote	57
Clear Ballot Group ClearAccess	7
Dominion ImageCast Evolution (ICE)	28

There is now only one approved accessible voting system that records and tabulates votes in use in Wisconsin. This type of equipment is often referred to as Direct Recording Electronic machines, or DREs, and the one system still in use in Wisconsin is the Sequoia Edge. In addition to DREs, there are four different ballot marking devices approved for use in Wisconsin. Voters use a touchscreen interface or tactile keypad on these devices to make their ballot choices. When the voter is finished, the machine provides them with a paper ballot marked with their choices and those ballots are then inserted into and tabulated by the optical scan equipment or hand tallied.

All voting equipment audits of DREs were completed by municipal or county clerks. The audit reports indicate the machine tallying function on all audited devices tabulated correctly, with no identifiable bugs, errors, or failures occurring between the individual cast vote record and the total tabulated vote record. The only noted issue arose with auditors not being able to verify several ballots cast on the Sequoia Edge due to paper jams of the Voter Verified Paper Audit Trail (VVPAT) on Election Day. Until cleared, the paper jams may not allow for the recording of votes by the VVPAT.

Ballots marked by the four different ballot marking devices were audited along with the rest of the ballots processed by the optical scan tabulator. These ballots are not segregated from other optical scan ballots, so it is difficult to determine how many ballots marked by these devices were audited. Auditors did not report any discrepancies that could be attributed to ballot marking devices.

Tabulation Voting Equipment (Optical Scan) Summary

<b>Optical Scan Equipment</b>	<b>Audits Conducted</b>
Sequoia Insight	17
ES&S M100	7
ES&S DS200	72
ES&S DS450	5
ES&S DS850	4
Dominion ImageCast Evolution (ICE)	28
Clear Ballot Group ClearCast	7
Hand-Count Paper Ballots – DRE Equipment Only	43

**Audit Results**

In total, 145,100 ballots were counted by hand during this audit. Each municipality was required to provide a summary of each of the four audited contests showing the allocation of votes between candidates, write-in votes, undervotes, etc. The post-election voting equipment audit showed, with the limited exceptions listed below regarding the City of Oshkosh and Town of Lac du Flambeau, that the voting equipment utilized in the 2020 November General Election performed up to certification standards, tabulating and counting votes accurately.

There were several instances of auditor and election administration error that led to discrepancies between equipment result tapes and the total number of ballots audited in specific contests. Issues experienced by staff can generally be divided into two classifications: auditor errors and election administration errors. A representative summary of those issues is itemized later in this report. As was expected, the total number of votes cast on voting equipment and the total number of ballots audited do not perfectly match in all audits that were conducted. There were multiple occurrences in which auditors included the hand-count paper ballots that were cast in their reporting units in their final ballot totals when only the votes cast on the accessible voting equipment should have been tallied. In other cases, jams or misfeeds of the paper tape used to record ballots on the Sequoia Edge DRE led to discrepancies between the total votes as recorded by the voting equipment and the total number of ballots available to be audited. The ballot tape produced by the Edge serves as the VVPAT which shows the ballot choices for each voter using that machine. If there is a jam of the paper roll, or a misfeed when a new roll is inserted, the ballot choices for the impacted voters may not have a paper artifact. The votes are still accurately tabulated even if there is a jam. In addition to the votes being tabulated by the machine, there are cast vote records that can be accessed and analyzed if the paper artifact is irretrievable, but these records need to be recreated by the vendor who programs and services these machines.

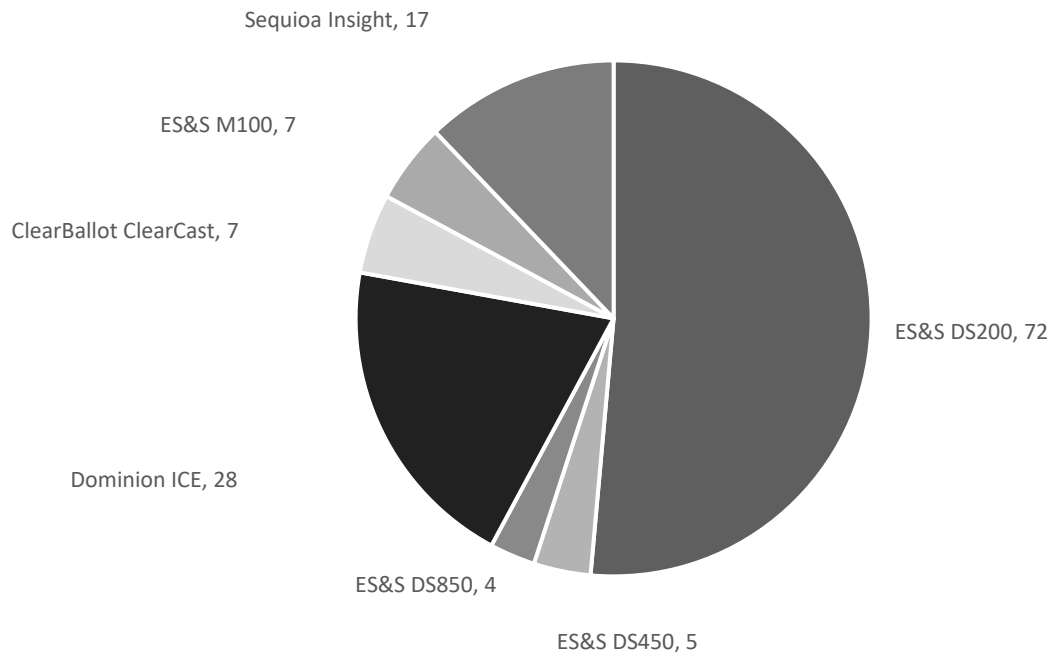
Certain participating municipalities experienced issues unique to optical scanning equipment. For example, a number of auditors reported discrepancies arising from poorly marked ballots, refeeding of ballots that were already tabulated by the voting equipment after ballot jams were cleared, and the issue of voter intent. In all cases, the incidents that led to minor discrepancies of 1 or 2 votes between the final audit tallies and the equipment result tapes were documented, either by Election Inspectors on Election Day or by auditors throughout the course of conducting the audit.

Number of Ballots Audited by Equipment Type

<b>DRE Equipment</b>	<b>Total Ballots Audited</b>
Sequoia Edge	15,314

<b>Optical Scan Equipment</b>	<b>Total Ballots Audited</b>
Sequoia Insight	13,752
ES&S M100	6,394
ES&S DS200	69,458
Dominion ICE	24,226
ES&S DS450	3,465
ES&S DS850	1,851
Clear Ballot Group ClearCast	10,640

### Audits Conducted by Type of Optical Scan Equipment



### **General Election Administration and Auditor Errors**

All voting equipment audits of tabulation equipment were completed by municipal or county clerks. The individual audits indicate the tabulation voting equipment performed up to certification standards in all but two reporting units selected for audit. Minor discrepancies were reconciled between the audit hand count totals and the election results produced by the voting equipment from Election Day. Staff contacted municipalities for clarification if any discrepancies were reported to WEC.

- The vast majority of reconciliation issues identified were due to human error on election day or during the audit and only impacted one or two votes in a contest and were not indicative of equipment malfunction or failure.
- Several discrepancies were due to ballots in the machine count that were double counted when ballot jams were not cleared properly on election day and ballots were reinserted in the equipment and processed again. In most of these instances only one ballot is in question in these reporting units.
- Other discrepancies were identified due to auditors using a voter intent threshold when reviewing and counting ballots during the audit rather than counting those ballots the same as how the equipment would have treated those ballots. For example, if a voter circled a candidate name rather than filling in the oval next to that name no vote should have been counted during the audit as the equipment could not find an oval filled in to count. During the audit, votes are sometimes incorrectly attributed to candidates where voter intent can be identified even though

there is no expectation that the equipment can make that same determination due to the voter not following the proper instructions.

- Several reporting units subject to recount had ballots removed from the ballot pool during the recount in Dane and Milwaukee counties and lead to audits being off by the same number of ballots/votes that were removed from the pool.
- Other discrepancies have been identified where auditors are unsure of how the machine treated an ambiguous mark or an oval that was not completely filled in. It is sometimes difficult for an auditor to determine how the machine would have treated these marks and how much of an oval must be filled in for the machine to interpret it as a good mark.

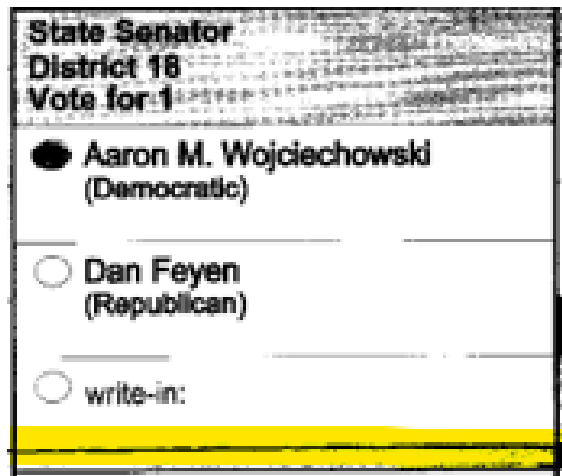
Many of the initial reported discrepancies occurred because voter intent was considered when hand counting ballots. The instructions provided to local election officials clearly state that the purpose of this process is to verify the performance of the voting equipment, not to determine the voter’s intent as to votes which the equipment cannot read.

### **Specific Election Administration Errors**

#### City of Oshkosh

The City of Oshkosh was selected to audit Ward 23A where the Dominion Voting Systems ImageCast Evolution (ICE) optical scan tabulator is used to record and tabulate votes. Their audit identified a discrepancy of 21 votes in the State Senate District 18 contest between the machine totals from election night and the audit totals. The hand tally during the audit indicated an increase of 12 votes for candidate Aaron Wojciechowski and an increase of 9 votes for candidate Dan Feyen. Those increases corresponded to the decrease in the overvote totals for that same contest in the machine totals. A review of the ballot images and associated ballot manifests, which list how votes were counted for each contest and each ballot, by the municipal clerk and WEC staff indicate that the voting equipment identified this contest as overvoted due to a crease in these ballots that was present in the target area for the write-in option (the crease appears as a black line in the example provided).

The voting system in question was programmed to accommodate Wis. Stat. §7.50(2)(d) which states that “If an elector writes a person's name in the proper space for write-in candidates for an office, it is a vote for the person written in for the office indicated, regardless of whether the elector strikes the names appearing in the same column for the same office, or places a mark by the same or any other name for the same office, or omits placing a mark to the right of the name written in.” In this case the equipment perceived the crease as handwriting and believe that a voter had written in a candidate name in addition to marking the oval for a ballot candidate.



The ballot manifest clearly indicates in each of these 21 instances that the machine considered the presence of this crease as a vote for a write-in candidate in addition to a vote for a ballot candidate (example provided). These 21 ballots were all absentee ballots where the fold was not made on the scored or perforated line present to encourage uniform folding of absentee ballots. A visual inspection of these ballots would have revealed that the contest in question was not overvoted.

---

BALLOT MANIFESTATION ID: 7281

Contest: President / Vice-President  
Choice: Joseph R. Biden / Kamala D. Harris (DEM); Mark;

Contest: Representative in Congress - District 6  
Choice: Jessica J. King (DEM); Mark;

Contest: State Senator - District 18 - Overvote;  
Choice: Aaron M. Wojciechowski (DEM); Mark; Overvote; (NOT COUNTED)  
Choice: Write-in; Mark; Overvote; (NOT COUNTED)

All voting equipment used in Wisconsin elections must be programmed to reject all votes in excess of the number which a voter is allowed to cast for a particular contest. When a contest has been overvoted, the voting equipment is required to display a notification to the voter or election inspector that an overvote is present on the ballot and identify which contest was overvoted. In these instances when the voter is not present and the election inspector is processing absentee ballots, the Commission-approved administrative procedures require that the ballot be returned to the inspector so that the contest, or contests, in question can be reviewed to determine possible voter intent. Those procedures also state that if voter intent can be determined, the ballot should be remade to correct the error (Election Day Manual, p. 106-107). If the ballot is not returned for review and is, instead, processed on the equipment using the override function, no votes in contests it perceives as overvoted will be counted.

The City of Oshkosh indicated they received a call from the polling place where residents of Ward 23A were voting a little before 10:00 a.m. on election day reporting that overvote warnings were appearing when absentee ballots were being processed on the optical scan tabulator. The clerk stated she affirmed that the inspectors should have those ballots returned to them so the visual review could be completed and ballots without overvotes should be remade. The clerk was unsure of when the override function was used at this location without the required review of the ballot being done, but it is clear from the ballot manifests that 21 of these ballots were not processed properly. The voting equipment should not have identified these creases as good marks, but the administrative procedures established to account for such anomalies should have caught the error if they were followed uniformly throughout the day at this location.

WEC staff conclude this is an issue that can be partially addressed with additional training of election inspectors and a more comprehensive understanding of how this voting equipment treats marks it believes are handwriting in the write-in target area. Election inspectors are instructed to have the equipment return the ballot to them before examining the ballot for voter intent and remaking any ballots determined to be overvoted. If the step of returning the ballot is not taken, the risk is that contests with valid votes will be perceived as overvoted by the equipment and no votes for those contests will be counted. WEC staff find that continuing to emphasize this in training is essential with the increased popularity of absentee ballots that are processed without the voter present to correct any mistakes

identified by the voting equipment. Additional steps have been recommended to municipalities for their pre-election voting equipment tests to account for folded ballots and the treatment of overvotes. Staff have also outlined potential changes to the certification of this system later in this report that would also alleviate this problem.

#### Town of Lac du Flambeau

An issue similar to that which occurred in the City of Oshkosh was identified during the audit in the Town of Lac du Flambeau and was not reconciled during subsequent attempts. The audit identified 5 ballots in the Representative to the Assembly contest that could not be reconciled. The three other contests audited in this municipality reconciled during the initial attempt to complete the audit. Staff requested that the town send their audit materials to WEC so that a review of votes cast in the Representative to Assembly contest could be completed to determine the source of the discrepancy. This review was completed as part of a public meeting in the WEC offices on November 30, 2020. After a review of the ballots staff determined the source of the discrepancy was overvotes perceived by the equipment due to creases in the write in target area for that contest on 5 ballots.

#### **Error Rate Calculation**

The issue discovered related to the Dominion ImageCast Evolution, further detailed previously in this report, saw heavy creases created by folds on absentee ballots that ran through the write-in field for specific contests read by the tabulator as overvotes in those contests. In the two cases detailed elsewhere in the report, the City of Oshkosh and the Town of Lac du Flambeau, this issue was present on 21 out of 2,173 ballots audited in the City of Oshkosh and 5 out of 1,630 ballots audited in Town of Lac du Flambeau. In total, 24,226 ImageCast Evolution ballots were audited throughout Wisconsin. Additionally, staff identified a separate contest, which was not subject to audit, in the Town of Lac du Flambeau where a crease in the write-in field likely contributed to overvotes being recorded erroneously.

There was a single ballot in both the Town of Salem and Town of Dekorra where auditors determined that a ballot crease had likely triggered an overvote and noted this in their audit documentation. The Towns of Salem and Dekorra utilize the ES&S DS200 and audited 276 and 1,698 ballots respectively. In total, 69,458 DS200 ballots were audited. Instead of the crease running through the write-in field triggering an overvote, as with the ImageCast Evolution, auditors stated that the crease ran through the oval that would be marked by voters. The possibility of a crease that runs through an oval creating a false positive overvote is an item addressed in state certification testing and noted in subsequent certification reports presented to the Commission.

Administrative procedures are in place to prevent ballots with false overvotes from being overridden and processed without those ballots being remade. Had these procedures been followed, these overridden ballots would have been correctly remade preventing any anomalies from materializing and ensuring all votes in the contests on the affected ballots would have been counted appropriately.

### **Post-Audit Municipal Reimbursement**

At its September 1, 2020 meeting, the Wisconsin Elections Commission approved an updated procedure by which municipalities would be reimbursed for the costs incurred for conducting the voting equipment audit in their selected reporting units. In contrast to the reimbursement process used in past audits, which was structured to reimburse municipalities for actual costs incurred with an upper limit of \$300 per each reporting unit selected, the process for the 2020 audit instituted a flat selection fee of \$50 for each reporting unit and additional reimbursement at a rate of \$0.35 per ballot audited.

In addition to this per-ballot formula, the \$300 upper limit for each reporting unit was also removed from consideration. Overall, the new reimbursement process was more intuitive for clerks and reduced the paperwork burden. WEC staff were able to process the requests quickly and efficiently.

Currently, staff have received 170 reporting unit reimbursement requests from 152 municipalities, totaling \$55,359.10. There are a further 14 reporting units in 9 municipalities from which no reimbursement request has been received. The total allowable reimbursement amount for these 14 reporting units is an additional \$4,574.85. Based on the formula approved by the Commission for municipal reimbursement, the maximum cost of the audit will be \$60,185. This figure reflects total reimbursements if received from all municipalities selected for audit. By comparison, the reimbursement requests for the 2018 voting equipment audit totaled \$40,914.02. Reimbursement information for each reporting unit selected for the 2020 voting equipment audit is further detailed in Appendix A.

### **Proposed Amendment to Dominion Voting Systems Certification**

Due to the issue identified in the City of Oshkosh and the Town of Lac du Flambeau staff recommends revisiting the original certification for the voting system in question. Amending the certification will address the problem and ensure that creases in the write in area on absentee ballots will not be read as votes by the ImageCast Evolution tabulator. Dominion Voting Systems Democracy Suit 4.14 was certified by the former Government Accountability Board in June 2014. As part of that certification, the target area on the ballot, the area in which the tabulator checks for marks, was approved to include both the oval and the write-in field. A standardized ambiguous mark threshold was instituted for both the oval and the write-in field so that any municipality in the state using the ImageCast Evolution would be processing ballots with ambiguous marks in a uniform manner. The ambiguous mark threshold for the oval was set at 15%-35% and 12%-35% for the write-in field. This means that a mark must occupy at least that amount of the oval or write-in field to be read by the tabulator. While this standard was set as part of the Democracy Suite certification, the Board, and likewise the Commission, retained the option of altering these ranges. As part of the voting equipment audit, pursuant to state law, the Commission is also allowed to take remedial action regarding the certification of voting equipment in the event that an issue is discovered. A full copy of the certification letter for Democracy Suite 4.14 can be found in **Appendix B** and at the link below: [Democracy Suite 4.14 Wisconsin Certification Approval Letter](#)



As mentioned previously in this report, as part of the voting equipment audit, it was discovered that several ballots in the City of Oshkosh and the Town of Lac du Flambeau had heavy creases in the write-in field which caused the ICE optical scan tabulator to identify these as false-positive overvotes. While an increase in training on administrative procedures will help to mitigate this situation in the future, further measures taken in the programming of the tabulator can help to resolve the issue much more effectively. To remedy the issue identified related to the ImageCast Evolution in the voting equipment audit, staff is recommending amending the certification of Democracy Suite 4.14 and eliminating the ability for the equipment to look for good marks in the write-in target area. The ImageCast Evolution has the flexibility to be programmed in such a way that the only target area on the ballot which is checked for marks is the oval filled in by the voter. Staff believe that the best solution would be to implement a requirement that the only allowable target area on the ballot be the oval that is filled in by voters. Removing the write-in field as a part of the ImageCast Evolution target area that is scanned when checking for marks would eliminate the specific problem identified during the audit. This approach, along with increased training on administrative procedures related to overvotes and the override function, is an easily implementable fix to the issue which allows for the continued use of the ImageCast Evolution in municipalities which rely on this tabulator to conduct elections. By taking prompt action, this change can be implemented in time for the April 2021 Spring Election.

### **Conclusion**

The 2020 post-election voting equipment audit was the largest audit of its kind undertaken in the State of Wisconsin. During the course of this audit, more than 145,000 ballots were hand counted by local election officials. Staff would be remiss in not commending the efforts of all those who were instrumental in ensuring the audit was conducted properly, safely, and securely. Certain constraints imposed on those conducting the audit were significant. Despite the truncated timeline to complete the process, a recount taking place in several selected municipalities, and the omnipresent issue of an ongoing pandemic, auditors at the municipal and county levels were able to successfully conduct audits and report their findings to WEC. While there were several instances of auditor error that needed to be investigated, identifying and reporting problems in the audit process is a means by which to ensure the procedures are being followed and that the equipment is performing as certified and is in no way an attempt to minimize the efforts of the individuals who accomplished this task.

With very limited exceptions, tabulation and accessible voting equipment used in the 2020 General Election recorded and tabulated votes in a manner that satisfied certification standards and Wis. Stat. § 7.08(6). The audit results indicated that improvements can be made in both administrative procedures training and equipment programming requirements. The few discrepancies identified during the audit were primarily the result of human error that occurred as part of the process of conducting the audit. Additionally, the results of the audit did identify a single issue which impacted equipment in two selected reporting units. With prompt implementation of recommended programming changes to the ImageCast Evolution, this issue can be addressed and remedied prior to the time programming begins for the April 2020 Spring Election.

**Recommended Motions**

1. Staff recommends that the Commission accept this final report of the 2020 Post-Election Voting Equipment Audit.
2. Staff recommends that the Commission amend the certification of Democracy Suite 4.14 to establish the target area of the ballot as only the oval filled in by voters, thereby removing the write-in field as part of the area scanned for marks.

**Appendix A**

Municipalities with Approved Reimbursement Amounts and Total Number of Ballots Audited

County	Municipality	Equipment Type	Ballots Audited	Reimbursement
Adams	Town of Colburn	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	99	\$ 84.65
Ashland	City of Ashland	ES&S M100 (central count muni)	909	\$ 368.15
Barron	City of Rice Lake	Sequoia Voting - Optech Insight/ Sequoia Voting - AVC Edge with	4341	\$ 1,569.35
Barron	Town of Lakeland	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	428	\$ 199.80
Bayfield	Town of Russell	ES&S M100	701	\$ 295.35
Bayfield	Town of Bayview	ES&S M100	371	\$ 179.85
Brown	City of De Pere	ES&S DS200 (central count muni)	211	*
Brown	Village of Allouez	ES&S DS200 (central count muni)	478	\$ 217.30
Brown	City of Green Bay	ES&S DS200 (central count muni)	255	\$ 139.25
Brown	City of Green Bay	ES&S DS450 (central count muni)	1421	\$ 547.35
Buffalo	Town of Lincoln	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	62	\$ 71.70
Buffalo	Town of Alma	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	126	\$ 94.10
Buffalo	Town of Dover	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	155	\$ 104.25
Burnett	Town of Meenon	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	452	\$ 208.20
Burnett	Town of Sand Lake	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	177	\$ 111.95
Burnett	Town of Union	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	88	\$ 80.80
Burnett	Town of Dewey	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	171	\$ 109.85
Calumet	Village of Hilbert	ES&S DS200	*	

2020 Post-Election Voting Equipment Audit  
 For the February 3, 2021 Commission Meeting  
 Page 16

Calumet	Village of Potter	ES&S DS200	158	\$ 105.30
Chippewa	City of Chippewa	ClearCast	938	\$ 378.30
Chippewa	Town of Wheaton	ClearCast	1697	\$ 643.95
Chippewa	Town of Anson	ClearCast	4	\$ 51.40
Clark	Town of Hendren	ES&S DS200	214	\$ 124.90
Clark	Town of Mayville	ES&S DS200	378	\$ 182.30
Clark	Village of Withee	ES&S DS200	244	\$ 135.40
Columbia	Town of Marcellon	ES&S DS200	599	\$ 259.65
Columbia	Village of Pardeeville	ES&S DS200	1134	\$ 446.90
Columbia	Village of Rio	ES&S DS200	627	\$ 269.45
Columbia	City of Wisconsin	ES&S DS200	1247	\$ 486.45
Columbia	Town of Dekorra	ES&S DS200	1698	\$ 644.30
Crawford	Town of Wauzeka	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	159	\$ 105.65
Dane	City of Middleton	ES&S DS200	3177	\$ 1,161.95
Dane	City of Madison	ES&S DS200	2266	**
Dane	City of Madison	ES&S DS200	4	**
Dane	City of Madison	ES&S DS200	*	
Dane	City of Madison	ES&S DS200	1058	**
Dane	Village of Maple Bluff	ES&S DS200	1098	\$ 434.30
Dane	Village of Mazomanie	ES&S DS200	1094	**

2020 Post-Election Voting Equipment Audit  
 For the February 3, 2021 Commission Meeting  
 Page 17

Dane	Village of Windsor	ES&S DS200	453	\$ 208.55
Dane	City of Verona	ES&S DS200	2457	\$ 909.95
Dodge	Town of Rubicon	ES&S DS200	1483	\$ 569.05
Door	Town of Jacksonport	Dominion Voting - ImageCast Evolution (ICE)	624	\$ 268.40
Douglas	Village of Superior	ES&S DS200	444	\$ 205.40
Dunn	City of Menomonie	Sequoia Voting - Optech Insight/ Sequoia Voting - AVC Edge with	620	\$ 267.00
Dunn	Town of Dunn	Sequoia Voting - Optech Insight/ Sequoia Voting - AVC Edge with	897	\$ 363.95
Dunn	Town of Rock Creek	Sequoia Voting - Optech Insight/ Sequoia Voting - AVC Edge with	597	\$ 258.95
Eau Claire	City of Eau Claire	ES&S DS200	560	\$ 246.00
Eau Claire	City of Eau Claire	ES&S DS200	434	\$ 201.90
Eau Claire	City of Eau Claire	ES&S DS200	439	\$ 203.65
Florence	Town of Florence	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	458	\$ 210.30
Fond Du Lac	City of Fond Du Lac	Dominion Voting - ImageCast Evolution (ICE)	*	
Fond Du Lac	City of Fond Du Lac	Dominion Voting - ImageCast Evolution (ICE)	801	\$ 330.35
Fond Du Lac	City of Fond Du Lac	Dominion Voting - ImageCast Evolution (ICE)	765	\$ 317.75
Fond Du Lac	Town of Marshfield	Dominion Voting - ImageCast Evolution (ICE)	728	\$ 304.80
Fond Du Lac	Village of Fairwater	Dominion Voting - ImageCast Evolution (ICE)	184	\$ 114.40
Forest	Town of Nashville	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	129	\$ 95.15
Forest	Town of Wabeno	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	263	\$ 142.05
Grant	Town of North	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	306	\$ 157.10

2020 Post-Election Voting Equipment Audit  
 For the February 3, 2021 Commission Meeting  
 Page 18

Grant	Town of Clifton	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	95	\$ 83.25
Grant	Town of Fennimore	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	146	\$ 101.10
Grant	Village of Muscoda	Dominion Voting - ImageCast Evolution (ICE)	580	\$ 253.00
Green	Village of Browntown	Dominion Voting - ImageCast Evolution (ICE)	130	\$ 95.50
Green	Village of Monticello	Dominion Voting - ImageCast Evolution (ICE)	681	\$ 288.35
Green	Village of New Glarus	Dominion Voting - ImageCast Evolution (ICE)	1394	\$ 537.90
Green Lake	Town of Marquette	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	323	\$ 163.05
Iowa	Town of Linden	ES&S DS200	437	\$ 202.95
Iron	City of Hurley	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	70	\$ 74.50
Jackson	Town of Brockway	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	466	\$ 213.10
Jackson	Village of Alma Center	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	165	\$ 107.75
Jefferson	City of Whitewater	Dominion Voting - ImageCast Evolution (ICE)	205	\$ 121.75
Jefferson	Town of Milford	ES&S DS200	732	\$ 306.20
Juneau	Town of Finley	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	57	\$ 69.95
Juneau	Town of Lisbon	Dominion Voting - ImageCast Evolution (ICE)	515	\$ 230.25
Kenosha	City of Kenosha	ES&S DS200	*	
Kenosha	Town of Paris	ES&S DS200	1035	\$ 412.25
Kenosha	Town of Randall	ES&S DS200	2056	\$ 769.60
Kenosha	City of Kenosha	ES&S DS200 / DS450 (central count muni)	491	\$ 221.85
Kenosha	City of Kenosha	ES&S DS200 / DS450 (central count muni)	966	\$ 388.10

2020 Post-Election Voting Equipment Audit  
 For the February 3, 2021 Commission Meeting  
 Page 19

Kewaunee	Town of Ahnapee	Sequoia Voting - Optech Insight/ Sequoia Voting - AVC Edge with	527	\$ 234.45
Kewaunee	Town of Carlton	Sequoia Voting - Optech Insight/ Sequoia Voting - AVC Edge with	656	\$ 279.60
Kewaunee	Town of Montpelier	Sequoia Voting - Optech Insight/ Sequoia Voting - AVC Edge with	907	\$ 367.45
La Crosse	City of Onalaska	ES&S DS200	4009	\$ 1,453.15
La Crosse	City of La Crosse	ES&S DS200	409	\$ 193.15
La Crosse	City of La Crosse	ES&S DS200	2104	\$ 786.40
Lafayette	Village of Belmont	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	310	\$ 158.50
Langlade	City of Antigo	Sequoia Voting - Optech Insight/ Sequoia Voting - AVC Edge with	519	\$ 231.65
Langlade	Town of Antigo	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	378	\$ 182.30
Lincoln	Town of Harding	ES&S DS200	264	\$ 142.40
Manitowoc	City of Two Rivers	ES&S M100	1258	\$ 490.30
Manitowoc	Town of Cato	ES&S M100	1016	\$ 405.60
Manitowoc	Town of Kossuth	ES&S M100	1271	\$ 494.85
Manitowoc	Village of Cleveland	ES&S M100	868	\$ 353.80
Marathon	Town of Rib Mountain	ES&S DS200	4763	\$ 1,717.05
Marathon	City of Wausau	ES&S DS200 (central count muni)	712	\$ 299.20
Marathon	City of Wausau	ES&S DS200 (central count muni)	987	\$ 395.45
Marathon	City of Wausau	ES&S DS200 (central count muni)	663	\$ 282.05
Marinette	Town of Niagara	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	327	\$ 164.45
Marinette	Town of Pembine	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	357	\$ 174.95

2020 Post-Election Voting Equipment Audit  
 For the February 3, 2021 Commission Meeting  
 Page 20

Marquette	Town of Westfield	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	343	\$ 170.05
Menominee	Town of Menominee	ES&S DS200	229	\$ 130.15
Milwaukee	City of Greenfield	ES&S DS200	975	\$ 391.25
Milwaukee	City of Oak Creek	ES&S DS200 (central count muni)	1026	\$ 409.10
Milwaukee	City of Wauwatosa	ES&S DS200 (central count muni)	1565	143.80 polls; 453.95 central;
Milwaukee	Village of Greendale	ES&S DS200 (central count muni)	1768	\$ 668.80
Milwaukee	Village of Whitefish Bay	ES&S DS200	1678	\$ 637.30
Milwaukee	City of Milwaukee	ES&S DS850 (central count muni)	991	\$ 396.85
Milwaukee	City of Milwaukee	ES&S DS850 (central count muni)	304	\$ 156.40
Milwaukee	City of Milwaukee	ES&S DS850 (central count muni)	265	\$ 142.75
Milwaukee	City of Milwaukee	ES&S DS850 (central count muni)	291	\$ 151.85
Monroe	City of Sparta	Sequoia Voting - Optech Insight/ Sequoia Voting - AVC Edge with	1161	\$ 456.35
Monroe	Town of Little Falls	Sequoia Voting - Optech Insight/ Sequoia Voting - AVC Edge with	806	\$ 332.10
Monroe	Town of Lafayette	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	159	**
Monroe	Town of Leon	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	454	\$ 208.90
Oconto	Town of Morgan	Dominion Voting - ImageCast Evolution (ICE)	673	\$ 285.55
Oneida	Town of Sugar Camp	Sequoia Voting - Optech Insight/ Sequoia Voting - AVC Edge with	1254	\$ 488.90
Outagamie	City of Seymour	ES&S DS200	1937	\$ 727.95
Outagamie	Town of Greenville	ES&S DS200	247	\$ 136.45
Outagamie	City of Appleton	ES&S DS200	715	**



2020 Post-Election Voting Equipment Audit  
 For the February 3, 2021 Commission Meeting  
 Page 21

Outagamie	City of Appleton	ES&S DS200	346	**
Outagamie	City of Appleton	ES&S DS200	990	**
Outagamie	Village of Hortonville	ES&S DS200	1745	\$ 660.75
Outagamie	Village of Wrightstown	ES&S DS200	202	\$ 120.70
Ozaukee	City of Mequon	Dominion Voting - ImageCast Evolution (ICE)	1623	\$ 618.05
Ozaukee	Town of Cedarburg	Dominion Voting - ImageCast Evolution (ICE)	1287	\$ 500.45
Ozaukee	Village of Grafton	Dominion Voting - ImageCast Evolution (ICE)	1128	**
Pepin	Town of Stockholm	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	95	\$ 83.25
Pierce	Town of Rock Elm	ES&S DS200	265	\$ 142.75
Pierce	Town of Salem	ES&S DS200	276	\$ 146.60
Pierce	Village of Ellsworth	ES&S DS200	1649	\$ 627.15
Polk	City of Saint Croix Falls	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	533	\$ 236.20
Polk	Town of Bone Lake	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	265	\$ 142.75
Polk	Town of Farmington	Sequoia Voting - Optech Insight/ Sequoia Voting - AVC Edge with	1225	\$ 478.75
Polk	Village of Luck	Sequoia Voting - Optech Insight/ Sequoia Voting - AVC Edge with	616	\$ 265.60
Portage	City of Stevens Point	ES&S DS200	744	\$ 310.40
Price	Town of Fifield	Dominion Voting - ImageCast Evolution (ICE)	398	\$ 189.30
Racine	City of Racine	Dominion Voting - ImageCast Evolution (ICE)	868	\$ 353.80
Racine	City of Racine	Dominion Voting - ImageCast Evolution (ICE)	914	\$ 369.90
Racine	City of Racine	Dominion Voting - ImageCast Evolution (ICE)	1010	\$ 403.50

2020 Post-Election Voting Equipment Audit  
 For the February 3, 2021 Commission Meeting  
 Page 22

Richland	Town of Marshall	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	109	\$ 88.15
Rock	City of Beloit	ES&S DS200 (central count muni)	536	\$ 237.60
Rock	Town of Center	ES&S DS200	704	\$ 296.40
Rock	City of Janesville	ES&S DS200 (central count muni)	*	
Rock	City of Janesville	ES&S DS200 (central count muni)	*	
Rock	Town of Harmony	ES&S DS200	160	\$ 106.00
Rock	Town of Janesville	ES&S DS200	56	\$ 69.60
Rock	Town of Porter	ES&S DS200	670	\$ 284.50
Rock	Town of Rock	ES&S DS200	*	
Rusk	Town of Big Bend	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	195	\$ 117.90
Sauk	Town of Greenfield	ES&S DS200	667	\$ 283.45
Sauk	Town of Merrimac	ES&S DS200	844	\$ 345.40
Sawyer	Town of Bass Lake	Dominion Voting - ImageCast Evolution (ICE)	1485	\$ 569.75
Sawyer	Town of Hayward	Sequoia Voting - Optech Insight/ Sequoia Voting - AVC Edge with	2094	\$ 782.90
Shawano	Town of Almon	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	234	\$ 131.90
Shawano	Town of Waukechon	Sequoia Voting - Optech Insight/ Sequoia Voting - AVC Edge with	592	\$ 257.20
Sheboygan	City of Plymouth	ClearCast	5158	\$ 1,855.30
Sheboygan	Town of Mitchell	ClearCast	843	\$ 345.05
Sheboygan	City of Sheboygan	ClearCast	1048	\$ 416.80
Sheboygan	City of Sheboygan	ClearCast	952	\$ 383.20

2020 Post-Election Voting Equipment Audit  
 For the February 3, 2021 Commission Meeting  
 Page 23

St. Croix	Village of Roberts	ES&S DS200	1117	\$ 440.95
Taylor	Town of Deer Creek	ES&S DS200	309	\$ 158.15
Taylor	Town of Chelsea	ES&S DS200	449	\$ 207.15
Taylor	Town of Little Black	ES&S DS200	609	\$ 263.15
Taylor	Town of Medford	ES&S DS200	1445	\$ 555.75
Taylor	Town of Molitor	ES&S DS200	202	\$ 120.70
Taylor	Town of Roosevelt	ES&S DS200	140	\$ 99.00
Trempealeau	City of Galesville	Sequoia Voting - Optech Insight/ Sequoia Voting - AVC Edge with	883	*
Trempealeau	Village of Ettrick	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	233	\$ 131.55
Trempealeau	Village of Strum	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	294	\$ 152.90
Vernon	Town of Forest	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	218	\$ 126.30
Vernon	Town of Greenwood	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	111	\$ 88.85
Vernon	Town of Kickapoo	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	123	\$ 93.05
Vernon	Village of De Soto	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	105	\$ 86.75
Vilas	City of Eagle River	Dominion Voting - ImageCast Evolution (ICE) (ImageCast PCOS-	930	\$ 375.50
Vilas	Town of Lac Du Flambeau	Dominion Voting - ImageCast Evolution (ICE)	1630	*
Walworth	Village of Darien	Dominion Voting - ImageCast Evolution (ICE)	756	\$ 314.60
Washburn	City of Spooner	Sequoia Voting - Optech Insight/ Sequoia Voting - AVC Edge with	1237	\$ 482.95
Washington	City of West Bend	Dominion Voting - ImageCast Evolution (ICE) (central count	839	\$ 343.65
Washington	Village of Richfield	Dominion Voting - ImageCast Evolution (ICE)	1040	\$ 414.00

2020 Post-Election Voting Equipment Audit  
 For the February 3, 2021 Commission Meeting  
 Page 24

Waukesha	City of New Berlin	ES&S DS200 / DS450 (central count muni)	477	**
Waukesha	City of New Berlin	ES&S DS200 / DS450 (central count muni)	110	**
Waupaca	Village of Iola	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	280	\$ 148.00
Waushara	Town of Aurora	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	411	\$ 193.85
Waushara	Village of Coloma	Sequoia Voting - AVC Edge with VeriVote Printer DRE system	205	\$ 121.75
Winnebago	City of Neenah	Dominion Voting - ImageCast Evolution (ICE) (central count	864	\$ 352.40
Winnebago	City of Oshkosh	Dominion Voting - ImageCast Evolution (ICE)	1057	\$ 419.60
Winnebago	City of Oshkosh	Dominion Voting - ImageCast Evolution (ICE)	1117	\$ 440.95
Wood	City of Marshfield	ES&S DS200	886	\$ 360.10
Wood	Town of Saratoga	ES&S DS200	3094	\$ 1,132.90
Wood	Village of Hewitt	ES&S DS200	528	\$ 234.80
Wood	Village of Vesper	ES&S DS200	304	\$ 156.40

\* denotes zero-population reporting unit

\*\* denotes reporting units for which no reimbursement request has been received

**Appendix B: Democracy Suite 4.14 Approval Letter**

Via Email

June 29, 2015

Mr. Ian S. Piper  
 Director of Federal Certification  
 Dominion Voting Systems, Inc.  
 1201 18<sup>th</sup> Street, Suite 210  
 Denver, CO 80202

Mr. Piper:

On June 18, 2015, the Wisconsin Government Accountability Board (Board) granted approval of the Dominion Democracy Suite 4.14-D and 4.14-DS voting systems.

Board Staff tested and the Board approved the following hardware for the 4.14-D and 4.14-DS:

<i>Equipment</i>	<i>Hardware Version(s)/Make and Model</i>	<i>Firmware Version</i>	<i>Type</i>
ImageCast Precinct (ICP)	320A, 320C	4.14.17-US**	Polling place scanner and tabulator
Ballot Marking Device (ICP-BMD Audio)	HP Office Jet 7110*		Accessibility add-on
ImageCast Central (ICC)	Canon Scanner DR-X10C/G1130*  OptiPlex 9020/9030 Desktop*	4.14.17**	Central count scanner and tabulator
ImageCast Evolution (ICE)	410A  External Monitor AOC 156LM00003*	4.14.21**	Polling place scanner and tabulator w/ accessibility functionality
Compact Flash Cards*	<u>SanDisk Ultra***</u> : SDCFHS-004G SDCFHS-008G		Memory device for ICP and ICE tabulators.

	<u>RiData:</u> CFC-14A RDF8G-233XMCB2-1 RDF16G-233XMCB2-1 RDF32G-233XMCB2-1 <u>SanDisk Extreme:</u> SDCFX-016G SDCFX-032G <u>SanDisk:</u> SDFAA-008G		
<b>Modems (4.14-DS only)*</b>	Verizon USB Modem Pantech UML295  USB Modem MultiTech MT9234MU  CellGo Cellular Modem E-Device 3GPUSUS  AT&T USB Modem MultiTech GSM MTD- H5 Fax Modem US Robotics 56K V.92.		Analog and wireless modems for transmitting unofficial election night results.

\* COTS devices used by the Democracy Suite Voting System.

\*\* Board staff visually inspected firmware versions on each piece of voting equipment.

\*\*\* Dominion recommended flash cards.

Board staff tested and the Board approved the following software for the 4.14-D and 4.14-DS:

<i>Software</i>	<i>Version</i>
Democracy Suite Election Management System (EMS)*	4.14.37
<ol style="list-style-type: none"> <li>1. Election Event Designer</li> <li>2. Results Tally and Reporting</li> <li>3. Audio Studio</li> <li>4. Data Center Manager</li> <li>5. Election Data Translator</li> <li>6. Application Server</li> <li>7. Network Attached Storage Server</li> <li>8. EMS File System Service</li> <li>9. Database Server Application</li> </ol>	
ImageCast Listener (4.14-DS only)	2.1.1.5301

\*The EMS version presented for approval excluded any Adjudication or AIMS software components (which received approval by the EAC) due to scheduling of testing and limited practical uses of the Adjudication software in Wisconsin.

In order to maintain approval for use of the 4.14-D and 4.14-DS in Wisconsin, Dominion must comply with the requirements of Chapter 7 of the Government Accountability Board Administrative Code. A copy of this chapter has been enclosed for your review. Specifically, Dominion must:

1. Timely pay the Board's costs for testing and approving these voting systems. An invoice will arrive separately.
2. Immediately notify the Board of any changes to these voting systems. The Board will determine the procedures for approving any changes for use in Wisconsin on a case-by-case basis.
3. Furnish a copy of the programs, documentation, and source code for these systems to be placed in escrow with EscrowTech International, Inc within 90 days from the date of this letter, in accordance with Wis. Stat. § 5.905(2).
4. Ensure that the election results from these systems can be exported on election night into the Statewide Voter Registration System (SVRS) in a format specified by the Board.

5. Inform the Board regarding any municipalities in Wisconsin which agree to use these voting systems, as well as any states or other jurisdictions which approve this voting system for use.
6. In the instance of voluntary withdrawal, involuntary decertification by the US EAC (or other Federal agency responsible for voting systems certification), or revocation of approval by the Board of the Dominion Democracy Suite 4.14-D or 4.14-DS (including any component), Dominion shall provide affected customers with substitute tabulation equipment so that any impacted election may be properly tabulated pursuant to Wis. Stat. § 5.40.
7. Submit an Application for Modification for *de minimis* or non-*de minimis* changes; however, any non-*de minimis* changes may require a full or limited application and testing process.
8. Complete the attached Certificate of Performance Compliance: Delivery of Voting System for each municipality when the 4.14-D or 4.14-DS is purchased. One certified copy must be provided to the municipality upon delivery of the voting system and one certified copy must be provided to the Board.

Furthermore, the Board enacted additional requirements for the Dominion Democracy Suite 4.14-D and 4.14-DS voting systems. The Board determined that the following continuing conditions shall remain ongoing for Dominion and purchasing localities.

1. Dominion may not impose customer deadlines contrary to requirements provided in Wisconsin Statutes, as determined by the Board. In order to enforce this provision, local jurisdictions purchasing Dominion equipment shall also include such a provision in their respective purchase contract or amend their contract if such a provision does not currently exist.
2. The 4.14-D or 4.14-DS must always be configured to include the following options:
  - a. Automatically reject all overvoted ballots, without the option to override.
  - b. Store election set-up, results, and ballot images on both compact memory cards. Each memory card must be retained, with the data intact, for the required retention period. If a jurisdiction transfers the data from the memory cards to a digital storage device after the recount period they must transfer all files from both memory cards into two separate files.
  - c. Prohibit the use of the Write-In Preference feature, which causes write-in votes to always count over a ballot candidate.
  - d. Provide an audible warning tone and visual warning message when a crossover, overvote, blank, or ambiguous ballot is fed into the voting equipment.



- e. Return a marked ballot to the voter for review prior to casting the ballot when ballots are marked using the ICE on-board marking device system.
  - f. The ambiguous mark threshold ranges must be set per Dominion's recommendation, which are 15%-35% for the oval and 12%-35% for the write-in box. The Board retains the discretion to alter these ranges.
  - g. Capture digital ballot images of all ballots cast by the system.
3. Election inspectors shall continue to check the main bin and review all ballots for validly cast write-ins at the close of the polls at every election.
  4. Election inspectors shall remake all absentee ballots automatically rejected by the voting equipment so that the ballot count is consistent with total voter numbers.
  5. Clerks and election inspectors shall ensure that external modems are secured prior to, during, and after every election.
  6. Election inspectors shall enable an on-screen review of the ballot on the ICE for every ballot marked using the on-board ballot marking device.
  7. As part of US EAC certificate: DVS-DemSuite4.14-D, only equipment included in this certificate are allowed to be used together to conduct an election in Wisconsin. Previous systems that were approved for use by the former Elections Board and the G.A.B. are not compatible with the new Dominion voting system, and are not to be used together with the equipment seeking approval by the Board, as this would void the US EAC certificate. If a jurisdiction upgrades to 4.14-D, they need to upgrade each and every component of the voting system to the requirements of what is approved herein. Likewise, if a jurisdiction upgrades to 4.14-DS, they need to upgrade each and every component of the voting system to the requirements of what is approved herein. The 4.14-D and 4.14-DS voting systems require a hardened computer terminal to program elections. Municipalities may not use an AutoMARK as a ballot marking device for ballots that will be fed into a 4.14-D or 4.14-DS piece of equipment.
  8. Dominion shall abide by applicable Wisconsin public records laws. If, pursuant to a proper public records request, the customer receives a request for matters that might be proprietary or confidential, customer will notify Dominion, providing the same with the opportunity to either provide customer with the record that is requested for release to the requestor, or shall advise Customer that Dominion objects to the release of the information, and provide the legal and factual basis of the objection. If for any reason, the customer concludes that customer is obligated to provide such records, Dominion shall provide such records immediately upon customer's request. Dominion shall negotiate and specify retention and public records production costs in writing with customers prior to charging said fees. In

absence of meeting such conditions of approval, Dominion shall not charge customer for work performed pursuant to a proper public records request, except for the “actual, necessary, and direct” charge of responding to the records request, as that is defined and interpreted in Wisconsin law, plus shipping, handling, and chain of custody.

Please note that noncompliance with these, or any other requirements contained in Wisconsin Statutes or the Government Accountability Board Administrative Code, may result in the suspension or withdrawal of the Board’s approval of these voting systems.

We require written acceptance of the terms specified in this letter within 20 business days from the date of this letter. If you have any questions, please do not hesitate to contact either myself or Matthew Kitzman of the Wisconsin Government Accountability Board.

Sincerely,

**Wisconsin Government Accountability Board**



Kevin J. Kennedy  
Director and General Counsel

cc:

Dana LaTour  
Regional Sales Manager  
Dominion Voting Systems

Chad Trice  
President  
Command Central

Michael Haas  
Elections Administrator  
Wisconsin Government Accountability Board

Ross Hein  
Elections Supervisor  
Wisconsin Government Accountability Board

Matthew Kitzman  
Electronic Voting Equipment Election Specialist  
Wisconsin Government Accountability Board



# 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

---

**DATE:** For the February 3, 2021 Commission Meeting  
**TO:** Wisconsin Elections Commission  
**FROM:** Meagan Wolfe, Administrator  
**SUBJECT:** Commission 2021 Meeting Schedule

Wisconsin State Statutes require that the Commission meet at least quarterly. In 2020 the Commission met on nearly 40 occasions, but had originally set a quarterly meeting schedule to ensure the meeting requirement was met and to give the public advanced notice for these quarterly meetings.

In anticipation of the February 3, 2021 meeting, I ask that the Commission please consider the following dates in each quarter and establish, by a majority vote, the regularly scheduled meeting dates for 2021 and a Spring Election ballot access meeting for 2022. Other special meetings can also be scheduled by the Commission Chair as requested. It is suggested that the meetings begin at 9:00 a.m., but the Commission may decide to adjust start times as part of the motion. It is recommended that the Commission also consider scheduling the required ballot access meeting for January 2022. This meeting date is fixed by statute and it is typically confirmed by the Commission well in advance so that Commissioners may adjust their schedules accordingly.

Please find suggested dates for consideration in each quarter that were developed in consultation with the Commission Chair:

## **Quarter 1**

Available Meeting Dates:

Monday, March 1 @ 9:00 a.m.  
Tuesday, March 2 @ 9:00 a.m.  
Wednesday, March 3 @ 9:00 a.m.  
Thursday, March 4 @ 9:00 a.m.  
Friday, March 5 @ 9:00 a.m.

## **Quarter 2**

Available Meeting Dates:

Tuesday, June 1 @ 9:00 a.m.  
Wednesday, June 2 @ 9:00 a.m.  
Thursday, June 3 @ 9:00 a.m.  
Monday, June 7 @ 9:00 a.m.

*Wisconsin Elections Commissioners*

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

---

*Administrator*  
Meagan Wolfe

Thursday, June 10 @ 9:00 a.m.  
Friday, June 11 @ 9:00 a.m.

**Quarter 3**

Available Meeting Dates:

Thursday, September 9 @ 9:00 a.m.  
Monday, September 13 @ 9:00 a.m.  
Thursday, September 16 @ 9:00 a.m.

**Quarter 4**

Available Meeting Dates:

Monday, November 29 @ 9:00 a.m.  
Tuesday, November 30 @ 9:00 a.m.  
Wednesday, December 1 @ 9:00 a.m.  
Thursday, December 2 @ 9:00 a.m.  
Friday, December 3 @ 9:00 a.m.  
Monday, December 6 @ 9:00 a.m.  
Tuesday, December 7 @ 9:00 a.m.  
Wednesday, December 8 @ 9:00 a.m.  
Thursday, December 9 @ 9:00 a.m.  
Friday, December 10 @ 9:00 a.m.

**2022 Mandatory Hold for Nomination Challenge and Ballot Access Meeting**

January 20, 2022 @ 9:00 a.m.

**Recommended Motion**

The Commission approves the meeting schedule of [Date] in Quarter 1, [Date] in Quarter 2, [Date] in Quarter 3, [Date] in Quarter 4. The Commission further confirms the statutorily required meeting to consider challenges and ballot access of January 20, 2022.



# 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

---

**Wisconsin Elections Commission**  
Special Teleconference Meeting  
212 E. Washington Avenue, Third Floor  
Madison, Wisconsin  
4:00 p.m. January 12, 2021

Open Session Minutes

Present: Commissioner Ann Jacobs, Commissioner Marge Bostelmann, Commissioner Julie Glancey, Commissioner Dean Knudson, Commissioner Robert Spindell Jr., and Commissioner Mark Thomsen, all by teleconference.

Staff present: Meagan Wolfe, Richard Rydecki, Sharrie Hauge, Robert Kehoe, James Witecha, and Reid Magney

**A. Call to Order**

Commission Chair Ann Jacobs called the meeting to order at 4:14 p.m. and called the roll. All Commissioners were present.

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

Administrator Meagan Wolfe informed the Commissioners that proper notice was given for the meeting.

**C. Ballot Access Challenges and Issues**

Chair Jacobs outlined the procedures for hearing ballot access challenges.

**Deborah Lynn Kerr Complaint against Shandowlyon Lyzette Hendricks-Williams**

Case No. EL 21-04

Staff Counsel James Witecha gave a presentation based on a memorandum prepared for the January 12, 2021, Commission meeting. The challenge alleges that Shandowlyon Lyzette Hendricks-Williams improperly used the title "Dr." on her nomination papers and other ballot access document and asks that she not be granted ballot access. The complaint also alleges that the residential address on her campaign finance registration statement filed with the Wisconsin Ethics Commission is different than the address on her ballot access paperwork filed with the Wisconsin Elections Commission. Staff recommends sustaining the challenge regarding title

*Wisconsin Elections Commissioners*

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

---

Administrator  
Meagan Wolfe

“Dr.” and striking all signatures submitted by Candidate Hendricks-Williams. Staff recommends rejecting the address challenge.

Attorney Michael Maistelman appeared on behalf of the complainant and made a brief presentation. He said his client withdrew the second challenge based on the address.

Attorney Stacie Rosenzweig appeared on behalf of the respondent and made a brief presentation.

Commissioners discussed the case. Commissioner Knudson made the following recommended motions:

- 1) **The Commission sustains the first challenge to Candidate Hendricks-Williams as the header of her nomination papers included the title of “Dr.” which is not allowed under Wis. Stat. § 8.10(2)(b), and strikes all signatures contained on the candidate’s nomination papers.**
- 2) **The Commission rejects the second challenge to Candidate Hendrick-Williams as the campaign registration statement was filed prior to the deadline and substantially complied with the applicable requirements.**
- 3) **Candidate Hendricks-Williams is denied ballot access for the 2021 Spring Election for failure to submit the minimum number of valid nomination paper signatures.**

Commissioner Bostelmann seconded the motions.

Discussion

Roll call vote: Bostelmann:	Aye	Glancey:	Aye
Jacobs:	No	Knudson:	Aye
Spindell:	No	Thomsen:	No

Motions failed 3-3 and the challenge is not sustained.

#### **D. Ballot Access Report and Certification of Candidates for the 2021 Spring Election**

Elections Specialist Riley Willman presented the ballot access memorandum prepared for the January 12, 2021, Commission meeting. Staff recommends that the Commission certify ballot access for 92 candidates for the offices of State Superintendent of Public Instruction, Court of Appeals Judge in Districts I, II and III and Circuit Court Judge in various counties. The candidates are listed as “approved” in Attachment B, Candidate Tracking by Office report. Staff also recommends that the Commission grant ballot access to candidate Ann Knox-Bauer, a

candidate for Taylor County Circuit Court Judge, as a result of the affidavit submitted by the candidate and the technical issues that resulted in the candidate falsely believing that their ballot access filings were complete and in compliance.

Discussion

Commissioner Bostelmann made the following recommended motions:

**MOTION:** Accept the evidence presented in Ann Knox-Bauer’s affidavit and certify ballot status for the candidate.

**MOTION:** Certify ballot access for the 92 candidates listed as “approved” in Attachment B, Candidate Tracking by Office report, notwithstanding any candidate who was denied ballot status because of a challenge be approved for ballot access.

Roll call vote: Bostelmann: Aye    Glancey:        Aye  
                   Jacobs:         Aye    Knudson:        Aye  
                   Spindell:        Aye    Thomsen:       Aye

Motions carried unanimously.

**E. Ballot Access Report and Certification of Candidates for the 2021 Special Election for Assembly District 89**

Assistant Administrator Richard Rydecki presented the ballot access memorandum prepared for the January 12, 2021, Commission meeting. The table below lists all of the candidates who filed nomination paperwork, their party, and the number of signatures identified by staff:

<b>Name of Candidate</b>	<b>Party</b>	<b>Number of Signatures</b>
Debbie Jacques	Republican	213
Elijah Behnke	Republican	234
David J. Kamps	Republican	238
Michael T. Kunesh	Republican	400
Michael Schneider	Republican	265
Karl Jaeger	Democratic	344

**MOTION:** Certify ballot access for the six candidates listed in the table above. Moved by Commissioner Glancey, seconded by Commissioner Bostelmann.

Roll call vote: Bostelmann: Aye    Glancey:        Aye  
                   Jacobs:         Aye    Knudson:        Aye

Spindell: Aye Thomsen: Aye

Motion carried unanimously.

**F. Closed Session**

**MOTION:** Adjourn to closed session pursuant to Wis. Stat. §19.85(1)(d), to consider strategy for crime prevention or detection. Moved by Commissioner Bostelmann, seconded by Commissioner Glancey.

Roll call vote: Bostelmann: Aye Glancey: Aye  
Jacobs: Aye Knudson: Aye  
Spindell: Aye Thomsen: Aye

Motion carried unanimously.

The Commission adjourned to closed session at 6:02 p.m.

**G. Adjourn**

The Commission adjourned in closed session at 6:34 p.m.

#####

The next regular meeting of the Wisconsin Elections Commission is scheduled for Wednesday, February 3, 2021, by teleconference, beginning at 9:00 a.m.

January 12, 2021 Wisconsin Elections Commission meeting minutes prepared by:

\_\_\_\_\_  
Reid Magney, Public Information Officer

January 19, 2021

January 12, 2021 Wisconsin Elections Commission meeting minutes certified by:

\_\_\_\_\_  
Marge Bostelmann, Commission Secretary

February 3, 2021





# 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

---

**Wisconsin Elections Commission**  
Special Teleconference Meeting  
212 E. Washington Avenue, Third Floor  
Madison, Wisconsin  
12:00 p.m. January 15, 2021

## Open Session Minutes

**Present:** Commissioner Ann Jacobs, Commissioner Marge Bostelmann, Commissioner Julie Glancey, Commissioner Dean Knudson, Commissioner Robert Spindell Jr., and Commissioner Mark Thomsen, all by teleconference.

**Staff present:** Meagan Wolfe, Richard Rydecki, Sharrie Hauge, Robert Kehoe, James Witecha, and Reid Magney

### **A. Call to Order**

Commission Chair Ann Jacobs called the meeting to order at 12:02 p.m. and called the roll. All Commissioners were present.

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

Administrator Meagan Wolfe informed the Commissioners that proper notice was given for the meeting.

### **C. Ballot Access Challenges and Issues**

#### **Steven Hepp Complaint against Donald Pridemore**

Case No. EL 21-05

Staff Counsel James Witecha made a presentation based on a memorandum, "Ballot Access Challenges – Candidates for Partisan Office – Spring 2021," prepared for the January 15, 2021 commission meeting. This complaint alleges that various required filings submitted by Candidate Donald Pridemore, a candidate for the special election in State Senate District 13, were deficient because the residential address listed are not his actual residential address, thus rendering the documents falsely filed and legally insufficient (Declaration of Candidacy, Statement of Economic Interest, Nomination Papers).

Staff recommends the commission reject the challenge because Mr. Pridemore provided a valid lease as proof of his residence at the address listed on his ballot access paperwork.

*Wisconsin Elections Commissioners*

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

---

Administrator  
Meagan Wolfe

Challenger Steven Hepp was not present.

Candidate Don Pridemore was present. His attorney, Joe Voiland, offered no comment.

Commissioner Thomsen asked Attorney Voiland questions regarding statements Mr. Pridemore made about the Wisconsin Elections Commission.

Discussion.

**MOTION:** Reject the challenge to Donald Pridemore’s ballot access, as all necessary nomination and candidacy paperwork contains an accurate residential address. Moved by Commissioner Spindell, seconded by Commissioner Knudson.

Discussion.

Roll call vote: Bostelmann: Aye    Glancey:    Aye  
                  Jacobs:        Aye    Knudson:    Aye  
                  Spindell:      Aye    Thomsen:    Aye

Motion carried unanimously.

**D. Ballot Access Report and Certification of Candidates for the 2021 Special Election for Senate District 13**

Administrator Wolfe presented the ballot access memorandum for the January 15, 2021, Commission meeting. Staff recommends that the Commission certify ballot access for six candidates:

<b>Name of Candidate</b>	<b>Party or Statement of Principle</b>	<b>Number of Signatures</b>
Melissa Winker	Democratic	752
Todd Menzel	Republican	453
Don Pridemore	Republican	641
John Jagler	Republican	648
Spencer Zimmerman	Independent, Trump Conservative	427
Ben Schmitz	Independent, American Solidarity Party	480

**MOTION:** Certify ballot access for the six candidates listed in the table above. Moved by Commissioner Bostelmann, seconded by Commissioner Spindell.

Roll call vote: Bostelmann:	Aye	Glancey:	Aye
Jacobs:	Aye	Knudson:	Aye
Spindell:	Aye	Thomsen:	Aye

Motion carried unanimously.

**E. Discussion of Special Voting Deputies for the February 16 Spring Primaries**

Administrator Wolfe made a presentation based on a memorandum, “Nursing Home and Care Facility Voting Program for the February 16, Non-Partisan Primary and Special Elections,” prepared for the January 15, 2021 commission meeting. Given that the public health advice related to visitors and SVDs in care facilities is unchanged from the November 2020 election, staff recommends that the Commission continue this approach for the February 16, 2021 Spring Primary elections. A continuation of this approach will allow voters in care facilities to receive their ballots without delay. She stated that public health advice may change before the April 6, 2021 Spring Election, and staff will bring further recommendations to the commission prior to the Spring Election.

Commissioner Knudson discussed his concerns that the wording of the recommended motion tells clerks that they shall not follow state statutes regarding attempting to send SVDs to nursing homes and care facilities before mailing absentee ballots to residents.

Commissioners discussed the issue and Administrator Wolfe offered alternative language for the recommended motion.

Commissioner Spindell stated his opposition to the motion because he believes there are currently safe ways for SVDs to assist nursing home and care facility residents using personal protective equipment and social distancing, or in the alternative, video technology.

**MOTION:** WEC directs local election officials to forgo attempting in-person SVD visits for the February 16, 2021 elections and proceed directly to mailing ballots to voters in care facilities who make a valid request. WEC further directs staff to continue working with public health officials to prepare a recommendation regarding SVD voting for the April 6, 2021 election for the Commission’s review at a future meeting. Moved by Commissioner Thomsen, seconded by Commissioner Glancey.

Commissioner Knudson stated his opposition to the language of the motion and offered Administrator Wolfe's alternative language as a friendly amendment. Commissioners Thomsen and Glancey accepted the friendly amendment, which reads:

**MOTION:** Because of the prohibition on visitors in care facilities, including Special Voting Deputies (SVD), clerks will be unable to accomplish the two in-person SVD visits and should therefore proceed directly to mailing ballots to voters who request them who reside in a care facility that would be otherwise served by SVD's for the February 16, 2021 primary.

Roll call vote:	Bostelmann:	Aye	Glancey:	Aye
	Jacobs:	Aye	Knudson:	Aye
	Spindell:	No	Thomsen:	Aye

Motion carried 5-1.

**MOTION:** The commission directs staff to proceed with researching alternative ways to operate the SVD program should prohibitions on visiting nursing homes and care centers continue due to COVID-19. Moved by Commissioner Spindell, seconded by Commissioner Bostelmann on the condition that the motion not be limited to COVID-19 but any kind of pandemic or other infection.

Commissioner Spindell accepted the amendment.

Discussion. Commissioner Jacobs summarized the discussion and said the motion would direct staff to create a plan and timetable for studying ways for SVDs to assist voters living in nursing homes or care facilities when SVDs are not able to enter a facility for reasons of health or other emergencies. Staff will present a plan at a meeting before the April election or let the Commission know if that is not possible.

Commissioner Thomsen stated he opposed the motion because staff will study the issue without the need of a formal motion.

Roll call vote:	Bostelmann:	Aye	Glancey:	Aye
	Jacobs:	Aye	Knudson:	Aye
	Spindell:	Aye	Thomsen:	No

Motion carried 5-1.

**F. Adjourn**

Commissioner Knudson asked for an agenda item at a future meeting to report on numbers of indefinitely confined voters and how many people on the ERIC Movers list voted. Administrator Wolfe said that is planned for the February 3, 2021 meeting. Commissioner Knudson also asked for an agenda item at a future meeting regarding the next voter list maintenance mailing using ERIC data.

**MOTION:** Adjourn. Moved by Commissioner Bostelman, seconded by Commissioner Knudson. Motion carried unanimously.

The Commission adjourned at 1:31 p.m.

#####

The next regular meeting of the Wisconsin Elections Commission is scheduled for Wednesday, February 3, 2021, by teleconference, beginning at 9:00 a.m.

January 15, 2021 Wisconsin Elections Commission meeting minutes prepared by:

---

Reid Magney, Public Information Officer

January 15, 2021

January 15, 2021 Wisconsin Elections Commission meeting minutes certified by:

---

Marge Bostelmann, Commission Secretary

February 3, 2021