

Wisconsin Elections Commission

State of Wisconsin

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Elections Commission to Discuss Suspected Voter Fraud Reports for 2020 and 2021 Elections

MADISON, WI – The Wisconsin Elections Commission will discuss four reports involving suspected voter fraud and election integrity in 2020 and 2021 elections when it meets on June 2.

“Election officials and law enforcement across Wisconsin work together proactively to prevent, identify and prosecute suspected cases of voter fraud,” said Meagan Wolfe, administrator of the Wisconsin Elections Commission. “As we report these statistics to the Legislature, we want the public to understand that we take these matters seriously.”

Beyond searching for possible voter fraud, local election officials and the WEC staff also conduct extensive audits of registration and election data after each election to ensure accurate results, Wolfe said.

Annually as required by state law, the WEC makes a “Report of Suspected Election Fraud, Irregularities or Violations.” This year’s report contains information about 41 referrals made by local election officials to county district attorneys in 2020 and 2021 for suspected cases from 2016, 2017, 2018, 2019, 2020 and 2021.

Thirteen of the referrals are specific to the November 2020 election. They involve suspected cases of felon voting, voting twice in the same election, and voting after an incompetency adjudication.

Investigations and audits are ongoing so the list of referrals will continue to change over time.

A second report on the Commission’s agenda describes ongoing results of voter felon audits over the last several elections. The WEC staff works closely with the Wisconsin Department of Corrections to obtain and compare lists of people who are not eligible to vote because they are currently serving a felony sentence. WEC works with clerks to remove matches from the active voter list before elections, and to double check voter records after each election to identify any suspected cases of felon voting.

Ten cases of suspected felon voting from Spring 2020 elections have already been referred to district attorneys for investigation and potential prosecution, according to the report. Cases from the August 2020 Partisan Primary and the November 2020 General Election are still being double-checked by clerks and the Department of Corrections prior to referrals.

A third report to the Commission deals with voting across state lines. Later this year, the WEC will receive information from the Electronic Registration Information Center (<https://ericstates.org>) about potential matches between Wisconsin voters and voters in 29 other states and the District of Columbia which belong to ERIC.

The WEC analyzes the possible matches by comparing names, dates of birth and other information from voting records in Wisconsin and other states.

This will be the second election that WEC will use Voter Participation Reports to investigate possible cross-state voting. The 2018 General Election was the first election for which this data was available.

In 2019, the WEC made 43 criminal referrals to district attorneys based on ERIC cross-state data, which represented 0.002% of the 2,688,473 ballots cast in the November 2018 General Election in Wisconsin.

Wis. Stat. § 12.13(1)(e) prohibits anyone from intentionally voting “more than once in the same election.” A violation is Class I Felony. Wis. Stat. § 12.60(1)(a).

Finally, the WEC will receive a report about “election reconciliation,” a process designed to ensure election information is accurately recorded and that any variances are studied and accounted for. During reconciliation, clerks and other election officials compare data from poll books, inspector statements, and vote counts from the local board of canvassers.

Local data is also compared to the voter registration system to ensure that voter participation, voter registrations, provisional voters, absentee voters, and the number of ballots cast within an election balances within each reporting unit.

All reports are contained in the Commission’s meeting materials, which are available on the WEC’s website: <https://elections.wi.gov/node/7340>.

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The Wisconsin Elections Commission is responsible for administration and enforcement of election laws in Wisconsin. The Commission is made up of six Commissioners – four appointed directly by the State Senate Majority Leader, Speaker of the Assembly and the Minority Leaders in the State Senate and Assembly. The remaining two Commissioners are appointed by the Governor with confirmation by the State Senate from lists of former municipal and county clerks submitted by the legislative leadership in each party.