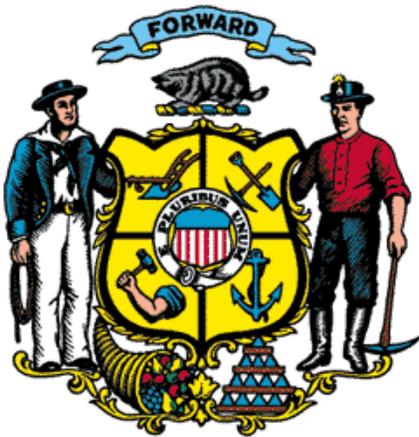


Contingency Planning and Election System Security

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**Wisconsin Elections
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Executive Summary

Background

There are many scenarios, both natural and human-caused, that warrant taking precautions and making preparations to prevent, mitigate, and recover from an emergency situation that may disrupt an election. Municipal clerks should ensure that each municipality has an Election Day emergency response plan. Contingency plans should be reviewed with election inspectors as part of the clerk's pre-election training. County clerks and emergency response crews such as the police, fire and emergency response departments, as well as polling place property owners and facility managers should be apprised of relevant aspects of these plans.

In 2007, the former State Elections Board prepared a report and made recommendations with respect to state, regional and local election-related contingency planning efforts and preparedness. The Report on Election-Related Contingency Planning covered both large scale and limited scope nature disasters or technology threats that may occur at or near election time.

The 2016 Report on Contingency Planning and Election System Security includes current security updates for election IT systems, voting equipment and election night results. Emergency situations and guidance has been updated to reflect scenarios which have become more likely and which also provide a framework for preparing for other contingencies.

Many computer systems are used to facilitate elections in Wisconsin. Securing these systems is a team effort between Wisconsin state security staff, Wisconsin Elections Commission staff, and local election officials.

WEC staff and state security staff provide security for the computer systems themselves. Wisconsin's election-related computer systems are hosted in the State Data Center, ensuring state of the art security protections. WEC staff work with state security staff as well as the federal Department of Homeland Security to assess the vulnerability of these systems and to identify and implement recommendations for improvements.

Recently, the Department of Homeland Security reported that hackers targeted the voter registration systems of several states. While it would be nearly impossible for hackers to alter an election's outcome by targeting the voter registration database due to security measures as well as the decentralized nature of our elections systems, such reports can damage voter confidence in our country's elections.

Local election officials provide a critical link in the security chain by ensuring the local workstations used to access state election systems are protected and up to date. There are many simple steps clerks can take to help prevent unauthorized access into state systems.

Ensuring the accuracy and integrity of voting equipment in use in Wisconsin requires cooperation between three levels of government. On the federal level, the U.S. Election Assistance Commission (EAC) provides testing and certification of electronic voting systems. Each system approved for use is reviewed by an independent testing authority to ensure that the functionality and accuracy meets federal standards. The EAC created their testing and

certification protocol to assist states who do not have the resources or ability to conduct a comprehensive review of voting systems.

The State of Wisconsin conducts an additional testing and certification process designed to assess whether a system is compatible with Wisconsin election law. Each system is tested to confirm that it is able to be programmed to accommodate election configurations unique to Wisconsin. On the municipal level, local election officials are responsible for keeping voting equipment secure in between elections, verifying the accuracy of the programming of their equipment and ensuring that each voting equipment memory device remains secure until after the polls close on Election Day.

Election night result reporting plays a central role in the public perception of an election's validity and integrity. The public becomes concerned when the official and unofficial results differ. It is necessary to protect both unofficial and official results from manipulation. Wisconsin's decentralized system for reporting unofficial election results and certifying official results contains a built-in level of security and deters manipulation of the results because it requires local, county and state election officials to independently verify ward or reporting unit level results that are posted in a timely and open manner to the public.

Relevant Statutes

Wisconsin Statutes establish the responsibilities and authority of the WEC to administer and enforce election laws and the basic framework for protecting election systems and responding to emergency events. Attachment A lists some of the provisions which are most relevant to elections contingency planning.

Security and Recommendations

ELECTION IT SYSTEMS

Wisconsin election processes are supported by several computer systems. The statewide voter registration system, WisVote, is used to track voter registrations and absentee ballot requests, print poll books, and record who participated in the Election. It also stores election set up information such as polling places and ballot information that voters can look up using the MyVote Wisconsin website (myvote.wi.gov). The MyVote website also allows military and overseas voters to download their ballots instead of having to wait for it to arrive in the mail. The Canvass Reporting System is used by county clerks and Wisconsin Election Commission (WEC) staff to certify the election results. The Wisconsin Election Data Collection System (WEDCS) is used to collect election statistics required by state and federal law and used by academics and policy makers across the country. The BadgerVoters website provides a public portal where customers can purchase voter registration and related data from WisVote.

Securing these computer systems is vital to the integrity of the election itself. Attempts to alter voter registration records, hack websites that provide polling place or sample ballot information, or tamper with election results could undermine public confidence in the electoral process. Ensuring security of these systems is a joint effort between the local election officials that use the systems, WEC staff that develop and maintain the systems, and the Wisconsin Department of Administration/Division of Enterprise Technology (DET) which hosts the systems.

How the State Secures Election Systems

The computer systems used to support Wisconsin elections are hosted at the State of Wisconsin Data Center operated by DET. The DET Data Center takes an enterprise approach to preserving the confidentiality, integrity and availability of state data. It protects valuable information, sensitive data, and the state computer infrastructure from unauthorized access, compromise, and corruption, while allowing the information systems to remain accessible and productive for their intended users. The DET security team ensures that the Data Center utilizes the most up-to-date security policies, best practices and technologies.

In order to gain access to the state elections computer systems such as WisVote, WEDCS or Canvass, users must first sign a confidentiality agreement. WEC security staff then gives each user a named log-in that can be used to access these systems. Shared accounts are prohibited; each user must have their own user ID and password. Passwords are required to meet minimum standards for complexity making them harder to guess and less vulnerable to password cracking tools. Passwords expire every 60 days, requiring users to select a new password. The same password cannot be re-used.

Websites such as MyVote and BadgerVoters are open to the public but still require a level of security in order to be allowed access to data. On the MyVote website, users are required to provide identifying information for themselves such as dates of birth or last 4 digits of their Social Security Number in order to be able to access their voter registration data. The transmission methods used to pass identifying information between MyVote and WisVote are also secured. Users can only obtain information regarding one voter at a time, and only for voters for whom they know the identifying information. MyVote users cannot get lists of voters

through MyVote. Users of the BadgerVoters website must create a secure log-in before they can purchase data from the site. Only non-private, public record data is available on the BadgerVoters website.

DET staff performs periodic Web Vulnerability Assessments for WEC staff to determine if any vulnerabilities exist in WEC's web-based computer systems. These assessments include recommendations to improve security. The most recent Vulnerability Assessment revealed no Critical or High security concerns. Several changes were made to WEC infrastructure immediately upon receiving the recommendations to address medium and low recommendations.

WEC staff is also subscribed to on-going Cyber Hygiene Assessments through the federal Department of Homeland Security/National Cybersecurity and Communications Integration Center. These assessments have shown similar results as the DET Vulnerability Assessments and both assessments are used together to make updates to the security and infrastructure of WEC's computer systems as needed.

How Local Election Officials Secure Election Systems

The local county and municipal clerks and their staff that use the election-related computer systems are also critical in maintaining the security of the system. The security of these systems is only as tight as the security of the local computers that are used to access the system. The user with the lowest level of security represents the weakest link in the security chain.

For example, in 2016 the Arizona statewide voter registration system was breached by hackers because they had been able to obtain the user ID and password of a user in one of the counties that accessed the system. This user ID and password allowed hackers into the system where they were able to steal protected voter information.

There are many steps local election officials can take to ensure the security of the election computer systems and the critical data they contain.

System Updates: Users should ensure that they are downloading updates for their computer operating system (such as Windows Updates). These updates frequently address security concerns and can ensure the local computer is secure. WEC staff recommends using the setting that allows updates to be automatically downloaded and installed when they become available.

Avoid Malware: Malware, short for malicious software, is any software used to disrupt computer operations, gather sensitive information, gain access to private computer systems, or display unwanted advertising. Malware may be stealthy, intended to steal information or spy on computer users for an extended period without their knowledge. Malware is sometimes found embedded in programs supplied officially by companies, e.g., downloadable from websites, that appears useful or attractive, but may have, for example, additional hidden tracking functionality that gathers marketing statistics. Malware can be used to obtain the user ID's and passwords used to access state elections computer systems. DO NOT click on unknown links, visit suspicious web sites or load unreliable software.

Anti-virus Software: WEC staff recommends all users install a reliable anti-virus program and keep it updated. Anti-virus software, anti-malware, and firewalls are used to protect against activity identified as malicious malware. Anti-malware programs can combat malware in two ways:

1. They can provide real time protection against the installation of malware software on a computer. This type of malware protection works the same way as that of antivirus protection in that the anti-malware software scans all incoming network data for malware and blocks any threats it encounters.
2. Anti-malware software programs can be used solely for detection and removal of malware software that has already been installed onto a computer. This type of anti-malware software scans the contents of the Windows registry, operating system files, and installed programs on a computer and provides a list of any threats found, allowing the user to choose which files to delete or keep, or to compare this list to a list of known malware components, removing files that match.

Avoid Phishing: Phishing is the attempt to obtain sensitive information such as usernames, passwords, and credit card details and sometimes, indirectly, money, often for malicious reasons, by masquerading as a trustworthy entity in an electronic communication. Take steps to avoid phishing attempts by slightly modifying your browsing habits. When contacted about an account needing to be "verified" or a link to enter personal data of any kind, it is a sensible precaution to contact the company from which the email apparently originates to check that the email is legitimate. Alternatively, the address that the individual knows is the company's genuine website can be typed into the address bar of the browser, rather than trusting any hyperlinks in the suspected phishing message.

Password Security: Choose passwords that are less easily discovered by intelligent guessing. WisVote already enforces password standards to assist with this but clerks can take additional steps to help secure their passwords:

- Never share usernames or passwords with anyone.
- Never store passwords in your browser.
- Do not write your password down. If you must write it down in order to remember it, keep it in a safe place such as a locked drawer.
- Avoid using the same password across multiple applications or user accounts.

Recommendations

There are many small simple steps that clerks can take to help secure election-related computer systems and the critical data they store. The following list is not exhaustive but provides a starting point for clerks to think about security. Following these seven simple recommendations will have a dramatic impact on the overall security of the system:

1. DO NOT share your WisVote user ID and password with anyone, under any circumstance.
2. Turn on automatic updates for your computer, or promptly download all updates that come from your computer or operating system manufacturer.

3. Install anti-virus software on your computer.
4. Do not click on links in emails unless they are from a trusted source. Hover over all links to see where they actually are going before clicking on them. Sometime the link may appear legitimate but will direct you to a suspicious or malicious location.
5. Do not install unnecessary programs onto your computer. NEVER install programs that are not published by a trusted source.
6. Do not request a WisVote account for a user in your office unless you are confident they know how to use the system correctly and can be trusted with the information they will have access to. If feasible, perform background checks on staff before allowing them to use WisVote.
7. Promptly notify the WEC Help Desk whenever a WisVote user stops working in your office so their account can be disabled.
8. Upgrade your computer or operating system if it gets too old and is no longer supported. Unsupported operating systems do not get critical security patches and become easy targets for intrusion.

VOTING EQUIPMENT

Wisconsin state law and Election Commission administrative procedures outline a security protocol designed to ensure the integrity of Wisconsin elections. All voting systems in use in Wisconsin have received federal certification. These systems have also been tested and approved on the state level to ensure they are compatible with Wisconsin election law.

Initial Logic and Accuracy Testing of Voting Equipment Programming

All municipalities are encouraged to conduct logic and accuracy testing of their voting equipment programming after programming of the memory devices is completed. This testing is designed to confirm the accuracy of the programming and ensure the equipment is correctly reading ballots and tabulating votes. This testing is conducted before the public test of voting equipment is conducted, so that any programming errors can be remedied before Election Day.

Public Test of Voting Equipment

All municipalities are required to conduct a public test of their voting equipment before each election. This event is considered a public meeting and must be noticed at least 48 hours in advance. The public test must take place no earlier than 10 days prior to Election Day and the public is invited to attend and observe the testing process.

Programming is verified by feeding a set of pre-marked ballots, or test deck, into the machine and reviewing the results tape that is generated at the end of this process. The test deck should include ballots with votes for all candidates and contests on the ballot. It is recommended that the test deck used for the public test differ from the test deck used by the programmer so that any errors in programming do not remain undetected. Vote totals for each candidate in a contest should differ so that votes transposed between candidates in a contest can be detected.

This exercise ensures that paper ballots are able to be read by the optical scan voting equipment, all ballot contests are tabulating properly, voters are not allowed to exceed the maximum number of choices per contest, write-in votes are properly identified and that touchscreen voting equipment is programmed to capture voter intent. An errorless count is required at the conclusion of the process and any anomalies identified in this testing must be remedied before the equipment can be approved by the clerk for use in the election. *Wis. Stats. - 5.84(1)*

Post Public Test and Election Day Security Procedures

Following the public test, the voting equipment and all associated memory devices are required to be secured. A chain-of-custody log is required to be maintained that documents any access to or transfer of each memory device. These procedures are intended to protect against malicious breaches to electronic voting equipment components as well as provide transparency of justifiable access.

The memory device should remain in the machine and a tamper-evident seal should be used to secure the compartment that houses the memory device. Each tamper-evident seal should contain a unique serial number and that number should be recorded on the Inspectors' statement along with other voting equipment security-related information. Verification of the serial numbers should take place before the polls open in the morning and after the close of polls. It is also recommended that election workers verify this information at several other points on Election Day.

The purpose of these procedures is to ensure that the integrity of the memory device is not compromised from the conclusion of the public test until votes are tabulated after the close of polls. All incidents of access to the memory device must be documented on the Inspectors' Statement and each memory device should remain secured after the election.

Voting equipment is not connected to the internet and any modeming capability is disabled until the polls close and the machine is in a post-election setting.

Post-Election Audit of Voting Equipment

Wisconsin Statutes require a post-election audit of the performance of each voting system used in the State of Wisconsin. The audit is designed to assess how electronic voting systems performed on Election Day through a hand-count of electronically tallied ballots. The audit is required following each General Election.

WEC staff selects at least 100 reporting units at random after each General Election to be audited. A representative sample of reporting units that use each type of voting equipment is included in the selection process. The highest office on the ballot is included in the audited contests and three other statewide contests are drawn by lot.

During this process, two elections workers shall conduct an independent hand count of paper ballots and tally the results of the contests being audited. The individual tallies are compared to each other and any discrepancies are resolved before an agreed upon final hand-count tally total is determined. If the hand counts differ from each other, the paper records/ballots must be

recounted. The final hand-count tally total is then compared to the Election Night results tally tape and discrepancies are noted.

The audit is considered a public meeting and proper notice shall be posted or published at least 48 hours in advance. Each audit is required to be completed two weeks following the certification of the election by the Wisconsin Elections Commission (WEC) and a report on the outcome is prepared by Commission staff. Audit materials are submitted to the WEC for review and Commission staff may request that a vendor investigate and provide explanation for any unexplained differences between the voting equipment tally and the paper record tally.

Based upon the results of the audit, the WEC may, at its sole discretion, choose to re-test the voting system per WEC Chapter 7 of the Wisconsin Administrative Code. The test is a condition of continuing approval of the voting system and is designed to ensure that voting systems approved for use in Wisconsin continue to adhere to the terms of their certification.

Recommendations

1. Store voting equipment in a secure location between elections. Access to the storage location should be restricted to prevent unauthorized access to the equipment.
2. Conduct a logic and accuracy test, or “pre-lat,” before each election once voting equipment programming is complete. This verification will ensure that the voting equipment is programmed to tabulate votes accurately, able to properly read test ballots, and functioning according to state and federal certification standards. The “pre-lat” should be conducted prior to the public test so that any issues can be identified early in the process and addressed by Election Day.
3. Conduct a public test of each piece of voting equipment before each election. In accordance with state law, the public must be conducted and it should take place no earlier than 10 days prior to Election Day. The test deck used for the public test should contain vote totals for each candidate in a contest that differs so that votes transposed between candidates in a contest can be detected.
4. Secure the memory device in the voting equipment after the public test. The compartment on the machine where the memory device is housed should be sealed with a tamper-evident seal and the serial number from that seal should be recorded on the Inspectors’ Statement (EL-104).
5. Ensure that the Chief Election inspector verifies that the serial number on the temper-evident seal placed on the memory device compartment matches the number recorded on the Inspectors’ Statement both before the polls open and after the polls close. It is also recommended that these numbers be verified several other times on Election Day. Verifying these numbers multiple times on Election Day ensures that the memory device has not been tampered with during the time period from the end of the public test until the close of polls on Election Day.

6. Confirm that voting equipment is never connected to the internet while the polls are open. All voting equipment certified for use in Wisconsin has been tested to verify that each system will not connect to the internet until the machine is set to post-election mode.
7. Copy and maintain all data from each memory device after each election in accordance with the applicable record retention schedule. The device should be stored in a tamper-evident bag or container and stored in a secure location.

ELECTION NIGHT RESULTS

On Election Night, municipal clerks must report returns, by ward or reporting unit, to the county clerk no later than two hours after the votes are tabulated, and county clerks must post all returns, by ward or reporting unit, on a county website within two hours of receiving the returns. The Elections Commission must provide a link to those returns on its website. Wis. Stat. §§ 5.05(14)(c), 7.51(4)(c), 7.60(1). All unofficial election night results are posted only at the county level; the WEC will only post official results following certification. The nature of the decentralized unofficial election result process provides for additional layers of security due to the numerous individuals involved in the process.

County clerks use a variety of different tools and processes to gather and record unofficial results on election night. The type of voting equipment used in a municipality usually determines how results are reported to a county clerk. There is no uniform system to gather, compile and transmit results from the municipal clerk to the county clerk. Some municipalities submit results to the county clerk via modem. Other municipalities report results via telephone. Other municipalities submit vote counts on a spreadsheet or template via email to the county clerk. Some municipalities and counties enter unofficial results directly into the Elections Commission's Canvass Reporting System and use that system to create and post their election night reports.

Recommendations

1. Regardless of the method for receiving and compiling unofficial election night results, clerks must have adequate systems and procedures in place to receive and verify vote totals before posting the results to the public.
2. Counties should have written procedures for collecting reporting unit level election results from all municipalities after the polls close on Election Day. The procedures should include details on how results will be reported to the county should the regular process fail. Counties should have a list of contact numbers for all municipalities for election night. Problems reporting election night returns should be communicated promptly to the county and the Elections Commission if necessary.
3. Counties should have written procedures for posting reporting unit level election results for all offices on the ballot. These procedures should document a clear chain of responsibility involving more than one member of the County Clerk's staff to ensure election returns are accurate and reflect the returns received from the municipalities. The office should be sufficiently staffed to prevent delays in entering and posting data. Technical support staff responsible for the Internet site where results are posted should be available on election night.

4. Counties should also have written procedures for entering official election returns into the Elections Commission Canvass Reporting System (CRS). The procedures should document a clear chain of responsibility involving more than one member of the County Clerk's staff to ensure that election returns are entered into CRS accurately and reflect the returns received from the municipalities.
5. Counties should have written procedures for documenting the receipt of the election returns, polling place records and ballots from municipalities after the election.
6. Finally, municipalities and counties should have written procedures for the conduct of the local and county canvasses. The procedures should clearly delineate the tasks assigned to staff and members of the Board of Canvass and ensure that the returns from the municipalities, including poll lists, inspector statements, chain of custody documentation, official tally sheets and all ballots are inspected, reconciled and the official election results are properly documented.

At least one week prior to election night counties should confirm that the Elections Commission has the correct link to the county's election night reporting Internet Site. Counties that upload files from their voting equipment compilation software to CRS should provide test files to the Elections Commission prior to Election Day. Counties that hand enter results into the CRS should verify that the reporting units, contests and candidate information in CRS matches what is programmed in their voting equipment prior to election night, and report any discrepancies promptly to the Elections Commission.

If a municipality is unable to report results to the county within 2 hours after votes are tabulated, the municipality should notify the county of the problem and the county shall notify the Elections Commission. If a county encounters a problem posting returns on election night the county should notify the Elections Commission.

Tips for Contingency and Disaster Planning

The U.S. Election Assistance Commission has developed a series of helpful tips for election management in the event of disaster, natural or human-caused. This series provides tips and suggests best practices in the event of a disaster to help local election officials run secure and effective elections.

1. Identify possible disasters and create contingency scenarios. Carefully evaluate the types of “what ifs” that can occur, natural and human-caused. Consider both worst-case scenarios and situations that may have a lesser impact:
 - Evaluate every type of possible scenario in your jurisdiction and develop an action plan for each.
 - Consider disasters that are statewide, jurisdiction-wide or localized.
 - Meet with staff and prepare a list of at least five worst-case scenarios.
 - Evaluate less-severe situations that may have an impact on only a portion of your jurisdiction or office.
 - Determine the possible types of technology risks.
 - Include influenza or other pandemics that may affect poll workers or your staff.
 - Develop plans for poll worker shortages and long lines.
 - Consider human-caused disasters like fire, bomb threats, biological or chemical hazards, terrorist threats or serious administrative errors.
 - Develop a plan addressing locked polling places on Election Day.
 - Consider road closures or traffic congestion issues.

2. Make certain you create a comprehensive contingency plan. Review all statutes and regulations that apply to recovery and begin planning to:
 - Document a written chain of command for your office and for certain reporting procedures.
 - Designate an alternate meeting place for your staff in case of emergency.
 - Create a list of staff members living closest to the office in the event of severe weather.
 - Purchase emergency supplies for staff if an overnight stay may be required.
 - Develop and routinely practice emergency office evacuation for a variety of possible hazards.
 - Develop a communications network that includes staff, poll workers, emergency responders, voters and media.
 - Identify emergency communications methods least likely to be affected by a disaster (cell vs. landlines).
 - Institute emergency procedures training for poll workers that include evacuation plans for a variety of hazards.
 - Contact state and local emergency management offices for assistance in developing your plan.
 - Create a list of emergency contact telephone numbers including state officials, local emergency responders, utility companies and media outlets.

- Bookmark national and local weather alert systems and road condition sites on your computers.
 - Develop a plan to protect or relocate your voting equipment and peripherals.
 - Work with your voting equipment vendor to create an emergency replacement plan.
 - Institute polling place procedures to protect voting equipment when fire sprinklers are deployed.
 - Contact your highway department to plan for impassible roads, both before and after the polls have opened/closed.
 - Communicate with the state's Emergency Management Office for assistance in planning for human-caused disasters, such as bomb threats, biological or hazardous waste threats, as well as natural disasters.
 - Work with your jurisdiction's IT Department to plan for technology failure and institute recovery plans.
 - Meet with postal officials to develop a mitigation plan for impact on time-critical mail.
 - Create a disaster recovery and mitigation team to address each type of identified emergency.
 - Contact your local power company in writing and request that they delay any planned repairs or construction during voting.
3. Have a plan for communication failures. Addressing communication failures is an important part of any disaster and contingency plan:
- Develop a jurisdiction-wide communications plan.
 - Consider providing cell phones or EMS radios to staff and poll workers on Election Day.
 - Develop an interagency plan with your IT, Public Works and Emergency Management Departments to ensure they place a high priority on elections.
 - Develop plans for power outages affecting either large or small areas in your jurisdiction.
 - Consider back-up generators to support your communications or voting systems.
 - Assign an IT Department staff member to manage hardware and software issues.
4. Develop a contingency plan for relocating polling places. Prior to each election, identify alternate polling places in case relocation becomes necessary:
- Create a list of all alternate polling locations with contact names and numbers.
 - Develop a specific plan for emergency relocation or polling place consolidation due to weather conditions.
 - Prepare a method for notifying voters and media of the change.
 - Pre-print directional signage that lists the original polling location and the relocated polling place.
 - Consider parking and traffic control issues for the new location.
 - Develop a plan to secure voting systems, ballots and supplies during relocation.
 - Provide local law enforcement with the names and addresses of polling places and alternate relocation sites.

- Consider using in-person absentee voting locations as emergency polling locations.
 - Distribute all information on alternate polling locations to election observers.
5. Be sure to plan for staffing shortages. Staffing shortages can be a disaster, depending on the severity and the locations where they occur. Develop plans to address shortages at the polls, as well as those that affect your main office:
- Recruit standby poll workers who will appear at your office for deployment or can be reached by telephone.
 - Recruit standby poll workers from government offices, civic organizations, high schools, colleges or universities.
 - Seek additional funding, if necessary, to pay standby poll workers for their service, even if they are not deployed.
 - Require your standby poll workers to attend training and instruct them on emergency procedures.
 - Provide standby poll workers with addresses and driving directions to both regular and emergency alternate polling places.
 - Encourage all poll workers and staff to get an influenza vaccination prior to Election Day.
 - Remember to recruit and train standby interpreters if they are used in your jurisdiction.
 - Cross train staff so they are prepared for emergency staff shortages.
 - Develop a set of easy-to-use checklists as a back-up in the event key personnel are not available.
6. Have a plan for ballot shortages, supply shortages or technology failures. While natural disasters can interrupt the smooth flow of voting, human-caused administrative errors can also affect elections. During your planning process, consider the types of supply shortages that can have an impact on your election:
- Train your poll workers to carefully inspect ballots and supplies at the beginning of the day.
 - Provide a checklist of all items to be inspected.
 - Supply poll workers with the cell phone numbers of troubleshooters who can provide missing or extra supplies.
 - Train poll workers on who to contact to correct minor voting system problems.
 - Create a contact list so poll workers can contact clerk's staff.
 - Develop a plan and train your poll workers on how to respond to power supply interruptions.
 - Inform local utility companies about the dates and locations of polling places for early voting and Election Day.
 - Work with your IT department on a plan for office or vote tabulation center relocation.
 - Create a list of emergency contact numbers for voting equipment vendors, the Internet supplier and power and telephone utilities.

- Use historical data on the busiest days for early voting and provide to law enforcement for traffic control.
- Ensure the availability of copying machines at all polling places.
- Create a kit of emergency supplies such as flashlights, first-aid kit, battery operated radios, extra batteries and hand sanitizers.
- Retain troubleshooter logs for use in planning future elections.

Sample Emergency Scenarios

Worldwide Terrorism Event

In the event of terrorist activity, the Federal Government may have a preliminary plan in place for moving activities of election days. All elections will continue unless Federal or State officials have ordered otherwise. If there is no police order to take cover or remain indoors, all operations of the polling places can remain intact. If you are notified to evacuate the polling place, secure ballots and voting equipment.

Active Shooter

Active shooter situations are unpredictable and evolve quickly. Because active shooter situations are often over within 10 – 15 minutes, before law enforcement arrives on the scene, individuals must be prepared both mentally and physically to deal with an active shooter situation. U.S. Homeland Security recommends these best practices coping with an active shooter situation:

- Be aware of your environment and any possible dangers.
- Take note of the two nearest exits in any facility you visit.
- If you are in an office, stay there and secure the door.
- If you are in a hallway, get into a room and secure the door.
- As a last resort, attempt to take the active shooter down. When the shooter is in close range and you cannot flee, your chance of survival is much greater if you try to incapacitate him/her.
- DIAL 9-1-1 WHEN IT IS SAFE TO DO SO!

Workplace Violence

Be aware of the possibility of an incident occurring at your voting location:

- All threats of violence must be taken seriously.
- Report any threats to the Chief Inspector to make a determination as to the next course of action.
- For any situation that involves an immediate threat of violence, an Inspector should notify local law enforcement. Dial 9-1-1.
- In the event of a confrontation, do not panic.
- Do exactly what you are told – no more and no less. Do not do anything to surprise the individual.

Fire or Fire Alarms

A fire in or near the polling place on an Election Day can severely hamper the operations and procedures necessary to carry out the election process. It is expected that fire department personnel will respond to fire calls as needed without interrupting the activities of the election; unless the polling place is the location of the fire or is near enough to another structure to make the evacuation a necessity. In the event that a fire or fire alarm has disturbed the activities of the polling place, the following steps can help to effectively continue election processes.

- Stay Calm and Dial 9-1-1.
- The evacuation and safety of human life is the first concern. Inform any voters at your location of the safety evacuation route.
- Secure ballots and voting equipment.

- Proceed to the designated assembly location.
- Take a head count and note any missing people. Report any missing people to emergency personnel.
- Stay in the designated area until you are directed to do otherwise.
- Do not attempt to re-enter the building until advised by emergency personnel.
- Do not speak to the media – refer them to emergency personnel.
- Receive all of your information from emergency personnel.

Tornado/Severe Weather

During inclement weather, the Fire Department and Police Department will be kept apprised of the severity to alert the clerk of possible situations that require action.

- If a natural disaster such as a tornado warning occurs, which requires inspectors and voters to take cover, all unvoted ballots and poll lists will be secured by the Chief Inspector. The Voting Equipment/Ballot Box can remain unplugged and locked. No ballots will be allowed in the Voting Equipment/Ballot Box and no unvoted ballots will be issued. When regular business resumes, the Chief Inspector should note the time from beginning to end on the Inspectors' Statement.
- If a tornado is reported or seen in the immediate area, seek shelter immediately in a secure location. This location should be designated ahead of time and be known to all inspectors. If time does not allow you to evacuate to a safe location, find shelter under a heavy object such as a table and protect your head.
- Do not stop for personal belongings, ballots or election equipment.
- Take a head count. Try to remain calm and quiet during the waiting period.
- If the building is struck by a tornado, remain in your location until it is safe to evacuate.
- Stay away from sources of power, power lines, phone lines, gas lines and windows.
- Once you are clear of the area, do not re-enter the building without clearance from emergency personnel.

Threatening Phone Call/Bomb Threat/Suspicious Object

If you have received a written threat, suspicious parcel, or if you find a suspicious object on the premises:

- Keep anyone from handling it or going near it. The object may be dangerous. In addition, preservation of evidence is important for law enforcement.
- Stay calm and dial 9-1-1.
- Promptly write down everything you can remember about receiving the verbal or written threat, parcel, or suspicious object.

Hazardous Leaks or Spills

Many polling locations are located near railroad crossings or major roads. Hazardous substances are transported daily. A leak or a spill is a possibility and a concern.

- If you are the first person to identify a hazardous leak or spill, dial 9-1-1 to report the situation.
- The Fire Department and County Emergency Government will be the emergency personnel to assess the situation.
- Remain at the polling place unless otherwise notified by emergency personnel. Close the doors and windows if the hazardous leak or spill is outside of your facility.
- Secure ballots and voting equipment if necessary.

Power Outage

Voting equipment contains power supply backups that will continue to operate in the event of a power outage for approximately 3 – 4 hours. Turn off the voting equipment and have voters deposit their ballots in the equipment's auxiliary compartment. Note the time of the power outage on the Inspectors' Statement and contact the clerk immediately. Maintenance personnel should deliver flashlights and any other supplies needed. When the power is restored, turn the voting equipment back on and process any voted ballots in the auxiliary compartment through the equipment. If power is not restored before the end of the Election Day, secure all of the voted ballots in a ballot bag and bring all of the election supplies to the Alternate Location. Ballots will be processed at the Alternate Location.

In the event of a long-term power outage, a change of venue will be required. If there is a municipality-wide power outage, ballot should be secured with the Inspectors at the polling location until 8:00 p.m. If a power outage should occur:

- Remain calm.
- Provide assistance to visitors and staff in your immediate area.
- If you are in an area that does not have windows, proceed with caution to an area with emergency lighting.
- The tabulator prom pack will retain all data in its memory and can be restarted after a power outage.

Medical Emergencies

If you observe a staff member or visitor who appears to be seriously ill or injured:

- Dial 9-1-1 immediately. Give the operator the location and type of emergency.
- Unless it is a life-threatening emergency, do not render first aid until a qualified individual arrives.
- Do not offer to move a person who has fallen
- Try to obtain from the injured person his/her name, phone number, address, date of birth and a brief description of what happened.
- Avoid unnecessary conversation with, or about, the ill or injured person.
- Report any employee injury to the clerk.

Change of Polling Location

When it has been determined by the Clerk, Deputy Clerk, Chief Inspector or emergency personnel that a polling place needs to be moved to effectively respond to a disaster of any kind, the following process should be followed:

- The Inspectors will assist in packing up all voting equipment, ballots, poll lists, registration materials and all election forms and information that needs to be relocated, such as notices and signs.
- The Clerk, with Police escort, will report to the polling location to facilitate the move.
- All Inspectors will assist the Clerk in moving the election materials to the transport vehicle(s).
- The voting equipment/ballot box(es) will remain locked at all times.
- The voting equipment/ballot box(es) will be escorted to a municipal vehicle for moving. A police officer will remain in view of the voting equipment/ballot box(es) at all times and take it to the Alternate Location. At this location, the polling place will be set up as normal.
- All unvoted ballots should remain in the presence of the Chief Inspector and at least one other inspector during the change of location.
- A sign should be posted on the front entry doors at the original location designating the new polling place. If possible, a notice should be placed on the Public Access Channel, or the local radio for directing voters to the new location.
- Inspectors should note the change of location on the Inspectors' Statement.

Staffing and Training

Ensuring that polling locations have adequate numbers of trained chief inspectors and poll workers on Election Day – particularly in high turnout elections – is critical to the smooth operation of the polling place and

- Efforts should be made to have alternate chief inspectors (required a resolution of the governing body) and back-up poll workers, who are trained and knowledgeable about Election Day procedures on call in the event of illness, emergency or a higher than anticipated voter turnout.
- Regular and proper training for chief inspectors is a crucial starting point for ensuring the smooth and competent handling of both normal and extraordinary Election Day events.
- Clerks must document the training taken by chief inspectors and poll workers to ensure compliance with state training requirements. Documentation should include the term, names, dates and number of hours for each of their chief inspectors and poll workers.
- Training should cover procedures to allow poll workers to properly operate and troubleshoot problems on the voting equipment, including the accessible voting equipment. Poll workers should be able to turn on the equipment, clear paper jams, calibration problems and the ability to answer questions about how the equipment operates. Clerks should provide poll workers with additional contact information if more complex issues arise.
- Clerks should share contingency plans with poll workers during pre-election training sessions.
- Clerks should arrange to have poll workers visit the polling location prior to Election Day and are familiar with the building evacuations and shelter procedures.

- Clerks should purchase or download the most recent version of the Election Day Manual and have it available at the polling place for reference. The Manual contains a form to list emergency contact numbers. Clerks should ensure this section is accurately filled in and election inspectors are aware of the information.
- Election inspector training should instill the importance of accurate, detailed recordkeeping and all irregular activities should be recorded on the EL-104, Inspectors' Statement.

Conclusion

Each municipality should have an emergency response plan. The plan should be updated frequently as needed. These plans should, at a minimum, provide the normal operating procedures for the municipality for election-related processes, especially for procedures that are specific to the municipality and, if necessary, specific to the polling place.

The plan should provide appropriate responses to the most common emergency scenarios and emergency contact information. Plans should include evacuation and emergency shelter locations specific to each polling place. Contact numbers for local emergency response such as police and fire in addition to the polling location's building maintenance personnel (if applicable) and the municipal clerk (including cell phone if possible) should be provided.

Plans should detail the proper handling procedure for securing unmarked ballots, election equipment and ballot boxes, and polling lists in an emergency situation. Responsibility for materials should be assigned prior to the commencement of Election Day.

Arrangements for alternate polling locations should be established prior to Election Day in the event of a permanent evacuation. Reasonable effort should be made to ensure accessibility and proximity to the original polling place. The procedure for adjournment to the alternate site is prescribed under §7.37(1), Wis. Stat.

Municipalities and counties should have plans and written procedures for securing voting equipment and collecting unofficial results. All users of state computer systems should adhere to WEC security guidelines and recommendations.

Thorough planning for all contingencies may seem to be a daunting and time-consuming task, but developing and practicing at least some basic plans can make the difference between disruption or chaos on Election Day and a successful response which enable the election to continue. Even the exercise of planning itself is a valuable tool for identifying and addressing potential concerns and areas for improvement.

Attachment A

Relevant Statutes

§5.05 Elections commission; powers and duties (1) GENERAL AUTHORITY. The elections commission shall have the responsibility for the administration of chs. 5 to 10 and 12 and other laws relating to elections and election campaigns, other than laws relating to campaign financing. Pursuant to such responsibility, the commission may:

(3d) ADMINISTRATOR The commission shall appoint an administrator in the manner provided under s. 15.61 (1) (b). The administrator shall be outside the classified service. The administrator shall appoint such other personnel as he or she requires to carry out the duties of the commission and may designate a commission employee to serve as the commission's legal counsel. The administrator shall perform such duties as the commission assigns to him or her in the administration of chs. 5 to 10 and 12.

(3g) CHIEF ELECTION OFFICER. The commission administrator shall serve as the chief election officer of this state.

(14) (c) On election night the commission shall provide a link on its Internet site to the posting of each county's election returns on each county's Internet site.

§5.84 Testing of equipment; requirements for programs and ballots.

(1) Where any municipality employs an electronic voting system which utilizes automatic tabulating equipment, either at the polling place or at a central counting location, the municipal clerk shall, on any day not more than 10 days prior to the election day on which the equipment is to be utilized, have the equipment tested to ascertain that it will correctly count the votes cast for all offices and on all measures. Public notice of the time and place of the test shall be given by the clerk at least 48 hours prior to the test by publication of a class 1 notice under ch. 985 in one or more newspapers published within the municipality if a newspaper is published therein, otherwise in a newspaper of general circulation therein. The test shall be open to the public. The test shall be conducted by processing a preaudited group of ballots so marked as to record a predetermined number of valid votes for each candidate and on each referendum. The test shall include for each office one or more ballots which have votes in excess of the number allowed by law and, for a partisan primary election, one or more ballots which have votes cast for candidates of more than one recognized political party, in order to test the ability of the automatic tabulating equipment to reject such votes. If any error is detected, the municipal clerk shall ascertain the cause and correct the error. The clerk shall make an errorless count before the automatic tabulating equipment is approved by the clerk for use in the election.

(2) Before beginning the ballot count at each polling place or at the central counting location, the election officials shall witness a test of the automatic tabulating equipment by engaging the printing mechanism and securing a printed result showing a zero count for every candidate and referendum. After the completion of the count, the ballots and programs used shall be sealed and retained under the custody of the municipal clerk in a secure location.

§5.91 Requisites for approval of ballots, devices and equipment. No ballot, voting device, automatic tabulating equipment, or related equipment and materials to be used in an electronic voting system may be utilized in this state unless it is certified by the commission. The commission may revoke its certification of any ballot, device, equipment, or materials at any time for cause. The commission may certify any such voting device, automatic tabulating equipment, or related equipment or materials regardless of whether any such item is approved by the federal election assistance commission, but the commission may not certify any ballot, device, equipment, or material to be used in an electronic voting system unless it fulfills the following requirements:

(1) It enables an elector to vote in secrecy and to select the party for which an elector will vote in secrecy at a partisan primary election.

(3) Except in primary elections, it enables an elector to vote for a ticket selected in part from the nominees of one party, and in part from the nominees of other parties, and in part from independent candidates and in part of candidates whose names are written in by the elector.

(4) It enables an elector to vote for a ticket of his or her own selection for any person for any office for whom he or she may desire to vote whenever write-in votes are permitted.

(5) It accommodates all referenda to be submitted to the electors in the form provided by law.

(6) The voting device or machine permits an elector in a primary election to vote for the candidates of the recognized political party of his or her choice, and the automatic tabulating equipment or machine rejects any ballot on which votes are cast in the primary of more than one recognized political party, except where a party designation is made or where an elector casts write-in votes for candidates of more than one party on a ballot that is distributed to the elector.

(7) It permits an elector to vote at an election for all persons and offices for whom and for which the elector is lawfully entitled to vote; to vote for as many persons for an office as the elector is entitled to vote for; to vote for or against any question upon which the elector is entitled to vote; and it rejects all choices recorded on a ballot for an office or a measure if the number of choices exceeds the number which an elector is entitled to vote for on such office or on such measure, except where an elector casts excess write-in votes upon a ballot that is distributed to the elector.

(8) It permits an elector, at a presidential or gubernatorial election, by one action to vote for the candidates of a party for president and vice president or for governor and lieutenant governor, respectively.

(9) It prevents an elector from voting for the same person more than once for the same office, except where an elector casts excess write-in votes upon a ballot that is distributed to the elector.

(10) It is suitably designed for the purpose used, of durable construction, and is usable safely,

securely, efficiently and accurately in the conduct of elections and counting of ballots.

(11) It records correctly and counts accurately every vote properly cast and maintains a cumulative tally of the total votes cast that is retrievable in the event of a power outage, evacuation or malfunction so that the records of votes cast prior to the time that the problem occurs is preserved.

(12) It minimizes the possibility of disenfranchisement of electors as the result of failure to understand the method of operation or utilization or malfunction of the ballot, voting device, automatic tabulating equipment or related equipment or materials.

(13) The automatic tabulating equipment authorized for use in connection with the system includes a mechanism which makes the operator aware of whether the equipment is malfunctioning in such a way that an inaccurate tabulation of the votes could be obtained.

(14) It does not employ any mechanism by which a ballot is punched or punctured to record the votes cast by an elector.

(15) It permits an elector to privately verify the votes selected by the elector before casting his or her ballot.

(16) It provides an elector with the opportunity to change his or her votes and to correct any error or to obtain a replacement for a spoiled ballot prior to casting his or her ballot.

(17) Unless the ballot is counted at a central counting location, it includes a mechanism for notifying an elector who attempts to cast an excess number of votes for a single office that his or her votes for that office will not be counted, and provides the elector with an opportunity to correct his or her ballot or to receive and cast a replacement ballot.

(18) If the device consists of an electronic voting machine, it generates a complete, permanent paper record showing all votes cast by each elector, that is verifiable by the elector, by either visual or nonvisual means as appropriate, before the elector leaves the voting area, and that enables a manual count or recount of each vote cast by the elector.

6.36 Official registration list.

(1) (a) The commission shall compile and maintain electronically an official registration list. The list shall contain all of the following:

1. The name and address of each registered elector in the state.
2. The elector's date of birth.
3. The ward and aldermanic district of the elector, if any.
4. For each elector, a unique registration identification number assigned by the commission.
5. The number of a valid operator's license issued to the elector under ch. 343, if any, or the last 4 digits of the elector's social security account number, if any.
6. Any identification serial number issued to the elector under s. 6.47 (3).
7. The date of any election in which the elector votes.
8. An indication of whether the elector is an overseas elector, as defined in s. 6.24 (1).

9. Any information relating to the elector that appears on the current list transmitted to the commission by the department of corrections under s. 301.03 (20m).
10. An indication of any accommodation required under s. 5.25 (4) (a) to permit voting by the elector.
11. An indication of the method by which the elector's registration form was received.
12. An indication of whether the elector was required under s. 6.34 to provide proof of residence and, if so, the type of identifying document submitted as proof of residence, the name of the entity or institution that issued the identifying document, and, if the identifying document included a number that applies only to the individual holding that document, up to the last 4 digits of that number. If the number on the identifying document submitted by the elector had 6 or fewer digits, the list under this paragraph may not contain more than the last 2 digits of that number.
13. A separate column indicating the date on which an elector applied to vote by in-person absentee ballot.
14. Separate columns indicating the date on which the clerk mailed an absentee ballot to an elector and the date on which the elector returned the absentee ballot.
15. A separate column indicating the polling location associated with each elector's address and ward or aldermanic district, if any.
16. A separate column indicating the mailing address for the municipal clerk associated with each polling location identified under subd. 15.

(b)

1. The list shall be open to public inspection under s. 19.35 (1) and shall be electronically accessible by any person, except that:
 - a. Except as provided in pars. (ae), (bm), and (bn), no person other than an employee of the commission, a county clerk, a deputy county clerk, an executive director of a county board of election commissioners, a deputy designated by the executive director, a municipal clerk, a deputy municipal clerk, an executive director of a city board of election commissioners, or a deputy designated by the executive director may view the date of birth, operator's license number, or social security account number of an elector, the address of an elector to whom an identification serial number is issued under s. 6.47 (3), or any indication of an accommodation required under s. 5.25 (4) (a) to permit voting by an elector.
 - b. No person other than an employee of the board [commission], a municipal clerk, or an election official who is authorized by a municipal clerk may make a change in the list.
2. The list shall be electronically accessible by name and shall also be accessible in alphabetical order of the electors' names for the entire state and for each county, municipality, ward, and combination of wards authorized under s. 5.15 (6) (b).

(c) The list shall be designed in such a way that the municipal clerk or board of election commissioners of any municipality and any election official who is authorized by the clerk or executive director of the board of election commissioners may, by electronic transmission, add entries to or change entries on the list for any elector who resides in, or who the list identifies as residing in, that municipality and no other municipality.

(f) The commission shall make all reasonable efforts to ensure that the list is maintained in a manner that precludes unauthorized persons from making alterations to the list.

§6.96 Voting procedure for electors voting pursuant to federal court order. Whenever any elector is allowed to vote at a polling place pursuant to a federal court order after the closing time provided under s. 6.78, the inspectors shall, before giving the elector a ballot, write on the back of the ballot the notation “s. 6.96.” If voting machines are used in the municipality where the elector is voting, the elector's vote may be received only upon an absentee ballot furnished by the municipal clerk which shall have the notation “s. 6.96” written on the back of the ballot by the inspectors before the ballot is given to the elector. When receiving the elector's ballot, the inspectors shall provide the elector with the written voting information prescribed by the commission under s. 7.08 (8). The inspectors shall indicate on the list the fact that the elector is voting pursuant to a federal court order. The inspectors shall then deposit the ballot. The ballot shall be counted under s. 5.85 or 7.51 unless the order is vacated. If the order is vacated after the ballot is counted, the appropriate board or boards of canvassers or the chairperson of the board or his or her designee shall reopen the canvass to discount any ballots that were counted pursuant to the vacated order and adjust the statements, certifications, and determinations accordingly.

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

§7.51 (4) (c) On election night the municipalities shall report the returns, by ward or reporting unit, to the county clerk no later than 2 hours after the votes are tabulated.

§7.60 (1) KEEP OFFICE OPEN. On election night the county clerk shall keep the clerk's office open to receive reports from the ward inspectors and shall post all returns. On election night the clerks shall post all returns, by ward or reporting unit, on an Internet site maintained by the county no later than 2 hours after receiving the returns.

§7.37 Inspectors' Duties (1) ADJOURN TO ANOTHER LOCATION

Whenever it becomes impossible or inconvenient to hold an election at the designated location, the inspectors, after assembling at or as near the designated polling place as practicable and before receiving any votes, may adjourn to the nearest convenient place for holding the election. The inspectors shall make a proclamation of the move and a law enforcement officer or other proper person designated by the municipal clerk shall be stationed at or as near as possible to the place where the adjournment was made, to notify all electors of the place to which the election adjourned. At the new location the inspectors shall immediately proceed with the election.

CHAPTER 323 EMERGENCY MANAGEMENT

§323.01 Declaration of policy. (1) To prepare the state and its subdivisions to cope with emergencies resulting from a disaster, or the imminent threat of a disaster, it is declared to be necessary to establish an organization for emergency management, conferring upon the governor

and others specified powers and duties provided by this chapter.

(2) Unless otherwise specified by law the role of any state agency, including the department of military affairs and the division, in an emergency declared under this chapter, is to assist local units of government and local law enforcement agencies in responding to a disaster or the imminent threat of disaster.

§323.10 Declaration by governor. The governor may issue an executive order declaring a state of emergency for the state or any portion of the state if he or she determines that an emergency resulting from a disaster or the imminent threat of disaster exists. If the governor determines that a public health emergency exists, he or she may issue an executive order declaring a state of emergency related to public health for the state or any portion of the state and may designate the department of health services as the lead state agency to respond to that emergency. If the governor determines that the emergency is related to computer or telecommunication systems, he or she may designate the department of administration as the lead agency to respond to that emergency. A state of emergency shall not exceed 60 days, unless the state of emergency is extended by joint resolution of the legislature. A copy of the executive order shall be filed with the secretary of state. The executive order may be revoked at the discretion of either the governor by executive order or the legislature by joint resolution.

§323.12 Governor; duties and powers; out-of-state assistance.

(1) ONGOING DUTIES. The governor shall do all the following:

(c) Determine responsibilities of state departments and independent agencies in respect to emergency management and by order direct such departments and agencies in utilizing personnel, facilities, supplies and equipment before and during a state of emergency.

Attachment B

ELECTION DAY CONTACTS

****COMPLETE THIS SECTION BEFORE ELECTION DAY****

OFFICE OF THE MUNICIPAL CLERK

Phone: _____

POLICE/SHERIFF/LAW ENFORCEMENT

Phone: _____

BUILDING MAINTENANCE

Phone: _____

OFFICE OF THE COUNTY CLERK

Phone: _____

OTHER:

Phone: _____

OTHER:

Phone: _____

WISCONSIN ELECTIONS
COMMISSION

Telephone: (608) 261-2028

Email: elections@wisconsin.gov

Website: elections.wi.gov