



Wisconsin Elections Commission News

212 E. Washington Ave., Third Floor ▪ Madison, WI 53703 ▪ elections@wi.gov ▪ (608) 266-8005 ▪ elections.wi.gov

FOR IMMEDIATE RELEASE:
January 21, 2020

FOR MORE INFORMATION, CONTACT:
Reid.Magney@wi.gov, 608-267-7887

Three Decisions Issued in Milwaukee City and County Ballot Cases

MADISON, WI – The Wisconsin Elections Commission today announced three decisions affecting candidates for the 2020 Spring Primary and Spring Election.

The decisions approved by WEC Chair Dean Knudson state that a Milwaukee mayoral candidate and two Milwaukee County executive candidates will not be on the ballot for the primary or spring election. Affected candidates may appeal the decisions to circuit court within 30 days of today's decisions.

Below are brief synopses of today's decisions, which are attached to this news release. The decisions contain detailed summaries of the cases and explain the WEC's reasoning.

David King – Candidate for Milwaukee Mayor

David D. King filed a verified complaint with the WEC appealing the decision of the City of Milwaukee Election Commission (CMEC) to deny King ballot access for the 2020 Spring Election as a candidate for Mayor. The Commission reviewed the complaint and supporting documentation as well as the verified response of the CMEC filed by Executive Director Neil Albrecht.

The WEC finds that King filed 1,497 valid signatures with the CMEC, three signatures short of the required minimum number to achieve ballot access. As a result, King's name shall not appear on the ballot for the office of Mayor at the 2020 Spring Primary or Spring Election.

Bryan Kennedy – Candidate for Milwaukee County Executive

Theodore Lipscomb, Sr. filed a verified complaint with the Commission appealing the decision of the Milwaukee County Election Commission (MCEC) to approve ballot access for Candidate Bryan Kennedy for the 2020 Spring Election as a candidate for County Executive. The WEC reviewed the complaint and supporting documentation as well as the response of the MCEC filed by Milwaukee County Clerk George Christenson and Elections Director Julietta Henry.

The WEC finds that the Milwaukee County Election Commission did not comply with the election laws when it accepted signatures on nomination papers for Candidate Bryan Kennedy which were collected by circulators who had previously collected signatures for Candidate Crowley in violation of Wis. Stat. § 8.04. The WEC finds that § 8.04 is unambiguous and is to be construed as a mandatory regulation of the circulation process. The WEC finds that 844 signatures submitted by Candidate Kennedy shall be stricken as invalid, resulting in a total of 1,840 valid signatures, which is less than the 2,000 valid signatures required to obtain ballot status. The WEC decision letter states that Bryan Kennedy's name shall not appear on the ballot for the Office of County Executive at the 2020 Spring Primary or Spring Election.

Jim Sullivan – Candidate for Milwaukee County Executive

Theodore Lipscomb, Sr. has filed a verified complaint with the Commission appealing the decision of the Milwaukee County Election Commission (MCEC) to approve ballot access for Candidate Jim Sullivan for the 2020 Spring Election as a candidate for County Executive. The Commission has reviewed the complaint and supporting documentation as well as the response of the MCEC filed by Milwaukee County Clerk George Christenson and Elections Director Julietta Henry.

WEC finds that the Milwaukee County Election Commission did not comply with the election laws when it accepted signatures on nomination papers for Candidate Jim Sullivan, which were collected by circulators who had previously collected signatures for Candidate Crowley, in violation of Wis. Stat. § 8.04. The WEC finds that § 8.04 is unambiguous and is to be construed as a mandatory regulation of the circulation process.

The WEC finds that 1,001 signatures submitted by Candidate Sullivan shall be stricken as invalid, resulting in a total of 1,449 valid signatures, which is less than the 2,000 valid signatures required to obtain ballot status. The Commission's decision letter states that Jim Sullivan's name shall not appear on the ballot for the Office of County Executive at the 2020 Spring Primary or Spring Election.

Background

When candidates or other parties disagree with the decision of a local filing officer (such as a municipal or county clerk or a city or county elections commission), they may file a complaint with the WEC asking for a review of that decision. State law (Wis. Stat. §§ 5.05(1)(e) and 5.06(6)) gives the WEC authority to consider the submissions of parties to a complaint, and to issue findings and decision.

When the WEC receives complaints, the respondents may file responses, after which staff reviews the case and makes recommendations to the agency administrator, Meagan Wolfe, who is Wisconsin's chief elections official. Wolfe then issues the decision in consultation with Commission Chair Knudson. The Commission Chair may call a special meeting of the full WEC to discuss proposed orders but declined to do so in these cases.

Other Cases

The WEC is also considering complaints regarding ballot access for candidates in the cities of Oconomowoc and Superior. They will be released as soon as they are final.

More information about the complaint process is available on the WEC website:
<https://elections.wi.gov/node/1369>.

###

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 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.