

Challenge Documentation

(Inspector should attach this form to the Inspectors' Statement (EL-104))

Name and Address of **Challenged** Elector:

Challenged Elector Voter number _____ (Fill in only if Part D is completed)
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Identifying Challenge Participants

Name of Inspector Administering Challenge Process _____

1. Person Challenging Elector who is Present at the Polling Place

(Check the box that applies and provide the information requested.)

Inspector (Who Is a Qualified Elector) *Making Challenge to an Elector who is Present*

Name of Challenging Inspector _____ (Proceed to Part A.)

or

Name and Address of **Elector** *Making Challenge to an Elector who is Present*

_____ (Proceed to Part A.)

2. Person Challenging Elector who is not Present at the Polling Place

(Check the box that applies and provide the information requested.)

Inspector (Who Is a Qualified Elector) *Making Challenge to an Elector who is not Present*

Name of Challenging Inspector _____ (Complete Parts A & E.)

or

Name and Address of **Elector** *Making Challenge to an Elector who is not Present*

_____ (Complete Parts A & E.)

(signature of *challenging* elector)

(signature of *challenged* elector)

Part A. Challenger

(Indicate the challenger's answers to your questions by checking "Yes" or "No." Provide any other information requested.)

1. Oath (or Affirmation) of Truthfulness given by the inspector to the challenger:

"Do you solemnly swear (or affirm) that you will fully and truly answer all questions put to you regarding the challenged person's place of residence and qualifications as an elector of this election."

Yes No

If "Yes," proceed with the challenge process. If "No," see the end of this section*.

2. Inspector asks the challenger if they are a qualified elector of Wisconsin. (Only an elector may challenge.)

Yes No

If "Yes," proceed with the challenge process. If "No," see the end of this section*.

3. Challenger gives the reason(s) for challenge using the following criteria that applies to the person being challenged:

The person is not a citizen of the United States.

The person is not at least 18 years of age.

The person has not resided in the election district for at least 28 consecutive days.

The person has a felony conviction and has not been restored to civil rights.

The person has been adjudicated incompetent.

The person has voted previously in the same election.

Only election inspectors can challenge for the following reasons:

- The person who requested a replacement absentee ballot is not the person who originally requested the ballot.
- The person claims to have a physical disability that prevents them from signing the poll book, but *both* inspectors did not agree.
- The person does not adhere to the following voting requirement (specify alleged violation below):

4. Inspector asks the following question(s) of the challenger which are appropriate to determine the qualifications of the challenged elector:
- Why do you believe that the challenged elector is not a United States citizen?
 - Why do you believe that the challenged elector is not at least 18 years of age?
 - Why do you believe that the challenged elector has not, for at least the 28 consecutive days before this election, resided in, or been a resident of, the ward or election district from which he or she seeks to vote?
 - For which of the following reasons, and why, do you believe the challenged elector is currently disqualified from voting:
 - A felony conviction for which the challenged elector is still serving probation or is on parole or extended supervision?
 - A judge's ruling that he or she is incapable of voting?
 - Having made a bet or wager on this election?
 - Having voted previously in this election?

(Inspector challenge only):

- Why do you believe that the challenged elector, who requested a replacement absentee ballot, is not the person who requested the original ballot?
- Why do you believe that the challenged elector is not unable to sign the poll book due to a physical disability?
- Why do you believe this person does not meet the specified voting requirement?

Record Challenger's Answer(s):

*If the challenger refuses to take the oath (or affirmation) of truthfulness, is not a qualified elector of Wisconsin, refuses to give a valid reason for challenge, or refuses to provide information to support the challenge; the challenge process is terminated and *the elector is allowed to vote*.

OTHERWISE:

5. *Proceed to Part B.*

Part B. Challenged Elector

(Indicate the challenged elector's answers to your questions by checking "Yes" or "No.")

1. Oath (or Affirmation) of Truthfulness given by the inspector to the challenged elector:
"Do you solemnly swear (or affirm) that you will fully and truly answer all questions put to you regarding your place of residence and qualifications as an elector of this election."
- Yes No

If "Yes," proceed with challenge process. If "No," see end of this section*.

2. Inspector asks the challenged elector the following questions which are appropriate to test the person's qualifications based on the cause for the challenge:

Are you a United States citizen? Yes No

Are you at least 18 years of age? Yes No

For at least the 28 consecutive days before this election, have you resided in, or been a resident of, the ward or election district from which you seek to vote? Yes No

Are you currently disqualified from voting for any of the following reasons?

A felony conviction for which you are still serving probation or are on parole or extended supervision? Yes No

A judge's ruling that you are incapable of voting? Yes No

Having made a bet or wager on this election? Yes No

Having voted previously in this election? Yes No

(Inspector challenges only):

Are you unable to sign the poll book due to a physical disability? Yes No

Record Challenged Elector's Explanation, if any:

*If the challenged elector refuses to take the oath (or affirmation) of truthfulness, refuses to answer any of the questions in Part B, or the answers given indicate that the challenged elector does not meet voting eligibility requirements; *the challenged elector is not given a ballot*. Indicate the reason for not issuing a ballot to the challenged elector in the box at the bottom of Page 4.

OTHERWISE:

3. *Proceed to Part C.*

Part C. Opportunity to Withdraw Challenge

(Indicate the challenger's answer by checking "Yes" or "No.")

Does challenger withdraw the challenge?

Yes (Challenge process is terminated, and elector is given a ballot.) No (*Proceed to part D.*)

Part D. Oath (or Affirmation) of Eligibility

(Indicate the answers to your questions by checking "Yes" or "No.")

1. Inspector administers Oath (or Affirmation) of Eligibility to the challenged elector:

"Do you solemnly swear (or affirm) that: you are at least 18 year of age; you are a citizen of the United States; you are now and for 28 consecutive days have been a resident of this ward except under Wis. Stat. § 6.02(2); you have not voted at this election; you have not made any bet or wager or become directly or indirectly interested in any bet or wager depending upon the result of this election; you are not on any other ground disqualified to vote at this election."

Yes No

If "Yes," proceed with 2.

If "No," see end of this section*.

2. If the challenged elector answered "Yes" to question number 1, the challenged elector is given a ballot. **Before issuing the ballot to the challenged elector, the inspectors must:**

Write the voter number of the challenged elector and "Section 6.95" on the back of the ballot.

Write the voter number on the front of this form and on the voter list.

Indicate the reason for the challenge on the voter list.

*If challenged elector refuses to take the oath (or affirmation) of eligibility or refuses to register (where required), the elector may not be given a ballot. Indicate reason for not issuing a ballot to a challenged elector in the box at the bottom of Page 4.

Part E. For Challenged Absentee Elector Only

(Indicate that the following procedures have been accomplished by checking the box next to each procedure.)

Before depositing absentee ballot of the challenged elector in ballot box, inspectors must

- Write the voter number of the challenged elector and “Section 6.95” on the back of the ballot,
 - Write the voter number on the front of this form and on the voter list,
 - Indicate the reason for the challenge on the voter list.
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When Ballot Is NOT Issued to a Challenged Elector

(Indicate the reason for not issuing a ballot to a challenged elector by checking the appropriate box.)

- The challenged elector refused to take the oath or affirmation of eligibility under Part D.
- The challenged elector refused to answer fully any relevant questions put to him or her by the inspector under Part B.
- The answers to the questions given by the challenged elector indicate that they do not meet the voting qualification requirements of Wis. Stat. §§ 6.02 and 6.03. Reason: _____)