

**STATE OF WISCONSIN
ELECTIONS COMMISSION**

COMPLAINT FORM

Please provide the following information about yourself:

Anne E. Atherton

Name

1195 N. Lost Woods Road, Oconomowoc, WI 53066

Address

262-347-1204

Telephone Number

aeatherton@gmail.com (but due to TBI disabilities, I do not check Email regularly)

E-mail

State of Wisconsin

Before the Elections Commission

Anne E. Atherton

The Complaint of

Complainant(s) against

Village of Summit polling location & those in charge, particularly poll worker Diana Sobehand(?)

Respondent, whose

Village of Summit, Wisconsin Town Hall

address is

See attached Affidavit

This complaint is under (Insert the applicable sections of law in chs. 5 to 10 and 12 and other laws relating to elections and election campaigns, other than laws relating to campaign financing)

Anne E. Atherton

I, allege that:

I filled out an informal Complaint earlier on 8/11/2020 on the WEC website & defer to the

details contained in it as factual as to my personal experience voting in the Village of

Summit. This electronic form does not provide me with enough space to elaborate my concerns.

Therefore, please refer to my attached, notarized Affidavit with Exhibit A for details.

(Set forth in detail the facts that establish probable cause to believe that a violation has occurred. Be as specific as possible as it relates to dates, times, and individuals involved. Also provide the names of individuals who may have information related to the complaint. Use as many separate pages as needed and attach copies of any supporting documentation.)

Date: 8/18/2020 Anne E. Atherton
Complainant's Signature

I, Anne E. Atherton, being first duly sworn, on oath, state that I personally read the above complaint, and that the above allegations are true based on my personal knowledge and, as to those stated on information and belief, I believe them to be true.

Anne E. Atherton
Complainant's Signature

STATE OF WISCONSIN
Waukesha

County of _____
(county of notarization)

Sworn to before me this 18 day of
August, 2020.



[Signature]
(Signature of person authorized to administer oaths)

My commission expires 2/27/22, or is permanent.

Notary Public or _____
(official title if not notary)

Please send this completed form to:

Mail: Wisconsin Elections Commission
P.O. Box 7984
Madison, WI 53707-7984

Fax: (608) 267-0500

Email: elections@wi.gov

AFFIDAVIT OF ANNE E. ATHERTON

I, Anne E. Atherton, Complainant against the Village of Summit, Wisconsin polling location & those in charge of it (particularly, according to a 8/13/2020 phone conversation with Village of Summit Clerk Debra Clark: Diane Sobehand ?), Respondent(s), whose address is 1195 N. Lost Woods Road, Oconomowoc in the Village of Summit.

This complaint is under (I do not have an attorney at this time so I do not know the applicable sections of law in chs. 5 to 10 and 12 and other laws relating to elections and election campaigns, other than laws relating to campaign financing).

I am a resident of Wisconsin and a registered voter who lives with several visible & invisible disabilities after 18 surgeries/procedures & other injuries that impede my mobility and/or standing in line for a sustained length of time. Due to these disabilities, I am also unable to abide by the Wisconsin Governor's "mandate" of wearing a facial mask because it could result in dizziness, instability of gait & risk of falling on my titanium total shoulder replacement and/or repeat bumping of my head (TBI).

I do know that wearing a face mask poses a physical risk to me and under the Americans with Disability Act (ADA), I am not required to disclose my conditions. However, I am willing to do so here because of the amount of ADA obstacles I encountered while attempting to place my vote in the Wisconsin election of August 11, 2020.

I wish to bring these ADA obstacles & voting irregularities to the attention of the Wisconsin Elections Commission (WEC) and my Representative Cindy Duchow, as well as others who may advocate for my ADA voting rights and the rights of other Wisconsin residents like me who live with either visible or invisible ADA disabilities and/or handicaps with regards to in person voting at polling locations.

One of my invisible injuries is a traumatic brain injury (TBI) sustained over 10 years ago that took me out of the workforce. I am voluntarily disclosing this to the WEC because it is relevant to this Affidavit and my inability to recall events due to ongoing short-term memory disability, especially with sequencing (recall exactly which way things occur). Therefore, I hereby request that the Wisconsin Elections

Anne E. Atherton: AEA Date: 8/18/2020

Commission investigate the information in the informal Claim that I filed online directly from my cell phone on August 11, 2020.

I was surprised that I did not appear to receive any email verification that it was received, nor do I have access to what I typed at the time. However, I hereby testify that the information in the original informal Claim was accurate to the best of my memory in light of the traumatizing event that I encountered during the voting process on Tuesday, August 11, 2020.

I am also requesting that the WEC check to see if the event was captured on video (between 9 a.m. and 9:30 a.m. on 8/11/2020) by the Village of Summit Police Department in order to properly investigate the behavior of the poll worker(s) who harassed me and barred my entry into the voting room area where the ballot tabulation machine was located because, as I was told, I was not wearing a mask and the other poll workers wearing masks and behind plexiglass had to be "protect[ed]" from me.

After I walked into the usual voting room with voting inspectors where I usually vote and where the ballot tabulating machine was located, I was stopped by a poll worker (Debra Sobehand?) who told me I had to go back out into the lobby to the ONE voting booth they had there in order to vote because I was not wearing a mask and she had to "protect" the other poll workers.

She indicated that only people with masks on can enter the regular voting area (which was essentially empty of voters but had plenty of people who could have helped me) where I have regularly voted without harassment or concerns in each election since I moved to the Village of Summit in 2015.

I told her (at some point in the sequence of events) that I had a doctor's note exempting me from wearing a mask that I would be happy to show her. She put up her hand at me and said she didn't need to see it. I went to sit down in the lobby because there was another person (also not wearing a mask) in the ONE voting booth in the lobby and I didn't know how long I could stand without pain.

I questioned the highly irregular practice and asked her about how what she was doing by barring me from entering the voting room where the ballot tabulator machine (behind a blind wall visible from the lobby) was "legal". She pointed to a

Anne E. Atherton: AEA Date: 8/18/2020

clipboard that had a sheet of paper on it entitled "Curbside Voting Wis. Stat. SS682(1)", as if that gave her the authority to do it. I requested a copy of the document (attached hereto as "Exhibit A") on the clipboard in her hand but did not read it at the time because I was so shaken by the unfolding events.

I did continue to challenge her (if my memory serves me correctly several days later while typing this) and mentioned that barring me from the voting room with the inspectors and ballot tabulator machine seemed to me like a Jim Crowe tactic of voter suppression. After all, I said, don't masks and plexiglass work? No response.

I observed the previous unmasked voter leave the booth and hand her completed ballot to one of the poll workers, who then took the ballot from the voter and walked it into the usual voting room with the ballot tabulator machine behind a blind wall not visible to the lobby. I do not know if the ballot was entered into the machine or tampered with because she went through a side room and then into the large room where the ballot tabulation machine was located.

I chose to remain seated to complete my ballot because of my ADA mobility issues and the harassment. This provided me with lack of privacy but I was determined to vote and place my ballot in the machine itself without possible obstruction or destruction of my ballot by a poll worker who clearly discriminates against those not willing or able (for ADA reasons) to wear a mask.

After filling out my ballot, I offered to wear a mask so I could walk into the blind wall room where the ballot tabulation machine was located and place my own ballot directly into the machine. A different poll worker (Clerk Debra Michael?) told me that wasn't necessary and I could walk into the room without a mask and place my ballot into the machine myself, which I did.

I left the voting poll location in a state of disbelief and shock.

Once I returned home, I read the Curbside Voting copy given to me (See Exhibit A) and was fairly shocked to learn that I was placed into Curbside Voting without my consent or request.

Anne E. Atherton: AEA Date: 8/18/2020

As the document reads, "Election Inspector to announce at check in table: 'An Elector has requested a curbside ballot. We are going to view the voter's photo ID.'" **I NEVER "requested" a curbside ballot.** I was escorted to the lobby which is NOT in earshot of the check-in table or inspectors so I do not know if this was said or not.

I was unaware that my "curbside ballot" was "issued a voter number which is recorded in Badger books and the signature box is filled in with "ballot received at poll entrance -- EXEMPT. Record incident on the inspectors' statement. **I have no idea if any of this occurred because I was sitting behind a blind wall with zero access of the voting room & inspectors.**

"Two election inspectors deliver the ballot to the curbside voter in a **privacy sleeve.**" I do not believe my ballot had any type of privacy sleeve whatsoever. I recall thinking the ballot handed to me lacked privacy. I filled out the ballot in the open seated area due to standing/mobility issues.

The rest of Exhibit A states:

"Two election inspectors return with voted ballot to polling place and announce: "We have a ballot offered by (state voter's name), an elector who, is unable to enter the polling place." **I WAS ABLE TO ENTER THE POLLING PLACE BUT WAS FORBIDDEN FROM DOING SO.** "Does anyone object to the reception of this ballot?" If no objections: deposit ballot into DS200 machine & make sure that it is properly read by machine. As a courtesy, let the voter know that the ballot was accepted." This did not happen.

I was so shaken by how I was treated by Diane Sobehand(?) as if I wasn't allowed to vote and other irregularities that when I left the polling location that I decided to call the Wisconsin Elections Commission and spoke to Election Specialist Robert Williams. I described what happened to me and was surprised to hear that we could vote without masks. He indicated he would call the Clerk to advise them of proper procedures. I don't know if he did or not.

Anne E. Atherton: AEA Date: 8/18/2020

I was shocked that this practice was allowed at my local voting location. I had voted in the April 2020 election without any harassment or obstruction. As an ADA voter, I have grave concerns about what was allowed to happen to me in the Village of Summit.

If the November 2020 Presidential Election only has ONE voting booth in the lobby for ADA voters (or the elderly), it will create exceptionally long lines that ADA and elderly voters will not be able to navigate. If they see a long line out the doorway, this could cause them to give up without attempting to vote due to mobility issues.

Based on what I witnessed at the polling location during the election on August 11, 2020 in the Village of Summit, Wisconsin, I am extremely concerned that Americans with invisible & visible disabilities (ADA), as well as the Elderly population vote is at severe risk of becoming disenfranchised.

I hereby request an investigation into the concerns listed in this Affidavit, as well as the original online Complaint that I sent and any video available. I am also requesting discretion/privacy with regard to HIPPA related items listed in this Affidavit.

Anne E. Atherton: AEA Date: 8/18/2020

Finally, I am requesting written verification of this Affidavit as well as a summary of the outcome of the requested investigation.

I sincerely hope that training for future elections such as the important November 3, 2020 is changed so that no other resident of the State of Wisconsin is treated as I was on Tuesday, August 11, 2020. Thank you.

Date: 8/18/2020 Complainant's Signature: Anne E. Atherton

I, Anne E. Atherton, being first duly sworn, on oath, state that I personally read the above complaint/Affidavit, and that the above allegations are true to the best of my knowledge (and memory) and, as to those state on information and believe, I believe them to be true.

Complainant's Signature: Anne E. Atherton

STATE OF WISCONSIN

County of Waukesha (county of notarization)

Sworn to before me this 18 day of August, 2020

[Signature]

(Signature of person authorized to administer oaths)



My commission expires 2/27/22, or is permanent.

Notary Public _____ (official title if not notary)

Please send this completed form to:

Mail: Wisconsin Elections Commission P.O. Box 7984 Madison, WI 53707-7984 Fax: (608) 267-0500

Email: elections@wi.gov

EL -1100 | Rev 2016-08 | Wisconsin Elections Commission, 212 E. Washington Ave., 3rd Floor, P.O. Box 7984, Madison, WI 53707-7984 | 608-261-2028 | web: elections.wi.gov | email: elections@wi.gov |

Anne E. Atherton: AEA Date: 8/18/2020

CURBSIDE VOTING Wis. Stat. §6.82(1)

ELECTION INSPECTOR TO ANNOUNCE AT CHECK IN TABLE:

"AN ELECTOR HAS REQUESTED A CURBSIDE BALLOT. WE ARE GOING TO VIEW THE VOTER'S PHOTO ID"

TWO ELECTION INSPECTORS GO TO THE VEHICLE (OR LOBBY AREA) & SPEAK TO THE ELECTOR. ASK THE ELECTOR IF THEY ARE UNABLE OR TO ENTER THE POLLING PLACE, IF THEY STATE YES, THEN ASK FOR ACCEPTABLE PHOTO ID. INSPECTORS DETERMINE IF THE VOTER MAY VOTE A REGULAR OR PROVISIONAL BALLOT.

ELECTION INSPECTORS RETURN TO VOTING AREA & ANNOUNCE THEY ARE ISSUING A BALLOT TO THE VOTER.

THE VOTER IS ISSUED A VOTER NUMBER WHICH IS RECORDED IN BADGER BOOKS AND THE SIGNATURE BOX IS FILLED IN WITH "BALLOT RECEIVED AT POLL ENTRANCE - EXEMPT". RECORD INCIDENT ON THE INSPECTORS' STATEMENT.

TWO ELECTION INSPECTORS DELIVER THE BALLOT TO THE CURBSIDE VOTER IN A PRIVACY SLEEVE.

TWO ELECTION INSPECTORS RETURN WITH VOTED BALLOT TO POLLING PLACE AND ANNOUNCE:

"WE HAVE A BALLOT OFFERED BY (STATE VOTER'S NAME), AN ELECTOR WHO, IS UNABLE TO ENTER THE POLLING PLACE. DOES ANYONE OBJECT TO THE RECEPTION OF THIS BALLOT?" IF NO OBJECTIONS: DEPOSIT BALLOT INTO DS200 MACHINE & MAKE SURE THAT IT IS PROPERLY READ BY MACHINE.

AS A COURTESY, LET THE VOTER KNOW THAT THE BALLOT WAS ACCEPTED.

Exhibit A



Fax Cover Sheet

Date 8/18/2020

Number of pages 9 (including cover page)

To:

From:

Name WI Elections Commission Name Anne E. Atherton

Company Governor

Company N/A

Telephone ?

Telephone (262) 349-1204

Fax (608) 267-0500

Comments Immediate Action Requested.

7 90363 00711 1
Fax - Local Send

7 90363 00714 2
Fax - Domestic Send

7 90363 00720 3
Fax - International Send

fedex.com 1.800.GoFedEx 1.800.463.3339