



Wisconsin Elections Commission

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DATE: August 14, 2020
TO: All Wisconsin Election Officials
FROM: Meagan Wolfe, Administrator
SUBJECT: True the Vote Public Records Requests

Wisconsin county and municipal election officials have reported receiving at least one public records request from the True the Vote organization. We are aware of two sets of questions True the Vote has been circulating as public records requests: one that mostly focuses on voting equipment files and information and one that requests information on poll worker training, staffing and procedures.

WEC has contacted True the Vote in an attempt to clarify several aspects of these requests, including the specific election they are requesting files and materials from and to determine where WEC may be able to provide universal responses on behalf of all recipients. Below is some basic information for clerks to use when developing a response to each of these requests. We will update this guidance when we receive more information from True the Vote.

General:

- Each municipality or county that receives the request will have to determine if they have records responsive to the requests.
- Some of the items are more questions rather than specific records requests, so it is possible that no records exist for those questions.
- Wisconsin public records law does not require a records custodian to create records to answer a public records request, so if you don't have a document that answers a question you do not need to create one.
- As with all public records requests that your municipality or county receives, you should consult with your own municipal attorney or corporation counsel to ensure you are responding to the request appropriately and in compliance with the state's public records law.

“Electronic Election Tabulation Information” Questions:

- You may need to work with your voting equipment vendor to determine which files you can make available from your system.
- There may be some files whose release should be restricted due to cybersecurity concerns. Consult with your voting equipment vendor prior to fulfilling any of these requests.

“Election Worker and Process Information” Questions:

- Several of these questions may be answered by providing reference to Wisconsin state statute or WEC reference materials such as the Election Day and Election Administration manuals.
- Questions 10 – 12 on the list are not applicable to how elections are administered in Wisconsin. State law does not require voter signatures on absentee ballots to be compared to previous signatures on file for the voter.

Please contact us at (608)261-2028 or elections@wi.gov with any questions you may have.

Wisconsin Elections Commissioners

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