

Government Accountability Board

State of Wisconsin

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State of Wisconsin to Conduct Voter Record Maintenance

MADISON, WI – The Government Accountability Board’s Elections Division will be mailing postcards in mid-April to approximately 310,000 Wisconsin registered voters who have not voted in the past four years.

Kevin J. Kennedy, director and general counsel of the G.A.B., said the agency will again be printing and mailing the postcards on behalf of Wisconsin’s municipal clerks, who are required by state law to conduct voter list maintenance after each General Election. “This is an official mailing, and voters can be assured it is not a scam or identity theft scheme,” Kennedy said.

The postcard is titled “Notice of Suspension,” and asks voters if they wish to remain active in the Statewide Voter Registration System (SVRS). Voters have one month to contact their municipal clerk with a return postcard to maintain their active status on the voter list. Voters who do not respond to the postcard, or whose postcard is returned as undeliverable by the Post Office, will be marked as inactive on the voter list.

“This mailing is not designed to keep any active voter’s name off the poll list,” said Elections Division Administrator Michael Haas. “Rather, its purpose is to help Wisconsin maintain accurate and quality voter data, and make sure every voter’s name and address is correct and current, and to remove voters that no longer wish to vote.”

State law directs municipal clerks to send this notice to voters within 90 days of the November General Election, a deadline the G.A.B. is not able to meet. In response to concerns voiced recently by members of the Legislature, G.A.B. Chair Timothy L. Vocke asked the staff whether it would be possible to send the postcards earlier than mid-April.

Haas explained that the agency staff originally decided to wait until April to mail the postcards for these reasons:

- Because of state procurement rules, the G.A.B. staff requires at least six weeks between the date clerks complete entering voter histories from the November General Election and the mailing of postcards (two weeks for bidding, four weeks for printing).
- Many clerks were not able to finish updating voter histories until recently. Both Waukesha and La Crosse counties had special elections after November, which further delayed their data entry, and other clerks were late for various reasons.

- Had the postcards gone out by the statutory deadline with incomplete data, approximately 10,000 people who actually voted in November would have received erroneous suspension notices.
- Erroneously printing and mailing postcards to 10,000 voters who voted in November would be a waste of taxpayer resources.
- If postcards went out after all clerks finished their work but right before the Spring Election in April, past experience shows that would cause significant confusion among voters as it did in the past.
- Having the voter list in flux right before the election could cause problems for municipal clerks when they print their poll lists, leaving validly registered voters off the rolls and potentially disenfranchising them for the Spring Election.

“In 2007 the Legislative Audit Bureau found that many municipalities were not regularly maintaining their voter lists as required by state law,” Kennedy said. “After consulting with clerks, the G.A.B. stepped in and took responsibility for printing and mailing to make sure that voter lists are accurate.”

“We were unable to comply with the 90-day statutory deadline in 2009, and mailed 313,205 postcards on February 20 of that year, which caused great confusion,” Kennedy continued. “Many people who had voted in November 2008 mistakenly received suspension notification postcards because some clerks had not finished updating their records. In fact, the agency had to respond to inquiries from public officials, such as Congressman Ryan expressing concern that one of his constituents mistakenly received a suspension notice due to a clerk’s delay entering voter participation information in SVRS. Unfortunately, state law does not give the G.A.B. any means to force municipal clerks to comply with voter list maintenance deadlines. Clerks work very hard to meet the statutory timelines, but they all have staffing, budgetary, and other issues that impact their ability to timely complete voter participation data entry.”

“In addition, many people mistook the 2009 postcards as a scam, and the G.A.B. was criticized for not informing the public about the postcards in advance,” Kennedy said. “As we did in 2011, we are issuing this news release to assure the citizens that this is not a scam. Recipients are not asked divulge personal information.”

“Because of those problems in 2009, we mailed the next batch of voter list maintenance postcards in late April 2011 and sent a memo to the Governor and every member of the Legislature,” Kennedy said. “This year, we wanted to have clerks conduct the four-year maintenance, but decided to continue our practice based on specific requests from the clerks. This important issue is currently being discussed by our Clerk Concerns Committee. Given the publicity which surrounded this process after the last two general elections, and the regular updates we provided to our Board and the public, the possibility that the G.A.B. might conduct the mailing again and do so in April was not a secret.”

“Under the current system, suspension notice postcards now go out a little later, but the job gets done in a way that does not create chaos for voters or disrupt preparation of poll lists, and also preserves the rights of legally registered voters to cast ballots in spring elections,” Kennedy said.

“Had we to do it over again, we would have engaged this year’s Legislature in this process earlier to ensure it was fully-informed about statutory issues with the four-year list maintenance process, but we did not anticipate such a strong reaction to using the same process we used in 2011,” Kennedy said. “We would also have sought changes in state law to codify the current system and to make the deadlines more realistic and reflective of state procurement rules. Unfortunately, the Board’s legislative agenda has taken a back seat due to recalls, recounts, more recalls and preparations for the 2012 elections.”

“Contrary to claims raised by members of the Legislature, the delay in mailing four-year maintenance postcards caused by the G.A.B.’s involvement does not pose a threat to Wisconsin’s voter registration system,” Kennedy said. “The G.A.B.’s assistance to clerks helps ensure this important work gets done.”

Year	2009	2011
Postcards Sent	313,205	240,226
Returned Undeliverable	181,936	52,418
Returned Requesting Continuation	14,856	14,636
Not Returned	116,413	173, 451
Voters Inactivated	289,349	225,869

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The Government Accountability Board is responsible for administration and enforcement of campaign finance, elections, ethics and lobbying laws in Wisconsin. The board is made up of six non-partisan, former judges and is supported by an agency of non-partisan staff members. Additional information about the mission of the Government Accountability Board is available by telephone at **608-266-8005**, by email at **gab@wi.gov**, or online at **<http://gab.wi.gov>**.