

STATE SENATOR KATHY BERNIER
TWENTY-THIRD SENATE DISTRICT



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March 26, 2020

Dear Wisconsin Election Commission,

I am writing to file an official complaint regarding the decision made by election officials in Dane County, Milwaukee County, and other jurisdictions in the State of Wisconsin to ignore the procedures and definitions when determining whether an elector is an indefinitely confined voter. If different processes and procedures are to be incorporated in the electoral process due to a state emergency, that decision can and should be made by the Wisconsin Election Commission, not a county or municipal clerk.

I do not disagree, that this is one of those times. I recognize the COVID-19 has caused anxiety for many older Americans and we must be fluid when administering our April 7th election. This includes, but is not limited to, special considerations for poll workers and safety measures for early voting and Election Day activity.

With that said, safeguards can and should be incorporated into the process. For example: According to the CDC, if a citizen is 60 or older or has an immune deficiency, they should remain in their home. A statement to that effect should be made by the requester. Furthermore, the requester should already be a registered voter to be allowed to forgo the photo ID requirement. Additionally, the indefinitely confined form, if not already on file, should only be used for this election and cannot be renewed.

I am asking the Wisconsin Election Commission to order these local clerks to follow the laws covering indefinitely confined voters as currently written unless the Commission votes to make temporary changes to the procedures in place in response to the current state health emergency. Please do NOT allow local clerks, county clerks or a local election commissions to make decision that will disenfranchise electors in other areas of the state!

Sincerely,

A handwritten signature in black ink that reads "Kathy Bernier".

KATHY BERNIER

State Senator

23rd Senate District

Chair of the Senate Committee on Elections, Ethics and Rural Issues