



Wisconsin Elections Commission

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Testimony of Administrator Meagan Wolfe and Technology Director Robert Kehoe Wisconsin Elections Commission

Assembly Committee on Campaigns and Elections

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Informational hearing

Representative Brandtjen and members of the Assembly Committee on Campaigns and Elections,

I'm Meagan Wolfe, the administrator of the Wisconsin Elections Commission. Thank you for inviting us to present today. We hope to provide a useful overview of the state's voter registration system and data practices. We also look forward to answering any questions Committee members may have following our presentation.

It has been more than a year since the 2020 presidential election, and the Elections Commission, lawmakers, and others continue to receive and respond to questions and concerns about how our elections are run. It has become one of our primary responsibilities to answer these questions, investigate when there are concerns, and inform the public and lawmakers about our state's complex elections systems.

We're grateful to this Committee for giving us the opportunity to answer some of the questions people have about Wisconsin elections, and to also clarify some of the more complicated and easily misunderstood aspects of elections administration in Wisconsin. We'll focus on WisVote, our home-grown voter database, so that people can understand how WisVote helps Wisconsin conduct accurate, secure elections that generate data for public availability and accountability.

A lot of concerns about the November 2020 presidential election are based on assumptions that lack a full understanding of election policies, laws, and technologies.

Other concerns expressed to this Committee have alleged startling claims of fraud without providing adequate evidence.

When these concerns are brought to our attention, we investigate them. This includes many of the questions, concerns, and claims that have been brought before this Committee. Nearly all of these concerns can easily be explained and understood once placed in the context of how our elections system works. We are prepared today to answer your questions about specific claims and look forward to that conversation. We also think that the Committee would benefit from an overview of the fundamentals of how our systems were built, secured, and maintained.

Many of the questions raised have simple answers, but also require background information before we can have a meaningful discussion. We look forward to providing that today.

Wisconsin Elections Commissioners

Ann S. Jacobs, chair | Marge Bostelmann | Julie M. Glancey | Dean Knudson | Robert Spindell | Mark L. Thomsen

Administrator
Meagan Wolfe

I also want to invite Committee members to come to us when you have questions about WisVote or any other part of election administration in our state.

I'll now hand it off to our technology director, Rob Kehoe, who will present on our WisVote system. Following his remarks, we'd both be happy to answer any questions you may have.

Testimony of Robert Kehoe

Good morning and thank you for the opportunity to present before this Committee. My name is Robert Kehoe and I am the Technology Director for the Wisconsin Elections Commission. That job title means I am responsible for the small team of people that provide technical development, maintenance, training, and support to WisVote and WisVote users.

I don't have a background in state government or local government. Instead, I've spent most of my adult life working for the Army in one capacity or another. I started off in signal intelligence in Cold War era units called Combat Electronic Warfare Intelligence battalions. The only elections experience I gained as a soldier was helping to plan and execute the first democratic elections in Iraq. This occurred while I was serving as the Task Force Operations Officer for a Combined Arms Task Force responsible for roughly 900 square miles of territory sandwiched between Baghdad, Samarra, and Fallujah. Election security meant something else over there.

I joined the Wisconsin Elections Commission just prior to the 2018 General Election. I was not involved in development of the statewide system nor in any of the design decisions that led to its current structure. I'm not vested in the system's design and I'm happy to discuss both its strengths and its weaknesses.

We're always looking for ways to improve the system and there are certainly opportunities for improvement. I'm not offended by legitimate, informed criticism of the system.

My intent today is to speak a bit about the system called WisVote and to address some of the questions and concerns that people have raised about the system. I believe it is important to address questions and concerns in part to distinguish between genuine issues – worthy of our energy to address – and falsehoods that cause us to waste countless hours chasing ghosts. If we fail to make this distinction, then Wisconsin will have lost an opportunity to address real concerns while focusing on imaginary anxieties.

What is WisVote?

I'll start with a brief discussion of what WisVote is and, perhaps more importantly, what it is not.

WisVote is Wisconsin's comprehensive voter registration database and election management system. But what does that mean?

Starting with the word comprehensive, WisVote contains almost the entirety of Wisconsin's electronic voter registration and elections administration history. This is arguably its most powerful and useful function. When anyone asks, "what happened?" it is this feature that provides the answer.

WisVote also contains many functions and capabilities beyond simply maintaining voter registration data. Beyond voter history, WisVote's three major components are addressing, elections, and training.

- The addressing module is one of Wisconsin's most comprehensive geospatial information systems; allowing Wisconsin's county and local officials to precisely track innumerable boundaries, from Assembly districts to sanitary districts, and how millions of address datapoints fit within them.
- WisVote's election management module is a complete planning tool for over 1,800 municipal clerks; a system that allows them to plan elections, track deadlines, designate polling places, schedule poll workers, manage ballot styles, track absentee ballots, and organize contests and candidates.

- WisVote’s Training module is a complete repository to track and train election officials.

Finally, I refer to WisVote as a system because that’s what it is. WisVote is not a single piece of software or a single database. It most certainly doesn’t reside on a single computer.

WisVote is not Wisconsin’s voter rolls. It is not merely a list of voters and it is not a poll book, although it can generate poll books. This is an important distinction because we so often hear references to the voter rolls, a term that isn’t in Wisconsin statutes. What other states and nations call voter rolls, Wisconsin calls a poll book. Generating pollbooks is but a tiny fraction of WisVote’s functionality.

The distinction between a comprehensive election administration system and voter rolls is enormously significant. When people ask for “all” the voter data in WisVote, they’re asking for all of Wisconsin’s electoral history, going back well before the WEC, before the GAB, even before the existence of any state-maintained voter registration system.

When someone claims, in a public hearing before this committee, that there are 1.5 million illegal registrations and tens of thousands of “confirmed” fake voters, I sit up and pay attention. These are stunning claims, and they have my attention.

And then they throw an active voter record on the screen that says “Ambrose Aadventure” and I think that sure is unusual.

Is that one of the illegal registrations?

Is that a fake voter?

Why else would this voter record be on the screen?

I visited Wisconsin’s public circuit court records and I typed in the name. After about 30 seconds I found the court records of the gentleman legally changing his name. It turns out this is the legal name of a lawfully registered voter. A quick check in WisVote confirmed that this voter’s registration information matched DOT records, affirming that he has a valid Wisconsin driver’s license in the name Ambrose Aadventure.

In the end, it took me a few minutes on a public website to solve the case of Mr. Aadventure. That’s what due diligence looks like. No supercomputer required.

Of course, that’s just one record. There are allegedly 1,499,999 more records to consider. Given the opportunity, we will review each and every one. We examine every question or claim we receive, including each of the claims made at last week’s hearing. We can, after appropriate research, discuss any question or claim presented to the agency.

I’ll discuss a few in my comments. And of course, we’re happy to answer questions at the conclusion of this presentation.

WisVote contains an enormous quantity of data, but raw data without context isn’t very meaningful.

How was WisVote developed?

Anyone who voted in Wisconsin before 2005 was registered to vote before a state-wide system existed. I would hazard a guess that this applies to most of the people in the room today.

This means that we voted before registration was even required statewide. Only municipalities with a population over 5,000 people had to maintain a registration list at all. What data to retain, and how to retain it, was left up to individual clerks. Over 60 different types of software – including simple word processors – were used to keep registration data.

When the State Elections Board created Wisconsin's first statewide system, all legacy data from local jurisdictions was imported as-is. That is, the State Elections Board did not add, subtract, or modify any of the imported data. Voters who were lawfully registered to vote **before** the creation of a statewide system remained registered **after** creation of the statewide system.

That imported data included whatever registration numbering scheme each municipality used at the time. This includes some pretty odd schemes using letters and special characters.

When you find a funny looking registration number, there's a high likelihood the voter has been registered for 20 or more years. Even today, if these voters move and re-register, clerks may elect to merge the new record into the old, allowing the old registration number to remain active.

This has no effect on the voter's eligibility to cast a ballot, because registration numbers are not a requirement to vote in the United States.

The system we call WisVote only dates to 2016. The state was not satisfied with the performance or capabilities of prior systems and decided to create a new system that would be more user friendly and easier to develop and maintain over time. The WisVote user interface was constructed on Microsoft Dynamics software with custom displays and functions developed entirely in-house.

Just because the State of Wisconsin chose to create a new system does not mean we began with an empty database. Voters in earlier databases were imported into the new system. There simply was no legal basis for the agency to remove or otherwise alter existing voter records. As a result, all data from the prior system was carried over to the new system.

The practice of preserving data was established by the State Elections Board in 2005. It was maintained by the Government Accountability Board during its tenure and continues to be upheld by the Wisconsin Elections Commission. New data may be added but old information is never destroyed.

This of course means that we keep our mistakes for the world to see. In some cases, quite a lot of them. It also means that the number of old, inactive records in WisVote will grow over time.

Last week we heard the unusual claim that the statewide database only rarely shrinks. That's wrong, again. The database of Wisconsin's election history never shrinks. It only grows, and will continue to grow, just as the tax records in the Department of Revenue will continue to grow, and the driver's license records in the Department of Transportation will continue to grow.

Inactive are ineligible

The WEC keeps inactive records in WisVote because Wisconsin law requires it.¹ Under the statutes there are two statuses, "eligible" and "ineligible," that apply to individuals on the registration list. The change from eligible to ineligible status is repeatedly and explicitly referenced in the statutes.

No statute mentions any process for deleting an individual from the list, and therefore the WEC does not delete records. Within WisVote, the WEC uses the term "active" to refer to "eligible" voters and the term "inactive" to

¹ Section 6.36(1)(e) regarding changes to the registration list
Section 6.50(2) regarding failure to participate in an election for four years
Section 6.50(3) regarding a change in residence
Section 6.50(4) regarding deceased voters
Section 6.50(5) regarding condemned structures
Section 6.50(6) regarding municipal clerk powers
Section 6.50(7) regarding recording of ineligibility
Section 6.50(10) regarding the right to reregister
Section 6.55(2)(cs) regarding loss of voting rights due to a felony conviction
Section 6.56(3) regarding voter verification post cards
Section 6.56(4) regarding double voting

refer to ineligible voters. An individual being registered and entered into the WisVote system generates registration data, and every action taken involving that account generates more data in WisVote.

The second, but no less important reason to retain ineligible voter records is to safeguard against fraud.

The retention of voter history does not make it any easier to commit election fraud. It is no more difficult or easy to change a voter record than it is to create one from scratch. In fact, it is much harder.

Voters who wish to become registered again must re-register and a new record is created for them. Voters cannot simply “reactivate” their record and no mechanism exists for voters to do so.

We’ve heard people ask why not separate the active and inactive datasets. That’s a logical question for the layperson. The answer is that active and inactive records are separated. They’re separated by their designations in the system. This isn’t about physical separation. We can’t put active records on one floppy disk and inactive records on another. The system called WisVote is already distributed between more than fifty different servers and located in different Wisconsin cities.

Why then does a purchased copy of the statewide database include both active and inactive records? Because that’s what the customer asked for.

When a customer asks for all active and inactive records in the entire database, that’s what they will receive. Even if we put all the inactive records on a separate drive in a far away place, customers asking for the entire database would still receive both active and inactive records.

Clerks can reactivate records but must document their reasons for doing so. Furthermore, clerks and agency staff can only reactivate one record at a time. That’s a control implemented years ago to prevent accidental reactivations.

In the presentation last week, we repeatedly saw inactive records presented to apparently support claims that 1.5 million illegal registrations exist or that tens of thousands of fake voters exist. But not one inactive voter is registered to vote. They are, by definition, ineligible to vote and they do not appear on poll books. Put another way: inactive voter records are not on the voter rolls.

Who are these clerks and staff with WisVote access?

They are the owners of the voter data and, with few exceptions, manage their own jurisdiction’s voter records. They are not state employees and they do not report to the Wisconsin Elections Commission. To gain access to and learn their way around WisVote, there are a series of steps to navigate, starting with a request and authorization form. Even before any access is granted, we ask them to complete several agreements, finish security awareness training, and have remote monitoring on their systems. Only after completing these steps are they provided credentials and allowed access. Of course, many more hours of training are required to develop familiarity with the system and how it functions.

Checks and balances

Clerks of course are not the only election partners. The information contained in WisVote is regularly assessed in a variety of deliberate processes occurring before, during, and after each election. The Department of Corrections, Department of Health Services, and Department of Transportation all regularly provide the Elections Commission updates. For example, new or updated voter registrations, other than military and overseas voters, are checked daily against Department of Transportation records. Data mismatches are flagged and reported to local clerks for follow-up. The system accurately flags all mismatches whether they result from a typo or from a willful attempt to mislead.

The Electronic Registration Information Center (ERIC) consortium of 31 states also provides a considerable volume of information to help maintain accurate voter records. Through ERIC we receive information from 30

other states about voters who moved, voters who died, and voters who may have voted twice. Yes, ERIC also requires Wisconsin to contact eligible but unregistered voters with a postcard every other year. Meanwhile they're sending us information on deaths and duplicate registrations every month.

These checks can and do catch individuals violating election laws. Working with local officials and law enforcement, the WEC has identified and referred cases of double voting, cases of felons voting, and cases of inaccurate voter registrations.

Of course, the statewide system is not infallible.

For example, online voter registration checks with DOT are efficient at identifying bad data, but they cannot distinguish a residential address from a non-residential address. This is an instance where I think people have identified a real concern worthy of our attention.

We know that people sometimes register with a non-residential address such as a UPS store. Whether innocent or intentional, doing so violates the requirement that voters list the address where they actually reside. Wisconsin's system, however, only checks that the driver's license information supplied on their voter registration form matches DOT records. If the data matches then no further action occurs, and the registration is accepted.

This is a particularly challenging problem because there are certainly examples throughout Wisconsin where people may actually live in a shared space with a business, for example above a storefront. Moreover, small businesses change frequently so maintaining an accurate database of non-residential addresses would be nearly impossible. We are currently studying the feasibility of a feature that would allow clerks to flag addresses they know are not residential.

Data availability

Ordinary citizens can and do report these non-residential registrations, and other concerns, to the Elections Commission on a regular basis. They can do this because Wisconsin voter data is readily available and in the hands of thousands of regular people across Wisconsin.

I mention this to refute comments made last week that you need a "supercomputer" to read voter data or that "the voters of Wisconsin have never seen" the data. Both statements are incorrect.

The Wisconsin Elections Commission doesn't have a supercomputer. Any computer made in the last 20 years can read the database just fine.

The limiting factor is the size of the dataset and the software used to read it.

If you want to download and analyze the entire electronic voting history of the State of Wisconsin, then you need some specialized database software – not to mention a lot of money. But if you're looking at any jurisdiction smaller than a million residents then you can do it with Excel.

Likewise, looking at specific data sets costs a lot less than the entire history of the state. For example, if you want to download all the voters in Cottage Grove it'll cost you \$50. A larger jurisdiction like the City of Waukesha costs about \$200. While this is hardly cheap, candidates, campaigns, and citizens are still making over 1,000 purchases per year. This includes an average 20 copies of the complete \$12,500 database every single year for the last ten years.

So, lots of people have seen the whole database going back a decade. Finding out who has this information is a simple public records request. You'll find customers on both sides of the political aisle.

But I'd be the first to admit that \$12,500 is a lot of money. As was noted last week, the requirement to charge a fee is in statute and the rates applied are in the administrative code. Wisconsin's data is not cheap, but

Wisconsin is one of the few states to make the data readily available for near-instant downloads 24/7/365 on a public website.

Questions and Concerns

This brings us full circle back to the topic of claims about the statewide system, the agency, or elections generally.

The Wisconsin Elections Commission takes claims of fraud seriously and nearly every member of our modest staff has at some point researched allegations of wrongdoing. We investigate each specific allegation of wrongdoing within our statutory jurisdiction. These allegations tend to fall in two categories.

One category of claims comes from people who make spectacular, shocking claims but always offer to provide their evidence later. They ask rhetorical questions on social media or in hearings like this one, but they don't bother to ask the Wisconsin Elections Commission – or any election officials. Sometimes they provide snippets of data that fail even the most basic scrutiny. We can only examine and respond to the information we're provided.

For example, an earlier presentation to this committee alleged Somers, Wisconsin had 359 registered voters under an old street name of "4XX9 Outer Loop Road."

I'm not sure what he's claiming with this information. Perhaps he's claiming that 359 people are some of his 1.5 million illegal registrations. Perhaps he's claiming that 359 people are some of his tens of thousands of fake voters. Perhaps he's just claiming it's impossible for 359 people to reside at this location. I don't know because he wouldn't say.

In the case of the Outer Loop Road example, he provided just enough information that we could figure out the address because it turns out that Outer Loop Road is just 1.4 miles long and, as the name suggests, it's a loop.

It's a loop that's now called University Drive. It wraps around the UW-Parkside campus and is home to their residence halls. 4019 University Drive is the school's massive apartment complex, housing single, double, and quadruple bedroom units. It is then not at all surprising that 359 people may have registered with that address.

Here's an example where this time, we were provided an address. Again, there's the vague implication that something is amiss because hundreds of people are registered at 437 N. Frances Street.

But here it is. 437 North Frances Street is one of the largest apartment complexes in Madison. In fact, there are currently over 800 people registered to vote from this complex. And in case you're wondering, every one of them has an apartment number recorded too.

What about voter records? We can look at those too. Here's another vague claim that seems to imply that these registrations are illegal or perhaps fake. I'm not sure why else they would be presented in public.

These voters all share an address, share a phone number, and share some part of their names. They all registered around the same time – within a few minutes of each other. Is that strange? Some people think so.

I do not because these people all have different birthdates and different driver's license numbers. The average age difference in each pair is about 25 years. I have a hunch that these voters share a name and reside at the same house because they're related.

But some people are using these voters to support their claim that "tens of thousands" of fake voters were created to cast ballots in the 2020 General Election. Again, that's a shocking and frightening claim, still without one single example.

But even without a specific example we can examine the claim itself. I can ask, what would it take to perpetrate such a spectacular and massive fraud? What are the obstacles I'd face? Turns out there are a few.

First, WisVote records every transaction in the system. You can create new voters, or reactivate ineligible voters, but there will be a record of who performed the transaction and when.

Second, each online registration will automatically generate a notification to the jurisdiction where the voter was added. The local clerk's office would receive an electronic alert that a new record was created.

Third, each new registration (online or not) is automatically transmitted to the Department of Transportation and checked against their records. Only mismatches generate an alert to clerks, but the data transmission and the DOT checks themselves will create records.

Fourth, we need to get each record a ballot, so we have to create an absentee ballot request. That's another record in the system.

Fifth, each absentee ballot request has to have a photo ID associated with it. So you either have to use voter records that already have a photo ID on file, or you have to provide a photo ID. If you choose the second option the system retains an image of the ID, which must be reviewed and validated by the local clerk's office.

Sixth, your absentee ballot request just generated yet another alert to the local clerk's office because they're the ones that have to print, stuff, and mail the ballot. The state doesn't issue ballots in Wisconsin.

Seventh, your new absentee ballot is also associated with a USPS tracking code. If you receive the ballot by mail, there will be a record of its movement through the postal system.

Eighth, unique bar codes associated with the elector and the ballot are generated, recorded, and affixed to the ballot envelope. The location and manner of ballot delivery is recorded.

Ninth, the sealed ballot's return is electronically recorded, creating yet another record.

Tenth, the sealed ballot must be inspected for sufficiency and opened on Election Day in a designated polling place in view of any observers. And the name of each voter must be read aloud.

Someone might say, couldn't they do this illegally, behind closed doors somewhere? Okay, but your perpetrator still needs to keep that paper ballot because they'll need it later. They must also figure out how to make your vote totals match with the numbers submitted by poll workers.

Eleventh, the final disposition of the ballot is retained and recorded against the voter record. Did you decide to vote in person instead? You'll need a registration record and someone to sign the poll book record.

Twelfth, erase or otherwise block the participation record from appearing in MyVote Wisconsin because otherwise people could look up their own records.

Thirteenth, the paper ballot record is retained.

Fourteenth, the envelope the ballot came in is retained.

Fifteenth, the local records are subjected to a municipal canvass review.

Sixteenth, the records are subjected to a county canvass review.

Seventeenth, the records are subject to the state certification.

Eighteenth, tens of thousands of the records are subjected to a mandatory post-election audit.

Nineteenth, every jurisdiction in the state performs a reconciliation process to ensure election night counts match final reports.

Twentieth, the records were subject to an audit by the Legislative Audit Bureau.

Do you want to delete the entire record trail? Personally, I don't think it's possible.

At a minimum you would need the cooperation of nearly every staff member in the Wisconsin Elections Commission. You would need the cooperation of virtually every Wisconsin County Clerk and their elections staff, and you would need the cooperation of every municipal clerk – and their staff – for any municipality where this scenario occurs.

The statewide system, and its audit trail, is hosted by the Division of Enterprise Technology so you would need the cooperation of staff at DET, all the way to the top. You almost certainly need some local IT staff, too, because all this data is going to leave a trail. You would probably need to also secure the assistance of the United States Postal Service if you need to take care of the postal tracking data.

Finally, you'd have to hope that not one of Wisconsin's 3,400 WisVote's users, or tens of thousands of volunteer poll workers, or the janitor, notices any of this.

This is beyond fantasy. But don't take my word for it. Each of these processes is well documented and thousands of Wisconsin election officials and volunteers have performed them, long before I showed up a few years ago.

I promised I wouldn't go through each and every claim in this presentation so I will not. But we are happy to discuss any claims the Committee wishes to bring up in questions.

Real Issues, Real Solutions

I also said there were two categories of claims, so I should explain the second category. It consists of groups and individuals who come to us with questions and concerns about specific voters, records, or transactions. This category of claims comes from people who have expended the effort to collect, analyze, and present their evidence for consideration. More importantly, they're willing to share their findings publicly and ask questions.

For example, we recently worked with a group of conservative voters and the Fond du Lac County Sheriff's Department to investigate claims that convicted felons had participated in the 2020 General Election. The civic group, working independently with public data, had identified numerous people they thought might have voted as felons still serving their sentences. Agency staff, working with the Department of Corrections, were able to review each of the claims and ultimately confirm two of them as accurate. It turned out that each of these individuals had already been identified and referred for prosecution, but that doesn't diminish the efforts of this civic group and those like them, groups that share their findings and perform their due diligence before making public pronouncements.

Another example comes from private citizens who accurately identified concerns with election day registration data. The November 2020 General Election saw over 200,000 people register on Election Day in Wisconsin. The overwhelming majority of those registrations were processed with handwritten applications that must then be manually typed into the database in the offices of local clerks. As you might imagine, this is an incredibly slow and tedious task. Large jurisdictions have more staff, but they also have many more registrants. Small towns may have fewer registrants, but just one part-time clerk to type them all in.

This adds up to thousands of typos in the data. We see errors in names, addresses, dates of birth, and driver's license numbers. These errors, in turn, create more work for clerks because each instance must be identified and corrected. The impact of this issue is significant, but private citizens, examining data purchased from the Elections Commission, have helped to identify problems and chip away at the task.

I bring these examples up to illustrate that there is value in private citizens examining election data and there are very real problems – like non-residential addresses – that need to be addressed. But the serious researchers examine specific data, document their work, and don't make spectacular unsupported claims.

Conclusion

The Wisconsin Elections Commission takes all allegations of misconduct seriously and investigates each claim where supporting evidence is provided. Wisconsin election officials at all levels identify some misconduct every year, and every year these cases are referred for criminal prosecution. But we perform our due diligence before accusing individuals of misconduct; we collaborate with other agencies and investigators at all levels; and we carefully document our evidence.

Unfortunately, there are people who instead choose to draw their own conclusions and choose not to ask a single election official – be they state employees, county employees, or your local clerk's office. Making unverified, fantastical claims without consulting with real election officials has the effect of diverting lawmakers and the public from tackling real areas in need of improvement. That could end up causing real harm to Wisconsin elections.

WisVote is an end-to-end elections management system. It is not static, it is not simple, and it most certainly is not flawless. When people want to understand the system, or the data within it, they usually ask. The Wisconsin Elections Commission answers dozens of questions every day.

We're happy to do so.

And we hope that our important role in educating and explaining our elections systems can help promote productive conversations about improving our elections for the future.

Thank you