



STATE OF WISCONSIN
Legislative Audit Bureau
NONPARTISAN • INDEPENDENT • ACCURATE

Hearing Date
Nov. 9, 2021

Elections Administration

(report 21-19)



Elections Administration

The Joint Legislative Audit Committee directed us to evaluate:

- efforts by WEC to comply with election laws;
- efforts by clerks to comply with election laws;
- the use of electronic voting equipment; and
- General Election-related complaints filed with WEC and clerks.



WEC and clerks use data from three state agencies to help maintain the accuracy of voter registration records

The personally identifiable information provided by 93.8 percent of the 957,977 individuals who registered to vote from January 1, 2020, through November 3, 2020, matched DOT's information.

We found 24 individuals who likely had two voter registration records, including 4 individuals who may have voted twice in November 2020.



WEC and clerks use data from three state agencies to help maintain the accuracy of voter registration records

Clerks had either inactivated the voter registration records or allowed the records to remain active for all but:

- eight individuals associated with potential matches with DHS's data, as of June 2021; and
- one individual associated with potential matches with DOC's data, as of September 2021.



WEC did not regularly obtain all types of data from ERIC in recent years

ERIC Data That WEC Obtained, by Type¹
As of July 2021

Type of Data	Sept. 2016	Sept. 2017	June 2018	Aug. 2019	Sept. 2019	May 2020	May 2021
Eligible Residents who are not registered to vote	✓		✓			✓	
Registered Voters Who may have moved ²		✓		✓			✓
Who may have voted multiple times in the same election					✓		
Who may have died in other states							✓
Who may have multiple voter registration records in Wisconsin							✓

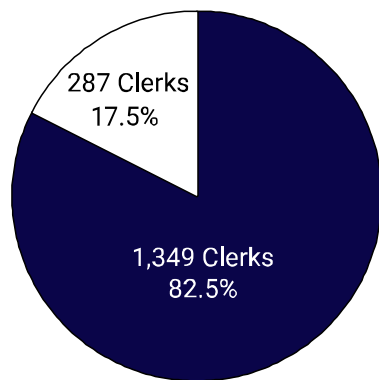
¹ According to information provided by WEC's staff.

² Refers to registered voters who may have moved within Wisconsin, moved to and registered to vote in other states, or submitted new address information to the National Change of Address program.



WEC's staff should contact municipal governing bodies when clerks do not report having completed all required training

Municipal Clerks Who Reported Completing Training for the Period from January 2018 through December 2019¹
Reported to WEC as of June 2021



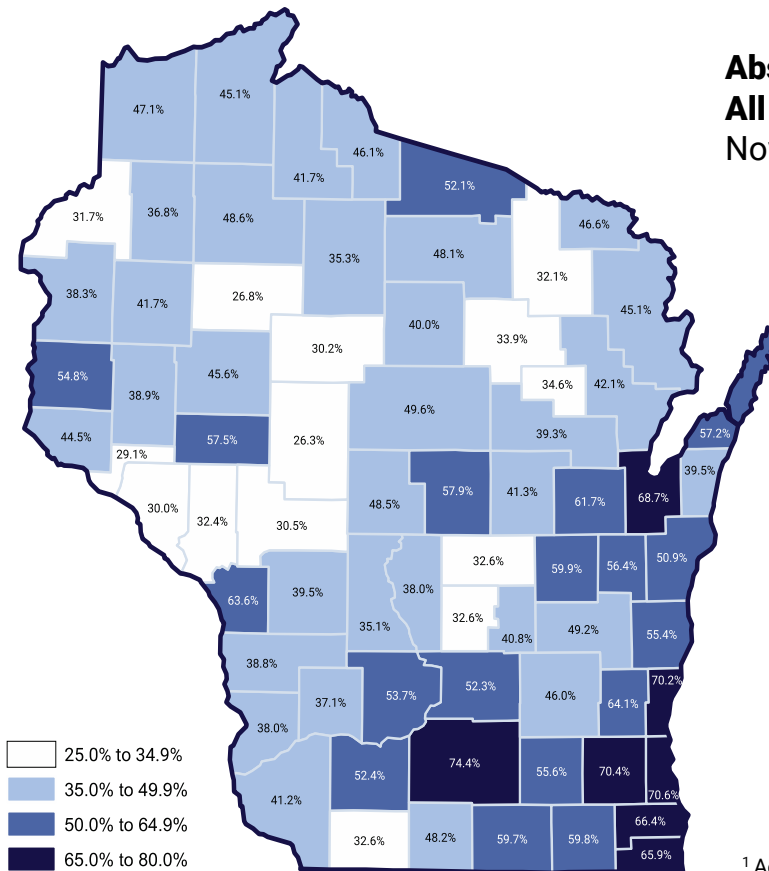
Number of Clerks

- Reported Having Completed All Training
- Did Not Report Having Completed All Training

¹ Excludes 175 municipal clerks who started in their positions in January 2020 or later and 1 vacant clerk position.



Absentee ballots accounted for 59.6 percent of all ballots cast in November 2020



Absentee Ballots as a Proportion of All Ballots Cast, by County¹
November 2020 General Election

¹ According to information in WisVote as of September 2021.



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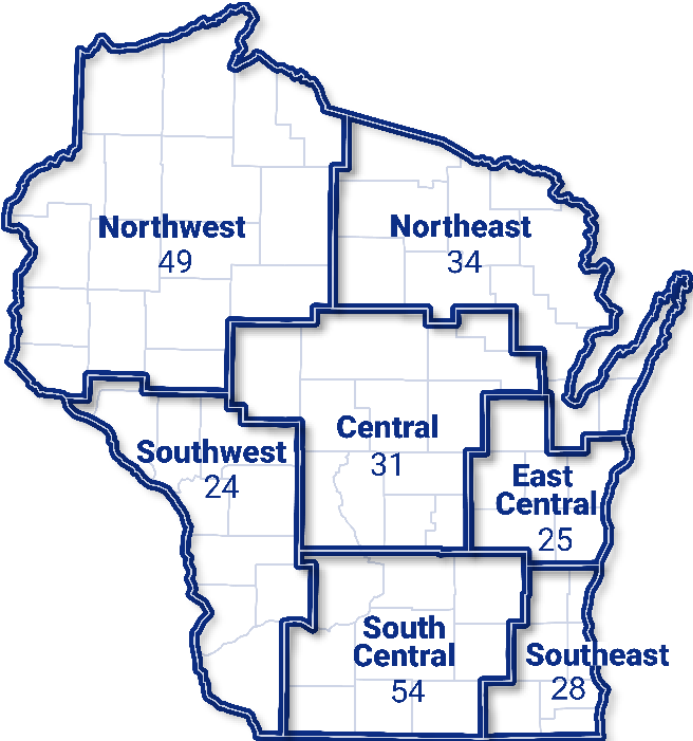
We reviewed 14,710 absentee ballot certificates in 29 municipalities throughout the state

Our review found:

- 1,022 certificates (6.9 percent) had partial witness addresses;
- 15 certificates (0.1 percent) did not have a witness address in its entirety;
- 8 certificates (less than 0.1 percent) did not have a witness signature; and
- 3 certificates (less than 0.1 percent) did not have a voter signature.



WEC's staff should promulgate administrative rules if WEC believes municipal clerks should be permitted to establish ballot drop boxes



Number of Municipalities That Used Drop Boxes, by Region¹
November 2020 General Election

¹ As indicated by 245 municipal clerks who responded to our survey.



WEC's staff should promulgate administrative rules if WEC believes municipal clerks should be permitted not to send special voting deputies to certain facilities and homes

In June 2020, during the public health emergency, WEC issued written guidance directing clerks not to send or attempt to send special voting deputies to residential care facilities and qualified retirement homes.

This guidance did not comply with statutes.



WEC's staff should promulgate administrative rules if WEC believes municipal clerks should be permitted to take certain actions pertaining to counting ballots and establishing polling places

In October 2020, WEC's staff issued written guidance indicating that inevitable circumstances may require adjourning before ballot counting is completed.

In March 2020, during the public health emergency, WEC approved written guidance indicating that municipal clerks can relocate polling places without approval from municipal governing bodies.

This guidance did not comply with statutes.



We reviewed the results of 175 tests of electronic voting equipment that municipal clerks conducted before the General Election

Our review found that:

- clerks conducted 50.3 percent of the 175 tests within 10 days before the General Election; and
- 59 of 60 test results indicated the equipment had accurately counted the votes for presidential candidates, and 1 test result included insufficient documentation.



WEC's staff should calculate an error rate for each type of electronic voting equipment used in a General Election

In February 2021, WEC's staff reported that the post-election audit determined the electronic voting equipment for the most part had accurately counted ballots in November 2020.

WEC's staff did not report to WEC the statutorily required error rates for any electronic voting equipment used in November 2020.



General Election-Related Complaints Filed with Clerks and WEC

Most clerks who responded to our survey indicated they had received no written complaints about the General Election.

WEC received 45 sworn, written complaints about the General Election.

From January 2020 through mid-April 2021, 1,521 election-related concerns were provided to WEC through forms on its website.

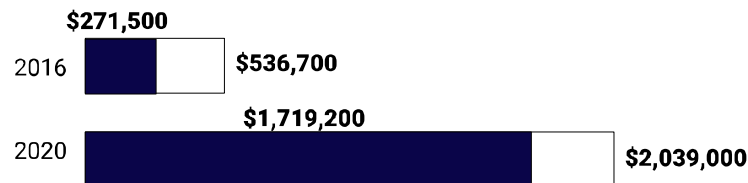


In Milwaukee and Dane counties, recount costs increased considerably from 2016 to 2020

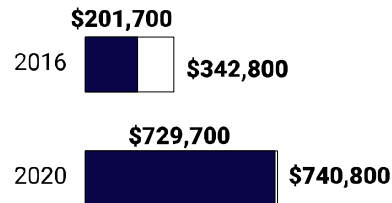
Estimated and Actual Recount Costs for Recounts Conducted after the November 2016 and November 2020 General Elections¹

■ Actual Recount Costs □ Estimated Recount Costs

Milwaukee County



Dane County



¹ According to information that counties provided to WEC.



Recommendations and Issues for Legislative Consideration

We make 30 recommendations to WEC's staff for various improvements.

We include 18 issues for legislative consideration.





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