



The [statewide COVID-19 website](#) is a one stop shop that consolidates information from state agencies, and provides up-to-date information and guidance regarding COVID-19.

If you're not busy, please make a call, send a card, or write a letter to someone you know who lives alone of may need assistance.

Please, let them and your family know that you are thinking of them, and that we are here for each other.

Bless each of you during this difficult time of uncertainty and suffering. Take good care!

*Throughout this week's newsletter, you will find photos that I took while visiting South Division High School today, one of Milwaukee's 5 polling locations.*

## Contents

- [Governor's Orders Ignored](#)
- [Postponement Overruled](#)
- [Absentee Ballots Delayed](#)
- [Minorities, Students Purged](#)
- [Lame Duck Laws Hold Wisconsin Back](#)
- [Over 10,000 COVID-19 Victims](#)
- [15 States That Have Delayed their Election](#)

## Not Safe, Not Fair



After a rollercoaster week of executive orders, legislative rebukes, and supreme court rulings, voters head to the polls today. I spotted this couple still a ways off from being able to cast their ballot.

Exhibiting grace in the face of disgrace, I have seen the bravery of our community today. I have heard from many constituents, election workers, clerks, fellow elected representatives, doctors, nurses, and friends who all felt like the right thing to do would be to postpone this Spring Election, and conduct it by mail.

When Governor Evers called the State Legislature into special session over the weekend, I was in my seat, ready to do my job and represent the wishes of my constituents.

## Governor's Orders Ignored



Photo Credit: Patrick Marley/Milwaukee Journal Sentinel

Friday of last week, [Governor Evers called for a special session](#) of the state legislature to take up bills that would postpone the Spring Election and conduct that election entirely by mail, with ballots being sent to every registered voter who had not already requested one. This special session was scheduled to take place at 4pm on April 4th. The session was brought to order and adjourned within 17 seconds. Only 2 Senators, [Jon Erpenbach](#) and myself, came to respond to the Governor's call.

In the above photo, I may appear to be angry with Senate Chief Clerk Jeff Renk, but I would like to make it clear that I was not. Jeff is a dedicated public servant who has served the State Senate in a respectful and nonpartisan manner for many years now. Majority Leader Fitzgerald and Senate President Roger Roth directed the Chief Clerk to complete the proceedings on Saturday, instead of showing up themselves to handle the Senate's business.

In response, and because of the unprecedented implications for the safety and well-being of Wisconsinites, Governor Evers issued [Executive Order #74, relating to suspending in-person voting on April 7, 2020, due to the COVID-19 Pandemic](#).

Released Monday, [Executive Order #74](#) was delivered in response to the lack of action on behalf of our state legislature. Following the advice of medical experts, at least [9 mayors](#) from communities across the state, and [19 clerks from Milwaukee County](#) and certainly from other areas of the state, the Governor's order had 3 main components:

**1) Suspend in-person voting for April 7, 2020, until June 9, 2020**

**2) Require the convening of a special session of the Legislature to consider a new in-person voting date for the 2020 Spring election.**

**3) Provide that, given the necessary delay in the Spring 2020 election, those individuals currently serving in an office to be filled based upon the results of the Spring 2020 election ballot are authorized to continue fulfilling the duties of those offices.**

Governor Evers order was immediately challenged in the Wisconsin Supreme Court by the Republican Leaders of the state legislature, Assembly Speaker Robin Vos and Senate Majority Leader Scott Fitzgerald. In their statement they gave the following message to clerks and voters:

*"The clerks of this state should stand ready to proceed with the election."*



## Postponement Overruled

Yesterday evening, just after 5pm, we learned that the Wisconsin Supreme Court had reached a decision.

Justice Dan Kelly recused himself, due to the highly political nature of the situation involving himself, it would have been extremely inappropriate for him to join the decision.

Voting 4-2 along philosophical lines, [the State Supreme Court decided to block the Governor's order](#), meaning that the election would proceed today as originally scheduled.

At almost the same time, [the U.S. Supreme Court also reached a conclusion](#) in a case regarding today's election.

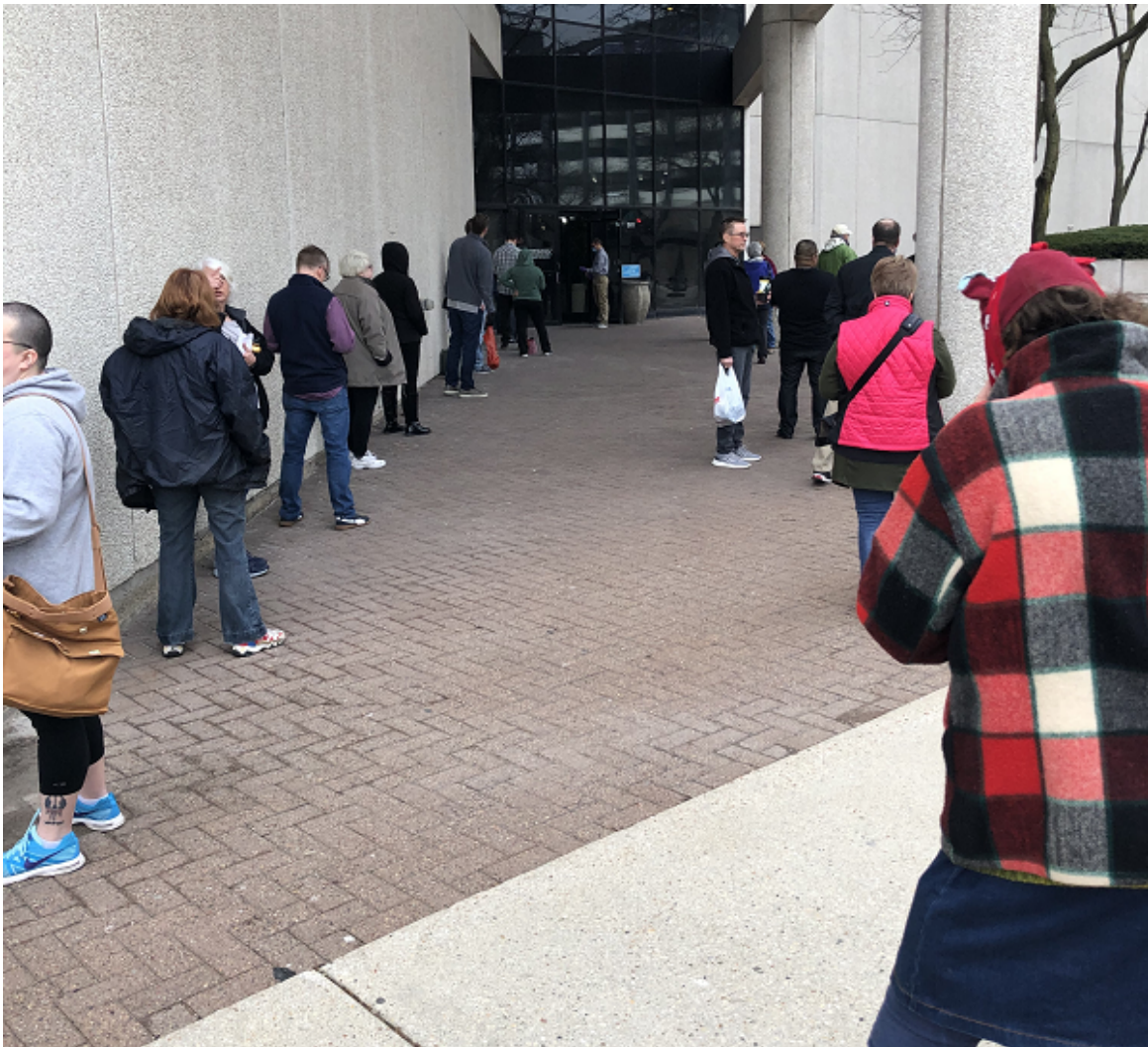
Also along philosophical lines, in a 5-4 decision, the SCOTUS decided that Wisconsin could not allow absentee ballots to be collected until April 13th. This date had been set

in place by [Judge William Conley](#) as a compromise that would allow voters more time to vote from a safe distance, using the absentee process.

The Supreme Court of the U.S. decided that a more appropriate compromise would be to count all of the ballots that were turned in or postmarked by Election Day, April 7th.

Justice Ginsburg, in the court's dissenting opinion pointed out that this decision would result in a massive disenfranchisement of voters, and questioned the premise of the majority, stating "The Court's suggestion that the current situation is not 'substantially different' from 'an ordinary election' boggles the mind."

Indeed, in the [updated guidance from the Wisconsin Election Commission](#) following the rulings in the two high courts, they explained that ballot envelopes that had been filled out without a witness signature would need to be amended in person. In judge Conley's decision from the previous week, he allowed voters to forego the witness requirement providing that the voter included a statement that they had tried in good faith to obtain a witness but were unable to. This was done to accommodate those people who were stuck at home, sick with the virus or alone and infirm. But due to the rulings of the courts, these votes have been rendered essentially invalid, disenfranchising Wisconsin voters, and sending many more who had requested absentee ballots but had not yet received them to the polls.



## Some Voters Still Have Not Received Their Absentee Ballots

Despite placing their requests weeks ago, some voters still had not received their absentee ballots by Election Day. This is a result of the strained resources that the Wisconsin Elections Commission and municipal clerks across our state are forced to work with during an election with unparalleled interest in Absentee voting. It is not clear how many voters have been affected yet, but I have heard from several constituents who are dealing with this problem. This is one more reason that the Spring Election should have been delayed, so that we could have had adequate time to ensure that all voters had a chance to have their voice heard. [Read more.](#)



## Minorities and Students Are at Highest Risk of Being Removed from the Voter Rolls

Approximately 230,000 voters were at risk of being removed from the voter registry, after a computer algorithm used by the Electronic Registration Information Center (ERIC) determined that they may have moved. Wisconsin joined ERIC, which is a multi-state partnership, in 2016.

An analysis by the Guardian determined that University Students were the most likely to be flagged for removal, followed by African Americans. When reached for interviews, many of the affected individuals confirm that they have not moved. In 2019, the

Wisconsin Election Commission determined that it would not remove voters until 2021, after they reinstated 7,000 voters who had been erroneously stricken from the rolls.

[Read more.](#)



## Lame Duck Session Laws Impede State Response to COVID-19

In December of 2018, the Legislature quickly passed several bills designed to curb the power of Governor Evers' incoming administration. Besides the significant changes that they made to the Department of Justice, they required legislative approval for federal waivers. Their goal at the time was to keep Governor Evers from being able to get rid of work requirements for Medicaid recipients, or to make good on his campaign promise of expanding BadgerCare under the provisions of the Affordable Care Act.

Such waivers also oversee states' abilities to access Medicaid Emergency funds like the ones in the CARES Act, which recently passed Congress and was signed into law by President Trump to address the nationwide Coronavirus crisis.

Because of the lame duck laws, while 40 other states have been able to access this emergency funding, Wisconsin is waiting on action from our state legislature to approve of federally granted aide. [Read more.](#)

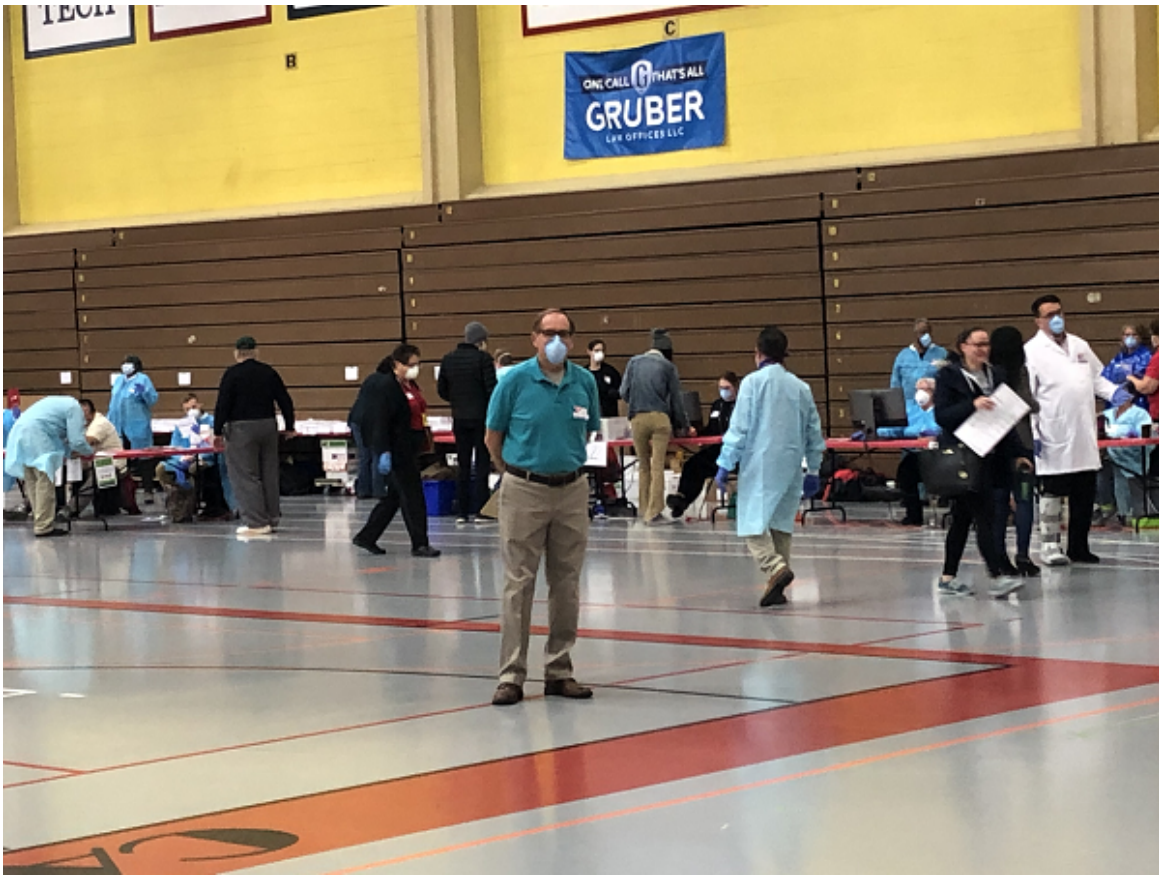


## More than 10,000 COVID-19 Victims in the U.S.

Over the weekend, [our country reached a grim milestone](#). 10,000 people have now died from health complications caused by the Coronavirus. [84 of those are in Wisconsin](#).

We have surpassed all other countries in terms of the number of confirmed cases, standing now at nearly 350,000.

[The Surgeon General has made statements](#) attempting to brace our country for the week ahead, stating, "This is going to be our Pearl Harbor moment, our 9/11 moment, only it's not going to be localized, it's going to be happening all over the country and I want America to understand that."



## 15 States and One Territory Have Postponed their Spring Elections

Alaska, Connecticut, Delaware, Georgia, Hawaii, Indiana, Kentucky, Louisiana, Maryland, New York, Ohio, Pennsylvania, Rhode Island, West Virginia, Wyoming and Puerto Rico have all pushed back or changed their Spring Elections to be all by mail. [Read more.](#)

| Office Phone 608-266-8535 |

Sen.Carpenter@legis.wi.gov [Twitter](#) [Facebook](#)