



WISCONSIN STATE SENATE
P. O. Box 7882 Madison, WI 53707-7882

December 17, 2020

The Honorable Governor Evers
Office of the Governor
Room 115 East, State Capitol
Madison, WI 53702

Dear Governor Evers:

There is one thing that is crystal clear from the 2020 election: that exploitation of our election laws in Wisconsin have fomented distrust and concern among the electorate.

As you know, on December 11th, 2020 the Senate Committee on Elections, Ethics and Rural Issues and Assembly Committee on Campaigns and Elections held a joint public hearing on the 2020 general election. It was critical that the legislature take an opportunity to illuminate the significant flaws that occurred.

Invited speakers brought forward numerous examples of alleged unethical and illegal behaviors; some related directly to manipulating our most vulnerable population—elderly voters. Additional testimony described deeply concerning accounts of abuse of our process, including testimony from a WEC commissioner detailing a list of serious issues. These are not far-fetched, third hand accounts, but rather first hand witnesses providing credible evidence that has not yet been fully investigated. As the governor, you represent every citizen regardless of their party. We're sure you agree it is a priority to rebuild trust in the process for the countless number of voters across the state who feel their vote did not count.

After the hearing, Senator Kathy Bernier sent an email that expressed concern about the "personal failings from the people that we entrust with our sacred duties of election administration." In her recent dissent, Chief Justice Patience Roggensack warns of "numerous problems that will be repeated again and again." She goes on to recognize that the WEC may have advised violations of election laws and affirms that "WEC must follow the law." We affirm the Chief Justice in her dissent stating that "ballots that were collected in Madison parks did not comply with the statutes." She continues, noting that "drop boxes do not meet the legislature's mandatory directive."

It is clear, election laws must be a priority in the next session. It is incumbent upon the legislative and executive branch to work together to ensure future elections are safeguarded from perversion of our election laws. Failure to do this will continue to erode the trust in our electoral process. Voters need to feel confident in the integrity of the process, and we must deliver. Based on the mountain of feedback we have all received, we believe the legislature ought to resolve the following questions;

- Who is responsible for auditing the quality of ballots after the election?
- What are the appropriate venues and methods for ballots to be returned?
- Were ballot harvesting events, such as Democracy in the Park, appropriate venues for safe and secure ballot collection?
- Were voters who have moved or died allowed to remain on the voter rolls contrary to state law?
- How can we clarify statute to ensure adequate access for poll watchers?
- How can “indefinitely confined” voters be protected from exploitation?
- How can we protect citizens residing in care facilities from being taken advantage of?
- Is it appropriate for private special interest money to be inequitably distributed to certain communities?
- Should clerks be curing incomplete or mismarked ballots and witness statements?
- Why was the WEC providing guidance that contradicts state statute?
- Who enforces Wisconsin election laws and what are the consequences for breaking these laws?

Unfortunately, these are only the most obvious questions while many more remain. We owe it to the increasingly large percentage of Wisconsin voters who have lost faith in our elections to affirm the integrity and security of their vote. These issues are bigger than any one election, and we hope we can count on you to represent the countless Wisconsin voters who question the process. We hope you support common sense reforms that will ensure every election moving forward is secure, fair, and transparent.

Sincerely,

Devin LeMahieu
Senate Majority Leader-elect
9th Senate District

Duey Stroebel
State Senator
20th Senate District

Chris Kapenga
Senate President-elect
33rd Senate District

Joan Ballweg
State Senator-elect
14th Senate District

Kathy Bernier
State Senator
23rd Senate District

Julian Bradley
State Senator-elect
28th Senate District

Alberta Darling
State Senator
8th Senate District

Mary Felzkowski
State Senator-elect
12th Senate District

André Jacque
State Senator
1st Senate District

Howard Marklein
State Senator
17th Senate District

Steve Nass
State Senator
11th Senate District

Roger Roth
State Senator
19th Senate District

Rob Stafsholt
State Senator-elect
10th Senate District

Patrick Testin
State Senator
24th Senate District

Van Wanggaard
State Senator
21st Senate District