



Wisconsin for America First

Pre-Election Observation Report

6 September 2022

Introduction

Wisconsin for America First is an organization of concerned citizens dedicated to promoting fair and transparent elections. We recognize that in Wisconsin public faith in the integrity and fairness of our elections has decreased significantly in recent years. To gain a deeper understanding of the issues and factors that have driven this decline in public confidence, WFAF trained and deployed teams of long-term election observers to interview Municipal Clerks in a sample of counties across the state. The program began in mid-May and is ongoing.

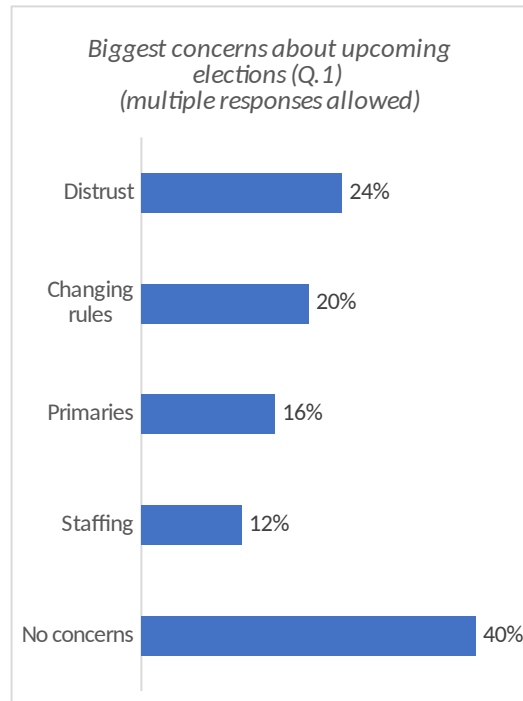
As of early August 2022, we have approached the clerks in 33 municipalities across 14 counties, and have conducted in-depth interviews with 25 clerks. After repeated attempts, we were unable to arrange interviews with eight of the clerks we approached. Reasons for a refusal varied: one said she was new and felt she didn't have enough experience; several said they didn't have time; one said he had been receiving death threats since 2020 and did not feel comfortable meeting in person; and several didn't respond or simply refused.

The in-depth interviews were conducted using a structured questionnaire, so each clerk was responding to the same questions. The following report summarizes the findings of these interviews, includes some analysis as to why certain electoral practices may undermine public confidence in Wisconsin’s election processes, and provides recommendations to state and election officials for reforming election processes to enhance transparency and increase voter confidence in the integrity of elections.

1 Biggest Concerns

Wisconsin elections are fraught with allegations of fraud and abuse, there were significant changes in laws and procedures before the 2020 elections, and there have been significant changes since then; so it was somewhat surprising when we asked clerks what their biggest concerns were regarding the upcoming elections (multiple responses were allowed), and the most common response, given by ten of the clerks (40%), was that they had “no concerns” about the upcoming elections.

The second most frequent issue, mentioned by a quarter (24%) of respondents, was concern with the polarized political environment, misinformation, public distrust of polling officials, and the constant scrutiny they are now under. One clerk said she was saddened by amount of distrust there is in the election system; while another lamented that for the public, *elections have gone from social gatherings to suspicions events.*



A fifth (20%) of clerks were concerned about implementing elections within a shifting legal and regulatory context. They noted that there are *new laws, and WEC notices and recommendations* they have to adapt to; that *the election rules and regulations have become more complicated, with a lot of unanticipated and last-minute changes.* One noted that there used to be more time to implement changes, and that the WEC provided more guidance. Other major issues mentioned included concern that voters would not understand the primary process, and that they would not be able to vote for a party they were not registered with, and concern that they would not be able to hire enough staff to manage the process.

Analysis and Recommendations

Given the problems we have had with our elections in recent years, it is not surprising that public distrust of election officials has increased, but withdrawal or a combative relationship with voters and election integrity organizations will be counter-productive. Experience has shown that the most effective way to strengthen public trust is to engage more, not less; to be more open and transparent; not less. To decrease public pressure and scrutiny, election officials should make

extra efforts to provide information requested, and to advocate and implement more transparent election processes.

At the same time, lawmakers and the WEC must recognize that one of the most destructive actions for public trust in elections is late changes in procedures and processes that seem unnecessary or inadequately explained. When election reforms are introduced, sufficient time should be allowed for explanations to the public, and for county-level election officials to adapt their processes to the new procedures. Also, election “reforms” are typically drafted by lawmakers with little practical election experience, and may not work in reality as well as they do in theory. Potential reforms should be discussed with and tested by county-level experts before they are widely introduced.

2 Readiness for November Election

Regardless of their previously expressed concerns, when we asked the clerks if they have the resources, equipment, personnel, and training needed to run an effective election in November, they all responded yes. Most thought they were better prepared now than they had been in 2020, citing: better balance in hiring inspectors between the parties; better training, including training on programming election equipment; and upgraded equipment.

3 Recruiting and Training Election Inspectors

When we asked the clerks how election inspectors are recruited in their area, we received a variety of responses. Most said, “word of mouth”, with one stating she approached likely looking people who were paying their bills in the clerk’s office, and another said she sized-up people while they were voting, and asked him to apply. Most of the people recruited tended to be older and retired, as they had the time to do training and to work long hours at the polling and counting. About a quarter of clerks solicited or received lists of potential inspectors from political parties, and several noted that some workers are recruited as or prefer to be listed as “unaffiliated”.

In Wisconsin, both parties have the right to recommend election inspectors for every precinct, but we have many anecdotal reports that most precincts lack partisan balance in staffing. Since this is one of the essential checks and balances built into the election system, and because bipartisan representation on polling teams contributes to voters’ confidence in the integrity of the election process, we asked the clerks if they were able to recruit equal numbers of Republicans and Democrats in their area.

About a third (36%) of clerks told us that they were able to recruit equal numbers of Democrats and Republicans, with some noting that many inspectors prefer to enroll as “unaffiliated”. Several others said that they would achieve balance for the first time with the upcoming election, suggesting this was due to increased participation on the Republican side: *Dems always submit a list, but this year the Republicans also submitted a list and the Republican’s list was longer; we have lists from both parties because Republicans also submitted this year; and I will have (equal numbers), as this is the first year they (poll workers) have been submitted by the party.*

Again, about a third of clerks (36%) responded “no” to this question, and almost a third (28%) were unsure. Responses from those that said “no” included: *Democrats didn’t have enough so I hired a lot of unaffiliated inspectors*; and *no, we do not have equal numbers, as most we recruit say they are unaffiliated*; and *I just appoint anyone who agrees to be one*. Several clerks said the that not all parties submit lists; and one said he had *never been given a list from either party*.

We were also curious if any contractors or NGOs were involved in training election inspectors, and learned from the clerks that almost all of their training is done in-house or online, with a few making use of contractors to train on machine set-up and operations. Some mentioned supplementing their own in-person and online training with the online training provided by the WEC.

Analysis and Recommendations

One of the easiest ways to cheat in an election is to have a corrupt polling team, so partisan representation on polling teams is an essential election security measure. The inability to achieve balanced representation of polling teams is not the fault of the municipal clerks, but of the political parties themselves; and we recommend that voters of all parties’ demand that their local party chairs make the effort to ensure the nomination of sufficient candidates to achieve balanced representation on polling teams and in other electoral processes.

4 Voter List Maintenance

An accurate voter list is the foundation of a credible election process. To get a better understanding of how the voter list is maintained in Wisconsin, we asked the clerks a series of questions on how and when their voter list is cleaned and updated to remove the dead, those who had moved out of the area, and other ineligible voters, and we received a variety of responses, which are summarized below.

The state or WEC cleans the list every four (or five) years, sending out postcards to people they suspect might have moved. If the postcards are returned undeliverable, the voter is removed from the list. If a registered voter does not vote for five years, they are sent a postcard, and if that is returned undeliverable, they are removed from the list.

Counties, and some municipalities, do intermittent (after every election, or every 60-90 days) or continuous list maintenance by scanning obituaries and collecting information from hospitals on dementia patients. Some smaller municipalities, called *reliers*, rely on the county to maintain their list. One clerk mentioned that there is no way of knowing if a person moves, unless they send in a change of address postcard, but others said they relied on quarterly reports from DMV and the *Electronic Registration Information Center* (ERIC) for mover updates.

In total, 84 % of clerks responded “yes” when we asked if they are confident that the voter file is accurate and up to date. Reasons given by those that said “no” included: *we work on it continuously*; *it’s an ever-moving target*; and *lots of changes on a daily basis*.

We then asked if they are confident the current ID requirements for registration and voting are sufficient to ensure identity and citizenship and all but one said yes; but as we explored this

further, we found significant uncertainty on the question of confirming citizenship. One clerk noted that a driver's license should prove citizenship (true, if the license is *REAL ID*-compliant), but is not required to vote. Others said: *don't know; not sure; we follow the law and have to trust what they say; only required to prove residency; we take an oath, and cannot discriminate against people without birth certificates.*

Wisconsin is one of the few states with decentralized voter rolls. We asked for the clerks' opinion, as election professionals, on whether Wisconsin should consider moving to a statewide voter roll, or keep the current system. All but two preferred to keep the current system, but some noted that we are moving towards a more centralized system with WisVote. Those that preferred to move to a statewide system thought that: *a centralized system would be more accurate, or that it was preferable because everyone would use the same process instead of each doing it their own way.*

Wisconsin election law states that voter rolls and registration lists shall be open for public inspection. We asked the clerks how they implement this in their area, and some said they referred people to the WEC, where the data is for sale; while others noted that anyone can come in and inspect the rolls, but that there would be a fee for copying. Several noted that no one had ever asked to see their rolls.

Analysis and Recommendations

Despite the confidence of the supervisors, WFAF and other election integrity groups believe that our voter lists are in many cases bloated and inaccurate, and that this is one of the most serious vulnerabilities in Wisconsin elections. There are several steps that the Governor, legislature, and Wisconsin Election Commission can take to improve the accuracy of our voter lists and help rebuild public confidence in elections.

First, Wisconsin should follow the example of other states, and withdraw from ERIC. ERIC is a non-governmental organization funded by the far-left Open Society Foundation, which is itself funded by the anti-democracy extremist billionaire, George Soros. Wisconsin's association with this private and secretive organization damages public confidence in the integrity of our elections.

Second, the WEC should conduct a comprehensive voter registration audit to accurately assess the quality of our voter list, and to determine if there are areas that need improvement. Third, enhance transparency and enable oversight by publishing the voter list online. This is promoted by the Democratic Party overseas as [international best practice](#), and it is time Wisconsin caught up to other modernizing states, and the rest of the world, on data and election transparency.

5 Voting in Nursing Homes

Serious allegations of fraud and malpractice in Wisconsin nursing home are detailed in Judge Michael Gabelman's second interim [report](#), so we asked clerks how they handled voting for nursing homes. Several stated that this was a municipal-level, not county, responsibility, so they were not sure. One stated he would follow the new law, as update in February 2022, while most of the others said they would not do anything special, as residents could vote absentee.

One clerk said they send two special voting deputies from each party to conduct voting, while another explained they appoint their most experienced poll workers as special voting deputies and send three or four to a site if people there are registered to vote; after posting a notice at the site to let residents know they will be coming to collect their votes. They also visit twice before the election to conduct voter registration.

Analysis and Recommendations

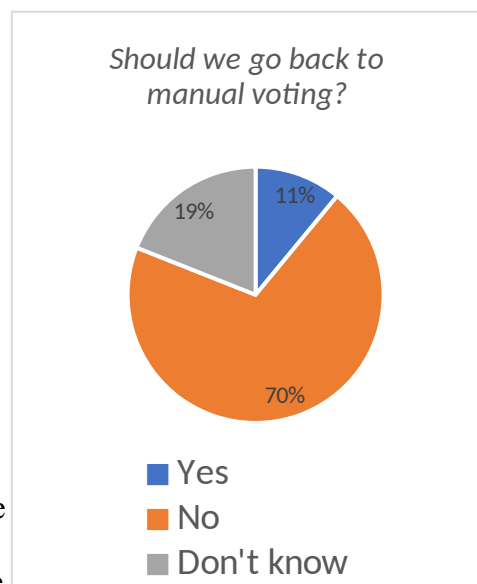
It is clear that there is no standard procedure for managing voting in nursing and care homes, creating conditions for mismanagement and fraud. The WEC should develop standard procedures for voting in care homes and institutions, that at a minimum make provision for the presence of poll watchers. In many countries a mobile polling team will have a set schedule, and travel around a district to visit care homes and institutions, accompanied by poll watchers. Because people in institutional care are particularly vulnerable to election abuse through mail-in and absentee voting, in-person voting is preferred.

6 Voting Machines

Doubt about the accuracy and integrity of voting machines is common among voters of both major parties, so we spent some time learning about their use in Wisconsin’s elections. We asked who certifies the machines, and how they are certified. Most said they are certified at the state and/or federal level. When we asked who updates and calibrates the machines, almost all mentioned machine manufacturer ES&S, with a few noting that they had Dominion machines and those updates were performed by Dominion. Touch screen machines were calibrated and tested by municipal clerks, while updating was generally performed by vendors or manufacturer representatives using a USB stick.

About two thirds of the clerks said they were present when the machines were updated, and none of the clerks routinely ask party representatives to be present when the machines are updated and calibrated. We asked if the machines are ever connected to the internet and learned that all of the machines have cell phone modems, which connect after the count to electronically transfer results. According to the clerks, the modems are not used to update the machines, as that is done with removeable media (thumb drives).

Because concerns were raised across the country about the accuracy and integrity of voting machines in the 2020 elections, and many people are suggesting we go back to a manual voting process like that used in France; we asked the clerks if they think it a good idea to go back to a manual voting process. Almost three-quarters (70%) said “no”, citing concerns about the accuracy of manual counting, and the additional time it would take to count the ballots by hand. Almost a fifth were unsure, but most of those also thought machine voting would be more accurate



and less work. Just 11% said we should go back to manual voting, with (ironically) the most common reason given being that it would be more accurate than machine-based counting.

Analysis and Recommendations

Many Americans (possibly most) distrust voting machines, and this distrust is also common among the senior leadership of America's political parties (although few Democrats have spoken on this issue recently, many are on record—including the current Vice President and the Speaker of the House—expressing distrust of voting machines prior to the disputed 2020 presidential elections). Wisconsinites also distrust voting machines, and perhaps for good reason.

Vulnerabilities, which can be found easily through a simple web search, have been discovered in all of the machines used in Wisconsin.

While many computer scientists have warned about security issues with machines that can connect to the internet or through cell phone modems, these machines are also vulnerable through the thumb drives used to update ballots and download results, and are vulnerable to rigging by technicians working on the machines (for example, Katie Hobbs, the Secretary of State in Arizona, recently decertified machines that had been audited out of concern that they might have been undetectably altered to favor a particular candidate or party during the audit process).

Voting machine processes are opaque, both because of their complexity, and because their manufacturers will not allow examination of their code. They cannot be effectively observed and verified by citizens, or poll watchers, or even election officers, so those who lose elections will always have doubts about the fairness of the process. Ultimately, the only way we can restore trust in Wisconsin's elections is to revert to an open and transparent manual polling process, that poll watchers, election officers, and ordinary voters can see, understand and verify.

The primary objective of election administrators must be the conduct of an election process that voters view as accurate and fair, which results in the election of representatives that voters are confident have democratic legitimacy. Although clerks are concerned that they don't have the manpower for manual counting, the lack of manpower is solely the result of policy decisions that prioritized computer equipment over staffing.

It is true that to reimplement manual counting we would have to go back to smaller precincts, but smaller precincts are best practice in election administration. Smaller precincts are closer to the people, have shorter wait times, and are easier to monitor. Because of our complex ballots, precinct size might be capped at something easily manageable between 600 and 1000 voters.

International practice and our own history demonstrate that manual voting and counting are actually cheaper, faster, and more accurate, than the currently used machine-based processes; but even if it were more expensive or slower, they would still be preferable, because they are the only processes that are transparent enough to restore public trust in elections. For this reason, we recommend that the WEC review international best practices in manual elections (France provides a good example), and prepare a plan for the legislature for reversion to a manual election process.

7 Cost of Elections

Historically, one of the most common arguments for the use of technology in elections has been cost-effectiveness, with the assumption being that computerized elections are cheaper than manual election; but we are unaware of any rigorous studies that have tested these assumptions. We think that hiring a few more people may, in fact, be cheaper than purchasing and maintaining expensive election technology, but are not sure.

To gather data for our own study, we asked supervisors what it costs per voter to implement an election in their county. None of the clerks could answer the question authoritatively, although one guessed about \$2.50 a voter. Determining the actual cost of elections is a perennial problem in election administration – do you count salaries, security, rents, capital equipment, consumables, etc. Nobody seems to use the same list. Comparing manual voting to machine voting is even more complicated, as you need to include the cost of intangibles. For example, what is the positive value, or cost, to society of election processes that are transparent, or not transparent?

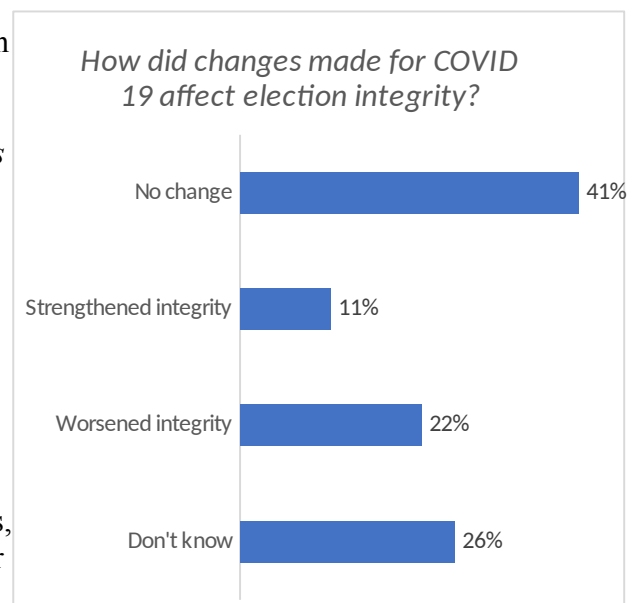
To make informed decisions on potential election reforms, we recommend that the WEC set up a task force to delve deeper into the actual cost of machine-based versus manual election processes; but note that from our perspective, we would never sacrifice public confidence in election integrity for speed, cost, or efficiency.

8 COVID and Election Processes

Significant changes in election procedures were introduced in Wisconsin prior to the 2020 elections in response to the COVID pandemic, and many people believe these changes weakened election integrity, so we asked the clerks, as election professionals, for their views on this issue. About half (52%) thought that the changes had not affected integrity at all, or had strengthened integrity. The other half (48%) felt the changes had worsened integrity, or were unsure.

Those who thought the COVID measures strengthened integrity, or made no difference in integrity, cited positives like: *more absentee voting, so less people coming in; safer for voters; it was a crazy time and absentee ballots and drop boxes were the best solution at the time.*

Those who thought COVID had a negative impact on elections or were unsure, had concerns about drop boxes (*they need to be manned*) and absentee voting, with one stating the changes provided *an easy way to commit fraud*. Other concerns mentioned included special voting deputies, fraud in nursing homes, and the abuse of the indefinitely confined voter (ICV) process.



Analysis and Recommendations

It is surprising that half of the clerks we spoke to were willing to admit in a public interview their doubts about the intention or wisdom of the election process changes nominally made in response to the COVID pandemic. Election administrators know that any changes made late in an election cycle create confusion and doubt, but the changes made in 2020 were particularly bad, as they universally weakened the security of election processes, ultimately causing severe damage to voter confidence in the integrity of the election process and democratic legitimacy of those elected through that process.

This loss of confidence will be difficult to repair, but a start may be made by repealing all of the changes in election processes made in response to COVID, eliminating most absentee voting, reforming the ICV process and voting in nursing homes, and returning to a single election day.

9 Election Observers

Political party election observers (called poll watchers in other states) play an important role in deterring malpractice and reassuring the public that the voting and counting processes are free and fair, but there is increasing concern that the political parties are failing to recruit, train and deploy sufficient observers to perform this essential function. To assess the situation in Wisconsin, we asked supervisors if they had both Republican and Democrat observers at every polling location in 2020. Less than a fifth (17%) said they had poll watchers from both parties at every polling place. Clerks said things like: *don't get many; have some; some polling locations had no observers; and we don't have any observers*. In fact, a third say they never have observers.

Analysis and Recommendations

While there are large parts of the election process (absentee and early voting) that are now unobservable or difficult to observe and therefore unverifiable, observers still play an important role in election integrity. The major political parties, both Republicans and Democrats, are clearly failing in their responsibility to the public to train and deploy sufficient observers to continuously observe all election processes that are open to observation.

In poll after poll, election integrity is a primary concern for strong majorities of the electorate; and many election integrity organizations (like our) have been founded in Wisconsin to help ensure free and fair elections for all voters, so there is really no excuse for the lack of observers in Wisconsin. We recommend that political parties redouble their efforts to recruit, train and deploy election observers, and that election integrity organizations do whatever they can to supplement and reinforce these efforts.

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