

Subject **RE: Absentee ballot**
From Tami Hendrickson <tami.hendrickson@co.richland.wi.us>
To 'Village of Boaz' <villobboaz@mwt.net>
Date 2021-02-18 11:54 am



Hi Susi,

I just got done entering your poll book into the State system. Yeah!! Great job.

May I make one suggestion since the next election should have more voters?

You had 1 absentee voter in the poll book. We have to record them as an absentee voter in the State system.

Could you please ask your workers to use a red pen to mark their number assigned to the voter AND to put an A next to the number. A1, A5...This will easily stand out to us and let us know that this voter was absentee and not an in person voter. We would greatly appreciate it. Let me know if you have any questions.

Thank you,
Tami Hendrickson

From: Village of Boaz [mailto:villobboaz@mwt.net]
Sent: Wednesday, February 17, 2021 8:43 AM
To: Tami Hendrickson <tami.hendrickson@co.richland.wi.us>
Subject: RE: Absentee ballot

Tami, I am glad to hear that you were out of there by 10! And thanks for letting me know that I'm not losing it. :) We at Boaz are grateful for all the assistance we get from your office and all the other departments at the County level.

Susie

On 2021-02-17 8:37 am, Tami Hendrickson wrote:

Hi Susi,
No you didn't miss it. I figured out how to add that verbiage to the website as it was missed. I don't design the web page – I just enter numbers. Hey we were out of here by 10 last night. That was AWESOME!!! Thank you for doing such a good job. It makes our job much easier.

Thank you,
Tami Hendrickson

From: Village of Boaz [mailto:villobboaz@mwt.net]
Sent: Wednesday, February 17, 2021 8:36 AM
To: Tami Hendrickson <tami.hendrickson@co.richland.wi.us>
Subject: Re: Absentee ballot
Good Morning, Tami,



Wisconsin Elections Commission

201 West Washington Avenue | Second Floor | P.O. Box 7984 | Madison, WI 53707-7984
(608) 266-8005 | elections@wi.gov | elections.wi.gov

DATE: February 9, 2024

TO: Wisconsin Municipal Clerks
City of Milwaukee Election Commission
Wisconsin County Clerks
Milwaukee County Election Commission

FROM: Wisconsin Elections Commission

SUBJECT: Q&A Concerning Witness Address Information Related to *Rise, Inc., et al. v. WEC et al.*, (2022-CV-002446), *League of Women Voters of Wisconsin v. WEC, et al.*, (2022-CV-002472), and *White et al. v. Wisconsin Elections Commission*, (2022-CV-001008)

This memo is intended to answer basic questions that may arise following the Commission's three clerk communications concerning the above-referenced cases relating to absentee ballot witness addresses. This Q&A document does not alter the meaning of those communications and is intended as a practical guide to understanding them.

Question 1: Can an election official modify or add information to absentee ballot witness certifications?

Answer 1: No. Election officials cannot modify or add information to absentee ballot witness certifications.

Question 2: What does "address" mean as used in Wis. Stat. § 6.87(2) and (6d)?

Answer 2: It means "a place where the witness may be communicated with."

Question 3: What information is required for a sufficient witness address?

Answer 3: No particular components or information are required, but **an absentee ballot cannot be rejected or returned to a voter for correction under Wis. Stat. § 6.87(9) as long as the face of the certificate contains sufficient information to allow a reasonable person in the community to identify a location where the witness may be communicated with.** This does not prevent returning an absentee ballot to a voter or rejecting an absentee ballot after 8 p.m. on Election Day if this standard cannot be met or if there is a separate issue, such as a missing witness signature or missing voter signature.

Wisconsin Elections Commissioners

Don M. Millis, chair | Marge Bostelmann | Ann S. Jacobs | Carrie Riepl | Robert Spindell | Mark L. Thomsen

Administrator
Meagan Wolfe

Question 4: What information is enough for a reasonable person in the community to identify a location where the witness can be communicated with?

Answer 4: The Commission cannot provide a complete answer to this question since, by definition, it is community specific. However, it can state that in the four scenarios below, the witness address must be considered sufficient. A witness address is sufficient if:

- a. The witness's street number, street name, and municipality are present, but there is neither a state name nor a ZIP code provided;
- b. The witness's street number, street name, and ZIP code are present, but there is neither a municipality nor a state name provided;
- c. The witness's street number and street name are present and match the street number and street name of the voter, but no other address information is provided; or
- d. The witness certification indicates that the witness address is the same as the voter's address with any or any combination of the following words: "same," "same address," "same as voter," "same as above," "see above," "ditto," or by using quotation marks and/or an arrow or line pointing to or from the voter address.

Question 5: If one of these four scenarios is not present, should the absentee ballot be rejected?

Answer 5: Not on that basis. **If an election official determines that one of the four scenarios above is present, the witness address is sufficient, and no further determination is needed. If one of these scenarios is not present, an election official must apply the standard in Answer 3, which is to look to the face of the certificate for information that would allow a reasonable person in the community to identify a location where the witness may be communicated with. If the information can be found on the face of the certificate, it is sufficient.**

Please contact the WEC Help Desk at elections@wi.gov or at (608) 261-2028 with any questions. This memorandum was reviewed and approved by the six members of the Wisconsin Elections Commission at their February 8, 2024, public meeting.

Absentee Voters at the Polling Place

Election inspectors should follow these procedures if a voter with an absentee designation in the poll book comes to the polling place to vote on Election Day, in addition to the procedures outlined in the Electors section.

Municipalities must track absentee ballots on the pre-printed poll list. The clerk shall also provide each polling place an Absentee Ballot Log (EL-124).

The absentee notation on the pre-printed poll list indicates that an absentee ballot was issued to the voter. The notations may or may not indicate that the ballot was returned.

1. If an individual noted as “absentee” appears at the polling place, the inspectors should check the Absentee Ballot Log (EL-124) to determine if the ballot has been returned.

¹⁶ See Wis. Stat. §§ 12.13(3)(x), 12.60(1)(b).

¹⁷ See Wis. Stat. §§ 12.09(2), 12.60(1)(a).

- h. If the absentee ballot has been returned and there are no errors that would cause the ballot to be rejected, the voter may not vote at the polling place.
- i. If it has been returned and there are errors that would cause the ballot to be rejected, see “Voter Correction of Incomplete Absentee Certificate Envelopes” on page 101.
- j. If the absentee ballot has not been returned, the election inspectors ask the voter “Did you mail or personally deliver your absentee ballot to the clerk’s office?”
 - i. If “yes,” the voter cannot vote at the polling place.
 - ii. If “no,” the voter is issued a ballot if otherwise qualified.
 1. If an absentee ballot is later received for that voter, the elector’s absentee ballot would be processed as a rejected absentee ballot and the clerk contacted immediately.