



Wisconsin for America First

# Election Integrity Manual

This manual is a work in progress and will be updated whenever new or additional information is available. If you have any comments, suggestions, or corrections, please send them to:

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This manual was written and is updated by *Wisconsin for America First*, with support from The America Project. Every effort has been made to ensure the accuracy of the information provided in this manual, but given the variance in procedures by locality, and many recent legal and procedural changes, errors and omissions are inevitable; therefore, only Wisconsin statute and official procedures of the Wisconsin Elections Commission (WEC) are authoritative.

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# Operation Eagles Wings

Virginia for Election Transparency and Virginia for America First are part of a national initiative called “Operation Eagles Wings” supported by the America Project (TAP), and through the voluntary contributions of individuals committed to the restoration and strengthening of constitutional democracy in America. OEW grew out of the program developed for the 2021 state and local elections in Virginia, creating a template for issue advocacy and election integrity programing which became nationally known as the “Virginia Model”.<sup>1</sup>

Virginians for America First (VFAF) launched on 09 March 2021 with the intent to achieve which aimed to elect an America First majority in the Virginia House of Delegates. Bishop Leon Benjamin, initially supported by Americans for Limited Government (ALG), led the efforts as the founder of Virginians for America First. His courageous stand on America First principles resonated with Virginians of all races and social standing. He was instrumental in bringing unity, building coalitions, and reaching into communities not normally engaged.

Once VFAF launched there was great response with hundreds of sign-ups within hours. This came as a surprise. The *overwhelming* interest of those sign-ups was *election integrity* (EI). It became obvious we must include an EI program component to satisfy the interests of our volunteers.

While I was a political appointee during the Trump Administration at the US Agency for International Development, I had worked with Tim Meisburger, who was appointed to USAID by President Trump in 2017 as a director of USAID’s Center for Democracy, Human Rights, and Governance (DRG).

Tim is an expert in EI, with 30+ years experience around the globe working to ensure free and fair elections in third world and developing democracies; so I contacted him, and asked for his help in developing an EI program based on accepted international standards. Tim joined VFAF/ALG and developed the EI program. He generated a manual for election observation specific to Virginia based on recognized international standards.

The EI program in conjunction with the America First voter education component became the complete “Virginia Model.” Parts of this model are being shared in states across the nation by others, but only TAP is providing the model in total.

In the summer of 2021 TAP learned of VFAF’s project in Virginia, and began supporting it financially as the major contributor. TAP recognized early on that this project was making an impact in Virginia, and that what had been effective in Virginia in 2021 could serve as a model for programs in battleground states in 2022.

The EI component of OEW consists of four major parts:

- Voter education of America First issues concentrating on low-propensity voters. These are voters who are generally not politically engaged but want America First principles in our government.
- Training of poll workers/poll watchers with an in-depth program on election observation, reporting, and the rights of citizens to have free and fair elections.

<sup>1</sup> See [Fixing Virginia’s Elections to Save America](#)

- Direct citizen observation and review of processes and procedures pertaining to the maintenance of and handling of voter rolls. This is primarily achieved by communicating directly with election officials in each municipality.
- Real time evaluation of absentee ballot processing during election season (45 days of early voting in Virginia). This part of the program will need to be adjusted to correspond with state specific statutes.

The voter education component of the OEW conducts campaigns to inform voters who have historically had little access to information on the America First movement about the of how America First policies can increase their freedom and improve their lives. Increased turnout by new America First voters, particularly in minority communities, was a very important part of the victory in Virginia. We learned through our targeted voter education efforts, and canvassing, that addressing issues that directly affected voters and their families made the difference in turning out minorities to support candidates who embraced America First principles.

Following its successes in Virginia, TAP developed the “Operation Eagles Wings” program to share its approaches with like-minded organizations across the country, and to implement the Virginia Model Template in nine critical states: Florida, Georgia, Virginia, Pennsylvania, Georgia, Wisconsin, Arizona, Texas, and Illinois.

2021 in Virginia was a message sent to every America First Patriot that with dedicated hard work, focus, and a united effort “We the People” can save the Republic for future generations. 2022 offers us the opportunity to repeat a Virginia type victory all around the nation. Join us by going to [www.americaproject.com](http://www.americaproject.com) to volunteer for, and donate to this effort.

*Mark Lloyd  
Director  
Operation Eagles Wings*

# 1 Wisconsin's Broken Elections

Wisconsin is in trouble. Our elections are seen as among the most mismanaged and fraudulent in the country, and, as the eminent former Supreme Court Justice Michael Gableman pointed out in his recent report (see a summary below), vote fraud in Wisconsin may have contributed to undermining both state and national elections in 2020. Given the issues and problems reported, no Wisconsinite can be confident that our elections are conducted fairly, and that the announced winners were legitimately elected.

The problems in elections are grounded in our election administration, beginning with the perception that there is political bias in the hiring of election inspectors and conduct of the election process. There are credible reports that corrupt state officials have provided privileged election information to partisan individuals and organizations, and concern is growing about the dark money corruption and bribery through private “funding” of election processes.

Our election procedures are a mess. A mix of ill-defined, non-transparent, inefficient, and constantly changing processes. This confusion was multiplied through ill-advised changes in procedures in response to the COVID pandemic. Two of the most harmful measures expanded as COVID response—early voting and mail-in voting—severely damaged election security, facilitating fraud, coercion, intimidation, and vote buying. In a fundamental violation of equal protection, early voting was implemented unequally, and unfairly, across the state. The new procedure failed to provide adequate security measures for absentee ballots, “chain of custody” processes, and oversight for drop boxes.

Wisconsin's voter rolls are wildly inflated and riddled with error. Our decentralized registration lists facilitate fraud and impersonation, and the ID requirements for registration and voting are insufficient to ensure identity and citizenship. Fraud is also facilitated by a lack of transparency in counting and polling processes; and there are many reports from 2020 of observers being intentionally prevented from effectively observing these processes; and of some processes being conducted in secret, without observers.

Beyond the administration of elections, we have evidence of significant vote fraud being sponsored by corrupt party and union officials, and ‘non-partisan’ non-profits; including organized election fraud in nursing homes, an unconscionable abuse of the most vulnerable in our society. Among the general public, we see widespread doubt in the accuracy and security of machine-based voting, which fuels public distrust in the integrity of the election process and the democratic legitimacy of elected representatives. Finally, public confidence in our judicial institutions is decreasing, as we witness impunity for election process crimes and fraud; with clear violations ignored and unprosecuted, and politicized institutions and courts blocking the collection and presentation of evidence.

Fundamental reforms in law and procedures are required to restore lasting public confidence in the integrity of Wisconsin elections, but these reforms will take time. Unfortunately, we don't have much time, as our next election season begins August 9th, 2022. While we must not cease to advocate for fundamental reforms, in the near term we believe that the most important action we can take to strengthen the integrity of our elections, and confidence in the democratic legitimacy of our elected representatives, is to increase transparency in electoral processes.

Your participation is essential to achieving this goal. This guide aims to provide you, a citizen, with the knowledge and tools needed to help ensure a free and fair election process for all of Wisconsin's voters. In the guide you will find information on election reform advocacy, becoming an officer of election, and monitoring election processes; all activities aimed at increasing transparency in the elections, and public ownership of that process.

The American republic was founded on the principle and promise of self-government. Now that promise is threatened by a loss of faith in the integrity of the very process that enables self-government, and the republic that so many struggled and fought and died to establish, is at risk. Now, as our forefathers once did, we are called to lead; to secure again the right to self-government for ourselves and our families and our fellow citizens. If we are to save our republic, it must begin here, now, and with this election. As has ever been, success will require sacrifice and hard work, but with your help, and the guiding hand of God, it is not too late to restore our republic.

Mark Lloyd  
State Director  
Wisconsin for America First



## 2 Wisconsin for America First – Election Transparency Initiative

### 2.1 About WFAF

Wisconsin for America First (WFAF) is a 501(c)(4) that endorses local and state-level candidates that espouse the principles of the America First movement in Wisconsin. We also support, through our Election Transparency Initiative, the right of all citizens to have their voices heard in a free and fair election process. Although the Initiative will review some aspects of the 2020 election, we are primarily focused on increasing transparency and integrity in the state and federal elections which begin in August 2022, and in improving election processes before the 2024 elections.

### 2.2 Promoting Election Transparency

To increase transparency; and to detect issues and concerns with election processes as early as possible so that they can be addressed before the election; WFAF has established a statewide election observation network. Long-term election observers will meet with clerks, other election officials, party representatives, and security officials before election season begins, to learn more about their plans for ensuring free and fair elections. To ensure the public is fully informed of progress (or lack thereof), the WFAF will issue frequent reports of its findings state-wide, and at the county or city level.

In most states, only political parties and candidates can nominate election observers (called poll watchers or challengers), but Wisconsin's election law allows any citizen to observe election processes. This means that in addition to party observers, in Wisconsin there is an opportunity for church groups, civic organizations, and other non-partisan associations, to promote increased election transparency through observation.

To enhance transparency and ensure effective observation during the election season, WFAF will prepare training programs, guidance materials and reporting protocols for party poll watchers, and non-partisan groups and organizations. WFAF will establish a reporting center to collect, synthesize, and share observer and poll watcher reports. WFAF supports greater public participation in—and ownership of—elections; and will provide free of charge to any individual or organization committed to free and fair elections our observation materials, and the possibility to contribute to a collective observation report.

### 2.3 Election Integrity Activities

#### 2.3.1 *Election Reform Advocacy*

WFAF will work with like-minded organizations and individuals to develop and promote a common election reform agenda, aimed at institutionalizing a transparent and credible process that enhances public confidence in the fairness of our elections. The draft reform agenda, and suggestions on how individuals and organizations can help advocate for transparent and credible elections are included below in chapter 3.

#### 2.3.2 *Pre-Election Observation*

WFAF will recruit, train and deploy non-partisan long-term observers at the county and municipal level who will monitor election processes and preparations in the period before the election season begins on August 9th. They will hold introductory interviews with local registrars, boards of election, and security officials, and the information they collect will be compiled by the WFAF into both public and internal statewide reports that can be used to inform advocacy, and hopefully to improve the integrity of the

election process before it begins. The initial Election Clerk questionnaire and implementation guidance for this phase of the observation is provided in section 6.2.

### *2.3.3 Election Season Observation*

Election season observers will monitor the advance in-person voting at registrars' offices, and drop-off locations. They will also be engaged in recruiting and training election day poll watchers. Checklists and report forms for election season observers will be developed when the procedures for the period are finalized by the Wisconsin Elections Commission, and then inserted in the online version of this manual, as well as in a detailed guidance document prepared specifically for election season observation.

### *2.3.4 Observing Election Day and the Vote Counting*

Election day and counting observers play a critical role in ensuring the integrity of the election process. Although observers are typically deployed by political parties, any organization or individual interested in election integrity is entitled to observe all phases of the election process. WFAF, in collaboration with coalition partners, has developed guidelines and report forms for election day and counting process observers, which are included in chapter 7.

## **3 Advocacy for Election Reform in Wisconsin**

To restore confidence in the integrity of Wisconsin's elections will require fundamental reform of election laws and procedures to increase the transparency and security of the entire process. Volunteers should be advocates in their communities and across the state for these simple, commonsense reforms.

### **3.1 Commonsense Election Reforms**

Demand equitable or equal representation in election administration staffing and administration. Bipartisan or multi-partisan staffing at every level is a critical security measure in preventing officials from favoring one party or engaging in corrupt practices in the administration of elections; and essential in enhancing voter confidence in the integrity of the election process and the democratic legitimacy of elected representatives.

Ensure that the primary objective of any election "reform" or process change is never increasing efficiency or lowering costs, at the expense of transparency and security. The primary objective of all reforms and changes must be to increase voter confidence in the integrity of the election process, a metric that can easily be measured through surveys prior to enacting any change.

End most early and mail-in voting; Supposedly to make it easier to vote, our election day has expanded to election month, but election professionals agree that early voting, mail-in voting and ballot harvesting all facilitate voter intimidation, impersonation, ballot box stuffing and other forms of fraud. To protect Wisconsin's elections and restore confidence in their integrity, we must demand that lawmakers return to a single election day. Rather than extending the voting period or using insecure mail-in ballots to increase participation at the expense of election integrity, they may make election day a mandated holiday with absentee voting limited to those with a genuine and provable need.

Demand clean voter rolls, maintained at the state level. Require the WEC to conduct a comprehensive voter registration audit, and to use internationally accepted standards and practices to address the weaknesses in our voter registration process identified through the audit

Allow effective observation of all election processes; Transparency is the key to creating voter confidence in the integrity and legitimacy of elections, and to facilitate transparency, allowing effective election observation is a norm in established democracies around the world. In 2020 numerous incidents were reported in Wisconsin and across the country of observers being prevented from effectively monitoring election processes. Effective observation is an internationally recognized standard for free and fair elections. To enable transparency and increase public confidence in the integrity of elections, the Governor, Assembly, Senate, WEC, and state and local election officials must respect international norms and standards and make all election processes open to effective observation by both partisan and non-partisan observers. This right is enshrined in law, but be honored and enforced in practice.

Demand manual rather than machine-based voting and counting processes; Voting and counting machines are inherently non-transparent, prone to malfunction, and are viewed by many computer experts (and by senior politicians of both parties) as highly susceptible to rigging, fraud and abuse. Machine processes cannot be effectively observed and certified by election officials, observers or ordinary citizens, and as such they have no place in Wisconsin's elections. To restore confidence in the integrity of elections, Wisconsin must revert to a simple, transparent, and manual polling and counting processes.

Ban "dark money" private funding of election processes; Dark money from outside the state continues to pollute Wisconsin's elections and is likely to be an even bigger problem moving forward. In 2020 the Center for Tech and Civic Life (CTCL) gave \$5.8 million of Zuckerberg money to Wisconsin's 5 largest cities for "election administration", fueling suspicion of vote-buying, bribery and undue influence. Under Wisconsin law, elections should be funded by towns and counties, so volunteers and voters must demand that the Assembly and Governor prohibit such external funding in future.

Expose "foreign" funding for campaigns from outside the affected constituency; No country in the world allows foreign funding in their election campaigns, because in a democracy only the citizens who will be represented should have influence on who is elected. The same principle should apply across constituencies in the US. For example, it is incredibly unfair and undemocratic for Silicon Valley to influence Governor or Delegate races in Wisconsin. If it is not possible to prohibit these undemocratic practices, "foreign" funding of Wisconsin elections must be monitored and exposed, to ensure voters know who is trying to unfairly influence our representatives.

#### **Wisconsin Commonsense Election Reforms**

- *Provide equal representation in election staffing and administration*
- *Repeal election "reforms" that decrease transparency and security*
- *End most early and mail-in voting*
- *Clean bloated and error-ridden voter rolls*
- *Allow effective observation of all election processes*
- *Use manual rather than machine-based voting and counting processes*
- *Ban "dark money" private funding of election processes*
- *Expose "foreign" funding for campaigns from outside the affected constituency*

### 3.2 Taking Action

In 2022, our objective is to elect a Governor and Assembly body committed to making commonsense election reforms that will ensure that all voters' voices are heard and make it easy to vote and hard to cheat. To achieve this objective will require a concerted effort across the state, and WFAF volunteers have a key role to play. First, publicize the Commonsense Election Reforms by preparing posters and/or leaflets to put up or pass out in your areas. The WFAF office will prepare some examples and templates you can use, but feel free to also use your own creativity, and share your creations across the network.

Print the Commonsense Election Reform Pledge (in the box at the end of this section) and ask all your local Delegate candidates to sign the pledge. If any will sign, you can use that as a lever to pressure the others, as the coalition will endorse any candidate that signs the pledge. Please let us know who does sign, and who does not.

Write op-eds and letters to the editor for local papers or social media or get interviewed on local radio. Explain the reforms and endorse the candidates who signed the pledge and question the fitness of those who have refused to do so.

Enjoy the fine weather and hold a rally/barbeque/party for election reform. Invite local leaders, candidates, and press.

#### **Commonsense Election Reform Pledge**

*I recognize that democracy in Wisconsin is dependent on free and fair elections, and if elected, I promise to support legislation that will:*

- *Provide equal representation in election staffing and administration*
- *Repeal election "reforms" that decrease transparency and security*
- *End most early and mail-in voting*
- *Clean bloated and error-ridden voter rolls*
- *Allow effective observation of all election processes*
- *Use manual rather than machine-based voting and counting processes*
- *Ban "dark money" private funding of election processes*
- *Expose "foreign" funding for campaigns from outside the affected constituency*

Signed \_\_\_\_\_

Candidate for \_\_\_\_\_

## 4 Working as an Election Official

### 4.1 Why Serve as an Election Official?

Although both parties have the right to recommend elections officers for every precinct, in the past Republicans have been less likely to do this, and consequently there are many precincts without Republican officers. Likewise, in some heavily Republican districts there are too few Democrat officers

When this occurs, one of the essential checks and balances built into the system is missing, and this contributes directly to many voters' lack of confidence in the integrity of the election process.

Most forms of election cheating and fraud are not possible without the collusion of election officials, so our number one recommendation for those interested in promoting election integrity is to get a job as an election official. The following information is summarized from a page on *Becoming a Poll Worker*, that can be accessed at the Wisconsin Elections Commission website [here](#).

## 4.2 Poll Worker Positions

There are several different positions available, all of which are appointed by the municipal clerks:

Election Inspectors – Help check voters in at the polling place and register them to vote, as well as issuing them ballots. Election inspectors receive training from the municipal clerk or online from the Wisconsin Elections Commission. They must be residents of the county where they will be working.

Chief Election Inspector – The lead election official at a polling place and has additional training requirements. In order to become a Chief Election Inspector, you must complete online or in-person baseline training which lasts about two hours. Chief Election Inspectors must be residents of the town, village or city where they serve as a chief inspector (in a pinch a Chief Inspector can be from the county).

Greeters or Election Registration Officials – Each polling place can have one person appointed as an official Greeter who must be a resident of the county where they serve. Greeters can also help at a polling place by making sure voters are in the correct line and assist with sanitization efforts.

Election Registration Officials – Must be residents of the county in which they serve and help voters registering to vote on Election Day. Both greeters and EROs must take some training before Election Day about the job they will be doing.

Tabulator – Assists with ballot counting after the polls close on election day. State law does not make any specific residency requirements of these individuals.

Polling Place Helper – Some elections may need polling place helpers to keep the polling place organized. Depending on the clerk and the election, you may be able to volunteer to help out at a polling place by making sure voters are in the correct lines, assist with enforcing social distancing, and making sure the polling place is properly cleaned throughout the day. Citizens who just want to help with these tasks on election day do not need to meet any training or residency requirements.

## 4.3 Poll Worker Qualifications

To be a poll worker, a person must:

- Be a U.S. citizen
- Be 18 years old ([except high school student poll workers](#))
- Be able to read and write fluently in the English language
- NOT be a candidate for any office to be voted on at the polling place at that election
- Be a qualified elector of the county where the polling place is located. Please note Chief Inspectors must be a qualified elector of the municipality where the polling place is located (except for Polling Place Helpers).

A poll worker may also:

- Have strong clerical skills
- Be able to solve problems
- Be an effective communicator.

#### 4.4 Compensation and Selection

Poll workers are appointed to two-year terms so you will be asked to make a minimum two-year commitment. Polling worker shifts can be between 7:00 a.m. and 8:00 p.m. on Election Day. Poll workers can work a full day, generally from 6:30 a.m. until approximately 9:00 p.m. or later in the case of November elections. In many municipalities, election inspectors can work a split shift.

Poll workers are compensated for working at polling places at a rate determined by the appropriate municipal governing body. In some municipalities, they are also compensated for attending any required training sessions.

Wisconsin law requires every employer to grant an unpaid leave of absence to each employee who is appointed to serve as an election official, if the employee who serves as an election official provides their employer with at least 7 days' notice. The leave is for the entire 24-hour period of each election day in which the employee serves in their official capacity as an election official. Upon request of any employer municipal clerks must verify appointments.

If you are interested in becoming a poll worker, there are two ways to be nominated: either through a nomination from the Democratic or Republican Party or by applying directly to your town, village or city clerk. If you are active in a political party, you can be nominated by your county party to serve as an election official.

You can find contact information for your county party chairperson by going to [www.wisgop.org/county-parties/](http://www.wisgop.org/county-parties/) for the Republican party or [www.wisdems.org/county-parties](http://www.wisdems.org/county-parties) for the Democratic party. You can select your county from these websites and view the contact information for your local party chairperson. Please note that party nominations must be submitted to the mayor, village president or town board chairperson no later than November 30 of each odd-numbered year.

If you do not wish to be appointed through a political party, you can be nominated by your mayor, village president, or town board chairperson. You can contact your municipal clerk directly to find out more about the application process. Your municipal clerk's contact information can be found [here](#).

According to State Statutes (7.30 (4)) the Mayor, President or Board Chairperson of the municipality is required to nominate poll workers to the governing body no later than the last regular meeting in December of odd-numbered years. The governing body of the municipality appoints the poll workers for a two-year term before December 31.

The nominees are to come first from lists submitted by the two dominant political parties, which are due no later than November 30 of odd numbered years, and may be supplemented at any time. Local party chairpersons are responsible for submitting these lists of names to the Mayor, President or Board Chairperson of the municipality, for each polling place.

If a local party does not submit a list, or does not submit enough names, the Mayor, President or Board Chairperson may nominate qualified individuals on a non-partisan basis, without regard to party affiliation.

#### 4.5 Poll Worker Training Requirements

Municipal clerks are required by state law to provide training. This training provides all of the necessary information and knowledge to be a successful poll worker. (Many municipalities require poll workers to attend a comprehensive training course prior to each Primary election.)

Position	Training Hour Requirements	Training Location	Residency
Chief Election Inspector	6 hours total of training per two year term Baseline Inspector Training (2 hours)	Online or In-person	Town/Village/City
Election Inspector	Some	Online or In-person	County
Greeter	Some	Online or In-person	County
Election Registration Official (ERO)	Voter Registration	Online or In-person	County
Tabulator	Counting Votes	Online or In-person	County
Helper	None Required	N/A	No Requirement - inquire with clerk

#### 4.6 High School and Home School Election Inspectors

State law permits certain qualified high school and home-based private educational program students to work at the polls as an election inspector on Election Day. [Wis. Stat. § 7.30\(2\)\(am\)](#).

Students must be enrolled in a public, private, or tribal high school or a home-based private educational program. Students may decide for themselves to serve as election inspectors or in response to a school sponsored initiative. Civics, government or political science teachers or administrators may see this as an opportunity for a real life learning experience. Student organizations may find this to be an attractive form of community service and an interesting learning opportunity.

Allowing students to work as election inspectors provides an opportunity for students to become involved in the election process and also offers clerks another resource for filling election inspector positions. Students with foreign language skills can serve at polling places where voters may need assistance understanding the ballot, voting equipment and other election-related materials. In many locations, Hmong and Spanish speaking voters need special assistance.

Students qualify to serve as election inspectors if they:

- Are 16 or 17 years of age
- Are enrolled in grades 9 to 12 in a public, private or tribal school or a home-based private educational program.
- Have at least a 3.0 grade point average or the equivalent.

- Have the written approval of their parent or guardian.
- Have the written approval of the principal of the school in which they are enrolled, if the student has less than a 3.0 grade point average.
- Reside in the municipality.

Students may serve only at polling places that serve their residence.

For more information about this program, please visit the WEC website [here](#).

#### 4.7 Promoting Integrity as an Election Official

As an election official, if nominated by your party, you have a legal and moral duty to administer elections that are free and fair for all voters. Although it is unlikely, in the performance of your duties you may witness other officials engaging in practices not consistent with law or regulations.

These can be irregularities (i.e., failure to follow law or procedure due to ignorance), or malfeasance (intended to undermine the integrity of the vote). In some cases, it may be difficult to determine whether an incident is an irregularity or malfeasance, but in every case an election officer should attempt to rectify the situation. That may be as simple as informing the officer(s) of the correct procedure (with reference to official documentation) or contacting senior election officials (County or City clerks, or your district representative or the WEC itself.) In cases of potentially criminal conduct, refer to the specific guidance below.

Election officers are encouraged to fill in and submit the Election Officer's Checklist located at the end of this section, or online [here](#) to the WFAF office after the election. This information will be shared with the parties and used to evaluate the election process and make recommendations for future elections. Election officers are encouraged to file a complaint with the Wisconsin Ethics Commission [Ethics Complaints \(wi.gov\)](#) at any time during their tenure as election officers to report incidents, concerns, or any other information they think might be relevant.

#### 4.8 Reporting Irregularities and Malfeasance

Irregularities are procedural errors that may be caused by a lack of knowledge or a lack of critical materials. Minor irregularities may not affect the integrity of the process but are indicators of poor training or election management. Some irregularities can impact the integrity of the process (such as positioning polling booths so that poll watchers or other voters can see a voter marking a ballot; or preventing poll watchers from effectively observing the election process), and if these are done intentionally, would be considered malfeasance. We generally think of malfeasance as an intentional effort to undermine the integrity of the election process; that is defined as a crime in the Wisconsin election law.

Examples of criminal malfeasance include but are not limited to:

- Knowingly falsifying registration applications or accepting multiple registration applications from the same person (up to ten years in prison).
- Knowingly allowing unqualified people to vote (up to five years in prison) - Refusing to permit a qualified voter to vote, or refusing to count the vote of a qualified voter (\$1000 fine per affected voter)
- Counterfeiting ballots (up to ten years in prison)
- Tampering with registration or voting equipment with the intent to influence the election outcome (up to ten years in prison)



- Aiding or abetting absentee ballot fraud (up to ten years in prison)
- Conspiracy against the rights of citizens to vote (up to ten years in prison)
- False statements made to enable election fraud (up to ten years in prison)

We generally think of malfeasance as an intentional effort to undermine the integrity of the election process. If you witness serious malfeasance or what you think may be criminal behavior in the election process, you have several options. You can report the incident to the state through the following links:

- Email, call or text the relevant Hotline [Contact Us | Wisconsin Elections Commission](#)
- Collect evidence and file an Ethic Complaint [ETH-10 Complaint Form.pub \(wi.gov\)](#)

Since state institutions don't have a particularly good track record in investigating or prosecuting election crime in Wisconsin, we suggest that as an alternative, or in addition to, a report to the state, you submit an *WFAF Incident Report Form*. This form has been designed by legal professionals to ensure sufficient information is collected to form the basis of a legal declaration or affidavit that can be used in any needed follow up. WFAF's legal team will review all incident reports, and follow up with legal action, if warranted. The online incident report form is available [here](#), and a print version is attached below.

If you are employed by Wisconsin as an election official, and worry that reporting malfeasance might affect your employment status or personal life, you should know about the protections afforded by Wisconsin's "whistleblower" law. State of Wisconsin workers under the "[Whistleblower Law](#)" (Wis. Stat. § 230.80) are protected when they report violations of law, rules, and regulations and if they report mismanagement or abuse of authority. However, to obtain protection under this law, the employee needs to first report either in writing to the employee's supervisor, or in writing to the appropriate governmental unit.

To learn more about filing complaints, go to Annex Two– Sworn Complaints.

## WFAF Election Inspector Report

Instructions: *fill out the form and send to WFAF. If you need additional space for any question, use the back of the form, or attach additional sheets, as needed.*

Name:	Precinct:	
Date Submitted:	County/City:	
<b>Before the election</b>		
1	Did you receive training before election day?	Yes___ No___ N/A___
2	Was your training provided in person or online?	In person___ Online___
<b>On election day</b>		
3	Did you receive all required equipment for the polling process?	Yes___ No___ N/A___
4	If not, what was missing?	
5	Were observers present during preparations to open?	Rep___ Dem___
6	Were observers present throughout the day?	Rep___ Dem___
7	Were observers present during the closing process?	Rep___ Dem___
8	Were observers present during the counting process?	Yes___ No___ N/A___
9	Were there any high school students serving as an election inspector at your precinct?	Yes___ No___ N/A___
10	Are you a student election inspector?	Yes___ No___
11	Did any media or press visit your precinct?	Yes___ No___ N/A___
12	Was your precinct overcrowded or normal?	Over___ Normal___
13	Did you witness any irregularities or malfeasance during the process? (if yes, please provide details on the back of the form)	Yes___ No___ N/A___
14	Please grade the overall efficiency of the polling at your precinct on the scale A-excellent, B-above average, C-average, D-below average, E-failing. If D or E, please provide details on the back.	_____
15	Please grade the overall integrity of the polling at your precinct on the scale A-excellent, B-above average, C-average, D-below average, E-failing. If D or E, please provide details on the back.	_____
	Thank you!	

## WFAF Election Incident Report Form

*Instructions: Please fill in the form as completely as possible as soon as possible after (or during) the incident. Take the time to collect names and contact details of other witnesses. If you collect electronic evidence (picture, video or audio recording), make a copy of the file and submit with your report, but retain the original on your phone or other electronic device. Submit the completed form as soon as possible to: WFAF*

### REPORTER INFORMATION

Reported by:	Phone:
Position (voter, election inspector, poll watcher, etc.):	Email:

### DESCRIPTION OF THE INCIDENT

Date of incident:	Time of incident:	Were the police notified: Yes / No
-------------------	-------------------	------------------------------------

Location of incident:

Description of the incident: (What happened, how it happened, etc. Be as specific as possible. Continue on back if needed and attach additional sheets if necessary)

Is there electronic evidence of the incident? Yes___ No___	What type of evidence is it? Phone photo__ video__ audio__
Is the evidence in your possession? Yes___ No___	CCTV__ Other_____

Did you witness the incident? Yes___ No___	If no, list the person who reported the incident to you below, along with details of any other witnesses. Attach additional sheets if needed.
--	---

### WITNESSES

Name of Witness:	Phone:
Role of Witness:	Email:
Name of Witness:	Phone:
Role of Witness:	Email:
Name of Witness:	Phone:
Role of Witness:	Email:
Name of Witness:	Phone:
Role of Witness:	Email:

### PARTIES INVOLVED IN INCIDENT

Name:	Phone:
Role:	Email:
Name:	Phone:
Role:	Email:
Name:	Phone:
Role:	Email:

**ADDITIONAL INFORMATION**

## 5 Becoming an Election Observer

A great way to start building election integrity is to become an election observer. You can be an observer for a party, a non-partisan association, or on your own. All of the information you need to be an effective observer is included in this manual. All information regarding the rules and processes surrounding becoming and acting as an election observer are available on the Wisconsin Elections Commission website here: [Election Observers | Wisconsin Elections Commission](#). This link provides you with WEC guidelines, and the EL-109 Election Observer Log that is accepted by the State of Wisconsin.

## 6 Monitoring Elections

### 6.1 Introduction

To help ensure a free and fair election for all voters, WFAF volunteer observers will monitor election processes and procedures throughout the election cycle. Observers can deter malfeasance and cheating, or by detecting and formally documenting such malfeasance, can deny legitimacy to fraudulent elections and provide evidence for lawsuits and other post-election court cases. By increasing the transparency of the election, observers can enhance public confidence in the integrity of the election process.

Pre-Election Observation – Observation will be conducted in phases, beginning with Pre-Election Observation. During the pre-election phase observers will look at the voter list, election administration, the legal framework and procedures for elections, and the broader election environment. Pre-election observation seeks to confirm the process, or to highlight potential problems or concerns so that they can be addressed prior to the election. Internationally, pre-election observers are usually referred to as Long-Term Observers or LTOs. LTOs often play an important role in recruiting, training and managing the larger number of volunteers needed for voting observation.

WFAF pre-election observers are non-partisan. In contrast to partisan observers, they do not represent a specific party. Instead, they represent all voters, and their primary objective is ensuring a free and fair process for all voters, regardless of outcome. Non-partisan observers are normal in other democracies, but still relatively rare in the US, where we have primarily relied on partisan observers. Non-partisan observation provides any voter, regardless of party, the possibility to support free and fair elections; allowing participation by independent voters, and by neutral groups (like church groups) that want to support a fair process, but don't want to affiliate with a particular party.

Election Season Observation – Election observation used to be largely confined to election day, but with long periods of advance voting, and all the opportunities that creates for malfeasance and fraud, we must develop new approaches to strengthening transparency and deterrence. The primary innovations of the WFAF approach are the deployment of observers during the advance voting, and the expectation that observers will file regular reports throughout the election season.

WFAF Coordinators will also work with local units to ensure that enough volunteer observers are recruited and trained. Election season observers will monitor and report on early in-person voting, absentee voting, and drop boxes. Daily reports will be aggregated and synthesized by the WFAF, shared with party units and coalition partners, and form the basis for regular press releases, op-eds, and other outreach efforts. Observers will also have access to a legal hot line for reports on incidents that might require an immediate legal response.

The primary objective of the election season observation is early identification of issues and concerns to improve the quality and integrity of the election while it is in process.

Observing Election Day and the Counting Process – Observers will be recruited and trained by party units and independent groups. The objective of election day observation is to detect and deter malfeasance through complete coverage of and reporting from all precincts in the state. Observers may work in shifts organized before election day. They will arrive before the precinct opens to observe set up of the precinct and machines, and will watch the polling process throughout the day, then the counting process after the poll. Each precinct observer (or team) will have a checklist and report form to facilitate monitoring, and the collection of data that can be used to validate or delegitimize the election process at the precinct after the election.

Post-Election Audits and Reports – After the election, WFAF will continue to monitor any post-election audits or court cases. Pre-election, election season and election day reports will be synthesized, and used to develop a comprehensive narrative report on the integrity of the entire election process, with recommendations for needed reforms in advance of the 2024 national elections.

## 6.2 Pre-Election Observation

WFAF will recruit, train and manage the initial LTO teams. Each team will be made up of 3-4 volunteers and will be responsible for implementing activities in several counties and/or municipalities during the first phase of observation. Teams will establish and maintain good relations with election officials, and other relevant government and security officials, in their area of operations (AOR).

These teams will also facilitate the recruitment and training of additional observers. As the network is built out, we hope to identify coordinators and team members for every county and city in the state. To learn more about how you can volunteer for this effort, please visit [WFAF.us](http://WFAF.us).

### 6.2.1 Clerk Survey

An initial registrar survey should be conducted in each city and county. LTO teams should request a meeting with each Clerk in their Area of Operations. A request should be sent by email, and immediately followed up by a phone call. Contact details for each Municipal and County Clerk can be found [here](#).

On the call, explain who you are and who you represent, and that you are election observers interested in learning more about the election process in the relevant county. Ideally, all interviews should be conducted within a week of the initial call, so request an early date. If they try to put it off, note that you have a deadline for reporting, and that it would be a shame if they were not represented in the state report.

During the interview, be respectful, nonconfrontational, and non-partisan. Express our common objective of excellent elections that are accepted by all as fair and credible. Prior to conducting the interview, you will be provided with an online video briefing on the questionnaire by WFAF staff. The questionnaire is attached below.

During the interview, please record responses directly on the form, using additional pages if required. After completing the questionnaire, you may want to ask additional questions specific to your AOR, but don't take up too much time. Decide with the Clerk to follow up by email or phone to collect any

information that wasn't available during your visit. Thank the Clerk for his/her time and note that you look forward to remaining in touch throughout the election cycle. After leaving the office, please photograph your forms, and email them to [report@wfet.us](mailto:report@wfet.us) As soon as possible, please enter the information from the form into the electronic form on the wfet.us website.

WFAF staff will also schedule a video debrief for your team so that you can provide feedback on the survey implementation, suggestions for improvements and/or additional follow up questions and share experiences and lessons-learned with other teams.

Tips for getting an appointment with a registrar for the survey:

- Confirm with Brock or Evet that the county is available
- Gather information for your county: Clerk name, phone number, email, physical address
- Start a page in a notebook for each Clerk office that you plan to visit

When you make contact with the Clerk:

- Let your team know that you are hoping to get some appointments and that you will need immediate feedback to confirm their availability.
- Be confident, polite, and friendly.
- It's absolutely our right to ask questions, but we don't want to be confrontational.
- We want to establish a relationship, and don't want to burn any bridges
- Preferable to call - they can't avoid you as easily, and you can keep it informal and friendly
- Email is a good way to follow up to let confirm the appointment Introduce yourself
- Explain that you are working with WFAF on a statewide initiative to visit every Clerk.
- "We are a non-partisan group looking to educate citizens about our election process"
- "We want to show people some of the behind-the-scenes aspects and help them gain confidence in our election process"
- So far we've met with about 5 (this number will be growing obviously) Definitely mention if you have met with another Clerk nearby.

When you ask for the interview:

- "We have developed a survey with about 25 questions"
- "I think it should take about an hour at the most"
- "How about tomorrow or later this week"
- Things to document during the call:
- Record the date and time you called
- Who you spoke to, when/if you need to call back

Tips for an Office Visit

- Prepare before arrival a) Questions printed b) Roles assigned c) Equipment ready
- Enter
- Wait your turn
- Introduce yourself
- Ask to see the clerk
- Record the names and positions of the people with whom you speak
- Calmly ask the questions and collect the responses
- If they refuse to provide documentation, inform them you will return in a few days to give them time to collect the documents, and thank them for their time

- If they do provide documentation, thank them for the help, leave a treat
- If they provide service, write a thank you note and mail it that day
- Report to the organizers the results of the visit
- Return to the organizers all documentation collected

### 6.2.2 *Monitoring Wisconsin Elections Commission Meetings*

Keeping up to date with the current matters that are discussed within the Wisconsin Elections Commission will keep you well informed on any changing developments in the Wisconsin elections Process. It is vital to know about any information that is discussed in these meetings.

The WEC holds monthly meetings that are visible on their Calendar [here](#), and can be viewed by watching them on Wiseye [here](#).

## 6.3 Election Season Observation

### 6.3.1 *What is Election Season?*

We have defined election season as the period from the opening of early in-person absentee voting until the day before election day. Throughout the election season, chain of custody and chain of observation are regularly broken for long periods, reducing the transparency needed to reassure voters that the process is fair and accurate. The introduction of new and complex procedures and extending the election period also places an unsustainable physical and financial burden on overworked election officials, and the observers tasked with ensuring the integrity and legitimacy of the election process.

This imperfect system falls far short of accepted norms and standards for transparent and credible elections and will require fundamental legal and procedural reforms to ever meet or exceed those standards. Until these reforms can be made, the only means to enhance transparency and public confidence in the integrity of the process will be through increased public scrutiny of every stage of the process to the extent possible. The WFAF program for election season observation seeks to provide that scrutiny wherever possible.

### 6.3.2 *Organizing to Observe*

This section requires investigation into the WEC website and My Vote website to gain prospective on preparation for voting.

My Vote will show procedures on voting process for both early voting and day of voting. [Home \(wi.gov\)](#) WEC will have the remaining information of how voting will take place leading to election season in WI. [Elections | Wisconsin Elections Commission](#)



Draft Wisconsin Municipal Clerk Survey Form – 4/10/22

County/City \_\_\_\_\_ Observers \_\_\_\_\_

Date of interview \_\_\_\_\_ Municipal Clerk \_\_\_\_\_

*Before the Interview* - Record the time and date of your call and email, and if the meeting is not set immediately, the time and date of their response

- a) Time and date of initial call and email: \_\_\_\_\_
- b) Time and date of response: \_\_\_\_\_
- c) Did the Supervisor of Elections refuse to meet you: Yes\_\_\_\_ No\_\_\_\_
- d) If yes, please provide the reason given for not meeting: \_\_\_\_\_  
\_\_\_\_\_

*The Interview* - Thank the Clerk for agreeing to see you. State that the purpose of the observation program is to provide voters with accurate information about the election process. Emphasize how important you think his/her role is in ensuring that everyone in the county sees the elections here are free, fair and legitimate.

First, we have a few general questions.

What is your biggest concern about the upcoming election? (open ended. Record verbatim.)

Any other major concerns? (open ended. Record verbatim.)

a. Do you feel like you have the resources, equipment, personnel, and training needed to run an effective election in November?

- Yes \_\_\_\_\_
- No \_\_\_\_\_
- Don't know \_\_\_\_\_
- No answer/refused \_\_\_\_\_

b. If no, what is missing?

Moving on, we would like to ask some questions about recruiting and training election inspectors

Can you describe how election inspectors are recruited in this area?

	<p>Does your office conduct training for the election inspectors, or is it done by a contractor?  We do it _____  Done by a contractor or NGO _____ Name of contractor: _____  Don't know _____  No answer/refused _____</p>
	<p>In some counties, clerks have had trouble finding equal numbers of election inspectors from each party. What about here? Are you able to have equal numbers of Democrats and Republicans? (please check one, then provide any relevant detail on right side of this box)  Yes _____  No _____  Don't know _____  No answer/refused _____</p>
<p>Thank you. Now a few questions on the voter roll and voter registration.</p>	
	<p>When was the last time the voter file in your county was scrubbed or cleaned?  (Enter date, and the number of days since last audit) Date: _____</p>
	<p>When was the last time you had access to the National Change of Address List or any other change of address list? (record date and other list(s), if relevant) _____</p>
	<p>a. Are you confident that the voter file is accurate and up to date?  Yes _____  No _____  Don't know _____  No answer/refused _____</p> <p>b. If no, what is/are your main concern(s) about the list?</p>
	<p>Are you confident the current ID requirements for registration and voting are sufficient to ensure identity and citizenship?  Yes _____  No _____  Don't know _____  No answer/refused _____</p>
	<p>Wisconsin is one of the few states with decentralized voter rolls. In your opinion, as an election professional, do you think Wisconsin should consider moving to a statewide voter roll, or keep the current system?  Move to statewide _____  Keep current system _____  Don't know _____  No answer/refused _____</p>

	<p>The election law states that voter rolls and registration lists shall be open for public inspection. How is that done in this municipality?</p>
	<p>a. Have you had any individuals or groups register as special registration deputies to conduct voter registration activities in this municipality?</p> <p>Yes _____</p> <p>No _____</p> <p>Don't know _____</p> <p>No answer/refused _____</p> <p>b. If yes, are you confident these registration activities take place without bribery, intimidation or coercion, and that only qualified voters are registered through these third-parties?</p> <p>Yes, I'm confident _____</p> <p>No, not sure _____</p> <p>Don't know _____</p> <p>No answer/refused. _____</p>
<p>Moving on, we have some questions on voting processes and technology.</p>	
	<p>Can you explain how your office manages voting in nursing homes?</p>
	<p>a. How is the voting system used in your county certified?</p> <p>b. Who certified it last and when?</p>
	<p>Who updates and calibrates the voting machines?</p>
	<p>Can you please explain how they update and calibrate the machines?</p>
	<p>Are you present when the machines are updated and calibrated, or is that process supervised by someone else? If someone else, what is their position?</p> <p>I am present _____</p> <p>Another person supervises this process (insert title and position) _____</p>



Many changes in election procedures were introduced in response to the COVID pandemic, and some people have argued that these changes weakened the integrity of the election process.

As an election professional, do you think the changes made in the election process in Wisconsin in response to COVID have weakened election integrity, strengthened election integrity, or made no change in election integrity?  
weakened integrity. \_\_\_\_  
strengthened integrity \_\_\_\_  
made no change \_\_\_\_  
Don't know \_\_\_\_  
No answer/refused \_\_\_\_  
(Record any additional comment or explanation of response below)

a. Did you receive any funding or in-kind contributions for training, staff, voter education or equipment, or any other purpose from any non-governmental organization?  
Yes \_\_\_\_  
No \_\_\_\_  
Don't know \_\_\_\_  
No answer/refused \_\_\_\_

b. If yes, what was the funding or contribution used for?

There is a lot of concern in Wisconsin and across the country about the security and integrity of the ballot drop boxes. What are the chain of custody procedures for ballot drop boxes?

Was there any time during the last election cycle when your drop boxes did not have video monitoring?  
Yes \_\_\_\_  
No \_\_\_\_  
Don't know \_\_\_\_  
No answer/refused \_\_\_\_

Who is responsible for reviewing the video, and were party observers present during the review?  
Person (title) responsible: \_\_\_\_\_  
Yes \_\_\_\_  
No \_\_\_\_  
Don't know \_\_\_\_  
No answer/refused \_\_\_\_

Observation of election processes enhances transparency and strengthens public confidence in the integrity of elections, and have a few questions about party and non-partisan observers.

a. Did you have both Republican and Democrat observers at every polling location in 2020?

- Yes \_\_\_\_\_
- No \_\_\_\_\_ (go to b.)
- Don't know \_\_\_\_\_
- No answer/refused \_\_\_\_\_

b. If no, please estimate the percentage of polling locations covered by each party:

Democrats \_\_\_\_\_ Republicans \_\_\_\_\_

a. Did you have any independent groups observing elections here in 2020?

- Yes \_\_\_\_\_ (do b. and c.)
- No \_\_\_\_\_
- Don't know \_\_\_\_\_
- No answer/refused \_\_\_\_\_

b. If you recall, what were the names of the groups observing here?

\_\_\_\_\_

c. Please estimate the percentage of polling stations covered by non-partisan observers.  
\_\_\_\_\_ %

During the 2020 elections there were complaints that in some cases observers were prevented from effectively monitoring some election processes, and there were allegations that some processes were conducted without any observers present. Now that COVID has receded, are you confident that observers will be able to effectively monitor all processes in this area?

- Yes \_\_\_\_\_
- No \_\_\_\_\_
- Don't know \_\_\_\_\_
- No answer/refused \_\_\_\_\_

Thank you. The survey is complete now. We deeply appreciate your time today, and look forward to keeping in touch as we go through the 2022 elections. (if you have additional questions) If you don't mind, we have a few additional questions related specifically to (county or city).

Post survey question – Please characterize your interaction with the Supervisor of Elections as (circle all that apply)

Helpful    Polite    Defensive    Unhelpful    Antagonistic

To the survey team: Thank you for all you have done and will do to ensure a free and fair election in Wisconsin! Please submit your completed survey form as soon as possible.

## 7 Wisconsin Election Observer Guide

### 7.1 Introduction

This guide is intended to help Election Observers (sometimes called poll-watchers): those who want to exercise their right to be an observer of the election process, either in the municipal clerk's office during registration, during early absentee voting, in nursing homes and retirement communities, or on Election Day.

There is an observer checklist at the end of this guide. Read the whole checklist so you are prepared when you go to your polling place. While you are observing, you can answer the questions and take notes on the form, or fill out the online version of the form [here](#). If you do use the print form, after your observation, please transcribe your answers and notes into the online form using your phone, a tablet, or a computer, and submit as soon as possible.

If you witness a serious incident of maladministration, malpractice, or fraud, you should file an Incident Report Form. A completed Incident Report Form helps ensure we have the information needed to follow up with election administrators or through the legal process. A print version of the Incident Report Form is included at the end of this guide; or for immediate consideration you can submit an incident report form online [here](#).

The election process is summarized in this guide. If you have additional questions about any aspect of the process, you may refer to the Wisconsin Election Commission Election Day Manual <https://elections.wi.gov/resources/manuals/election-day-manual>. Other useful resources provided by the WEC include training videos for election inspectors: <https://elections.wi.gov/clerks/education-training/election-inspectors>, and clerks: <https://elections.wi.gov/clerks/education-training>

#### 7.1.1 Organizing Election Observation

Anyone other than a candidate up for election has the right to be present at a polling place to observe the conduct of the election. There is no requirement for Election Observers to obtain a permit. Wisconsin law does not prohibit non-U.S. citizens or foreign nationals from observing the election process. Although anyone can be an election observer, most observers are affiliated with political parties.

Election Observers may be assigned by their respective political parties to sit at a poll on Election Day. Remember to sign in when you get there and make sure that your party has called ahead with the number of Election Observers who will be scheduled at that polling place. It is the Chief Election Inspector's right to limit the number of observers based on the space available, and those from one particular party if they greatly exceed the number from the other party observing. It is important to sign up with your party to be an Election Observer.

Whenever possible, try to have at least two Election Observers at each polling place – one to watch the registration table and one to watch the voting table. More Election Observers should be assigned to the polling places where the most activity occurs on Election Day. If there is a location in your municipality where the voters primarily speak another language, it is important to try to assign observers who also

speak that language, in order for them to be able to understand random conversations that they may be able to overhear.

The State of Wisconsin permits individuals to observe voting and the election administration process at polling places and central counting locations on Election Day. It also permits Election Observers to view the absentee voting process at the municipal clerk's office; the absentee central count location; during recounts; and during voting in nursing homes, retirement homes, and community based residential facilities. It has become more and more important that Election Observers be present at these facilities and during these periods in an election year, as much election activity is now taking place prior to Election Day.

**Municipal Clerk's Office, Absentee Ballot Canvass, or Central Count:** Election Observers may be present during absentee voting in the clerk's office where video and still cameras ARE NOT allowed. When absentee voting is occurring in the clerk's office, the same rules apply to the clerk's office as they do at the polling place on Election Day. Election Observers may also be present at an absentee ballot canvass, or a centralized vote counting location where video and still cameras ARE allowed. The municipal clerk is in charge, and Election Observers must follow the clerk's directives.

**Nursing and Retirement Homes, and Community-Based Residential Facilities:** Only two observers appointed by each of the two major political parties may be present during absentee voting in one of these facilities. One Special Voting Deputy (SVD) from each major political party is in charge, and observers must follow the deputies' directives. Video and still cameras ARE NOT allowed.

If political parties do not provide sufficient SVDs, they can be appointed at the Clerks' discretion. Given our history of electoral fraud and abuse, it is important that every party nominates sufficient SVDs to cover these facilities. The WEC *Absentee Voting in Residential Care Facilities and Retirement Homes* manual outlines procedures and requirements for Special Voting Deputies, and the processes used in these facilities, and is available here (<https://elections.wi.gov/resources/manuals/absentee-voting-residential-care-facilities-and-retirement-homes-svd-voting>).

**Recounts:** Election Observers may be present during election recounts, as may candidates and their legal counsel. The board of canvassers is in charge and observers must follow the board's directives. Video and still cameras are allowed at the board's discretion.

### *7.1.2 Election Observation Tips*

Arrive 15 minutes before your shift and be prepared to stay at least 15 minutes after your shift, if possible, to go over what's happened during your shift with the person who will be following you. If you have the last shift of the day, be prepared to stay until all counts and votes have been reconciled and all materials have been accounted for. By using the checklist and recording observations you will be creating a proper "chain of events" for future reference, especially in the case of a recount. Bring a cell phone, but make sure you set it on "vibrate" because no calls may be accepted or made while in the polling place itself. And don't forget to bring a pen for notes, and a copy of this guide.

Usually, polls churn through people until 9:30 a.m. and then get busy again around lunchtime. During a presidential election year, the polls will be busy from 3:00 until past 8:00 p.m., when the polls close by statute. You need to plan your breaks accordingly. Bring your own lunch, snack and beverage. Bring a folding chair in case your polling place does not have adequate seating.



Find the Chief Election Inspector (polling place supervisor): You will need to check in with the Chief Inspector, the poll-worker in charge of your polling place. You will need to sign an "Election Observer" form and receive and wear an "Election Observer" nametag. Remember that the Chief Inspector has the final answer at your polling place and you should follow their instructions unless you see something that is really questionable. A Chief Election Inspector can remove you for cause.

*Tip: When you see the Chief Election Inspector hovering around a table or a crowd develops near them, it is a tip that there is a question that needs answering or that something unusual has happened. Try to see what is going on. Remember that you must stay within the area allowed for Election Observers and that you may not interfere with the process.*

Many times, the decisions that are made early in the day are the most important ones. Decisions made on machine and table placement may be critical later in the day. If there is a machine that is not working or a bad poll list is being used, this will become apparent immediately. This needs to be noted but generally not contested. You need to know what happened and why. It is important to document your observations thoroughly. Remember to give the Chief Election Inspector time to try to fix the problem before you raise the issue with them.

Plan for a Long Day: If you have never sat at the polls on Election Day, you may be surprised at the tedium and slow going of a normal polling place – even during a Presidential Election. Once the polls open, everyone keeps to themselves and does their job. Excessive talking is distracting and can cause poll-workers to miss hearing the names and addresses of voters at the voting table. You need to hear them as well. You should plan for a long, quiet day, sitting on a folding chair or standing in the middle of a gym or church basement.

Observing the Process: As an observer, you must be able to see and confirm all processes. You need to be close enough to hear names called but you cannot impede the process. The Chief Inspector should place you in a place where you are able to hear the voter say his/her name. If you have been provided an allowed space or area from which you cannot effectively observe any process, notify the Chief Inspector. If the Inspector does not resolve the issue, immediately file an incident report, if possible.

Other Observers: You may see other Election Observers – many of them may be hostile to you or to your interests. They could be groups of attorneys, from union organizations, community organizers and other groups who are highly trained, are experienced observers, and are aggressive in promoting their points of view. They may be working together while not giving notice of this to anyone else. What they do is not a concern of yours unless they insert themselves into the voting process.

It is important that you do not present yourself as an adversary. Try to maintain a good relationship with the poll-workers and the Chief Inspector. An Election Observer may be removed by the Chief Inspector if the Chief Inspector believes that the observer is impeding the voting process. If this happens to you, immediately file an Incident Report.

Ninety-nine percent of the conduct at a polling place is routine and will be dealt with easily. It is when problems occur that we need eyewitnesses, documentation and a quick call for help. Remember to document your observations throughout the day.

## ELECTION OBSERVERS MAY NOT

- Engage in electioneering
- Handle official election documents
- Have conversations about candidates, parties or ballot questions
- Make calls or use cell phones for voice calls inside the polling area
- Wear clothing or buttons related to candidates, parties or referenda
- Use video or still cameras inside the polling area until voting totals are printed and announced (since processing is still considered voting), or use their cell phones in that capacity
- Interact with voters, except upon the voter's request
- View the confidential section of the poll list, or take photos or make photocopies of the poll list on Election Day

*Observer Note: Although photos and video would be an effective tool for documenting issues and concerns in the polling station, observers are not allowed to use these tools. Oddly, both voters and media are allowed to take photos and video in the polling station, as long as they are not violating the secrecy of the vote. Observers are allowed to text while in the polling station, so if you observe something that should be photographed, you may want to text a voter for that station or a journalist, and ask that they come and record the problem. Alternatively, if you are qualified at the station you are observing, you might put off voting until the end of your shift, so that if you see something you can take a break to cast your ballot, and while a voter, photograph the issue. Citizen Election Observers (voters observing the process as they cast their ballots) can also take photos and video.*

## 7.2 Election Officials

Elections in Wisconsin are conducted at the local level. Responsibility falls on election officials to ensure that every election is conducted in a manner that is fair, transparent and accessible to all. On Election Day it is up to the local election officials and you as observers to protect the integrity of the election process.

An election official is defined as “an individual who is charged with any duty relating to the conduct of an election.” County, municipal and school district clerks are election officials, as are poll-workers (election inspectors), Chief Election Inspectors (poll supervisors), Special Registration Deputies (SRD's), Special Voting Deputies (SVD's), Election Commissioners, tabulators, and greeters. Election officials perform a very important public service by enhancing the high quality and integrity of our elections.

For each polling place, there is one Chief Election Inspector or poll supervisor. The Chief Election Inspector acts as liaison between the poll-workers and the municipal clerk and is in charge of the polling place on Election Day.

Poll-workers, sometimes called “election inspectors”, staff the polling place on Election Day. Each polling place should have a minimum of three poll-workers, although more are often common. Under no circumstances may there be fewer than three, even in smaller municipalities with fewer numbers of voters. There are always an odd number of poll-workers including the Chief Election Inspector.

A poll-worker must be able to read, write and understand the English language. They may not be a candidate for any office to be voted on at an election in which they serve. Poll-workers must be qualified voters of the municipality and ward served by the polling place in which they work, unless the clerk chooses to reassign them to work in another ward or polling place in the municipality.

Their duties include setting up the polling place, preserving order, registering voters, recording voters, issuing ballots, monitoring voting equipment, counting votes and properly completing the required forms.

Poll-workers representing the two main political parties are assigned according to the last general election preference for that polling place. The assignments made by the municipal clerk are chosen from the lists provided by the two main political parties unless there aren't enough candidates. If the latter happens, the clerk will choose from a list of unaffiliated candidates for each polling location.

## 7.3 The Polling Process

### 7.3.1 *Before Opening*

Precinct staff should arrive at the polling location around 6:00 am to begin setting up. If you will be at the location all day, or for the first shift, you should aim to arrive no later than 6:30 am, so you can witness opening processes. Whether you begin your observation at opening, or arrive for a shift later in the day, be sure to introduce yourself to the clerk when you arrive. He or she will ask for a photo ID, then have you fill in and sign the observer form.

The election team will arrange furniture, precinct supplies, and voting equipment; set up the voting booths in a way that voters cannot see each other's ballots to ensure privacy, and set up the accessible voting equipment for persons with disabilities. The clerk will confirm the required equipment is operational, and will check the ballots to confirm the names, numbers and letters on the ballots are identical to a sample ballot provided, and will then certify this by signing a form.

With any observers present in attendance, the clerk will then confirm the seals on the voting machines are unbroken, and that the numbers on the seals match those in the log, then will open the machines to confirm there are no ballots in the main storage area and the emergency storage area. The clerk will then print a report from each machine. The report, called a zero tape, should list all candidates for the election, with vote totals of zero. Each member of the polling team will sign the zero tape. The zero tape is left attached to the tabulator throughout the day. Poll watchers should be able to confirm that all candidates who should be on the ballot are listed on the zero tape, and that the totals for each candidate are zero.

### 7.3.2 *Voter Check-in*

At 7:00 the chief inspector with open polling. Voters will be allowed into the location and will stop at the voter check-in table. An inspector will ask the voter to state their name and address, and present a valid photo ID. Accepted forms of ID include:

- A Wisconsin DOT-issued driver license
- A Wisconsin DOT-issued identification card
- A Military ID card issued by a U.S. uniformed service
- A U.S. passport
- A certificate of naturalization that was issued not earlier than two years before the date of an election at which it is presented.
- An unexpired driving receipt issued by Wisconsin DOT.
- An unexpired identification card receipt issued by Wisconsin DOT.
- An identification card issued by a federally recognized Indian tribe in Wisconsin.

- An identification card issued by a Wisconsin-accredited university or college ONLY valid if the voter provides proof of enrollment.
- An unexpired Veterans Affairs ID Card
- A temporary identification card receipt issued by Wisconsin DOT through the Identification Petition Process (IDPP) (valid for 60 days).

Prospective voters who do not have the required ID may cast a provisional ballot.

Each reporting unit will have two poll lists, which must be maintained identically by the election inspectors on Election Day. After the voter's ID is confirmed, the inspectors will find and check off the voter's name on both lists, issue the voter a unique number and record that number on both lists, then the voter will sign next to their name on one list.

*Observer note: You should be able to clearly see the voter's name announced, and see the ID presented, and confirm that the photo on the ID matches the voter, and that the name of the voter is the same as that checked off in the poll list. If any of these are not possible, notify the chief inspector, and if the issue is not resolved, record in your checklist, and file an incident report.*

### 7.3.3 The Voting Process

Once a voter has been marked on both poll lists, and signed one list, two inspectors will initial a ballot, give it to the voter, and direct the voter to the voting area. The initialing of the ballots is a security measure. Ballots should be initialed one-by-one, just prior to issuance to the voter. Ballots should not be initialed in advance, as initialed but uncast ballots create a security vulnerability.

*Observer note: If you witness inspectors initialing ballots in advance, challenge that; and if the practice continues, record on your checklist, and consider filing an incident report. Also ensure that both inspectors are initialing each ballot issued, as a ballot missing one or both initials will not be counted, and leaving off an initial is an effective method to intentionally disenfranchise selected voters. If you witness this practice, immediately file an incident report.*

The voter will then mark the ballot in secret, place it in the tabulating device or ballot box, and leave the polling station. If the voter is unable to mark a ballot on their own through some disability or illiteracy, they are allowed to choose someone to assist them in marking the ballot. If a voter makes an error while marking his or her ballot, the voter may request another ballot. The mismarked (spoiled) ballot will be torn to make it unusable before issuance of the replacement ballot.

Any spoiled ballots are kept in an envelope and returned to the municipal clerk with the other election materials after the closing of the polls.

## 7.4 Challenging Electors

When there is reason to believe that an elector does not meet the qualifications to vote or has not adhered to any voting requirement, the elector may be challenged. The following challenges may be made by any qualified elector of the state, including election inspectors:

- a) Citizenship
- b) Age
- c) Residency
- d) Felony Status
- e) Competency to Vote

- f) Bet or Wager
- g) Voted Previously at the Same Election

Some challenges can only be made by an election inspector, and they are:

- a) Physical Disability does not prevent signing of poll list.
- b) Photograph on the proof of identification does not reasonably resemble the elector, or the name on the poll list does not conform to the name on the proof of identification.
- c) The municipal clerk has instructed the election inspectors to challenge
- d) the ballot because the clerk does not believe the person requesting a
- e) replacement ballot is the original voter.
- f) Any other failure to adhere to voting requirements.

If an election inspector is offering the challenge, another election inspector should administer the process. All challenges must be made for reasonable cause (as outlined in the WEC election day manual).

#### Challenge Procedure

- a) When a challenge is made, the challenging elector is placed under oath and asked to make a sworn statement giving the reason for the challenge.
- b) The challenging elector is then questioned by the election inspector using the questions on the Challenge Documentation form (EL-104c) to provide reasonable support for the challenge.
- c) After the challenge has been made and supported under oath, the challenged elector is placed under oath and asked to make a sworn statement in response to the challenge.
- d) If the challenged elector refuses to make a statement under oath, the elector shall not be given a ballot or permitted to vote.
- e) Once the challenged elector has responded to the challenge, the challenging elector has the opportunity to withdraw his or her challenge. If the challenge is withdrawn, a ballot is issued with no special marks, a notation is made in the Inspectors' Statement (EL-104), and no mark is made on the poll lists.
- f) If the challenge is not withdrawn, the election inspector administers the "Oath of Eligibility" to the challenged elector. Once the oath has been made by the elector, a ballot is issued with the voter number and "Section 6.95" marked on the back of the ballot.
- g) Once the challenged elector has marked the ballot, it is placed by the elector into the ballot box.
- h) The entire Challenge Documentation (EL-104c) is completed and attached to the Inspectors' Statement (EL-104).
- i) A notation "Challenged" and the reason for the challenge is made on the poll lists and the appropriate sections of the Inspectors' Statement (EL-104) are completed by the election inspector.

Wis. Stat. § 6.95.

## 7.5 Processing Absentee Ballots

On Election Day, the municipal clerk delivers absentee ballots to the polling place, or to an alternate absentee canvassing site (also known as Central Count Absentee). Observing absentee ballot processing is the same in both locations. The ballots are delivered in a sealed envelope or container that bears the name and official title of the clerk. All absentee ballots must be processed in the same room votes are cast or at an alternate absentee canvassing location so that any interested observer is able to hear the public announcement of the names of the absentee electors.

Any observer who is a qualified elector of Wisconsin, including an election inspector, can challenge an absentee elector's ballot the same as if the elector were voting in person. The procedures for challenging an elector's ballot are the same as the challenge procedure in person.

Election inspectors may process (but not count) absentee ballots at any time between the opening and closing hours of the polling place, so during less busy periods at the polling location, inspectors may begin processing the absentee ballots received prior to election day, and any that arrive during the day.

To be valid, absentee ballots must be received by closing time. To process the ballots, an inspector will double check the certificate envelope for the voter signature, witness signature and complete address and verify that envelope does not appear to have been tampered with, and then read aloud the voter's name and address.

The inspector will then assign the voter a number and write that number on the absentee ballot log, and on the ballot envelope. Next, he or she will open the envelope, remove the ballot and verify there is only one ballot, briefly inspect it for any tears or stray marks and verify it contains the municipal clerk's initials and is for the proper ward; and if all that checks out, will insert the ballot in the ballot box or tabulator. The absentee ballot envelopes are securely stored in a special envelope.

*Observer note: When absentee ballots are being processed, confirm the names called out are on the list, and ensure the envelopes have been completely filled in, including the signature of the voter and of their witness. Look for similar handwriting on envelopes, missing or different clerk initials on ballots, or other signs the ballots might have been fraudulently submitted.*

## 7.6 Closing the Poll and the Counting Process

At 8:00 the chief inspector will announce the polls are closed, and prevent anyone else from joining a line, but anyone in line at closing will be allowed to vote. Once all the voters have cast their ballots, the polling place remains open to the public (the doors to the polling place must NOT be locked) and the process of reconciling poll lists, counting ballots, and completing the required forms begins.

### 7.6.1 Hand-Counted Paper Ballots

The procedure for counting paper is simple. If there are multiple ballot boxes, they will open the boxes one at a time, and count the ballots in each box (without examining them) to determine the total number of ballots in the box(es). They will then compare this number to the number of voters marked off the poll list to determine if the number of ballots is equal to the number of voters. If they are not equal (i.e., do not reconcile), there is a problem, and they will recount the ballots, and check to ensure they didn't accidentally issue the same number to two voters, in an attempt to resolve the discrepancy.

If the number of ballots still exceeds the number of voters, they will place the ballots face down and check initialing; then mark, set aside, and preserve any ballot not bearing the initials of two election inspectors, or any absentee ballot not bearing the initials of the municipal or a deputy clerk. If the number of ballots still exceeds the total number of voters recorded on the voter lists, they will separate the absentee ballots from the election-day ballots.

*Observer Note: If there are still more ballots than voters (a clear indication of fraud), the inspectors will remove ballots at random until they balance the number of voters and ballots, virtually assuring that some fraudulent ballots will be counted. If this occurs, observers should record the details, and consider*

*filing an incident report. If a blank piece of paper is found in a ballot box, or any paper other than a ballot, this is an indication that vote-telegraphing may have occurred, and details should be recorded in your checklist or on an incident report.*

Next the votes are counted and recorded on two separate Tally Sheets (EL-105). State statutes do not specify the manner for actually counting ballots, but the following method is recommended by the Elections Commission: one election official reads each ballot while a second election official observes, and two other election officials mark the votes using hash marks (/) on the Tally Sheets. When counting is complete the tally sheets are compared for accuracy and totals documented for each candidate.

While the votes are being counted, each ballot is examined to determine if it is valid or invalid. In Wisconsin, invalid ballots are called "Defective." A "Defective ballot" is a ballot for which a majority of the election inspectors agree that voter intent cannot reasonably be determined. Note that a ballot paper list more than one office can be defective for some offices and valid for others. Only valid votes on each ballot are counted.

*Observer Note: You should be close enough to the count to confirm that the vote announced matches that recorded on the ballot, and recorded on the Tally Sheet. When invalid ballots are being assessed, confirm that a reasonable standard is applied in determining validity, and that the same standard is used in assessing votes for all parties and candidates.*

When all counting is complete, the Chief Inspector will announce the results, then prepare materials to be returned to the clerk. At this point the observation is over. Please complete your checklist, record the results of the count, and submit your report as soon as possible.

#### *7.6.2 Optical Scan Ballots*

When all votes have been cast, an inspector will check the auxiliary ballot box on the tabulator, and run any ballots found there through the tabulator. Ballots which were stored in the auxiliary ballot box because they were rejected when entered into the optical scan unit should be examined by two election officials (one representing each political party, if affiliated) to determine the cause for rejection. The two election officials make a duplicate ballot to correct the problem, and insert it into the machine.

*Observer note: If ballots are duplicated, you should be close enough to determine if the intent of the voter is clear, and that valid ballots are duplicated accurately.*

Next, the clerk will enter a password in the tabulator, close the poll, and the machine will automatically print a report. An inspector will announce the results of the count. As an observer, you should receive a copy of the report. If they do not provide one, photograph, or hand copy the results report, as this information will be needed for your report. When this process is over, your observation is complete. Please fill in the observation form, if you have not already, and submit immediately.





## 7.7 Election Day Observer Form

Wisconsin Observer Report Form for Election Day								
Ward(s):		Name:						
Voting site:		Phone No:						
City/Town:		Email:						
County:		Arrival:			Departure:			
Instructions								
Read the questions carefully. Please make a check ( ✓ ) in the appropriate box. If you cannot answer the question, or it is not relevant, leave it blank. If clarification is required, briefly explain in the comment section of the form. If at any time you re prevented from observing any process, please challenge this to the Chair, and if the challenge is not resolved, immediately file an incident report.								
Before Opening						Yes	No	
1	Were you allowed to observe the set-up of the voting site before opening? (if no, prepare and immediately file an incident report)							
2	Are all polling team members and required materials present?							
3	Are there inspectors from both major parties on the polling team?							
4	Did the inspectors swear an oath to conduct fair elections?							
5	Did the tag on the tabulator match the name of the voting site?							
6	Does the seal number on the flash drive door match the seal number on the GAB-104 form?							
7	Did the configuration report show a public count of zero?							
8	Was a zero tape printed and signed by the inspectors?							
9	Were you able to confirm the zero tape listed all candidates, and showed no votes?							
10	Was the zero tape left attached to the tabulator?							
11	Did the precinct open on time (7:00 AM)?							
The Polling Process						Yes	No	
12	Were all voters required to show acceptable photo ID?							
13	Were you able to see voter's ID and confirm their name on the pollbook?							
14	Was each voter issued a numbered pink slip?							
15	Did two inspectors initial each ballot before it was issued?							
16	Were any voters challenged? (if yes, please provide details in comment section)							
17	Could voters mark and cast their ballots in secret, without anyone see how they voted? (if no, give details in the comment section)							
18	Were observers present from both major parties?							
Closing the Poll and the Counting Process						Yes	No	
19	Did the voting site close at 8:00 PM?							
20	Were voters in the line at closing time allowed to vote?							
21	Do the pollbooks agree, and does the number of pink slips issued equal the number voters crossed off in the pollbook, and the number of votes recorded on the public count of the tabulator? (If no, seek an explanation, and record in the comment section)							
22	Were there any ballots in the emergency (auxiliary) ballot storage area of the tabulator? (if yes, question Chair, and provide explanation in comment section, or file incident report)							
23	Was a results report run on the tabulator?							
24	Were you given a copy (or allowed to copy or photograph) the results tape from the tabulator (if no, file an incident report).							
25	Were you allowed to observe all aspects of the polling and counting process? (If no, file an incident report)							
26	total number of pink slips issued		total number of voters from Pollbook		total number of ballots cast from tabulator			
27	Are the totals above equal? (If no, provide details in the comment section, or file an incident report).							
Please record each candidate and the total votes below								
Candidate Name		Votes	Candidate Name		Votes	Candidate Name		Votes



## 7.8 Incident Report Form

<u>WFAF Election Incident Report Form</u>		
<p><i>Instructions: Please fill in the form as completely as possible as soon as possible after (or during) the incident. Take the time to collect names and contact details of other witnesses. If you collect electronic evidence (picture, video or audio recording), make a copy of the file and submit with your report, but retain the original on your phone or other electronic device. Submit the completed form as soon as possible to: WFAF</i></p>		
REPORTER INFORMATION		
Reported by:	Phone:	
Position (voter, election inspector, poll watcher, etc.):	Email:	
DESCRIPTION OF THE INCIDENT		
Date of incident:	Time of incident:	Were the police notified: Yes / No
Location of incident:		
<p>Description of the incident: (What happened, how it happened, etc. Be as specific as possible. Continue on back if needed and attach additional sheets if necessary)</p>		
Is there electronic evidence of the incident? Yes___ No___		What type of evidence is it? Phone photo__ video__ audio__ CCTV__ Other_____
Is the evidence in your possession? Yes___ No___		
Did you witness the incident? Yes___ No___		If no, list the person who reported the incident to you below, along with details of any other witnesses. Attach additional sheets if needed.
WITNESSES		
Name of Witness:		Phone:
Role of Witness:		Email:
Name of Witness:		Phone:
Role of Witness:		Email:
Name of Witness:		Phone:
Role of Witness:		Email:
Name of Witness:		Phone:
Role of Witness:		Email:
PARTIES INVOLVED IN INCIDENT		
Name:		Phone:
Role:		Email:
Name:		Phone:
Role:		Email:
Name:		Phone:
Role:		Email:

**ADDITIONAL INFORMATION**

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## ANNEX ONE – Summary of the Gableman Report

Key Findings of the Office of the Special Council’s Second Interim Investigative Report ([Gableman Report](#)) Issued March 1, 2022

Obstruction of the Investigation – Individuals and agencies have refused to comply with legal subpoenas, blocked access to information needed for transparency and democratic accountability; and accepted support from partisan private entities to file frivolous complaints, and shroud their taxpayer-supported election operations in a veil of secrecy.

As Judge Gableman notes in the report “It is commonplace in the law for it to assume the worst about the nature and impact of hidden or destroyed evidence, and it is up to the government to justify its actions to the people, not the other way around.” The lack of transparency and openness in election administration causes the ordinary voter to ask what they are trying to hide, and contributes to the loss of confidence in the integrity of elections revealed in recent polls.

Collusion with Outside Organizations – The report details instances of election officials allowing access to sometimes sensitive voter data to outside organizations affiliated with Mark Zuckerberg’s election initiatives; and instances of election officials providing these organizations for free data that would cost a voter \$12,500. From the report: *At least one city apparently provided (access) to the WisVote and BadgerBooks systems, which provided real time, free information to special interest groups, who used that information for selective, racially targeted get out the vote purposes under the contracts.*

The Zuckerberg 5 – The cities of Milwaukee, Madison, Racine, Kenosha, and Green Bay entered into an agreement with Mark Zuckerberg’s Center for Tech and Civic Life (CTCL), under which they received funding to implement politically partisan activities. Although the nominal reason for this funding was to help election administrators deal with the COVID crisis, very little of the funding was spent for PPE or other COVID-related activities, and none of the “partners” funded with the money were health or medical organizations. Most of the funding was to “facilitate in-person and absentee voting” (GOTV) in specific areas, which the report argues constitutes election bribery under Wisconsin law.

The report goes into great detail in how the Zuckerberg money was used for classic GOTV activities in heavily Democratic areas, and to fund the installation of illegal ballot drop boxes in those areas. The funding also supported bilingual “voter navigators” to help voters apply for absentee ballots, and then fill those ballots in (a practice illegal in almost every country because it undermines the secrecy of the ballot, and facilitates voter intimidation and vote buying).

The report notes that using public servants funded by private corporations to conduct GOTV only in Democrat districts is partisan and illegal, citing the equal protection clauses in both the state and national Constitutions. It doesn’t raise two other points, but I will. By making it easier to vote in Democrat areas, and relatively harder in Republican areas, this operation is classic voter suppression, straight out of the Jim Crow era. Also, by explicitly target racial minority communities for the installation of drop boxes, and in ballot-harvesting schemes, these activities could violate federal civil rights protections for historically marginalized communities.

Nursing Homes – The report details disgusting and rampant election fraud in Wisconsin nursing homes, where the most vulnerable in our society were ruthlessly exploited and abused.

Voting Machines – Voting machine operations were not transparent, and some machines had internet capability and were connected to the internet on election night. Some clerks refused to provide data from the machines to the OSC, stating that doing so could damage the integrity of future elections. This statement is similar to one made by the SoS of Arizona, who said that voting machines that were examined in the audit could not be re-certified for elections. In both cases the statements of election officials suggest that machines can be easily compromised in undetectable ways, and are a strong argument against using this non-transparent and untrustworthy technology.

## ANNEX TWO – Sworn Complaints (from WEC)

### Information About Sworn Complaints and How to File Them

In Wisconsin, you may submit complaints requesting legal action under three distinct processes. Submissions here are requests for official investigations and can lead to possible court litigation or prosecution. If you are unsure if your complaint qualifies, feel free to contact the Commission with questions.

If you have a concern or had a negative experience that does not fit under these categories, [click here](#) to submit general concerns. Submitting a general concern is not a formal complaint and the Commission will review your submission to determine the appropriate course of action.

### Types of Sworn Complaints

#### 1. Election Crime (§5.05)

Anyone who witnesses potential election crimes in violation of Chapters 5 – 10 and 12 of the Wisconsin Statutes, including election fraud or voter intimidation, may file a report with the Commission.

#### 2. Election Official Abuse or Violation (§5.06)

A voter may file a complaint alleging that an election official has violated the law or abused the official's discretion regarding nominations, qualifications of candidates, voting qualifications, including residence, ward division and renumbering, recall, ballot preparation, election administration or conduct of elections.

#### 3. Violation of the Help America Vote Act (HAVA) (§5.061)

Whenever any person believes that a violation of HAVA has occurred, is occurring, or is proposed to occur with respect to an election for national office in Wisconsin, that person may file a written, verified complaint with the Commission.

Each of these is described in detail below to help you find the type of complaint that best fits your situation. All complaints can be completed on our EL-1100 form.

Once your complaint form is completed, please submit it to the Wisconsin Elections Commission by mail, email, fax, or in-person, using the instructions on the form.

## 5.05 Complaints (Election Law Violation)

Any person may file a complaint alleging a violation of Chapters 5-10 or 12 of the Wisconsin Statutes. Violations of election law include acts such as electioneering, distributing election-related materials at active polling locations, false statements affecting elections, voter intimidation, bribery and election fraud. If you are filing a complaint against an election official, consider whether filing a 5.06 complaint would be a more appropriate course of action.

Under Wis. Stats. §§ 5.05(5s), 12.13(5), and 12.60(1)(bm), the WEC is required to keep Wis. Stat. § 5.05 complaints confidential, and staff do not place those complaints online or comment on them. Parties to a Wis. Stat. § 5.05 complaint have historically, on occasion, been known to provide comment, but the processes are generally kept entirely confidential. In any case, the WEC will not provide comment on a confidential complaint.

### *When should you file an Official Sworn Complaint under § 5.05?*

If you believe you witnessed:

- Electioneering
- Distributing election-related materials at polling locations during an election
- False statements affecting elections
- Voter intimidation
- Bribery
- Election fraud

Complaints based on word of mouth, social media postings, or other third-party accounts are often difficult to investigate and determine if they are legitimate. Eyewitness accounts or paper/electronic documents generally yield the best results. When filling out the complaint make sure to include all relevant information and supporting documents.

If you are unsure if what you witnessed falls under these categories please consider contacting the Commission by phone or email to help determine if what you witnessed may have been a violation of election law before submitting an official complaint.

Any person may file an official sworn complaint alleging a violation of Wis. Stat. chs. 5 to 10 or 12 under Wis. Stat. § 5.05. The complaint should include the specific statute(s) you believe has been violated.

[See full statute here § 5.05 for additional information.](#)

Please note: Even if the Commission finds reasonable belief or probable cause this does not guarantee the complaint will be given to the district attorney or that the district attorney will prosecute.

### §5.05 Complaint Process Timeline

Submit Complaint	Receipt and Response	Commission Investigates Complaint	Transferred to District Attorney
Day 1	Days 2-21	Time Varies	If Needed, Time Varies
Fill out EL-1100 Form. List the specific statute that was broken. Notarize the complaint. Email, fax, mail, or deliver the form to the Commission	Within 5 days, the Commission acknowledges receipt of the complaint. The accused is given 15 days to respond.	The Commission analyzes relevant evidence for the complaint. If probable cause is found, the Commission refers the	If needed, the complaint is referred to the District Attorney. Their office may communicate with you. There is NO guarantee that the District Attorney

### §5.05 Complaint Process Timeline

Submit Complaint	Receipt and Response	Commission Investigates Complaint	Transferred to District Attorney
		complaint to the District Attorney (see next step). If probable cause is not found, the Commission will notify the complainant.	will prosecute or contact the complainant or respondent further.

### 5.06 Complaints (Violations Or Appeals Of Decisions Of Election Officials)

A voter may file a complaint alleging that an election official has violated the law or abused the official’s discretion regarding nominations, qualifications of candidates, voting qualifications, including residence, ward division and renumbering, recall, ballot preparation, election administration or conduct of elections. A complaint under § 5.06 can also be an appeal of an election official's decision.

#### *When should you file an Official Sworn Complaint under §5.06?*

If you believe an election official has violated the law or abused the official’s discretion, or appeal a decision made by an election official, regarding:

- Nominations
- Qualifications of candidates
- Voting qualifications-based on residency, ward division, or renumbering
- Recall
- Ballot preparation
- Election administration
- Election Conduct

In order to file a complaint against a local election official, the complainant must be a resident of the jurisdiction or district served by the official.

The complaint should include the specific statute(s) you believe has been violated, or the specific statute that grants the election official the discretion they are abusing.

Complaints based on word of mouth, social media postings, or other third-party accounts are often difficult to investigate and determine if they are legitimate. Eyewitness accounts and paper/electronic documents generally yield the best results. When filling out the complaint make sure to include all relevant information and supporting documents. [See full statute here \(§5.06\) for additional information.](#)

### § 5.06 Complaint Process Timeline

File Complaint	Response from Accused	Verified Response (optional)	Commission Investigates Complaint	Commission Issues Order
Day 1	Day 2-22	Time Varies	Time Varies	If Needed, Time Varies
1. Fill out EL-1100 Form. 2. List the specific statute that was broken.	1. Within 5 days, the Commission acknowledges receipt of the complaint.	1. The complainant can send a notarized reply to the	1. The Commission analyzes relevant evidence for the complaint.	1. The Commission offers resolution to the complaint. 2. Accused party can appeal the decision



## § 5.06 Complaint Process Timeline

File Complaint	Response from Accused	Verified Response (optional)	Commission Investigates Complaint	Commission Issues Order
3. Notarize the complaint. 4. Email, fax, mail, or deliver the form to the Commission	2. The accused party is given 10 business days to send a notarized response. 3 additional business days are provided for service.	accused response within 10 days.	2. The Commission may either dismiss the complaint or an order may be issued (see next step).	to the circuit court within 30 days.

### [Elections Complaint Form \(EL-1100\)](#)

Form Name: Elections Complaint Form

Form Number; EL-1100

Form Description; Form used to file a formal complaint against a local election official or another person.

Attachment	Size
<a href="#">Elections Complaint Form (Rev 2016-08).pdf</a>	41 KB

Notes: In order to file a complaint against a local election official, the complainant must be a resident of the jurisdiction or district served by the official. [Section 5.06\(1\) Wis. Stat.](#)

Revision Date: 2016/08

### [Getting Your Complaint Notarized](#)

All sworn complaints submitted to the Wisconsin Elections Commission must be notarized. To get a notary:

Make sure all forms are completed (minus your final signature).

Contact a local bank, UPS store, or attorney. Please note that some of these may charge notary fees (\$5 or less).

The Wisconsin Elections Commission has multiple notaries available to you at no charge. If you need a notary, please contact the Wisconsin Elections Commission to set up a time to meet with a notary.

Bring a photo ID with you, as the notary will have to verify your identity.

The notary will sign and stamp your form and have you sign the form.

Send in the completed and notarized complaint form to the Wisconsin Elections Commission.

### [Contact Information](#)

Office Hours: M-F, 7:45 a.m. to 4:30 p.m.

Phone: (608) 266-8005 | E-mail: [elections@wi.gov](mailto:elections@wi.gov) | Fax: (608) 267-0500.

Mail: Wisconsin Elections Commission P.O. Box 7984 Madison, Wisconsin 53707-7984

Visit us: Wisconsin Elections Commission 212 East Washington Avenue, Third Floor Madison, Wisconsin 53703

## ANNEX THREE – Election Laws, and Law Relating to Observation

The laws governing elections in Wisconsin can be found in chapters 5-12 [here](#). The section below on observation can be found online [here](#).

### **7.41 Public's right to access.**

(1) Any member of the public may be present at any polling place, in the office of any municipal clerk whose office is located in a public building on any day that absentee ballots may be cast in that office, or at an alternate site under s. [6.855](#) on any day that absentee ballots may be cast at that site for the purpose of observation of an election and the absentee ballot voting process, except a candidate whose name appears on the ballot at the polling place or on an absentee ballot to be cast at the clerk's office or alternate site at that election. The chief inspector or municipal clerk may reasonably limit the number of persons representing the same organization who are permitted to observe under this subsection at the same time. Each person permitted to observe under this subsection shall print his or her name in and sign and date a log maintained by the chief inspector or municipal clerk for that polling place, office, or alternate site.

(2) The chief inspector or municipal clerk may restrict the location of any individual exercising the right under sub. (1) to certain areas within a polling place, the clerk's office, or alternate site under s. [6.855](#). The chief inspector or municipal clerk shall clearly designate observation areas for election observers under sub. (1). The observation areas shall be not less than 3 feet from nor more than 8 feet from the table at which electors announce their name and address to be issued a voter number at the polling place, office, or alternate site and not less than 3 feet from nor more than 8 feet from the table at which a person may register to vote at the polling place, office, or alternate site. The observation areas shall be so positioned to permit any election observer to readily observe all public aspects of the voting process.

(3) The chief inspector or municipal clerk may order the removal of any individual exercising the right under sub. (1) if that individual commits an overt act which does any of the following:

(a) Disrupts the operation of the polling place, clerk's office, or alternate site under s. [6.855](#).

(b) Violates s. [12.03 \(2\)](#) or [12.035](#).

(4) No individual exercising the right under sub. (1) may view the confidential portion of a registration list maintained under s. [6.36 \(4\)](#) or a poll list maintained under s. [6.79 \(6\)](#). However, the inspectors or municipal clerk shall disclose to such an individual, upon request, the existence of such a list, the number of electors whose names appear on the list, and the number of those electors who have voted at any point in the proceedings. No such individual may view the certificate of an absent elector who obtains a confidential listing under s. [6.47 \(2\)](#).

(5) The commission shall promulgate rules that are consistent with the requirements of sub. (2) regarding the proper conduct of individuals exercising the right under sub. (1), including the interaction of those individuals with inspectors and other election officials.

**History:** [1989 a. 192](#); [1999 a. 49](#); [1999 a. 150 s. 672](#); [1999 a. 182](#); [2001 a. 39, 109](#); [2005 a. 451](#); [2013 a. 177](#); [2015 a. 118](#).

## ANNEX FOUR – Observer Rules-at-a-Glance Brochure (from WEC)

The State of Wisconsin permits individuals to observe voting and the election administration process at polling places on Election Day. It also permits observers to view the absentee voting process in the municipal clerk's office, central count processes, recounts, and voting in residential care facilities and nursing homes.

The **Election Observers: Rules-at-a-Glance Brochure** outlines the Wisconsin Elections Commission's interpretation of statutes governing the conduct of election observers.

## Election Observation at Other

### Locations:

#### Municipal Clerk's Office

Observers may be present during absentee voting in the clerk's office (if it's in a public location). The municipal clerk is in charge, and observers shall follow the clerk's direction. Video and still cameras are not allowed.

#### Residential Care Facilities & Nursing

##### Homes

Only observers appointed by the two major political parties may be present during absentee voting in residential care facilities and nursing homes. The special voting deputies are in charge, and observers shall follow the deputies' direction. Video and still cameras are not allowed.

#### Absentee Ballot Canvases or Central Count

Observers may be present during absentee voting in the clerk's office (if it's in a public location), an absentee ballot canvass, or centralized vote counting. The municipal clerk is in charge, and observers shall follow the clerk's direction. Video and still cameras are allowed if their use is not disruptive or show how an elector has voted.

#### Recounts

Observers may be present during election recounts, including candidates and their counsel. The board of canvassers is in charge, and observers shall follow the board's direction. Video and still cameras are allowed if their use is not disruptive or show how an elector has voted.

### Contact Information Government Accountability Board

#### TELEPHONE/FAX

G.A.B. Help Desk: 608-261-2029  
Fax: 608-267-0500

#### STREET ADDRESS

212 East Washington Avenue, Third Floor  
Madison, Wisconsin 53703

#### MAILING ADDRESS

Government Accountability Board  
Post Office Box 7864  
Madison, Wisconsin 53707-7864

#### INTERNET ADDRESS

<http://gab.wis.gov>

#### EMAIL ADDRESS

[info@gab.wis.gov](mailto:info@gab.wis.gov)

#### MEMBERS OF THE BOARD

Judge Thomas Barland, Chair  
Judge Harold V. Freshlich, Vice Chair  
Judge John Franke  
Judge Dan Lamasie  
Judge Gerald C. Michel  
Judge Timothy Voche

#### DIRECTOR & GENERAL COUNSEL

Kevin J. Kennedy

Wisconsin Government  
Accountability Board

## Wisconsin Election Observers

### Rules-at-a-Glance

Wisconsin Administrative Rule  
GAB Chapter 4  
Election Observers

The State of Wisconsin permits individuals to observe voting and the election administration process at polling places on Election Day. It also permits observers to view the absentee voting process in the municipal clerk's office, the absentee vote canvass, central count processes, recounts, and voting in residential care facilities and nursing homes.

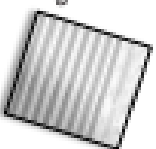
These Rules-at-a-Glance should be viewed in conjunction with Wisconsin Administrative Rule GAB Chapter 4.

October 2014

## At the Polling Place, an

### Election Observer must:

- ✓ Notify the chief election inspector shortly before at the polling place to observe
- ✓ Follow the directives of the chief election inspector or designee
- ✓ Provide photo identification
- ✓ Complete and sign an election observer log
- ✓ Wear an Election Observer tag or badge



### Remember:

- The chief election inspector is in charge of the polling place. All inquiries should be made of the chief election inspector or designee
- Challenges to voters must be filed with the chief election inspector or designee. Follow the process outlined by Wisconsin Administrative Rule GAB Chapter 9
- Candidates are allowed in the polling place only after it has closed at 8:00 p.m.
- Polling places in Wisconsin are open from 7:00 a.m. until 8:00 p.m.

### Viewing documents

Observers are not entitled to view registration forms, proof of residence documents or the observer log on Election Day. Observers may ask the chief inspector or designee to view other documents, such as the poll list, that are available when doing so will not delay or disrupt the process, but this may not be possible when polls are busy, and they may not view confidential information. The chief inspector or designee has sole discretion to determine whether such documents may be viewed during voting hours.

### Election Observers may not:

- Engage in electioneering\*
- Video and still cameras are not allowed
- Handle official election documents
- Have conversations about candidates, parties or ballot questions
- Make calls / use cell phones for voice calls inside the polling area (texting or other silent usage is acceptable if it is not disruptive)
- Wear clothing or buttons related to candidates, parties or referenda that is intended to influence the election
- Interact with voters, except when requested
- View confidential information on the poll list, or take photos or make photocopies of the poll list on Election Day
- Enter vehicles of outside voters
- Electioneering is defined in Wisconsin law as any activity which is intended to influence voting at an Election. § 12.03 Stats.



### Communications Media:

Observers from communications media organizations shall identify themselves and the organization they represent to the chief inspector upon arriving at the polling place. The inspector shall record the information on the GAB-104, Inspectors Statement. Video and still cameras are allowed if their use is not disruptive or show how an elector has voted.

### Polling Place Accessibility

#### Assessments:

- Individuals may assess accessibility requirements in Wisconsin polling places if the following rules are observed:
- Assessors should notify the municipal clerk at least 24 hours in advance
  - Assessors may wear identifying name tags or shirts
  - Assessors may work outside the observers' area unless their work is judged to be disruptive
  - Assessors may take still photos or videography for documentation if their use is not disruptive
  - Election officials - clerks, chief election inspectors and poll workers - should facilitate the work of accessibility assessors

