
From: Redell, Carol <Carol.Redell@legis.wisconsin.gov>
Sent: Thursday, December 30, 2021 11:28:59 AM
To: Dylan Winters <dylan.winters@americanoversight.org>
Cc: Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>; Hoisington, Joshua <Joshua.Hoisington@legis.wisconsin.gov>
Subject: RE: Public Records Law Request (WI-REP-21-1762)

EXTERNAL SENDER

https://wilegis-my.sharepoint.com/:u:/g/personal/credell_legis_wisconsin_gov/ET1pDdiLtKVNgo29EcwVMP8BESVsGc9ycMUvCLWQfgIacA?email=dylan.winters%40americanoversight.org&e=gv8qH4

Dylan Winters
American Oversight
dylan.winters@americanoversight.org

Dear Dylan:

Open records requests are processed through the Assembly Chief Clerk's office for billing purposes only. You submitted an open records request to Representative Sanfelippo. The records are being provided in electronic format and, thus, there is no charge for any location or reproduction costs. Accordingly, all records that are responsive to your request are attached to this email.

Carol Redell
Office of the Assembly Chief Clerk
17 West Main Street, Suite 401
Madison, Wisconsin 53703
608.266.1501
carol.redell@legis.wi.gov

Wisconsin Legislative Council



Anne Sappenfield
Director

TO: REPRESENTATIVE JOE SANFELIPPO

FROM: Peggy Hurley, Staff Attorney

RE: Removal of Appointed State Officers by Impeachment or Following Interpellation

DATE: November 5, 2021

You asked for information relating to impeachment procedures available to the Legislature for removing an appointed state officer from office. This memorandum sets forth the procedures, under the Wisconsin Constitution and statutes, for removing an appointed officer by impeachment or after being examined or investigated in an interpellation proceeding.

IMPEACHMENT

Impeachment is a process in which the Legislature may remove a civil officer of the state for corrupt conduct in office or for crimes and misdemeanors. Article VII, Section 1 of the Wisconsin Constitution provides:

Impeachment; trial. Section 1. The court for the trial of impeachments shall be composed of the senate. The assembly shall have the power of impeaching all civil officers of this state for corrupt conduct in office, or for crimes and misdemeanors; but a majority of all the members elected shall concur in an impeachment. On the trial of an impeachment against the governor, the lieutenant governor shall not act as a member of the court. No judicial officer shall exercise his office, after he shall have been impeached, until his acquittal. Before the trial of an impeachment the members of the court shall take an oath or affirmation truly and impartially to try the impeachment according to evidence; and no person shall be convicted without the concurrence of two-thirds of the members present. Judgment in cases of impeachment shall not extend further than to removal from office, or removal from office and disqualification to hold any office of honor, profit or trust under the state; but the party impeached shall be liable to indictment, trial and punishment according to law.

The process for removing an official through impeachment involves: (1) a vote to impeach the official; and (2) a trial of the impeachment.

The first step in the impeachment process requires a majority of the members of the Assembly to vote to impeach the official. A vote to impeach is a formal accusation that can only be issued for particular reasons. Under the Wisconsin Constitution, the Assembly may impeach, by a majority vote, a civil officer for corrupt conduct in office or for crimes and misdemeanors.

The second step in the impeachment process requires that the Senate conduct a trial of the impeachment. In the trial process, the Senate members act as a court and may convict the official by a two-thirds vote of the members present. However, unlike a criminal trial, conviction by the Senate in the impeachment process relates to removal of the official from office (and a possible bar from holding office), but does not impose criminal liability.

Sections [750.01](#) and [750.02](#), Stats., govern the administration of oaths and other processes and rules that apply to the trial of the impeachment that is conducted by the Senate:

750.01 Administration of oaths. The president and chief clerk of the senate are respectively authorized to administer to any member or officer of the senate any oath or affirmation as a member or officer of the court for the trial of impeachments, and to administer any oath or affirmation to any other person in any proceeding before such court.

750.02 Process and rules. The court for the trial of impeachments is authorized to issue, and enforce obedience to, any summons, subpoena or other process necessary to the exercise of its powers and authority; to provide in what form the same shall be issued, by whom and in what manner it shall be signed and attested, by whom it shall be executed and in what form return thereof shall be made; and make such further provisions and rules as may be necessary or convenient for the discharge of its functions or duties.

An official who is impeached by the Assembly and convicted in the Senate will be removed from office before the end of his or her term.

Impeachment is a rare occurrence; a publication from the Legislative Reference Bureau¹ indicates that there has only been one instance of impeachment and trial. In 1853, the Assembly voted to advance articles of impeachment against Judge Levi Hubbell to the Senate. Following a lengthy trial², Judge Hubbell was acquitted.

Current law provides limited procedural guidelines for an impeachment proceeding. Section 750.01, Stats., sets forth how to administer oaths in impeachment proceedings and s. 750.02, Stats., provides that the Senate may make rules as necessary or convenient for the discharge of its functions or duties in an impeachment trial.

Additionally, s. 17.16 (3), Stats., provides rules for removals for cause. It is not settled whether the procedures set forth in s. 17.16, Stats., apply to impeachment proceedings. If the statute is found to apply or if, pursuant to s. 750.02, Stats., the Senate opts to utilize the same procedure, the statute provides that:

- A removal for cause may be made only upon written verified charges brought by a resident taxpayer of the governmental unit of which the person against whom the charges are filed is an officer.
- The officer is entitled to a speedy public hearing at which he or she is given a full opportunity to be heard to present a defense against the charges, personally and by counsel.

¹ Legislative Reference Bureau, *The Removal of State Public Officials from Office*, Research Bulletin 80-RB-1 (1980).

² The trial in the Senate lasted five weeks and involved the testimony of over 50 witnesses. Ellen Langill, *Levi Hubbell and the Wisconsin Judiciary: A Dilemma in Legal Ethics and Non-Partisan Judicial Elections*, Marquette Law Review, Volume 81, Issue 4, Summer 1998.

- A copy of the charges and written notice of the time and place for the hearing must be given to the officer by the removing power³ by delivery to the officer in person or by mailing the same to the officer at the officer's last and usual post office address not less than 10 days prior to the hearing.
- The officer may, within 10 days from service of the charges, file with the removing power a verified answer thereto.
- No person may be excused from testifying or from producing evidence on the hearing for the reason that the testimony, documentary, or otherwise, required of him or her may tend to incriminate him or her. However, any person who does testify is entitled to immunity from the use of the compelled testimony or evidence in subsequent criminal or forfeiture proceedings, as well as immunity from the use of evidence derived from that compelled testimony or evidence. [s. 972.085. Stats.]

If a person is removed for cause under s. 17.16, Stats., all of the following must be filed by the removing power with the Secretary of State:

- An order of removal.
- A certified copy of the order.
- A complete transcript of the testimony and proceedings at the hearing.
- A statement of the cause or causes for which removal is made.

In the Hubbell proceedings,⁴ a petition for impeachment was introduced by a citizen to the Assembly Speaker; the Assembly then appointed a committee to investigate the allegations against Judge Hubbell and make recommendations as to whether Judge Hubbell should be removed from office. Ultimately, the Assembly voted to appoint five "managers" to prepare articles of impeachment. The articles were approved by the Assembly and a trial was held in the Senate. The Senate created, by resolution, a committee to establish rules for the impeachment trial. The articles of impeachment, Judge Hubbell's response, and the Senate rules may be [read here](#).

An unresolved question is the standard of proof applicable to a trial of impeachment. The highest standard, which requires proof "beyond a reasonable doubt" is generally used at criminal proceedings, while the lower standard requiring a "preponderance of evidence" of guilt is common in civil trials. An intermediate standard requires "clear and convincing" evidence.

REMOVAL OF APPOINTED OFFICERS FOLLOWING INTERPELLATION

Interpellation is a process by which a bipartisan group of legislators in either house may initiate an investigation, and if appropriate, removal of any appointive officer of the state. Section 13.28 (1), Stats., provides that a group of at least six members of the Senate, not more than four of whom belong to the same political party, or 17 members of the Assembly, not more than nine of whom belong to the same political party, may petition any appointive state officer to appear before the respective house of the Legislature. The petition must be in writing, accompanied by the written questions for which the

³ Section 17.16, Stats., refers to, but does not define, the term "removing power." In the case of an impeachment, it could be interpreted to mean either the Senate or the Legislature as a whole. Because the Senate is the body whose judgment would remove a person from office, I conclude that the Senate is the "removing power" for purposes of impeachment proceedings.

⁴ Marilyn Grant, *Judge Levi Hubbell: A Man Impeached*, The Wisconsin Magazine of History, Vol. 64, No. 1, Autumn, 1980.

petitioning legislators seek responses, signed by the petitioning members, and filed with the presiding officer of the legislative house to which the petitioning members belong.⁵

During such an appearance, the state officer must answer written or oral interrogatories relative to any matter, function, or work of the officer relative to any act, omission, or other matter pertaining to the powers or privileges exercised or duties performed by the officer or the officer's subordinates. A state officer may also be expected to respond regarding the manner, conditions, or terms of the officer's appointment or any appointment made by the officer, or relative to any act, omission, or conduct unbecoming of the position of the officer.

Following the filing of the required petition, the presiding officer of the house with whom the petition was filed has 20 days from the date of filing to call a meeting of the house before which the interrogation or examination will be held. The Legislature may adopt rules to govern the examination and all proceedings must be recorded and transmitted to the Governor within 30 days of the close of the examination. [s. 13.29, Stats.]

Following the interpellation procedure, the appointive state officer who was the subject of the examination may be removed from his or her position by passing a joint resolution to that end, adopted by a majority of members in each house. [s. 13.30, Stats.]

Please let me know if I can provide any further assistance.

PH:ksm

⁵ Section 13.28 (2), Stats., prescribes the same procedure for a joint interpellation provided that the required numbers of members petition in both houses.



JOE SANFELIPPO

STATE REPRESENTATIVE • 15th ASSEMBLY DISTRICT

(608) 266-0620
FAX: (608) 282-3615
Toll-Free: (888) 534-0015
Rep.Sanfelippo@legis.wi.gov

P.O. Box 8953
Madison, WI 53708-8953

11 November 2021

Josh Kaul, Attorney General
Wisconsin Department of Justice
State Capitol, Room 114 East
PO Box 7857
Madison, Wisconsin 53707-7857

Dear Attorney General Kaul,

I am writing to you regarding the serious allegations of state elections law violations at the Ridgewood Care Center that have recently come to light following an investigation by the Racine County Sheriff's Office. As you know, that inquiry identified eight elderly nursing home residents who cast absentee ballots in last November's election despite concerns by their families about those residents' capacity to vote. Worse, the cloud of suspicion surrounding these votes was due to the improper actions taken by the Wisconsin Elections Commission to suspend the use of special voting deputies, a system created through statute by the Legislature for the express purpose of preventing exactly such potential abuses.

Nursing home residents are some of the most vulnerable individuals in our state, and it is incumbent upon us to both ensure that their essential rights to vote are not infringed and to protect them from being taken advantage of in furtherance of any efforts to manipulate our democratic process. The Legislature created the special voting deputies process with those specific goals in mind. It is fundamentally wrong, both for separation of powers reasons and as a matter of basic democratic norms, for a governmental agency to unilaterally substitute its own wishes for those explicitly expressed by the Legislature through the lawmaking process. There are appropriate channels through which an agency can raise concerns to the Legislature about the need for changes to the law. Instead, the actions undertaken by the Wisconsin Elections Commission amounted to a conscious usurpation of the Legislature's constitutional prerogative over creating the law. This is unacceptable.

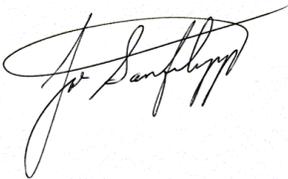
Accordingly, based on the findings in Racine County, I believe that similar reviews should be performed for residential care facilities and retirement homes in all 72 Wisconsin counties to determine whether, and to what extent, absentee ballots of senior residents were improperly or fraudulently cast. There is no reason to assume that such wrongdoing did not occur at the hundreds of other senior living facilities across Wisconsin where similar opportunities for abuses existed due to the illegal suspension of the use of special voting deputies during last year's elections. Consequently, I call upon the Wisconsin Department of Justice to conduct a full and thorough investigation of absentee ballot use at senior living facilities throughout the state last year to ensure that there is a complete understanding of any misconduct and for any intentional criminal acts to be vigorously prosecuted.

Regardless of the outcome of that investigation, the actions taken by the Wisconsin Election Commission created a significant and unnecessary risk of election fraud and potential disenfranchisement

of senior residents at these facilities. The Wisconsin Elections Commission willfully ignored state elections laws by knowingly issuing guidance to local clerks to suspend the use of special voting deputies last year, jeopardizing the integrity of our elections. We cannot tolerate a state agency demonstrating such a deliberate disregard for the very laws they are charged with administering. The Wisconsin Department of Justice must conduct a full investigation to determine whether any of the Wisconsin Elections Commission officials, or the government employees advising them, potentially committed crimes by intentionally issuing formal agency guidance in direct violation of state statutes.

Ensuring that our state's laws are followed and enforced is at the very heart of the Attorney General's mission. I believe that you take your duty as Wisconsin's chief law officer seriously, which is why I must urge you in the strongest possible terms to take action in order to safeguard our democratic elections and to defend the exclusive constitutional authority of the Legislature to write our state's laws. If we truly value the rule of law, it is critical that there be accountability for the misconduct that has occurred, and I implore you to use every resource and authority of your office to act on your responsibility to uphold our institutions.

Respectfully,

A handwritten signature in black ink, appearing to read "Joe Sanfelippo", written in a cursive style.

Representative Joe Sanfelippo
15th Assembly District



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
2021 ASSEMBLY RESOLUTION

1 **Relating to:** calling for the resignation of the administrator and several members
2 of the Wisconsin Elections Commission.

3 Whereas, the Wisconsin Constitution vests the power to make and change laws
4 in the Wisconsin Legislature; and

5 Whereas, through an Act, the Legislature created the Wisconsin Elections
6 Commission to faithfully administer and enforce Wisconsin's election laws in a
7 transparent manner, free from partisan bias; and

8 Whereas, on February 8, 2021, the Legislature charged the Legislative Audit
9 Bureau with the task of evaluating the recent efforts by the Elections Commission
10 to comply with election laws; and

11 Whereas, on October 22, 2021, the Legislative Audit Bureau reported its
12 findings to the Legislature, identifying numerous instances of the Elections
13 Commission's failure to perform its statutorily required duties and its violation of
14 existing election laws; and

1 Whereas, on October 28, 2021, the Racine County Sheriff's Office announced
2 the results of an investigation, accusing several members of the Elections
3 Commission of violating election laws by issuing directives to local government
4 officials to illegally suspend the use of special voting deputies during the 2020
5 elections; and

6 Whereas, the purposeful actions of the administrator of the Elections
7 Commission and several of its members to ignore or contravene existing laws in
8 effect usurped the Legislature's constitutional authority to write the laws of this
9 state, undermining the legitimacy of government in Wisconsin and the public's
10 confidence in Wisconsin's elections process; and

11 Whereas, the egregious misconduct of Elections Commission Administrator
12 Meagan Wolfe and Commissioners Marge Bostelmann, Julie M. Glancey, Ann S.
13 Jacobs, Dean Knudson, and Mark L. Thomsen renders them unfit to serve in their
14 current positions; now, therefore, be it

15 ***Resolved by the assembly, That*** the Wisconsin Assembly forcefully urges
16 Wisconsin Elections Commission Administrator Meagan Wolfe and Wisconsin
17 Elections Commissioners Marge Bostelmann, Julie M. Glancey, Ann S. Jacobs, Dean
18 Knudson, and Mark L. Thomsen to immediately resign from the Elections
19 Commission; and, be it further

20 ***Resolved, That*** failing such resignations, the Legislature should undertake all
21 actions available to it under the law that are necessary to effect the abovenamed
22 individuals' removal from the Elections Commission; and, be it further

23 ***Resolved, That*** the Wisconsin Assembly recommends that the Wisconsin
24 attorney general conduct a thorough investigation of the abovenamed individuals'



2021 ASSEMBLY JOINT RESOLUTION

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16 Thomsen renders them unfit to serve in their current positions; now, therefore, be
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18 ***Resolved by the assembly, the senate concurring, That*** the Wisconsin
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20 Meagan Wolfe, Wisconsin Elections Commission Assistant Administrator Richard
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From: Art Koch <ajkoch@wi.rr.com>
Sent: Wednesday, October 6, 2021, 2:14 PM
To: "'Rep.Sanfelippo'" <Rep.Sanfelippo@legis.wisconsin.gov>
Subject: Arizona forensic audit

Hi Joe,

I hope you are following the forensic audit in AZ (Not what the media says but the actual facts). Wisconsin should do a forensic audit of the November 2020 election. If the Democrats are so confident of the results, they should not have any issues with doing a forensic audit in Wisconsin.

Thanks,

Art Koch

Name

Arthur Koch

Phone Number

2627897655

Email

ajkoch@wi.rr.com

Street Address

2426 S. Meadowlark Drive

City

New Berlin

State

WI

Zip Code

53151

Co-Sponsorship Memorandum

To: All Legislators

From: Rep. Joe Sanfelippo

Date: December 2, 2021

Re: Co-sponsorship of LRB-5380 – calling for the resignation of the administrator, assistant administrator, and several members of the Wisconsin Elections Commission.

Deadline: THURSDAY, December 9th at Noon

In recent years, despite its statutory duty to administer and ensure compliance with elections laws, the Wisconsin Elections Commission has taken actions that have clearly contravened existing statutes. These have included the Wisconsin Elections Commission ordering local clerks to illegally suspend the use of special voting deputies, neglecting to properly maintain accurate voter registration records, and failing to promulgate administrative rules necessary to implement state statutes, among other issues. Consequently, the [Legislature directed](#) the Wisconsin Legislative Audit Bureau to conduct a review of the Wisconsin Elections Commission's actions and their compliance with current laws.

In its [recent report](#), the Wisconsin Legislative Audit Bureau identified multiple examples of the Wisconsin Elections Commission and its staff violating elections laws by refusing to perform their statutorily prescribed duties, issuing elections guidance that contradicted existing statutes, and failing to promulgate administrative rules to reflect recent changes to elections statutes. These findings represent the latest examples of the Wisconsin Elections Commission's ongoing disinterest in adhering to the constraints or the obligations that our state's laws impose on the agency.

It has become increasingly clear that certain officials at the Wisconsin Elections Commission have repeatedly disregarded their duty to faithfully and impartially implement our elections laws. Instead, by continually taking actions directly inconsistent with state laws, these Wisconsin Elections Commission officials have effectively appropriated the lawmaking authority of the Legislature by illegally substituting their own preferences and agendas in place of the clear directives of the democratically elected representatives of the public.

The Legislature cannot let stand such a brazen and intentional usurpation of its constitutional prerogative over creating the law by a few individuals abusing the authority of their official positions. This resolution seeks to hold these individuals accountable by formally demanding the immediate resignations of Wisconsin Elections Commission Administrator Megan Wolfe, Assistant Administrator Richard Rydecki, and Commissioners Marge Bostelmann, Julie M. Glancey, Ann S. Jacobs, Dean Knudson, and Mark L. Thomsen, and expressing the Legislature's intent to pursue their removal should they refuse. The resolution further urges the Attorney General to conduct a thorough investigation into these individuals' actions and to make criminal referrals to local district attorneys as appropriate and supported by their findings.

If you would like to co-sponsor LRB-5380, please reply to this email, contact Rep. Sanfelippo's office 6-0620 no later than Thursday, December 9th at Noon.

From: "LRB.Legal" <lrblegal@legis.wisconsin.gov>

Sent: Tuesday, November 16, 2021, 11:25 AM

To: "Rep.Sanfelippo" <Rep.Sanfelippo@legis.wisconsin.gov>

Subject: Draft review: LRB -5298/P1

Attachments: 21-5298_P1 (4).pdf

Following is the PDF version of draft LRB -5298/P1.

From: "LRB.Legal" <lrblegal@legis.wisconsin.gov>

Sent: Friday, December 3, 2021, 10:45 AM

**To: "Rep.Sanfelippo"
<Rep.Sanfelippo@legis.wisconsin.gov>**

Subject: Draft review: LRB -5380/1

Attachments: 21-5380_1 (3).pdf

State of Wisconsin - Legislative Reference Bureau

One East Main Street - Suite 200 - Madison

The attached draft was prepared at your request. Please review it carefully to ensure that it satisfies your intent. If you have any questions concerning the draft or would like to have it redrafted, please contact Michael Gallagher, Senior Legislative Attorney, at (608) 504-5811, at michael.gallagher@legis.wisconsin.gov, or at One East Main Street, Suite 200.

If you would like to jacket the draft for introduction, please click on the appropriate button below. Please select only one button. If you wish to introduce this draft in both houses please contact the drafting attorney to have a companion bill drafted.

**Jacket for the
ASSEMBLY**

**Jacket for the
SENATE**

If a jacket is needed immediately, please let us know in your response e-mail so we know to immediately jacket the proposal for you.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will submit a request to DOA when the draft is introduced. You may obtain a fiscal estimate on the draft prior to introduction by contacting our program assistants at LRB.Legal@legis.wisconsin.gov or at (608) 266-3561. If you requested a fiscal estimate on an earlier version of this draft and would like to obtain a fiscal estimate on the current version before it is introduced, you will need to request a revised fiscal estimate from our program

assistants.

Please call our program assistants at (608) 266-3561 if you have any questions regarding this email.

From: "LRB.Legal" <lrblegal@legis.wisconsin.gov>

Sent: Tuesday, November 30, 2021, 3:38 PM

To: "Rep.Sanfelippo" <Rep.Sanfelippo@legis.wisconsin.gov>

Subject: Draft review: LRB -5380/P1

Attachments: 21-5380_P1 (3).pdf

Following is the PDF version of draft LRB -5380/P1.

From: Bob Ela <ela_b@icloud.com>
Sent: Thursday, October 14, 2021, 1:48 PM
To: sen.kooyenga@legis.wisconsin.gov; rep.sanfelippo@legis.wisconsin.gov
Subject: END VOS' ELECTION "INVESTIGATION" NOW!

This "investigation" is a joke. It would NEVER have started if Vos had not met with the losing candidate! When Clinton lost in 2016, we got "over it". No audit. No fake investigation. Clinton conceded ON ELECTION NIGHT. Trump is a sore loser. Always has been. Always will be. The maddening thing about him is the draw he has on elected officials. I get it that his base loves him, they're followers. But elected leaders? They're acting like his base, instead of leading them, they're following them. Be leaders. Stop this costly sham!

Robert Ela
10412 W. Rogers St.
West Allis, WI. 53227

From: "Rep.Sanfelippo" <Rep.Sanfelippo@legis.wisconsin.gov>
Sent: Wednesday, December 1, 2021, 10:32 AM
To: "Sanfelippo, Joe" <Joe.Sanfelippo@legis.wisconsin.gov>
Subject: FW: Draft review: LRB -5380/P1
Attachments: 21-5380_P1 (3).pdf

Best regards,

[Josh Hoisington](#)
[Office of Representative Joe Sanfelippo](#)
15th Assembly District
608.266.0620

Follow **Rep. Sanfelippo** on [Facebook](#) and [Twitter](#).

NOTE: Emails sent to and from this account may be subject to open records requests and should not be considered private.

From: LRB.Legal <lrblegal@legis.wisconsin.gov>
Sent: Tuesday, November 30, 2021 3:39 PM
To: Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>
Subject: Draft review: LRB -5380/P1

Following is the PDF version of draft LRB -5380/P1.

From: "Hoisington, Joshua" <Joshua.Hoisington@legis.wisconsin.gov>
Sent: Wednesday, December 1, 2021, 10:48 AM
To: "Fuller, Lucas" <Lucas.Fuller@legis.wisconsin.gov>
Cc: "Sanfelippo, Joe" <Joe.Sanfelippo@legis.wisconsin.gov>
Subject: FW: Draft review: LRB -5380/P1
Attachments: 21-5380_P1 (3).pdf

Luke, here is a copy of the resolution.

Best regards,

[Josh Hoisington](#)
[Office of Representative Joe Sanfelippo](#)
15th Assembly District
608.266.0620

Follow **Rep. Sanfelippo** on [Facebook](#) and [Twitter](#).

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From: LRB.Legal <lrblegal@legis.wisconsin.gov>
Sent: Tuesday, November 30, 2021 3:39 PM
To: Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>
Subject: Draft review: LRB -5380/P1

Following is the PDF version of draft LRB -5380/P1.

From: "Hoisington, Joshua" <Joshua.Hoisington@legis.wisconsin.gov>
Sent: Friday, November 5, 2021, 1:17 PM
To: "Sanfelippo, Joe" <Joe.Sanfelippo@legis.wisconsin.gov>
Cc: "Wolf, Jake" <Jake.Wolf@legis.wisconsin.gov>
Subject: Fw: memorandum
Attachments: 05sanfelippo_ph (2) impeachment and interpellation.pdf

From: Hurley, Peggy
Sent: Friday, November 5, 2021 12:43:57 PM
To: Rep.Sanfelippo
Cc: Hoisington, Joshua
Subject: memorandum
Good afternoon,

Attached please find the memo you requested relating to impeachment proceedings. The memo additionally describes removal of an appointed official after interpellation, which is also anticipated in our statutes. Please let me know if you have questions or if I can otherwise be of assistance to you.

Peggy



Peggy J. Hurley
Staff Attorney, Wisconsin Legislative Council
608.504.5724 | peggy.hurley@legis.wisconsin.gov
One East Main Street, Suite 401, Madison, WI 53703

From: "Hoisington, Joshua" <Joshua.Hoisington@legis.wisconsin.gov>
Sent: Tuesday, November 2, 2021, 10:24 AM
To: "Sanfelippo, Joe" <Joe.Sanfelippo@legis.wisconsin.gov>
Subject: FW: Removal from a board and state employee discipline

From: Hurley, Peggy <Peggy.Hurley@legis.wisconsin.gov>
Sent: Tuesday, November 02, 2021 10:24 AM
To: Hoisington, Joshua <Joshua.Hoisington@legis.wisconsin.gov>
Subject: RE: Removal from a board and state employee discipline

Hi Josh,

The Elections Commission Administrator is an unclassified employee under [s. 230.08 \(2\) \(eL\), Stats.](#)

In reviewing the memo you attached, I should add that impeachment may be an option for removing a board member and, possibly, an administrator. Under s. 17.06 (1), Stats., any "civil officer" may be impeached for "for corrupt conduct in office, or for crimes and misdemeanors." The term "civil officer" is not defined in the statute.

Under an impeachment proceeding, the Assembly may by a majority vote impeach a civil officer, and the Senate may by a 2/3 vote "convict" the person and thereby remove him or her from office. A "conviction" under impeachment is not a criminal conviction, but a legislative action.

Please let me know if you have additional questions or if I can otherwise be of assistance to you.

Peggy



Peggy J. Hurley
Staff Attorney, Wisconsin Legislative Council
608.504.5724 | peggy.hurley@legis.wisconsin.gov
One East Main Street, Suite 401, Madison, WI 53703

From: Hoisington, Joshua <Joshua.Hoisington@legis.wisconsin.gov>
Sent: Tuesday, November 2, 2021 9:54 AM
To: Hurley, Peggy <Peggy.Hurley@legis.wisconsin.gov>
Subject: FW: Removal from a board and state employee discipline

Good morning, Peggy. Would you please let us know which employees at the Wisconsin Elections Commission are classified and unclassified? Most specifically, the Elections Commission Administrator. Thank you, Peggy.

Best regards,

[Josh Hoisington](#)
[Office of Representative Joe Sanfelippo](#)

15th Assembly District
608.266.0620

Follow **Rep. Sanfelippo** on [Facebook](#) and [Twitter](#).

NOTE: Emails sent to and from this account may be subject to open records requests and should not be considered private.

From: Hoisington, Joshua <Joshua.Hoisington@legis.wisconsin.gov>
Sent: Thursday, October 28, 2021 4:12 PM
To: Sanfelippo, Joe <Joe.Sanfelippo@legis.wisconsin.gov>
Subject: Removal from a board and state employee discipline

From: Hurley, Peggy
Sent: Monday, February 17, 2020 1:11 PM
To: Rep.Sanfelippo
Subject: Removal from a board and state employee discipline

Representative Sanfelippo,

Thank you for your inquiries regarding removal of a person appointed to a government board and sanctions against a state employee for improper behavior. Specifically, you asked 1. Whether a board member may be removed from his or her seat on the board for acting or intending to act contrary to state law; and 2. What sanctions may be imposed on a state employee who encourages a board member to act contrary to state law.

The processes and standards for removal of a board member differ from board to board. Therefore, I will focus my answer to your first question on procedures and standards for removing a person from the Elections Commission.

There are six current [Elections Commission members](#). Pursuant to s. 16.61 (1) (a), two members are former clerks nominated by the Governor from a list of names submitted by each political party, and confirmed by the Senate. The other four members are direct appointments by legislative leadership.

Any Elections Commission member who is legislatively-appointed can have his or her appointment withdrawn at any time by the legislative leader who appointed the member. These members may be removed "at pleasure" by the appointing officer. [s. 17.07 (6), Stats.] In contrast, any Elections Commission member who is appointed by the Governor can have his or her appointment rejected by the Senate on a "no" vote. If the member has already received Senate confirmation, then she can only have her appointment withdrawn by the Governor "for cause." [ss. 17.07 (3) and 19.42 (13) (p), Stats.] "Cause" means inefficiency, neglect of duty, official misconduct, or malfeasance in office. [s. 17.001, Stats.]

If the Governor wishes to withdraw an appointment for cause, he would need to determine that the board member's actions or inactions constitute "inefficiency, neglect of duty, official misconduct, or malfeasance in office." These terms are not defined in chapters 15 or 17, but in the criminal code, s. 946.12, Stats defines "misconduct in public office" for the purpose of criminal prosecution:

946.12 Misconduct in public office. Any public officer or public employee who does any of the following is guilty of a Class I felony:

- (1)** Intentionally fails or refuses to perform a known mandatory, nondiscretionary, ministerial duty of the officer's or employee's office or employment within the time or in the manner required by law; or
- (2)** In the officer's or employee's capacity as such officer or employee, does an act which the officer or employee knows is in excess of the officer's or employee's lawful authority or which the officer or employee knows the officer or employee is forbidden by law to do in the officer's or employee's official capacity; or
- (3)** Whether by act of commission or omission, in the officer's or employee's capacity as such officer or employee exercises a discretionary power in a manner inconsistent with the duties of the officer's or employee's office or employment or the rights of others and with intent to obtain a dishonest advantage for the officer or employee or another; or
- (4)** In the officer's or employee's capacity as such officer or employee, makes an entry in an account or record book or return, certificate, report or statement which in a material respect the officer or employee intentionally falsifies; or
- (5)** Under color of the officer's or employee's office or employment, intentionally solicits or accepts for the performance of any service or duty anything of value which the officer or employee knows is greater or less than is fixed by law.

Acting or attempting to act in a manner that violates state law may constitute misconduct in public office if the state law is settled and clear, although the standard for criminal prosecution may be different than a standard applied to removal from an appointed position.

The answer to your second question, regarding options for discipline against a state employee who encourages a board member to act contrary to state law, depends on whether the state employee is "classified," or governed by the civil service rules concerning discipline, or "unclassified," and not governed by civil service rules. Employees who are not included in the unclassified category are considered classified; s. 230.08 (2), Stats., lists the positions that are included in the unclassified service:

- All state officers elected by the people.
- All officers and employees of the state appointed by the Governor, whether subject to confirmation or not, unless otherwise provided.
- Division administrators in state agencies. [The statutes designate a number of division administrators in the unclassified service in each agency.]
- All legislative officers, policy research personnel, assistants to legislators, and research staff assigned to legislative committees.
- The personnel of the Legislative Reference Bureau, Legislative Audit Bureau, Legislative Fiscal Bureau, Legislative Council, and Legislative Technology Services Bureau.
- The Supreme Court justices and Court of Appeals judges, and the clerks, assistants, and employees of such justices or judges.
- Officers and employees whose positions are expressly excluded from the classified service by statute or whose positions cannot be placed under the classified service because of the restrictions placed on them by statute.

Generally speaking, an employee who is classified (or who has served as an assistant district attorney or assistant public defender for a period of 12 months or more) may be removed, suspended without pay, discharged, demoted, or reduced in base pay only for just cause, and following a progressive discipline scheme [s. 230.34, Stats.] unless a specific exception applies. An employee who is not classified generally may be discharged or otherwise subject to discipline for any non-discriminatory reason, unless the employee is a party to a contract that states otherwise. No particular statute addresses any specific

disciplinary protocol for encouraging a board member to violate a law, although if the state law is so clear as to confer a ministerial duty, failure to perform that duty may warrant discipline.

I hope this helps clarify the procedures and standards for removing a board member and for disciplining a state employee. If you would like to discuss how these standards and procedures might be applied in a particular context, please let me know. As always, please let me know if you have any other questions or if I can be of additional service to you.



Peggy J. Hurley

Staff Attorney, Wisconsin Legislative Council
608.504.5724 | peggy.hurley@legis.wisconsin.gov
One East Main Street, Suite 401, Madison, WI 53703

From: "Hoisington, Joshua" <Joshua.Hoisington@legis.wisconsin.gov>
Sent: Tuesday, November 2, 2021, 11:32 AM
To: "Sanfelippo, Joe" <Joe.Sanfelippo@legis.wisconsin.gov>
Subject: FW: Removal from a board and state employee discipline

From: Hurley, Peggy <Peggy.Hurley@legis.wisconsin.gov>
Sent: Tuesday, November 02, 2021 11:30 AM
To: Hoisington, Joshua <Joshua.Hoisington@legis.wisconsin.gov>
Subject: RE: Removal from a board and state employee discipline

Hi Josh,

I am looking further into the status of the WEC Commissioners, because I am not sure they are considered state employees at all. Staff members besides the administrator and assistant administrator are classified employees (employees are classified unless specifically unclassified under our statutes).



Peggy J. Hurley

Staff Attorney, Wisconsin Legislative Council
608.504.5724 | peggy.hurley@legis.wisconsin.gov
One East Main Street, Suite 401, Madison, WI 53703

From: Hoisington, Joshua <Joshua.Hoisington@legis.wisconsin.gov>
Sent: Tuesday, November 2, 2021 10:38 AM
To: Hurley, Peggy <Peggy.Hurley@legis.wisconsin.gov>
Subject: RE: Removal from a board and state employee discipline

Thank you, Peggy. What about the administrative staff other than the administrator or WEC Commissioners?

Best regards,

[Josh Hoisington](#)
[Office of Representative Joe Sanfelippo](#)
15th Assembly District
608.266.0620

Follow **Rep. Sanfelippo** on [Facebook](#) and [Twitter](#).

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From: Hurley, Peggy <Peggy.Hurley@legis.wisconsin.gov>
Sent: Tuesday, November 02, 2021 10:24 AM
To: Hoisington, Joshua <Joshua.Hoisington@legis.wisconsin.gov>
Subject: RE: Removal from a board and state employee discipline

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In reviewing the memo you attached, I should add that impeachment may be an option for removing a board member and, possibly, an administrator. Under s. 17.06 (1), Stats., any “civil officer” may be impeached for “for corrupt conduct in office, or for crimes and misdemeanors.” The term “civil officer” is not defined in the statute.

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Sent: Tuesday, November 2, 2021 9:54 AM
To: Hurley, Peggy <Peggy.Hurley@legis.wisconsin.gov>
Subject: FW: Removal from a board and state employee discipline

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15th Assembly District
608.266.0620

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From: Hoisington, Joshua <Joshua.Hoisington@legis.wisconsin.gov>
Sent: Thursday, October 28, 2021 4:12 PM
To: Sanfelippo, Joe <Joe.Sanfelippo@legis.wisconsin.gov>
Subject: Removal from a board and state employee discipline

From: Hurley, Peggy
Sent: Monday, February 17, 2020 1:11 PM
To: Rep.Sanfelippo
Subject: Removal from a board and state employee discipline

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- (2) In the officer's or employee's capacity as such officer or employee, does an act which the officer or employee knows is in excess of the officer's or employee's lawful authority or which the officer or employee knows the officer or employee is forbidden by law to do in the officer's or employee's official capacity; or
- (3) Whether by act of commission or omission, in the officer's or employee's capacity as such officer or employee exercises a discretionary power in a manner inconsistent with the duties of the officer's or employee's office or employment or the rights of others and with intent to obtain a dishonest advantage for the officer or employee or another; or

(4) In the officer's or employee's capacity as such officer or employee, makes an entry in an account or record book or return, certificate, report or statement which in a material respect the officer or employee intentionally falsifies; or

(5) Under color of the officer's or employee's office or employment, intentionally solicits or accepts for the performance of any service or duty anything of value which the officer or employee knows is greater or less than is fixed by law.

Acting or attempting to act in a manner that violates state law may constitute misconduct in public office if the state law is settled and clear, although the standard for criminal prosecution may be different than a standard applied to removal from an appointed position.

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- All legislative officers, policy research personnel, assistants to legislators, and research staff assigned to legislative committees.
- The personnel of the Legislative Reference Bureau, Legislative Audit Bureau, Legislative Fiscal Bureau, Legislative Council, and Legislative Technology Services Bureau.
- The Supreme Court justices and Court of Appeals judges, and the clerks, assistants, and employees of such justices or judges.
- Officers and employees whose positions are expressly excluded from the classified service by statute or whose positions cannot be placed under the classified service because of the restrictions placed on them by statute.

Generally speaking, an employee who is classified (or who has served as an assistant district attorney or assistant public defender for a period of 12 months or more) may be removed, suspended without pay, discharged, demoted, or reduced in base pay only for just cause, and following a progressive discipline scheme [s. 230.34, Stats.] unless a specific exception applies. An employee who is not classified generally may be discharged or otherwise subject to discipline for any non-discriminatory reason, unless the employee is a party to a contract that states otherwise. No particular statute addresses any specific disciplinary protocol for encouraging a board member to violate a law, although if the state law is so clear as to confer a ministerial duty, failure to perform that duty may warrant discipline.

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Peggy J. Hurley

Staff Attorney, Wisconsin Legislative Council
608.504.5724 | peggy.hurley@legis.wisconsin.gov
One East Main Street, Suite 401, Madison, WI 53703

From: "Rep.Kerkman" <Rep.Kerkman@legis.wisconsin.gov>
Sent: Friday, October 22, 2021, 11:18 AM
To: *Legislative Assembly Republicans <AllAsmGops@legis.wisconsin.gov>
Subject: FW: The Bureau Announces the Release of Report 21-19, Elections Administration

Good Morning,

Please note that the Legislative Audit Bureau has now released their audit report on Elections Administration (report 21-19). The audit may be viewed here:
<https://legis.wisconsin.gov/lab/esummary21-19>

Best regards,
Office of Rep. Samantha Kerkman

From: LAB Info <LABInfo@legis.wisconsin.gov>
Sent: Friday, October 22, 2021 10:44 AM
Subject: The Bureau Announces the Release of Report 21-19, Elections Administration



LEGISLATIVE AUDIT BUREAU REPORT RELEASE

**The Bureau announces the release of
Elections Administration ([report 21-19](#)).**

As directed by the Joint Legislative Audit Committee, we evaluated elections administration issues, including:

- efforts by the Wisconsin Elections Commission (WEC) to comply with election laws, including by working with clerks to ensure voter registration records include only eligible voters, and by providing training and guidance to clerks;
- efforts by clerks to comply with election laws, including by administering elections, processing absentee ballots, and performing recount responsibilities, as well as the observations and concerns of clerks regarding elections administration;
- the use of electronic voting equipment, including the methodology and results of WEC's most-recent statutorily

required post-election audit and the actions taken as a result of this audit; and

- General Election-related complaints filed with WEC and clerks, as well as how these complaints were addressed.

Because our audit was not approved until three months after the November 2020 General Election, we did not directly observe Election Day practices. Therefore, to complete this audit we relied on available evidence we were able to access. We contacted WEC's staff, surveyed all 1,835 municipal clerks and 72 county clerks in April 2021, contacted 179 clerks to obtain additional information about elections administration issues, analyzed voter registration data, physically reviewed 14,710 certificates that accompanied absentee ballots returned to clerks in 29 municipalities throughout the state, reviewed the results of 175 statutorily required tests of electronic voting equipment that clerks in 25 municipalities completed before the November 2020 General Election, and reviewed all 45 sworn, written complaints pertaining to the General Election that were filed with WEC as of late-May 2021.

We make 30 recommendations to WEC's staff for various improvements and include 18 issues for legislative consideration.

www.legis.wisconsin.gov/lab AskLAB@legis.wisconsin.gov
(608) 266-2818 • Hotline: 1-877-FRAUD-17

From: Linda Dobogai <ldobogai.aberlene@gmail.com>
Sent: Sunday, October 17, 2021, 9:57 AM
To: "Rep.Sanfelippo@legis.wisconsin.gov" <Rep.Sanfelippo@legis.wisconsin.gov>
Subject: Gableman "Review"

I am expressing my view that this investigation be shut down. It is a waste of taxpayers' money. If the Republicans want to set up a partisan investigation, it should be done with your money, not ours.

From the Milwaukee Journal Sentinel: "the true motive for Republicans who continue to lie about the election is a desire to cozy up to Trump and his fan base. They're also doing whatever they can to tighten election laws to secure an advantage. Republicans should shut down their phony investigations, but Vos is stuck. He flew by private plane with Trump to a rally in August to explain in person how he would do Trump's bidding. Vos has vowed this partisan smear campaign will continue."

I hope you know that people are smart enough to see through what the Republicans are trying to do in sucking up to Trump. This phony investigation is turning into a PR nightmare for the Republican party. Shut it down.

Linda Dobogai
New Berlin, WI
414-425=6375

Sent from [Mail](#) for Windows

From: "Rep.Brandtjen" <Rep.Brandtjen@legis.wisconsin.gov>

Sent: Monday, December 6, 2021, 11:00 AM

*To: *Legislative All Assembly <ALLASM@legis.wisconsin.gov>;*

**Legislative All Senate <ALLSEN@legis.wisconsin.gov>*

*Subject: Hearing Published - Assembly Committee on Campaigns and
Elections*

Assembly

INFORMATIONAL HEARING

Committee on Campaigns and Elections

The committee will hold a public hearing on the following items at the time specified below:

Wednesday, December 8, 2021

1:00 PM

417 North (GAR Hall)

Invited Speakers Only

Wisconsin Voter Rolls

Report - Voter Rolls

Representative Janel Brandtjen
Chair

From: "Hoisington, Joshua" <Joshua.Hoisington@legis.wisconsin.gov>
Sent: Tuesday, November 2, 2021, 10:11 AM
To: "Sanfelippo, Joe" <Joe.Sanfelippo@legis.wisconsin.gov>
Subject: Judge Holds Elections Commissioners In Contempt In Wisconsin's Voter Purge Case

<https://www.wpr.org/judge-holds-elections-commissioners-contempt-wisconsins-voter-purge-case>

Best regards,

[Josh Hoisington](#)
[Office of Representative Joe Sanfelippo](#)
15th Assembly District
608.266.0620

Follow **Rep. Sanfelippo** on [Facebook](#) and [Twitter](#).

NOTE: Emails sent to and from this account may be subject to open records requests and should not be considered private.

From: "Hurley, Peggy" <Peggy.Hurley@legis.wisconsin.gov>
Sent: Friday, November 5, 2021, 12:43 PM
To: "Rep.Sanfelippo" <Rep.Sanfelippo@legis.wisconsin.gov>
Cc: "Hoisington, Joshua" <Joshua.Hoisington@legis.wisconsin.gov>
Subject: memorandum
Attachments: 05sanfelippo_ph (2) impeachment and interpellation.pdf

Good afternoon,

Attached please find the memo you requested relating to impeachment proceedings. The memo additionally describes removal of an appointed official after interpellation, which is also anticipated in our statutes. Please let me know if you have questions or if I can otherwise be of assistance to you.

Peggy



Peggy J. Hurley

Staff Attorney, Wisconsin Legislative Council
608.504.5724 | peggy.hurley@legis.wisconsin.gov
One East Main Street, Suite 401, Madison, WI 53703

From: "Rep.Sanfelippo" <Rep.Sanfelippo@legis.wisconsin.gov>
Sent: Thursday, November 4, 2021, 8:33 AM
To: "Rep.Sanfelippo" <Rep.Sanfelippo@legis.wisconsin.gov>
Subject: Miles Bregant; West Allis, WI: Election

Miles Bregant
2800 S 112th St
West Allis WI 53227-3025
(414) 546-0094
mbregant3@icloud.com

- Would like to speak with Joe regarding the previous election and find out what is going on about investigating it
- Says he has called before and has not heard back from Joe

From: Hope Ziarnik <myvoice@oneclickpolitics.com>

Sent: Monday, November 8, 2021, 9:16 PM

To: Joe Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>

Subject: NPV is dangerous

Re: NPV is dangerous

Dear Representative Sanfelippo,

I want to let you know that there is a dangerous campaign pushing for a national popular vote for President. This is an effort to manipulate the Constitution. It could take away our state's voice in presidential elections. More likely it would end up in lawsuits and more partisan anger and distrust. I hope you will stand up for the Constitution and the Electoral College process.

Sincerely,
Hope Ziarnik
ziarnikh@yahoo.com
17940 W Jacobs Ridge Ct New Berlin, WI 53146 Constituent

Prepared by OneClickPolitics (tm) at www.oneclickpolitics.com. OneClickPolitics provides online communications tools for supporters of a cause, issue, organization or association to contact their elected officials. For more information regarding our policies and services, please contact info@oneclickpolitics.com

From: "Sanfelippo, Joe" <Joe.Sanfelippo@legis.wisconsin.gov>
Sent: Tuesday, December 7, 2021, 8:21 PM
To: "Kolodziejczyk, Dominik" <Dominik.Kolodziejczyk@legis.wisconsin.gov>
Cc: "Hoisington, Joshua" <Joshua.Hoisington@legis.wisconsin.gov>
Subject: OPEd

Dominik,

Lets put together an editorial on our resolution and try to get it out Thursday to hit the weekend papers

Main Points:

- 1) Despite what detractors say, resolution is not about past election. That is settled. Rather, this is about state agencies not following the law and holding them accountable.
- 2) Is getting all to common for agencies to not enforce/enact laws passed by the legislature that they do not like. For example, DHS under Walker not enacting our Care Coordination program.
- 3) When agencies ignore legislation passed by the legislature and signed by the governor they are "appropriating" (I liked that phrase) the powers granted to the legislature by the constitution.
- 4) In my opinion, any legislator who does not support this resolution is in essence saying they are irrelevant since they do not expect the laws they pass to be enforced.
- 5) Dangerous to our republic to allow unelected bureaucrats subvert the actions of the duly elected officials of this state.

Other ideas??

From: AO Records <records@americanoversight.org>
Sent: Wednesday, September 15, 2021, 1:44 PM
To: "ted.blazel@legis.wisconsin.gov" <ted.blazel@legis.wisconsin.gov>; "rep.sanfelippo@legis.wi.gov" <rep.sanfelippo@legis.wi.gov>
Subject: Public Records Request (WI-REP-21-1289)
Attachments: WI-REP-21-1289.pdf

Dear Public Records Custodian:

Please find attached a request for records under Wisconsin's public records law.

Sincerely,

--

Olivia Bravo

Paralegal

American Oversight

records@americanoversight.org

www.americanoversight.org | @weareoversight

PRR: WI-REP-21-1289

From: AO Records <records@americanoversight.org>
Sent: Wednesday, September 15, 2021, 1:47 PM
To: "rep.sanfelippo@legis.wi.gov" <rep.sanfelippo@legis.wi.gov>
Subject: Public Records Request (WI-REP-21-1291)
Attachments: WI-REP-21-1291.pdf

Dear Public Records Custodian:

Please find attached a request for records under Wisconsin's public records law.

Sincerely,

--

Olivia Bravo
Paralegal
American Oversight
records@americanoversight.org
www.americanoversight.org | @weareoversight

PRR: WI-REP-21-1291

From: AO Records <records@americanoversight.org>
Sent: Wednesday, September 15, 2021, 1:50 PM
To: "rep.sanfelippo@legis.wi.gov" <rep.sanfelippo@legis.wi.gov>
Subject: Public Records Request (WI-REP-21-1294)
Attachments: WI-REP-21-1294.pdf

Dear Public Records Custodian:

Please find attached a request for records under Wisconsin's public records law.

Sincerely,

--

Olivia Bravo
Paralegal
American Oversight
records@americanoversight.org
www.americanoversight.org | @weareoversight

PRR: WI-REP-21-1294

Sent: Wednesday, December 8, 2021, 11:28 AM

To: "Rep.Horlacher" <Rep.Horlacher@legis.wisconsin.gov>

Subject: RE: Co-sponsorship of LRB-5380 – Calling for the resignation of the administrator, assistant administrator, and several members of the Wisconsin Elections Commission

Confirmed. Thank you.

Best regards,

[Josh Hoisington](#)
[Office of Representative Joe Sanfelippo](#)
15th Assembly District
608.266.0620

Follow **Rep. Sanfelippo** on [Facebook](#) and [Twitter](#).

NOTE: Emails sent to and from this account may be subject to open records requests and should not be considered private.

From: Rep.Horlacher <Rep.Horlacher@legis.wisconsin.gov>

Sent: Wednesday, December 08, 2021 11:27 AM

To: Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>

Subject: RE: Co-sponsorship of LRB-5380 – Calling for the resignation of the administrator, assistant administrator, and several members of the Wisconsin Elections Commission

Please sign Rep. Horlacher onto this bill.

Thanks!

Steve Knudson

Office of State Representative Cody Horlacher
Room 214 North
P.O. Box 8952
State Capitol
Madison, WI 53708
(608) 266-5715



From: Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>
Sent: Monday, December 6, 2021 9:31 AM
To: Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>
Subject: Co-sponsorship of LRB-5380 – Calling for the resignation of the administrator, assistant administrator, and several members of the Wisconsin Elections Commission

Co-Sponsorship Memorandum

To: All Legislators

From: Rep. Joe Sanfelippo

Date: December 6, 2021

Re: Co-sponsorship of LRB-5380 – calling for the resignation of the administrator, assistant administrator, and several members of the Wisconsin Elections Commission.

Deadline: THURSDAY, December 9th at Noon

In recent years, despite its statutory duty to administer and ensure compliance with election laws, the Wisconsin Elections Commission has taken actions that have clearly contravened existing statutes. These have included the Wisconsin Elections Commission ordering local clerks to illegally suspend the use of special voting deputies, neglecting to properly maintain accurate voter registration records, and failing to promulgate administrative rules necessary to implement state statutes, among other issues. Consequently, the [Legislature directed](#) the Wisconsin Legislative Audit Bureau to conduct a review of the Wisconsin Elections Commission's actions and their compliance with current laws.

In its [recent report](#), the Wisconsin Legislative Audit Bureau identified multiple examples of the Wisconsin Elections Commission and its staff violating election laws by refusing to perform their statutorily prescribed duties, issuing election guidance that contradicted existing statutes, and failing to promulgate administrative rules to reflect recent changes to election statutes. These findings represent the latest examples of the Wisconsin Elections Commission's ongoing disinterest in adhering to the constraints or the obligations that our state's laws impose on the agency.

It has become increasingly clear that certain officials at the Wisconsin Elections Commission have repeatedly disregarded their duty to faithfully and impartially implement our election laws. Instead, by continually taking actions directly inconsistent with state laws, these Wisconsin Elections Commission officials have effectively appropriated the lawmaking authority of the Legislature by illegally substituting their own preferences and agendas in place of the clear directives of the democratically elected representatives of the public.

The Legislature cannot let stand such a brazen and intentional usurpation of its constitutional prerogative over creating the law by a few individuals abusing the authority of their official positions. This resolution seeks to hold these individuals accountable by formally demanding the immediate resignations of Wisconsin Elections Commission Administrator Meagan Wolfe, Assistant Administrator Richard Rydecki, and Commissioners Marge Bostelmann, Julie M. Glancey, Ann S. Jacobs, Dean Knudson,

and Mark L. Thomsen, and expressing the Legislature's intent to pursue their removal should they refuse. The resolution further urges the Attorney General to conduct a thorough investigation into these individuals' actions and to make criminal referrals to local district attorneys as appropriate and supported by their findings.

If you would like to co-sponsor LRB-5380, please reply to this email, contact Rep. Sanfelippo's office 6-0620 no later than Thursday, December 9th at Noon.

From: "Rep.Horlacher" <Rep.Horlacher@legis.wisconsin.gov>

Sent: Wednesday, December 8, 2021, 11:26 AM

To: "Rep.Sanfelippo" <Rep.Sanfelippo@legis.wisconsin.gov>

Subject: RE: Co-sponsorship of LRB-5380 – Calling for the resignation of the administrator, assistant administrator, and several members of the Wisconsin Elections Commission

Please sign Rep. Horlacher onto this bill.

Thanks!

Steve Knudson

Office of State Representative Cody Horlacher
Room 214 North
P.O. Box 8952
State Capitol
Madison, WI 53708
(608) 266-5715



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Sent: Monday, December 6, 2021 9:31 AM

To: Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>

Subject: Co-sponsorship of LRB-5380 – Calling for the resignation of the administrator, assistant administrator, and several members of the Wisconsin Elections Commission

Co-Sponsorship Memorandum

To: All Legislators

From: Rep. Joe Sanfelippo

Date: December 6, 2021

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If you would like to co-sponsor LRB-5380, please reply to this email, contact Rep. Sanfelippo's office 6-0620 no later than Thursday, December 9th at Noon.

From: "Rep.Murphy" <Rep.Murphy@legis.wisconsin.gov>

Sent: Tuesday, December 7, 2021, 3:42 PM

To: "Rep.Sanfelippo" <Rep.Sanfelippo@legis.wisconsin.gov>

Subject: RE: Co-sponsorship of LRB-5380 – Calling for the resignation of the administrator, assistant administrator, and several members of the Wisconsin Elections Commission

Please add Rep. Murphy as a co-sponsor.



Chris Gonzalez

Office of State Representative Dave Murphy

Wisconsin State Assembly

Room 318 North State Capitol

Madison, WI 53708-8953

Phone: [+1 608-266-7500](tel:+16082667500)

From: Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>

Sent: Monday, December 6, 2021 9:31 AM

To: Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>

Subject: Co-sponsorship of LRB-5380 – Calling for the resignation of the administrator, assistant administrator, and several members of the Wisconsin Elections Commission

Co-Sponsorship Memorandum

To: All Legislators

From: Rep. Joe Sanfelippo

Date: December 6, 2021

Re: Co-sponsorship of LRB-5380 – calling for the resignation of the administrator, assistant administrator, and several members of the Wisconsin Elections Commission.

Deadline: THURSDAY, December 9th at Noon

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If you would like to co-sponsor LRB-5380, please reply to this email, contact Rep. Sanfelippo's office 6-0620 no later than Thursday, December 9th at Noon.

From: "Rep.Gundrum" <Rep.Gundrum@legis.wisconsin.gov>

Sent: Tuesday, December 7, 2021, 8:03 AM

To: "Rep.Sanfelippo" <Rep.Sanfelippo@legis.wisconsin.gov>

Subject: RE: Co-sponsorship of LRB-5380 – Calling for the resignation of the administrator, assistant administrator, and several members of the Wisconsin Elections Commission

Good morning,

Please add Rep. Gundrum.

Regards,

John Graber
Research Assistant
Representative Rick Gundrum
58th Assembly District

From: Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>

Sent: Monday, December 6, 2021 9:31 AM

To: Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>

Subject: Co-sponsorship of LRB-5380 – Calling for the resignation of the administrator, assistant administrator, and several members of the Wisconsin Elections Commission

Co-Sponsorship Memorandum

To: All Legislators

From: Rep. Joe Sanfelippo

Date: December 6, 2021

Re: Co-sponsorship of LRB-5380 – calling for the resignation of the administrator, assistant administrator, and several members of the Wisconsin Elections Commission.

Deadline: THURSDAY, December 9th at Noon

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If you would like to co-sponsor LRB-5380, please reply to this email, contact Rep. Sanfelippo's office 6-0620 no later than Thursday, December 9th at Noon.

From: "Rep.Steffen" <Rep.Steffen@legis.wisconsin.gov>

Sent: Monday, December 6, 2021, 1:41 PM

To: "Rep.Sanfelippo" <Rep.Sanfelippo@legis.wisconsin.gov>

Subject: RE: Co-sponsorship of LRB-5380 – Calling for the resignation of the administrator, assistant administrator, and several members of the Wisconsin Elections Commission

Please add Rep.Steffen.

Best,

--



Nick Esbeck
Research Assistant
+1 (608) 237-9367
Office of Rep. David Steffen

From: Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>

Sent: Monday, December 6, 2021 9:31 AM

To: Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>

Subject: Co-sponsorship of LRB-5380 – Calling for the resignation of the administrator, assistant administrator, and several members of the Wisconsin Elections Commission

Co-Sponsorship Memorandum

To: All Legislators

From: Rep. Joe Sanfelippo

Date: December 6, 2021

Re: Co-sponsorship of LRB-5380 – calling for the resignation of the administrator, assistant administrator, and several members of the Wisconsin Elections Commission.

Deadline: THURSDAY, December 9th at Noon

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If you would like to co-sponsor LRB-5380, please reply to this email, contact Rep. Sanfelippo's office 6-0620 no later than Thursday, December 9th at Noon.

From: "Rep.Behnke" <Rep.Behnke@legis.wisconsin.gov>

Sent: Monday, December 6, 2021, 11:47 AM

To: "Rep.Sanfelippo" <Rep.Sanfelippo@legis.wisconsin.gov>

Subject: RE: Co-sponsorship of LRB-5380 – Calling for the resignation of the administrator, assistant administrator, and several members of the Wisconsin Elections Commission

Please add Rep. Behnke, thanks!

Jared Heckman

Legislative Assistant

Office of State Representative Elijah Behnke

89th Assembly District

Phone: (608) 266-2343

Email: Jared.Heckman@legis.wisconsin.gov

From: Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>

Sent: Monday, December 6, 2021 9:31 AM

To: Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>

Subject: Co-sponsorship of LRB-5380 – Calling for the resignation of the administrator, assistant administrator, and several members of the Wisconsin Elections Commission

Co-Sponsorship Memorandum

To: All Legislators

From: Rep. Joe Sanfelippo

Date: December 6, 2021

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If you would like to co-sponsor LRB-5380, please reply to this email, contact Rep. Sanfelippo's office 6-0620 no later than Thursday, December 9th at Noon.

From: "Rep.Callahan" <Rep.Callahan@legis.wisconsin.gov>

Sent: Monday, December 6, 2021, 11:30 AM

To: "Rep.Sanfelippo" <Rep.Sanfelippo@legis.wisconsin.gov>

Subject: RE: Co-sponsorship of LRB-5380 – Calling for the resignation of the administrator, assistant administrator, and several members of the Wisconsin Elections Commission

Good morning,

Rep. Callahan would like to be added to this resolution. Please confirm receipt of this email.

Thank you,

Wyatt Cooper

Legislative Assistant

Office of Representative Calvin Callahan

Wisconsin's 35th Assembly District

(608) 266-7694

Wyatt.Cooper@legis.wisconsin.gov

From: Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>

Sent: Monday, December 6, 2021 9:31 AM

To: Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>

Subject: Co-sponsorship of LRB-5380 – Calling for the resignation of the administrator, assistant administrator, and several members of the Wisconsin Elections Commission

Co-Sponsorship Memorandum

To: All Legislators

From: Rep. Joe Sanfelippo

Date: December 6, 2021

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From: "Rep.Dittrich" <Rep.Dittrich@legis.wisconsin.gov>

Sent: Monday, December 6, 2021, 11:26 AM

To: "Rep.Sanfelippo" <Rep.Sanfelippo@legis.wisconsin.gov>

Subject: RE: Co-sponsorship of LRB-5380 – Calling for the resignation of the administrator, assistant administrator, and several members of the Wisconsin Elections Commission

Please add Rep. Dittrich as a cosponsor.

Thank you!

Meagan Matthews
Research Assistant
Rep. Barbara Dittrich
38th Assembly District
Office: (608) 266-8551

From: Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>

Sent: Monday, December 6, 2021 9:31 AM

To: Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>

Subject: Co-sponsorship of LRB-5380 – Calling for the resignation of the administrator, assistant administrator, and several members of the Wisconsin Elections Commission

Co-Sponsorship Memorandum

To: All Legislators

From: Rep. Joe Sanfelippo

Date: December 6, 2021

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From: "Magnafici, Gae" <Gae.Magnafici@legis.wisconsin.gov>

Sent: Monday, December 6, 2021, 10:04 AM

To: "Rep.Sanfelippo" <Rep.Sanfelippo@legis.wisconsin.gov>; "Vendette, Jensen" <Jensen.Vendette@legis.wisconsin.gov>

Subject: Re: Co-sponsorship of LRB-5380 – Calling for the resignation of the administrator, assistant administrator, and several members of the Wisconsin Elections Commission

Please add my name. Thanks

Sent from my iPhone

On Dec 6, 2021, at 9:31 AM, Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov> wrote:

Co-Sponsorship Memorandum

To: All Legislators

From: Rep. Joe Sanfelippo

Date: December 6, 2021

Re: Co-sponsorship of LRB-5380 – calling for the resignation of the administrator, assistant administrator, and several members of the Wisconsin Elections Commission.

Deadline: THURSDAY, December 9th at Noon

In recent years, despite its statutory duty to administer and ensure compliance with election laws, the Wisconsin Elections Commission has taken actions that have clearly contravened existing statutes. These have included the Wisconsin Elections Commission ordering local clerks to illegally suspend the use of special voting deputies, neglecting to properly maintain accurate voter registration records, and failing to promulgate administrative rules necessary to implement state statutes, among other issues. Consequently, the [Legislature directed](#) the Wisconsin Legislative Audit Bureau to conduct a review of the Wisconsin Elections Commission's actions and their compliance with current laws.

In its [recent report](#), the Wisconsin Legislative Audit Bureau identified multiple examples of the Wisconsin Elections Commission and its staff violating election laws by refusing to perform their statutorily prescribed duties, issuing election guidance that contradicted existing statutes, and failing to promulgate administrative rules to reflect recent changes to election statutes. These findings represent the latest examples of the Wisconsin Elections Commission's ongoing disinterest in adhering to the constraints or the obligations that our state's laws impose on the agency.

It has become increasingly clear that certain officials at the Wisconsin Elections Commission have repeatedly disregarded their duty to faithfully and impartially implement our election laws. Instead, by continually taking actions directly inconsistent with state laws, these Wisconsin Elections Commission officials have effectively appropriated the lawmaking authority of the Legislature by illegally substituting their own preferences and agendas in place of the clear directives of the democratically elected representatives of the public.

The Legislature cannot let stand such a brazen and intentional usurpation of its constitutional prerogative over creating the law by a few individuals abusing the authority of their official positions. This resolution seeks to hold these individuals accountable by formally demanding the immediate resignations of Wisconsin Elections Commission Administrator Meagan Wolfe, Assistant Administrator Richard Rydecki, and Commissioners Marge Bostelmann, Julie M. Glancey, Ann S. Jacobs, Dean Knudson, and Mark L. Thomsen, and expressing the Legislature's intent to pursue their removal should they refuse. The resolution further urges the Attorney General to conduct a thorough investigation into these individuals' actions and to make criminal referrals to local district attorneys as appropriate and supported by their findings.

If you would like to co-sponsor LRB-5380, please reply to this email, contact Rep. Sanfelippo's office 6-0620 no later than Thursday, December 9th at Noon.
<21-5380_1.pdf>

From: "Pulda, Matt" <Matt.Pulda@legis.wisconsin.gov>

Sent: Monday, December 6, 2021, 9:34 AM

To: "Rep.Sanfelippo" <Rep.Sanfelippo@legis.wisconsin.gov>

Subject: RE: Co-sponsorship of LRB-5380 – Calling for the resignation of the administrator, assistant administrator, and several members of the Wisconsin Elections Commission

Please sign Representative Armstrong on. Thanks!

From: Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>

Sent: Monday, December 6, 2021 9:31 AM

To: Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>

Subject: Co-sponsorship of LRB-5380 – Calling for the resignation of the administrator, assistant administrator, and several members of the Wisconsin Elections Commission

Co-Sponsorship Memorandum

To: All Legislators

From: Rep. Joe Sanfelippo

Date: December 6, 2021

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If you would like to co-sponsor LRB-5380, please reply to this email, contact Rep. Sanfelippo's office 6-0620 no later than Thursday, December 9th at Noon.

Sent: Wednesday, December 8, 2021, 1:30 PM

To: "McGee, Dillon" <Dillon.McGee@legis.wisconsin.gov>

Subject: RE: Co-sponsorship of LRB-5380 – Calling for the resignation of the administrator, assistant administrator, and several members of the Wisconsin Elections Commission

Confirmed. Thank you.

Best regards,

[Josh Hoisington](#)
[Office of Representative Joe Sanfelippo](#)
15th Assembly District
608.266.0620

Follow **Rep. Sanfelippo** on [Facebook](#) and [Twitter](#).

NOTE: Emails sent to and from this account may be subject to open records requests and should not be considered private.

From: McGee, Dillon <Dillon.McGee@legis.wisconsin.gov>
Sent: Wednesday, December 08, 2021 1:19 PM
To: Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>
Subject: RE: Co-sponsorship of LRB-5380 – Calling for the resignation of the administrator, assistant administrator, and several members of the Wisconsin Elections Commission

Please add Rep. Neylon as a co-sponsor of LRB-5380, thanks.

Best,

Dillon McGee
Office of Rep. Adam Neylon
608-266-5120

From: Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>
Sent: Monday, December 06, 2021 9:31 AM
To: Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>
Subject: Co-sponsorship of LRB-5380 – Calling for the resignation of the administrator, assistant administrator, and several members of the Wisconsin Elections Commission

Co-Sponsorship Memorandum

To: All Legislators

From: Rep. Joe Sanfelippo

Date: December 6, 2021

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If you would like to co-sponsor LRB-5380, please reply to this email, contact Rep. Sanfelippo's office 6-0620 no later than Thursday, December 9th at Noon.

From: "Rep.Brandtjen" <Rep.Brandtjen@legis.wisconsin.gov>

Sent: Wednesday, December 8, 2021, 12:49 PM

To: "Rep.Sanfelippo" <Rep.Sanfelippo@legis.wisconsin.gov>

Subject: RE: Co-sponsorship of LRB-5380 – Calling for the resignation of the administrator, assistant administrator, and several members of the Wisconsin Elections Commission

Add Rep. Brandtjen, thanks! 😊😊

Bill Savage
Office of State Representative Janel Brandtjen
(608) 267-2367
(888) 534-0022-Toll Free

From: Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>
Sent: Monday, December 06, 2021 9:31 AM
To: Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>
Subject: Co-sponsorship of LRB-5380 – Calling for the resignation of the administrator, assistant administrator, and several members of the Wisconsin Elections Commission

Co-Sponsorship Memorandum

To: All Legislators

From: Rep. Joe Sanfelippo

Date: December 6, 2021

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Deadline: THURSDAY, December 9th at Noon

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If you would like to co-sponsor LRB-5380, please reply to this email, contact Rep. Sanfelippo's office 6-0620 no later than Thursday, December 9th at Noon.

From: "Gallagher, Michael" <Michael.Gallagher@legis.wisconsin.gov>
Sent: Monday, November 29, 2021, 11:30 AM
To: "Rep.Sanfelippo" <Rep.Sanfelippo@legis.wisconsin.gov>
Subject: Re: Draft review: LRB -5298/P1

Will do.

Mike

Sent from my iPhone

On Nov 29, 2021, at 11:29 AM, Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov> wrote:

Good morning, Michael.

Thank you for getting us a draft of the resolution. Based on feedback, Rep. Sanfelippo would like to make three revisions:

- 1) Adding references to Assistant Administrator Richard Rydecki by name and title on lines 12 and 16 on page 2 of the current draft, and by title alone on line 6
- 2) Replacing the current language on lines 11-14 on page 1, with the following revised language, which would read

Whereas, on October 22, 2021, the Legislative Audit Bureau reported its findings to the Legislature, identifying numerous instances of elections law violations by the Elections Commission and its staff, including failure to perform their statutorily required duties, issuing elections guidance that contradicted existing statutes, and failure to promulgate administrative rules to reflect recent changes to elections statutes; and

- 3) Changing the resolution to a joint resolution instead of an Assembly resolution
- Whenever your workload permits, would you please send over an updated draft of the resolution with these changes? Thank you!

From: LRB.Legal <lrblegal@legis.wisconsin.gov>
Sent: Wednesday, November 17, 2021 4:26 AM
To: Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>
Subject: Draft review: LRB -5298/P1
Following is the PDF version of draft LRB -5298/P1.

From: "Gallagher, Michael" <Michael.Gallagher@legis.wisconsin.gov>
Sent: Monday, November 29, 2021, 1:21 PM
To: "Rep.Sanfelippo" <Rep.Sanfelippo@legis.wisconsin.gov>
Subject: RE: Draft review: LRB -5298/P1

FYI, Our bill drafting software does not allow changing the type of resolution in a redraft, e.g. assembly resolution to assembly joint resolution, so this draft will have a new LRB number: LRB-5380/P1. I will also transfer the file.

Thanks.

Mike



Michael P. Gallagher

Assistant Chief Counsel
Wisconsin Legislative Reference Bureau
1 East Main Street, Suite 200
Madison, WI 53703
608.504.5811

From: Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>
Sent: Monday, November 29, 2021 11:29 AM
To: Gallagher, Michael <Michael.Gallagher@legis.wisconsin.gov>
Subject: RE: Draft review: LRB -5298/P1

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elections guidance that contradicted existing statutes, and failure to promulgate administrative rules to reflect recent changes to elections statutes; and

3) Changing the resolution to a joint resolution instead of an Assembly resolution

Whenever your workload permits, would you please send over an updated draft of the resolution with these changes? Thank you!

From: LRB.Legal <lrblegal@legis.wisconsin.gov>

Sent: Wednesday, November 17, 2021 4:26 AM

To: Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>

Subject: Draft review: LRB -5298/P1

Following is the PDF version of draft LRB -5298/P1.

From: "Rep.Sanfelippo" <Rep.Sanfelippo@legis.wisconsin.gov>
Sent: Friday, October 15, 2021, 9:08 AM
To: Bob Ela <ela_b@icloud.com>
Subject: RE: END VOS' ELECTION "INVESTIGATION" NOW!

Good morning, Robert.

Earlier this year, emails obtained through an open records request and reviewed by the Campaigns and Elections Committee included some rather disturbing facts of irregularities taking place during the 2020 fall election. For example, the City of Green Bay appears to have handed over the day-to-day operational duties for running the election to a privately funded, out of state special interest group.

The Mayor of Green Bay seems to have hijacked the oversight and operating responsibility from the statutorily charged City Clerk and then took his marching orders from this privately funded special interest group, up to and including handing over the keys to the central count facility to this person. They even went as far as ordering that no one be allowed to enter the central count unless receiving prior approval from this private individual.

Think about that for a minute. State Statutes provide that the City Clerk is the one person responsible for administering elections in order to ensure fairness and transparency yet the the Clerk could only gain access to the room where the ballots were being counted if the person provided and paid for by the private special interest group allowed it.

Whether an individual is Republican, Democrat or Independent, having billionaires funneling hundreds of millions of dollars through special interest groups into running our elections and placing their hand-picked individuals to control those elections should scare the hell out of everyone.

We also know that besides Green Bay, at least four other cities received substantial amounts of money from this same group which in return received special privileges and access into our election.

An investigation to determine whether or not state statutes were violated and if so by whom is absolutely warranted. If the Attorney General had even one ounce of integrity he would be upholding the duty of his office and conducting an investigation on his own. Since he refuses to do so, the legislature has to step up and make sure the investigation happens. What good is having laws on the books if they are not enforced equally.

Thank you for writing. I hope this explanation helps you more fully understand the legislature's intent.

Joe

From: Bob Ela <ela_b@icloud.com>
Sent: Thursday, October 14, 2021 1:48 PM
To: Sen.Kooyenga <Sen.Kooyenga@legis.wisconsin.gov>; Rep.Sanfelippo
<Rep.Sanfelippo@legis.wisconsin.gov>
Subject: END VOS' ELECTION "INVESTIGATION" NOW!

This "investigation" is a joke. It would NEVER have started if Vos had not met with the losing candidate! When Clinton lost in 2016, we got "over it". No audit. No fake investigation. Clinton conceded ON ELECTION NIGHT. Trump is a sore loser. Always has been. Always will be. The maddening thing about him is the draw he has on elected officials. I get it that his base loves him, they're followers. But elected leaders? They're acting like his base, instead of leading them, they're following them. Be leaders. Stop this costly sham!

Robert Ela
10412 W. Rogers St.
West Allis, WI. 53227

From: Bob Ela <ela_b@icloud.com>
Sent: Saturday, October 16, 2021, 9:25 AM
To: "Rep.Sanfelippo" <rep.sanfelippo@legis.wisconsin.gov>
Subject: RE: END VOS' ELECTION "INVESTIGATION" NOW!
Attachments: view.pdf

Thank you responding. Attached is a report from Green Bay's City Attorney regarding the 2020 Elections, dated 4/2021. I don't know if you're aware of it. It addresses much of what you allege. STOP VOS' SHAM "INVESTIGATION" NOW!

Additionally, the legislature voted for another investigation being conducted by LAB. At least on paper, they're not partisan hacks like Gableman. I have nothing to say against that one. But the Vos/Gableman one? Tainted from the get-go!

On October 15, 2021 at 9:08:31 AM, Rep.Sanfelippo (rep.sanfelippo@legis.wisconsin.gov) wrote:

Good morning, Robert.

Earlier this year, emails obtained through an open records request and reviewed by the Campaigns and Elections Committee included some rather disturbing facts of irregularities taking place during the 2020 fall election. For example, the City of Green Bay appears to have handed over the day-to-day operational duties for running the election to a privately funded, out of state special interest group.

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Robert Ela

10412 W. Rogers St.

West Allis, WI. 53227

From: "Rep.Sanfelippo" <Rep.Sanfelippo@legis.wisconsin.gov>
Sent: Monday, October 18, 2021, 6:20 AM
To: Linda Dobogai <ldobogai.aberlene@gmail.com>
Subject: RE: Gableman "Review"

Good morning, Linda.

Earlier this year, emails obtained through an open records request and reviewed by the Campaigns and Elections Committee included some rather disturbing facts of irregularities taking place during the 2020 fall election. For example, the City of Green Bay appears to have handed over the day-to-day operational duties for running the election to a privately funded, out of state special interest group.

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Thank you for writing. I hope this explanation helps you more fully understand the legislature's intent.

Joe

From: Linda Dobogai <ldobogai.aberlene@gmail.com>
Sent: Monday, October 18, 2021 1:57 AM
To: Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>
Subject: Gableman "Review"

I am expressing my view that this investigation be shut down. It is a waste of taxpayers' money. If the Republicans want to set up a partisan investigation, it should be done with your money, not ours.

From the Milwaukee Journal Sentinel: "the true motive for Republicans who continue to lie about the election is a desire to cozy up to Trump and his fan base. They're also doing whatever they can to tighten election laws to secure an advantage. Republicans should shut down their phony investigations, but Vos is stuck. He flew by private plane with Trump to a rally in August to explain in person how he would do Trump's bidding. Vos has vowed this partisan smear campaign will continue."

I hope you know that people are smart enough to see through what the Republicans are trying to do in sucking up to Trump. This phony investigation is turning into a PR nightmare for the Republican party. Shut it down.

Linda Dobogai
New Berlin, WI
414-425=6375

Sent from [Mail](#) for Windows

From: Linda Fleischer-Dobogai <ldobogai.aberlene@gmail.com>
Sent: Monday, October 18, 2021, 9:43 AM
To: "Rep.Sanfelippo@legis.wisconsin.gov" <Rep.Sanfelippo@legis.wisconsin.gov>
Subject: Re: Gableman "Review"

Hi Joe,

Thank you for your reply.

However, the State Attorney General has much more integrity than Robin Vos, who assured Trump on their private plane ride that he would "do something". The picture circulated with the two of them looks pathetic. To me, he looks a Trump suck-up. It seems like the Republicans nationally are primarily concerned with auditing the counties of swing states that voted against Trump. Doesn't this look partisan to you? Gableman's comparison of the local free press to Nazis didn't help either. Like I said, you guys have a PR nightmare on your hands.

Perhaps an investigation should be done into the billionaires corrupting of Wisconsin campaign financing, but something tells me that's not going to happen.

Have a good day,

Linda Dobogai
414-412-6072

On Sun, Oct 17, 2021 at 9:57 AM Linda Dobogai <ldobogai.aberlene@gmail.com> wrote:

I am expressing my view that this investigation be shut down. It is a waste of taxpayers' money. If the Republicans want to set up a partisan investigation, it should be done with your money, not ours.

From the Milwaukee Journal Sentinel: "the true motive for Republicans who continue to lie about the election is a desire to cozy up to Trump and his fan base. They're also doing whatever they can to tighten election laws to secure an advantage. Republicans should shut down their phony investigations, but Vos is stuck. He flew by private plane with Trump to a rally in August to explain in person how he would do Trump's bidding. Vos has vowed this partisan smear campaign will continue."

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Linda Dobogai
New Berlin, WI

414-425=6375

Sent from [Mail](#) for Windows

--

Linda Dobogai
Aberlene Resume & Career Services LLC
414-412-6072
ldobogai.aberlene@gmail.com

From: "Sanfelippo, Joe" <Joe.Sanfelippo@legis.wisconsin.gov>
Sent: Tuesday, October 12, 2021, 9:08 AM
To: Paul Coldagelli <pcoldagelli@wellspringinvestments.com>; "Rep.Sanfelippo"
<Rep.Sanfelippo@legis.wisconsin.gov>
Subject: Re: Gableman audit

Hi Paul.

Earlier this year, emails obtained through an open records request and reviewed by the Campaigns and Elections Committee included some rather disturbing facts of irregularities taking place during the 2020 fall election. For example, the City of Green Bay appears to have handed over the day-to-day operational duties for running the election to a privately funded, out of state special interest group.

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Thank you for writing. I hope this explanation helps you more fully understand the legislature's intent.

Joe

From: Paul Coldagelli <pcoldagelli@wellspringinvestments.com>

Sent: Monday, October 11, 2021 8:49:51 AM

To: Rep.Sanfelippo

Subject: Gableman audit

Joe,

Please explain to me the purpose of this highly partisan audit and why taxpayers (i.e. me and others) are paying for it. I thought Republicans opposed government overreach. My understanding is that his subpoenas are very demanding and will create tons of unnecessary work on the part of local election officials for what seems a pure political stunt.

Please let me know where you stand on this. I live in New Berlin and you are my representative.

Also, I would like to know your position in Rebecca Kleefisch's statement the other day indicating she would be open to subverting a WI election. Since she didn't say she wouldn't but hedged, I assume she would be willing.

What the hell is going on in WI these days?

Thanks for responding.

Paul

2215 Foxglove Court

New Berlin WI (home)

Paul Coldagelli, Financial Advisor



13890 Bishops Drive Suite 130

Brookfield WI 53005

(262) 204-7510

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From: "Redell, Carol" <Carol.Redell@legis.wisconsin.gov>
Sent: Thursday, November 4, 2021, 9:54 AM
To: AO Records <records@americanoversight.org>
Cc: "Rep.Sanfelippo" <Rep.Sanfelippo@legis.wisconsin.gov>; "Blazel, Ted" <Ted.Blazel@legis.wisconsin.gov>
Subject: RE: Public Records Law Request (WI-REP-21-1489)
Attachments: ASM15 Sanfelippo - 10.25.2021 - AO 21-1489.zip

Mariuxi Pintado
Paralegal
American Oversight
records@americanoversight.org

Dear Mariuxi:

Open records requests are processed through the Assembly Chief Clerk's office for billing purposes only. You submitted an open records request to Representative Sanfelippo. The records are being provided in electronic format and, thus, there is no charge for any location or reproduction costs. Accordingly, all records that are responsive to your request are attached to this email.

Carol Redell
Office of the Assembly Chief Clerk
17 West Main Street, Suite 401
Madison, Wisconsin 53703
608.266.1501
carol.redell@legis.wi.gov

From: Rep.Sanfelippo
Sent: Thursday, October 28, 2021 8:36 AM
To: AO Records <records@americanoversight.org>
Cc: Blazel, Ted <Ted.Blazel@legis.wisconsin.gov>; Redell, Carol <Carol.Redell@legis.wisconsin.gov>
Subject: RE: Public Records Law Request (WI-REP-21-1489)

Good morning. This email confirms receipt of your public records request.

Your request will be processed pursuant to Wisconsin law and the procedures of the Wisconsin State Assembly.

If you have any questions regarding your request please contact my office.

Best regards,

[Representative Joe Sanfelippo](#)
15th Assembly District
608.266.0620

Follow **Rep. Sanfelippo** on [Facebook](#) and [Twitter](#).

NOTE: Emails sent to and from this account may be subject to open records requests and should not be considered private.

From: AO Records <records@americanoversight.org>
Sent: Monday, October 25, 2021 8:47 AM
To: Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>
Subject: Public Records Law Request (WI-REP-21-1489)

Dear Representative Sanfelippo:

Please find attached a request for records under Wisconsin's public records laws.

Sincerely,

Mariuxi Pintado
Paralegal
American Oversight
records@americanoversight.org
www.americanoversight.org | @weareoversight

Public Records Law Request: WI-REP-21-1489

From: "Redell, Carol" <Carol.Redell@legis.wisconsin.gov>
Sent: Thursday, November 4, 2021, 9:57 AM
To: AO Records <records@americanoversight.org>
Cc: "Rep.Sanfelippo" <Rep.Sanfelippo@legis.wisconsin.gov>; "Blazel, Ted" <Ted.Blazel@legis.wisconsin.gov>
Subject: RE: Public Records Law Request (WI-REP-21-1492)
Attachments: ASM15 Sanfelippo - 10.25.2021 - AO 21-1492.zip

Mariuxi Pintado
Paralegal
American Oversight
records@americanoversight.org

Dear Mariuxi:

Open records requests are processed through the Assembly Chief Clerk's office for billing purposes only. You submitted an open records request to Representative Sanfelippo. The records are being provided in electronic format and, thus, there is no charge for any location or reproduction costs. Accordingly, all records that are responsive to your request are attached to this email.

Carol Redell
Office of the Assembly Chief Clerk
17 West Main Street, Suite 401
Madison, Wisconsin 53703
608.266.1501
carol.redell@legis.wi.gov

From: Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>
Sent: Thursday, November 04, 2021 9:50 AM
To: Redell, Carol <Carol.Redell@legis.wisconsin.gov>
Subject: FW: Public Records Law Request (WI-REP-21-1492)

Good morning again again, Carol. Please find records responsive to the request below in the folder titled 'ASM15 Sanfelippo - 10.25.2021 - AO 21-1492'.

Best regards,

[Josh Hoisington](#)
[Office of Representative Joe Sanfelippo](#)
15th Assembly District
608.266.0620

Follow **Rep. Sanfelippo** on [Facebook](#) and [Twitter](#).

NOTE: Emails sent to and from this account may be subject to open records requests and should not be considered private.

From: Rep.Sanfelippo
Sent: Thursday, October 28, 2021 8:36 AM
To: AO Records <records@americanoversight.org>
Cc: Blazel, Ted <Ted.Blazel@legis.wisconsin.gov>; Redell, Carol <Carol.Redell@legis.wisconsin.gov>
Subject: RE: Public Records Law Request (WI-REP-21-1492)

Good morning. This email confirms receipt of your public records request.

Your request will be processed pursuant to Wisconsin law and the procedures of the Wisconsin State Assembly.

If you have any questions regarding your request please contact my office.

Best regards,

[Representative Joe Sanfelippo](#)
15th Assembly District
608.266.0620

Follow **Rep. Sanfelippo** on [Facebook](#) and [Twitter](#).

NOTE: Emails sent to and from this account may be subject to open records requests and should not be considered private.

From: AO Records <records@americanoversight.org>
Sent: Monday, October 25, 2021 8:52 AM
To: Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>
Subject: Public Records Law Request (WI-REP-21-1492)

Dear Representative Sanfelippo:

Please find attached a request for records under Wisconsin's public records laws.

Sincerely,

Mariuxi Pintado
Paralegal
American Oversight
records@americanoversight.org
www.americanoversight.org | @weareoversight

Public Records Law Request: WI-REP-21-1492

From: jamesmdraws@aol.com
Sent: Saturday, December 4, 2021, 11:33 AM
To: "Sen.Stroebel@legis.wisconsin.gov"
<Sen.Stroebel@legis.wisconsin.gov>
Subject: Re: Redistricting Bills Pass the Legislature, Governor Vetoes

Senator,

I have been telling and begging the Legislature to start impeachment, recall or outright charges of incompetence against Evers and his entire administration for months. I told you he would veto everything passed by the legislature and so he has. He will now get a court to do what only the Wisconsin legislature has the constitutional responsibility to do. No doubt Eric Holder will have his fingers in this process because federal judges will be involved now; federal judges appointed by Obama. WHEN ARE YOU REPUBLICANS GOING TO LEARN ??? The democrAT communist party has turned politics into a "blood sport" and the GOP still thinks you are playing patty cake. This is going to be a GOP disaster.

Now lets talk about the W.E.C. Based on what they did starting in 2019 then through all of 2020 and up until now this group of unelected morons needs to be removed from Wisconsin government service altogether. This batch of traitors is just a continuation of the former Governmental Accountability Board, also a gang of liberal hacks that had to be dismantled. No unelected bureaucrat has any authority to make any rules, decisions or policies that effect every voter in this state, and that is exactly what they have done. This is just as bad as the 5 democrAT controlled cities hiring Michael Spitzer Rubenstein to run their 2020 elections whose salary was paid for by Mark Zuckerberg. And Rubenstein, a known democrAT activist is still walking free after blatantly tampering with Wisconsin's election, Wisconsin election laws and most probably more criminal acts. WHAT ARE YOU GOING TO DO ABOUT THIS DEMOCRAT CRIMINAL CONSPIRACY ??? This is what is so frustrating about the Republican Party. You haven't a clue how to fight the democrAT communist party running rough shod over you. ENOUGH IS ENOUGH IS ENOUGH !!!

-----Original Message-----

From: Senator DUEY Stroebel <Sen.Stroebel@legis.wisconsin.gov>
To: jamesmdraws@aol.com
Sent: Sat, Dec 4, 2021 8:00 am
Subject: Redistricting Bills Pass the Legislature, Governor Vetoes

[View this email in your browser](#)



Redistricting Bills Pass the Legislature, Governor Vetoes

Last month, the Senate and Assembly passed [Senate Bill 621/Assembly Bill 624](#) and [Senate Bill 622/Assembly Bill 625](#) regarding legislative and congressional redistricting.

Every ten years, the [United States Census Bureau](#) releases updated census data across the nation. This data is used by state legislatures to draw new maps while adhering to federal and state law. The legislative and congressional redistricting maps drawn under Senate Bill 621 and Senate Bill 622 follow these parameters, in addition to the generally-accepted, traditional criteria that is used to guide the redistricting process, as detailed in [Senate Joint Resolution 63](#).

For the first time, Wisconsinites had the chance to submit their own version of the maps through an online portal to the legislature as well as attend in-person or submit testimony to the public hearing that was held regarding these bills in late October. The misconception that citizens of the state did not have the

opportunity to participate in the process is a false narrative.

Redistricting is a core legislative function, as prescribed in the constitution and statutes. It is the responsibility of legislators to undertake the task of drawing new district lines without hiding behind allegedly “non-partisan” third parties. Contrary to verbiage inscribed in the Wisconsin Constitution, my colleagues on the other side of the aisle and their supporters insist legislators should not be drawing maps.

Upon establishing his “People’s Maps Commission” (PMC) to craft so-called “non-partisan” maps, Gov. Evers provided a list of criteria similar to the criteria found in Senate Joint Resolution 63 to purportedly guide the PMC’s process. However, the maps that were ultimately produced by the PMC were unconstitutional, violating the federal Voting Rights Act with regard to majority-minority districts and failing to adhere to the criteria established in previous court rulings on redistricting (i.e., case law). Interestingly, when Democrats had the opportunity to support the People’s Maps Commission’s proposed maps, they instead decided to introduce their own legislator-drawn maps without any public input. When the PMC maps were eventually brought to the floor (exactly as Gov. Evers had asked), they were roundly rejected by a bipartisan supermajority.

Gov. Evers [vetoed](#) the redistricting bills that passed through the legislature on November 18. Now it is up to the court. The local clerks need to be notified of the new districts far enough in advance so that candidates for office next year can begin circulating their nomination signatures based on the new district lines. Legal challenges to Wisconsin’s district maps are pending before the Wisconsin Supreme Court and a federal court.

Results Released from Non-Partisan Audit of the 2020 Election

The non-partisan Wisconsin Legislative Audit Bureau (LAB) released the [results](#) of their audit of the November 2020 election. To say the audit's findings were troubling would be an understatement. The audit served to confirm suspicions that the Wisconsin Elections Commission (WEC) and certain local election officials failed to administer the election in full compliance with the law. In total, the LAB made 30 recommendations for improvement to the WEC and identified 18 issues for legislative consideration.

Upon further review of the election audit results, a number of the recommendations from the LAB were already addressed in bills I authored or co-authored with my Republican colleagues earlier this session that were ultimately vetoed by Gov. Evers or have yet to work their way through the full legislative process (see [SB 203](#), [SB 204](#), [SB 205](#), [SB 206](#), [SB 207](#), [SB 208](#), [SB 209](#), [SB 211](#), [SB 212](#), [SB 213](#) and [SB 214](#)). These bills seek to restore election integrity in Wisconsin by rectifying the issues in our current election system that the LAB highlighted.

The WEC is entrusted with administering our election laws as they are written in statute and ensuring municipal clerks are provided proper training and guidance, not to contravene or outright ignore the law and the statutory rulemaking process (which entails legislative oversight). Prior to the February 2021 primary election, I voted in favor of a [motion](#) that passed out of the Joint Committee for Review of Administrative Rules ("JCRAR") that directed the WEC to follow the same rulemaking process that applies to all other state agencies.

On November 8, The Senate passed [Senate Resolution 11](#) (which I co-

sponsored and voted in favor of), which aims to hold the WEC accountable for their actions surrounding the November 2020 election. This resolution castigates the WEC for ignoring statutory requirements, for sidestepping the administrative rulemaking process, and for not following both the letter and intent of state statute. I will continue my efforts in the Legislature to uphold the rule of law. I anticipate further election integrity measures in the near future based upon the findings of this well-respected, non-partisan LAB audit.

The Real Impact of TIF

Tax increment financing, or “TIF” has been part of the development environment since the 1970s. A mixture of factors has morphed the once limited program into a sprawling, near entitlement for developers with significant negative consequences for property taxpayers.

TIF designates a parcel of land where the growth in property tax revenue from increased property values no longer goes to the normal taxing jurisdictions (i.e., municipality, county, school district, technical college), but instead solely subsidizes the project and pays debt service on the subsidy.

The logic is that without the subsidy and/or developer incentives being paid from the diverted funds, the development would never occur. Following this logic, the increased property tax revenue from the increased property value will “pay back” the subsidy. Once paid back, the TIF district closes, and the property begins to pay property taxes as normal. In theory, this analysis can work if TIF is used properly and only in situations where no development would have otherwise occurred. All too often, this is no longer the case.

What we are seeing now is prime real estate, often in affluent suburban

communities, being sold to developers that now see TIF as a “drug.” Developers produce self-serving “analyses” showing that without a taxpayer funded TIF subsidy, there is no way to feasibly develop or redevelop the property. These “analyses” are often buoyed by outside consultants that rarely see a TIF they don’t like.

Not only are the developer’s pockets being lined by the taxpayer subsidy, it may also be the landowner selling to the developer that is unjustly enriched by the subsidy. This subsidy distorts the market value by artificially increasing the land’s price at the expense of the taxpayer.

The ongoing, but rarely discussed harm to the average property taxpayer is significant. Higher TIF property values increase the municipality’s tax levy authority, but all taxpayers outside the TIF pay the increased cost, NOT the TIF benefactors. Whether you are happy about the development in the TIF or not, you are paying to subsidize it. In addition, any development requires services – schools, police, fire, EMS, etc. Properties in the TIF district pay nothing for these significant costs. Again, they will be paid by every other property taxpayer NOT in the TIF district. In most cases, this situation will occur for 20+ years, as often this is the time necessary to pay off the debt incurred by the municipality to fund the subsidy.

Sadly, as we have seen recently in many communities, shortly after project completion the developer sells or refinances the property and pockets a significant profit while leaving the municipality 20+ years of debt service on the subsidy. Some municipalities use a “pay go” arrangement. This is where the subsidy comes in the form of a property tax abatement until the cumulative reduction equals the cost of the agreed upon subsidy, in which case all the aforementioned negatives to the average property taxpayer still apply.

Unsurprisingly, the special interest groups in Madison love TIF – it is their golden goose. Like too many local officials, many state legislators’ eyes glaze over when dealing with TIF issues. From my private sector career as a developer, I know the issues and recognize the abuses all too well. I represent the best interests of all Wisconsinites, not the special interests that can unjustly benefit from public policy. I have made some progress in curbing abusive TIF legislation at the state level, and I will continue efforts to reform state TIF laws.

Understanding Your Property Tax Bill

The property tax is a topic that I am frequently contacted about by property owners in the 20th Senate District. There are a number of components that make up Wisconsin’s property tax system, which can present challenges when attempting to understand how your final property tax bill is calculated.

On Tuesday, December 7, Ozaukee County Treasurer Joshua Morrison is hosting an event at the W.J. Niederkorn Library in Port Washington from 5:30 – 7:30 PM to walk property owners through the mechanics of Wisconsin’s property assessment and taxation process. This public forum will provide a great opportunity for current and future property owners to ask questions and gain a clearer understanding of the ins and outs of the property tax system, and will feature a breakdown of each item on the typical property tax bill. There will be plenty of helpful information and tips provided.



UNDERSTANDING YOUR PROPERTY TAX BILL

ARE YOU A NEW PROPERTY OWNER? THINKING OF OWNING PROPERTY? ALREADY OWN PROPERTY? THIS IS A GREAT OPPORTUNITY TO LEARN ABOUT THE PROPERTY ASSESSMENT AND TAXATION PROCESS. LEARN WHAT EVERYTHING IS ON THE PROPERTY TAX BILL! LEARN HELPFUL INFORMATION AND WHERE TO ACCESS THIS INFORMATION!

Where:

W. J. Niederkorn Library
316 W. Grand Ave. Port
Washington, WI 53074

When:

Tuesday, December 7th
5:30 p.m. –7:30 p.m.

COME AND LEARN
ABOUT THE
PROPERTY TAX
BILL!

LOTS OF GREAT
INFORMATION AND
HELPFUL TIPS
PROVIDED!

JOSHUA H. MORRISON
OZAUKEE COUNTY
TREASURER

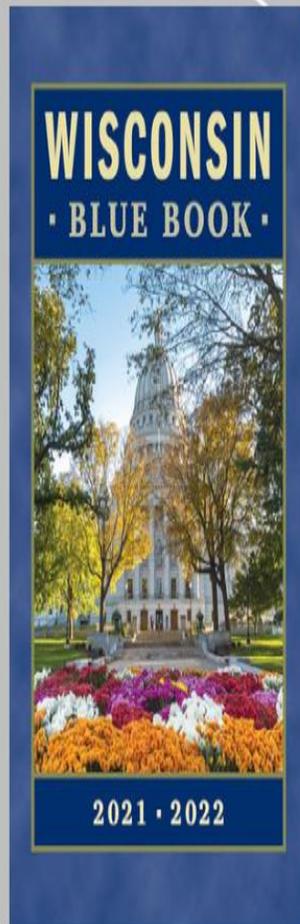
121 W. Main St.
Port Washington, WI 53074
262-284-8280
co.ozaukee.wi.us/treasurer/144

Request a Copy of the New 2021-2022 Wisconsin Blue Book

The new 2021-2022 Wisconsin Blue Books have arrived. This invaluable resource is filled with information about our state's history, legislators, data, and more.

If you would like a copy mailed to you free of charge, please feel free to contact my office [here](#)

NEW WISCONSIN BLUE BOOK NOW AVAILABLE



Sincerely,



Our mailing address is:

Office of Senator Duey Stroebel | Room 18S | State Capitol | P.O. Box 7882 | Madison, WI 53707

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You can [update your preferences](#) or [unsubscribe from this list](#).

From: "Sanfelippo, Joe" <Joe.Sanfelippo@legis.wisconsin.gov>
Sent: Monday, November 29, 2021, 9:03 PM
To: Milan Jovanovich <milan.jov15@gmail.com>; "Rep.Sanfelippo"
<Rep.Sanfelippo@legis.wisconsin.gov>
Subject: Re: Tim Ramthun call for decertification of Wisconsin's 10 electoral ballots

Hi Milan,

According to our Legislative Council attorneys, Ramthun's resolution is not in accordance with law. Furthermore, I am not supporting it because it is merely symbolic and has no real consequence.

I have been focusing my efforts on cleaning up the mess at the WI Election Commission and working to ensure anyone who willfully violated the law during the last election is removed from their position and prosecuted to the full extent of the law.

We need to make sure our elections are run transparently and the laws are followed evenly across the state. Meaningless resolutions will do little to correct the serious problems we witnessed last November.

Hope all is well with you,
Joe

From: Milan Jovanovich <milan.jov15@gmail.com>
Sent: Sunday, November 28, 2021 10:10:42 AM
To: Rep.Sanfelippo
Subject: Tim Ramthun call for decertification of Wisconsin's 10 electoral ballots
Hey Joe,

I hope you had a great Thanksgiving.

What is your position on Rep. Ramthun's motion to decertify Wisconsin's 10 electoral vote?

And do you have any insight as to almost lack of wanting to move this forward by both the Assembly and Senate? If I am correct there is a 22-month window to look in to this? Vos looks to be stonewalling this process on his end. What is the issue? Why are we waiting?

Regardless of outcome, voting needs to be 100% accurate and fair, and if it is, the results are what they are. I will tell you that I have 0% confidence in the current voting system in Wisconsin.

Again, many on the Republican side of the aisle appear to be doing nothing, it is actually disappointing.

Thank you,

Milan Jovanovich
milan.jov15@gmail.com
(414) 378-8277

From: "Sanfelippo, Joe" <Joe.Sanfelippo@legis.wisconsin.gov>
Sent: Monday, November 29, 2021, 9:06 PM
To: "Kolodziejczyk, Dominik" <Dominik.Kolodziejczyk@legis.wisconsin.gov>
Cc: "Hoisington, Joshua" <Joshua.Hoisington@legis.wisconsin.gov>
Subject: Re: Timeline

Have we received any reply from Kaul?

From: Kolodziejczyk, Dominik
Sent: Friday, November 12, 2021 7:41:51 AM
To: Sanfelippo, Joe
Cc: Hoisington, Joshua
Subject: Timeline

Joe,

Here is timeline of electoral oversight activities you requested. Let me know if there were any other entries you'd like to note.

FYI, the letter sent to Atty. Gen. Kaul is not available in a public format, so it is included as an attachment to this email for your reference.

[3/31/20](#): Press release condemning WEC's failure to Milwaukee and Dane County Clerks' illegal public guidance regarding indefinitely confined voters ahead of 2020 Spring primary election

[11/9/20](#): Press release calling for comprehensive audit of 2020 general election and to delay certification of election results pending outcome of that audit

[12/11/20](#): Joint public hearing of Assembly and Senate Campaign and Elections Committees regarding issues with 2020 general election; press release renewing call for comprehensive audit of election

[3/10/21](#): Public hearing of Assembly Campaign and Elections Hearing regarding issues with 2020 general election, focusing on specific allegations in Green Bay; press release calling for committee to investigate recent elections

[3/16/21](#): Introduction of Senate Bill 212 / Assembly Bill 198 addressing numerous elections laws, including practices relating to election officials ignoring statutes, processing of absentee ballots, and imposing criminal penalties; bill subsequently passed, but vetoed by Governor Tony Evers

[3/17/21](#): Introduction of Assembly Resolution 15 directing the Assembly Committee on Campaigns and Elections to investigate the administration of elections in Wisconsin.

[3/23/21](#): Passage of Assembly Resolution 15 following floor debate, launching investigation into issues with recent elections; press release supporting passage of resolution

[10/28/21](#): Press release calling for dismissal of WEC Administrator Meagan Wolfe and other WEC personnel for misconduct through actions relating to recent elections

11/10/21: Letter to Attorney General Josh Kaul demanding investigation of electoral violations at nursing homes in 2020 relating to suspension of special voting deputy process and urging prosecution of official misconduct by WEC administrator, commissioners, and staff

Other election oversight activities include additional public hearings of [Assembly Campaigns and Elections Committee](#), numerous press [statements](#) and [interviews](#), and other legislative activities investigating election law.

Dominik Kolodziejczyk, *JD*
[Office of Representative Joe Sanfelippo](#)
15th Assembly District
608.237.9115

From: "Hoisington, Joshua" <Joshua.Hoisington@legis.wisconsin.gov>
Sent: Tuesday, November 30, 2021, 9:47 AM
To: "Sanfelippo, Joe" <Joe.Sanfelippo@legis.wisconsin.gov>; "Kolodziejczyk, Dominik" <Dominik.Kolodziejczyk@legis.wisconsin.gov>
Subject: RE: Timeline

No

Best regards,

[Josh Hoisington](#)
[Office of Representative Joe Sanfelippo](#)
15th Assembly District
608.266.0620

Follow **Rep. Sanfelippo** on [Facebook](#) and [Twitter](#).

NOTE: Emails sent to and from this account may be subject to open records requests and should not be considered private.

From: Sanfelippo, Joe <Joe.Sanfelippo@legis.wisconsin.gov>
Sent: Monday, November 29, 2021 9:07 PM
To: Kolodziejczyk, Dominik <Dominik.Kolodziejczyk@legis.wisconsin.gov>
Cc: Hoisington, Joshua <Joshua.Hoisington@legis.wisconsin.gov>
Subject: Re: Timeline

Have we received any reply from Kaul?

From: Kolodziejczyk, Dominik
Sent: Friday, November 12, 2021 7:41:51 AM
To: Sanfelippo, Joe
Cc: Hoisington, Joshua
Subject: Timeline

Joe,

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FYI, the letter sent to Atty. Gen. Kaul is not available in a public format, so it is included as an attachment to this email for your reference.

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[3/10/21](#): Public hearing of Assembly Campaign and Elections Hearing regarding issues with 2020 general election, focusing on specific allegations in Green Bay; press release calling for committee to investigate recent elections

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Dominik Kolodziejczyk, *JD*
[Office of Representative Joe Sanfelippo](#)
15th Assembly District
608.237.9115

From: "Hoisington, Joshua" <Joshua.Hoisington@legis.wisconsin.gov>
Sent: Friday, December 3, 2021, 10:42 AM
To: "Nass, Stephen" <Stephen.Nass@legis.wisconsin.gov>; "Mikalsen, Mike" <Mike.Mikalsen@legis.wisconsin.gov>
Cc: "Sanfelippo, Joe" <Joe.Sanfelippo@legis.wisconsin.gov>
Subject: RE: WEC resignation resolution
Attachments: Co-Sponsorship Memo for LRB-5380.docx; 21-5380_P1 (3).pdf

Good morning, gentlemen. Please find attached the resolution discussed with Rep. Sanfelippo. Please contact us with any suggestions or questions.

Best regards,

Josh Hoisington
Office of Representative Joe Sanfelippo
15th Assembly District
608.266.0620

NOTE: Emails sent to and from this account may be subject to open records requests and should not be considered private.

From: "Rep.Sanfelippo" <Rep.Sanfelippo@legis.wisconsin.gov>
Sent: Wednesday, November 24, 2021, 10:00 AM
To: Scott Jentsch <sjentsch@gmail.com>
Subject: RE: Wisconsin's review of the 2020 election

Scott,

Yes, for the reasons you referenced, the time for those discussions was in the days and weeks following the election, which I [urged at the time](#). It's more productive now to evaluate what process failures took place in recent elections so that we can fix them and avoid further issues in future elections, as [I've said](#) since before the Assembly's investigation began in March.

From: Scott Jentsch <sjentsch@gmail.com>
Sent: Thursday, November 25, 2021 1:59 AM
To: Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>
Subject: Re: Wisconsin's review of the 2020 election

Joe,

Thank you for your response, and for answering one of my questions. I will look into the issues that you raise and follow up with you afterwards. Those seem to be very serious claims.

Could you answer my other questions as well?

Finally, do you recognize that the 2020 election was valid, and that Joe Biden is our elected President of the United States?

If not, why not? Wouldn't doubting the results of the 2020 election also cast doubt on the validity of every race, including those won by Republicans?

Thank you,

Scott

On Tue, Nov 23, 2021 at 8:37 AM Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov> wrote:

Good morning, Mr. Jentsch.

I appreciate you following up as your earlier email doesn't seem to show up in our records.

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Thank you again for writing. I hope this explanation helps you more fully understand the legislature's intent.

Happy Thanksgiving to you and your family.

Joe

From: Scott Jentsch <sjentsch@gmail.com>
Sent: Tuesday, November 23, 2021 12:35 PM
To: Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>
Subject: Re: Wisconsin's review of the 2020 election

Mr. Sanfelippo,

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Thank you,

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Don't you agree?

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Thank you,

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From: Scott Jentsch <sjentsch@gmail.com>
Sent: Wednesday, November 24, 2021, 8:59 AM
To: "Rep.Sanfelippo" <Rep.Sanfelippo@legis.wisconsin.gov>
Subject: Re: Wisconsin's review of the 2020 election

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Could you answer my other questions as well?

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Subject: Re: Wisconsin's review of the 2020 election

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From: "Rep.Sanfelippo" <Rep.Sanfelippo@legis.wisconsin.gov>
Sent: Tuesday, November 23, 2021, 8:36 AM
To: Scott Jentsch <sjentsch@gmail.com>
Subject: RE: Wisconsin's review of the 2020 election

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From: Scott Jentsch <sjentsch@gmail.com>
Sent: Monday, November 22, 2021, 7:34 PM
To: Rep.Sanfelippo@legis.wisconsin.gov
Subject: Re: Wisconsin's review of the 2020 election

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From: Scott Jentsch <sjentsch@gmail.com>
Sent: Tuesday, December 7, 2021, 2:43 PM
To: "Rep.Sanfelippo" <Rep.Sanfelippo@legis.wisconsin.gov>
Subject: Re: Wisconsin's review of the 2020 election

Joe,

It's good to hear that you recognize that Joe Biden is our duly elected President. It certainly seems that some are unwilling to do so, in spite of the overwhelming number of court cases and studies and investigations that have shown that there was not widespread fraud in Wisconsin and that there were no significant issues with the voting machines.

References:

- [Conservative group finds no signs of widespread voter fraud in Wisconsin but urges changes to election processes](#) -- Milwaukee Journal Sentinel [Dec 7, 2021]
- [Wisconsin Supreme Court Rejects Voter Purge Lawsuit](#) -- Wisconsin Public Radio [Apr 9, 2021]
- [Wisconsin Supreme Court deals Trump election challenges 3rd defeat in 30 hours](#) -- Milwaukee Journal Sentinel [Dec 4, 2020]
- [Judge rejects attempt to block grants to 5 Wisconsin cities](#) -- NBC 26 Green Bay [Oct 14, 2020]

So your fears expressed in your Nov 9, 2020 release have been assuaged, which is good to see. No one wants a compromised election, no matter who wins.

I have extreme confidence in the election process as it was conducted in the 2020 election.

However, I am very concerned about where we go from here.

Continued attacks on the 2020 election process and any future public statements that call things into question without basis in fact can and possibly will undermine the confidence that many people have in future elections. I am all for making processes better, and I firmly believe that every process can be improved in some way.

But I hope that you will agree that such efforts should be done in the spirit of constructive criticism and improvement and not done in such a way as to diminish the efforts of election officials around the state to follow the law and provide an election in which all eligible voters are allowed to cast their ballots as easily as possible, and to have those votes counted accurately, and for the state to stand behind those votes when it comes to certifying electors.

Is this something that we agree on?

Given all this, what can be done to minimize the impact on taxpayers of the Gableman investigation that is projected to cost us \$676,000? I don't know what it can possibly determine that hasn't already been found, and continuing with yet another investigation seems like a waste of taxpayer money. Wasting money is contrary to conservative ideals that are widely held in Wisconsin (no matter who we vote for), and I hope that you will do everything you can to end this unnecessary expenditure.

Thank you for your correspondence on this issue. I value reasonable dialog and I am glad that you are upholding your responsibility to participate in this conversation and perhaps we can both be open to things we would otherwise not have considered, and as a result, come to a better understanding of the issues at hand!

Scott

On Wed, Nov 24, 2021 at 10:00 AM Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov> wrote:

Scott,

Yes, for the reasons you referenced, the time for those discussions was in the days and weeks following the election, which I [urged at the time](#). It's more productive now to evaluate what process failures took place in recent elections so that we can fix them and avoid further issues in future elections, as [I've said](#) since before the Assembly's investigation began in March.

From: Scott Jentsch <sjentsch@gmail.com>

Sent: Thursday, November 25, 2021 1:59 AM

To: Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>

Subject: Re: Wisconsin's review of the 2020 election

Joe,

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From: Hurley, Peggy
Sent: Monday, February 17, 2020 1:11 PM
To: Rep.Sanfelippo
Subject: Removal from a board and state employee discipline

Representative Sanfelippo,

Thank you for your inquiries regarding removal of a person appointed to a government board and sanctions against a state employee for improper behavior. Specifically, you asked 1. Whether a board member may be removed from his or her seat on the board for acting or intending to act contrary to state law; and 2. What sanctions may be imposed on a state employee who encourages a board member to act contrary to state law.

The processes and standards for removal of a board member differ from board to board. Therefore, I will focus my answer to your first question on procedures and standards for removing a person from the Elections Commission.

There are six current Elections Commission members. Pursuant to s. 16.61 (1) (a), two members are former clerks nominated by the Governor from a list of names submitted by each political party, and confirmed by the Senate. The other four members are direct appointments by legislative leadership.

Any Elections Commission member who is legislatively-appointed can have his or her appointment withdrawn at any time by the legislative leader who appointed the member. These members may be removed "at pleasure" by the appointing officer. [s. 17.07 (6), Stats.] In contrast, any Elections Commission member who is appointed by the Governor can have his or her appointment rejected by the Senate on a "no" vote. If the member has already received Senate confirmation, then she can only have her appointment withdrawn by the Governor "for cause." [ss. 17.07 (3) and 19.42 (13) (p), Stats.] "Cause" means inefficiency, neglect of duty, official misconduct, or malfeasance in office. [s. 17.001, Stats.]

If the Governor wishes to withdraw an appointment for cause, he would need to determine that the board member's actions or inactions constitute "inefficiency, neglect of duty, official misconduct, or malfeasance in office." These terms are not defined in chapters 15 or 17, but in the criminal code, s. 946.12, Stats defines "misconduct in public office" for the purpose of criminal prosecution:

946.12 Misconduct in public office. Any public officer or public employee who does any of the following is guilty of a Class I felony:

- (1) Intentionally fails or refuses to perform a known mandatory, nondiscretionary, ministerial duty of the officer's or employee's office or employment within the time or in the manner required by law; or
- (2) In the officer's or employee's capacity as such officer or employee, does an act which the officer or employee knows is in excess of the officer's or employee's lawful authority or which the officer or employee knows the officer or employee is forbidden by law to do in the officer's or employee's official capacity; or
- (3) Whether by act of commission or omission, in the officer's or employee's capacity as such officer or employee exercises a discretionary power in a manner inconsistent with the duties of the officer's or employee's office or employment or the rights of others and with intent to obtain a dishonest advantage for the officer or employee or another; or
- (4) In the officer's or employee's capacity as such officer or employee, makes an entry in an account or record book or return, certificate, report or statement which in a material respect the officer or employee intentionally falsifies; or
- (5) Under color of the officer's or employee's office or employment, intentionally solicits or accepts for the performance of any service or duty anything of value which the officer or employee knows is greater or less than is fixed by law.

Acting or attempting to act in a manner that violates state law may constitute misconduct in public office if the state law is settled and clear, although the standard for criminal prosecution may be different than a standard applied to removal from an appointed position.

The answer to your second question, regarding options for discipline against a state employee who encourages a board member to act contrary to state law, depends on whether the state employee is "classified," or governed by the civil

service rules concerning discipline, or “unclassified,” and not governed by civil service rules. Employees who are not included in the unclassified category are considered classified; s. 230.08 (2), Stats., lists the positions that are included in the unclassified service:

- All state officers elected by the people.
- All officers and employees of the state appointed by the Governor, whether subject to confirmation or not, unless otherwise provided.
- Division administrators in state agencies. [The statutes designate a number of division administrators in the unclassified service in each agency.]
- All legislative officers, policy research personnel, assistants to legislators, and research staff assigned to legislative committees.
- The personnel of the Legislative Reference Bureau, Legislative Audit Bureau, Legislative Fiscal Bureau, Legislative Council, and Legislative Technology Services Bureau.
- The Supreme Court justices and Court of Appeals judges, and the clerks, assistants, and employees of such justices or judges.
- Officers and employees whose positions are expressly excluded from the classified service by statute or whose positions cannot be placed under the classified service because of the restrictions placed on them by statute.

Generally speaking, an employee who is classified (or who has served as an assistant district attorney or assistant public defender for a period of 12 months or more) may be removed, suspended without pay, discharged, demoted, or reduced in base pay only for just cause, and following a progressive discipline scheme [s. 230.34, Stats.] unless a specific exception applies. An employee who is not classified generally may be discharged or otherwise subject to discipline for any non-discriminatory reason, unless the employee is a party to a contract that states otherwise. No particular statute addresses any specific disciplinary protocol for encouraging a board member to violate a law, although if the state law is so clear as to confer a ministerial duty, failure to perform that duty may warrant discipline.

I hope this helps clarify the procedures and standards for removing a board member and for disciplining a state employee. If you would like to discuss how these standards and procedures might be applied in a particular context, please let me know. As always, please let me know if you have any other questions or if I can be of additional service to you.



Peggy J. Hurley

Staff Attorney, Wisconsin Legislative Council
608.504.5724 | peggy.hurley@legis.wisconsin.gov
One East Main Street, Suite 401, Madison, WI 53703

From: "Hoisington, Joshua" <Joshua.Hoisington@legis.wisconsin.gov>

Sent: Thursday, October 28, 2021, 4:12 PM

To: "Sanfelippo, Joe" <Joe.Sanfelippo@legis.wisconsin.gov>

Subject: Removal from a board and state employee discipline

Attachments: Removal from a board and state employee discipline.docx

From: Hurley, Peggy

Sent: Monday, February 17, 2020 1:11 PM

To: Rep.Sanfelippo

Subject: Removal from a board and state employee discipline

Representative Sanfelippo,

Thank you for your inquiries regarding removal of a person appointed to a government board and sanctions against a state employee for improper behavior. Specifically, you asked 1. Whether a board member may be removed from his or her seat on the board for acting or intending to act contrary to state law; and 2. What sanctions may be imposed on a state employee who encourages a board member to act contrary to state law.

The processes and standards for removal of a board member differ from board to board. Therefore, I will focus my answer to your first question on procedures and standards for removing a person from the Elections Commission.

There are six current Elections Commission members. Pursuant to s. 16.61 (1) (a), two members are former clerks nominated by the Governor from a list of names submitted by each political party, and confirmed by the Senate. The other four members are direct appointments by legislative leadership.

Any Elections Commission member who is legislatively-appointed can have his or her appointment withdrawn at any time by the legislative leader who appointed the member. These members may be removed "at pleasure" by the appointing officer. [s. 17.07 (6), Stats.] In contrast, any Elections Commission member who is appointed by the Governor can have his or her appointment rejected by the Senate on a "no" vote. If the member has already received Senate confirmation, then she can only have her appointment withdrawn by the Governor "for cause." [ss. 17.07 (3) and 19.42 (13) (p), Stats.] "Cause" means inefficiency, neglect of duty, official misconduct, or malfeasance in office. [s. 17.001, Stats.]

If the Governor wishes to withdraw an appointment for cause, he would need to determine that the board member's actions or inactions constitute "inefficiency, neglect of duty, official misconduct, or malfeasance in office." These terms are not defined in chapters 15 or 17, but in the criminal code, s. 946.12, Stats defines "misconduct in public office" for the purpose of criminal prosecution:

946.12 Misconduct in public office. Any public officer or public employee who does any of the following is guilty of a Class I felony:

- (1)** Intentionally fails or refuses to perform a known mandatory, nondiscretionary, ministerial duty of the officer's or employee's office or employment within the time or in the manner required by law; or
- (2)** In the officer's or employee's capacity as such officer or employee, does an act which the officer or employee knows is in excess of the officer's or employee's lawful authority or which the officer or employee knows the officer or employee is forbidden by law to do in the officer's or employee's official capacity; or
- (3)** Whether by act of commission or omission, in the officer's or employee's capacity as such officer or employee exercises a discretionary power in a manner inconsistent with the duties of the officer's or employee's office or employment or the rights of others and with intent to obtain a dishonest advantage for the officer or employee or another; or
- (4)** In the officer's or employee's capacity as such officer or employee, makes an entry in an account or record book or return, certificate, report or statement which in a material respect the officer or employee intentionally falsifies; or
- (5)** Under color of the officer's or employee's office or employment, intentionally solicits or accepts for the performance of any service or duty anything of value which the officer or employee knows is greater or less than is fixed by law.

Acting or attempting to act in a manner that violates state law may constitute misconduct in public office if the state law is settled and clear, although the standard for criminal prosecution may be different than a standard applied to removal from an appointed position.

The answer to your second question, regarding options for discipline against a state employee who encourages a board member to act contrary to state law, depends on whether the state employee is "classified," or governed by the civil service rules concerning discipline, or "unclassified," and not governed by civil service rules. Employees who are not included in the unclassified category are considered classified; s. 230.08 (2), Stats., lists the positions that are included in the unclassified service:

- All state officers elected by the people.
- All officers and employees of the state appointed by the Governor, whether subject to confirmation or not, unless otherwise provided.
- Division administrators in state agencies. [The statutes designate a number of division administrators in the unclassified service in each agency.]
- All legislative officers, policy research personnel, assistants to legislators, and research staff assigned to legislative committees.
- The personnel of the Legislative Reference Bureau, Legislative Audit Bureau, Legislative Fiscal Bureau, Legislative Council, and Legislative Technology Services Bureau.
- The Supreme Court justices and Court of Appeals judges, and the clerks, assistants, and employees of such justices or judges.
- Officers and employees whose positions are expressly excluded from the classified service by statute or whose positions cannot be placed under the classified service because of the restrictions placed on them by statute.

Generally speaking, an employee who is classified (or who has served as an assistant district attorney or assistant public defender for a period of 12 months or more) may be removed, suspended without pay, discharged, demoted, or reduced in base pay only for just cause, and following a progressive discipline scheme [s. 230.34, Stats.] unless a specific exception applies. An employee who is not classified generally may be discharged or otherwise subject to discipline for any non-discriminatory reason, unless the employee is a party to a contract that states otherwise. No particular statute addresses any specific

disciplinary protocol for encouraging a board member to violate a law, although if the state law is so clear as to confer a ministerial duty, failure to perform that duty may warrant discipline.

I hope this helps clarify the procedures and standards for removing a board member and for disciplining a state employee. If you would like to discuss how these standards and procedures might be applied in a particular context, please let me know. As always, please let me know if you have any other questions or if I can be of additional service to you.



Peggy J. Hurley

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608.504.5724 | peggy.hurley@legis.wisconsin.gov
One East Main Street, Suite 401, Madison, WI 53703

From: "Kolodziejczyk, Dominik" <Dominik.Kolodziejczyk@legis.wisconsin.gov>
Sent: Friday, November 12, 2021, 7:41 AM
To: "Sanfelippo, Joe" <Joe.Sanfelippo@legis.wisconsin.gov>
Cc: "Hoisington, Joshua" <Joshua.Hoisington@legis.wisconsin.gov>
Subject: Timeline
Attachments: 11.11.21 Letter to Atty. Gen. Kaul regarding Elections Investigation.pdf

Joe,

Here is timeline of electoral oversight activities you requested. Let me know if there were any other entries you'd like to note.

FYI, the letter sent to Atty. Gen. Kaul is not available in a public format, so it is included as an attachment to this email for your reference.

[3/31/20](#): Press release condemning WEC's failure to Milwaukee and Dane County Clerks' illegal public guidance regarding indefinitely confined voters ahead of 2020 Spring primary election
[11/9/20](#): Press release calling for comprehensive audit of 2020 general election and to delay certification of election results pending outcome of that audit
[12/11/20](#): Joint public hearing of Assembly and Senate Campaign and Elections Committees regarding issues with 2020 general election; press release renewing call for comprehensive audit of election
[3/10/21](#): Public hearing of Assembly Campaign and Elections Hearing regarding issues with 2020 general election, focusing on specific allegations in Green Bay; press release calling for committee to investigate recent elections
[3/16/21](#): Introduction of Senate Bill 212 / Assembly Bill 198 addressing numerous elections laws, including practices relating to election officials ignoring statutes, processing of absentee ballots, and imposing criminal penalties; bill subsequently passed, but vetoed by Governor Tony Evers
[3/17/21](#): Introduction of Assembly Resolution 15 directing the Assembly Committee on Campaigns and Elections to investigate the administration of elections in Wisconsin.
[3/23/21](#): Passage of Assembly Resolution 15 following floor debate, launching investigation into issues with recent elections; press release supporting passage of resolution
[10/28/21](#): Press release calling for dismissal of WEC Administrator Meagan Wolfe and other WEC personnel for misconduct through actions relating to recent elections
11/10/21: Letter to Attorney General Josh Kaul demanding investigation of electoral violations at nursing homes in 2020 relating to suspension of special voting deputy process and urging prosecution of official misconduct by WEC administrator, commissioners, and staff

Other election oversight activities include additional public hearings of [Assembly Campaigns and Elections Committee](#), numerous press [statements](#) and [interviews](#), and other legislative activities investigating election law.

Dominik Kolodziejczyk, *JD*
[Office of Representative Joe Sanfelippo](#)
15th Assembly District
608.237.9115

From: charles maier <mfc138@yahoo.com>
Sent: Sunday, November 21, 2021, 9:30 PM
To: "Sen. Kooyenga" <sen.kooyenga@legis.wisconsin.gov>; "Rep. Sanfelippo" <rep.sanfelippo@legis.wisconsin.gov>
Subject: Urgent help needed for constructing religious exemptions for vax mandates, Rep Ramthun's decertification resolution

Gentlemen,

A lot of us could use some help weaving our way through Title VII and Ch. 12 of the EEOC regarding religious exemptions. The phony FDA approval and OSHA mandate are just political cover for the mega-medical and corporate chains to impose authoritarian controls over their workers and eventually destroy more small businesses if passports get implemented.

A lot of corporations are coaching their HR people on how to deny exemptions or not offer them altogether. In my situation at PPG, I have talked to a member of management, HR, the nursing staff, etc., and they are very unhelpful. PPG Corporate used the mandate announcement to immediately post that a database (which already existed, I'm sure) would be put up and we'd have to enter vax status. I'm not sure if they're even going to bother addressing exemptions, unless someone brings it up. It'll probably be weekly testing, and bondage bandages in perpetuity.

I am currently studying the work of [Peggy Hall](#), who helped the people at Southwest Airlines thwart a total imposition of vaccination requirements. She has referred us to the following sections of code. [Title VII, EEOC Ch. 12 Religious Exemptions](#) and [WI Workplace Fairness Claim](#) .

I'm part of the [WUFF](#) pro-freedom group. I don't know if you've seen Erin Runk or any of the leaders at the Capitol, but they have been involved in lobbying with some of the vaccine bills that got vetoed. If you know anyone who is working in this area or has succeeded getting an exemption approved in a hostile employment setting, we'd like to know.

ELECTION DECERTIFICATION

Also, I hope you will get behind Rep. Ramthun's resolution to decertify and continue to pursue and audit that will look at signature verification and the constitutional qualifications of purported voters. We do not have any time to play games, and most of us have no confidence in leadership as they are cronies of establishment figures. Speaker Vos is conducting an illegal and diversionary investigation that doesn't begin to address the enormous problems we face in reclaiming the people's oversight of the election process.

Thanks,

Chuck

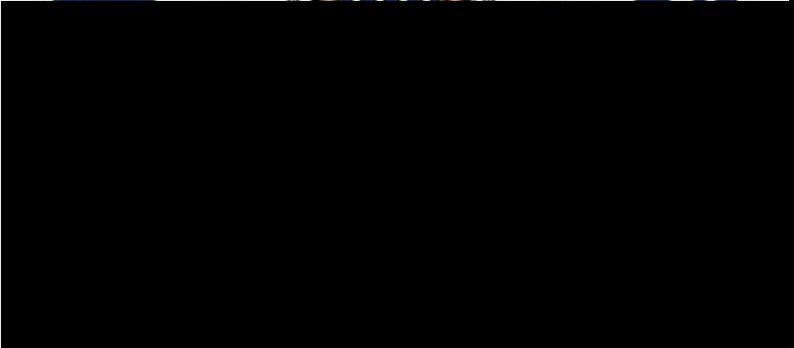
Filing a Discrimination Claim - Wisconsin - Workplace Fairness

Midwest New Media, LLC - <http://www.midwestnewmedia.com> - (513) 742-9150

Looking to file a workplace discrimination claim in WI? Visit WorkplaceFairness.org to find out how.

How to get a religious exemption for employer or college — THE HEALTHY A...

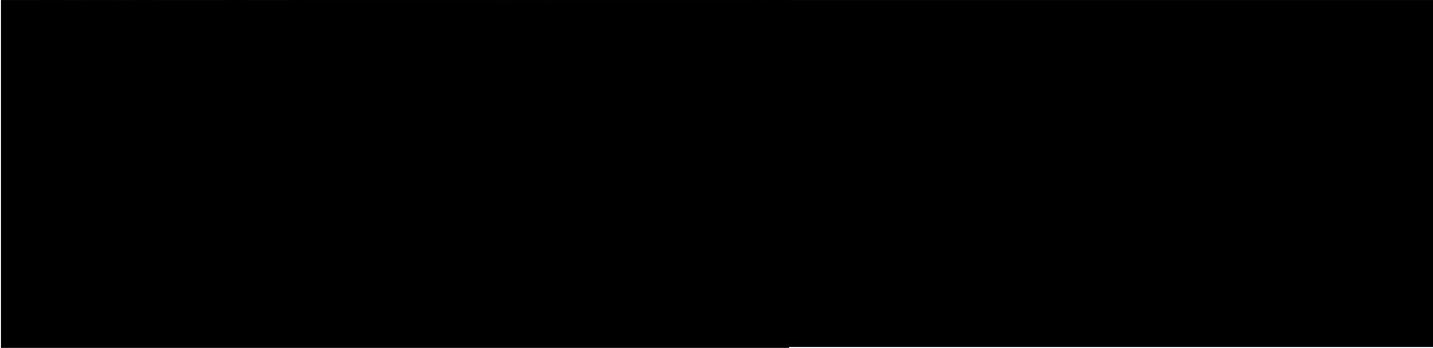
Use these comprehensive documents for religious exemption success with your employer, school, organization or ot...



**Section 12: Religious Discrimination |
U.S. Equal Employment
Opportunity...**

DIRECTIVES TRANSMITTAL Number 915.063

[WUFF](#)





Title VII of the Civil Rights Act of 1964 | U.S. Equal Employment Opport...

Title VII of the Civil Rights Act of 1964

From: Terry Brand <rplc.19langlade@gmail.com>
Sent: Thursday, October 7, 2021, 2:50 PM
To: Terry Brand <tvbrand@frontier.com>
Subject: Video on election fraud in WEC

This video is of the presentation made at the Wednesday October 6 meeting of the Langlade County Republican Party. It demonstrates how the Wisconsin Elections Commission's voter registration database has not been secured. Move it up to the 1:40 mark to start the introduction.

<https://www.youtube.com/watch?v=mjpMn1aj3Dc>

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New Website www.rplc-langlade.com

Remember to vote conservative and join us for these events

**Wednesday October 6th Monthly meeting / Rally
North Star Lanes 5:00 social, 6:00 Speakers
How China controls our food supply.**

Feb ? Possible Spring Primary election

April ? Spring elections, School Board, County Board, City Council.

April 23, 2022 Lincoln Day Dinner

May RPW State convention

August ? Primary election

Tuesday November 8th, 2022 VOTE

Request your membership registration form at rplc.19langlade@gmail.com

Details at rplc-langlade.com

See if your vote counted myvote.wi.gov

RPLC Republican Party of Langlade County

Terry Brand, Chairman

PO Box 463

Antigo, WI 54409

MEMORANDUM

To: Common Council
From: Vanessa R. Chavez, City Attorney
Date: April 20, 2021
Re: 2020 Elections

The 2020 Election season was one like no other, due in no small part to the COVID-19 pandemic. Following the failures the City experienced in April 2020, the City committed to taking all actions necessary to ensure that the voting experience improved for the Green Bay electorate moving forward. As a result, the August and November elections were the primary focus of the entire City, resulting in an “all-hands on deck” approach to carrying out the elections.

Unfortunately, the election has been the center of extensive misinformation and unfounded allegations. The purpose of this memorandum is to provide an overview of the various actions and activities of the City of Green Bay with respect to the 2020 Election season, as well as address the specific allegations which have been made casting doubt on the integrity of the election.

Preliminary Information

To create a thorough accounting of events, I spoke directly with the following people regarding their recollection of events:

City of Green Bay employees Jaime Fuge, Celestine Jeffreys, Diana Ellenbecker, Pam Manley, Amaad Rivera-Wagner, Lindsay Mather, Mike Hronek, Shelby Edelbeck, Cindy Tappy, Nancy Clifford, Becky DeWitt, Melanie Skalmoski, Jason Leick, Kevin Kempf, Phil Scanlan, and Brad Biller. In addition, I exchanged e-mails with Chris Pirlot, Laura Schley, Scott Nelson, Wendy Townsend, Stephanie Hummel, and Donna Rosenthal. I also e-mailed all remaining City employees who worked at Central Count to give them an opportunity to share their recollections.

Externally, I spoke with Tracy Hillesheim and Kristine Hall of the Hyatt/KI Convention Center (“KICC”), and Trent Jameson with the KICC’s A/V contractor Encore (formerly PSAV). I also spoke with Meagan Wolfe, Nathan Judnic, and Richard Rydecki from the Wisconsin Elections Commission (“WEC”). In addition, I spoke with Michael Spitzer, Rubenstein, and Hillary Hall of

From: Tony Urso <tonyurso@gmail.com>
Sent: Monday, October 25, 2021, 8:42 AM
To: undisclosed-recipients;
Subject: Vote Command Central for WI is in MN

Racine WI. Clerk Tara Coolidge states "**Command Central runs the voting machines**" Command Central is located in St Cloud MN. WHY? Why are they running the voting machines in Racine, WI. and 40 plus other counties in Wisconsin?

Coolidge's 11 second statement on Command Central:
<https://t.me/HOTWisconsin/3788>

Anyone know why the LAB report didn't address this? Anyone know if the Gableman report will?

--

Thanks,

Tony Urso
Cell: 608-338-8776

From: "wheeler@thewheelerreport.com" <wheeler@thewheelerreport.com>
Sent: Friday, October 22, 2021, 12:39 PM
To: Rep.Sanfelippo@legis.wisconsin.gov
Subject: Wheeler Report - 10/22/21 - Election Audit



Friday, October 22, 2021

ELECTIONS AUDIT MAKES 30 RECOMMENDATIONS, 18 ISSUES FOR LEGISLATIVE CONSIDERATION

[The Legislative Audit Bureau](#) released their [audit of the 2020](#) elections today. The Audit Bureau was directed to do the audit by the [Joint Legislative Audit Committee on February 8th](#). The Bureau was directed to examine issues pertaining to:

- efforts by WEC to comply with election laws, including by working with clerks to ensure voter registration records include only eligible voters, and by providing training and guidance to clerks;
- efforts by clerks to comply with election laws, including by administering elections, processing absentee ballots, and performing recount responsibilities, as well as the observations and concerns of clerks regarding elections administration;
- the use of electronic voting equipment, including the methodology and results of WEC's most-recent statutorily required post-election audit and the actions taken as a result of this audit; and
- General Election-related complaints filed with WEC and clerks, as well as how these complaints were addressed.

The audit states:

Because our audit was not approved until three months after the November 2020 General Election, we did not directly observe Election Day practices. Therefore, to complete this audit we relied on available evidence we were able to access. We contacted WEC's staff, surveyed all 1,835 municipal clerks and 72 county clerks in April 2021, contacted 179 clerks to obtain additional information about elections administration issues, analyzed voter registration data, physically reviewed 14,710 certificates that accompanied absentee ballots returned to clerks in 29 municipalities throughout the state, reviewed the results of 175 statutorily required tests of electronic voting equipment that clerks in 25 municipalities completed before the November

2020 General Election, and reviewed all 45 sworn, written complaints pertaining to the General Election that were filed with WEC as of late-May 2021.

Based on the audit findings, the Audit Bureau makes [30 recommendations for improvement](#), and [18 issues for legislative consideration](#).

Report Recommendations:

Training

- WI Elections Commission staff should work with the Wisconsin Elections Commission to modify ch. EL 12, Wis. Adm. Code, to reflect current statutory requirements for elections.
- WI Elections Commission staff work with the Wisconsin Elections Commission to modify ch. EL 12.02 (7), Wis. Adm. Code, to specify how the governing bodies of municipalities will be notified when municipal clerks do not report having completed training required by administrative rules, and consistently comply with administrative rules.
- WI Elections Commission staff should work with the Wisconsin Elections Commission to promulgate statutorily required administrative rules prescribing the contents of training that municipal clerks provide to special voting deputies and election inspectors.

Maintenance of Voter Registration Records

- WI Elections Commission staff should before January 1, 2022, work with the Wisconsin Elections Commission to execute with the Department of Transportation a new written data-sharing agreement that includes provisions for verifying the information provided by individuals who register to vote by all methods and that specifies the procedures for verifying this information, establish a system to regularly review and update the data-sharing agreement; and comply with statutes by working with the Department of Transportation to obtain the electronic signatures of individuals who register online to vote, or request that the Legislature modify the statutory requirement that the Wisconsin Elections Commission obtain them
- WI Elections Commission staff should improve how they identify potential duplicate voter registration records in WisVote by comparing driver's license and state identification card numbers of all registered voters each night.
- WI Elections Commission staff should before January 1, 2022, work with the Wisconsin Elections Commission to execute a new written data-sharing agreement with the Department of Health Services; and establish a system to regularly review and update the data-sharing agreement.
- WI Elections Commission staff should before January 1, 2022, work with the Wisconsin Elections Commission to execute a new data-sharing agreement with the Department of Corrections; and establish a system to regularly review and update the data-sharing agreement.
- WI Elections Commission staff should work with the Wisconsin Elections Commission to establish a schedule for regularly obtaining each type of data available from the Electronic Registration Information Center and a plan for acting on these data.

Absentee Ballots

- WI Elections Commission staff should ensure that the absentee ballot certificates made available to municipalities comply with statutes by requiring witnesses to print their names; provide municipal clerks with additional training on the statutory requirement to initial absentee ballot certificates in certain situations; and promulgate administrative rules to allow municipal clerks to correct or add missing witness address information to absentee ballot certificates, if the Wisconsin Elections Commission believes municipal clerks should be permitted to take such actions.
- WI Elections Commission staff should promulgate administrative rules to permit municipal clerks to establish drop boxes where individuals can return absentee ballots, if the Wisconsin Elections Commission believes municipal clerks should be permitted to establish drop boxes.
- WI Elections Commission staff should promulgate administrative rules to specify the situations when municipal clerks should not send special voting deputies to residential care facilities and qualified retirement homes, if the Wisconsin Elections Commission believes municipal clerks should be permitted to take alternative actions in these situations.

Ballot Processing

- WI Elections Commission staff should retract their statutorily noncompliant written guidance that indicates municipal clerks may adjourn before counting all ballots as a result of inevitable circumstances; and promulgate administrative rules to allow municipal clerks to adjourn in certain circumstances before completing ballot counting, if the Wisconsin Elections Commission believes municipal clerks should be allowed to adjourn in these circumstances.
- WI Elections Commission staff should work with the Wisconsin Elections Commission to retract the statutorily noncompliant written guidance for establishing polling places; and promulgate administrative rules to specify the circumstances when municipal clerks can relocate polling places without approval from municipal governing bodies, if the Wisconsin Elections Commission believes municipal clerks should be allowed to relocate polling places in these circumstances.
- WI Elections Commission staff should take additional actions to improve ballot processing in future elections, such as providing additional training to clerks.

Electronic Voting Equipment

- WI Elections Commission staff should provide additional training to municipal clerks on completing the statutorily required pre-election tests of electronic voting equipment.
- WI Elections Commission staff should provide training to municipal clerks on reviewing Election Day forms after each election and investigating relevant issues, including those related to tamper-evident seals.
- WI Elections Commission staff should work with the Wisconsin Elections Commission to promulgate statutorily required administrative rules for helping to ensure the security of software components in approved electronic voting equipment.

Post-Election Audit

- WI Elections Commission staff should ensure equipment vendors provide additional training to municipal clerks on ensuring that ballots are counted accurately when paper jams occur in electronic voting equipment.
- WI Elections Commission staff should comply with statutes by calculating an error rate for each type of electronic voting equipment used in each General Election.

Complaints and Concerns Filed with WEC

- WI Elections Commission staff should work with the Wisconsin Elections Commission to promulgate administrative rules for considering complaints alleging violations of election laws; and use recently purchased software to track election-related concerns and regularly provide summary information about these concerns to the Wisconsin Elections Commission.

Legislative Consideration

Training

- Currently, statutes require municipal clerks to attend training at least once every two years, and WEC's administrative rules require clerks to complete three hours of training in order to receive initial certification for the two-year period in which the training is received. However, statutes and administrative rules do not specify when a new clerk must complete the training for initial certification, and they do not require clerks to be certified before administering an election for the first time. As a result, a clerk could administer an election before having completed the initial training. The Legislature could consider modifying statutes to require clerks to complete the initial training before administering an election. Statutes could exempt from this training requirement those individuals who became clerks only shortly before an election
- Currently, statutes do not require individuals to inform WEC of the dates they began working as municipal clerks, and WEC's staff indicated that they are not consistently informed of these dates. The Legislature could consider modifying statutes to require a municipal governing body to notify WEC within 30 days when there is turnover in the clerk position. If WEC were better informed, it could more accurately track whether clerks completed all required training

Maintenance of Voter Registration Records

- DOT currently provides information that does not indicate precisely why a given non-match occurred because DOT does not provide WEC with any personally identifiable information. The Legislature could consider modifying statutes to require that DOT provide additional information to WEC when DOT attempts to verify the personally identifiable information provided by registrants. For example, statutes could be modified to require DOT to provide WEC with the names, dates of birth, and driver's license or state identification card numbers for individuals whose information did not match. WEC's staff

and clerks we contacted indicated that this additional information would help them to identify and correct errors in voter registration records, such as misspelled names and typos

- Currently, statutes do not require WEC to obtain and use ERIC data. The Legislature could consider modifying statutes to require WEC to regularly obtain ERIC data and use them to improve the accuracy and completeness of WisVote. For example, statutes could be modified to require WEC to regularly obtain every three or six months ERIC data for registered Wisconsin voters who may have moved to and registered to vote in other states, who may have voted in Wisconsin and other states, and who may have died in other states/

Absentee Ballots

- Statutes do not define the components of a witness address that a certificate must contain, such as a street name and number, municipality, state, and zip code. The Legislature could consider modifying statutes to specify the particular address components that a witness must provide on a certificate. For example, witnesses could be required to provide, at a minimum, street names and numbers, as well as their municipalities. Such a definition would allow an absentee ballot to be counted if a witness address excluded a state and a zip code.
- The Legislature could consider modifying statutes to clarify the extent to which municipal clerks are permitted themselves to correct errors in witness addresses or add missing witness address information. As noted, statutes allow a clerk to return a ballot and its certificate if an individual is able to correct an improperly completed certificate and return the ballot in time for it to be counted on Election Day, but statutes do not otherwise permit or prohibit clerks from correcting errors in witness addresses or adding missing witness address information.
- Statutes require a certificate to include the signature of the individual who cast the ballot. The Legislature could consider modifying statutes to require municipal clerks to verify the signatures of individuals who cast absentee ballots. In doing so, it could specify the documents that clerks should use to verify these signatures, such as voter registration forms and driver's licenses, and the methods that clerks should use to verify these signatures, such as examining the writing slant, letter spacing, and letter shapes. In addition, it could require clerks to be trained on how to verify signatures.
- The Legislature could consider modifying statutes to clarify whether individuals are allowed to return absentee ballots to drop boxes. Some individuals believe that statutes allow absentee ballots to be returned to drop boxes or in person to clerk staff at locations other than a clerk's office, regardless of whether a municipal governing body established such locations. They believe that these actions are statutorily allowable because individuals requested ballots by statutorily allowable methods, the drop boxes were established by clerks, and clerk staff collected the ballots. Other individuals believe that statutes do not allow absentee ballots to be returned through drop boxes or to clerk staff at locations other than those designated by a municipal governing body.
- Statutes require municipal clerks to attempt to send special voting deputies to residential care facilities and qualified retirement homes, regardless of the circumstances. During a public health or other emergency, clerks and special voting deputies may risk disenfranchising individuals living in such facilities and homes if they cannot obtain entry. The Legislature could consider modifying statutes to prescribe circumstances when clerks

are not required to send special voting deputies to such facilities and homes, as well as the procedures clerks must follow in mailing and considering absentee ballots in such circumstances. In September 2021, WEC voted to request that the Governor categorize special voting deputies as essential visitors, which it indicated would allow the deputies entry into facilities and homes during a public health emergency.

Ballot Processing

- The Legislature could consider modifying statutes to specify the actions and responsibilities for consultants at polling places and central count locations on Election Day. For example, statutes could specify the particular actions that consultants are permitted to take, as well as the responsibilities that they are allowed to assume while helping municipal clerks to administer elections.
- The Legislature could consider modifying statutes to allow new polling places to be quickly established in certain situations, such as in a public health emergency or if a fire or a natural disaster were to damage a polling place to the extent that it could not be used on Election Day. Statutes could specify the situations, if any, in which a municipal clerk could establish polling places without approval from a municipal governing body. For example, a clerk could be given the authority to establish a new polling place for one election if certain types of situations occurred shortly before Election Day. Doing so would help to prevent individuals from being disenfranchised if a polling place were closed shortly before Election Day and insufficient time remained for a municipal governing body to establish a new polling place.

Electronic Voting Equipment

- Statutes require municipal clerks to notify WEC's administrator if they adopt and purchase a new or different type of electronic voting equipment. When municipalities rent equipment, such as to count absentee ballots at central count locations during elections at which many individuals are expected to vote, statutes do not require clerks to notify WEC's administrator. The Legislature could consider modifying statutes to require clerks to notify WEC's administrator if they rent electronic voting equipment. Doing so would allow WEC's administrator, and therefore WEC, to know that all equipment used in the state has been approved by WEC.
- The Legislature could consider modifying statutes to explicitly require materials related to the pre-election tests of electronic voting equipment to be retained for 22 months after a federal election. Doing so would ensure that these pre-election test materials, which indicate whether electronic voting equipment counted ballots accurately, are retained for the same period of time as other election-related materials such as ballots and applications for absentee ballots.

Post-Election Audit

- Statutes require WEC to take remedial action if the error rate found in electronic voting equipment exceeds the federal standards that were in effect on October 29, 2002, which was one vote per 500,000 ballot positions. We found that these standards were updated in

2015 to specify that the maximum acceptable error rate is 1 vote per 125,000 contests counted by a given type of equipment. Calculating the error rate based on the number of contests, rather than the number of ballot positions, is more straightforward because ballot positions may vary within and among municipalities, depending on the number of candidates in each contest. The Legislature could consider modifying statutes to reflect the current federal standards for an acceptable equipment error rate.

- The Legislature could consider modifying statutes to require WEC to conduct risk-limiting post-election audits. Such audits are intended to determine voter intent and determine the validity of the election results, which may be preferable to the current audits that confirm whether the equipment counted ballots according to how it was programmed. As noted, one type of equipment was programmed in such a way that it counted ballot creases as votes in some counties during the November 2020 General Election.

Complaints and Concerns Filed with WEC

- Statutes do not require WEC to report any information to the Legislature about the considerable number of election-related concerns that it receives from individuals. The Legislature could consider modifying statutes to require WEC to report to it certain information about election-related concerns every six months. Such information could include the number of election-related concerns that individuals had provided to WEC, the types of issues addressed in these concerns, and how WEC's staff addressed these concerns.

Election Recount Costs

- If the Legislature wanted to limit the types of recount costs charged to petitioning candidates, it could modify statutes to require that only certain types of costs could be charged. For example, it could stipulate that petitioning candidates not be charged costs associated with facilities, certain types of equipment, or the salaries and fringe benefits of government employees, who may be expected to fulfill at no cost all duties pertaining to administering elections. Similarly, it could stipulate that recounts must occur in government facilities whenever possible, or require counties to show that they rented reasonably priced private facilities. However, circumstances 8-5 such as a public health emergency could result in counties incurring new and unanticipated types of costs, and taxpayer funds could end up financing a portion of the recount costs that petitioning candidates currently cover.
- If the Legislature wanted to limit the total recount costs charged to petitioning candidates, it could modify statutes to determine the total amount that could be charged. For example, statutes could stipulate an amount per ballot to be recounted, and statutes could stipulate that this amount would increase over time, such as by the rate of inflation. Doing so would ensure a petitioning candidate knew in advance the cost of a recount. However, actual costs could vary considerably among counties, and taxpayer funds could end up financing a portion of the recount costs that petitioning candidates currently cover, particularly if costs increase during circumstances such as a public health emergency.

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From: "wheeler@thewheelerreport.com" <wheeler@thewheelerreport.com>
Sent: Friday, October 22, 2021, 12:39 PM
To: Rep.Sanfelippo@legis.wisconsin.gov
Subject: Wheeler Report - 10/22/21 - Election Audit



Friday, October 22, 2021

ELECTIONS AUDIT MAKES 30 RECOMMENDATIONS, 18 ISSUES FOR LEGISLATIVE CONSIDERATION

[The Legislative Audit Bureau](#) released their [audit of the 2020](#) elections today. The Audit Bureau was directed to do the audit by the [Joint Legislative Audit Committee on February 8th](#). The Bureau was directed to examine issues pertaining to:

- efforts by WEC to comply with election laws, including by working with clerks to ensure voter registration records include only eligible voters, and by providing training and guidance to clerks;
- efforts by clerks to comply with election laws, including by administering elections, processing absentee ballots, and performing recount responsibilities, as well as the observations and concerns of clerks regarding elections administration;
- the use of electronic voting equipment, including the methodology and results of WEC's most-recent statutorily required post-election audit and the actions taken as a result of this audit; and
- General Election-related complaints filed with WEC and clerks, as well as how these complaints were addressed.

The audit states:

Because our audit was not approved until three months after the November 2020 General Election, we did not directly observe Election Day practices. Therefore, to complete this audit we relied on available evidence we were able to access. We contacted WEC's staff, surveyed all 1,835 municipal clerks and 72 county clerks in April 2021, contacted 179 clerks to obtain additional information about elections administration issues, analyzed voter registration data, physically reviewed 14,710 certificates that accompanied absentee ballots returned to clerks in 29 municipalities throughout the state, reviewed the results of 175 statutorily required tests of electronic voting equipment that clerks in 25 municipalities completed before the November

2020 General Election, and reviewed all 45 sworn, written complaints pertaining to the General Election that were filed with WEC as of late-May 2021.

Based on the audit findings, the Audit Bureau makes [30 recommendations for improvement](#), and [18 issues for legislative consideration](#).

Report Recommendations:

Training

- WI Elections Commission staff should work with the Wisconsin Elections Commission to modify ch. EL 12, Wis. Adm. Code, to reflect current statutory requirements for elections.
- WI Elections Commission staff work with the Wisconsin Elections Commission to modify ch. EL 12.02 (7), Wis. Adm. Code, to specify how the governing bodies of municipalities will be notified when municipal clerks do not report having completed training required by administrative rules, and consistently comply with administrative rules.
- WI Elections Commission staff should work with the Wisconsin Elections Commission to promulgate statutorily required administrative rules prescribing the contents of training that municipal clerks provide to special voting deputies and election inspectors.

Maintenance of Voter Registration Records

- WI Elections Commission staff should before January 1, 2022, work with the Wisconsin Elections Commission to execute with the Department of Transportation a new written data-sharing agreement that includes provisions for verifying the information provided by individuals who register to vote by all methods and that specifies the procedures for verifying this information, establish a system to regularly review and update the data-sharing agreement; and comply with statutes by working with the Department of Transportation to obtain the electronic signatures of individuals who register online to vote, or request that the Legislature modify the statutory requirement that the Wisconsin Elections Commission obtain them
- WI Elections Commission staff should improve how they identify potential duplicate voter registration records in WisVote by comparing driver's license and state identification card numbers of all registered voters each night.
- WI Elections Commission staff should before January 1, 2022, work with the Wisconsin Elections Commission to execute a new written data-sharing agreement with the Department of Health Services; and establish a system to regularly review and update the data-sharing agreement.
- WI Elections Commission staff should before January 1, 2022, work with the Wisconsin Elections Commission to execute a new data-sharing agreement with the Department of Corrections; and establish a system to regularly review and update the data-sharing agreement.
- WI Elections Commission staff should work with the Wisconsin Elections Commission to establish a schedule for regularly obtaining each type of data available from the Electronic Registration Information Center and a plan for acting on these data.

Absentee Ballots

- WI Elections Commission staff should ensure that the absentee ballot certificates made available to municipalities comply with statutes by requiring witnesses to print their names; provide municipal clerks with additional training on the statutory requirement to initial absentee ballot certificates in certain situations; and promulgate administrative rules to allow municipal clerks to correct or add missing witness address information to absentee ballot certificates, if the Wisconsin Elections Commission believes municipal clerks should be permitted to take such actions.
- WI Elections Commission staff should promulgate administrative rules to permit municipal clerks to establish drop boxes where individuals can return absentee ballots, if the Wisconsin Elections Commission believes municipal clerks should be permitted to establish drop boxes.
- WI Elections Commission staff should promulgate administrative rules to specify the situations when municipal clerks should not send special voting deputies to residential care facilities and qualified retirement homes, if the Wisconsin Elections Commission believes municipal clerks should be permitted to take alternative actions in these situations.

Ballot Processing

- WI Elections Commission staff should retract their statutorily noncompliant written guidance that indicates municipal clerks may adjourn before counting all ballots as a result of inevitable circumstances; and promulgate administrative rules to allow municipal clerks to adjourn in certain circumstances before completing ballot counting, if the Wisconsin Elections Commission believes municipal clerks should be allowed to adjourn in these circumstances.
- WI Elections Commission staff should work with the Wisconsin Elections Commission to retract the statutorily noncompliant written guidance for establishing polling places; and promulgate administrative rules to specify the circumstances when municipal clerks can relocate polling places without approval from municipal governing bodies, if the Wisconsin Elections Commission believes municipal clerks should be allowed to relocate polling places in these circumstances.
- WI Elections Commission staff should take additional actions to improve ballot processing in future elections, such as providing additional training to clerks.

Electronic Voting Equipment

- WI Elections Commission staff should provide additional training to municipal clerks on completing the statutorily required pre-election tests of electronic voting equipment.
- WI Elections Commission staff should provide training to municipal clerks on reviewing Election Day forms after each election and investigating relevant issues, including those related to tamper-evident seals.
- WI Elections Commission staff should work with the Wisconsin Elections Commission to promulgate statutorily required administrative rules for helping to ensure the security of software components in approved electronic voting equipment.

Post-Election Audit

- WI Elections Commission staff should ensure equipment vendors provide additional training to municipal clerks on ensuring that ballots are counted accurately when paper jams occur in electronic voting equipment.
- WI Elections Commission staff should comply with statutes by calculating an error rate for each type of electronic voting equipment used in each General Election.

Complaints and Concerns Filed with WEC

- WI Elections Commission staff should work with the Wisconsin Elections Commission to promulgate administrative rules for considering complaints alleging violations of election laws; and use recently purchased software to track election-related concerns and regularly provide summary information about these concerns to the Wisconsin Elections Commission.

Legislative Consideration

Training

- Currently, statutes require municipal clerks to attend training at least once every two years, and WEC's administrative rules require clerks to complete three hours of training in order to receive initial certification for the two-year period in which the training is received. However, statutes and administrative rules do not specify when a new clerk must complete the training for initial certification, and they do not require clerks to be certified before administering an election for the first time. As a result, a clerk could administer an election before having completed the initial training. The Legislature could consider modifying statutes to require clerks to complete the initial training before administering an election. Statutes could exempt from this training requirement those individuals who became clerks only shortly before an election
- Currently, statutes do not require individuals to inform WEC of the dates they began working as municipal clerks, and WEC's staff indicated that they are not consistently informed of these dates. The Legislature could consider modifying statutes to require a municipal governing body to notify WEC within 30 days when there is turnover in the clerk position. If WEC were better informed, it could more accurately track whether clerks completed all required training

Maintenance of Voter Registration Records

- DOT currently provides information that does not indicate precisely why a given non-match occurred because DOT does not provide WEC with any personally identifiable information. The Legislature could consider modifying statutes to require that DOT provide additional information to WEC when DOT attempts to verify the personally identifiable information provided by registrants. For example, statutes could be modified to require DOT to provide WEC with the names, dates of birth, and driver's license or state identification card numbers for individuals whose information did not match. WEC's staff

and clerks we contacted indicated that this additional information would help them to identify and correct errors in voter registration records, such as misspelled names and typos

- Currently, statutes do not require WEC to obtain and use ERIC data. The Legislature could consider modifying statutes to require WEC to regularly obtain ERIC data and use them to improve the accuracy and completeness of WisVote. For example, statutes could be modified to require WEC to regularly obtain every three or six months ERIC data for registered Wisconsin voters who may have moved to and registered to vote in other states, who may have voted in Wisconsin and other states, and who may have died in other states/

Absentee Ballots

- Statutes do not define the components of a witness address that a certificate must contain, such as a street name and number, municipality, state, and zip code. The Legislature could consider modifying statutes to specify the particular address components that a witness must provide on a certificate. For example, witnesses could be required to provide, at a minimum, street names and numbers, as well as their municipalities. Such a definition would allow an absentee ballot to be counted if a witness address excluded a state and a zip code.
- The Legislature could consider modifying statutes to clarify the extent to which municipal clerks are permitted themselves to correct errors in witness addresses or add missing witness address information. As noted, statutes allow a clerk to return a ballot and its certificate if an individual is able to correct an improperly completed certificate and return the ballot in time for it to be counted on Election Day, but statutes do not otherwise permit or prohibit clerks from correcting errors in witness addresses or adding missing witness address information.
- Statutes require a certificate to include the signature of the individual who cast the ballot. The Legislature could consider modifying statutes to require municipal clerks to verify the signatures of individuals who cast absentee ballots. In doing so, it could specify the documents that clerks should use to verify these signatures, such as voter registration forms and driver's licenses, and the methods that clerks should use to verify these signatures, such as examining the writing slant, letter spacing, and letter shapes. In addition, it could require clerks to be trained on how to verify signatures.
- The Legislature could consider modifying statutes to clarify whether individuals are allowed to return absentee ballots to drop boxes. Some individuals believe that statutes allow absentee ballots to be returned to drop boxes or in person to clerk staff at locations other than a clerk's office, regardless of whether a municipal governing body established such locations. They believe that these actions are statutorily allowable because individuals requested ballots by statutorily allowable methods, the drop boxes were established by clerks, and clerk staff collected the ballots. Other individuals believe that statutes do not allow absentee ballots to be returned through drop boxes or to clerk staff at locations other than those designated by a municipal governing body.
- Statutes require municipal clerks to attempt to send special voting deputies to residential care facilities and qualified retirement homes, regardless of the circumstances. During a public health or other emergency, clerks and special voting deputies may risk disenfranchising individuals living in such facilities and homes if they cannot obtain entry. The Legislature could consider modifying statutes to prescribe circumstances when clerks

are not required to send special voting deputies to such facilities and homes, as well as the procedures clerks must follow in mailing and considering absentee ballots in such circumstances. In September 2021, WEC voted to request that the Governor categorize special voting deputies as essential visitors, which it indicated would allow the deputies entry into facilities and homes during a public health emergency.

Ballot Processing

- The Legislature could consider modifying statutes to specify the actions and responsibilities for consultants at polling places and central count locations on Election Day. For example, statutes could specify the particular actions that consultants are permitted to take, as well as the responsibilities that they are allowed to assume while helping municipal clerks to administer elections.
- The Legislature could consider modifying statutes to allow new polling places to be quickly established in certain situations, such as in a public health emergency or if a fire or a natural disaster were to damage a polling place to the extent that it could not be used on Election Day. Statutes could specify the situations, if any, in which a municipal clerk could establish polling places without approval from a municipal governing body. For example, a clerk could be given the authority to establish a new polling place for one election if certain types of situations occurred shortly before Election Day. Doing so would help to prevent individuals from being disenfranchised if a polling place were closed shortly before Election Day and insufficient time remained for a municipal governing body to establish a new polling place.

Electronic Voting Equipment

- Statutes require municipal clerks to notify WEC's administrator if they adopt and purchase a new or different type of electronic voting equipment. When municipalities rent equipment, such as to count absentee ballots at central count locations during elections at which many individuals are expected to vote, statutes do not require clerks to notify WEC's administrator. The Legislature could consider modifying statutes to require clerks to notify WEC's administrator if they rent electronic voting equipment. Doing so would allow WEC's administrator, and therefore WEC, to know that all equipment used in the state has been approved by WEC.
- The Legislature could consider modifying statutes to explicitly require materials related to the pre-election tests of electronic voting equipment to be retained for 22 months after a federal election. Doing so would ensure that these pre-election test materials, which indicate whether electronic voting equipment counted ballots accurately, are retained for the same period of time as other election-related materials such as ballots and applications for absentee ballots.

Post-Election Audit

- Statutes require WEC to take remedial action if the error rate found in electronic voting equipment exceeds the federal standards that were in effect on October 29, 2002, which was one vote per 500,000 ballot positions. We found that these standards were updated in

2015 to specify that the maximum acceptable error rate is 1 vote per 125,000 contests counted by a given type of equipment. Calculating the error rate based on the number of contests, rather than the number of ballot positions, is more straightforward because ballot positions may vary within and among municipalities, depending on the number of candidates in each contest. The Legislature could consider modifying statutes to reflect the current federal standards for an acceptable equipment error rate.

- The Legislature could consider modifying statutes to require WEC to conduct risk-limiting post-election audits. Such audits are intended to determine voter intent and determine the validity of the election results, which may be preferable to the current audits that confirm whether the equipment counted ballots according to how it was programmed. As noted, one type of equipment was programmed in such a way that it counted ballot creases as votes in some counties during the November 2020 General Election.

Complaints and Concerns Filed with WEC

- Statutes do not require WEC to report any information to the Legislature about the considerable number of election-related concerns that it receives from individuals. The Legislature could consider modifying statutes to require WEC to report to it certain information about election-related concerns every six months. Such information could include the number of election-related concerns that individuals had provided to WEC, the types of issues addressed in these concerns, and how WEC's staff addressed these concerns.

Election Recount Costs

- If the Legislature wanted to limit the types of recount costs charged to petitioning candidates, it could modify statutes to require that only certain types of costs could be charged. For example, it could stipulate that petitioning candidates not be charged costs associated with facilities, certain types of equipment, or the salaries and fringe benefits of government employees, who may be expected to fulfill at no cost all duties pertaining to administering elections. Similarly, it could stipulate that recounts must occur in government facilities whenever possible, or require counties to show that they rented reasonably priced private facilities. However, circumstances 8-5 such as a public health emergency could result in counties incurring new and unanticipated types of costs, and taxpayer funds could end up financing a portion of the recount costs that petitioning candidates currently cover.
- If the Legislature wanted to limit the total recount costs charged to petitioning candidates, it could modify statutes to determine the total amount that could be charged. For example, statutes could stipulate an amount per ballot to be recounted, and statutes could stipulate that this amount would increase over time, such as by the rate of inflation. Doing so would ensure a petitioning candidate knew in advance the cost of a recount. However, actual costs could vary considerably among counties, and taxpayer funds could end up financing a portion of the recount costs that petitioning candidates currently cover, particularly if costs increase during circumstances such as a public health emergency.

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September 15, 2021

VIA EMAIL

Edward Blazel
Assembly Chief Clerk
17 West Main Street, Room 401
Madison, WI 53703
ted.blazel@legis.wisconsin.gov

Representative Joe Sanfelippo
Wisconsin State Capitol, Room 314 North
Madison, WI 53708
rep.sanfelippo@legis.wi.gov

Re: Public Records Law Request

Dear Chief Clerk Blazel:

Pursuant to Wisconsin's public records law, Wis. Stat. §§ 19.31–19.39, American Oversight makes the following request for copies of records.

On May 26, 2021, Wisconsin State Assembly Speaker Robin Vos indicated that the legislature would hire three former law enforcement officers and a supervising attorney to investigate the November 2020 election.¹ Since the time of this announcement, Speaker Vos has expanded the scope of the investigation, appointing former Wisconsin Supreme Court justice Michael Gableman as “special counsel,” and gaining Assembly approval to spend at least \$676,000 in public funds, including budgeting for five investigators and \$325,000 for a data analysis contractor.² Speaker Vos also has indicated that he is willing to authorize subpoenas requested by Michael Gableman.³

¹ Patrick Marley, *Top Wisconsin Republican Robin Vos Hires Former Cops to Investigate November Election*, Milwaukee J. Sentinel (updated May 26, 2021, 5:16 PM), <https://www.jsonline.com/story/news/politics/elections/2021/05/26/wisconsin-republican-robin-vos-hires-ex-cops-investigate-election/7455034002/>.

² Scott Bauer, *Wisconsin Election Probe Includes \$325,000 for Data Analysis*, Associated Press, Sept. 1, 2021, <https://apnews.com/article/technology-business-elections-wisconsin-election-2020-f0341f70bb123e809304771ed0c0b909>.

³ Patrick Marley, *Top Assembly Republican Robin Vos is Leaving It to an Investigator to Decide on Subpoenas for the Election Investigation*, Milwaukee J. Sentinel (Aug. 27, 2021, 12:47 PM), <https://www.jsonline.com/story/news/politics/2021/08/27/robin-vos-let-gableman-make-call-wisconsin-election-subpoenas/5617382001/>.

Representative Janel Brandtjen, chair of the Assembly Committee on Campaigns and Elections has likewise indicated she intends to pursue an investigation. On August 6, 2021, she issued demands for ballots and election equipment to Brown and Milwaukee counties,⁴ though those counties have indicated they will not comply with Rep. Brandtjen’s requests, which legislative attorneys deemed unenforceable.⁵

American Oversight seeks records with the potential to shed light on the Wisconsin legislature’s investigations of elections.

Requested Records

American Oversight requests that your office produce the following records “as soon as practicable and without delay”:⁶

All records substantively described in the request identified as WI-REP-21-1134⁷ from the period after that request was submitted—*i.e.*, from August 13, 2021, through the date of the search. For clarity, the records requested are reproduced, with modifications to account for newly identified information, as follows:

1. A complete copy (including any attachments) of any contract or subcontract, amendment, memorandum of understanding, or other written agreement between the Wisconsin State Assembly (or members thereof) and parties investigating the November 2020 election. At a minimum, this request should be interpreted to include agreements with: former justice Michael Gableman; any elections investigators contracted by the Assembly and/or overseen by Michael Gableman; entities contracted for data analysis or review of election equipment; or any other individuals or entities contracted in association with any investigations of the 2020 election.

⁴ Patrick Marley, et al., *Republican Lawmaker Seeks to Seize Ballots and Voting Machines in Milwaukee and Brown Counties*, Milwaukee J. Sentinel (updated Aug. 8, 2021, 9:26 PM), <https://www.jsonline.com/story/news/politics/2021/08/06/gop-lawmaker-seeks-seize-ballots-and-voting-machines-milwaukee-and-brown-counties/5512163001/>.

⁵ Patrick Marley, *Milwaukee, Brown County Clerks Refuse to Turn Over Ballots, Voting Machines to GOP Lawmaker, but Issue Could Escalate*, Milwaukee J. Sentinel (updated Sept. 3, 2021, 4:48 PM), <https://www.jsonline.com/story/news/politics/2021/09/03/milwaukee-county-clerk-refuses-turn-over-ballots-republican-lawmaker/5712256001/>.

⁶ Wis. Stat. § 19.35(4)(a).

⁷ To be clear, the August 13, 2021 request referenced above seeks records from the period of July 15, 2021, through the date the search is conducted. This request seeks the same types of records from August 13, 2021, through the date the search is conducted. See <https://www.americanoversight.org/document/public-records-request-to-wisconsin-rep-sanfelippo-seeking-contracts-with-entities-investigating-november-2020-election/wi-rep-21-1134>.

2. A complete copy (including any attachments) of any resume, bid, project proposal, cost or time estimate, scope of work, application form, or other document submitted to the Wisconsin State Assembly (or members or agents thereof) by entities investigating the 2020 election.
3. A complete copy of any invoice from or payment to entities investigating the November 2020 election, or any of the other individuals or entities enumerated in item 1 above.

For all portions of this request, this request should be interpreted to include records pertaining to the investigation announced by Speaker Vos on May 26, the expansion announced by Speaker Vos on July 30, the investigation announced by Representative Brandtjen on July 26, and any other investigations by the Assembly into any matters related to the 2020 election. Please note that this request seeks records in addition to, and not duplicative of, the records sought by any previous requests submitted by American Oversight.

Fee Waiver Request

In accordance with Wis. Stat. § 19.35(3)(e), American Oversight respectfully requests that the records be produced without charge. Providing American Oversight with a waiver of fees is in the “public interest” because American Oversight will, in accordance with its organizational mission, make the records available to the public without charge. These disclosures will likely contribute to a better understanding of relevant government action by the general public.

American Oversight’s work is aimed solely at serving the public interest. As a 501(c)(3) nonprofit, American Oversight does not have a commercial purpose and the release of the information requested is not in American Oversight’s financial interest. Rather, American Oversight’s mission is to serve the public by promoting transparency in government, educating the public about government activities, and ensuring the accountability of government officials. American Oversight uses the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media.⁸ American Oversight also makes materials it gathers available on its public

⁸ See generally *News*, American Oversight, <https://www.americanoversight.org/blog>; *State Investigations*, American Oversight, <https://www.americanoversight.org/states>; see, e.g., *State Government Contacts with Voting-Restriction Activists*, American Oversight, <https://www.americanoversight.org/investigation/state-government-contacts-with-voting-restriction-activists>; *Wisconsin Documents Offer Window into Early Uncertainty over COVID-19*, American Oversight, <https://www.americanoversight.org/wisconsin-documents-offer-window-into-early-uncertainty-over-covid-19>.

website⁹ and promotes their availability on social media platforms, such as Facebook and Twitter.¹⁰

The public has a significant interest in the Wisconsin state legislature's investigations of the November 2020 election.¹¹ Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the government, including whether or to what extent partisan motivations or external actors guided the decision to open investigations, expand the scope of existing investigations, or influence the conduct of the investigations. American Oversight is committed to transparency and makes the responses agencies provide to public records requests publicly available, and the public's understanding of the government's activities would be enhanced through American Oversight's analysis and publication of these records.

American Oversight asks that if its request for a fee waiver is denied in whole or in part, that you contact us prior to incurring any costs.

Guidance Regarding the Search & Processing of Requested Records

American Oversight seeks all responsive records regardless of format, medium, or physical characteristics. In conducting your search, please understand the term "record" in its broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, or minutes of any meetings, telephone conversations or discussions. Our request includes any attachments to these records. **No category of material should be omitted from search, collection, and production.**

Please search all locations and systems likely to have responsive records regarding official business. **You may not exclude searches of files or emails in the personal custody of your officials, such as personal email accounts.** Emails conducting government business sent or received on the personal account of the authority's officer or employee constitutes a record for purposes of Wisconsin's public records laws.¹²

In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the

⁹ *Documents*, American Oversight, <https://www.americanoversight.org/documents>.

¹⁰ American Oversight currently has approximately 15,630 page likes on Facebook and 108,100 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Sept. 13, 2021); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Sept. 13, 2021).

¹¹ *See supra*, notes 1-5.

¹² Wisc. Dep't of J., *Wisconsin Public Records Law Compliance Guide*, Oct. 2019, at 3, <https://www.doj.state.wi.us/sites/default/files/office-open-government/Resources/PRL-GUIDE.pdf>.

requested records.¹³ If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document. If a request is denied in whole, please state specifically that it is not reasonable to segregate portions of the record for release.

American Oversight expects that you have ensured all responsive records and records relevant to this request and your compliance with it are retained as required by Wisconsin law. Please take all appropriate steps to ensure that no such records are deleted by the agency before the completion of processing for this request. If records potentially responsive or relevant to this request, or your compliance with it, are likely to be located on systems where they are subject to potential deletion, including on a scheduled basis, please take steps to prevent that deletion, including, as appropriate, by instituting a litigation hold on those records.

Conclusion

If you have any questions regarding how to construe this request for records or believe that further discussions regarding search and processing would facilitate a more efficient production of records of interest to American Oversight, please do not hesitate to contact American Oversight to discuss this request. American Oversight welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, American Oversight and your agency can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in an electronic format by email. Alternatively, please provide responsive material in native format or in PDF format on a USB drive. Please send any responsive material being sent by mail to American Oversight, 1030 15th Street NW, Suite B255, Washington, DC 20005. If it will accelerate release of responsive records to American Oversight, please also provide responsive material on a rolling basis.

We share a common mission to promote transparency in government. American Oversight looks forward to working with your agency on this request. If you do not understand any part of this request, please contact Sarah Colombo at records@americanoversight.org or (202) 869-5244. Also, if American Oversight's

¹³ Wis. Stat. § 19.36(6).

request for a fee waiver is not granted in full, please contact us immediately upon making such a determination.

Sincerely,

/s/ Sarah Colombo

Sarah Colombo
on behalf of
American Oversight



September 15, 2021

VIA EMAIL

Representative Joe Sanfelippo
Wisconsin State Capitol, Room 314 North
Madison, WI 53708
rep.sanfelippo@legis.wi.gov

Re: Public Records Law Request

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counties,⁴ though those counties have indicated they will not comply with Rep. Brandtjen’s requests, which legislative attorneys deemed unenforceable.⁵

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Requested Records

American Oversight requests that your office produce the following records “as soon as practicable and without delay”:⁶

All records substantively described in the request identified as WI-REP-21-1137⁷ from the period after that request was submitted—*i.e.*, from August 13, 2021, through the date of the search. For clarity, the records requested are reproduced, with modifications to account for newly identified information, as follows:

1. A complete copy (including any attachments) of any formal or informal guidance, directives, memoranda, or other policy and procedure documents issued to entities investigating the November 2020 election, including but not limited to:
 - a. Directives regarding the scope and duration of any investigations
 - b. Records identifying, prioritizing, and investigating alleged fraud, misconduct, or irregularities
 - c. Protocols for contacting persons of interest, including, but not limited, to guidelines or scripts for contacting and interviewing witnesses
 - d. Guidance regarding the presentation of any findings; guidelines for ensuring the safe handling and privacy of confidential voter information and ballot equipment
 - e. Any other directives regarding the planning, preparation, and execution of any investigations

⁴ Patrick Marley, et al., *Republican Lawmaker Seeks to Seize Ballots and Voting Machines in Milwaukee and Brown Counties*, Milwaukee J. Sentinel (updated Aug. 8, 2021, 9:26 PM), <https://www.jsonline.com/story/news/politics/2021/08/06/gop-lawmaker-seeks-seize-ballots-and-voting-machines-milwaukee-and-brown-counties/5512163001/>.

⁵ Patrick Marley, *Milwaukee, Brown County Clerks Refuse to Turn Over Ballots, Voting Machines to GOP Lawmaker, but Issue Could Escalate*, Milwaukee J. Sentinel (updated Sept. 3, 2021, 4:48 PM), <https://www.jsonline.com/story/news/politics/2021/09/03/milwaukee-county-clerk-refuses-turn-over-ballots-republican-lawmaker/5712256001/>.

⁶ Wis. Stat. § 19.35(4)(a).

⁷ To be clear, the August 13, 2021 request referenced above seeks records from the period of July 15, 2021, through the date the search is conducted. This request seeks the same types of records from August 13, 2021, through the date the search is conducted. See <https://www.americanoversight.org/document/public-records-request-to-wisconsin-rep-sanfelippo-seeking-guidance-for-entities-investigating-november-2020-election.>]

2. A complete copy (including any attachments) of any interim reports, analyses, notifications, or other work product submitted by individuals or entities under contract to investigate the November 2020 election.

For all portions of this request, this request should be interpreted to include records pertaining to the investigation announced by Speaker Vos on May 26, the expansion announced by Speaker Vos on July 30, the investigation announced by Representative Brandtjen on July 26, and any other investigations by the Assembly into any matters related to the 2020 election. Please note that this request seeks records in addition to, and not duplicative of, the records sought by any previous requests submitted by American Oversight.

Fee Waiver Request

In accordance with Wis. Stat. § 19.35(3)(e), American Oversight respectfully requests that the records be produced without charge. Providing American Oversight with a waiver of fees is in the “public interest” because American Oversight will, in accordance with its organizational mission, make the records available to the public without charge. These disclosures will likely contribute to a better understanding of relevant government action by the general public.

American Oversight’s work is aimed solely at serving the public interest. As a 501(c)(3) nonprofit, American Oversight does not have a commercial purpose and the release of the information requested is not in American Oversight’s financial interest. Rather, American Oversight’s mission is to serve the public by promoting transparency in government, educating the public about government activities, and ensuring the accountability of government officials. American Oversight uses the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media.⁸ American Oversight also makes materials it gathers available on its public

⁸ See generally *News*, American Oversight, <https://www.americanoversight.org/blog>; *State Investigations*, American Oversight, <https://www.americanoversight.org/states>; see, e.g., *State Government Contacts with Voting-Restriction Activists*, American Oversight, <https://www.americanoversight.org/investigation/state-government-contacts-with-voting-restriction-activists>; *Wisconsin Documents Offer Window into Early Uncertainty over COVID-19*, American Oversight, <https://www.americanoversight.org/wisconsin-documents-offer-window-into-early-uncertainty-over-covid-19>.

website⁹ and promotes their availability on social media platforms, such as Facebook and Twitter.¹⁰

The public has a significant interest in the Wisconsin state legislature's investigations of the November 2020 election.¹¹ Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the government, including whether or to what extent partisan motivations or external actors guided the decision to open investigations, expand the scope of existing investigations, or influence the conduct of the investigations. American Oversight is committed to transparency and makes the responses agencies provide to public records requests publicly available, and the public's understanding of the government's activities would be enhanced through American Oversight's analysis and publication of these records.

American Oversight asks that if its request for a fee waiver is denied in whole or in part, that you contact us prior to incurring any costs.

Guidance Regarding the Search & Processing of Requested Records

American Oversight seeks all responsive records regardless of format, medium, or physical characteristics. In conducting your search, please understand the term "record" in its broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, or minutes of any meetings, telephone conversations or discussions. Our request includes any attachments to these records. **No category of material should be omitted from search, collection, and production.**

Please search all locations and systems likely to have responsive records regarding official business. **You may not exclude searches of files or emails in the personal custody of your officials, such as personal email accounts.** Emails conducting government business sent or received on the personal account of the authority's officer or employee constitutes a record for purposes of Wisconsin's public records laws.¹²

In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the

⁹ *Documents*, American Oversight, <https://www.americanoversight.org/documents>.

¹⁰ American Oversight currently has approximately 15,630 page likes on Facebook and 108,100 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Sept. 13, 2021); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Sept. 13, 2021).

¹¹ *See supra*, notes 1-5.

¹² Wisc. Dep't of J., *Wisconsin Public Records Law Compliance Guide*, Oct. 2019, at 3, <https://www.doj.state.wi.us/sites/default/files/office-open-government/Resources/PRL-GUIDE.pdf>.

requested records.¹³ If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document. If a request is denied in whole, please state specifically that it is not reasonable to segregate portions of the record for release.

American Oversight expects that you have ensured all responsive records and records relevant to this request and your compliance with it are retained as required by Wisconsin law. Please take all appropriate steps to ensure that no such records are deleted by the agency before the completion of processing for this request. If records potentially responsive or relevant to this request, or your compliance with it, are likely to be located on systems where they are subject to potential deletion, including on a scheduled basis, please take steps to prevent that deletion, including, as appropriate, by instituting a litigation hold on those records.

Conclusion

If you have any questions regarding how to construe this request for records or believe that further discussions regarding search and processing would facilitate a more efficient production of records of interest to American Oversight, please do not hesitate to contact American Oversight to discuss this request. American Oversight welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, American Oversight and your agency can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in an electronic format by email. Alternatively, please provide responsive material in native format or in PDF format on a USB drive. Please send any responsive material being sent by mail to American Oversight, 1030 15th Street NW, Suite B255, Washington, DC 20005. If it will accelerate release of responsive records to American Oversight, please also provide responsive material on a rolling basis.

We share a common mission to promote transparency in government. American Oversight looks forward to working with your agency on this request. If you do not understand any part of this request, please contact Sarah Colombo at records@americanoversight.org or (202) 869-5244. Also, if American Oversight's

¹³ Wis. Stat. § 19.36(6).

request for a fee waiver is not granted in full, please contact us immediately upon making such a determination.

Sincerely,

/s/ Sarah Colombo

Sarah Colombo
on behalf of
American Oversight



September 15, 2021

VIA EMAIL

Representative Joe Sanfelippo
Wisconsin State Capitol, Room 314 North
Madison, WI 53708
rep.sanfelippo@legis.wi.gov

Re: Public Records Law Request

Dear Representative Sanfelippo:

Pursuant to Wisconsin's public records law, Wis. Stat. §§ 19.31–19.39, American Oversight makes the following request for copies of records.

On May 26, 2021, Wisconsin State Assembly Speaker Robin Vos indicated that the legislature would hire three former law enforcement officers and a supervising attorney to investigate the November 2020 election.¹ Since the time of this announcement, Speaker Vos has expanded the scope of the investigation, appointing former Wisconsin Supreme Court justice Michael Gableman as “special counsel,” and gaining Assembly approval to spend at least \$676,000 in public funds, including budgeting for five investigators and \$325,000 for a data analysis contractor.² Speaker Vos also has indicated that he is willing to authorize subpoenas requested by Michael Gableman.³

Representative Janel Brandtjen, chair of the Assembly Committee on Campaigns and Elections has likewise indicated she intends to pursue an investigation. On August 6, 2021, she issued demands for ballots and election equipment to Brown and Milwaukee

¹ Patrick Marley, *Top Wisconsin Republican Robin Vos Hires Former Cops to Investigate November Election*, Milwaukee J. Sentinel (updated May 26, 2021, 5:16 PM), <https://www.jsonline.com/story/news/politics/elections/2021/05/26/wisconsin-republican-robin-vos-hires-ex-cops-investigate-election/7455034002/>.

² Scott Bauer, *Wisconsin Election Probe Includes \$325,000 for Data Analysis*, Associated Press, Sept. 1, 2021, <https://apnews.com/article/technology-business-elections-wisconsin-election-2020-f0341f70bb123e809304771ed0c0b909>.

³ Patrick Marley, *Top Assembly Republican Robin Vos is Leaving It to an Investigator to Decide on Subpoenas for the Election Investigation*, Milwaukee J. Sentinel (Aug. 27, 2021, 12:47 PM), <https://www.jsonline.com/story/news/politics/2021/08/27/robin-vos-let-gableman-make-call-wisconsin-election-subpoenas/5617382001/>.

counties,⁴ though those counties have indicated they will not comply with Rep. Brandtjen’s requests, which legislative attorneys deemed unenforceable.⁵

American Oversight seeks records with the potential to shed light on the Wisconsin legislature’s investigations of elections.

Requested Records

American Oversight requests that your office produce the following records “as soon as practicable and without delay”:⁶

All records substantively described in the request identified as WI-REP-21-1140⁷ from the period after that request was submitted—*i.e.*, from August 13, 2021, through the date of the search. For clarity, the records requested are reproduced, with modifications to account for newly identified information, as follows:

All records reflecting communications (including emails, email attachments, text messages, messages on messaging platforms (such as Slack, GChat or Google Hangouts, Lync, Skype, or WhatsApp), telephone call logs, calendar invitations, calendar entries, meeting notices, meeting agendas, informational material, draft legislation, talking points, any handwritten or electronic notes taken during any oral communications, summaries of any oral communications, or other materials) sent or received by Representative Joe Sanfelippo, his aide Joshua Hoisington, or his aide Dominik Kolodziejczyk (or anyone communicating on Representative Sanfelippo’s behalf) regarding any investigations of the 2020 election.

This request should be interpreted to include, but not be limited to, all of the categories of records described in the request identified as [Request 5: WI-REP-21-1138 Request 6: WI-REP-21-1139/Request 7: WI-REP-21-1140],⁸ as well as records relating to, at a minimum:

⁴ Patrick Marley, et al., *Republican Lawmaker Seeks to Seize Ballots and Voting Machines in Milwaukee and Brown Counties*, Milwaukee J. Sentinel (updated Aug. 8, 2021, 9:26 PM), <https://www.jsonline.com/story/news/politics/2021/08/06/gop-lawmaker-seeks-seize-ballots-and-voting-machines-milwaukee-and-brown-counties/5512163001/>.

⁵ Patrick Marley, *Milwaukee, Brown County Clerks Refuse to Turn Over Ballots, Voting Machines to GOP Lawmaker, but Issue Could Escalate*, Milwaukee J. Sentinel (updated Sept. 3, 2021, 4:48 PM), <https://www.jsonline.com/story/news/politics/2021/09/03/milwaukee-county-clerk-refuses-turn-over-ballots-republican-lawmaker/5712256001/>.

⁶ Wis. Stat. § 19.35(4)(a).

⁷ To be clear, the August 13, 2021 request referenced above seeks records from the period of July 15, 2021, through the date the search is conducted. This request seeks the same types of records from August 13, 2021, through the date the search is conducted. See <https://www.americanoversight.org/document/public-records-request-to-wisconsin-rep-sanfelippo-seeking-communications-with-entities-investigating-november-2020-election/wi-rep-21-1140>.

⁸ See *id.*

1. Speaker Vos’s trip to a rally in Alabama, during which he communicated with former President Trump regarding “efforts in Wisconsin to restore full integrity and trust in elections”⁹
2. The “cyber symposium” in Sioux Falls, South Dakota held by MyPillow CEO Mike Lindell, which Michael Gableman, Wisconsin Elections Commission member Bob Spindell, and Rep. Timothy Ramthun attended¹⁰
3. The demands for ballots and election equipment issued by Rep. Brandtjen to Brown and Milwaukee counties, their legal enforceability, and Speaker Vos’s decision regarding whether or not to sign the demands¹¹
4. Communications with former National Republican Committee and Republican Party of Wisconsin chair Reince Priebus¹²
5. Communications with or regarding Shiva Ayyadurai or EchoMail, Inc.¹³

Please note that these are exemplar categories only and should not be interpreted to limit American Oversight’s request for records reflecting *all* communications sent or received by the parties described above regarding any investigations of the 2020 election.

Please also note that American Oversight does not seek, and that this request specifically excludes, the initial mailing of news clips or other mass-distribution emails. However, subsequent communications forwarding such emails are responsive to this request. In other words, for example, if Rep. Sanfelippo received a mass-distribution news clip email referencing the relevant statement by the president, that initial email would not be responsive to this request. However, if Rep. Sanfelippo forwarded that email to another individual with their own commentary, that subsequent message would be responsive to this request and should be produced.

For all portions of this request, this request should be interpreted to include records pertaining to the investigation announced by Speaker Vos on May 26, the expansion

⁹ Patrick Marley, *Robin Vos Meets with Trump on Wisconsin’s Election Review Two Months After the Former President Trashed Him*, Milwaukee J. Sentinel (Aug. 23, 2021, 6:12 PM), <https://www.jsonline.com/story/news/politics/2021/08/22/robin-vos-spends-day-trump-talking-wisconsin-election-review/8234368002/>.

¹⁰ Patrick Marley & Molly Beck, *Officials in Charge of Wisconsin’s Election Review Attends Conspiracy-Fueled Symposium Hosted by MyPillow’s Mike Lindell*, Milwaukee J. Sentinel (updated Aug. 12, 2021, 6:16 PM), <https://www.jsonline.com/story/news/politics/2021/08/12/wisconsin-election-official-attends-mike-lindell-cyber-symposium/8108850002/>.

¹¹ *See supra*, notes 3-5.

¹² Patrick Marley, *Reince Priebus Says Subpoenas Will Be Issued Soon in Wisconsin Review of Election That Will Cost \$680,000 or More*, Milwaukee J. Sentinel (updated Aug. 25, 2021, 8:51 PM), <https://www.jsonline.com/story/news/politics/2021/08/25/reince-priebus-says-680-000-more-spent-election-review/5583974001/>.

¹³ Melanie Conklin, *GOP to Spend “\$680,000, at least, to start,” in Hunt for Disproven ‘Steal,’* Wis. Examiner (Aug. 25, 2021, 3:06 PM), <https://wisconsinexaminer.com/brief/gop-to-spend-680000-at-least-to-start-in-hunt-for-disproven-steal/>.

announced by Speaker Vos on July 30, the investigation announced by Representative Brandtjen on July 26, and any other investigations by the Assembly into any matters related to the 2020 election. Please note that this request seeks records in addition to, and not duplicative of, the records sought by any previous requests submitted by American Oversight.

Fee Waiver Request

In accordance with Wis. Stat. § 19.35(3)(e), American Oversight respectfully requests that the records be produced without charge. Providing American Oversight with a waiver of fees is in the “public interest” because American Oversight will, in accordance with its organizational mission, make the records available to the public without charge. These disclosures will likely contribute to a better understanding of relevant government action by the general public.

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The public has a significant interest in the Wisconsin state legislature’s investigations of the November 2020 election.¹⁷ Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the government, including whether or to what extent partisan motivations or external actors guided the decision to open investigations, expand the scope of existing investigations, or influence the conduct of the investigations. American Oversight is committed to transparency and makes the responses agencies provide to public records

¹⁴ *See generally* *News*, American Oversight, <https://www.americanoversight.org/blog>; *State Investigations*, American Oversight, <https://www.americanoversight.org/states>; *see, e.g., State Government Contacts with Voting-Restriction Activists*, American Oversight, <https://www.americanoversight.org/investigation/state-government-contacts-with-voting-restriction-activists>; *Wisconsin Documents Offer Window into Early Uncertainty over COVID-19*, American Oversight, <https://www.americanoversight.org/wisconsin-documents-offer-window-into-early-uncertainty-over-covid-19>.

¹⁵ *Documents*, American Oversight, <https://www.americanoversight.org/documents>.

¹⁶ American Oversight currently has approximately 15,630 page likes on Facebook and 108,100 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Sept. 13, 2021); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Sept. 13, 2021).

¹⁷ *See supra*, notes 1–5.

requests publicly available, and the public's understanding of the government's activities would be enhanced through American Oversight's analysis and publication of these records.

American Oversight asks that if its request for a fee waiver is denied in whole or in part, that you contact us prior to incurring any costs.

Guidance Regarding the Search & Processing of Requested Records

American Oversight seeks all responsive records regardless of format, medium, or physical characteristics. In conducting your search, please understand the term "record" in its broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, or minutes of any meetings, telephone conversations or discussions. Our request includes any attachments to these records. **No category of material should be omitted from search, collection, and production.**

Please search all locations and systems likely to have responsive records regarding official business. **You may not exclude searches of files or emails in the personal custody of your officials, such as personal email accounts.** Emails conducting government business sent or received on the personal account of the authority's officer or employee constitutes a record for purposes of Wisconsin's public records laws.¹⁸

In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records.¹⁹ If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document. If a request is denied in whole, please state specifically that it is not reasonable to segregate portions of the record for release.

American Oversight expects that you have ensured all responsive records and records relevant to this request and your compliance with it are retained as required by Wisconsin law. Please take all appropriate steps to ensure that no such records are deleted by the agency before the completion of processing for this request. If records potentially responsive or relevant to this request, or your compliance with it, are likely to be located on systems where they are subject to potential deletion, including on a scheduled basis, please take steps to prevent that deletion, including, as appropriate, by instituting a litigation hold on those records.

¹⁸ Wisc. Dep't of J., *Wisconsin Public Records Law Compliance Guide*, Oct. 2019, at 3, <https://www.doj.state.wi.us/sites/default/files/office-open-government/Resources/PRL-GUIDE.pdf>.

¹⁹ Wis. Stat. § 19.36(6).

Conclusion

If you have any questions regarding how to construe this request for records or believe that further discussions regarding search and processing would facilitate a more efficient production of records of interest to American Oversight, please do not hesitate to contact American Oversight to discuss this request. American Oversight welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, American Oversight and your agency can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in an electronic format by email. Alternatively, please provide responsive material in native format or in PDF format on a USB drive. Please send any responsive material being sent by mail to American Oversight, 1030 15th Street NW, Suite B255, Washington, DC 20005. If it will accelerate release of responsive records to American Oversight, please also provide responsive material on a rolling basis.

We share a common mission to promote transparency in government. American Oversight looks forward to working with your agency on this request. If you do not understand any part of this request, please contact Sarah Colombo at records@americanoversight.org or (202) 869-5244. Also, if American Oversight's request for a fee waiver is not granted in full, please contact us immediately upon making such a determination.

Sincerely,

/s/ Sarah Colombo
Sarah Colombo
on behalf of
American Oversight

From: Ronald Heuer <ron@wisconsinvoteralliance.com>
Sent: Sunday, October 10, 2021, 4:02 PM
To: undisclosed-recipients:;
Subject: WVA - Please be objective in your evaluation of the 2020 Election

To All,

Latest Special Counsel Investigation Video

Mike Gableman update video on his investigation.

<https://www.youtube.com/watch?v=352AnQI5Wgs>

Don't believe everything you hear

There is a group of people working a counter narrative to the Gableman investigation. I don't understand their motive fully although I have suspicions that money is in the mix. One of the people associated with that group is calling GOP County Chairman and misrepresenting who he is working with.

All of us who are genuinely concerned about "election integrity" should be open minded and interested in hearing all sides of the findings rather than being singularly focused on malfeasance with the machines data.

The narrative that a "forensic audit" of voting machines is the only answer to the suspected malfeasance in the Nov, 2020 election is *myopic*. WVA has collected ample evidence to show the WI-5 mayors and their staffs cheated with the help of CTCL and other left-leaning non-profit organizations. These mayors were complicit in running racially directed GOTV efforts and allowed outsiders inside the WisVote system! Could there be issues where ballots were cast by dead voters or perhaps multiple ballots cast by the same person. Yes, without a doubt!

Reflect on the information from Antrim County, MI, Fulton County, GA, and Maricopa County, AZ, and even all the investigation by Mike Lindell. In all the findings and evidence produced thus far it doesn't seem to be the machines, but rather sloppy work in managing the election process, and influence from left-leaning third party non-profits.

Read this article written by Hans van Spakovsky a senior legal fellow with the Heritage Foundation, a former commissioner on the Federal Elections Commission. I think he has nailed it. [Hans von Spakovsky article](#)

I keep saying it. The left has been working on their plan to control the elections for a long time, and they nailed it in November of 2020!

Please feel free to send this email to others and encourage your friends and acquaintances to become members of the WVA.

Ron Heuer
President, WVA
www.wisconsinvoteralliance.com