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## **10 Reasons to Impeach WEC Administrator Meagan Wolfe**

Wisconsin law provides for the impeachment of WEC Administrator Meagan Wolfe. Wis. Stat. § 17.06(1) states, “Any civil officer of this state may be removed from office by impeachment for corrupt conduct in office ....” According to Wis. Stat. § 5.05(3g), “The [Wisconsin election] commission administrator shall serve as the chief election officer of this state.” Since Administrator Wolfe is a Wisconsin state officer, Wolfe is subject to Wisconsin’s articles of impeachment.

There is a distinction between moral and ethical corrupt conduct and criminal corrupt conduct. As a Wisconsin state officer, it is possible for Administrator Wolfe to commit corrupt conduct without committing a crime such as election bribery or election fraud, though currently there is one allegation of election fraud against Wolfe (see Cause 7 below). Corrupt conduct includes a public official’s conduct that constitutes a breach of public trust or dishonest performance of official duties. Wolfe violated the public’s trust because she allegedly failed to follow Wisconsin election laws 12 times.

Wis. Stat. § 17.001 defines “cause” for an impeachment as “inefficiency, neglect of duty, official misconduct, or malfeasance in office.” Below are 10 causes to impeach Administrator Wolfe and remove her as Wisconsin’s chief election officer. Also below are Administrator Wolfe’s 12 violations or alleged violations of Wisconsin election law. Though we claim there are 10 causes and 12 violations or alleged violations of law to impeach Administration Wolfe, we only need one violation of law or serious act of Wolfe’s “misconduct” or “malfeasance” for her impeachment.

### **10 Causes to Impeach Administrator Meagan Wolfe**

Cause 1: Administrator Wolfe's memos promoted the unlawful use of ballot drop boxes.

Cause 2: Administrator Wolfe permitted absentee voting in long-term care facilities in three 2020 elections without special voting deputies as required by Wisconsin election law.

Cause 3: Administrator Wolfe promoted the curing of absentee ballots in violation of Wisconsin election law.

Cause 4: Administrator Wolfe permits a spouse, campaign volunteer, etc, to return voters' absentee ballot applications to clerks' offices in violation of Wisconsin election law.

Cause 5: Administrator Wolfe maintains an absentee ballot request webpage presumably in violation of Wisconsin election law.

Cause 6: Administrator Wolfe's failure to make a timely decision in the Weidner et al. v. Tara Coolidge WEC complaint allowed Racine's mobile polling place to be used for alleged unlawful voting in two elections.

Cause 7: Administrator Wolfe recommended Brooklyn New York Resident Michael Spitzer Rubinstein to help Wisconsin election clerks with the 2020 election in alleged violation of Wisconsin's election official and election fraud laws.

Cause 8: Administrator Wolfe presumably misinterpreted a Wisconsin election law to dismiss a WEC complaint and then assigned to two of her subordinates to adjudicate the complaints against her in an alleged cover-up.

Cause 9: Administrator Wolfe failed to include CTCL's grants in her September 2020 report of "How Wisconsin was Preparing for the 2020 Election."

Cause 10: Administrator Wolfe failed to report CTCL and the Zuckerberg 5 clerks for redesigning English and Spanish absentee ballot instructions in alleged violation of Wisconsin election law

### **Administrator Wolfe's 12 Violations or Alleged Violations of Election Law**

1. Administrator Wolfe approved and promoted the placing of absentee ballots in ballot drop boxes in violation of Wis. Stat. § 6.87(4)(b)1. (See Cause 1)

2. Administrator Wolfe approved and promoted a family member or another person placing a voter's absentee ballot in ballot drop boxes in violation of Wis. Stat. § 6.87(4)(b)1. (See Cause 1 and Cause 4).
3. Administrator Wolfe permitted absentee voting in long-term residential care facilities during three 2020 elections in violation of Wis. Stat. § 6.85(4). (See Cause 2)
- 4,5. Administrator Wolfe advocates for the curing of ballots in violation of Wis. Stat. § 6.87(6d) and Wis. Stat. § 6.87(9). (See Cause 3)
6. Administrator Wolfe permits a spouse, campaign volunteer, etc. to return absentee ballot applications in violation of Wis. Stat. § 6.86(1)(a)(2). (See Cause 4)
7. Administrator Wolfe maintains a WisVote webpage as a method for voters to obtain absentee ballots in alleged violation of Wis. Stat. § 6.86 (See Cause 5)
8. Administrator Wolfe allowed the City of Racine to use a handicap inaccessible mobile polling place in two elections in alleged violation of Wis. Stat. 5.25(4)(a). (See Cause 6).
- 9,10. Administrator Wolfe recommended New York resident Michael Spitzer-Rubenstein to help Wisconsin election clerks with the 2020 election in alleged violations of Wis. Stat. § 5.02(4e) and Wis. Stat. § 12.13(2)(7). (See Cause 7)
11. Administrator Wolfe allegedly misinterpreted Wisconsin's Compliance Review law—Wis. Stat. § 5.06(1)—as a quick and easy means to dispose of a CTCL related complaint. (See Cause 8).
12. Administrator Wolfe failed to report CTCL and the Wisconsin municipal election officials for creating absentee ballot instructions in alleged violation of Wis. Stat. § 6.869 (Cause 10).

## **Cause 1**

### **Administrator Wolfe Unlawfully Promoted the Use of Ballot Drop Boxes**

In the Wisconsin Supreme Court's Teigen decision, the justices said Administrator Wolfe's two memos that advised Wisconsin election clerks to use ballot drop boxes were in violation of the law (To read about Wolfe's two ballot drop box memos in the Wisconsin Supreme Court decision, click [here](#) and see pages 4 and 5).

The Wisconsin Supreme Court justices explained that it is the job of the legislature, not WEC Administrator Wolfe, to write Wisconsin election laws. “A majority of this court permits Administrator Megan Wolfe's unilateral declarations regarding election procedures to have the force of law, subject only to judicial review (if the court even bothers to take the case). 'No one man should have all that power.' Kanye West, *Power* (2010). It is not the province [or the prerogative] of a state executive official to re-write the state's election code.” (Click [here](#) and see page 16).

Wolfe’s unlawful promotion of ballot drop boxes had direct consequences on the 2020 presidential election. The cities of Green Bay, Kenosha, Madison, Milwaukee and Racine received \$216,000 from the Center for Tech and Civic Life (CTCL) to specifically purchase and use 44 ballot drop boxes in Wisconsin’s five largest metropolitan areas. No one knows how many thousands of ballots were deposited in Wisconsin’s unlawful drop boxes during the 2020 election.

## **Cause 2**

### **Administrator Wolfe Unlawfully Permitted Absentee Voting in Long-Term Care Facilities Without Special Voting Deputies**

Wis. Stat. § 6.85(4) requires each municipality to send two special voting deputies to qualified retirement homes or residential care facilities for the purpose of early absentee voting. WEC suspended Wis. Stat. § 6.85(4)’s special voting deputy requirement for three 2020 elections. Wisconsin’s Legislative Accountability Board (LAB) concluded WEC violated Wisconsin election law each time WEC permitted absentee voting in long-term care facilities without requiring at least two special voting deputies.

Wisconsin Institute of Law and Liberty (WILL) reviewed WEC’s suspensions of special voting deputies in three 2020 elections and concluded the following: “But under Wis. Stats. § 6.84 WEC lacked the authority to unilaterally change the law. It had two choices—figure out a way to comply with the statute (as some municipalities eventually did) or ask the legislature to change it. Making up something “better”—even if it was “better”—was beyond its authority. It’s stunning that its current chair and Executive Director don’t even seem to have recognized this problem.”

### Cause 3

#### **Administrator Wolfe Promotes the Curing of Ballots in Violation of the Law**

Administrator Wolfe encourages the curing of absentee ballots by clerks although the law stipulates that the voters are responsible for providing missing information. Wis. Stat. § 5.05(3g) proclaims Administrator Wolfe the chief election officer of Wisconsin. As chief election officer, Administrator Wolfe is responsible for the instructions contained in the Election Administration Manual for Wisconsin Municipal clerks. The Wisconsin Election Administration Manual for Municipal Clerks states, “Clerks may add a missing witness address using whatever means are available.” (For the Wisconsin Election Administration Manual, click [here](#) and see page 99).

The term “curing of the ballot” comes from adding a missing residential address, city, state, or zip code to an absentee ballot. Curing occurs when an absentee ballot witness fails to provide his or her complete address information. When clerks added missing absentee ballot information, they turned invalid absentee ballots into valid absentee ballots. However, clerks adding missing information to ballot envelopes is contrary to Wisconsin law.

Wis. Stat. § 6.87(6d) states, “If a certificate is missing the address of a witness, the ballot may not be counted.” Wis. Stat. § 6.87(9) is the Wisconsin law that addresses how to correct missing absentee ballot information. The law says, “If a municipal clerk receives an absentee ballot with an improperly completed certificate or with no certificate, the clerk may return the ballot to the elector, inside the sealed envelope when an envelope is received, together with a new envelope if necessary, whenever time permits the elector to correct the defect and return the ballot within the period authorized under sub. (6).” According to Wis. Stat. § 6.87(9), the duty to correct absentee ballot errors is the voter’s responsibility, not the clerks as Administrator Wolfe recommends. No where in the Wisconsin statutes does it say clerks may fill in missing information on an absentee ballot.

It is no surprise that WILL discovered high rates of cured ballots in Green Bay and Racine (Click [here](#) and see page 14). US Digital Response (USDR), Elections Group, and National Vote at Home Institute (NVAHI) were CTCL’s nonprofit partners that were active in curing Green Bay and Racine ballots. Elections Group offered their “mail and absentee ballot processing” and “cure process” services to all Zuckerberg 5 cities. USDR offered the Zuckerberg 5 clerks to automate the processing of their absentee ballots.

Michelle Shafer of Elections Group emailed Racine Clerk Tara Coolidge on October 22, 2020 to report that, “Last Week 58 ballots needed curing.” In a September 4, 2020, email to Green Bay Clerk Teske, USDR employee Erika Reinhardt offered to streamline and automate Green Bay’s ballot cure process. The question remains, “Why were non-Wisconsin residents and non-Wisconsin election officials involved in curing of Wisconsin ballots when curing of ballots is not even legal in Wisconsin?”

#### Cause 4

#### **Administrator Wolfe Permits a Spouse, Campaign Volunteer, etc, to Return Voters’ Absentee Ballot Applications to Clerks’ Offices in Violation of Wisconsin Election Law**

Wis. Stat. § 5.05(3g) proclaims Administrator Wolfe the chief election officer of Wisconsin. As chief election officer, Administrator Wolfe is responsible for the instructions contained in the Election Administration Manual for Wisconsin Municipal clerks.

The Election Manual states, “If an absentee ballot request is delivered by a person other than the registered elector (spouse, campaign volunteer, etc.) it is treated as a by mail request” (For the Wisconsin Election Administration Manual, click [here](#) and see page 89).

Wis. Stat. § 6.86 describes six separate “methods for obtaining an absentee ballot.” Wis. Stat. § 6.86(1)(a)(2) provides the law for submitting an absentee ballot application directly to the municipal clerk. “In person at the office of the municipal clerk or at an alternate site under s. 6.855, if applicable.”

Wis. Stat. § 6.86(1)(a)(2) only allows for the *elector* to submit his or her absentee ballot application in person at the clerks office. Wolfe allowing a “spouse,” “campaign volunteer,” or some other agent acting on behalf of the elector is contrary to the plain language of Wis. Stat. § 6.86(1)(a)(2). For Wolfe to treat an absentee ballot application submitted by an agent to the clerk’s office as a delivered “by mail” request is also contrary to the plain language of Wis. Stat. § 6.86(1)(a)(2) and contrary to what actually occurred.

The method in which Wolfe mismanaged the return of *absentee ballot applications* and the manner in which Wolfe mismanaged the return of *absentee ballots* are analogous. The Wisconsin Supreme Court took up the issue of the delivery of absentee ballots in the Teigen case. The court

said, “In regard to whom may return an absentee ballot, the circuit court explained that “[it did not] see any language in the statute that provides a basis for having agents, somebody other than the elector, actually deliver the ballot. Further, in quoting the portion of the [Wolfe] memo that purported to allow family members or other persons to return a ballot on behalf of the voter, the court concluded that it did not “see anything in the statute that says that” (Click [here](#) and see page 57). As with the return of absentee ballots, Wisconsin law does not provide for a family member or agent to submit an elector’s absentee ballot application directly to a clerk’s office as Wolfe is allowing.

In another passage the Court said, “Teigen focuses his challenge to the March 2020 [Wolfe] memo on the following sentence: “A family member or another person may also return the ballot on behalf of the voter.” Teigen argues, correctly, that this advice was contrary to Wis. Stat. § 6.87(4)(b)1. (Click [here](#) and see page 112). As with the Teigen case, a family member or another person submitting an absentee ballot application to the clerk on behalf of an elector is contrary to law.

As with the following Teigen quote, Wis. Stat. § 6.86(1)(a)(2) requires a person to person exchange between the elector who is submitting an absentee ballot application and the clerk or the clerk’s official representative. “Rather, this statute specifies return of absentee ballots through two and only two means: mailing by the voter to the municipal clerk, or personal delivery by the voter to the municipal clerk. And personal delivery to the clerk contemplates a person-to-person exchange between the voter and the clerk or the clerk’s authorized representative at either the clerk’s office or a designated alternate site. Wis. Stat. §§ 5.02(10), 6.855, 6.87(4)(b)1., 6.88(1). The two [Wolfe] memos advising otherwise therefore conflict with the law and are properly void” (Click [here](#) and see page 89).

## **Cause 5**

### **Administrator Wolfe Maintains an Absentee Ballot Request Webpage Presumably in Violation of Wisconsin Election Law**

On July 26, 2022 Hot Government President Harry Wait requested absentee ballots for Wisconsin House Speaker Robin Vos, Racine Mayor Corey Mason, and several other registered Wisconsin voters. Harry ordered absentee ballots to prove how easy it was for one person to obtain absentee ballots by using the names of other Wisconsin voters. Harry had no intention of using the absentee ballots to vote. Harry quickly and publicly confessed to requesting absentee

ballots in the name of others in his emails that he sent to Racine County Sheriff Christopher Schmaling, Racine Clerk Tara Coolidge, Racine County Clerk Patricia Hanson, etc. By Harry bringing state and national attention to this issue, Harry exposed the flaws in WisVotes' process of mailing of absentee ballots to voters.

Wis. Stat. § 6.86 describes six “methods for obtaining an absentee ballot.” All six methods to request an absentee ballot require “proof of identification,” though there are a few, limited exceptions. After Harry went public with his absentee ballot requests for other people, WEC sent out confirmation postcards to voters who requested absentee ballots be sent to new addresses. WEC sending out postcards to verify that absentee ballots were properly sent is WEC's admission that the WisVote absentee ballot request process was flawed.

Had Administrator Wolfe required WisVote to ask Harry to provide proof of identification as the law required, Harry would not have received other people's absentee ballots, and WEC would not have had to send out confirmation cards. The real crime is the mailing of absentee ballots without first receiving proof of identification as the law demands. Because of Harry the public is learning why proof of identification is such an important safeguard to preventing vote fraud.

A WEC webpage provides an online form in which voters can submit their names, addresses, and birthdate to obtain an absentee ballot. Wis. Stat. § 6.86 describes six “methods for obtaining an absentee ballot;” however, none of six Wis. Stat. § 6.86 methods state that WisVote's absentee ballot form is a lawful method to apply for absentee ballots. Furthermore, Wis. Stat. § 6.86 requires voters to only direct their absentee ballot requests to their municipal clerk, not WEC.

The Wisconsin State Supreme Court ruled that Administrator Wolfe did not have the authority to create a law that allowed citizens to use ballot drop boxes to return their absentee ballots. According to Wis. Stat. § 6.86, “an absent elector may make a written application to the municipal clerk of that municipality for an official ballot,” but Wis. Stat. § 6.86 does not give WEC the authority to WEC to intervene in the absentee ballot application process. Since there is no law that allows WEC to serve as an absentee ballot intermediary, Administrator Wolfe created her own an absentee voting application law like she created the ballot drop box law. It appears that Administrator Wolfe deliberately set up WEC's absentee voting application method as means for absentee voters to avoid Wisconsin's requirement for proof of identification.

When Harry Wait submitted absentee ballot requests using other people's names, none of Harry's absentee ballot requests were legitimate since WEC had no legal authority to establish the

WisVote absentee ballot request form. The irony of WEC wanting to charge Harry Wait with a crime is that Harry Wait submitted his absentee ballot requests by using WEC's illegal system.

## Cause 6

### **Administrator Wolfe's Failure to Make a Timely Decision in the Weidner et al. v. Tara Coolidge WEC complaint allowed Racine's Mobile Polling Place to be Used for Alleged Unlawful Voting in Two Elections**

HOT Government members Sandy Weidner and Sandra Morris submitted a WEC complaint on March 24, 2022 because the Racine mobile polling location was *not* accessible to every disabled person as required by law. Wis. Stat. 5.25(4)(a) states, "Each polling place shall be accessible to all individuals with disabilities." In response to the complaint, Racine Clerk Tara Coolidge said that a bell was placed outside the mobile polling location door for voters who were physically unable to enter the converted mobile home. Racine implied that the bell constituted a "reasonable accommodation" for voters unable to enter. However, the handicap accessibility law for polling places is absolute. The statute does not provide the clerk's office to unilaterally decide to have a reasonable accommodation as an alternative; the law unequivocally mandates "Each polling place shall be accessible to all individuals with disabilities." To view a video on the extent of Racine's mobile polling location inaccessibility, please click here.

WEC requires a Polling Place Accessibility Survey for each new polling place (Click here and see page 155). As soon as WEC discovered Racine failed to submit a Polling Place Accessibility Survey, Administrator Wolfe should have temporarily restrained Racine from using its mobile polling location until WEC determined that the mobile unit was accessible to all individuals with disabilities as the law requires.

Administrator Wolfe's malfeasance allowed Racine to use its mobile polling place in two elections. WILL filed a WEC complaint alleging that Racine's mobile polling location is a ploy for partisan politics. Most likely WILL will file a circuit court lawsuit regardless of how WEC decides its mobile polling place complaint. Indeed, the second complaint could have been avoided had Administrator Wolfe restrained Racine from using the mobile polling place until WEC completed the required Polling Place Accessibility Survey.

WEC had one standard for the Racine mobile polling location and another standard for Harry Wait. During the August WEC commissioners meeting, Administrator Wolfe and the

commissioners discussed *expediting* a Harry Wait investigation. Harry requested absentee ballots to expose the vulnerability of WisVotes absentee ballot request form. Once Harry said what he did to public officials and the public, there was no chance that Harry could vote multiple times. On the other hand, as the complaint involving the Racine mobile polling continued to linger at WEC, in two elections Racine voters casted ballots in a polling place after a complaint alleged Racine’s mobile polling location violates the law. Because votes were most likely cast at an illegal polling place, the complaint involving the Racine mobile polling location is the WEC complaint that Administrator Wolfe should have expedited, not the complaint against Harry Wait.

### **Cause 7**

#### **Administrator Wolfe Recommended Brooklyn, New York Resident Michael Spitzer-Rubinstein to help Wisconsin Election Clerks with the 2020 election in Alleged Violation of Wisconsin’s Election Official and Election Fraud Laws**

August 28, 2020 Milwaukee Election Commission Claire Woodall-Vogg recommended Michael Spitzer-Rubenstein and Hillary Hall of the NVAHI to Administrator Wolfe (See Exhibit 1). Without properly vetting Spitzer-Rubenstein, twelve minutes later Administrator Wolfe sent her own Spitzer-Rubenstein recommendation email. She said, “Green Bay, Madison, Racine and Kenosha-Passing along a recommendation and resource from Milwaukee. Just wanted you to be aware in case you thought this might be a group you are interested in working with or learning about. Claire in Milwaukee okayed me sending this along, and it sounds like you should reach out to Michael at [michael@voteathome.org](mailto:michael@voteathome.org) if you are interested in learning more.”

Administrator Wolfe who is Wisconsin’s highest election official gave her gold seal of approval for Michael Spitzer-Rubenstein to perform election official duties although Mr. Spitzer-Rubenstein lacked the training, certification, and oath of office that is required to work Wisconsin elections.

According to Wis. Stat. § 5.02(4e), the definition of an election official is “an individual who is charged with any duties relating to the conduct of an election.” The Wisconsin Election Administration Manual states that, “Election officials perform a very important public service by enhancing the high quality and integrity of our elections,” and it is important for a municipal clerk to make sure individuals are “qualified and well-trained.”

Michael Spitzer-Rubenstein was neither qualified nor well-trained, and his *New York* residence disqualified him from becoming a *Wisconsin* election official. After Wolfe recommended Spitzer-

Rubinstein to the municipal election clerks, any jobs the clerks assigned to Spitzer-Rubinstein would have involved his participation in the conducting of an election and a violation of Wis. Stat. § 5.02(4e).

Had Administrator Wolfe hired Spitzer-Rubenstein as a WEC employee, Mr. Spitzer-Rubenstein would have had to complete a job application, submit a resume, attend multiple job interviews, and undergo a background check. Because Mr. Spitzer-Rubenstein was not a vetted WEC employee and he was without the requisite Wisconsin training, certification and qualifications, Administrator Wolfe's referral of Mr. Spitzer-Rubenstein to the clerks of Green Bay, Madison, Kenosha and Racine constitutes official misconduct and malfeasance.

After Administrator Wolfe recommended Spitzer-Rubenstein to Racine, Spitzer-Rubenstein was involved in the Racine 2020 election in several ways:

- Spitzer-Rubenstein set up a ballot tracking and map system for Racine (Exhibit 3)
- Spitzer-Rubenstein collected Racine ballots and transported them (Exhibit 4)
- Spitzer-Rubenstein created an absentee ballot log for the Racine ballots that were received from the post office and ballot drop boxes (Exhibit 5)
- Spitzer-Rubenstein or his subordinates delivered ballots to the Racine polling places (Exhibit 5)

Green Bay employee Deanna Debruler wrote to State Rep. Shae Sortwell that Spitzer-Rubenstein role was "purely advisory" (Exhibit 6). What were Spitzer-Rubenstein's qualifications and experience that made him qualified to advise Green Bay on how to conduct Wisconsin elections?

Since Wisconsin Statute § 5.02(4e) defines an election official as "an individual who is charged with any duties relating to the conduct of an election," Spitzer-Rubenstein would have had to have been a Wisconsin election official in order to advise Green Bay election officials. However, Spitzer-Rubenstein could not become a Wisconsin election official because he was a New York resident, and he lacked the required training, certification, and oath of office. Debruler's email said Spitzer-Rubenstein's role was purely advisory, but Debruler did not explain, What election advice did Spitzer-Rubenstein provide to the City of Green Bay?

After Administrator Wolfe's recommended Spitzer-Rubenstein to Green Bay, Spitzer-Rubenstein was involved in the 2020 Green Bay election in numerous ways, so numerous that they are not all listed below (Exhibit 7, or click [here](#) and see pages 67-70).

- “Providing Instructions to the Central Count workers
- Offering to take ‘curing ballots’ off of the City of Green Bay’s plate
- Setting up voting machines and patterns in the Central Count Location
- Allocating poll workers on election day
- Determining whether to accept ballots after the deadline of 8 PM”

HOT Government Vice-President Jay Stone filed a WEC complaint in which he alleged Administrator Wolfe committed election fraud with her Michael Spitzer-Rubenstein recommendation. Wis. Stat. § 12.13(2)(7) states, “In the course of the person's official duties or on account of the person's official position, intentionally violate or intentionally cause any other person to violate any provision of chs. 5 to 12 for which no other penalty is expressly prescribed.”

Administrator Wolfe’s intentional recommendation of Mr. Spitzer-Rubenstein to Green Bay and Racine clerks led Mr. Spitzer-Rubenstein to perform dozens of Green Bay and Racine election official duties as evidence by Mr. Spitzer-Rubenstein’s numerous aforementioned emails. Mr. Spitzer-Rubenstein violated Wis. Stat. § 5.02(4e) because he performed Green Bay and Racine election official duties though he was not a Wisconsin election official. Administrator Wolfe should have vetted Spitzer-Rubenstein to learn that he was ineligible to become a Wisconsin election official before she recommended him.

Wolfe said she recommended Spitzer-Rubenstein to Green Bay, Kenosha, Madison, and Racine because these are four of the five largest Wisconsin cities, but Wolfe has never told us, what were the specific election duties that she thought Spitzer-Rubenstein could perform? Because Administrator Wolfe’s intentional August 28, 2020 job recommendation led Mr. Spitzer-Rubenstein to violate the Wisconsin election official law which doesn’t have a penalty, Administrator Wolfe presumably violated one of Wisconsin’s election fraud statutes, namely Wis. Stat. § 12.13(2)(7).

Jay Stone accused Administrator Wolfe of election fraud with his complaint on or about April 14, 2022. Harry Wait submitted absentee ballot applications on July 26, 2022. Within weeks the Wisconsin Department of Justice sent out investigators to interview Harry and other witnesses. Has the Wisconsin DOJ interviewed any of the key figures in the Wolfe fraud complaint? Has the DOJ interviewed Meagan Wolfe, Jay Stone, Michael Spitzer-Rubenstein, Racine Clerk Tara

Coolidge, Green Bay Clerk Kris Teske, or others? If not, then the Wisconsin DOJ has one standard for outsiders like Harry Wait and another standard for insiders like Meagan Wolfe.

### **Cause 8**

#### **Administrator Wolfe Presumably Misinterpreted a Wisconsin Law to Dismiss a WEC Complaint and Then Assigned Two of Her Subordinates to Adjudicate the Complaints Against Her in an Alleged Cover-Up**

On August 28, 2020 HOT Government Vice-President Jay Stone filed a WEC complaint because CTCL gave \$6.3 million in disproportionate election administration grants to five Democratic run Wisconsin cities. Mr. Stone did not question whether it was legal for CTCL to provide election administration grants to Wisconsin municipalities; his WEC complaint only questioned the grants' disproportionality; Stone cited First and Fourteenth Amendment violations as the basis of his complaint.

Administrator Wolfe announced a WEC CARES Subgrant on June 17, 2020 for \$4.1 million (Exhibit 8). Wolfe sent her grant announcement to all 1,922 election jurisdictions and provided an equal share of the \$4.1 million to each Wisconsin jurisdiction who applied for the grant. By comparison, CTCL secretly offered its grants to only Wisconsin's five largest cities, and CTCL distributed its grant money unevenly to a tiny percentage of Wisconsin election jurisdictions. In June 2020 Wolfe made sure all Wisconsin election jurisdiction had an equal opportunity to apply for the CARES subgrant and that each election jurisdiction received a fair share, but two months later Wolfe was unconcerned that CTCL invited only five Wisconsin jurisdictions to apply for its grants and CTCL disproportionately distributed its grants to Wisconsin election jurisdictions.

Every study of CTCL's grants has shown Stone was right about CTCL's disproportionate and partisan distribution of grants, including WILL's. Ten weeks before the November 3, 2020 election, Stone's complaint said, "CTCL specifically targeted its grant money to Wisconsin's five largest cities because CTCL's grant increases Democrat Joe Biden's statewide Wisconsin vote total and enhances Joe Biden's chances of winning Wisconsin's 10 electoral votes." Will had this to say about CTCL's grants helping candidate Joe Biden. "[CTCL's] Spending Increased Turnout for Joe Biden. Areas of the state that received [CTCL's] grants saw statistically significant increases in turnout for Democrats. Increases in turnout were not seen for Donald Trump."

Administrator Wolfe and her staff were communicating with CTCL and CTCL's partners before, and during the period when Wolfe was investigating Stone's complaint. For example, Wolfe and Noah Praetz, of the Elections Group exchanged emails 18 days before Stone filed his complaint (Exhibit 9). CTCL sent an August 18, 2020 email to WEC Assistant Administrator Richard Rydecki to make WEC aware of CTCL's free cybersecurity training and rural election administration grants (Exhibit 10).

Michael Spitzer-Rubenstein emailed Administrator Wolfe on August 25, 2020, three days before she recommended him to the clerks of Green Bay, Kenosha, Madison, and Racine (Exhibit 11). Spitzer-Rubenstein's subject line was "Elections Communications Assistance with CTCL. CTCL's Keegan Hughes emailed Rydecki with a description of USDR's tech support (Exhibit 12). Both Spitzer-Rubenstein and Keegan mentioned CTCL in their emails because they thought using CTCL's name was the best way to receive a positive response from WEC's staff.

Green Bay Mayor Eric Genrich's Chief of Staff Celestine Jeffreys emailed Rydecki on August 31, 2020 to let WEC know about Green Bay receiving a \$1 million election administration grant from CTCL (Exhibit 13). In a September 1, 2020 response to Jeffery's email, Rydecki said he provided the WEC Commissioners with Green Bay's addendum prior to today's Commissioners' meeting (Exhibit 14).

Administrator Wolfe sent a September 1, 2020 email to her subordinates asking if they were interested in attending a meeting with Spitzer-Rubenstein (Exhibit 15). Rachel Lefsky of the NVAHI emailed Administrator Wolfe on September 2, 2020 to invite Wolfe and others to an Operation Toolkit Demo (Exhibit 16).

Stone's complaint regarding CTCL's grant never stood a chance because of WEC and Wolfe's cozy relationship with CTCL, USDR, NVAHI, and their employees. Wolfe should have disclosed her relationship with CTCL, CTCL's partners, and their employees before she reviewed and decided the Stone complaint.

Indeed, Wolfe relationships with CTCL and its partners created a bias before she rendered her Stone complaint decision. Wolfe's bias in favor of CTCL is obvious because the emails between Wolfe and CTCL and CTCL's partners abruptly stopped on September 2, 2020, a mere three business days after Stone filed his WEC complaint. Wolfe's fear of getting caught is the only reason Wolfe stopped emailing and working directly with CTCL and its partners.

In Wolfe's September 11, 2020 decision she wrote, "Complaints filed under Section 5.06 are filed by individuals that are served by local election officials, but you do not reside in any of the municipalities cited in the complaint." However, in a Wisconsin Assembly Committee on Campaigns and Elections, Wolfe said, "There is mechanisms and statutes in terms of what the commission can look into through a formal complaint and one was filed with the commission but again the commission doesn't have any sort of statutory authority over private grant funding and so it was dismissed" (To watch a video of Wolfe's testimony before the Assembly Committee, click [here](#)) .

Wolfe gave two contrasting reasons why she dismissed Stone's complaint. In her letter she said she was dismissing Stone's complaint because Stone did not live in the same municipalities as the officials he filed his complaint against. At the Assembly Committee hearing Wolfe said she dismissed Stone's complaint because the commission had no statutory authority over private funding, which was very different than what she wrote in her letter to Stone.

Wolfe misled the Assembly committee because Wis. Stat. § 5.06(4) clearly authorized the commission to perform a Compliance Review that Stone's complaint requested. The statute says, "The commission may, on its own motion, investigate and determine whether any election official, with respect to any matter concerning nominations, qualifications of candidates, voting qualifications, including residence, ward division and numbering, recall, ballot preparation, election administration or conduct of elections, has failed to comply with the law or abused the discretion vested in him or her by law or proposes to do so."

After Wolfe dismissed Stone's complaint, Stone filed a complaint against Wolfe to challenge the reasons Wolfe gave for dismissing his complaint. Stone claimed Wolfe deliberately misinterpreted Wis. Stat. § 5.06(1) as a quick and easy means to dispose of his CTCL related complaint. Two times in Wolfe's letter she said Stone had to reside in the municipalities cited in his complaint. Wis. Stat. § 5.06(1) does not contain the word "municipality."

In the Teigen case the justices wrote, "Courts are not permitted to read words into a statute that the legislature did not insert itself." Wolfe was duty bound to apply Wis. Stat. § 5.06(1) to Stone's complaint without adding the word "municipality" to her decision. The plain language of Wis. Stat. § 5.06(1) permitted an elector like Stone to file a WEC complaint for the jurisdiction and district where he is an elector, not the municipality where he resides that Wolfe incorrectly stated in her dismissal letter.

Wolfe assigned Stone's complaint against her to her subordinate, staff attorney Nathan Judnic. Stone said Wolfe assigning a complaint against her to her subordinate was "a serious conflict of interest." When Judnic refused to recuse himself from reviewing a complaint against his boss, Stone filed a complaint against Judnic. Administrator Wolfe assigned Stone's complaint against Judnic to another one of her subordinates, James Witecha. Of course, both of Wolfe's subordinates ruled in favor of Wolfe and in support of their boss. Stone maintains that Wolfe deliberately chose two of her subordinates to review his complaints because Wolfe was using her underlings to cover-up her alleged misdeeds and involvement with CTCL and CTCL's partners.

### **Cause 9**

#### **Administrator Wolfe Failed to Include CTCL's grants in Her Sept. 2020 Report of How Wisconsin was Preparing for the 2020 Election**

WEC published a 125 page report called, "How Wisconsin is Ready for the November 3, 2020 Election" (This is a separate exhibit because of the large size of the file). Meagan Wolfe created the report in response to Congressional Committee members and WEC commissioners questions (Exhibit 17). Wolfe only asked the cities of Green Bay, Madison, and Milwaukee to provide their specific preparation plans for the November 2020 election. However, the cities of Green Bay, Madison, and Milwaukee are very significant because these three cities were part of the five Wisconsin cities that initially received \$6.3 million in CTCL funding.

It's not what Administrator Wolfe wrote in her "How Wisconsin is Ready for the November 3, 2020 Election" report, it's what Wolfe did not write. CTCL is not mentioned once in the 125 page report.

The Zuckerberg 5 cities described how they were using CTCL's \$6.3 million grant money in their "Wisconsin Safe Voting Plan." If the Wisconsin Safe Voting Plan was so significant for preparing for the election, why didn't Wolfe include a copy of the Wisconsin Safe Voting Plan in her report? Wolfe took an eraser to erase all references to CTCL, CTCL grants, CTCL partners, and their employees in her 2020 election preparedness report.

In Wolfe's August 17, 2020 email, Wolfe gave Green Bay until August 20, 2020 to explain how Green Bay was preparing for the impending election (Exhibit 17). Green Bay deliberately timed its August 30, 2020 addendum so it would *not* appear in Wolfe's September 1, 2020 report. More

significantly, the cities of Madison and Milwaukee failed to mention CTCL one time when they submitted their preparedness report.

Wolfe's report had a section on grants and subgrants. CTCL's \$10.4 million in Wisconsin election administration grants was equal to about two-thirds of the \$15.3 million that Wisconsin received in federal grants and local subgrants. However, unlike the federal grants and local subgrants, Wolfe's report did not speak of CTCL's grant money or how the CTCL money was spent.

At the Assembly Hearing Wolfe claimed she did not find out about CTCL's funding until a city submitted an addendum to a report. Wolfe neither named the city who submitted the addendum, nor did Wolfe say what was the date she learned of the CTCL grants. Given Green Bay's emails, we'll assume the city was Green Bay. However, Wolfe was receiving emails from CTCL and its partners six weeks before she published her report.

Most likely Wolfe learned of CTCL's grants in early July because when the Zuckerberg 5 cities announced their \$6.3 million in CTCL grants, it was widely reported in radio, TV, and print news sources. For Wolfe to claim she first learned of CTCL's grants after she wrote her "How Wisconsin is Ready for the November 3, 2020 Election" report is just not believable. Furthermore, Wolfe could have written a "How Wisconsin is Ready for the November 3, 2020 Election" CTCL grant addendum after she submitted her report just like Green Bay did.

## **Cause 10**

### **Administrator Wolfe Failed to Report CTCL and the Zuckerberg 5 Clerks for Creating Their Own Uniform Instructions for Absentee Voters in Alleged Violation of Wisconsin Election Law**

Wis. Stat. § 6.869 states the following: "Uniform instructions. The commission shall prescribe uniform instructions for municipalities to provide to absentee electors." There are about 80 emails between CTCL, Center for Civic Design (CCD), Zuckerberg 5 clerks, and Milwaukee Election Commission Executive Director Woodall-Vogg that discussed the creation and printing of the Zuckerberg 5's English and Spanish absentee ballot instructions. The municipal election officials creating their own absentee ballot instructions violated Wis. Stat. § 6.869 since the statute only allows WEC to provide uniform absentee voting instructions.

Exhibit 18 contains CTCL's Whitney May's email that asked the Zuckerberg 5 clerks to provide feedback for the ballot instructions and ballot envelopes. Exhibit 18 also contains the ballot instructions and ballot envelope images. Administrator Wolfe sent out an update for Uniform Instructions for Absentee Voters on August 18, 2020 (Exhibit 19). Wolfe admonished the clerks, "Per the Commission's directive, these instructions are to be used for all absentee voters moving forward, beginning with the absentee ballots that clerks will be sending for the November 3rd General Election (Exhibit 19).

On the same day Wolfe issued her uniform instructions for absentee voters, CTCL's Whitney May sent an email to the Zuckerberg 5 clerks that said the following: "CTCL is putting the brakes on operation envelope with the WI-5 because: WEC wants everyone in the state using the same formats, WEC wants to complete new envelope design work next year, WEC shared uniform instructions today (Exhibit 20). How did Whitney May learn what WEC wanted? How did Whitney May discover that WEC was providing uniform absentee ballot instructions? May's email failed to state that CTCL, CCD, and the Zuckerberg 5 clerks' creation of their own absentee ballot instructions violated Wis. Stat. § 6.869.

Wolfe's August 18, 2020 memo made it clear that the uniform absentee ballot instruction were to be used for absentee voters. Madison Clerk Maribeth Witzel-Behl sent a September 17, 2020 email to Whitney May and the other Zuckerberg 5 clerks with an attachment for absentee ballot instructions in Spanish (Exhibit 21). Wis. Stat. § 6.869 doesn't differentiate between English or Spanish absentee ballots instructions. The statute states in plain language that whether it's in English or Spanish "the commission shall prescribe uniform instructions for municipalities to provide to absentee electors." Wolfe's memo clearly stated that the uniform absentee ballot instruction were to be used for absentee voters from August 18, 2020 moving forward. It is unclear why 30 days after Wolfe's memo Witzel-Behl would produce and send Spanish absentee ballot instructions in direct conflict to Wolfe's memo and Wis. Stat. § 6.869. Whether or not any of the Zuckerberg 5 cities sent their version of absentee ballot instructions in Spanish to voters in violation of Wis. Stat. § 6.869 should be investigated.

This cause shows how CTCL and its partners manipulated Wisconsin election officials during the run-up to the 2020 election. Although the Zuckerberg 5 clerks never sent out their absentee ballot instructions, the mere fact that created one is more than likely unlawful. One thing is for sure, Administrator Wolfe failed to hold CTCL, CCD, Zuckerberg 5 clerks, or Milwaukee Election

Commission's Claire Woodall-Vogg accountable for creating their own absentee ballot instructions in violation of Wis. Stat. § 6.869.

## **Conclusion**

If Wisconsin political leaders want to restore Wisconsin voters' faith, then Wolfe has got to go. Wolfe's impeachment starts in Wisconsin's House of Representatives with a simple majority of representatives voting to impeach her. Two-Thirds of Wisconsin state senators must vote to convict Wolfe to permanently remove her as WEC's administrator. Wolfe should quit to spare herself the embarrassment of impeachment. If Wolfe fights her impeachment, we support that as well. The more people learn how Wolfe performs her duties as a WEC administrator, the more people will become aware of Wolfe's failures to carry out her duty by following Wisconsin election laws. The 10 Causes to Impeach Administrator Wolfe, and Administrator Wolfe's 12 Violations or Alleged Violations of Wisconsin Election Laws listed above provide ample reasons to lawfully and rightfully impeach Administrator Wolfe.