Wisconsin Election Protection
2018 Midterm Election Report

Report from Non-Partisan Observers of Voting in the November 6, 2018 General Election

By:
Legal Coordinating Committee of WISCONSIN ELECTION PROTECTION & LEAGUE OF WOMEN VOTERS OF WISCONSIN

Table of Contents

Introduction

WISCONSIN ELECTION PROTECTION is a non-partisan organization, part of a nationwide coalition of organizations including Advancement Project, Alliance for Youth, Asian American Legal Defense and Educational Fund, Brennan Center for Justice, Common Cause, Democracy Initiative, League of Women Voters of the United States, NAACP, National Action Network, National Bar Association, National Coalition on Black Civic Participation, State Voices, Sojourners, Religious Action Center, Rock the Vote and Verified Voting Foundation. Locally, WISCONSIN ELECTION PROTECTION includes affiliates of these national groups, as well as Milwaukee Area Labor Council, American Civil Liberties Union of Wisconsin Foundation, and Voces de la Frontera.

The LEAGUE OF WOMEN VOTERS OF WISCONSIN (LWVWI OR THE LEAGUE) is a non-partisan, grassroots, political organization established in 1920 that advocates for informed and active participation in government. Our members are women and men who work to improve our systems of government and impact public policies through education and advocacy. The League of Women Voters of Wisconsin operates at the state level with grassroots support from 20 local Leagues across the state.

The LWVWI Election Observation Program for the November 2018 Election was funded in part by The Joyce Foundation, The Brico Fund, and LWVWI supporters. LWVWI relies on a coalition of partners within Wisconsin to assist with volunteer recruitment, specifically Common Cause WI and the Wisconsin Disability Vote Coalition. LWVWI is especially appreciative of our volunteer observers, who have provided exceptionally reliable, courteous, and invaluable service.

The Purpose of ELECTION PROTECTION AND ELECTION OBSERVATION

The purposes of WISCONSIN ELECTION PROTECTION and of the LEAGUE OF WOMEN VOTERS OF WISCONSIN'S ELECTION OBSERVATION PROGRAM are to protect voter rights, to expose and prevent voter intimidation, and to preserve access to the polls for all eligible voters. These initiatives also allow us to document problems and best practices for the purpose of improving election administration and ensuring that elections continue to be free, fair and accessible in Wisconsin.

ELECTION PROTECTION & LEAGUE OF WOMEN VOTERS: Process, Roles & Activities

ELECTION PROTECTION's participating organizations have differing responsibilities before the election, on Election Day, and in the reporting afterwards. All organizations contribute to recruiting volunteers, and citizen election observers are critical to these efforts.

The LEAGUE OF WOMEN VOTERS OF WISCONSIN's Election Observation Program serves dual purposes – to monitor and document the voter experience on Election Day and to have trained election observers at polling sites to intervene if necessary to prevent voter disenfranchisement. For this election, the LEAGUE OF WOMEN VOTERS OF WISCONSIN recruited and placed 278 non-attorney volunteer election observers in 497 polling sites across Wisconsin. The polling sites were selected by the organizers of this program in an effort to objectively observe the Election Day process at a variety of sites across Wisconsin. These sites include urban and rural areas as well as polling places with reported problems by this program in past years. Observers were also placed at polling sites that have large populations of student voters. The LEAGUE also partnered with the Wisconsin League of Conservation Voters Native Vote program and the All Voting is Local Campaign to identify polling locations that serve Tribal communities and recruit observers to monitor the voter experience at those sites on Election Day.

The LEAGUE trained observers to witness the application of laws concerning the use of IDs in voting, polling site organization and mechanics, the ease of registration, as well as the knowledge of election officials and polling site management. Observers were given access to the WISCONSIN ELECTION PROTECTION team of attorneys to answer legal questions and report issues that needed to be addressed on Election Day. LWVWI staff also coordinated with WISCONSIN ELECTION PROTECTION to dispatch LEAGUE observers as needed to polling sites requiring additional attention.

Post-election, LEAGUE election observers returned reports from 388 polling sites, which were used for the analysis of this report. Reports were returned from a mix of polling sites including 331 urban polling sites, 57 rural polling sites, 31 polling sites with a known student presence, and eight polling sites that serve Tribal communities.[1] The organizers entered the data and notes from the report forms, analyzed the information for trends and flagged narrative information on voters who had specific problems on Election Day.

---

[1] The distinction between Urban and Rural was defined at the county level using the U.S. Office of Management and Budget's definitions. In this definition, "counties that are neither metropolitan nor micropolitan are considered rural," and "[a]ny county with a city of at least 50,000 people is designated as metro, as well as any neighboring counties that are economically and socially linked to it through people commuting across county lines. The micro designation applies to counties with a smaller city center of 10,000 to 49,999, including neighboring counties with a significant number of commuters." Ewald, Mitchell and Malia Jones, UW Applied Population Laboratory and WisContext. Putting Rural Wisconsin On The Map: Understanding Rural-Urban Divides Required A Complex Spectrum of Definitions (May 17, 2017). Retrieved May 4, 2018 from https://www.wiscontext.org/putting-rural-wisconsin-map

In addition to the LEAGUE OF WOMEN VOTERS OF WISCONSIN's Election Observation Program, the LEAGUE helped recruit poll workers at the state and local levels. LWVWI reached over 3,500 people with poll worker recruitment messages. Many local League members serve their communities every election as election officials. Additionally, many past volunteer election observers go on to serve as poll workers in future elections.

The MILWAUKEE AREA LABOR COUNCIL implements the national AFL-CIO's voter protection program, which is a non-partisan effort to protect voting rights. The Labor Council has recruited, trained and placed observers in Milwaukee, specifically in Aldermanic Districts 1, 2, 4, 6, 7, 8, 9, 10, 11, 12 and 15. The Labor Council has worked diligently over the years to dispatch African American union members to monitor polling places that have predominantly African American voters in those locations. These are the locations that have had the most interference in past elections. Over the years trust has been built with the people who have worked Election Protection.

The WISCONSIN ELECTION PROTECTION Legal Coordinating Committee recruits, trains and assigns lawyers who have volunteered to address problems that arise on Election Day. Prior to the November 2018 election, WISCONSIN ELECTION PROTECTION also made the decision to help ensure adequate staffing at polling places by referring many well-educated persons who wanted to help ensure election integrity to volunteer as poll workers.

WISCONSIN ELECTION PROTECTION monitored the election by answering hotline calls and by posting on social media. In conjunction with the Lawyers' Committee for Civil Rights and the national 1-866-OUR-VOTE hotline, WISCONSIN ELECTION PROTECTION answered calls from voters for assistance and information in the days leading up to the election and on Election Day. Throughout the day on Election Day, nearly a dozen volunteer attorneys staffed a central command center, answering and responding to calls to the 1-866-OUR-VOTE hotline and to social media requests, and responding by telephone to questions from poll observers and attorneys in the field as they identified problems at polling sites.

Social media was also an important part of these efforts. WISCONSIN ELECTION PROTECTION AND THE LEAGUE OF WOMEN VOTERS OF WISCONSIN used Facebook and Twitter to reach out to hundreds of thousands of voters around Wisconsin – both to provide and receive information. Voters posted questions and concerns that were answered by WISCONSIN ELECTION PROTECTION attorneys. In the month prior to and including Election Day, WISCONSIN ELECTION PROTECTION'S Facebook postings reached almost 105,000 viewers, including more than 60,000 on the day before Election Day and Election Day. During the same month, our tweets had more than 189,000 impressions. The LEAGUE OF WOMEN VOTERS OF WISCONSIN'S FACEBOOK posts reached more than 320,000 viewers in the month leading up to the election, including more than 80,000 viewers on the day before Election Day and Election Day.

For the purposes of this report, italicized statements reference reports from observers or voters on Election Day.

General Findings

We are pleased to report that most polling sites across the state correctly and efficiently administered this election. The Wisconsin Elections Commission estimated that more than 2.67 million Wisconsin citizens voted in this election, more than 59 percent of the voting age population. As in the past, our observers and attorneys were impressed by the professionalism and dedication of Wisconsin's Election Day workforce. Election officials, by and large, maintained orderly polling places where voters were welcome, safe and well-served. Where problems were seen they appeared to be limited and site-specific, rather than the result of a generalized inability of the system to handle a large turnout amid changes in the law.

We note, however, that the complicated and sometimes contradictory rules for voter registration and voter ID (including the administration of provisional ballots) increased the challenges for clerks and poll workers, and created obstacles for voters, and these rules did deny some voters their right to vote. We also note that there is a need for the state of Wisconsin to take the lead on voter outreach and education, to ensure that all voters and poll workers are aware of the multiple and varied rules relating to registration and voting.

Polling Site Environment and Staffing

The vast majority of observed polling sites reported that poll workers were professional, welcoming, and helpful. This is a credit to the workers themselves, and to the clerks and others who recruit and train them.

Polling Site Environment

Election officials at some polling sites made the voting experience particularly pleasant for voters. For example:

- *At a polling site in **De Pere**, workers thanked people for coming to vote. Workers were also very patient when children came with parents.*

- *At a polling site in the **City of Milwaukee**, poll workers applauded newly registered and first-time voters.*

- *Another polling site in the **City of Milwaukee** was described as a "model for democracy." Workers were friendly, knowledgeable, and went out of their way assisting voters with registration and casting ballots (within the proper boundaries of assistance). Worker met/welcomed voters, provided physical assistance where needed, cheered for new voters, and provided information to voters when questions were asked.*

However, there were certain concerns that emerged at some sites around training, poll workers being overwhelmed, and poll workers engaging in political conversation. For example:

- *At a polling site in **Oshkosh**, the Chief Inspector seemed fairly knowledgeable, but some poll workers seemed overwhelmed and perhaps not up-to-speed.*

- *At another polling site in **Winnebago County**, the poll workers truly seemed to want to be as helpful as possible to make the voting process go smoothly but were overwhelmed by the confined space and volume of votes.*

- *At 13 polling sites in **Iowa, Dane, Milwaukee, Waukesha, Racine, Oconto, Chippewa, Vilas** and **Sawyer counties**, poll workers were engaging in political conversations.*

Need to Ensure Adequate Staffing and Organization

Advanced planning and adequate staffing clearly facilitate voting and reduce voter confusion. The vast majority of observers did not report issues with the level of staffing at polling sites. Staffing-related steps taken at polling places to facilitate voting included:

- *At a polling site in the **City of Madison**, the greeter was very helpful in directing voters to the correct ward using and excellent map on the wall.*

- *At a polling site in **Appleton**, a four-ward site, officials tried to expedite the process by having greeters ask what ward the voter was in and directing voters to the correct line.*

- *At a polling site in **Winnebago County**, high school student volunteers served as greeters and registrars – which is also a great way to engage young people!*

- *At a polling site in **Oshkosh**, there was a pre-registration area, staffed by volunteers, where students filled out their own registration forms there (sans signature) and made sure they have proper ID and proof of residence before getting in the registration lines, where they show proof of residence and sign the forms.*

- *At a polling site in **Sheboygan County**, clipboards with registration forms were handed to voters standing in line.*

- *At a polling site in **Eau Claire**, the observer was impressed by physical layout of the three-ward polling site, commenting that poll workers were successfully rotated among functions.*

- *At a polling site in the **City of Madison**, there was an unusually large amount of absentee ballot for poll workers to process. Priority was given to in person voters. Lines moved smoothly, and absentee processors stepped in/out of line as time permitted.*

- Additionally, the efforts of WISCONSIN ELECTION PROTECTION and the LEAGUE OF WOMEN VOTERS OF WISCONSIN to refer potential volunteers to serve as poll workers appear to have been beneficial in Milwaukee, as there were fewer calls received about

inadequate staffing in Milwaukee than in past years.

A lack of adequate staffing and poor polling site organization can, of course, increase lines, overwhelm poll workers or cause hurried and frustrated voters to leave the polling place before voting. These conditions can be particularly burdensome for voters with disabilities who may have difficulty standing for extended periods of time, need access to accessible voting equipment that is blocked by long lines, or are trying to access curbside voting. Observers reported that polling sites lacked adequate staff at approximately 10 percent of polling sites observed.

Even with the efforts of the LEAGUE, WISCONSIN ELECTION PROTECTION and other election official recruitment efforts, when looking at data from all observed polling sites, there was a similar level of sites lacking adequate staffing as was observed during the November 2016 election. To the extent that understaffing and poor polling site organization occurred in this election, it may be that some officials were not adequately prepared for the relatively high level of voter turnout.

For example:

- *At a polling site in **Racine**, understaffing of the polling place created long lines, confusion, frustration, and anger. There was not enough staff available to split the books to try and facilitate making the lines move faster.*

- *At a polling site in the **City of Milwaukee**, one registrar was performing inadequately, but the Chief Inspector was afraid to send that person home because they needed staff so badly.*

- *At a polling site in **Appleton**, the site needed more poll workers. The Chief Inspector had requested additional poll workers, but some had been taken from that site to support another site. The Chief Inspector left to find additional recruits and found some, but they lacked training for the job.*

- *At a polling site in **Stevens Point**, election officials were not distributed well to meet the needs of voters. There were only two registrars, leading to a long line of voters waiting to register, while there was no line for registered voters and five poll workers at the check in table watching the registrars.*

- *At a polling site in **Winnebago County**, long lines were further delayed by poll workers processing absentee ballots. A poll worker was constantly in line with three to four absentee ballots in hand, slowing the line.*

Many of the delays involved the registration process. Where possible, long lines were dealt with by adding additional workers to the registration table, but that was not always an option.

- Of the locations observed, 72 polling sites experienced registration lines exceeding 10 people and 46 sites did not have enough registrars present.
  - Urban polling sites were nearly four times as likely to report registration lines exceeding 10 people as rural polling sites, and to lack enough registrars.

- Sites with large student populations were more than twice as likely to report registration lines exceeding 10 people than sites without those populations.

- *At a polling site in the **City of Milwaukee**, the Chief deputized a trained non-partisan volunteer to assist with registration.*

- *At a polling site in **Racine**, understaffing prevented the Chief from assigning more registrars. Then a voter needed curbside assistance, which took one registrar away from registration for about 15 minutes.*

- *At a polling site in **Menominee County**, there was only person handling all the registrations, so it created a long line of people trying to enter the building.*

- *At another polling site in the **City of Milwaukee**, there were hundreds in line, with many new registrants.*

- *At another polling site in the **City of Milwaukee**, a voter left without voting because the wait for the registration line was too long.*

This election saw record voter turnout across the state. The volume of voters led to voters needing to wait in lines to vote at many polling sites. Wait times varied polling site to polling site, and even by time of day. Long lines to vote can lead to confusion, frustration, and ultimately some voters leaving the polling site without voting.

- At 32.5 percent of observed polling sites, there were voting lines exceeding 15 people.

- At 16 of the sites with voting lines exceeding 15 people, nothing was done to try and speed up the line.
  - *At one such site in the **City of Milwaukee**, the observer reported "Very busy. Unable to deal with long lines."*

- *At polling sites in the **City of Madison, Sheboygan Falls, Sun Prairie** and **Fox Point** voters encountered lines of 100 people or more.*

- *At a couple of polling sites in **Dane County**, voters had to wait in line for more than an hour to vote. At one of these polling sites, the staff was so overwhelmed by the number of voters, when a voter asked for curbside voting assistance, the voter was told no one was available.*

- *At a polling site in **Brown County**, the lines were out the door – and at times, people would wait in line only to be told they needed to register at a different table first.*

- *At a polling site in **Oshkosh**, voters left because of wait times.*

Some locations – such as the 100 wards in Milwaukee with the most registered voters – prepared for long lines in advance and assigned enough poll workers to be able to split the books, making

voting faster. However, the Chiefs who supervise this process must also must be flexible about the way the splitting occurs.

For example:

- *At a polling site in **Winnebago County**, they had the book split A-L and M-Z – but there were almost no M-Z voters. Thus, the "M-Z" poll workers sat idle while there was a line out the door for the voters in the first part of the alphabet. Eventually the Chief changed the split to A-J and K-Z, which evened out the lines.*

- *At a polling site in **Eau Claire**, the line was split A-M/N-Z, but the A-M line was consistently at least four times longer than N-Z line, largely negating the purpose of splitting the book. In addition, at some points officials continued to process absentee ballots, further delaying the voting process.*

- *WISCONSIN ELECTION PROTECTION had to get election officials involved to get poll books split at a polling site in the **City of Milwaukee** and a polling site in the **City of Racine**. Without this we would have lost several voters who could not wait.*

Ensure Language Assistance

For years, Milwaukee has been required to provide bilingual ballots and bilingual poll workers under the Voting Rights Act (VRA). While the VRA does not require other communities to provide language assistance at this time, state law does allow voters who are limited English proficient to receive assistance in voting from any person other than their employer or union. During this election, it became evident that many limited English proficient voters require such assistance.

Of the observed sites, 34 had voters needing language assistance. Voters were observed requiring language assistance in Spanish, Hmong, Russian, Sudanese, American Sign Language, and English literacy. The most common language assistance needed was translating between English and Spanish. LEAGUE observers did not find a difference in the frequency of polling sites needing to offer language assistance between rural sites, such as those in the towns of Farmington and Christiana, and urban sites, such as those in the cities of Milwaukee, Madison, and Oshkosh.

- Fifteen sites in **Milwaukee, Dane, Waukesha,** and **Vernon counties** had staff on site to provide language assistance.

  - *One such site in the **City of Madison** had the poll worker who was available to provide Spanish language assistance clearly identified with a visible badge.*

In many cases the voter brought their own language assistance, a family member or translator.

In other cases, the voter was unable to get the language assistance they needed.

- *At a polling site in **Shorewood**, there were communication issues for Russian immigrants and no meaningful translation; much communication occurred only by pointing at things.*

- *At a polling site in **Oshkosh**, there were no Spanish translators, so a voter only voted for candidates, not for the referendum.*

- *At a polling site in the **City of Milwaukee**, there were no interpreters – and even though there was a sign outside for a number to call for assistance in voting (in Spanish), that number was not getting the voter an interpreter.*

- *In addition, WISCONSIN ELECTION PROTECTION received reports that the Wisconsin Elections Commission started the day with an unexpected number of calls from Spanish-speakers and didn't initially have adequate staffing to handle those calls.*

Provide Adequate Voting Space

Small and cramped polling places, or poorly organized polling places, created problems for voters. Of the observed locations:

- Ten percent of sites were reported as not being large enough to accommodate the number of voters.

- Polling sites with observers reporting voters with disabilities having difficulty accessing any part of the polling site were more than three times as likely to report the polling site was not large enough to accommodate the number of voters than polling sites that did not report accessibility issues for voters with disabilities.

- Additionally, polling sites that serve Tribal communities were nearly four times more likely to report that the polling site was not large enough to accommodate the number of voters than polling sites that do not serve Tribal communities.

For example:

- *At a polling site in **Winnebago County**, the line to vote snaked out into the parking lot, with people standing in the rain and cold. Poll workers were trying to direct this traffic. The facility is too small for the number of voters. The Chief Inspector seemed overwhelmed by the sheer numbers of people in the small space.*

- *While observing the only polling site in a municipality in **Dane County**, an observer reported "It seems obvious that an additional polling place is needed. The population is growing rapidly."*

- *A polling site in the **City of Milwaukee** was so overwhelmed with voters, the observer reported that the site needs to be split into two voting sites to handle volume.*

- *At **a polling site in Bayfield County**, when the line grew longer voters were allowed to line up under the eaves outside in the rain.*

- *At a polling site in **Dane County**, the clerk called in police officers to help make "lines" inside and give people direction to come inside. They could not make better use of space*

because it was too difficult to move the e-poll books and moved a banquet table to give more writing space for completing ballots – but this was not a private location.

- *At polling site in **Outagamie County**, the lines were out the door. Voters who came in through a different entrance became confused because they didn't initially see the lines (which were alphabetized by name, not ward), and then ended up in the wrong lines.*

Provide Adequate Signage

Signage both inside and outside of a polling place provides important instructions for voters attempting to cast their ballot on Election Day. Outdoor signage, when done well, directs voters to the polling place, helps voters find accessible entrances, and helps voters who need it utilize curbside voting. This was not, however, always present.

- Just over 12 percent of the observed polling sites lacked obvious signage outside the polling site.

    o Rural polling sites observed were more than twice as likely to lack outdoor signage compared to urban sites observed.

- *An **Elm Grove** polling place still had a sign up (probably from early voting) that there was "no voting" at this location. The sign was removed after a voter pointed out the problem.*

- *In **Menominee**, voters went to what had been the voting site in the past and waited in line, because there were no signs directing them to the new polling place.*

- *At a polling site in the **City of Milwaukee**, the signs kept blowing down due to the wind.*

- *At a polling site in **Price County** outdoor signage was not put up until the observer informed the Chief Inspector.*

- *At a polling site in **Oneida County**, the only outdoor signage only consisted of a ballot taped to the door.*

- *A polling site in **Door County** had no outdoor signage. Poll workers mentioned to the observer that several voters had complained that it was hard to find the polling site.*

- *At another polling site in the **City of Milwaukee**, outdoor signs were missing, and a crossing guard was outside telling people that was not a polling location. The observer talked with the Chief Inspector immediately upon finding out. After it was reported, the Chief Inspector set about rectifying the situation.*

Indoor signage, when done well, directs voters exactly where they need to go within a building, shows proper ward boundaries, and the locations for registration and voting. This saves voters time and keep things running smoothly at a polling site.

Examples of indoor signage working well were:

- *Indoor signage at a polling site in **Sheboygan County** included signage to explain what was on the ballot and how to complete them.*

- *Polling sites in **Lincoln** and **Waukesha** counties utilized tape and arrows on the floor to direct voters to the correct line.*

However, not every polling site had adequate indoor signage. More than 11 percent of polling sites observed lacked clear marking and separation of tables for voting and registering and more than 11 percent of polling places observed lacked signage showing ward boundaries. This led to voter confusion and frustration, and further delays in the voting process.

- *At a polling site in **Sheboygan County,** there was a line of 80-100 people at 4:30 p.m. A poll worker eventually came out and explained that there were three lines, A-I/J-Q/R-Z; voters had been unaware of this because the signs were posted at too low a level to read from the back of the line.*

- *In a polling site in the **City of Madison**, there was a confusing sign that said, "show Photo ID sign here." Many voters went straight to the poll book area, skipping over showing their photo ID before receiving a ballot. All the people who skipped showing their ID were redirected back to line and still had to show their photo ID. Clearer signage would eliminate the confusion.*

Reduce Confusion About Where to Vote

Ensuring that voters know the correct place to vote, in a given election, is of paramount importance. Voters are often unaware that their polling location may change when they move. Additionally, a municipality also may change polling locations, unbeknownst to the voter. These changes can lead to confusion and frustration and result in some voters – especially those with transportation difficulties or tight schedules – not voting.

- Of the observed sites, at 181 sites there were a total of more than 500 voters needing to be redirected to another polling site.

  - Urban polling sites were more than three times as likely to have voters at the wrong polling place as rural polling sites.

Examples of voters needing redirection:

- *In a municipality in **Winnebago County**, polling places were moved out of the schools, but voters kept showing up at the wrong (prior) polling places.*

- *At a polling site in the **City of Milwaukee**, voters needing to be redirected were advised, given a note with the correct address, or given verbal directions and highly encouraged to pursue voting. While most voters left to go to the correct voting site, some seemed to give up – they had walked, bussed or had a driver with little time to take them to vote at another location.*

- *At a polling site in the **City of Madison**, the voter had come some distance to the wrong location in a motorized scooter and, because she had to be home for her children, could not wait the hour it would have taken for a third-party group to give her a ride to the correct polling location.*

- *In Milwaukee, **Midtown Center** was a widely-used early voting site but was not a polling place on Election Day. However, many voters showed up at Midtown on Election Day, thinking they could vote at that location; the location was closed and there was no signage informing voters how to locate their polling sites. For several hours, volunteers remained at that location to help voters locate their polling sites.*

Most redirections observed were completed verbally and successfully redirected voters to the correct polling place. In other locations, redirection done by looking up the correct location on myvote.wi.gov or by giving voters slips with written directions to their correct polling place.

At times, however, voters were given incorrect information about where they should vote, leading to even more frustration and, in some cases, to voters not voting. For example:

- At several locations, poll workers did not know where to send voters and did not assist voters in finding the correct polling place.

- In some cases, third-party advocacy groups had, in advance of the election, inadvertently provided voters with incorrect polling place information.

- *At a polling site in **Sheboygan**, the observer helped the voter check his polling place because he had been sent to a couple of different locations. Despite the assistance, the voter was too frustrated to vote.*

- *At a polling site in the **City of Milwaukee,** a voter who lived on the dividing line between wards was sent back and forth between the polling places for those wards by confused poll workers, who finally double checked the voter's polling site on myvote.wi.gov and sent her back to her correct ward.*

- *At another polling site in the **City of Milwaukee**, a voter was sent away, went to the other polling location, then came back and finally voted (correctly) at the original location.*

- *In **Racine**, one woman had been directed to three polling places. She was so frustrated she was in tears.*

Some polling place errors were not discovered until partway through the registration process. For example:

- *At a polling site in **Menomonee Falls**, some voters waited in the registration line before realizing they were in the wrong place. This led to several voters leaving frustrated and caused additional delays in lines for voters who were at the correct polling site. A greeter could have helped avoid this problem.*

- *At a polling site in the **City of Milwaukee**, a voter came to the wrong location, tried to register and was 5-10 minutes into conversation before the registrar realized his new address was in another ward. The voter left in frustration without the correct location. The poll worker called his cell to give him info later and apologize.*

Inaccessible Polling Sites

Observers at 23 locations noted that persons with disabilities had difficulty entering the polling place and/or or accessing part of the voting location open to all voters. Sites where observers reported voters with disabilities having difficulty accessing part of the polling place accessible to everyone were over seven times more likely to report not having parking close to the polling site, over three times more likely to not have the accessible voting equipment set up, and over three times more likely to report the polling site not being large enough when compared to sites that did not report voters with disabilities having difficulty accessing the site.

- *Difficulties with parking were exemplified by one observer's report from a site in the **City of Milwaukee** that noted "The school site should make a better effort to clearly designate parking for voters - near to the entrance which was far from the street and uphill - very difficult for elders and disabled."*

The option to use accessible voting equipment was not universally available or properly set up at all the polling sites observed.

- Observers at 36 polling sites, just under 10 percent of polling sites observed, reported that the accessible voting equipment was not set up. There was no improvement when comparing the number of sites reporting that the accessible voting equipment was not set up during this election to the November 2016 election.

  - *At a polling site in the **City of Milwaukee**, the accessible voting machine was not set up because its base was not delivered.*

  - *At another polling site in the **City of Milwaukee**, the accessible voting equipment was only set up when the observer asked about it.*

  - *In twelve sites in **Oshkosh**, observers did not see accessible voting equipment - and when some observers at these sites asked if there was accessible voting equipment present, poll workers told them there was not an accessible voting machine (even though there were, in fact, such machines – the Dominion ImageCast Evolution - which were also used as tabulators).*

- - *The dual nature of the equipment also presents challenges for voters with and without disabilities. The tabulator can be converted into a touch screen machine, but that requires that the machine be temporarily closed for use by voters who wanted to submit their ballots. There are also concerns that the set up lacks privacy for voters using the touch screen.*
  - *At a polling site in **Polk County**, the accessible voting equipment was set up, but not at wheelchair height.*

- Twenty-six sites were reported to lack privacy when using the accessible voting equipment.

  - *At a polling site in the **City of Milwaukee**, the accessible voting equipment was set up but there was no privacy screen. It also was situated in such a way that people with mobility issues could have had difficulty getting to the machine, as a lot of electric wires hooked up where screen was and too close to wall for anyone with walker or wheelchair.*

- At 10 sites observed, voters were not allowed to use the accessible voting equipment.

- *At a polling site in **Vilas County**, voters with difficulty physically marking ballots were not offered touch screen voting as an option, and their original ballots were rejected because they had trouble marking in the appropriate spaces. Subsequently they were allowed to have others assist them.*

There were additional barriers to access. For example:

- *At a polling site in **Vilas County**, the guardian of a person who had the legal capacity to vote was not permitted to assist him in voting, despite her request. Instead she was told he would "have to do it on his own."*

- *At a polling site in **Walworth County**, the site had a bell for assistance for persons with disabilities, but it was at the top of a set of stairs or long ramp rather than at the parking level.*

- *At a polling site in the **City of Milwaukee**, there was a broken elevator.*

- *At a polling site in **Dane County**, curbside voting was requested but not provided.*

- *At a polling site in **Menominee County**, there were several voters with disabilities observed having difficulty entering the polling place and while waiting in line. This includes a woman in a walker had to wheel herself in because curb-side voting was not available. Poll workers helped her get a ballot once she was inside but there was no accessible voting equipment.*

- *At another polling site in **Dane County**, the accessible voting equipment was difficult to access because the polling site was so busy.*

Voter assistance can also be an important issue for voters with disabilities. Sometimes this was done well. For example:

- *At a polling place in **Winnebago County**, the ballot was read to a visually impaired person (although there should have been other equipment to do this).*

- *At a couple of polling sites in **Walworth** and **Milwaukee Counties**, reading glasses or magnifiers were offered to voters.*

- *At another polling site in **Winnebago County**, poll workers offered lower voting booths for voters at wheelchair height.*

- *At a polling site in **St. Croix County**, poll workers asked every voter if they wanted an electronic or paper ballot, ensuring voters were aware they had the option to use the accessible voting equipment.*

- Eight polling sites were observed successfully offering curbside voting.

Registration Problems

WISCONSIN ELECTION PROTECTION received many calls and provided information and assistance to many voters confused about registration requirements, especially voters who were unclear as to what kind of residency documentation was necessary or adequate.

Registered Voters Not in Poll Books

Subsequent to the 2016 Presidential election, the state purged voters from the poll books who, purportedly, had moved or stopped voting. This was, however, in some cases due to incorrect data matching, and resulted in many voters being taken off the voting rolls even though they remained eligible and had not moved. In Milwaukee, Green Bay and Hobart, those voters were added back into the main rolls. In the balance of the state, a supplemental list was provided to poll workers, called the "supplemental ERIC list."

- Of the observed locations, at 200 polling sites there were voters claiming they were registered, not found in poll book, and needing to re-register.

    - Of these locations, 123 were using the supplemental ERIC list.

    - Twenty-five sites did not check the supplemental ERIC list.

    - Nine polling sites were reported to not have a supplemental ERIC list.

- *At a polling site in **Lake Geneva** 38 people believed they were registered but were not in the poll books.*

In addition, confusion about the need to re-register when moving and/or about the online registration process may have contributed to the problems. For example:

- *At a polling site in the **City of Milwaukee**, numerous voters who said they registered online before cutoff on Oct. 17 were not showing up in poll books. It is not clear whether these voters fully registered and just were not in the poll books, or whether there had been an error or incompletion (such as not having a Wisconsin license or ID card) as they tried to register that the voters did not understand.*

- *At a polling site in **Iowa County**, the voter said she had registered online with her new address; she was not on the list and had to re-register at the new address.*

- *At a polling site in **Kenosha**, the Chief Inspector indicated that the majority of voters who register online do not bring printed copy confirming their registration (which is not required unless the voter attempts to use the online system to register after cutoff) and thus are directed to re-register.*

- *One voter in **Oneida County** said he attempted to register online through a third-party site. However, after entering his registration information, the site did not complete his registration.*

- *At a polling site in **Vilas County**, the voter's name was in the poll book, but book didn't have her current address. She didn't move, but the fire department had recently changed many of the house numbers. The voter had to leave and return later with proof of residence, and then was able to successfully register and vote.*

Proof of Residence Problems

The significant and increasing complexity of proof of residence (POR) requirements – and trying to determine what documents met those requirements and how the requirements could be met - contributed to significant confusion for voters, poll workers and clerks, and led to some voters being unable to vote.

For example:

- Observers witnessed 244 people turned away because they did not have documents to establish residency.

  - Sites that serve Tribal communities were more than twice as likely to observe voters being turned away at registration than sites that do not serve Tribal communities. Lack of proof of residence is the number one barrier experienced by Native Voters. Reasons for this included:

    - Living in congregate housing in which the voter's name did not appear on the lease or utility bills

- Receiving all mail at a P.O. Box, an address voter could not use as a residence when registering to vote.

Some voters were able to leave the polling place, find registration documents, and return to register. At most polling locations the registrars were helpful in telling the voters what they needed in order to register to vote. For example,

- *At a polling site in **Winnebago County**, all registrars were comprehensive in providing a list of possibilities for POR and reminded voters of option to provide POR electronically.*

- *Voters at several polling places were directed by poll workers to visit the nearby Tribal Office to obtain an ID with their residential address on it.*

- Additionally, as lack of POR has traditionally presented one of the largest obstacles for members of Native communities, the Wisconsin League of Conservation Voters and All Voting is Local worked with Tribal Leadership prior to Election Day to send letters to Tribal members to serve as their POR to take to the polls on Election Day.

Other registrars, however, rejected acceptable POR or provided incorrect information to the voter:

- *At a polling site in the **City of Milwaukee**, the voter had a document from the Wisconsin state health department, which would have been a "government document," but was told it could not be used to register.*

- *At a polling site in **Vilas County**, the registrars were observed (incorrectly) turning away multiple voters attempting to use government documents as their POR. For example, one voter was turned away for not having POR because the registrar incorrectly said that a car registration from DMV was not sufficient. (An observer spoke to the voter outside the polling place and was able to help resolve the issue with the Chief, so that the voter could register and vote.)*

- *At a polling site in **Columbia County**, the Chief (incorrectly) instructed one voter to produce two proofs of residence as her name did not appear on the rolls.*

- *At a polling site in **Winnebago County**, a domestic violence victim needed a confidential voter listing; the clerk (incorrectly) stated that she had to have a court order to obtain such a listing. Voter ultimately learned from advocates that a court order was not required, but by that time she did not have time to complete this alternative process to register and vote.*

- *At a polling site in the **City of Milwaukee**, there was confusion about what documents could be used to register.*

Some voters were unable to return with the required POR, or simply did not have an acceptable POR at all, and thus could not register and vote.

- *At a polling site in the **City of Madison**, an 18-year-old high school student was unable to register because they only had a driver's license with an old address. The voter lives with their parents, and all residence documents were in their parents' names.*

- *At a polling site in **Winnebago County**, a voter was unable to register because they had recently moved and had no bills or lease at the current (voting) address.*

- *At a polling place in **Ashland**, a man could not provide POR because he is living with his girlfriend and all the bills were in her name.*

- *At a polling site in **Vilas County**, voter could not provide POR as he only had mail that went to P.O. Box. He said he was going to try to get a tribal ID with his address and return, but it does not appear that he did so.*

- *At a polling site in **Dane County**, an elderly man who lived in senior housing did not have POR and did not want to go back to his house and try to find acceptable documents (despite the poll worker's suggestion that he do so).*

- *At a polling site in **Waukesha**, a voter had recently moved but all POR documents were at the home of her ill mother, who she did not want to disturb, and thus she did not register or vote.*

- *One homeless voter who moved from day shelter to day shelter had a letter from one shelter, but the letter did not have the shelter address and thus could not be used as POR unless the voter could return to the shelter to get the address put on it.*

At some locations, poll workers did not follow the rules regarding accepting electronic copies of proof of residence. For example:

- Fourteen sites, in **Madison, Milwaukee, Town of Geneva, Neenah, Appleton** and **Oshkosh**, all reported voters not being allowed to use their cellphone to show proof of residence.

- *At a polling site in **Winnebago County**, registrars would not offer to look at online accounts for proof of residence, complained among themselves that they did not trust online activities, and told voters to go home to get "proper" proof of residency.*

- *At a polling site in the **City of Milwaukee**, a poll worker told a voter that the voter needed a physical piece of mail.*

- *At a polling site in **Kenosha**, initially five voters were turned away and not allowed to register. They were not told they could provide POR electronically. The observer was able to inform two of the voters that they could show POR electronically, and one was able to return immediately and register.*

Voter ID Problems

Every site observed asked voters to show photo ID to receive a ballot. However, observers identified many voters and poll workers who were confused about what constituted acceptable photo ID, or who were unable to produce that ID. Some poll workers requested incorrect information. And in some cases, poll workers failed to offer provisional ballots to voters.

Voters Lacking ID

Although many voters have acceptable photo ID, there is both confusion over what constitutes acceptable ID, and some voters who simply do not have the ID they need to vote.

Of the locations observed, there were:

- One hundred thirty-four voters who had difficulty producing a photo ID.

- Fifty-eight people were not able to vote because of the photo ID requirement.

  o Sites with student populations were more than twice as likely to report voters having difficulty producing a photo ID than sites without such populations.

- At 12 observed polling sites, voters left before showing photo ID. Observers witnessed at least 20 people leaving before showing ID to vote.

  o *For example, at a polling site in the **City of Milwaukee** a voter did not have acceptable ID. The voter left without voting and didn't want to try to vote.*

- *At polling sites in the **City of Milwaukee, City of Madison, Glendale, Delevan, Lincoln** and **Osceola**, voters thought they could use their out-of-state driver's licenses to vote and thus did not have the IDs they needed to vote.*

- *At a polling site in the **City of Madison**, voters thought they could use their Wiscard student IDs to vote.*

- *At a polling site in **Kenosha**, a voter thought they could use a credit card as ID to vote.*

- *At a polling site in **Shorewood**, a voter tried to use an expired passport to vote. Despite a language barrier, the poll worker helped the voter find an acceptable ID.*

- *At another polling site in the **City of Madison**, a voter had no ID because her wallet had been stolen.*

- *At a polling site in **Appleton**, a voter out for a walk had no ID on her person and got upset because poll workers knew her and would not let her vote without ID; the voter left without voting.*

- *At another polling site in the **City of Madison**, several students did not have proof of enrollment to use with student ID cards. They were instructed on what they needed and returned with that later.*

- *At a polling site in **Verona**, a voter did not know they needed a photo ID to vote.*

Other Voter ID Problems

As in past years, the single biggest misapplication of the law related to photo ID was poll workers asking voters about the address on their IDs.

Eighty of the observed sites had poll workers who asked voters about their address on the photo ID. There was no improvement this election when compared to the frequency of sites asking voters about their address on their photo ID during the November 2016 election.

- *At a polling site in **Door County**, even though poll workers are trained, many still read the licenses instead of the poll books to determine the address. If the address on license did not match the address given by the voter, at times the poll worker challenged the voter on this issue (although the Chief Inspector reminded workers that the address on the ID did not have to be the voting address).*

- *At polling sites in **Dane** and **Winnebago Counties**, poll workers checked voters' addresses. After this was brought to the Chief Inspector's attention, the Chief Inspectors reminded poll workers to check name and photo, not address, on the ID.*

- *At a polling site in **Sheboygan County**, the poll worker did not know that the address on the ID could be different if the voter was in the poll books and sent the voter to re-register and change the voting address to the address on the ID card. The registrars brought voter back to the voting table because the registration address was correct. The voter cast a ballot but was unhappy about the delay.*

- *At a polling site in **Kenosha**, several poll workers improperly compared the addresses on voter photo IDs with their registration address. The first time one of the poll workers found a discrepancy they called over the Chief Inspector, who explained that the address did not need to match. Several poll workers seemed to disapprove of this policy and continued to question voters about discrepancies with their addresses. They did not withhold ballots, but in several cases, the voters were clearly made to feel uncomfortable.*

In addition, at two sites voters were challenged for other ID-related reasons.

- *At a polling site in **Oshkosh**, the change in the voter's appearance was explained by the voter's significant weight loss.*

- *At a polling site in the **City of Madison**, the voter's name had been misspelled in the poll book.*

At some sites, poll workers asked for "drivers' licenses" rather than asking more generally for ID.

- *At a polling site in **Oconto County**, poll workers did not make known to one voter turned away that there were other options for ID besides a license.*

- *At a polling site in **Appleton,** a voter complained about poll workers specifically asking for "driver's license" instead of ID.*

Provisional Ballot Issues

Situations in which voters should be offered provisional ballots, and the process for voters to "cure" provisional ballots, remain confusing for election officials and voters. Many voters do not know that they have the option of casting provisional ballots if they lack an acceptable photo ID for voting. Election officials were observed failing to offer provisional ballots to voters when they lacked an acceptable photo ID for voting.

- At observed locations, of the 61 voters who should have been offered provisional ballots, nearly 40 percent were not offered provisional ballots.

  - Thirteen polling sites were observed not offering provisional ballots when they should have been offered.

  - There was no improvement in rate of voters being offered provisional ballots when compared to the November 2016 election.

- At observed locations, 23 voters who had difficulty producing photo IDs were offered provisional ballots and proceeded to vote provisionally; 14 voters who had difficulty producing photo IDs were offered a provisional ballot and declined to vote provisionally; and 24 voters who had difficulty producing photo IDs were NOT offered provisional ballots and left without voting.

  - Sites with a known student population were more than five times as likely to report voters not being offered provisional ballots and witnessed voters leaving without voting as sites without a known student population.

  - *At a polling site in **Walworth County**, eight 18-year-old high school students were turned away without being offered provisional ballots.*

  - *At a polling site in the **City of Madison**, poll workers were not initially aware when provisional ballots should be offered. Voters without a photo ID for voting left without being offered provisional ballots before this was corrected.*

  - *At a polling site in **Bayfield County**, the observer was told "They do not provide provisional ballots at this site" and was later told that the city clerk, who had left at 4:30 p.m., was the only one that gave out provisional ballots.*

- *At a polling site in the **City of Milwaukee**, the two Chief Inspectors openly argued about how to interpret information on provisional ballot protocol.*

- *At another polling site in the **City of Madison**, a voter refused to vote provisionally (when it was offered incorrectly at registration) as they were uncertain they could complete the requirements by the deadline.*

- *At a polling site in **Vernon County**, a voter had moved from Florida and did not have a Wisconsin driver's license or state ID card. The voter was offered a provisional ballot and given options but refused the provisional ballot after mistakenly believing that she needed to return with an acceptable photo ID for voting by the end of the day.*

- *At a polling site in **Dane County**, two voters (husband and wife) who moved to Wisconsin from California and did not have acceptable photo IDs for voting were not initially offered provisional ballots. The observer got the municipal clerk's attention and the clerk offered provisional ballots. Both voted provisionally. If the observer had not been there, both voters would have left without voting.*

Additionally, at some polling places, provisional ballots were observed incorrectly offering to voters during registration when they lacked proof of residence to register to vote.

- *Voters at polling sites in the **City of Neenah, Village of Westfield, City of Sheboygan, Town of Caledonia, City of Waukesha** and **Town of Lac Du Flambeau** were incorrectly offered provisional ballots at registration.*

Electronic Poll Books

For this election, there were nine polling sites observed utilizing electronic poll books in the **Village of Jackson, Town of Waukesha, Village of McFarland, Village of Deforest,** and **City of Sun Prairie**. These electronic poll books, called "Badger books" or "e-poll books," are designed to replace paper-based poll books.[2]

There were several positive outcomes from using these poll books. Overall it seems that poll workers and voters were satisfied with the e-poll books. Observers reported comments like "workers and voters both like it," "muni[cipal] clerk - says "fantastic," and "this location loves the e-books."

- The voting process with an e-poll book is significantly faster than with paper poll books.

---

[2] The Wisconsin Elections Commission developed the software for Wisconsin's e-poll books internally and first piloted their use in Wisconsin during the April 3, 2018 election. E-poll books are used to check in voters and have the capability to process voter registrations. This was the third election during which e-poll books were used at select sites in Wisconsin.

(footnote continued)

- As e-poll books can check in and register voters, most polling sites did not have separate lines for registration and check-in although many had separate stations for check-in and registration. Poll workers used this flexibility to transition stations from registration to check-in stations, such as dedicating an e-poll book to registration when it was busy.[3]

- Observers noted that four of the polling sites utilized the features included in the e-poll book software to assist in sending voters to the correct polling locations.

- At eight of the polling sites, observers noted that voters were able to read their address when signing the e-poll book (although one observer commented that the font on the e-poll books is small). This is an improvement from when the e-poll books were piloted during the April 3 election and voters said they were not able to read their addresses while signing the books.

There were, however, some concerns expressed about the e-poll books.

- Four of the nine sites experienced a time when the e-poll books needed to be rebooted, although this generally occurred without difficulties. It appeared to most often be user error that led to the need for the reboot.

- At one of the polling locations there seemed to be one "password keeper" for logging back into the e-poll books. This caused a delay when a registrar returned from a break and needed to login but did not have a password. The registrar had to wait while they found the one person with login information.

- Poll workers seemed to believe that once voters started the process on the machine it had to be finished, even when something had to be checked out (brand new address not in the system) and it was holding up the whole line. With paper, the voter could have stepped aside while others registered.

- Poll workers using e-poll books need to be cross trained in registration and check in, and the instructions need to be improved. For example, one poll worker decided to register a voter while the registrar was performing another task. That worker initially (incorrectly) told a voter that his Wisconsin ID card could not also be used as proof of residence - that he needed a separate item. This indicates that the step by step walkthrough feature of the e-poll books may not be as complete as desired. Instructional steps do not replace poll worker training but can hopefully supplement it.

- None of the nine sites observed utilized the barcode scanner feature included in the e-poll book. The primary reason was that the time for the barcode scanner to look up a voter was much slower than if the poll worker just typed in the voter's name.

---

[3] Typically, at polling locations, voters are directed into two different lines depending on if they need to register to vote or are already registered and are ready to check-in to receive their ballot. At many e-poll book sites, voters are directed to wait in one line as the e-poll books can register and check-in voters if needed.

- Several e-poll book machines had issues using a stylus to collect a voter's signature.

- At sites with high voter turnout, the e-poll books helped to process voters more quickly, but observers still reported that the sites were understaffed or did not have enough e-poll books. At a couple of sites, an e-poll book being used to process absentee ballots could have been repurposed and opened up to process in person voters if the absentee ballots could have been assigned numbers and checked-in prior to Election Day.

Ballot Issues

There were a few issues about regular Election Day ballots.

- *The **Village of Howard** issued ballots for incorrect assembly districts to several hundred voters in a multi-ward polling site, until 8 a.m.*

- *According to the WEC there were four polling places in the state with incorrect ballot issues.*

- Seven polling sites also reported running out of ballots on Election Day. For example,
    - *A polling site in **Beloit** reported running out of ballots. The site ran out of ballots around 4 p.m. The Chief Inspector had called for more ballots around 3:15 p.m. or 3:30 p.m. When the ballots arrived at 4:23 p.m., about 12 voters had been waiting to vote during the time.*
    - *There were reports of ballot shortages in **Somers**; the clerk was out of the office and Kenosha County would not accept requests for additional ballots for Somers if the request did not come directly from the clerk. (The clerk ultimately ended up going to the polling place with additional ballots).*

Voter Intimidation and Misinformation Concerns

Voter intimidation complaints were fewer than in past years.

- *At a polling site in the **City of Milwaukee**, a district attorney went to the polling place with two large police officers (allegedly as his security). Voters felt this was intimidating.*

- *At another polling site in the **City of Milwaukee**, GOP partisan observers were talking to voters waiting in line to vote. After speaking with the Chief regarding this, the talking ceased.*

- *At a polling place in **West Allis**, it was reported that someone was standing outside of the polling place wearing an "Immigration and Customs Enforcement" (ICE) hat.*

- *A voter complained the presence of security cameras in polling sites (including many schools) in general. He was concerned about the security cameras recording people when they vote, which he felt was an invasion of privacy. Since cameras are not allowed in polling places, the voter felt that security cameras that may exist in any polling places should be covered.*

- *At a polling site in **Kenosha**, several poll workers improperly compared the addresses on voters' photo IDs with their registration address and, even after having been corrected by the Chief Inspector, made voters feel uncomfortable when that situation existed.*

Unclear information and misinformation leading up to Election Day led to concerned voters and led to some confusion.

- *Prior to Election Day, multiple voters complained about Google searches that led to pop-up ads for partisan candidates when, for example, searching for "myvote" and felt that it made the site seem partisan.*

- *Several weeks before the election, a post was circulated on social media alleging that the writer had found a flyer in a Latinx neighborhood in Milwaukee saying that immigration officials would be at polling sites and that proof of citizenship was needed to vote. Whether or not such a flyer in fact existed, the post was widely circulated and caused a lot of consternation about potential voter suppression efforts in this community. ICE did issue a statement that it would not be present at polling places, and Wisconsin Election Protection prepared and circulated correct information on citizenship and voting in Wisconsin.*

- *There were reports of voters being given incorrect polling place information when using a third-party source to find their polling place.*

- *There were reports of voters using third-party websites to register to vote online, only to find their registrations incomplete upon arrival at their polling place.*

- Prior to Election Day, some concerns were raised about information on absentee ballots.

  - *A third-party organization sent voters information about how to request absentee ballots that had incorrect voter information pre-populated in the supplied request form and incorrect municipal clerk addresses on some of the supplied return envelopes.*

  - *Many voters seemed unaware that ballots had to be received back by Election Day.*

  - *Some voters had questions about whether absentee ballots could be hand delivered, to be returned on time.*

Recommendations for Future Elections

Wisconsin should be celebrating our high voter turnout for the November 6, 2018 election. It is clear that Wisconsin is doing a great job of getting voters to the polls, having them register and vote. Participation in civil society by voting is an important right and should be strongly encouraged.

Recommendations Related to Voter Registration

Facilitate Online Voter Registration

For nearly a decade, the rules for voter registration have changed to allow and disallow certain kinds of proof of residence, eliminate corroboration, require registrars to write the kind of proof of residence document, and requiring registrars to write portions of an available account number. These changing requirements have been confusing for clerks, registrars and voters. Moreover, the continuing changes allow more room for error, and take longer for voters to register and vote.

On the other hand, the state has also opened opportunities for online voter registration until 20 days before Election Day. This provides the opportunity for more voters to register, or update their registrations, online, avoiding these confusing requirements. There are certain limitations with online registration, including that it is only available to voters with Wisconsin driver's licenses or ID cards. Moreover, many voters are unaware of this opportunity and we found many others were confused about how the process worked, when it could be used, and how they could verify whether they had correctly registered.

We encourage the state to take steps to educate voters about, expand and facilitate online registration. As the deputy clerk at one polling place in Washington County noted, more people registering online would facilitate the voting process.

Such efforts could include combining voter registration with other state processes, such as allowing registration at the time a voter obtains or renews ID or a driver's license. The state could also consider incorporating online registration for voters who engage in other transactions with the state which already collect residence information, such as applying for a hunting or fishing license or applying for benefits. Voters could still opt-out of being registered, but having registration handled by state entities already collecting residence information would ensure more consistency in the state databases and more effectively facilitate voter registration and voting.

In addition, we encourage the WEC to review the online registration system, clarify and simplify instructions, and provide public education materials, so that voters better understand how the online registration process does (and does not) work and how they can verify that they have successfully registered. Doing so would alleviate many of the problems and confusion about online registration which occurred in this election.

One area specifically needing attention is how voters are given instructions to complete their registrations after the online registration cutoff date. Voters who seek to register after the cutoff are supposed to print out the registration form and bring it to the polling place with their proof of residence document, to complete the registration. It appears, however, that a number of voters and poll workers were confused about the process and thought they were completing registration online after the cutoff. We recommend that the state clarify the instructions – with some kind of highly visible banner or text used after cutoff - to ensure voters understand that there are more steps they need to take to complete their registration. The state also should make the instructions more prominent on MyVote to avoid this confusion. We also recommend the state enhance the capabilities of the site to allow a voter to print their completed registration form from the page that details the instructions or to navigate back to their completed form from the instructional page, so the form can be printed without the voter needing to start the process over from the beginning. It is also worth exploring further possible solutions that may involve keeping the portal open to allow full online registration past the current cutoff date.

Furthermore, we encourage the WEC to increase the functionality of the MyVote system to allow all voters to be able to complete their voter registration online, even if they do not possess Wisconsin driver's licenses or state ID cards.

Retain Same-Day Registration

Election Day registration remains an important safeguard for voters and should be protected. During the November 2018 Election, Wisconsin's poll workers registered hundreds of thousands of voters on Election Day, with few problems statewide. Election Day registration protects voters from being disenfranchised in situations where there are errors in the poll books, voters believe they are registered only to find out they need to re-register on Election Day, or first-time voters that need to register for the first time. Election Day Registration also serves as an important safeguard for voters who are removed from the rolls in error, as experienced by thousands of voters in 2018 who were removed in error through the ERIC maintenance process that necessitated the use of the supplemental ERIC poll lists.

It should be noted that same-day registration has been in effect for more than 40 years in Wisconsin. Clerks and poll workers are not only accustomed to it, they are well trained in it and enthusiastic about its retention. In recent years, however, there have been some calls to eliminate same day registration. Not only would doing so make it more difficult for many voters to vote, but elimination of same-day registration would create confusion at the polls. Additionally, it would disenfranchise the many registered voters who, for various reasons, do not appear on the rolls, and disenfranchise many otherwise eligible voters.

Require Posting of DMV Contact Information

To ensure that voters whose driver's licenses have been stolen or misplaced are able to register, the WEC should require all polling sites to post the DMV phone number and DOT web address through

which voters can obtain their license numbers. In addition, this information is now on the Milwaukee voter registration form. We recommend that it be included on the state voter registration form and all other municipal registration forms.

Restore Corroboration

For decades and without adverse incident, Wisconsin allowed voters who lacked proof of residence to use another voter to corroborate their residence. Statutory corroboration required the poll worker also to take identifying information from the corroborator, which provided an additional safeguard.

Although most voters do have proof of residence, not all do. The lack of POR appears to be most common for young voters who live with their parents, spouses where all bills and documents are only in the other spouse's name, persons whose mail only goes to a P.O. Box, persons whose bills are handled by and mailed to a third party (*e.g.*, a protective payee), and homeless and marginally housed persons. Corroboration would allow these voters to participate in the electoral process.

Recommendations Related to Voter ID

Expand Forms of ID

There remains no evidence from Wisconsin of voter impersonation fraud which would be resolved by the use of Voter ID, and we continue to believe that this is an unnecessary and burdensome requirement that discourages and deters eligible voters from voting. To the extent that the state insists on keeping the voter ID requirement which, the state asserts, is to prevent impersonation, there should be an expansion of the types of ID permissible for voting, as there are many forms of secure photo ID other than the kinds of ID currently listed in the statute. Additional forms of ID to consider include:

- Any photo ID card issued by the federal government, the state of Wisconsin, or a Wisconsin county or local government;

- Out-of-state driver's licenses (as is the case in Alabama and Michigan);

- Regular college and university ID cards from all Wisconsin colleges and technical schools;

- An affidavit for voters who have reasonable impediments to obtaining photo ID.

Facilitate ID Issuance

WISCONSIN ELECTION PROTECTION is also concerned that DMV continues to have unreasonably restrictive processes for ID issuance. Among the matters that we believe require improvement are:

- Require posting in DMV and at polling sites about the ID requirement and about the ID Petition Process (IDPP), (including what documents can be used to get ID);

- Require DMV to amend rules so that voters only have to go to DMV once (and can bring whatever alternative documents they have at that time), instead of requiring multiple visits to DMV;

- Require DMV to issue receipts valid for voting to all applicants at the time of application, to ensure that voters who enter the IDPP process are able to obtain a form of ID valid for voting without delay;

- Require DMV to publicize and provide handouts on all documents that can be used to prove citizenship, name/DOB, and identity/residency, as well as on the digital photo look-up option for those who have had ID in the past;

- Allow voters who lack one or more documents, and/or corroborators, to attest to those facts by sworn affidavit;

- Allow voters with out-of-state driver's licenses to obtain Wisconsin ID cards to vote, including through the IDPP process, without surrendering those licenses.

In addition, there are transportation and scheduling barriers that preclude some Wisconsin residents from obtaining ID. DMV therefore should also:

- Ensure that evening and weekend hours are available at all DMV service centers during the 60 days prior to any election, and publicize that availability;

- Provide mobile vehicles to take DMV services to communities, especially communities of rural, homeless, indigent and disabled voters;

- Consider establishing a system so that voters without ID could have photographs taken and an ID application initiated at polling sites and vote at that time.

Provide Notice

There is no question that many voters remain unaware of or confused by the voter ID requirements and exceptions. Because there is a Statewide Voter Registration System (SVRS), WEC should make maximal efforts to provide notice to voters. This should include:

- Individual notice to all voters in the Statewide Voter Registration System, explaining - in easy-to-understand language - the ID requirement and how to obtain ID;

- Individual notice about NON-applicability of photo ID to all those in SVRS who are exempt (*e.g.,* permanent absentees, voters in facilities served by special voting deputies, and permanent overseas/military voters). Also include this information prominently on absentee ballot applications;

- Notice and postings to all facilities whose residents are exempt (such as nursing homes and other care facilities) and to all entities likely to serve exempt voters (Aging & Disability Resource centers, senior centers, etc.);

- Written notice (provided at the voting site) to each voter told they lack proper ID of how to obtain ID, information on provisional ballots, and method/timeline to cure, and, for voters who have ID but are told ID is inadequate, the specific reasons for asserting ID is inadequate and method/timeline to cure, and of a hotline to call if they have any questions or concerns.

Recommendations Related to Voter Outreach and Education

Expand Outreach and Education

Additional widespread education and outreach should be provided to voters in advance of the 2020 Elections on important topics that affect their right to vote, including:

- Where to vote;

- How and where to register before Election Day (including information on online registration);

- The need for voters to re-register after moving;

- How to register on Election Day or at an early voting site, including what documents are needed to register;

- Procedures at the polls (registering, providing name and address, providing an acceptable voter ID, and signing the poll book – including exemptions and the ability to sign with a mark or "X");

- How to complete a ballot

- When they have the right to cast a provisional ballot and how to cure it; and

- How to use touch screen or other electronic voting machines.

Preparing voters not only makes the process smoother for the individual voter, it also speeds up the lines of waiting voters, and makes the job of poll workers easier and potentially more accurate. That improves the process for all voters on Election Day.

In addition, WEC is aware that there are voters unfamiliar with the voter ID law, especially minority, low-income, rural, and disabled voters. In recognition of this, the original voter ID law, 2011 Act 23, required an outreach program to groups of voters such as these who are less likely to have ID. That program was never fully implemented and that must occur before the 2020 Elections, and it must be expanded to include:

- Direct outreach and education by WEC to locations where voters less likely to have ID congregate (such as homeless shelters, meal sites, community and senior centers, etc.)

- Outreach and education to organizations serving these voters.

- Providing (and, in the case of public entities, requiring posting of) multilingual notices and postings, in easy-to-understand language, to government and non-government entities (especially those serving voters in groups less likely to have ID), for posting in all clerks offices and all polling sites; all offices involved in application for or issuance of government benefits such as food stamps, Badgercare, Family Care, SeniorCare, Wisconsin Shares, unemployment compensation, workforce development, and Aging and Disability Resource Centers; community and senior centers, schools, public transit (such as ads on buses), minority media, inner-city (or other) businesses targeted at low-income residents (e.g., grocery stores, dollar stores), etc.)

- Providing and expanding a WEC multi-lingual hotline, to assist individual voters with ID questions or problems.

Proactive voter education and outreach from state and local election officials will help voters find official sources to get their information rather than problematic third-party sources of election information.

Recommendations Related to Training

Improve Training for Chiefs

The WEC has continuously improved training modules to incorporate new requirements and procedures. While training is necessary on substantive issues, Chiefs also need guidance and suggestions on poll site management, including instructions how to utilize greeters, expediting the registration process, handling voters with ID problems and questions, and physically arranging the poll site. The Cities of Madison and Milwaukee have done an excellent job in providing such training and it is reflected in the increasing number of well-trained chiefs who are able to

effectively manage their polling sites.

Improve Poll Worker Training

Some, but not all, municipalities require poll worker training before every election. At a minimum, the WEC should require that municipalities train all new poll workers prior to the poll worker's first election, and train other poll workers at least annually (and more frequently in the case of significant changes in elections law). Specific training on the broad range of documents that can be used as proof of registration and on working with voters on what documents are acceptable, specific training on the kinds of photo ID that can and cannot be used and how voters can obtain appropriate ID, and training on how and when to administer provisional ballots are especially important. The WEC should continue to serve as a backup resource to the municipal clerks who normally conduct such training. We encourage the continued use of webinars and other new ways to disseminate information that make it easier to train poll workers in a uniform and professional fashion.

Recommendations Related to Voting

Retain Expanded In-person Absentee Voting

In 2018, hundreds of thousands of Wisconsin voters used in-person absentee voting to vote in advance of Election Day. In Wisconsin, each municipality has the discretion to set their own days and times for early voting. With this flexibility, many communities around the state – including municipalities such as Kenosha and Green Bay - provided a variety of days and times in the weeks leading up to November 6, 2018. Providing these opportunities not only provided options for voters, but also helped relieve the burden of Election Day lines on poll workers and clerks. Act 369, which would cut those early voting opportunities to fewer than 14 days, will inevitably increase the burdens on voters and poll workers, especially in larger communities. Moreover, in 2016, a federal court held that imposing such restrictions was discriminatory.

Municipal clerks know their communities and their voters' needs around early voting in their municipality. It is our hope that more municipal clerks expand early voting opportunities to increase the number of days, hours, and locations for voters to cast their ballot within their busy schedules. Municipal clerks and communities in general should be supported with the resources necessary to allow for flexible voting options.

Enhance Staffing

Especially at busy locations, encourage or require clerks to ensure that sites have adequate staff to provide greeters to ensure voters are in the correct polling place, the correct line for registration,

and, in multiple-ward sites, in the correct line for voting. More outreach efforts by state and local government is needed to ensure enough election officials are recruited to serve on Election Day.

Municipalities also should have supplemental or on-call staff available on Election Day to deal with unexpected contingencies, such as unusually long lines or workers who call in sick or fail to show up.

Facilitate Splitting Poll Books

At busy polling sites, splitting the poll books shortens lines and facilitates the voting process. Before each election, and especially before general elections, communities should determine which polling sites are expected to have the highest turnout, obtain additional staff, and split the poll books in advance. Communities should also have supplemental staff available to deploy to additional polling sites if splitting the books at additional sites is needed.

Improve the Location and Layout of Poll Sites

Clerks and chief inspectors statewide should give careful evaluation to the ability of their poll sites to accommodate voters in large turnout elections. This must include consideration of persons with mobility problems, the protection of voters from waiting in inclement weather, and the provision of privacy in the completion of the voting process. While care should be given to moving poll sites from their expected location to a new site, creative use of existing facilities can make voting much easier. An analysis of existing poll sites throughout the state should be encouraged well in advance of Election Day.

Proper and helpful signage is a great asset to a polling place. Signage should be visible – especially during busy times – and can be used to direct voters to the proper line. It would be helpful for signs/instructions to help voters in line to register get started with registration form and to have their proof of residence documents (including electronic documents) ready when they get to the registrar.

Ensure Polling Sites Are Accessible to All Voters

Care must be taken to ensure that polling locations are accessible to all voters. The accessible voting equipment is required by law to be set up and available to all voters who want to use it. Election officials need to be adequately trained to ensure the equipment is set up and that they can help voters use it if necessary. Voters should not be unduly burden or disenfranchised because they are denied provisions to assist them in casting their ballot such as curbside voting or an assistant to help them mark their ballot.

Additionally, voting machines that serve dual purposes as ballot tabulators and accessible voting equipment should not be utilized to serve as the accessible voting equipment in a way that would force all voting to halt while the person with a disability utilizes the machine. As previously

discussed in this report when describing the *Dominion ImageCast Evolution*, this denies the voter privacy and causes delays for all voters. Not to mention how awkward and isolating this would feel.

Consider Increased Use of E-Poll Books

Voters and poll workers alike at sites currently using e-poll books are having good experiences with the technology. Utilizing e-poll books, poll workers can process more voters in less time more flexibly with fewer workers. Additionally, e-poll books significantly reduce the amount of work for poll workers at the end of the night on Election Day. As funds are available, we encourage municipalities to consider whether e-poll books would be a good fit for their communities. Sites already utilizing the e-poll books may also benefit from purchasing additional machines to handle the volume of voters they need to process on Election Day.

Additionally, if a large number of absentee ballots need to be processed on the e-poll books, the absentee ballots should be assigned numbers and checked-in prior to Election Day so the e-poll book station is available to process in person voters on Election Day.

Conclusion

Wisconsin should be very proud of its strong voter turnout and efficient election administration. Same-day registration, including allowance of electronic proof of residence, was effectively implemented state-wide and should be lauded as an example of effective voter enfranchisement. We hope that our recommendations will assist in making voting even easier for both Wisconsin voters and the individuals who administer elections throughout the state.

Respectfully submitted:

The Legal Coordinating Committee of WISCONSIN ELECTION PROTECTION, by:
    Karyn L. Rotker, American Civil Liberties Union of Wisconsin Foundation
    Barbara Zack Quindel & Summer Murshid, Hawks Quindel, S.C.

LEAGUE OF WOMEN VOTERS OF WISCONSIN, by:
    Eileen Newcomer, Voter Education Coordinator
    Erin Grunze, Executive Director

MILWAUKEE AREA LABOR COUNCIL, by:
    Pam Fendt
    Jay Reinke
    Paula Dorsey