



February 26, 2025

Ms. Maribeth Witzel-Behl
Madison City Clerk
210 Martin Luther King Jr. Blvd
Room 105, City-County Building
Madison, WI 53703
via E-mail: (clerk@cityofmadison.com)

RE: Compliance with Wis. Stat. § 6.855

Dear Madame Clerk,

This letter is to inform you that current practices surrounding the selection of locations for alternate absentee ballot sites in Madison have provided an unfair advantage to Democrat candidates, contrary to Wisconsin law. Wis. Stat. § 6.855 states:

The governing body of a municipality may elect to designate a site other than the office of the municipal clerk or board of election commissioners as the location from which electors of the municipality may request and vote absentee ballots and to which voted absentee ballots shall be returned by electors for any election. The designated site shall be located as near as practicable to the office of the municipal clerk or board of election commissioners and *no site may be designated that affords an advantage to any political party.*

(emphasis added). Accordingly, under Wisconsin law, it is your duty to ensure that any site selected for alternate absentee balloting provides fair and equal access to all voters.

The America First Policy Institute has reviewed historical voting data and concluded that the City of Madison's placement of designated alternate absentee balloting sites disproportionately benefits Democrat candidates.

Only 24 of Madison's many voting wards are equipped with these alternate absentee balloting locations. These wards have consistently shown a higher representation of Democrat voters compared to the citywide average.

In the election held on November 5, 2024, 10 of the wards with designated alternate absentee balloting sites exhibited a voter preference significantly skewed toward Democrat candidates,

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compared to only five favoring Republican candidates. Similarly, in the April 4, 2023, election, 10 of these wards again significantly overrepresented Democrat voters, while just three favored Republicans.

In contrast, wards without such designated sites demonstrated no significant overall partisan “advantage” for either party in either election. Notably, 10 of these alternate absentee balloting sites are situated on or adjacent to college campuses.

This strategic placement provides a distinct electoral “advantage” to the Democratic Party, a practice that is inconsistent with the impartiality required under Wisconsin law.

The America First Policy Institute has also reviewed the City of Madison’s planned sites for alternate absentee balloting in the upcoming election on April 1, 2025. It is clear that the City of Madison intends to continue using sites that afford an “advantage” to the Democratic Party. Because the City of Madison’s alternate absentee balloting sites are in locations that have consistently and demonstrably favored Democrat voters and candidates, the City of Madison is in violation of Wisconsin law. It is your duty as the responsible elections official to remedy these issues and provide alternate absentee balloting sites in locations that do not afford an “advantage” to either political party. Failure to designate new locations for alternate absentee balloting, consistent with Wis. Stat. § 6.855(1)-(2), prior to the April 1, 2025, election, is a violation of Wisconsin law and may be subject to the penalties and remedies prescribed under Chapter 5 of the Wisconsin Statutes.

Thank you for your attention to this important matter.

Respectfully,

s/ Nicholas J. Wanic

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