



February 26, 2025

Ms. Meagan Wolfe
Administrator
Wisconsin Elections Commission
P.O. Box 7984
Madison, Wisconsin 53707-7984
via E-mail: (elections@wi.gov)

RE: Compliance with Wis. Stat. § 6.855

Dear Ms. Wolfe,

This letter is to inform you that current practices surrounding the selection of locations for alternate absentee ballot sites in several municipalities across Wisconsin 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, the Wisconsin Elections Commission must work to ensure that any site selected for alternate absentee balloting provides fair and equal access to all voters during the upcoming April 1 election.

The America First Policy Institute has reviewed historical voting data and concluded that the cities of Madison, La Crosse, and Oshkosh intend to locate designated alternate absentee balloting sites in locations that disproportionately benefit Democrat candidates.

Of Madison's voting wards, only 24 are designated with these alternate absentee balloting locations. 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, compared to only five favoring Republican candidates. Similarly, in the April 4, 2023, election, 10 of these wards again significantly overrepresented Democrat voters, while

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just three favored Republicans. In contrast, wards without such designated sites demonstrated no significant overall partisan advantage for either party in either election.

Of the four voting wards within the City of La Crosse where early voting is set to occur, two wards significantly overrepresented Democrat voters, in the elections of April 4, 2023, and November 5, 2024. Additionally, one of the wards where in person absentee balloting will occur was the single most Democrat ward in the City during the April 4, 2023 election.

The City of Oshkosh's designated alternate absentee balloting site, located at 19 East Irving Avenue, is within or adjacent to four of the City's voting wards. During the April 4, 2023, election, each of these wards dramatically overrepresented Democrat voters. In that election, these four wards voted nearly nine points higher in favor of the Democrat candidate than voters in all of Oshkosh's other wards.

These sites provide a clear "advantage" to the Democratic Party, contrary to Wisconsin law. Notably, many of the alternate absentee balloting sites are situated on or adjacent to college campuses. In the City of Madison, 10 of its 28 sites are 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.

Having reviewed the cities of Madison, La Crosse, and Oshkosh's planned sites for alternate absentee balloting in the upcoming election on April 1, 2025, the America First Policy Institute has determined that these cities will continue to provide an unlawful "advantage" to the Democratic Party. Because these planned alternate absentee balloting sites are in locations that have consistently and demonstrably favored Democrat voters and candidates, the cities are in violation of Wisconsin law.

The Commission has the statutory responsibility to administer Wisconsin's elections laws and is required by law to investigate violations of such laws. Therefore, the Commission must work to ensure that alternate absentee balloting provides fair and equal access to all voters during the upcoming election on April 1.

Thank you for your attention to this important matter.

Respectfully,

s/Nicholas J. Wanic

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