FROM: Fair Fight 2020
         Democratic Party of Wisconsin

TO: Interested Parties

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RE: Lessons Learned from Wisconsin's April Election

Though Wisconsin's recent election was incredibly difficult in many ways, it provided us a template for what how elections could function well in a time of crisis. The following six lessons can help guide other states to ensure full participation in difficult circumstances:

I. In-person voting worked better in cities that could keep more polling places open.

Wisconsin confirmed that closing polling locations increases crowding and makes in-person voting risky. Madison was able to maintain 66 polling locations, down from 85 in the November 2018 election, and saw relatively light traffic at polling locations, without long lines and, crucially, almost no crowding. Milwaukee and Green Bay faced impossible worker shortages, despite herculean attempts to staff polling locations, and were forced to reduce polling places from 185 to 5 and from 31 to 2, respectively, and saw horrific crowding that put voters and poll workers in danger for their hours-long waits to vote. In jurisdictions that struggle with long lines and crowding during a normal cycle, this may be the time to open even more polling places than usual, though jurisdictions must have the resources and personnel to make this happen.

II. Proper preparation is necessary to minimize transmission through in-person voting.

The Wisconsin Election Commission did not provide many polling places with sufficient PPE—despite extraordinary efforts, WEC staff were unable to procure sufficient quantities of products such as sanitizer, surgical masks, and even simple items like paper towels. Though it may be impossible to keep in-person voting entirely risk-free, to keep it as safe as possible, state and local election officials need to source these products early and in large enough quantities to support every open polling location equitably. Ensuring robust supplies of PPE may also reassure understandably skittish poll workers and ease critical staffing shortages.

III. Drop boxes are crucial.

Major cities quickly converted library book drops into absentee ballot drop boxes, allowing voters to drop off an already-voted ballot without risking mailing it in or going to a vote center. However, poll workers still reported that significant number of voters visited in-person vote centers to simply drop off their ballot. Milwaukee, which has 14 public library branches, only allowed 5 to serve as ballot drop locations. Increasing the number of drop boxes may have alleviated crowding at the limited number of already-crowded polling locations in the jurisdiction.

This should include:
• Increasing the number of drop box locations.
• Ensuring there is geographic diversity in their placement.
• Actively promoting their use and advertising their locations may help alleviate crowding at and pressure on polling locations.

IV. Emergency election worker staffing will be necessary.

Not surprisingly, jurisdictions across Wisconsin reported significant cancellations, both in advance and last-minute, among election workers. Jurisdictions should plan for emergency staffing needs, and options include:

- Government employees from other agencies, especially agencies which are currently shut down.
- Teachers, librarians, or service workers impacted by school and business shutdowns.
- High school and college students, who should be excused from class to serve their community.

In any of these cases, jurisdictions should over-train and over-hire well in advance to ensure that they do not need to do emergency training.

V. Safe in-person voting requires reasonable mail voting rules.

Ultimately, safer in-person voting depends on reducing crowds by maximizing participation in vote-by-mail. In Wisconsin, suppressive mail voting rules—such as requiring a scanned government-issued ID with an application or requiring that a witness sign a mailed ballot—ended up forcing voters who wanted to vote at home to go to the polling place instead. We need to follow expert guidance on making mail voting efficient and accessible during an emergency, including:

- Mailing every voter a ballot, or at least making the request process seamless.
- Prepaying return for ballots
- Eliminating burdensome witnessing or notarization requirements, and ensuring that procedures are in place to cure signature issues or other administrative errors.
- Allow for community groups to assist voters with the return of completed and sealed ballots.
- Requiring all ballots postmarked by election day be counted, and have procedures in place to deal with ballots that come in without postmarks (e.g., look to the date of the voter's certification as evidence of date mailed; include presumption that any ballot received within three days of election day was mailed on time).

VI. Election officials must expansively interpret laws to favor voters

Election officials in Wisconsin faced a herculean task. While the Legislature refused to act, the Wisconsin Elections Commission (WEC) could not overcome resistance from its Republican-appointed commissioners, and courts threw the election into further disarray, many local election officials—especially those in Madison and Milwaukee—put voters first. While using their public position to advocate for the best ways to serve their citizens, they also took the most pro-voter interpretation of state laws and procedures to allow them to get voters ballots as safely as possible. WEC staff, hamstrung by a commission split evenly with three Republican and three Democratic commissioners, were forced to give narrower, more risk-averse guidance on ambiguous provisions. For example, although state law was ambiguous on the point, WEC staff insisted that voters who did not receive a mail ballot through no fault of their own could not receive an emailed replacement and would need to vote in person—while later backtracking mid-afternoon on election day. While election officials' authority, at the state and local level, may be severely constrained by statute, where there are ambiguities, those ambiguities should be construed in the most pro-voter way possible.