



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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February 26, 2025

Ms. Nikki Elsen
La Crosse City Clerk
400 La Crosse St.
City Hall, 2nd Floor
La Crosse, WI 54601
via E-mail: (elsenn@cityoflacrosse.org)

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 La Crosse 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 La Crosse's placement of its designated alternate absentee balloting sites disproportionately benefits Democrat candidates.

The City of La Crosse presently plans to designate three alternate absentee balloting sites located at the Southside Neighborhood Center, the HMOOB Cultural & Community Agency, and the Cleary Alumni & Friends Center at the University of Wisconsin-La Crosse campus.

Notably, the City of La Crosse also plans to utilize City Hall contemporaneously with these other locations.

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Of the four voting wards with designated early voting locations, two wards significantly overrepresented Democrat voters in the elections of April 4, 2023, and November 5, 2024.

Additionally, the 12th ward, one of the wards where the City intends to hold early voting, was the single most Democratic ward in the City during the April 4, 2023 election.

During the November 5, 2024, election, voters in the four wards represented by these designated alternate absentee balloting sites voted Democrat by more than three points more than the rest of the City.

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

It is clear that the City of La Crosse intends to continue using sites that afford an “advantage” to the Democratic Party. Because the City of La Crosse’s alternate absentee balloting sites are in locations that have consistently and demonstrably favored Democrat voters and candidates, the City of La Crosse 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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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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February 26, 2025

Ms. Diane Bartlett
Oshkosh City Clerk
215 Church Avenue
P.O. Box 1130
Oshkosh, WI 54903-1130
via E-mail: (city_clerk@oshkoshwi.gov)

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 Oshkosh 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 Oshkosh's placement of a designated alternate absentee balloting site disproportionately benefits Democrat candidates.

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: the 7th, 8th, 9th, and 10th. 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 Democrat candidates, than voters in all of Oshkosh's other wards.

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In the November 5, 2024, election, these four wards again significantly overrepresented Democrat voters within the City, this time by approximately five percent.

Notably, the City's alternate absentee balloting site is also near the University of Wisconsin-Oshkosh campus.

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 reviewed the City of Oshkosh's plans for alternate absentee balloting in the upcoming election on April 1, 2025. It is clear that the City of Oshkosh intends to continue using this site, which affords an "advantage" to the Democratic party. Because the City of Oshkosh's alternate absentee balloting site is in a location that has consistently and demonstrably favored Democrat voters and candidates, the City of Oshkosh 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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