



City of Madison

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To: Senate Committee on Elections, Election Process Reform and Ethics
From: Mary Bottari, mbottari@cityofmadison.com
Date: May 5, 2021
Re: Senate Bills 209, 203, 206, 212

I am writing on behalf of the City of Madison to express concerns with bills before the committee today, including SB 209, 203, 206, and 212. These bills are part and parcel of a national trend.

As of March, legislators in 47 states have introduced 361 bills to restrict access to voting, according to the Brennan Center for Justice. The *Washington Post* has characterized this unprecedented stampede as “the most sweeping contraction of ballot access in the United States since the end of Reconstruction, when Southern states curtailed the voting rights of formerly enslaved Black men.” Wisconsin is no slouch, introducing dozens of bills that make it harder -- not easier -- for voters to cast their ballots.

Bills have been introduced in the Wisconsin legislature that would bar many of the best practices Wisconsin cities, towns and villages developed to keep voters safe during the COVID-19 pandemic and would create a swath of new criminal penalties impacting voters and voting officials in the complete absence of any evidence of fraud or misconduct related to the 2020 elections.

SB 209/AB 177: Last year, in preparation for a huge influx of absentee ballots due to the pandemic, Madison installed permanent ballot drop boxes at 13 locations on city property, predominantly at fire stations. Instead of making funds available so that every community could similarly make voting safe and accessible, SB 209 would force Madison to rip out its 13 ballot boxes and only have one at the City Clerk’s office. There is no explanation for this absurdity. Communities across the nation have safely utilized drop boxes for years, not just during a pandemic.

During the pandemic, many fearful voters asked a trusted friend or neighbor to return their absentee ballot to the clerk’s office on their behalf. **SB 203/AB 192** would place bureaucratic hurdles in front of voters who wanted to exercise this common-sense option, instead forcing them to designate someone in writing to deliver their ballot and making it a Class one felony for a person to deliver more than one ballot -- a felony even though there has been no evidence of problems or fraud related to this practice.

SB 206/AB 180 would force a disabled person or an indefinitely confined voter to reapply for “indefinitely confined” status every two years, and would require voters under 65 to have the certification of a physician or a medical professional to obtain this status. The bill applies stiff penalties to anyone seeking this type of accommodation incorrectly.

SB 212/AB 198: With regard to AB 198, the City of Madison anticipates that increased levels of absentee voting will be a permanent fixture in our elections. In an era of increasing absentee ballots, it simply does not make sense that clerks will be required to return ballots to voters (a process that could take two weeks or more by mail) for minor address corrections to exterior envelopes. A common error is when the witness (often the spouse of the voter) forgets to fill in their full address in the witness certification box on the exterior envelope of the ballot, because the voter already has given the address. The legislature must allow clerks to correct minor issues via email or phone call or thousands will be disenfranchised.

In the middle of the worst pandemic in modern American history, the Wisconsin state legislature failed to take any action to aid localities charged with administering elections. When election workers quit by the thousands, the legislature did not provide funds to help clerks with absentee ballots, postage, drop boxes, PPE, Plexiglas or masks. They stood by as election official across the state struggled to do their best and preserve election integrity under extraordinary conditions.

Now with no evidence of wrongdoing on the part of any election official, the legislature is inappropriately attempting to pass bills containing a series of new felony charges applying to Wisconsin’s respected clerks and election officials. It is the view of the City of Madison that our state election officials and poll workers are among the heroes of this pandemic, who worked tremendous hours to protect our democracy and voting rights in a time of crisis in a nonpartisan and professional manner.