

One Wisconsin Now: Will Republican legislature risk contempt with scheme to enact new limits on early voting?

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GOP Anti-Voter Plot Would Directly Contradict Court Decision Protecting Early Voting Rights

MADISON, Wis. — A 2016 federal court ruling in the voting rights case *One Wisconsin Institute, et. al. v. Thomsen, et. al.* struck down racially-motivated restrictions on the hours and days of early voting imposed by Wisconsin Republicans. Attorney Bruce Spiva, a partner with the law firm Perkins Coie, who was on the legal team that argued the case, noted the legislature and its Republican leaders could find themselves in contempt of the court ruling if they follow through with a new effort to limit early voting after historic losses in the November midterm elections.

“Republicans aren’t just showing contempt and disrespect for Wisconsin voters by attacking early voting, again,” said One Wisconsin Now Executive Director Scot Ross. “This time they’re doing it with the full knowledge that they are thumbing

their noses at a court order.”

As reported yesterday: On a conference call with reporters, Spiva said Monday one way to fight the limit if it passes is with a contempt motion. “If the Legislature is again contemplating the hours and the days of early voting, that would directly conflict with the injunction that Judge Peterson put in place,” he said.

Legislators pondering the voting restrictions are doing so with the knowledge they are running afoul of the federal judiciary. An analysis provided to the legislature by the nonpartisan Legislative Fiscal Bureau about the provision noted the decision of federal Judge James Peterson in *One Wisconsin Institute et. al. v. Thomsen et. al.* held the previous GOP imposed limits imposed on days and times of early voting were unconstitutional.

In addition, a drafting attorney who prepared the language of the bill at the direction of Assembly Republican leader Robin Vos noted that the previously imposed state limits on the days and hours of in-person early voting were found to be unconstitutional.

In his 2016 decision striking down those limits, federal Judge James Peterson found, “... Wisconsin’s restrictions on the hours for in-person absentee voting have had a disparate effect on African Americans and Latinos. The court also finds that the legislature’s justification for these restrictions was meager, and that the intent was to secure partisan advantage.”