

Common Cause: Testimony for today's Joint Legislative Committee hearing on election results

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Below are comments submitted to the joint state legislative committees holding a hearing today from 10:00 AM to 6:00 PM reviewing the results of the November 3, 2020 election. The committee chairs limited testimony to invitees only, but we are making public our comments that we submitted to the legislators. You can watch (although not participate) in this "public" hearing by going here:

<https://wiseye.org/live/>

December 10, 2020

To: Senator Kathleen Bernier, Chair, Committee on Elections, Ethics and Rural Issues

Senator Alberta Darling, Vice-Chair, Committee on Elections, Ethics and Rural Issues

Senator Mark Miller, Senator Jeff Smith, Senator Duey Stroebel

Representative Ron Tusler, Chair, Committee on Campaigns and Elections

Representative Joe Sanfelippo, Vice-Chair, Committee on Campaigns and Elections

Representative Janel Brandtjen, Representative John Macco, Representative David

Murphy, Representative Shae A. Sortwell, Representative Mark Spreitzer,

Representative Lisa Subeck, Representative JoCasta Zamarripa

Re: Joint Public Hearing on 2020 Election - December 11, 2020

Dear Members of the Joint Committee on Elections,

Wisconsin makes a compelling case for why the election clerks across the state should have heard from you *before* the November 2020 election if you felt there was a need to further clarify standards to process ballots prior to Election Day. The options to use absentee ballots understandably became much more attractive to voters as COVID-19 hit and devastated Wisconsin beginning last Spring and accelerated in the Fall. But only now, after the election is over and the results have

been canvassed and certified, you call into question the results of your own inaction, and in the process, incite chaos and undermine voter confidence in the election system you created over the last decade.

And now, clerks and election officials at every level across the state have had people from their districts and from out of Wisconsin, in their offices, on the phone, and on social media threatening and degrading them and their staff, and calling into question this election because you have not stood by the election officials who have done their civic duty, and, have acted conscientiously as public servants doing the work, proscribed by the law, that you wrote. You have not stood up to the people in Wisconsin who are angry about the results, and who are resentful because their candidate for President didn't win this election, and who continue to echo the lies about the results and how this election has been administered. They have not brought forward credible evidence to buttress their claims, and they have put their candidate over their country. You have failed to tell them that they are wrong and that the rumors they believe are unfounded.

The damage being done to our election system and to our democracy is very real and palpable, the longer this charade continues. Wisconsin legislators are complicit in tearing down our system of government and law. **Listen to Senator Devin LeMahieu's own words in 2019, when he proposed legislation (SB 574) that sought to process absentee ballots early and provide the help that election clerks have been advocating for and advising for years: "Election integrity is of utmost concern for voters in Wisconsin, and the longer the count takes, the more potential for mistrust in results to be fomented by those who mean harm to our democracy."** State legislators who have supported the numerous false and unsupported allegations of voting fraud in Wisconsin have wrongly given credence and credibility to these vicious attacks on our system. You have been ignoring exactly what Sen LeMahieu warned about only a year ago.

And to what end? To claim you're now investigating and seeking to improve the election process? To now ask questions and hold this hearing about the validity of the 2020 Wisconsin election after the final result has been canvassed, recounted and certified? You are now participating in the devaluation of tens of thousands of legitimately cast and counted votes after the election, simply because some of you don't like the result of the election. And your targeted disenfranchisement of only voters in Wisconsin's most populous counties, Milwaukee and Dane, are because they voted overwhelmingly for Joe Biden over Donald Trump and because they contain the largest number of Black and Brown voters in Wisconsin. The ramifications of this maneuver are beneath contempt.

Wisconsin has voted. America has voted. America is bigger than any one party or one candidate. Where we can agree is that we need to continue to look for ways to improve our elections to ensure people can vote securely, immediately process early votes, and expand voter access so every eligible citizen – no matter what they look like or where they live – can take part in our democracy. The voters have decided. Let's get Wisconsin moving forward. Wisconsin leaders need to focus on beating COVID and helping our hurting economy instead of wasting time contesting confirmed elections. It's time to accept the results and tackle the very real challenges Wisconsinites currently face.

In 2016, Common Cause in Wisconsin thanked our election officials for administering a difficult and very close election, including running a statewide recount. The 2016 recount confirmed that our process was secure and was done with integrity. Between 2016 and 2020, we worked tirelessly with many partners to increase voter education and improve election administration according to the law so that all eligible voters are more informed and engaged participants in our democracy.

In 2020, we again thanked our election officials for overcoming the challenges of administering a difficult election in an unprecedented year. This time with many more voters using absentee ballots but without giving clerks the ability to begin processing those ballots earlier so the results could be reported sooner. This time with a global pandemic to navigate which required implementing procedures to keep both voters and election officials safe. This time with greater transparency about election administration being reported to the public every step of the way. This time with completing their work across the state, as well as completing the recounts in Milwaukee and Dane counties, as the law requires and with integrity. This time under threats to the lives and safety of election officials at every level from the commissioners at Wisconsin Election Commission to local municipal clerks and their staff. They all deserve your acknowledgement of their good work and respect for the integrity with which they administered this election.

Finally, election officials and the voters of Wisconsin deserve your respect and support for the outcome of this election in Wisconsin.