

Mayor Rhodes-Conway: U.S. Seventh Circuit reduces options for safe and equitable voting access

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Yesterday, the U.S. Seventh Circuit Court of Appeals in Chicago ruled on a lawsuit related to voting laws in Wisconsin that had been pending for over three years. Its ruling undercuts some important strategies that helped keep voting safe and accessible during the pandemic in the April elections, and that have been highlighted as best practices for safe and equitable elections. The Court ruled, among other things, that in-person absentee voting will only be allowed for 13 days, compared to the six weeks it was offered in the last Presidential Election.

“In the last Presidential Election, over 57,000 people voted by early in-person absentee voting. Reducing this timeframe from six weeks to less than two weeks promotes long lines rather than safe, efficient service and makes it harder to ensure voters and voting rights will be protected in the upcoming pandemic election. Last spring, Madison pulled off a safe and functional election, and no new cases of COVID were detected related to voting here. This ruling makes our job harder, but we will not let the courts narrow access to voting rights in this City,” said Mayor Satya Rhodes-Conway.

“This politically-motivated desire to make voting harder for thousands of people takes us backwards at a time when the public is demanding safe options for voting during a pandemic, and when they are rightfully demanding fast and impactful action toward racial equity. We want to show people that we hear them loud and clear. We want everybody to vote, and to do so safely. This court decision restricts our ability to make that happen,” said the Mayor.

A City of Madison equity analysis of the April election found that mail-in absentee ballots do not meet the needs of all residents in Madison. People with less stability in housing may not receive their ballot in the mail; national data suggests racial disparities in the number of absentee ballots that are rejected from people of color; many voters, particularly elderly voters, have struggled to navigate the online systems to request an absentee ballot; and voters self-isolating during the COVID-19 pandemic have struggled to get a witness signature on the ballot.

Greater access to early in-person absentee voting is an ideal way to offer voters who prefer to vote in-person a way to do so safely and conveniently. In April, over 4,000 voters took advantage of curbside voting and the Madison Clerk's Office has been planning to expand access to curbside voting in our next elections, including outside of churches on Sundays and in other community locations. Limiting rather than expanding these types of options during a pandemic is not the right direction.

"This ruling about early absentee voting may take us back to the days of long lines in a compressed period during a global pandemic, and disallows some of the best practices for equitable voting that we and the community have worked so hard to create together," says Madison Clerk Maribeth Witzel-Behl.

The Court also ruled that voters must be residents of their voting district for 28 days before voting rather than 10 days, which has been the current rule, making it more difficult for individuals to vote if they have moved within a month of an election. The Court also ruled that absentee ballots must be mailed, not sent by email or fax, to most voters.