

# WisGOP: Some indefinitely confined voters are not indefinitely confined

Posted on Tuesday, Nov 17, 2020

>> **WisPolitics is now on the State Affairs network. Get custom keyword notifications, bill tracking and all WisPolitics content. [Get the app or access via desktop.](#)**

[Madison, WI] – One day ahead of the recount filing deadline in Wisconsin, 1130 WISN host Dan O’Donnell has exposed a number of “indefinitely confined” voters that are not indefinitely confined. Clerks in Madison and Milwaukee illegally encouraged individuals to use indefinite confinement as a way to dodge photo ID laws this past spring.

Read the story from Dan O’Donnell below or read his full story [here](#).

## ***Dozens Falsely Claimed Indefinite Confinement, Possibly Committed Fraud***

*Dan O’Donnell*

*WISN 1130*

*November 17, 2020*

Dozens of people may have committed election fraud by falsely claiming to be “indefinitely confined” to their homes so they could vote without having to show a photo ID...even as their social media accounts showed them out, about, and decidedly not confined.

They attended jazz concerts, parties, and weddings, went to work, and even traveled out of state. One woman even has a Facebook profile picture that includes the phrase “I cannot stay home, I’m a nurse.”

They are among the 171,900 Wisconsinites who in the past year suddenly claimed indefinite confinement—a status that allows them to vote absentee by mail without having to show photo identification.

In March, Dane County Clerk Scott McDonnell and Milwaukee County Clerk George Christensen both issued guidance indicating that all voters should mark themselves

as “indefinitely confined” because of the COVID-19 pandemic.

“I urge all voters who request a ballot and do not have the ability or equipment to upload a valid ID to indicate that they are indefinitely confined,” Christensen wrote. “Voters should not be reluctant to check the box that says they are indefinitely confined because this is a pandemic and this option exists in state law to help preserve everyone’s right to vote.”

...

The Republican Party of Wisconsin immediately recognized this as an attempt to circumvent Wisconsin’s Voter ID law through a loophole and petitioned the Wisconsin Supreme Court to intervene.

“Without this court’s intervention, the upcoming election will take place under two sets of different rules—one for voters in Dane County, and one for voters in the rest of the state,” the GOP argued in its lawsuit.

Rick Esenberg, a constitutional lawyer and President of the Wisconsin Institute for Law and Liberty, told the Wisconsin State Journal that McDonnell’s advice could disenfranchise tens of thousands of voters.

“They’re going to be improperly registered to vote or improperly cast an absentee ballot and if somebody challenges that ballot down the line, they’re probably going to win,” he said.

A unanimous Wisconsin Supreme Court confirmed that McDonnell’s and Christensen’s “advice was legally incorrect” and potentially dangerous because “voters may be misled to exercise their right to vote in ways that are inconsistent with Wis. Stat. 6.86(2).”

More than a hundred thousand apparently were. In 2019, the MacIver Institute found, 72,000 Wisconsinites had claimed indefinite confinement. By the Spring Election, that number had risen to 122,131. An additional 49,769 claimed indefinite confinement ahead of this month’s Presidential Election. That is a 238 percent increase in indefinite confinements in a year.

Obviously, most of those voters were not actually indefinitely confined, including the several dozen “The Dan O’Donnell Show” discovered. One woman claimed indefinite confinement but posted videos of her well-attended wedding on July 13th.

Another posted a picture of herself and her boyfriend at Devil's Lake State Park. Another posted in early August about visiting Hobby Lobby and going to church with others.

"Yesterday, I headed to Hobby Lobby with some friends, looking for items to recreate a space at church," she wrote. "Today, I'm thankful that we can still choose to gather together and worship the God who still holds it all together. I encourage you to stay connected to people during this time. Life is better together!"

One man posted a picture of himself on a bike ride in October. Another visited "Vern's cabin" in September. Another posted a selfie on a trip to the store in April.

...

Sources indicate that upwards of 20,000 voters who registered for the first time marked themselves as indefinitely confined in apparent violation of both Wisconsin law and Wisconsin Elections Commission guidelines. These voters, then, would have been able to cast a ballot without ever having to show photo identification to prove that they are who they claim to be.

The Republican Party of Wisconsin and Donald Trump Presidential Campaign are both investigating how widespread this abuse of indefinite confinement was and how many voters may have knowingly committed election fraud by making false statements on their absentee ballots.

Read the full story [here](#).