

Common Cause WI: Wisconsin voters need to be aware of recent changes regarding absentee ballots for the upcoming November 8th election

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During this past Summer, there were a number of rulings from Wisconsin and Federal courts that have affected how Wisconsin voters can cast their ballots for the upcoming November 8th election – particularly for those who vote by mailed absentee ballot. It is important for Wisconsin voters to be aware of these changes so that their votes will be counted and not discarded.

Here is a summary of the changes:

- Drop boxes are no longer allowed for ballot return. You will need to return your ballot by mail or deliver your ballot in person to your clerk or clerk's office by Election Day.
- Voters with disabilities can receive assistance with ballot return.
- Clerks will no longer be able to correct missing or incomplete witness address information. Be sure to follow the instructions provided by your clerk that are mailed with your ballot. Fill out all information on the ballot return envelope including the full address for the voter and witness.

Details and important information are explained in the following paragraphs. Remember you can contact your municipal clerk to get answers to your questions about these changes. [Find your clerk contact information](#) at MyVote.

Voter Drop Boxes are Now Prohibited – In July, the Wisconsin Supreme Court narrowly voted 4 to 3 to prohibit the use of all secure voter drop boxes –

repositories that were widely used in the 2016 elections and elections through 2021. During 2020 more than 500 voter drop boxes were used in communities all around Wisconsin. Drop boxes were barred from use for the August 2022 partisan primary in the state and will **NOT** be available for this November's general election.

Voters who vote by absentee ballot can use the U.S. Mail to send them, but should make every effort to do so before November 1, 2022 so that they arrive at their election clerk's office before or on Election Day, November 8th. If they arrive after November 8th, the absentee ballot will **not** be counted! Voters can also return completed absentee ballots directly to their election clerks but must personally deliver that ballot to an election clerk or authorized proxy of the clerk at the clerk's designated office. Unless you are disabled, you cannot have a friend, neighbor, spouse, or relative return your ballot. Also, ballots **cannot** just be "dropped off" at the office and, to repeat, secure voter drop boxes cannot be utilized and should not be available for use anywhere in the state.

"Complete" Information of Witnesses is Required on All Absentee Ballots – In September, a Waukesha County Circuit Court Judge ruled that election clerks can no longer make simple corrections to the addresses of witnesses who must sign their names and provide their full and complete addresses on the outside envelope of all absentee ballots. Clerks may no longer correct that information themselves. The clerk can contact the absentee voter, and the voter or the witness can come to the election clerk's office and make any necessary addition or correction to the address. But the clerk may no longer make those corrections, however minor and common sense they may be.

Therefore, it is critically important that the witness to any absentee ballot must not only sign that envelope but also provide complete address information. This includes the full street address and the zip code. Both the absentee ballot voter and the witness should carefully review the outside envelope to ensure that the signature and complete address of the witness (and the voter) have been provided. Failure to do so could result in the absentee ballot not being counted.

Disabled Voters May Have Assistance in Mailing Their Absentee Ballot or Having it Returned to the Election Clerk's Office – In July, the Wisconsin Supreme Court did not address this matter directly when they prohibited the use of voter drop boxes. The WEC subsequently advised that disabled voters would have to mail their own absentee ballots or return them to the election clerk without

assistance, which would have effectively made it impossible for many disabled voters to be able to have their absentee ballots returned. Fortunately, in August, a Federal Court intervened and ruled that disabled voters can receive assistance in having their absentee ballot mailed or physically returned to an election clerk's office and that barring such assistance was a violation of federal voting rights law.

Therefore, as has been the case in past elections, Wisconsin voters who have a disability may continue to receive assistance in both the mailing of their absentee ballots or in having the absentee ballot personally returned to an election clerk.

Please see the [Disability Rights Wisconsin resource for Absentee Ballot Return Assistance for the November 8th Election](#) for more information and how to receive additional help and services.

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If there is one thing all voters in Wisconsin can agree upon it is that the statewide elections this November are likely to be very closely contested. As in past elections in this state, every vote matters! Being familiar with recent changes to voting like these could mean the difference between having your vote counted or having it disqualified. Familiarize yourself with these revisions and share them with others.

Jay Heck

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