

Scott Allen: Unanswered questions

Posted on Tuesday, Mar 29, 2022

The column below reflects the views of the author, and these opinions are neither endorsed nor supported by WisOpinion.com.

On January 4, 2021, I authored Assembly Resolution 3, which listed 9 different areas of concern around the failure to follow election laws. After over a year, we have had an audit completed by the non-partisan Legislative Audit Bureau (LAB), an audit completed by the Wisconsin Institute of Law & Liberty (WILL), an assembly committee investigation, and the Gableman report all confirm the issues that Assembly Resolution 3 raised.

Yet after all the questions in the investigation have been asked, there is one burning question remaining – who will ensure accountability and uphold election laws?

It is clear that the Wisconsin Elections Commission (WEC) has punted on their responsibility. They claim that they are not responsible for the clerks so long as they, the WEC, didn't encourage the violations. Yet the Legislative Audit Bureau points out that it is the job of WEC to ensure compliance with election laws. Interestingly, WEC did not respond to this point of LAB's report.

>> 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.](#)

It is also clear that WEC does not want to be held accountable. Three of the WEC commissioners refused to speak with the Legislative Audit Bureau, and LAB's report noted multiple occurrences of WEC promulgating guidance that violated state law. Furthermore, their so-called guidance should have occurred through the "rules" process allowing for both the Governor and the Legislature to be involved for greater accountability.

How is WEC to be held accountable when they do not enforce election law, avoid the rule-making process, and ignore the legislature's audit bureau? We also have an

Attorney General who refuses to prosecute the WEC for clear violations.

Local District Attorneys are either too partisan or too timid to act on clear violations.

It seems like those who have the power to uphold election laws are choosing not to. Like the fox guarding the hen house, they want to say that there are no problems.

The problem is not that we have insufficient election laws, but that those laws were broken, and there has been no accountability. The burning unanswered question is who will hold people accountable for election law violations.

- Allen, R-Waukesha, represents the 97th Assembly District.