



MILWAUKEE COUNTY
Department on Aging

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April 23, 2021

Re: Voting Legislation

Dear Senator ,

Representing the more than 180,000 older adults living in Milwaukee County, the Commission on Aging writes to express its concern regarding a series of bills relating to the voting process and access to voter registration and the polls that are now before the Wisconsin State Senate. Each of these bills curtails the ability of older adults, particularly those who have disabilities, significant health issues, or no longer drive, to exercise their right to vote.

Voting is perhaps our most important and fundamental right as citizens. Yet we have struggled to live up to the promise of equal access to this most fundamental facet of our democratic system.

Fortunately, Wisconsin has made great strides to improve the ability of all people to vote regardless of disability or physical condition. We therefore question why the legislature would consider Senate Bills 204, 205, 206, 207, 209, 212 and 214 which present new and unnecessary barriers to voting for older adults and people with disabilities. For example:

SB 204 eliminates the option for indefinitely confined voters to receive absentee ballots automatically for every election and would require all indefinitely confined voters to provide a photo ID with their absentee ballot request. This adds an unnecessary burden on people who do not have access to the necessary technology to upload a photo ID and who may not remember to request a new ballot each election. It also increases the opportunity for individuals who would have to rely on others to help them do so to unnecessarily breach their privacy. Current law encourages participation in the election process by individuals who primarily remain in their own homes.

Further this bill prohibits the Wisconsin Election Commission, clerks, and other groups from sending absentee ballot applications to all eligible voters and makes it a felony to mail absentee ballot applications to anyone who has not requested one. Given our recent experience with the pandemic, increasing access for all potential voters to absentee ballot applications makes it more likely and easier to participate in the election process.

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SB 205 would limit voting rights of nursing home and group home residents, the majority of whom are older adults. This bill criminalizes conduct of staff that encourages or assists residents to request an absentee ballot and cast a ballot. This provision is in conflict with the Help America Vote Act as well as the obligation of social workers to assist clients in exercising their fundamental rights, including the right to vote. Just because someone is in a nursing home or other residential facility does not equate them to felons who lose their right to vote, nor should it make others felons who provide them encouragement to do so. Further, this bill would require the administrator of the facility to notify relatives of the residents as to when the special voting deputies will be coming to the facility to assist in the casting of absentee ballots, adding the potential for harmful and unwanted family involvement in a private matter.

SB 206 adds a number of new restrictions on voters who are indefinitely confined, including, if the voter is under the age of 65, requiring that the voter's statement be signed by certain healthcare workers “who has primary responsibility for the treatment and care of the voter”, require reapplication of this provision every two years and create a felony for making a “false statement” as to whether one is indefinitely confined. These provisions are intrusive, onerous, and will make our most vulnerable neighbors afraid to vote.

SB 207 would restrict who can serve as a poll worker, including prohibiting employees of an issue advocacy group from serving as poll workers. This could include employees of groups who advocate for older adults. The bill would also prohibit municipalities from accepting donations or grants for purposes of election administration. Some municipalities have used donations and grant funding to improve accessibility, health safety, and curbside voting.

SB 209 authorizes a voter to return an absentee ballot to a drop box authorized by the municipal clerk that is attached to a building where the municipal clerk's office is permanently located. The bill prohibits the use of any other drop box for the delivery of an absentee ballot. Many municipalities in Milwaukee County have paid for secure drop boxes to be installed by senior centers and public libraries and these are very accessible locations for older adults who do not drive.

SB 212 prohibits a municipal clerk from correcting a defect on the completed absentee ballot certificate envelope. Instead, the clerk must return the ballot to the elector and post a notification on the elector's voter information page on MyVote.gov. Voters who did not or could not access MyVote would not be aware of the problem, and thus not be able to correct it. Moreover, by the time the returned ballot reaches the voter by mail, it will be too late to correct any error. The process works well now and is forgiving. It encourages participation and helps to correct administrative errors that impede otherwise valid ballots.

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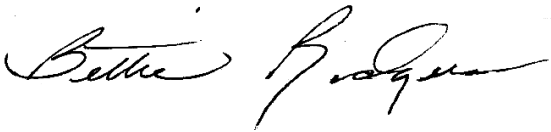
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SB 214 allows municipal clerks to start canvassing the absentee ballots the day before the election, which could be helpful for clerks. However, for older adults in smaller communities, it also authorizes sharing a polling place with an adjacent city, village, or town, which could reduce the number of polling stations and increase the distance and transportation burden to get there.

We request that you oppose these bills and support the voting rights of your constituents.

Sincerely,



Bettie Rodgers, Esq.
Chair, Commission on Aging



Shirley Sharp
Chair, Advocacy Committee