



*Law Firm of*  
**CONWAY, OLEJNICZAK & JERRY, S.C.**

Since 1976

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**VIA REGULAR MAIL**

Wisconsin Elections Commission  
Don Millis, Chair  
Meagan Wolfe, Administrator  
201 W Washington Ave  
Madison, WI 53703

**Re: MyVote Portal**

Dear Wisconsin Elections Commission,

We write to you on behalf of the Republican Party of Wisconsin, the Republican National Committee, and the National Republican Senatorial Committee. We were stunned, as you all were, by the recent revelation that an individual accessed the MyVote portal to request absentee ballots belonging to other electors and, even worse, asked for the ballots to be sent somewhere other than the electors' registered addresses. This presents a risk to the integrity of our elections that is both obvious and immense. Here's why.

The ability of a MyVote portal user to request a ballot belonging to another elector—together with the opportunity to *self-certify* that elector is “indefinitely confined” pursuant to Wis. Stat. 6.86(2)(a)—creates a grave systemic vulnerability. Specifically, this vulnerability would allow a malefactor to fraudulently request any number of other electors' ballots; direct those ballots be sent to an address of the bad actor's choosing; and, based on the malefactor's self-certification that the electors are “indefinitely confined,” vote the ballots and return them without providing photographic proof of identification as required by Wis. Stat. 6.87(4)(b)(2). The victim electors whose ballots were stolen, voted, and returned – through no fault of their own – would then be unable to vote for themselves because someone else had already cast a ballot in their name.

Although the law obviously forbids this behavior, the MyVote portal makes it exceedingly easy to accomplish—much easier than the alternative methods of requesting absentee ballots to which one has no right. *See* Wis. Stat. § 6.86(1)(a). For that reason, we call on the Wisconsin Elections Commission (“WEC”) to take remedial steps to mitigate this unacceptable risk.

It is of course true that nothing in the statutes requires that the MyVote portal allow electors to request that ballots be sent to addresses other than the elector's registered address. That is true because *every* aspect of the MyVote portal's functionality is discretionary. Indeed, the statutes

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August 29, 2022

Page 2

not only do not require creation of the MyVote portal at all, they do not even contemplate its existence.

It is, therefore, entirely within WEC's authority to disable any aspect of the MyVote portal's functionality. The MyVote portal option that enabled the fraudulent behavior at issue (and, more importantly, made it attractive) was the ability to request that an absentee ballot be sent somewhere other than the elector's registered address. Although that is an option that the MyVote portal offers, the question is whether it *should*. In light of recent events, the amount of fraud this option makes possible far outweighs any convenience this discretionary function provides. If WEC takes the simple step of eliminating the alternate-address option, the worst case resulting from an unauthorized request for an absentee ballot would be the elector's surprise at receiving his ballot in the mail without having asked for it.

For these reasons, we ask that WEC immediately eliminate the MyVote portal option allowing a user to direct that an absentee ballot be sent somewhere other than the elector's registered address. Until this is done, Wisconsinites will wonder how many times the recently revealed fraudulent behavior has been or will be replicated. Respect for our fellow Wisconsinites' legitimate expectation that a WEC-administered platform not facilitate election fraud should be more than enough to convince you to take this simple precaution.

Thank you for your time and consideration of this important issue. Please let me know if you have any questions.

Sincerely,

**LAW FIRM OF CONWAY, OLEJNICZAK & JERRY, S.C.**



By: \_\_\_\_\_  
Kurt A. Goehre

cc: Commissioner Robert Spindell  
Commissioner Marge Bostelmann  
Commissioner Ann Jacobs  
Commissioner Mark Thomsen  
Commissioner Julie Glancy