

**State of Wisconsin
Wisconsin Elections Commission**

In the Matter of:
Center for Tech and Civic Life (CTCL)
Gift of \$2,572,839 to Cities of Milwaukee,
Madison, Green Bay, Kenosha and Racine
To Induce Urban Voting

Case No.

Fred Krumberger
3196 Harbor Winds Drive
Suamico, WI 54173

Wisconsin Voters Alliance
3196 Harbor Winds Drive
Suamico, WI 54173

v.

Verified Complaint

Stephanie D. Findley
Chair
Elections Commission
City of Milwaukee
City Hall
200 E. Wells Street
Room 501
Milwaukee, WI 53202;

Expedited Proceeding Requested

Carmen Cabrera
Elections Commission
City of Milwaukee
City Hall
200 E. Wells Street
Room 501
Milwaukee, WI 53202;

Jess Ripp
Elections Commission
City of Milwaukee
City Hall
200 E. Wells Street
Room 501
Milwaukee, WI 53202;

Maribeth Witzel-Behl
City Clerk
City of Madison
210 Martin Luther King Jr Blvd #103
Madison, WI 53703;

Kris Teske
City Clerk
City of Green Bay
100 North Jefferson Street
Room 106
Green Bay WI, 54301;

Karen Argust
Interim City Clerk/Treasurer
City of Kenosha
625 52nd St #105
Kenosha, WI 53140; and

Tara Coolidge
City Clerk
City of Racine
730 Washington Ave Room 103
Racine, WI 53403,

Respondents.

This complaint is under Wisconsin Statutes § 5.06.

I, Frederick Krumberger, on behalf of myself and the Wisconsin Voters Alliance, allege that:

The complaint is made pursuant to Wisconsin Statutes § 5.06(1) and other laws applicable to elections and election campaigns. The Complainants seek an immediate order under § 5.06(6) to refrain the Respondent election officials from using any of the \$6.3 million grant from Center for Tech and Civic Life (CTCL) to the cities of Milwaukee, Madison, Green Bay, Kenosha, and Racine to promote voting. Wisconsin election officials accepting and using such grants on behalf of incorporated cities in Wisconsin violates

Wisconsin Statutes § 12.11 on election bribery prohibiting public officials from accepting “anything of value... in order to induce any elector to...go to or refrain from going to the polls...[or] to vote or refrain from voting.”

Complainants request an expedited proceeding under Wisconsin EL § 20.06(3) due to the emergency threat to the integrity under Wisconsin statutes the pending November 3 general election.

Parties

1. Complainant Fred Krumberger is a Wisconsin elector residing at 3196 Harbor Winds Drive, Suamico, WI 54173.

2. Complainant Wisconsin Voter Alliance is an unincorporated association of Wisconsin electors that desires to have clean and fair elections in the state of Wisconsin and is located at 3196 Harbor Winds Drive, Suamico, WI 54173.

3. Respondent Stephanie D. Findley is the Chair of the City of Milwaukee Election Commission and is located at 200 E. Wells Street, Room 501, Milwaukee, WI 53202.

4. Respondent Carmen Cabrera is a member of the City of Milwaukee Election Commission and is located at 200 E. Wells Street, Room 501, Milwaukee, WI 53202.

5. Respondent Jess Ripp is a member of the City of Milwaukee Election Commission and is located at 200 E. Wells Street, Room 501, Milwaukee, WI 53202.

6. Respondent Maribeth Witzel-Behl is the City Clerk for the City of Madison and is located at 210 Martin Luther King Jr Blvd #103, Madison, WI 53703.

7. Respondent Kris Teske is the City Clerk for the City of Green Bay and is located at 100 North Jefferson Street, Room 106, Green Bay, WI, 54301. 200 E. Wells Street, Room 205, Milwaukee, WI 53202.

8. Respondent Karen Argust is the Interim City Clerk/Treasurer for the City of Kenosha and is located at 625 52nd St #105, Kenosha, WI 53140.

9. Respondent Tara Coolidge is the City Clerk for the City of Racine and is located at 730 Washington Avenue, Room 103, Racine, WI 53403.

Jurisdiction

10. The Wisconsin Elections Commission has jurisdiction over this Complaint as provided in Wisconsin Administrative Code § 5.06(1).

11. The Wisconsin Elections Commission has the legal authority under Wisconsin Statutes § 5.06(6) to” require any election official to conform his or her conduct to the law, restrain an official from taking any action inconsistent with the law or require an official to correct any action or decision inconsistent with the law.”

Argument

12. The complainants seek from the Wisconsin Elections Commission an immediate order under § 5.06(6) to refrain the Respondent election officials from using any of the \$6.3 million grant from Center for Tech and Civic Life (CTCL) to the cities of Milwaukee, Madison, Green Bay, Kenosha and Racine to promote going to the polls or to promote voting.

13. The CTCL is a non-profit organization that utilizes grants to provide resources for election outreach and activity in select areas of the county.¹

14. Madison, Green Bay, Racine, and Kenosha are all first class cities and incorporated under Wisconsin Statutes Chapter 62. The City of Milwaukee is incorporated under a special charter granted by the State Government of Wisconsin.

15. Wisconsin election officials accepting and using such grants such as that from the CTCL violates Wisconsin Statutes § 12.11. Section §12.11 governs election bribery prohibiting public officials from accepting “anything of value... in order to induce any elector to...go to or refrain from going to the polls..[or] to vote or refrain from voting”

16. Wisconsin Statutes § 12.11 (1m) states:

(1m) Any person who does any of the following violates this chapter:

- (a) Offers, gives, lends or promises to give or lend, or endeavors to procure, anything of value, or any office or employment or any privilege or immunity to, or for, any elector, or to or for any other person, in order to induce any elector to:
1. Go to or refrain from going to the polls.
 2. Vote or refrain from voting.
 3. Vote or refrain from voting for or against a particular person.
 4. Vote or refrain from voting for or against a particular referendum; or on account of any elector having done any of the above.

17. Under the same section, “anything of value” is defined to include “any amount of money, or any object which has utility independent of any political message it contains and the value of which exceeds \$1.” Wis. Stat. § 12.11

18. Wisconsin election officials using private funds to run elections also violates the U.S. Constitution, Article I, section 4 which authorizes only the state legislature to

¹ <https://www.techandcivillife.org/our-work/election-officials/grants/> accessed 9/10/2020

determine the time, place and manner of elections for U.S. Senate and House of Representatives:

The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing [sic] Senators.

19. CTCL has granted \$6.3 million to Wisconsin to be distributed among its five largest cities: Milwaukee, Madison, Green Bay, Kenosha, and Racine to promote voting.

20. The government receiving these grants has raised alarms of the Petitioners about the integrity of the November election.

21. Thus far, the left-leaning Center for Tech and Civic Life (CTCL) has granted \$16.3 million to the five respondent cities which combined cast over 82% of their over 1 million votes for Hillary Clinton in 2016.

22. The CTCL boasts its funding comes from Facebook and Google.

23. On September 1, Mark Zuckerberg and Priscilla Chan announced they were gifting \$250 million to CTCL.

24. If used for similar grants, these funds will dwarf city election funds, creating a dramatic disparity in voting opportunity and, as indicated by previous grants, the funds will allow city governments to create a partisan advantage.

25. As confirmed by Wisconsin Statutes § 12.11 prohibiting such private grants or gifts accepted by the government to induce partisan voters to vote, government must be a neutral in elections.

26. In America's recent past, local and state governments have suppressed black and other minority voters while making it easier for white voters to get to a polling place.

27. Wisconsin Statutes § 12.11 does not allow similar tactics used to support one political party's candidate over the other.

28. The CTCL's sizable grants are providing funding to make polling equipment and resources conveniently available in particular Wisconsin cities that all have one glaring commonality – their overwhelming support of Hillary Clinton in 2016.

29. The CTCL claims they are “a team of civic technologists, trainers, researchers, election administration and data experts working to foster a more informed and engaged democracy, and helping to modernize elections.”

30. The CTCL was founded in 2012 by Tiana Epps-Johnson, Donny Bridges, and Whitney May, the Chicago-based organization's website indicates it has two spoken objectives: 1) to train election officials in communication and technology, and 2) to inform and mobilize voters through data collection.

31. The CTCL recently provided a \$10 million grant to the City of Philadelphia for the purpose of ensuring a safe election process this November. The \$10 million is to be divided as follows:

1. \$5.5 million towards materials and processing equipment for mail-in and absentee voting
2. \$2.27 million towards satellite election offices for in-person mail-in voting
3. \$1.32 million towards in-person voting at polling places on election day
4. \$552,000 for secure dropboxes and other needs
5. \$370,000 for printing, postage, and other needs

32. Much of the grant money is targeted to ease voting in one of the most democrat jurisdictions in Pennsylvania, a state President Trump won by only 0.72%, or 44,292 votes in 2016.

33. Pennsylvania has 20 votes in the Electoral College.

34. Similarly, the CTCL has donated \$6.3 million to Wisconsin to be distributed among its five largest cities: Milwaukee, Madison, Green Bay, Kenosha, and Racine.

35. The CTCL granted \$1.09 million to the City of Green Bay. This is nearly triple its current 2020 election budget of \$329,820. See Ex. A.

36. The CTCL granted \$862,779 to the City of Kenosha. This is over four times its current 2020 election budget of \$205,690. See Ex. A.

37. The CTCL granted \$1.27 million to the City of Madison. This is a 50% increase to their current 2020 election budget of \$2.08 million. See Ex. A.

38. The CTCL granted \$2.154 million to the City of Milwaukee. This is a 72% increase to their current 2020 election budget of \$2.987 million. See Ex. A.

39. The CTCL granted \$942,100 to the City of Racine. This is over twice its current 2020 election budget of \$409,529. See Ex. A.

40. The cities of Milwaukee, Madison, Green Bay, Kenosha, and Racine applied for the fund through their joint “Wisconsin Safe Voting Plan 2020, submitted to the Center for Tech & Civic Life on June 15, 2020. Exhibit A.

41. CTCL approved the application.

42. \$2,572,839 of the CTCL gift is to be spent through the city clerks and election officials to influence voter turnout in democrat strongholds:

Overall, our five communities are requesting \$2,572,839 in resources related to enabling our municipalities to overcome these particular barriers and ensure that **our voters** can meaningfully access absentee voting, both by mail and in-person early voting.

Ex. A. (emphasis added).

43. The cities have accepted the CTCL moneys without coordination with the state legislature to ensure statewide uniformity in inducing people to vote.

44. The CTCL moneys, accepted by the cities, is targeted to urban electors to the exclusion of suburban electors and rural electors.

45. The City of Green Bay, its city clerk and election officials are using the CTCL moneys to illegally induce its urban electors to vote in the November 3, 2020 election as follows:

- “Green Bay: The City would like to employ bilingual LTE “voter navigators”(\$45,000) to help residents properly upload valid photo ID, complete their ballots and comply with certification requirements, and offer witness signatures. These voter navigators can assist voters prior to the elections and then also be trained and utilized as election inspectors. They would also like to utilize paid social media and local print and radio advertising to educate and direct voters in how to upload photo ID and how to request and complete absentee ballots. (\$2,000) Total: \$47,000”
- “Green Bay: The City would like to add secure (security cameras \$15,000) ballot drop-boxes (approximately \$900 each) at a minimum of the transit center and two fire stations, but if funding were available would also install secure drop boxes at Green Bay’s libraries, police community buildings, and potentially several other sites including major grocery stores, gas stations, University of Wisconsin Green Bay, and Northern Wisconsin Technical College, in addition to the one already in use at City Hall. Total: \$50,000”
- “Green Bay: The City needs 45 additional staff to process absentee ballot requests before the election, to open and verify envelopes on Election Day, and insert them into the tabulators. After the election, staff are needed to enter new voter registrations and assist with all election certification tasks (\$140,000 for staffing) The City would also like to purchase a ballot opener and ballot folder to expedite processing (\$5,000). Total: \$145,000.”
- “Green Bay: The City would like to expand and establish at least three EIPAV sites in trusted locations, ideally on the east

(potentially UWGB) and west sides (potentially NWTC or an Oneida Nation facility) of the City, as well as at City Hall. The City is planning to offer early voting starting two weeks before each election, with several weekdays available until 6:30pm and Saturdays 10am-4pm. They would like to staff these early voting sites with election inspectors who are bilingual and would like to increase the salary rate for these bilingual election inspectors to assist with recruitment and retention, as well as in recognition of their important role at these sites. The City also will need to print additional ballots, signage, and materials to have available at these early voting sites. Total: \$35,000.”

- “Green Bay: The City needs to hire a total of 380 workers per election (total \$112,660). The City would like to pay poll workers more than they have previously received, to signify their importance in the process and to acknowledge the extra challenge it represents to serve as an election official during a pandemic. The City would like to increase poll worker salaries by 50% (additional \$56,330). All poll workers will be trained through the Wisconsin Elections Commission website and the City’s own training manual (\$6,000). Total: \$174,900”
- “Green Bay: Would like to reach voters and potential voters through a multi-prong strategy utilizing “every door direct mail,” targeted mail, geo-fencing, billboards, radio, television, and streaming-service PSAs, digital advertising, and automated calls and texts (\$100,000 total). The City would also like to ensure that these efforts can be done in English, Spanish, Hmong, and Somali, since roughly 11% of households in the Green Bay area speak a language other than English. Ideally, the City would employ limited term communications staff or engage communications consultants (\$50,000) from August through the November election to design these communications and design and launch paid advertising on Facebook, Twitter, and Instagram, also in multiple languages. The City would also like to directly mail to residents who are believed to be eligible but not registered voters, approximately 20,000 residents. It would require both considerable staff time to construct that list of residents and directly mail a professionally-designed piece (in multiple languages) to those voters. (\$50,000 total for staffing, design, printing, and postage). To assist new voters, the City would also like resources to help residents obtain required documents (i.e. birth certificates) which are needed to get a valid state ID needed for voting. These grant funds (\$15,000) would be distributed in partnership with key community organizations including churches, educational institutions, and organizations

serving African immigrants, LatinX residents, and African Americans. Total: \$215,000”

- “Green Bay: Green Bay would like to purchase 135 electronic poll books (\$2,100/each for a total of \$283,500) to reduce voter lines, facilitate Election Day Registrations and verification of photo ID. The City would also like a high speed tabulator (\$62,000) to count absentee ballots on Election Day, a ballot opener and ballot folder (\$5,000), and additional staff to process absentee ballots on Election Day (\$5,000). The City also needs masks, gloves, gowns, hair nets, face shields (\$15,000), cough/sneeze guards (\$43,000), and disinfectant supplies (\$3,000). Total: \$426,500”

Ex. A.

46. The City of Kenosha, its city clerk and election officials are using the CTCL moneys to illegally induce its urban electors to vote in the November 3, 2020 election as follows:

- “Kenosha: The City would like to have Clerk’s staff train library staff on how to help residents request and complete absentee ballots, would like to produce (\$3,000) and mail (\$26,200) a bilingual absentee ballot instruction sheet with all absentee ballots to increase correctly completed and submitted ballots. The City would like to hire a trainer for seasonal election workers, volunteers and poll workers. This employee would also coordinate assignments to polling locations, the early driver up voting site, the Clerk’s office for assistance in processing, data entry and filing of absentee requests and the Absentee Board of Canvassers (approximately \$50,000). The increase in absentee ballots due to COVID-19 has tremendously increased the workload of the department. In order to properly serve the citizens and voters additional LTE employees are needed (approximately \$175,000). Total: \$254,200”
- “Kenosha: The City currently has two drop-boxes that are checked throughout the day, and would like to install 4 additional internal security boxes at Kenosha libraries and the Kenosha Water Utility so that each side of town has easy access to ballot drop-boxes. Total: \$40,000?”
- “Kenosha: The City needs resources for absentee ballot processing, to staff and process early, in-person absentee

requests, and to answer voters' questions (approximately \$100,000). Additional workers are also needed to canvass absentee ballots (approximately \$11,000) Total: \$111,000"

- "Kenosha: The City plans to have one early voting location, at City Hall, and plans to hold early voting two weeks before the August election, with no weekend or evening hours planned, and 4 weeks before the November election, with access until 7pm two days/week and Saturday voting availability the week before the election. If City Hall is still closed to the public, they will explore offering early drive thru voting on City Hall property. Resources are needed for staffing (approximately \$40,000), PPE (\$1,050), signage (\$200), laptops, printers, and purchase of a large tent (\$8,789) to utilize for drive thru early voting. Staff could see voters' ID, print their label, hand them their ballot, and then collect the completed envelope. This would also allow staff to help voters properly do certification and provide witness signatures if necessary. The City could do this for one full week before elections. Total \$50,039."
- "Kenosha: Would like to directly communicate to all Kenosha residents via professionally-designed targeted mail postcards that include information about the voter's polling location, how to register to vote, how to request an absentee ballot, and how to obtain additional information. The City would have these designed by a graphic designer, printed, and mailed (\$34,000). The City would also like resources for social media advertising, including on online media like Hulu, Spotify, and Pandora (\$10,000) and for targeted radio and print advertising (\$6,000) and large graphic posters (\$3,000) to display in low-income neighborhoods, on City buses, and at bus stations, and at libraries (\$5,000). Total: \$58,000"
- "Kenosha: The City needs to hire 350 poll workers per election (\$100,000). They would like to offer hazard pay to increase pay to \$160/worker and \$220/chief inspectors (\$10,840). To aid in recruitment efforts, the City would like to hire a recruiter and liaison position for poll workers (\$35,000). Total: \$145,840."
- "Kenosha: The City would like to purchase automatic hand sanitizer dispensers for all polling locations (\$14,500) as well as PPE (gloves, masks, disinfectant, etc.) for all poll workers and voters (\$15,200). Kenosha would also like to be able to offer elderly residents and people with disabilities who wish to vote in person on Election Day two-way transportation, utilizing a local organization such as Care-A-Van (\$2,000). The City also needs resources for technology improvements to include a ballot

opener, a ballot folder, 12 additional laptops and dymo printers, and high-speed scanner tabulators (\$172,000 total) to expedite election day processing and administration. Total: \$203,700”

Ex. A.

47. The City of Madison, its city clerk and election officials are using the CTCL moneys to illegally induce its urban electors to vote in the November 3, 2020 election as follows:

- “Madison: Plans to hold curbside “Get your ID on File” events with the Clerk this summer utilizing volunteers or paid poll workers (\$15,000) equipped with PPE (estimated \$5,000) and digital cameras (\$4,500) to capture voter ID images for voters who are unable to electronically submit their IDs to the Clerk’s office. They also need large flags to draw attention to these curbside sites (\$4,000). Would also like mobile wifi hotspots and tablets for all of these sites (\$100,000) so voters could complete their voter registration and absentee requests all at once, without having to wait for staff in the Clerk’s office to follow up on paper forms. (These mobile wifi hotspots, tablets, and flags, could all then be repurposed for early in-person voting closer to the election.) Total: \$128,500”
- “Madison: The City would like to have one secure drop box for every 15,000 voters, or 12 drop boxes total (\$36,000). The City would also like to provide a potential absentee ballot witness at each drop box, utilizing social distancing and equipped with PPE (staff costs unknown): Total: \$50,000”
- “Madison: Based on data from April, the City estimates it will need additional staffing (\$110,000) for hourly election clerks for the fall elections, and will incur 11 additional overtime costs (\$100,000) for staff processing of absentee ballots and other election-related tasks. Total: \$210,000”
- “Madison: The City would like to provide 18 in-person absentee voting locations for the two weeks leading up to the August election, and for the four weeks leading up to the November election. Their original plan was to offer in-person absentee voting at all nine library locations, the City Clerk’s Office, a city garage, Edgewood College, two Madison College locations, and four UW-Madison locations. Due to weather uncertainties, they will need to purchase and utilize tents (\$100,000) for the curbside voting locations in order to protect the ballots, staff, and equipment from getting wet and will also need large feather flags to identify the curbside voting sites. (Additional staff costs

covered by the earlier question re. Absentee ballot processing.) The City would also like to get carts (\$60,000) for our ExpressVote accessible ballot marking devices so we can use the ExpressVote for curbside voting to normalize the use of ExpressVote to help voters with disabilities feel less segregated during the voting process. Total: \$160,000.”

- “Madison: Would like to engage the City’s media team to produce videos to introduce voters to the election process, voting options, and to explain the safety precautions taken at polls and early voting sites. These videos would then be shared in numerous ways, including through partner organizations and on the City’s social media platforms. The City would also like to partner with community organizations and run ads on local Spanish-language radio, in the Spanish-language newspapers, on local hip hop radio stations, in African American-focused printed publications, and in online publications run by and for our communities of color (advertising total \$100,000). Additionally, the City has many poll workers who are from historically disenfranchised communities. The City would like to pay those poll workers (\$75,000) to conduct voter outreach and additional poll worker recruitment activities. Total: \$175,000.”
- Madison: The City utilizes the election toolkit available through the MIT Technology Project to determine the staffing levels needed to ensure that voters will not have to wait in line for more than 15 minutes. In addition to the one Chief Inspector per polling location, Madison also has additional election officials who are certified as the Absentee Lead at each polling location. Madison estimates that if 75% of votes cast are absentee, the City will need 1,559 election officials at the polls in August. The City envisions a robust and strategic poll worker recruitment effort, focusing on people of color, high school students, and college students. The City would like to have resources for hazard pay for poll workers this fall at a rate comparable to what the U.S. Census is paying in the area (\$369,788). The City has also found it challenging to convince facilities to host a polling location in the midst of a pandemic, and would like to provide each facility with a small amount of funds to compensate for their increased cleaning and sanitization costs (\$750/location, \$138,000 total). Total: \$507,788”
- “Madison: The City needs hand sanitizer for all poll workers and voters, disinfectant spray, plexi-glass shields to allow poll workers to split the poll books, face shields for curbside election officials, and face masks for all poll workers and observers (\$20,000) as well as renting additional space to safely and accurately prepare all supplies and practice social distancing at the public test of election equipment (\$20,000) If the new voter registration form is not translated by the state into both Spanish and Hmong, Madison plans to translate the form (\$500). Total: \$40,500”

Ex. A.

48. The City of Milwaukee, its city clerk and election officials are using the CTCL moneys to illegally induce its urban electors to vote in the November 3, 2020 election as follows:

- “Milwaukee: The City notes that the biggest obstacle to Milwaukee residents, particularly those in poverty, to applying for an absentee ballot in April was access to the internet and securing an image of their photo ID. To address this, the City will be promoting and utilizing Milwaukee Public Library branch staff (\$90,000 for both elections) for 3 weeks prior to each election to assist any potential absentee voters with applying, securing, and uploading images of their valid photo ID. Total: \$90,000”
- “Milwaukee: The City would like to install secure 24-hour drop boxes at all 13 Milwaukee Public library branches, staffed with socially distanced volunteers to serve as witnesses. Total: \$58,500”
- “Milwaukee: Given its tremendous volume of absentee ballot requests and processing tasks which far exceeds that of the other municipalities, Milwaukee would like to completely automate and expedite the assembly and mailing of requested absentee ballots. The City would like to purchase a high-speed, duplex printer, a top-of-the-line folding machine, and a high quality folding and inserting machine. This would reduce staff costs and eliminate the use of absentee labels, by enabling the City to print directly onto inner and outer envelopes. This would also allow the City to have a small 2D barcode that the inserter machine would be able to scan to ensure that the outer envelope is for the same voter; increasing quality controls. This automation would enable the City to eliminate the assembly delay no matter the volume of daily absentee, allowing experienced election workers and previously trained election temporary employees to be re-deployed to early voting sites as supervisors and lead workers. Total: \$145,000”
- “Milwaukee: The City would like to set up 3 in-person early voting locations for two weeks prior to the August election (\$150,000) and 15 in-person early voting 13 locations and 1 drive-thru location, potentially at a central location like Miller Park, for four weeks prior to the November election (\$450,000). (Establishing this many EIPAV sites requires a significant investment in IT equipment, an additional ballot printer, tents, signage, and traffic control assistance. Milwaukee would also like to offer evening and weekend early voting hours which would add additional costs for both August (\$30,000) and November (\$75,000). Total: \$705,000.”
- “Milwaukee: Would like to partner with other City divisions to develop mailings and door hangers (\$10,000) that could accompany water bills, be distributed by the Department of Neighborhood Services, or hung on trash

receptacles by sanitation staff. The City would also like to revamp current absentee voting instructions to be more visual, address issues specific to the pandemic such as securing a witness signature, prepare it in English and Spanish, and print 150,000 color copies (estimated total \$15,000). The Election Commission would also like to produce a short video (\$5,000) with visuals showing voters how to apply for an absentee ballot and how to correctly complete and return the ballot. Additionally, the Election Commission would like to hire a communications firm to prepare and implement a comprehensive voter outreach communications plan (\$250,000). This communications effort would include numerous voter education ads and PSAs on radio, billboards, buses, with some using local celebrities like Milwaukee Bucks players. This communications effort would focus on appealing to a variety of communities within Milwaukee, including historically underrepresented communities such as LatinX and African Americans, and would include a specific focus on the re-enfranchisement of voters who are no longer on probation or parole for a felony. Additionally, this campaign would include an edgy but nonpartisan and tasteful communications campaign to harness the current protests' emphasis on inequity and ties that message to voting. The video, the ads, and the PSAs could all also be placed on social media, the Election Commission and City websites, and GOTV partner websites and social media. Total: \$280,000”

- “Milwaukee: The City plans to have 45 voting locations in August and to keep open as many of the normal 180 polling places as possible in November. August will require 3 chief inspectors per site and 20 election workers per site, for a total of 1200 election workers minimum and 150 chief inspectors. The City has a goal of recruiting 1,000 new election workers. The City would like to add an additional \$100 per worker in hazard pay to the poll workers' stipends of \$130 (\$460,000 additional for both elections) and \$100 hazard pay to chief inspector stipends of \$225 (\$87,750 additional for both elections). Additionally, the City of Milwaukee utilizes a Central Count of absentee ballots, which necessitates 15 chiefs and 200 election workers per election at Central Count (\$50,000/day for 2- days each election for a total of \$200,000). Total payroll for both elections will reach \$750,000 based upon these calculations. The City will launch a recruitment campaign for a new generation of election workers to sign up and be involved in their democracy, and hopes this effort can be included in the above request for resources for a marketing firm. Recruiting new and younger poll workers means that the Election Commission will need to innovate in election training. The Commission would like to produce polling place training videos (\$50,000) with live small-group, socially distanced discussions and Q&A sessions. These videos will augment existing training manuals. Total: \$800,000”
- “Milwaukee: The City will be purchasing 400 plexiglass barriers (\$55,000) for election workers at all polling location receiving and registration tables.

Additionally, the Milwaukee Election Commission will need to acquire 400 face shields for workers not staffed behind plexiglass (\$4,000), gloves for all poll workers (\$3,000), masks on hand for election workers and members of the public (\$5,000), hand sanitizer (\$2,000) and disinfectant (\$2,000). Additionally, since Milwaukee also plans to offer curbside voting as an option at all polling places, updated, larger, more visible signage is necessary (\$5,000). Total: \$76,000”

Ex. A.

49. The City of Racine, its city clerk and election officials are using the CTCL moneys to illegally induce its urban electors to vote in the November 3, 2020 election as follows:

- “Racine: The City will recruit and promote (\$1,000), train (\$3,000), and employ paid Voter Ambassadors (\$8,000) who will be provided with both PPE and 9 supplies (\$4,000) and set up at the City’s community centers to assist voters with all aspects of absentee ballot request, including photo ID compliance. Due to the increase of absentee mailed requests the City of Racine will need an additional 2 full time staff members in the Clerk’s Office in order to have a reasonable turnaround time for absentee requests (\$100,000). Total: \$116,000.”
- Racine: The City currently has one secured drop box for absentee ballots, and would like to have 3 additional drop boxes, each equipped with security cameras, to install at key locations around the City. Total: \$18,000.”
- “Racine: To process absentee ballot requests in April, the City estimates that it will need seven additional full-time employees to process fall election requests. These employees will be needed full-time for one month prior to the August Election (approximately \$17,000) and seven weeks prior to the November election (approximately \$30,000). Total: \$47,000”
- “Racine: The City would like to offer a total of 3 EIPAV satellite locations for one week prior to the August election, as well as offering in-person early voting - curbside, if City Hall is still closed to the public - at the Clerk’s office for 2 weeks prior to the August election. For the November election, Racine would like to offer EIPAV at 4 satellite locations two weeks prior to the election and at the Clerk’s office (again, potentially curbside) 6 weeks prior. The City would need to obtain PPE, tents, supplies and cover staff time and training (\$40,000). Racine would also like to have all satellite locations available for half-day voting the two Saturdays (\$17,000) and Sundays (\$17,000) prior to the November election, and the library and mall locations would be open until 8pm the week prior to the Election. Additional resources

needed include one-time set-up fee per location (\$7,500), laptops and dymo printers (\$10,000), training (\$1,100), and signage (\$12,000.) As well, the City would like to host at least one drive-thru Voter Registration Day, where City Hall would be set up for residents to come get registered, curbside, and get their voting questions answered by Clerk's staff. Newly registered voters could also get assistance requesting absentee ballots for upcoming elections while they're there. (\$8,000) Total: \$112,600"

- "Racine: The City would like to retain a communications firm to design and implement a comprehensive voter outreach communications plan (\$80,000). This would include ads on Facebook, Instagram, and Snapchat. The City would also like to rent billboards in key parts of the City (\$5,000) to place messages in Spanish to reach Spanish-speaking voters. The City would also like to do targeted outreach aimed at City residents with criminal records to encourage them to see if they are not eligible to vote; this outreach will be accomplished with the production, editing, and sharing of a YouTube video (\$2,000) specifically on this topic shared on the City's website, social media channels, and through community partners. Racine would also like to purchase a Mobile Voting Precinct so the City can travel around the City to community centers and strategically chosen partner locations and enable people to vote in this accessible (ADA-compliant), secure, and completely portable polling booth on wheels, an investment that the City will be able to use for years to come. (Estimated cost \$250,000). Total: \$337,000"
- "Racine: The City needs approximately 150 poll workers for August and 300 for November, in addition to 36 Chief Inspectors, and would like to pay all workers a \$100/election hazard pay (\$118,000 total payroll for both elections). City notes that its desire to have more early voting locations and hours is directly impacted by its ability to hire and train election officials. To that end, the City would like to launch a recruitment campaign that includes radio ads (\$1,000), ads on social media platforms (\$10,000), billboards in strategic City locations (\$5,000), and film videos for high school students in history/government classes (\$500). The City would also like to enlist a communication firm to: create a training video for election officials, develop an online quiz, detailed packets for election officials, and a PPE video filmed by a health professional about necessary COVID-19 precautions during all voting operations (\$22,000 total). Racine would also like to hire a liaison position to schedule, training and facilitate poll workers. (\$35,000) Total: \$181,500."
- "Racine: Racine plans to issue all 36 wards its own PPE supply box which will each include masks, cleaning supplies, pens for each voter, gloves, hand sanitizer, safety vests, goggles, etc. (\$16,000). The City also needs large signs to direct and inform voters printed in English and Spanish (\$3,000). Additionally, the City would like to deploy a team of paid trained EDR Specialists for each polling location (\$10,000, including hourly pay, training expenses, and office

supplies). As well, Racine would like iPads with cellular signal for each polling location to be able to easily verify voters' registration status and ward (\$16,000). The City would like to equip all wards with Badger Books (\$85,000); Racine began using electronic poll books in the February 2020 election and has found they dramatically increase and facilitate EDR, verification of voters' photo ID, expedite election processes, and reduce human error. Total: \$130,000”

Ex. A.

50. These cities are democrat strongholds and Wisconsin is also a swing state with 10 electoral votes.

51. In total, all these cities CTCL funded combined cast over 82% of their over 1 million votes for Hillary Clinton in the 2016 election.

52. These facts and CTCL's leftist ties lend credence to complainant's concerns.

53. Influence Watch calls CTCL an “election reform advocacy group” whose political ideology is “left-of-center.”

54. While the CTCL does not openly advocate for any particular policy issues, it has strong ties to numerous progressive organizations and figures.

55. For instance, the founders – Epps-Johnson, Bridges, and May – all previously worked at the New Organizing Institute (NOI), a center dedicated to training progressive groups and Democratic campaigns in digital campaigning strategies. NOI's executive director, Ethan Roeder, led the data departments for the Obama presidential campaigns of 2008 and 2012.

56. Funders of CTCL include progressive groups such as the Skoll Foundation, the Democracy Fund, the John S. and James L. Knight Foundation, and the Rockefeller Brothers Foundation.

57. CTCL is also associated with Rock the Vote, who despite their non partisan claims, has regularly featured progressive policies in its efforts to mobilize young people in elections.

58. Along with Rock the Vote and The Skoll Foundation, CTCL also lists Facebook as a partner in their efforts.

59. On September 1, Mark Zuckerberg and Priscilla Chan announced their \$300 million investment to promote “safe and reliable voting in states and localities.” Of that \$300 million, \$250 million is going toward CTCL.

60. Allowing private moneys to control state spending on voter turnout is an invitation to the state to engage in partisan politics in the operation of elections, as Wisconsin Statutes § 12.11 prohibits.

61. For example, if the National Rifle Association announced it was giving \$250 million to rural red counties to ensure 100% voter turnout, there would be a legal objection from the left under Wisconsin Statutes § 12.11—and there should be.

62. There is a present danger with allowing private groups like CTCL to influence elections in this way. Government resources encouraging people to vote is a good thing unless those funds are used to influence the election by only turning out one type of voter. Such partisan efforts by government violate Wisconsin Statutes § 12.11 and turn government into a partisan player in managing elections.”

63. The Wisconsin government’s efforts on voting must be uniform across the state. Ultimately and statistically voter suppression, removing access to polling places, and voter enhancement, increasing voter turnout through access to mail-in-ballots, turn out to be

two sides of the same coin if targeted to turnout or suppress one demographic. The CTCL's gifts to these cities violates the uniformity required under Wisconsin Statutes § 12.11.

64. The CTCL's gifts to these cities and the cities' use of the private funds for election purposes violates the U.S. Constitution's Elections Clause which limits legal authority to the state legislature to determine the time, place and manner of federal elections.

Conclusion

65. The complainants are entitled an immediate order under § 5.06(6) to refrain the Respondent election officials fromfrom the Wisconsin Elections Commission requiring the municipal election officials to refrain from using any of the multiple million dollar grant from Center for Tech and Civic Life (CTCL) to the cities of Milwaukee, Madison, Green Bay, Kenosha and Racine for election purposes

66. Wisconsin election officials accepting and using such grants violates Wisconsin Statutes § 12.11 on election bribery prohibiting public officials from accepting "anything of value... in order to induce any elector to...go to or refrain from going to the polls..[or] to vote or refrain from voting"

67. Wisconsin election officials accepting and using such grants violate the U.S. Constitution's Elections Clause, which limits legal authority to the state legislature to determine the time, place and manner of federal elections.

Request for expedited proceeding

68. The Complainants, under Wisconsin EL § 20.06(3) request an expedited proceeding due to the emergency threat to the integrity of the pending November 3 election.

Prayer for relief

WHEREFORE, Complainants respectfully request the Wisconsin Elections Commission to promptly hold an expedited hearing in this matter and issue an order that the city clerks and elections officials of Milwaukee, Madison, Green Bay, Kenosha and Racine refrain from using any of the multi-million dollar grants from Center for Tech and Civic Life (CTCL) for election purposes and any other relief that Wisconsin law provides.

Dated: _____

Frederick Krumberger

Dated: September 10, 2020

Electronically signed by Erick G. Kaardal
Erick G. Kaardal, No. 1035141
Gregory M. Erickson, No. 1050298
Mohrman, Kaardal & Erickson, P.A.
Counsel for Thomas More Society
150 South Fifth Street, Suite 3100
Minneapolis, MN 55402
Telephone: (612) 341-1074
Facsimile: (612) 341-1076
Email: kaardal@mklaw.com
Email: erickson@mklaw.com
Attorneys for the Complainants

Electronically signed by Andrew M. Bath
Andrew M. Bath
Executive Vice President
and General Counsel
Thomas More Society
A National Public Interest Law Firm
309 W. Washington Street, Suite 1250
Chicago, IL, 60606
Office: (312) 782-1680
Fax: (312) 782-1887
abath@thomasmoresociety.org

VERIFICATION

I, Frederick Krumberger, being first duly sworn upon oath, state that I personally read the above verified complaint, and that the above allegations are true and correct based on my personal knowledge and, as to those stated on information and belief, I believe them to be true.

Dated: _____

Frederick Krumberger

STATE OF WISCONSIN)
)ss.
COUNTY OF BROWN)

Signed and sworn before me this September 10, 2020, by Frederick Krumberger.

(Seal, if any)

Signature of Notarial Officer

Title (and Rank)

My Commission expires: _____