

## LWV-WI Responds to Court Actions on Voter Purge in Wisconsin

Written by League of Women Voters WI, Erin Grunze  
Saturday, 18 January 2020 11:15

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[http://newiproggressive.com/images/stories/S5/voterid\\_hand-s5.jpg](http://newiproggressive.com/images/stories/S5/voterid_hand-s5.jpg)



***League summary report on state court litigation over the voter purge in the last thirty days.***

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MADISON, WI – The League of Women Voters of Wisconsin and their legal counsel, attorneys at the Fair Elections Center in Washington, DC, and Doug Poland of Rathje Woodward in Madison, have been tracking the developments and decisions in the state and federal court cases concerning the voter purge and the letter sent to voters identified by the Electronic Registration Information Center (ERIC) as having potentially moved.

The state court litigation over the voter purge has been in flux for the last thirty days. After the circuit court held the Wisconsin Elections Commission (WEC) in contempt for non-compliance with its prior order, the League through its counsel filed a motion in its federal court case seeking an expedited hearing on its motion for a preliminary injunction. We have consistently maintained that no voter can be removed from the rolls without first being afforded adequate notice of deactivation and notice of the deadline by which they need to confirm or update their registration address. With the Court of Appeals earlier this week issuing stays of the circuit court orders requiring WEC to begin deactivating voters, and then holding the Commissioners in contempt for failing to do so, there is less need for federal court intervention at this time. The federal court has denied our preliminary injunction motion, finding it unnecessary at this time, but the League can refile this motion at any point in the future. The League and its lawyers will be closely monitoring the state court proceedings in the meantime.

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Although the court cases are still pending, this is the Commission's position for now per a [January 15, 2020 memo from WEC](#) issued as instructions to municipal clerks:



No voters on the ERIC Movers List will be deactivated at this time. . . . In general, the plan approved by the Commission in June 2019 means that voters on the ERIC Movers List who have not contacted WEC or their municipal clerk to request continuation will be listed on the poll book with a watermark by their names. The watermark will say "Have you moved?" and will cue election inspectors to ask those voters about their status using a script. Voters who state that they have not moved will be asked to sign the poll book to affirm their address and continue their registration. Voters who state that they have moved will be directed to reregister to vote at their new address, as required by law.

This is important for voters to know how the process will be handled at their polling locations on Election Day. The League maintains that it is always beneficial for voters to regularly check their voter registration status and keep information up to date at [MyVote.wi.gov](#) or through their municipal clerk.

Legal documents can be viewed at the Fair Elections Center [here](#) .

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The League of Women Voters of Wisconsin is a nonpartisan political organization that advocates for informed and active participation in government. There are 20 local Leagues throughout Wisconsin. More information at [lwwwi.org](#) .

[Fair Elections Center](#) is a national nonpartisan voting rights and election reform 501c3 organization based in Washington, DC. Its mission is to use litigation and advocacy to remove barriers to registration and voting, particularly those disenfranchising underrepresented and marginalized communities, and to improve election administration.

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Doug Poland is an attorney at Rathje Woodward LLC with 25 years of experience in complex litigation. Mr. Poland served as lead trial counsel for plaintiffs who successfully challenged the Wisconsin Assembly legislative districts before three-judge federal court panels in 2012 and 2016, and is one of the members of the legal team that represented the respondents before the U.S. Supreme Court in *Gill v. Whitford*.