



## 2024 ELECTION INTEGRITY WIN: GREEN BAY PERFORMS SAME-DAY VOTER REGISTRATION VERIFICATION AFTER PILF LAWSUIT

### *Green Bay Officials Alerted Prosecutors to Questionable Voter Addresses in 2024 Primary, General Elections for First Time in YEARS*

**APRIL 2025** – Clean elections don’t happen just because your preferred candidate won. You have clean elections when you can *measure* compliance with election laws. For years, the City of Green Bay, Wisconsin, failed to perform post-election audits of addresses provided by voters during Election-Day Registration. PILF discovered this problem. PILF submitted records requests and made site visits to assess compliance with the law. PILF filed a lawsuit with the Wisconsin Elections Commission (WEC). After admitting their noncompliance with the law, Green Bay election officials finally began following audit statutes. Meanwhile, PILF is suing Wisconsin in federal court to permanently improve transparency in state elections.

#### Background: Green Bay’s Failure to Follow the Law

Wisconsin law requires “audits” of all new Election Day-registrants (EDRs) after results are certified.<sup>1</sup> The law tasks WEC with sending a confirmation postcard to each new EDR after each election. If that postcard is sent to an undeliverable address, it is returned to the local jurisdiction to carry out the audit. Local election officials are required to report to WEC the number of undeliverable cards. Next, local officials must determine if they can determine why the mailing failed. If they can’t identify a benign explanation, they “shall” inactivate the registrant from the voter roll *and* alert their district attorney’s office to each instance. Every step is cataloged in publicly available reports. For years, the City of Green Bay wasn’t following the law. Note the contrast between Green Bay and Milwaukee’s audit results from the 2020 General Election. Green Bay inactivated nobody and referred no one.

Quick Takes
<b>Green Bay</b> went from years of failed same-day registration audits to a leader in the state.
Wisconsin law requires that addresses provided during <b>Election Day Registration</b> be audited. Those who fail audits shall be removed from the voter roll and referred to a <b>district attorney</b> .
The <b>2024 Presidential Election</b> was the <b>first audited federal election contest</b> in <b>Green Bay</b> since at least 2018.
After <b>PILF’s</b> actions with WEC, Green Bay submitted <b>67 election-day registrants to the district attorney</b> for investigation into the addresses they claimed at the polls in <b>2024</b> .

2020 General Election Comparison: Milwaukee vs. Green Bay				
	EDRs	Undeliverables	Inactivations	DA Referrals
Milwaukee	21,083	1,247	349	349 <sup>2</sup>
Green Bay	3,497	170	0	0

<sup>1</sup> Wis. Stat. Ann. § 6.56(3)

<sup>2</sup> WEC’s 2020 district attorney referral figure for Milwaukee was later edited without comment down to zero after PILF published a report in 2023 describing its visit with the office and personally reviewing the box holding the hundreds of referral filings. Read more: <https://publicinterestlegal.org/reports/milwaukee-district-attorney-refused-354-referrals-for-potential-illegal-voting-since-2020/>

**PILF Investigates.** PILF closely studied compliance measures from hundreds of local Wisconsin jurisdictions. Given Green Bay's significant size, their audit figures showing zero inactivations and DA referrals were inconceivable, especially considering the data from Milwaukee and Madison. PILF spent considerable time ruling out the possibility of the WEC data being false by obtaining original source records from local jurisdictions. Green Bay officials tried to avoid scrutiny by arguing they had no duty to furnish local records. They argued WEC's publication was under suspicion -- so there is no need to cooperate. Never mind that WEC is reliant on local jurisdictions to report data in the first place.

PILF's Green Bay investigation was stymied until we showed up in an unannounced physical site visit to Green Bay in February 2024. The interview ultimately revealed that Green Bay's missing audit figures were accurate -- because, in the explicitly stated view of Clerk Celestine Jeffreys, it was not her duty to inactivate registrants or alert the district attorney when audit postcards failed first mailings. Put another way, Jeffreys said she didn't have to follow the law to PILF researchers. She was willing to only report undeliverable mail totals and took no further action, despite the requirements of state election law.

### PILF Files Complaint Against Green Bay Before WEC

In Wisconsin, if a voter believes their local election official is operating outside of the law, they may file a formal complaint with the Wisconsin Elections Commission to seek corrective actions.<sup>3</sup> They cannot skip the WEC complaint by going straight to state court. Any party unhappy with the results of the WEC proceeding may seek an appeal in state court. In March 2024, PILF represented three local registrants in a WEC complaint against Green Bay for failing to abide by the state election law that validates same day registrants.<sup>4</sup> Shortly thereafter, Green Bay's legal counsel admitted that local officials were perennially unaware of their statutory audit obligations and promised to correct course.<sup>5</sup> Simply, Green Bay's election officials were not following Election Day Registration verification laws because they didn't know about the laws. On November 1, 2024, WEC ordered Green Bay to start following the audit law and clarified deadlines for the City to comply beginning with the Presidential Election.<sup>6</sup>

### Green Bay Shows Corrective Actions with Audits of 2024 EDRs

Shortly after Green Bay's admission that they didn't know about the law to WEC, local officials had opportunities to demonstrate corrective measures with the April and August primaries and general elections. Records



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November 18, 2024

District Attorney David Lasee  
300 East Walnut  
Green Bay, WI 54301

Dear District Attorney David Lasee,

I am writing pursuant to Wis. Stat. § 6.56(3) and the Wisconsin Election Commission's "Election Day Registration Postcard Instructions" Guidance. Having completed the requisite review and investigation, I attach to this letter the names of electors who registered to vote on Election Day, April 2, 2024 and August 13, 2024, whose audit postcards were returned as undeliverable, and whose qualifications were not able to be confirmed otherwise.

<sup>3</sup> Wis. Stat. Ann. § 5.06

<sup>4</sup> Verified Complaint Against the City of Green Bay, <https://publicinterestlegal.org/cases/in-re-hogan-2/>

<sup>5</sup> Response of Respondent Celestine Jeffreys, <https://publicinterestlegal.org/wp-content/uploads/2024/04/2024-04-29-Clerk-Jeffreys-Response-Hogan-v-Jeffreys.pdf>

<sup>6</sup> PILF; PILF Win Forces Green Bay Clerk to Follow the Law (November 4, 2024), <https://publicinterestlegal.org/press/breaking-pilf-win-forces-green-bay-clerk-to-follow-the-law/>

demonstrating the completed audits for each of those elections were disclosed to PILF in great detail.

In February 2025, WEC published Green Bay’s audit data covering the November General Election. According to the early editions<sup>7</sup> of WEC reports, **Green Bay is now one of the leading jurisdictions for DA referrals in Wisconsin.**

### PILF’s Long-Term Fight in Wisconsin: *PILF v. Wolfe*

Wisconsin is exempt from the National Voter Registration Act of 1993 (NVRA) and its public right to inspect election records. From an election integrity research perspective, this means voter rolls – which are often free in states like New York and Florida – cost more than \$12,000 in Wisconsin. It means *you* can *examine* original records in a county office in Georgia, but such actions are not required in Wisconsin. If you have a high-volume record reproduction request in Wisconsin, you can be charged hourly labor. The NVRA does not permit hourly labor costs to be assessed against researchers. If you believe records are wrongly withheld from public access, you may only turn to Wisconsin state courts. Federal laws enforced in federal court require broad transparency.

PILF does not believe it makes sense for Wisconsin to be administering elections and managing voter registration data outside of the public disclosure rights provided by the NVRA. Past Congressional justification for exempting Wisconsin from the law fails today. The reason Wisconsin and a handful of other states were exempted from federal law in 1993 no longer exists today. Days after the Green Bay legal fight concluded, PILF filed a federal lawsuit against WEC to bail-in the state to follow the NVRA’s public inspection powers under the Supreme Court’s ruling in *Shelby County v. Holder*.<sup>8</sup> PILF’s case is currently being heard by the U.S. Seventh Circuit Court of Appeals and more details can be reviewed on the Factsheet.<sup>9</sup> The Foundation is pursuing a sister lawsuit against Minnesota.<sup>10</sup>

### PILF President, J. Christian Adams

*“The fight to get Green Bay to follow the law had a happy ending. But it took years, dollars, and time. WEC – not PILF – should’ve been the leader in this matter. PILF will ensure that other Wisconsin cities follow Green Bay’s example in 2025.”*

### Support More of This Research

PILF is the pioneer in research techniques and litigation to promote election integrity across the nation. The Foundation is committed to building a record of facts which policymakers can trust to address this problem for their communities.



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<sup>7</sup> WEC publishes new editions of audit topline reports monthly for roughly a year following each election.

<sup>8</sup> *PILF v. Wolfe*, <https://publicinterestlegal.org/cases/pilf-v-wolfe/>

<sup>9</sup> PILF Factsheet: No State Should be Exempt from the NVRA (April 2024), <https://publicinterestlegal.org/wp-content/uploads/2024/05/WI-and-MN-Factsheet.pdf>

<sup>10</sup> *PILF v. Simon*, <https://publicinterestlegal.org/cases/pilf-v-simon/>