

**State of Wisconsin  
Before the Wisconsin Elections Commission**

**The Verified Complaint of**

1. Jay Stone  
10501 82nd St.  
Pleasant Prairie, WI 53158

**Against Complaint Respondent**

1. Meagan Wolfe  
Wisconsin Elections Commission  
212 East Washington Avenue, Third Floor  
P.O. Box 7984  
Madison, Wisconsin 53707-7984

This complaint is made under Wisconsin Statute § 5.06, Wis. Stat. § 12.13(1)(b), Wis. Stat. § 12.13(7), Wis. Stat. § 12.11(1m)(a1), Wis. Stat. § 12.11(1m)(a2), Wis. Stat. § 12.11 (1m)(b), and Wis. Stat. § 5.06(1).

**Michael Spitzer-Rubinstein Performed Election Official Duties Before Administrator Wolfe Recommended Him to the Green Bay, Kenosha, Madison and Racine Clerks**

According to Wisconsin Statute § 5.02(4e), the definition of an election official is “an individual who is charged with any duties relating to the conduct of an election.” The Wisconsin Election Administration Manual states that, “Election officials perform a very important public service by enhancing the high quality and integrity of our elections,” and it is important for a municipal clerk to make sure individuals are “qualified and well-trained.” Mr. Michael Spitzer-Rubenstein was not qualified or well-trained, and his *New York* residence would have disqualified him from becoming a *Wisconsin* election official.

Before Administrator Wolfe referred Michael Spitzer-Rubenstein to the Green Bay, Kenosha, Madison and Racine Clerks, Mr. Spitzer-Rubenstein acted as an election official for the

Milwaukee Election Commission and its Executive Director Claire Woodall-Voog. Besides Mr. Spitzer-Rubenstein not meeting Wisconsin's election official residency requirement, Mr. Spitzer-Rubenstein lacked the requisite certification, training and swearing of an oath of office.

In Mr. Spitzer-Rubenstein's email to Executive Director Woodall-Voog, he said he will submit his absentee voter instruction edits to her on the next business day. Because Mr. Spitzer-Rubenstein was not a Wisconsin election official as required, Mr. Spitzer-Rubenstein was unqualified to edit the absentee voter instructions for the Milwaukee Election Commission.

In Mr. Spitzer-Rubenstein's email to Executive Director Woodall-Voog, he wrote "I'll create a flowchart for the VBM processing that we will be able to share with both inspectors and observers." VBM is an acronym for "vote by mail." Since Mr. Spitzer-Rubenstein was not a Wisconsin election official, he was unqualified to write the Milwaukee Election Commission's vote by mail flowchart.

At the beginning of Mr. Spitzer-Rubenstein's email he asked Executive Director Woodall-Voog to send him "the procedures manual and any instructions for ballot reconstruction process." At the end of Mr. Spitzer-Rubenstein's email, he said, "I'll look at the reconstruction process and try to figure out ways to make sure it's followed." Mr. Spitzer-Rubenstein was unqualified to manage the curing of Wisconsin ballots because he was not a Wisconsin election official. Mr. Spitzer-Rubenstein may not have cured Milwaukee's absentee ballots, but according to the correspondence between Mr. Spitzer-Rubenstein and Executive Director Woodall-Voog, he was involved in the managing of the process.

In Mr. Spitzer-Rubenstein's email he wrote that, "We're pushing Quickbase to get their system up and running." Complainant assumes Mr. Spitzer-Rubenstein's reference to "their system" is US Digital Response (USDR), another nonprofit organization and CTCL partner. Quickbase is a database program whose intended use was to track when Milwaukee voters cast their ballots.

In Executive Director Woodall-Voog's September 16, 2020 email, she wrote, "While I completely understand and appreciate the assistance that is trying to be provided, I am definitely not comfortable having a non-staff member involved in the functions of our voter database, much less recording it. ... I don't think I'm comfortable having USDR get involved when it comes to our voter database."

There are no emails or evidence that shows Executive Director Woodall-Voog tried to stop Mr. Spitzer-Rubenstein or USDR from using Quickbase to interface with the Milwaukee Election Commission's database between August 28, 2020, the date Mr. Spitzer-Rubenstein first discussed Quickbase with Executive Director Woodall-Voog and September 16, 2020, the date of Executive Director Woodall-Voog's email about feeling uncomfortable with USDR. Where as Mr. Spitzer-Rubenstein was not a Wisconsin election official, Mr. Spitzer-Rubenstein should not have been given any consideration whatsoever to interface with the Milwaukee Election Commission's database.

Wisconsin Election Administration Manual requires election officials who are "qualified and well-trained" for the purpose of "high quality and integrity in our elections." Mr. Spitzer-Rubenstein was neither qualified nor well-trained to perform the election official duties that he did for the Milwaukee Election Commission. Administrator Wolfe's referral of Mr. Spitzer-Rubenstein after he performed election official duties for the Milwaukee Election Commission was reckless and gross negligence at best. Administrator Wolfe's referral of Mr. Spitzer-Rubenstein to the Green Bay city clerk allowed Mr. Spitzer-Rubenstein to continue to perform Wisconsin election official duties, which has caused many voters to doubt the Wisconsin November 3, 2020 election results.

#### **Administrator Wolfe's Referral of Michael Spitzer-Rubenstein to Four Zuckerberg 5 Cities**

WEC Administrator Meagan Wolfe sent out an email to the Green Bay, Kenosha, Madison, and Racine clerks 12 minutes after Executive Director Woodall-Voog emailed her an "introduction"

to Michael Spitzer-Rubenstein, Hillary Hall, and Vote at Home. In Administrator Wolfe's August 28, 2020 email she wrote the below recommendation for Mr. Spitzer-Rubenstein and Vote at Home.

“Green Bay, Madison, Racine and Kenosha-  
Passing along a recommendation and resource from Milwaukee. Just wanted you to be aware in case you thought this might be a group you are interested in working with or learning about. Claire in Milwaukee okayed me sending this along, and it sounds like you should reach out to Michael at [michael@voteathome.org](mailto:michael@voteathome.org) if you are interested in learning more.”

The subject line in Executive Director Woodall-Voog's email to Administrator Wolfe was “Introduction to Vote at Home.” In the body of Executive Director Woodall-Voog email to Administrator Wolfe, she wrote: “I just wanted to reach out and connect you with Micheal Spitzer-Rubenstein and Hillary Hall from the Vote at Home Institute in case you think other clerks or the WEC staff would find working with them useful.”

Administrator Wolfe wrote, “Passing along a recommendation” from Milwaukee, but Executive Director Woodall-Voog did not say she recommended Michael Spitzer-Rubenstein or Vote at Home as Administrator Wolfe wrote. Rather, Executive Director Woodall-Voog said she was providing an “Introduction to Vote at Home.” There is difference between a “recommendation” and an “introduction.” A *recommendation* of a person or organization is based upon known qualifications and accomplishments. An *introduction* is the presentation of a person or organization without implying the person or organization is qualified or accomplished.

Administrator Wolfe wrote “Claire in Milwaukee okayed me sending this along.” Administrator Wolfe implied she was okay with Michael Spitzer-Rubenstein becoming involved in their cities election administration. When Administrator Wolfe referred Mr. Spitzer-Rubenstein, she failed to specify what Mr. Spitzer-Rubenstein and Vote at Home could or could not do.

In her email Administrator Wolfe wrote, “it sounds like you should reach out to Michael at michael@voteathome.org if you are interested in learning more.” After Executive Director Woodall-Voog’s scant 35 word “introduction,” Wisconsin’s highest election official, Administrator Wolfe gave her gold seal of approval for Michael Spitzer-Rubenstein to perform election official duties although Mr. Spitzer-Rubenstein lacked the required training, certification, and oath of office.

The Zuckerberg 5 cities did not request volunteers from Administrator Wolfe. Administrator Wolfe’s referral of Mr. Spitzer-Rubenstein to the clerks of Green Bay, Madison, Kenosha and Racine was completely *unsolicited*.

Administrator Wolfe wanted the clerks of Green Bay, Madison, Kenosha and Racine to use Mr. Spitzer-Rubenstein as a resource though Mr. Spitzer-Rubenstein’s election administration services were *completely unnecessary*. The clerks of Green Bay, Madison, Kenosha and Racine could have easily provided the same level of election administration and service without Mr. Spitzer-Rubenstein meddling in the November 3, 2020 presidential election.

Administrator Wolfe referred Michael Spitzer-Rubenstein to the Green Bay, Kenosha, Madison, and Racine election clerks for the purpose of having Mr Spitzer-Rubenstein perform election administration duties which only Wisconsin election officials are authorized to do. As Wisconsin’s highest election official, Administrator Wolfe should have known that she was referring Mr. Spitzer-Rubenstein for some type of an election official position that required training and certification as well as taking an oath of office.

To ensure Wisconsin elections are safe, secure, fair, and free, Wisconsin legislators required the Green Bay, Kenosha, Madison, and Racine to hire and retain election officials who are well-trained and qualified, which Mr. Spitzer-Rubenstein was not. Administrator Wolfe abused her discretion because she referred Mr. Spitzer-Rubenstein for the duties of an election official

though Mr. Spitzer-Rubenstein could not meet the requirements to become a Wisconsin election official.

### **Administer Wolfe's Inaccuracies in Response to Special Counsel's 2nd Interim Report**

Administrator Wolfe lied and provided incomplete information in her Special Counsel's inaccuracies of the 2nd Interim Report. Administrator Wolfe wrote, "Further, Michael Spitzer-Rubenstein had reached out to WEC as a representative of the Vote at Home Institute, not CTCL." Michael Spitzer-Rubenstein did not reach out to WEC as Administrator Wolfe falsely claimed. Executive Director Woodall-Voog was the one who introduced Michael Spitzer-Rubenstein and Vote at Home via her August 28, 2020 email to Administrator Wolfe.

Administrator Wolfe said she emailed large municipalities, which was Administrator Wolfe's lie of omission. The truth is Administrator Wolfe only emailed the clerks of Green Bay, Madison, Kenosha and Racine. Administrator Wolfe deliberately left out receiving a Michael Spitzer-Rubenstein and Vote at Home introduction from Milwaukee Election Commission Executive Director Woodall-Voog because Milwaukee is one of the Zuckerberg 5 cities. Also, Administrator Wolfe intentionally failed to disclose she only forwarded Michael Spitzer-Rubenstein and Vote at Home as a resource to Green Bay, Madison, Kenosha and Racine because these are the four remaining cities who are part of the Zuckerberg 5 cities. What Administrator Wolfe wrote in describing the Wisconsin Special Counsel's "inaccuracies" was her feeble attempt to cover up her Zuckerberg 5 favoritism.

Administrator Wolfe said she only sent the Michael Spitzer-Rubenstein and Vote at Home referrals to "large municipalities because they were the ones who were experiencing the most precipitous by-mail absentee voting increases in 2020...." Administrator Wolfe offered no proof of her claim that an unmanageable number of voters in large cities were voting absentee. In fact, absentee voting for the November 3, 2020 presidential election hadn't even begun when Administrator Wolfe sent out her August 28, 2020 Michael Spitzer-Rubenstein and Vote at Home

referral. Furthermore, Administrator Wolfe and WEC distributed Cares Act sub-grants that provided additional funds to cover the increased costs of COVID related absentee voting in 2020; in addition, Administrator Wolfe supplied government resources for additional funding if election clerks needed more money.

In Administrator Wolfe's Special Counsel's inaccuracies of the 2nd Interim Report, she referred How Wisconsin Is Ready for the November 3, 2020 Election report that was in the process of being prepared when she recommended Michael Spitzer-Rubenstein and Vote at Home to four of the Zuckerberg 5 cities. In the report Administrator Wolfe referenced, none of the cities cited a concern for "precipitous" or increase of absentee ballots as Administrator Wolfe stated. Instead the Zuckerberg 5 cities submitted positive reports for their election preparedness. Furthermore, the Zuckerberg 5 cities received a combined \$8.8 million in grants. The Zuckerberg 5 grants allowed the cities to hire as many additional election workers and buy as much election equipment as they wanted. Because of the sizable Zuckerberg 5 grant, the Zuckerberg 5 cities were not in need of Michael Spitzer-Rubenstein as a human resource, nor were the Zuckerberg 5 cities in need of the Vote at Home corporation as an organizational resource as Administrator Wolfe falsely implied to her readers.

### **Administrator Wolfe Abused Her Discretion When She Recommended Michael Spitzer-Rubenstein to the Green Bay, Madison, Kenosha, and Racine Clerks**

Had Administrator Wolfe hired Mr. Spitzer-Rubenstein as a WEC employee, Mr. Spitzer-Rubenstein would have had to complete a job application, submit a resume, attend multiple job interviews, and undergo a background check. Because Mr. Spitzer-Rubenstein was not a vetted WEC employee and he was without the requisite Wisconsin training, certification and qualifications, Administrator Wolfe's referral of Mr. Spitzer-Rubenstein to the clerks of Green Bay, Madison, Kenosha and Racine was an abuse of her election official discretion.

When Administrator Wolfe referred Michael Spitzer-Rubenstein and Vote at Home to four Zuckerberg 5 cities, what kind of election assistance did Administrator Wolfe expect Michael Spitzer-Rubenstein to provide Green Bay, Kenosha, Madison and Racine election clerks and voters?

When Administrator Wolfe recommended Mr. Spitzer-Rubenstein she knew nothing about Mr. Spitzer-Rubenstein's education, work history, election administration experience, or his motivation for traveling from his Brooklyn, New York home to Wisconsin in the midst of a pandemic. Administrator Wolfe had no knowledge of how well Mr. Spitzer-Rubenstein performed his Milwaukee Election Commission responsibilities that led Executive Director Woodall-Voog to introduce him to her.

The following question is one that only Administrator Wolfe can and should answer. Had Administrator Wolfe known that Mr. Spitzer-Rubenstein quickly became involved with writing Milwaukee absentee voting instructions, Milwaukee's system for processing vote by mail ballots, the management of curing Milwaukee absentee votes, and tracking of Milwaukee voters, would she have recommended Mr. Spitzer-Rubenstein to the clerks of Green Bay, Madison, Kenosha and Racine?

If Mr. Spitzer-Rubenstein was a valuable asset to the Milwaukee Election Commission, Executive Director Woodall-Voog would have retained Mr. Spitzer-Rubenstein. Instead within minutes of Mr. Spitzer-Rubenstein asking for a referral, Executive Director Woodall-Voog sent an introduction email to WEC Administrator Wolfe. Complainant surmises that Executive Director Woodall-Voog gladly and quickly fulfilled Mr. Spitzer-Rubenstein's request for a referral because she wanted Mr. Spitzer-Rubenstein to work elsewhere and stop his highly inappropriate election administration intrusion as Green Bay's Clerk Teske attempted to do. Had Administrator Wolfe bothered to inquire what Mr. Spitzer-Rubenstein did in Milwaukee before Executive Director Woodall-Voog's introduction to WEC, Administrator Wolfe would have

refrained from referring Mr. Spitzer-Rubenstein to the clerks of Green Bay, Madison, Kenosha and Racine prior to the 2020 election.

All election employees who work election day in polling places and count the votes after the polls close have a specific job title, duties to perform, qualifications, and training. Job titles for Wisconsin poll workers include chief election inspector, election inspector, election registration officials, special voting deputies, greeters, and tabulators. These jobs require training to become certified election officials who take an oath of office.

Paid or unpaid employees like Mr. Spitzer-Rubenstein who are involved in the conducting of an election before election day are equally as important as the employees who work on election day. Given that more voters are choosing to vote absentee before election day, Administrator Wolfe should have performed her due diligence and vetted Mr. Spitzer-Rubenstein before she referred him to the clerks of Green Bay, Madison, Kenosha and Racine to perform election official duties 10 weeks before the November 3, 2020 presidential election.

Administrator Wolfe's referral of Mr. Spitzer-Rubenstein to the clerks of Green Bay, Madison, Kenosha and Racine came with two assumptions: 1. Mr. Spitzer-Rubenstein was qualified to work a Wisconsin election because Administrator Wolfe who is the highest Wisconsin election official recommended him. 2. Administrator Wolfe authorized Mr. Spitzer-Rubenstein's election administration duty without the required training, certification, or oath of office since Administrator Wolfe who is in charge of Wisconsin's elections provided Mr. Spitzer-Rubenstein with an exemption.

After Administrator Wolfe referred Mr. Spitzer-Rubenstein, he went from acting as unqualified Milwaukee Election Commission election official to acting as an unqualified Green Bay election official. Mr. Spitzer-Rubenstein's lack of qualifications to perform the election duties that he was undertaking led to the resignation of Green Bay's Clerk Kris Teske who did not want to violate election laws. Below are some of Mr. Spitzer-Rubenstein's emails after Administrator Wolfe

recommended Mr. Spitzer-Rubenstein. These emails are proof that Mr. Spitzer-Rubenstein performed election officials duties though he lacked the required training, certification, and oath of office.

October 7, 2020: From Michael Spitzer-Rubenstein to Kris Teske

“Hi Kris, Can we help with curing absentee ballots that are missing a signature or witness signature/address?”

October 9, 2020: From Michael Spitzer-Rubenstein to Kris Teske

“Kris . . . I’ll also be in Wisconsin starting next week; can I stop by your office next Friday? I’m happy to lend a hand. For instance, I’m helping Milwaukee assign inspectors to Central Count stations as well as polling places; happy to do the same for you.”

November 1, 2020: From Michael Spitzer-Rubenstein to Amaad Rivera & Jamie Fuge (2 days before the election day)

“Hi Jamie, are the ballots going to be in trays/boxes within the bin? I’m at KI now, trying to figure out whether we’ll need to move the bins around throughout the day or if we can just stick them along the wall and use trays or something similar to move the ballots between stations.”

November 2, 2020: From Michael Spitzer-Rubenstein to Celestine Jeffreys and copied Diana Ellenbecker, Eric Genrich, Ilana Walder-Biesanz, Jamie Fuge and Kim Wayte (1 day before election day)

“Hi Kim & Jamie, would you be able to pull the numbers on the absentee ballots returned and outstanding per ward? If you want to just export the Excel files for the absentee ballot report, we can work with that.”

November 3, 2020: Green Bay Central Count Location Contract (election day)

“DO NOT UNLOCK GRAND BALLROOM UNTIL MICHAEL SPITZER-RUBENSTEIN REQUESTS AND IS WITH SECURITY WHEN UNLOCKING THE GRAND BALLROOM DOORS.”

Instead of helping Michael Spitzer-Rubenstein violate election laws, Kris Teske chose instead to resign her position as Green Bay’s clerk. Clerk Teske went into further detail about unqualified outsiders impinging upon Green Bay’s election in her submission to WEC. The controversy and chaos surrounding Michael Spitzer-Rubenstein, Clerk Teske, and the Green Bay election are the direct result of Administrator Wolfe’s abuse of her discretion in recommending Michael Spitzer-Rubenstein, whose certification, qualifications, and election administration experience Administrator Wolfe knew nothing about when she referred him to the City of Green Bay.

### **Administrator Wolfe Abused Her Discretion When She Recommended Vote at Home to the Green Bay, Madison, Kenosha, and Racine Clerks**

Only 12 minutes elapsed between the time Administrator Wolfe received Executive Director Woodall-Voog’s email to introduce Vote at Home to her and the time Administrator Wolfe sent out her email recommending Vote at Home to the Green Bay, Madison, Kenosha, and Racine clerks. It was impossible for Administrator Wolfe to thoroughly scrutinize Vote at Home in the 12 minutes that she had before emailing her recommendation. Furthermore, Administrator Wolfe said she was recommending Vote at Home because Executive Director Woodall-Voog okayed it. As with her recommendation of Michael Spitzer-Rubenstein, Administrator Wolfe abused her election official discretion by recommending Vote at Home on blind faith to the Green Bay, Madison, Kenosha, and Racine clerks.

The following is Vote at Home’s mission: “The National Vote at Home Institute aims to increase voters’ access to, use of, and confidence in voting at home.” The problem is Vote at Home’s goal of increasing absentee voting is a get out the vote campaign (GOTV). Vote at Home’s mission is to increase the number of people voting by increasing the number of voters who cast absentee

ballots before an election. Getting as many voters to cast absentee ballots is a well known political strategy more commonly employed by Democrats.

HAVA disallows GOTV campaigns, such as Vote at Home's. In 2020 WEC accepted a HAVA grant of \$7,818,581 on behalf of the State of Wisconsin. Because WEC accepted HAVA funds, WEC is supposed to refrain Wisconsin election clerks from promoting GOTV campaigns, including Vote at Home's get out the absentee vote that WEC Administrator Wolfe sanctioned with her Michael Spitzer-Rubenstein and Vote at Home recommendations.

Recommendation 1 in the Zuckerberg 5's Wisconsin Safe Voting Plan is "Encourage and Increase Absentee Voting (By Mail and Early, In-Person)." Similarly, Vote at Home's mission is to encourage and increase absentee voting. CTCL told the Zuckerberg 5 cities what to include in the Zuckerberg 5 Safe Voting Plan. Because CTCL told the Zuckerberg 5 cities to focus on increasing absentee voting, it is no surprise that CTCL partnered with Vote at Home in Wisconsin to help the Zuckerberg 5 cities achieve their goal of increasing absentee voting.

"While its claims that vote-by-mail policies are non-partisan, Vote at Home is a partner of a number of progressive and left-of-center organizations, including Democracy Fund, Common Cause, Nonprofit VOTE, and Rock the Vote. It is also a partner of Unite America."

CTCL partnered with Vote at Home to increase absentee voting four months before CTCL began negotiating its first Zuckerberg 5 election grant. "On January 6, 2020, National Vote at Home Institute collaborated with the Center for Civic Design and the Center for Tech and Civic Life (CTCL) on three webinars about voting by mail." Not surprisingly, the Zuckerberg 5 cities also employed the services of Center for Civic Design, which was mentioned as a CTCL partner in the previous sentence.

The Zuckerberg 5 cities did not ask Administrator Wolfe to provide an organization to assist them. Administrator Wolfe's Vote at Home referral to the clerks of Green Bay, Madison, Kenosha and Racine was completely *unsolicited*.

Administrator Wolfe wanted the clerks of Green Bay, Madison, Kenosha and Racine to use Vote at Home as a resource though Vote at Home assistance was *completely unnecessary* to conduct the 2020 election. The clerks of Green Bay, Madison, Kenosha and Racine could have easily provided the same level of election administration and service to the voters without Vote at Home directly meddling in the November 3, 2020 presidential election.

### **Administrator Wolfe Violations of the Wisconsin's Election Fraud Statutes**

Wisconsin Statute Election Fraud § 12.13(1)(b) states, "Whoever intentionally does any of the following violates this chapter: Falsely procures registration or makes false statements to the municipal clerk, board of election commissioners or any other election official whether or not under oath." As WEC's Administrator, Wisconsin statutes require Meagan Wolfe to be a qualified elector and obey the laws pertaining to electors. Since being a qualified elector is a condition of Meagan Wolfe's employment as WEC's administrator, Meagan Wolfe must at all times obey election laws that pertain to her both as an Administrator and as an Elector.

In her August 28, 2020 email, Administrator Wolfe recommended Michael Spitzer-Rubenstein to Green Bay Clerk Kris Teske, Madison Clerk Maribeth Witzel-Behl, Racine Clerk Tara Coolidge, and Kenosha Clerk Michelle Nelson. Administrator Wolfe made false statements to Green Bay Clerk Kris Teske, Madison Clerk Maribeth Witzel-Behl, Racine Clerk Tara Coolidge, and Kenosha Clerk Michelle Nelson in violation of Wisconsin Election Fraud Statute § 12.13(1)(b). Administrator Wolfe violated Wis. Stat. § 12.13(1)(b) with her false statements that Mr. Spitzer-Rubenstein was qualified for Wisconsin election administration duties to four Wisconsin clerks when he was not. Since Administrator Wolfe made false statements about Mr. Spitzer-

Rubenstein's qualifications to four different election clerks, there are four alleged counts for violating Wisconsin's election fraud statute § 12.13(1)(b) against Administrator Wolfe.

Given Mr. Spitzer-Rubenstein's lack of qualifications, Administrator Wolfe's four false statements and four election fraud counts are exacerbated because her recommendation of Mr. Spitzer-Rubenstein was pure, unadulterated "political patronage." Administrator Wolfe recommended *New York* resident Mr. Spitzer-Rubenstein for a temporary *Wisconsin* political job that involved his participation in Wisconsin elections to four municipal clerks. Because Complainant had submitted a WEC complaint opposing CTCL's grants to the Zuckerberg 5 cities before Administrator Wolfe's August 28, 2020 email recommended Mr. Spitzer-Rubenstein, Administrator Wolfe was fully aware of CTCL and CTCL's partners like Vote at Home when she referred Mr. Spitzer-Rubenstein to the remaining four Zuckerberg 5 cities.

Political patronage is the reason why Administrator Wolfe recommended Mr. Spitzer-Rubenstein to the four remaining Zuckerberg 5 cities for a job instead of notifying all 1,852 Wisconsin election jurisdictions of Mr. Spitzer-Rubenstein's services. Indeed Administrator Wolfe will claim otherwise; but, Administrator Wolfe committed election fraud with her Mr. Spitzer-Rubenstein's political patronage job recommendation to the four remaining Zuckerberg 5 cities.

Because of numerous patronage lawsuits spanning over 50 years, appointed and elected Illinois officials often ask people to sign statements that their private meetings with public officials do not involve public employment. Because Administrator Wolfe is the highest Wisconsin election official, she should not have provided a job recommendation for Mr. Spitzer-Rubenstein to four Wisconsin election clerks without first vetting Mr. Spitzer-Rubenstein and knowing the reasons for his involvement in Wisconsin elections. Furthermore, if Administrator Wolfe does vet recommendations in the future, her recommendations should go to all 1,852 Wisconsin elections jurisdictions, not just four well-connected and well-funded election jurisdictions as Administrator Wolfe did. As with CTCL's disproportionate grants of \$8.8 million to the Zuckerberg 5 cities, Administrator Wolfe's unjustifiable referral of Michael Mr. Spitzer-Rubenstein to only the four

remaining Zuckerberg 5 cities makes more voters believe election integrity was lacking and vote fraud occurred during the November 3, 2020 election.

Administrator Wolfe also violated Wisconsin Statute Election Fraud § 12.13(7) which states, “In the course of the person's official duties or on account of the person's official position, intentionally violate or intentionally cause any other person to violate any provision of chs. 5 to 12 for which no other penalty is expressly prescribed.” Administrator Wolfe’s deliberate recommendation of Mr. Spitzer-Rubenstein to Green Bay Clerk Kris Teske led Mr. Spitzer-Rubenstein to perform several election official duties as evidenced by Mr. Spitzer-Rubenstein’s numerous aforementioned emails to election officials and Clerk Teske’s declaration to WEC. Mr. Spitzer-Rubenstein violated Wis. Stat. § 5.02(4e), and he also failed to fulfill the requirements for election officials as required by other Wisconsin statutes. Because Administrator Wolfe’s intentional August 28, 2020 job recommendation led Mr. Spitzer-Rubenstein to violate Wisconsin election laws that don’t have a penalty, Administrator Wolfe also violated Wis. election fraud Stat. § 12.13(1)(b).

### **Administrator Wolfe Violations of the Wisconsin’s Bribery Fraud Statutes**

Administrator Wolfe allegedly violated three sections of Wis. Stat. § 12.11, Election bribery. They are as follows:

Wis. Stat. § 12.11 (1m). Any person who does any of the following violates this chapter:

Wis. Stat. § 12.11 (1m)(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:

Wis. Stat. § 12.11(1m)(a1). Go to or refrain from going to the polls.

Wis. Stat. § 12.11(1m)(a2). Vote or refrain from voting.

Wis. Stat. § 12.11 (1m)(b) Receives, agrees or contracts to receive or accept any money, gift, loan, valuable consideration, office or employment personally or for any other person, in consideration that the person or any elector will, so act or has so acted.

Administrator Wolfe's recommendation of Mr. Spitzer-Rubenstein to the four Wisconsin clerks was an offer for his "employment" or "privilege" as described in Wis. Stat. § 12.11 (1m)(a). Mr. Spitzer-Rubenstein traveled from Brooklyn New York to Wisconsin as a Vote at Home employee. Both Mr. Spitzer-Rubenstein and Vote at Home's primary mission was to increase the number of Wisconsin residents who vote. Administrator Wolfe successfully used her WEC authority to procure Mr. Spitzer-Rubenstein's privileged employment with the Green Bay clerks office. Administrator Wolfe's abuse of her discretion allowed Mr. Spitzer-Rubenstein and Vote at Home to achieve their goal of getting more Green Bay voters to go to the polls and vote in violation of Wis. Stat. § 12.11(1m)(a1) and Wis. Stat. § 12.11(1m)(a2).

Executive Director Woodall-Voog introduced Mr. Spitzer-Rubenstein to Administrator Wolfe for the purpose of finding Mr. Spitzer-Rubenstein employment with other clerks offices. Administrator Wolfe provided "valuable consideration" and "employment" referral for Mr. Spitzer-Rubenstein at the behest of Executive Director Woodall-Voog in violation of Wis. Stat. § 12.11 (1m)(b).

Administrator Wolfe's recommendation of Mr. Spitzer-Rubenstein enabled Mr. Spitzer-Rubenstein to have privileged access within the Green Bay clerk's office and perform duties that were directly related to voting and ballots which Wisconsin statutes reserve for Wisconsin election officials.

One of the problems with Administrator Wolfe's recommendation of Mr. Spitzer-Rubenstein is that it led to Mr. Spitzer-Rubenstein becoming an unpaid employee of the Green Bay's clerks office at the same time he was Vote at Home employee. Mr. Spitzer-Rubenstein's dual Green Bay clerk's office and Vote at Home employment were a conflict of interest, among several other

problems and defects, that Administrator Wolfe should have considered before she recommended him for employment with four Wisconsin clerks.

### **Administrator Wolfe's Recommendation Impeded a Free and Fair 2020 Election**

Wis. Stat. § 12.09(2) states, "No person may personally or through an agent, by abduction, duress, or any fraudulent device or contrivance, impede or prevent the free exercise of the franchise at an election." Mr. Spitzer-Rubenstein became Administrator Wolfe's agent once she referred him to the Green Bay clerk. Administrator Wolfe and her agent Mr. Spitzer-Rubenstein prevented a free and fair 2020 election because Administrator Wolfe's recommendation paved the way for Mr. Spitzer-Rubenstein to perform election official duties though he was not a Wisconsin resident, nor did he have the required training, qualifications, or oath of office.

The Wisconsin Election Administration Manual requires municipal clerks to hire "qualified and well-trained" people, but Administrator Wolfe waived the Wisconsin "qualified and well-trained" election workers standard for Mr. Spitzer-Rubenstein. As Wisconsin's highest election official, Administrator Wolfe abused her authority by acting as Mr. Spitzer-Rubenstein's political clout.

The Wisconsin Election Administration Manual also states, "Election officials perform a very important public service by enhancing the high quality and integrity of our elections." "High quality" and "election integrity" did not happen in 2020 because Administrator Wolfe used her political clout to get Mr. Spitzer-Rubenstein a job with the Green Bay's clerk office. Mr. Spitzer-Rubenstein's lack of qualifications for the election official duties that he performed automatically impeded the "free exercise of the franchise at an election." The free exercise of a Wisconsin election did not happen for the November 3, 2020 election because WEC Administrator Wolfe ignored election official qualifications that exist to protect the integrity of Wisconsin elections.

### **Administrator Wolfe is Using WEC Staff Attorneys to Coverup Her Misdeeds**

Three times Administrator Wolfe has assigned WEC staff attorneys complaints which involved her. Two days ago Complainant submitted a WEC complaint similar to this one against Administrator Wolfe, but the Complainant did not include allegations of Administrator Wolfe committing election bribery, election fraud, and impeding of an election. Administrator Wolfe assigned Complainant's complaint against her to WEC staff attorney Jim Witecha.

Since Mr. Witecha is Administrator Wolfe's subordinate (whom she most likely hired), Complainant maintains Administrator Wolfe assigning a complaint against her to Mr. Witecha produced a conflict of interest. Mr. Witecha conflict of interest stems from his interest in remaining on good terms with his supervisor Administrator Wolfe that conflicts with Mr. Witecha's duty to remain a fair and impartial arbiter for complaints against his boss—Administrator Wolfe. Mr. Witecha cannot remain impartial as he adjudicates a complaint against Administrator Wolfe because Mr. Witecha is beholden to Administrator Wolfe, and his job as a WEC staff attorney is contingent upon him continuing a good relationship with Administrator Wolfe.

Mr. Witecha returned the Complainant's complaint because he said Complainant did not cite a law that Administrator Wolfe violated. When complainants allege abuse of discretion, Wis. Stat. § 5.06(1) does not require complainants to cite a violation of law as Mr. Witecha falsely claimed. Wis. Stat. § 5.06(1) states, "The complaint shall set forth such facts as are within the knowledge of the complainant to show probable cause to believe that a violation of law or abuse of discretion has occurred or will occur." The statute states "... a violation of law *or* abuse of discretion...", but not both a violation of law *and* abuse of discretion need to be cited as Mr. Witecha incorrectly required of Complainant.

Complainant's initial complaint stated Administrator Wolfe's recommendation to four Wisconsin clerks for Mr. Spitzer-Rubenstein who lacked the required training, qualifications and oath of office was an abuse of Administrator Wolfe's discretion. Because Complainant submitted probable cause of Administrator Wolfe's abuse of discretion, Wis. Stat. § 5.06(1) did not require

Complainant to alleged Administrator Wolfe also violated a law as Mr. Witecha demanded from this Complainant. Since Mr. Witecha stated that he returned Complainant's complaint without prejudice, Complainant added allegations of election bribery, election fraud, and impeding a free election to his original complaint against Administrator Wolfe.

Complainant previously filed a complaint against Administrator Wolfe for abusing her discretion for returning his August 2020 complaint. Administrator Wolfe assigned his complaint against her to WEC staff attorney Nathan Judnic. When Mr. Judnic failed to recuse himself, Complainant filed a complaint against Mr. Judnic and alleged Mr. Judnic had a conflict of interest in arbitrating a complaint against his boss Administrator Wolfe. Once again Administrator Wolfe assigned a complaint involving her to WEC staff attorney Mr. Jim Witecha. WEC staff attorney Mr. Witecha promptly dismissed the Complainant's complaint against his fellow WEC Staff Attorney Mr. Judnic. Shortly thereafter Mr. Judnic dismissed the Complainant's complaint against Administrator Wolfe.

Administrator Wolfe assigning three complaints involving her to her WEC staff attorney subordinates to review were an abuse of her Administrator's discretion and also Administrator Wolfe's means to coverup her misdeeds.

### **Conclusion and Prayer for Relief**

The Oxford English Dictionary defines *discretion* as "the freedom to decide what should be done." Administrator Wolfe had the freedom to decide whether or not to refer Vote at Home and Mr. Spitzer-Rubenstein to the Green Bay, Kenosha, Madison and Racine clerks. Administrator Wolfe abused her discretion in violation of Wisconsin Statute § 5.06 because she referred and sanctioned Michael Spitzer-Rubenstein to undertake election official duties when he did not have the requisite certification, training and qualifications.

Administrator Wolfe abused her discretion in violation of Wisconsin Statute § 5.06 by referring Michael Spitzer-Rubenstein to the Green Bay, Kenosha, Madison and Racine clerks without interviewing him or knowing if he is qualified. Administrator Wolfe's recommendation of Michael Spitzer-Rubenstein is especially troubling because her recommendations as Administrator carries more weight than any other Wisconsin election official. Administrator Wolfe's abuse of her discretion eventually led to Green Bay's esteemed Clerk Kris Teske's resignation as Clerk Teske chose resigning over violating election laws.

Administrator Wolfe abused her discretion in violation of Wisconsin Statute § 5.06 by referring Vote at Home to the Green Bay, Kenosha, Madison and Racine clerks without properly vetting the organization. As with the Michael Spitzer-Rubenstein referral, Administrator Wolfe recommendation of Vote at Home came without limits of what Vote at Home could or couldn't do.

Administrator Wolfe's abuse of her discretion lead to her violations of Wisconsin election bribery, election fraud, and election threat statutes as described above.

Complainants Ask for the Following Relief:

1. Admonishment and discipline for WEC Administrator Meagan Wolfe's abuse of her election official discretion for referring Michael Spitzer-Rubenstein for election official duties to the Green Bay, Kenosha, Madison, and Racine clerks without knowing his election official certification status, intent, or qualifications.
2. Admonishment and discipline for WEC Administrator Meagan Wolfe's abuse of her election official discretion for referring Vote at Home to the Green Bay, Kenosha, Madison, and Racine clerks without thoroughly vetting the organization's mission or methods.

3. Admonishment and discipline for WEC Administrator Meagan Wolfe's abuse of her election official discretion for referring a WEC complaint to her WEC staff attorney subordinate Jim Witecha.
4. Admonishment and discipline for WEC Administrator Meagan Wolfe's for her violations of Wisconsin's election bribery statutes.
5. Admonishment and discipline for WEC Administrator Meagan Wolfe's for her violations of Wisconsin's election fraud statutes.
6. Admonishment and discipline for WEC Administrator Meagan Wolfe's for her violations of Wisconsin's election threat statute, the impeding or preventing the free exercise of the franchise of an election.
7. Complainant requests that a non-WEC arbiter review his complaint against Administrator Wolfe and Mr. David Bolter's complaint against Milwaukee Election Commission Executive Director Woodall-Voog because Mr. Bolter's complaint is material to Complainant Stone's.