

**Oral Testimony for the Elections Subcommittee of the Committee on House Administration
“The Impact of COVID-19 on Voting Rights and Elections Administrations: Ensuring Safe
and Fair Elections” Hearing**

United States House of Representatives

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5-minute Speaking Time

Chairwoman Fudge and distinguished members of the Subcommittee on Elections, I thank you for this opportunity to testify on concerns raised during the Wisconsin Primary Election on April 7th and some steps being taken to rectify those concerns before November.

We saw the massive impact COVID-19 had on our ability to hold safe and secure elections. These dangerous conditions forced far too many voters to make a highly unethical choice—risk exposure to a deadly virus or exercise their right to vote—as thousands of voters were forced to endure overcrowding and long lines.

As you know, on April 6th, the day before our primary election, the Supreme Court of Wisconsin enjoined the governor’s executive order to reschedule the election and ordered in-person voting to proceed despite the risk posed to voters and poll workers amidst the COVID-19 pandemic.

Wisconsin was the only state to carry out its scheduled election during a time when all other states opted to postpone or shift to all-mail balloting. Just hours before Election Day, the U.S. Supreme Court blocked a district court order extending the deadline to return absentee ballots. Both decisions denied state and local leaders enough time to implement necessary measures for conducting the election safely amidst a public health emergency and created mass confusion for voters.

It all resulted in what Wisconsin’s largest newspaper called “the most undemocratic” election in our state’s history.

In my district, which includes the state's largest city and where the majority of Black and Brown Wisconsinites live, we were already massively hit by the disproportionate death toll of COVID-19. Milwaukee's usual 180 polling places were cut down to a mere FIVE sites due to an abrupt and severe shortage of poll workers who rightly feared for their health and well-being and could not dare the danger of exposure.

Lines stretching several city blocks with voters waiting hours in the rain to exercise their constitutional right to vote. Footage was broadcast of the Wisconsin Assembly Speaker's visit to a rural polling site dressed in a hospital gown, surgical mask, gloves—layered in more personal protective equipment than many healthcare workers have access to and surely far more than the average American voter owns—giving unfounded assurances to people in line that everyone there was safe.

It was an incredibly reckless display of exactly what NOT to do in the middle of an unprecedented pandemic. In fact, dozens of cases of COVID-19 in Milwaukee have been traced to in-person voting that occurred on that day.

My own son whose name was on the ballot in Milwaukee County decided he would not leave his home to vote if his absentee ballot did not arrive in time. He is immunocompromised and cares for relatives who also have compromised immune systems. By voting in person, he would have been risking the health and safety of himself and highly susceptible people close to him. Fortunately, his absentee ballot arrived in time.

However, for other Wisconsinites whose absentee ballots were not received in time or at all—reportedly amounting in the tens of thousands, this abhorrent denial of constitutional right was their reality. The USPS Inspector General is currently investigating this fiasco.

In Wisconsin's Primary Election, a chief tenet of true democracy—maximizing participation without civic discrimination—was undermined. I do not want to see a repeat in November.

I am pleased to report that just last week, the bipartisan Wisconsin Election Commission voted to spend \$4 million of Wisconsin's federal relief package on mailing nearly every eligible voter in the state an absentee ballot application ahead of the November general election.

While expanding vote-by-mail availability is progress, we must not stop there. It is only one instrument in the array of tools needed to ensure we are prepared to maximize ballot access and processing in November.

It is important to note that overreliance on vote-by-mail coupled with a sharp curtailment of in-person options disenfranchises Americans with different needs. First Nation people residing on tribal lands typically do not have a street address and must travel prohibitively long distances to reach P.O. boxes. African Americans have the highest transience and houselessness rates, making ballot receipt quite challenging. People with disabilities who require in-person accommodations may find accessibility equipment exclusively at physical polling sites.

Bolstering absentee balloting combined with preserving risk reduced in-person opportunities such as same-day registration and early in-person voting periods is critical to guarantee that as many eligible voters who seek to vote will vote successfully and safely.

What happened in Wisconsin was avoidable. It is time for our nation to come together to ensure that all Americans have the opportunity to cast their ballots without this fear.

Any election that forces voters to choose between protecting their health and casting their ballots is not a free and fair election.