



February 26, 2025

Ms. Diane Bartlett
Oshkosh City Clerk
215 Church Avenue
P.O. Box 1130
Oshkosh, WI 54903-1130
via E-mail: (city_clerk@oshkoshwi.gov)

RE: Compliance with Wis. Stat. § 6.855

Dear Madame Clerk,

This letter is to inform you that current practices surrounding the selection of locations for alternate absentee ballot sites in Oshkosh have provided an unfair advantage to Democrat candidates, contrary to Wisconsin law. Wis. Stat. § 6.855 states:

The governing body of a municipality may elect to designate a site other than the office of the municipal clerk or board of election commissioners as the location from which electors of the municipality may request and vote absentee ballots and to which voted absentee ballots shall be returned by electors for any election. The designated site shall be located as near as practicable to the office of the municipal clerk or board of election commissioners and *no site may be designated that affords an advantage to any political party.*

(emphasis added). Accordingly, under Wisconsin law, it is your duty to ensure that any site selected for alternate absentee balloting provides fair and equal access to all voters.

The America First Policy Institute has reviewed historical voting data and concluded that the City of Oshkosh's placement of a designated alternate absentee balloting site disproportionately benefits Democrat candidates.

The City of Oshkosh's designated alternate absentee balloting site located at 19 East Irving Avenue, is within or adjacent to four of the City's voting wards: the 7th, 8th, 9th, and 10th. During the April 4, 2023, election, each of these wards dramatically overrepresented Democrat voters. In that election these four wards voted nearly nine points higher in favor of Democrat candidates, than voters in all of Oshkosh's other wards.

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In the November 5, 2024, election, these four wards again significantly overrepresented Democrat voters within the City, this time by approximately five percent.

Notably, the City's alternate absentee balloting site is also near the University of Wisconsin-Oshkosh campus.

This strategic placement provides a distinct electoral "advantage" to the Democratic Party, a practice that is inconsistent with the impartiality required under Wisconsin law.

The America First Policy Institute has reviewed the City of Oshkosh's plans for alternate absentee balloting in the upcoming election on April 1, 2025. It is clear that the City of Oshkosh intends to continue using this site, which affords an "advantage" to the Democratic party. Because the City of Oshkosh's alternate absentee balloting site is in a location that has consistently and demonstrably favored Democrat voters and candidates, the City of Oshkosh is in violation of Wisconsin law. It is your duty as the responsible elections official to remedy these issues and provide alternate absentee balloting sites in locations that do not afford an "advantage" to either political party. Failure to designate new locations for alternate absentee balloting, consistent with Wis. Stat. § 6.855(1)-(2), prior to the April 1, 2025, election, is a violation of Wisconsin law and may be subject to the penalties and remedies prescribed under Chapter 5 of the Wisconsin Statutes.

Thank you for your attention to this important matter.

Respectfully,

s/ Nicholas J. Wanic

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