Empowering Survivors in Wisconsin
Your Right to Vote and Be Safe

Life often has a way of coming full circle.
In my first year at End Domestic Abuse WI, when I was the Public Policy Coordinator, I collaborated with the National Network to End Domestic Violence (NNEDV) on a project called VOTE POWER. VOTE POWER intended to explore the ways in which coalitions could work with local domestic abuse programs to ensure that victims and advocates had information and safe access to voting. I remember being so excited to think about voter engagement through my work at the coalition, something that never even occurred to me when I worked at a domestic violence shelter. I made Vote Power buttons, created CDs of social change/voting-inspired music, and I traveled the state putting on Get Out the Vote (GOTV) seminars with advocates.

Now nearly 20 years later, and in my final days at the coalition, we at End Abuse are still working on ways to engage domestic abuse programs and victims in the act of voting. It seems more important now than ever. When I first started at the coalition, elected officials of all parties supported our work; our issue was and should still be non-partisan. Sadly, our issue has become a political football these days—VAWA and FVPSA reauthorization hang in the balance. Ultimately, voting should be about values: your values and how well those values align with those of the candidates.

This Coalition Chronicles is all about voting, what nonprofits can do to GOTV, and how domestic abuse programs can ensure that victims are able to vote safely. Get out there and vote!
Confidential Voters

By Maggie McClain

Every eligible voter should be able to cast a ballot and have that ballot counted. That includes voters who are victims of domestic abuse, sexual assault, or stalking. But how can voters experiencing these situations ensure that registering to vote and casting a ballot does not put them or their loved ones in danger? They can register as a confidential voter.

What protections does registering as a confidential voter provide?

The names and addresses of confidential voters are not included in voter lists released by the state, nor is that information included in the alphabetical listing of voters in the poll book.

To maintain confidentiality, confidential voter names and unique identifying numbers are listed in the back of the poll book. Furthermore, the page listing confidential voter names and numbers is not open to public inspection.

When voting on Election Day or voting absentee at an in-person absentee voting location before Election Day, confidential voters do not state their name and address. Instead, they present a confidential voter card issued by their municipal clerk’s office. This is the only thing confidential voters need to present; they are exempt from presenting photo ID.

(Continued on page 3)
Registering as a confidential voter

Voters who are victims of domestic abuse, sexual assault, or stalking may have the option for a confidential listing in the poll book. Eligible individuals include:

a. An individual who has been granted a protective order that is in effect related to either domestic abuse or harassment.

b. An individual who is a victim of domestic abuse, sexual assault, or stalking where a person has been charged with or convicted of such an offense and where the individual reasonably continues to be threatened by the person charged or convicted.

c. An individual who resides in a shelter. The Wisconsin State Statute about elections and voters defines “shelter" as a place where at least 4 unrelated individuals reside that provides residential shelter to individuals whose personal security is or may be threatened by family members or other persons with whom the individuals have had contact.

d. An individual who has received services from a domestic abuse or sexual assault victim services provider within the last 24 months.

All eligible confidential voters have to register in their municipal clerk’s office. To register as a confidential voter, the municipal clerk will need the Request for Confidential Listing (EL-146) and one of the following:

a. A copy of a protective order that is still in effect.

b. A completed Affidavit of Sheriff, Chief of Police, or District Attorney (EL-147), dated within 30 days of the date of the confidential listing request.

c. A statement signed by the operator or an authorized agent of the operator of a shelter dated within 30 days of the date of the confidential listing request. This statement indicates that the operator operates the shelter and that the person making the request resides in the shelter.

d. A statement signed by an authorized representative of a domestic abuse victim service provider or a sexual assault victim service provider dated within 30 days of the date of the confidential listing request.

e. Confirmation from the Wisconsin Department of Justice that the person is a participant in the Safe at Home address confidentiality program.
Also, if you are registering at a new address, you will need to bring proof of address (also known as proof of residence) with you when you register in your municipal clerk’s office. The State of Wisconsin has specific requirements for what can be used as proof of address; the City of Madison Clerk’s Office elections webpage contains a list of what documents qualify. The document can be presented on paper or in electronic format.

What to expect on voting day

When you register as a confidential voter in your municipal clerk’s office, you will be given a confidential voter card. Make sure you bring this card with you when you go to vote! You will present this confidential voter card to poll workers at the poll book table on Election Day instead of stating your name and address.

Expect the poll workers to turn to the back of the poll book to find your name. You will NOT be required to show photo ID to vote as part of the protections provided to confidential voters.

How to address any voting day issues

Municipal clerks should train poll workers on confidential voting. However, poll workers may need a reminder on Election Day of where to look for confidential voter listings. If a poll worker at your polling place seems confused when you present your confidential voter card, we encourage you to remind the poll workers to check the very back of the poll book. You have the power to make sure you are able to vote and have that vote counted!

If you run into any issues on Election Day, please do not hesitate to contact your municipal clerk’s office. You can search by address on myvote.wi.gov to find your municipal clerk.

How are local domestic abuse and sexual assault programs assisting survivors to vote?

Rainbow House

We encourage Rainbow House advocates to get out the vote! Rainbow House posts information around the shelter about how to register. The entire staff has information to share with residents to ensure that they know their rights. If a client we are working with has safety concerns about showing up at the polls, we encourage them to make sure they are currently registered through the My Voter Info website, and to consider absentee ballot voting ahead of election day.

— Courtney Olson & Jessica Honish, Rainbow House, Marinette and Oconto Counties
Safety Considerations

The National Resource Center on Domestic Violence (NRCDV) developed Domestic Violence and Voter Registration: Safety Considerations Technical Assistance Guidance to provide victims and survivors, as well as their advocates, with recommendations for protecting and enhancing victims’ safety while exercising their right to vote. This guidance may also be helpful to organizations and community groups that are mobilizing civic participation and engaging in voter registration efforts. If victims and survivors are unaware that voter registration lists are considered a public record, they can unknowingly put themselves in harm's way. Information about potential risks and safety options available to victims of domestic violence and other crimes can be proactively incorporated into voter education activities that are designed to inform the public about their democratic rights and election procedures. It is crucial to keep in mind, however, that each of these safety measures is just one component of a larger safety plan that victims are encouraged to develop with assistance from an experienced advocate.

Topics discussed in the publication include:

- Voter Confidentiality Programs (See page 2.)
- Election Day Registration (EDR) (See page 10.)
- Use of Shelter Address and Vouching for Victims (See page 11.)
- Safety and Privacy in the Digital Age (Read the full article for details.)

For further information related to technology safety, victims and advocates are encouraged to contact the Safety Net Project of the National Network to End Domestic Violence at safetynet@nnedv.org or 202-543-5566.

From providing information about stalking to helping victims obtain a confidential voter address to educating voters about their options for privacy in the electoral process, advocates can help domestic violence victims safely exercise their right to vote.
I had the chance to speak with Anita Johnson and Dave Griggs from VoteRiders in January.

VoteRiders is a non-partisan, non-profit organization founded in 2012 with a mission to ensure that all citizens who want to are able to exercise their right to vote. VoteRiders informs and helps citizens to secure their voter ID as well as inspires and supports organizations, local volunteers, and communities to sustain voter ID education and assistance efforts. VoteRiders is a national organization with a local presence in several states with strict voter ID laws, including WI.

Anita Johnson, VoteRiders Wisconsin Voter ID Coalition Coordinator, is based in Milwaukee. She shared the following about her work in Wisconsin:

I do presentations throughout the state about the changes in voting law and how the changes impact voters. I train where the people are—at senior citizen centers, churches, soup kitchens. I educate voters and potential voters about the confidential voter registration available for victims of domestic abuse, sexual assault, and stalking, the three ways of requesting an absentee ballot, and any emerging topics people are hearing about in the news or have questions about. I partner with coalition partners like 9to5 and many others to do trainings and bring information to people.

In addition to presentations, I assist anyone in the state having a problem getting a photo ID. Often people lack a birth certificate and that is preventing them from getting a photo ID. I can help people with the process of getting and paying for the photo ID and the necessary underlying documents (e.g. birth certificate). Having a valid photo ID helps people in many ways in addition to being able to vote. People who lack valid photo ID have trouble getting jobs, driving, opening bank accounts, etc.

One thing we are encountering right now is a possible purge of some 200,000 Wisconsin voters who were flagged by a computer algorithm as having changed their addresses. In terms of the possible purge—everyone should go online to www.myvote.wi.gov to make sure you are listed as a registered voter. Make sure your address is correct. If you don’t have a computer or smart phone, use a computer at a library. Call the Election Commission if there are discrepancies. VoteRiders can help.

Everyone should go online to www.myvote.wi.gov: Make sure you are listed as a registered voter. Make sure your address is correct. If you don’t have a computer or smart phone, use a computer at a library. Call the Election Commission if there are discrepancies. VoteRiders can help.
voter. Make sure your address is correct. If you don’t have a computer or smart phone, go to a library and use a computer in one of the kiosks. Call the election commission if there are any discrepancies. VoteRiders can help if you are having issues. The possible purge will disproportionately impact black and brown people living in Milwaukee and Madison. [UPDATE: On February 28, 2020 the 4th District Court of Appeals overturned the lower court’s decision, halting the voter purge. The group that brought the case plans to appeal to the Wisconsin Supreme Court.]

Helpful resources VoteRiders offers for Wisconsin voters on our website include:

- Wisconsin Voter Identification Guide
- Wallet-sized Guide to Voter ID Rules in Wisconsin (shown on page 8; available in English and Spanish—order some for free at Order Voter ID Info Cards)
- Chatbot- Chatting with VoteRiders offers people fast, automated information about what ID is required to vote in their state. The chatbot communicates in English or Spanish and is available by text message (844-338-8743), Facebook Messenger, or website chat.

Contact me at anita@voteriders.org or 414-899-3386 with any questions, issues, or presentation requests. For assistance in Spanish, call 414-882-8622. Our main number is 844-338-8743.

Dave Griggs, VoteRider’s Chief Executive Officer and Executive Director, is based in Washington, D.C. He shared the following about trends in voter issues they see nationwide:

There is a lot of confusion about voter ID requirements and the REAL ID Act requirements. The REAL ID Act establishes minimum security standards for license issuance and production and prohibits Federal agencies from accepting for certain purposes driver’s licenses and identification cards from states not meeting the Act’s minimum standards after October 1, 2020. You can tell that your Wisconsin State ID or driver’s license is REAL ID Act compliant if it has a star in the upper right corner. The activities covered by the Act where people will have to present REAL ID Act compliant ID as of the October 1, 2020 deadline are:

- accessing Federal facilities;
- entering nuclear power plants; and
- boarding federally regulated commercial aircraft.

The REAL ID Act does not require people to have REAL ID Act compliant ID in order to vote. WI voters are not required to present REAL ID Act compliant ID in order to vote. We fear that the fact that the REAL ID Act deadline is so close to the November 2020 election will cause confusion, so we are stepping up efforts to educate people that voter ID does not need to be REAL ID Act compliant.

One of our goals nationwide is to help people gain the confidence they need to go vote. We hear about people across the country, especially in states with strict voter ID laws like Wisconsin, who are worried they don’t have the correct ID to vote. Some of them actually do already have the correct ID to vote but need to hear that from someone like Anita or our other employees and volunteers in order to have the confidence to actually vote.
When strict Voter ID laws went into effect and rules changed just months before the 2016 Presidential election, subsequent confusion led to voter disenfranchisement. More voter registration changes followed in 2017, including abolishing Special Registration Deputies trained by municipal clerks to do voter registration.

That is the point at which several former Special Registration Deputies created COVO, a Coalition of Voting Organizations in Brown County. COVO’s goals included retaining the power of the people who had previously been trained in voter registration, expanding their efforts to encompass voter education, motivation, participation in the voting process, and networking with other groups.

COVO is making a difference in the community. With assistance from VoteRiders, COVO provides excellent training materials, offering a local helpline number (414-882-8622) to connect voters with Voter ID help, posters which can be displayed at agencies and community centers, and wallet cards that make it easy for people to make sure they have a photo ID that will be accepted at the polls.

*Information taken from* [https://www.voteriders.org/Whats-up-in-Wisconsin/](https://www.voteriders.org/Whats-up-in-Wisconsin/)
First Time Voter:
Interview with Aliyana, age 18

By Abby Swetz, 
End Domestic Abuse WI 
Policy & Systems Analyst

Why are you voting in 2020?
I’m voting in 2020 because I want to choose a president who I believe will make the best decisions for our country.

Also, my parents have always been voters.

What does it mean to you to be able to vote?
Being able to vote means being able to have a voice in things that are going to change our world. In the last election, so many people decided to not vote, and the choice to not vote gave other people more power in that election. In my opinion, you still have to choose who you think is best and decide to vote instead of not voting at all.

How are you making your decision on candidates?
I think it’s good to make a decision on where you stand on the issues, and I want someone who has the same opinions. I want to vote for someone who is thinking about what is right for the people, what is better for the country and not just for themselves. Sometimes it seems like people in power want only what they want instead of thinking about how it affects the rest of the world. I want someone who is open-minded, who is known as a good person.

What is your plan for Election Day?
I’m going to go to school first, and then vote right after school is over. I want to get it done!

Have you registered?
No, not yet, but I know you can register online, and I’ll do that beforehand.

https://myvote.wi.gov/en-us/RegisterToVote

How are local domestic abuse and sexual assault programs assisting survivors to vote?

Golden House

Golden House volunteers have taken shelter residents to vote every election. Additionally, Golden House posts information in the shelter about where people can go to vote and why voting is important.

– Tonya L. Dedering, Golden House, Brown County
What Can Nonprofits do to Prepare for Election Day?

Nonprofit 501(c)(3) organizations may participate in many electoral activities that do not support or oppose a candidate for public office, as outlined below. For a more complete discussion and resources to help you get started, visit Nonprofit Vote.

Voter Registration

- **Encourage registration in advance.** At [Register to Vote](#), find out if you are already registered. If not, this website will take you through the process step-by-step.
- **Explain same-day registration.** Find more information at [WI Elections Commission First Time Voter](#) webpage.
- **Assist in obtaining relevant documents.**
  - You must provide proof of residence to register. More about documentation is at [My Vote WI-proof of residence](#).
  - You must show state-issued ID to vote. Learn about photo ID requirements at [My Vote WI-Photo-ID](#). Explain the benefits of having state-issued identification: In addition to voting, state-issued ID can help Wisconsin residents in employment, driving, opening bank accounts, entering federal or state buildings, etc.
- **Assist survivors who would like their address to remain confidential to register as a Confidential Voter.** See the article on page 2 of this publication, and at [WI Elections Commission Confidential Voter](#) webpage.
- **Assist homeless individuals in navigating the process of proving residence.** Information is at the [WI Elections Commission Homeless Voters](#) webpage.

Voter Education:

Provide information about the voting process.

- **When can I vote?**
  - Absentee: request an absentee ballot *well in advance* at [My Vote WI Absentee](#)
  - Early Voting (In-Person Absentee): Dates vary by district. Contact the Municipal Clerk for more information. See [My Vote Municipal Clerk](#)
  - On Election Day:
    - When? Polls are open from 7:00am to 8:00pm. If you are in line by 8:00pm, you will be allowed to vote.
    - Where? See [Find your Polling Place](#)

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How are local domestic abuse and sexual assault programs assisting survivors to vote?

**Advocates of Ozaukee**

Advocates invited the League of Women Voters and the County Clerk to come in and talk with us so we could advise people. It was a very lively and productive discussion, and the majority of the shelter residents do vote.

*– Barb Fischer, The Advocates of Ozaukee, Ozaukee County*
If you are homeless

If you are homeless at the time of an election, Wisconsin election law still guarantees you the right to vote. However, you still need proof of residence, and you still need a valid ID. Here is what you need to know about getting those requirements ready.

To vote, you must show a WI state-issued ID. The Department of Motor Vehicles (DMV) offers free state ID cards if you indicate that you will be using the ID in order to vote. When you apply for this ID card, you will need to prove residency. You can prove residency for this ID card with one of the following documents:

- a cell phone bill with an address on it issued within the past 90 days
- a paycheck with an address on it issued within the past 90 days
- a letter from a shelter or other organization providing services to the homeless, on agency letterhead. (A sample letter can be found here: https://elections.wi.gov/voters/homeless)
- a bank account statement
- an employee ID card with your photo on it

To register to vote (in advance or on Election Day), you need to provide proof of residence. A valid Wisconsin ID card can be used as proof of residence, and any one of the documents listed above except the employee ID card can also be used.

If you run into any problems with this process, call the WI Elections Commission at 608-266-8005.
BLOC, located in Milwaukee, has a “platform for prosperity” agenda focusing on 10 basic human needs: Safety, Housing, Health, Food, Water, Education, Purpose, Dignity, Democracy, and Freedom & Justice. Every demand is designed to improve the quality of life and economic wellbeing of the Black community in Milwaukee.

BLOC spent two years developing this agenda after gathering feedback from others in the Black community of Milwaukee by asking the single question, “What would it look like for your community to thrive?” Some common themes were safety and opportunity: people described wanting communities free from the oppressions of white supremacy and police brutality — “communities bound in love for each other.”

BLOC’s agenda is a vision for the future that is used to measure the positions of candidates for political office. One of the basic human needs they focus on is Democracy that says:

We deserve a democracy in which all of our voices are heard. We will only be free when our political system is no longer dominated by big money, when we redraw gerrymandering districts to fairly represent our communities, when we restore the right to vote to all incarcerated and formerly incarcerated Americans and when every voter is guaranteed the right to freely and fairly cast a ballot.

To meet this need we call for the following:

- Automatically registering residents to vote
- Creation of a non-partisan redistricting process
- Restoring voting rights to the incarcerated so that they can vote while in prison
- Counting the incarcerated as residents of their home before incarceration, not as residents of prisons.
- Improving of responsiveness from elected and government officials
- Making election days local, state, and federal holidays
- Empowering neighborhood associations with decision making authority for their neighborhoods
- Implementing instant runoff voting and ranked choice voting systems
- Ending corporate personhood and overturning Citizens United

We also call for increased and major financial investments in:

- Establishing and expanding early voting locations
- Publicly funding elections
- Establishing participatory budgeting programs

BLOC is doing transformative, non-transactional work in the Black Community of Milwaukee. Take some time to visit their website for more information! https://www.blocbybloc.org/
Gender Based Violence, Criminal Convictions, and Voting Rights

By Colleen Cox, End Domestic Abuse Education & Training Coordinator

In this issue we have collected information and resources to assist victims of domestic abuse to safely exercise their right to vote. In doing so we consider some of the many links between gender-based violence and disfranchisement.

As noted by the Battered Women’s Justice Project, “gender-based violence...includes long-standing oppressive practices supported by cultural and religious traditions, and the use of coercive control by individuals and the state.”

Persons who are caught up in the criminal justice system are among Wisconsin’s residents who are most vulnerable to abuse, and who have the least access to representation in government. The Atlantic reports that the Department of Justice found in 1999 that approximately half of incarcerated women had experienced sexual or domestic abuse, and in 2005, two-thirds of those incarcerated for killing someone close to them had been abused by that person.

In 2016, the Vera Institute of Justice found that nationally, 86 percent of women in jail report having experienced sexual violence in their lifetime, 77 percent report partner violence, and 60 percent report caregiver violence.

Wisconsin individuals with felony convictions may not vote until full completion of their sentences, including incarceration, probation, parole or extended supervision. Individuals must register to vote when their sentence is completed. The Government Accountability Board provides detailed information for voters who are incarcerated or have faced a felony conviction.

What is the nature and scope of this issue in Wisconsin? According to the American Civil Liberties Union (ACLU) of Wisconsin, as of June 2019:

- More than 69,000 Wisconsin residents are disfranchised.
- Most of Wisconsin’s disfranchised people – currently 45,255 people on probation, parole, or extended supervision for felony convictions – are not in prison or jail, but live in our communities.
- One out of nine African American voters in Wisconsin is disfranchised, compared to one out of 50 Wisconsin voters.
- Wisconsin has more restrictive felony disfranchisement laws than 20 other states, including Michigan, Illinois, Indiana and Ohio.

Visit the ACLU’s Wisconsin Voting Rights for Persons with Criminal Convictions for details on what those with criminal convictions can and cannot do, and what they must do in order to reclaim their right to vote.

First Time Voters:

Interview with Vicki & Ted, New Wisconsin Residents

By Abby Swetz, End Domestic Abuse WI Policy & Systems Analyst

What is your plan on Election Day?

We’re glad that we can vote early, but I really like voting on Election Day. So we’re going to get up and vote immediately. Then we’re going to go out to breakfast to mark the day.

How is voting different in WI from where you used to live?

In the past, we went to the polling place, we said our address, they found us on the list, and that was enough. It was like that in New York, and in Kansas, too, until 2016. But now we need to remember our driver’s licenses.

New Voting Accessibility Law

Information provided by Wendy Heyn, Disability Rights Wisconsin

In November 2019 Governor Evers signed a new bill into law making it easier for some voters with speech-affecting disabilities to exercise their right to vote. Previously, election workers asked voters to speak their name and address out loud, posing a barrier to some voters with speech-affecting disabilities to exercise their right to vote. The new law provides voters who cannot say their name or address out loud due to disability with the option to have an election official or person of their choice state the information out loud on their behalf. See Wis. Stat. sec. 6.79(8) for the exact statutory language.

For more information about this new state law and other facts about accessibility in the polls, see the Milwaukee Journal Sentinel article Wisconsin Voters with Disabilities Face Barriers at the Polls.

Know Your Rights.

Do you know your rights as a voter with a disability? This short video explains your right to ask for accommodations, curbside voting, and more: Know Your Disability Voting Rights Video.

Have a voting concern or question?

Contact the Wisconsin Election Commission Toll-free Voter Help Line at 1-866-VOTE-WIS.

For disability related questions, contact the Disability Rights Wisconsin Vote Hotline at 844-DIS-VOTE / 844-347-8683

About the Disability Vote Coalition

The Wisconsin Disability Vote Coalition (WDVC) is a non-partisan effort to help ensure full participation in the entire electoral process of voters with disabilities. It is a project of Disability Rights Wisconsin and the Wisconsin Board for Developmental Disabilities.

WDVC voting fact sheets, videos, and other resources for voters with disabilities and providers are posted on its web site for you to view. You may print our fact sheets or email WDVC to place an order.

Disability Vote Coalition website: disabilityvote.org/
Like WDVC on Facebook: www.facebook.com/wisconsindisabilityvote
Contact WDVC by Email: info@disabilityvote.org
Assistance for Voters in Nursing Homes or Long-term Care Facilities

The following information is taken from The National Conference of State Legislatures Assistance for Voters in Nursing Homes or Long-term Care Facilities.

The most common way for residents of nursing homes or long-term care facilities to vote is by requesting and voting an absentee ballot. However, they may have more difficulty obtaining a ballot or voting a ballot than other voters, so 32 states (including Wisconsin) have statutes that specifically address voting by residents of nursing homes or long-term care facilities. The most common form of assistance is “mobile polling” which is conducted in the residential facility by bipartisan team of workers trained by local election officials.

Wisconsin’s statutory requirement that permits mobile polling in certain residential care facilities and retirement homes can be found at Wis. Stat § 6.875. Briefly, in Wisconsin, special voting deputies or a family member may assist nursing home residents to vote. Two special voting deputies are required to visit each home with requested absentee ballots. (Requests for absentee ballots must be received by the Thursday before the election, by completing an application including a copy of their photo ID. Requesters must be registered to vote. See I want to vote absentee for more information.) Additional details can be found at Absentee Voting in Residential Care Facilities and Retirement Homes.

If residents of nursing homes or long-term care facilities seek assistance with transportation to the polls, local Aging and Disability Resource Centers may be able to help them find such assistance.

More than 35 million eligible voters in the U.S. — about one in six — have a disability. And in the last presidential election, almost a third of voters with disabilities reported having trouble casting their ballots — whether it was getting into the polling place, reading the ballot, or struggling with a machine.

— from NPR Politics Voters With Disabilities Fight For More Accessible Polling Places, October 24, 2016
How are local domestic abuse and sexual assault programs assisting survivors to vote?

The Asha Project

Some years ago, several Asha staff went through training to register people to vote. We delivered those voter registration forms on a weekly basis.

Victims empower themselves with information. We would have discussions in Sister Circle groups, look at videos or even talk during individual sessions, exploring civics topics that were relevant to them and talking about things they did not know.

We’d ask if they were registered and would have a conversation about that and if they were not, we assisted them with the completion of the form. I recall us being a pick-up site for folks needing rides to go vote.

—Antonia Vann, The Asha Project, Milwaukee County

The Impact of Judicial Elections

By Rebecca Glendon, End Domestic Abuse WI Legal Intern

The majority of people across Wisconsin do not vote in judicial elections, as many don’t realize how important they are or don’t know how to get informed on candidates that are running for office. While these elections may be easy to overlook, I hope to show that participation in these elections is vital and that judicial election results have significant implications for the daily lives of citizens. Going out and voting in judicial elections is especially important when it comes to supporting and protecting domestic abuse survivors.

The Impact of the Supreme Court on Survivors

In October 2012, Zina Daniel Haughton was shot and killed at Azana Spa in Brookfield, Wisconsin. Two others were also fatally shot and four more were injured from the attack. The assailant was Zina’s estranged husband, against whom she had a domestic abuse injunction and was in the process of divorcing. The court granted this injunction after he previously accused her of cheating, assaulted her, and threatened her life. Among other things, the injunction barred her abuser from purchasing and possessing firearms for four years. Despite the firearms prohibition, the abuser purchased the murder weapon on Armslist.com (“Armslist”), a site similar to Craigslist or Ebay for firearms. He bought the semi-automatic handgun from a private seller. The attack occurred the very first day after he purchased the murder weapon.

Zina’s daughter, Yasmeen Daniel, pursued a legal case against Armslist, claiming that the site facilitated the illegal sale of the gun through a private seller and should be held responsible. A circuit court sided with Armslist, citing the federal Communications Decency Act of 1996. The circuit court found that this act protects websites like Armslist as a neutral provider of forum, host of third party content, and a space for free exchange of information. Later, the court of appeals reversed this decision, finding that Armslist was liable for facilitating the illegal sale of the firearm. Armslist appealed and the case finally ended up in the hands of the Wisconsin Supreme Court. End

(Continued on page 17)
Domestic Abuse WI, along with several national domestic abuse groups and local Wisconsin domestic abuse programs submitted an amici brief to the Wisconsin Supreme Court, informing the court that allowing the CDA to shield Armslist from liability in facilitating the illegal purchase of firearms has already led to domestic abuse homicides in the state and will likely contribute to more homicides in the future.

Ultimately, the Wisconsin Supreme Court sided with Armslist, stating that the Communications Decency Act of 1996 protects Armslist from liability or responsibility for the sale of the weapon by a third party seller. According to the Wisconsin Supreme Court, responsibility for illegal content on the website then falls on third party sellers or buyers instead, although third party sellers are not required to perform background checks in Wisconsin and Armslist created their website in a way that utilizes filtering functions to make illegal purchases easier. Yasmeen Daniel petitioned the U.S. Supreme Court to hear the case, but the court declined to hear the case.

With the election of a Wisconsin Supreme Court justice coming up in April of 2020, the interpretation (Continued from page 16)

(Continued on page 18)
of the law and who we choose to do this interpreting is especially critical and apparent. As evidenced in the case of Zina Daniel Haughton, these elections have grave implications for those who experience domestic violence and survivors of this violence. Supreme Court justices make decisions that affect the everyday lives and most importantly the safety of domestic abuse survivors. With this decision, abusers can continue to go around the law and purchase weapons on websites like Armslist despite being legally prohibited from doing so. Zina should not have had to live in fear of being shot in her workplace, and women like her should not have to continue to live in this fear. Women like Zina should not have to fear the worst: that their abusers can easily and illegally purchase weapons.

Wisconsin state law has been crafted to prioritize the safety of domestic abuse victims by enacting laws to prevent the sales of firearms to abusers. For example, the SAFE Act passed in 2014 works to ensure that abusers give up their firearms. The Daniel v. Armslist decision allows Armslist to “flout state law” which “threatens the lives of abuse victims” in Wisconsin going forward (End Abuse Amici Curiae).

With these decisions having such impactful implications for Wisconsin residents and domestic abuse survivors, elections to appoint these justices cannot be ignored. The Supreme Court justices have immense power to come to a conclusion that affects the lives of those who experience domestic violence, and they will continue to have this power.

The League of Women Voters of Wisconsin


The League of Women Voters, a nonpartisan political organization, encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy.

The League of Women Voters of Wisconsin operates at the state level with grassroots support from 20 local Leagues. It is part of The League of Women Voters of the United States, with 900 state and local Leagues.

View a map, list of local Leagues and links to their websites, at Find Your Local League. If there is not a League in your community, you may join the state League as a Member at Large. Call or email the League of Women Voters of Wisconsin at 608-256-0827, lwvwisconsin@lwvwi.org for more information about these local Leagues or membership-at-large in the state League. There is something for everyone!

Check out the League’s Be a Wisconsin Voter Page to view short and inspiring stories of Wisconsin voters! See pages 9, 14, and 17 for interviews with first-time voters!
The Importance of Local Judges for Survivors

Like Supreme Court Justices, county and local judges make many important decisions when it comes to the day to day lives of survivors. It is important to support and elect judges who will be behind survivors of domestic violence, helping to ameliorate the fears that they struggle with every day. **County judges often hear cases that concern a domestic abuse survivor asking for a restraining order injunction.** A county or local judge also hears cases where survivors or abusers are criminally charged, imposing penalties that can protect survivors from future abuse or wrongly punish them, putting them at increased risk for continued violence. For example, when an individual is arrested and charged for a crime related to abusing a survivor, the outcome of the case is decided by county and local judges. Additionally, domestic abuse victims may actually be arrested in cases where an abuser harms themselves and claims to police that the survivor inflicted the injuries, or when the survivor inflicts injuries in self defense. In such cases both parties may be arrested or the survivor may be wrongfully arrested while the abuser goes free. How these cases are presided over can result in survivors gaining needed protections or in actually punishing survivors for abuse they did not inflict, endangering and discouraging them from coming forward or pursuing charges again. Finally, **county judges hear cases of family law that have important implications for survivors.** For example, a survivor may state that they desire full custody of their children that they share with their abuser in order to protect them from abuse. Decisions like these can help place survivors and their children safer situations, away from domestic abuse. Again, the gravity of these decisions made by county and local judges demonstrates the importance in electing those who will advocate for survivors.

The results of these decisions have immense consequences for survivors of domestic violence. **While it is easy to focus on legislative or presidential elections, state and local judicial elections can have effects that hit very close to home.** It is important to elect judges who will hold abusers accountable and do what they can to protect survivors from future abuse. Just as it is important to learn which presidential or legislative candidate will represent your interests or the interests of the people, it is important to be educated on which Supreme Court justices and county and local judges will represent the interests of domestic abuse survivors. **The Wisconsin Supreme Court general election takes place on April 7, 2020.** See sidebar, right, to learn more.
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