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Contact: Patrick Guarasci, (608) 692-0195

FRAUDULENT ELECTORS CONVENE TO CAST STATE’S ELECTORAL VOTES CONTRARY TO POPULAR VOTE AND STATE STATUTES, LAW FORWARD SEEKS ACCOUNTABILITY

MADISON, WI. FEBRUARY 16, 2021 – Earlier this month Law Forward obtained documents fraudulently created by individuals impersonating the state’s Presidential Electors in December 2020. Working on behalf of clients including the Service Employees International Union (SEIU) Wisconsin State Council, Law Forward detailed the potentially criminal conduct of these fraudulent electors. After publicly releasing a letter to the Milwaukee County District Attorney and a complaint filed with the Wisconsin Elections Commission, Mel Barnes, Law Forward’s Staff Counsel, issued the following statement today:

“We are a nation of laws. That principle was attacked, here in Wisconsin, last December. Following the November 2020 election, ten individuals, impersonating the duly elected and authorized Presidential Electors of the state, flouted the will of the people and attempted to hijack Wisconsin’s participation in selecting the next President of the United States.

These fraudulent electors, with no legal authority whatsoever, purported to cast Wisconsin’s ten electoral votes. They lied about the outcome of our statewide election, signing “Certificates of Votes” for candidates who lost Wisconsin’s statewide vote.

They then mailed those fraudulent documents to Congress (and to other federal and state officials), apparently intending that Wisconsin’s electoral votes be counted on January 6th for the candidates they preferred but who Wisconsin voters rejected. This is an attack on the rule of law and our democracy. We must hold these fraudulent electors accountable.

Today, we call for an investigation of the fraudulent electors’ activities to determine if they constitute criminal and civil violations, including:

• Forgery, a Class H felony under Wis. Stat. § 943.38(1);
• Falsely assuming to act as a public officer, a Class I felony under Wis. Stat. § 946.69(2);
• Misconduct in public office, a Class I felony under Wis. Stat. § 946.12(4);
• Conspiracy to commit criminal acts under Wis. Stat. § 939.31;
• Aiding or abetting as a party to a crime under Wis. Stat. § 939.05;
• Attempts to commit a felony or other crime under Wis. Stat. § 939.32;
• Violations of Wis. Stat. § 7.75, which governs the meeting of presidential electors; and
• Subverting the statutory selection of the presidential electors under Wis. Stat. § 5.10.

See the letter here.

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Law Forward is a non-profit law firm focused on protecting and advancing democracy in Wisconsin. We use impact litigation, the administrative process, and public education to protect Wisconsin’s fundamental democratic principles, and revive Wisconsin’s traditional commitment to clean and open government. Learn more about our work at LawForward.org.