

State of Wisconsin \ Government Accountability Board

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JUDGE THOMAS H. BARLAND
Chairperson

KEVIN J. KENNEDY
Director and General Counsel

MEMORANDUM

DATE: March 31, 2011

TO: Voters, Local Election Officials, and Recall Petition Circulators

FROM: Kevin J. Kennedy, Director and General Counsel
Wisconsin Government Accountability Board

SUBJECT: Circulating Recall Petitions at a Polling Place-- **Please Note: The first, second, and fifth points of this guidance have been modified from the guidance posted on March 29th to better reflect current law and the formal opinion cited below.**

Due to the anticipated presence of recall petition circulators at polling places, G.A.B. offers the following guidance for clerks, election inspectors, and petition circulators to use at the polls on April 5, 2011:

- It is permissible to circulate a petition within 100 feet of the entrance to the polling place if it is unrelated to the candidate contests/referenda on the ballot, subject to any separate rules governing the use of and access to the property.
- Circulators must refrain from “campaign activity” for any contest on the ballot while on public property within 100 feet of the entrance of a polling place. This includes any verbal or written statements on a recall petition referring to a candidate or issue on the ballot.
- Circulators should not solicit signatures from voters in line to vote, but rather wait until voters are leaving the polling place.
- Circulators should not stand in or block the entrance to the building. G.A.B. recommends circulators remain at least 10 feet from the path of travel.
- The G.A.B. has concluded that petitioning in the immediate voting area or within the building containing the polling place is inherently disruptive. Election officials should order persons petitioning inside the building to leave the building.
- The actions of the circulators should not in any way interfere with or distract voters or election officials, interrupt or disturb the election proceedings.
- If a circulator is causing a disruption of the polling place, the chief inspector should immediately address the situation and ask the circulator to cease disruptive activity. Circulators who do not cease the disruptive activity will be ordered to leave the polling place and remain outside the 100-foot zone. If the circulator continues to disrupt the polling place, the chief inspector should contact law enforcement to enforce the order.

A formal opinion regarding circulation of petitions at polling places is also available. For further details, please see [EIBd Opinion 07-01](#) (reaffirmed 6/9/08). If you have any questions regarding this guidance, please contact the G.A.B. HelpDesk via phone at 608-261-2028 or via email at gab@wi.gov.