



policy goals without building political power within the student population. Rise strongly believes—as I do, based on my experience in politics, government, and advocacy work—that candidates, officeholders, and their staffs take students’ interests more seriously when students are active and engaged in the political process. This political engagement encompasses not only direct advocacy with lawmakers (such as lobbying in state capitols), but also efforts to amplify students’ political voices by encouraging college students to exercise their right to vote. Without student political engagement and voting, we will never get policymakers to invest in college students and public higher education to accomplish our mission.

4. Rise is a student-driven organization. Our leadership consists of students, as does our corps of organizers, partners, and volunteers. Students set our agenda, including our spending priorities. Students build grassroots efforts and we cultivate, support, and fund those efforts.

5. Rise operates both nationwide and through state-specific campaigns. One of Rise’s state-specific campaigns operates in Wisconsin. Rise employs a Wisconsin State Director, two Deputy Directors, and sixteen paid organizing fellows around the state. The fellows are based in Madison, Milwaukee, and Oshkosh. They have organized in those cities and in many of Wisconsin’s other college towns, such as Eau Claire, as well as at colleges around the state.

6. Rise is conducting an extensive relational get-out-the-vote (GOTV) campaign in Wisconsin in advance of this November’s general election. Relational GOTV is a strategy that leverages organizers’ existing social relationships and networks to encourage voting. As of September 23, 2022, Rise organizers have contacted between 12,000 and 15,000 young voters in Wisconsin and have helped 3,826 voters make a “plan to vote”—a common GOTV strategy. Organizers help voters make “a plan to vote” by asking voters to determine things like when they will vote, where, whether they will vote by mail or at the polls, how they will get to the polls, what

ID if any is required to vote, and what steps they must take to prepare a valid absentee ballot, among other details. Social science and Rise's past experience both confirm that making a plan to vote increases voter turnout among the target population, and therefore is an effective GOTV strategy.

7. I expect that many of the Wisconsin voters Rise has targeted in its GOTV effort will vote absentee in the 2022 general election. Rise's records indicate that 1,446 of the nearly 4,000 voters in Rise's GOTV universe in Wisconsin have voted absentee in a past election, and that 1,246 of them voted absentee in the 2020 general election. Rise thus has a considerable stake in Wisconsin's absentee balloting processes.

8. I am aware of the guidance the WEC has issued regarding the process Wisconsin absentee voters may follow to spoil their ballots. *Rules about 'Spoiling' Your Ballot*, Wisconsin Elections Commission (Aug. 2, 2022), <https://elections.wi.gov/news/rules-about-spoiling-your-ballot-0> (guidance to voters); *see also Spoiling Absentee Guidance for the 2022 Partisan Primary*, Wisconsin Elections Commission (Aug. 1, 2022), <https://elections.wi.gov/memo/spoiling-absentee-guidance-2022-partisan-primary> (guidance to clerks). As the guidance to voters explains, "Wis. Stat. § 6.86(5) authorizes a voter to spoil his or her absentee ballot and be issued a new one." It also explains that voters may choose to spoil their ballots "to correct several issues, such as a damaged ballot; an error when voting the ballot (such as filling in the wrong circle or voting for too many candidates); or the voter changing his or her mind after returning the absentee ballot."

9. As I understand the WEC's guidance, absentee voters who wish to spoil their already-returned absentee ballots have two methods for doing so. First, a voter "may request in writing that their returned absentee ballot be spoiled so they can vote a new one." *Rules about 'Spoiling' Your Ballot*, Wisconsin Elections Commission (Aug. 2, 2022),

<https://elections.wi.gov/news/rules-about-spoiling-your-ballot-0>. Second, a voter “may appear in person at their clerk’s office until the end of in-person absentee voting hours and ask to have that ballot spoiled so the clerk can issue a new absentee ballot.” *Id.* I understand that after an absentee voter spoils their ballot, the voter can be issued a new absentee ballot either by mail or in person at the clerk’s office, or the voter can vote in-person on election day.

10. I am aware of the lawsuit filed on Friday, September 23 in Waukesha County Circuit Court, captioned *Kormanik v. Wisconsin Elections Commission*, 22-CV-1395, challenging the above-described process. I believe that plaintiff’s requested relief in that action would transform the process voters must follow to cure absentee ballots in Wisconsin to the detriment of lawful voters, including those that Rise operates to assist. Specifically, it is my understanding that, if plaintiff is successful in the lawsuit, it could foreclose all absentee voters’ ability to spoil returned ballots.

11. I am gravely concerned by this attempt to transform Wisconsin absentee-balloting procedures via judicial intervention just six weeks before the election, and after absentee voting has already begun. Rise is best able to accomplish its GOTV and organizing goals when balloting procedures are straightforward, simple, and settled. The student voters whom Rise engages are often first-time or lower-information voters, and often are unfamiliar with the minutia of balloting procedures. Rise plans its GOTV efforts carefully to bridge that gap.

12. Rise’s meticulously planned GOTV efforts will be undermined if Rise is forced to revisit its approach to absentee ballot curing because of the lawsuit in question. Any court action invalidating the existing ballot-spoiling guidance will cause Rise to divert resources in at least two ways. First, Rise has built its GOTV efforts for the present election cycle around the assumption that absentee voting in Wisconsin will proceed as it did for the partisan primary that was conducted

just last month. This means that Rise organizers have not sought to push voters towards in-person voting if they qualify for absentee voting and would prefer to absentee vote. The sudden confusion surrounding cure processes will force Rise to divert significant resources toward getting as many voters as possible to vote in person. Rise organizers will have to spend their time reconnecting with voters who have already developed a voting plan and convincing them to shift that plan to in-person voting if possible. This will compromise Rise organizer's ability to use those resources to connect with new potential voters—crucial activity that is central to its organizational mission. As a result, Rise's organizational mission will be harmed by this unforeseen reallocation of staff time and resources.

13. Second, Rise will have to divert both staff time and money to develop and distribute new training materials that explain the new processes for use with those voters who, due to either preference or necessity, still plan to vote absentee. The time and money spent on this endeavor is, again, time and money that will be diverted away from and cannot be used for mission-critical GOTV efforts, including contacting new potential voters to advance Rise's mission and ultimate policy goals.

*Maxwell Lubin*

Maxwell Lubin

State of: Texas County of: Waller

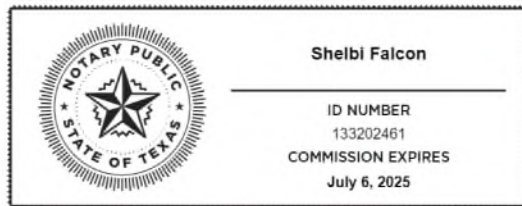
Subscribed and sworn to before me  
this 29<sup>th</sup> day of September, 2022.

*Shelbi Falcon*

Texas

Notary Public, State of Wisconsin

My commission expires: 07/06/2025



Notarized online using audio-video communication

This notarial act involved the use of communication technology.