

1 **2019 RES-582**

2 APPROVING PARTICIPATION OF DANE COUNTY BY FILING AN AMICUS BRIEF IN  
3 SUPPORT OF A POSTPONEMENT OF THE APRIL 7 ELECTION IN *DEMOCRATIC*  
4 *NATIONAL COMMITTEE, ET AL v. MARGE BOSTELMANN, ET AL.* Case No. 3:20-cv-249-  
5 wmc, CURRENTLY PENDING IN THE US DISTRICT COURT FOR THE WESTERN DISTRICT  
6 OF WISCONSIN

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8 In late March 2020, as the COVID-19 pandemic worsened in Wisconsin, the City of Green Bay,  
9 the Democratic National Committee, and others, sought legal action to postpone the April 7, 2020  
10 election. There have been three Federal court cases that have been consolidated.

11 The Governor's directive to residents to stay at home to lessen the spread of the virus, the health  
12 risk of voters going to the polls to vote, the increasing lack of poll workers, and the enormous  
13 number of absentee ballots are challenges to a fair and safe election. Public Health Madison  
14 Dane County has advised county officials that holding the election on April 7<sup>th</sup> poses a serious  
15 public health risk. The cities of Milwaukee and Madison have filed amicus briefs in support of  
16 postponement of the election.

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18 Filings regarding the pending case were due by midnight on March 31<sup>st</sup>. Since time is of the  
19 essence in having this matter resolved, the Dane County Clerk requested the Office of the  
20 Corporation Counsel to file an amicus brief in support of postponement. While the state's largest  
21 cities have detailed the challenges of having an election during a pandemic in urban areas, the  
22 county can add perspective on the challenges faced by smaller local governments in holding an  
23 election. The County Executive has supported this action.

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25 NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors supports the  
26 amicus brief filed in U.S. District Court for the Western District of Wisconsin in support of  
27 postponement of the April 7, 2020 election in *DEMOCRATIC NATIONAL COMMITTEE, ET*  
28 *AL v. MARGE BOSTELMANN, ET AL.* Case No. 3:20-cv-249-wmc.  
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