

https://madison.com/wsj/news/local/crime_and_courts/dane-county-couple-fined-for-voting-twice/article_444a2fca-83a9-11df-81fd-001cc4c002e0.html

Dane County couple fined for voting twice

PATRICIA SIMMS | | 608-252-6492

Jun 29, 2010

SALE! Subscribe for \$1/mo.

In an emotional hearing on Tuesday, a Dane County judge fined a town of Blooming Grove couple a total of \$3,500 for voting twice in the spring 2009 elections — possibly deciding the outcome in one race.

Louis and Janice Kwiatkowski, both 67, were convicted of the same felony count of election fraud by a Dane County jury in March. But Circuit Judge Nicholas McNamara said Louis Kwiatkowski had shown no remorse for what he did and admitted no responsibility, so he fined him \$2,000 and his wife \$1,500, plus court costs.

“There are people who do feel harmed by your conduct,” McNamara said. “Your conduct was criminal.”

The couple were convicted of voting in Blooming Grove, near McFarland, where they have their permanent home, five days after voting by absentee ballot in Wyocena, where they have a cottage.

A state voter database alerted officials in Blooming Grove that the couple had already voted in Wyocena, and the matter was referred to Dane County District Attorney Brian Blanchard.

In a sentencing statement to the judge, Blanchard said the couple’s illegal votes in Wyocena may have tipped the scale in favor of their preferred candidate.

Blanchard said later Tuesday that a write-in candidate for trustee defeated the incumbent by a two-vote margin. In a letter to the court, the incumbent, Kathy Morrison, said if she had known of the vote fraud at the time, she would have called for a recount.

“In pretending that they were living in Wyocena at the time of their election, their fraud decided an election,” Blanchard said.

Four character witnesses, including the Kwiatkowskis’ son, Jason, described a hard-working couple that went out of their way to help sick neighbors and volunteered for community organizations like Habitat for Humanity.

“This violation is completely out of character for the Kwiatkowskis,” Wyocena village trustee Ron Andrews told McNamara. “I don’t know what happened.”

After the hearing, a tearful Janice Kwiatkowski said she was fearful of commenting. “It’s misunderstood and turned around,” she said. “It’s just been a nightmare.”

Janice Kwiatkowski testified that when she and her husband filled out voter registration forms in Wyocena, clerk-treasurer Almon Porter didn’t tell them it meant they couldn’t vote in Blooming Grove. Porter testified he never suggested to the couple that they could vote twice.

By signing voter registration forms in Wyocena, the couple certified they had lived there at least 10 days with no plans to move. “We never read the form and it was never pointed out to us, and that’s the God’s honest truth,” Janice Kwiatkowski testified at their trial.

In a letter to McNamara, Janice Kwiatkowski said she had never violated the law in her 67 years.

“I have never even received a speeding ticket,” she said. “I raised a family and contributed to society in what I feel is a positive way. I am now labeled a first-class felon. I have been finger-printed, held in a prison cell, accused of being a no-show, accused of trying to overthrow the government and treated like a violent criminal.”

The election fraud charge carries a maximum \$10,000 fine and 42 months in prison.

Be the first to know

Get local news delivered to your inbox!

Email Address

Sign up!

* I understand and agree that registration on or use of this site constitutes agreement to its user agreement and [privacy policy](#).

Related to this story

Unconfirmed voter information inactivates 12,000+ voter registrations in state

Updated May 28, 2014

