



For Immediate Release  
February 18, 2024

Contact: [Media@lawforward.org](mailto:Media@lawforward.org)

## Law Forward Responds to Wisconsin Supreme Court's *Brown* Decision

This morning, the Wisconsin Supreme Court issued its final opinion in [Brown v. WEC](#), ordering the case dismissed because Kenneth Brown lacked standing to seek judicial review in the first instance. Surprisingly, the opinion contains no mention of how this lawsuit sought to curtail fundamental voting rights in Wisconsin.

"The Court was right to toss Mr. Brown's lawsuit, which sought to restrict absentee voting in one of Wisconsin's most diverse communities. But a standing deficiency was perhaps the least problematic aspect of Mr. Brown's lawsuit, which openly targeted Racine's efforts to make voting more accessible," said Scott Thompson, staff counsel for Law Forward, who argued the case in the Wisconsin Supreme Court last fall. "There was much more at stake here. Voting is not a privilege - it's a fundamental right that must be protected, and full access to the ballot includes safe and secure absentee voting options. Mr. Brown's suit attacked the right to vote and equal protection under the Wisconsin Constitution. Avoiding any comment on such fundamental civil rights issues does little to strengthen our shared democracy."

*Brown v. WEC* was yet another attempt to limit access to absentee voting (specifically, in-person absentee voting, or IPAV) in Wisconsin. In 2023, Law Forward, on behalf of Black Leaders Organizing for Communities, successfully petitioned the Supreme Court of Wisconsin to take this case on bypass. The lawsuit stemmed from the 2022 election season, during which the City of Racine—a municipality with a significant Black population—selected dozens of IPAV locations across the city to increase voter access. After unsuccessfully complaining to the Wisconsin Elections Commission about Racine's practices, Brown sued in an effort to block the City's efforts to provide more IPAV locations. Today, his effort ended in defeat.

Wisconsin's Black voters have faced historical barriers to the ballot box, and BLOC intervened to ensure their voices are able to be heard. BLOC, a leading organization advocating for the rights of Black residents in Wisconsin, plays an essential role in

the broader conversation surrounding voting rights in the state. During oral argument in September, the Court asked questions of Mr. Brown's counsel that were based, verbatim, on the text of BLOC's written submissions.

BLOC argued that the importance of ensuring equitable access to voting is of constitutional significance. Law Forward and BLOC are committed to continuing the fight to protect voting rights in Wisconsin and ensure that absentee voting remains a viable option for all eligible voters.

###

### **Law Forward**

*Law Forward is a pro-democracy, nonpartisan nonprofit organization using impact litigation, the administrative process, and public education to protect and advance Wisconsin's fundamental democratic principles, and commitment to clean and open government. For more information, visit [www.LawForward.org](http://www.LawForward.org).*