

U.S. NEWS

A former Milwaukee election official is fined \$3,000 for obtaining fake absentee ballots

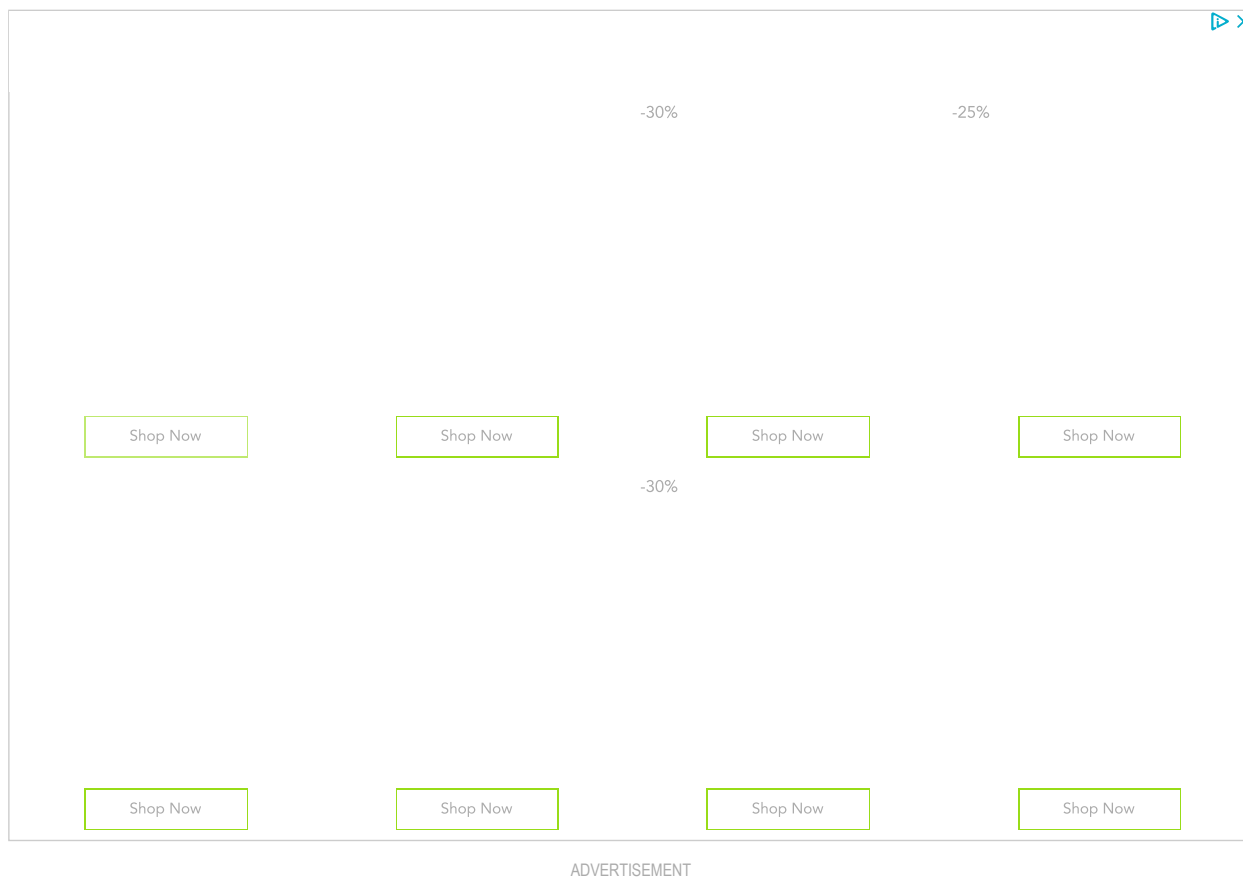


FILE - Kimberly Zapata, the former deputy director of the Milwaukee Election Commission, enters court before her jury trial in a Milwaukee County Courthouse in Milwaukee on Monday, March 18, 2024. Zapata, a former Milwaukee election official convicted of misconduct in office and fraud for obtaining fake absentee ballots was sentenced Thursday, May 2, 2024 to one year of probation and fined \$3,000. (Mike De Sisti/Milwaukee Journal-Sentinel via AP, File)

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Updated 9:19 PM EDT, May 2, 2024

MADISON, Wis. (AP) — A former Milwaukee election official convicted of misconduct in office and fraud for obtaining fake absentee ballots was sentenced Thursday to one year of probation and fined \$3,000.



Kimberly Zapata, 47, also was ordered to complete 120 hours of community service.

Prosecutors charged Zapata in November 2022 with one felony count of misconduct in public office and three misdemeanor counts of election fraud. A jury in March [found her guilty](#) on all four counts.

Milwaukee County Circuit Court Judge Kori Ashley rejected an argument by Zapata's attorneys that she was acting as a whistleblower, telling her before handing down the sentence that she had ways to make her point other than breaking the law.

Speaking just before the sentence was handed down, Zapata said she regretted her actions that she said "stemmed from a complete emotional breakdown," [Wisconsin Public Radio](#) reported. She said she has autism spectrum disorder, which makes it difficult for her to regulate emotions, sensory input and thought processes.

“When someone uses my name, I want them to think of good qualities and the good things I have done,” Zapata said. “I don’t wish to be forever attached to what I did in that 8-minute window of my life.”

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The felony charge carried a maximum sentence of 3 1/2 years in prison. Each misdemeanor count carried a maximum six-month sentence.

Milwaukee Assistant District Attorney Matthew Westphal said Zapata's actions were "an attack on our electoral system," which only works if the public can trust those administering it.

"Accusations of election fraud have literally led to violence and a violent insurrection in Washington, D.C.," Westphal said. "That's kind of the behavior we're looking at here on the spectrum. That's where we end up when we have people that are violating their duties, and that are putting forth this false information."



In a sentencing memorandum, Zapata's defense attorney Daniel Adams recommended a \$500 fine and said any time behind bars would be "a gross injustice and completely unnecessary."

"She has zero prior criminal record and has been convicted of non-violent offenses," he wrote to Ashley. "Her intention was not to steal votes but to expose a legitimate flaw in the elections system."

Zapata served as deputy director at the Milwaukee Election Commission in October 2022 when she used her work-issued laptop to obtain three military absentee ballots using fake names and Social Security numbers, according to [a criminal complaint](#). She sent the ballots to Republican state Rep. Janel Brandtjen, an election conspiracy theorist, two weeks before the state's gubernatorial and legislative elections.

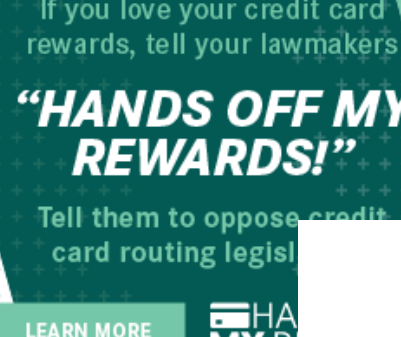
After officials learned of her actions, she was fired from her job with the city.

Active military personnel do not have to register to vote or provide photo identification to obtain absentee ballots in Wisconsin. Zapata told investigators that she was stressed over death threats commission staff had been receiving from election conspiracy theorists and she wanted to shift their attention to real flaws in the system.

Milwaukee, home to the largest number of Democrats in Wisconsin, has been a target for complaints from [former President Donald Trump](#) and his supporters, who made unsubstantiated claims of widespread voter fraud to attack Biden's 2020 victory.

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