

"The people are the government, administering it by their agents; they are the Government, the sovereign power." -Andrew Jackson

"Men must be aggressive for what is right if government is to be saved from men who are aggressive for what is wrong." - Robert LaFollette

"The supreme issue, involving all others, is the encroachment of the powerful few upon the rights of the many." - Robert LaFollette

Elections in the United States are the bedrock of our representative democracy. Elections in our state of Wisconsin are subject to law, including the fundamental law of the State, the Constitution of Wisconsin, and the Constitution of the United States. These laws are complicated, and fair elections are not a mere checkbox exercise. To secure republican government it is important not just that the law is followed, but that all citizens have confidence that the law is followed. In the run up to the election of November 3, 2020, polling showed that a majority of Americans did not have confidence that their vote would count. In a democracy, this is unacceptable. To help alleviate these justified fears on the part of so many Americans, and so many Wisconsinites, the state Assembly saw fit to establish a new office, the Office of the Special Counsel, to investigate the November 2020 election in our state. As head of this new office, I am authorized by state law to take all reasonable steps to investigate what happened in November 2020, what should have happened, why there was a difference between the two, and to recommend steps to secure our democracy going forward.

This interim report is a first step in discharging that mission. While this report does not definitively answer all questions that might be asked about the November 2020 election, it takes an important first step in collating those questions and presenting them in a structured manner. Over the few short months my office has been funded, we have spoken with, and listened to, everyone who has wanted to talk. This open-door policy will remain throughout the entirety of this investigation, and any future investigation the office is charged with investigating. While we have drawn some criticism from those in the media who would suggest that my discussions with various individuals or groups implies an endorsement of their views, this is not the case. But I do not apologize for this open-door policy: the views of all Wisconsinites matter, and sidelining or even laughing at serious concerns of any citizen of this state would call into question whatever results my investigation comes to.

In the short time the Office of the Special Counsel has been funded, we have not only met with many individuals and groups, but we have collected, and in some cases compelled by law, the production of, relevant information. We expect to depose governmental officials, under oath, to determine whether state and federal law were followed in the November 2020 election, whether good management held, and if not, who might have been responsible. We stand prepared to refer all relevant information to appropriate state and federal law enforcement authorities, if necessary.

But make no mistake: I sincerely hope the law was followed in Wisconsin. It would give me the greatest satisfaction to deliver to the speaker of the Assembly and to the public a final report which analyzes the November 2020 election in a complete and thorough manner, and which comes to the conclusion that no major overhaul of our laws or practice are necessary, and that everything happened on the up-and-up. And yet, as the following interim report demonstrates, many questions are as-yet unanswered. Among these questions: were all lawful votes, and only lawful votes, counted? Did the machines work as advertised? Were all election processes followed to the letter? Did clerks and other election officials have all the tools they needed to deal with the unprecedented

challenged posed by the COVID lockdowns and by historic (and likely never to be repeated) levels of absentee voting? Did outside corporate money unduly influence the election? And above all: what changes can the state of Wisconsin make to ensure that our future elections are secure, and more importantly, widely known to be secure?

In the coming weeks, this investigation will continue to collect and analyze information about the November 2020 election, because the public has a right to know what happened. I have no partisan agenda: I am running for no office, and I do not believe there is any lawful remedy in the state of Wisconsin to change the certification of its electors from our current President Joe Biden to former President Donald Trump. Furthermore, I do not come with any preconceived answers to any questions. Why were so many voter registrations at a single address? Why were so many voter registrations given under a single phone number? Why was there a "blip" at 4 a.m. in the reported statewide returns the morning after the election? All of these questions may have innocent explanations.

In fact, in the many discussions I and my office have had with the many fine public servants in the state of Wisconsin, I have learned that complicated questions may have simple answers. But many complicated questions deserve honest, but complicated answers, that take time to process and report. So I ask each reader of this interim report to take this as a jumping-off point for learning about how our democracy in the state of Wisconsin works. And again, please reach out to my office if you have any information of relevance. Your voice matters.

Michael J. Gableman

Special Counsel