

Wisconsin Office of Special Counsel

Strategic Communications Program - Video Script #2

October 1, 2021

Hello, I'm Mike Gableman, the Wisconsin Special Counsel. Recently, we issued the first subpoenas of our investigation into the 2020 election to city clerks and state election officials. It is my sincere hope that they will cooperate fully and in good faith. This should be a moment for nonpartisan transparency and accountability to ensure that our elections were conducted fairly, not a moment for a partisan circling of the wagons.

Public comments by our own governor, however, cause me concern that we will not get the kind of cooperation from public officials that the people of Wisconsin deserve.

In the course of making remarks about this investigation, Gov. Tony Evers suggested that clerks should be "lawyered up" before speaking to the Office of Special Counsel. The governor is certainly entitled to his own opinion about this investigation, but I'm disappointed that he advised public servants to resist a process designed to enhance transparency and public confidence in our elections.

The only reason clerks would need to be "lawyered up" is if they have something to hide. All we are asking the clerks to do is provide the Office of Special Counsel with basic information about how they administered the 2020 elections based on records they are required by law to maintain. There is no reason they should be unable to answer any of our questions, and there is no reason for them to have any concerns about speaking with us if they fully complied with the law in managing the election. After all, we're trying to give the people of Wisconsin a complete and accurate understanding of how their elections were run.

Gov. Evers seems to believe there is no need for this investigation, arguing that the election result has "already been proven probably 100 times" and that this is a "\$700,000 boondoggle." But that statement shows that he has a totally incomplete and misguided view of what we are doing. And if the governor believes it has been "proven" that the election was conducted flawlessly, then he is completely ignorant about the concerns Wisconsin voters have regarding the sanctity and security of their vote.

Based on what the Office of Special Counsel has investigated so far, there is compelling evidence that Wisconsin's election laws were not properly followed by election officials at both the state and local levels. There is also evidence that ambiguities in the law were expansively interpreted in a way that potentially served to undermine ballot security measures.

How is it a "boondoggle" for the people of Wisconsin to determine if their elections were run fairly, Governor? Looking the other way while millions of dollars in private funds may have been used in the public management of elections to achieve a preferred outcome at the expense of election integrity - if indeed this occurred - would be the true definition of a boondoggle.

It's also untrue that, as some in the news media have alleged, the Office of Special Counsel is asking clerks to "prove a negative."

I have said that the burden is on clerks to prove that they conducted the 2020 elections lawfully, and I stand by that. We are not demanding they disprove allegations that the election may have been conducted unlawfully. We are asking them to be accountable to the people of Wisconsin, who have serious questions about how the election was conducted since initial evidence shows that violations of law or protocols may have occurred.

Our public officials have a duty to be transparent with the citizens of Wisconsin, and in the context of elections, that means they should be prepared to demonstrate that they conducted our elections in accordance with established laws. We have laws on the books requiring election officials to preserve election materials specifically to ensure that when questions arise about how an election was conducted, they are in a position to answer those questions. It is not the responsibility of citizens or lawmakers to demonstrate that laws were broken before asking public officials to explain their conduct.

The Office of Special Counsel will use all the tools at our disposal to get the answers that the people of Wisconsin expect and deserve. As we do, I will continue to update you as frequently as possible. Thank you for your time and attention and God bless you.