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MARCH 20, 2008

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One Wisconsin Now Files Open Records Complaint after Gableman Repeatedly Withholds State E-mails *Questions Remain on Possible Use of State Resources; Raises Demand for Record Release*

Milwaukee – One Wisconsin Now has filed a verified open records law complaint with the Burnett County District Attorney’s office after Burnett County Judge Mike Gableman has refused numerous requests over several months to release emails from his taxpayer-financed state account.

Other records obtained from the state have shown Gableman’s questionable use of state resources for political purposes, including news Wednesday that Gableman made over 50 long distance phone calls from his Ashland County District Attorney’s office to top contributors and fundraisers for Governor Scott McCallum in the months directly preceding a fundraiser for McCallum that Gableman hosted in June 2002.

“We have waited long enough to have these records released and Mike Gableman needs to explain why he has stonewalled our efforts to get these public records,” said Scot Ross, Executive Director of One Wisconsin Now. “This week’s news about possible misuse of public resources by Gableman forces us to act and begs the question: What is in these emails that Gableman wants to hide from the public?”

The complaint filed with Burnett County came after Gableman refused to fully-comply with a reasonable and timely request OWN made for certain emails from Gableman’s state account under the open records law. OWN listed a limited number of key words as criteria for the request that included the names of certain political officials, influential conservative lobbyists and other organizations, including the Republican Party.

On October 26, 2007, Gableman personally responded refusing to release eight separate emails calling them “purely personal.” The open records request targeted emails that included the following terms (noted conservatives, campaign officials and organizations are bolded):

campaign, conflict of interest, election, **Ziegler**, ethics complaint, **Jim Pugh, Jim Haney, Graul, Prange, Stitt, McCallum, Thompson, Graber, Kohler**, Doyle, **Bush**, abortion, **Republican Party, RPW**, sick leave, Butler, Louis Butler, **Federalist, Federalist Society**, One Wisconsin Now, OWN, **Wisconsin Manufacturers and Commerce, and WMC**

“That these emails are both ‘personal’ and just happen to have these political terms is an extraordinary coincidence,” said Ross. “Mike Gableman needs to follow the law and release these records.”

OWN revised its request January 8, 2008, excluding the word “abortion” from the criteria and asking if portions noted by Gableman to be “purely personal” could be redacted and released to fulfill Gableman’s obligation under the open records law. Gableman ignored OWN’s request and did not respond to a second request until February 14.

(MORE)

Gableman's response, which came well after the Wisconsin Department of Justice's reasonable guideline of ten working days, now claimed the records he previously denied did not exist.

"I am in receipt of your letter of February 8, 2008, which is a follow up to an open records request with which I have fully complied. ...In regard to your more recent inquiries, I am unaware of any other open records requests and no additional documents have been sent or received by me which contain any of the words or phrases you have inquired about in your previous open records request."

"That we have to go to these extremes over months and months for Gableman to meet a simple open records request should concern every reporter and every Wisconsinite, said Ross. "Government openness is critical for Wisconsin during Sunshine Week and judges must recognize the sanctity of the public's right to know and respect that right."

One Wisconsin Now's complaint and supporting documents are available at:
<http://www.onewisconsinnow.org/orrcomplaint>.

One Wisconsin Now is a statewide communications network specializing in effective earned media and online organizing to advance progressive leadership and values.

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