



Judicial Campaign Watch

Wisconsin
Judicial Campaign
Integrity Committee

P.O. Box 7158

Madison, WI 53707-7158

(608) 250-6004

WJCIC Finds Gableman Campaign TV Ad Offensive and Misleading

For more information contact:

Thomas Solberg, State Bar of Wisconsin
(800) 444-9404, ext. 6025
tsolberg@wisbar.org

Chair

Thomas J. Basting, Sr.

Members

Timothy F. Cullen

Dennis L. Dresang

DeEtte Beilfuss Eager

Anthony S. Earl

Joseph P. Heim

William M. Kraus

Neal Nettesheim

Carol T. Toussaint

SUMMARY: The Wisconsin Judicial Campaign Integrity Committee (WJCIC) has reviewed a television advertisement from the campaign of Judge Michael Gableman regarding a criminal case Justice Louis Butler was involved in decades ago in his role as a Public Defender. The committee finds this ad to be both highly offensive and deliberately misleading and urges Judge Gableman to take it off the air.

March 17, 2008 -- On at least three occasions in recent weeks – today included – the WJCIC has defended Judge Michael Gableman against attacks on his integrity and his record (attacks that came from an independent issue advocacy group not affiliated with any campaign). On March 14, 2008, Judge Gableman released his first television advertisement in the current campaign for the Supreme Court.

The WJCIC believes that the tone and content of Judge Gableman's advertisement are unbecoming a sitting judge and a candidate for our state's highest court. We also believe this disgraceful and deliberately misleading ad is a gross violation of the pledge Judge Gableman made Wisconsin voters on February 21, 2008 to "refrain from personal negative attacks on my opponent."

In an offensive, race-baiting style reminiscent of the infamous "Willie Horton" advertisement from the 1988 presidential election campaign, the ad purports to illuminate voters about a criminal appeal filed by Justice Louis Butler decades ago in his role as a public defender. The ad concludes by asking, "**Can Wisconsin families feel safe with Louis Butler on the Supreme Court?**"

WJCIC members share the view expressed by former Supreme Court Justice Janine Geske that "This ad is awful on so many levels, from misportraying the role of the Supreme Court, misportraying the role of the public defender, appealing to the fear of citizens. We're sinking to new lows."

What makes this personal attack on Justice Butler by Judge Gableman even more contemptible is that it deliberately misleads voters to conclude that the defendant discussed in the ad was released as a result of Justice Butler's work on the case and went on to reoffend following that purported release. A review of the record shows that this is simply not what actually happened. As reported in several media accounts, the defendant in this case served his entire sentence and was not released as a result of Justice Butler's defense work.

We believe Judge Gableman is deliberately misrepresenting the facts regarding this case and Justice Butler's role in it, and it appears Judge Gableman is doing so either knowingly or with reckless disregard for the truth or falsity of his campaign statements.

(more)

In addition to the blatant misrepresentations in the ad, Judge Gableman should be familiar, as a judge and a lawyer, with the ethical rules requiring public defenders to represent their clients with both diligence and zeal. Public defenders do not have the luxury of picking and choosing their clients. For Judge Gableman, a sitting jurist, to personally attack a lawyer for performing his ethical duty as a defense attorney is a profoundly troubling development in this election.

Committee members believe that Judge Gableman should live up to his own pledge to the voters of Wisconsin and immediately take this deliberately misleading and highly offensive advertisement off the air and that he should also apologize to his opponent and to the public for this disgraceful attack.

#