



Judicial Campaign Watch

Wisconsin
Judicial Campaign
Integrity Committee

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CAVEAT VOTER: DON'T LET SUPREME COURT CAMPAIGNS AND THIRD-PARTY ADS PLAY APRIL FOOLS' ON YOU

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SUMMARY: The Wisconsin Judicial Campaign Integrity Committee (WJCIC) cautions voters to be highly skeptical of any political advertising they come across in the next few days. It is expected voters will be barraged with new, and potentially deceptive ads this weekend prior to Tuesday's Supreme Court election. The WJCIC urges voters to seek out reliable, nonbiased sources of information about the candidates.

March 28, 2008 – With the campaign for the Wisconsin Supreme Court wrapping up as the April 1st election approaches, the Wisconsin Judicial Campaign Integrity Committee (WJCIC) cautions voters to be highly skeptical of any political advertising they come across in the next few days.

“The best advice we can give voters is to ignore political ads on TV and radio that level sensational or unsubstantiated charges against one candidate or the other,” said Tom Basting, non-voting chair of the WJCIC. “We expect voters will be barraged with new and potentially deceptive ads this weekend and it clearly is not possible for the record to be corrected in the short time before the election.

“Ignore those ads. Instead, seek out reliable sources of information about the candidates and equip yourself to vote on Tuesday.”

Basting urged voters to learn more about the candidates and their positions by reviewing one or more televised debates (archived online), or to review other reliable sources of information:

State Bar of Wisconsin Debate, March 25, 2008, on-demand video replay:
mms://media.wisbar.org/debates/2008_SCDebate.wsx or on Wisconsin Eye:
mms://71.87.25.133/evt/evt_080325_statebar_debate.wmv or www.wisconsinseye.org

We The People Debate, Friday, March 28, 2008, 7:00 P.M., on both Wisconsin Public Television and Wisconsin Public Radio. The debate will repeat on My Madison TV-14 at 7 p.m. Saturday, March 29 and at 10 a.m. Sunday, March 30 on both WISC-TV and WPT. WMVS-TV in Milwaukee will also air the forum at 10 a.m. Sunday, March 30.

League of Women Voters of Wisconsin, Voters Guide:
<http://www.lwwi.org/cms/index.php?option=content&task=view&id=230#SC>

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Wisconsin Taxpayers Alliance, The Wisconsin Taxpayer, Supreme Court Election: The Candidates Speak, January 2008: <http://www.wistax.org/taxpayer/0801.pdf>

“Paper Debate,” Dunn County News and Wisconsin Taxpayers Alliance:
<http://www.dunnconnect.com/articles/2008/03/26/news/news04.txt>

This year’s campaign has been an extraordinary disappointment, according to Basting, rife with false or misleading ads by third-party groups on both sides of the campaign, and marred by a notably disturbing attack ad by one candidate that was roundly condemned in Wisconsin.

Basting expressed admiration for some media outlets, such the Associated Press, WISC TV Channel 3 in Madison and Newsweek Magazine, all of which have aggressively fact-checked ads on both sides of the campaign or otherwise given the campaign extensive coverage. (Examples of the work done by these outlets can be found on the WJCIC website at <http://www.wifaircourts.com>.)

“These media outlets have done more than simply report upon the mere existence of a controversy,” Basting said. “They have done a good job of actually investigating the claims of both candidates and third parties and informing their readers and viewers of their findings. I congratulate them on a job well done.”

Summary of WJCIC Activity During the Campaign

Basting provided the following summary of the WJCIC’s activity regarding campaign advertising over the previous three months:

Campaign Agreements:

In December, the WJCIC asked both candidates for the Wisconsin Supreme Court to sign campaign agreements to adhere to the Code of Judicial Conduct. Justice Butler signed the agreement but Judge Gableman refused. (Both candidates for the District II Court of Appeals race volunteered to sign the agreement and, to WJCIC’s knowledge, have adhered to it.)

Public Statements regarding campaign advertising:

- The first television ad the WJCIC publicly criticized was an anti-Gableman ad by the Greater Wisconsin Committee. To date, the WJCIC has publicly criticized four ads against Judge Gableman, three by the Greater Wisconsin Committee and a fourth anti-Gableman ad by the Wisconsin Education Association Council (WEAC). In all four cases the WJCIC acted on its own initiative without receiving a complaint.
- To date, the WJCIC publicly criticized four third-party ads against Justice Butler, two by the Coalition for America’s Families and two by Wisconsin Manufacturers and Commerce.
- The WJCIC harshly criticized Judge Gableman’s first television advertisement against Justice Butler. The WJCIC did not receive a complaint regarding the anti-Butler attack ad by Judge Gableman but felt the ad was so offensive and misleading it had to be condemned immediately.
- The WJCIC criticized a fundraising letter for Judge Gableman by former Lt. Governor Margaret Farrow that contained a factual misstatement. The WJCIC called on Judge Gableman to correct or retract the statement and he refused to do so.

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Complaints Received by the WJCIC:

- The committee has received 3 formal complaints. Two have been against the Gableman campaign, one was against the anti-Butler ads created by the Coalition for America's Families.
- No complaints have been filed by any party against Justice Butler or his campaign.
- The first complaint was from One Wisconsin Now, received in December, shortly after the WJCIC was formed, regarding a fundraising letter circulated by the Gableman campaign (not the above referenced Farrow letter). The WJCIC did **not** issue a formal condemnation of the letter but issued a public caution to candidates about misleading the public about the role of judges in our society. The committee also subsequently called upon Judge Gableman to repudiate his campaign staff's false characterization of the committee's public caution; Judge Gableman did not do so.
- The second complaint was filed by the Wisconsin Association of Justice regarding the fundraising letter signed by Margaret Farrow and circulated by the Gableman campaign. The committee criticized a factual inaccuracy in the letter and called on Judge Gableman to retract or correct it; Judge Gableman refused to do so.
- The third complaint was filed by the Butler campaign against the Coalition for America's Families regarding two attack ads. The WJCIC publicly condemned both ads.

WJCIC Chairman Tom Basting will be available over the weekend for immediate comment if needed. Complete information about the WJCIC's activities and links to other organizations that have done fact-checking can be found at our website: <http://www.wifaircourts.com>

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