

American Oversight: Argues Speaker Vos should be found in contempt of court in election records case

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Madison, WI — On Wednesday, nonpartisan watchdog group American Oversight [filed a brief](#) in Dane County Circuit Court outlining the reasons why Wisconsin Assembly Speaker Robin Vos and others should be held in contempt of court for failing to comply with an order to release records related to the ongoing inquiry into the 2020 election.

American Oversight is represented by Christa Westerberg of Pines Bach LLP.

Statement from Dan Schwager, Chief Counsel at American Oversight:

“No matter how many times the courts have ordered Speaker Vos and his team to respect Wisconsin’s open records law, his office continues to demonstrate their contempt for the rule of transparency laws, the public’s right to know what they’re up to, and the orders of the court. It is well past time that the Speaker prioritizes his own compliance and that of his special counsel so the people can judge the facts for themselves.”

American Oversight previously asked the court to fine Vos and the other defendants [\\$2,000 per day](#) until all documents responsive to American Oversight’s requests are released. Today’s brief updates the arguments made in the watchdog’s [Dec. 3 motion for contempt](#) to reflect new information uncovered through the court’s inquiry into what the parties did to comply with its order to produce records and their ongoing failure to comply with the court order and Wisconsin law.

At issue are records of the contractors conducting Wisconsin’s partisan review of

the 2020 election from before the creation of the Office of Special Counsel at the end of August 2021. Those contractors include Michael Gableman, the attorney who was hired to conduct the investigation and who is now acting as Special Counsel. American Oversight has requested multiple categories of documents under Wisconsin's open records law, including Gableman's communications, expenditures, and weekly investigative reports, which he was obligated to produce to the Assembly under the terms of his original [contract](#). To date, none of those weekly reports have been released, and questions remain about what outside individuals or organizations have been involved in the probe.

During a Jan. 24 hearing, a lawyer for Vos testified that [the speaker had done little](#) to verify that Gableman or any other contractors had accurately and entirely responded to public records requests that had been submitted by American Oversight and that were the subject of the court's order.

Dane County Circuit Court Judge Valerie Bailey-Rihn said during that hearing that she would rule on the December 3 contempt motion after receiving updated briefs on the issue from both parties.

The filing comes in one of three lawsuits that American Oversight has been forced to bring against Vos, the Wisconsin Assembly and the Office of Special Counsel to attempt to compel the release of public records related to the election investigation. Last week, a different judge [ordered the release](#) of more than 700 pages of public records that had been in the custody of the Office of Special Counsel.

The brief filed yesterday is available [here](#).

More information on American Oversight's investigation is available [here](#).