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WANGGAARD RELEASES BALSEWICZ APPEAL RECORDS

Appeal Hearing Shows Evers Concerned About Politics, Not Safety

Former Commission Chair Violated Marsy's Law, Gave Himself More Power

MADISON – On Monday, Senator Van Wanggaard (R-Racine) released the [transcript](#) and [exhibits](#) of Douglas Balsewicz's appeal of his parole revocation. Wanggaard obtained the transcript via a request to the state Division of Hearings and Appeals.

In the appeal hearing, former Parole Commission Chairman John Tate states he was not asked to resign because of his Balsewicz decision, but rather because Tony Evers feared "litigating parole cases...or relitigating parole cases in the public sphere" (ellipsis in original).¹

"John Tate was a potential political liability to Tony Evers, and that's why he was asked to leave," said Wanggaard. "It wasn't the decision to release Douglas Balsewicz, or any of the other 800 people paroled that forced his resignation. Evers was afraid his 'get of out jail free' policy would be discovered. "

The transcript also shows that John Tate believed that Article I, Section 9m of the Wisconsin Constitution, known as "Marsy's Law," did not apply to parole hearings.² Tate also changed the rules of the Parole Commission so that any deferral (denial) of parole needed to be personally approved by Tate.³ Despite recent public comments that parole is "entirely data-driven"⁴, Tate admits the process is "just a subjective determination."⁵

Tate also states that Governor Evers has the power to stop all paroles, if he wanted. According to Tate, if there is no chair of the Parole Commission, paroles cannot be granted.⁶ In August, Evers

¹ Transcript of Proceedings, In the Matter of the Recommended Rescission of the Parole Grant of Douglas Balsewicz.; Pg 71-72;

² Ibid. pg 30

³ Ibid. pg 44

⁴ [Racine Journal Times](#), "Former head of Wisconsin Parole Commission says paroles and public safety are being wrongly conflated "

⁵ Transcript, pg 46

⁶ Ibid. pg 68

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appointed Christopher Blythe as chairman of the Parole Commission. In his first meeting, held just last week, Blythe also violated Marsy's Law by not allowing victims to speak at the meeting.

"I promised in May that I would investigate the Parole Commission," Wanggaard said. "The Evers Administration is obstructing my efforts, but I'm going to keep pushing. The public deserves to know what is happening at the Parole Commission, and the lengths they'll go to meet Governor Evers' goal of cutting our prison population.

"The transcript shines a light on how the process was manipulated to release dangerous felons onto our streets early. I would like to thank the Division of Hearings and Appeals for promptly complying with my request," Wanggaard concluded.

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NOTE – On Friday, the Division of Hearings and Appeals upheld the decision to rescind Douglas Balsewicz's parole.

The transcript and exhibits can be found on Senator Wanggaard's website, senatorwanggaard.com or by [clicking here](#).