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ELECTIONS

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That's one of the many troubling findings in the report submitted Tuesday by a state-appointed special counsel to the Wisconsin Assembly.

Nearly \$9 million in Zuckerberg grant funds directed solely to five Democratic strongholds in Wisconsin violated the state's election code's prohibition on bribery. That conclusion represents but one of the many troubling findings detailed in the [report](#) submitted today by a state-appointed special counsel to the Wisconsin Assembly.

Last August, Wisconsin Assembly Speaker Robin Vos authorized the Office of Special Counsel, headed by retired state Supreme Court justice Michael Gableman, to investigate concerns about election integrity and the 2020 election. Gableman delivered an interim report to the state assembly on November 10, 2021. Earlier today, the special counsel provided a second interim report to the state legislative body, noting the report "is final in the sense that it provides a list of recommendations with time for the Legislature to act before the close of its session in March."

While the special counsel's nearly 150-page report closed with recommendations for the state's legislative body, Gableman stressed from the get-go that the report did not seek to re-analyze the re-count that occurred in late 2020. Nor was the report's purpose to challenge certification of the presidential election. Rather, the report represented a small step toward fulfilling "the duty of all citizens of our State and our nation to work hard to secure our democracy for this generation and the next," the special counsel explained.

From the details exposed in Monday's special counsel report, the state legislature has much work to do to address "the numerous questionable and unlawful actions of various actors in the 2020 election." The first unlawful action, according to the report, concerned the payment of grant funds to five Wisconsin counties that were used to facilitate voting. That arrangement, Gableman wrote, violated Wis. Stat. § 12.11, which prohibits election bribery by providing it is illegal to offer anything of value to or for any person in order to induce any elector to go to the polls or vote.

According to the report, Priscilla Chan and Mark Zuckerberg providing financing that allowed the Center for Tech and Civic Life to offer nearly \$9 million in "Zuck Bucks" to Milwaukee, Madison, Racine, Kenosha and Green Bay counties. In exchange, the "Zuckerberg 5," as the report called the counties, in effect, operated Democratic get-out-the-vote efforts. Those grant funds then paid for illegal drop boxes to be placed in Democratic voting strongholds.

The illegal use of drop boxes represented a second area of concern to the special counsel's office. The report notes state election code limits the manner in which ballots may be cast, providing that an elector must personally mail or deliver his or her ballot to the municipal clerk, except where the law authorizes an agent to act on the behalf of the voter.

The Zuckerberg 5 also violated the federal and state constitutional guarantee of equal protection, according to the special counsel report. The grant money targeted specific voters for special voting privileges, to the disadvantage of similarly situated voters located in other Wisconsin counties. The report also detailed troubling evidence the Zuckerberg 5 counties allowing private groups working with the granting organization, the Center for Tech and Civic Life, to “unlawfully administer aspects of the election,” including in one county where one organization was unlawfully embedded in local government election administration.

The special counsel's report also highlighted the Wisconsin Election Commission (WEC) illegal directive to clerks to ignore the state election code governing voting in nursing homes. In several nursing home locations throughout the state, 100 percent of registered voters cast a ballot in the 2020 election—an unheard-of rate that included many ineligible voters.

Non-citizen and incapacitated citizens also remained listed on Wisconsin's voting rolls, in violation of the law, according to the report. Because some non-citizens qualify for driver's licenses, the law requires non-citizens' names be removed from the master roll, but that was not done, according to the special counsel. Likewise, individuals declared incompetent must, by law, be removed from the master list, but again that did not occur.

Special Counsel Gableman detailed many other substantial problems with the 2020 election, but equally troubling to the widespread violations of election law established in the report were the attempts by government officials to impede the investigation. Both the Wisconsin Election Commission and the state attorney general "have refused to cooperate with the Legislature's investigation and actively obstructed it," according to the report, with a separate appendix detailing how the Office of Special Counsel and the state Assembly have been blocked from investigating portions of the Wisconsin government.

Efforts by the special counsel's office to obtain the information needed for it to complete its work for the Wisconsin Assembly continue, with litigation seeking to enforce the legislative subpoenas previously issued. Once those subpoenas are enforced, the special counsel noted he will "manage and process the voluminous responsive records, and will facilitate any available audits."

In the meantime, the special counsel presented the state legislature with numerous recommendations to address the problems and illegalities detailed in the report, including eliminating the Wisconsin Election Commission. How the legislature responds will be telling of their commitment to election integrity—just as the state attorney general and other government officials' efforts to thwart the investigation speaks volumes.