

# OPINION

Editor  
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“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.”

First Amendment to the U.S. Constitution

## Editorial

### Yes, the laws apply to high and mighty

Former justice’s antics send the wrong message about disrespecting courts.

Seriously. This guy once occupied a chair on the Wisconsin Supreme Court.

Readers are fully aware this newspaper routinely presses for openness in government and is a staunch defender of Public Records and Open Meetings laws. Free people cannot participate in self-governance and hold public officials accountable without broad access to records and proceedings.

Apparently, former Justice Michael Gableman has a problem with all that. There have been numerous reasons to question his approach since being appointed by Assembly Speaker Robin Vos to head up an investigation into the 2020 election in Wisconsin. But the latest is outright dangerous to the cause of open government.

Gableman and his operation for months have been defying and slow-walking open records requests related to litigation seeking materials generated during the investigation. His representatives even admitted deleting records Gableman’s staff decided are not relevant or important, which is contrary to the law. The statutes are designed to allow access so the people requesting records can review responsive documents and decide for themselves what is or is not germane to their inquiry.

After considerable delay a judge ordered Gableman to appear in court and answer for the conduct. Gableman refused to answer questions and instead ripped into the judge, calling him a partisan and complaining that he was being “railroaded.” Gableman would only state his name and occupation, and argue with the judge.

At least equally cringe-worthy, Gableman was caught on a live microphone insulting the female opposing counsel, Christa Westerberg, a well known and respected lawyer with a lengthy background on records issues. He even mimicked the judge to suggest asking Westerberg to join him in his chambers. Judge Frank Remington called Gableman’s antics “sophomoric innuendo” and “misogynistic,” then ordered a transcript of the remarks to be forwarded to the Wisconsin Office of Lawyer Regulation for possible disciplinary action.

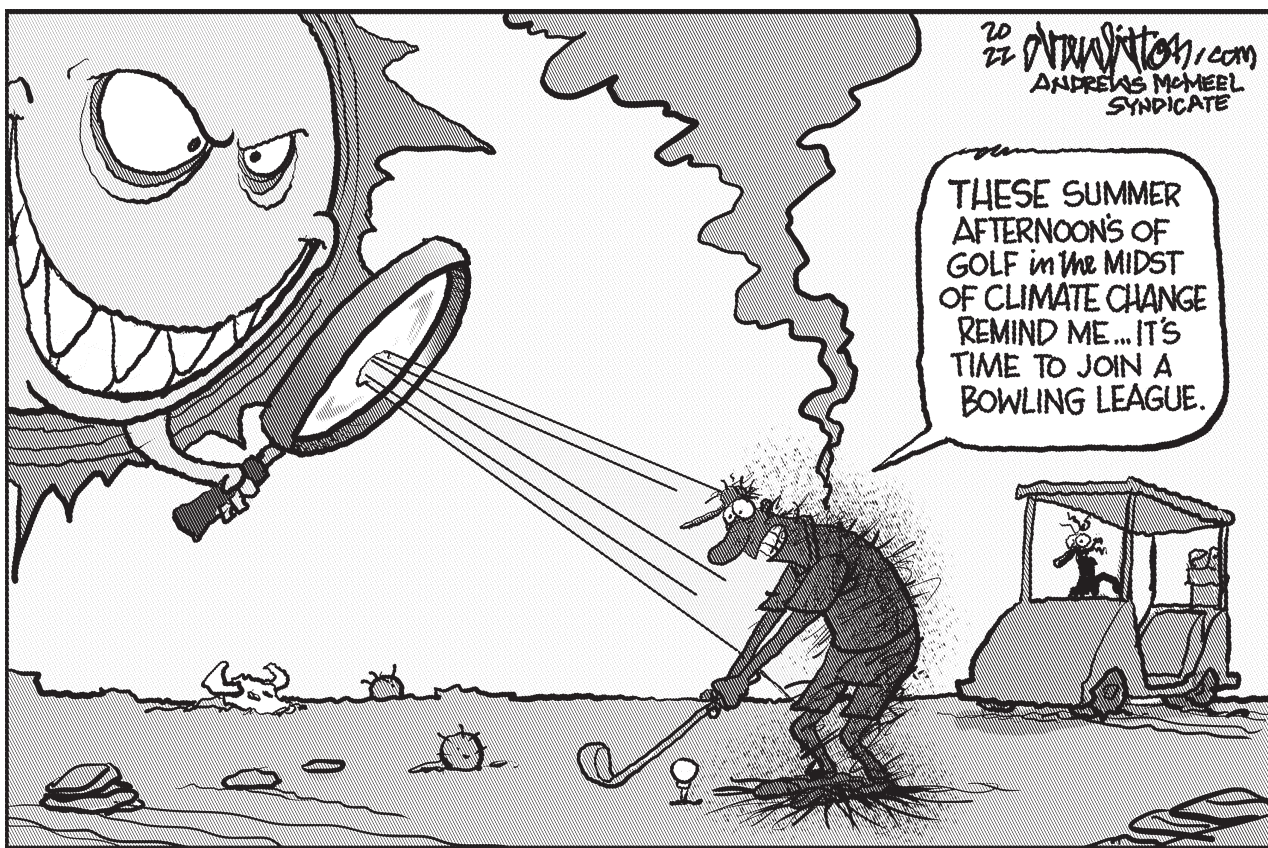
A former Supreme Court justice should know individuals are not empowered to disobey court orders at will. It doesn’t matter if a litigant agrees or disagrees with the order, or questions the judge’s motivations. A litigant can appeal an order, but not just defy it.

Likewise, a former Supreme Court justice should know and uphold the standards of courtroom decorum. A courtroom is not the place for acting out by anyone, let alone someone with Gableman’s background.

Records and open meetings laws are not partisan. They serve conservatives, liberals and everybody in between. Such laws do not advantage Democrats or Republicans, but are intended to allow common citizens to see inside the workings of government or, in this case, an operation duly authorized by the Assembly. If compliance depended on whether a given official agrees with a records request, or considers the individual or organization making the request an ally or an opponent, Wisconsin’s records law wouldn’t be worth the paper it’s printed on.

Gableman can’t claim ignorance of the law. Clearly, he just finds compliance a nuisance.

The judge held Gableman in contempt and fined him \$2,000 a day until he satisfies the court all records legally pertinent to the request have been located and turned over. The message should be clearly sent. Even a former Supreme Court justice is just as accountable for his actions as anybody else.



### To Khloe: I hope this world deserves you

Jack has a sister. Regular readers may recall a column a couple of years ago now, as the coronavirus pandemic was bursting into full bloom, when my grandson was born into a troubled world. The whole family was on pins and needles, not knowing what a raging virus could mean for newborns. John, my youngest and about to become a first-time father, barely squeezed into being allowed inside the hospital as his wife Amanda was set to give birth. And once in, he couldn’t leave until the new family went home together.

Different times. Now Jack is a healthy, rambunctious 2-year-old who often terrorizes his 4-month-old puppy Charles William Barkley Barth. He likes to go to the park with “Papa” (that’s me) and then for ice cream. This retirement thing is cooler than I expected, and a big part of it is the time there is to be a grandpa. I’m thoroughly smitten. So is Stephanie, who has moved on from her “Glamma” phase—too young, too stylish—to gleefully embracing “Grandma.” In fact, the first time Jack managed to say “Grandma,” Steph’s eyes started to leak.

Khloe Kristine arrived just a couple weeks ago, into a much calmer health environment than her big brother. Not that this little princess came with no drama.

Amanda experienced a somewhat tougher pregnancy with Khloe, including a few last-minute complications that necessitated quickly moving up the date for surgical delivery. Once again, the family was nerved-up awaiting Miss Khloe.

To further complicate matters I found myself in Tennessee



William Barth

to watch my older son Kyle get hitched to his bride, Carrie. Three other granddaughters—Kierstin, Kaylee and Kassie (yep, we like Ks for girls in this outfit)—were on hand to keep grandpa busy. Two granddaughters were missing. They are daughter Traci’s kids, Cate and Caroline. No Ks, but it’s still the “kuh” sound, so we count that anyway.

And Khloe makes seven—six girls, one boy. That’s probably the end. Then again, who really knows?

Little Khloe is perfect. She does what newborns do. She sleeps. She eats. She poops. Repeat.

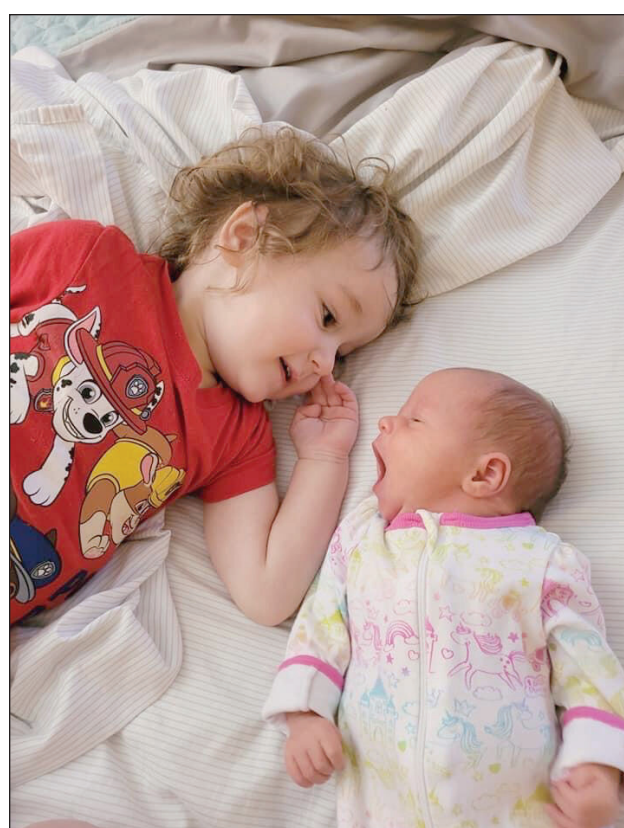
She dreams as she sleeps and smiles big, which melts our hearts.

I’ve been around a lot of babies and heard the nonsense that it’s not really a smile, it’s just gas. Stuff that. It’s a smile. I like it. She’s dreaming about the play park and ice cream with Jack and Papa.

Little Jack is crazy about his sister, as the picture accompanying this article illustrates. He hovers. He wants to kiss her all the time. The rest of the family gets that. Babies remind us all to enjoy the moments, because they fly by so quickly. Hug and kiss them every chance you get.

I also find myself wondering what kind of world we adults are creating and will leave to these innocent, wonderful beings.

Why are we so divided and angry? Why does



Jack and Khloe Barth  
Photo by Bill Barth

it seem these days that if one person says the sun rises in the east and sets in the west, some angry jerk can’t wait to start an argument? Why are we experiencing a paucity of character and integrity? Why are we the only country enduring mass shootings by the hundreds and routine mayhem on the streets? Why do we, as Americans, have more than just about anybody else on the planet yet we win the gold medal for griping and complaining anyway? With all of America’s blessings, why do so many people doubt the country will be here in a hundred years?

As one ages a century doesn’t seem such a long time anymore. My dad is 95. Still living on the farm. If Jack and Khloe live that long they will experience the 2100s. That blows my mind. And it makes me want to leave them a country a lot different than this nasty, mean-spirited,

brother-against-brother mess those of us living today have created.

I really do think we’re better than this. We’d damned well better be. For Jack’s and Khloe’s sake, and all the other little kids out there.

I think, and hope, there are still folks of goodwill for whom such thoughts may resonate. Most of us have kids. And grandkids. Or nieces and nephews. Look into their open, innocent, joyful little faces. If that doesn’t move your heart to do a little bit better, to care about everybody just a little bit more, to strive to be more understanding and accommodating, to temper your behavior and soften your words, well, you are the problem.

Khloe Kristine, Papa loves you. I hope this world deserves you.

Bill Barth is the former Editor of the Beloit Daily News. Write to him at [bbarth@beloitdailynews.com](mailto:bbarth@beloitdailynews.com)

## Letters to the Editor

### Outstanding music by Harlan Jefferson

Those attending Music on the Lawn (Music at Harry’s Place) Friday night were treated to an outstanding concert by the Harlan Jefferson group. I do not think you would hear a better performance in Harlem or New Orleans. What talent. What a show.

SHARON LARSON  
South Beloit

### Write to lawmakers about elections, guns

As voting and concerned citizens of the State of Wisconsin we are writing to you, our fellow citizens, to join us in taking appropriate action by writing your elected officials about your concerns over public safety, including the safe sale and use of guns, just and fair voting laws, voting districts drawn up by a non-partisan committee,

and non-partisan control over the election process in our state.

the founding fathers of our nation wisely and carefully pondered and debated on how we as a people should have the freedom to express ourselves in the public square and have a voice in how those we elect to public office can best serve the legitimate concerns of all of us. It is a tremendous privilege to have this right and we encourage you to exer-

cise this right of free speech. Together we can make a difference.

No one can responsibly doubt the value of public safety nor the need for just and fair elections. We encourage you to vote in the August primary and the November election to make your viewpoint heard.

DR. JOHN and MARY DOERFER  
Beloit

### How to write the Forum

The Beloit Daily News welcomes letters to the editor from its readers on subjects of general interest. Opinions in the forum are the author’s, and do not reflect the views of the Beloit Daily News.

Letters may be submitted for consideration to Public Forum, 444 East Grand Ave., Suite 102, Beloit, WI 53511. They may also be submitted electronically at [www.beloitdailynews.com](http://www.beloitdailynews.com).

Letters should be kept to 300 words or less, and must include the author’s name, signature, address and telephone number for verification purposes. Only the name and hometown will be published.

Not all letters will be printed. Letters that engage in profanity, name-calling or address narrow personal interests will be rejected.

The Beloit Daily News reserves the right to edit letters for brevity and clarity.