

Only have a minute?

- **Michael Gableman**, who led a **partisan sham review** into the 2020 election results in Wisconsin, was fired by Assembly Speaker **Robin Vos**. The review, which has cost taxpayers roughly \$1 million, has been plagued by partisan antics and comical errors. Gableman was warned repeatedly by judges to stop deleting records and was held in contempt by one court. A judge said last month that Gableman's review had turned up "absolutely no evidence of election fraud."
- **Tim Michels**, an Election Denier, won the Republican nomination for governor in Wisconsin on Tuesday. He will face Democratic incumbent Gov. **Tony Evers** in the general election. Michels has avoided questions about certifying election results in 2024, and he has declined to rule out the so-called decertification of the state's 2020 results, an idea that has **no basis in law or the Constitution**.
- News of the FBI search at Mar-a-Lago, the Florida home of former **President Trump**, touched off a surge of **violent rhetoric** on the far right that reminded some experts of the days before Jan. 6, 2021. **Rachel Kleinfeld**, a senior fellow in the Democracy, Conflict, and Governance Program at the Carnegie Endowment for International Peace and a States United Advisory Board member, told The New York Times that such rhetoric "normalizes violence and encourages people inclined toward it to be more violent."
- A judge in Georgia gave parties until the end of this week to respond to an amicus brief filed by a group of former federal prosecutors arguing that Sen. **Lindsey Graham** should be required to comply with a special grand jury subpoena. The special grand jury is examining **attempts to overturn the 2020 election results** in Georgia. The judge said she expected to rule soon. The States United Democracy Center, Kaplan Hecker & Fink LLP, and Jonathan L. Williams, P.A., served as co-counsel on the brief.

### Clearing the Bar for Accountability

When they are admitted to the bar, lawyers swear an oath to uphold the Constitution. They are guardians of the rule of law in the United States, and that includes protecting our democracy.

**John Eastman** did the opposite. He was an architect of former President Trump's attempt to overturn the 2020 election, including by arguing that then-Vice President Pence could throw out valid electoral votes for President Biden.

"This was false, and Dr. Eastman knew it was false," as Rep. **Liz Cheney**, the vice chair of the House select committee investigating the January 6 attack on the Capitol, put it at a hearing in

June. “In other words, it was a lie.”

Recent evidence has further highlighted Eastman’s misconduct. Thanks in part to the select committee, we’ve learned that he asked for a presidential pardon, and that he knew his arguments wouldn’t hold up in court.



This week the States United Democracy Center and our partners at Lawyers Defending American Democracy (LDAD) filed a bar complaint asking the District of Columbia’s Office of Disciplinary Counsel (ODC) to **open an investigation into Eastman’s conduct**.

The complaint was signed by 50 prominent attorneys and former officials from both parties. Signatories include former presidents of the D.C. Bar, former federal judges, and White House ethics advisors from the Bush and Obama administrations.

The request to the ODC is the latest in Eastman-related accountability news. The State Bar of California is already investigating Eastman after States United and LDAD filed similar complaints there. In Georgia, a special grand jury has issued a subpoena for Eastman’s testimony as it examines the attempt to overturn the 2020 election there. And the Justice Department recently obtained a warrant to search Eastman’s cell phone.

This complaint is another example of steps States United is taking toward holding Eastman and

others to account for undermining free and fair elections. Preserving our democracy starts with the principle that no one is above the law—including lawyers.

### State of the States

**In Georgia**, a judge ordered Rudy Giuliani to appear in person before the special grand jury investigating attempts to overturn the 2020 election results in that state. Fulton County Superior Court Judge Robert McBurney set Giuliani's appearance for Aug. 17 unless he can provide a better explanation from his doctor about why he needs more time. As part of her investigation, Fulton County District Attorney Fani Willis is looking into two appearances by Giuliani before Georgia legislators in December 2020 to promote election lies.

**In Michigan**, Attorney General Dana Nessel is seeking a special prosecutor to consider charges against nine people in an alleged plot to gain improper access to vote-tabulating machines used in the 2020 election. One of the nine is Matthew DePerno, the Election Denier chosen by Michigan Republicans to run against Nessel this fall. Papers filed by Nessel describe DePerno as "one of the prime instigators of the conspiracy" and say she is seeking the special prosecutor because of the potential conflict of interest posed by this year's election.

**In Pennsylvania**, Doug Mastriano, the Republican nominee for governor and an Election Denier, appeared virtually before the House select committee investigating the January 6 attack. The session lasted less than 15 minutes, his lawyer told The Philadelphia Inquirer, and a source told CNN that Mastriano didn't answer a single question. Mastriano, a state senator, was filmed passing through breached barricades and police lines at the Capitol during the attack. He was subpoenaed by the select committee earlier this year.

### In the News

**Arizona Mirror:** Senate 'audit' leaders Doug Logan and Ben Cotton are facing a Michigan criminal probe. By Jerod MacDonald-Evoy.

*"The office of Michigan Attorney General Dana Nessel, a Democrat, has petitioned the Michigan Prosecuting Attorneys Coordinating Council to name a special prosecutor to investigate Logan and others who falsely believed the election was stolen from Donald Trump and then set out to gather evidence by gaining access to ballot tabulators."*

**The Associated Press:** Jury is told 2 men wanted to kidnap Whitmer, start revolt. By Joey Cappelletti and Ed White.

*“Two anti-government extremists sought to spark a ‘second American revolution’ by kidnapping Michigan Gov. Gretchen Whitmer, a prosecutor told jurors Wednesday, as the government tried for a second time to get convictions in an alleged plot to shock the country into chaos before the 2020 election.”*

**Houston Chronicle:** How Texas counties are helping voters after new law led to 25,000 rejected mail ballots. By Taylor Goldenstein and Jen Rice.

*“As primary voting started early this year, Texas election officials spent much of their time on the phone with voters who were frustrated and confused about new rules for mail voting that led their ballots to be rejected.”*

**MLive:** ‘2000 Mules’ fact check: Michigan experts debunk election fraud claims. By Ben Orner.

*“It’s a supposed blockbuster film on the political right showing widespread ballot drop box fraud in Michigan and other battleground states. But insufficient methods and a lack of convincing evidence fail ‘2000 Mules’ in proving its central claims about the 2020 election, according to MLive interviews with voting, technology and politics experts.”*

**The Associated Press:** Nevada judge denies loser’s protest of GOP governor primary. By Scott Sonner.

*“[Republican Joey Gilbert] was seeking a recount of ballots by hand that he claimed — without any evidence — would result in him winning the GOP nomination by more than 55,000 votes.”*

**The New York Times:** Hunting for Voter Fraud, Conspiracy Theorists Organize ‘Stakeouts’. By Tiffany Hsu and Stuart A. Thompson.

*“In the nearly two years since former President Donald J. Trump catapulted false claims of widespread voter fraud from the political fringes to the conservative mainstream, a constellation of his supporters have drifted from one theory to another in a frantic but unsuccessful search for evidence.”*

**Tweet of the Week**



*Integrity First for America (@IntegrityforUSA) on five years after the violence in Charlottesville, Virginia:*



**Integrity First for America**  
@IntegrityforUSA

...

Five years ago today, Nazis and white supremacists stormed the city of Charlottesville with a plan to commit violence, unleash terror, and spread their hate.

Five years ago today, the people of Charlottesville came together to resist fascism and defend their community.



9:26 AM · Aug 11, 2022 · TweetDeck

**We're Hiring!**

The States United team is growing. We're building out key positions as we work to protect the integrity of our elections and serve as a resource to state leaders. You can check out our open positions and apply [here](#).

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#### **About the States United Democracy Center**

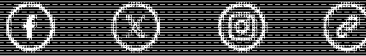
*The States United Democracy Center is a nonpartisan organization advancing free, fair, and secure elections. We focus on connecting state officials, law enforcement leaders, and pro-democracy partners across America with the tools and expertise they need to safeguard our democracy. We are more than a think tank—we are an action tank. And together, we are committed to making sure every vote is counted, every voice is heard, and every election is safe. To learn more, visit [www.statesuniteddemocracy.org](http://www.statesuniteddemocracy.org).*

#### **About States United Action**

*States United Action is a nonpartisan section 501(c)(4) nonprofit organization with a mission to protect our elections and our democracy. States United Action advocates for policies that protect election integrity, hold democracy violators accountable, and prevent political violence that threatens to undermine the will of the American people, and amplifies the voices of state leaders and law enforcement leaders who share these values. To learn more, visit [www.statesuniteddemocracy.org/states-united-action](http://www.statesuniteddemocracy.org/states-united-action).*

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