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Gableman Won't Retract Letters

High Court Candidate Stands By Fundraising Statements That Say A Sex Offender Was Released Even Though He Remained Incarcerated.

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Wisconsin Supreme Court candidate Mike Gableman on Monday stood by the accuracy of fundraising letters in which his campaign criticizes incumbent Justice Louis Butler's vote to free a convicted sex offender - even though the man never was released.

Butler, who is seeking to keep the seat to which he was appointed 3 1/2 years ago, challenged Gableman to retract the statements. Butler, 56, and Gableman, 41, were speaking to about 50 members of the Dane County Bar Association at the Concourse Hotel in Madison.

Gableman, the Burnett County Circuit judge, refused to back down on his criticism of the 2005 Supreme Court decision, saying "the result would have been the release" of Richard A. Brown.

"It was just a matter of random chance that (Brown) remained incarcerated," Gableman said.

> Butler responded by reading the fundraising letter in which his vote with the 4-3 majority "provided the deciding vote to overturn a sexual predator decision by a circuit court, resulting in the release of the predator into Milwaukee County."

Butler said he was following the law, which calls for the state to draw up a plan for supervised release for sexual offenders who have served their sentences and been deemed no longer dangerous. The three dissenting justices sided with experts who said they believed Brown was likely to reoffend.

When asked by an audience member what part of the decision was incorrect, Gableman said it would be "improper" to discuss his concerns in detail. In an interview after the one-hour talk, Gableman said he wants to avoid signaling how he would vote on a similar case, which judicial candidates aren't supposed to do.

Butler, a former assistant public defender, Milwaukee County Circuit judge and Milwaukee Municipal Court judge responded that Gableman, a former prosecutor in Ashland, Langlade and Marathon counties, already had signaled with a "wink, wink, nod, nod" that he would side with police and prosecutors over others.

Replied Gableman: "I would give law enforcement a fair shake and a fair hearing," which he called "a big step up from what they've been receiving from my opponent."

The two did agree on at least one thing: Both criticized the outside groups that are poised to spend millions leading up to the April 1 election for a 10-year term on the high court. Butler asked the independent groups, which began running TV commercials last week, to stay out of the race.

"We are drowned out so no one knows who we are or why we're running," Butler said. "My preference would be that all outside groups stand down and let us run our own campaigns."

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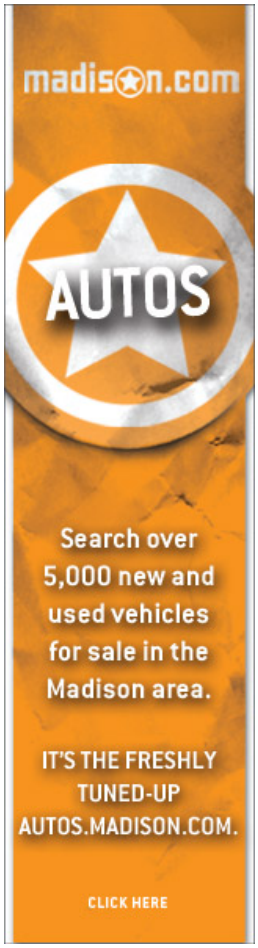

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