



Rule-of-Law Critical to Keeping Wisconsin Safe

**Eric Toney, Fond du Lac County District Attorney
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More than one year after the COVID pandemic swept the globe, we've learned much about the law, mask mandates, Safer at Home orders and government abuse of power in a crisis. One of my jobs as a district attorney is to enforce the rule of law, whether or not I agree with or like the law.

As Fond du Lac County District Attorney, I dismissed all of the charges filed for violations of the Safer at Home order after the extended Safer at Home order was struck down by the Wisconsin Supreme Court. Other counties in the state had similar experiences. Despite these facts, some folks want to distort or outright lie about my record on this issue for political gain.

No one was convicted by my office for violating any Safer at Home order, and no one was prosecuted for mask violations or lack of social distancing. I informed county officials that I would not enforce the Governor's mask mandate because it was clearly an abuse of power and an unlawful executive order. Ultimately, the Supreme Court agreed with my analysis. In the initial days of the Safer at Home order, cases were filed in my county for prosecution but I ordered all the charges to be dismissed. I also worked with regional district attorneys to help coordinate a unified approach on this issue, leading to charges being dismissed in other counties.

I worked together with Fond du Lac County law enforcement to ensure a consistent countywide approach to navigate the pandemic. More than 200 complaints were called into local law enforcement for violations of the Safer at Home order, which led to law enforcement sending a small number of violations to my office. There were concerns because some businesses were spending money to comply with the orders, other businesses were shut down until they could become compliant, and some businesses appeared to be non-compliant. The situation created an unfair playing field for the private sector and an equally difficult situation for law enforcement, distracting them from other core community safety efforts. Ultimately, I made the unilateral decision to dismiss all charges because it was the right thing to do.

The American legal system is the envy of the world because we adhere to the rule of law. I have always been a rule of law District Attorney who enforces laws as written, unless struck down by a court. It's how our system works. In Wisconsin, we follow the rule of law so we can focus on keeping our streets and families safe.

As a frontline prosecutor, I can attest that law enforcement attempting to enforce quarantine orders or mask mandates truly interferes with fighting violent crime. In Fond du Lac County, like every other county, we have drugs, robberies, burglaries, rapes and murders that need to be our top priority.

Unlike others, I'm a prosecutor, not a politician, and I will never play politics with community safety. My job as a district attorney is to follow the law, not make the law...that's what liberal activists and classroom theorists try to do. I have prosecuted violent criminals in Wisconsin and sought justice for crime victims in jury trials. Wisconsin's 'top cop' should have a track record of actually standing in a Wisconsin courtroom seeking justice for victims as well as having the back of our local law enforcement. No other candidate has ever personally participated in a criminal jury trial or personally convicted anyone in Wisconsin for anything. The inexperience of Josh Kaul is killing us and we can't afford that mistake two elections in a row.

In the wake of the Safer at Home orders, I spearheaded the creation of a "Re-open Fond du Lac Task Force" that coordinated with our local chamber of commerce, businesses, community leaders, and our



public health department. This Task Force provides guidance to local businesses to help ensure they are equipped remain open or reopen while keeping community members and their employees safe. This Task Force still meets today, and I have been recognized for leading this effort.

Local law enforcement has taken notice of my track record and commitment to public safety. In fact, more than 50 law enforcement officials have now endorsed my campaign, including over one-third of our district attorneys and nearly one-quarter of our sheriffs. I'm proud and honored to have the endorsement of law enforcement, and I will continue to fight for the safety of Wisconsin communities and families.

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