

## Josh Kaul: Attorney General, Wisconsin

Recommendation Level: High Priority



Wisconsin Attorney General Josh Kaul was elected on a tight margin along with Gov. Tony Evers in 2018, ending a long reign of Republican rule in a once solidly blue state. Despite Democratic victories in both 2018 and 2020, Wisconsin is far from rejoining the “blue wall” and the GOP is champing at the bit to take power in the state. As one of the closest margins in 2020, Wisconsin has become a target for election fraud conspiracists and Trump allies looking to overturn or invalidate Biden’s victory, with little doubt they are willing to subvert democracy in 2024 and beyond.

Supporting Democratic candidates for attorney general and secretary of state has become crucial this year to defending free and fair elections. These once obscure state-level offices are being targeted by Republicans across the country, but their fire is especially focused on key swing states like Wisconsin, where an attorney general could muck up the electoral process with both civil and criminal litigation. As we explain below, the stakes in Wisconsin may be especially high, even compared to other, similarly divided states.

Given the crucial role attorneys general in swing states could play in guaranteeing a free and fair election in 2024, Blue Tent is recommending donors support the reelection of Wisconsin Attorney General Josh Kaul and view supporting his candidacy as a **high priority**.

Below, we explore three key questions that small and medium donors should answer before supporting candidates. (See how we evaluate candidates.)

### Is This Election Important?

Yes. Wisconsin is a swing state, and has become a battleground for ongoing disputes about the 2020 elections. Republicans control both houses of the Wisconsin legislature and have been pursuing a highly partisan, conspiratorial investigation into claims of election fraud in 2020. Republican lawyer Michael Gableman, a former state Supreme Court justice leading the investigation, has called the election “stolen,” and recently demanded the mayors of Madison and Green Bay be jailed for failing to answer his subpoenas. In recent months, Republican officials have also called on the

state to prosecute election officials for decisions made surrounding nursing homes during the height of the COVID-19 pandemic.

These trends are alarming enough as is, and could become astronomically worse were a Republican to defeat Kaul in November. His possible opponents right now include Fond du Lac County District Attorney Eric Toney and former state legislator Adam Jarchow. Both have made voter fraud and “election integrity” cornerstones of their campaigns. In his role as DA, Toney recently [brought charges of voter fraud](#) against five individuals who used a UPS store as their mailing address, while both he and Jarchow have signaled their willingness to prosecute election officials. Jarchow has recently [surged](#) ahead in both endorsements and fundraising, gaining support from both the GOP’s often divided activist base and elected officials. The Republican primary will be held in August.

### **Can Kaul Win?**

Yes. While Wisconsin turned red for Trump in 2016, the state elected Democrats to all three executive offices in 2018 and was won by Joe Biden in 2020. However, all of these recent victories have been razor-thin, and midterms under Democratic presidents are rarely kind on state-level progressives. Like other less prominent state-level races, it’s difficult to find reliable polling for Wisconsin’s 2022 AG race. This is also complicated by the fact that Republicans are still months away from nominating candidates for attorney general, secretary of state and governor. In [polling from early March](#), Gov. Tony Evers saw his approval ratings [climb](#) from 45% to 50%, and has largely maintained good ratings since early 2020. Other [poll numbers](#) have found Evers leading his possible Republican opponents, though often not by much. Because of the decline in ticket splitting, statewide executives are typically all elected from a single party. That being said, because of the thin election margins in Wisconsin of late, a win for Evers is no guarantee of victory for Kaul.

### **Does He Need Money?**

In 2021, Kaul raised \$1 million, a healthy sum for an attorney general candidate expecting a tough election. Kaul’s 2018 campaign raised and spent about [\\$2.4 million](#), slightly less than his opponent, Republican incumbent Brad Schimel. Toney raised about \$84,000 in 2021, while Jarchow, who declared his candidacy in October and put about \$10,000 of his own money into the campaign, raised an eye-popping \$200,000 in the beginning of 2022. Kaul started with a big lead in money, but his opponents are clearly catching up, especially as Republicans have coalesced around

Jarchow. As we wrote in our guide to winning [attorney general races](#), these campaigns also tend to see larger hauls than secretary of state races due to attention from special interests, primarily corporations on the right and trial lawyers on the left. Given intense focus on Wisconsin from 2020 election probes and the potential for another close race in 2024, Republican spending in the state will likely explode as November grows closer.

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Kaul faces serious challenges in his bid for re-election, and with increasing Republican support for Jarchow, Kaul could also be dealing with an opponent who is able to build name recognition and raise funds farther in advance than in more competitive primaries. The state as a whole will likely be a major battleground in 2024, and Democrats have started making other investments, with Gov. Tony Evers raising a record \$10 million in 2021. Progressives need to continue working to protect democracy in Wisconsin, and that means supporting Josh Kaul for attorney general.

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