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In the Matter of)	PRELIMINARY FINDINGS OF
)	FACT AND CONCLUSIONS
)	
Request for Investigation)	
Brian Bell)	Case # 2017-ETH-023
)	
)	

On December 22, 2017, the Ethics Commission (“Commission”) received a request from Commission Administrator Brian Bell, pursuant to WIS. STAT. § 19.49(2)(b)2., to make an investigation of allegations made by other persons as to his conduct. Specifically, allegations that questioned his nonpartisanship, his cooperation with the Wisconsin Department of Justice investigation, and his handling of confidential John Doe investigation materials.

The Commission authorized the requested investigation on December 22, 2017. On January 2, 2018, the Commission retained the law firm of Hurley, Burish, and Stanton, S.C. to conduct an independent investigation on behalf of the Commission.

On January 22, 2018, the Ethics Commission deliberated regarding this matter and considered the attached investigative report. Based on this information, the Commission adopted a motion finding no probable cause exists to believe the allegations made by other persons as to his conduct. The below constitute the preliminary findings of fact and conclusions of law of the Commission.

1. That Brian Bell was appointed by the Commission to serve as Interim Administrator on July 11, 2016.
2. That WIS. STAT. § 19.47(10) provides:

“19.47 Operation.

...

(10) EMPLOYEES. All employees of the commission shall be nonpartisan.”

3. That digital records indicate that the leaked John Doe documents were not scanned by any copier/scanner at the Ethics Commission, Elections Commission, or Supreme Court office or by any copier/scanner sold for personal use. The evidence supporting this conclusion has been redacted from the public report, but will be forwarded to the Wisconsin Department of Justice as potential evidence related to its investigation.
4. That Commission Administrator Brian Bell acted in a proper manner as to his cooperation with the Wisconsin Department of Justice investigation and in his handling of the John Doe materials.

5. That Commission Administrator Brian Bell was directed by the Wisconsin Ethics Commissioners to be represented by an attorney during his interview by the Wisconsin Department of Justice investigators.
6. That there is not a scintilla of evidence that Commission Administrator Brian Bell has ever performed any of his governmental duties in a partisan manner.

These preliminary findings of fact and conclusions were adopted by the Wisconsin Ethics Commission at its meeting in Madison, Wisconsin on January 22, 2018.