

# [***Exclusive: Key figure in fake electors plot concealed damning posts on secret Twitter account from investigators***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BDT-NJW1-DY7V-G04S-00000-00&context=1516831)

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**Body**

(CNN) &#8212; Kenneth Chesebro, the right-wing attorney who helped devise the Trump campaign's [*fake electors plot*](https://www.cnn.com/2023/12/13/politics/trump-2020-oval-office-fake-electors-recordings/index.html) in 2020, concealed a secret Twitter account from Michigan prosecutors, hiding dozens of damning posts that undercut his statements to investigators about his role in the election subversion scheme, a CNN KFile investigation has found.

Chesebro denied using Twitter, now known as the platform X, or having any "alternate IDs" when directly asked by Michigan investigators last year during his [*cooperation session*](https://www.cnn.com/2023/12/08/politics/kenneth-chesebro-cooperating-multiple-investigations/index.html), according to recordings of his interview obtained by CNN.

But CNN linked Chesebro to the secret account based on numerous matching details - including biographical information regarding his work, family, travels and investments. The anonymous account, BadgerPundit, also showed a keen interest in the [*Electoral College process*](https://www.cnn.com/2022/01/20/politics/trump-campaign-officials-rudy-giuliani-fake-electors/index.html) and lined up with Chesebro's private activities at the time.

The Twitter posts reveal that even before the 2020 election, and then just two days after polls closed, Chesebro promoted a far more aggressive election subversion strategy than he later let on in his Michigan interview.

Chesebro's lawyers confirmed to CNN that the BadgerPundit account belonged to Chesebro, describing it as his "random stream of consciousness" where he was "spitballing" theories about the election - but insisted that it was separate from his legal work for Trump's campaign.

"When he was doing volunteer work for the campaign, he was very specific and hunkered-down into being the lawyer that he is, and gave specific kinds of legal advice based on things that he thought were legitimate legal challenges, versus BadgerPundit, who is this other guy over there, just being a goof," said Robert Langford, an attorney for Chesebro.

Chesebro has not been charged with any crimes in Michigan and sat for an hourslong interview with the state attorney general's office in early December. In his retelling to Michigan prosecutors, Chesebro has cast himself as a moderate middleman who was duped by Trump's more radical lawyers.

Asked about the secret tweets, Danny Wimmer, a spokesman for Michigan Attorney General [*Dana Nessel*](https://www.cnn.com/2023/09/22/politics/dana-nessel-fake-electors-michigan-comments/index.html), said in a statement to CNN, "Our team is interested in the material and will be looking into this matter."

Chesebro claimed to investigators he saw the [*alternate slates of Republican electors*](https://www.cnn.com/2023/07/18/politics/michigan-fake-electors-bios/index.html) only as a contingency plan to have ready in case the Trump campaign won any of its more than 60 lawsuits challenging the election results - which it didn't. He also told Michigan investigators that in his conversations with the Trump campaign, he made clear that "state legislatures have no power to override the courts."

But just days after the 2020 election, BadgerPundit tweeted that the court battles didn't matter and that Republican-controlled legislatures should send in their own GOP electors, predicting even then that then-Vice President Mike Pence could use them to throw the election to Trump.

"You don't get the big picture. Trump doesn't have to get courts to declare him the winner of the vote. He just needs to convince Republican legislatures that the election was systematically rigged, but it's impossible to run it again, so they should appoint electors instead," wrote BadgerPundit on [*November 7, 2020,*](https://web.archive.org/web/20201107181652/https:/twitter.com/BadgerPundit/status/1325140117497896966) the day multiple media outlets, including CNN, called the election for Joe Biden.

Yet in his interview with Michigan investigators, Chesebro said the very opposite, claiming that the entire electors plan was contingent on the courts.

"I saw no scenario where Pence could count any vote for any state because there hadn't been a court or a legislature in any state backing any of the alternate electors," Chesebro said.

'Clearly a conflict'

After the 2020 election, BadgerPundit tweeted more than 50 times that Pence had the power to count the electors benefitting Trump, according to a CNN KFile analysis of the account.

Chesebro also told investigators that he felt "misled" by the Trump campaign for concealing the entirety of their plan from him. He claimed that it wasn't until last year that he fully realized the campaign had always intended to deploy the fake electors regardless of the outcome of its election lawsuits.

That idea was first raised in a September 2020 article in [*The Atlantic*](https://www.theatlantic.com/magazine/archive/2020/11/what-if-trump-refuses-concede/616424/), which quoted a "Trump legal adviser" who described using alternate electors to overturn a Trump loss.

When asked by Michigan investigators if he had knowledge of The Atlantic article at the time it was published, Chesebro said he did not. Yet BadgerPundit [*tweeted*](https://web.archive.org/web/20201006095522/https:/twitter.com/BadgerPundit/status/1308824376851214337) about it the same day it was published and defended the plot.

Chesebro's attorneys acknowledged in an interview with CNN that "there's clearly a conflict" between some of his tweets and what he told Michigan prosecutors, and that some of the elector theories he embraced online were "inconsistent" with his subsequent legal advice to the Trump campaign.

Some of Chesebro's anonymous tweets were previously reported by [*Talking Points Memo.*](https://talkingpointsmemo.com/feature/two-weeks-of-chaos) The BadgerPundit account went private sometime in late 2022, but CNN was able to access the since-removed public tweets by using the Wayback Machine, an internet archive.

'That was our screw-up'

The [*fake electors plot*](https://www.cnn.com/2022/01/27/politics/fake-electors-explainer/index.html) features prominently in special counsel Jack Smith's federal election subversion indictment against Trump, who has pleaded not guilty. Chesebro has been identified by CNN as an [*unindicted co-conspirator*](https://www.cnn.com/2023/08/01/politics/co-conspirators-trump-indictment/index.html) in that case.

Chesebro was indicted alongside Trump in a separate 2020 election interference case in Georgia. He [*struck a plea deal*](https://www.cnn.com/2023/10/20/politics/kenneth-chesebro-georgia-election-subversion/index.html) there in October, agreeing to plead guilty to one felony count of conspiracy to commit filing false documents. He [*gave proffer interviews*](https://www.cnn.com/2023/11/13/politics/ellis-powell-chesebro-hall-georgia-prosecutors-trump/index.html) to Georgia prosecutors as part of the cooperation agreement, though it's unclear if he was asked about his social media accounts.

Michigan investigators secured Chesebro's cooperation in December, after previously [*charging the 16 fake electors*](https://www.cnn.com/2023/07/18/politics/michigan-fake-electors/index.html) in that state with multiple felonies. Chesebro has additionally met with investigators in Wisconsin and Arizona who are probing their fake electors, and he [*avoided charges in Nevada*](https://www.cnn.com/2023/12/06/politics/nevada-fake-electors-indicted/index.html) after cooperating with prosecutors there.

If Chesebro intentionally misled investigators, he could face legal jeopardy.

"Chesebro appears to have pursued a legally perilous path in his dealings with Michigan authorities," said Ryan Goodman, a law professor at New York University, who reviewed the posts for CNN. "The Twitter posts strongly suggest Chesebro committed the crime of making false statements to investigators... his entire cooperation agreement may now fall apart."

It appears Chesebro "hid highly important evidence in the form of these social media posts from the investigators," Goodman said, adding that it could put Chesebro "at great legal risk."

"We should have asked for clarity, and that was our screw-up," Chesebro attorney Manny Arora told CNN about Chesebro denying to Michigan prosecutors that he used Twitter. Arora said he has since provided "all the information on BadgerPundit" to investigations in "all the different states that are involved," where Chesebro sat for interviews.

CNN has not reviewed the agreement between Chesebro and the Michigan Attorney General's office. Wimmer, a spokesman for the office, confirmed that it was a "proffer agreement," where a witness can provide information with some protection from prosecution. Wimmer declined to describe the details of the agreement.

The same prosecutors signed a more sweeping cooperation deal with one of the 16 fake electors where they [*dropped his charges*](https://www.cnn.com/2023/10/19/politics/michigan-fake-elector-deal/index.html) in exchange for his testimony and future cooperation. That deal required the fake elector to "provide full and complete information" and turn over "any and all relevant documents." If the cooperator "gives false, incomplete, misleading testimony or information," the deal would be voided and they'd be "subject to full prosecution, including perjury and obstruction of justice."

Identifying BadgerPundit

CNN was able to verify Chesebro's connection to the BadgerPundit account by reviewing emails between Chesebro and the Trump campaign that reference the account, as well as by matching numerous biographical details between the two.

In an email to Trump attorneys in early December2020, Chesebro linked [*to a Google Drive account*](https://drive.google.com/file/d/1areOB1Mi06UAe7Y4zltFeNk_CwUB-lvH/view) for the email address [*TheBadger14@Gmail.com*](mailto:TheBadger14@Gmail.com), which was once used by BadgerPundit in a tweet [*as his contact information*](https://web.archive.org/web/20210615094620/https:/twitter.com/BretWeinstein/status/885263175054000133). Chesebro also cited the BadgerPundit account in emails to a Trump campaign official and attorney John Eastman on January 5, 2021, pointing to tweets from BadgerPundit arguing that Pence had the authority to pick the electors on January 6.

Other biographical details related to his personal life also matched Chesebro, including his current marriage, his past legal work on Bush v. Gore, investments in cryptocurrency, past references to high school and growing up in Wisconsin - the Badger state.

BadgerPundit, [*like*](https://www.cnn.com/2023/08/18/politics/kfile-kenneth-chesebro-followed-alex-jones-capitol-riot-jan-6/index.html) Chesebro, [*said he was with*](https://web.archive.org/web/20220905024959/https:/twitter.com/BadgerPundit/status/1566511463744897025) right-wing conspiracy theorist Alex Jones on January 6, 2021. The account also [*references staying*](https://web.archive.org/web/20201231171013/https:/twitter.com/BadgerPundit/status/1344028644948271104) at the Trump International Hotel in Washington, DC, from January 3 through the 8 - the [*same dates*](https://pbs.twimg.com/media/FeLr7l8WAAA4i3G?format=jpg&name=large) Chesebro told Trump lawyers he was staying at the hotel in emails obtained by the January 6 committee.

Chesebro distances himself from the plot

In his interview with Michigan investigators, Chesebro repeatedly tried to downplay his knowledge of the electors plan. He told investigators that he did not know that the Trump campaign planned to deploy "alternate electors" in contested states when he first spoke with the campaign in mid-November 2020.

"I naively assumed that it hadn't occurred to them to have alternate electors. That is, I only thought of it because I'd been involved in Bush v. Gore in 2000 and I'd worked on a law review article with Professor [Laurence] Tribe in 2001 about Bush v. Gore," Chesebro said. "So, I thought I was educating them about this."

He continued to tell investigators that the plan went beyond what he advised them to do.

"The idea of alternate electors wasn't something I'd come up with and then the Trump campaign learned about it and then backed off. My understanding is that they planned to do this all along," Chesebro said.

Chesebro denied to investigators that at the time he was aware of [*The Atlantic article from September 23, 2020*](https://www.theatlantic.com/magazine/archive/2020/11/what-if-trump-refuses-concede/616424/) detailing how a more radical fake electors plan might work, and he reiterated that he always viewed fake electors as a way to buy more time for lawsuits, and as a contingency to be used only if the Trump campaign had pending litigation in the seven contested states.

But privately, as BadgerPundit on Twitter, Chesebro was familiar with the fake electors plot as early as September 2020, and defended the Trump campaign's ability to pursue the plan just days after the election.

[*As BadgerPundit*](https://web.archive.org/web/20201006095522/https:/twitter.com/BadgerPundit/status/1308824376851214337), Chesebro rebutted a Twitter user who said The Atlantic article foreshadowed the "death of democracy." Chesebro replied, "it's called ***politics***, dude," and argued that state legislatures get the "ultimate call" on who wins and loses presidential elections.

Chesebro told investigators that only later did he realize that the Trump campaign had plans to pursue a more radical version of the fake electors scheme no matter what - something that he told investigators he did not advise at the time.

"And so my point is, it seems if you credit The Atlantic article, they wanted to do unconditional alternate electors, lobby the state legislatures, and then pressure Pence to back that," said Chesebro.

"I just feel like I was misled into pushing alternate electors for a reason to win more time, to win litigation when there was, there was certainly more to the agenda. I mean, maybe not every person that was in touch with me had this plan, but the campaign as a whole had a different plan than [what] they revealed to me," said Chesebro.

"I certainly would not have said what I said to the electors and advise them on what the campaign wanted if I'd known the campaign had a broader agenda than they told me," said Chesebro.

In his interview with Michigan investigators, Chesebro said that after the 2020 election, he repeatedly advocated for a more conservative approach to the fake electors plot.

"Ultimately where I came down was I wanted conditional language in all the states that I suggested three times to Trump campaign on December 12th, that they make it conditional on winning litigation. Number two, I made clear in November 23rd that the state legislatures have no power to, to override the courts. And number three, I made clear in December 13th that I didn't think Pence should be involved at all," Chesebro told investigators, adding, "I was never on board with what apparently they planned to do from the beginning, and which they never told me they planned to do."

Promoting the fake electors

Less than two days after polls closed on the 2020 presidential election, Chesebro, as BadgerPundit, began publicly tweeting the framework for the "alternate elector" strategy that the Trump campaign ended up pursuing.

That included embracing the end-around plan of using state legislatures to overturn the results - which he later claimed to oppose in his interviews with Michigan prosecutors. He [*tweeted*](https://web.archive.org/web/20201105220227/https:/twitter.com/BadgerPundit/status/1324472105027686403): "the election can't be rerun. This [sic] only solution is for the Legislature to intervene and select the electors."

In another tweet from [*November 5, 2020*](https://web.archive.org/web/20201106002911/https:/twitter.com/BadgerPundit/status/1324508997660168193), BadgerPundit outlined a potential plan for Trump.

"He will push it all the way to early January, and if necessary, rely on Pence to count only electoral votes sent in by the Republican legislatures, or count no disputed electoral votes, and throw the election to the House, which will elect Trump. 80/20 in Trump's favor," he wrote.

[*In a series of tweets*](https://web.archive.org/web/20201107185036/https:/twitter.com/BadgerPundit/status/1325148576591319042), BadgerPundit suggested he knew the plan was extremely controversial and suggested how to make the plot more palatable after a user wrote that no state "will want to be first."

"The key to the ***politics***" of the plan would rest on state legislatures not invalidating the results of election day but rather "expressing their own preference... of electors to be sorted out in January," Chesebro wrote.

Pence can count the votes

Speaking to Michigan investigators, Chesebro criticized the more radical plan put forth by conservative attorney [*John Eastman*](https://www.cnn.com/2021/09/20/politics/trump-pence-election-memo/index.html), which included having state legislatures choosing their own slates of electors for Pence to count on January 6.

"So, Eastman, he had this idea the state legislatures could somehow be effective in overturning the courts, which I thought was ridiculous," Chesebro told investigators.

But under his online alter ego, BadgerPundit, after the election he tweeted numerous times that Pence had the power to count the fake electors benefitting Trump.

"I think Pence, in counting electoral votes, could decide that the electoral votes of the legislature take priority," the pseudonymous Twitter account [*wrote*](https://web.archive.org/web/20201107193555/https:/twitter.com/BadgerPundit/status/1325159954198654977) on November 7, 2020, hours after the election was called for Biden by multiple media outlets.

Though Chesebro's lawyers told CNN that BadgerPundit and the Trump campaign "never intersected," emails obtained by CNN reveal that he sent two emails to the campaign citing a [*BadgerPundit thread*](https://web.archive.org/web/20201227170510/https:/twitter.com/BadgerPundit/status/1343240948663382023) arguing that Pence had the power to count disputed electoral votes. Chesebro sent the thread to Eastman and Trump lawyer Boris Epshteyn, but he did not tell them it was his account, the emails show.

[*On November 9, 2020*](https://web.archive.org/web/20201109165738/https:/twitter.com/BadgerPundit/status/1325844246029590533), BadgerPundit wrote, "I predict that on December 14, in several states both the Trump and Biden electors will cast their votes, and the electoral votes of any State still in dispute on January 6 won't be counted. If neither candidate has 270 votes, the House will then vote Trump a second term."

A few days later, on November 11, 2020, BadgerPundit repeatedly tweeted that the fake electors could cast their votes for Trump and that Republican legislatures would certify only those votes.

"It's obvious Trump will win. You overlook the power of the Republican legislatures to certify that Trump is the winner, thus leading the Senate not to find that Biden attained 270 electoral votes. Then, game over," [*he wrote*](https://web.archive.org/web/20201112030926/https:/twitter.com/BadgerPundit/status/1326723547373465601).

BadgerPundit [*wrote on December 28, 2020,*](https://web.archive.org/web/20201228155452/https:/twitter.com/BadgerPundit/status/1343582258859548672) "My understanding is that they're the votes of the Trump-Pence electors who were actually on the ballot in the contested States. So if whoever counts electoral votes thinks they won ... well, they won."

Chesebro traveled to Washington in early January 2021, he told investigators, to be available for strategy meetings. He was [*seen outside the US Capitol on January 6, 2021*](https://www.cnn.com/2023/08/18/politics/kfile-kenneth-chesebro-followed-alex-jones-capitol-riot-jan-6/index.html), following Alex Jones.

Even after the Capitol riot on January 6, 2021, Chesebro continued to insist that Pence had the power to count electors to benefit Trump but "pretended his hands were tied."

BadgerPundit [*tweeted on January 7, 2021*](https://web.archive.org/web/20210107114927/https:/twitter.com/BadgerPundit/status/1347148261312901121), "But ... There was a non-frivolous argument that the Electoral Count Act is unconstitutional, and the VP has the power to count, as Jefferson did. Pence could have set up a test case, yet he pretended his hands were tied. And, Trump really believes he won!"

CNN's Selwyn Rocha contributed to this report.

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