

By Ruth Conniff

Illustration by Koren Shadmi

Sending Scott Walker

Packing



When the truckload of petitions with more than one million signatures to recall Governor Scott Walker pulled up outside the Government Accountability Board in downtown Madison, the crowd on the street went wild.

The chanting and singing, the freezing winter weather, the clever handmade signs, even the giant Walker puppet—all were reminiscent of the massive rallies in Madison that kicked off the popular rebellion against Wisconsin's union-busting, budget-slashing governor one year ago.

"Thanks a million, Wisconsin," one sign said.

That pretty much sums up the whole fight—invoking both the staggering number of signatures and Walker's famous "thanks-a-million" to a prank caller posing as billionaire donor David Koch.

Which side will win? The more than one million citizens fighting to take back their democracy, or the side with millions of dollars to spend in order to hold their monopoly on government?

On January 17, things were looking good for ordinary folks.

One by one, volunteers who had gathered signatures on street corners, at shopping malls, in neigh-

*Ruth Conniff is the political editor of *The Progressive*.*

borhoods, and on thoroughfares all around Wisconsin carried boxes of petitions into the elections board building, through a corridor formed by the cheering crowd. They also submitted more than enough signatures to initiate a recall of the lieutenant governor and four Republican state senators.

A whopping 46 percent of the electorate from the last gubernatorial race signed the Walker recall petitions—186 percent of the total number needed to trigger an election—making it the largest recall in the history of the nation.

As Lieutenant Governor Rebecca Kleefisch put it, “This is becoming a spectacle!”

The weight of all those petitions is symbolic of the huge popular opposition to Walker.

It also, state Democratic Party chair Mike Tate pointed out, should be enough to withstand any Republican challenges and delaying tactics.

“Given the numbers we’ve turned in, it should be no problem showing we met the goal,” Tate said.

Meeting that goal is one thing. Defeating Walker is another. The Democrats have no candidate yet, and, with no clear leader and new potential challengers declaring every day, the party will likely hold a primary, which will push off an election.

There is even a grassroots campaign to bombard former Senator Russ Feingold with letters begging him to run—although the popular Democrat has said repeatedly that he is staying out of the race.

All along, Democrats have been expecting Republicans to drag things out. Rush Limbaugh signaled this approach, denouncing a state elections official for saying it was up to individual candidates, not the elections board, to challenge suspicious names like Adolph Hitler and Mickey Mouse—as if the whole recall effort could be dismissed as a massive fraud.

But the day after the petition drop, Walker appeared to change the Republican message about the recall, telling the Associated Press he believes there are enough valid signatures to force a recall election against him, and he wants it to happen soon. “Walker says he does not think enough [signatures] will be invalidated to stop the election,” AP reported, adding that the governor said, “The sooner the election is over the better it is for the people of Wisconsin.”

Walker may have good reason for wanting to hurry up a recall election.

Painful cuts to health care and education are taking a toll around the state. Nor are the promised new jobs appearing—the rationale for Walker’s budget cuts and corporate tax breaks. Wisconsin lost 3,900 private-sector jobs in December, making it the only state in the union to lose jobs for six consecutive months, even as the nation as a whole added jobs during the same period.

As one bumper sticker on a pickup truck in Wisconsin put it: “OK job creators, you got your breaks. Now where are the jobs?”

But the biggest reason Walker might seek to rush an election is a secret corruption probe by the Milwaukee district attorney and the FBI. The John Doe investigation of Walker aides and associates is getting more interesting every day, as investigators search homes and seize computers of people close to Walker. His own spokesman, Cullen Werwie, has immunity in the probe, which must make things awkward around the office. There have been indictments of longtime Walker aides from his time as Milwaukee County executive, and already one conviction. At least eight former aides and associates have hired criminal defense attorneys.

Although Walker dismisses the idea that he has any connection to the illegal activity that has been uncovered so far, the probe is clearly expanding. In fact, so serious and far-

reaching is the investigation, it could be that corruption will overshadow union-busting and budget cuts as a key issue in the recall election.

“This is going to be a persistent thorn in the governor’s side, and I don’t think the thorn is going to be easily removed,” says campaign-finance watchdog Mike McCabe, director of the Wisconsin Democracy Campaign.

The Walker probe reminds McCabe of Wisconsin’s corruption scandal of a decade ago, which brought down the leaders of both parties in the legislature, and put the former Democratic majority leader of the state senate behind bars.

“It sure feels the same in a lot of ways,” McCabe says. “There’s a constant drip, drip, drip of revelations.” Ten years ago, McCabe says, “they tried to ride it out, but it stayed in the news . . . then it really blew up.”

The Walker probe could be even bigger than the legislative scandal, which destroyed Wisconsin’s reputation for clean and open government, McCabe says. He should know. He helped federal investigators in both probes.

Back in January of last year, an FBI investigator called McCabe’s office.

“I didn’t read a whole lot into the conversation at the time,” McCabe says. The agent, Peter Freitag, was new to the public corruption unit in the region, “so I thought this was kind of a courtesy call,” McCabe says.

Freitag was very interested in someone named William Gardner—the CEO of Wisconsin & Southern Railroad Company, and a major donor to Scott Walker. Freitag also wanted help identifying Gardner’s employees.

In April, Gardner was convicted of two felonies for funneling more than \$60,000 in illegal campaign contributions, mostly to Walker. Gardner blatantly paid employees extra money so they would then contribute that money to Walker. The railroad

paid a civil forfeiture of \$166,900—the largest ever imposed by state election officials.

“Gardner ended up being one of the easy leads,” says McCabe. Since then, the FBI probe has moved in new directions.

So far, the secret criminal probe has included felony indictments of members of Walker’s staff when he was Milwaukee County executive. They are charged with doing political work on county time, violating campaign-finance laws, or embezzling funds raised to help veterans and their families.

“We cannot afford another story like this one,” Walker wrote in one e-mail quoted in the criminal complaint against Kelly Rindfleisch, a former staffer facing four felony charges for allegedly campaigning on the public’s time. “No one can give them any reason to do another story. That means no laptops, no websites, no time away during the workday, etc.” The complaint also alleges Walker’s staff created a secret Internet network to conduct county and campaign business away from the public eye. That alone would be against Wisconsin law. Although Walker denies any knowledge of wrongdoing, investigators are closing in on people on all sides of him.

The next phase of the investigation “is focusing on the role some of Walker’s closest associates and county employees had in a real estate deal involving a county agency,” according to Daniel Bice of the *Milwaukee Journal Sentinel*.

Andrew Jensen, the former head of the statewide commercial realtors’ association, was arrested and spent a night in the Milwaukee County jail in December for refusing to cooperate with the investigation. Jensen had asked for a secret immunity deal. Instead, he was arrested and booked, and newspapers around the state ran his mug shot, looking tousled and angry in his orange jumpsuit.

The most lurid arrests so far in what Wisconsinites are now calling

“Walkergate” involve Walker’s former deputy chief of staff in Milwaukee County, Tim Russell, Russell’s partner Brian Pierick, and Kevin Kavanaugh. Russell and Kavanaugh were charged with stealing funds from veterans and dead soldiers’ widows and children.

Russell, who is pleading not guilty and maintains his innocence, is charged with using money embezzled from a veterans’ fundraiser in Milwaukee to pay for vacations in Hawaii and a Caribbean cruise. Some of the money, the criminal complaint states, was also used for a Walker campaign website.

Russell’s partner, Pierick, was also arrested when investigators turned up evidence of child enticement and child pornography on computers and iPhones seized from the home he and Russell shared. According to the criminal complaint, Pierick and Russell used the user name “Walker04” on pornographic sites.

Pierick has asked that the child enticement charges be dropped, since the person with whom he conducted an online relationship claimed to be nineteen years old.

But the biggest outrage, according to Milwaukee County Supervisor John Weishan, a former active-duty Marine, is the way Walker exploited veterans and their families to advance his political career. The scandal says a lot about who Scott Walker really is, the kind of people he associates with, and why he arouses so much antipathy in Wisconsin.

Walker started the Operation Freedom fundraiser at the Milwaukee County Zoo after he took office as county executive in 2002, while he was also co-chair of the George W. Bush campaign in Wisconsin. Held around July 4 every year, Operation Freedom was advertised as an event to raise money to help veterans and their families.

“The facade was about troop appreciation,” says Weishan. “But it

really was a pep rally for the war.”

Walker used the free day at the Milwaukee Zoo, where thousands of people were gathered, as a campaign stop and a way to “wrap himself in the flag,” Weishan says. “He was claiming to help vets, but no vets were allowed on the podium.”

At the same time, Weishan says, Walker and his staff put a lot of pressure on the vendors at the zoo to provide free food and merchandise for the event.

Walker defended the practice, saying he was saving the taxpayers’ money.

“They were basically saying, ‘Give us \$20,000 of merchandise for nothing or we’re going to cancel your contract with the zoo,’ ” Weishan says. “We were getting calls from vendors saying, ‘I don’t want to be associated with this. But I feel the county exec is threatening my contract with the zoo.’ I think a lot of lines were crossed in asking for those donations.”

During the same period, Weishan and other vets on the county board were fighting with Walker over cuts to Milwaukee programs for vets, including funds for the veterans’ museum, and money used to put markers on the gravestones of dead service members to denote what branch of service they were in.

“So he’s cutting funding to mark vets’ graves at the same time he’s holding a pep rally for George W. Bush,” Weishan says.

Then vendors began complaining about not getting paid.

In 2008, Darlene Wink, a county employee later indicted for campaigning on county time, reported that there was \$11,000 missing from Operation Freedom funds, and that the zoo had not been paid for the July 4 event in 2007. Two years later, in 2010, Russell told the *Journal Sentinel* that the discrepancy was still unresolved. “Nobody’s making accusations about anything here,” Russell told the *Journal Sentinel*. “Maybe there are records in somebody’s bot-

AT&T's Love Affair With The Right

Every presidential cycle since 1996, AT&T has donated to Republican nominees. Will they do it again in 2012?



BOB DOLE

Dole was anti-immigrant, anti-gay and anti-abortion, favored eliminating the Dept. of Education, wanted a capital gains tax cut and voted against creating Medicare. Yet AT&T favored him over Bill Clinton.

1996



BUSH-CHENEY

Despite their wars in Iraq and Afghanistan, their attack on civil liberties, their massive tax cuts, their approval of Guantanamo Bay prison and waterboarding, AT&T funded the Bush-Cheney campaign.

2004



???

AT&T has given only to GOP presidential candidates since 1996, and also to Newt Gingrich, Rick Santorum, Michele Bachmann, Rick Perry and the House Tea Party Caucus. Will AT&T fund the GOP nominee in 2012?

2012



GEORGE W. BUSH

Bush ran for president promising deep tax cuts, an increase in military spending, privatizing Medicare and Social Security, and opposed to abortion. And AT&T chose to support Bush and not Al Gore.

2000



JOHN MCCAIN

He was against marriage equality, for extending the Bush tax cuts, and a rabid pro-war politician who supported the Iraq and Afghanistan wars and the "war on terror." Yet AT&T supported McCain and not Barack Obama.

2008

NEXUS S™ 4G
FROM GOOGLE

\$99.99*

4G speed and all the latest apps from Google—in a comfy contoured design.



Get 25% off your monthly voice fee for 1 year + contract buyout credit up to \$350*

Visit credomobile.com/prog112 or call **888-331-1683** and mention offer **501106**. Expires **04/27/12**.

*All with two-year CREDO Mobile service agreement. Offer available only to new CREDO Mobile customers and subject to credit qualification. Activation fee of \$35/line applies. Rates do not include applicable taxes and surcharges or international charges. Contract buyout credit: We will credit your CREDO Mobile account (up to \$350 per line, up to 3 lines) after you send us the contract buyout credit form, with proof of your prior carrier's termination fee charges. 25% discount applies to monthly voice plan fee only. Data plan required for smartphones. **AT&T** is a registered trademark of AT&T Intellectual Property and is not associated with CREDO. **Android**, Android Market, Gmail, YouTube, Google and the Google logo are trademarks of Google Inc.

JOIN TODAY!

PHONE-POWERED PROGRESSIVE CHANGE

CREDO
mobile

Leave a legacy

Help perpetuate your commitment to peace and social justice. Include *The Progressive* in your will. Bequests and life insurance proceeds to *The Progressive* are tax-deductible. Any gift, large or small, helps us remain independent and not for profit. For more information on including *The Progressive* in your will or life insurance policy, or to inform us that *The Progressive* is already mentioned in your will, please contact us.

Matthew Rothschild
The Progressive, Inc.
409 East Main Street,
Madison, WI 53703
Phone: 608/257-4626
Fax: 608/257-3373

tom drawer that would demonstrate that money was appropriately spent.”

An investigation of Russell’s drawers demonstrated the opposite, as it turned out.

Walker transferred responsibility for Operation Freedom from his own office to the Military Order of the Purple Heart from 2006 to 2009. The group’s treasurer, Walker supporter Kevin Kavanaugh, according to the criminal complaint against him, embezzled funds from the event, as well as money intended for the children of military service members killed in Iraq. According to the complaint, Kavanaugh used a check for \$1,200 that should have gone to the widow and two children of a deceased Iraq War vet to pay for his own wedding.

Investigators conducted a series of interviews with the widows of servicemen who should have received checks from Kavanaugh. They confirmed that he never gave them the money. “The above interviews appeared very upsetting to the widows and mothers of our slain military service members,” the investigator noted.

In all, investigators allege that Kavanaugh stole at least \$42,232 between 2006 and 2009. Kavanaugh is pleading not guilty to these charges at trial.

Walker contends that he knew nothing about the wrongdoing while it was happening, and that as soon as he and his then-chief of staff Thomas Nardelli learned of it, they blew the whistle. But that doesn’t explain why Walker gave new appointments to both Russell and Kavanaugh after his own chief of staff suspected foul play.

The timeline in the criminal complaints raises serious questions about what Walker knew and when he knew it. Walker blew the whistle by going to the D.A. in 2010.

But in April 2009, his chief of staff told the Milwaukee County D.A. that he had learned in 2008 that the Milwaukee County Zoo had not been paid for hosting the Operation Freedom picnic, and that \$11,000

was missing. “Mr. Nardelli concluded that defendant Kavanaugh had stolen \$11,242.24 of Operation Freedom funds,” the criminal complaint states.

Yet twelve months later, Walker reappointed Kavanaugh to the County Veterans’ Services Commission and also named him to a campaign position on the board of Veterans for Walker.

For a short time in 2009, after all the troubles with the zoo fundraiser and missing funds, the American Legion took over.

“It was set up more like an information fair for vets—it was really about the veterans,” Weishan says.

But then, in October 2009, Walker announced that he was taking control of the fundraiser away from the American Legion and awarding it to a nonprofit entity called the Heritage Guard Preservation Society, run by Russell, his deputy chief of staff.

“This was about politics, not about vets,” says Weishan. “It was about creating a third-party group with a veteran’s name on it.”

According to the criminal complaint, Russell used a Heritage Preservation Society debit card to pay for domain names for Scott Walker’s gubernatorial campaign.

Altogether, investigators allege that Russell stole \$21,699.85 or 50.5 percent of Operation Freedom’s 2010 donations.

Weishan, who filed the original complaint that kicked off the investigation of Darlene Winks for campaigning on county time, says it’s ridiculous to claim, as Walker does, “that he and his top lieutenants were sitting around the office and said, ‘Oh, my gosh, we have to blow the whistle on ourselves.’” Scott Walker knew about the problem. He tried to cover it up. Then Tom Nardelli, in a kind of cover-your-ass move, said, “OK, I’ll say something to the district attorney.”

Weishan’s theory is simple: “I think the vet groups and the vendors said, ‘We’re going to go to the D.A. if you don’t do something.’”

If the whole investigation were just about the money embezzled from veterans and their widows and children, it would be over by now. But there's more to it.

For example, "There is a realtor dimension," says Mike McCabe.

Real estate agents were the third largest contributors to Walker's campaign. Andrew Jensen, the first person arrested in the John Doe probe, is a former president of the Commercial Association of Realtors—Wisconsin. The current president of the group, Jim Villa, is another former Walker chief of staff in Milwaukee County and Andrew Jensen's boss at Boerke Company, a Milwaukee commercial real estate firm whose employees made \$11,900 in contributions to Governor Walker's campaign. Tim Russell was also a realtor, and did economic development work for the county under Walker. After he stepped down as Walker's deputy chief of staff in 2010, Walker appointed him director of housing. John Hiller, Walker's longtime campaign treasurer, including when he ran for governor, and transition director when he took over the governor's office, is also in the real estate business.

"Investigators are looking for signs of bid-rigging or other misconduct," the *Milwaukee Journal Sentinel* reported recently, involving alleged deals that would have moved county employees into private office space that Hiller was associated with. Jensen and Russell also worked on the deals, the paper said, when Walker was county executive. The deals eventually fell through.

A final angle to watch in Walkergate is the Illinois connection.

A former aide to former governor Tommy Thompson and fundraiser for Scott Walker, Nicholas Hurtgen, has been caught up in scandals involving both Scott Walker and convicted Illinois Governor Rod Blagojevich.

"Hurtgen's story carries symbolic weight as a morality play about Wisconsin's descent from a paradigm of clean government to a case study in corruption," Erik Gunn wrote in a profile of Hurtgen in Madison's weekly alternative paper, *Isthmus*, back in 2006.

Hurtgen left Wisconsin to become an investment banker who sold government-issued bond deals for the Chicago office of Bear Stearns.

In 2009, he pleaded guilty in a federal corruption case in Chicago that involved threatening to deny a hospital permission to expand if it didn't hire Blagojevich's favorite contractor. Because of a Supreme Court decision involving Enron executive Jeffrey Skilling that narrowed the definition of fraud, "the conduct to which Hurtgen pled guilty is no longer a crime," his lawyers wrote. He subsequently withdrew his guilty plea and the government dropped six of the seven charges against him.

Federal investigators have also

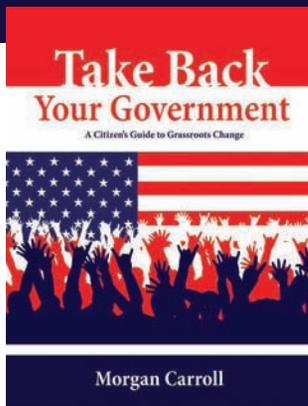
looked into a fishy bond deal Hurtgen was involved in with Milwaukee County. In the deal, Walker awarded a \$389,000 contract to Hurtgen and Bear Stearns. After he won the contract, Hurtgen helped arrange two fundraisers for Walker worth \$25,000. A 2004 investigation found that the Bear Stearns contract had been awarded improperly. Hurtgen's firm won the contract even though his bid cost \$90,000 more than a competing company. "When public records were sought during that investigation, it was found that most were either 'lost' or destroyed," the *Journal Sentinel* reported.

"What has happened in Wisconsin has really moved us in the direction of Illinois," says McCabe. "Our political culture is becoming more like Illinois by the day."

Talk about fighting words. If being compared to corrupt Illinois doesn't motivate the Badgers to fight harder than ever to take back their state, nothing will. ♦

"If you want hands-on, how-to instructions about how to make your voice heard, and how to make real change, read this book—and then pass it on to everyone you know."

—David Sirota, radio host, syndicated columnist, author of *The Uprising: An Unauthorized Tour of the Populist Revolt Scaring Wall Street and Washington*



For more tips and stories on civic engagement, please visit www.takebackyourgovt.com.

Visit www.fulcrumbooks.com for 30% off the listed price. Please use discount code PROG when ordering.

FULCRUM PUBLISHING
978-1-55591-445-5, PB, \$19.95

Take Back Your Government: A Citizen's Guide to Grassroots Change shows ordinary citizens how to make and change law and policy in their state, including:

- How to make contact with your elected officials
- How to read a bill
- How to use the media to your advantage
- How to maximize the influence of demonstrations and rallies
- How to be an advocate in ten minutes or less
- And so much more!

Morgan Carroll is a Colorado state senator, the majority caucus chair of the Colorado Senate, the chair of the Senate Judiciary Committee, and a practicing attorney.

