

Big Money Bulletin

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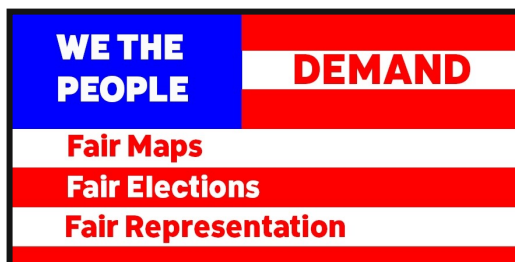


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Winning Fair Maps!



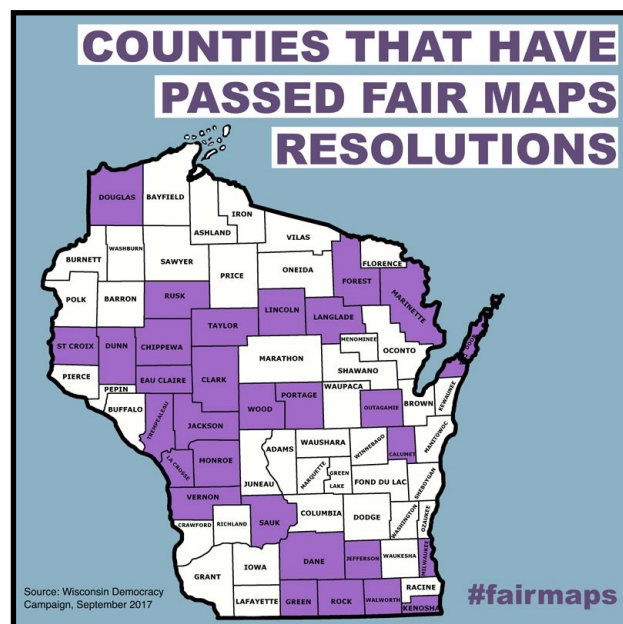
In an indication that the tide has turned against gerrymandering in Wisconsin, the Wisconsin Counties Association urged the legislature to adopt nonpartisan redistricting.

On Sept. 24, at its annual conference, which was held this year in Wisconsin Dells, the Wisconsin Counties Association passed a resolution that states: "Redistricting to achieve partisan gains is improper, whether it is done by Republicans or Democrats."

It insisted upon "the creation of a nonpartisan procedure for the preparation of legislative and congressional redistricting plans."

And it spelled out some criteria for doing this, which would prohibit "the consideration of voting patterns, party information, and incumbents' residence information or demographic information in drawing the maps, except as necessary to ensure minority participation as required by the U.S. Constitution."

The adoption of this resolution by the Wisconsin Counties Association follows a remarkable county-by-county call for nonpartisan redistricting. Already, just this year, 22 counties have passed such resolutions, lifting the total number of counties that are on board to 30 — 21 of which went for Trump, 9 for Clinton in 2016, and all of which account for more than half of the population of the state.



No matter how the U.S. Supreme Court rules on Wisconsin's gerrymandering case, the people of Wisconsin have already spoken: We want fair maps!

Matt

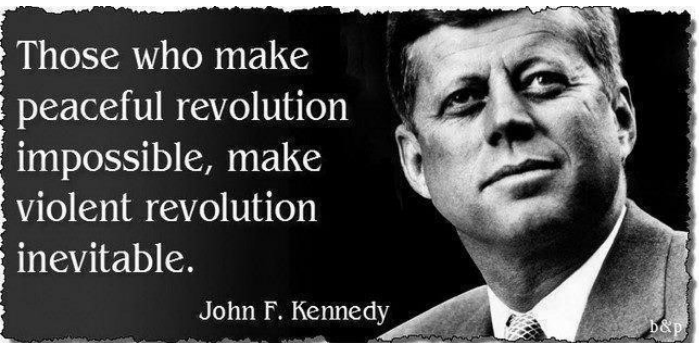
Testifying against the “Riot” Bill

On Sept. 21, Executive Director Matt Rothschild testified before the Assembly Committee on the Judiciary to oppose the so-called “riot” bill, AB395. It would make anyone who gathers in a group of three or more, when one member of the group commits an act of violence or even issues a vague threat, liable of a felony punishable by three and a half years in jail and a \$10,000 fine.

As Rothschild testified:

“This bill would group together those who are nonviolent with those who are violent. It would countenance guilt by association. And it’s totally unnecessary. Violent acts are already crimes. Damage to property is already a crime. Direct, imminent threats to specific persons are already crimes. Failure to disperse is already a crime. Disorderly conduct is already a crime. Conspiracy is already a crime. We don’t need more criminal statutes that cover essentially the same ground. Nor do we need criminal statutes that could be used to round up people who are nonviolently protesting police violence. And by the way, if you want to reduce riots, try reducing police brutality. I urge you to vote no on this unnecessary and unconstitutional bill.”

Please contact your legislators and tell them to vote **no** on AB395, and the accompanying bills AB396 and AB397 by calling the toll-free legislative hotline at 1-800-362-9472.



Wisconsin Supreme Court Curbs Rights

Over the past few years, the Wisconsin Supreme Court has issued one ruling after another curtailing our constitutional rights.

For instance, it chipped away at the Fifth Amendment right against self-incrimination in the 2014 case *State of Wisconsin v. Adrean L. Smith*. The defendant, a suspect in armed robberies, was being questioned by a police officer after being read his Miranda rights. After some discussion, Smith said, “I don’t want to talk,” and “I don’t even want to talk about this.” He also declared his innocence. The majority of the justices ruled that his responses to police after he said he didn’t want to talk were still admissible in court because his “proclamation of innocence is incompatible with a desire to cut off questioning.”

This year, in *State of Wisconsin v. Jeffrey C. Denny*, the majority on the Wisconsin Supreme Court wouldn’t even allow Denny, who was convicted of murder, to test DNA evidence to see whether it would exonerate him. Actually, they said he only had a right to look at the test tube, but he couldn’t get it tested. As Justice Ann Walsh Bradley wrote in a scathing dissent, the majority ruled that “all Denny can do is look at evidence with the naked eye when its potential to exonerate him is invisible until it is tested. Such a useless procedure renders the majority’s determination absurd.”

And in several other cases, by using extremely elastic terms like “exigent circumstances” or the police’s “community caretaker function” to allow law enforcement to otherwise violate people’s Fourth Amendment rights, the Wisconsin Supreme Court has done grave damage.

As Justice Ann Walsh Bradley noted in a dissent this summer, “In the last two terms, this court is batting nearly zero when it comes to upholding Fourth Amendment challenges in criminal cases.”

That’s not a good batting average, and it doesn’t reflect impartiality. Quite the contrary: It demonstrates bias – and hostility to our constitutional rights.

The Supreme Court’s only armor is the cloak of public trust; its sole ammunition, the collective hopes of our society.

~ Irving R. Kaufman, U.S. federal judge

Special Interest Follies

Paving the way for Foxconn

Foxconn is getting special privileges in our court system. Under the new Foxconn law, any lower court ruling is automatically suspended if the company appeals, and the company can go straight to the Wisconsin Supreme Court if the high court agrees to take it.

The GOP-dominated legislature actually paved the way for this with a bill that was signed into law by Gov. Scott Walker on March 27, 2014, as 2013 Wisconsin Act 156.

That law allows any company or individual to immediately appeal an injunction by a lower court judge if that judge suspends the implementation of any state statute.

For instance, say the legislature passed a law allowing companies to dump hazardous waste into our waterways, and a company started to do so. It's likely that an environmental group would immediately challenge that in court, and it's quite possible that a circuit court judge would issue an injunction against the company and suspend enforcement of that law. The company could challenge that injunction, and, under this law, rather than having to wait to see the outcome at trial, the company could take it straight up to the appellate courts and then the Wisconsin Supreme Court, which is in reliably pro-business hands.

This was a deliberate move by the GOP-dominated legislature to take power away from the judiciary and make it easier for companies to appeal decisions they didn't like.

Then-State Senator Glenn Grothman (now Congressman) said: "The current process causes unnecessary uncertainty for job creators and residents of Wisconsin. The idea that a new law can be put on hold by an activist judge that may represent less than one half of one percent of the state's population is offensive."

The only person to testify in favor of this bill, by the way, was a lobbyist for Wisconsin Manufacturers & Commerce.

WMC Biggest Lobbyist

The top-spending lobbying group between January and June was Wisconsin Manufacturers & Commerce (WMC), the state's largest business organization, which doled out about \$407,800 to lobby about 2,800 hours. The group is a political heavyweight when it comes to

influence on state spending and policy, as well as election spending in legislative and statewide races.

WMC was followed by the Wisconsin Hospital Association, which spent about \$328,500 on about 1,900 hours of lobbying. Rounding out the top three was the Transportation Development Association, which reported spending about \$321,900 on 41 hours of lobbying.

UW Regents give 100x more to GOP

There are 18 members of the University of Wisconsin Board of Regents, and they are appointed to six-year staggered terms by the governor and confirmed by the State Senate. Gov. Scott Walker has appointed all but one of the 18 regents (State School Superintendent Tony Evers is the exception). All told, the regents and their spouses contributed about \$214,000 to legislative and statewide candidates between January 2010 and December 2016. All but \$2,050 of their total contributions went to Republican candidates – that's 100 times more to the GOP. Walker's campaign received about \$111,700 from his appointees and their spouses.

Topping the list of contributors was Regent Tracey Klein, a lawyer with Reinhart Boerner Van Deuren in Milwaukee, and her husband, Richard, who contributed about \$44,200 to all legislative and statewide candidates, including about \$41,100 to Walker.

Influence Peddler of the Month

In **September**, we gave the nod to the **Wisconsin Builders Association**, a lobbying group that represents an industry that has doled out nearly \$11 million over the past decade in special interest campaign contributions to Wisconsin legislative and statewide candidates.

Like other special interests, the builders association, which turned 70 this year and boasts 4,000 members, uses its lobbying and big money influence to serve its members' interests, often at the expense of the public's interest.

For instance, the group opposed a 2010 state agency rule that required fire-prevention sprinkler systems in apartment buildings with between three and 20 units. That rule is no longer on the books.

During the past 10 years, the top recipients of construction industry campaign contributions were:

- Republican Gov. Scott Walker, just over \$6 million
- Former Democratic gubernatorial candidate Tom Barrett, about \$375,380
- Former Democratic Gov. Jim Doyle, \$325,410
- GOP Lt. Gov. Rebecca Kleefisch, about \$320,435
- Republican Assembly Campaign Committee, about \$219,100.

Why I Don't Lose Hope

(Excerpted from a talk Matt Rothschild has been giving around the state.)

I don't lose hope because civil society is holding its ground.

I don't lose hope because the judiciary is staying independent.

I don't lose hope because even the mainstream press has found a spine.

I don't lose hope because the people are standing up, starting with the Women's March on Washington and the immigrant rights rallies and continuing right up to today.

In Wisconsin, I don't lose hope because 114 communities have voted by overwhelming margins that they want to amend the U.S. Constitution to proclaim, once and for all, that corporations aren't persons and money isn't speech.

In Wisconsin, I don't lose hope because 30 counties are on record for nonpartisan redistricting.

And in Wisconsin, I don't lose hope because in the progressive nonprofit sector, we're all working together. We've shelved our egos, we've torn down our silos, and we strategize together, and we act together. We are united as never before, and there are great people in this sector, with a lot of energy and skill, and many of them a lot younger than I am!



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