

CIRCUIT COURT
STATE OF WISCONSIN CRIMINAL DIVISION MILWAUKEE COUNTY

STATE OF WISCONSIN

Plaintiff

CRIMINAL COMPLAINT

vs.

Huff, Garrett L.
2647 North 15th Street
Milwaukee, WI 53206
(D.O.B. : November 11, 1948)

Complaining Witness:

Detective Michael Sandvick

DA Case Number: 07XF4044

Circuit Court Case Number:

Defendant(s)

THE ABOVE NAMED COMPLAINING WITNESS BEING DULY SWORN SAYS THAT THE ABOVE NAMED DEFENDANT(S) IN THE COUNTY OF MILWAUKEE, STATE OF WISCONSIN.

COUNT 01 - CONSPIRACY TO COMMIT ELECTION BRIBERY

Between about March 15, 2007 and April 3, 2007, within the County of Milwaukee, with intent that a crime be committed, did combine with another for the purpose of committing a crime, viz.:

Election Bribery, whereby the conspirators did combine for the purpose of intentionally giving a thing of value, to wit, money, to electors in order to induce electors to go to the polls:

and furthermore one or more of the co-conspirators did an act to effect the conspiracy's object, all contrary to Wisconsin Statutes Sections 939.31 and 12.11(1m)(a)1.

AS TO COUNT 01:

Upon conviction of this offense, a Class I Felony, the defendant may be fined not more than \$10,000 or imprisoned for not more than 3.5 years or both.

Complainant states that he is a City of Milwaukee Police Detective and bases this complaint upon the following information:

1. Authorization to File Complaint; Summary of the Offense

I appeared today before the Honorable Jean W. DiMotto, the Circuit Court Judge presiding in Milwaukee County Case No. 06JD000009, a John Doe proceeding. I submitted this complaint for her review and for her authorization to file this document with the Milwaukee County Circuit Court - Criminal Division. Judge Jean W. DiMotto reviewed this complaint and authorized its filing. Judge Jean W. DiMotto further authorized the use and dissemination of information, materials and transcripts gathered in the Doe proceedings as may be reasonably necessary in connection with the prosecution of Garrett L. Huff.

Garrett L. Huff was a campaign worker acting on behalf of the Michael McGee Campaign Committee and he is listed as such in Campaign Finance reports filed by Michael McGee and the Michael McGee Campaign Committee.

Huff is believed to be the uncle of Michael McGee, Jr.

Acting in concert with Michael McGee and the campaign committee, Garrett L. Huff engaged in a drive to solicit persons to cast ballots in the April 3, 2007 election, all in exchange for the payment of \$5 per vote cast.

2. The April 3, 2007 Election

I am responsible for the investigation of Election Law violations in the City of Milwaukee. I am assigned to the Special Investigations Unit of the Milwaukee Police Department and I am part of the Milwaukee County Public Integrity Group, an law enforcement group assigned to investigate matters of public corruption.

I know that a Recall Election was held in Milwaukee for the Sixth Aldermanic District. Michael McGee is and - at the time the Recall Petition was filed - was the sitting alderman for the Sixth Aldermanic District in the City of Milwaukee. That election was held on April 3, 2007.

I know that, pursuant to Wisconsin law, voters are given the opportunity to cast a vote by absentee ballot in the days and weeks before an election at City Hall, 200 East Wells Street, Milwaukee.

3. McGee Names Huff as One "Early Voting" Campaign Driver

I was present for the testimony of Michael McGee in the course of a John Doe hearing held on April 10, 2007. At that time and place, McGee testified that various drivers went to locations in the city and picked people up to allow them to "pre-vote" or "vote early." These were McGee's terms for voting by absentee ballot before the April 3, 2007 election.

In the course of his testimony, McGee identified the defendant Gary Huff as one such driver.

4. The Campaign Advertised Locations Within the City Promising Free Food and Drink

In his Doe testimony, Michael McGee identified the flyer attached as Exhibit 72, a Doe Exhibit, as part of his campaign literature.

As is plain from a review of this document, the McGee campaign advertised free food and drink for persons who cast ballots in the election, provided that persons appeared at one of two locations and presented a "Vote Sticker."

This Election Bribery investigation commenced when a copy of the attached flyer was forwarded to the District Attorney's office by the City of Milwaukee Election Commission.

5. The Campaign Stationed Representatives at 16th & Locust Who - Instead of Providing Food and Drink - Paid People Cash to Vote in the April 3, 2007 Election.

The information in this section is based upon my review of the reports of fellow law enforcement officers from the Milwaukee Police Department and the Wisconsin Department of Justice Division of Criminal Investigation who acted in an undercover capacity during this investigation. I believe them to be truthful and reliable. I refer to these officers as UC 1, UC 2, UC 3 AND UC 4.

a. UC 2 is Paid to Vote

According to the reports of Undercover Officer 1 (UC1), on Thursday, March 15, 2007 at approximately 12:20 pm, UC 1 along with another undercover officer (UC2) were at Mother's Foods, 2879 N. 16th St, Milwaukee. The UC officers approached a black female who was wearing a political button for Alderman Michael Mc Gee Jr. The woman stated, "'I'm working for Alderman Michael Mc Gee Jr. campaign." She was taking names from persons who wanted to vote absentee for the April 3, 2007 recall election. UC 1 told this black female that he heard that people could get five dollars if they voted. The black female then began to speak in a whisper and stated that an "incentive" was available and it

might be more than five-dollars. This campaign person then stated in a hushed voice that the incentive was illegal.

UC 1 did not agree to cast a ballot because he told the people at Mother's Foods that he was on probation and could not vote. UC 2, however, did agree to be driven to City Hall to cast an absentee ballot.

While at the store, a person who said his name was "Gary" (subsequently identified by police as Garrett L. Huff), stated to UC 2, "I'll get a car and take you to vote." UC 2 states that the following conversation took place while he was together with the defendant Huff.

Gary stated, "He hit three people hand (which is a street term meaning giving someone a quantity of U.S. currency) the first was an unknown female, who later turned around and stated, "Where mind." Gary stated, "Vote tomorrow and come back." The unknown female replied, " You can't vote but once." Gary stated, "You voted right, you can't get paid but once.

UC 2 states that Huff then drove him to City Hall in Milwaukee. UC 2 states that after he (UC 2) exited City Hall he presented an "I voted" sticker to Huff. UC 2 states that Huff then was paid \$5 by Huff.

b. UC 3 is Paid to Vote; McGee Directs Huff to Pick Up Additional People

On Thursday, March 15,2007 UC 3 went to Mother's Foods and spoke to a worker there. UC 3 was told to call a phone number "202-7374" so UC 3 could be picked up to vote.

I recognize the number of 202-7374 to the number of Michael McGee and indeed, McGee so testified at the John Doe hearing.

UC 3 called the number and the answering machine came on. UC 3 told this to a worker and UC 3 was told that someone would come to get UC 3.

A short time later, a person police have identified as the defendant Huff came into the store. UC 3 informed Huff that UC 3 was there to vote. UC 3 and Huff subsequently left the store and got into a car to drive to City Hall in Milwaukee.

During the time UC 3 was together with Huff, Huff's cellular phone rang. While Huff was on the phone, UC 3 could hear him saying that there were 2 people on Chambers Street that needed to be picked up and that should he go back. After the phone call ended, Huff informed UC 3 that he (Huff) was going to take UC 3 and then go back to pick up other people. Huff further informed UC 3 that the person who had called him on his cellular phone was the "Alderman." UC 3 asked, "Was that Mike?" Huff stated, "Yeah, that was him".

UC 3 states that, close to City Hall, Huff told UC 3 where to go in the building to vote. UC 3 states that he did then go into City Hall and cast a ballot. After UC 3 voted, UC 3 got back into the car with Huff and showed Huff the "I voted " sticker. UC 3 states that he was then driven back to 16th & Locust. As they neared 16th and Locust, Huff handed UC 3 a \$5 bill.

c. UC 4 Paid to Vote

On March 23, 2007, UC 1 – who had previously visited the store with UC 2 (see Section 5.a above) – went to Mother’s Foods on 16th and Locust with UC 4. UC 1 made it know to people at the store that UC 4 was there to cast a ballot. A short while later, the defendant Huff entered the store.

UC 1 and UC 4 exited the store to walk to the car. UC 1 told Huff that he (UC 1) brought UC 4 to vote and that UC 1 wanted to be paid for bringing in UC 4 to vote.

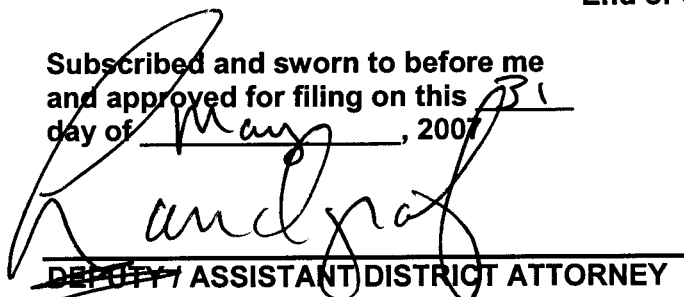
UC 4 entered the car with Huff and said, “What about the change?” UC 4 states this was a reference to getting paid. Huff then stated that he would take care of both UC 1 and UC 4 when they returned from voting.

UC 4 states that Gary drove him to City Hall where UC 4 cast a ballot. UC 4 states that he returned to the car and showed Huff his “I Voted Sticker.” Huff then told UC 4 that there had been people that he had brought to City Hall who, when they returned the vehicle, could show him no proof that they had voted. Huff stated that he did not believe that these people had actually voted.

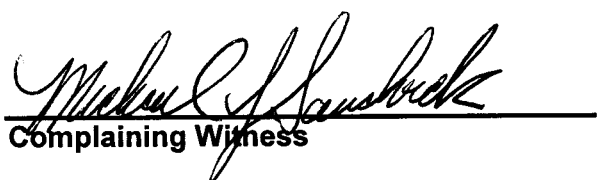
Huff drove UC 4 back to Mother’s Foods. At Mother’s, Huff told UC 4 that he needed to get change. Huff subsequently handed both UC 4 and UC 1 (who brought UC 4 to Mother’s) \$5.

******End of Complaint******

Subscribed and sworn to before me
and approved for filing on this 31
day of May, 2007



DEPUTY ASSISTANT DISTRICT ATTORNEY



Complaining Witness

Bruce J. Landgraf\BJL

-- FELONY COMPLAINT --

ELECTION PARTY

GO TO CITY HALL TO VOTE ON

TUESDAY MARCH 13TH 2007

TO

APRIL 2ND 2007

FOR ALDERMAN MIKE MCGEE, JR

BRING I.D. OR MAIL FOR A RIDE COME TO :

MAGIC (MOTHER) FOODS

16TH LOCUST

ATKINSON LIQUOR

11TH ATKINSON AVE.

ALDERMAN MCGEE HEADQUARTERS

2237 N. MLK (NORTH AVE.)

414-202-7374

EVERY DAY BETWEEN 10AM-3:30PM

FREE! FOOD/DRINKS

JUST SHOW VOTE STICKER AT DOOR

PAID FOR AND AUTHORIZED BY CITIZENS TO RE-ELECT MIKE MCGEE, JR

EXHIBIT

72

tabbles