

Judge lambastes Shoemaker at sentencing

By Kitz Cleary
Menomonie News Bureau

MADISON — Former State Sen. Richard Shoemaker sat silently beside his attorney Monday afternoon as Dane County Circuit Judge Daniel R. Moeser upbraided him for election and lobby law violations before sentencing him to 60 days in jail and \$300 in courts costs and assessments.

"I view this case as extremely important, not only because of the charges in this case, but because of what those charges mean for Wisconsin," Moeser told Shoemaker in Dane County Circuit Court.

Shoemaker, 38, pleaded guilty Aug. 30 to five misdemeanor

counts of receiving money from a lobbyist, failing to disclose a loan on financial disclosure statements, using his office for personal gain, defrauding his campaign committee and filing false campaign reports.

As part of a plea agreement, Shoemaker submitted his resignation to Senate President Fred Risser, D-Madison, at noon Monday.

Shoemaker reported to the Dunn County Jail Monday night: With credit for "good time," Shoemaker could be out of jail in 45 days.

Before sentencing Shoemaker, Moeser said, "I don't know of any state that has a greater reputation for clean government than Wisconsin, and I hope that never changes.

"Frankly, you fooled some of the people for a while, but your arrogance, ignorance and ego caught up with you, and I doubt that you'll ever be able to fool anyone in the future. I suspect your political career is done."

Moeser used the sentencing to drive home the point that "votes are not for sale," and it is "the little people" who suffer when money buys access.

"It is important to me that this case not be trivialized, and I am not implying you have done that," Moeser said to Shoemaker.

He chided Shoemaker over news reports of his lack of remorse and

Election to fill seat set for Dec. 12

A special election to fill the 10th Senate District seat vacated by former Sen. Richard Shoemaker, D-Menomonie, will be held on Tuesday, Dec. 12.

A primary election, if needed, will be held on Tuesday, Nov. 14.

The special election was called by Gov. Tommy Thompson. Candidates for the Senate seat may begin circulating nomination papers today. Nomination papers must be filed with the state Elections Board by 5 p.m. Tuesday, Oct. 17.

At least four people have shown an interest in Shoemaker's seat. Former Republican state representative William Berndt of River Falls, who lost to Shoemaker in the 10th Senate District election in 1988, has scheduled a news conference at 9:30 a.m. Monday in Menomonie.

State Reps. Al Baldus, D-Menomonie, and Harvey Stower, D-Amery, also have expressed interest. Bob Baldwin of River Falls already has announced his Democratic candidacy.

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Judge to Shoemaker: 'Arrogance caught up with you'

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aggressive fundraising to pay his legal fees.

Shoemaker's lawyer, Steven Hurley, told the court that he, not Shoemaker, found the statutes that allowed fundraising "under these circumstances." News reports distorted Shoemaker's discussions with friends, Hurley said.

Shoemaker told the court he had spent the last month telling his constituents he was sorry.

"I'm guilty, and I know that I am. And I am truly sorry to my family and my friends, to my supporters and those who didn't support me," he said. "We wish to get on with our lives."

In exchange for dropping felony charges in August, Shoemaker agreed to plead guilty to the five misdemeanor charges. Stipulations of the plea agreement were that Shoemaker resign his Senate seat, cooperate with the continuing investigation of lobby and election law violations and serve a 60-day jail term. Moezer was not bound by the agreement.

Hurley expressed concern that Shoemaker's sentencing had been delayed a month because the case attracted heavy media attention. The delay contributed to the circulation of ill-informed press accounts, he said.

Following Shoemaker's sentenc-



Former State Sen. Richard Shoemaker, center, appears with his lawyer, Steven Hurley, left, at his sentencing in Dane County Circuit Court Monday.

ing, Assistant District Attorney John Burr said that Shoemaker's statements to the media came close

to costing him a heavier sentence than stipulated in the presentence agreement.

"His public posture since he was convicted is not one of remorse," said Judy Schwaeble, who assisted in the prosecution.

Following Shoemaker's sentencing, Hurley charged that many legislators had made statements for their own benefit and said that Shoemaker had become an example, "in the sense that anyone charged necessarily becomes an example."

Legislative ethics in Wisconsin are no different from those of other states, Hurley said.

"I think it's wrong to think we're special," he said, adding that it's "demeaning" to legislators of other states.

Hurley said a more realistic approach to life in the legislature is needed. For example, he said, no legislator has been prosecuted for accepting a meal, although that is a violation of the law. It's understood that no one sells votes for meals, he said.

Burr called the Shoemaker conviction "very, very sad."

"I think it's sad for Mr. Shoemaker, his family and friends and those people who placed their trust in him," Burr said. "I think it's sad for the state of Wisconsin."

The state has a reputation for clean government and "that reputation will never again be the same," Burr said.

Burr said he hoped Shoemaker's conviction and sentencing sends a message through the state Capitol to deter similar activities in the future while acknowledging "the vast majority doesn't need any deterring."

He erupted in anger at the suggestion that Shoemaker's conviction and charges against other legislators, mostly Democratic, have partisan motives.

Anyone with civil or criminal evidence against anyone in the Legislature ought to step forward, he said.

"If not, then they ought to shut up," Burr said. "The Democrats

are reacting the way they do because the majority of people that are charged are Democrats."

Burr called the Democrats' charges "partisan whimpering" and suggested they stop unless they have evidence. Investigations of other legislators are continuing, according to the Dane County district attorney's office.

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