

STATE OF WISCONSIN
BEFORE THE STATE ELECTIONS BOARD

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The Verified Complaint of,

STATE OF WISCONSIN
ELECTIONS BOARD

THE REPUBLICAN PARTY OF WISCONSIN
RICHARD J. WILEY, Complainant

against

**VERIFIED
COMPLAINT**

JOHN DOE,

PIERCE COUNTY DEMOCRATIC PARTY,

WANDA BROWN,

EARL MORREN,

TAMMY TOLLEFSON,

THE UNIVERSITY OF WISCONSIN-RIVER FALLS
COLLEGE DEMOCRATS

and

DONALD BETZ, IN HIS CAPACITY AS CHANCELLOR
OF THE UNIVERSITY OF WISCONSIN RIVER-FALLS,

Respondents

This complaint is made under Chapters 11, 939 and 946 of the Wisconsin Statutes, and requests that the Elections Board review and investigate the use of state resources for political purposes in light of the allegations contained herein.

I, Richard J. Wiley (hereinafter "Complainant"), allege and aver the following:

**I
STATEMENT**

1. Complainant is a resident of the State of Wisconsin and a qualified elector. Complainant resides at 529 Aztalan Dr., Madison, Wisconsin 53718.
2. Upon information and belief, Respondent John Doe is an information technology employee of the State of Wisconsin employed at the University of Wisconsin-River Falls

(hereinafter "UW-RF"), and that Respondent John Doe has control over UW-RF's state email and list-serve computer resources.

3. Respondent Pierce County Democratic Party (hereinafter "PCDP") is a political committee under §11.04(4), Wis. Stats., and, upon information and belief, does not have a permanent mailing address.
4. Respondent Wanda Brown is the Chairperson of the Pierce County Democrat Party, and resides at 1881 Golf View Dr., River Falls, Wisconsin 54022.
5. Respondent Earl Morren is the Vice Chairperson of the Pierce County Democrat Party, and resides at W8949 759th Ave, River Falls, Wisconsin 54022.
6. Respondent Tammy Tollefson is the Secretary of the Pierce County Democrat Party, and resides at W11860 County Road FF, River Falls, Wisconsin 54022.
7. Respondent Tammy Tollfeson is the List-Serve Manager for the Pierce County Democrat Party. *See Exhibit A, attached hereto.*
8. Respondent University of Wisconsin-River Falls College Democrats is an organization existing on the campus of UW-RF and organized for and engaging in activities for a "political purpose" as that phrase is used in §§11.01(16) and 11.36(15) of the Wisconsin Statutes.
9. Respondent Donald Betz is the Chancellor of the University of Wisconsin-Rivers Falls, having his principal place of business located at 410 South 3rd Street, River Falls, Wisconsin 54022.
10. As Chancellor of the UW-RF, Respondent Betz has charge and control of the buildings occupied by the State of Wisconsin on the UW-RF campus.

II

SOLICITION FOR AND RECIEPT OF STATE RESOURCES FOR A POLITICAL PURPOSE BY THE UW-RF COLLEGE DEMOCRATS AND RESPONDENTS PCDP, BROWN, MORREN, AND TOLLEFSON

11. Paragraphs 1-10 above, inclusive, are restated and incorporated herein by reference.
12. Section 11.36(1), Wis. Stats., states in part as follows: "No person may solicit or receive from any state . . . employee any contribution or service for any political purpose while the . . . employee is engaged in his or her . . . duties."
13. Page 2, column two, of Exhibit A, attached hereto, reads as follows under the heading "List-Serve Changes:" "This has now changed. *Thanks to the Colleege Democrats*, our

list is now being hosted at the University of Wisconsin at Rivers Falls.” (emphasis added).

14. The phrase “thanks to the College Democrats” contained in Exhibit A indicates that Respondent College Democrats solicited from a state employee a contribution and services of state resources for a political purpose while the employee, Respondent Doe, was engaged in his or her state duties as a state employee. To wit: email and list-serve computer services from UW-RF. This is a violation of §11.36(1), Wis. Stats.
15. The phrase “thanks to the College Democrats” contained in Exhibit A indicates that Respondent College Democrats received from a state employee a contribution and services of state resources for a political purpose while the employee, Respondent Doe, was engaged in his or her state duties as a state employee. To wit: email and list-serve computer services from UW-RF. This is a violation of §11.36(1), Wis. Stats.
16. Upon information and belief, the phrase “thanks to the College Democrats” contained in Exhibit A indicates that Respondent PCDP solicited from a state employee a contribution and service for a political purpose while the employee, Respondent Doe, was engaged in his or her state duties as a state employee. To wit: email and list-serve computer services from Respondent Doe on behalf of UW-RF. This is a violation of §11.36(1), Wis. Stats.
17. Upon information and belief, the phrase “thanks to the College Democrats” contained in Exhibit A indicates that Respondent PCDP received from a state employee a contribution and service for a political purpose while the employee, Respondent Doe, was engaged in his or her state duties as a state employee. To wit: email and list-serve computer services from Respondent Doe on behalf of UW-RF. This is a violation of §11.36(1), Wis. Stats.
18. Upon information and belief, the phrase “thanks to the College Democrats” contained in Exhibit A indicates that Respondents Brown, Morren and Tollefson solicited from a state employee a contribution and service for a political purpose while the employee, Respondent Doe, was engaged in his or her state duties as a state employee. To wit: email and list-serve computer services from Respondent Doe on behalf of UW-RF. This is a violation of §11.36(1), Wis. Stats.
19. Upon information and belief, the phrase “thanks to the College Democrats” contained in Exhibit A indicates that Respondents Brown, Morren and Tollefson received from a state employee a contribution and service for a political purpose while the employee, Respondent Doe, was engaged in his or her state duties as a state employee. To wit: email and list-serve computer services from Respondent Doe on behalf of UW-RF. This is a violation of §11.36(1), Wis. Stats.

**USE OF STATE RESOURCES FOR A POLITICAL PURPOSE BY RESPONENTS DOE,
PCDP, BROWN, MORREN AND TOLLEFSON**

20. Paragraphs 1-19 above, inclusive, are restated and incorporated herein by reference.
21. Section 11.24(1), Wis. Stats., states in part as follows: “No person may, directly or indirectly, make any contribution other than from funds or property belonging to the contributor No person may intentionally accept or receive any contribution made in violation of this section.”
22. Respondent Doe, a state employee, made a contribution to Respondents UW-RF College Democrats and Respondents PCDP, Brown, Morren and Tollefson of property not belonging to Respondent Doe. To wit: Respondent Doe provided email and list-serve computer services belonging to the State of Wisconsin and UW-RF to Respondents UW-RF College Democrats and Respondents PCDP, Brown, Morren and Tollefson. This is a violation of §11.24(1), Wis. Stats. *See Exhibit A, attached hereto.*
23. Respondent Pierce County Democrat Party received and accepted the illegal contribution of email and list-serve computer services belonging to the State of Wisconsin and UW-RF referenced in paragraph 22, above. This is a violation of §11.24(1), Wis. Stats. *See Exhibit A, attached hereto.*
24. Respondent Pierce County Democrat Party used and continues to use said illegal contribution of email and list-serve computer services belonging to the State of Wisconsin and UW-RF for a political purpose. *See Exhibit A, attached hereto.*
25. Respondents Brown, Morren and Tollefson, as officers and agents of the Pierce County Democrat Party, received and accepted the illegal contribution of email and list-serve computer services belonging to the State of Wisconsin and UW-RF referenced in paragraph 22, above. This is a violation of §11.24(1), Wis. Stats. *See Exhibit A, attached hereto.*
26. Respondents Brown, Morren and Tollefson, as officers and agents of the Pierce County Democrat Party, used and continue to use said illegal contribution of email and list-serve computer services belonging to the State of Wisconsin and UW-RF for a political purpose. *See Exhibit A, attached hereto.*
27. Respondents UW-RF College Democrats, received and accepted the illegal contribution of email and list-serve computer services belonging to the State of Wisconsin and UW-RF referenced in paragraph 22, above. This is a violation of §11.24(1), Wis. Stats. *See Exhibit A, attached hereto.*
28. Respondents UW-RF College Democrats, used and continue to use said illegal contribution of email and list-serve computer services belonging to the State of Wisconsin and UW-RF for a political purpose. *See Exhibit A, attached hereto.*

IV

VIOLATION OF §11.36(3), WIS. STATS., BY RESPONDENT BETZ

29. Paragraphs 1-28 above, inclusive, are restated and incorporated herein by reference.
30. Respondent Betz is Chancellor of the University of Wisconsin-River Falls.
31. As Chancellor of UW-RF, Respondent Betz has charge and control of all buildings on the UW-RF campus occupied by the State of Wisconsin.
32. Section 11.36(3), Wis. Stats., states in part as follows: “Every person who has charge or control in a building occupied for any purpose by the state . . . shall prohibit the entry of any person into that building . . . for the purpose of making a political contribution.”
33. Respondent Betz did not prohibit the entry of Respondent Doe into a State building to make the illegal political contribution referenced in paragraph 22, above. This is a violation of §11.36(3).

V

CRIMINAL USE OF STATE RESOURCES FOR A POLITICAL PURPOSE BY RESPONDENT DOE

34. Paragraphs 1-33 above, inclusive, are restated and incorporated herein by reference.
35. Section 946.12, Wis. Stats., states in part as follows: “Any . . . public employee who does any of the following is guilty of a Class I felony:
 - (3) Whether by act of commission . . . in the employee’s capacity as such . . . employee exercises a discretionary power in a manner inconsistent with the duties of the . . . employee’s . . . employment or the rights of others . . . with the intent to obtain a dishonest advantage for the . . . employee or another.”
36. Respondent Doe exercised a discretionary power in a manner inconsistent with Respondent Doe’s duties as a state employee with the intent to obtain a dishonest advantage for another. To wit: Respondent Doe used state resources for political purposes to obtain a dishonest advantage for Respondents UW-RF College Democrats and Respondents PCDP, Brown, Morren and Tollefson when Respondent Doe provided email and list-serve computer services belonging to the State of Wisconsin and UW-RF to said Respondents. This is a violation of §946.12(3) by Respondent Doe.

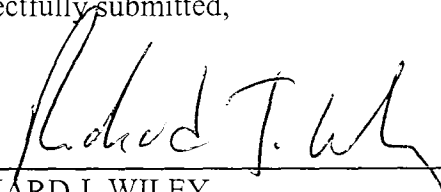
VI
**RESPONDENTS UW-RF COLLEGE DEMOCRATS AND RESPONDENTS BROWN,
MORREN AND TOLLEFSON AS PARTIES TO THE CRIME COMMITTED BY
RESPONDENT DOE**

37. Paragraphs 1-36 above, inclusive, are restated and incorporated herein by reference.
38. Section 939.05, Wis. Stats., states in part as follows:
- 939.05(1) Parties to a crime.** (1) Whoever is concerned in the commission of a crime is a principal and may be charged with and convicted of the commission of the crime although the person did not directly commit it and although the person who directly committed it has not been convicted or has been convicted of some other degree of the crime or some other crime based on the same act.
39. Section 939.05(2)(b) and (c), Wis. Stats., state in part as follows: “A person is concerned in the commission of the crime if the person . . . intentionally aids and abets the commission or it or . . . procures another to commit it.
40. Respondents UW-RF College Democrats intentionally aided and abetted Respondent Doe in the commission of the violation of §946.12(3), Wis. Stats., described in paragraphs 34-36, inclusive, above. This is a violation of §939.05(2)(b), Wis. Stats., by Respondent UW-RF College Democrats. *See Exhibit A, attached hereto, page 2, column 2, “Thanks to the College Democrats”*
41. Respondents UW-RF College Democrats procured another, namely Respondent Doe, to commit the violation of §946.12(3), Wis. Stats., described in paragraphs 34-36, inclusive, above. This is a violation of §939.05(2)(c) by Respondents UW-RF College Democrats. *See Exhibit A, attached hereto, page 2, column 2, article “List Serve Changes” – “Thanks to the College Democrats”*
42. Upon information and belief, Respondent Tollefson procured another, namely Respondents Doe and/or Respondents UW-RF College Democrats, to commit the violation of §946.12(3), Wis. Stats., described in paragraphs 34-36, inclusive, above. This is a violation of §939.05(2)(c) by Respondent Tollefson. *See Exhibit A, attached hereto, page 2, column 2, article “List Serve Changes” authored by Respondent Tollefson.*
43. Upon information and belief, Respondents Brown and Morren procured another, namely Respondents Doe and/or Respondents UW-RF College Democrats, to commit the violation of §946.12(3), Wis. Stats., described in paragraphs 34-36, inclusive, above. This is a violation of §939.05(2)(c) by Respondents Brown and Morren. *See Exhibit A, attached hereto.*

WHEREFORE, the Complainant prays that the Elections Board investigate the allegations above and sanction Respondents as necessary, refer all criminal violations to the proper prosecutorial authorities, and grant any other relief the Board deems just and equitable.

Dated this 9th day of January, 2006.

Respectfully submitted,

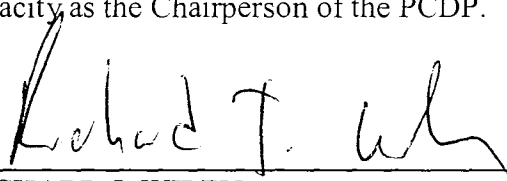


RICHARD J. WILEY
Complainant

VERIFICATION

I, RICHARD J. WILEY, being first duly sworn upon oath, state that I personally read the above complaint and that the above allegations are true and correct, based on my personal knowledge and, as to those allegations stated upon information and belief, I believe them to be true.

I have mailed a copy of this verified complaint to the Respondents, and as to Respondent Doe I have mailed a copy of this verified complaint to Respondent Betz in his capacity as Chancellor of the University of Wisconsin-River Falls. As to Respondent PCDP, I have mailed a copy of this verified complaint to Respondent Brown in her capacity as the Chairperson of the PCDP.

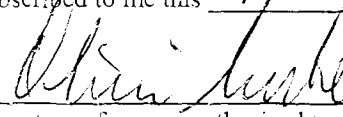


RICHARD J. WILEY

STATE OF WISCONSIN)

COUNTY OF DANE) ss

Subscribed to me this 9th day of January, 2006.



(signature of person authorized to administer oaths)

My commission expires 12/9/2007, or is permanent

County of Dane, State of Wisconsin

Notary Public _____
(official title if not notary)

MEETING DATES

Pierce County Democrats meet on the second Monday of each month. In October, we'll meet at 7:30 PM in ***the Regents Room of the UWRF Hagstad Student Center, southwest corner of the second floor.***

Food shelf donations will be collected at all of our meetings.

Next Meeting: Monday, October 10, 7:30 PM

Upcoming Meetings:

- o November 14
- o December 12
Holiday Party!

EVENT DATES

October 20, 5:00-8:00 PM

An Introduction to Human Services Funding and County Government. Come learn about the significance of "waiting lists" and the County Budget process. This event is for people with disabilities, seniors, or any concerned members of the Pierce and St. Croix County Community; River Falls Public Library 140 Union Street. For more information or to register, contact Naomi Silver 715-426-4836 www.wwasd.org

November 16, 7:00-9:00 PM

A Senior Health Forum in the upper level of the River Falls Public Library, 140 Union Street. The forum, sponsored by the Western Wisconsin Democrats, is open to the public; all seniors and their caregivers are urged to attend.

The format is four 20-minute presentations followed by 40 minutes of questions and answers from the public. AARP Wisconsin speakers, Gail Sumi and Gene Meier, will talk about Medicare Part D. The Heartland Home Care Network (Baldwin) will have Laura Van Holtem speak about services and issues that seniors and their caregivers experience in a hospice or home care situation. Keith Rodli, an attorney from River Falls, will speak about BadgerCare and other services provided by the State of Wisconsin. Naomi Silver from the Western Wisconsin Alliance for Self-Determination will talk about Human Services waiting lists and advocacy efforts for people with disabilities and the elderly. For more information, please call 715-796-5504.

FROM THE CHAIR – Wanda Brown

September 22, 2005

Dear Democrats,

As we enter the last quarter of 2005, I look forward to the elections in which we will be heavily involved this time next year. 2006 presents us with an historic opportunity to influence our country and the world, to make a shift in course that can begin turning America away from the disaster into which our so-called government in Washington has steered us. This Administration has destroyed our security and our standing, at home and abroad.

By the time you read this, five UWRF College Democrats will have taken the bus to Washington DC with our good friends from Women Against Military Madness in Minneapolis, to participate in the huge peace rally. I am proud that Pierce County Democrats was able to offset some of their costs by contributing \$500.00 in scholarships to help make this once-in-a-lifetime experience happen for them. Because of your support, every student who wanted to go was able to go. They were so jazzed! They will attend our October 10 Chapter meeting to report on their experiences.

In solidarity with the March on Washington September 24, River Falls also participated with a peace march that day organized by Phyllis Goldin and sponsored by UWRF College Democrats and River Falls Peace & Justice (RFP&J). Locally, 80 people joined in the march! There will be another peace march on Monday, October 3 starting at 6:00 PM in front of the UWRF Student Center. Following the march, a 6:30 potluck dinner will be sponsored by RFP&J at Journey House on Cascade Avenue and Oak Street in River Falls.

This year, since our County Party is meeting at UWRF, the College Dems will attend our meetings the second Mondays, in place of their Wednesday meetings that week. I am happy for this opportunity for more interaction between our groups. Our hope for the world's future lies in large part with these young people.

A thousand thanks to Earl Morren, Jerry Peterson, Ray Anderson and the dozens of other fabulous volunteer workers, organizers, chefs, speakers and musicians who made our annual picnic at the County Fair Grounds in Ellsworth such a success August 20th. Thanks to many generous sponsors, Pierce County Democrats are able to help fund campaigns for Democratic candidates and other projects and activities through the year.

Paid for by the Pierce County Democratic Party – Wanda Brown, Chair.
This communication not authorized by any candidate or candidate's committee.

Our Pierce County Dems Grassroots Organizing Committee continues to be active in local issues. They keep demonstrating that "all politics are local." Please see Naomi Silver's article in the Grassroots' section below.

As many of you know, I have been talking for several months about the importance of succession planning to keep our Party vital and growing. I will step down as Chair in December, after serving for two years. It is an honor – and a ton of fun – to be your Chair. As of this writing, I know several of you have good prospects in mind, but none has yet been identified as the next candidate for Chair.

This position offers wonderful opportunities to continue to grow our Party and be especially visible in Madison and Washington as we organize to re-elect Governor Doyle, Representative Kind, Senator Kohl and other Democrats, and reclaim Congress. Western Wisconsin Democrats are a bright light on the radar screen now - we must not let it dim! If any of you is interested in serving on the 2006 Executive Committee, as Chair, or in any other capacity, or in suggesting folks you think would like to serve, please to talk with me.

- Wanda Brown, Chair

GRASSROOTS ORGANIZING COMMITTEE

Do you know any Democrats out there?

The Pierce County Democrats Grassroots Organizing Committee has outlined goals for the months preceding the spring elections. We are seeking representation from every township in Pierce County. As a township representative, you would help the flow of information between the Pierce County Democrats and Democrats throughout greater Pierce County. Our goal is to play a larger role in County and town elections as well as increase our base throughout Pierce County. If you would like to help with outreach, please contact: Naomi Silver 715-426-4836 thesilvers@presenter.com, or Juliet Tomkins 715-425-6037 4winds@redwing.net.

- Naomi Silver

FEINGOLD RECEPTIONS

September 17 was a great day for Democrats in Pierce County. Senator Russ Feingold came here to meet people and speak at two receptions, one outside of River Falls, attended by 150 people and one in Prescott, attended by 75. More than \$21,000 was generously donated, which the Feingold Senate Committee uses to

help progressive candidates and causes. Thanks so much to the committee, musicians and others who worked hard making these events so successful. A special thank-you goes to Julie and Jack Kenefick and Mike Erie and Roger Dalziel, for hosting these fundraisers at their beautiful homes.

LIST-SERVE CHANGES

The more things change, the more they stay the same. At least I hope our transition from one list-serve host to another will mostly remain the same. For those of you who have been members of our email list-serve, you may have experienced difficulties sending or receiving messages from our old service. Others have had trouble just joining or staying on the list!

This has now changed. Thanks to the College Democrats, our list is now being hosted at the University of Wisconsin at River Falls.

In keeping with our old format, the *account name* in our new address is the same, and the subject line for all mail generated from this address will begin with [PierceCtyDems]. This change also brings with it slight differences. The domain name has changed to @uwrf.edu. Our full list-serve address is now: PierceCtyDems@uwrf.edu.

In addition, the way we respond to each other has also changed. Now, when you reply to a message from PierceCtyDems, your message will only be returned to the sender. No more personal replies to the whole group, which will reduce the overall number of messages members receive.

This is not to say you are unable to reply to the whole group. All you need to do is change the TO: address back to PierceCtyDems@uwrf.edu after clicking on Reply.

For those of you who are not members of our list-serve and have been shying away, you can join by one of two methods:

- 1) Send an email to me at tleet59@hotmail.com, and I'll add you to the list (I love this change!), or
- 2) Set your internet browser to: www.uwrf.edu/mailman/listinfo/piercetydems to request a subscription and/or manage your existing subscription.

Some have said that 'change is bad,' but it's my pleasure to say that this change is definitely for the good.

- Tammy Tollefson
Secretary, List-Serve Manager

Paid for by the Pierce County Democratic Party – Wanda Brown, Chair.
This communication not authorized by any candidate or candidate's committee.

MALIGNANT NEGLECT

September 8, 2005

I have finally found words to explain my terrible sinking feelings the last five years. Malignant neglect describes the flagrant, deliberate disregard of the needs of a staggering number of Americans, warnings from other nations, and defiance of the rules of decency set forth in the Geneva Conventions. It is the course adopted by the Bush administration since it commandeered America and began navigating our descent into the abyss.

During his first 100 days in office Bush dismantled offices dealing with AIDS and Race Relations. Since then, many hard won advances have fallen by the wayside, as the fabric of social progress is shredded. Within the government, people who voice disagreement lose their jobs. Voices of ordinary people are scorned, unless they are reverent.

When the Bush campaign barreled through my small city of River Falls, Wisconsin, at twice the speed limit, in a convoy of large black gas guzzling buses with darkened windows, the only stop it made was for 'photo ops' at the training ground of the Kansas City Chiefs. From the beginning, this administration wrapped itself in an impenetrable cocoon, ignoring dissent.

Worldwide consensus about global warming and potential for worsening natural disasters are greeted with disdain. Instead, astounding tax credits were enacted for purchasers of the biggest vehicles.

Pre-9/11 warnings about potential terrorist attacks on American soil were ignored. And, as the nation was duped into waging an illegal war on Iraq, a plethora of warnings from other countries was malignantly neglected. Bush proudly proceeded as the "war president." It was widely presaged that the war would fuel terrorism, lead to urban guerilla warfare, destabilize the Middle East, create conditions for civil war in Iraq and possibly lead to a more repressive regime than Saddam Hussein's.

The economic hazard of going it alone was predicted. But in a stunning display of dismissive dominance following "shock and awe" firepower, Bush declared, "mission accomplished." It quickly became clear that a plan to

achieve law and order and meet basic needs of the Iraqi people had been neglected.

Moreover, the ancient treasures of the oldest civilization on Earth were not protected, available for the inevitable plunder that followed. A huge weapons warehouse was left unguarded and looted, no doubt to create the bombs that have killed nearly 2,000 American soldiers and tens of thousands of Iraqis, who this administration, literally, does not count.

Perhaps the most treasonous example of the disseminating cancer is the exposure of covert CIA agent Valerie Plame. Her position was central to the global effort to identify weapons of mass destruction. Her husband, Joseph Wilson, was too vocal with his views that Iraq had not obtained uranium from Niger, with which to construct a nuclear weapon. Bush later used the false claim to sell America on the war.

Recent examples of malignant neglect are already legend. Bush refused to meet with Cindy Sheehan (mother of Casey Sheehan who died in Iraq) and other Gold Star Families who camped near his ranch as he took a five week vacation. Bush then snickered his way through an interview with Diane Sawyer after Hurricane Katrina decimated the Gulf Coast.

The malignant neglect in the worst natural disaster in this country's history is a continuation of the decisions made by a president who is far worse than incompetent. This administration dismisses the poor, the vulnerable, the disenfranchised. It is incapable of responding because it is committed to advancing the rich on the backs of the poor, creating a huge economic underclass for war profiteers to exploit

If we do not know now that Homeland Security is a sham, that the war on Iraq robs us of the resources we need to protect our people, then we are a doomed nation. Are we going to allow a president who lacks empathy, wisdom and foresight to continue his assault on America? And will his choices for the Supreme Court reflect the same mentality of malignant neglect that have marked his administration's decisions? We are the fools if we don't demand impeachment.

- Phyllis Goldin

ADDRESS SERVICE REQUESTED

How to Contact the 2005 Executive Committee Members

Chair	Wanda Brown	715-425-2402
Vice Chair	Earl Morren	715-426-6780
Secretary	Tammy Tollefson	715-426-2022
Treasurer	Ron Foley	715-273-5508
Sergeant-at-Arms	Naomi Silver	715-778-5613

Or send an e-mail to:
info@westernwisconsindemocrats.org
to reach all of us at once!

Visit our web site at: <http://www.westernwisconsindemocrats.org>