

Michigan group again playing politics in 49th Assembly race

Unlike other groups, All Children Matter has not filed with state

In the past two weeks, residents of Grant County have been receiving a large number of campaign advertisements in the mail, as we move within 20 days of the Nov. 4 election.

Not all of those fliers are considered campaign advertising, however, which means that these expenditures are unchecked and unregulated.

The group All Children Matter has sent a series of fliers out to people living in the 49th Assembly District. If that name sounds familiar, it is the same group that mailed a number of fliers out during the 2004 Assembly race as well.

The group is a Grand Rapids, Mich.-based group which states it advocates open school enrollment, and vouchers for low income students to attend private schools. This past week, many residents received brochures from the group promoting the representative's record on education funding, as well as his work towards the property tax freeze of local governments.

On the group's website, it touts its impact on state elections across the nation. The group claims to have spent \$7.6 million between 2003-2004, directly impacting statewide and state legislative elections in 10 targeted states.

The group was created by Dick DeVos, who unsuccessfully ran for the governor's office in Michigan. DeVos' wife, Betsy is now the president of the organization.

While the group claims to be working to defeat candidates that are not in favor of school choice, it fails to claim that any of its efforts in Wisconsin are to defeat any candidate, nor promote any one either. Which is why it has not filed any spending disclosure forms with the Wisconsin Government Accountability Board.

Just as it did in 2004, the group is claiming that its mailers are issue ads, that under state law do not need to be reported.

Unlike groups like teachers unions and trade groups, which expressly state that a voter should vote, or not vote for a candidate, issue advocacy ads do not have to be reported, and the money that is behind them is not reported as well.

On the radio, a group calling itself the Coalition for America's Families is running ads with a similar message to the All Children Matter ad.

Election laws are complex, even allowing a group that has endorsed a candidate to spend money on issue advertising that does not need to be reported.

Prior to the September primaries, the political action committee arm Wisconsin

Right to Life formally endorsed the Republican candidates for the 49th Assembly. By filing with the state, Wisconsin Right to Life PAC is allowed to make independent expenditures in favor or against any candidate, provided that it files with the state how much money it spends on the campaign, and has no direct interaction and coordination with any candidate.

While the law does not allow any cooperation between candidates and these outside groups, it does not limit different branches of that group to act independently. While the political action committee must file with the state if it spends any money towards the 49th Assembly race, the organization itself does not need to file when it sends out issue ads.

Independent expenditures can sometimes backfire, as they did in the 2004 primary, when the Wisconsin Education Association Council, the state teachers' union, looked to spend \$34,000 in radio ads for then-candidate Ray Saint.

That expense, however was reported to the state. It is impossible to determine what "advocacy" groups are spending, unless they state the sum publicly.

Requests sent to All Children Matter went unanswered up to press time.

The subject of the All Children Matter fliers, Rep. Phil Garthwaite, contends that the information is simply not true. Much of what the literature refers to is Healthy Wisconsin, an initiative that never even made it in front of the State Assembly, which Garthwaite is a member of, only reaching a vote in the state senate.

"They are flat-out lies," Garthwaite said on the telephone Tuesday. "It is meant to stoke the flames, divide people and hope that they have enough to win." Garthwaite said that he

had serious issues with Healthy Wisconsin as it was written, but it never came to the Assembly, or even a committee, so it could be reviewed and debated.

Garthwaite, who recently released a flier that only mentioned what he would do, and not against his opponent, challenger Travis Tranel, said that he received 50 phone calls on the subject. "I got three types of phone calls - one from people who were never going to vote for me to begin with, another group of supporters letting me know what was going on, and another group that would ask 'is this really true?'" He said that in some ways the flier was nice that it allowed him to talk to those who called wondering about the validity of the flier, and he

could set them straight.

"This is negative sleaze politics."

The group behind the mailing has been in trouble in the state and in Ohio for past acts. All Children Matter was fined \$5.2 million, the largest political fine in American history in Ohio, for sending illegal campaign mailings on behalf of Republican legislative candidates. All Children Matter remains under investigation in Wisconsin for illegally assisting a GOP Senate candidate in Racine County in 2006. During both incidents, the group utilized its Virginia-based political action committee to handle campaign materials, which had not filed with the state.