

# State of Wisconsin \ Elections Board

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KEVIN J. KENNEDY  
Executive Director

June 8, 2004

The Honorable Jon P. Wilcox  
1620 North Golf Glen  
Madison, WI 53704

Dear Justice Wilcox:

You have asked me to provide you with a description of the resolution of the investigation conducted by the State Elections Board concerning complaints about the conduct of the 1997 Supreme Court campaign. You have expressed concern that recent media reports have not accurately described the resulting enforcement action taken by the State Elections Board.

Under my direction, the Elections Board staff and Department of Justice staff conducted an extensive investigation into complaints filed with our office alleging illegal campaign activity in the 1997 Supreme Court campaign. We presented a report in closed session to the State Elections Board on March 22, 2000. After reviewing the report and questioning the lead attorneys, the Elections Board issued a statement that it was the sense of the Board that you did nothing illegal and were not personally responsible for any illegal activities of your campaign committee.

The Board's investigation implicated Mark Block, your campaign manager, and others in violations of the state's campaign finance law. The State Elections Board directed staff to initiate enforcement proceedings against Mark Block, Brent Pickens, James Wigderson, the Wisconsin Coalition for Voter Participation and your campaign committee. After initiating a civil enforcement action in Dane County Circuit Court, the State Elections Board entered into settlement agreements with the defendants.

Your campaign committee was the first to reach a settlement. The Justice Wilcox for Justice Committee paid a \$10,000 settlement. According to the terms of an appendix to the stipulation dismissing the enforcement action against your committee, you provided funds to your campaign committee to enable the committee to pay the financial settlement. Mr. Block has paid a \$15,000 settlement. Mr. Pickens is still in the process of making payments on a \$35,000 settlement.

When the Board directed the staff to initiate the enforcement action, it was clear that Board members believed you were not personally involved in any campaign finance violations. In order to resolve the enforcement action against your campaign committee, you took responsibility for the conduct of your campaign staff. The enforcement action by the State Elections Board was not directed at you.

I hope this provides you with the information you need to address any concerns raised by subsequent media coverage of this activity. If you need additional information please contact me directly at 608-266-8087.

**State Elections Board**

Kevin J. Kennedy  
Executive Director