



## Justices Pass on Wis. Investigation of Walker

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A campaign-finance investigation into Wisconsin Gov. Scott Walker's 2012 recall election will proceed after the U.S. Supreme Court refused Monday to intervene.

The investigation, which has included armed raids on homes to collect evidence, led to a federal lawsuit by the one of the groups targeted, Wisconsin Club for Growth. Its founder, Eric O'Keefe, is a self-described political activist with a history of fighting for libertarian causes.

Though U.S. District Judge Rudolph Randa granted O'Keefe's bid for an injunction against the investigation, the 7th Circuit [reversed](#) in September.

Randa had [slammed](#) prosecutors for shutting groups out of the political process because of their "association with conservative politicians," but the appellate panel said that the government is entitled to regulate coordination between campaigns and purportedly independent groups despite the First Amendment's protections of truly independent expenditures for political speech.

"If campaigns tell contributors to divert money to groups that have agreed to do the campaigns' bidding, contribution limits become porous," and disclosure requirements become "useless," Judge Frank Easterbrook wrote for the court.

O'Keefe had petitioned the Supreme Court for a writ of certiorari, but the justices shot him down without any comment, as is their custom, Monday.

The order notes the filing of amicus briefs from Wisconsin Institute for Law & Liberty, the Maciver Institute for Public Policy, Cause of Action, Center for Competitive Politics, et al. and the Cato Institute.

Milwaukee County District Attorney John Chisholm and two assistant district attorneys, David Robles and Bruce Landgraf, obtained leave to file a brief in opposition under seal with redacted copies for the public record.

Special prosecutor Francis Schmitz meanwhile is [asking](#) the Wisconsin Supreme Court to recuse themselves from a case concerning benefactors they share with Wisconsin's Republican governor.

Along with Walker's other funders under investigation - Citizens for a Strong America and Wisconsin Manufacturers and Commerce - Wisconsin Club for Growth has "reportedly spent millions in support of the election campaigns of four of the state's Supreme Court justices, who are now hearing a constitutional challenge to the John Doe investigation," the Brennan Center said in an amicus brief earlier this year.

The so-called John Doe probe at hand is a function of Wisconsin law that allows prosecutors to gather information to determine whether a crime was committed and who may have been involved.

An earlier probe, John Doe I, resulted in the [conviction](#) of six of Walker's aides. 📄