



The National Review's police-state hypocrisy: Ferguson protesters deserved it, but Scott Walker probe crosses the line

The right is outraged over excessive force in a Walker investigation. Where was that outrage last summer?

[Heather Digby Parton](#)

April 23, 2015

One of the more interesting side notes in last year's Bundy Ranch saga was the response of conservative Republicans to the notion that police would use tasers and other kinds of force on citizens like the Bundys and their supporters. Recall Nevada Republican state Rep. [Kelly Townsend's](#) stunned reaction (no pun intended):

"Watching that video last night created a visceral reaction in me. It sounds dramatic, but it reminded me of Tiananmen Square. I don't recognize my country at this point."

Townsend was not alone. Many Republicans were appalled at the sight. Here you had someone they saw as having a dispute with authorities over *property* being physically assaulted right before their eyes. That didn't seem very American to them. At the same time, however, there's little doubt that these same folks had no problem with the Occupy protesters being assaulted. Those people weren't riding on the *right* side of the fence.

Fast forward to [this new piece in the National Review](#), which is being [breathlessly discussed in conservative circles](#) as if it were the right wing's version of the Pentagon Papers. It's the story of jack-booted thugs raiding the homes of Republican activists all over Wisconsin, using such a degree of shock and awe that the subjects have mistaken the authorities for criminal home invaders. The star of this dramatic tale is a woman named Cindy Archer, whom the National Review article describes as "one of the lead architects of Wisconsin's Act 10 — also called the 'Wisconsin Budget Repair Bill, [which] limited public-employee benefits and altered collective-bargaining rules for public-employee unions.'" The article goes on to characterize her and the other victims of the raids (who are only identified by pseudonyms) simply as "conservatives," giving the impression that they are being targeted solely on that basis:

For dozens of conservatives, the years since Scott Walker's first election as governor of Wisconsin transformed the state — known for pro-football championships, good cheese, and a population with a reputation for being unfailingly polite — into a place where conservatives have faced early-morning raids, multi-year secretive criminal investigations, slanderous and selective leaks to sympathetic media, and intrusive electronic snooping. Yes, Wisconsin, the cradle of the progressive movement and home of the “Wisconsin idea” — the marriage of state governments and state universities to govern through technocratic reform — was giving birth to a new progressive idea, the use of law enforcement as a political instrument, as a weapon to attempt to undo election results, shame opponents, and ruin lives.

It's obviously impossible to know any details about the pseudonymous conservatives since we don't know their names. But Cindy Archer wasn't just a conservative citizen volunteering her time for cause. Back in 2011, when the story of the raid was first reported, the [Wisconsin State Journal](#) said she was an official who had worked with Walker as county executive and followed him to the capital:

The search of Archer's house comes amid a John Doe investigation in Milwaukee County, which started last year after another staff member working for then-Milwaukee County Executive Walker admitted to anonymously posting pro-Walker comments on political websites while on county time. Archer was director of administrative services for Walker while he was county executive.

She followed him to Madison to serve as the Department of Administration's deputy secretary. She left that post last month and went on medical leave for a “private health reason.” When she returns, Archer said, she will work for the Department of Children and Families.

A Wisconsin “John Doe” investigation is a secret proceeding in which people involved are barred from discussing the case in public. She claimed she had nothing to do with this investigation at the time, but since it focused on Walker's time as county executive it shouldn't come as a surprise that she would [find herself under scrutiny](#):

As county executive, Walker hired Archer in 2007 as budget director. He soon promoted her to the county's top staff job, heading up the county's Division of Administrative Services. In that role she was in charge of the county budget, procurement, information technology and other matters.

That original 2011 report also named a few others who were in the cross hairs of this John Doe investigation, whose home computers had been confiscated in similar raids. It's unknown if the National Review's pseudonymous victims are the same ones, or if they are yet other examples. As it happens, the two named in the original news report were also Walker administration officials. As the probe went on it became clear that yet other members of his staff [had been granted immunity from prosecution](#) at around the same time as Archer's raid took place so it's possible they had provided information that led to these subpoenas.

The upshot is that the melodramatic National Review story leaves out the significant detail that these were government employees suspected of corruption. The ins and outs of the case, to the

extent the information can be accessed in light of the gag order, have been followed [in great detail by the local press](#), and they are very interesting indeed. Cynthia Archer has been in the middle of much of it, always telling the same sensational story of just minding her own business when the FBI stormed her home and took her things. Despite Rush Limbaugh's [hysterical hand-wringing](#) over the "persecution of innocent Scott Walker supporters," they were not just citizen volunteers handing out bumper stickers. They were top-level employees of the Walker administration.

(The case is now before [the state Supreme Court](#).)

Having said that, there *is* something very disturbing about this tale. It is true that the FBI confiscated people's home computers and that the subjects of those subpoenas were told to keep their mouths shut because of the nature of the investigation. Authorities have never denied staging early morning raids and storming the houses as if there was a dangerous terrorist inside. It's pretty clear they did all that. It is hard to see why such tactics would be necessary.

Cynthia Archer has repeatedly complained about her treatment and not without some justification, in my opinion. As she told the National Review:

People came pouring in. For a second I thought it was a home invasion. It was terrifying. They were yelling and running, into every room in the house. One of the men was in my face, yelling at me over and over and over."

Back in 2011 it was [described this way](#):

The quaint, tree-lined neighborhood was the scene of an all-out FBI raid Wednesday, when law enforcement officers arrived at Archer's home at 6:45 a.m. and began collecting evidence. They even took the hard drive from an old computer Archer sold to a neighbor over the summer.

It was exhausting and scary, and a full day later Archer seemed a little shaken and embarrassed, though she reiterated that she has done nothing wrong.

"I've lived here 20 years," she said, standing in her front yard. "I feel like I need to go around and apologize to my neighbors for the fuss; let them know I'm all right.

The author of the National Review piece gave this melodramatic rendering of the event:

The entire neighborhood could see the police around their house, but they had to remain silent. This was not the "right to remain silent" as uttered by every cop on every legal drama on television — the right against self-incrimination. They couldn't mount a public defense if they wanted — or even offer an explanation to family and friends. Yet no one in this family was a "perp." Instead, like Cindy, they were American citizens guilty of nothing more than exercising their First Amendment rights to support Act 10 and other conservative causes in Wisconsin. Sitting there shocked and terrified, this citizen — who is still too intimidated to speak on the record — kept thinking, "Is this America?"

Actually, yes, it *is* America. All across this country people are subject to paramilitary raids of their homes and business. And it's not always "perps" then either. [This report from the libertarian Cato Institute](#) shows just how common it is that completely innocent people are targeted:

Over the last 25 years, America has seen a disturbing militarization of its civilian law enforcement, along with a dramatic and unsettling rise in the use of paramilitary police units (most commonly called Special Weapons and Tactics, or SWAT) for routine police work. The most common use of SWAT teams today is to serve narcotics warrants, usually with forced, unannounced entry into the home.

These increasingly frequent raids, 40,000 per year by one estimate, are needlessly subjecting nonviolent drug offenders, bystanders, and wrongly targeted civilians to the terror of having their homes invaded while they're sleeping, usually by teams of heavily armed paramilitary units dressed not as police officers but as soldiers. These raids bring unnecessary violence and provocation to nonviolent drug offenders, many of whom were guilty of only misdemeanors. The raids terrorize innocents when police mistakenly target the wrong residence. And they have resulted in dozens of needless deaths and injuries, not only of drug offenders, but also of police officers, children, bystanders, and innocent suspects.

It is not uncommon to see [headlines](#) announcing that some SWAT team got the wrong address and raided the wrong house, sometimes even killing or maiming an innocent person in the process. ([This horror](#) is emblematic of the problem.) This police overkill is a natural result of the militarization of the police, an issue that came to national attention in the wake of the Ferguson protests. At the time, there were [a few conservatives](#) who were concerned, and even some who granted that people of color were the more likely victims of these military tactics. But for the most part, leading conservatives (like [the editor of the National Review](#)) pooh-poohed the concerns, pretty much saying that if you don't provoke these Robocops you have nothing to worry about.

Nonetheless, they are right to say there was no reason for a swarm of government agents to show up at a government employee's house at 6:45 a.m., storm through the house yelling and screaming over a subpoena in a corruption probe. It's difficult to believe they couldn't have calmly handed her the subpoena and asked her respectfully to show them where her computers and other materials were. It's intimidation, pure and simple. And needless to say there's no reason to go raiding houses like you're taking Fallujah; in pursuit of small time drug dealers; or those who fail to show up for court appearances.

And the least they can do is double-check the address before they do it.

Members of the right are shocked and stunned to see nice, white conservatives being treated disrespectfully by police, as if they are some kind of a "perp." Early morning raids, screaming police, tasing protesters — it's all creepy. But it's equally creepy when it's done to people who aren't nice, white conservatives, and it happens every day of the week in America. Now that their own ox has been gored, maybe this incident can raise the consciousness of some of those

conservatives who far too often see the police as the one agent of the government that can do no wrong.