

## Judge Who Halted Walker Dark Money Criminal Probe Attended Koch-Backed Junkets

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The federal judge who ordered a halt to Wisconsin's "John Doe" criminal investigation into spending during the 2011 and 2012 recall elections has regularly attended all-expenses paid "judicial junkets" funded by the Charles G. Koch Charitable Foundation, the Lynde and Harry Bradley Foundation, and other ideological and corporate interests.

On May 6, federal District Court Judge Rudolph Randa blocked an ongoing John Doe criminal probe into allegedly illegal coordination between nonprofit groups like Wisconsin Club for Growth, which spent \$9.1 million on electoral ads during Wisconsin's recall elections, and the recall campaigns of Governor Scott Walker and state senators. John Doe investigations are similar to grand jury investigations, and Wisconsin Club for Growth -- and its director, Eric O'Keefe, a longtime compatriot of the Koch brothers -- asked the federal court to stop the probe, alleging it violated their "free speech" rights.

Judge Randa sided with O'Keefe, and also ordered prosecutors to destroy all evidence gathered in the investigation, an extraordinary edict in a criminal case made even more astounding by the fact that it came in the context of a preliminary injunction. The Seventh Circuit has blocked this part of his ruling; an appeal of the remainder of his decision is pending.

An analysis by the Center for Media and Democracy shows that Judge Randa attended privately-funded, all-expenses-paid judicial seminars put on by George Mason University in [2006](#), [2008](#), [2010](#) and [2012](#), according to publicly-available financial disclosure forms. (The 2013 disclosure form has been requested but has not yet been publicly posted).

The George Mason University seminars are bankrolled by a long list of right-wing foundations, like Koch, Bradley, and the Searle Freedom Trust, as well as the U.S. Chamber of Commerce and corporations like BP, Exxon Mobil, and Dow Chemical. Many of these interests have long opposed limits on money in politics, although it is not known whether campaign finance reform was a topic at the seminars Randa attended.

The seminars amount to a privately-funded all-expenses paid trip for judges, with conference sponsors picking up the costs of a judge's flights, hotel rooms, and meals. One seminar Judge Randa attended was in La Jolla, California, a swanky San Diego suburb that is home to both great golfing and Mitt Romney; the location of other seminars Randa attended is unknown. The content of the seminars has a decidedly pro-corporate bent, and the expensive gifts [raise](#)

[concerns](#) about improper influence when corporate sponsors have a stake in a case before a judge. ([Some reports](#) have directly connected the trips [to judge's decisions](#)).

No other federal district judges in Wisconsin attended the privately-funded George Mason seminars, according to the Center for Media and Democracy's review of [publicly available financial disclosure documents](#).

## **Koch and Bradley Bankrolled Junkets Randa Attended**

The Judicial Conference of the United States -- which oversees the conduct of federal judges -- [has noted](#) that judges may be "influenced inappropriately" at the privately-funded events, and since 2007 has required that seminar organizers disclose the names of funders.

The disclosures do not specify how much each funder contributed towards the judge's expenses and seminar costs, but for the years that Judge Randa attended the seminars, some donations can be ascertained by foundation tax filings.

According to the Charles G. Koch Charitable Foundation's tax filings, in 2012 it gave \$5.45 million to the George Mason University Foundation, and \$51,000 to its "Law and Economics Center." The Charles G. Koch Foundation gave \$4.7 million to George Mason in 2010 for "general operating support and education programs," \$2.78 million in 2008 for "general operating support," and \$350,000 in 2006 for "educational and research programs."

The [Koch network](#) also funded Wisconsin Club for Growth, which filed the case before Judge Randa. A full list of the Club's funders is not known, but tax filings show that the [Koch-connected](#) Center to Protect Patient Rights (CPPR) [funneled \\$225,000](#) to Wisconsin Club for Growth in 2011. CPPR also [entirely bankrolled](#) the Coalition for American Values, which spent \$400,080 on pro-Walker ads in the final weeks of the recall elections. (In California, CPPR was hit with an unprecedented \$1 million fine for its involvement in a campaign finance shell game to evade the state's donor disclosure laws.) Other Koch groups, like Americans for Prosperity, have reportedly been subpoenaed in Wisconsin's John Doe investigation.

In 2010, the Bradley Foundation gave George Mason \$40,000 "to support educational programs for judges conducted by the Law and Economics Center." It also gave George Mason \$40,000 in 2008 "to support the judicial education program," and \$35,000 in 2006 "to support education programs."

The Bradley Foundation's President and CEO, Michael Grebe, chaired Scott Walker's 2010 and 2012 gubernatorial campaigns. Walker's 2012 campaign is under investigation in the John Doe for allegedly illegal coordination.

Both Bradley and Koch have long demonstrated antipathy for limits on money in politics, and for years have bankrolled organizations that fight against campaign finance reform, like the Center for Competitive Politics.

## Judicial Seminars Reflect Principles in Powell Memo

[Some](#) have drawn a direct line between these corporate-funded judicial seminars and the 1971 [Powell Memo](#), a call-to-arms for corporate America to aggressively push back against the "attack on the free enterprise system" -- represented by the likes of Ralph Nader -- by developing a set of institutions to reshape politics and law.

The Powell Memo reportedly sparked the development of a right-wing infrastructure and the formation of groups like the [American Legislative Exchange Council](#) (better known as ALEC), the Cato Institute, the Federalist Society (with which Judge Randa is affiliated), and others. As the *New York Times* [recently reported](#), Charles Koch specifically referenced the Powell Memo in a 1974 speech previewing what has become the "Koch network," calling for a "well-financed cadre of of sound proponents of the free-enterprise philosophy" and for business to "undertake radical new efforts to overcome the prevalent anti-capitalist mentality."

Some of the memo's most aggressive language was reserved for the judiciary, which its author, then-tobacco lawyer and future U.S. Supreme Court Justice Lewis Powell, called "the most important instrument for social, economic and political change."

As a Supreme Court Justice, Powell would play a key role in decisions like *First National Bank v. Bellotti* and *Buckley v. Valeo*, which declared that "money equals speech" and reshaped the First Amendment into a tool to protect the ability of corporations and wealthy individuals to spend on elections.

## Privately-Funded Seminar Disclosure Still Spotty

Although the Judicial Conference requires that judges publicly disclose their attendance at privately-funded seminars, and that those who conduct the events publish details about their funders, tracking the reports can be difficult, as the Center for Public Integrity [has noted](#).

The Eastern District of Wisconsin website has a [page](#) that is supposed to list all seminars attended by federal judges in that court over the past three years, yet claims that there is "[no attendance reported](#)" for any Eastern District judges since 2011. This is contradicted by a review of Judge Randa's 2012 financial disclosure form.

Requesting an individual judge's financial disclosure form can take weeks, although Judicial Watch [has posted](#) many forms online.

Judge Randa reported no travel reimbursement on his 2010 financial disclosure form, but the Center for Public Integrity [reports](#) that he attended a 2010 seminar at George Mason titled "The Rule of Law."

George Mason also has apparently tried to dodge the limited donor disclosure rules that do exist. Prior to 2012, it disclosed its list of corporate and foundation seminar funders -- which consistently included Koch and Bradley and corporations like Exxon Mobil -- but in 2012 [listed](#)

[the only funder](#) as "xyz corp," and listed itself as the only donor. In 2013 it returned to providing a full list of donors.