

The Washington Post

Pro-gun Milwaukee Sheriff defeats challenge from Bloomberg

By David Kopel
August 13, 2014

Yesterday incumbent Sheriff David Clarke, of Milwaukee County, Wisconsin, won the Democratic primary, 52-48%. There being no Republican on the November ballot, Sheriff Clarke is almost certain to win re-election. The race attracted national attention last week when Michael Bloomberg put \$150,000 into the campaign against Sheriff Clarke—more than the total combined campaign spending by Sheriff Clarke and his primary opponent Chris Moews. While 100% of precincts have reported, Moews has not conceded. There are 6,000 absentee ballots yet to be counted, but since Clarke has a lead of about 4,700 votes, it seems virtually impossible for Moews to prevail. Sheriff Clarke has served since 2002, and his law enforcement career began in 1978. He is a member of the Legal Affairs Committee of the National Sheriffs Association, and also belongs to the National Organization of Black Law Enforcement Executives.

Sheriff Clarke has urged Milwaukee citizens to arm themselves for lawful self-defense. One method of disseminating this message was public service radio advertising in early 2013, paid for from the Sheriff's Office budget. According to a Townhall article by Katie Pavlich, one radio ad stated:

“I'm Sheriff David Clarke, and I want to talk to you about something personal: Your safety. It's no a longer a spectator sport. I need you in the game. But are you ready? With officers laid off and furloughed, simply calling 911 and waiting is no longer your best option. You could beg for mercy from a violent criminal, hide under the bed or you can fight back. But are you prepared? Consider taking a certified safety course in handling of firearms, so you can defend yourself until we get there. You have a duty to protect yourself and your family. We're partners now. Can I count on you?”

Another ad said:

“This is Sheriff David Clarke. Violent crime went up nearly 10 percent in Milwaukee, are the next victim? You don't have to be but that's your call. Armed criminals are being put back on the street by a soft-on-crime court system even before the ink dries on police reports. Are you prepared to handle a life or death threat? Wisconsin's Personal Protection Act now gives you the same advantage that I have. Now it's the crook who has

to wonder what you might do. It can be a great equalizer but you always have to think survival. Remember, it's you and me now."

Enacted in 2011, the Wisconsin Personal Protection Act is similar to laws of all but a handful of states; it provides a system for adult citizens to be issued concealed handgun carry permits if the person passes a background check and has completed a safety training class.

This April, Sheriff Clarke spoke at the National Rifle Association Annual Meeting in Indianapolis—denouncing Michael Bloomberg, and recounting incidents in which armed citizens had saved lives.

Milwaukee Police Lieutenant Moews (pronounced "Mays") had lost to Clarke in 2010, and decided to have a rematch in 2014. This year, he received \$400,000 in supportive TV and radio advertising from the "Greater Wisconsin Committee," based in Madison. Many believe that the money came from Milwaukee County Executive Chris Abele—who is a multimillionaire, and who has long had a contentious relationship with the Sheriff.

On August 8, the *Journal-Sentinel* reported that Bloomberg was spending \$150,000 against Clarke.

"Mr. Bloomberg's spokesman, Howard Wolfson, said Monday that the former mayor decided to get involved in the race because it was an opportunity to influence law enforcement policy on the local level," reported the *Wall Street Journal*. "The issue of guns is one that (Mr. Bloomberg) cares an awful lot about and there's a very clear contrast on that issue in this race," Mr. Wolfson said."

Editorially, the *Journal-Sentinel* made no endorsement, but urged voters "Ignore the attack ads; focus on Sheriff David Clarke's record." After first describing some of the newspaper's disagreements with Clarke (including the gun PSAs), the editorial continued, "But Clarke was spot on in his response to the news Friday that former New York Mayor Michael Bloomberg's political action committee, Independence USA, had purchased \$150,833 in television ads to try to defeat him. Said Clarke: 'I trust the voters. The voters can't be bought.'" The editorial also noted that the NRA had been urging members to donate to the Clarke campaign, and he was apparently receiving lots of contributions from out of state. The newspaper urged readers to ignore the "outside groups" and "Vote your conscience."

Former Wisconsin Republican Governor Tommy Thompson sent out a pre-election appeal urging moderate Democrats to vote for Clarke, and also urging Republicans to cross over and vote for Clarke in the Democratic primary, as is allowed by Wisconsin law. University of Wisconsin-Milwaukee Governmental Affairs Professor Mordecai Lee estimated that Thompson's efforts might garner up to a thousand Republican votes for Clarke.

In the 2010 primary, Clarke had defeated Moews 30,539 to 26,727—by about 3,800 votes. This time around, the turn-out increased greatly, while Clarke's margin was about

4,600: he won 59,191 votes to 54,549 for Moews. (Not including the as-yet uncounted absentee ballots.) In other words, Clarke won 53-47% last time, and 52-48% this time.

David Kopel is Research Director, Independence Institute, Denver, Colorado; Associate Policy Analyst, Cato Institute, Washington, D.C; and Adjunct professor of advanced constitutional law, Denver University, Sturm College of Law. He is author of 15 books and 90 scholarly journal articles.