

For Immediate Release

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Special Interests Continue Dominance of Wisconsin Airways in High Court Race

Spending on TV Ads Surges Over \$2 Million

NEW YORK – Rival interest groups are once again fueling a bruising and costly Wisconsin Supreme Court campaign, spending more than *nine times* as much on television advertising as the candidates' campaigns combined. Data shows that for the week of March 16-23, the biggest advertising buy was placed by the Wisconsin Manufacturers and Commerce Issues Mobilization Council (WMC). They spent \$424,715 over that period, four times as much as was spent by the Greater Wisconsin Committee. The groups are backing opposing candidates in the race.

Estimates of network television advertising expenditures obtained by the Brennan Center for Justice at NYU School of Law show that, with the state's high court election now less than a week away, Wisconsin has *already* seen more TV ads in this race than appeared in the entire election cycle in every state but Alabama in 2006 (Alabama had four contested Supreme Court seats in 2006).

Through March 23, Wisconsin voters witnessed 6,528 campaign ads, costing an estimated \$2,161,520. Third-party groups have blanketed the airwaves, spending \$2,013,455, whereas Justice Louis Butler and Judge Michael Gableman combined to spend just \$148,065 on advertising during the period. Interest groups thus accounted for 93% of all television advertising in the campaign through March 23.

“After decades of civility, special interests have turned Wisconsin’s Supreme Court campaigns into consistent parallels of John Grisham’s latest bestseller, *The Appeal*,” said James Sample, counsel at the Brennan Center. “Massive spending by special interest groups puts judicial candidates in an impossible position: either candidates are defined by moneyed outsiders, or they must dial for dollars in order to compete. Neither scenario promotes confidence in the courts.”

“Wisconsin’s judicial campaigns are setting a new national standard for ugly ads and mindless political warfare,” said Bert Brandenburg, executive director of Justice at Stake, a Washington-based nonpartisan group that tracks judicial politics. “Courts are supposed to be accountable to the law, not political operatives.”

The biggest spender on advertising overall remains the Greater Wisconsin Committee, which has spent \$614,355 supporting Justice Butler. WMC’s surge last week brings its total for the campaign to \$601,407. The Wisconsin Club for Growth, which spent \$400,000 on ads supporting now-Justice Annette Ziegler in 2007, has already spent \$408,293 on an ad emphasizing supporting Gableman this year. The next biggest spender is the Coalition for American Families, which has spent \$384,732.

According to a poll conducted by American Viewpoint on behalf of the Justice at Stake campaign in January 2008, Wisconsin voters strongly support a proposal to reform Supreme Court elections, with 65 percent backing a plan to offer public financing to qualified candidates and only 26 percent opposing it. The survey also reveals that Wisconsin voters overwhelmingly agree (77 percent) that the legislature and the governor need to take action on judicial campaign reform before the next election.

The Brennan Center and the Justice at Stake Campaign are regular collaborators in tracking the influence of money, television advertising and special interest groups in America’s state judicial election campaigns. This news release is the second in a series of periodic updates that the groups plan to issue throughout the 2008 election campaign.

The Brennan Center’s analyses of television advertising in state Supreme Court elections use data obtained from a commercial firm, TNS Media Intelligence/CMAG, which records each ad via satellite. Cost estimates are refined over time and do not include the costs of design and production. As a result, cost estimates substantially understate the actual cost of advertising.