

STATE OF WISCONSIN
GOVERNMENT ACCOUNTABILITY BOARD

The Complaint of the Democratic Party of Wisconsin,
by Melissa Baldauff,

Complainant,

against

Willard "Mitt" Romney,
Representative Paul Ryan,
Romney for President, Inc.

Respondents

VERIFIED COMPLAINT

On behalf of the Democratic Party of Wisconsin, I, Melissa Baldauff, primarily based on public records, but also on information and belief, hereby allege as follows:

1. This Complaint is brought against Willard "Mitt" Romney ("Romney"), a Republican candidate for President of the United States, Representative Paul Ryan ("Ryan"), representative of and for Wisconsin's First Congressional District and Romney for President, Inc. ("RFP"), a campaign committee registered and organized pursuant to the Federal Campaign Finance Act.

2. I am a citizen, resident, and elector of the State of Wisconsin. I am the Research Director of the Democratic Party of Wisconsin, 110 King Street, Suite 203, Madison, Wisconsin 53703, on behalf of which I bring this Complaint.

3. Based on available public records, Respondent Romney maintains a residence at 585 Commercial Street, Boston, MA 02109. Respondent Ryan maintains an office address at 20 South Main St., Suite 10, Janesville, WI 53545. Respondent RFP maintains an address at PO Box 149756, Boston, MA 02114-9756.

4. Respondent Romney is a Republican candidate for the office of President of the United States of America.

5. The presidential primary in Wisconsin has been scheduled to occur on April 3, 2012.

6. On or about April 3, 2012, Romney, RFP and Ryan jointly co-hosted a campaign event billed as an "Election Day Lunch" at Cousin's Subs, 1700 Pearl Street, Waukesha, WI.

7. Following his remarks to attendees at the event, Romney stated, "thank you for voting, if you haven't yet go out there and vote. Take some friends, it's the only way to vote multiple times legally and if you want another sandwich there are more back there." Video of this exchange obtained by the Democratic Party of Wisconsin is attached hereto and incorporated herein as Exhibit "A."

8. A reasonable person would understand that Romney's statement was an offer of a sandwich for individuals who were going to vote in the Republican primary, or who had already voted in the Republican primary, and that the sandwiches had been provided not by Cousins Subs, but by Respondents.

9. Each type of sandwich available for purchase at Cousins Subs exceeds a purchase price of \$1.00, and is therefore defined by Wis. Stats. Section 12.11(1) as a thing "of value," which definition includes any amount of money, or any object which has utility independent of any political message it contains and the value of which exceeds \$1. See Exhibit "B", Cousins Subs Menu.

10. Wis. Stats. Section 12.11(1m)(a) states, in pertinent part, that any person who offers, gives, lends or promises to give or lend, or endeavors to procure, anything of value, or any office or employment or any privilege or immunity to, or for, any elector, or to or for any other person, in order to induce any elector to:

- (1). Go to or refrain from going to the polls;
- (2). Vote or refrain from voting;
- (3). Vote or refrain from voting for or against a particular person;

(4). Vote or refrain from voting for or against a particular referendum; or on account of any elector having done any of the above.

Violates Chapter 12, Wisconsin Statutes.

Penalties

11. Violation of Chapter 12, Wisconsin Statutes, constitutes a Class I felony, as defined by Wis. Stat. Section 12.60(1).

12. A Class I felony carries a penalty of a fine of up to \$10,000, or imprisonment of up to 3-1/2 years, or both; however, for a repeat offender, the term of imprisonment may increase up to 2 years with prior misdemeanor convictions, and up to 6 years with a prior felony conviction.

13. Section 12.60(2)(a), Wis. Stats., provides, "If a successful candidate for public office, other than a candidate for the legislature or a candidate for national office, is adjudged guilty in a criminal action of any violation of this chapter under sub. (1) (a) committed during his or her candidacy, the court shall after entering judgment enter a supplemental judgment declaring a forfeiture of the candidate's right to office. The supplemental judgment shall be transmitted to the officer or agency authorized to issue the certificate of nomination or election to the office for which the person convicted is a candidate. If the candidate's term has begun, the office shall become vacant. The office shall then be filled in the manner provided by law.

14. Section 12.60(2)(b), Wis. Stats., further provides that, "If a successful candidate for the legislature or U.S. congress is adjudged guilty in a criminal action of any violation of this chapter under sub. (1) (a) committed during his or her candidacy, the court shall after entering judgment certify its findings to the presiding officer of the legislative body to which the candidate was elected."

15. The public's faith in electoral activity free from any corrupting influence is a vital component to the democratic process

Therefore, regardless of whether the Board addresses this matter pursuant to Chapter 11, Wisconsin Statutes, or finds it appropriate to refer the matter to a district attorney for investigation, the Complainant respectfully submits that the facts warrant the Board's attention.

I, Melissa Baldauff, being first duly sworn upon oath, state that I personally read the above complaint and that the above allegations are true and correct based upon my personal knowledge and my review of public records and, as to those allegations stated on my information and belief, I believe them to be true.

Dated this ____ day of April, 2012.

Respectfully submitted,

Melissa Baldauff, Research Director
Democratic Party of Wisconsin

Subscribed and sworn to before me
this ____ day of April, 2012.

Notary Public

My commission expires: _____