

I, Devin Remiker, allege that gubernatorial candidate Rebecca Kleefisch has made multiple violations of campaign finance laws under Chapter 11 of the Wisconsin Statutes. These violations are described herein.

I. Factual Background: Rebecca Kleefisch's Multiple Committees

Rebecca Kleefisch is a candidate for Governor. On August 24, 2021, Ms. Kleefisch filed a Campaign Registration Statement establishing “People for Rebecca” (hereinafter, the “**Candidate Committee**”) as a candidate committee for the 2022 Governor’s race.¹ The Candidate Committee is actively soliciting contributions.²

On her registration, Ms. Kleefisch swore that the Candidate Committee was “the only committee authorized to act on [her] behalf.”³ **That statement was false.** Here is why: at the time Ms. Kleefisch registered the Candidate Committee, she operated and controlled an entity called “Rebecca PAC.” “Rebecca PAC” claims to be a “political action committee.”⁴ But Rebecca PAC, like the Candidate Committee, also advocates for Ms. Kleefisch’s gubernatorial candidacy. During the period when Ms. Kleefisch registered her Candidate Committee and began soliciting funds for it, Rebecca PAC purchased Facebook ads to promote Ms. Kleefisch’s Facebook page.⁵ One such ad promotes a Facebook post by Ms. Kleefisch that attacks Governor Tony Evers (who would be Ms. Kleefisch’s opponent if she is nominated) and says, “we have a feeling Wisconsinites are ready for a new conservative Governor.”⁶ That is express advocacy, plain and simple.

There is no dispute that Ms. Kleefisch established and controls Rebecca PAC.⁷ The Candidate Committee lists info@RebeccaKleefisch.com as its email on its filing with the Wisconsin Ethics Commission. That same website, RebeccaKleefisch.com, automatically redirects to the PAC website, RebeccaPAC.org. The Candidate Committee and PAC share a treasurer, Jon Turke. And the Candidate Committee’s fundraising page on WinRed.com even uses the PAC’s logo to raise funds for the Candidate Committee. (See below).

¹ See Exhibit A, People for Rebecca, Amended Form CF-1 (Aug. 24, 2021).

² See WinRed, https://secure.winred.com/people-for-rebecca/donate-today?sc=winred-directory&money_bomb=false&recurring=false; see also Exhibit C, Images from WinRed.com (Aug. 31, 2021).

³ See Exhibit A.

⁴ See Exhibit B, Rebecca PAC, Amended Form CF-1 (Aug. 28, 2021).

⁵ Facebook Ad Library, Ads from Rebecca Kleefisch, [https://www.facebook.com/ads/library/?active_status=all&ad_type=political_and_issue_ads&country=US&view_all_page_id=200235085948&sort_data\[direction\]=desc&sort_data\[mode\]=relevancy_monthly_grouped&search_type=page&media_type=all](https://www.facebook.com/ads/library/?active_status=all&ad_type=political_and_issue_ads&country=US&view_all_page_id=200235085948&sort_data[direction]=desc&sort_data[mode]=relevancy_monthly_grouped&search_type=page&media_type=all), (showing ads “Paid for by RebeccaPAC”).

⁶ Facebook Ad Library, [https://www.facebook.com/ads/library/?active_status=all&ad_type=political_and_issue_ads&country=US&view_all_page_id=200235085948&sort_data\[direction\]=desc&sort_data\[mode\]=relevancy_monthly_grouped&search_type=page&media_type=all](https://www.facebook.com/ads/library/?active_status=all&ad_type=political_and_issue_ads&country=US&view_all_page_id=200235085948&sort_data[direction]=desc&sort_data[mode]=relevancy_monthly_grouped&search_type=page&media_type=all).

⁷ Rebecca PAC, *Fmr. Lt. Governor Kleefisch Launches Rebecca PAC* (July 30, 2020), available at <https://www.wispolitics.com/wp-content/uploads/2020/07/200730Kleefisch.pdf>.

Figure 1 The “People for Rebecca” fundraising page has the “Rebecca PAC” logo on top

And of course, the PAC is named after the candidate, an intentional signal to donors and voters as to who is running the committee. In practice, there is no separation between the two committees, both of which are authorized by Ms. Kleefisch and operate in support of her candidacy.

II. Ms. Kleefisch’s Legal Violations

Wisconsin law expressly prohibits a candidate from establishing more than one candidate committee. **Allowing Ms. Kleefisch to operate two committees would provide her with an unfair advantage in clear violation of Wisconsin law.**

a. Operating Two Committees is Illegal

As noted above, state campaign finance law prohibits a candidate from operating more than one candidate committee.⁸ A “candidate committee” is “a committee authorized by a candidate or a candidate’s agent to make or accept contributions or make disbursements in support of a candidate’s campaign.”⁹

The reason for the law is straightforward: to safeguard Wisconsin’s contribution limits. A candidate committee is strictly limited in how much it may accept from a single source during an election cycle.¹⁰ A political action committee, on the other hand, may accept unlimited contributions. When it rewrote Wisconsin’s campaign finance laws in 2015, the legislature decided to maintain contribution limits for candidates and enforce those limits by barring candidates from operating more than one committee. Allowing a candidate to operate a candidate

⁸ See Wis. Stat. Ann. § 11.0202. The exception for a current elected official seeking a different office is inapplicable to these facts.

⁹ *Id.* § 11.0101.

¹⁰ *Id.* §§ 11.1101, 11.1203.

committee and a political action committee to advocate for her candidacy would shred Wisconsin's contribution limits and allow candidates to accept unlimited contributions to boost their candidacies.

And the law is written specifically to bar candidates from disguising their second candidate committee as a "political action committee." *Any committee that is authorized by a candidate to make disbursements in support of her campaign is a candidate committee regardless of how the committee is labeled on the filing with the Wisconsin Ethics Commission.*¹¹ Likewise, Wisconsin law provides that "no candidate may make or accept contributions, make disbursements, or incur obligations except through a candidate committee."¹² And to put teeth into this ban, Wisconsin law requires candidates to swear under civil and criminal penalty that "this is the only committee to act on my behalf."¹³ A candidate who authorizes a "political action committee" to raise and spend funds on behalf of her candidacy is in clear violation of Wisconsin law *and* has made a false statement in a filing with a government agency.

Ms. Kleefisch is flouting these laws. She has sworn that the Candidate Committee is the only committee authorized to act on her behalf yet controls a second committee that spends funds to boost her candidacy. Rebecca PAC is inextricably linked to both Ms. Kleefisch and to her Candidate Committee, though the use of common personnel, shared domains, and joint fundraising appeals. And Rebecca PAC has made disbursements on behalf of her gubernatorial campaign, paying for digital ads that attack Governor Evers, urge that he be replaced by a "new conservative Governor," and reference her by name. Rebecca PAC plainly meets the definition of a "candidate committee," because it is authorized by Ms. Kleefisch to make disbursements on behalf of her campaign.

b. Coordinated PAC Expenditures are Subject to Contribution Limits

In addition, it is likely that Rebecca PAC has violated campaign contribution limits or will do so.

Wisconsin law treats express advocacy expenditures by "coordinated" committees as subject to contribution limits.¹⁴ A committee's actions are "coordinated" when (1) a committee's expenditures are controlled by the candidate or their agent or (2) the candidate or their agent request that the committee make a beneficial expenditure and the committee assents.¹⁵ The evidence of Ms. Kleefisch's inseparably close ties to Rebecca PAC show that any expenditure by Rebecca PAC would meet these definitions of coordination.

Any expenditure for express advocacy in support of Ms. Kleefisch or in opposition to other gubernatorial candidates (including Governor Evers) would be subject to campaign contribution limits.¹⁶ By its own admission, Rebecca PAC engages in express advocacy communications, given that a PAC must either have the primary purpose of "express advocacy" or spend more

¹¹ *Id.* § 11.0101(2).

¹² *Id.* § 11.0202(2). This prohibition does not apply to specific costs regarding establishing candidacy such as renting a post office box. *Id.*

¹³ *See id.* §§ 11.0203(2), 11.1400, 11.1401; Exhibit A.

¹⁴ *See id.* § 11.1203(2)(a).

¹⁵ *Id.*

¹⁶ *Id.*

than 50 percent of its program budget on express advocacy.¹⁷ Between July 26, 2021 and September 1, 2021 – which includes the period during which Ms. Kleefisch filed her candidacy paperwork – Rebecca PAC spent between \$15,500 and \$19,500 on Facebook ads that promote Ms. Kleefisch’s posts, including posts that attack Governor Evers and urge that he be replaced by a “new conservative Governor.”¹⁸ That is express advocacy. And Facebook advertisements are just one potential outlet for Rebecca PAC’s spending. Rebecca PAC may have already violated contribution limits to Ms. Kleefisch depending on the extent of its expenditures on her behalf.

III. The Commission Must Investigate Ms. Kleefisch’s Actions

We urge the Wisconsin Ethics Commission to investigate Ms. Kleefisch’s apparently illegal activity regarding her multiple committees. Ms. Kleefisch should be ordered to close Rebecca PAC, issue refunds to its donors, and have the Candidate Committee reimburse donors for any campaign expenses that Rebecca PAC incurred during its existence. Wisconsin voters deserve candidates who play by the rules. In this case the rules could not be clearer: each candidate may operate one candidate committee, no more.

¹⁷ *Id.* § 11.0101; *see also* Exhibit B.

¹⁸ Facebook Ad Library, [https://www.facebook.com/ads/library/?active_status=all&ad_type=political_and_issue_ads&country=US&view_all_page_id=200235085948&sort_data\[direction\]=desc&sort_data\[mode\]=relevancy_monthly_grouped&search_type=page&media_type=all](https://www.facebook.com/ads/library/?active_status=all&ad_type=political_and_issue_ads&country=US&view_all_page_id=200235085948&sort_data[direction]=desc&sort_data[mode]=relevancy_monthly_grouped&search_type=page&media_type=all) (Ad IDs 895432944381712, 808544483385125, and 947048056140314).

Exhibit A

Amended Campaign Registration Statement, People for Rebecca

**CAMPAIGN REGISTRATION STATEMENT
STATE OF WISCONSIN
CF-1**

IF A CANDIDATE DOES NOT FILE THIS STATEMENT BY THE DEADLINE FOR FILING NOMINATION PAPERS,
THE CANDIDATE'S NAME WILL NOT BE PLACED ON THE BALLOT.

NOTICE: ANY CHANGE OF INFORMATION ON THIS REGISTRATION STATEMENT MUST BE FILED WITHIN 10 DAYS.

CANDIDATE AND CANDIDATE COMMITTEE INFORMATION

Committee ID: 0104890

Name of the Candidate:	Party Affiliation:	Office Sought (Include Branch Number):	
Kleefisch, Rebecca	Republican	Governor, Governor	
Residence Address (Number and Street):		Candidate Telephone Number (Residence):	
N6011 Hillside Drive		(608) 313-5661	
City, State and Zip:	Election Date:	Candidate Email:	
Sullivan, WI 53178	11/08/2022	info@rebeccakleefisch.com	
Committee Name:	Acronym:	Committee Type:	Committee Sub-Type:
People for Rebecca	KLEEFISCH	State Candidate	Personal Campaign Committee
Committee Address (Number and Street):	N6011 Hillside Drive, Sullivan, WI 53178	Committee Email:	info@rebeccakleefisch.com
Phone:	(608) 313-5661		

COMMITTEE TREASURER INFORMATION

Treasurer Name:	Turke, Jon	Phone:	(608) 313-5661
Address (Number and Street):	N6011 Hillside Drive		
City, State and Zip:	Sullivan, WI 53178		
Email:	jon@aspectcompliance.com		

DEPOSITORY INFORMATION

Name of Financial Institution:	Town Bank	Pin:	*****
Address (Number and Street):	850 W North Shore Dr.		
City, State and Zip:	Hartland, WI 53029		

+ + + EXEMPTION FROM FILING CAMPAIGN FINANCE REPORTS s.11.0104, Stats. + + +

You may be eligible for an exemption from filing campaign finance reports. Consult the appropriate Campaign Finance Overview to determine if the registrant qualifies for exemption.

☐ This registrant is eligible for exemption. This registrant will not accept contributions, make disbursements or incur obligations in an aggregate amount of more than \$2,000 in a calendar year.

☒ This registrant is no longer eligible to claim exemption.

jturke

Signature of Candidate or Treasurer

Date

CERTIFICATE

TREASURER

I, Turke, Jon

certify the information in this statement is true and complete.

Signature _____ Treasurer _____

Date _____

CANDIDATE

I, Kleefisch, Rebecca

certify the information in this statement is true, correct and complete, and that this is the only committee authorized to act on my behalf.

Signature _____ Candidate _____

Date _____

THE INFORMATION ON THIS FORM IS REQUIRED BY ss.9.10(2)(d), 11.0203, STATS. FAILURE TO PROVIDE THE INFORMATION MAY SUBJECT YOU TO THE PENALTIES OF ss. 8.30(2), 11.1400, 11.1401, STATS.

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Exhibit B

Amended Campaign Registration Statement, Rebecca PAC

CAMPAIGN REGISTRATION STATEMENT

STATE OF WISCONSIN CF-1

NOTICE: ANY CHANGE OF INFORMATION ON THIS REGISTRATION STATEMENT MUST BE FILED WITHIN 10 DAYS.

POLITICAL COMMITTEE INFORMATION

Committee ID: 0501749

Name of Committee/Corporation:	Rebecca PAC	Acronym (if any):	
Address (Number and Street):	PO Box 620215		
City, State and Zip:	Middleton, WI 53562		
Email:	jon@aspectcompliance.com		
Telephone Number:	(608) 239-0589		
Segregated Fund Name:			
Committee Type/Corporation:	PAC	Committee SubType:	Resident

COMMITTEE TREASURER INFORMATION

Treasurer Name:	Turke, Jon		
Address (Number and Street):	8383 Greenway Boulevard, Suite 600		
City, State and Zip:	Middleton, WI 53562		
Email:	jon@aspectcompliance.com	Phone:	(608) 239-0589

DEPOSITORY INFORMATION

Name of Financial Institution:	BMO Harris Bank	PIN:	*****
Address (Number and Street):	1 W Main Street		
City, State and Zip:	Madison, WI 53701		

+ + + EXEMPTION FROM FILING CAMPAIGN FINANCE REPORTS s.11.0104, Stats. + + +

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☐ This registrant is eligible for exemption. This registrant will not accept contributions, make disbursements or incur obligations in an aggregate amount of more than \$2,000 in a calendar year.

☒ This registrant is no longer eligible to claim exemption.

CERTIFICATE

☒ I certify that EITHER the committee has the major purpose of express advocacy, OR the committee uses more than 50% of its total spending in a 12-month period on expenditures for express advocacy activities (as specified for each committee type in statutory definitions, §11.0101 - see instructions for details).

TREASURER

I, Turke, Jon

certify the information in this statement is true and complete.

Signature jturke Treasurer _____

Date _____

THE INFORMATION ON THIS FORM IS REQUIRED BY ss.9.10(2)(d), 11.0303, 11.0403, 11.0503, 11.0603, 11.0803, 11.0903, STATS. FAILURE TO PROVIDE THE INFORMATION MAY SUBJECT YOU TO THE PENALTIES OF ss. 8.30(2), 11.1400, 11.1401, STATS.

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Exhibit C

Images from WinRed.com (captured August 31, 2021)

