

BEFORE THE STATE OF WISCONSIN ETHICS COMMISSION

In re: Friends of Adam Steen

**FINDING OF PROBABLE CAUSE
AND REFERRAL TO DISTRICT
ATTORNEY PURSUANT TO WIS.
STAT. § 19.49(2)(b)9.**

**Cases No. 2022-ETH-74,
2023-ETH-42**

The Wisconsin Ethics Commission reviewed the complaints, response, and Investigative Report in this matter in Closed Session at its meeting on February 20, 2024. Having duly considered this matter, the Commission finds probable cause and refers this matter to the District Attorney based upon the following:

FACTS

1. The Wisconsin Ethics Commission received the first complaint on December 2, 2022.
2. The complaint named Friends of Adam Steen as the Respondent.
3. Speaker Robin Vos serves as the Representative to the Assembly from the 63rd District. During 2022, some republicans across the state disagreed with Speaker Vos' handling of certain political matters. As a result, there were several county parties and others that opposed Speaker Vos' reelection. In February 2022, Mr. Adam Steen registered his candidate committee, Friends of Adam Steen, with the Wisconsin Ethics Commission. This step occurred in the early days of Mr. Adam Steen's campaign to replace Speaker Vos. Defeating an incumbent legislator, especially the leader of a chamber, requires significant financial resources.
4. It is against this backdrop that the events leading up to this complaint occurred. The Complainant alleged that there was collusion between the Respondent, several county

parties, and others to funnel money and services to his campaign to avoid contribution limits. The complaint identified multiple transactions as suspicious.

5. As required by WIS. STAT. § 19.49(2)(b)1., the Commission provided notice of the complaint to the Respondent. Additionally, the Commission provided the Respondent at least 15 days to file a response.
6. On January 5, 2023, the Respondent filed a response to the complaint denying the allegations.
7. The Commission considered the complaint and response at its meeting on February 22, 2023. At that meeting, the Commission found that a reasonable suspicion that a violation had occurred existed and ordered an investigation. The Commission further chose to hire an independent investigator. At a subsequent meeting, the Commission selected the investigation firm and directed staff to retain the firm.
8. A substantially identical complaint was filed on or about May 3, 2023. It was assigned Case Number 2023-ETH-42. The Respondent filed a response on May 15, 2023. The Commission found a reasonable suspicion in this complaint on October 26, 2023. At that meeting, the Commission authorized an investigation and consolidated complaint 2023-ETH-42 with the first complaint.
9. On February 13, 2024, the Commission received the report of the investigation firm.
10. Pursuant to WIS. STAT. § 11.1101, individuals, candidate committees, political action committees, and “Other Persons” are prohibited from giving more than \$1,000 to the candidate committees of candidates for Representative to the Assembly.
11. During the investigation, the investigators confirmed that Friends of Adam Steen had received contributions from individuals that exceeded \$1,000. The investigators also

confirmed that Friends of Adam Steen properly returned the excess amounts. However, that was not the end of the story.

12. While the beginning of the plan is not currently known, the investigators were able to confirm that there was an arrangement between Mr. Adam Steen, his candidate committee, and the Republican Party of Langlade County.
13. Pursuant to WIS. STAT. § 11.1104(5), county parties can give to candidates in an unlimited amount. The plan sought to take advantage of this fact.
14. The investigators learned that Mr. Adam Steen and people working for Friends of Adam Steen were telling people who wanted to contribute more than allowed to send their additional contributions to the Republican Party of Langlade County with “63” in the memo line of the check. By doing so, the Republican Party of Langlade County knew to forward those funds or to use them for in-kind contributions to Friends of Adam Steen.
15. The investigators were also able to confirm that the Langlade County Republican Party received checks from individuals with “63” in the memo line. Some of those who sent checks to the Langlade County Republican Party had already given \$1,000 or more to Friends of Adam Steen. All totaled, the Langlade County Republican Party gave more than \$40,000 to Friends of Adam Steen in cash and in-kind contributions.
16. Additionally, the investigators were able to identify two other county parties that had received contributions that would have exceeded the applicable contribution limits and subsequently forwarded that money to the Republican Party of Langlade County to distribute to Friends of Adam Steen. These transactions were prearranged before those county parties received the funds.

CONCLUSIONS OF LAW

17. The Wisconsin Ethics Commission has jurisdiction of this matter pursuant to WIS. STAT. § 19.49(2)(a).
18. At all relevant times, Mr. Adam Steen was a “candidate” as that term is defined in WIS. STAT. § 11.0101(2). Additionally, at all times pertinent to these complaints, Friends of Adam Steen was a registered candidate committee. Therefore, Friends of Adam Steen was subject to the campaign finance laws in Chapter 11 of the Wisconsin Statutes.
19. As noted above, WIS. STAT. § 11.1101 establishes the \$1,000 contribution limits for candidate committees for candidates for representative to the Assembly. Also as noted above, there are no contribution limits for contributions from a political party to a candidate. WIS. STAT. § 11.1104(5).
20. WIS. STAT. § 11.1202(2) provides that when a contribution is made to a committee other than a candidate committee, the contributor may not direct the committee to make a disbursement to a committee to support or oppose another candidate.
21. WIS. STAT. § 11.1204(1) contains two prohibitions. First, no person may, directly or indirectly, make any contribution other than from funds or property belonging to the person. Second, no person may, directly or indirectly give funds or property to another person for the purpose of making a contribution in other than the first person’s name.
22. WIS. STAT. § 11.1204(3) prohibits a person from intentionally receiving or accepting any contribution in violation of Chapter 11 of the Wisconsin Statutes.
23. WIS. STAT. § 11.1208(1) prohibits a person from intentionally receiving or accepting anything of value, or promise or pledge thereof, constituting a disbursement made or obligation incurred contrary to law.

24. The contributors that gave money to the county parties with “63” or other instructions to forward the contribution to, or use it for the benefit of, Friends of Adam Steen violated WIS. STAT. § 11.1202(2).
25. Further, those individuals also violated the second prohibition of WIS. STAT. § 11.1204(1) because they gave the money to the county parties directing that the county parties were to contribute to Friends of Adam Steen, or use it for his benefit, in the county parties’ name so as to avoid application of the contribution limits.
26. The county parties violated WIS. STAT. § 11.1204(3) because they accepted contributions from those individuals to, in turn, contribute to Friends of Adam Steen in the name of the county parties in violation of WIS. STAT. § 11.1204(1).
27. Respondent also violated WIS. STAT. § 11.1204(3). Additionally, the Respondent violated WIS. STAT. § 11.1208(1) because it accepted a disbursement from the county parties that was made contrary to law as described above.
28. Friends of Adam Steen acted “intentionally” as that term is defined in WIS. STAT. § 939.23(4). Therefore, the activities engaged in by Friends of Adam Steen are criminal violations. WIS. STAT. § 11.1401(1)(b) and (c).
29. Further, Friends of Adam Steen could also be considered a party to crimes by the contributors and/or county parties under WIS. STAT. § 939.05, or engaged in a conspiracy under WIS. STAT. § 939.31.
30. Having duly considered the Report of Investigation, the Commission finds there is probable cause to believe the Respondent violated the campaign finance laws as described herein.

31. Further, the Commission hereby orders that this matter be referred to the Racine County District Attorney for investigation and prosecution of Respondent Friends of Adam Steen and any other person the District Attorney deems appropriate.

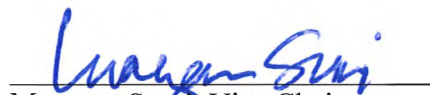
ORDER

32. Pursuant to WIS. STAT. § 19.49(2)(b)9. and 13., these complaints are referred to the Racine County District Attorney. The District Attorney is required to report to the Commission concerning any action taken regarding these complaints no later than 40 days after the date of the referral. If the matter is not resolved during that time, subsequent reports to the Commission are required at the end of each 30-day period thereafter until final disposition. WIS. STAT. § 19.49(2)(b)16.

33. In the event that a prosecution is not initiated within 60 days, the Commission reserves the right to refer the matter to another district attorney or the Wisconsin Department of Justice as provided in WIS. STAT. § 19.49(2)(b)13. and 14.

ENTERED by the Wisconsin Ethics Commission at its meeting in Madison, Wisconsin on
Tuesday, February 20, 2024.


Pat Strachota, Chair


Maryann Sumi, Vice Chair