

# Significance of email exchanges won't be revealed for a while

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After more than two years of raids, subpoenas and closed-door courtroom testimony, the John Doe investigation into activities during Gov. **Scott Walker's** time as Milwaukee County executive is now faced with this:

Determining the significance of a private email exchange in the spring of 2010 between Walker and his longtime campaign adviser **John Hiller** over a potential county real estate contract in which Hiller had a financial stake as deal maker.

Those familiar with the exchange - the emails were among the documents seized by authorities - say it has to do with the county's efforts to find private or public office space for its Department on Aging. Milwaukee County prosecutors have been investigating whether there was an attempt at bid-rigging in that case.

Sources have given varying descriptions of the emails, calling them everything from "legally inconclusive" to "a bombshell." One insider said the private messages contradict Walker's discussions with his county staff.

All sources refused to release the documents because of the secrecy order in the John Doe case. Anyone divulging information from the closed court hearings could face criminal charges under the secrecy order.

The 2010 emails between Walker and Hiller were not among the nearly 500 pages of material released to the **Journal Sentinel** last month on the Aging Department deal. It is not clear if the exchange took place using a secret email system set up in the county exec's offices to circumvent state Open Records Law.

"Let's just say, it raises a lot of questions," said a source familiar with the private exchange.

All signs indicate that District Attorney **John Chisholm** won't be filing any additional charges as part of the John Doe probe or closing the investigation before the June 5 recall election, meaning the emails are unlikely to become public anytime soon.

Reached after a news conference on Thursday, Walker maintained his disciplined refusal to discuss details of the probe. He specifically brushed aside questions on the content and context of the email exchange with Hiller and whether investigators had asked him about the messages.

"Anything I say or any comment on it would be in violation of what they've asked," Walker said, referring to Milwaukee County prosecutors. Officials in Chisholm's office have declined to say whether they have made the request that the governor keep silent regarding all aspects of the case.

Asked last month by a Journal Sentinel reporter if he could guarantee the public that the investigation would not touch him, Walker said, "Yes - unequivocal." He also vowed that he never used the secret email system while heading county government.

Hiller's pugnacious criminal defense attorney, **Michael F. Hart**, declined to comment on the emails.

The firm Hiller was representing in the county Department on Aging real estate deal did not ultimately win the multimillion-dollar lease. The email exchange between Hiller and Walker occurred around the time the county was discussing and drafting a formal request for proposals for housing the county agency.

Recent polling shows Walker with a lead of [about six](#) percentage points over Milwaukee Mayor **Tom Barrett**, his Democratic challenger. The John Doe investigation has led to criminal charges against six individuals, including three former Walker aides, a major contributor and an appointee.

Barrett and state Democratic Party officials have tried to make the criminal investigation an issue in the election, repeatedly calling on Walker to release emails related to the matter. Walker has declined while adding that he doesn't believe he is a target. Even so, Walker has [transferred](#) \$60,000 in campaign donations to a defense fund this year, money to be used to pay his two high-priced criminal defense lawyers.

One Barrett adviser explained last week why the Milwaukee mayor, who is edging closer to becoming a three-time loser in gubernatorial contests, has put such a heavy emphasis on the secret investigation since the primary.

"I don't see a path to victory, barring additional criminal charges," said the Barrett adviser, who asked not to be named.

**Phil Walzak**, spokesman for the Barrett campaign, disputed that assertion, saying the race is tightening. He noted that the Democratic Governors Association [released survey results](#) late last week that put Walker up by three percentage points, similar to the numbers in the latest internal [Barrett poll](#).

The more Scott Walker ducks questions about this criminal corruption probe, the more the people of Wisconsin doubt his fitness to lead," Walzak said

Over the past two months, conservatives and Walker allies have sought to discredit the investigation, which first began in May 2010 and has gone in myriad directions. The governor has not been critical of the probe.

Last month, **Media Trackers** - a conservative outfit that digs up dirt on liberals and Democrats - reported that 43 people in the office of the Democratic district attorney, representing about one-sixth of the total staff, had signed the recall petitions against the first-term Republican governor. Chisholm responded by saying no one working on the John Doe case signed a petition.

That prompted Media Trackers to do a follow-up report last week pointing out that the Wauwatosa home of **David Budde**, Chisholm's chief investigator, had an anti-Walker sign in its front yard and a pro-union Blue Fist sign on the front door. Budde told Chisholm the signs, which were still up Friday, were put there by his wife, **Lynn**, who also is a county worker.

"David Budde did not sign the recall petition and has conducted himself professionally and independently in this investigation, as he has done in numerous criminal investigations throughout his 26-year career as a law enforcement

officer," Chisholm said in a statement.

Media Trackers also has submitted several open records requests to try to determine if specific county employees are leaking information to **No Quarter**. None of the information regarding the Walker-Hiller email exchange came from officials or staffers in the DA's office.

That deal is not the only remaining strand in the long-running investigation.

For instance, former Walker aide **Darlene Wink** has [pleaded](#) guilty to two misdemeanor counts of raising campaign money in the courthouse for Walker's gubernatorial bid in exchange for assisting with an investigation into the "destruction of digital evidence" and agreeing to testify in possible future prosecutions. No one has yet been charged with altering or disposing of any records or evidence.

In addition, about a dozen law enforcement officers, including FBI agents, raided the Madison home of **Cynthia Archer**, who has worked for Walker as an aide at the state and county. Archer, who has not been charged, has denied any wrongdoing.

But Chisholm's office, led by Assistant District Attorney **David Robles**, has [devoted much](#) of its John Doe resources in recent months to the county Department on Aging lease, as earlier disclosed by the Journal Sentinel.

Beginning in 2005, the private owners of the **Reuss Federal Plaza** - the big blue office building at 310 W. Wisconsin Ave. - won the \$3 million contract to provide 48,000 square feet of office space to house the county Aging Department. With the lease set to expire in late 2010, county officials began looking at their options that spring.

Walker stayed in the loop in the bidding process, according to county records.

"Reminder: the CEX (county exec) does not want the lease to include employee parking as part of our lease cost," wrote Archer, then administrative services director, on May 5, 2010, a week after a meeting with Walker on the deal. "Further the RFP (request for proposals) should include only the current requirements. This is not a time to enhance or add on requirements that are not part of our current lease."

The Walker administration eventually put out a request for proposals in the summer of 2010. The county rejected all 11 bids for a variety of reasons, including price. Reuss representatives then tried to negotiate both short- and long-term deals with the county in a failed effort to keep the county agency at their complex, but the Walker administration eventually decided to move the department into the county's **Marcia Coggs Center** at 1322 W. Vliet St. later that year.

During the complicated process, Hiller - one of Walker's closest confidants - was working behind the scenes for the owners of the Reuss facility, just as he had in 2005, the Journal Sentinel has reported.

Sources have given the date for the controversial email exchange between Hiller and Walker as either April or May 2010.

Along with being a real estate broker and developer, Hiller operates a consulting business in which he offers to use "over 20 years of business and political experience to assist you in navigating the maze of local government and achieving your goals," according to [a 2008 ad for the firm](#).

Hiller - whose friendship with Walker dates back to their days at Marquette University - served as treasurer of Walker's county and gubernatorial campaigns, a position he left in May 2011 amid the John Doe investigation.

Over the years, Walker had appointed Hiller to a number of boards and commissions.

Most notably, Hiller [served](#) with **Michael Grebe**, president and CEO of the conservative **Bradley Foundation**, as the leaders of Walker's transition team after he was elected governor.

Despite the high-profile role, Hiller apparently felt he was playing second fiddle to some of Walker's newer advisers, such as **Gerald Whitburn** and **John Matthews**, two former aides to ex-Gov. **Tommy Thompson**.

In [an email](#) sent presumably to Walker in November 2010 - the recipient's name is redacted but the context suggests it went to the governor - Hiller raised the issue directly.

"I don't want to sound like Reince, :)," Hiller wrote, referring to Republican National Committee Chairman **Reince Priebus**, "but I want to be viewed as part of the upper level group making the decisions along with Grebe Whitbourn etc. I assume that this is an assumption but during the discussion it was not presented that way. This is helpful to me especially if I am not going into Admin. I would like to be the one, along with Grebe, making initial calls to people and then turning them over to Matthews/WHitbourn."

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