

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN**

RUTHELLE FRANK, et al., on behalf of  
themselves and all others similarly situated,

Plaintiffs,

v.

SCOTT WALKER, in his official capacity as  
Governor of the State of Wisconsin, et al.,

Defendants.

Case No. 11-cv-01128 (LA)

**DECLARATION OF GWENDOLYNNE MOORE**

I, Gwendolynne Moore, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. My full name is Gwendolynne S. Moore. I am African-American, a U.S. citizen, and a resident of Milwaukee, Wisconsin.
2. I make this Declaration on my own personal knowledge.
3. I am currently a member of the United States House of Representatives serving Wisconsin's Fourth Congressional District. I have served in this position since January of 2005.
4. I served as a member of the Wisconsin State Senate from 1993 until 2005, when I assumed office in the United States House of Representatives. I represented Wisconsin's Fourth Senate District. For much of the time I was in this position, my district was a majority-African-American district in Milwaukee County, and primarily in the city of Milwaukee.

5. I served as a member of the Wisconsin State Assembly from 1989 until 1993, when I assumed office in the Wisconsin State Senate. I represented Wisconsin's State Assembly District 7 in the city of Milwaukee. 6. Throughout my years in the Wisconsin State Legislature, I sought to investigate, express and represent the concerns of minority residents. I routinely raised concerns about racial disparities and potential adverse racial effects of legislative proposals raised in the Legislature. Unfortunately, there were far too many situations in which my concerns were ignored or rejected.

7. In 1993 I sent a letter to the Wisconsin State Legislature Legislative Audit Bureau requesting that they investigate the hiring practices of the Wisconsin Department of Corrections. I was concerned about the disparity between the number of white and minority employees in DOC facilities and reports of harassment of minority DOC employees. The Legislative Audit Bureau chose not to pursue an investigation.

8. In 1993 I opposed a law that doubled the penalties for crimes committed as part of a gang and allowed fourteen and fifteen-year-olds to be prosecuted as adults for certain crimes. I argued that this law would exacerbate racial disparities in the prison system and would have a disparate impact on minorities. The Legislature nevertheless passed this law as part of 1993 Act 98.

9. During debates about welfare reform in the Wisconsin Legislature from 1993 until 1996, I routinely voiced my opposition to proposed changes in the AFDC program, such as "Pay for Performance" and, later, "Wisconsin Works" (W-2). As I repeatedly said, a disproportionate number of minority persons, especially women, depended on these programs, a situation not unrelated to the racial segregation in the region and the shortage of jobs in predominantly minority neighborhoods. I repeatedly spoke on the

Legislative floor, raising concerns that proposed welfare program changes would have a disparate, adverse impact on minority residents. Nevertheless programs such as Pay for Performance and W-2 passed the Legislature and were signed into law.

10. In 1994 I expressed my opposition to the passage of habitual offender laws known as “three strikes” laws because they would increase the disproportionate incarceration of minorities in the Wisconsin prison system. The Legislature nevertheless passed these laws as part of 1993 Act 486.

11. I opposed “Truth-In-Sentencing” legislation which, among other elements, eliminated parole. I expressed my concern to the Legislature that, especially in conjunction with the three-strikes rule, it would create excessively long sentences for persons convicted of crimes. As I expressed to the Legislature, a disproportionate number of those persons, who the law would keep incarcerated longer, are minority residents. Nevertheless the Legislature passed Truth-in-Sentencing as part of 1997 Act 283, and then revised it with 2001 Act 109.

12. In 1999, as part of my ongoing work addressing the racial disparities in the Wisconsin prison system, my office and I worked on a study that examined everyone in the Wisconsin prison system from 1990 to 1999 based on race, offense, county, and admission type. This study confirmed that African-American men were being incarcerated at alarmingly high rates in Wisconsin, far more often than whites.

13. I authored an amendment to the 1999-2001 biennial budget that would have collected data from law enforcement in an effort to identify and remedy racial profiling in traffic stops and searches. Although the amendment passed as part of 1999 Act 9, the provision was vetoed by Governor Thomas G. Thompson.

14. In 2001, I opposed a bill, authored by then- Rep. Scott Walker, that would have required voters to present a photo ID to vote. I told the Legislature that the bill would serve as a barrier to voting in poor, minority communities like those in Milwaukee and Racine. I was very concerned that the bill introduced would disfranchise people of color, and made my concerns known to the state legislature and the public. At that time, the bill was not passed, but this was the first time, to my recollection, that the Legislature began discussing voter ID. Thus, more than a decade ago, legislators were told about the potential racial impact of voter ID laws.

15. Each of the above instances, in which I fought for a particular policy outcome, reflected the particular concerns of Milwaukee's minority community.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 28th of June, 2012

/s/ Gwendolynne Moore  
Gwendolynne Moore