

October 22, 2024

State of Wisconsin
Wisconsin Ethics Commission
212 East Washington Avenue – Third Floor
P.O. Box 7984
Madison, WI 53707

Re: Complaint Against Star Spangled Media LLC

Americans for Public Trust is a nonprofit, nonpartisan organization dedicated to restoring trust in government by holding politicians and political groups accountable for corrupt and unethical behavior. It is in furtherance of this mission that we respectfully request that the Wisconsin Ethics Commission (“Commission”) open an immediate investigation into Star Spangled Media LLC (“SSM”) for its operation of “*The Morning Mirror*.” This website promotes itself as a local newsroom, but is, in fact, nothing more than a thinly veiled political operation that regurgitates and buttresses local Democratic candidates’ campaign talking points and produces all-out attack ads against Republican candidates—all while spending thousands of dollars to bolster their campaign-style political content. SSM is not a legitimate, *bona fide* “news media” outlet for the purposes of Wisconsin Statute Section 11.0101 of the state campaign finance framework. Accordingly, its spending to regurgitate and republish Wisconsin candidates’ campaign material is not exempted from the statutory definitions of “contribution” and “disbursement.”¹

SSM’s spending in the state of Wisconsin appears to violate several provisions of 2015 Wisconsin Act 117, as SSM has failed to register as a political committee and report its contributions and disbursements.² Moreover, SSM’s republication of campaign materials indicates that its activities are not “independent” from the campaign, and therefore do not qualify as “independent expenditures” under the letter of Wisconsin law.³

Background

The Morning Mirror – operated by SSM – describes itself as an outlet where “reliability meets fresh insight,” and further claims that it delivers “on the matters that impact your life.”⁴ However, recent public reporting has not only highlighted the site’s barebones, blog-like appearance, but also its exclusive promotion of Democratic candidates for the Wisconsin State Assembly. Their “articles” simultaneously criticize the legislative records of incumbent Republicans while highlighting Democratic candidates, and is then followed by SSM’s spending on social media digital advertising, promoting the same Democratic politicians.⁵ With the support of unapologetic politico-lawyer, Marc Elias – who has unabashedly declared, “I am a committed Democrat in that I fight every day to help Democrats win elections, and I make no apologies for that” – SSM has been able to thrust thousands of dollars of political advertisement spending into Wisconsin elections, and has done so virtually undetected.⁶

¹ Wis. Stat. §§ 11.0101(8)(b); 11.0101(10)(b).

² Wis. Stat. §§ 11.0502, 11.0504(1).

³ Wisc. Stat. § 11.1101(16).

⁴ *The Morning Mirror*, [About Us](#) (Accessed Oct. 22, 2024).

⁵ Max Tani, Top Democratic Lawyer Backs Mysterious News Site, [Semafor](#) (July 7, 2024).

⁶ *Id.*; Reid Wilson, Meet the Democrats’ Last Best Hope of Preserving a House Majority, [The Hill](#) (Dec. 17, 2021).

Recently, Mr. Elias’ firm claimed the operation “...retain[s] [sic] content writers on a freelance and/or permanent basis to write articles, commentaries, and editorials.”⁷ However, a closer, more in-depth inspection of SSM reveals its actual purpose is to launder campaign material, often copied *verbatim*, through a platform that masquerades as a legitimate, journalistic endeavor.

The State of Arizona’s Citizens Clean Elections Commission (“AZCCEC”) recently observed that, “[u]nlike many news sites, including left and right of center websites, *The Morning Mirror* includes no masthead, no bylines, no staff information, no contact information, no information about purchasing advertising or making donations, and no mailing or physical address.”⁸

Interestingly, what can be found on the website, however, has been aptly described by credentialed media as stories on “seemingly random topics,” which have been woven together in an effort to “ensure the odd blog is treated as a journalistic operation, not a political one.”⁹ In fact, the “local” section of the website is not “local” at all. Rather, it is near wholly made up of political candidate content, some of which is not even focused on the state of Wisconsin.¹⁰

Furthermore, this “difficult-to-find,” and “barebones blog[s]” greatest degree of visibility is not its website content, but rather the Facebook ads it serves audiences that feature nearly *verbatim* content from the campaign websites of Democratic candidates running for various offices across the country. These paid advertisements – costing thousands of dollars – demonstrate a pipeline of nearly identical content, from the candidates’ websites, to the “articles” on *The Morning Mirror*, to, finally, digital ads paid for by SSM.¹¹

Through these *Morning Mirror* ad buys, SSM has spent up to \$98,000 in digital political advertising aimed at key voting demographics throughout Wisconsin. Interestingly, the same state-level races are being targeted by the Democratic Legislative Campaign Committee (“DLCC”) – the organization dedicated to securing Democratic victories in state houses all across the country.¹²

Star-Spangled Media Buys and *Morning Mirror* Articles for Wisconsin Candidates and Incumbents

<i>Morning Mirror</i> Article	Ad Flight	Facebook Library ID	Candidate/Incumbent	Spend (Low)	Spend (High)
8/2/24	8/2/24—8/28/24	474340008542444	Ryan Spaude (Candidate for State Assembly)	\$900.00	\$999.00
8/27/24	8/27/24—9/30/24	1227038244976415	Ryan Spaude (Candidate for State Assembly)	\$1,000.00	\$1,500.00
8/2/24	9/23/24—10/4/24	438902675307529	Ryan Spaude (Candidate for State Assembly)	\$500.00	\$599.00

⁷ Elias Law Group, [Advisory Opinion Request](#) (May 28, 2024).

⁸ State of Arizona, Citizens Clean Elections Commission, [Advisory Opinion 2024-05](#) (June 27, 2024).

⁹ Tani, *supra* note 5.

¹⁰ The Morning Mirror, [Local](#) (Accessed Oct. 22, 2024).

¹¹ Meta, Facebook Ad Library, The Morning Mirror, [Meta](#) (Accessed Oct. 22, 2024); The Morning Mirror, [Local](#) (Accessed Oct. 22, 2024); Sarah Keyeski for 14th Senate District, Rural Communities, [Keyeski for WI](#) (Accessed Oct. 22, 2024); The Morning Mirror, Sarah Keyeski, State Senate Candidate, Says She’ll Prioritize Living Wages in Rural Communities, [Local](#) (Aug. 2, 2024); The Morning Mirror, Sarah Keyeski, [Meta Ad Library](#) (Ad Run Aug. 2, 2024–Aug. 28, 2024); Yee for WI, Economic Development, [Yee for WI 85th Assembly](#) (Accessed Oct. 22, 2024); The Morning Mirror, State Assembly Candidate Yee Leng Xiong Wants to Invest in People, Childcare, and Housing, [Local](#) (Aug. 2, 2024); The Morning Mirror, Yee Leng Xiong, [Meta Ad Library](#) (Ad Run Aug. 6, 2024–Aug. 28, 2024); Tani, *supra* note 5.

¹² *Id.*; Democratic Legislative Campaign Committee, About DLCC, [DLCC](#) (Accessed Oct. 22, 2024); Democratic Legislative Campaign Committee, DLCC Announces Top Targets for the 2023-24 Cycles, [Press Release](#) (Mar. 27, 2024); Julia Manchester, Democratic State Campaign Arm Deploys \$2.2M Investment, [The Hill](#) (July 24, 2024); Democratic Legislative Campaign Committee, Path to the Majority: Expanding the Map: The DLCC’s Target States for the 2023-2024 Cycle, [DLCC](#) (Accessed Oct. 22, 2024). *For demographic information on the Wisconsin voters targeted by SSM’s digital ads, see* Meta, Facebook Ad Library, The Morning Mirror, [Meta](#) (Accessed Oct. 22, 2024).

9/27/24	9/29/24—10/18/24	367515762993206	Ryan Spaude (Candidate for State Assembly)	\$600.00	\$699.00
8/27/24	10/3/24—10/14/24	1297570687895501	Ryan Spaude (Candidate for State Assembly)	\$600.00	\$699.00
9/27/24	10/14/24—Present	933811895279386	Ryan Spaude (Candidate for State Assembly)	\$400.00	\$499.00
10/17/24	10/17/24—Present	906647890848664	Ryan Spaude (Candidate for State Assembly)	\$100.00	\$199.00
8/2/24	8/2/24—8/28/24	1126356348458907	Christy Welch (Candidate for State Assembly)	\$1,000.00	\$1,500.00
8/27/24	8/27/24—9/30/24	870372437906659	Christy Welch (Candidate for State Assembly)	\$1,000.00	\$1,500.00
8/2/24	9/23/24—10/3/24	1256765405454182	Christy Welch (Candidate for State Assembly)	\$500.00	\$599.00
9/27/24	9/29/24—10/19/24	538872875214648	Christy Welch (Candidate for State Assembly)	\$700.00	\$799.00
8/27/24	10/3/24—10/15/24	1209381203680441	Christy Welch (Candidate for State Assembly)	\$600.00	\$699.00
9/27/24	10/14/24—Present	1078731944254097	Christy Welch (Candidate for State Assembly)	\$500.00	\$599.00
10/17/24	10/18/24--Present	8736777313046060	Christy Welch (Candidate for State Assembly)	\$100.00	\$199.00
8/2/24	8/6/24—8/27/24	1007537977571060	Yee Leng Xiong (Candidate for State Assembly)	\$700.00	\$799.00
8/27/24	8/27/24—9/30/24	871577351698241	Yee Leng Xiong (Candidate for State Assembly)	\$900.00	\$999.00
8/2/24	9/23/24—10/4/24	894965719350105	Yee Leng Xiong (Candidate for State Assembly)	\$700.00	\$799.00
9/27/24	9/29/24—10/18/24	554477500604668	Yee Leng Xiong (Candidate for State Assembly)	\$400.00	\$499.00
8/27/24	10/3/24—10/15/24	8379277662120228	Yee Leng Xiong (Candidate for State Assembly)	\$800.00	\$899.00
9/27/24	10/14/24—Present	1587381742190113	Yee Leng Xiong (Candidate for State Assembly)	\$700.00	\$799.00
10/17/24	10/17/24—Present	1078844200026959	Yee Leng Xiong (Candidate for State Assembly)	\$100.00	\$199.00

8/2/24	8/2/24—8/28/24	2161946060848756	LuAnn Bird (Candidate for State Assembly)	\$1,000.00	\$1,500.00
8/27/24	8/27/24—10/4/24	499521866165284	LuAnn Bird (Candidate for State Assembly)	\$1,000.00	\$1,500.00
8/2/24	9/23/24—10/4/24	1199690571295997	LuAnn Bird (Candidate for State Assembly)	\$500.00	\$599.00
8/27/24	10/3/24—10/15/24	500532989545872	LuAnn Bird (Candidate for State Assembly)	\$600.00	\$699.00
9/27/24	10/3/24—10/18/24	1066767735092680	LuAnn Bird (Candidate for State Assembly)	\$500.00	\$599.00
9/27/24	10/14/24—Present	1488017778525347	LuAnn Bird (Candidate for State Assembly)	\$400.00	\$499.00
10/17/24	10/17/24—Present	1709486859809253	LuAnn Bird (Candidate for State Assembly)	\$100.00	\$199.00
8/2/24	8/2/24—8/28/24	3633562503528723	Duane Shukoski (Candidate for State Assembly)	\$800.00	\$899.00
8/27/24	8/27/24—9/30/24	1035465704956045	Duane Shukoski (Candidate for State Assembly)	\$1,000.00	\$1,500.00
8/2/24	9/23/24—10/4/24	847290680895926	Duane Shukoski (Candidate for State Assembly)	\$700.00	\$799.00
9/27/24	9/29/24—10/18/24	553640367082749	Duane Shukoski (Candidate for State Assembly)	\$600.00	\$699.00
8/27/24	10/3/24—10/14/24	502400262636835	Duane Shukoski (Candidate for State Assembly)	\$800.00	\$899.00
9/27/24	10/14/24—Present	1086250552863429	Duane Shukoski (Candidate for State Assembly)	\$600.00	\$699.00
10/17/24	10/17/24—Present	8847103082014038	Duane Shukoski (Candidate for State Assembly)	\$100.00	\$199.00
8/2/24	8/2/24—8/28/24	3732443877010886	Alison Page (Candidate for State Assembly)	\$900.00	\$999.00
8/27/24	8/27/24—9/30/24	1882731342208732	Alison Page (Candidate for State Assembly)	\$1,000.00	\$1,500.00
8/2/24	9/23/24—10/4/24	884959183180770	Alison Page (Candidate for State Assembly)	\$700.00	\$799.00
9/27/24	9/29/24—10/19/24	565634735803822	Alison Page (Candidate for State Assembly)	\$700.00	\$799.00
8/27/24	10/3/24—10/15/24	456279170147179	Alison Page (Candidate for State Assembly)	\$900.00	\$999.00
9/27/24	10/14/24—Present	1303454513955862	Alison Page (Candidate for State Assembly)	\$600.00	\$699.00

10/17/24	10/18/24—Present	873364244937114	Alison Page (Candidate for State Assembly)	\$100.00	\$199.00
8/2/24	8/2/24—8/28/24	366723532927737	David Marsteller (Candidate for State Assembly)	\$800.00	\$899.00
8/27/24	8/27/24—9/30/24	1866586483849381	David Marsteller (Candidate for State Assembly)	\$1,000.00	\$1,500.00
8/2/24	9/23/24—10/4/24	1732581144168563	David Marsteller (Candidate for State Assembly)	\$800.00	\$899.00
9/27/24	9/29/24—Present	2457082177830037	David Marsteller (Candidate for State Assembly)	\$700.00	\$799.00
8/27/24	10/3/24—10/15/24	3726290184293420	David Marsteller (Candidate for State Assembly)	\$1,000.00	\$1,500.00
9/27/24	10/14/24—Present	4687796698112802	David Marsteller (Candidate for State Assembly)	\$700.00	\$799.00
8/2/24	8/2/24—8/28/24	1854889158365897	Joe Sheehan (Candidate for State Assembly)	\$700.00	\$799.00
8/27/24	8/27/24—9/30/24	1196851821356629	Joe Sheehan (Candidate for State Assembly)	\$900.00	\$999.00
8/2/24	9/23/24—10/4/24	1131138738584900	Joe Sheehan (Candidate for State Assembly)	\$500.00	\$599.00
9/27/24	9/29/24—10/18/24	2178976599162401	Joe Sheehan (Candidate for State Assembly)	\$500.00	\$599.00
8/27/24	10/3/24—10/15/24	1185045932580278	Joe Sheehan (Candidate for State Assembly)	\$500.00	\$599.00
9/27/24	10/14/24—Present	2292830844391205	Joe Sheehan (Candidate for State Assembly)	\$400.00	\$499.00
10/17/24	10/17/24—Present	1563267974272115	Joe Sheehan (Candidate for State Assembly)	\$100.00	\$199.00
8/2/24	8/2/24—8/28/24	1708993849916957	Jamie Wall (Candidate for State Senate)	\$2,000.00	\$2,500.00
8/27/24	8/27/24—9/30/24	1499342774305495	Jamie Wall (Candidate for State Senate)	\$2,500.00	\$3,000.00
8/2/24	9/23/24—10/4/24	1045580876968766	Jamie Wall (Candidate for State Senate)	\$1,500.00	\$2,000.00
9/27/24	9/29/24—Present	3923389584604553	Jamie Wall (Candidate for State Senate)	\$2,000.00	\$2,500.00
8/27/24	10/3/24—10/15/24	3358260784467482	Jamie Wall (Candidate for State Senate)	\$2,000.00	\$2,500.00
9/27/24	10/14/24—Present	907340644706145	Jamie Wall (Candidate for State Senate)	\$1,500.00	\$2,000.00

8/2/24	8/2/24—8/28/24	1729995387805496	Sarah Keyeski (Candidate for State Senate)	\$2,500.00	\$3,000.00
8/27/24	8/27/24—9/30/24	1030222591674771	Sarah Keyeski (Candidate for State Senate)	\$3,000.00	\$3,500.00
8/2/24	9/23/24—10/4/24	1591081208494361	Sarah Keyeski (Candidate for State Senate)	\$1,500.00	\$2,000.00
9/27/24	9/29/24—10/18/24	323867677455230	Sarah Keyeski (Candidate for State Senate)	\$1,500.00	\$2,000.00
8/27/24	10/3/24—10/15/24	1529582467945254	Sarah Keyeski (Candidate for State Senate)	\$2,000.00	\$2,500.00
9/27/24	10/14/24—Present	1083232563524605	Sarah Keyeski (Candidate for State Senate)	\$1,500.00	\$2,000.00
10/17/24	10/17/24—Present	1751137942296909	Sarah Keyeski (Candidate for State Senate)	\$400.00	\$499.00
8/2/24	8/2/24—8/14/24	812050654391798	Caden Berg (Candidate for State Assembly)	\$100.00	\$199.00
8/2/24	8/2/24—8/28/24	1548644686084069	Joe Plouff (Candidate for State Assembly)	\$600.00	\$699.00
8/27/24	8/27/24—9/30/24	2857772601049672	Joe Plouff (Candidate for State Assembly)	\$1,000.00	\$1,500.00
8/2/24	9/23/24—10/4/24	1315791299406740	Joe Plouff (Candidate for State Assembly)	\$600.00	\$699.00
9/27/24	9/29/24—10/18/24	870895381379503	Joe Plouff (Candidate for State Assembly)	\$500.00	\$599.00
8/27/24	10/3/24—10/15/24	840343884749674	Joe Plouff (Candidate for State Assembly)	\$600.00	\$699.00
9/27/24	10/14/24—Present	1621853198365987	Joe Plouff (Candidate for State Assembly)	\$500.00	\$599.00
10/17/24	10/17/24—Present	870802861828865	Joe Plouff (Candidate for State Assembly)	\$100.00	\$199.00
8/2/24	8/2/24—8/28/24	2839925856163184	Jodi Habush Sinykin (Candidate for State Senate)	\$3,000.00	\$3,500.00
8/27/24	8/27/24—9/30/24	430521920013639	Jodi Habush Sinykin (Candidate for State Senate)	\$3,500.00	\$4,000.00
8/2/24	9/23/24—10/4/24	805394158339038	Jodi Habush Sinykin (Candidate for State Senate)	\$2,500.00	\$3,000.00

9/27/24	9/29/24—10/18/24	497148463309228	Jodi Habush Sinykin (Candidate for State Senate)	\$2,000.00	\$2,500.00
8/27/24	10/3/24—10/15/24	2280549508971628	Jodi Habush Sinykin (Candidate for State Senate)	\$2,500.00	\$3,000.00
9/27/24	10/14/24—Present	1609098486622715	Jodi Habush Sinykin (Candidate for State Senate)	\$2,000.00	\$2,500.00
10/17/24	10/17/24—Present	1064019654937450	Jodi Habush Sinykin (Candidate for State Senate)	\$500.00	\$599.00
TOTALS:				\$78,900.00	\$98,345.00

(Meta, Facebook Ad Library, The Morning Mirror, [Meta](#) (Accessed Oct. 22, 2024); The Morning Mirror, [Local](#) (Accessed Oct. 22, 2024))

SSM’s social media ads supporting Wisconsin State Senate candidate Sarah Keyeski, for example, unequivocally show this overtly political ad pipeline in action as SSM just regurgitates campaign literature. Ms. Keyeski listed on her campaign website that she believes “that rural communities are the backbone of our state.” An “article” touting Ms. Keyeski’s childhood on a farm and her position “that rural communities are the backbone of our state” – along with other *verbatim* passages from her campaign website – appears on *The Morning Mirror* on August 2. This same article also attacks her Republican opponent for voting against a bill to invest in childcare providers. And finally, also on August 2, a corresponding SSM digital ad campaign begins that features her statements that “‘rural communities are the backbone’ of Wisconsin.”¹³

Screen Capture: 1 The "Rural Communities" Section of Sarah Keyeski's Campaign Website



(Sarah Keyeski for 14th Senate District, Rural Communities, [Keyeski for WI](#) (Accessed Oct. 22, 2024))

¹³ Sarah Keyeski for 14th Senate District, Rural Communities, [Keyeski for WI](#) (Accessed Oct. 22, 2024); The Morning Mirror, Sarah Keyeski, State Senate Candidate, Says She'll Prioritize Living Wages in Rural Communities, [Local](#) (Aug. 2, 2024); The Morning Mirror, Sarah Keyeski, [Meta Ad Library](#) (Ad Run Aug. 2–Aug. 28, 2024).

03.

Rural Communities:

As a girl who grew up on a farm, I believe that rural communities are the backbone of our state! I will work diligently to protect our farms and agricultural businesses, invest in critical infrastructure like broadband and roads, support small businesses, and enhance economic vibrancy in our rural communities. I want young people to be able stay in their communities with the option of earning a good living.

(Sarah Keyeski for 14th Senate District, Rural Communities, [Keyeski for WI](#) (Accessed Oct. 22, 2024))

Screen Capture: 2 "Morning Mirror" Article Featuring Text from Keyeski's Campaign Website

Sarah Keyeski, State Senate Candidate, Says She'll Prioritize Living Wages in Rural Communities

Democratic candidate for Wisconsin Senate District 14 Sarah Keyeski grew up on a farm and says she believes "that rural communities are the backbone of our state." In order to advance opportunities for rural communities, she says she commits to doing the following: protecting farms and agricultural businesses; investing in broadband infrastructure; and supporting small businesses. According to her campaign website, Keyeski wants to "enhance economic vibrancy in our rural communities," noting that she wants "young people to be able to stay in their communities with the option of earning a good living."

(The Morning Mirror, Sarah Keyeski, State Senate Candidate, Says She'll Prioritize Living Wages in Rural Communities, [Local](#) (Aug. 2, 2024))

Republican incumbent Joan Ballweg lives with her husband in Markesan, where she served as alderperson on the City Council for four years, followed by mayor for six years. She served as the state representative for the 41st Assembly District from 2004 to 2020. Ballweg was born in West Allis, Wisconsin to a first-generation American.

According to her campaign website, “Joan has authored legislation impacting agriculture, small businesses, health care, education, state preparedness and homeland security in the State of Wisconsin.” However, she voted in favor of SB 1 – a bill which rejected Governor Tony Evers’ \$365 million plan to invest in child care providers. According to the Wisconsin Examiner, the bill “replace[d] every item in the original \$1 billion package with a \$2.5 billion tax cut.” According to calculations from the Institute on Taxation and Economic Policy, nearly two-thirds of the savings from the tax cut proposed in SB 1 would go to the wealthiest 20% of Wisconsin taxpayers.

(The Morning Mirror, Sarah Keyeski, State Senate Candidate, Says She’ll Prioritize Living Wages in Rural Communities, [Local](#) (Aug. 2, 2024))

Screen Capture: 3 Sarah Keyeski “Morning Mirror” Facebook Ad, Paid for by SSM

The Morning Mirror
Sponsored · Paid for by Star Spangled Media LLC

Sarah Keyeski, who grew up on a farm, says she believes “rural communities are the backbone” of Wisconsin.

Keyeski, a candidate for State Senate, lists protecting farms and investing in broadband infrastructure as some of her top campaign priorities, along with building a rural economy where young people can stay and earn a good living.

...

The Morning Mirror
Sarah Keyeski
says she wants to protect farms and businesses in rural Wisconsin.
LEARN MORE →
PAID FOR BY STAR SPANGLED MEDIA LLC

[THEMORNINGMIRROR.COM](https://themorningmirror.com)
[Keyeski says she wants to defend rural Wisconsin - The Morning Mirror](#)
[Wisconsin Local News](#)

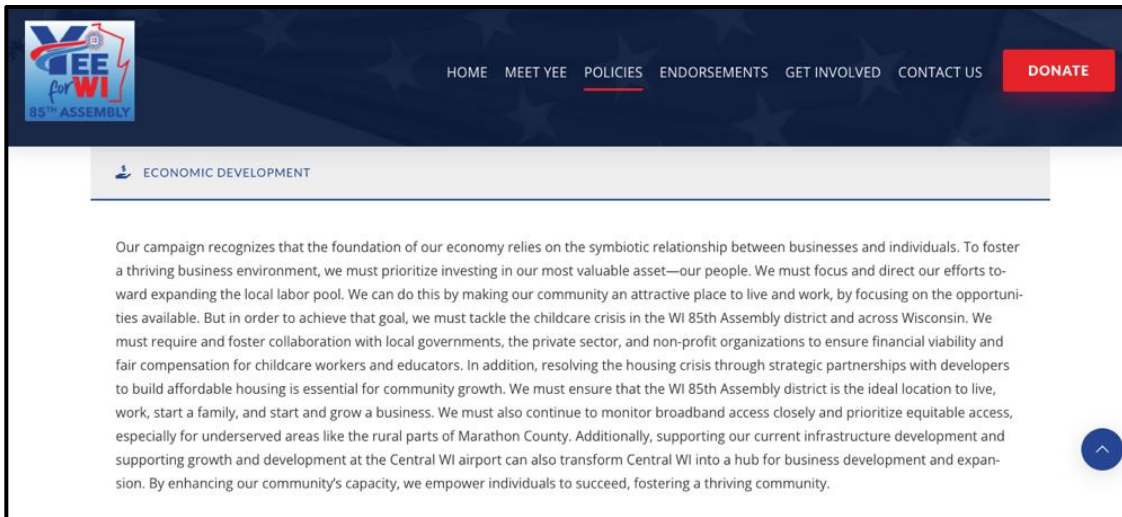
Learn more

(The Morning Mirror, Sarah Keyeski, [Meta Ad Library](#) (Ad Run Aug. 2, 2024–Aug. 28, 2024))

This campaign website-to-ad pipeline is also readily apparent in yet another example, which features Candidate Yee Leng Xiong, who is running for the Wisconsin State House. On his campaign website, Xiong states that “to foster a thriving business environment, we must prioritize investing in our most valuable asset—our people.” This identical message is then echoed in a *Morning Mirror* article about Xiong’s campaign priorities, while at the same time, also attacking Xiong’s Republican, incumbent opponent’s voting record. Finally, Xiong’s statement claiming that “we must prioritize investing in our most valuable asset—our people,” appears in an SSM advertisement campaign launched on August 6, only days after the *verbatim* statements were featured on *The Morning Mirror*.¹⁴

¹⁴ Yee for WI, Economic Development, [Yee for WI 85th Assembly](#) (Accessed Oct. 22, 2024); The Morning Mirror, State Assembly Candidate Yee Leng Xiong Wants to Invest in People, Childcare, and Housing, [Local](#) (Aug. 2, 2024); The Morning Mirror, Yee Leng Xiong, [Meta Ad Library](#) (Ad Run Aug. 6, 2024–Aug. 27, 2024).

Screen Capture: 1 The "Economic Development" Section of Yee Leng Xiong's Campaign Website

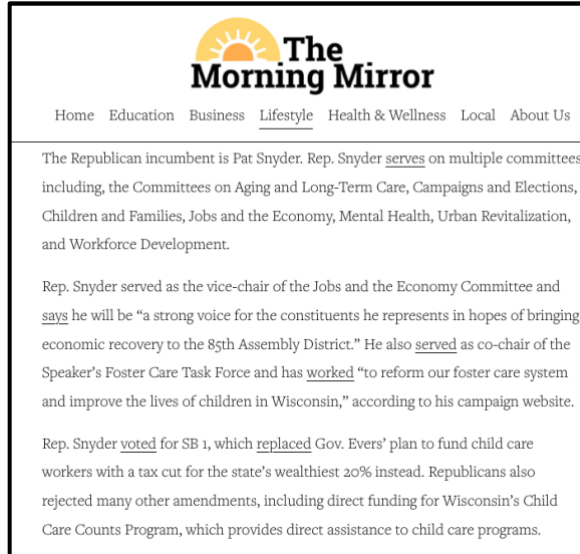


(Yee for WI, Economic Development, [Yee for WI 85th Assembly](#) (Accessed Oct. 22, 2024))

Screen Capture: 2 "Morning Mirror" Article Featuring Text from Xiong's Campaign Website



(The Morning Mirror, State Assembly Candidate Yee Leng Xiong Wants to Invest in People, Childcare, and Housing, [Local](#) (Aug. 2, 2024))



(The Morning Mirror, State Assembly Candidate Yee Leng Xiong Wants to Invest in People, Childcare, and Housing, [Local](#) (Aug. 2, 2024))

Screen Capture: 3 Yee Leng Xiong “Morning Mirror” Facebook Ad, Paid for by SSM



(The Morning Mirror, Yee Leng Xiong, [Meta Ad Library](#) (Ad Run Aug. 6—Aug. 24, 2024))

In addition to these website-to-ad pipeline examples, incredibly, in recent weeks, SSM has been creating and promoting openly overt attack ads targeting specific Republican candidates, while in the same instance, supporting their Democratic challengers. In late September 2024, *The Morning Mirror* launched an inflammatory ad accusing Republican State Senator Joan Ballweg of voting “to divert taxpayer dollars to private schools.” As this ad launched, *The Morning Mirror* also featured a post directly attacking Senator Ballweg and backing her Democratic opponent, Sarah Keyeski.¹⁵

¹⁵ The Morning Mirror, Sen. Joan Ballweg, [Meta Ad Library](#) (Ad Run Sept. 29, 2024-Oct.18, 2024); The Morning Mirror, Sen. Joan Ballweg Voted for “Largest Voucher School Expansion in 30 Years,” [Education](#) (Sept. 27, 2024).

Screen Capture: 1 Sen. Joan Ballweg "Morning Mirror" Facebook Ad, Paid for by SSM

The Morning Mirror
Sponsored • Paid for by Star Spangled Media LLC

In the State Senate, Joan Ballweg voted for SB 330, which opponents said gives a blank check from the state to private schools "that can legally discriminate and pick and choose their students."

In November, Ballweg will face challenger Sarah Keyeski, who says she opposes using taxpayer dollars to subsidize private schools.

THEMORNINGMIRROR.COM
Ballweg voted for voucher expansion – The Morning Mirror
Wisconsin Local News

Learn more

(The Morning Mirror, Sen. Joan Ballweg, [Meta Ad Library](#) (Ad Run Sept. 29, 2024-Oct. 18, 2024))

Screen Capture: 2 "Morning Mirror" Article Attacking Sen. Joan Ballweg and Promoting Her Opponent, Sarah Keyeski

The Morning Mirror

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Sep 27

Sen. Joan Ballweg Voted for "Largest Voucher School Expansion in 30 Years"

Republican incumbent Joan Ballweg is running for reelection in Wisconsin Senate District 14. Sen. Ballweg voted for SB 330, which some have called the "largest voucher school expansion in 30 years." The bill increased funding for private voucher and independent charter schools.

(The Morning Mirror, Sen. Joan Ballweg Voted for "Largest Voucher School Expansion in 30 Years," [Education](#) (Sept. 27, 2024))



(The Morning Mirror, Sen. Joan Ballweg Voted for "Largest Voucher School Expansion in 30 Years," [Education](#) (Sept. 27, 2024))

Yet another example of *The Morning Mirror's* new, open attack ads features Wisconsin State Senator Duey Stroebel, claiming he "championed legislation to divert taxpayer dollars to private schools." Once more, the accompanying "article" on *The Morning Mirror's* website openly attacks Senator Stroebel, but then lauds his Democratic challenger, Jodi Habush Sinykin.¹⁶

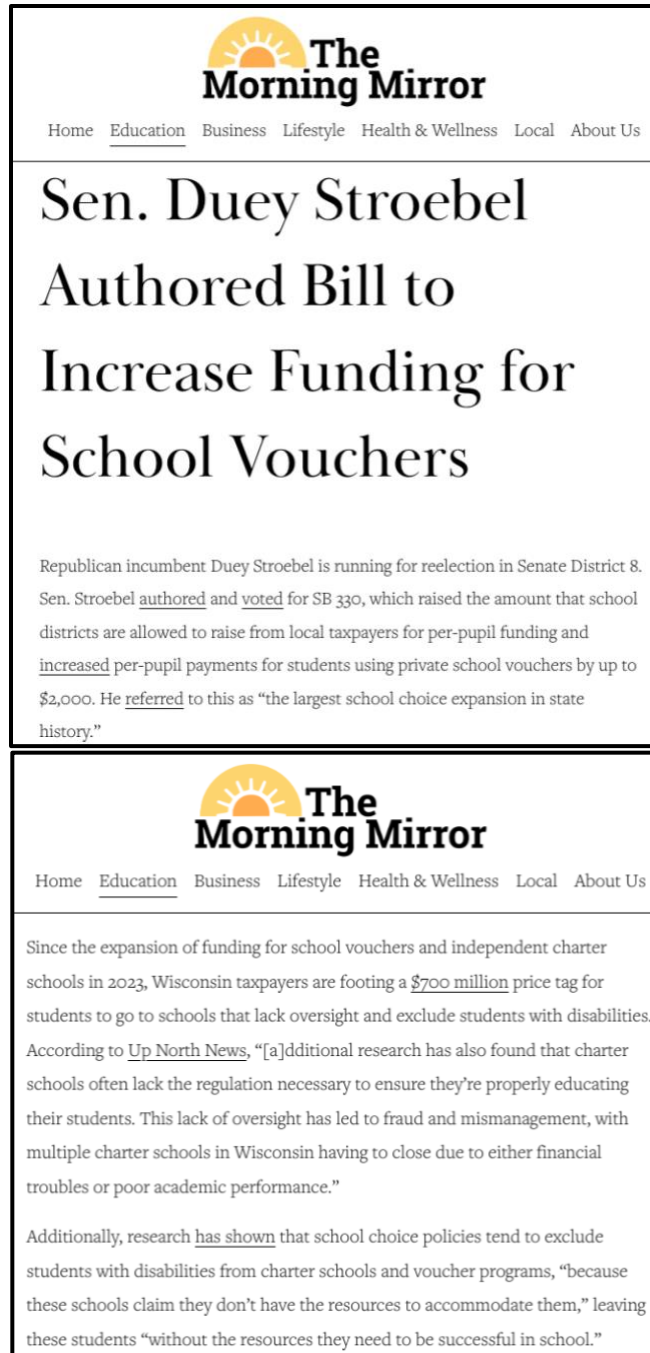
Screen Capture: 1 Sen. Duey Stroebel "Morning Mirror" Facebook Ad, Paid for by SSM




(The Morning Mirror, Sen. Duey Stroebel, [Meta Ad Library](#) (Ad Run Sept. 29, 2024-Oct.18, 2024))

¹⁶ The Morning Mirror, Sen. Duey Stroebel, [Meta Ad Library](#) (Ad Run Sept. 29, 2024-Oct. 18, 2024); The Morning Mirror, Sen. Duey Stroebel Authored Bill to Increase Funding for School Vouchers, [Education](#) (Sept. 27, 2024).


Screen Capture: 2 "Morning Mirror" Article Attacking Sen. Duey Stroebel and Promoting His Opponent, Jodi Habush Sinykin




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Sen. Duey Stroebel Authored Bill to Increase Funding for School Vouchers

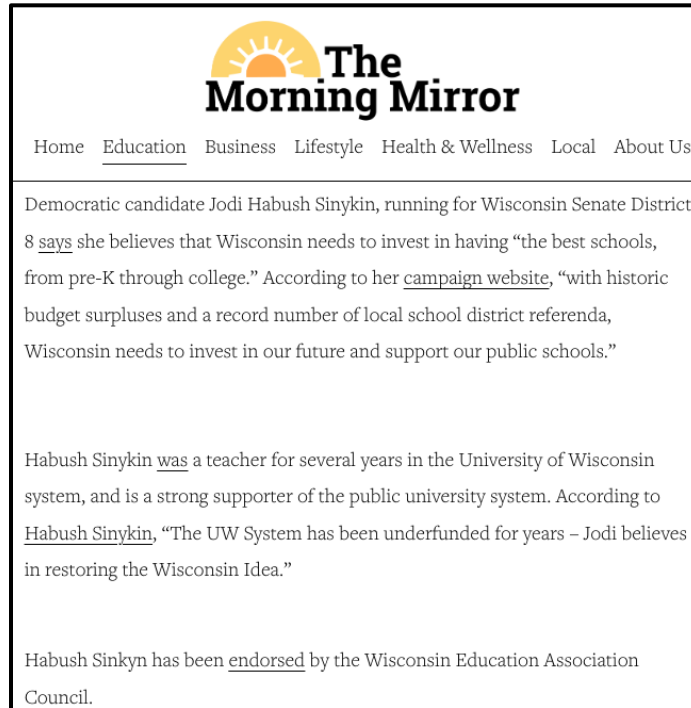
Republican incumbent Duey Stroebel is running for reelection in Senate District 8. Sen. Stroebel authored and voted for SB 330, which raised the amount that school districts are allowed to raise from local taxpayers for per-pupil funding and increased per-pupil payments for students using private school vouchers by up to \$2,000. He referred to this as “the largest school choice expansion in state history.”


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Since the expansion of funding for school vouchers and independent charter schools in 2023, Wisconsin taxpayers are footing a \$700 million price tag for students to go to schools that lack oversight and exclude students with disabilities. According to Up North News, “[a]dditional research has also found that charter schools often lack the regulation necessary to ensure they’re properly educating their students. This lack of oversight has led to fraud and mismanagement, with multiple charter schools in Wisconsin having to close due to either financial troubles or poor academic performance.”

Additionally, research has shown that school choice policies tend to exclude students with disabilities from charter schools and voucher programs, “because these schools claim they don’t have the resources to accommodate them,” leaving these students “without the resources they need to be successful in school.”

(The Morning Mirror, Sen. Duey Stroebel Authored Bill to Increase Funding for School Vouchers, [Education](#) (Sept. 27, 2024))



(The Morning Mirror, Sen. Ducey Stroebel Authored Bill to Increase Funding for School Vouchers, [Education](#) (Sept. 27, 2024))

Request for Action

In its administration of *The Morning Mirror*, SSM appears to generate no revenue via methods used by legitimate newsrooms, and instead, only receives its money from dark money special interests. The AZCCEC noted that the only revenue SSM mentioned actually receiving was from nonprofit grants. Specifically, SSM described its revenue as “grants from nonprofit organizations that are interested in funding the type of news coverage that Star Spangled Media undertakes and building an audience for the news coverage via targeted advertising.”¹⁷

In Wisconsin, any “news story, commentary, or editorial by a broadcasting station, cable television operator... [or] Internet site, or newspaper, or other periodical publication” is exempted from the campaign finance framework.¹⁸ Broadly speaking, the Wisconsin Legislative Council has characterized this “news distribution” exemption to apply to any “news organization.”¹⁹ SSM, however, does not qualify as a genuine, *bona fide* “news organization” – it has no discernible revenue model, and it appears to exist for the purpose of republishing campaign material. While SSM presents itself to the Wisconsin public as a legitimate news source, SSM is in reality a political operation that evades state registration and reporting requirements, while republishing campaign materials in coordination with political candidates.²⁰

SSM does not satisfy the general understanding of the “media exemption” found in federal and most state campaign finance laws. In *Readers Digest Ass’n. v. Fed. Election Comm’n*, the Southern District of New York held that the federal statute’s news media exemption only applied to “the press entity’s legitimate press function” and excludes purported press whose “facilities [are] owned or controlled by any political party, political

¹⁷ *Supra* note 7.

¹⁸ Wisc. Stat. § 11.0101(8)(b).

¹⁹ Wisc. Legis. Council, *Informational Memorandum: Major Provisions of 2015 Wisconsin Act 117* (2016), https://doscl legis.wisconsin.gov/misc/lc/information_memos/2016/im_2016_01.

²⁰ *Supra* note 2.

committee or candidate.”²¹ Similarly, Wisconsin’s news media exemption applies only to “news stor[ies], commentary, or editorial[s]” so long as the publication medium is not owned by a political committee.²² Republishing campaign material in the form of paid online advertising, and, worse yet, launching full-on campaign attack ads against targeted candidates, indisputably falls outside of any legitimate press function, and, as such, the content of these publications would not qualify as any sort of “news story, commentary, or editorial.” Furthermore, SSM replicates and amplifies campaign material into advertisements without incorporating journalistic news elements, additional commentary, or any editorialization of the content. SSM is not a *bona fide* news organization and does not generate content that would be exempted from Wisconsin’s campaign finance framework. In fact, Wisconsin law regulates the campaign materials and political communications that comprise the bulk of the content SSM distributes.

Because the media exemption does not apply to SSM’s activities, those activities qualify as “contributions” and “disbursements” under Wisconsin’s campaign finance laws. Furthermore, SSM’s republication of candidate-produced material constitutes “coordination” pursuant to Wis. Stat. § 11.1203.

A final concern with the continued allowance of SSM’s blatant campaign spending is an influx of copycat behavior, creating ultimately a greenlight to circumvent Wisconsin’s campaign finance reporting requirements writ large.

It is with this in mind that we respectfully request that the Wisconsin Ethics Commissions consider the applicability of Wisconsin’s campaign finance laws to Star Spangled Media LLC’s political activity within the State.

Sincerely,



Caitlin Sutherland
Executive Director
Americans for Public Trust

²¹ *Readers Digest Ass’n. v. Fed. Election Comm’n*, 509 F. Supp. 1210, 1214-15 (S.D.N.Y. 1981).

²² Wis. Stat. § 11.0101(8)(b).