

Rick Perry

Rick Perry (R-TX) assumed the office of governor of Texas in 2000 when George W. Bush became president. He was elected to a full four-year term in 2002, reelected in 2006 and is running again in 2010.

Gov. Perry:

- Allegedly disregarded campaign finance laws and aided a business that was especially generous to his campaign
- Refused to operate transparently, and has blocked access to information related to a death penalty case
- Rejected federal stimulus funds in a manner that appeared to put partisan politics ahead of the interests of the citizens of Texas
- Has perpetuated the revolving door between government and special interests
- Accepted travel and campaign donations from a business that received benefits from his official actions
- Used campaign funds for a personal trip with questionable relevance to his campaign for office

CHARGE ONE: CAMPAIGN FINANCE PROBLEMS

A lawsuit filed by Christopher Bell, Gov. Perry's opponent in the 2006 campaign for governor, alleged that errors in campaign finance reports obscured the source of \$1 million in contributions.¹ Attorneys for Mr. Bell further alleged that the \$1 million in question, purportedly from the Republican Governors Association (RGA), was actually a conduit contribution from Texas homebuilder Bob Perry (no relation to the governor), who had cut a check to the RGA for the same amount just days earlier.² According to Mr. Bell's lawyers, the RGA deliberately misclassified the donation on campaign finance reports and "effectively kept anybody from knowing what was going on about these contributions."³

Bob and Doylene Perry, owners of Perry Homes of Houston, have donated \$840,000 directly to Gov. Perry's campaign committee—not including the alleged \$1 million contribution made through the RGA—and the Perrys' industry seems to have benefitted from the governor's official actions.⁴ In 2003, Gov. Perry helped push through legislation creating the Texas Residential Construction Commission, a state body that is supposed to handle complaints against homebuilders.⁵ Within a month of receiving a \$100,000 donation from Bob Perry, Gov. Perry appointed Perry Homes executive John R. Krugh—who reportedly helped write the law creating

¹ Judge Rejects Request to Toss Lawsuit, *The Associated Press*, May 6, 2009.

² Jason Embry, Defeated Democrat Alleges Source of Money Was Hidden, Seeks Damages Over Error, *Austin American-Statesman*, April 6, 2009.

³ Id.

⁴ Rick Casey, Investor's Guide to Guv Contest, *Houston Chronicle*, November 5, 2006.

⁵ Id.

the body—to serve as one of its nine commissioners.⁶ In 2006, state Comptroller Carole Keeton Strayhorn nicknamed the commission the “builder protection agency” for its ineffectiveness and advocated that it be abolished.⁷

CHARGE TWO: TRANSPARENCY AND THE DEATH PENALTY

In 2009, Gov. Perry refused to release a clemency report prepared to help him to decide the fate of then-death row inmate Cameron Todd Willingham.⁸ Gov. Perry also took actions that shielded the public from important knowledge about how certain cases are investigated.⁹

Mr. Willingham was executed in 2004 after being convicted in the arson deaths of his three daughters.¹⁰ In October 2009, the *Houston Chronicle* and Hearst Newspapers filed a lawsuit against Gov. Perry for his refusal to release the clemency report, which was received by his office on the eve the governor denied Mr. Willingham a stay of execution.¹¹ The governor argued the document was privileged.¹² Soon after the execution forensic scientists raised serious doubts about the evidence used to convict Mr. Willingham—and questioned whether the fire was, in fact, arson.¹³ Controversy over the case reignited when Gov. Perry replaced members of the Texas Forensic Science Commission, which was investigating whether to improve the standards of arson investigators in light of the Willingham case.¹⁴ The governor’s move prompted accusations that he was covering up facts that could prove that Texas executed an innocent man.¹⁵

CHARGE THREE: REJECTING STIMULUS MONEY

In March 2009, Gov. Perry announced that he would reject nearly \$555 million in federal stimulus funds to expand state unemployment benefits, arguing that the money would increase the tax burden on Texas businesses.¹⁶ He did, however, accept most of the nearly \$17 billion in federal aid set aside for his state.¹⁷ Texas currently covers the smallest percentage of unemployed workers of any state, according to the Center for Public Policy Priorities, with nearly four out of every five unemployed workers not qualifying for benefits.¹⁸ At least one business-backed tax group predicted that by rejecting the funds, the state would be forced to

⁶ Id.; Clay Robinson and Purva Patel, Builder Oversight Agency Blasted; Strayhorn Says the State Group Gives Little Help to Home Buyers, *Houston Chronicle*, January 24, 2006, in this source, Mr. Krugh is referred to as Robert Krugh. His official Commission biography, found at http://www.trcc.state.tx.us/who_we_are/resources/krugh_printer_friendly.pdf, gives Mr. Krugh’s full name as John R. Krugh.

⁷ Robinson and Patel, *Houston Chronicle*, January, 24, 2006.

⁸ R.G. Ratcliffe, Chronicle, Hearst Sue Perry to Release Clemency Report, *Houston Chronicle*, October 27, 2009.

⁹ Id.

¹⁰ Id.

¹¹ Id.

¹² Ratcliffe, *Houston Chronicle*, October 27, 2009.

¹³ Steve Mills and Maurice Possley, Man Executed on Disproved Forensics, *Chicago Tribune*, December 9, 2004.

¹⁴ Ratcliffe, *Houston Chronicle*, October 27, 2009.

¹⁵ Id.

¹⁶ Texas Rejects Stimulus Unemployment Money, *The Associated Press*, March 12, 2009.

¹⁷ Id.

¹⁸ Perry Rejects Funds for Jobless, *The Dallas Morning News*, March 13, 2009.

increase taxes on businesses to avoid a projected unemployment fund shortfall.¹⁹ The group said accepting the stimulus funds would have reduced the potential tax increase.²⁰ Members of both political parties opposed the governor's actions.²¹

CHARGE FOUR: REVOLVING DOOR

Gov. Perry's staff has made use of the revolving door; at least 17 of Gov. Perry's former aides have entered the lobbying industry.²² For instance, in June 2009, Gov. Perry named former lobbyist Ray Sullivan as his chief of staff.²³ Mr. Sullivan, employed by Gov. Perry earlier in his career, had left government to pursue a lobbying career, representing companies such as Exelon Power Texas, Banc Pass Inc., Global Options Inc. and HNTB Corp.²⁴

On February 2, 2007, Gov. Perry issued an executive order mandating that all sixth-grade girls receive the *human papillomavirus* vaccine Gardasil, a move opposed by a number of conservatives and some parents' rights groups.²⁵ The executive order also directed the state to provide the vaccine at no cost to girls between the ages of 9 and 18 who were uninsured or whose insurance did not cover the vaccine.²⁶ Leading up to the order, Merck & Co., the distributor of Gardasil, doubled its lobbying budget in Texas and gave money to Women in Government, a group established to advocate for the vaccine.²⁷ Gov. Perry's former chief of staff, Mike Toomey, was one of three Merck lobbyists in Texas at the time.²⁸ Merck's political action committee also donated at least \$6,000 to Gov. Perry's 2006 reelection campaign.²⁹

CHARGE FIVE: IMPROPER TIES TO THE POULTRY INDUSTRY

In April 2008, Gov. Perry, apparently acting in the interests of poultry producer Lonnie Pilgrim, requested a waiver from the U.S. Environmental Protection Agency (EPA) for certain ethanol mandates.³⁰ Gov. Perry had met with Mr. Pilgrim one month earlier.³¹ Six days after the meeting, Mr. Pilgrim made a \$100,000 contribution to the RGA, then chaired by Gov. Perry.³² About a month after Gov. Perry requested the waiver, Mr. Pilgrim donated \$25,000 to the governor's political action committee.³³ Mr. Pilgrim even footed the bill for Gov. Perry and

¹⁹ Perry's Misguided \$555 Million Stand, *Austin American-Statesman*, March 14 2009.

²⁰ Id.

²¹ Id.; Perry Should Admit His Stimulus Mistake, *States News Service*, March 25, 2009.

²² Randy Lee Loftis, State of Neglect: Revolving Door Lets Lawmakers Profit From Capitol Floor Time, *The Dallas Morning News*, January 7, 2009.

²³ Jason Embry, Perry Appoints Lobbyist Sullivan as Chief of Staff, *Austin American-Statesman*, June 20, 2009.

²⁴ Id.

²⁵ Texas Orders STD Vaccine For All Girls, *The Associated Press*, February 3, 2007.

²⁶ Id.

²⁷ Id.

²⁸ Id.

²⁹ *The Associated Press*, February 3, 2007.

³⁰ R.G. Ratcliffe, Poultry King Paid for Perry's Airfare, Gave to Campaign; the Governor Asked the EPA for Ethanol Waiver Sought by Pilgrim, *Houston Chronicle*, July 16, 2008.

³¹ Id.

³² Id.

³³ Id.

three aides to attend a June 24, 2008, news conference in Washington, D.C., to promote the waiver request.³⁴

CHARGE SIX: ETHICS INVESTIGATION

In spring 2004, the Texas Ethics Commission opened an investigation of Gov. Perry to determine if he illegally spent political contributions on personal expenses.³⁵ Judicial Watch, a government watchdog group that filed the complaint, accused Gov. Perry of using campaign funds to take a trip to the Bahamas with his wife and several staffers, a voyage unrelated to any campaign or official event.³⁶ The Ethics Commission found, however, that Gov. Perry's conversations on the trip--covering taxes, education and politics--were "clearly related" to his official duties and did not constitute a violation.³⁷

³⁴ Ratcliffe, *Houston Chronicle*, July 16, 2008.

³⁵ Ken Herman, Ethics Agency Investigates Perry's Trip to Bahamas, *Austin American-Statesman*, April 22, 2004.

³⁶ Id.

³⁷ W. Gardener Selby, Perry's Trip is a Fond Memory – For His Foes, *Austin American-Statesman*, February 17, 2006.