



Howey/DePauw Poll: Senate ‘tossup’

Matthews, Yang survey has Lugar leading Mourdock 42-35%, tied among GOP voters

By **BRIAN A. HOWEY**

INDIANAPOLIS - U.S. Sen. Dick Lugar is in the most precarious position of his political career since autumn 1974 when he unsuccessfully challenged Democratic incumbent Birch Bayh. A Howey/DePauw Indiana Battleground Poll released today reveals Lugar with a 42-35% lead over Indiana Treasurer Richard Mourdock, with the two evenly splitting the vote among the 72% of primary voters identifying with the



U.S. Sen. Dick Lugar answers questions from the press about his residency in February, while at right, a couple dozen supporters of challenger Richard Mourdock rallied in the candidate’s hometown of Evansville last weekend. (Photos by Brian A. Howey and Tamara Keith of NPR).



GOP. It has prompted HPI to move this race into “tossup” from “Leans Lugar.”

The poll by Republican pollster Christine Matthews of Bellwether Research and Democrat pollster Fred Yang of Garin-Hart-Yang Research Group, was conducted March 26-28 of 503 likely Republican primary voters and March 26 -27 of 503 likely Indiana general election voters. It has a +/-4.5% margin of error.

The polling came after Lugar had

Continued on page 4

THE INDIANA BATTLEGROUND POLL

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Primary composition key

By **CHRISTINE MATTHEWS**
Bellwether Research

WASHINGTON – Our March 26-28 poll shows what everyone knows: Richard Lugar is in a tough battle to win the May 8 Republican primary. He leads Tea Party challenger Richard Mourdock by 7 points, but at 42%, his ballot support is far enough below the 50% mark to be of significant concern. The make-or-break proposition for Senator Lugar is going to be the composition of the primary electorate.



The fact that Indiana has



“It wasn’t all of those groups who were making the phone calls in 2010 and 2011 asking me to do this. It was the grassroots of the Republican Party here in Indiana.”

- Treasurer Richard Mourdock



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an open primary makes this narrative different from Delaware, where in 2010 U.S. Sen. Mike Castle lost to Tea Party candidate Christine O'Donnell in a closed Republican primary, or in Utah, where U.S. Sen. Bob Bennett's fate was decided by fewer than 4,000 GOP convention delegates.

The Republican Senate candidates are tied among self-identified Republicans and among primary faithful – those who voted in both the May 2008 and 2010 Republican primaries. However, among the 28% of the sample who identified as independent or as leaning Republican, Richard Lugar has a 26 point advantage (52%-26%).

We were cautious in this survey and did not ask self-identified Democrats the primary intention screen and thus included none in this sample. However, it is reasonable to believe that with nothing going on for them, some Democrats will vote in the Republican primary. In Wisconsin this week, 11% of GOP primary voters were Democrats and 30% independents; Illinois had 6% who identified as Democrats and 26% as independents, and in Ohio, 5% were Democrats and 26% independents.

Make no mistake though, our poll shows that Indiana Republican primary voters are a conservative bunch. Compared with other states that have held Republican primaries this year, Indiana is more conservative than any other non-Southern state with 36% saying they are "very conservative." And, outside of Iowa, Indiana has more evangelical Christians than any other non-Southern state.

As to which candidate "shares my values," Lugar leads Mourdock by 8 points and has a 10-point advantage on "will get things done." Mourdock is seen as running the more negative campaign by a nine-point margin. We will track these attributes again on our pre-primary poll.



Republican pollster Christine Matthews speaks at DePauw University on Super Tuesday. (DePauw Photo by Marilyn Culler)

The fact that Richard Mourdock is not well known (40% have no opinion of him and 17% have never heard of him) can play out two ways. One is that he has room to grow as voters get to know him and that his poll numbers will get better as he becomes better known. The other scenario is that Mourdock's lack of identity is useful in serving as the "anti-Lugar" in that he can generically represent change or people can project onto him ideal qualities. The April 11 debate is an opportunity for Mourdock to show himself as more than the "anti-Lugar" candidate and voters can judge him in a side-by-side comparison with the incumbent.

Another factor to consider is how active a role popular Gov. Mitch Daniels will yet play in the primary. He has endorsed Senator Lugar, but there has been no TV ad. Usually endorsements are not that interesting; however, the governor is a rock star among Republicans.



General Election Survey

With a 63% job approval rating among all voters, Mitch Daniels is among the most popular governors in the country (along with New Mexico's Susana Martinez and New York Governor Andrew Cuomo). The majority (53%) of all voters think the state is heading in the right direction, compared with 26% who think the country is. Just 39% approve of the job Barack Obama is doing as President, which is worse than in private polling we conducted last summer. Independents give Obama a 41% approval rating, compared with 62% for Governor Daniels.

If Mitt Romney is the Republican nominee, he would lead the president by nine points (49%-40%) among Hoosier voters, whereas it's a closer race with Santorum (46%-41%). Independent men lean toward Romney 46%-42%, but independent women back Obama 51%-34%.

In the gubernatorial race, Democratic candidate John Gregg and his moustache have yet to make an imprint on voters: 71% have never heard of him, which is little changed from where he was a year ago. Mike Pence is better known and leads Gregg by a 44%-31% margin. This early, our poll simply lays the marker for this race as the candidates begin to campaign in earnest following the May primary. However, Pence starts out with a solid advantage.

In the U.S. Senate general election contest, former Democratic congressman Joe Donnelly also begins as a relative unknown: 53% have never heard of him and another 24% have no opinion. He trails Richard Lugar by a 29%-50% margin (perennial Libertarian candidate Andy Horning nets 7%). Lugar wins independent voters by a 20-point margin and soundly beats Donnelly in Indianapolis, an area Democrats must carry. Donnelly only performs well in the northwest quadrant of the state which includes Lake, St. Joseph and Porter counties.

Against Richard Mourdock, however, Donnelly ties with 35% of the vote (7% for Horning). Donnelly has a 20-point advantage in Indianapolis and increases his margin in northern Indiana substantially. Indiana Democratic insiders know these numbers, of course, and that is why they will do everything in their power to help ensure Richard Mourdock comes out of the GOP primary. The general electability argument, however, will not help Richard

Lugar in the primary. It's been working for Romney, but in general, Republican primary voters aren't responsive to this message.

Presidential GOP Primary

At the time we were in the field (March 26-28) with our Republican primary poll, the narrative was beginning to shift from Santorum-Romney to Romney as nominee. It's not surprising that during this consolidation period, more than one-third of primary voters said they were

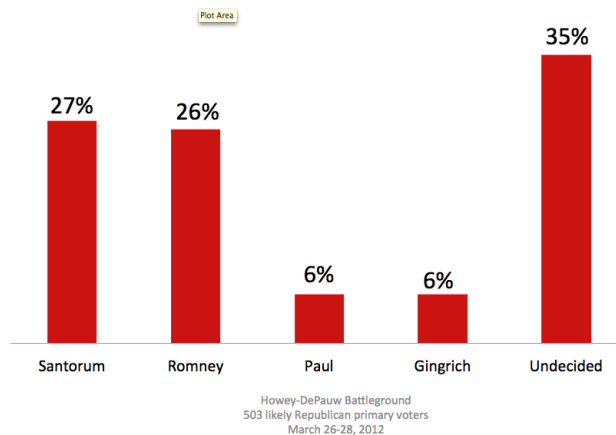
unsure whom they plan to support for president in Indiana's May primary contest. Santorum supporters slightly edge Romney supporters (27%-26%) and more might be unsure if their guy would still be alive and kicking by the time May 8 rolls around. The Gingrich (6%) and Paul (6%) support has already dropped. What is most interesting is that Romney is the candidate of choice for Indianapolis and its suburbs, while Santorum holds his own in the rest of the

state. All the traditional constituency patterns are in place: Santorum wins evangelicals (but not overwhelmingly) and Romney wins college grads while Santorum leads among the less educated.

More interesting is how an active presidential contest would play in the U.S. Senate primary. Romney supporters line up with Lugar, while Santorum's are in sync with Mourdock. NBC's Chuck Todd said a competitive GOP presidential primary would be a nightmare for Senator Lugar, but I disagree. The Santorum/Mourdock voters are going to turn out anyway – because they are the base and because the NRA, FreedomWorks, and Club for Growth will make sure of it. What benefits Lugar is for the Romney micro-targeting and turn-out machine to be in full force. If Romney is cruising, they may take a less active role in turning out their supporters and these people are more likely to stay home if they think Romney has the nomination wrapped up. ❖

Matthews is president and CEO of Bellwether Research based in Washington.

GOP Presidential Primary Vote





Howey/DePauw Poll, from page 1

experienced a terrible week. He took broadside headlines related to the residency issue in the week before the polling, with the Democratic Marion County Election Board denying the voting address he had used since joining the Senate in the late 70's. The three days of polling coincided with the beginning of a statewide Club for Growth TV assault ad branding Lugar as a big tax and spender who loves earmarks.

Lugar, then Indianapolis mayor, lost the 1974 race to Bayh as he was buffeted by the fallout from the Watergate scandal, President Ford's pardon of Richard Nixon, and Ford's troubled "Whip Inflation Now" program. Lugar's polling showed him to be in a rollercoaster race.

Thirty-eight years later, Sen. Lugar is confronted with a historic low 10% approval rating of Congress, according to the Howey/DePauw survey. A stunning 81% of those polled disapprove of Congress' actions. A recent Gallup national survey has Congressional approval at 12%.

Howey/DePauw revealed that 26% of Hoosiers see the U.S. on the "right track" compared to 61% who see the nation on the "wrong track."

Lugar and Mourdock are evenly splitting the GOP vote. If Indiana did not have an open primary system, a record seventh term for Lugar would be doomed. In the Republican portion of Howey/DePauw, 72% identified themselves as Republican, 14% as independents/lean Republican and 14% as independents. When Howey/DePauw asked respondents "What candidate does this statement better describe Richard Lugar/Richard Mourdock," 36% said Lugar "shares my values" compared to 28% for Mourdock. "Is running a negative campaign" had 24% Mourdock and 15% Lugar, and "Will get things done" had a 10-point (40-30%) Lugar advantage.

Essentially, the May 8 Republican primary has turned into a referendum on Lugar. Some 40% of Republican voters have no opinion of Mourdock, and another 17% have never heard of the two-term treasurer who led the GOP ticket in his 2010 reelection bid. Among likely Republican voters, 47% have a favorable opinion of Lugar and 31% unfavorable, compared to Mourdock with a 24% favorable to 18% unfavorable. In the general election portion, Lugar's fav/unfavs stood



Indiana Treasurer Richard Mourdock outside the former Lugar home that served as his longtime voting address.

at 47/30% and Mourdock's stood at 15/18% with 34% having heard of him with no opinion and 33% having never heard of him.

Conventional wisdom is that an incumbent standing under 50% in a poll this late in an election sequence is facing the specter of defeat. As U.S. Rep. Joe Donnelly, the Democrat in the Senate race, said on Monday, "A pollster once told me, 'Joe, if you were at 42 percent a few months out, or you know five, six

months out, we'd probably tell you to think of other career options."

Matthews explained, "Coming on the heels of some pretty awful headlines, it is good news for the Lugar campaign that he is up, but more important than the spread or the challenger's percentage is that the incumbent's number at 42% is not a good number."

As for the undecided voters, Yang observed, "I think they are pausing. They are deciding not to vote for Richard Lugar. The undecideds are on their way to voting for Richard Mourdock - they just don't know him. The good news for Lugar is he has time to turn things around."

Conventional wisdom is that undecideds tend to break to the challenger about 3-to-1, meaning Mourdock must pull about 65% of them to go over the top.

The silver lining for Lugar, who is facing an onslaught of special interest money on behalf of Mourdock from the National Rifle Association, Club for Growth and

FreedomWorks, is that in a head-to-head matchup with Donnelly among general election voters, Lugar leads 50-29%. In a head-to-head between Mourdock and Donnelly, the race is tied at 35%.

Donnelly's fav/iunfavs stood at 14/9%, with 53% having never heard of him and another 24% had heard of him but have no opinion.

Asked whether they approved or disapproved that



Christine Matthews, Fred Yang and Brian Howey discuss polling at DePauw University on March 5. (DePauw Photo by Marilyn Culler)



in 2008, the federal government lent \$80 billion to Chrysler and General Motors to prevent the companies from going bankrupt, 51% of the general election approved and 44% disapproved. Among independent men, by a 69-30 margin they approved of the auto rescue. The significance of this data is that Treasurer Mourdock tried to prevent the Chrysler/Fiat merger in a lawsuit that was eventually rejected being heard by the U.S. Supreme Court. Donnelly had been an ardent proponent of the auto rescue, saying it would save tens of thousands of Hoosier auto industry jobs.

Pollster Matthews explained, "The fact is, if Lugar comes out of the primary, he's in good shape in the general." The problem is that Republican primary voters tend not to respond to an electability argument when what they are looking for is purity and an ideological pit pull to stand their ground.

In 2010, Tea Party candidates Sharron Angle in Nevada and Christine O'Donnell in Delaware won upset victories in closed primaries, then lost to Democrats in the fall, depriving the GOP a Senate majority.

Mourdock has never aired the traditional bio ad. Instead, he uses phrases like "it's time" for Lugar to retire. "The race is a referendum on Lugar," Matthews said. "That's how they are playing it. It used to be you can't replace someone with no one, but you can today."

Matthews cautioned that it is too early to write Lugar off. Lugar is leading by 20% among independents. He is carrying Indianapolis by a huge margin, but isn't as strong in the so-called doughnut counties surrounding Indianapolis as one might have assumed. His numbers

in Southern Indiana aren't as bad as the pollsters anticipated. The Lugar campaign hierarchy has recognized for almost two years that it must draw independent and even some Democrats into

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the GOP primary. If the campaign can do that, Lugar has a path to victory.

Another element is the endorsement of Gov. Mitch Daniels, who has a 63% approval rating (and 31% disapproving) from general election voters and an 86% approval from Republicans, according to Howey/DePauw. At a February fundraiser in Carmel, Daniels said of Lugar, "Indiana continues to be blessed by one of

the greatest public servants not of our modern times, not of our state's history, but in American history – and it's not stretching the point. Dick Lugar is genuinely a great American as reflected in decades of spectacular service."

The Lugar campaign taped the Daniels' statement and will use it in a homestretch TV ad. "Endorsements aren't normally worth a whole lot," Matthews said. "This one will move numbers."

Presidential Primary: A dead heat

In the Republican presidential primary, with the nomination virtually a foregone conclusion for Romney, Rick Santorum leads Romney 27-26% among the Republicans surveyed. Ron Paul and Newt Gingrich stood at 6% each and 35% were undecided.

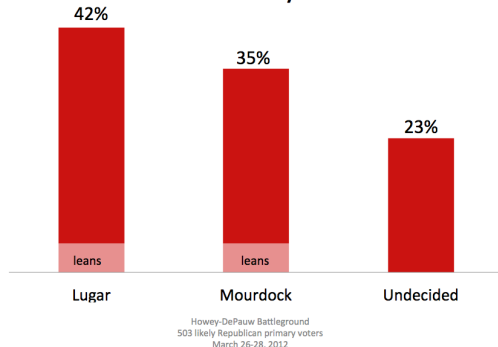
There are two ways to look at the presidential race in the Senate primary prism. If the race had not been essentially decided and there were active campaigns on behalf of Romney and Santorum, that would likely draw more into the primary, including more independents. A low turnout, which has been the hallmark of a number of Republican primary races, is seen as an element benefiting Mourdock. From the earliest stages of the campaign, Mourdock had said that he was counting on a low turnout. The Lugar campaign, which has called more than 1 million voters, is geared to increasing turnout. Doing so could save the Lugar candidacy.

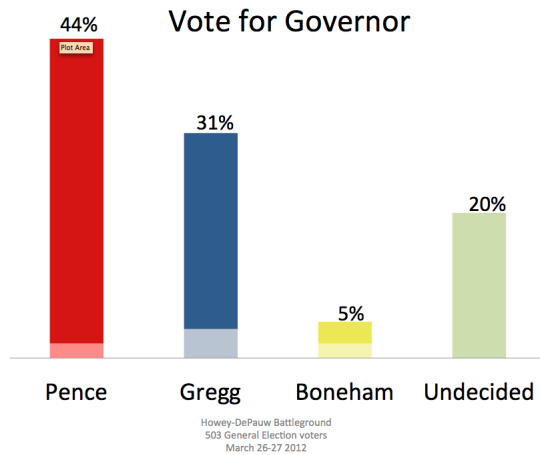
In the general election head-to-head, Romney leads President Obama 49-40% with 11% undecided. In a Santorum/Obama head-to-head, the Republican leads the incumbent 46-41%.

Asked in the general election survey about President Obama's approval, 39% said they approve of his performance and 52% disapprove. It appears that with these numbers, Indiana is likely to return to the red column after Obama was the first Democrat to carry the state in 44 years in 2008.

Yang noted that Obama carried independent Hoosiers by 11% in 2008 and that stands at plus 4% in Howey/

U.S. Senate GOP Primary vote





Exhibition season over, we'll see if Lugar survives

By **FRED YANG**
Garin-Hart-Yang Research Group

WASHINGTON - While the historic nature (and excitement) of the 2008 elections here in Indiana seems difficult to duplicate, there are several elections in 2012 whose outcomes could be consequential for Hoosiers. In particular, 2012 could witness the end of Richard Lugar's long political career, which started in 1967. I am a fish out of water when it comes to analyzing Republican primaries (I greatly defer to my colleague Chris Matthews in the practice of this, shall we say, challenging art!). But my quick read of the GOP primary poll suggests that Richard Lugar likely will lose the May 8 primary election.

The casual observer will ask (quite logically) how I could draw that conclusion when Senator Lugar is leading Dick Mourdock in the initial trial heat and has superior name recognition (nearly four-fifths of GOP primary voters have an opinion of Lugar, compared with only 42% who have impressions of Mourdock). Again, I will be interested in Chris' analysis of the GOP primary dynamics, but here are some numbers "beneath" the surface that suggest Lugar is poised to lose.

■ First, Lugar's 42% (37% without leaners) is below the 50% threshold that incumbents need to surpass. So the argument goes, if after nearly 45 years in office nearly three-fifths of GOP primary voters won't commit to Lugar now, what are the chances he wins them over in the next five weeks?

■ Second, Lugar fares worse in the GOP primary with GOP voters. Among voters who identify themselves as Republicans, Lugar and Mourdock are knotted at 38%. Among GOP primary voters who voted in both the 2008 and

2010 primaries, Mourdock and Lugar are again tied. Both groups are the more likely to turn out in a May primary, and thus, in a low-turn primary in which "base" Republicans would make up the overwhelming share, Lugar would be in trouble.

■ Finally, the trait comparisons between the two candidates show Lugar's problems even though right now he is ahead of Mourdock. Sure, Richard Lugar has an eight-point lead on "shares my values" and he is ten points ahead on "will get things done," but he has been in office for five decades and in the U.S. Senate since 1976, and he can barely manage double-digit advantages over a basically

DePauw. "When Frank O'Bannon won in 1996, Bill Clinton got 41%, but that was with Ross Perot on the ballot," Yang said. "Can Barack Obama win Indiana? That's unlikely. But can he get to 45 or 46%, which could then influence the Senate and gubernatorial race? I think that's an open question."

Pence leads Gregg

In the first head-to-head numbers in the Indiana gubernatorial race, U.S. Rep. Mike Pence had a 44-31% lead over former Democratic House speaker John Gregg, with 5% backing Libertarian Rupert Boneham.

When asked in the general election survey if Indiana was headed in the right or wrong track, 53% said right track and 34% said wrong track.

Gregg's problem is that 71% of the general election voters have not heard of him. Of those who have, his fav/infavs stood at 10/4%. Pence's fav/unfavs in this survey stood at 32/20% with 30% having never heard of him. Among the Republican primary voters, Pence's fav/unfavs stood at 57/5%.

Matthews observed, "I am a little surprised that Pence is not more polarizing." It was a year ago that Pence led the Congressional GOP on a crusade against Planned Parenthood. But during his gubernatorial campaign, Pence has been very disciplined in talking about jobs and taxes.

Again, Yang shed a historical perspective. In 1996, O'Bannon trailed Republican Stephen Goldsmith by a larger margin than Gregg trails Pence. Pence's challenge will be that anemic 10% approval rating for Congress.

"John Gregg has him right where he wants him," Yang joked.

Publisher's Note: Howey/DePauw Battleground will publish a second poll prior to the May 8 primary. ❖



Democratic pollster Fred Yang



unknown opponent.

Can Richard Lugar win the GOP primary? Absolutely, and as the 2012 primary season has shown so far, unpredictability is predictable. Senator Lugar's one chance seems to be to (negatively) define Mourdock, and with nearly three-fifths of GOP primary voters unable to rate their impressions of the challenger, that task seems doable. And the polling shows that if the GOP primary electorate "expands," Lugar has a chance to win (which is ironic – if Lugar wins the GOP primary he will do so because of non-Republicans). But at the end of the day, elections involving incumbents turn out to be a referendum on the incumbent (especially in primary elections), and if that ends up being the case, our poll results suggest that Dick Lugar will be hard-pressed to win.

Well, that was a fun sidelight onto the "other side."

The Howey/DePauw Indiana Battleground Poll included questions on the presidential, gubernatorial, and U.S. Senate races, and the main takeaway is that the Republican candidates with seemingly healthy leads nonetheless can take nothing for granted; it is still early and the campaign has barely started (to the voters).

In some respects, the timing of our first Battleground poll with the start of the major league baseball season is appropriate: the exhibition season is over and now the games count. And your record in the pre-season usually does not predict your success in the regular season. While our poll did not go in-depth on overall dynamics looming in 2012, we know from other polls and the national zeitgeist that voters are not satisfied with the status quo and have no problem shaking things up.

Presidential: Barack Obama trails Mitt Romney by 49% to 40% and Rick Santorum by a slightly smaller margin (46% to 41%). In comparing the current results with the 2008 Indiana exit poll, the most important change has been among independents; Obama won them by 54% to 43% in 2008, and in our survey he only wins by 45% to 41%. If the President can regain some of his support among independents (as he should once the general election gets more engaged), the Obama-Romney race becomes more competitive.

The survey data provide one specific issue that should help the Obama reelection campaign: the auto bailout. Overall, about half (51%) of Hoosier voters approve of the \$80 billion loan to Chrysler/GM, with 44% disapproving. Independents approve by a very strong 61% to 37%, which suggests that this is a very potent issue for the Obama campaign.

Gubernatorial: Republican Mike Pence has an early 44% to 31% lead over John Gregg, with Libertarian Rupert Boneham garnering 3%. Pence's current lead is largely a function of his higher name recognition as a current officeholder (70%, versus 29% for Gregg, who has

been out of politics for nearly a decade). Two items in particular indicate that the gubernatorial race is far from over. First, Pence's advantage among independents is surprisingly lackluster at only 32% to 25%. And second, note that Congress has an 81% disapprove rating (81% disapprove with Republicans and 87% disapprove with independents), which is not a great credential for the five-term Congressman Pence. Gregg is slightly better positioned – even with his 13% deficit – than the late Frank O'Bannon in 1996 (who trailed by 20 points in a number of polls).

Finally, there is no doubt that Governor Daniels is popular; his 63% job approval rating is impressive. But the survey also raises doubts about whether any of Daniels' popularity can translate into anyone not named Mitch Daniels. For example, the Republicans in the legislature have a net positive rating of 38% favorable and 36% unfavorable, which is better than the Democrats in the state legislature (32% favorable, 39% unfavorable). Not only is the GOP legislature perceived only marginally better than the Democrats, but also the GOP woefully underperforms the GOP governor. And, among independents, the Democrats actually are at a net plus (32% favorable, 28% unfavorable), while the Republicans are extremely polarizing (23% favorable, 42% unfavorable).

U.S. Senate: The dynamics of this election will greatly change depending on whether the GOP candidate to face Joe Donnelly is Lugar or Mourdock, but the polling indicates that the race will be closely contested until the end. Lugar leads Donnelly by 50% to 29%, but Lugar is below 50% without leaners (46%) and arguably Donnelly's deficit is magnified by his lack of name recognition (77% of Hoosiers cannot rate Donnelly, compared with only 23% who cannot rate Lugar). Against Mourdock, Congressman Donnelly instantly is more competitive (35% Donnelly, 35% Mourdock) mostly because both candidates are equally known (or unknown, as the case might be). A couple of interesting cross-tabs in the Donnelly-Mourdock race:

- Donnelly leads 34% to 19% among independents, with Libertarian Andrew Horning garnering 10%.
- Among those who support Lugar against Donnelly, only 53% vote for Republican Mourdock, 18% vote for Donnelly, and 24% are undecided.

The last result in particular restates the conventional wisdom (which sometimes is actually correct!) that a general election against Mourdock starts off as a tossup race. But I would argue that although Lugar currently has the lead against Donnelly, the same dynamics that have made him vulnerable in the GOP primary also are present in the general election. In summary, Indiana is looking like it will have three interesting, important, and competitive elections. ❖

Yang is a partner with Garin-Hart-Yang Research Group.



Lugar faces dilemma of other Foreign Policy chairs on home front

By **BRIAN A. HOWEY**

INDIANAPOLIS - William J. Fulbright. Frank Church. Chuck Percy. What do they have in common?

All chaired the Senate Foreign Relations Committee. All eventually went down to defeat when they returned home for reelection. All faced the same complaint on the home front: They were more interested in global affairs than developments in their home states.

And we are hearing that complaint in Indiana these days as Treasurer Richard Mourdock seeks to unseat U.S. Sen. Dick Lugar. Republican county chairmen complain that he doesn't attend their Lincoln Day dinners. He has become a senator "from Indiana and not of Indiana."

Lugar chaired this powerful committee for two years after Percy was defeated in 1984. He used the position in two powerful ways during the first two years he held the seat. He played a critical role in convincing President Reagan that Philippines' President Ferdinand Marcos had stolen an election after having his rival assassinated, and then committed rampant vote fraud against the widow, Corazon Aquino. And he broke with Reagan in opposing the apartheid government of South Africa, which eventually collapsed under the weight of U.S. sanctions.

When Republicans lost control of the Senate in 1986, a 16-year hiatus from the chair began for Lugar. When the GOP retook the Senate, North Carolina Sen. Jesse Helms claimed the chair and held it until he retired in 2002. This thrust Lugar back into the chair at a critical time as President George W. Bush prepared to invade Iraq.

In his new book, "Richard G.

Lugar: Statesman of the Senate," author John T. Shaw writes that the Iraq War - seen by some as a way for the U.S. to get its hands on the country's huge oil reserves - dominated Lugar's next four years at the helm. Lugar was concerned that the Bush administration had "not prepared sufficiently for the war's aftermath" and held 30 hearings that Shaw described as "muted and restrained sessions, a far cry from the politically charged and powerful 1966 hearings" conducted by Fulbright over the conduct of the Vietnam War.

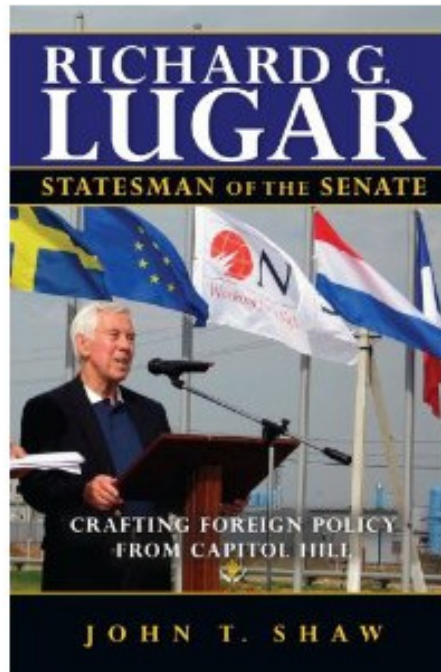
Shaw says six points define a "statesman": a sense of working in the long-term; being willing to take political risks; being willing to work with the other party; being willing to break with your own party; doing good work when no one is watching; and delivering, getting things done.

During Vietnam, Fulbright attempted to work with President Johnson behind the scenes, to no avail. He broke with LBJ in 1966, held sensational hearings to shed light on the futility of the war, and in doing so "completely marginalized" himself with the administration.

Lugar faced a similar battle with President Bush and chose the quiet approach. He had been hawkish on Saddam Hussein, urging President George H.W. Bush to takeout the dictator in April 1991 after the U.S. expelled him from Kuwait. But in 2002 and 2003, U.S. Sen. Chuck Hagel, the Nebraska Republican, urged Bush and Secretary of State Condi Rice to "have Lugar sit down with the president - without Dick Cheney - and listen to him. But they never did. They didn't use him. It was a terrible, terrible squandering of a resource."

Hagel is critical of Lugar, too, saying he should have been more outspoken as the 2003 U.S. invasion careened into a terrible civil war that came about because of a lack of a post-invasion strategy. "I told him that I didn't think anyone's voice was more powerful than his on this matter," Hagel said. "Dick opted to do it his way - quiet and private."

In 2006, the assumption of "statesmanship" reached its apex with Lugar. Up for reelection, he had no Democratic opponent. Shaw writes that in October 2006, Lugar conducted a



Author John T. Shaw at his book signing for the Lugar book on Monday night at the Old Centrum. (HPI Photo by Brian A. Howey)



thousand-mile campaign style swing through Indiana. He spent several million dollars from his campaign to “conduct a public education campaign about the imperative for the United States to develop new energy technologies.” Lugar argued that energy had become the “albatross of U.S. national security. Unless the nation adopted a more visionary energy policy, it faced a real, long-term risk of economic and political decline.”

He visited a proposed wind farm at Fowler in Benton County, met with I-Power executives in Anderson, visited Wabash River Energy, a clean coal facility near Terre Haute, Evergreen Renewables in Hammond, a new ethanol plant in Marion.

Lugar told Shaw, “This is what my life is going to be like for the next six years.” He wanted to be an “agent provocateur” getting Americans and Hoosiers to “keep pushing the envelope relentlessly and even get people to leap outside the envelope. Our future depends on it.”

In 2008, Lugar traveled the globe on energy related issues. On one trip, he visited key energy transit states of Georgia and Ukraine, along with key energy producers Turkmenistan, Kazakhstan and Azerbaijan. He conveyed to leaders that the U.S. was interested in new energy export routes outside of Russia, which at one point had cut off natural gas to Europe in a fit of economic blackmail. In August 2008, he spent two weeks promoting the proposed Nabucco pipeline, first meeting with International Energy Agency officials in Paris. There were more stops in Georgia, Azerbaijan, Turkey, Hungary, Ukraine, Germany and Belgium.

Shaw writes that in July 2009, Lugar received stirring news that the European Union and leaders of five nations had reached a deal on Nabucco. There would be a signing ceremony in Ankara. Lugar left Washington on a Saturday night, flew to London, caught a military flight to Turkey, met with pipeline contractors, then attended an elaborate signing ceremony. Lugar would tell the gathered heads of states, ambassadors and businessmen at the ceremony that Nabucco “was a bold demonstration that governments representing diverse peoples and geographies can overcome division. It is a signal to the rest of the world that partner governments will not acquiesce to manipulation of energy supplies for political ends.”

He returned to Washington the following Tuesday.



Sen. Lugar hosted an energy security summit at Purdue University.

The trip lasted 72 hours, including 33 hours of travel and 14 hours of official meetings.

This week, special interests and the Richard Mourdock campaign began running a TV ad against Lugar, reducing the “energy issue” to this, with a narrator saying, “Obama’s failed energy policy has gas prices skyrocketing. Hoosier families are paying the price. Yet Dick Lugar wanted to raise gas taxes a dollar a gallon.”

And Club for Growth President Chris Chocola pulled out a 2003 “Cap-and-Trade” vote on a bill by U.S. Sen. Joe Lieberman, where Lugar was one of just six GOP sena-

tors to support. “Senator Lugar supports a Cap-and-Trade scheme and voted for one in 2003 while most Republicans voted no,” said Chocola. “In elections, facts matter, and the fact is that Senator Lugar voted for Cap-and-Trade, while Richard Mourdock never will. Senator Lugar’s attempt to mislead voters about his record of support for Obamaesque policies will be rejected by Hoosiers.”

What we are witnessing here is a classic DC insider game, where the complexities of an issue and the body of work of one of the few Members who has taken energy policy serious is dumbed down ... for the manipulation of political ends. ❖





Tea Party needs Lugar following Supreme decision

By **MARK SCHOEFF JR.**

WASHINGTON - Supreme Court Chief Justice John Roberts Jr. gets too much criticism – or credit – for pushing the court in a conservative direction.

For several years, I covered the court's work on employment and labor law. It sided with employers in some high-profile cases, such as a pay discrimination suit brought by Lilly Ledbetter. Many times, though, the high court ruled against corporations, especially in the area of retaliation.



The Roberts court would often act narrowly, forcing other courts or Congress to provide answers to questions raised by a particular case. In this sense, Roberts is leading his colleagues in a traditionally conservative way – trying to keep the court's reach circumscribed.

Following last week's oral arguments on the health care reform law, everyone is trying to read the tea leaves on the individual mandate. If the justices rule that it's unconstitutional, they'll then decide whether that action invalidates the whole law.

Based on its approach to employment cases, the Roberts court may give Congress room to run following the ruling, which is expected in late June.

Regardless of the parameters of the decision, Congress will try to reassert itself. In the Ledbetter case, for instance, Democratic lawmakers were incensed by the 5-4 vote and were urged to overturn it by the scathing dissent read from the bench by Justice Ruth Bader Ginsburg.

Congress responded in January 2009 with the Lilly Ledbetter Act, which gave employees more time to file pay discrimination suits. It was the first piece of legislation that Obama signed.

As we saw this week, Obama is girding for another post-decision fight. He virtually dared the justices to vote against his signature piece of legislation. The gauntlet he threw down may be his way of telling Congressional Democrats to be ready to hit the health-care field again, if he wins a second term.

What happens after the Supreme Court renders its verdict is as important as the decision itself. In this atmosphere, it's in the best interests of the Republicans, including the Tea Party faithful, to have U.S. Sen. Richard Lugar in the fray.

At this point, I need to remind HPI readers that I

was the senator's press secretary in the mid-1990s. You don't have to be a Lugar alum, however, to realize that he would be well-positioned to provide a bulwark against Democratic reaction in the Senate to the health care decision.

His ability to reach across the aisle - as much as that is criticized by his primary opponent in this election season - also could make him a key player in formulating a new approach to health care reform.

The election, however, is unlikely to bring a decisive change to the Senate. No matter which party wins the chamber, its caucus will be far short of the 60 votes required to break a filibuster.

Lugar can be a bridge that helps ensure that the second attempt at health care reform is more targeted, less costly and more widely supported than Obama's plan.

Democratic colleagues may be ready to talk because they see polls demonstrating the unpopularity of the health care law, as Lugar said at a recent press event in his Capitol Hill office with Indiana Attorney General Greg Zoeller.

"The degree of revolt in the Congress is already evident," Lugar said. "It could very well be that Democratic members may decide, all things considered, there are things they would like to see repealed to get them out of harm's way."

That's where Lugar comes in. The Democrats won't simply admit defeat and let Republicans have their way on the next iteration of health care reform. They will listen to Republicans who do more than hurl grenades from the backbench.

Lugar's GOP challenger, Richard Mourdock, as well as Indiana Democrats like to point out that Lugar supported a bill in 1993 that included an individual mandate. Lugar answered that criticism by highlighting the basic motivation of health care reform.

"We were thinking, as many senators always have, about adequate health care for all Americans and how in a humane way people could be served," Lugar said. "At the same time, there were questions then as there are now as to whether there can be a requirement that everybody have health care."

That bill, as Lugar pointed out, didn't go anywhere. But the key difference between health care reform deliberations in 1993 and those of 2009-10 is that in the latter a massive bill was rammed through Congress solely with Democratic votes.

In a full democratic process, with give and take from both sides, a question like an individual mandate can be vetted. ❖

Schoeff is HPI's Washington correspondent.



Seybold won't go negative as McIntosh residency will be a target

By **BRIAN A. HOWEY**

INDIANAPOLIS - His campaign was on the brink of kicking off a TV ad campaign, but Marion Mayor Wayne Seybold's British heritage had caught the attention of the blogosphere.

Perennial Hamilton County Democrat candidate Greg Purvis had accused Seybold's mother, who holds dual British/American citizenship, of remaining a citizen across the pond so she could stay on Great Britain's national health service. Seated on a couch at the Monon Coffee Company in Broad Ripple, Seybold could

only sigh at the affront.

Seybold was one of the last candidates to get in the 5th CD race. Now he hopes to take a positive message into the final month while several of his opponents - John McGoff and Susan Brooks - were preparing to take aim at the presumed front-runner, David McIntosh, who was about to be portrayed as a "carpetbagger" despite his three terms in Congress from Indiana and his 2000 nomination for governor.

IndyPolitics.org writes, "Voting records show McIntosh participating in several Indiana primaries and general elections while at the same time holding a Virginia driver's license which, under Virginia law, you can only have if you are a resident." Virginia statute states that you must show two proofs of identity, one proof of legal presence and one proof of Virginia residency, in order to obtain a driver's license in that state. McGoff explained, "You have to ask the important questions. Where does David McIntosh live? Where does

the McIntosh family go to church? What school does his children attend? The answer to all of these questions is Arlington, Virginia, not Indiana."

The mayor says he will resist going on the attack. "We've never gone negative," Seybold said of his mayoral campaigns and one for the Marion City Council. "I don't see us going that down the road."

Seybold said the campaign is on track to raise "in the \$250,000 to \$350,000 range." He added, "We're picking up momentum. We've spent the last 42 days building the base. Now it's time to reach out. What I'm surprised at is the almost inaction we've seen in this race. There haven't been a lot of commercials. That really helps us."

Seybold has some impressive endorsements ranging from U.S. Rep. Dan Burton, to State Sens. Luke Kenley, Mike Delph, Jim Banks, Travis Holdman and Jim Buck, and State Rep. Eric Turner. "They are taking an active role," he said of his legislative support. The Seybold game plan is to run well in the northern part of the district in Grant and Howard counties, and then make inroads in the bigger population areas of Hamilton, Madison and Marion counties. The winner could come in with 24 to 30%.

McGoff, who challenged Burton twice, has said his internal polling shows he is the main challenger to McIntosh. The two entered the race with higher name ID than the rest of the field due to their combined five congressional campaigns. McGoff was endorsed by Indiana Right to Life and McIntosh picked up the endorsement of the National Rifle Association.

Brooks has portrayed herself as the non-politician. She is in her first campaign after serving six years as the Southern Indiana District Attorney. Brooks observed President Obama's signing of the STOCK Act, but said it was only a first step. "America faces serious issues that required immediate attention by leaders capable of solving big problems: Putting Americans back to work. Tackling the nearly \$15 trillion in debt and restoring America's AAA credit rating. Cutting the insatiable, out-of-control spending habits of the federal government. Eliminating regulations on businesses that impede job creation. Reforming the federal tax code," she said. "As I have traveled the 5th Congressional District during the past nine months talking to voters, I've heard firsthand the frustration Hoosiers feel toward Washington with not only the lack of



Marion Mayor Wayne Seybold believes he's well positioned to make a move in the 5th CD primary. (HPI Photo by Brian A. Howey)



results, but also the absence of civility and genuine unwillingness to put our future generations ahead of politics and start tackling America's greatest challenges. With the approval rating of Congress at historic lows - ranging between 9 percent and 12 percent depending on what poll you read - many conclude that our problems will never be solved until we restore the trust and confidence of the American people."

So it will be Brooks and Seybold to try to separate themselves from the field of past Members and congressional contenders. Brooks has more money than Seybold, and she is expected to use some of it to attack McIntosh. Seybold hopes he can stay positive and possibly position himself to weave into the lead in the final five weeks of the campaign. **Horse Race Primary Status:** Leans McIntosh

Governor: Energy in the gov race

The gubernatorial race centered on energy this week as Democrat John Gregg began to earnestly weigh in on the issues. Gregg said in Northwest Indiana that he is working on a plan to eliminate Indiana's 7% gasoline sales tax. "There's some help we can give, and I think it's important that we try to do that because it's causing Hoosiers to suffer," Gregg said (Carden, NWI Times). "When gas gets to \$4 a gallon, it crimps Hoosiers' pocketbooks, and it has resulted in a windfall to the state." Indiana sales tax collections in February were \$11 million more than February 2011, in part because gasoline sold for an additional 50 cents a gallon this year. The state also has \$1.7 billion in reserve. "We realize gas prices are high, and we've got to do what we can about it," said Gregg, who plans to announce details of his gas plan in two weeks.

In June 2000, when premium fuel topped \$2 a gallon for the first time, Democratic Gov. Frank O'Bannon declared an energy emergency and suspended the state's sales tax on gasoline for five months. Republicans called it an election-year stunt, but by the end of that summer Hoosiers were paying the lowest gasoline prices in the nation. U.S. Rep. Mike Pence, the Republican candidate for governor, said he's "not opposed to lifting the sales tax" but would prefer Indiana enact "across-the-board tax relief that will encourage investment and create jobs."

Both Gregg and Republican Mike Pence appeared at the Indiana Ethanol Forum Tuesday and both differed

very little on their support for alternative fuels. The Associated Press reported that both Gregg and Pence touted their support for more fuel choices - read that as higher blends of ethanol in gasoline and more gas pumps throughout the state that dispense E85 blends - and blasted the Obama administration for new regulations on coal plants that could hit the state's coal industry. Gregg said he would consider a state-level ethanol consumption mandate and look at building more E85 fuel pumps around the state. Pence, meanwhile, argued that building out the state's roads would help maximize development of the state's existing ethanol plants. **Horse Race Status:** Leans Pence

U.S. Senate: Mourdock senses upset

Indiana Treasurer Richard Mourdock appeared at an Evansville rally in his home county last Saturday and said he was on the verge of an upset. The challenger recalled the incredulous response he got last year, when he launched his campaign to deny Lugar renomination. "People looked at me, 'Oh, well, gee, uh, that's Dick Lugar. I mean, he's Dick Lugar. He's been (in the Senate) for 35 years. That's Dick Lugar. He's an icon of Indiana politics,'" Mourdock said (Langhorne, Evansville Courier & Press). "And time to go!" a woman shouted from the crowd to laughter and applause. Mourdock said he was warned he would not be able to raise money for a campaign against the well-connected veteran senator. "By the end of last year we had raised \$1.3 million and I'll tell you, with what's been happening, we are going to meet our target of \$2.5 million," he vowed to an applauding audience. On Saturday, Mourdock and his supporters made only passing and indirect references to the now resolved residency issues that have dogged Lugar in this campaign. Mourdock did not discuss the case in detail, although he did slip in a reference to "Vanderburgh County, where I actually do live."

His appearance came as Lugar tried to put the residency issues behind him. His office repaid \$14,000 in hotel expenses that an audit showed were reimbursed while he was not on official Senate business. What didn't get reported was that Lugar has returned millions of dollars of office operating expenses over the past 35 years.

The Lugar and Mourdock campaigns and their Super PAC surrogates continued to trade charges this past week. The Lugar campaign accused Mourdock of launching an attack ad meant to "mislead and deceive" the senator's energy and tax record, describing it as "low rent politics." Campaign spokesman Andy Fisher said, "Murdock continues to be absent on solving our major problems. On tax issues he says he wants more people to pay more taxes,



U.S. Rep. Mike Pence tours Toyota this week in Southwestern Indiana.



but he never says what taxes. He has been an absolute no-show on a better energy plan for America. Instead he continues to warp facts and mislead Hoosier voters. While Richard Mourdock is digging up old newspapers, Senator Dick Lugar is fighting President Obama's hostility to domestic oil production, his rejection of the Keystone XL pipeline and his over-regulations of oil and coal."

The Club for Growth says Lugar is misleading voters when he says he opposed Obama's "'Cap-and-Trade' energy scheme," saying he supported a version sponsored by U.S. Sen. Joseph Lieberman in 2003. "Senator Lugar supports a Cap-and-Trade scheme and voted for one in 2003 while most Republicans voted no," said Club for Growth President Chris Chocola. "In elections, facts matter, and the fact is that Senator Lugar voted for Cap-and-Trade, while Richard Mourdock never will. Senator Lugar's attempt to mislead voters about his record of support for Obamaesque policies will be rejected by Hoosiers."

Lugar picked up the endorsement of Lt. Gov. Becky Skillman and five former Indiana Republican state chairmen. "Dick Lugar has been a champion for Indiana and a pillar of strength and security for our country," Skillman said at an event at Bankers Life Fieldhouse in Indianapolis on Monday. "I also appreciate his constant support for agriculture and homegrown energy. He has honorably served Hoosiers and he has my full support."

Jim Kittle, Mike McDaniel, Gordon Durnil, Bruce Melchert and Tom Milligan sent a letter this week to Indiana newspapers backing U.S. Sen. Dick Lugar: "We are five proud former chairs of the Indiana Republican Party - a party founded on individual freedom and conservative principles. We endorse Sen. Dick Lugar, because he lives these philosophies every day. Some believe that because Dick Lugar doesn't pound his desk or hurl personal insults, he isn't conservative enough. Nothing could be further from the truth. Sen. Lugar has a longstanding record of supporting free enterprise, rights of the unborn and the right to bear arms. That's why the Chamber of Commerce supports Sen. Lugar and why he has 100% voting records with the National Right to Life and the Christian Coalition. Dick Lugar has been civil to President Obama, but not been afraid to stand up to him. Sen. Lugar opposed the Obama-Pelosi-Reid so-called stimulus bill and voted 32 times against Obamacare. Sen. Lugar publicly challenged the president on jobs and energy, forcing Obama to move forward with the vital Keystone XL pipeline to produce more North American oil and 20,000 desperately needed jobs - including opportunities for 100 Indiana suppliers. And Sen. Lugar's opponents are wrong to suggest he isn't "Hoosier enough." Dick Lugar was born, raised and attended public schools in Indiana. He served on a local school board and was elected mayor of his hometown, Indianapolis. He still operates the Indiana farm that has been in the family for generations. Dick Lugar left his home state on just three

occasions: to attend college, to serve in the U.S. Navy and to represent Indiana in the U.S. Senate. Now, big-monied outside special interest groups who have no stake in Indiana are running political ads attacking Dick Lugar and twisting his record. Instead, we hope you will consider the advice of those of us who know him best. Furthermore, Republicans should question why Democrats are taking such active roles to beat Sen. Lugar in this GOP primary. Polls show their only possible path to victory is to not face Dick Lugar in November. Our country and state would be much better off with more Dick Lugars in the U.S. Senate. That is why we join Indiana Gov. Mitch Daniels in urging fellow Hoosiers to vote for Senator Lugar in May's Primary Election and in November's General Election. Help us re-elect Sen. Dick Lugar."

Meanwhile, U.S. Rep. Joe Donnelly issued a jobs plan this week and began stumping for it around the state. He visited Riverfront Park in Evansville to meet with Hoosiers who work in the energy industry and talk about his support for domestic energy production. The six-point plan is entitled "Going All-in On American Energy Production." "There is no more pressing issue than job creation, and we need to go all-in when it comes to American energy production to both create jobs and keep our hard-earned dollars here at home," said Donnelly. "Evansville is the perfect example of how Indiana can be an energy leader. Many hard working men and women like those with me this morning work hard in the coal mines each day to provide our state with the energy we need. By pursuing every resource, we can put even more Hoosiers to work." Donnelly's plan includes provisions to cut taxes for Hoosier job creators; protect American jobs through a trade policy that works for Indiana, not China; invest in Indiana roads and bridges; and give workers the skills they need to compete. He has an "overarching belief that this must be achieved while living within our means and has plans to address the debt crisis." **Primary Horse Race Status:** Tossup

6th CD: Fettig endorses Bates

Don Bates' campaign for 6th CD announced that Greg Fettig, Founder of America Refocused and an influential leader in Indiana's Tea Party Movement has endorsed Bates (Howey Politics Indiana). "It is my pleasure to announce my endorsement of Don Bates Jr for United States Congress representing Indiana's sixth congressional district. I know Don to be a principled man of strong faith and conviction. His life has been spent living and working within the district. It is here that Don learned the conservative values of hard work, fiscal responsibility and free market capitalism. Don's experience of raising a family and managing a small business affords him the knowledge of the burdensome intrusions and regulations placed on citizens by an all intrusive federal government. Don gives me hope that America's best days are not behind her, but rather



ahead of her as a new breed of constitutional patriots set forth to steady and steer our great nation towards a brighter future," said Greg Fetting, founder of America ReFocused.

Primary Horse Race Status: Likely Messer

7th CD: Walker endorses May

Marion County GOP Chairman Kyle Walker and eight Marion County Republican Township Chairs announced their endorsement of Carlos May. "Carlos May is the best candidate to challenge and defeat Andre Carson," said Walker. **Primary Horse Race Status:** Likely May

8th CD: Risk, Bucshon face off

The Republican candidates seeking to represent Indiana's 8th Congressional District presented two distinctly different choices to Wabash Valley Tea Party members Tuesday night in Terre Haute (Foulkes, Terre Haute Tribune-Star). Incumbent Rep. Larry Bucshon, a first-term member of the House of Representatives, presented a relatively pragmatic image to voters at Tuesday night's meeting at the VFW Post at 12th and Mulberry streets. His opponent, challenger Kristi Risk, a Spencer Tea Party favorite, presented a more uncompromising image, especially regarding government spending and the size and reach of the federal government. "I would have been a stalwart against new spending," Risk said when asked how she would have voted had she been in Congress during the past two years. Risk said she would have favored a budget proposed by Sen. Rand Paul, R-Ky. That budget would have balanced federal spending much sooner than the budget put forward by Rep. Paul Ryan, R-Wis., which Bucshon favored. "I think there comes a time when we have to lay aside politicking and we have to lay aside the status quo and the way things have always been done," Risk said. "And we have to stand on principal." In 2010, the federal government spent more than it did during the "entire eight years (Bill) Clinton was president," she said. Bucshon, 49, also said controlling spending is critical and described the Ryan budget as moving in the right direction within the context of what was politically possible last year. "The (Ryan) budget we passed last year got us close to getting back on the pathway, but not far enough," Bucshon said. One area of clear disagreement between the two Republicans was over increasing the federal debt ceiling last year to avoid a government shut down. Bucshon, who voted to increase the ceiling, said allowing a shutdown would not have been "responsible" and would have resulted in an even worse budget deal due to some members of Congress "panicking." He also said shutting down the government would have handed President Obama a reelection victory. "If we take what a majority of the American people think is an irresponsible position, we will get this man reelected." Bucshon also said the measure to raise the debt ceiling did not authorize any new spend-

ing, it only paid for past spending. "In fact we cut \$2.1 trillion in spending as part of the debt ceiling bill," Bucshon said.

The Risk-Bucshon showdown came after Vanderburgh County Republicans denied Risk a chance to speak at its Lincoln Day Dinner on Monday. Risk called it part of a concerted campaign by party establishment figures who "think they can shut me out" (Langhorne, Evansville Courier & Press). "The voters are the people that decide who their representative will be, not the party," Risk said. She added with a laugh that she came to Monday's dinner not only to do some campaigning, but to show that she can't be cowed. "I don't understand why people just think that someone owns the (congressional) seat," she said. GOP Chairman Wayne Parke and other party insiders have acknowledged that in this year's Republican primary, they favor Bucshon. "I wish she had not run. She's not a bad lady," Parke said of Risk. "It's just that it's the wrong race at the wrong time for her. I'd give anything if she had ran for something else."

Bucshon has the endorsement of the Indiana Right to Life, which says their support is based on his responses to a RTL 2012 legislative survey and "your strong pro-life voting record. Thank you for your support for the sanctity of life, and best wishes on your important bid for office."

Primary Horse Race Status: Safe Buchson

SD24: Nine set for caucus Saturday

The deadline has now passed to file for Saturday's caucus to fulfill the balance of the term in SD 24. Here's the final field of nine candidates: Jeff Baldwin, Dennis Dawes, Dave Fuhrman, Nancy Marsh, Peter Miller, PJ Steffan, Kelli Waggoner, Eric Wathen and Kim Woodward. There is a candidate forum at 7 tonight at the Avon Town Hall. The caucus will be held at 9 a.m. Saturday at the county government center in Danville and open to precinct committeemen or their proxies as well as media.

SD13: Chamber endorses Sen. Glick

The Indiana Chamber of Commerce announced today its endorsement of Sue Glick (R-LaGrange) for reelection to the Indiana SD13. The appointed freshman senator is being challenged by State Rep. David Yarde. "Senator Sue Glick is a very effective and committed lawmaker who understands that job creation and economic growth must be top priorities for our state," said Kevin Brinegar, president of the Indiana Chamber of Commerce. "Senator Glick takes very seriously her role as a public servant and really goes the extra mile to dig into policy issues." **Primary**

Horse Race Status: Leans Glick ♦



Indictments rock the St. Joe Dem machine

By RYAN NEES

NEW HAVEN, Conn. - The St. Joseph County Prosecutor's Office filed far-reaching charges this week against four persons in the 2008 presidential ballot petition forgery case first reported by Howey Politics Indiana and the South Bend Tribune last year. The charges sweep across the heights of the St. Joseph County Democratic machine, likely finally toppling an organization that dominated northern Indiana politics for more than two decades.

Butch Morgan, who resigned under a cloud of suspicion last year as chairman of both the St. Joseph County party and the 2nd CD, was the highest-ranking official charged. Affidavits submitted by the Indiana State Police charge that he orchestrated a plot carried out by the other three.

Those three, the appointees he installed to lead the St. Joseph County voter registration office, were also charged. They are Pam Brunette, the former head of the office, Bev Shelton, her deputy of some two decades, and Dustin Blythe, a former office employee. Brunette and Shelton were fired when the charges were announced Monday.

Each of the defendants entered preliminary pleas of not guilty at an arraignment Tuesday afternoon. Blythe, alone among the three, remains in jail unable to post bond. Collectively the four are charged with 30 felonies and face sentencing of up to 200 years.

The prosecutors' allegations bear striking resemblance to the wide-ranging investigation HPI and the South Bend Tribune published in October. Comparing petitions submitted by then-gubernatorial candidate Jim Schellinger with those submitted by presidential candidates Barack Obama and Hillary Clinton, investigators discovered pages of documents replete with duplicate names. Between petitions, the names often appeared in the same order but in different handwriting, suggesting that they had simply been copied wholesale.

Just as HPI and the South Bend Tribune did, authorities contacted signatories to identify their signatures, citing 17 who attested to the apparent forgery in the charging documents. Many more have since similarly disclaimed their signatures to reporters. The HPI/SBT investigation suggested that hundreds of voters' signatures likely were forged.

Howey Politics Indiana and the South Bend Tribune also hired a handwriting expert to evaluate the documents, making the same conclusions. Prosecutors don't appear to have taken this step in their investigation.

Instead, police rely on the corroborating accounts of Linda Silcott, the Republican counterpart to Brunette in the Voter Registration Office, and of a former employee who began cooperating with the investigation after the HPI/SBT investigation was published. When HPI explained the apparent plot to Silcott for the first time last fall, she said she had "always been suspicious that this sort of thing was happening."

She would later make statements to the Indiana State Police, explaining how the petitions were circulated within the office and revealing that the Democratic employees may have stamped her signature on petitions without her permission so as to gain the necessary Republican certification required of the allegedly faked documents.

In the only interview Brunette has given about the case, she told HPI last fall that she was "not a handwriting analyst, so our job is basically making sure that (the petitions are) complete." She denied then, as she has since denied in court, forging any documents.

Prosecutors went to Republican Judge Jerome Frese Monday to file probable cause affidavits and issue arrest warrants. Frese set the highest bail - \$100,000 - for Morgan, the alleged leader of the conspiracy, even though the charges he faces are the least severe of the four defendants. The case was randomly assigned to Superior Court Judge John

Marnocha.

Morgan is charged with two counts of conspiracy to commit petition fraud, both Class D felonies, and two counts of conspiracy to commit forgery, both Class C felonies. Brunette faces two counts of forgery, both Class C felonies, two counts of falsely making a petition, both Class



Mug shots of former St. Joseph County Chairman Butch Morgan and Democratic co-director of the St. Joe County Voter Registration Office Pam Brunette.



D felonies, and two counts of official misconduct, both Class D felonies. Shelton and Blythe have been charged with nine counts of forgery, all Class C felonies, and one count of falsely making a petition, a Class D felony.

According to the St. Joseph County prosecutor's office, the penalty for each Class C felony ranges from 2 to 8 years in jail. Class D felonies range between 6 months and 3 years in jail.

Morgan's next appearance in court is scheduled for Dyngus Day on April 9, a remarkably symbolic affront to the man who reigned over the event since the 1990s. In an email to St. Joseph County Democrats inviting them to the event, Morgan's replacement as chairman, John Broden, wrote that the charges added urgency to the party's mission.

"Make no mistake, the local, state, and even national Republican Party will do everything they can to use these developments to attack our outstanding Democratic officeholders, candidates, and hardworking volunteers," he said. "Therefore, we all need to redouble our efforts and come together as Democrats to support our candidates and elected officials."

Broden was not available to comment on his decision to remove Brunette and Shelton from the voter registration office this week. Shelton's husband had served as the treasurer of the St. Joseph County Democratic Party, but this week his name disappeared from the party's website. It's unclear whether he remains in that post.

Until this week, the prosecutor handling the case was Joel Gabrielse, a deputy of St. Joseph County Prosecutor Michael Dvorak. On Tuesday, bowing to pressure that has come largely from Republicans across the state, Dvorak handed the case off to Stanley Levco of Evansville to serve as a special prosecutor. Dvorak cited the possibility that he might be called as a witness in the case because among the signatures suggested might have been faked was Dvorak's.

Still, Dvorak's step seems a highly unusual one: it was clear months ago that he may be compelled to testify as a witness in the case. HPI told Dvorak in an interview in September that his signature may have been among those forged, and it has been widely publicized since. By investigating and then handing off the case, Dvorak appears

to have sought to have it both ways – filing blockbuster charges against Morgan and his co-conspirators while distancing himself should the prosecution ultimately turn sour. On Wednesday, Dvorak was unavailable for comment on the substance or the timing of the potential conflict of interest.

Despite his geographical distance, special prosecutor Levco appears to have a number of connections to Morgan. The two were delegates together at the 2004 Democratic National Convention and Levco served as prosecutor in Vanderburgh County at the same time Catherine Fanello served as a Democratic commissioner in that county. Fanello is the wife of Joe Zwierzynski, Morgan's boss at DLZ, an engineering firm. Morgan donated to Fanello's state senate campaign in 2010.

The court appearance Tuesday also drew attention to changes in the defendants' legal representation. Morgan, represented by LaPorte attorney and HPI contributor Shaw Friedman last fall, has hired South Bend criminal defense firm Stanley, Tuszynski and Newman to represent him. Though Blythe was represented by attorney Andre Gammage last year, this week he was alone among the defendants to request a public defender. In December Gammage announced his candidacy for judge of the St. Joseph County Probate Court, perhaps explaining why he might have preferred to distance himself from a trial sure to last months.

Though Blythe left the voter registration office last year, he has remained active in gathering signatures for other Democratic candidates. He was pictured on the St. Joseph County Democratic Party Facebook page last fall gathering signatures for gubernatorial candidate John Gregg. Last August, he emailed Morgan an update on the petition process for Gregg and Joe Donnelly's campaign for U.S. Senate.

Blythe's relationship with Morgan may be strained. Blythe has made no appearance implicating any of his co-defendants and Morgan appears to have abandoned his longtime protégé. As of this writing, Blythe continues to linger at the St. Joseph County jail, unable to post bond and without a private attorney, facing 10 felony counts and up to a 75 year jail sentence. It's unclear whether Blythe is cooperating with prosecutors. ♦



V17.N8 Weekly Briefing on Indiana Politics Sunday, Oct. 9, 2011

'08 primary forgery brings probe

Fake signatures on Clinton, Obama petitions in St. Joe

By RYAN NEES
Howey Politics Indiana
ERIN BLASKO and KEVIN ALLEN
South Bend Tribune

SOUTH BEND — The signatures of dozens, if not hundreds, of northern Indiana residents were faked on petitions used to place presidential candidates on the state primary ballot in 2008. The Tribune and Howey

Politics Indiana have revealed in an investigation. Several pages from petitions used to qualify Hillary Clinton and Barack Obama for the state's Democratic primary contain names and signatures that appear to have been copied by hand from a petition for Democratic gubernatorial



Romney by default?

By CHRIS SAUTTER
WASHINGTON — Barack Obama has often been described as lucky on his path to the presidency. But Mitt Romney is giving new meaning to the term "political luck" as one Republican heavyweight after another has decided against joining the current field of GOP candidates for president.



Yet, the constant clamor for a dream GOP candidate has exposed one of Romney's most glaring weaknesses: There is no enthusiasm for his candidacy. Romney, like Rich-



Then U.S. Sen. Hillary Clinton signs an autograph while touring Allison Transmission in Speedway. She almost didn't qualify for the Indiana ballot for the 2008 primary, which she won by less than 1 percent over Barack Obama. President Obama is shown here at Concord HS in Elkhart. (HPI Photos by Brian A. Howey and Ryan Nees)

candidate Jim Schellinger. The petitions were filed with the

Continued on page 3



"A campaign is too shackley for someone like me who's a maverick, you know, I do go rogue and I call it like I see it."
- Half-term Gov. Sarah Palin



The two smartest ‘bleepers’ in the Indiana Statehouse

By **RICH JAMES**

MERRILLVILLE - It's been a long time since Gordon Engelhardt and I parted ways.

We said our good-byes in the rotunda of the Indiana Statehouse back when a guy named Bob Orr was governor. As we parted company, I remember him saying, "You and I are the two smartest "bleepers" in this place.



Gordon was headed for retirement as the Indianapolis bureau chief of the Louisville Courier Journal. I was headed back to journalism in the real world after covering the General Assembly for seven years.

Gordon was the best – a solid journalist and a wonderful writer. He also wrote a light column each week. I still have his last column somewhere around the house. I vividly recall him telling me before he wrote it that the

dateline would be Oolitic, a small town south of Bloomington. He said he had never written anything with an Oolitic dateline. He also said the word gave him a warm feeling.

And at the end of that last column, he explained that if you close your eyes and slowly repeated "Oolitic," that it sounded like frogs on a pond on a warm summer's night.

Gordon turned 90 a week ago.

Let me tell you, my friend, that while we no longer cover the Legislature, you were right when we departed those many years ago. I still watch the place closely from afar, and not much has changed. One hundred and fifty legislators convene once a year and pontificate with great bluster about how they are there to save Indiana. Of course they don't save anything because they return a year later to try to do the same thing.

It's all about ego and doing what they need to do to get reelected. Shoot, Gordon, many of those who were there before we arrived are still there today. Talk about being older than dirt.

Northwest Indiana always has been Indiana's stepchild. And the local legislators are kind of like caretakers. They want to do what's right without ruffling feathers. Consequently they do very little.

Take the legislative session that concluded last month.

Someone once likened the end of a legislative session to soldiers limping home from war. The Northwest Indiana delegation returned in pretty good shape. There are no battle scars if you don't engage the enemy.

In terms of the betterment of Lake County, local legislators had two key things to get accomplished. Most importantly, they had the ominous task of saving bus service for the second most populous area of the state. That, of course, meant coming up with a permanent funding solution. And nothing gets funded in this world without a tax.

Legislators talked about this and that and ultimately decided on stealing some of the casino taxes. For obvious reasons, that didn't fly. So, rather than being statesmen and taking the bold move of providing a tax for bus service, legislators opted to do nothing and instead virtually guarantee their reelection. And you can bet that you'll hear some of them on the campaign trail talk about how they protected their constituents by opposing a tax to fund bus service.

You likely won't hear many of them talk about the plight of the poor who will no longer have bus service to get them to jobs. I suspect the thinking is that just because gasoline is inching toward \$5 a gallon, people don't need buses.

But while they opposed a tax for bus service, they quietly stood firm in support of a local option income tax for Lake County. These are the legislators who froze the levies for most units of government in Lake County because county officials refused to adopt an income tax. Because the levy freeze started five years ago, local government units are hurting.

The cuts, including police and firefighters, have been dramatic.

According to NWI legislators, there will be no tax for buses to help the less fortunate get around. But they do want an income tax. Go figure.

You were right, Gordon, we were the two smartest "bleepers" in the place when we called it quits way back then. ❖

Rich James is the former opinion page editor and columnist for the Post-Tribune in Merrillville.



Lugar is a statesman, and Mourdock is not

By **JACK COLWELL**

SOUTH BEND - Voters sometimes have weird ways of selecting candidates, even voting against their own best interests.



They are swayed by trivial nonsense - nice hair, nice smile or nice sounding name of somebody not nice at all. Or they are persuaded by negative TV ads claiming truth is false, up is down or statesmanship is evil.

Statesmanship as evil is the real theme of multi-million-dollar TV attacks in Indiana that seek to destroy Sen. Dick Lugar and enable Richard Mourdock, the state treasurer,

to win the Republican nomination for the U.S. Senate.

Lugar is a statesman.

Murdock is not.

Highly financed national forces for elimination of statesmen now target Lugar, long the most popular of Hoosier officials, so popular that Democrats didn't even bother to field a candidate against him when last he ran. He has been known, nationally and internationally as well as in Indiana, as a statesman.

Alas, statesmen by definition show wisdom, skill and vision in conducting the public business. They don't always do what is politically expedient. They seek reasonable compromise, as the Founding Fathers did in forming the nation. And they don't swear unquestioning support for special interests that try to buy them.

These special interests don't want wishy-washy concerns about the common good. They want unquestioning support for what they say is good. They want a puppet, not a Lugar.

While Lugar has been a consistent fiscal conservative, with ratings and endorsements of respected conservative groups to prove it, he has upset some extreme and extremely wealthy advocates of all-out, lock-step, anger-spouting partisanship - the type of partisanship making Congress so popular.

Murdock doesn't fit the definition of a statesman. If he did, he wouldn't be supported by the special interests now opposing Lugar. Mourdock showed no wisdom, skill or vision in seeking in court as state treasurer to kill the successful effort to save the American auto industry. He would have let Chrysler fold and General Motors close as well as the nation teetered on the brink of a second Great Depres-

sion. Indiana, so reliant on the motor industry, would have been devastated.

Lugar voted for the successful effort to save Chrysler and General Motors, both now profitable and hiring and leading the climb out of recession.

That's held against Lugar by forces for the elimination of statesmen. They say anything supported by President Obama must be opposed. They make it sound as though Lugar voted to save Obama. No, Lugar voted to save the American automotive industry and Indiana jobs. Statesmen do things like that, thinking of their constituents and the nation.

Murdock thought instead of partisan politics and his quest for support for higher office from the most extreme Tea Party factions, those sure to vote in Republican primaries.

Trivial nonsense in the attacks on Lugar - what the Wall Street Journal calls "Mickey Mouse" - include the remarkable claim that this long-popular Hoosier isn't a Hoosier.

The fact that he chose to have his family with him in Washington - never a secret - is cited as some kind of damaging revelation.

Democrats are overjoyed that savaging Lugar could lead to Republican primary voters nominating Mourdock, not the brightest light in a Statehouse chandelier - potentially another Christine "I am not a witch" O'Donnell.

The Democratic nominee for the Senate will be Congressman Joe Donnelly. Although Donnelly won reelection despite the 2010 Republican tsunami, no political analyst a year ago would have given Donnelly much chance of upsetting Lugar. Now come the highly financed "Republican" efforts to destroy Lugar. The Democratic Senatorial Campaign Committee joins in for obvious reasons.

The Washington Post reports that a Democratic poll found Lugar ahead of Donnelly by 13 percent for the general election, but Donnelly beating Mourdock by 6 percent. Even if Lugar survives in the primary, he could be so battered by the millions of dollars to belittle him that Donnelly, with no primary opposition, still could win a Senate seat once regarded as "sure Republican" in the GOP quest for Senate control.

Do Republican voters think it's in their best interests to retain a Republican seat and gain control of the Senate? If so, they could be voting against their own best interests if persuaded by negative TV that statesmanship is evil. ❖

Colwell has covered Indiana politics over five decades for the South Bend Tribune.



Abdul-Hakim Shabazz, Indy Politics - With a little more than a month to go before the U.S. Senate primary in Indiana, one question to throw into the discussion is whether the Hoosiers who voted for Marlin Stutzman back in the 2010 primary will be the voters who decide whether Richard Lugar or Richard Mourdock faces Democrat Joe Donnelly in November? You may be saying that Stutzman is now a Congressman representing the 3rd Congressional District, so why does he matter now? Go back and look at the 2010 primary results. Dan Coats - 39.5%; Marlin Stutzman - 29.2%; John Hostettler - 22.6%; Don Bates - 4.5%; Richard Behney - 4.2%. Note, this analysis is based on a couple assumptions. First assume the votes for Coats are true establishment Republicans, while votes for Hostettler, Bates and Behney were "anti-establishment/Tea Party" votes. Translate those totals into today's race. That means incumbent Richard Lugar starts with a baseline of about 40% and State Treasurer Richard Mourdock walks in with about 31%; a 9-point difference, which is not too far off from the polls Mourdock and the Democrats have cited showing a 6-point difference between the two candidates. So with that assumption, one could argue the fight is for those 29% of primary voters who came out for Stutzman; who you could argue aren't 100% tea party, but not so much establishment that they will go along 100% of the time. So where are they? According to the 2010 results they are in the 11 counties that Stutzman won... LaGrange 73%, Kosciusko 48%, Steuben 47.4%, DeKalb 47.5%, Marion 34.9%, Hendricks 34.9%, Clay 35.9%, Putnam 35%, Johnson 35.5%, Shelby 34.5 %, and Rush 36.9%. However, if there is a 50-50 split amongst Stutzman voters, working from these results as a baseline, Lugar wins 54-44, over Mourdock. For Mourdock to win, he would need to pull close to 70% of the Republicans who voted for Stutzman in 2010. Of course there are several other factors at play as we enter the last month of the primary season; the Presidential primary and is it pretty much a done deal by the time primary comes along? How well do Lugar and Mourdock perform in the April 11 debate? What role will the Super PACs play in the home stretch? Will there be an implosion in either of the campaigns' political operations? Will residency still matter? And then there is just the unpredictability that comes along with any political season. However, for the purpose of this analysis, if the campaigns are smart, they have already identified who those "Stutzman" voters are and will work to get them to the polls on May 8, because at this point, no one can take any vote for granted nor leave any stone unturned. ❖



ing Hoosiers' personal incomes. Has he succeeded? Last week, the federal Bureau of Economic Analysis released per capita personal income figures for 2011. Indiana came in 41st, at \$35,550. Strictly speaking, that's an increase from \$30,619 in 2004, the year Daniels was campaigning for his first term in office. But look at the ranking, and Indiana has remained stuck in 41st place nationally since 2007. As we look at Daniels' legacy as one of Indiana's biggest agents of change in modern history, this is one area where that success isn't reflected. I don't think it's for lack of trying, though. In his first State of the State address, in 2005, Daniels said, "Government does not create jobs, it only creates the conditions that make jobs more or less likely. All our hopes in other areas depend on our ability to bring about a more growth-friendly Indiana of rising incomes, sales, and wealth." And so the organizing objective of our administration will be higher personal income for Hoosiers. Every department is already being tasked with identifying the actions and improvements it will make to contribute to that goal," Daniels said. The result, though, has been less than satisfactory. Among its neighbors in the Great Lakes, Indiana ranks ahead of only Kentucky. Illinois ranks 14th in the nation, with per capita personal income of \$44,140. Watch the gubernatorial candidates this year, Democrat

John Gregg and Republican Mike Pence, discuss how the state will try to accelerate personal income growth over the next four years. But be realistic, too, and know that turning around this figure isn't likely to be done in four years. It sure hasn't been done in the past eight years. ❖

Dan Thomasson, Evansville Courier & Press: It probably isn't a great idea to pass legislation that a majority of the people oppose, particularly if a substantial number of them regard its provisions as an unwanted burden. Just the thought of the government telling them what's good for them sets a good many Americans' teeth on edge. But the Affordable Care Act, the health care reform championed by the Obama administration, is in many ways a perfect example of a widely unpopular solution to the thorniest of domestic issues: how to make sure the physical well-being of citizens is paid for. That, on the surface, is what the U.S. Supreme Court will determine in the next few months. The greater question is if, in attempting to safeguard Americans' health, Congress constitutionally can impose on them a requirement to pay up or be fined. At the moment, it appears that the court's decision could go either way. Essentially, an even larger matter is up for settlement: Just how much power the federal government has to dictate to the people without severe restructuring of the Constitution. Where this drama ends is anyone's guess. As cases go, it is at the very top in emotion and difficulty as any court has seen since it ruled in the 2000 presidential race. ❖

Doug Ross, NWI Times: From the beginning, Indiana Gov. Mitch Daniels has been focused on improv-



IDOR chief resigns in lost revenue case

INDIANAPOLIS - The head of Indiana's Department of Revenue is resigning after state officials found that \$205 million in local option income tax money owed to counties wasn't distributed (Evansville Courier & Press). State budget director Adam Horst on Thursday blamed the problem on a programming error. The problem with distribution of the local income tax money comes months after the state found \$320 million in corporate taxes that were collected over four years but not transferred to the state's general fund. The revenue department says the mishandled money will be distributed with interest to the 91 of Indiana's 92 counties that have local income taxes. An outside audit will be conducted of the agency's procedures. Department of Revenue commissioner John Eckart will step down after seven years leading the agency. House Speaker Brian Bosma and Senate Pro Tem David Long issued the following joint statement today regarding the programming error announcement by Department of Revenue and the Office of Management and Budget: "We have been informed by the Administration of the discovery of an additional reporting error related to the distribution of local option income taxes to local units of government. Based on this newest report, we believe that an independent audit jointly selected and retained by the Administration and the State Budget Committee is in the best interest of all Hoosiers. Joint engagement of an independent auditing firm will allow the Administration and legislative leaders of both parties to have full access to the results of the audit and provide the most



transparent opportunity to confirm accountability for all public funds. We expect to work in cooperation with the Department of Revenue and the Governor's Office with the intent that a preliminary report be provided by early September to the State Budget Committee and legislative leaders with an update between the filing of the report and when the final audit is released. We appreciate that the Administration is taking the necessary steps to make the local units whole, but we need to move forward at this time with an independent audit that is transparent, thorough and done in a bipartisan fashion."

Council questions Rebuild Indy funds

INDIANAPOLIS - City-County Council Democrats are looking at whether some money earmarked for neighborhood improvements should go to public safety instead (WTHR-TV). The police and sheriff's departments face a combined budget shortfall of \$32 million. While those departments search for ways to cut costs, Democrats are reviewing Rebuild Indy funds. Rebuild Indy is the mayor's initiative to fix sidewalks, roads and bridges across the city with proceeds from the sale of the water company to Citizens Gas. That sale netted the city \$425 million. Of that roughly, \$230 million is left. "We are looking at Rebuild Indy. We're looking at all funds. We need a large pot of dollars that will offset the shortfall," said Council President Maggie Lewis. "The mayor would strongly oppose that," said mayoral spokesman Marc Lotter. Lotter said the Rebuild Indy money has already been earmarked for scores of projects. "If the council thinks it's going to use money for something other than infrastructure, they're going to have to tell neighborhoods which projects will not get done," he said.

INDOT warns on campaign signs

INDIANAPOLIS - Spokesman Greg Prince says campaign signs are banned from federal and state right of ways. That basically means that campaign signs shouldn't block or distract motorists on roadways in Indiana. By law, INDOT personnel must remove unauthorized signs within so-called right of ways (WIBC). Right of ways include: interstates and interchanges, intersections linking local, state or federal roads with state or federal highways and all rights of way that run parallel to federal or state highways. Prince says rights of way also extend to the rear of road ditches and up to fence lines or utility poles.

Jobless claims fall to 357,000

WASHINGTON - New applications for jobless benefits fell by 6,000 to 357,000, further evidence that U.S. employers likely added a healthy number of workers to their payrolls in March (Wall Street Journal).

Romney sharpens attack on Obama

WASHINGTON - Mitt Romney took a sharper line of attack against President Obama on Wednesday, accusing the Democratic incumbent of waging a "hide-and-seek campaign" that disguises his intentions and offers no solutions for the country's most intransigent economic problems (Washington Post). Romney's comments to the American Society of News Editors in Washington were a forceful rebuttal of the criticism that Obama had lodged against him before the same audience a day earlier, when the president described the GOP as a "radical" party. ❖