

Opponents cry foul on Tierney

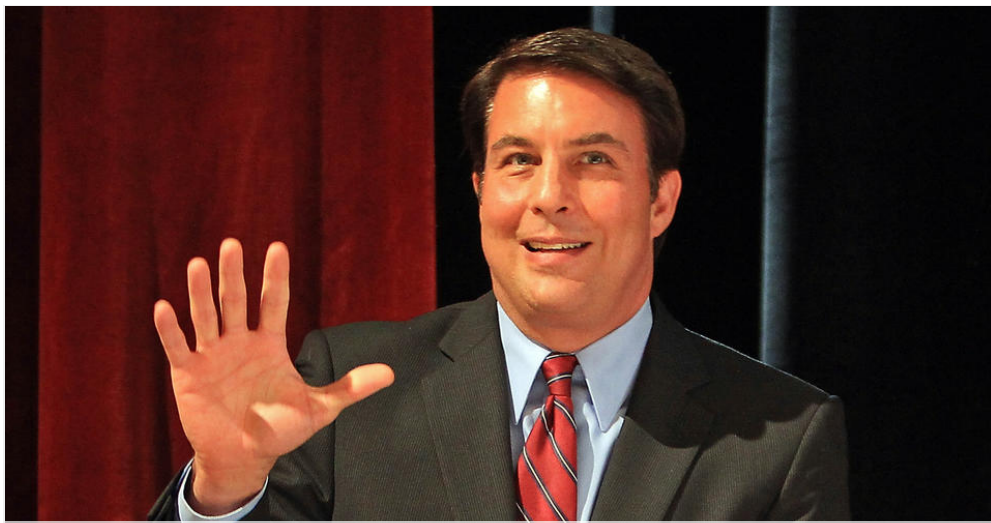


Photo by: Stuart Cahill

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Richard Tisei

Sunday, July 13, 2014

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By: **Matt Stout**

There have been rumblings on the 6th Congressional District campaign trails for weeks about a flood of mailers and emails U.S. Rep. John Tierney's office has distributed, billed as a way to connect with voters, but slammed by his opponents as taxpayer-fueled voter outreach.

The pieces at the center of the political-back-and-forth — and in the state's most closely watched congressional race — offer constituents, who may have at one time or another contacted his office, to reconnect. The mailers, which congressional offices pay for through their budget, point recipients to Tierney's Facebook and Twitter pages.

But with several primary challengers and a potential rematch with Republican Richard Tisei waiting in November, those looking to unseat the long-time congressman are crying foul over the timing and content.

"It couldn't be more of a campaign piece if you tried," attorney Marisa DeFranco, one of Tierney's Democratic challengers, said of a bright blue and yellow flier splashed with quotes and photos of Tierney. "The point is: You're using taxpayer dollars, an advantage your opponents don't have, to send literature to certain voters."

Tisei's camp, too, has taken exception, pointing to one mailer that included a quote about Tierney's opposition to a Republican-led budget Democrats claimed would "end Medicare" — wording that's been a longtime point of contention between the two parties. Tisei campaign manager Ryan Gough called the use of it "unbecoming."

Tierney's office said all the mailers and email are above board, cleared by the House's Franking Commission — franking is the term used for such fliers — and clear of any violations.

"John Tierney believes communicating with the people he represents is one of the most important jobs of a member of Congress," said his spokesman, Daniel Rubin. "We regularly stay in touch with constituents, and the overwhelming majority of our email list consists of people who have been in touch with our office either through email, a phone call, a visit to our office or by attending one of our many district events."

Rubin admitted that the office has "on occasion" also purchased email lists that include people in the district. He said the last time was in January 2012 after a round of redistricting changed the district's constituency. The office spent \$500 on the list, he said.

Probationary period

A few takeaways this week from the trial of former Probation Commissioner John J. O'Brien:

- The case, if anything, promised to be a peek behind the curtain of Beacon Hill. In many ways, it's delivered.
- On Wednesday, former Ways and Means Chairman Charles Murphy — once a Robert DeLeo lieutenant before being ousted from leadership — described the behind-the-scenes process of helping elevate DeLeo to speaker of the House: "There was probably 10 of us," he said of DeLeo's early backers. "It was basically a strategy team if you will. I was part of that group. It was roughly a seven-, eight-, nine-month process. Sometime in '09, leading up to the election, as a group, we met weekly to go through the list (of Democrats in

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the House). It's a pretty set universe. We'd get together, go through the names and figure out who's on our side, so to speak."

- Rarely have there been sidebar sessions like in this case. The out-of-public-earshot talks between judge and attorneys usually play out as a small gathering alongside the judge's bench, often to discuss what a lawyer can — and cannot say — with a jury in the room.
- Not in Courtroom 18. As 11 lawyers — 11! — filter toward the bench, Judge William G. Young steps down and walks to a clearing on the right side of the room, the only place where there's room for the horde. Behind the flood of legal minds comes the court reporter, who has to clear a path — stenotype in hand — to the middle of the group to capture every word. And once they finally settle in for the discussion, it has the look of an NFL huddle, all 11 players in a near-circle, crowded around the coach as he gives instructions on the upcoming play.

Young may deserve a Gatorade bath after this one.

- And finally, prosecutors rested on Friday, quickly followed by the defense, which will call no witnesses, including O'Brien. For observers who saw the lists of potential witnesses — with the likes of DeLeo, Marty Walsh, Martha Coakley and others on it — the hope for a blockbuster, gotta-be-there, did-you-hear-who's-on-the-stand-type moment perhaps never materialized.

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