

WAL★MARTWATCH

SHAMELESS

HOW WAL-MART BULLIES ITS WAY INTO
COMMUNITIES ACROSS AMERICA

A WAL-MART WATCH SPECIAL REPORT



WAL★MARTWATCH

Front Cover: Photo illustration

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WAL-MART LOCAL BULLYING CASE STUDIES



WAL★MART**WATCH**



**SHADOWY
FRONT GROUPS**



**STRONG-ARM
TACTICS**



BIG MONEY



TALL TALES

Introduction

Does America Need A Wal-Mart On Every Street Corner? Wal-Mart Thinks So.

As the world's largest corporation, Wal-Mart – with billions in its deep pockets and an insatiable need for growth – behaves shamelessly in the way it forces itself on American communities. Its aggressive bullying of American communities occurs because Wal-Mart's growth is central to its business model; it has to grow to sustain its profits, \$10 billion in 2004 alone. Analysts have noted that [Wal-Mart's growth efforts are nothing short of a "massive undertaking"](#). In 2005 alone, Wal-Mart is striving to increase its retail space by approximately 8.4 percent. That amounts to approximately 250 new Supercenters, 45 discount stores, 30 Neighborhood Markets, and 40 Sam's Clubs on top of its more than 3,600 existing U.S. stores. "[W]e think there's an extraordinary amount of growth ahead of us," Wal-Mart CEO Lee

Scott has promised.¹ But the reality is that the ongoing public education efforts about Wal-Mart's business model have made its growth more difficult to achieve.²

WAL-MART WATCH SPECIAL REPORTS

[Click here](#) to read more special reports on Wal-Mart's harmful business practices.

To Grow, How Low Will Wal-Mart Go?

This special report reviews Wal-Mart's bullying tactics through a series of local case studies. Using highly publicized examples like Inglewood, California and Chicago, Illinois alongside lesser known stories from cities like Stoughton, Wisconsin and Lewiston, Maine, the findings reveal patterns: Wal-Mart's use of local front groups, their reliance on a SWAT team of corporate mouthpieces, aggressive litigation tactics, outright bait-and-switches, and a trail of broken promises. Today, as more American communities rise to fight back against the retail giant, this report offers a strategic map of the company's tactics.

The Carrot...

The low prices offered by Wal-Mart are used as the enticing carrot to

local communities, along with a promise of new jobs and decent wages. Wal-Mart Watch has previously revealed the truth behind those claims. In particular, we have revealed [the hidden costs in Wal-Mart's low prices](#): devastated small towns, bankrupt local small businesses, drained taxpayers, strained public programs, and endless pressure on competitors to replicate lowest common denominator employment practices.

...And The Stick

It is the stick Wal-Mart wields that is the focus of this report. As a local councilman in Wisconsin remarked during his town's fight to keep Wal-Mart out, the company's pressure tactics amounted to "corporate terrorism". Case studies, relying on myriad primary sources like campaign finance reports and Wal-Mart's correspondence, illustrate the company's heavy-handed tactics and the threats made to opponents who resist their efforts.

To be sure, when Wal-Mart has grossly overstepped, they've been called out for it. In particular, we chronicle Wal-Mart's public relations debacle in Flagstaff, Arizona. There, the company was roundly condemned for a newspaper ad placed by its local front group, which used Nazi imagery in denigrating its local opponents. Its other efforts do not always generate such national headlines yet are equally worthy of careful scrutiny.

In his book, "The United States of Wal-Mart," author John Dicker concludes, "As long as we remain blind to those consequences [of Wal-Mart's practices], we will also remain blind to the costs we pay..."³ Wal-Mart Watch, in its mission to reveal the full effect of Wal-Mart's business practices, dedicates this report to growing numbers of local groups and citizens who are recognizing the harmful consequences of Wal-Mart's victories.

This report is a tool for those who share our belief that the power of this wealthy corporation can be put to better use, and that American communities must be allowed to decide for themselves how best to sustain their vibrant economies.

As more American communities rise to fight back against the retail giant, this report offers a strategic map of the company's tactics.

Broken Promises

After winning generous subsidies, Wal-Mart cuts jobs and pay at new distribution center

In January 2002, Wal-Mart decided to build a 480,000 square foot distribution center in Lewiston, Maine.¹ In exchange, city leaders and the State of Maine agreed to provide the company with \$16.7 million in subsidies.² In order to seal the deal, Wal-Mart made two key and explicit promises: that it would bring 350 jobs to town³ and that the wages would be between \$12 and \$15 an hour.⁴ But when the distribution center finally opened in June 2005, Lewiston residents learned the truth when Wal-Mart reneged on both its promises regarding the number of jobs and the wage level.⁵

These broken promises came at a very high cost to Maine's taxpayers and the residents of Lewiston. State and local governments collaborated to give Wal-Mart favorable subsidies, including local tax increment financing worth \$5.8 million, water and sewer relocation valued at \$1 million and \$940,000 for sand/gravel pit relocation.⁶ For its part, the State of Maine provided \$4.7 million in equipment tax reimbursements as well as \$1.2 million for improvements to roads leading to the new facility.⁷

Wal-Mart succeeded in squeezing every dollar out of state and local taxpayers to build its distribution center, which it needed to support planned expansion throughout the Northeast. Lewiston City Councilman James Carignan was quoted in the Portland Press Herald about Wal-Mart's process, "It's ironic that a company that thinks of itself as America's store does business in such an undemocratic way."⁸

In June 2000, the city council was briefed several times about a then-unnamed company and their plans for a project within the city. Just one week before the council's vote, Wal-Mart revealed its role in the project.⁹ As part of the negotiations, Wal-Mart even required confidentiality agreements from Maine & Co, the intermediary that led the effort to bring Wal-Mart to Lewiston.¹⁰ "I think it's an unfortunate situation," Carignan said, "when you have a gun held to your head like that."¹¹

In its lobbying effort, Wal-Mart forecast a total investment of \$45.5 million

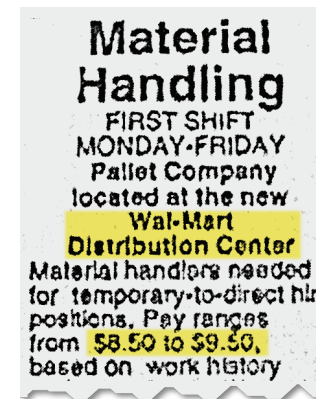
in Lewiston¹² and even said that employing 450 people was not out of the question.¹³ According to documents referenced by the Associated Press at the time of the deal's announcement, the new distribution center would create 256 transportation and warehouse jobs paying \$12 per hour, 56 administrative and clerical jobs paying \$13 per hour, and 14 technical jobs paying \$15.50 per hour.¹⁴ Plans also called for 24 full-time executive and managerial positions starting at \$40,000 annually.¹⁵ Payroll was estimated at \$9.3 million annually.¹⁶

As recently as April 2005, the Associated Press reported, "The jobs, which include material handlers and support staff, offer starting pay of \$13 per hour, plus benefits."¹⁷

But when it was finally time to hire employees for the distribution center, the promises were broken. The advertisement in local papers read: "Pallet Company located at the new Wal-Mart Distribution Center. Material handlers needed for temporary-to-direct hire positions. Pay ranges from \$8.50 to \$9.50, based on work history and experience."¹⁸

Potential employees would also learn that far fewer jobs were actually available. According to the Associated Press, "Wal-Mart Inc. says it has already received more than 2,000 applications for jobs at its new \$60 million distribution center. The retail giant said it expects to open a 415,000-square-foot warehouse for nonperishable items this June and needs to hire 225 people before then. ... The number of new jobs was adjusted downward to reflect more automation in the retailer's warehousing systems."¹⁹

Two-hundred and twenty-five employees or 350, \$12.50 per hour or \$8.50, it's all just numbers to Wal-Mart. Executives in Bentonville knew that they needed a distribution center in Maine and they knew Lewiston needed jobs and economic growth. The rest was just a game.



[Click to read full document](#)

Wal-Mart forecasted it would create 256 jobs paying \$12 per hour.

Bait and Switch

To avoid a “big-box” ordinance, Wal-Mart circumvents the City Council to build a Supercenter

THE CITY OF CLEVELAND CHALLENGED WAL-MART’S ENTRY into a large development site at Steelyard Commons in 2005. The sprawling development site on the outskirts of downtown Cleveland is the heart of the city’s steel heritage as well as home to the West Side blast furnace. As a retail and restaurant center, Steelyard Commons will include a steel-mill motif and expansive museum about the site’s history. In an ironic twist, a complex that will pay tribute to Ohio’s rich manufacturing heritage is fighting to keep Wal-Mart out of its own backyard.

To help protect local grocers and workers, Cleveland’s City Council proposed an ordinance that would have limited the sale of groceries in big-box stores, thus preventing Wal-Mart from opening a traditional Supercenter at Steelyard Commons.¹ Still wanting Wal-Mart to anchor its project, developer First Interstate Development Co. Ltd. worked to broker a compromise with the Cleveland City Council President that would have allowed Wal-Mart to open as a discount store and expand to a Supercenter in the future.²

On the day before the City Council was scheduled to vote, Wal-Mart circulated a letter to council members effectively pulling out of the development. The company cited internal evaluations and specifically said the ordinance was of no consideration.³

WAL-MART LETTERS

Click images to read both letters to Cleveland City Council President Frank Jackson.

“After weighing the various circumstances surrounding this site, we have made a business decision not to move forward. This decision is based on many factors. We also are aware of efforts in Cleveland to draft an ordinance that would restrict ‘combination stores’ within city limits. We want to assure you that this draft legislation was not a factor in our decision to decline to participate in the Steelyard Commons project.”⁴

Without the threat of a Supercenter, the ordinance was dropped from

consideration.⁵ But just two and a half months later, Wal-Mart circumvented the City Council and filed the building permits for a Supercenter at Steelyard Commons.

On May 17, 2005, developer Mitchell Schneider “applied for a building permit and submitted drawings to the city. By doing so, Schneider protected the project against any zoning regulation the City Council might introduce to block or restrict it. Under Ohio law, property owners who apply for permits are subject only to existing regulations, not ones enacted later. ... Schneider took advantage of the fact that the council never voted on a law,” The Plain Dealer reported.⁶

In a follow-up letter to Cleveland City Council President Frank Jackson, Wal-Mart announced that the proposed ordinance had forced them to drop their Supercenter plans for Steelyard Commons.⁷ “The developer’s original plan had been for Wal-Mart to build a discount store, with the option of expanding to a Supercenter in the future. We looked very closely at that proposal, and eventually concluded that the economics of operating a smaller discount store at Steelyard Commons did not work,” the letter said.⁸

Because of the company’s bait and switch, Wal-Mart is set to open a Supercenter at Steelyard Commons – one that is not subject to any oversight.

“THE ROAD TO STEELYARD COMMONS”

January 2005: Councilman Joe Cimperman introduced an ordinance requiring “stores of 90,000 square feet or more devote at most 5 percent of their sales floor area to nontaxable merchandise.”¹¹

February 28, 2005: On the eve of a City Council meeting to consider whether to block a Supercenter at the Steelyard Commons location until 2013, the company released a letter pulling out of the project.¹²

May 17, 2005: Wal-Mart entered into a secret agreement with a development firm to protect the project against zoning regulations.¹³

February 28, 2005

This letter is to notify you that Wal-Mart has decided not to build a discount store in the Steelyard Commons project in Cleveland. As you know, we have had discussions with the property owner but had not yet signed a contract for property in that development.

May 17, 2005

I am writing to let you know that Wal-Mart has authorized First Interstate Properties, Ltd., to submit plans and an application for a building permit on Wal-Mart’s behalf to build a Supercenter in Steelyard Commons. The plans and application were submitted today.

WAL-MART LETTERS TO CITY COUNCIL PRESIDENT FRANK JACKSON

All or Nothing

Wal-Mart forces a small town to approve a new Supercenter or risk losing it all

IN MAY 2003, WAL-MART PROPOSED A NEW SUPERCENTER FOR Stoughton, Wisconsin, a small Madison suburb of about 12,000 people. With a traditional Wal-Mart discount store already in the community, the Stoughton City Council considered a “big-box” ordinance to prevent the project from moving forward.¹

To counter their opposition on the City Council, Wal-Mart benefited from the group Recapture Stoughton which pushed Wal-Mart’s agenda. (Recapture Stoughton was renamed Alliance 53589 in March of 2005, a reference to Stoughton’s zip code.)²

Wal-Mart threatened to close the existing store in Stoughton if the new Supercenter was not approved. Nevertheless, the Stoughton City Council voted for a big box ordinance in November 2003 that capped large commercial buildings at 110,000 square-feet.³ This ordinance destroyed Wal-Mart’s original plan for an 184,000 square-foot Supercenter. Wal-Mart spokesman John Bisio reinforced the company’s threat and said it would close their current store and move operations elsewhere.⁴

After a fight over big-box cap sizes, City Council members were left with no choice but to submit to Wal-Mart’s demands. Many members spoke out about the difficult decision forced upon them by Wal-Mart’s hardball politics.

Alderwoman Kathleen Kelly felt Wal-Mart’s actions were unfair and voted for the cap increase as a compromise. “This amounts to bullying by the largest corporation in the world...They have hijacked the planning process. It makes me sick to do this.”⁵

Alderman Eric Swenson did not like the fact that members of certain opposition groups, allied with Wal-Mart, did not live within city limits. “It’s corporate terrorism,” Swenson said. “They’re pushing our backs to the wall and making us do this.”⁶

During the subsequent City Council election cycle, Recapture Stoughton sponsored four candidates in an attempt to mold the council into supporting Wal-Mart’s policies and raising the new big-box cap. As a result of the April 2004 elections, all candidates sponsored by Recapture Stoughton won seats on the council. The City Council was now split 6-6 with the pro-Wal-Mart mayor casting the deciding vote.⁷ Just three weeks after the election, the City Council was voted to raise the size of the big-box limit.⁸

Wal-Mart bullied the town into submission, and council members who opposed the Supercenter felt threatened. Several city council members learned how contentious a battle with Wal-Mart can be.

Eric Swenson, a Stoughton City Council member who opposed Wal-Mart, described how his vote endangered his livelihood. “I had been thinking of resigning since March when someone called my employer anonymously to say that I was in Stoughton during business hours and, therefore, was not doing my job,” said Swenson. “There was no truth to the allegation, but I take threats to my livelihood, and therefore my family, seriously.”⁹

Swenson describes another disturbing example of retribution by the pro-Wal-Mart forces against another City Council member named Pat Schneider. In an attempt to prevent Schneider from teaching their children at a local high school, a member of the City Council talked about organizing people to petition the principal.¹⁰

Alderman Swenson told the Capital Times, “Smart growth, if not dead, is on life support...If there is a problem, Wal-Mart will threaten to leave town, and most of your leaders will give them whatever they may need. All this will be decided and accomplished out of the public view. Sure, there will be a public hearing so you can vent, but it will be disingenuous, just like the last hearing where the ‘fix was already in’ as they say in Chicago politics.”¹¹



Source: Waco, Texas by Karen Derrick (Flickr.com)

“If there is a problem, Wal-Mart will threaten to leave town...”

- Alderman Eric Swenson

Divide And Conquer

Dirty tricks gain Wal-Mart entry into America's third largest city

AFTER RAPID EXPANSION IN NORTHERN ILLINOIS and giving \$75,000¹ to state politicians, Wal-Mart set its sights on Chicago in the summer of 2002. Not deterred by early opposition from the mayor and residents, Wal-Mart renewed its efforts in July 2003 with a deceptive and heavy-handed campaign to gain approval for stores in two Chicago neighborhoods.

In its first attempt, Wal-Mart brazenly asked for \$18 million in subsidies. "Am I buying the company?," Mayor Richard M. Daley quipped in response.²

To repair the company's battered image in the community, Wal-Mart hired public relations firm Serafin and Associates, Inc. for its second campaign.³ In addition, Wal-Mart deployed three full-time employees to lobby the City Council. John Bisio, Mia Masten and Roderick Scott were listed for Wal-Mart on the Chicago Board of Ethics' 2004 and 2005 lobbying list.⁴

Wal-Mart planned its campaign carefully, and courted key black leaders, like Alderwoman Emma Mitts, who represented the West Side ward set to house one of the proposed stores. When the company issued a press release in July 2003 announcing the location of the proposed store, it included a quote from Alderwoman Mitts touting the benefits of Wal-Mart.⁵

"The company told the city's black leaders that the unions fighting the retailer were racist."

- Elce Redmond, Jobs with Justice

Company representatives appeared in churches, recreational centers and community forums to drum up support.⁶ John Bisio enticed residents by promising local groups would have a say about which banks and contractors would be used.⁷

Alderwoman Mitts praised Wal-Mart for donating 50 calculators to

Austin High School and \$1,000 for toys and clothes for poor children in her ward. Opponents saw the gifts differently.⁸

"The peanut gifts don't mitigate treating people wrong," said Rev. Reginald Williams Jr. of the South Side Trinity United Church of Christ.⁹

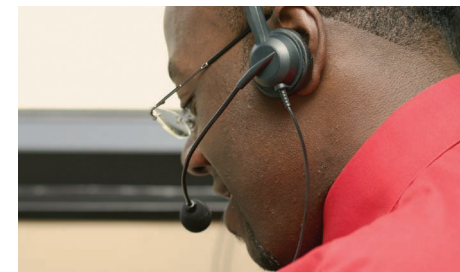
Alderwoman Mitts campaigned hard to have the company brought in to the community. In return, she received \$1,000¹⁰ from Wal-Mart in December 2003 and after the fight, \$5,000 in November 2004.¹¹

African-American community leaders say Wal-Mart played the "race card." James Thindwa, who heads Chicago's Jobs with Justice and Elce Redmond of the South Austin Coalition, felt Wal-Mart drove a wedge between unions and the black community. "The company told the city's black leaders that the unions fighting the retailer were racist, effectively exploiting existing racial tensions in the city... But it is service unions like the Service Employees International that are speaking out the most against Wal-Mart, and in cities, their membership is mostly people of color."¹²

Leaving nothing to chance, Wal-Mart relied on dirty tricks to ensure success. Notably, a phone bank run by Serafin was used to harass Wal-Mart's foes on the city council. Callers from the phone bank telephoned Chicago residents asking them if they wanted new jobs to come to their community. Those who answered yes were re-routed to the City Council, which was inundated with calls from confused and angry residents.¹³

After receiving numerous calls to her Fifth Ward office, Alderwoman Leslie Hairston said, "This is obviously going to affect my vote... I resent them misleading the public." Even Alderwoman Mitts was displeased with the company's tactics. She contacted a Wal-Mart official and demanded that the calls cease. "I told them that was unacceptable," Mitts said.¹⁴

Eventually, Wal-Mart's hardball tactics won out. On May 26, 2004, the City Council voted to approve the Austin site on the West Side of Chicago, but denied approval for Chatham on the South Side.¹⁵ Time Magazine's recent account of Wal-Mart's efforts in urban areas profiled the Chicago's imminent Wal-Mart opening, but failed to describe the full spectrum of the company's heavy-handed politicking.¹⁶



Source: iStockphoto.com

Wal-Mart's hired hands relied on dirty tricks to ensure victory.

Strong Arm Politics

Wal-Mart overwhelms opponents with money and vicious campaign tactics

IN THE MEDIUM-SIZED COMMUNITY of Flagstaff, Arizona Wal-Mart funneled \$371,975 through a front group named "Protect Flagstaff's Future," to defeat a referendum that would have responsibly limited the size of big-box stores.¹ Protect Flagstaff's Future used Wal-Mart's campaign cash to fund an egregious ad campaign that compared the efforts of referendum supporters to Nazis and those who oppose the freedom of religion.² Wal-Mart was forced to apologize for its activities,³ but managed to eke out a 51% win thanks to last-minute dirty tricks after many voters had already cast their ballots by mail.⁴

In September, 2004, the Flagstaff City Council adopted an ordinance that required retail stores larger than 75,000 square feet to apply for a special permit from the city and limited retail space to 125,000 square feet.⁵ Additionally, big-box retailers were prohibited from devoting more than 8% of their floor space to groceries.⁶

Wal-Mart, which already had a store in Flagstaff, vehemently opposed the measure because it would have prevented the opening of a much larger Supercenter, with a full-sized supermarket, discount store and pharmacy under one roof. The Associated Press reported that the ordinance "effectively prevents a Wal-Mart Supercenter from being built in Flagstaff."⁷

The opposition to the big box limitations kicked into high gear. In October 2004, Protect Flagstaff's Future, a pro Wal-Mart group, submitted more than 3,600 signatures to the city clerk ensuring that the ordinance would be on the ballot as a referendum.⁸ One week after the signatures were submitted, Wal-Mart gave Protect Flagstaff's Future its first donation of \$20,000.⁹

The referendum, Proposition 100, was a ballot measure to either approve (yes vote) or overturn (no vote) the City Council's big box limitation.¹⁰

During the campaign, Wal-Mart's allies ran scathing newspaper ads, which went unnoticed by the press outside Arizona until a furor erupted when the "Nazi ad" appeared a month before the election.¹¹

In May 2005, Peter Kanelos, Wal-Mart's Community Affairs Director for Arizona and Southern California, approved an advertisement in the Arizona Daily Sun that featured a well-known 1933 photo of Nazis throwing books on a pyre at Berlin's Opernplatz.¹² The ad equated those who wanted to restrict Wal-Mart's growth to Nazis. Wal-Mart's advertising consultants produced the ad and the company acknowledged approving it.¹³

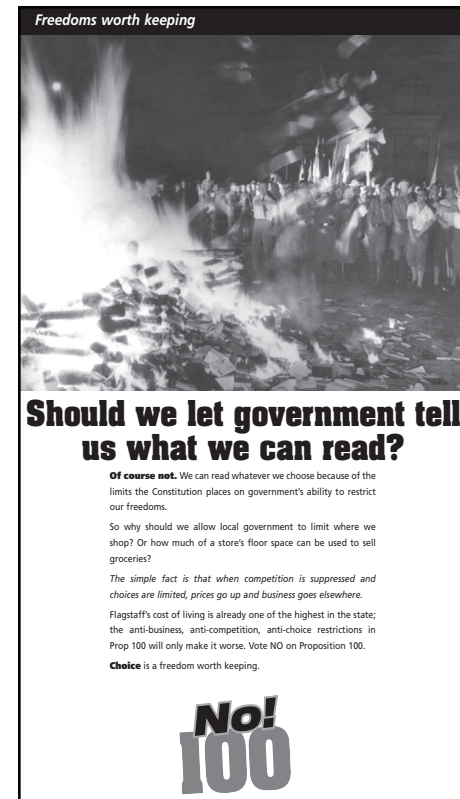
Wal-Mart's use of Nazi imagery in its ads was widely and nationally criticized by community groups like the Anti-Defamation League (ADL) and several members of Congress.¹⁴ "It's not the imagery itself. It trivializes the Nazis and what they did. And to try to attach that imagery to a municipal election goes beyond distasteful," said Bill Straus of the ADL.¹⁵

Wal-Mart and Protect Flagstaff's Future eventually issued full apologies,¹⁶ but at the time Chuck Coughlin, the president of the consulting company that produced the ads fought back. "We wanted people to think about the freedoms we enjoy in America. The intent was wholly honorable and good," said Coughlin. "We will not back away from the substance of the ads."¹⁷ Wal-Mart contributed a total of \$371,975 to defeat the referendum, giving



Source: Arizona Daily Sun 5/11/05

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Source: Arizona Daily Sun 5/05/05

"We feel strongly that our ads speak the truth..."

- Protect Flagstaff's Future

WAL*MARTWATCH

\$340,700 directly to Protect Flagstaff's Future and \$45,000 in in-kind contributions for advertising consulting and legal fees.¹⁸ This is an incredible sum considering only 17,167 voters went to the polls on Election Day.¹⁹ According to the *Arizona Daily Sun*, "All told, the "No" campaign, opposing big-box limitations, outspent the "Yes" campaign by nearly 3 to 1."²⁰

Although Wal-Mart won this fight, it was a pyrrhic victory. The strong-arm tactics of Wal-Mart's political operatives and consultants attracted considerable negative media attention and criticism nationwide. Despite the sizable resources invested by Wal-Mart, local opponents of Wal-Mart fought hard and the referendum was barely defeated. Local activists can be reassured that next time Wal-Mart may not be so fortunate. Increasingly the media and the public are on notice and are less likely to be influenced by Wal-Mart's heavy-handed politicking.

It isn't clear, however, if Wal-Mart and its allies learned their lesson. A statement issued by Protect Flagstaff's Future continued to support the substance of the ads. "We feel strongly that our ads speak the truth but we regret the image we used offended some of those who have sacrificed so much," the letter read.²¹

Wal-Mart Flagstaff Campaign Cash

DIRECT DONATIONS	
Date	Amount
10/28/04	\$20,000.00
1/31/05	\$30,000.00
3/15/05	\$51,300.00
4/19/05	\$88,400.00
4/25/05	\$91,000.00
5/13/05	\$60,000.00
Total:	\$340,700.00

IN-KIND DONATIONS		
Date	Service	Amount
1/10/05	Legal	\$2,044.50
1/28/05	Legal	\$2,764.50
3/14/05	Legal	\$1,448.00
4/18/05	Legal	\$2,518.00
6/6/05	Consulting	\$22,500.00
Total:		\$31,275.00

Total Wal-Mart Campaign Cash: \$371,975.00

Source: Protect Flagstaff's Future Campaign Finance Report, January 31 Report; Pre-Election Report; Post Election Report

Links to campaign finance documents: [January 2005 Campaign Finance Report](#), [May 2005 Campaign Finance Report](#), [June 2005 Campaign Finance Report](#)

THE WAL-MART PLAYERS

Wal-Mart deploys seasoned operatives to the front lines of its expansion fights. Known as "Community Affairs" personnel, these operatives serve as Wal-Mart's contact for local officials and community members. They influence the local media, lobby for the company's demands, and orchestrate its campaigns. In the face of Wal-Mart's massive PR problems and increased opposition to its expansions, the company has expanded its network. The *Arkansas Democrat Gazette* reported, the "team's effectiveness is measured by Wal-Mart's expansion - if the company meets its goals, then the ambassadors are doing their jobs."¹

PETER KANELOS – Wal-Mart's Community Affairs Director for Arizona and California, Kanelos resigned in June 2005 after his office approved a Wal-Mart ad depicting Nazi book burning in Flagstaff, AZ.² Since Community Affairs Directors are supposed to make "...sure that people get the answers they need from a credible source," Kanelos' job was clearly in jeopardy.³ However, Kanelos claimed his resignation from Wal-Mart was "on mutually agreeable terms."⁴

MIA MASTEN – An Arkansas native who has worked for the Clinton Administration, Sen. David Pryor and Grocery Manufacturers of America,⁵ Masten is now Wal-Mart's Director for Corporate Affairs on the East Coast.⁶ As a spokeswoman for the company, Masten defends policies and explains strategies as Wal-Mart looks to expand in large urban areas around the United States, particularly its latest effort to find a home in New York City.⁷

B. JOHN BISIO – As Wal-Mart regional director of community affairs for the Midwest, Bisio has been deeply involved in public relations battles in Chicago, Kansas and Wisconsin. Bisio has been described as "38-year-old publicist with a boxer's jaw and a broadcaster's gravelly voice...[he] embodies his company's famous thriftiness with his \$30-a-day meal allowance and \$65-a-night downtown hotel room, booked at an Internet discount rate."⁸ Wal-Mart, increasingly under attack for its policies, has used Bisio to counteract negative press they have been receiving on a day-to-day basis.

Campaign Cash

Wal-Mart funnels \$4.3 million to front groups set up to ensure Supercenter expansion in most populous state

ALREADY A SIGNIFICANT PRESENCE IN CALIFORNIA with 148 discount stores, the offices of Walmart.com, and nine distribution centers,¹ Wal-Mart is working hard and spending big to build Supercenters throughout the state.

In 2002, Wal-Mart boasted that the company would open 40 Supercenters in California within 4 to 6 years; today there are only four. But Wal-Mart remains undeterred. Capturing market share in California, by itself the world's 8th largest economy, is critical for Wal-Mart's ongoing dominance. CEO Lee Scott said of the opposition in the state: "...they need to bring their lunch, because we're not going to lay down... We've got nothing to apologize for."²

Since 2000, Wal-Mart has given \$4,334,859 to front groups in ten California communities.³ These local groups have been created to run political-style campaigns aimed at winning referendums and ballot initiatives that push for the construction of Wal-Mart Supercenter stores over local legislative or community opposition. Wal-Mart brags about being challenged by 27 ballot referendums in the state and winning 22. (See "Keeping Score in the Golden State," page 17.)

Contra Costa County

Even though Wal-Mart had no immediate plans to build Supercenters in Contra Costa County,⁴ it feared the precedent being set by Ordinance 2003-18, adopted by the county Board of Supervisors in June, 2003.⁵ The ordinance limited the development of "big box" stores over 90,000 square feet with more than 5% of their merchandise classified as non-taxable. Wal-Mart quickly mobilized its forces in response.

"We certainly believe that the consumers in Contra Costa have every right to shop and to spend their hard-earned dollars where they want. And we think this ordinance hurts working families by limiting their choices," Wal-Mart spokeswoman Amy Hill said.

Wal-Mart went on to outspend its opponents in a campaign to defeat the ordinance by bringing it to a popular vote. It was called "Ballot Measure L."

Wal-Mart contributed \$1,577,075 to "Contra Costa Consumers For Choice," a coalition identified as Contra Costa Residents and Wal-Mart Stores, according to California State campaign finance records. Contra Costa Consumers For Choice gathered 30,000 signatures for the "No on L" campaign, getting it on the ballot for the March 2, 2004 election.⁶

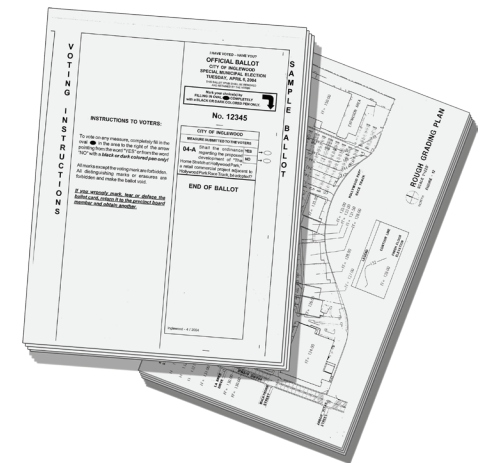
Wal-Mart won. The ban on big-box stores was overturned 54% to 46%.⁷

Inglewood

In October of 2002, the Inglewood City Council adopted an emergency ordinance barring the construction of retail stores larger than 155,000 square feet that sell more than 20,000 taxable items. Under threats of a lawsuit from Wal-Mart, the council withdrew the ordinance within a month of its introduction.⁸

Expecting further opposition from Inglewood's elected officials, Wal-Mart tried to get around the public planning process by sponsoring a ballot referendum that would have forced the city council to approve a Supercenter without the usual Environmental Impact Review (EIR) or public hearing, and would require a two-thirds majority vote to repeal.⁹

By forcing a public ballot referendum, Wal-Mart effectively bypassed local government officials and asked Inglewood voters to approve, with a simple yes or no vote, extensive urban planning, land use and other project details in exchange for Wal-Mart's low prices.¹⁰



[Click to read full document](#)

Wal-Mart's referendum bypassed local government, calling on voters to approve sixty pages of urban planning.

"This is the most outrageous thing I've seen a corporation do in a low-income community," said Madeline Janis-Aparicio, Director of the Los Angeles Alliance for a New Economy (LAANE), a leading opponent of the Inglewood development. "It says to me they're afraid of the public process."¹¹

According to data from the California Secretary of State, Wal-Mart made \$1,062,825 in monetary donations to a group, "Citizens Committee to Welcome Wal-Mart to Inglewood," to manage their local campaign activities. The group obtained more than 15,000 signatures to qualify the Wal-Mart-sponsored referendum on the ballot.¹²

The Coalition for a Better Inglewood, a community group representing city residents, labor unions, churches, small business owners and others, organized massive community opposition through precinct-walks, volunteer phone banks, media campaigns, and endorsements from high-profile spokespeople.

Of the fight, the Rev. Norman Johnson, Executive Director of the Southern Christian Leadership Conference in Los Angeles, said, "I have not witnessed the kind of bullying that I saw in Inglewood by any other corporation or business that wanted to come in."¹³ When

the people of Inglewood finally voted on April 6, 2004, Wal-Mart lost by a margin of 3 to 2.¹⁴

Rosemead

The Rosemead City Council began negotiating with Wal-Mart in 2002, and submitted a development application for a new Supercenter in October, 2003. To respond to any early opposition, an organization called Putting Rosemead In a Desirable Environment (Rosemead PRIDE) emerged to back Wal-Mart's plan. The group was spearheaded by a Wal-Mart consultant, Mike Lewis.¹⁵ Rosemead PRIDE operates out of the same offices as Lewis & Company, Lewis' land use, air and water quality regulations consulting firm. Rosemead PRIDE received \$15,000 in monetary support from Wal-Mart in addition to whatever consulting fees or salary the company also provides Lewis.¹⁶

In September 2004, Rosemead City Council approved Wal-Mart's Supercenter plan, including 24 hour operation, by a vote of 5-0.

Local Wal-Mart opposition formed to challenge the Council's decision. Save Our Community collected signatures for a referendum, but their effort was short-circuited when the pro-Wal-Mart City Council repealed the approval altogether, allowing Wal-Mart to speed up construction.¹⁷

Wal-Mart Campaign Cash in California

Community	Year	Measure/Action	Front Group or Contractor	Donations	Outcome
Calexico	2001	Promoted "No on Measure B" campaign to overturn a city council ordinance that limited retail stores to 150,000 sq. feet and 7.5% floor space for groceries.	Calexico Families Against Higher Prices, No on Measure B, Coal. of Calexico Residents and Wal-Mart	\$312,929.59	Wal-Mart won. Measure B lost 66% to 34%
			Bagatelos & Fadem LLP	\$9,675.66	
			National Petition Management	\$7,787.56	
			Voter/Consum. Rsch.	\$9,695.00	
Contra Costa	2004	Campaigned for "No on L" to overturn ordinance restricting stores over 90,000 sq. feet & 5% of non-taxable merchandise.	Contra Costa Consumers for Choice, Coalition of Contra Costa Residents and Wal-Mart Stores	\$1,596,540.37	Wal-Mart won. "Big Box" ban lost 54% to 46%
Huntington Beach	2000	Bankrolled campaign to defeat Measure I, which would've barred building a Wal-Mart at the site of a closed school.	Saves Our Schools Save Our City No on Measure 1	\$199,736.00	Wal-Mart won. Measure I lost 54% to 46%
Glendora	2000	Voter approval for project that included a Wal-Mart	Citizens for a Better Glendora	\$31,000.00	Wal-Mart won
Inglewood	2004	Referendum to force approval of a Supercenter without Environmental Impact Review or public hearing, and required two-thirds majority vote to repeal	Committee to Welcome Wal-Mart to Inglewood	\$1,017,825.00	Wal-Mart lost by a margin of 3 to 2
			Inglewood Comm. for Open Competition, Coal. of Inglewood Residents & Wal-Mart	\$53,451.04	
Lodi	2004	Worked against Measure R, which would have capped retail stores at 125,000 sq. feet	Citizens Against Measure R	\$262,000.00	Wal-Mart won. Only 42% yes.
Palmdale	2000	Measure T would've changed zoning for Wal-Mart	Yes on Measure T	\$457,666.66	Wal-Mart won
Rosemead	2004	Lobbied city council to approve Supercenter	Rosemead PRIDE Citizens Action Commi.	\$15,000.00	Judge halted construction
San Marcos	2004	Supported Prop. G to rezone site for 139,000 sq. foot store	Citizens for San Marcos 1st, Yes on Prop. G	\$191,385.07	Wal-Mart & Prop. G lost
Yucaipa	2000	Measure O would've allowed a development with a Wal-Mart	Yes on Measure O	\$170,166.66	Wal-Mart lost. O defeated.

Total Wal-Mart Campaign Cash: \$4,334,858.61

Source: California Automated Lobbying and Campaign Contribution and Expenditure Search System (Cal-Access), Wal-Mart Stores, Inc., Entity ID# 496052, 2000-2005, <http://cal-access.ss.ca.gov>

Save Our Community fought Wal-Mart by filing suit in 2004, alleging that the environmental impact documents were biased in favor of the retailer.¹⁸ Los Angeles Superior Court Judge David Yaffe confirmed this claim in June 2005 when he ruled that studies had not adequately addressed the retailer's 24-hour operations.¹⁹

Judge Jaffe criticized the City Council's actions in reversing a decision to limit Wal-Mart's hours of operation. "It appears that the last minute change, after the public hearing, authorizing the Walmart (sic) store to operate 24 hours a day, was a political maneuver to conceal such action from the public and avoid accountability for such action" he wrote.²⁰

Judge Yaffe's ruling has effectively delayed Wal-Mart's construction for now.

Save Our Community is currently pushing for a recall of Mayor Jay Imperial and Council Member Gary Taylor. PRIDE responded with a mailer in July.

BESIDES CAMPAIGNING for ballot initiatives, Wal-Mart has a history of threatening local officials with litigation.

Stanislaus County

On January 13, 2004, the City of Turlock (located in Stanislaus County) banned stores larger than 100,000 square feet that devoted more than 5% of floor area to non-taxable retail sales as part of an overhaul of its municipal code, in part to protect its grocery market.²¹

Wal-Mart retaliated by filing two lawsuits, one in federal court and one in Stanislaus County Superior Court, to overturn the ordinance.

By denying Wal-Mart's demand for writ of mandate and declaratory relief, the court indicated that it did not agree that the City of Turlock did anything illegal by passing the ordinance.

An appeal was filed in February of 2005, according to the Stanislaus County Court Clerk's office. The

Keeping Score in the Golden State

During the 2005 Annual Shareholders' Meeting, CEO Lee Scott bragged about Wal-Mart's winning record in California:

LEE SCOTT: I will tell you we are doing extraordinarily well in our Wal-Mart stores in California, and in our Wal-Mart stores that have expanded food in California, we are doing extraordinarily well in the food sections of those stores. ...It would be ridiculous to try to tell you it has not been delayed, but we are going to get them and the customers really like them. I think that -- for us, that is the most important thing because we really do believe the more of them we get out there, the more we can do. Take those referendums. Pauline, how many referendums have we had?

PAULINE TUREMAN, DIRECTOR OF INVESTOR RELATIONS FOR WAL-MART: There was a total of 27.

LEE SCOTT: A total of 27 referendums in ballots and we won --?

PAULINE TUREMAN: 22.

LEE SCOTT: And we won 22 of them.

federal case is still in litigation. Wal-Mart's attorneys in the federal case subpoenaed Safeway as well as other grocery market players.²²⁻²³

"They are just harassing us," Turlock City Councilman John Lazar said of Wal-Mart's suits. "Instead of being good stewards in the corporate world, they are being bullyish."²⁴

Alameda County

In December 2004, Alameda County passed an ordinance banning stores over 100,000 feet. Wal-Mart soon filed suit in Alameda County Superior Court to overturn it, even though they had no plans to build a Supercenter in the area. The county rescinded the ordinance to

diffuse the legal battle.²⁵⁻²⁶

"Wal-Mart was being very aggressive and was essentially threatening us with a lawsuit they said would be as expensive as possible," said Richard E. Winnie, Alameda County counsel, explaining why the county dropped the anti-Supercenter ordinance.²⁷

Away from the ballot box, Wal-Mart has routinely engaged in intimidation and pressure on local officials to overturn local ordinances that stand in the way of company growth.



Source: Wal-Mart Stores Inc. "Community Connections," Vol. 1, Issue 1 - Spring 2005

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