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Cao raises questions about rival Richmond **Attack mixes past ethics charges with unconfirmed blog claims**

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Anh "Joseph" Cao, then a little-known Republican lawyer, landed in Washington two years ago as the accidental congressman.

Widespread voter confusion and disenchantment with incumbent William Jefferson helped the Vietnamese immigrant win in a district where two-thirds of voters are African-American and 70 percent are registered Democrats. With Jefferson facing 16 federal corruption charges, Cao hardly had to lift a finger to discredit him.

Now, as Cao fights to hang onto the 2nd Congressional District seat against state Rep. Cedric Richmond, the former head of the Legislative Black Caucus who easily captured the Democratic nomination, the soft-spoken former seminarian has slipped on the brass knuckles.

His line of attack so far mixes long-established facts about Richmond's ethical record with references to unsubstantiated claims proffered by a local blogger -- and even more volatile charges lodged by a political operative on Cao's payroll through a website the congressman insists he cannot control.

The strategy reflects the high stakes of a race that national Democrats see as theirs to lose, and key to maintaining the party's control of the U.S. House. It's a race so crucial that President Barack Obama, in a rare move, appeared in a commercial for Richmond. It also illustrates the increasing influence of the Internet as a vehicle for disseminating damning information widely, anonymously and virtually for free -- all under the mantle of reportage.

Cao launched his offensive Sunday evening, after the Obama ad aired, during the Saints-Panthers game. Cao, who has touted his affection for the president, issued an open letter to Obama suggesting the White House had been duped into backing a flawed candidate.

"Someone should have warned Washington that we here in the 2nd Congressional District, we can't afford party games or to move back to the old corrupt politics that exacerbated the disasters we are still surviving," the statement read.

In addition to citing documented facts about a pair of ethics charges against Richmond, including one that resulted in the brief suspension of his law license, Cao cited a third lapse that "involves public funds he steered to his girlfriend, which resulted in a criminal investigation."

Asked what his assertion was based on, Cao cited postings on a local political blog, American Zombie, published by Jason Berry. The publisher of the blog is not related to the local author Jason Berry. The blog posts offer no evidence of a personal relationship between Richmond and the former executive director of a nonprofit organization funded by earmarks from Richmond that offered computer-skills training.

"I got it through the American Zombie, like everybody else," Cao said. "That's the truth and fact of it. We got it through the American Zombie, and it looked suspicious and so we have some people looking into the issue."

"Whether or not we can uncover anything is something that we have to look forward to," Cao said. "We are looking into various channels right now. And once we uncover that, you'll be the first to know."

Richmond says Cao's attack did not surprise him.

"I think it was an anticipated response trying to deflect the fact that the president of the United States is on TV endorsing me," he said. "He's just trying to deflect from the fact that he's going around for the last three months saying that he's worked with the president, he's close to the president, he loves the president, the president loves him."

Cao consultant sounds off

Meanwhile, veteran political consultant Cheron Brylski, who has been hyping American Zombie's probe into Richmond's dealings on her own political blog, Krewe of Truth, this week suggested the two leading candidates in the 2nd District race should be made to answer four questions about domestic violence, including: "In your relationships, have you ever hit a woman?"

In the same posting, Brylski, who has been paid more than \$23,000 by the Cao campaign through August for media consulting, stresses Cao's strong support for women's issues as a husband and father of two daughters. She refers to Richmond as "unmarried and without children."

An e-mail blast from Brylski directing readers to the post included the following line: "If you think I'm making some people mad, wait until they see the blogspot! It's anonymous (of course) but it's fun!"

She was referring to a different site that makes other unsubstantiated allegations against Richmond, several involving his treatment of women.

Cao said he knew nothing of Brylski's public musings until The Times-Picayune asked him to review them. He rejected any suggestion that they are connected to his campaign, despite Brylski's role as its chief media consultant.

That said, the congressman refused to disavow the postings and said he had no intention of muzzling Brylski or firing her.

"First of all, the Krewe of Truth is run by Cheron independently of what she does for us. I cannot control what Cheron does through the Krewe of Truth," Cao said.

"But at the same time, I believe that Cheron ... is a compassionate person, one who cares for women, cares for the issues of women," he said. "And if she suspects a person of abusing women, I believe it is her right to do what she wants to do to address those issues."

Cao added that he doesn't think his employment of a consultant making such statements about his opponent suggests that he endorses them.

"My authority does not exceed the authority of the Constitution of the United States, and if she feels that she has the freedom of speech to do so, then she has the right to do so," he said.

Richmond's camp declined to comment directly on Brylski's implicit allegations. But the state Democratic Party jumped, lobbing a couple of grenades back in Cao's direction.

"Joseph Cao and his allies are trying to take New Orleans politics back to the bad old days of Leander Perez and the White Citizens Council," the statement, from press secretary Kevin Franck, said in part. "Mr. Cao clearly thinks that an orchestrated whisper campaign based on racist stereotypes of African-American men will help him win votes, but those shameful race-baiting tactics have no place in today's New Orleans."

Seizing on publicized cases

Cao's multilayered attack begins with a series of widely known assertions: that the state Supreme Court suspended Richmond's law license for two months in 2008 and that the state Board of

Ethics found he violated its code by not properly disclosing his legal work for a state agency.

In the first case, the court concluded Richmond had sworn falsely that he had lived for at least two years in City Council District D when he signed up to run. The justices tossed him off the ballot eight days before the April 2005 election.

The ethics violation emanates from the lawmaker's failure between 2004 and 2006 to report his work for the Department of Social Services representing absentee parents in adoption cases within 10 days of taking the job.

Richmond, who reported the work as part of his annual lawmaker's report of public contracts, was fined \$2,000 for not reporting the work under the ethics board's time frame, though board members also praised him for taking the cases.

Cao also cites a 2007 scuffle at a Baton Rouge bar in which Richmond and another man were issued municipal summonses for disturbing the peace. Richmond says he shoved the man after he taunted him with racial epithets. The man was drunk, he said.

A police report shows that the pair fought over the use of a pool table and "ended up fighting on the ground." It says that alcohol "did play a large part" in the incident. The charge against Richmond was dropped the following year, records show.

According to Cao, those incidents show Richmond is unfit to serve.

"There's evidence that can point to the fact that his moral character is questionable," he said.

The congressman, however, acknowledges that some of his other accusations, including the line in his Sunday e-mail message that refers to Richmond's "girlfriend," are unproven.

Cao cited American Zombie as his source.

Relationship questioned

The case in question involves New Orleans Community Enhancement Inc., or NOCE, which Richmond said was one of about 40 nonprofit groups he has helped finance through legislative earmarks. Records indicate it was Richmond's preferred charity; he steered at least \$588,000 in earmarks to it over a four-year period.

The program, set up to provide computer instruction to elementary school students, was the subject of a 2004 audit that cited several irregularities by its executive director, including use of a credit card for expenses of "a personal nature," unauthorized salary payments and other undocumented costs, totaling more than \$30,000.

While the audit does not mention the director by name, the program was run at the time by Tina Dixon, the stepdaughter of Irma Dixon, a former Public Service Commission member and state representative.

Under pressure from the NOCE board, Tina Dixon resigned her position. She was arrested and charged in 2004 with several counts of theft. In 2007, she repaid \$15,000 to the state, and the charges against her were reduced to a single count of theft.

In March, the court agreed to expunge the charge, and the case was closed.

Berry of American Zombie calls the relationship between Richmond and Dixon as "more than casual." In an interview, Berry said he considers Dixon a friend; he said she has gone on double dates with him.

Asked whether Cao's description of Dixon as his "girlfriend" is accurate, Richmond said: "I'm not answering that. Tina's married now. She wasn't then. So I'm not going to dignify that one.

"But I will tell you that the board did exactly what they were supposed to do -- referred it to the DA, charges were filed, restitution was made."

Dixon referred questions about the case to her attorney, Clifton Davis, who declined to comment.

Jewelry and rent

Cao said the audit, prepared by a certified public accountant and filed with the state legislative auditor, indicates "possible corruption at various levels" of NOCE.

It's not clear what part of the 19-page audit, which makes no mention of Richmond, Cao is referencing. But in other remarks, Cao cites other allegations made by the American Zombie blog.

"In regard to possible corruption, we are trying to uncover whether or not he used nonprofit funds to purchase jewelry or something that is not related to the operations of a nonprofit," Cao said.

Berry of the American Zombie asserts that Richmond bought a Rolex diamond bezel in 2002 from Jack Sutton Jewelers using NOCE's credit card. He said Sutton, the jeweler, told him so.

But Richmond provided The Times-Picayune with receipts from the jewelry store that he said prove he bought the item in 2007, using nearly \$6,000 of his own money.

Sutton backed Richmond up on Wednesday, saying Richmond bought the item in 2007, well after NOCE was defunct, and using his own money. He acknowledged having told Berry the purchase was made in 2002, but said after researching the records, he determined the purchase was made in 2007.

Richmond said his legislative office was housed in the same building as the NOCE program and New Orleans Computer Access Project, another nonprofit group he financed that provided computers to first-graders in Orleans Parish schools.

Richmond acknowledged that the building was owned by two of his longtime supporters, lawyers Ike Spears and James Gray. State records indicate Richmond paid \$700 a month in rent for his legislative office. Federal tax forms filed by New Orleans Community Enhancement show the group paid \$1,600 a month in rent in 2003, the latest year for which forms were available. Asked whether he saw any problem using taxpayer money to rent from political allies, Richmond said the rents were below market rate.

"I know every landlord in New Orleans East, especially in my district, who has commercial space," Richmond said. He described the building as a onetime "eyesore" that he helped put back into commerce.

Though Cao could not offer any evidence of wrongdoing at NOCE program beyond what court records show, he said he will continue to look into allegations against Richmond.

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