

Fight Crime. Restore Integrity.



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Van Hollen to AG: Investigate Kenosha Casino Deal

GOP Challenger Says Several Questions Regarding Deal, Donations Merit Probe

[Waukesha, WI...] Republican Attorney General candidate J.B. Van Hollen says several questionable events surrounding the possible construction of a new casino in Kenosha merit a probe by Attorney General Peg Lautenschlager and the Wisconsin Department of Justice.

“There are certainly enough incidents regarding these negotiations that justify involvement of the State Department of Justice,” said Van Hollen, a former federal prosecutor. “The more the public knows about how the proceedings surrounding the Kenosha casino, the more questions arise.”

Van Hollen pointed to several questionable developments regarding Indian gaming negotiations under Doyle in general and surrounding the Kenosha casino specifically. Among them:

- Doyle’s policy conversion coinciding with increase in donations from casino interests
- The hiring of outside counsel instead of the attorney general to represent the state, in violation of state law
- The participation of former Tribal lobbyists as negotiators for the state

Before becoming Governor, Doyle was in favor of legislative oversight of gambling compacts. In ten years before his policy switch, according to the Wisconsin Democracy Campaign, he had received \$1,300 from gaming interests. He has since vetoed legislation that would have granted such oversight to compact negotiations. For his reelection campaign, Doyle has received \$491,389.03 in contributions from those with an interest in building a casino in Kenosha.

Van Hollen noted that the negotiations with the tribes included a former lobbyist to the Oneida Tribe, Sean Dilweg, who lobbied for the tribe in 2000-2001 and began immediately negotiating the compacts when hired by the Doyle administration.

Dilweg’s brother, Rory Dilweg, also worked for the Oneida Tribe and is now a lawyer for the Menominee Tribe, which is vying for a casino in Kenosha. Van Hollen said a conflict of interest may exist and the mere participation of Dilweg in the negotiation process casts a shadow over the whole process.

“Hundreds of thousands of dollars from casino interests are being dumped into Doyle’s campaign to get him reelected,” Van Hollen said. “The attorney general cannot sit on her hands any longer while suspicious donations may be trying to buy the election and a new casino.”

Van Hollen pointed to Doyle’s circumvention of the attorney general in which he hired Milwaukee attorney William Jennaro to negotiate compacts with the tribes, which the state Supreme Court later ruled unconstitutional. Doyle violated Wisconsin Statute 14.11(2) when he hired an outside, politically connected lawyer to represent the state, instead of relying on the Attorney General and Department of Justice.

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VAN HOLLEN RELEASE / DOYLE-KENOSHA DEAL

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ADD ONE

“The first thing you do when you want to cut sweetheart political deals is to get rid of the independent attorney general, who is supposed to be the state's lawyer, and bring in a political crony to represent the state,” said Van Hollen. “That violated the law, and as attorney general I would never sit on my hands while any official, the Governor included, flaunted the law, regardless of their partisan affiliation.”

State statutes clearly indicate when a governor can appoint a special counsel. *Wis. Stats.* 14.11 (2) Employment of special counsel states:(a) The governor, if in the governor's opinion the public interest requires such action, may employ special counsel in the following cases: 1. To assist the attorney general in any action or proceeding; 2. To act instead of the attorney general in any action or proceeding, if the attorney general is in any way interested adversely to the state; 3. To defend any action instituted by the attorney general against any officer of the state; 4. To institute and prosecute an action or proceeding which the attorney general, by reason of the attorney general's opinion as to the validity of any law, or for any other reason, deems it the duty of the attorney general to defend rather than prosecute.

None of these instances were present when Doyle hired Jennaro.

“Nearly a half million dollars of campaign contributions are tied to a deal that isn't being negotiated in the traditional manner,” said Van Hollen. “So many red flags have been raised, if I was Attorney General, I certainly would be looking at this, regardless of the party affiliations of those involved.”

Yesterday, while calling on Lautenschlager to investigate additional questionable Doyle actions, Van Hollen unveiled his Procurement Integrity Plan for the future.

Today, Van Hollen refuted claims by Lautenschlager aides that the Attorney General had to turn over some investigations to the State Ethics Board.

“The Department of Justice has plenty of tools at their disposal to investigate ethics violations. Wisconsin Statutes allow the Department of Criminal Investigations to investigate,” said Van Hollen. “The DOJ could also prosecute by appointing an assistant attorney general as a special prosecutor through judicial approval. In addition, following their investigation, state law grants the attorney general the power to prosecute with approval by the governor or either house of the legislature.”

The Van Hollen Procurement Integrity Plan for the Department of Justice includes establishing a Multi-jurisdictional Action Team (MAT) whose focus is to investigate and prosecute cases regarding public corruption. This new unit within the Department of Criminal Investigation will work with local law enforcement to investigate and prosecute allegations of political corruption at the local and state level. Under Van Hollen, the DOJ would also work with local officials to ensure prompt and professional delivery of legal opinions on matters affecting local governments to such officials.

In addition to the Public Integrity MAT, Van Hollen will centralize the investigation and prosecution of violations of state laws affecting official conduct of state officers in the DOJ.

Van Hollen also supports bi-partisan legislation to change Wisconsin law to:

- Expand Wisconsin's lobby law to cover procurement as a regulated lobbying activity.
- Require any organization that submits a bid for any state contract over \$25,000 to disclose whether any management employee of the organization has made a political contribution to a constitutional executive officer in Wisconsin over the last two years. Such disclosure would be made on a form included as part of the standard Bid Package.

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ADD TWO

- Prohibit political contributions by company board members and management personnel of a bidding vendor to an executive officer during the period of time that a competitive bid is being reviewed for award. Just as lobbyists are restricted from making political contributions during the active period for consideration of state legislation, contract vendors should be similarly restricted during active review of pending bids.

Van Hollen is endorsed by the Wisconsin Troopers' Association, the only statewide law enforcement organization to endorse in the race for Attorney General. Appointed as United States Attorney by President George W. Bush, J.B. Van Hollen served as the chief federal law enforcement official in 44 Wisconsin counties. He is now endorsed by 41 state legislators, 26 county sheriffs and 29 district attorneys, by far the most of any candidate for attorney general.

Van Hollen previously served as the District Attorney in Ashland and Bayfield counties. He resigned his post as United States Attorney in order to run for Wisconsin attorney general

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