

Conyers Turns Up Heat In Ohio Funding Scandal

by Richard Freeman

In an escalation of the Ohio Bureau of Workers' Compensation funding scandal that could land at the doorstep of Karl Rove and Dick Cheney, U.S. Rep. John Conyers (D-Mich.) wrote a letter on July 5 to Gregory White, the U.S. Attorney of the Northern District of Ohio, asking for information about the timing and progress of the Federal government's handling of its case concerning rare coin dealer and top Republican Party fundraiser, Tom Noe. Noe, who is viewed as Karl's man in Ohio, is the subject of multiple Federal-state probes.

In 1998, the Bureau of Workers' Compensation entrusted Noe and his company Vintage Coins and Collectibles with \$50 million of its funds to manage. Now, Noe has informed authorities that \$10-12 million of these state funds are "unaccounted for." The Lucas and Franklin County Ohio prosecutors' offices are investigating Noe on this matter.

In 2004, Lucas County prosecutor Julia Bates came into possession of information that Noe may have violated Federal campaign finance laws, a criminal offense. This involved Noe's alleged illegal conduiting of funds to individuals in order for them to contribute to the Bush-Cheney campaign, at an October 2003 fundraising dinner in Columbus, Ohio that netted the Bush campaign \$1.4 million.

On Oct. 13, 2004, Prosecutor Bates informed U.S. Attorney White of these very serious violations by Noe. White did not open grand jury proceedings until June 1, 2005. Representative Conyers states in his letter to White—who works for the Bush Justice Department—"I am concerned that your office delayed investigating this very serious matter until after the 2004 presidential election, and as a result prejudiced the government's ability to pursue justice in this case." Conyers also pointedly asks: "Did the U.S. Attorney's Office and other officials in the Bush administration . . . communicate with each other about this case of Mr. Noe?"

Conyers played a leading role during and after the November 2004 elections in gathering massive evidence of voter suppression directed by the Cheney-Rove forces which stole the election in Ohio—an election which was vital to securing the Bush-Cheney victory in the Electoral College. Key sections of the Conyers letter follow.

'Very Serious Concerns'

Dear Mr. White,

I write to you because of my very serious concerns regarding the manner in which your office has handled the investiga-

tion into alleged federal campaign finance violations involving the 2004 Bush-Cheney campaign and other Republican candidates. In particular, I am concerned that your office delayed investigating this very serious matter until after the 2004 presidential election and as a result prejudiced the government's ability to pursue justice in the case.

It is my understanding that on October 13, 2004, the U.S. Attorney's Office for the Northern District of Ohio was provided evidence from Lucas County grand jury proceedings suggesting extensive federal campaign finance violations took place involving Tom Noe, the leading Bush-Cheney campaign official in the region for the 2004 campaign. On the same day, it was reported that your office shared this information with the Justice Department's Public Integrity Section, and that later that day, the Section e-mailed to the U.S. Attorney's Office authorization to investigate the matter. Two days later, on October 15, it was reported that the local prosecutor's office gave their evidence to the FBI.

It has been further reported by the *Toledo Blade* that you began your investigation into the case around early March 2005. Subsequent news reports stated that federal grand jury proceedings occurred on June 1, 2005, well after the presidential election and approximately seven-and-one half months after the Department was notified of the potential violations.

If this series of events is accurate, the delay may have violated federal guidelines as well as bar rules of professional conduct requiring impartiality and promptness in criminal investigations. First, federal law directs that each United States Attorney "shall prosecute for all offenses against the United States." The U.S. Attorneys' Manual reiterates this requirement and further explains that "their professional abilities and the need for their impartiality in administering justice directly affect the public's perception of federal law enforcement." While I am well aware that the principle of prosecutorial discretion grants your office latitude in determining which cases warrant prosecution, that doctrine in no way permits political considerations—including the fact of a high profile and closely contested election—to intrude on the prosecutorial process. . . .

. . . Given that considerable evidence had already been collected by the Lucas County grand jury investigation, it is troubling that your office delayed this investigation by four-and-one-half months. In addition, a full seven-and-one-half months passed before federal grand jury proceedings began on June 1. Postponing the case for so long may have jeopardized the success of any investigation as the recollections of witnesses are likely to have diminished over time and evidence may have disappeared. . . .

We would appreciate your prompt response to this request. . .

Sincerely, John Conyers, Jr.

Ranking Member, House Judiciary Committee