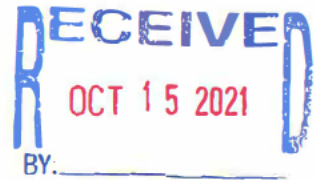


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CHARLES D. McGUIGAN
CHIEF DEPUTY ATTORNEY GENERAL

September 28, 2021

Justice Lori Wilbur, Retired
Judge David Gienapp, Retired
Judge Gene Kean, Retired
Chief Justice David Gilbertson, Retired
Government Accountability Board
P.O. Box 2282
Sioux Falls, SD 57101

Re: **Alleged Violations of SDCL 3-24-3**

Dear Members of the Board:

[Redacted]

[Redacted]

A second allegation has also been brought to the attention of my office regarding the claims of potential violations of SDCL 3-24-3. The attached story raises concerns of conflict of interest, abuse of power, misappropriation of public funds, and allegations of use of public money not authorized by law. The questions arise from the firsthand accounts of the closed-door meeting which had the potential of using influence for personal gain or that of relatives, potential claims of retaliation in furtherance of seeking personal gain, or the denial of said personal gain. Furthermore, a significant sum was allegedly paid out as part of a settlement which supposedly requires nondisclosure or confidentiality, which appears to be in violation of SDCL 1-27-1.23.

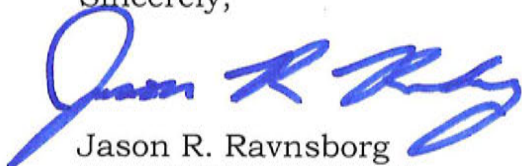
As you are aware, under SDCL 3-24-11, my office provides administrative and budgetary support to the Board. Obviously, an investigation into either or both of these matters would require considerably more administrative and budgetary support and professional expertise than has, to date, been necessary.

My office has identified qualified, independent resources that it is prepared to make available to support the Board. My office is prepared to retain as investigation counsel former Minnesota Supreme Court Justice David Lillehaug and his Minneapolis law firm of Fredrikson & Byron. Justice Lillehaug, a former United States Attorney for the District of Minnesota, has extensive experience in the investigation, prosecution, and defense of high-ranking public officials. He would be assisted by Alethea Huyser, former Assistant Solicitor General in the Minnesota Attorney General's office. Their firm has the resources for a complex investigation.

My office would designate investigation counsel as Special Assistant Attorneys General under SDCL 1-11-5, but with the understanding that counsel would be accountable only to the Board. I would also make available to the Board, under the direction of investigation counsel, the resources of the Division of Criminal Investigation.

Although it is an obvious advantage to the Board to have investigation counsel from outside the state, Justice Lillehaug and his firm would need local office space and assistance. Sioux Falls attorney Rollyn Samp would be available to provide those.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jason R. Ravensborg". The signature is stylized with a large initial "J" and a long, sweeping underline.

Jason R. Ravensborg
ATTORNEY GENERAL

JRR/lde
Enclosures