

www.chicagotribune.com/news/local/chi-blagojevich-investigation-bdfef01,0,7723336.story

chicagotribune.com

Who will testify for whom?

Rod Blagojevich, U.S. attorney's office likely want same witnesses on their sides

By David Heinzmann and Jeff Coen

Tribune reporters

February 1, 2009

Former Gov. Rod Blagojevich last week repeatedly attacked the fairness of his impeachment trial, complaining he couldn't call witnesses to buttress his version of events.

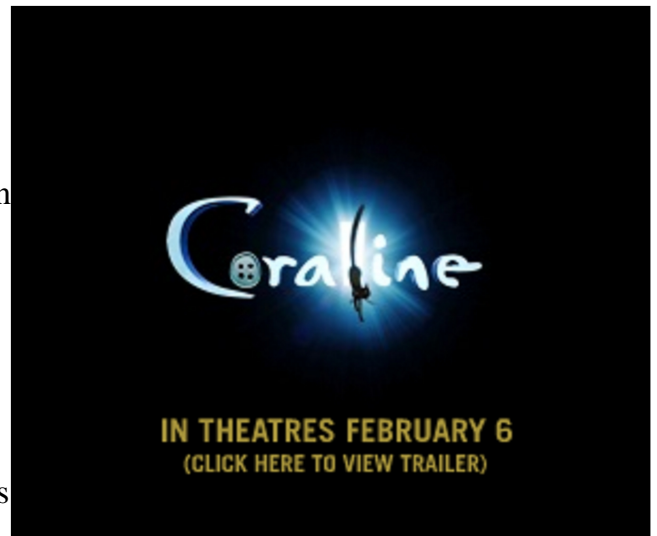
But those witnesses are the insiders prosecutors will lean on to try to convict the former governor of conspiring to trade campaign contributions for state jobs, contracts and the U.S. Senate seat vacated by President [Barack Obama](#).

Since Blagojevich's Dec. 9 arrest on federal corruption charges, some of those onetime confidants have been conferring with the U.S. attorney's office about cutting deals to testify against the former governor, sources with knowledge of the situation said. The massive publicity surrounding the case also has led a number of witnesses who consider themselves to be extortion victims to reach out to federal prosecutors and agents.

U.S. Atty. Patrick Fitzgerald's office is building a broad criminal conspiracy case against Blagojevich that could include other targets as well, ranging from the former governor's campaign fund to his wife, Patricia, who was herself captured on undercover recordings. Investigators have said they secretly taped thousands of conversations.

As the ouster of Blagojevich from office shifts the focus back to his criminal case, former chief of staff John Harris—arrested the same day as Blagojevich—has acknowledged holding preliminary discussions with prosecutors about cooperating, but no deal has been made.

The yearslong investigation of the former governor accelerated to this endgame when Blagojevich insider John Wyma began cooperating with the government in October and supplied enough information to secure a warrant to make the now-infamous recordings of Blagojevich.



warrant to make the now-infamous recordings of Blagojevich.

Patrick Collins, a former federal prosecutor who recently was appointed by new Gov. Pat Quinn to head a commission charged with finding ways to clean up state government, agreed that much of the government's case will rely on the cooperation of Blagojevich insiders. But he cautioned it's too early to know the strength of the government's case.

"We still don't know who they have in their camp," Collins said.

Another key insider who may testify against Blagojevich is convicted fundraiser [Antoin "Tony" Rezko](#), who already has provided information suggesting the former governor was at the center of a web of criminal schemes.

Oak Brook millionaire Raghuvir P. Nayak, a longtime political fundraiser, has offered to help federal authorities build their case in return for immunity from prosecution, sources said. Nayak organized a Dec. 6 fundraiser—attended by Blagojevich—as part of an effort to persuade the then-governor to appoint U.S. Rep. Jesse Jackson Jr. to the U.S. Senate vacancy, said sources familiar with the effort.

According to the criminal complaint in the case, Blagojevich was squeezing the longtime political benefactor for campaign cash in exchange for appointing Jackson. Jackson has denied wrongdoing.

Another pivotal figure under mounting pressure is Christopher Kelly, Blagojevich's friend and former right-hand man in raising campaign contributions who pleaded guilty Jan. 16 to tax fraud. His lawyer, Michael Monico, has said he cannot be certain what Kelly's ultimate decision will be when it comes to possibly testifying against Blagojevich.

To defend himself amid the impeachment trial, Blagojevich went on a media blitz last week on national TV talk shows, ending in Springfield with his dramatic closing argument before the state Senate. Investigators are combing through his many appearances and logging instances where he contradicted what he said in the undercover recordings, sources said. At trial, prosecutors are likely to contrast the former governor's public denials with his sometimes blunt, profane language on the undercover recordings.

"Whenever the defendant is out talking, it's an opportunity" for prosecutors, Collins said. In Blagojevich's numerous public remarks over the last week, "what could be most damaging are the analogies to [Rev. Martin Luther] King and [Mohandas] Gandhi," Collins said. "A prosecutor can say, 'How dare he' " compare his plight to martyrs for civil and human rights.

When he addressed the state Senate Thursday, Blagojevich reasserted his stand that he has "done absolutely nothing wrong." Blagojevich has repeatedly claimed the few undercover recordings of him that have been made public were all taken out of context. He also has insisted the illegal demands he appears to make in the undercover conversations were merely an exercise to look at issues from all angles before committing to an ethical course of action.

2/3/2009

Who will testify for whom? -- chicagot...

Collins, who led the prosecution of convicted former Gov. George Ryan, pointed out that former insiders who end up cooperating with the government are unlikely to paint such a benign portrait of their conversations with the governor.

For one, Ali Ata, a former fundraiser and state official who pleaded guilty to corruption charges last year in the ongoing pay-to-play investigation, has testified that the former governor was integrally involved in schemes to trade political favors and government appointments for campaign contributions. At Rezko's 2008 trial, Ata described being seated at a table in the governor's campaign headquarters when a campaign check was placed before Blagojevich and a state post was discussed.

Tribune reporters David Kidwell and John Chase also contributed to this report.

dheinzmann@tribune.com

jcoen@tribune.com

Copyright © 2009, [Chicago Tribune](#)