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U.S.

# Trial Shows Former Illinois Governor in Two Lights

By JODI WILGOREN    SEPT. 29, 2005

CHICAGO, Sept. 28 - It was alternately described Wednesday as a criminal racketeering conspiracy and as a deep friendship lasting half a lifetime. One side called it "abuse of official power for personal profit and greed," while the other said, "Providing benefits to supporters is part of politics -- not a crime."

Which version jurors believe will determine not only whether the defendants land in prison, but also the legacy of former Gov. George Ryan, who became widely known for clearing death row even as he left office amid scandal.

Prosecutors and defense lawyers painted starkly different portraits of Mr. Ryan, using their opening statements to dive into the minutiae of contracts, leases and bureaucracy that formed the bread and butter of the Illinois secretary of state's office, which he led for eight years.

After six days of jury selection, nearly five hours of lawyerly remarks provided a tantalizing glimpse into the evidence of lucrative lobbying deals and leases that the government contends Mr. Ryan traded for cash, luxury vacations and loans to relatives over more than a decade, including his tenure as governor.

"George Ryan was supposed to be a public servant," Zachary T. Fardon, an assistant United States attorney, told the jury. "He owed a duty of honest services to the taxpayers of Illinois. He violated that duty repeatedly in favor of his own personal agenda to enrich himself, his family and his friends."

Mr. Ryan's lawyer, Dan. K. Webb, countered Mr. Fardon's statement that Mr. Ryan "lived large" by saying his client had no asset other than the house in Kankakee that he bought 40 years ago for \$34,000 and warned jurors that prosecution witnesses to come had been pressured to testify.

"I don't know of a single witness in this so-called corruption trial that's going to say there was a corrupt payment to George Ryan," Mr. Webb said. "No one got cheated out of anything. The contracts were good deals, fair deals, for the secretary of state's office."

Capping a seven-year investigation that has netted 73 convictions of state officials, political operatives and business leaders, the trial drew a packed courtroom of journalists and bystanders who began lining up at 7 a.m. Also facing charges of racketeering conspiracy, mail and tax fraud and lying to government officials is Lawrence K. Warner, a lobbyist and adviser who Mr. Fardon contended was among the "chosen few" who were handed "the keys to the state government kingdom."

Prosecutors said Mr. Warner used inside information from meetings at the secretary of state's office to get the jump on leases and contracts and traded on ties to Mr. Ryan to extract and pocket \$3million in vendors' fees. The prosecutors showed a \$3,185 check that Mr. Warner wrote to the band that performed at the wedding of Mr. Ryan's daughter five days after a contract was awarded to a digital photography business that Mr. Warner represented. The prosecutors said Mr. Warner took Mr. Ryan on trips to out-of-town casinos and Chicago Bulls playoff games in Cleveland, New York and Orlando.

Although Mr. Fardon acknowledged that there would be no evidence of money changing hands, he told the jury that Mr. Ryan was known to carry thick wads of cash, peeling off big bills to give to his grown children or to place bets at gambling tables, yet withdrew just \$6,700 from his bank accounts over a decade. Mr. Warner, he said, took out \$360,000 from his accounts, always in amounts below the \$10,000 threshold that requires federal reports, from 1993 to 1999.

"A hidden flow of personal financial benefits from Larry Warner to George Ryan, and a hidden flow of official state benefits from George Ryan to Larry Warner," Mr. Fardon said. "George Ryan took care of Larry Warner. Larry Warner took care of George Ryan."

Mr. Warner's lawyer said his client was guilty only of generosity -- and success.

"It's a bridal gift, not a bribe gift," the lawyer, Terence P. Gillespie, said of Mr. Warner's underwriting the band. About the leases and contracts with Mr. Ryan's office that yielded commissions for Mr. Warner, Mr. Gillespie said: "What he did was business, what he did was smart business, and maybe what he did was lucrative businesses. But it was business, and it was legal business."

"Where's the bribes?" Mr. Gillespie asked. "Where's the money? As that old lady used to say in the commercial, 'Where's the beef?'"

Though Mr. Ryan is the trial headliner, the prosecutors offered far more detail on Mr. Warner's dealings, with just a few examples of the former governor's direct involvement in the supposed scheme.

For one lease, Mr. Fardon said, Mr. Ryan helped Harry Klein, a supporter who owned a Jamaican retreat where Mr. Ryan and his wife, Lura Lynn, vacationed for 10 years.

"What does Harry want?" Mr. Fardon quoted Mr. Ryan as telling aides. "Do whatever Harry wants." Pictures of Mr. Klein's estate, the Seven Seas Villa, flashed on large screens for the jury.

Mr. Ryan, 71, who was nominated for a Nobel Prize for his commutation of over 160 death sentences, sat stoically. His wife of 49 years and two of their six children -- the other four are expected to be witnesses -- were in the front row. Mr. Ryan greeted lawyers and supporters with a gruff "Morning" entering the room, and stood to say, "Good morning," to the jurors during introductions.

"Is George Ryan perfect? No," Mr. Webb told the jury after explaining how his client had told a lobbyist which town would be picked for a new jail before it was publicly announced, a tip the friend capitalized on to receive \$50,000 in lobbying fees from the town. "He's grown up in the rough-and-tumble world of politics in Illinois, and he's not perfect."

Mr. Webb classified that as a mistake, not a crime.