



STATE OF NORTH DAKOTA  
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Drew H. Wrigley  
ATTORNEY GENERAL

October 12, 2023

Mr. Paul Richard, Chairman  
North Dakota Ethics Commission  
600 E. Boulevard Avenue  
Department 195  
Bismarck, ND 58505

Dear Chairman Richard,

I've been informed the Ethics Commission staff requested interviews with two employees of this office regarding the building for which a cost overrun was incurred under the previous administration. During a meeting of the Legislative Audit and Fiscal Review Committee (LAFRC) in 2022, then-Chairman Jerry Klein asked for an investigation of the overrun, and, to avoid any appearance of conflict, I offered to refer the investigation to the Montana Department of Criminal Investigation (DCI). The DCI provided its investigation report last month, and I forwarded it to the current chairman of LAFRC, Representative Emily O'Brien.

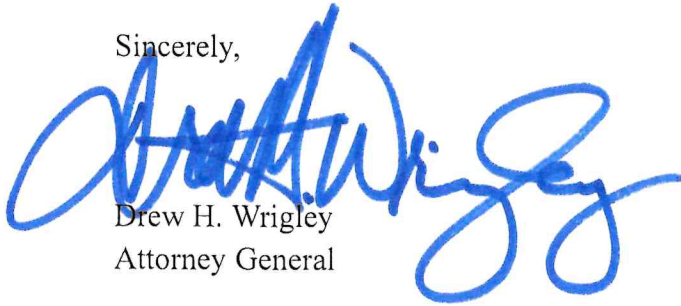
DCI's report indicated DCI would have taken additional steps to gather information if they had been able to work with a prosecutor in North Dakota. As a result, I will refer the matter to a prosecutor for review and additional investigation. However, in the meantime, Representative O'Brien asked me to pause from referring the matter to a prosecutor until she can hold a meeting of LAFRC to review the report. I understand that meeting is forthcoming and agreed to her request.

After bringing this matter to light, this office and staff have remained open and transparent about the circumstances surrounding the construction and lease of the building at issue. I personally notified the State Auditor of the issue within hours of its being brought to my attention. Thereafter, we informed additional state officials and legislators, released thousands of pages of documents, and participated in the DCI investigation and the State Auditor's review. Having launched the investigation, we remain committed to a full evaluation of the facts and circumstances leading to the previous administration's cost overrun. Furthermore, we are committed to facilitating any law enforcement or civil court proceedings that may occur. To avoid any interference or conflicts with a potential prosecutorial review, I must ask that the Commission schedule the interviews with staff from this agency only after a state's attorney has had

an opportunity to evaluate DCI's report and complete the investigation and make any charging determinations. We will facilitate any and all such requests at that time.

In the meantime, please feel free to contact me with any additional questions or concerns. Thank you for your consideration on this important matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Drew H. Wrigley". The signature is stylized with large, flowing loops and is positioned over the printed name and title.

Drew H. Wrigley  
Attorney General