

## **Wev Shea weighs in on Renkes**

**LETTER TO GOVERNOR: Professional conduct of attorney general questioned.**

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Anchorage Daily News

*(Published: January 11, 2005)*

A former federal prosecutor told Gov. Frank Murkowski recently that his attorney general may have broken various rules governing the professional conduct of lawyers.

In a Dec. 15 letter to Murkowski, former U.S. Attorney Wev Shea said Gregg Renkes' behavior in officially promoting a company he had stock in and close ties to may have violated several provisions of the Alaska Rule of Professional Conduct that lawyers must uphold.

Shea said he wrote to the governor because attorneys are bound by those rules to report professional misconduct by other attorneys if it raises a substantial question "as to that lawyer's honesty, trustworthiness or fitness."

"Governor, regardless of the result of your special counsel's investigation, the attorney general has, I believe, violated numerous rules of professional conduct. These violations are very public. The violations must be addressed and investigated by the Alaska Bar Association," Shea wrote.

A Murkowski spokeswoman said Monday that the governor is awaiting completion of an investigation he ordered before deciding on his next step.

Murkowski appointed Anchorage lawyer Robert Bundy, also a former U.S. attorney, as outside counsel in October to investigate Renkes' stock ownership in KFx Inc., a Denver company trying to commercialize a coal-drying technology. Renkes owned more than \$100,000 worth of KFx stock as he crafted a trade agreement with Taiwan that could benefit the Denver company. He has business and personal ties to KFx's lobbyist in Washington, D.C., and once worked for KFx as a public affairs consultant and technical adviser, according to public documents.

Besides Bundy, the state personnel board is also investigating possible ethical misconduct by Renkes.

Renkes said in early October he didn't play a major role in promoting the KFx coal project, in the Beluga field west of Anchorage. But hundreds of documents released by the state since then show that Renkes was the chief architect of the deal.

Shea said in an interview last week that his letter has not elicited a reply from the governor.

"I would just like him to acknowledge it," he said. "I did it mainly just to alert him of a very serious problem."

Murkowski's spokeswoman, Becky Hultberg, said the governor plans to respond. As far as Shea's accusations against Renkes, Hultberg repeated the administration's official position.

"We would just urge patience. We would urge Mr. Shea to wait for the Bundy report to be completed. The process that the governor has set in place is a responsible process, and when the Bundy report is complete we will have more complete information and analysis of the situation," Hultberg said.

Other than a statement he read Oct. 4 in which he defended his conduct, Renkes has not spoken about the KFx matter and vowed not to until the Bundy report is in.

Shea cited seven provisions of rules governing lawyers that he feels Renkes may have broken. Several deal with conflict of interest.

"These are the most basic violations, and it goes to whether he's fit to practice law in the state of Alaska, and in my opinion he's not fit," Shea said in the interview. "It's obvious to me that his conduct is unprofessional, unethical and apparently intentional. This is not negligence."

A complaint against Renkes is already on file with the Alaska Bar Association. Homer environmental activist and attorney Bob Shavelson lodged it Oct. 12. The Bar Association sent a letter to Renkes on Nov. 2 advising him of the complaint and giving him an opportunity to respond.

The letter came back to the association as "undeliverable," so another was sent to a different address Nov. 16, giving Renkes 10 days to respond. It's unclear if he has.

Steve Van Goor, bar association counsel, said all investigations are confidential regardless of whether the lawyer in question is a high-level public official or an attorney in private practice.

If the bar association seeks a disciplinary hearing against an attorney, the matter would become public, he said. Sanctions can range from a dismissal to disbarment.

Rep. Bruce Weyhrauch, R-Juneau, an attorney, said if Shea was making a formal complaint against Renkes, he should have sent it to the bar association.

Shea disagreed.

"The bar association is aware of this as anyone. I sent it to governor, advising him of what he should be aware of," he said.

Anchorage attorney and state Rep. Max Gruenberg, D-Anchorage, said he is reserving judgment on Renkes until Bundy's report is complete.

"It's very dangerous as a policy, especially with a person in a high-profile position, to say something without knowing the facts," he said.

Gruenberg noted that he's a friend of Renkes and recently ran into him at the airport.

"He said, 'I didn't do it,' " according to Gruenberg. "He was vehement."

Gruenberg didn't speak with Renkes at length but said he hopes to.

"It's awfully easy for someone to take it upon themselves to charge another person with wrongdoing and leap to conclusions without knowing the facts," Gruenberg said.

Sen. Hollis French, D-Anchorage, a former prosecutor, took a different view, saying the administration should have resolved the problem a long time ago.

"I'm just amazed they've let this run into the session," French said.

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