

Opinion: Whittemore overreached, but so does indictment

By Jon Ralston, Las Vegas Sun

During his Carson City heyday, Harvey Whittemore was the King of the Overreach.

Mostly on behalf of the gaming industry, superlobbyist Whittemore tried to get jury verdicts against casinos retroactively annulled, pushed for a special art tax break for Steve Wynn and even persuaded a Senate committee chairman to hear a special amendment to help Whittemore build a pier at Lake Tahoe.

Now, in a twist worthy of O. Henry, Whittemore has been indicted in what might eventually be seen as the Great Government Overreach. He is essentially charged with bundling \$150,000 to Senate Majority Leader Harry Reid (this is legal) but then reimbursing those who contributed (this is not legal). I'm not saying Whittemore is not guilty – he may be. But the law is an anachronism of a bygone, pre-Citizens United campaign financing world, and the potential punishment of years in prison not only does not fit the crime, but is disproportionate to similar offenses that have occurred in this state.

Whittemore's criminal indictment comes after a lengthy and still unresolved civil squabble between the lobbyist turned developer and his partners after the recession turned his dream of Coyote Springs into a financial sinkhole, sparking recriminations and lawsuits. And now comes the Department of Justice making a federal case out of Whittemore allegedly inducing employees and family members to pony up to funnel money to Reid.

A brief moral equivalency digression: This comes in the same week that the DOJ agreed to a plea deal with the maliciously prosecuted Doug Hampton, the man whose life was destroyed by Sen. John Ensign, who has been left alone, presumably while the Justice Department reads Federal Election Commission reports.

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