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March 28, 2000

Michael McCann • District Attorney

Michael D. Goggins
8011 Jackson Park Blvd.
Wauwatosa, WI 53213

Re: Your complaint dated March 15, 2000

Dear Mr. Goggins:

By letter dated March 15, 2000, you complained that Wauwatosa aldermanic candidate James O. Sullivan, Jr. voted on the same date in two different municipalities. You submitted voter history lists from Wauwatosa and Whitefish Bay in support of this allegation. My investigation determined that the records upon which your allegation is based, in particular the Whitefish Bay voter history list, is unreliable in this case.

Consequently, this office is closing our investigation and taking no further action.

The Whitefish Bay voter history list fails to carefully distinguish James Sullivan, Sr. from James Sullivan, Jr. More specifically, the entry for "Sullivan, James (Jr.)" lists a date of birth of "10/27/36." James Sullivan, Jr., in fact, is just 32 years old. He was not born in 1936. This confusion as to voter identity renders Whitefish Bay voter history records as to James Sullivan, Jr. and James Sullivan, Sr. unreliable and valueless.

A plausible explanation of the above Whitefish Bay voter history list is that both entries for James Sullivan, 627 E. Carlisle Ave., are for the father of aldermanic candidate James Sullivan. This interpretation eliminates any voting overlap between Whitefish Bay and Wauwatosa.

I also interviewed aldermanic candidate James Sullivan in person. He advised me he did not vote in both municipalities in November, 1996 or September, 1998.

Should you have questions or concerns, you may contact me at telephone 278-5125.

Very truly yours,

[Handwritten signature of Kurt Benkley]

Kurt Benkley
Assistant District Attorney
KB:mg

cc: Michael Hart
E. Michael McCann