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**MSI jury clears key Edgar aide**

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SPRINGFIELD-A federal jury cleared Illinois Deputy Public Aid Director James Berger of corruption charges late Friday, dealing the government's ongoing investigation of the MSI contracting scandal a major setback.

The jury spent less than four hours deliberating a case that took almost two months to reach its conclusion.

When the verdict was announced, Berger wept, and his wife, Patty, and many friends who were seated in the courtroom erupted in applause.

"I appreciate the jury's wisdom and the wonderful friends and family I have, and that's all I have to say," Berger said.

Jury forewoman Marlane Miller said the jury believed Berger's assertion that he got bad information about the MSI contract from employees who had been bribed by the firm.

"We just felt it was not proven he did anything to defraud the state and federal government," Miller said of Berger. "There wasn't any evidence to present fraud."

Lead prosecutor Patrick Chesley expressed disappointment at the verdict but said the government's continuing investigation into MSI dealings was not crippled. "That wouldn't be how I'd characterize it," Chesley said.

"This is certainly not the result we were looking for, and we're going to go from here and see if we can find more evidence and make determinations as to whether we'll seek indictments or not."

Gov. Edgar's office underscored how testimony from star government witness Michael Martin, a former Management Services of Illinois co-owner, was tainted.

"There's no question people should feel good for Jim Berger as a result of today's ruling, and not just people in the administration, but anybody having watched a man's life be turned upside down for the last three years," Edgar spokesman Thomas Hardy said.

Hardy said he believes Berger is eligible to be reinstated in his post, but it was unclear whether he could regain wages he lost while he was on unpaid leave.

Jurors had heard lawyers in the politically charged case portray vastly different roles for Berger as they delivered final arguments Friday.

Berger faced charges of mail fraud and misapplying government funds for allegedly helping to orchestrate a 1993 revision in MSI's Public Aid contract that improperly diverted millions of dollars to the firm.

"We're not sitting here telling you this turned out to be a good deal for the state. It wasn't," defense attorney Ronald Stone said. "But Jim Berger acted in good faith."

Prosecutors, however, said Berger ushered the contract through the agency for two principle reasons: to please top aides to Edgar, who considered MSI a valued campaign contributor, and to satisfy MSI's politically savvy operators, who appeared able to secure job promotions with the Edgar administration for Berger.

"Jim Berger worked for the taxpayers. He was a public servant. But the evidence has shown when it came to MSI, his loyalties were anywhere but to protect the taxpayers' interest," Assistant U.S. Attorney Patrick Hansen said.

During his 1 1/2 days of testimony, Berger placed most of the blame for how the MSI contract was negotiated on Curtis Fleming, an underling who pleaded guilty in 1996 to related charges of mail fraud and misapplying government funds.