



215 Pennsylvania Avenue, SE • Washington, D.C. 20003 • 202/546-4996 • www.citizen.org

August 21, 2017

Commissioner Jeffrey J. Rose
New Hampshire Department of Natural and Cultural Resources
172 Pembroke Road
Concord, NH 03301
Fax: (603) 271-2629

Dear Commissioner Rose,

On behalf of our members and supporters across New Hampshire, Public Citizen writes with concerns about the lease of Mount Sunapee Resort to Och-Ziff Capital Management. In September 2016, the U.S. Department of Justice secured a criminal guilty plea by Och-Ziff for violations of the Foreign Corrupt Practices Act.¹ Central to the criminal plea by Och-Ziff, the company entered into a three-year Deferred Prosecution Agreement. For years, Public Citizen has raised significant concerns with the transparency and accountability of such Deferred Prosecution Agreements, as they have proved to be inadequate enforcement and oversight mechanisms to properly hold corporate criminals accountable.² As a result, the State of New Hampshire should not rely solely on the terms of the DOJ Deferred Prosecution Agreement as a primary instrument to ensure that Och-Ziff is a reputable steward of public resources. Rather, it would be prudent for the State of New Hampshire to insist on additional measures to ensure that a corporate felon is an adequate custodian of the lease.

Sincerely,

Tyson Slocum
Public Citizen, Inc.
215 Pennsylvania Ave SE
Washington, DC 20003

¹ www.justice.gov/opa/pr/och-ziff-capital-management-admits-role-africa-bribery-conspiracies-and-agrees-pay-213

² See *Written Testimony of Robert Weissman, President, Public Citizen, before The House Judiciary Committee, June 8, 2017*, <http://docs.house.gov/meetings/JU/JU05/20170608/106076/HHRG-115-JU05-Wstate-WeissmanR-20170608.pdf>; and *Justice Deferred: The Use of Deferred and Non-Prosecution Agreements in the Age of "Too Big To Jail"*, www.citizen.org/sites/default/files/justice-deferred-too-big-to-jail-report.pdf

