

June 17, 2008

## Grand Jury Said to Look at Attorneys' Dismissals

By [ERIC LICHTBLAU](#)

WASHINGTON — Justice Department prosecutors are using a grand jury to investigate criminal accusations that grew out of the dismissals of nine [United States attorneys](#), signaling a new stage in one aspect of the inquiry, lawyers in the case said Monday.

A lawyer connected to the case said a federal grand jury had recently begun to examine statements by Justice Department officials about hiring decisions in the civil rights division, where some employees said they were subject to a political litmus test.

“The issue was lying, whether the people caught up in this told the truth or not,” said the lawyer, who insisted on anonymity because grand jury proceedings are secret.

The Wall Street Journal reported on Monday that Justice Department lawyers had brought what is known as a grand jury referral focusing on possible perjury by Bradley J. Schlozman, who was acting head of the civil rights division in 2003.

He later became the interim United States attorney in Kansas City, Mo., where the former prosecutor said he had been forced out over political disagreements with Washington.

Mr. Schlozman [admitted to Congress](#) last year that he had bragged about his success in bringing conservative Republican lawyers into the civil rights division. Justice Department officials declined to comment on Monday.

Mr. Schlozman also declined to comment, and his lawyer said he had not been informed that he was the target of any criminal investigation.

“We haven’t been contacted by the Department of Justice regarding this, and other than that we have no comment,” the lawyer, William Jordan, said.

Mr. Schlozman originally told a Senate committee last June that while he was acting United States attorney in Kansas City, a Justice Department supervisor “directed” him to bring an indictment in a voter fraud case against a liberal group. Days later, in a letter trying to “clarify” his remarks, he said that the decision to bring the indictment was his and that he took “full responsibility” for it.

The grand jury inquiry is believed to focus on Mr. Schlozman’s Senate testimony. While

prosecutors' use of a grand jury to gather sworn testimony and records does not necessarily portend any criminal charges, this is the first time any aspect of the inquiry has advanced to the point of a criminal investigation.

Since last year, two branches of the department, the Inspector General's office and the Office of Professional Responsibility, have been investigating the firings and related charges of politicization in hiring. The inspector general has the power to refer possible criminal accusations to prosecutors for possible charges.

The investigation led to the resignation of Attorney General [Alberto R. Gonzales](#). A lawyer for Mr. Gonzales, George J. Terwilliger III, said Monday that the grand jury referral was "unrelated to anything connected to Judge Gonzales."

Noting that Mr. Gonzales has promised to cooperate with all Justice Department investigations into the resignations, Mr. Terwilliger said, "He continues to make good on that commitment." He declined to discuss Mr. Gonzales's contacts with investigators, but said, "There's no criminal investigation involving Judge Gonzales and the United States attorneys."

Congressional Democrats said Mr. Gonzales might have perjured himself in his testimony about wireless eavesdropping by the [National Security Agency](#), a program that the inspector general is also reviewing.

Asked whether there was any criminal investigation involving Mr. Gonzales's testimony about the eavesdropping, Mr. Terwilliger said, "I'm not going to get into other things."

Mr. Gonzales's former chief of staff, Kyle Sampson, who instituted the ousters, was also at the heart of the inquiry. His lawyer, Bradford Berenson, said Mr. Sampson had answered questions from the inspector general's investigators in two interviews last fall but had "not heard back from them."

Mr. Berenson added, "We have no reason to believe that any sort of referral has been or will be made with regard to Mr. Sampson."

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