

Crusading New Orleans Prosecutor to Quit, Facing Staff Misconduct

By Campbell Robertson

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NEW ORLEANS — Once again, as he has for over a decade, Jim Letten, the chief federal prosecutor here, appeared before reporters, just as he regularly has to announce that some suspiciously well-connected city contractor was facing a lengthy spell behind bars. But this time was different.

In a brief but passionate statement, Mr. Letten, the longest-serving United States attorney in the nation and a popular crusader against the crooked traditions of Louisiana public servants, announced that he would be resigning effective next Tuesday.

He said it was his decision and gave few other details, but everyone knew why this was happening. Beginning last spring, a series of legal motions had revealed that Mr. Letten's senior prosecutors had been making provocative, even pugnacious comments about active criminal matters and other subjects under aliases at nola.com, the Web site of The Times-Picayune newspaper.

For a team of prosecutors once referred to in the news media as the Untouchables, with a chief who had drawn broad enough popularity that he had survived a party change in the White House, the exposures were stunning.

Last month, the revelations of online misconduct reached Mr. Letten's top assistant, Jan Mann. A federal judge, in a scathing 50-page order, broached the possibility of criminal conduct in regard to her online activities, as well as those of another senior prosecutor, Sal Perricone, who resigned in March.

The judge also revealed that another federal prosecutor had expressed suspicions about the comments to his supervisors in 2010.

The exposure of Ms. Mann, months after Mr. Letten's avowals that Mr. Perricone had acted alone, raised doubts about the effectiveness of an internal investigation by the Justice Department. The revelations could also jeopardize hard-fought convictions — including those last year of police officers involved in post-Katrina killings on the Danziger Bridge — as well as continuing inquiries like a bribery investigation that appears to be steadily encircling C. Ray Nagin, the former mayor.

Mr. Letten has maintained that he knew nothing about his subordinates' online activities, and there has so far been no evidence to contradict that. But the problems were beginning to stack up, as he acknowledged on Thursday.

"It is essential that the challenges which we take on, and especially our current challenges, which we're going through right now, never, ever, ever, under any circumstances threaten to divert or distract us from our sacred mission of protecting the freedom, the property, the lives and the quality of lives of all of our people," he said.

In a statement, Senator Mary L. Landrieu commended Mr. Letten's "record of rooting out public corruption" but called the decision "a necessary step."

Attorney General Eric H. Holder Jr. called Mr. Letten a "valued partner, dedicated public servant and a good friend." The Department of Justice announced an interim replacement on Thursday and also named a federal prosecutor from Georgia who will be restarting the investigation into the office's internal problems.

Mr. Letten, who has worked in federal law enforcement for nearly three decades, began in his current office as an interim appointment in 2001. He was already well known, having led the successful prosecution of former Gov. Edwin Edwards on bribery and racketeering charges (Mr. Letten named his dog Rico, after the federal racketeering statute).



Jim Letten, the longest-serving United States attorney in the nation, announced his resignation at a news conference on Thursday in New Orleans. Gerald Herbert/Associated Press

The front-runner for the office at the time, a politically connected businessman named Fred Heebe, had been accused of abuse by a former wife, and while Mr. Letten had little in the way of political influence, he was chosen to step in.

He focused on public corruption, a fat target in Louisiana's Eastern District; the F.B.I. office here was one of only two in the country to have three public corruption squads.

"Public corruption was the most significant local problem that we had, and the only resource that we had available to us was prosecution in the U.S. attorney's office," said Louis Reigel, who was the F.B.I. special agent in charge here between 2003 and 2005.

Mr. Letten's office successfully prosecuted parish presidents for bribery, sheriffs for mail fraud, mayors for tax evasion, housing agency officials for embezzlement and contractors for all kinds of things.

Before his reappointment under the Obama administration, Mr. Letten had been criticized by some as not aggressively pursuing civil rights violations. But once the Justice Department made civil rights investigations a priority, Mr. Letten became the local public face of the raft of federal inquiries into the New Orleans Police Department.

Local support was crucial for investigations driven largely out of Washington, and the image of a clean and effective law enforcement agency was also crucial in a city where trust in institutions is less than optimal.

"There was sort of that constant feed of information to the public: here's a guy 24-7 ferreting out crime," said Harry Rosenberg, who was the United States attorney in the early 1990s.

Mr. Letten could often be seen standing outside the courthouse after a conviction, flanked by his staff, applauding the public for no longer putting up with Louisiana's reputation for corruption.

If Mr. Letten was seen by many as the good cop, Mr. Perricone and Ms. Mann were seen as the other cops. Both were known and at times criticized for their aggressiveness (Mr. Perricone once shoved a defense lawyer after a losing an argument in a judge's chambers). The now-exposed online commentary of the two — which ripped judges, defendants, fellow prosecutors and politicians, including Mr. Obama — seems to corroborate those reputations.

In the end, it was Mr. Heebe, the one-time candidate for Mr. Letten's office, who brought about his downfall. Mr. Heebe had become a target of an investigation surrounding a landfill he owned. But last March, he filed a suit naming Mr. Perricone as the author of covert nola.com comments.

Mr. Perricone admitted to the allegations and resigned. The landfill inquiry was handed over to lawyers from the Justice Department, which also began an internal investigation. Many in town thought Mr. Letten had weathered the problems and would be appointed yet again, regardless of who won the White House.

But on Nov. 2, Mr. Heebe filed another defamation suit, this time naming Ms. Mann. She was demoted, but given her importance to Mr. Letten, and her silence over the past months as the commenting scandal unfolded, the damage was substantial.

"It really is a shame; he was undermined by his own assistants," said Shaun Clarke, a former federal prosecutor now in private practice. "I really think that he's done extraordinary service for the New Orleans region. But Jim is the head man. And I guess the buck stops with him."