

# FBI Chief Finds Himself Under Microscope

String of High-Profile Episodes at Bureau Casts Shadow on Freeh's Accomplishments

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BY RAY LUSTIG—THE WASHINGTON POST  
Louis J. Freeh insists he won't quit his position.

FBI Director Louis J. Freeh has seven years remaining on his 10-year appointment. But last month, he took the unusual step of sending a memo to each of the bureau's 25,000 employees assuring them that, rumors to the contrary, he would not be abandoning his post.

"I am proud to be the FBI director," Freeh wrote.

That Freeh felt obliged to deliver such a declaration is a clear measure of the controversies that have bedeviled him for much of the past year. While he is still generally regarded in Congress as an effective law enforcement officer, Freeh's judgments in several high-profile episodes are coming under in-

creased scrutiny that is likely to escalate in the weeks and months ahead.

Among the most vexing, and potentially damaging, issues is that involving bureau files that were shredded after the deadly 1992 Ruby Ridge standoff. A criminal inquiry into the alleged FBI coverup now revolves around one of Freeh's closest associates, Larry Potts. Freeh made Potts deputy director even after the initial Ruby Ridge inquiries censured him, and Freeh backed Potts even as the charges were mounting, until the director finally confessed to having a "blind spot" for his friend.

Another Freeh favorite, FBI General Counsel Howard M. Shapiro, faces questions about his legal judgment and accusations of partisanship in the con-

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trovercy over the hundreds of confidential files on Republican officials that the FBI gave to the Clinton White House. Independent counsel Kenneth W. Starr, Justice Department ethics investigators and congressional Republicans are looking into aspects of the case, ensuring that Freeh will once again face difficult choices regarding the fate of a prized subordinate.

Richard Jewell, the Atlanta security guard and onetime suspect in the Olympic park bombing, presents yet another embarrassing matter. Jewell has vowed to sue the FBI for allegedly leaking his name to the news media and for trying to trick him into giving up his constitutional right to be represented by an attorney.

Although Jewell's suit faces legal obstacles, it keeps the spotlight on an incident that has proven thoroughly disconcerting to the FBI and raises questions about the bureau's interrogation and policing practices. In a widening probe of the incident, internal Justice Department investigators will determine whether FBI headquarters supervisors, including Freeh, helped conceive the ruse that drew Jewell into the FBI's Atlanta offices on the pretext that he was making a training video.

At the very least, law enforcement officials predict, the Jewell case will reveal extensive micromanagement from Washington of a prominent investigation with far from ideal results.

Freeh declined to be interviewed

for this story, and a spokesman for the bureau declined to comment, noting that all the matters cited involve pending cases.

None of these probes appears to involve allegations of serious ethical lapses by Freeh, let alone charges of criminal wrongdoing. But even doubts about administrative decisions, such as personnel appointments, take on added seriousness because of the extraordinary police powers exercised by the FBI.

These recent episodes are particularly troubling for a man who was so highly extolled when he assumed control of the FBI three years ago. A former FBI agent, federal prosecutor and U.S. District Court judge, Freeh was billed as the director who would oversee the development of a more modern and effective FBI. In recent months, however, his troubles have nearly overshadowed his achievements—such as his streamlining of headquarters bureaucracy, the arrest of a suspect in the Unabomber case and the peaceful end to the Freeman standoff in Montana.

"Freeh is suffering from the cumulative effect of his mistakes rather than from any single disaster," said a former U.S. attorney who asked not to be identified by name.

How damaging these matters can be became evident last August when House Republicans denied the FBI expanded wiretap authority despite pleas from Freeh that, without it, the bureau could not keep up with the sophisticated communications



equipment available to criminals. House Speaker Newt Gingrich (R-Ga.) said that, in the wake of the White House files controversy, "it's very hard to justify giving that agency more power."

Freeh, 46, has outlined an ambitious, long-term agenda to amass greater resources and powers at home and abroad that would allow the bureau to fight drug trafficking, terrorism and organized crime. Now, even some of Freeh's supporters say that he needs to bolster his credibility in the coming months or risk damaging that agenda and perhaps his reputation with it.

"Freeh has had problems and he still has problems, but I think he is man enough to handle them," said Sen. Arlen Specter (R-Pa).

Although Freeh still enjoys "a great deal of confidence" in Congress, Specter, a senior member of the Senate Judiciary Committee, said he plans to call Freeh to hearings later this month on Ruby Ridge and the Olympic bombing.

"It is still the top of the 7th for him as far as some of these pending matters are concerned," Specter said.

That level of support—positively inclined but nonetheless cautious—seems widespread among congressional members whose committees keep watch on the FBI's operations. Yet for the first time since Freeh took office, some legislators are openly doubting whether Freeh can regain his credibility.

"I think he's been hurt a lot," said Rep. Bob Livingston (R-La.), chairman of the Appropriations Committee. "I think the FBI has been hurt during his tenure, and I am not confident he can undo the damage."

Like many of Freeh's critics, Livingston emphasized that his con-

cerns were measured against high expectations. "The nation needs to have faith in an utterly professional and uncorruptible FBI and an FBI director that inspires unquestioned confidence," Livingston said. "I don't think Freeh has lived up to his job."

Freeh's fans and his critics agree that the gravest problems he faces emerge from the allegations of partisan conduct in the White House files controversy. Throughout the FBI's history, no issue has been more sensitive than the need to protect the bureau from political manipulation.

In the files case, Shapiro has admitted errors of judgment for working too closely with the White House during a period of political damage control, particularly what Shapiro

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has described as his "horrific blunder" in giving the White House a "heads-up" about potentially damaging information that concerned first lady Hillary Rodham Clinton.

Gingrich, Livingston and several other prominent Republicans insist that Shapiro's resignation is overdue, but Freeh has stood by the 36-year-old attorney he brought with him from New York, saying that Shapiro enjoys "my full confidence."

The files controversy, perhaps more than any other pending matter, poses a challenge for Freeh within the FBI itself. Freeh is generally regarded by observers inside and outside the bureau as having imposed strict standards of conduct. For example, early in his tenure, he

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suspended two veteran agents for what he considered intemperate comments in the news media. Now, FBI agents are grumbling that Freeh has not applied the same standards to Shapiro.

"It gets very annoying when you feel that a guy with so much power over your life is playing favorites and that's exactly what's happening with Shapiro—he's protected, he's a favorite," said a senior agent who asked not to be named.

The grumbling about Freeh comes at a time when morale within the bureau is said to be slipping.

John J. Sennett, president of the FBI Agents Association, a professional group for the bureau's 8,000 agents, wrote in a recent newsletter

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to members that "the past year was a very eventful but also unsettling year." Sennett referred to the ongoing Ruby Ridge inquiries and said the files controversy "has emerged as a disturbing series of events which has raised serious concerns about the bureau's role." As a result, he noted that even when promoting issues of employment rights and benefits "we find members of Congress are distracted by disturbing news accounts involving the bureau."

Sennett said in an interview that most agents do not hold Freeh personally responsible for these difficulties and that "they want to count on the director to be a forceful, unhindered spokesman."

Still, as Freeh battles through the

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various probes in the coming months, FBI watchers agree that he has little margin of error.

"In comparison to the crises the bureau has gone through in the past, this is all still fairly small stuff," said Carl Stern, until recently the Justice Department spokesman, referring to the Watergate era. But he added that demands on the FBI are higher than they have ever been.

"The FBI is playing in the Super Bowl every day," said Stern, a professor of journalism at George Washington University. "In the law enforcement business you can't afford to come in second. That's the standard which the director and the whole of the FBI are measured against every day."

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