

Justice Dept. Internal Watchdog Resigns Amid Long Turf Battle

Shaheen Held Post Since It Was Formed 22 Years Ago

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By Roberto Suro
Washington Post Staff Writer

After 22 years as the Justice Department's internal watchdog, Michael R. Shaheen Jr. resigned yesterday as counsel of the Office of Professional Responsibility (OPR) amid a bureaucratic battle over the scope of his powers.

Shaheen is the first and only person to head the office, which was created in 1975 as part of then-Attorney General Edward H. Levi's efforts to rebuild the department's reputation after Watergate. As an in-house investigator of criminal or ethical misconduct, Shaheen has produced reports critical of at least four attorneys general and one director of the FBI.

In a statement yesterday, Attorney General Janet Reno called Shaheen "one of the most dedicated public servants I have known" and said that because of the investigative office he helped create and direct, "our system of justice is more accountable." Shaheen advised Reno in a letter that he would resign from the department at the end of year.

Joking with reporters at the Justice Department's press room yesterday afternoon, Shaheen, 57, said he was leaving because "I did not plan to die in place," and then added that "one might consider leaving while things are good and one is on top." The soft-spoken Mississippian said he would consider a variety of career options, including practicing law, writing a violin concerto and opening a "bait shop in Maine."

For four years Shaheen has been engaged in a series of bureaucratic battles over the division of watchdog duties between him and the department's inspector general, who is a presidential appointee. Early in the Clinton administration, Shaheen fought off plans to merge his office with the inspector general. Since then Shaheen has been engaged in barely disguised turf warfare with the current inspector general, former federal prosecutor Michael R. Bromwich, which has seen Bromwich win authority over most investigations involving the FBI.

Reno has concluded that having two vigorous watchdogs is best even if that requires constantly acting as referee, said a senior Justice Department official. Shaheen said yesterday that he was confident no plan to do away with OPR would succeed so long as Reno was attorney general.

Shaheen said yesterday that his "alleged feud" with Bromwich had not influenced his decision to leave, but he acknowledged that a lengthy article in the *American Lawyer* detailing the competition between the two offices had caused him to reconsider his tenure.



Michael R. Shaheen Jr. is counsel of the Office of Professional Responsibility.

The variety and magnitude of the concerns that crossed Shaheen's desk are evident in some of the cases he has handled in just the past few months. In February he concluded that alleged conflicts of interests by Kenneth W. Starr were not so severe as to require his removal as Whitewater special prosecutor. A few months later he found that FBI agents made "a major error in judgment" when they pretended to be interviewing Richard Jewell for a training film when in fact they considered him a suspect in the Atlanta Centennial Olympic Park bombing.

In 1993 Shaheen issued a lengthy report on then-FBI Director William S. Sessions—that alleged a variety of ethical transgressions, including abuse of office by building a fence around his home at government expense. Sessions was fired by President Clinton.

Shaheen's investigation of the 1992 FBI siege at Ruby Ridge, Idaho, produced a grand jury investigation into a cover-up by top FBI officials that saw one senior executive, E. Michael Kahoe, sentenced to prison for destroying an internal critique of the event.

Perhaps his most notable tangle with an attorney general involved a critique of Edwin Meese III's business activities while in office that noted several conflicts of interests and other ethical lapses.