

materials), “interference with the attorney-client relationship,” “prosecutorial conflict of interest,” “inflammatory remarks at trial,” “improper characterization of defense witnesses or evidence,” and “reliance on perjury or deception at trial.”

McDade, representing Pennsylvania’s 10th District (Scranton area), has been in the House since 1962. During his tenure, he became chairman of an Appropriations Committee subcommittee which oversees defense spending. In 1992, he was indicted for allegedly taking bribes from defense contractors. Although he was acquitted after extensive litigation, he lost the opportunity to become chairman of the Appropriations Committee. His motive in introducing the legislation, according to his press staff, is not to vindicate himself and what he experienced, but to prevent it from happening to anyone else. Indeed, the history of the targeting of public officials and constituency leaders, including under such acronyms as “Abscam” and “Brilab,” and the infamous “Fruehmenschen” cases against African-American political leaders, suggest that the campaign to begin to curb the power of the permanent bureaucracy in the DOJ is long overdue.

Rep. Harold James backs McDade-Murtha bill

State Representative Harold James (D-Philadelphia) is currently serving his fifth term in the Pennsylvania House of Representatives, and is chairman of the Pennsylvania Legislative Black Caucus, and Subcommittee Chairman on Crime and Corrections of the House Judiciary Committee. A law enforcement officer for over 20 years, he formerly chaired the National Black Police Association. He also currently serves on the Criminal Justice Board of Directors of the Council of State Governments, and is a member of the National Executive Committee of the National Black Caucus of State Legislators.

The following letter, dated April 2, was sent to Reps. John Murtha and Joseph McDade, in support of H.B. 3396, “The Citizens Protection Act of 1998.”

Honorable John P. Murtha
2423 Rayburn HOB
Washington, D.C. 20515

Honorable Joseph M. McDade
2107 Rayburn HOB
Washington, D.C. 20515

Dear Sirs:

This letter is written in regards to H.B. 3396, which, if

passed, would serve to provide a certain degree of protection for citizens of this nation against unjustified, unfair, and abusive prosecution by employees of the Department of Justice.

I believe that this bill is extremely relevant in today’s “no-holds-barred” legal climate in which a prosecutor has an unrestricted license to use any means necessary to collar an individual targeted for prosecution. The actions of these prosecutors often destroy the lives of our fellow citizens through some combination of public embarrassment and financial ruin, all in the name of “justice.” “The Citizens Protection Act of 1998,” as you have appropriately short-titled H.B. 3396, is an important piece of legislation that may finally offer some recourse against abuses experienced by far too many in this nation.

In addition to the partial list of specific instances of prosecutorial misconduct which you have submitted for publication in the *Congressional Record*, I would like to bring to your attention other instances of unethical and abusive prosecutorial misconduct. I am aware of many, including “Operation Fruehmenschen” (the DOJ’s calculated operation to frame, drive from office, and jail hundreds of African-American elected officials nationwide), “Operation Lost Trust” (a similar attack on South Carolina’s most prominent African-American officials), and the case of Lyndon LaRouche (who still awaits exoneration of charges that many, including former Attorney General Ramsey Clark, believe to be a baseless and unethical miscarriage of justice based on political ideology). There exists within the DOJ a permanent bureaucracy made up of individuals who operate with far too little oversight or concern for the consequences of their unethical conduct. I believe that this legislation may go far toward seeing that they are finally held accountable for the pain they have caused justice in our nation.

You should know that I have initiated steps to introduce legislation modelled after the “Citizens Protection Act of 1998” here in the Commonwealth, that would afford our citizens protection from similar conduct perpetrated by state law enforcement officials in the offices of the Attorney General and District Attorney.

As Representative McDade stated in introducing this act, “we must strengthen oversight of the Department and shine a bright light on prosecutorial misconduct.” I wholeheartedly agree with these reasoned comments, and I believe that similar oversight need be conducted at a state level as well. Hence, my action.

Again, I applaud you on your courage and foresight in introducing this legislation, and I look forward to offering you whatever support you deem appropriate in seeing it through passage.

Sincerely,
Representative Harold James,
Chairman, Pennsylvania Legislative Black Caucus