



U.S. Department of Justice

Office of Professional Responsibility

Washington, D.C. 20530

DEC 20 1999

Mr. James P. Scanlan
1527 30th Street, N.W., Apt. B-2
Washington, D.C. 20007

Dear Mr. Scanlan:

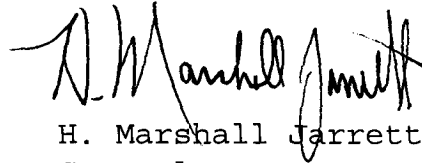
In your November 9, 1998 letter to this Office, and in the materials you provided to Lee J. Radek, Chief, Public Integrity Section, and former Inspector General Michael Bromwich, you alleged that the Office of Professional Responsibility did not conduct a good faith review of your allegations concerning the conduct of certain Office of Independent Counsel (OIC) attorneys during the prosecution of *United States v. Deborah Gore Dean*, Crim. No. 92-181-TFH (D.D.C.). According to your letter, this Office misled you about the results of its investigation in order to protect former OIC attorneys who were employed by the Department when we reviewed your allegations in 1995.

After reviewing the above-referenced correspondence, and our file regarding your initial allegations concerning the OIC attorneys, we have concluded that our review of your allegations was thorough and impartial. We also have determined that our conclusion that there was insufficient evidence of misconduct to compel further action by the Department was, and remains, accurate. As former Counsel Michael E. Shaheen explained in his June 28, 1995 letter to you, the Department has institutional concerns about investigating the activities of an OIC absent evidence that its staff has engaged in conduct warranting a staff member's termination. Based on our review of your initial allegations, we determined that the OIC attorneys had not done so. Moreover, we believe that the District Court's and Court of

Appeals' rulings regarding the misconduct issues that Ms. Dean raised in post-trial motions support that determination.

Thank you for bringing this matter to our attention.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Marshall Jarrett". The signature is written in a cursive style with a large, prominent "H" and "J".

H. Marshall Jarrett
Counsel

cc: Lee J. Radek
Chief, Public Integrity Section