

**STATEMENT OF THOMAS G. CONNOLLY\***  
**ATTORNEY FOR DR. STEVEN J. HATFILL**  
**August 26, 2003**

My name is Tom Connolly. With me today is Nick Bravin. We represent Dr. Steven Hatfill, whom many of you already know as the man Attorney General John Ashcroft dubbed a “person of interest” in the government’s investigation of the anthrax mailings in the fall of 2001. For more than a year now, Dr. Hatfill has been questioned, searched, bugged, and tailed by the FBI. Dr. Hatfill had nothing to do with the horrific anthrax attacks. No evidence links Dr. Hatfill to the crime, yet the Attorney General and a number of his subordinates have attempted to make him the scapegoat. In the process they have trampled Dr. Hatfill’s constitutional rights and destroyed his life.

Today Dr. Hatfill filed a civil complaint in the United States District Court for the District of Columbia against the Attorney General of the United States and other government officials for their blatant violations of Dr. Hatfill’s constitutional rights.

The complaint details what Dr. Hatfill has endured. He has had his home searched on national television – twice. He has been followed twenty-four hours a day, seven days a week, for months on end. He has been fired from his job, at the direction of the Department of Justice, and his future job prospects have been destroyed. And he has been the target of a coordinated campaign to publicly implicate him in a crime he did not commit.

The Attorney General and his subordinates have taken Dr. Hatfill’s life as he knew it; they have made him a prisoner in his own home. All this without any evidence linking Dr. Hatfill to the attacks and without bringing any formal charges against him. This is not the way our criminal justice system is supposed to work. With no signs the government plans to temper its Kafka-esque punishment, Dr. Hatfill has brought this lawsuit in an effort to vindicate his rights.

The complaint details not just what has happened to Dr. Hatfill but, how it has happened. A year after the anthrax attacks, the government’s investigation had stalled. Around that time, the Attorney General and his subordinates decided that for their own personal and political interests it was essential to *appear* to know who committed these offenses. So, in violation of the very laws they are sworn to uphold, they embarked on a highly public campaign to accuse Dr. Hatfill without formally naming him a suspect or charging him with any wrongdoing.

The public campaign against Dr. Hatfill began last summer when FBI and DOJ officials tipped off the press that they intended to search Dr. Hatfill’s apartment. Never mind that Dr. Hatfill had consented to the search – as had many other scientists to aid the investigation – the FBI was orchestrating a media event broadcast live to a national audience. The government wanted to show an anxious nation that it was making progress in the anthrax investigation.

Once the FBI thrust Dr. Hatfill into the spotlight, the Attorney General joined in. Last summer, Mr. Ashcroft publicly and repeatedly identified Dr. Hatfill as a “person of interest” in the anthrax investigation. He used this phrase, which everyone understood as a euphemism for “the person the government believes is responsible for the offense,” to suggest to the public that real progress was being made in the case and that Dr. Hatfill was the culprit. No previous Attorney General has used that phrase to smear an American citizen, perhaps because responsible law enforcement officials have long understood that publicly implicating a private citizen in a horrendous crime, instead of bringing charges in a court of law, would violate their legal and ethical duties.

Having ruined Dr. Hatfill’s reputation, DOJ went even further – they had him fired from his teaching job at Louisiana State University. Without producing any evidence against him, without officially naming him a suspect, and without giving him an opportunity to hear and respond to charges against him, DOJ officials instructed LSU to terminate Dr. Hatfill. This action was also unprecedented.

Having rendered him unemployed, government officials then rendered him *unemployable* by continuing an aggressive campaign to link Dr. Hatfill’s name and face to the anthrax attacks. These officials did so despite the fact that they knew there was no evidence that would stand up in a court of law, and despite the fact that DOJ and FBI rules expressly prohibit such public condemnations.

This civil complaint filed today should not have been necessary. For months, Dr. Hatfill has lodged formal and informal protests with the Department of Justice, seeking to stop the campaign that has ruined his reputation, cost him his livelihood, and shattered his personal and professional life. Those protests have fallen on deaf ears. Dr. Hatfill has also asked the Department of Justice and Mr. Ashcroft himself to step in and remedy his firing. It has become clear, however, that the Department of Justice will not remedy this problem because the Department of Justice *is* the problem.

If the violations of Dr. Hatfill’s rights were merely the result of overzealous detective work, we might not be here today. But, as the constitutional violations pile up and the abuses continue – and as it becomes clear that there will be no corrective measures taken by the Attorney General or anyone else in the Department of Justice – the only reasonable conclusion is that the misconduct is intentional. And given that it is intentional, then it is difficult to imagine any circumstances under which the investigators would turn their focus away from destroying Dr. Hatfill’s life and back to the task of investigating other leads. Unless and until a court steps in and vindicates Dr. Hatfill’s constitutional rights, protecting him from further government misconduct, Steven Hatfill will never be free. Dr. Hatfill deserves to get his life back, and the American public deserves a real investigation.

This lawsuit is not just about Steven Hatfill. It is about the enormous power government officials have over the lives of ordinary Americans, and the potential for abuse of that power. Steven Hatfill is innocent of any involvement in the anthrax attacks. He is innocent both in fact and in the eyes of the law. Every citizen should therefore read

this complaint with the clear understanding that whatever the government can legally do to Steven Hatfill, it can legally do to any of us. His rights are no different from our rights; his liberty is no different from our liberty. If, in this case, the Attorney General and his subordinates are permitted to sacrifice constitutional principles to political expedience, then it is not only Dr. Hatfill who would be less free; we would all be less free.

Dr. Hatfill looks forward to the opportunity to bring these abuses to light in the open forum of a public courtroom, before an impartial judge, subject to the rule of law.

**\*Thomas G. Connolly is a partner with the law firm of Harris, Wiltshire & Grannis LLP and the head of the firm's litigation practice. Prior to joining the firm, Mr. Connolly worked for the Department of Justice for 10 years, serving as an Assistant United States Attorney in both the Eastern District of Virginia and the District of Columbia.**