



# A Prosecutor Gets Personal

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Patrick Fitzgerald may be the most feared prosecutor in the country, but even as he's racked up headlines for big-name convictions (Scooter Libby) and indictments (Rod Blagojevich), the hard-charging U.S. attorney from Chicago has been waging a private crusade: trying to kill a book he believes maligns his reputation. In the past year and a half, Fitzgerald has written four letters to HarperCollins—owned by Rupert Murdoch's News Corp.—demanding it "cease publication" and "withdraw" copies of *Triple Cross*, a 2006 book by ex-TV newsman Peter Lance that criticizes Fitzgerald's handling of terror cases in New York in the 1990s. Fitzgerald raised the temperature even more last week, aiming to halt a paperback version. "To put it plain and simple," he wrote in a June 2 letter obtained by NEWSWEEK, "if in fact you publish the book this month and it defames me or casts me in a false light, HarperCollins will be sued."

Media experts say Fitzgerald's letters, written on personal stationary and totaling 30 pages, are unusual for a top lawman. "We certainly find it highly offensive that a federal prosecutor would do something like this," says Gregg Leslie of the Reporters Committee for Freedom of the Press. But Fitzgerald makes no apologies. The book's claims, he wrote in an e-mail, are "outrageously dishonest." He says that Lance "alleged that I deliberately misled courts and the public" in ways that led to the 9/11 attacks. A time stamp on one of the letters shows it was sent via fax from the U.S. Attorney's Office, though Fitzgerald said he was "not aware" it would be visible, and Justice permits "incidental use of fax machines" for "personal business."

*Triple Cross* is a mildly conspiratorial reconstruction of terror investigations from the pre-9/11 era, and it accuses Fitzgerald of botching the handling of a key FBI informant who doubled as a Qaeda spy. It also suggests he filed a false affidavit discrediting intel from a jailhouse snitch—possibly to cover up ties between an FBI agent and the snitch's father, a top mob figure. David Kelley, a former colleague of Fitzgerald's, said the allegations are "utter fiction." The book's claims have gotten little traction. "If [Fitzgerald] never did anything, this book would have faded into obscurity," said Lance. HarperCollins has made some changes but plans to proceed. "We believe the book fairly raises issues of public concern," a spokesman said.