

# Government: Jefferson prosecution to proceed

WASHINGTON (AP) — The Supreme Court on Monday refused to step into a high-stakes legal fight between the Justice Department and indicted Rep. William Jefferson over the unprecedented raid on the lawmaker's Capitol Hill office.

The Justice Department said the court's action would not impede the bribery case against the Louisiana Democrat.

The justices declined to review an appeals court ruling that said that, while the office search itself was legal, the FBI reviewed legislative documents in violation of the Constitution.

Other documents seized in the raid were provided to prosecutors and were used to support a 16-count indictment of Jefferson in June 2007.

Jefferson has pleaded not guilty to charges of soliciting more than \$500,000 in bribes while using his office to broker business deals in Africa.

His trial has been delayed indefinitely.

Jefferson has asked the trial judge in Alexandria, Va., to suppress all paper and electronic documents seized in the May 2006 raid. U.S. District Judge T.S. Ellis III has yet to rule on the request, which prosecutors oppose.

"We were convinced that the Department of Justice was out of bounds," Robert Trout, Jefferson's lawyer, said in a telephone interview.

"Now, almost two years later, we are gratified that our initial judgment about the raid has finally been confirmed."

The international bribery investigation of Jefferson already had produced a mountain of evidence against him — most notably \$90,000 found wrapped in foil in a freezer in his Washington home — when the FBI carried out the search of his office in the Rayburn House Office Building.

Prosecutors contend he used his influence as chair-

man of the congressional Africa Investment and Trade Caucus to broker deals in Nigeria, Ghana, Cameroon and other African nations on behalf of those who paid bribes to him.

The search was "necessary, appropriate and constitutional," Assistant Attorney General Alice Fisher, head of the Justice Department's criminal division, said at a news conference on the day the indictment was made public.

"Some of those documents that we were able to obtain through the process have indeed supported the charges that are presented today," Fisher said.

Justice Department spokeswoman Laura Sweeney expressed disappointment in the court's recent action, but said, "The Department of Justice will continue to prosecute the case."

The issue that the high court declined to deal with is the reach of a constitutional

provision known as the speech or debate clause, which protects elected officials from being questioned by the president, a prosecutor or a plaintiff in a lawsuit about their legislative work.

The court has never said whether the protection also applies to searches.

The U.S. Court of Appeals for the District of Columbia Circuit said it does.

The appeals court did not say lawmakers would need to have advance notice of the FBI's arrival. Rather, the court said the Justice Department may not broadly review legislative records.

One solution mentioned in the opinion was for FBI agents to lock down the office, then allow the lawmaker to set aside disputed documents. A judge would decide whether the records could be seized.

Officials said they took extraordinary steps, including using an FBI "filter team" not involved in the criminal case, to review the congress-

sional documents. Government attorneys said the Constitution was not intended to shield lawmakers from prosecution for political corruption.

While the Bush administration asked the Supreme Court to intervene, Attorney General Michael Mukasey said in February that he would prefer Congress and the Justice Department reach agreement about any future searches.

An agreement between lawmakers and his agency would be better than a court-issued "bright-line ruling that one of us can't live with or would find it awkward to live with," Mukasey told the House Judiciary Committee.

Brendan Daly, spokesman for House Speaker Nancy Pelosi, D-Calif., said the court's refusal to enter the case could be an incentive to reach an agreement.

"This will enable the executive and legislative branches to work out procedures to protect the interests

of law enforcement and the speech or debate clause of the Constitution," Daly said.

In its argument to the high court, the Justice Department said the appeals court ruling "is jeopardizing ongoing public corruption investigations."

If allowed to stand, the ruling also would essentially prevent investigators from searching lawmakers' offices because it requires the FBI to give the lawmakers advance notice, the department said in its argument to the Supreme Court.

"The bottom line is that, if the government cannot search a member's office in the manner authorized by the search warrant here ...the government cannot do so in any meaningful manner and congressional offices may become a 'sanctuary for crime,'" the Justice Department said.

The case is U.S. v. Rayburn House Office Building, Room 2113, 07-816.



A supporter's sign requests Mumia Abu-Jamal's freedom.

## Abu-Jamal

(Continued from Page 4)

A Life Sentence of Loss, Pain and Injustice."

The appeals court heard arguments in May that focused on several constitutional issues, including whether prosecutors improperly eliminated Black jurors in the 1982 trial.

Ten Whites and two Blacks served on the jury. Prosecutors struck 10 Blacks and five Whites from the pool, while accepting four Blacks and 20 Whites, according to Bryan, who argued that prosecutors at the time fostered "a culture of discrimination."

However, the court indicated there is no record of the makeup of the approximately 150-person jury pool, making it impossible to determine the total percentage of Blacks excluded.

In dismissing the bias claims, the court also noted Abu Jamal did not allege improper exclusions until an appeal that was rejected in 1989.

Assistant District Attorney Hugh Burns Jr. said the dismissal fell in line with other federal court decisions that maintain such claims need to be raised in a more timely fashion.

But in a partially dissenting opinion, Judge Thomas Ambro disputed the timeliness standard and said that Abu-Jamal presented enough evidence to warrant further investigation of the exclusion claims.

## Your Horoscope Says... April 3-9

### ARIES

An unexpected clash may arise this week from an unlikely area. Try to maintain a position as mediator, rather than joining the fray. Loyalties may be stretched, but they won't break. What you need is within you. Go there and get it.

Soul Affirmation: My spirit will fill me with gladness.

Lucky Numbers: 14, 37, 44

### TAURUS

Co-workers or customers may be grumpy this week. Don't take it personally. Dwell in your peaceful inner space and the space around you will reflect the peaceful vibrations.

Soul Affirmation: Jewelry reflects the beauty of my feelings about myself.

Lucky Numbers: 8, 45, 51

### GEMINI

You feel centered this week and full of efficient energy. Use this week to accomplish tasks, make plans, and finalize arrangements that need to be made. Face personal responsibilities with love and pleasure now.

Soul Affirmation: I enjoy discovering new territory this week.

Lucky Numbers: 12, 14, 29

### CANCER

You can build a bridge with your imagination to reach the person you want to meet. Build the very best bridge your imagination can afford. Your soulmate will then cross over to you. Your intentions are warm and sincere.

Soul Affirmation: Being true to others is the way to be true to myself.

Lucky Numbers: 13, 29, 40

### LEO

You need to relax. The urge to do everything will take a toll on you this week unless you make a concerted effort to slow your own vibes down. Think peace, love and happiness, and let them be real values for you. Feed your soul.

Soul Affirmation: I calm my emotions by forgetting about the past.

Lucky Numbers: 23, 31, 40

### VIRGO

You'll be efficient and productive this week, if you get some rest. Slow down. Sometimes less is more, and you'll see you're doing better than most. Use your talents to create some free time for yourself.

Soul Affirmation: I go inside myself to find peace and joy this week.

Lucky Numbers: 18, 29, 41

### LIBRA

Someone wants to argue, and it's up to you to walk away. It's easy to let go of any idea of control if you remember that you are only responsible for your own feelings. Act healthy this week and enjoy your life.

Soul Affirmation: As chances come around again, I take advantage of them.

Lucky Numbers: 27, 33, 44

### SCORPIO

Be flexible as others present changes and new schedules for a group activity. Your easy-going attitude will allow you to reschedule appointments easily. Watch the sun rise, it will be good for your spirits!

Soul Affirmation: I release internal pressure by enjoying the beauties of the world around me.

Lucky Numbers: 22, 26, 29

### SAGITTARIUS

Give your busy brain a rest and work your body this week. It's a great day for physical activity that can loosen up muscles and relieve tensions. You'll receive some practical advice from a distant relative.

Soul Affirmation: Newness of outlook helps me deal with the monotony of life.

Lucky Numbers: 2, 16, 33

### CAPRICORN

Family responsibilities may feel like a chore this week. If you relinquish control of the situation, a natural order will occur, and things will organize themselves. You can let people be who they are.

Soul Affirmation: I call on my creative talents to pay my bills.

Lucky Numbers: 5, 9, 42

### AQUARIUS

A secret may be revealed in a casual conversation. Your confidence is valued and appreciated. Take it all in! There's no returning to what has been once you realize the gift you've been given.

Soul Affirmation: Helping others is the true measure of my worth.

Lucky Numbers: 12, 13, 27

### PISCES

A friend from the past could suddenly appear in your life. This could be a highly beneficial reunion for both of you. Let bygones be bygones, and renew this friendship. Love isn't used up just because it's shared.

Soul Affirmation: Charm is my middle name this week.

Lucky Numbers: 4, 17, 18