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Defending a Prosecutor

Ex-Manhattan District Attorney Praises Handling of Strauss-Kahn Case

By TAMER EL-GHOBASHY

Former Manhattan District Attorney Robert Morgenthau on Thursday praised his successor's handling of the sexual assault case against the former chief of the International Monetary Fund.



Getty Images for HBO

Former Manhattan District Attorney Robert Morgenthau, shown above in June, praised Cyrus Vance Jr.'s handling of the case against Dominique Strauss-Kahn.

Mr. Morgenthau's statement comes a week after revelations that the case against Dominique Strauss-Kahn had weakened considerably after the credibility of his accuser was called into question by prosecutors working for Cyrus Vance Jr.

While supporters have said Mr. Vance acted ethically in bringing the concerns to the court's attention, critics have said his office rushed to judgment by pushing for an indictment before the accuser's background was investigated.

An attorney representing the accuser has called on Mr. Vance to recuse his office from the case, accusing the prosecutor's office of leaking damaging information about his client.

Jeremy Saland, a criminal defense attorney who served as a prosecutor under Mr. Morgenthau, said the statement was

"more than merely a vote of confidence" for Mr. Vance.

"It's a show of support and an affirmation that what Vance is doing is the right thing," Mr. Saland said. "At this stage in the process, people are smelling blood in the water about the way the case is being handled. Mr. Morgenthau's statement is more than a life preserver; he's pulling him out of the water."

Mr. Saland called Mr. Morgenthau's support "unparalleled," adding: "There's nobody in the business of criminal law that has the same cache."

Mr. Morgenthau, 91 years old, endorsed Mr. Vance as his successor before retiring in 2009 after serving for 35 years.

In his statement, Mr. Morgenthau said he met with Mr. Vance earlier this week to discuss the "issues raised by the Dominique Strauss-Kahn case."

"For decades we instructed line prosecutors at the Manhattan D.A.'s Office to seek justice over everything else, to investigate, to find the truth, and to proceed without fear or favor," the statement said. "The most important attribute I



Reuters

Cyrus Vance Jr. left his office on Tuesday.

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looked for in hiring junior prosecutors was a strong ethical sense. The recent actions from the District Attorney's Office show me that these attributes are alive and well."

A spokeswoman for Mr. Vance declined to comment on Mr. Morgenthau's statement. An attorney for Mr. Strauss-Kahn, Benjamin Brafman, said via email that he has "great respect for Morgenthau and Vance. In the DSK case, I think it is good to see Bob have Cy's back, especially when some people looking to advance their own selfish financial interests create mischief, the truth be damned. Having Bob in Cy's foxhole on this one is good for Vance and in my opinion, good for DSK too."

Kenneth Thompson, the attorney representing the accuser, did not immediately respond for a request for comment.

Mr. Vance and his staff are considering whether the charges of sexual assault and attempted rape against Mr. Strauss-Kahn are merited or should be dropped.

A judge released Mr. Strauss-Kahn from house arrest Friday after prosecutors aired their concerns.

In his statement, Mr. Morgenthau said he is confident the district attorney will make "a principled decision" about proceeding with the case "based on the facts and the law."

He concludes: "Prosecutors from my former office were never supposed to be hired guns; seeking convictions or cherry-picking easy cases. We sought justice in every case, no matter how big or how small. And, in my opinion, the Manhattan District Attorney and his staff upheld this proud tradition through their conduct in the past week."

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