



## Robert Luskin, Partner, Patton Boggs, Washington, DC

[ by Regan Morris ]

**When Karl Rove needed a lawyer for the now-infamous CIA leak investigation, Robert Luskin got the job. LawCrossing speaks with Luskin about his career and the investigation of Rove and other White House staffers.**

Luskin says his phone has been ringing off the hook since he started representing White House advisor Karl Rove. A former journalist, Luskin is used to dealing with the press in high-profile cases.

"But this is something of a magnitude that's more intense than anything I've seen before," he said of the investigation. "Most criminal lawyers say 'No comment' or 'I'm not going to talk about it.' And I think that works well. But it does not work well in a high-profile Washington investigation, where your goals are much more ambitious and much broader than just keeping your client out of jail."

Luskin could not discuss details of Rove's testimony to the grand jury, but said he is confident that his client will not be indicted.

"The investigation remains open, and his status has not changed. He's not a target, and the special counsel has made no decision about the charge," Luskin said. "I'm pretty confident that he won't be charged. I think that when the special counsel looks at all the facts in front of him, he'll make the right decision, which is to decline a prosecution."

The CIA leak investigation led to the indictment and resignation of Vice President Dick Cheney's chief of staff. Rove is one of President George W. Bush's top political confidants and remains under investigation for his role in revealing the identity of the CIA's Valerie Plame. Plame is the wife of an outspoken critic of the war in Iraq.

Luskin has extensive experience defending cases involving allegations of official

corruption. Soon after graduating from Harvard Law School, Luskin became Special Counsel to the Organized Crime and Racketeering Section of the U.S. Department of Justice and helped to supervise the notorious ABSCAM investigation of 1980. Remember the video of a corrupt congressman stuffing his pockets full of money?

A Rhodes scholar and former English literature teacher at Boston College, Luskin became a newspaper reporter for the Providence Journal before deciding to go to law school. While reporting from Washington, Luskin realized he was more interested in the behind-the-scenes machinations of Washington.

"I decided that it would be much more fun to be able to participate directly in a few things than to sit in the front row and watch a lot of things," he said, adding that law school seemed like a good way to get ahead in Washington.

A partner with Patton Boggs for the last five years, Luskin has spent the last ten working with the Justice Department to create and implement an anti-Mafia program for the Laborers' International Union of North America, which the Justice Department has desecrated as a model for internal union reform.

In 1984, Luskin left the practice of law to work as a speechwriter for vice presidential candidate Geraldine Ferraro. A friend was working for Ferraro and knew Luskin from his news reporting days.

"He knew me from my newspaper reporting days as someone who could sit down and write on deadline and not complain about having writer's block," Luskin said. "So he asked me to join the campaign, and I did. It was an incredible experience."

Luskin said he urges young attorneys to work for the government at the start of their careers to gain valuable experience. As a part-time criminal law teacher at the University of Virginia, Luskin said he sees too many young people miserable practicing law at firms and that they would likely have a better experience in the government.

Another lesson learned throughout his career is if you're representing money launderers, don't accept payment in gold bars. Luskin found himself in the middle of a controversy in the early 1990s over his client, convicted money launderer Stephen A. Saccoccia.

Luskin—who represented Saccoccia pre-sentencing, post-conviction—was paid hundreds of thousands of dollars in legal fees in the form of gold bars. While he reported the payment to the Justice Department and was assured by another attorney that the gold did not represent funds from criminal activities, Luskin said it was "one of the stupidest things I've done."

"It's probably not as horrendous as it sounds," he said. "An attorney for a third party, who gave me an opinion letter about the source of funds, knew that the government was conducting a pretty wide-ranging investigation of everything having to



do with this individual and so did not want to pay in checks or other funds that would be traced directly to a source, and he gave me an opinion letter that said, 'I am familiar with the source of these funds; I know them not to be involved in this case; I know them not to be derived from unlawful activities.'"

Luskin said he disclosed everything to the Justice Department because he was worried about the appearance and that the Justice Department assured him there would be no problem. But officials at the Justice Department later changed their minds.

"I was very careful, I thought, to have a high degree of certainty that these funds were not unlawfully derived," Luskin said. "And I think

as a result, I kind of got lost in the details and kind of mislaid the appearance. If there's any lesson from that for me, it's not to get lost in the details of what you do."

Luskin has represented witnesses, targets, and a U.S. executive branch agency in investigations by independent counsel, senior White House officials of both parties in criminal and congressional investigations, and the senior staff of a U.S. Senator in the Keating Five Senate Ethics Committee investigation. Luskin successfully represented a sitting U.S. District Court Judge in a criminal trial and appeal, culminating in victories before the U.S. Supreme Court and the en banc U.S. Court of Appeals for the 9<sup>th</sup> Circuit.

Through his Laborers Union work, Luskin still works closely with the Justice Department, where he started out in the Organized Crime and Racketeering section during the ABSCAM investigation.

"I am still working with the guys in the organized crime section every day," he said. "I loved doing it then, and I love doing it now. It's by far the most rewarding thing I've done in my professional career, working with the Laborers for the last ten years."