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Tuesday, March 11, 2008

# Mayor bolsters legal defense team

### New lead attorney, PR expert have experience in public corruption cases.

David Josar and Christine MacDonald / The Detroit News

**DETROIT** -- Mayor Kwame Kilpatrick, awaiting a decision from the Wayne County prosecutor on whether he'll face criminal charges in the text messaging scandal, has hired the former U.S. attorney for Chicago as his primary lawyer, and engaged a Washington, D.C., public relations expert who represented Monica Lewinsky.

Daniel Webb, who was U.S. attorney in the early 1980s, is now lead counsel on Kilpatrick's legal team, the Mayor's Office said Monday. Webb most recently was head defense counsel in the six-month jury trial of former Illinois Gov. George H. Ryan on public corruption charges, including racketeering, mail fraud and income tax fraud. Ryan was convicted and is serving 6 1/2 years in prison.

Also added to the mayor's personal team is attorney Judy Smith of Impact Strategies LLC. On Monday, Kilpatrick was listed as a client on her company's Web site, whose other current accounts include U.S. Sen. Larry Craig and U.S. Rep. William Jefferson of New Orleans.

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Jefferson was indicted last year on 16 corruption-related charges; Craig, who pleaded guilty to disorderly conduct after his arrest in June inside a Minneapolis airport men's restroom, was rebuked last month by the Senate Ethics Committee. Smith also represented Lewinsky, an intern who had a White House fling with President Bill Clinton.

The changes to the mayor's team are the first public sign that Kilpatrick was bracing for Wayne County Prosecutor Kym Worthy's announcement. His office said Kilpatrick, not taxpayers, will pay Smith and Webb.

"It might be understandable under the circumstances that the mayor is concerned both about the possibility

of criminal charges as well as his desire to repair his tarnished public image," said Larry Dubin, a professor at the University of Detroit Mercy School of Law. "The question might be whether that image can be sufficiently rehabilitated, or whether future events will tarnish it permanently."

Since last year, the mayor has retained criminal defense attorney William Mitchell, who was given possession of the text messages. Monday night, Mitchell said he is still advising the mayor on a variety of issues, but no one has been in contact with Worthy. "We are being as prepared as possible as one can be," he said.

The mayor's spokesman, James Canning, said all inquiries about the text message scandal are now being referred to Smith and Webb.

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#### State of City speech

The mayor's State of the City address is tonight in Orchestra Hall but seats are by invitation-only. However, the speech will be broadcast live at 7 p.m. by several TV stations including The Detroit News' reporting partner WXYZ-TV Channel 7 as well as WDIV-Channel 4 and Fox 2.

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Worthy has said she expects to decide in the next few days whether to charge Kilpatrick and his former Chief of Staff, Christine Beatty. Text messages between the two conflict with their sworn testimony in a whistle-blower trial last summer that they were not having an affair, or that they discussed sacking Deputy Police Chief Gary Brown.

Also Monday, the Detroit City Council went to court in an attempt to force communications provider SkyTel to produce the text messages between Kilpatrick and Beatty. William Goodman, an attorney hired by the council, said he hopes to get a ruling within a week on his request filed with the Wayne Circuit Court.

Goodman said release of the messages is crucial to the City Council's investigation into the \$8.4 million whistle-blower settlements. Council members believe they were duped into authorizing the payout without knowing the whole story, including a secret side deal.

"The reason the case was settled was to conceal the messages," Goodman said. "We need to see what was being concealed."

Meanwhile, the city's top economic development officer defended Detroit's bid process and said the ongoing text message scandal is a "distraction."

"The sooner this is over with the better," said George Jackson, head of the Detroit Economic Growth Corp., which manages many of Detroit's projects. "It is a distraction.

"This is a business process, a professional process, not a political process," Jackson said. "It is not a process of influence."

On Sunday, text messages were released that indicate Beatty and Bobby Ferguson, a personal friend of the mayor's and a Detroit contractor, swapped information of several city contracts.

Jackson said bids are reviewed by his agency's professional staff before a selection is made and that decision is based on business principles. The staff comprises Democrats, Republicans, and mayoral allies and critics alike, Jackson said. But Jackson noted he can't comment on agreements between contractors and other city agencies, such as the Detroit Water and Sewerage Department, and Detroit Building Authority.

He added that no business deals have been completed since the scandal began. He also noted that was not unusual. "If we talk to 200 people, we might get two deals," he said.

*Staff writer Mark Hicks contributed to this report.*

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