

acknowledged that he "illegally and stupidly" used cocaine, but insists that he was never the "middle-level drug dealer" Bissell accused him of being. Nonetheless, Guiffre, a first-time offender with no record, was threatened with the confiscation of his home, prosecution on felony charges that could lead to 10 years in prison, a \$200,000 cash bail, and loss of his professional licenses, unless he agreed to sign over the deeds to his property and stipulate that they were bought with proceeds from drug dealing. When he asked to consult with a lawyer, he says he was told that there would be no deal if an attorney entered the picture.

The two lots were sold several months later with Bissell's approval for a total of \$20,000 to a buyer who later conveyed the property to Bissell's chief detective, the man who struck the deal with Guiffre. According to the *New York Times*, Bissell has about \$300,000 (about half his current forfeiture fund) in a tiny Somerville, N.J. bank that opened last December with total deposits of \$1.8 million. The president of the bank, Robert P. Corcoran, is a long-time business associate of Bissell, and has joint investments with Thomas C. Miller, the county counsel, whose law partner, William Welaj, is a co-owner with Bissell in the office building the partner's firm occupies.

Such petty corruption and contempt for constitutional procedure are endemic among state prosecutors who are eating the poison fruit of asset forfeiture. Bissell's office defends its practices, which are the subject of many complaints, as standard operating procedure. In 1989, Salem County, New Jersey prosecutor Frank Hoerst III was accused of stealing \$40,000 from his forfeiture fund after he was audited by the state attorney general. Hoerst was removed from office, pled guilty to taking a lesser sum, and was given a non-custodial sentence when he paid an \$8,000 settlement.

War on the Constitution

The mild punishment given to Hoerst is part of what encourages the brazen corruption manifested by Bissell's office. Far more important is the attitude which flows right from the top of the government—expressed by President Bush in his rant at the end of his escapade in the Persian Gulf, the call to bring "Desert Storm" home to the streets of America. Justice Department officials are habituated to use the vocabulary of war to characterize their approach to criminal justice issues, and apparently are intoxicated by their own rhetoric. DOJ spokesman Matt Jeanneret was asked to explain the inequities of the asset forfeiture program and told a reporter that "asset forfeiture is to law enforcement what air power is to modern warfare."

But the administration's war on the Constitution is failing on every count. According to the *Houston Chronicle*, the federal government loses money on up to half of its seizures in Houston and south Texas. Even the Justice Department can't stop the devaluation of real property in George Bush's depression.

House committee calls for Inslaw prosecutor

On Aug. 12, the House Judiciary Committee, chaired by Rep. Jack Brooks (D-Tex.), announced the completion of its long-awaited investigative report on the Inslaw scandal, in which senior Justice Department officials of the Reagan-Bush administrations are accused of having stolen copyrighted software from the Washington, D.C. computer firm and sold it internationally, following unsuccessful efforts to bankrupt the firm.

As the result of efforts by committee Republicans, the release of the report was delayed until after Congress reconvenes in September. However, in a press release, Brooks announced that the report called for the attorney general to appoint a special prosecutor to review the actions of government officials and their "private sector friends" in the looting of Inslaw. Brooks also called upon the Justice Department to pay reparations to Inslaw owners Bill and Nancy Hamilton, in addition to the back payments owed to the firm for the use of its software.

According to the limited public accounts of the Brooks report, committee investigators were able to confirm that pirated copies of the Inslaw software program, Promis, were located in Israel, in the Bahamas and in the office of a district attorney in Colorado.

Among the documents uncovered in the course of the committee probe were communiqués between Deputy Attorney General Arnold Burns and his boss Edwin Meese, in which Burns stated that the Justice Department would lose any court case brought by Inslaw and that it would be prudent to attempt an out-of-court settlement. Burns would later engage in strongarm tactics to sabotage Inslaw's legal initiatives.

According to one source close to the House Judiciary Committee, the Brooks probe also developed evidence that investigative reporter Dan Casolaro, who was found dead in a West Virginia hotel room in August of last year, was probably murdered. At the time, local police and medical examiners had declared Casolaro's death a suicide, despite evidence that he was in the process of unearthing critical evidence of government criminality in the Inslaw affair. According to a forensic expert interviewed by Jack Anderson on a CNBC documentary aired on Aug. 11, previously secret autopsy evidence revealed that Casolaro had died from over a dozen deep cuts on both of his arms and that he had bruises on the back of his head and on both of his legs, indicating that there had been a struggle just prior to his death.—Jeffrey Steinberg