

Admission of 9-11 trial evidence disputed; Terror prosecutors thwarted by own; government, department memos show

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Byline: John Solomon Associated Press

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Body

Prosecutors in the first major **terror trial** after Sept. 11 were hindered by superiors from presenting some of their most powerful **evidence**, including testimony from an al Qaeda leader and video footage showing Osama bin Laden's European operatives casing American landmarks, Justice Department memos show.

The department's terrorism unit "provided no help of any kind in this prosecution," the U.S. Attorney's office in Detroit wrote in one of the memos that detail divisions between front-line prosecutors and their superiors in Washington.

The Detroit case ended last summer with the convictions, hailed by the Bush administration, of three men who were accused of operating a sleeper **terror** cell that possessed plans for attacks around the world.

A fourth defendant was acquitted, however, and only two of the four men originally arrested were convicted of terrorism charges.

Now the convictions are in jeopardy because of an internal investigation into allegations that defense lawyers were denied **evidence** that could have helped them.

Whatever the outcome, internal documents obtained by the Associated Press and more than three dozen interviews with current and former officials detail how the differences between Washington and the field office kept important **evidence** from being shown to jurors.

"We were butting heads vigorously with narrow-shouldered bureaucrats in Washington," Assistant U.S. Attorney Richard Convertino told AP in an interview. He is the lead Detroit prosecutor who is now under investigation in Washington.

"There was a series of **evidence**, pieces of **evidence**, that we wanted to get into our **trial** that we were unable to do. Things that would have strengthened the case immeasurably, and made the case much stronger, exponentially," Convertino said.

Some disputes reached high into the Justice Department.

SIDEBAR:

CONGRESS SPLIT OVER INTEL

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WASHINGTON - Members of Congress are sharply divided over how fast to proceed in drafting legislation to restructure the nation's intelligence services. They are torn between political demands for speed and caution arising from the complexity of their task.

They also appear split over some of the major recommendations the national commission charged with investigating the Sept. 11, 2001, attacks made in its 567-page report last month, triggering the extraordinary midsummer legislative effort. Those proposals - especially ones that seek a far-reaching realignment of intelligence responsibilities - could prompt a serious turf war among powerful Washington departments and agencies as well as congressional committees charged with overseeing them.

Over the last 30 years, there have been eight unsuccessful efforts to reorganize intelligence operations - including two recent ones from a presidential commission chaired by retired Lt. Gen. Brent Scowcroft, who is also chairman both of President Bush's own Foreign Intelligence Board and of the joint House-Senate panel that investigated the 9-11 attacks. Skeptics caution against unintended consequences that could impede rather than strengthen intelligence efforts. But the commission has been fierce in its lobbying for approval of all its recommendations, and its stature, reinforced by broad acclaim for its work and the support of 9-11 victims' families, has generated election-year pressure on Capitol Hill.

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