

Statement by Professor Samuel Dash:

In response to concerns raised in January 1995 by lawyers, investigators, and witnesses about the conduct of Mr. Rodriguez, Judge Starr asked me, as the Office's Ethics Counsel, to supervise an internal inquiry into those concerns. Judge Starr also asked me to review Mr. Rodriguez's developing complaints of interference in the investigation into the circumstances surrounding the death of Mr. Foster. I thoroughly examined these matters with the assistance of other senior, experienced prosecutors in the Office. I reported to Judge Starr that Mr. Rodriguez's complaints regarding interference were both false and reckless. My assessment was confirmed by every member of Judge Starr's staff who participated in that review. Indeed, during a lengthy discussion I had with Mr. Rodriguez about these matters, I urged him to follow Judge Starr's direction to continue with the investigation as thoroughly as possible, and to pursue every matter he believed professionally required. I reminded him that he had to do so, however, in a professional manner. In my opinion, Judge Starr allowed Mr. Rodriguez full latitude in conducting the investigation with the full resources of the Office at his disposal. On January 17, shortly after my discussion with Mr. Rodriguez about his complaints and his unprofessional behavior, he offered his resignation to Judge Starr. On the basis of my conclusion that Mr. Rodriguez had demonstrated significant lapses of professional judgment, I advised Judge Starr to accept that resignation.