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I've Prosecuted National Security Cases. It Can Take Time to Get Them Right



We are living through a spike in the number of criminal investigations and prosecutions exposed to public view that involve classified information. Like all criminal cases, these high-profile matters move at different rates and yield different outcomes. As a former counterespionage prosecutor and supervisor, I find it interesting that so many in the public feel confident asserting (often in social media channels) that individual cases are not moving quickly enough. This is a moment for everyone to step back and let the investigators and prosecutors do their jobs.

I started my legal career as an Assistant District Attorney in Manhattan. As a junior trial prosecutor, my cases were mostly "reactive," meaning that they came to me after the police had already made an arrest. For felony cases, we generally had six days from arrest to decide whether to indict my defendants. My fellow ADAs and I moved fast, worked responsibly, and helped each other constantly to meet that deadline. If we decided we had a provable and just case, we indicted.

Jumping forward in my career, I spent about seven and a half years as a national security prosecutor at the U.S. Department of Justice (DOJ). I handled investigations and cases such as Espionage Act violations, malicious cyber activity conducted or sponsored by nation-state adversaries such as Russia, economic espionage, and seditious conspiracy. Most of these cases involved classified information in some way. Most moved slowly and methodically. On some, we had to act quickly.

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