

Anthrax Case Had Costs for Suspects



Asif Kazi, deputy finance director for the City of Chester, Pa., was one of three Pakistanis investigated by the F.B.I. in 2001.

Jessica Kourkounis for The New York Times

By William J. Broad and Scott Shane

Aug. 9, 2008

When Perry Mikesell, a microbiologist in Ohio, came under suspicion as the anthrax attacker, he began drinking heavily, family members say, and soon died. After a doctor in New York drew the interest of the F.B.I., his marriage fell apart and his practice suffered, his lawyer says. And after two Pakistani brothers in Pennsylvania were briefly under scrutiny, they eventually had to leave the country to find work.

The Federal Bureau of Investigation's path to Bruce E. Ivins, the Army scientist who committed suicide late last month as federal officials moved closer to indicting him for the 2001 anthrax letter attacks, was long and tortuous. Before the investigators settled on Dr. Ivins and his defenders still say the F.B.I. hounded an innocent man to death they had focused on Steven J. Hatfill, another Army researcher, for several years.

But along the way, scores of others — terrorists, foreigners, academic researchers, biowarfare specialists and an elite group of Army scientists working behind high fences and barbed wire — drew the interest of the investigators. For some of them the cost was high: lost jobs, canceled visas, broken marriages, frayed friendships.

At the Army biodefense laboratory in Frederick, Md., where Dr. Ivins worked, the inquiry became a murder mystery, the cast composed of top scientists eyeing one another warily over vials of lethal pathogens.

“It was not pleasant,” recalled Jeffrey J. Adamovicz, a former official there. “There was a general sense of paranoia that they were going to get somebody no matter what.”

Some critics fault the F.B.I.'s investigation as ignorant, incompetent and worse. Representative Rush D. Holt, a New Jersey Democrat who was a Princeton University physicist, said that the disclosures linking Dr. Ivins to the crime notwithstanding, the inquiry was "poorly handled" and "resulted in a trail of embarrassment and personal tragedy."

The bureau's defenders, though, say it did what was necessary to track down a dangerous killer.

"You do the best you can, and it's not always pretty," said Robert M. Blitzer, a former director of the F.B.I.'s section on domestic terrorism. "Here you have a bunch of people dead and several diminished, and you're charged with solving the crime. You try not to step on people's toes, but sometimes it happens."

Over seven years, the anthrax investigators conducted nearly 100 searches and more than 9,000 interviews in the most complex criminal case in bureau history. They hunted an attacker who, in September and October 2001, had mailed anthrax-laden envelopes that killed 5 people, sickened 17 others and threw the nation into a panic.

Early on, with more zeal than solid information, agents turned on three Pakistani-born city officials in Chester, Pa. One, Dr. Irshad Shaikh, was the health commissioner; his brother, Dr. Masood Shaikh, ran the lead-abatement program. The third, Asif Kazi, was then an accountant in the finance department.

Mr. Kazi was sitting in his City Hall office one day in November 2001 when F.B.I. agents burst in and began a barrage of questions.

"It was really scary," Mr. Kazi recalled in an interview last week. "It was: 'What do you think of 9/11? What do know about anthrax?'"

Across town, an agent pointed a gun through an open window at Mr. Kazi's home while others knocked down the front door as his wife was cooking in the kitchen. At the Shaikh brothers' house, agents in bioprotection suits began hunting for germ-making equipment and carted away computers.

None of the three men had ever worked with anthrax. But for days, they were on national television as footage of the searches ran on a video loop and news announcers wondered aloud if they were the killers.

The men were cleared after it turned out that a disgruntled employee had sought revenge by calling in a bogus tip. But for all three, trouble followed. The Shaikhs' path to citizenship was disrupted, their visas ran out and both had to find work abroad, Mr. Kazi said.

Steven J. Hatfill, a former Army researcher, was cleared in the case and will receive \$4.6 million from the government.

Pablo Martinez Monsivais/Associated Press

Mr. Kazi, already a citizen, was searched and interrogated for as long as two hours every time he traveled back from visiting his brother in Canada. Only about a year ago was his name removed from a watch list, allowing him to travel freely.

When Mr. Kazi heard that Dr. Ivins was said to be the culprit in the attacks, he had only one request.

“We’d just like our names cleared,” Mr. Kazi said. “There’s no problem for people who know us. But out in the community, someone might still think, ‘Maybe these guys were guilty.’ ”

In late 2001, agents discovered that the germ used in the attacks was not foreign in origin but a domestic strain. That prompted the F.B.I. to focus mainly on scientists inside the United States. Casting a wide net, the bureau sent a letter to the 30,000 members of the American Society for Microbiology. “It is very likely,” it said, “that one or more of you know” the attacker.

The bureau began looking at biodefense insiders like Mr. Mikesell, an anthrax specialist who had worked in the 1980s and 1990s with Dr. Ivins at the Army Medical Research Institute of Infectious Diseases at Fort Detrick, in Frederick. He had then joined Battelle, a military contractor in Columbus, Ohio, that became deeply involved in secret federal research on biological weapons.

In 2002, Mr. Mikesell came under F.B.I. scrutiny, officials familiar with the case said. He began drinking heavily a fifth of hard liquor a day toward the end, a family member said.

“It was a shock that all of a sudden he’s a raging alcoholic,” recalled the relative, who spoke on the condition of anonymity because of family sensitivities.

By late October 2002, Mr. Mikesell, 54, was dead, his short obituary in The Columbus Dispatch making no mention of his work with anthrax or the investigation. “He drank himself to death,” the relative said.

Dr. Hatfill, who worked at Fort Detrick from 1997 to 1999, also drew the investigators’ attention. He loved covert exploits and padded his résumé, habits that intrigued F.B.I. agents and, not long after that, reporters.

In June 2002, officials tipped off television stations that the bureau would search Dr. Hatfill’s apartment, just outside the gates to Fort Detrick. Later, F.B.I. agents told the woman he was living with at the time that he was a murderer and warned that she could be charged as an accomplice if she failed to tell all. At a teary press conference in August 2002, Dr. Hatfill protested his innocence.

For at least a year, F.B.I. surveillance teams followed him and in one remarkable encounter, a car that was trailing him ran over his foot. (Dr. Hatfill, not the agent, was given a ticket.)

But there was no arrest, and Dr. Hatfill, who said his career was ruined, fought back, filing a series of lawsuits, including against The New York Times. In June, long after the hunt had been narrowed to Dr. Ivins, the government agreed to pay Dr. Hatfill \$4.6 million. On Friday, the Justice Department issued a statement exonerating him.

Another casualty was Kenneth M. Berry, an emergency room physician with a strong interest in bioterrorism threats. In August 2004, agents raided his colonial-style home and his former apartment in Wellsville, a village in western New York, as well as his parents’ beach house on the Jersey Shore.

In scenes replayed for days on local television stations, the authorities cordoned off streets as agents in protective suits emerged from the dwellings with computers and bags of papers, mail and books.

“He was devastated,” Dr. Berry’s lawyer at the time, Clifford E. Lazzaro, said in an interview. “They destroyed his marriage and destroyed him professionally for a time.”

By 2005, thanks to new genetic testing, the F.B.I. had traced the anthrax in the letters to a single flask at Fort Detrick. Dr. Ivins had created and controlled the batch of deadly germs. But more than 100 scientists potentially had access to the pathogens.

Dr. Kenneth M. Berry, an emergency room physician from Wellsville, N.Y., was a focus of the

inquiry in August 2004.

Laura Predrick for The New York Times

For decades, the researchers of Fort Detrick had worked to build defenses against deadly germs used in war, mainly by creating new vaccines. They considered themselves patriots. In the early days of the anthrax investigation, the experts including Dr. Ivins threw themselves into helping the F.B.I., working around the clock.

Increasingly, though, the scientists found themselves viewed as potential culprits in the nation's worst case of bioterrorism.

Dr. Adamovicz, the former Fort Detrick official, said the bacteriological division, which eventually had about 100 people including technicians and assistants, was like a family. But the growing air of mutual suspicion caused conversations to become stilted, even as some scientists became increasingly agitated and isolated from friends and colleagues.

"It became a game to talk in platitudes without mentioning the specifics," Dr. Adamovicz said. "You had to."

A least a dozen members of the division eventually were called to testify before a grand jury. "We were unclear on whether we were all suspects or whether there were specific suspects," Dr. Adamovicz recalled.

The air of growing distrust ended some relationships. At one point, Dr. Ivins was advised by his lawyer to stop speaking with Henry S. Heine, an anthrax colleague. Dr. Ivins was led to believe that Dr. Heine might have raised questions about him.

"They implied that Hank was pointing the finger at him," recalled W. Russell Byrne, a retired Army doctor who once supervised Dr. Ivins. "They told Bruce that 'Hank Heine is not your friend.' Then Bruce's lawyer told him not to talk to Hank anymore."

And even Dr. Ivins, according to court documents, began pointing his finger at specific colleagues as suspects.

Dr. Heine, who said he considered himself a close friend of Dr. Ivins, confirmed that Dr. Ivins had been warned to stop speaking with him, but Dr. Heine said he believed it was part of the F.B.I. strategy to isolate friends from one another. He added that although he did appear before the grand jury, he never pointed the finger at Dr. Ivins, and he still believes that Dr. Ivins was not involved in the anthrax letter mailings.

“I was Bruce’s big brother,” Dr. Heine said. “I needed to look out for him. And they needed to separate us.”

Dr. Byrne, who did not know of Dr. Ivins’s history of deep psychological problems that was disclosed by federal officials last week, said he could see signs of the growing stress Dr. Ivins was under as the investigation seemed to focus on him. One day, in March 2008, he showed up for a Sunday church service with a black eye.

“The F.B.I. been roughing you up?” Dr. Byrne recalled joking.

Last month, Dr. Ivins told an Army colleague that his experience of F.B.I. pressure was similar to what Mr. Mikesell went through.

“Perry drank himself to death,” the colleague recalled Dr. Ivins as saying some two weeks before he killed himself.

Federal officials say they are confident Dr. Ivins was responsible for the anthrax attacks, even if his suicide means their case will not be proved in court. And they reject criticism from lawmakers and others about the conduct of the investigation and express no regret about those who were caught up in it.

The F.B.I. director, Robert S. Mueller III, in his first public comments since the presentation of the evidence against Dr. Ivins on Wednesday, said Friday that he was proud of the inquiry.

“I do not apologize for any aspect of the investigation,” he told reporters. It is erroneous, he added, “to say there were mistakes.”