

## A sidebar with ...

### Kenneth R. Chadwell



Kenneth R. Chadwell, a former assistant U.S. attorney, recently joined Mantese Honigman PC in Troy as a partner. He focuses his practice on white collar criminal defense, federal grand jury investigations, national security matters, and corporate compliance and investigations, among others. Chadwell spoke with Michigan Lawyers Weekly about his career, and his decision to move to private practice.

**You spent decades with the U.S. Department of Justice, including serving as deputy chief of national security. What led you to return to the private sector?**

My career was fascinating, dramatic, and personally satisfying on many levels, and I was proud to represent the United States for so many years. Serving as an assistant U.S. attorney was an honor. It became part of my DNA/identity and was psychologically hard to relinquish.

My longtime friend Gerard Mantese persuaded me that my experience and skills would be quite valuable to the private sector, and he offered me a chance to be a partner in his law firm. A new adventure and a chance to work with some old friends on important matters motivated me to make the move. As it says in the book of Ecclesiastes, "There is a time for everything, and a season for every activity under the heavens."

**You were one of five federal litigators selected to be a counter-terrorism prosecutor following the Sept. 11, 2001, terrorist attacks. What was the experience like?**

Following the terrorist attacks, the country was unexpectedly at war. Within the Department of Justice, terrorism units were formed across the country. The instructions from Washington were that the "best of the best" should be assigned to terrorism investigations. This was a singular opportunity to implement foreign policy in the courtroom and participate in the "Global War on Terrorism."

Then-U.S. Attorney Jeffrey Collins selected me to serve in the newly formed counter-terrorism unit (CTU) where I remained for the next eight years. I will forever be grateful to Mr. Collins for this honor; the landscape of my legal practice was changed forever.

CTU attorneys regularly viewed classified information on terrorism targets, informed Washington of developments daily and often hourly, and were scrutinized on every action by the media and special interest organizations. The work was highly stressful and sometimes dangerous, but invigorating and worthwhile. The Detroit CTU amassed quite a litany of successes in the wake of 9/11.

**Throughout your career, you have interacted with legal colleagues on a global scale. Can you share some highlights?**

I am under a continuing duty not to disclose classified information even after leaving the government so I cannot discuss specifics of matters involving intelligence agencies. Suffice it to say, handling terrorism investigations requires interactions with our own and sometimes foreign intelligence organizations in search of information, assistance and evidence that might be able to be used in court.

The Classified Information Procedures Act describes the methods of utilizing classified information, and there are times when classified information becomes declassified. I have handled cases involving undercover operations overseas, evidence provided by other countries' police and intelligence services, and covertly intercepted communications.

I also had the occasion to lecture members of the Czech Security Information Service in Europe on terrorism financing investigations.

Of course, with Michigan a major border state, there is a tremendous amount of cooperation between Canadian law enforcement and intelligence agencies and U.S. counterparts in disrupting terrorist and trans-national criminal organizations. As a counter-terrorism prosecutor, I spent a good deal of time collaborating with the Canadians over the years.

**How has your job changed since you started your career? What skills have you developed along the way?**

Since beginning my legal career almost 34 years ago, I've learned something important at each phase. I clerked for a federal judge and worked for a large Detroit law firm in civil litigation before joining the criminal division of the United States Attorney's Office. It was at the USAO that I came into my own as an attorney, learning to conduct investigations, try cases, and defend convictions on appeal. I was able to handle and win over 40 criminal trials, and prevailed more than 80 times in the U.S. Court of Appeals.

Handling terrorism and espionage investigations, RICO prosecutions, complex frauds, and death penalty litigation took things to a new level, developing and stretching me to expand the limits of my capabilities.

Now I have the privilege of applying everything I have learned to the benefit of private clients involved in civil or criminal litigation.

**Tell me something your colleagues may not know about you.**

I've played more tennis after the age of 50 than I did before the age of 50, and currently play on a men's league every week.

About 15 years ago, I started running and, again, have run more miles after the age of 50 than before. I recently completed my first half marathon, and plan to do it again in 2020, hopefully with a better time.

Finally, I took up the guitar in my late 30s and try to maintain a limited repertoire of folk tunes.

— KELLY CAPLAN