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As Mayor Lays Blame on Judge, a Court's Chaotic Context Is Lost

By JIM DWYER

To hear [Michael R. Bloomberg](#) tell it, a judge put a dangerous criminal back on the streets because she couldn't be bothered to make a simple phone call. "It's not a lot of work to do to protect the public," Mr. Bloomberg said Wednesday.

His implication was devastating: the judge, Evelyn Laporte, was at least partly to blame for the death of a police officer, Peter J. Figoski, who was killed early Monday when he responded to a robbery in a basement apartment in Brooklyn.

Lamont Pride, the man accused of killing Officer Figoski, was arraigned on drug charges before Judge Laporte in November, and she released him without bail. As the mayor noted, the judge knew there was a warrant for his arrest in North Carolina, that he had a criminal record and that he had missed court appearances in the past.

Working with tweezers, those facts can be removed from the chain of circumstances and laid at the feet of Judge Laporte. They would not have much to do with reality, but if you're not too fussy about context, then she is a handy enough person to catch the blame ball.

Mr. Pride was arrested on Nov. 3, along with two other people, during a raid on an apartment near Coney Island that yielded misdemeanor amounts of cocaine and marijuana. Most alarming was the presence of two children living there in squalor. However, they were not Mr. Pride's children, the apartment was not his home, and he had no drugs on him when the police arrived.

The following night, Mr. Pride was arraigned before Judge Laporte in Brooklyn Criminal Court.

The business of criminal courts arrives in rivers of random events, and a few hours there might make you fear that they will turn the map of humankind into a floodplain saturated with chaos. There are teenagers with shoplifted pregnancy-testing kits, and prostitutes whose teeth have fallen out, and peddlers of counterfeit handbags, and drug dealers and drug addicts and public urinators and hoodlums and innocent bystanders.

Faced with this, judges say, they ask: What thing can I do — grant or deny bail, take a plea, divert to rehab — that would be most useful, or least harmful to the world?

But ponder fast.

Mr. Pride's case was one of 122 that came before Judge Laporte between 5 p.m. on Nov. 4 and 1 a.m. the next morning, records show.

So on average, each case had less than four minutes of court time, a ration further shaved by bathroom breaks, hunts for missing paperwork and waits for prisoners.

Just before Mr. Pride was arraigned, a police officer in court reviewed his rap sheet and the warrants in a national crime computer. The police in Greensboro, N.C., wanted to arrest Mr. Pride on charges that he had shot a man during the summer, but their warrant had this limitation: "Extradite in North Carolina only."

Without mentioning this plain language, Mr. Bloomberg said Wednesday: "If the judge didn't understand the warrant from North Carolina, the judge could have picked up the phone." An editorial in The Daily News said Judge Laporte "turned Pride loose with no bail at all, possibly because North Carolina authorities had failed to ask expressly for extradition."

What was hard to understand? The North Carolina authorities explicitly directed that he not be extradited outside the state. This may have been unfortunate judgment in a violent crime, but it was not confusing or exotic. Police agencies do not send detectives flying around the country to pick up every last person they want. They routinely tailor their requests for extradition, according to Jessica Scaperotti, a spokeswoman for the New York State Division of Criminal Justice Services.

The police officer in Brooklyn stamped "no hit" on Mr. Pride's rap sheet, meaning there was no warrant to send him anywhere, and it was passed to the judge.

Over the next few minutes, the lawyers and the judge spoke about bail. On one hand, the charges were misdemeanors and the case was weak. But Mr. Pride did have that warrant, the prosecutor said, and he had skipped court dates before. There was a risk that he would not return, which is the crux of bail decisions. Judge Laporte released him without bail.

It is fair to question her ruling. But it offends the truth to portray her, as Mr. Bloomberg did, as indifferent to public safety.

In fact, much of the short hearing was not about his bail, but about the children who the prosecutor said were living in "deplorable" conditions.

Judge Laporte directed child welfare authorities to begin an urgent investigation, and she issued an order of protection.

"Those kids," she said, "are not going back in that apartment."