

Posted 12/18/11

CATCH AND RELEASE

Sometimes there really is no substitute for common sense

By Julius (Jay) Wachtel. “If you’re talking about somebody who the rap sheet in front of you shows is potentially a dangerous person, has a gun, has a criminal history, common sense says don’t let him out until you make one phone call.” New York City [Mayor Michael Bloomberg’s criticism](#) was directed at Evelyn Laporte, a Brooklyn judge who had brushed aside a prosecutor’s request to set \$2,500 bail and released a man arrested on drug possession and child endangerment charges on his own recognizance.

Yet the suspect, Lamont Pride, 27, [wasn’t an unknown quantity](#). Officers had caught him packing a knife a couple months earlier, a tangle that cost Pride a day in jail. Authorities in Pride’s home town, Greensboro, North Carolina had [recently secured felony warrants](#) accusing Pride of shooting a man in the foot as they quarreled over a woman. Pride, who allegedly used a .22 pistol, was charged with assault with a deadly weapon with intent to inflict serious injury, felony conspiracy, and possession of a firearm by a felon, the latter relating to a prior conviction for armed robbery, an offense for which he served 13 months in prison.

Now here’s the part that’s hard to swallow. Greensboro’s warrants [specified “in-state extradition only.”](#) Police and prosecutors would later explain that they didn’t consider Pride a flight risk and thought “he could still be in the area.” So why not authorize extradition? One can guess that in these times of strapped budgets there were second thoughts about sending officers to another state to bring back a local ne’er-do well, particularly if injuries, as in this case, were minor and the victim was no one special.

The story doesn’t end there. When NYPD arrested Pride for drugs and child endangerment an officer called Greensboro PD to confirm that they wouldn’t extradite. That fact was passed on to Judge Laporte, who also got a look-see at Pride’s long rap sheet. But she O.R.’d him anyway. Still, NYPD wasn’t done. A detective called Greensboro a few days later. Whatever transpired during that little chat clearly had an impact, and on November 8 North Carolina’s warrant was amended to authorize extradition.

Alas, it was too late. Pride skipped his New York City court appearance and was nowhere to be found. On December 12, NYPD officer Peter J. Figoski, 47, a 22-year veteran and father of four, [responded to a report of a residential armed robbery](#). (It turned out to be a vicious attempt to rip off a local drug dealer.) While searching a dark apartment building officer Figoski and his partner were surprised by Pride, who allegedly pulled a 9mm. pistol and shot Figoski dead. Pride was caught during a foot chase.

Felons on the lam are always dangerous. On June 29, 2010 Dontae Morris allegedly [shot and killed Tampa police officers David Curtis \(I\) and Jeffrey Kocab](#) during a traffic stop. Morris, whose record includes arrests (but not convictions) for murder and weapons violations was released from prison two months earlier after serving a two-year term for possession and sale of cocaine. Only thing is, Morris had an active felony warrant for bad checks. “Right now we’re not going to start pointing the fingers of blame,” said Tampa PD Chief Jane Castor. “And frankly, it’s not going to bring the officers back.”

The deaths of officers Curtis and Kocab have been attributed to a complex tangle of bad decisions. Equally lethal results can flow from simple paperwork blunders. On January 23, 2011 “low-risk” parolee Thomas Hardy, 60, [shot Indianapolis police officer David Moore](#) during a traffic stop. Hardy was arrested after robbing a convenience store an hour later. Actually, Hardy shouldn’t have been on the street in the first place, as he had recently been arrested for felony theft. Regrettably, Hardy’s parole status hadn’t been entered into the computer, and he didn’t tell, so he was let go after arraignment.

Officer Moore succumbed to his injuries. Both his parents were cops. His father was a retired Lieutenant, his mother an active-duty Sergeant.

We’ve suggested in the past that bad decisions can be often attributed to a tendency to “dismiss, dismiss, dismiss.” Going to “extraordinary lengths to routinize information and interpret questionable behavior in its most favorable light” can have tragic consequences. Here are a few examples:

- Perhaps fearing that they might be branded as bigots, military authorities repeatedly ignored warning signs about [the radicalization of Nidal Hasan](#), the Army major who killed eighteen and wounded twenty-eight at Fort Hood.
- A lack of regulatory will and Federal law enforcement resources were clearly at work in the case of [Bernie Madoff](#), the record-breaking Ponzi artist whose decades-long scheme cost victims billions.
- Parolee [Phillip Garrido](#) enjoyed so much slack while under supervision that he was able to kidnap a young woman and, with help from his wife, confine her to a backyard pen for eighteen years as his sex slave.
- After doing fifteen years for rape, Cleveland serial killer [Anthony Sowell](#) was ignored by police despite a string of odd and violent goings-on at his home involving various women, including one who supposedly “fell” from a window.
- And who could forget would-be underwear bomber [Umar Abdulmutallab](#), a self-made Nigerian terrorist whom American consular and intelligence authorities failed to place on the do-not fly list even after Umar’s father warned them that his radicalized kid was up to no good.

When funding is tight criminal justice agencies must economize. And yes, there are consequences. States have been granting early paroles by the bucketful, releasing inmates left and right to make room and save money. Yet predicting someone’s threat to society is chancy. In August [three top Wisconsin juvenile corrections officials were suspended](#) after police arrested three Milwaukee teens for a vicious robbery-murder. Two had been granted early releases while serving terms for violent crimes. One, now 18, did less than three years for directing a killing in which his adult codefendants got twenty years.

Decisions that can let potentially dangerous individuals go free should be taken in a reflective atmosphere with sufficient time to gather and evaluate all pertinent information. In the efficiency-obsessed atmosphere that pervades today’s criminal justice system that ideal is rarely reached. Pressures to economize can lead well-intentioned practitioners such as Judge Laporte to lose their way and forget why they’re there. It’s precisely for such reasons that Mayor Bloomberg’s admonition to use “common sense” should be taken to heart. Officers Figoski, Curtis, Kocab and Moore would ask for nothing less.