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The View From Here

DeAngelis: Let's take another look

By Carl Strock

Perhaps you're wondering if I read the article about Patricia DeAngelis, the Rensselaer County district attorney, in last Sunday's Gazette.

The answer is yes, I did, and I found it both informative and entertaining, all that a newspaper story can aspire to be.

Still I feel impelled to add a few thoughts and observations of my own, having spent some time contemplating the courtroom career of Ms. DeAngelis, she being the prosecutor who twice got Jack Carroll of Troy convicted of sex crimes that I doubt he committed.

Which was one thing that struck me in the article about her, her insistence on those two convictions, as if they had cumulative weight: He was convicted two times, by two separate juries.

That is off the legal mark, ladies and gentlemen, for the simple reason that the first conviction was no good, as declared by the state's highest court, and is therefore not something to boast of.

In fact the first time around, Carroll was convicted of something — first-degree rape — for which the appeals court said there wasn't even enough evidence to indict him, much less convict him, which is why the court not only threw out the charge but barred DeAngelis from bringing it again.

That she had been able to persuade a jury to convict him, unanimously and beyond a reasonable doubt, of something so unsupported by evidence may be indicative of her persuasive powers, and it may show how manipulatable juries are, but it's certainly not damning of Jack Carroll.

I think it says something about DeAngelis' approach to truthfulness that after arguing to the first jury that Carroll raped the girl in question she then argued to the second jury that he had no qualms about urging the girl to go to a doctor because of course he had not raped her. In other words, whatever works.

As for Tom Levandowski, the former police chief of Cambridge, Washington County, and his wife, Sharon, yes, DeAngelis got him convicted of multiple counts of rape of a young girl in his home and got him sentenced to 50 years in prison, which she proudly cited in her campaign literature when she ran for district attorney.

And she got his wife indicted on multiple counts of feeding the girl birth control pills and of videotaping the repeated rapes — the most depraved crimes one can imagine.

But when the appeals court threw out the convictions, rather than retry the supposed monster and rather than try his equally monstrous wife on all those grotesque charges, she dropped it and let them plead guilty to a couple of non-sex, face-saving misdemeanors. Meaning the whole sensational case turned out to be just a puff of smoke.

She settled for face-saving misdemeanors from the Levandowskis, and she was prepared to settle for a face-saving misdemeanor from Jack Carroll, too, which I notice she does not talk about when she boasts of getting him convicted twice.

She was willing to let him go free on the basis of the three years he had already served in prison if he would just plead guilty to one count of endangerment. It was his stubbornness in insisting on his innocence that led him to his second trial and ultimately another conviction.

DeAngelis won a conviction of Fred Weber, too, the former community college professor accused of sexually fondling as many as 12 pubescent girls while horseplaying with them in a hot tub, but let the record be clear: She brought 13 felony charges against him, and the trial jury convicted him of only two, along with a bunch of misdemeanors that added nothing to his maximum 14-year sentence.

Not to mention two other sex cases recently overturned for prosecutorial misconduct.

What I'm getting at here is, the interesting thing about Patricia DeAngelis, prosecutor, is not whether she's too emotional in court, or too personally involved, or anything of the sort, which you hear about all the time and which I believe is a red herring.

Plenty of lawyers are emotional in court. I once saw a highly regarded Albany lawyer shed a real, actual tear in defense of a Schenectady County jail guard who had kicked the stuffing out of a naked and handcuffed prisoner.

Emotion is no big deal in a courtroom.

The question about DeAngelis is whether she's willing to bend and distort the truth in order to get convictions of people who may or may not be guilty.

Whether she's willing to inflame a grand jury to get an indictment when there is no reasonable evidence to support it.

And whether, therefore, out of zealotry, she sends innocent people to prison.

Does she bring witnesses into court that she has good reason to believe might be lying, like former Troy police detective Steve Weber, for example?

Does she twist and misrepresent evidence when she describes it to a jury?

Those are grave questions, which I would love to have answered.

In conclusion, a small matter of fact: The sentence that Carroll is currently serving is 10 to 20 years, not 12 to 32.

The View From Here presents Carl Strock's personal commentary and appears on Tuesday, Thursday and Sunday. Strock can be reached at 395-3085. The opinions of the newspaper appear in editorials on the Opinion Page every day.