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# In a Complaint Room, a Prosecutor's-Eye View of Crime

By JOHN ELIGON

The polished linoleum floor and sterile scent make it easy to mistake this space for a dentist's office. The taupe walls are mostly dressed down, but for a bulletin board here and there and a headshot of [Cyrus R. Vance Jr.](#), the Manhattan district attorney.

The room is known to prosecutors as ECAB, or the Early Case Assessment Bureau, and it could be considered the epicenter of the criminal justice system in Manhattan. Nearly every arrest in the borough is processed here, so a rowdy night in the city would be reflected by a surge in paperwork. It is the intersection of cases simple and complex, predictable and quirky, providing a perspective of the city unlike any other.

"On any given night, it's kind of like got its own pulse and heartbeat of what's going on in the city," said Elizabeth R. Crotty, a defense lawyer who spent six years as a Manhattan assistant district attorney and served her fair share of ECAB shifts.

The bureau's sometimes dizzying pace can push the limits of human fallibility, an issue raised in two recent cases in State Supreme Court in Manhattan.

In both cases, police officers were charged with falsifying complaints drafted by assistant district attorneys working in ECAB. But the officers blamed inconsistencies in the complaints on miscommunication with the prosecutors they spoke to over the phone.

Prosecutors on these shifts face a delicate calculus: churning out criminal court complaints with assembly line-like speed, yet lawyerly consideration.

"We have our staffing model down very well," said Karen Friedman-Agnifilo, chief of the Manhattan district attorney's trial division. "We can very much handle the volume that comes."

Last year, about 109,000 arrests, mostly misdemeanors, came through ECAB, also called

the complaint room, in Manhattan, according to the district attorney's office. It can be an introduction to prosecution, often the first stop for new assistants.

Tucked at the end of a hallway in the Manhattan Criminal Court Building on Centre Street, the bureau is staffed in nine-hour shifts by about eight assistant district attorneys and a supervisor. There are also other assistants on call to handle specialty cases like sex crimes and child abuse, and paralegals to help with the legwork.

But prosecutors stress that ECAB is a place for investigation, not simply writing complaints.

Assistants must determine the proper charges to file based on the facts of a case — which are usually provided by a police officer — or whether to drop charges altogether. In felony cases, the prosecutor must start preparing for a grand jury presentation by, among other things, interviewing witnesses, getting a statement from the defendant and drafting subpoenas and search warrants.

“It’s like the third ring of hell,” said [Stephen C. Worth](#), a defense lawyer who recently represented an officer charged with falsifying a criminal court complaint. “It’s hectic. The volume of work is large. You’re dealing by phone and fax instead of by person. That all leads to errors.”

Mr. Worth’s client, Officer David London, was acquitted in June of charges that he had falsified a complaint he signed that accused a man he was arresting of punching and kicking him. Although video surveillance footage seemed to indicate that the man was not striking him, Officer London blamed the error on the prosecutor who took his statement; in his trial testimony, the officer said he had told the prosecutor the man tried to punch and kick him.

In another case, Patrick Pogan, who has left the police force, was convicted in April of lying on a complaint that said [a man rode his bicycle into him and knocked him down](#). Video of the episode showed Mr. Pogan remaining on his feet and the cyclist falling to the pavement. Mr. Pogan testified that he had mistakenly told the prosecutor in ECAB that he fell down after the initial collision; he actually went down on two occasions while trying to handcuff the man, he said.

But former prosecutors said police officers simply needed to tell the truth.

“It starts with the police officer telling the D.A. what happened,” Ms. Crotty said. “So yeah, they can say there’s a miscommunication, but then there’s also lying.”

Most seem to acknowledge that phone calls are not an ideal form of communication between the police and prosecutors.

In the early days of ECAB, officers were required to go there to meet with prosecutors in person. But that was slow and led to exorbitant overtime costs. So some boroughs began using videoconferencing in the early 1990s. Today, in most cases, the officer and prosecutor speak only by telephone.

Ms. Friedman-Agnifilo said it was “very, very important” to avoid miscommunication between the ECAB staff and police.

“I think asking the right questions and making sure the right investigation is done is the answer as opposed to whether you’re on video or in person,” she said.

For prosecutors, ECAB is the origin of some lore.

Former prosecutors said unscientific trends were established there. For one, police do not make many arrests in cold and rainy weather.

And sometimes there is a memorable interaction.

Andrew Lankler said that in one case he handled in ECAB, a publicist accused her boyfriend of pushing her down after she caught him with another woman. But when he asked her where she was injured, the woman was evasive, Mr. Lankler said.

“She’s literally on the phone with Page Six while she’s in ECAB,” Mr. Lankler said.

Suspicious, he brought the boyfriend up from a holding cell to get his side of the story. The boyfriend had a black eye and scratches all over. He said the publicist did catch him with another woman and then attacked him.

The woman was arrested on the spot, Mr. Lankler said.

