

ECONO-SWAT

In the late 1970's I was a fledgling lawyer at our firm, then named Heise Jorgensen Stefanelli & Boswell P.A. My previous experience as an intern for a year with the Prince Georges County Office of the Public Defender was an asset to the firm which, prior to my employment there, was reluctant to take criminal cases, focusing instead on real estate, banking and commercial litigation. My position as an associate gave the partners a young lawyer on whom they could call to represent the clients or children of clients who were accused of small-time criminal conduct, usually a DUI or petty assault, or, in the case of Jack Heise, a/k/a Mr. Terp, the occasional University of Maryland athlete who found himself in trouble with the law.

One day a young man wandered into our office asking to see a lawyer about "a criminal case." Mr. Heise's secretary, Judy Schwartz, who was working the reception area, took the man's name and asked me if I would see him. I said I would see the man but it would be a few minutes since I was in the middle of some other matter.

A few minutes later, Judy left the reception area to go across the hallway to the photocopier. When she was returning to the reception room she witnessed the potential client reach into her purse, grab her wallet and bolt for the door to exit our offices. Next, I heard Judy scream "STOP THAT MAN, HE HAS MY WALLET!" and at the same moment I saw a figure streaking past my office door heading for the stairway. I bolted from my chair and ran down the hallway in pursuit.

At that time, our offices were on the 2nd floor of the Citizens Building & Loan Association main office at the corner of Fenton Street and Pershing Drive in Silver Spring, Maryland (we eventually moved to the 3rd floor). I charged down the hallway and out onto the corner sidewalk in front of the bank branch entrance, looked in all directions, but did not see anyone who looked at all like the man I had seen flying down our hallway. At that point, an elderly woman was standing on the street corner, saw me looking all around and said "Are you chasing someone? He just ran into that car across the street." pointing to a large Cadillac sedan.

As I looked at the Cadillac, I first saw someone's rear end popping up in the back seat. He was quite tall and apparently had a hard time lying flat on the back bench seat, even in such a large car. Then he poked his head up, saw me running at his car and crawled over the back of the front bench seat (the days before bucket seats!) and into the driver's seat. I approached the car from the passenger's side and, definitely foolishly, pulled open the passenger side front door and confronted the thief, demanding that he return Judy's wallet. When he did not immediately comply, I yelled something like "Give me that wallet or I will pull you out of this car and kick your ass!" Of course, skinny guy Lou was probably no match in a real fight with this guy who was also skinny, but taller and looked to be in his late teens, but I am sure that, at that moment, I

appeared fierce enough to him so that he flung the wallet at me. Wallet in hand, I slammed the passenger door closed and the thief sped away.

Meanwhile, another associate lawyer in the firm, the now late John Rhody, had followed me down the stairs and was standing on the street corner observing the scene at the Cadillac while trying to catch his breath (John was a heavy smoker at that time, and yes, he had been smoking in his office at the time, something unheard of today). John did have the presence of mind to memorize the DC license plate of the Cadillac as it fled down Pershing Drive.

Naturally, by that time, our office had called 911 and the Montgomery County police arrived shortly thereafter. We gave the police the whole story, description of the suspect, license plate number, etc. A few days later, the police asked me and Judy to come to the Silver Spring station to look at a photo array of possible suspects. Sure enough, we were each able to identify the thief, at which point the police related the story that, shortly after the crime had occurred and armed with the knowledge of the plate number, they contacted the owner of the Cadillac by phone and asked if his car had been stolen. His reply was that, no, it was not stolen, his teenaged son was out with it. The police then engaged the DC police and together they visited the Cadillac owner's house, met with the son, and took his photo for the photo array. Now that Judy and I had given a positive ID of the son, they would ask him to turn himself in at the Silver Spring police station. He eventually did so and was arrested for the theft of Judy's purse. It turned out that he was already up on charges for a car theft case.

The day that the case came up for trial, as Judy and I were readying to head to the courthouse, the state's attorney called me on the phone. He explained that he was the prosecutor in the case of the man in the theft of the wallet case and that the suspect was willing to plead guilty to both the wallet and the car thefts in exchange for a disposition of "probation before judgment." PBJ as it was routinely called, meant that, if he ultimately complied with the conditions of probation he would end up with no criminal record. I was livid. As a criminal defense attorney, I had defended people who had shoplifted a \$20 tie from the Hecht Company store and as a result had been sent to jail, or who at least were given a suspended sentence with active probation. It was ludicrous, I told the prosecutor, to let this guy off so lightly. Then he explained that I did not yet know the condition of his probation. The deal was that in exchange for the PBJ, the defendant would enlist in the United States Army. Judy and I immediately changed our tune and wholeheartedly approved of that disposition.

My crazy actions of chasing a thief and retrieving Judy's wallet did not go unnoticed in the office. Shortly thereafter, our office manager, Andie Dials, gave me the nickname "Econo-swat" which stuck with me for years thereafter.

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