

C O M M U N I T I E S

Good Deed or Conspiracy?

Englewood Is Embroiled in a Case Over the Release of a Prisoner

By GEORGE JAMES

ENGLEWOOD

ALONG Palisade Avenue and on side streets peppered with ethnic restaurants, chic shops and art galleries, the talk lately in this diverse community has been about downtown redevelopment efforts and the recent death of the school superintendent who had been setting up a rigorous academy system to attract more whites to a high school that was 94 percent black.

Englewood, a town of 26,000 residents just three miles from the George Washington Bridge and home to some of Bergen County's wealthiest residents — like the hip-hop singer Lil' Kim — as well as some of the poorest, is a place of extremes.

These days, it is receiving some unwanted attention because of charges that the town's police chief, judge and a police sergeant forged a phony document to release a prisoner — serving a 364-day sentence on a drug conviction — from the Bergen County jail for his father's funeral.

For now, the three have entered not guilty pleas to the charges brought by the state attorney general last month — tampering with public records and falsifying records — that could result in as many as five years in prison. No one disputes that the chief, David Bowman, and the sergeant, Emma Jackson, who knew the inmate's family, accompanied him to the funeral home and church and stayed with him the entire time before returning him to jail.

But lawyers for the defendants, who were suspended from the jobs with pay pending the outcome of the case, contend that the three were performing a humanitarian act.

"It's clear that this was not motivated by any personal gain," Mayor Michael J. Wildes said. "Clearly the chief and the judge were trying to do what they perceived to be the right thing by a family that wanted a son to attend the father's funeral."

Many residents turned out at a recent council meeting to support the three. "In my congregation, they love and respect the chief and the judge as well," said the Rev. Vernon Walton, pastor of Mount Calvary Baptist Church who is also a councilman.

For now, Mr. Wildes, an immigration lawyer and former federal prosecutor in Brooklyn, is trying to cool people's emotions. "Everyone will be given an opportunity to explain their conduct in a court of law," he said. "Public servants need to be held to a higher standard."

According to Chief Bowman's lawyer,



Norman Y. Lono for The New York Times

Englewood Mayor Michael J. Wildes finds himself trying to soothe frayed nerves.

Robert L. Galantucci, Sergeant Thompson is a friend of the inmate's family, while his client is an acquaintance. Judge Clark has served on the bench in Englewood for 29 years.

It is not the first time that Mr. Bowman has found himself tangled in controversy since becoming police chief about five years ago. Two officers in the department brought separate suits against him, with one of them charging that he tipped off an illegal gambling operation. While the county prosecutor never found cause to pursue the case — Mr. Galantucci said the suits had no merit and were brought by people who were unhappy about reassignments — there was a \$130,000 civil settlement.

In this instance, Mr. Galantucci said, an officer in the police department who had been reassigned by the chief and "somebody" in the municipal court system who "had it in for the judge," tipped county and state prosecutors to the prisoner's release, but that only Attorney General Peter C. Harvey was motivated to prosecute the case because he has been overshadowed by United States Attorney Christopher Christie.

"The attorney general is always criticized because he can't make any corruption

cases," he said, "and he's seen his chance here."

The state sees the situation differently, however.

The three are accused of not following the proper protocol, which would have entailed requesting that a state judge approve the temporary release of an inmate who would wear handcuffs and prison garb and be accompanied by county sheriff's officers.

Instead, according to prosecutors, a fictitious warrant was drawn up stating that the inmate, Lloyd Fields, 24, was required to appear in Englewood Municipal Court on March 8 to answer shoplifting charges, even though March 8, 2003, was a Saturday — a day when the court is normally closed — and the shoplifting charge was false.

Although the incident has raised some eyebrows and prompted whispers of impropriety — renewing questions of ethics in the police department during the chief's tenure — there has been little public outcry.

Chatting with a friend on Palisade Avenue, one resident, Susan Stencil, put it this way: "I mean the boy was doing wrong, the drugs and stuff. But I didn't see anything wrong with them getting him out of jail for his father's funeral."