

Spotlight on DA Thomas Spota

With reputation for fairness, DA has both party lines

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Leaning back in a leather chair inside his Hauppauge office, Suffolk County's Democratic District Attorney Thomas Spota smiled at the ironies and awkward situations that politics can produce.

Last spring, Spota faced a roomful of stoic Republicans as they endorsed his re-election, even though the first-term DA's anti-corruption drive had resulted in the convictions of numerous GOP officials.

The same probe snared several prominent Democrats, including the son of the party's former Suffolk County chairman, Dominic Baranello.

Now as Spota, who won election in 2001 after switching parties a year earlier, runs unopposed for a second term, he's stressing his reputation as an even-handed prosecutor.

"A prosecutor should be aggressive and use every tool in his arsenal," Spota said. "But we have to use it fairly."

Spota's corruption-busting has helped put him in a remarkable political position for a Democrat. He faces certain victory while the GOP, which held the district attorney's office for nearly a quarter century until Spota's election, is without its own candidate.

While some have suggested a variety of political reasons for the cross-endorsement, Suffolk Republican chairman Harry Withers insisted that Spota was "doing a good job in a job that should not be political."

"This man deserved the endorsement of both major parties," Withers said.

Spota also gets high marks for helping weed corruption out of Long Island's political culture from other unlikely sources, including Brookhaven's Republican Town Supervisor John Jay La Valle, a one-time rising political star who has decided not to seek re-election.

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The advertisement features a red header with the text "BROWSE realtor listings from SUNDAY'S". Below the header is a large, stylized graphic of the letters "LI" in yellow and "Life" in red, set against a background of a newspaper page with various real estate listings and photos of houses.

"When the mud is flying, it gets on everyone," said LaValle, who said he had made up his mind to leave before the investigations. "But I think people in Brookhaven will have cleaner government."

During his term, Spota also pursued investigations into sexual abuse by Roman Catholic priests, and is fighting efforts by Martin Tankleff to overturn his 1990 conviction for his parents' murders.

While at least one corruption defendant criticized Spota's tactics as overly aggressive, and church officials argue that he gave them too little credit for trying to solve the priest abuse problem, some involved in those cases also praised Spota for his even-handedness.

Floyd Sarisohn, the attorney for Baranello's son Stephen, a top county Democrat, counts himself as a Spota admirer, even though his client pleaded guilty to bribery.

"If you pick someone [for DA] because he's honest, you have to stick with them even if it hurts, or you stick with the party-line thinking and that's not good for the public," said Sarisohn, a longtime Democrat.

Leading the DA's office

Spota grew up in New Hyde Park, and graduated from Chaminade High School in Mineola. He earned degrees at Fairfield University in Connecticut and St. John's University School of Law in Queens.

During the 1970s and early 1980s, Spota worked as a Suffolk prosecutor under District Attorney Patrick Henry. He then entered private law practice in Suffolk, representing clients including the Suffolk Detectives Association and other law enforcement unions. He lives in Mount Sinai and is married with three grown children.

Spota heads an office with 393 authorized positions, including 174 assistant district attorneys, compared with 148 in the last year his predecessor, Republican James Catterson, was in office in 2001. The district attorney's budget of \$29.7 million is nearly 38 percent higher than Catterson's final spending plan, according to data provided by Spota's office.

Spota said he has worked to bring a different approach and style to the district attorney's office than did Catterson, who was accused of launching politically motivated investigations.

Spota said he largely has repaired the office's tattered working relationship with both federal law enforcement agencies and the local police. "They had a difficult time dealing with Catterson," Spota said. Catterson declined to comment.

Spota's 2005 campaign finance disclosures are filled with familiar names from Suffolk legal and police union circles. He has raised \$400,000 for his re-election so far.

Spota said he intends over the next four years to focus on gang violence and organized crime. He said he also plans to extend the corruption probe into school district finances and the state Medicaid program. While he declined to reveal any findings, he promised with a grin that, "the results will be enlightening."

Church abuse scandal

As a lawyer and a Catholic, Spota said priest abuse was one of the most sensitive - and most disheartening - cases he handled during his first term.

Spota said he was shocked by the extent of the abuse and the church's efforts to relocate, rather than dismiss, troubled priests.

"It was very difficult," he said, recalling his reaction to the investigation. "But it was the right thing to do because what the church was doing was wrong."

The Suffolk grand jury investigation into alleged sexual abuse of minors by Roman Catholic priests in the Rockville Centre diocese, which encompasses Nassau and Suffolk counties, won praise from victims of abuse and their families for spotlighting a long-festering problem.

In all, evidence of abuse was gathered from numerous documents, victims and witnesses, including 31 priests. Nonetheless, most of the cases the grand jury cited in its 2003 report did not result in any criminal charges because the statute of limitations had run out.

Church officials criticized the grand jury report as unfair, saying it contained "only bits and pieces that do not add up to an accurate picture of the genuine concern to stop abuse and protect children that has truly characterized the Diocese of Rockville Centre."

A diocesan spokesman declined to comment for this story.

The Tankleff case

Another vexing case for Spota that has drawn widespread attention, and some criticism, involves Tankleff, who is seeking a new trial in an effort to overturn his conviction for the 1988 murders of his wealthy parents in their home in Belle Terre.

Tankleff's lawyers have recently offered evidence they say shows that others conspired to kill Tankleff's parents; a Suffolk County Court judge is reviewing the claims.

In arguing for appointment of a special prosecutor, Bruce Barket, one of Tankleff's lawyers, pointed to Spota's previous ties to a former detective involved in the case, James McCready.

As the police union lawyer in the late 1980s, Spota represented McCready when he appeared before the State Commission of Investigation, which later criticized the way in which Suffolk law enforcement authorities handled murder cases.

"It calls into question the integrity of the system because of the conflicts of interest here," Barket said of Spota's involvement in the Tankleff case. "It raises questions about his motives in this case."

Spota, however, said he didn't "see any conflict whatsoever."

Spota said he is convinced of Tankleff's guilt, particularly given the bloody crime scene at which Tankleff's parents were found stabbed and bludgeoned.

"It was a crime of rage and passion because of the way these people were attacked," rather than a hit by a professional killer, Spota said.

Corruption probe

But while the Tankleff and church abuse cases attracted significant attention, Spota's political corruption probes have had the widest impact, according to many who follow the work of the DA's office. So far, Spota's campaign has yielded 17 convictions and one acquittal.

Brookhaven Town Republicans have figured prominently in Spota's investigations. Among those convicted were Fred Towle, a Republican county legislator from Shirley who pleaded guilty to bribery and illegal use of campaign funds for personal expense, and Brookhaven Town Highway Superintendent Patricia Strebel on 31 misdemeanor counts in a case in which a contractor overbilled the town in return for contributions to Strebel's political campaign.

But former Patchogue Village public works superintendent Daniel Wirshup, who was acquitted in 2004 of corruption charges, has filed a federal lawsuit against Spota's office and Suffolk County Police, claiming false arrest and unlawful intimidation by investigators.

"Assuming he wasn't personally involved, he [Spota] should be sending a message to these investigators that this won't be tolerated," said Barket, who is representing Wirshup in the suit. Spota aides say they're confident the lawsuit will be dismissed.

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