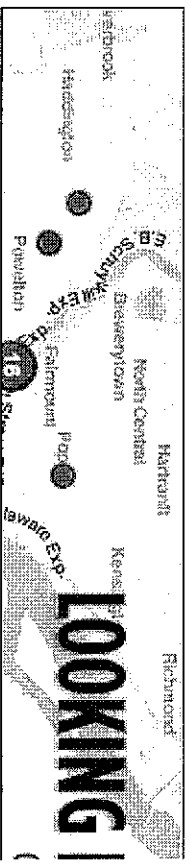


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Can an Unknown Prosecutor Named Seth Williams Make the City's "Tough Cookie" Crumble?

A Democratic challenger to DA Lynne Abraham hopes to win the city's hearts and minds through community-based prosecution.

by Kia Gregory

PHOTOGRAPHS BY JEFF FUSCO

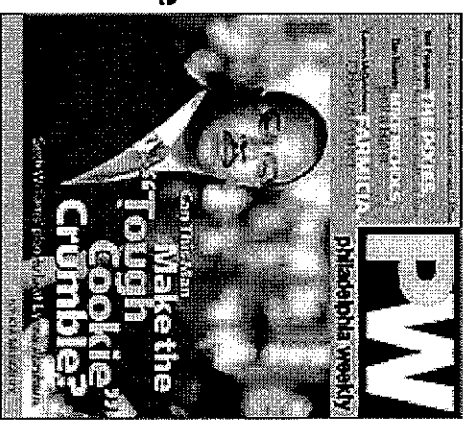
It's just after the evening rush, and Seth Williams, his overcoat hanging open in the mild November night, stands on the south side of City Hall anxiously waiting for the light to turn green. The veteran prosecutor is late--only by a few minutes. But he's learned from his years as an assistant district attorney that when people show up late, the whole case falls apart.

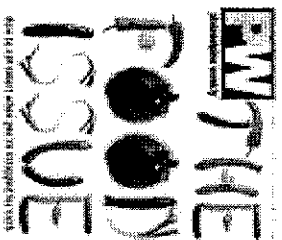
When the traffic circling City Hall stops, Williams, 37, crosses the street and makes his way to McGillin's Olde Ale House, a familiar tavern in a dark alley just a short walk away.

Arriving, he climbs the steps to a dimly lit room decked in green garland, red ribbons, miniature Santas and snowmen. Inside he finds a small group of lawyers and cops hovering over cold cuts, pasta salad and \$3 beers. They marvel at the Eagles' 8-1 win streak and David Akers' recent game-winning field goal.

But mostly they talk, with ambivalence, about the job, the boss and the city's future, which they believe hinges on people like Williams.

As Frank Sinatra croons from the jukebox, "Are the stars out tonight?/ I don't know if it's cloudy or bright," Williams works the room, smiling and shaking





everyone's hand.

Posters on tables and in window ledges read: "Seth Williams for District Attorney." Tonight is Williams' first fall campaign fundraiser.

Williams is hoping to defeat incumbent Lynne Abraham, the city's top crime-fighter for 13 years. Frank Rizzo once famously called Abraham "one tough cookie," and *The New York Times* branded her "the deadliest DA."

Abraham has handily spanked her opponents in previous elections, yet Williams is undeterred. He believes Philadelphia is ready for a change.

By the end of the night 287 people will have been murdered so far this year in Philadelphia. The number puts the city on pace with last year's high of 348.

Williams moves to the front of the crowd to a round of applause. He flashes a smile, the same smile he's used to soften juries and comfort clients. It's likely the same smile he uses to greet his wife and three young daughters.



"Everybody believes Lynne Abraham's this tough cookie," he tells the crowd. "But that's a hollow sound bite. She hasn't tried a case since Nixon was president."

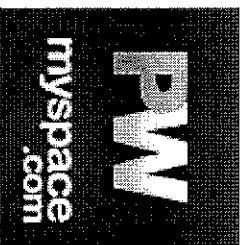
Williams then starts his pitch: The criminal justice system is obsolete, ADAs are overburdened, victims are frustrated and too many criminals are set free.

"A third of gun cases get thrown out," he says. "Half of all felonies get thrown out. Not because Pookie or Lil' Johnny didn't do it, but because the DA's office wasn't ready."

Then he offers his solution: community-based prosecution, focused on his "three Ps" of prevention, protection and partnership.

"I might even keep her around if I win," Williams says of Abraham. "But we need more than a politician. We need a *prosecutor*."

From the moment Williams stepped into the district attorney's office, he has wanted Abraham's job. And he's perhaps the most serious challenger the "deadliest DA" has ever faced.



As an associate at Zarwin, Baum, DeVito, Kaplan, Schaefer and Toddy, PC, Seth Williams specializes in personal injury, slip and fall, wrongful death, auto accidents, nursing home abuse and neglect, and products liability.

His current caseload includes people injured by nightclub bouncers, bad piercings, flying fire truck ladders and teeth-shattering objects hiding in food.



"It's not the criminal justice people usually think of," says Williams. "We can't

compensate victims by putting a company in jail. We compensate them by getting some of their bills paid."

After more than 10 years as an assistant district attorney, Williams left the DA's office--partly out of frustration over being party to a system he thinks is broken, and partly out of obligation to his growing family.

Typically, an assistant district attorney commits to only three years in the DA's office, where 300 prosecutors handle some 70,000 cases a year. The burnout and low wages soon send many of the young lawyers into private practice.

Williams left the DA's office last year. At Zarwin Baum his caseload is thinner and his paycheck is fatter.

But he rarely gets to argue his cases in court. Most of his cases end in a settlement.

He misses the criminal justice system, the adrenaline rush of being in court, advocating for victims of violence.

"I like my job a lot," says Williams. "I like the people. I like the paycheck. But I miss the cause being greater than just that one victim. At the Criminal Justice Center I felt I was having an impact on the lives of the people in those neighborhoods."

Williams came to the DA's office in 1992 after graduating from Georgetown University. He started in the municipal court unit, which handles felony preliminary hearings and misdemeanor trials. He would arrive at one of the city's eight court districts at 8 in the morning and handle some 40 cases a day. Victims, defendants and cops funneled in and out of the courtroom.

After a few hours he'd head back to the DA's office to file paperwork and grab lunch. Then he'd prepare for the next day's cases, calling witnesses and subpoenaing cops till late in the evening. The cycle would begin again the next day.

After a year he moved to the juvenile court unit, where he prosecuted kids and adults charged with crimes against kids--primarily sexual assaults. He recalls working a case where a mother was charged with severely beating her 9-year-old son. Williams subpoenaed the mother's social worker, who testified that the mother hadn't fully complied with parenting classes and other DHS services.

Williams and the social worker, Sonita Crudup, kept in touch after the trial. He was drawn to her calmness and beauty; she, to his eternal optimism. No matter how disturbing the case, or how many weekends he worked, when asked how his day was, Williams would always say, "outstanding." The couple married three years later.

Williams left juvenile court and moved up through the ranks of the DA's office. He worked two years in the felony waiver unit, prosecuting stolen car cases, drug cases, burglaries and aggravated assaults. That was followed by two years in the major trials unit, where he dealt with shootings, kidnappings and gunpoint robberies.



"Seth was a great trial lawyer," remembers Joel Rosen, a former supervisor. "He had a good work ethic, good

instincts and that indefinable 'it' you have to have in front of jury."

Williams says his most memorable case revolved around the Saladino family.

In the summer of 1996 Christian Saladino and his friends got into a racially charged fight with another group of boys in their Northeast neighborhood. In the melee, 18-year-old Christian was hit in the base of his skull with a car Club, then beaten with a baseball bat as he lay on the ground.

In prosecuting the case, Williams talked with the Saladino family often, and visited an unconscious Christian in the hospital. When the defendants were convicted of aggravated assault, the Saladinos invited Williams to dinner to show their gratitude.

When Christian died a year and a half after the fight, Williams filed murder charges. The jury found the defendants not guilty.

Throughout the case, Williams worked with the community when tensions ran high and there was the threat of more violence.

He still visits Bernadette Saladino, Christian's mother, and she sometimes brings his favorite--Italian wedding soup--to his office. When she was recently hit by a car, she called Williams to handle her case.

For Williams, Northeast Philadelphia was unknown territory, populated by people of different races, ethnicities and backgrounds. The case renewed his faith that people can work together.

It's a lesson he learned early.

As a sixth-grader at predominantly white Friends' Central, Williams traveled from his native West Philadelphia to Denmark for a summer to promote world peace. In one particular class at Central High School, he was the only black student in a "room full of South Philly Italians," and made lifelong friends. As an undergrad at Penn State, he was president of the Black Caucus, where he organized protests and marches to convince the administration to address racial tensions on campus.

In 1987 he led a 102-mile march from University Park to Harrisburg to pressure Penn State to divest in apartheid-era South Africa. The following year he won a four-way race to become school president (the second African-American to do so in the university's 150-year history).

Once in office he successfully fought to make black and women's studies courses mandatory. During his activist years at Penn State, Williams got used to having news cameras and microphones thrust in his face and death threats slipped under his door.

After six years in the DA's office, Williams became assistant chief of the municipal court unit, where preliminary hearings and misdemeanor trials are held. He supervised some 30 ADAs, many fresh out of law school and juggling as many as 40 cases a day.

It was a unit where idealistic young law school grads would compete against seasoned defense attorneys to determine whether defendants would be held for

trial. Williams became known as a calm voice in a chaotic environment.

"He'd say, "We're all in this together,"" says a former ADA who worked with Williams in the unit, "and basically tell us not to think about the 40 cases we had, or that we had to come in on a Saturday. Instead, think about that one person you help and the greater good."

Remembering her days in the unit working with Williams, former ADA Jackie Burke lets out a heavy sigh.

"Being in court with a million cases, never knowing if your witnesses were going to show up, what they were going to say on the stand, wondering if you're going to plead out the wrong case," says Burke. "It was just too stressful."

Burke says a prosecutor in municipal court is hated by everyone--by the cops who want to go home, by the frustrated victim whose case has been continued or dismissed, by the defendant who swears he's innocent.

While in the municipal court unit, Williams was big on building morale and camaraderie among his staff, who often worked 14 and 15 hours a day. He'd give pep talks and host happy hours at Polly Esther's. On particularly bad days, when they all felt like hamsters on a wheel, Williams would pull out a stack of thank-you notes from victims and their families.

"He'd say, "This is why you do this job,"" Burke recalls.

Williams' biggest accomplishment came in August 2000 with the Repeat Offenders Unit. Williams created the unit and served as its chief for two and a half years. It was his last job in the DA's office.

In Philadelphia a relatively small number of criminals--roughly 5 percent--commit the majority of crimes. The unit's purpose was to close the revolving door.

Shortly after the unit was created, Williams reviewed a week's worth of cases and found that 20 percent of the defendants had multiple felony convictions, repeated arrests and/or parole violations.

Rather than focusing on specific crimes, the unit's prosecutors target known criminals--those habitual offenders who cycle in and out of the criminal justice system. The unit is an example of the community-based prosecution Williams wants to apply to all criminal cases if elected DA.

In the RO Unit, ADAs prosecute arrests and handle probation violations in their respective geographical areas, which correspond to the city's six police divisions. They work closely with police, but even more closely with neighbors.

"The greatest gift I got was from the victims of crime," Williams says about the unit. "You meet a lot of folks who say things like, "We're glad to see you here.""

Before Williams left the DA's office for private practice, the RO Unit had put about 200 longtime offenders behind bars, including one South Philadelphia man arrested 57 times for shoplifting, burglary and robbery.

Now he wants to return to the DA's office as the top prosecutor.

To become the city's next district attorney, Seth Williams needs three things: a power broker, cash and a rallying cry.

Abraham, 62, outguns him in experience, money and popularity. She's worked in the criminal justice system for more than 30 years, about half of them as the city's DA. Historically, her approval ratings have rocketed as high as 80 percent.

Then there's her hard-bitten persona. Abraham radiates a you-don't-want-to-piss-me-off attitude that's both respected and feared. As district attorney, she takes a famously tough stance on crime, and is known for her zealous use of the death penalty.

In a 1995 interview in *The New York Times*, Abraham said: "I don't care how many millions it costs ... Please don't tell me about cost when talking about the rights of the victim ... Whatever it costs it's worth it."

(Williams supports the death penalty, but says: "It should be the exception, not the rule.")

In a city where high rates of violent crime loom like a thunderhead, Abraham's unwavering hard line has brought her popularity and political power. In her last election, which split along racial lines, she had the crucial support of Mayor Street and Gov. Rendell.

But next year's election could be different. Party support could splinter with so many city politicians expected to make a bid to become the next mayor.

Williams can't survive without the support of a powerbroker like Mayor Street, Congressman Chaka Fattah, City Councilman Michael Nutter or Democratic Party leader Bob Brady to energize key wards--especially in an off-year election when voter turnout is traditionally dismal. Without that support, Williams faces a tough uphill climb to the DA's office.

"It's pretty hard to defeat an incumbent who has solid support," says political analyst Terry Madonna. "But if some of the politicos fall away and support him instead of Abraham, then you have a contest of another kind."

With support comes money, and with money come filers, mailers, radio spots and television ads to spread a campaign's message.

In the last election in 2001 Abraham had more than \$1 million in her campaign coffers. Her Democratic challenger, Alex Talmadge, had only \$43,000--and that was with both Fattah's endorsement and union support.

Talmadge, an African-American, hoped to capitalize on a longstanding mistrust of the criminal justice system. He accused Abraham of meting out two standards of justice: one for whites and one for everyone else. He compared Abraham to Bull Connor, the notorious Southern sheriff who used water hoses, dogs and billy clubs to attack blacks during the civil rights movement.



He blasted Abraham for opposing the appointment of Common Pleas Court Judge Frederica Massiah-Jackson, who would have been the first black woman on the federal bench in Philadelphia. And he

reminded voters that Philadelphia had never elected a black district attorney. Talmadge, soft-spoken and well liked across racial lines, garnered 41 percent of the vote.

While Talmadge's rallying cry was that Abraham was at war with the black community, Williams says he won't "throw more gasoline" on the city by making race a campaign issue.

Instead he'll campaign on his prosecutorial experience, which Talmadge didn't have, and peddle his youth and charisma as hope for the future. But he'll also need a compelling argument to convince voters to dump Abraham. And he says he has one: The city's criminal justice system is broken.

In Courtroom 405 of the Criminal Justice Center, a young ADA, blond and smartly dressed, is weighed down by stacks of large manila folders that she likely received the day before.

She's assigned to this courtroom, where mostly felony preliminary hearings and misdemeanor trials are held.

Benches are filled with victims, defendants and police officers awaiting their turn to testify. But on this particular morning, case after case is being dismissed or continued because "the commonwealth is not ready."

Williams says as a result of an outdated system, too many cases are thrown out of court.

As DA, Williams says he'd hire more experienced attorneys--people who have "ridden the EI" and "know that Broad Street runs north and south and Market Street runs east and west."

He'd also transform the criminal justice system through community-based prosecution.

Under community-based prosecution, already used in cities like Atlanta and Chicago, ADAs are assigned geographically, by neighborhood or police district, and prosecute cases as a team. They also work directly with residents, community groups and police to address specific quality-of-life issues.

"With community-based prosecution, people see improvement in the quality of life in the neighborhood," says Delores Ward, senior attorney at the National District Attorneys Association. "You empower the community to solve its problems."

Abraham uses a similar method with the city's drug treatment court and public nuisance taskforce. She also wants to create a gun court, which would give priority to crimes committed with guns, and establish "zone courts," where judges, much like police officers, would have their own beats.

But if he becomes DA, Williams would use community-based prosecution to handle all of the city's 70,000 annual criminal cases.

He says the strategy could be implemented within the DA office's \$30 million budget by reallocating resources. But DA spokesperson Cathie Abookire counters that his plan would be a "financial disaster."

One early Williams supporter, City Councilman Wilson Goode Jr., believes community-based prosecution has merit.

"We have to take a different approach to the way we handle crime in this city," says Goode. "We don't want to pit resident against resident. We need to look at the underlying factors in trying to prevent crime, and in turn keep this city safe."

Williams' plan is based on the criminology theory of "broken windows." It begins with a house on a block with a broken window. Soon someone tags it with graffiti. Then someone decorates it with trash. Before long, like a raging cancer, the entire community is littered with blight and crime.

The people who can escape do--usually to the suburbs. Those who remain struggle to survive. Williams says that with his plan, prosecutors would have an ear to the street. They would work with neighbors to fix broken windows before crime erupts.

Williams also predicts ADAs would become better prosecutors under his plan. By spending time and becoming invested in the community, ADAs would be better able to evaluate cases. They could lighten their loads through efficiency.

For Williams, this plan represents the future--especially, he says, in a parochial city like Philadelphia.

"Everybody has great pride through their neighborhood, their section of the world," says Williams. "Wherever you're from, people take a lot of pride in their neighborhood. We can harness that energy to make neighborhoods better."

On a recent sunny November morning Seth Williams is sitting in his Center City office.

Before he starts his workday, he takes a moment to check out his campaign website. It mentions nothing about his career in the DA's office. Nothing about community-based prosecution, or his three Ps--prevention, protection and partnership.

The homepage reads: "More Information Coming Soon ... "

Williams, described by colleagues and friends as a "born leader," is eager to get his message out. But he knows it won't be easy.

It's early in the race, and most of his supporters at this stage prefer to go unnamed.

He's heard the knocks on him: He's too young, or his "feng shui" approach to crime is naive. And then there's the poisonous "soft on crime" label.

Williams hopes his response will become a campaign slogan: *smart* on crime, not just tough.

But despite his uphill battle, Williams is confident that his experience as a veteran prosecutor and his aim to improve the criminal justice system will make him a serious contender.

Running for district attorney is by far the biggest case Williams has tried to date. If he loses, he has to lose with style.

If he wins, his political career begins.

Asked about the first thing he'd do as DA, Williams says: "I would let the people in the neighborhoods know the district attorney's office is going to be in partnership with them to make their neighborhoods safer.


"I know that I can do a better job. You know, it's time for us to move on to the future. We need to use new methods, *different* methods than the ones that have been used for the last 50 years in prosecuting cases in Philadelphia. It's time for a change."

And with that, Williams clicks off his website and prepares for his next case.

Kia Gregory (kgregory@philadelphiaweekly.com) last wrote about a DA's office crime-deterrent program for at-risk youth.

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