

# The Miami Herald

Thursday, April 30, 2009

## Longtime prosecutor Abe Laeser retires from Miami-Dade State Attorney's Office

BY SUSANNAH A. NESMITH  
snesmith@herald.com

MIAMI—Abraham Laeser didn't really want to be a prosecutor. He signed on with the Miami-Dade state attorney's office after law school for the experience. His career ambition was to go into private practice, where he could make some real money.

But the cause of justice seized his heart and the goal of making lots of money ebbed away. He threw himself into the job, becoming a fearsome courtroom presence. The work became personal and got wrapped up in his Jewish faith and his family's experience during the Holocaust.

His retirement officially begins Friday, after 36 years, but all Laeser wants to do is continue "getting the bad guys away from the rest of us."

"This is who I am," he said.

Laeser is credited with sending more men to Death Row than any other prosecutor in the state. He also supervised or handled every homicide case for a decade, beginning in the 1980s, a tumultuous time in Miami's history that included major street riots in Overtown and Liberty City, the infamous cocaine-cowboy drug battles and the Mariel boatlift.

He is hard-driving, sometimes abrasive and even arrogant, but veterans of Miami's Justice Building say Miami is losing its best prosecutor.

Laeser, 62, signed up for an early retirement package, believing he would be able to come back to the State Attorney's Office after a mandatory

waiting period. Others have done that, but a tight budget makes it impossible now.

"I am now three and a half new lawyers," he said. "I'm just a dollar sign."

George Yoss, a prominent Miami attorney and once Laeser's supervisor, retorts: "There aren't three and a half lawyers that they're going to hire in that office that can carry his briefcase."

And then he repeated a sentiment oft expressed by local defense attorneys, prosecutors, judges and cops -- the people who know the criminal justice system best.

"If I was a victim on a case, I'd want Abe to handle it."

Laeser personally prosecuted scores of cases and his trial skills became legendary in the Justice Building.

"When he walks in -- I don't care who the judge is -- he takes control of the courtroom," Assistant State Attorney Penny Brill said. "There are some attorneys who can do that, very few."

While prosecuting some of Miami's worst criminals, Laeser also trained a legion of young attorneys. Among them are senior prosecutors like Brill, Gail Levine, Abbe Rifkin and Laura Adams and former prosecutors who went on to face him as defense attorneys, including Jeffrey Fink, Jose Quiñon, David S. Marcus, Sam Rabin, Richard Sharpstein and Gary Rosenberg.

Sharpstein said he still has nightmares about being summoned to Laeser's office, "usually, when I'm feeling guilty about something."

TALL, INTIMIDATING

Laeser, at nearly 6-foot-2, with a deep baritone and a scowl that makes him seem humorless, is naturally intimidating. While many of Miami's veteran attorneys joke about their days being whipped into shape by Laeser, young prosecutors complained they could have used his guidance but were too scared to approach him.

He, only half-jokingly, blames it on the scowl.

"When they see it in the hallway when I'm deep in thought, they think I'm the troll under the 12th Street bridge," he said.

The truth is, Laeser can be withering when he wants to be, but friends say it comes from an admirable place.

"Abe has, without question, a caustic and sarcastic side because he does not suffer fools gladly," Fink said. "He believes in doing only the right thing."

In addition to high-profile murder cases, Laeser has taken several politically charged cases that other prosecutors might have shied away from, because he believed it was the right thing to do. One of the hardest: a manslaughter case against a police officer.

Overtown rioted for two days in 1982 after Miami Police Officer Luis Alvarez killed Nevell Johnson Jr. in a video arcade. Defending Alvarez was none other than Roy Black, who went on to become a nationally known defense attorney and represented William Kennedy Smith and Rush Limbaugh, among others.

"It was just a knock-down, drag-out fight every day, over every witness,

over every piece of evidence,” said Black. “I’ll be happy not to face him again in the courtroom but I think it’s a sad day for the State Attorney’s Office to lose his experience and judgment.”

#### FORBIDABLE

Laeser’s relentless work in that trial had a lot to do with why Overtown didn’t riot again when he lost the case, civil rights activist and defense attorney H.T. Smith said.

Smith, who has known Laeser since they were in law school together at the University of Miami, said no one felt Laeser had done anything less than his best. And Laeser’s best is formidable, Smith said.

“Abe is like the Green Bay Packers,” he said. “They have the same formation every time. You know what they’re going to do, you just can’t stop them. That’s Abe Laeser.”

In 1990, Laeser made what he calls “a 15-second mistake” that changed the course of his career. That year, in the middle of the long and grueling trial of cop killer Charlie Street, a jury consultant for the Public Defender’s Office said he unzipped his fly in front of her after court. Laeser says he didn’t realize she was sitting nearby when he made a gesture he meant as a joke to a male defense attorney -- a bit of locker room humor that cost him dearly. The Florida Bar cleared him of any wrongdoing, but then State Attorney Janet Reno demoted him from chief assistant.

“I was at the pinnacle of my career. I was in on the policy decisions and I got to try a few cases every year,” he said. “Very few of us get to the perfect job and then figure out a way to kick it away.”

Still, Laeser continued prosecuting death penalty cases for the next 19 years.

His final trial: the case of the so-called Orlando Boys, five young men who kidnapped a high school couple from South Beach. The men, all from the Orlando area, robbed and gang-raped the girl before killing her. They

left the boy for dead by the side of the road but he survived to testify against the men. Laeser sent two of the five to Death Row. One was a juvenile at the time of the murder and not eligible for the death penalty. Two others are still awaiting trial.

#### A PARADOX

Prosecuting capital cases may seem paradoxical for a liberal Miami Beach Jew and a card-carrying member of the ACLU who proudly dodged the draft during Vietnam.

But to Laeser it makes sense. Early on in his career, he became enamored with the fight for justice for the people most horribly victimized.

“It’s the highest profile aspect of justice,” he said. “And it’s important that the community feels like the world works the right way.”

His passionate pursuit of capital cases is rooted in his family’s experience during the Holocaust. Laeser lost nine uncles and aunts to the Nazis. Laeser’s father also lost his first family, a wife and twin daughters.

“I lost too many relatives who didn’t have an advocate sitting at their sides,” he said. “I still wonder if feelings about what happened to my family play into my wanting to do a just thing.”

His father, Henyk Laeser, spent most of the war in the Auschwitz concentration camp, escaping the gas chambers because he was a mechanic and useful to the Nazis. Laeser’s mother, Ester, spent the end of the war in the Bergen-Belsen concentration camp. The two met after the war in a displaced persons camp, where Laeser was born in 1947.

Laeser’s family left Germany and moved to the United States in 1950, later settling in Miami Beach, where Laeser graduated from high school in 1964.

“He was kind of a nerd. He ran track, distances, he wasn’t a sprinter,” said Assistant State Attorney Michael Von Zamft, who was a year behind Laeser at Beach High.

After high school, Laeser spent 13 semesters going to a variety of colleges, “just to avoid Vietnam,” he said. “Just to avoid going and having people shoot at me and having to shoot at them for no good reason I could think of.”

When the draft deferment for college students was eliminated, Laeser went ahead and graduated. His final alma mater: Christian Brothers College in Memphis.

After college, he continued to dodge combat, enlisting in an Army Reserve unit. When Vietnam ended, he went to law school, then joined the Miami-Dade State Attorney’s Office.

#### PHILOSOPHICAL

Looking back over the past 36 years, Laeser is philosophical about justice, and the death penalty.

“I can’t say [the death penalty] is fair everywhere. I can say it has its place,” he said.

For the type of person Laeser has prosecuted, he sees no other alternative: “He’s inexorably broken. He’s killed many people,” he said. “He’s forfeited whatever we think are his God-given rights.”

Though many prosecutors go on to do criminal defense work, Laeser said he can’t see it, at least not in his field of expertise, capital cases. He said he wouldn’t be able to devote the “moral energy” to defending the worst criminals.

So now Laeser is looking for a job teaching, or maybe prosecuting on the federal level. Sitting in his office on one of his last days at work, Laeser had trouble imagining himself anywhere else.

“I feel a responsibility to be here, here for everything justice represents,” he said. “I’m here for the victims who can speak for themselves. I’m here for the victims who unfortunately can’t speak for themselves. But I’m also here for the bigger concept of trying to do what is just.”

“I will miss it terribly.”