

1 THE COURT: Ladies and gentlemen, thank
2 you so much for your participation in this very
3 difficult case.

4 Your involvement, obviously we couldn't
5 bring this to a close without you. So from
6 everyone involved, my deepest gratitude.

7 I would like to talk to you before you
8 leave, but your service is concluded and you don't
9 have to stay.

10 But give me a minute, when you get back
11 in the room, and I'm actually going to have you
12 stay for a moment while I deliver my remarks.

13 I wish on this day that this courtroom
14 were packed with people. It's not. Nobody's here.
15 Nobody's listening. And I'm not trying to insight
16 anyone in the community nor am I trying to insight
17 the Allentown Police Department but I have some
18 things to say.

19 I will try to be brief and tempered in
20 my remarks. I am not an Ivory Tower judge. I did
21 my time from all areas of this courtroom. I worked
22 with some of the finest men and woman that law
23 enforcement had to offer.

24 I spent a decade out at night with
25 police in the D.A.'s office on raids, on search

1 warrants, on investigations, conducting interviews
2 at murder scenes. I thought I had seen it all.

3 I was very proud of my years of service.
4 I tried to provide to my community. I do protect
5 and serve.

6 But then you come in here with this case
7 and proudly display to this community how you talk
8 to people. There were at least nine Allentown
9 Police Officers there that night.

10 That is likely 90 percent of the
11 evening's platoon. That is a lot for a 200 man
12 department.

13 You came into that scene like angry,
14 hostile bullies from your first contact with those
15 citizens, and especially Officer Battoni.

16 For not the first time in recent history
17 I became ashamed. I was embarrassed. I was
18 ashamed of the officers and their conduct and their
19 words and actions and I was ashamed of the office I
20 spent 17 years in that they would bring this
21 prosecution.

22 Now there's going to be people, it's
23 already happened, who come and say, "Oh, Judge
24 Dantos. Those law enforcement officers were right
25 in what they did. What was he doing coming out of

1 his house? What was he doing lipping off? You
2 know "those people", as the officers said, are your
3 community.

4 They called the police because there was
5 a man with a gun in their neighborhood who was, by
6 the way, not because the Commonwealth brought it
7 out, later found, a man with a gun. Had nothing to
8 do with these people.

9 Do you know how hard it is for members
10 of that community to call the police? What
11 happened to protect and serve? Isn't that still on
12 the cards? You come into that community because
13 they had the courage to call you and ask you for
14 help.

15 And by Officer Lebron's own testimony,
16 to everybody who wants to back the police in this
17 case, his own testimony "no crime was committed
18 when he shoved the defendant down on the ground".
19 That is a fact. That is this case.

20 I have seen murder cases, shootings,
21 robberies, burglaries, pled to all manner of
22 offers. In this case nothing? You chose to,
23 instead, put on display police officers calling
24 people pussies, bitches, threatening to shoot a
25 dog, forming your disgusting blue line of four

1 officers who turned their backs and said they saw
2 nothing.

3 You perjured yourselves. You escalated
4 a situation without cause. Cops smirking on the
5 stand at this jury, laughing at the defense
6 attorney, high-fiving in the hallway after
7 testimony as if there were something, anything, to
8 be proud of here.

9 You, Officer Lebron, shoved Mr. Perez
10 because you were mad, period. And then you got up
11 on the stand and told that jury that you were just
12 trying to make some space. That is not what
13 happened.

14 And this prosecution, excuse me, ladies
15 and gentlemen, but is no different than coming in
16 here and saying to a jury, ladies and gentlemen,
17 "who do you believe? Me, the good guys? Or your
18 lying eyes?"

19 It's all on video and yet they come in
20 here and tell you something that is not
21 substantiated by that video. So for everyone in
22 the community who has only seen the Morning Call
23 video, I invite you to look at the evidence that
24 this jury saw from the body cams of these very
25 officers who proudly got up here and prosecuted

1 this case against this man. It's a vicious cycle.

2 I've seen men and woman exhibit great
3 professionalism in encountering situations where
4 they were spit on by the community, hit on by
5 members of the community.

6 Perhaps with police community tension so
7 high now if you showed even a small human level of
8 respect to this community we wouldn't even be here.

9 Nine officers, most of the night shift,
10 pulling cars from other areas of the city because
11 you lost it. That's what happened. You lost it.
12 Over nothing. Because someone was talking to you
13 in a manner you didn't like? No crime. You serve
14 them.

15 Choices were made. I warned the
16 Commonwealth and yet you displayed this conduct for
17 the world to see. It's shameful. I'd really like
18 to be a healer. I would really like to unit this
19 community between law enforcement and the citizens.
20 But the blame for this lays with you and it is for
21 you to fix.

22 I am grateful for this jury. I am
23 grateful for the opportunity of calling this out
24 for what it is. You're excused.

25 Mr. Perez, please stand. My common

1 response to people who resist arrest is, "When the
2 police show up and they tell you to leave, leave.
3 When the police show up and they tell you to stop
4 talking, stop talking."

5 However, the law allows for what you did
6 that night. It was, in my humble opinion, an
7 unlawfully excessive use of force just as
8 justification allows you to then defend yourself.
9 You are released.

10 Please wait for me in the jury room. We
11 are adjourned.

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