



New York “Soccer Mom Madam” challenges \$2 million bail

Reporting by Joseph Ax; editing by M.D. Golan

The lawyer for accused Manhattan madam Anna Gristina asked a state appeals court on Thursday to reduce her \$2 million bond, arguing that her clean criminal record and a single felony count do not justify such a massive bail amount.

If the seemingly sympathetic reaction from a five-judge panel was any indication, Gristina could finally be released from Rikers Island jail, where she has been held since February while her family has tried to raise funds. Several previous efforts by her lawyers to lower her bail have been unsuccessful.

Gristina, dubbed the "Soccer Mom Madam" in tabloids, has been accused of operating a multimillion-dollar brothel out of a Manhattan apartment for years. Prosecutors say she poses an extreme flight risk, based on an alleged hidden fortune and evidence that she fled to Canada once before when she believed she was the target of an investigation.

But her lawyer, Norman Pattis told the Appellate Division, First Department, that Manhattan Supreme Court Justice Juan Merchan had given prosecutors' accusations far too much credence. Gristina, he said, is "financially insolvent."

"We have to accept the

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prosecution's representations," he said. "But aren't mine deserving of equal weight?"

Justice James Catterson, one of the panelists, grilled Assistant District Attorney Charles Linehan on why Gristina's offer to wear a monitoring device had not been enough, as it was for former International Monetary Fund chief

Dominique Strauss-Kahn when he faced sex assault charges last year.

"The ankle bracelet was okay for the French guy -- and Martha Stewart -- but not for this defendant?" he said.

Justice Sallie Manzanet-Daniels asked if the district attorney's office had seen a rash of defendants wearing electronic monitoring devices who fled the country.

"Do we have a major problem with these ankle bracelets so that the surrender of a passport, bail and an ankle bracelet so she can be at home with her 9-year-old are not sufficient?" she said.

Linehan argued that Gristina's flight risk was "not theoretical," since prosecutors say she admitted on wiretaps that she went to Canada years ago to avoid an arrest that never came.

But Catterson said he was "appalled" by the argument that flight risk alone can justify a huge bail package. By that rationale, he said, Gristina could be held on a \$2 million bond for jaywalking, as long as prosecutors believed she might flee.

Gristina has been charged with promoting prostitution. Her alleged co-conspirator, Jaynie Mae Baker, has been charged with the same

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crime and is currently free on \$100,000 bail despite having traveled to Mexico just as she was indicted - another point the panel made during the hearing. Baker's lawyer has said the trip was part of a scheduled vacation.

A ruling on Gristina's bail could come as soon as next week, and Pattis warned that appeals courts can often seem skeptical of one side during arguments, only to rule in the opposite direction.

In the meantime, Gristina will be back in Manhattan Supreme Court Monday before Merchan to marshal a different argument against her bail - in a court filing last week, Pattis said her son has developed a heart murmur that may be linked to her long absence and argued that she should be sent home.

In their response, prosecutors said Pattis had mischaracterized the son's condition, which is very common among children and poses no health risk. ■