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# Judge Picks Monitor to Oversee Minority Hiring by the Fire Department

By MOSI SECRET

Five weeks after issuing a ruling that called the New York Fire Department a “stubborn bastion of white male privilege” based on its unsuccessful efforts at racial integration, a judge on Wednesday named a monitor to oversee the department’s minority recruitment and hiring.

The monitor, Mark S. Cohen, a lawyer who is a former federal prosecutor, was appointed by Judge Nicholas G. Garaufis of Federal District Court in Brooklyn.

The appointment followed four years of litigation in which the city and the Fire Department stood accused by the Justice Department and, later, the Vulcan Society, a fraternal organization of black firefighters, of allowing the department to remain almost 97 percent white for decades, despite the fact that the city’s population is about 25 percent black.

Over the last several weeks, Judge Garaufis interviewed 12 candidates for the position, according to the court order, including candidates proposed by the litigants, who were not able to agree on a candidate, but did not object to Mr. Cohen’s appointment.

“As the court noted, the city had no objection to Mr. Cohen’s candidacy for appointment,” said Georgia Pestana, a lawyer in the city’s Law Department, in a written statement. “However, the city does not agree that any monitor is warranted” and plans to appeal that determination.

Darius Charney, a lawyer at the Center for Constitutional Rights, which represents the Vulcan Society, expressed hope that the city would cooperate. “We are happy to see that the city agrees with this pick,” he said. “We hope that means they are going to cooperate with Mr. Cohen and work well with him, because that’s the goal.”

Mr. Cohen was a prosecutor in the criminal division of the United States attorney’s office in Brooklyn from 1990 to 1995. He was one of three prosecutors who helped convict a Bonanno family hit man, [Thomas Pitera](#), known as Tommy Karate, in a high-profile murder trial.

Mr. Cohen is now a partner in the firm Cohen & Gresser, which he helped found in 2002.