

## 'Road rage' pol tabbed to be judge

By FREDRIC U. DICKER in Albany & JEN VITALE in N.Y.

ALBANY — A Republican state senator accused of "road rage" was nominated by Gov. Pataki yesterday to be a judge on the state Court of Claims.

Pataki said Sen. James Lack of Nassau County had been found by his screening panel to have the "temperament, character and experience" to be a judge.

Lack, the longtime chairman of the Senate Judiciary Committee, was accused in June 2001 of angrily berating a woman, Lore von Hoffen, after a minor traffic incident.

She told The Post last night she had blown her horn when he failed to pass a school bus whose warning lights were not blinking.

He let her pass, then "turned his car toward me and tried to force me into oncoming traffic," she said.

Then, she said, he followed her home and "ran under my garage door flashing his Senate badge and screaming, 'Do you know who I am?'"

"He abused his authority and power to intimidate me," said von Hoffen, 40, a physician's assistant who has two kids.

"I can't believe Pataki is overlooking this. This man clearly has a problem controlling his anger, and he shouldn't be allowed to serve as a judge."

While von Hoffen notified police at the time, she did not file a complaint. Lack later sent his assistant to deliver a formal apology.

Pataki said Lack was "uniquely qualified to serve on our Court of Claims," calling him "a highly gifted and dedicated legislator."

Pataki spokesman Michael McKeon said the governor nominated Lack despite the road-rage allegation because "when you look at the totality of his record, he's clearly qualified."