

STATEMENT OF POLICE COMMISSIONER RAYMOND W. KELLY

**BEFORE THE NEW YORK CITY COUNCIL
COMMITTEES ON FINANCE AND PUBLIC SAFETY
MAY 23, 2013**

Good morning and thank you for this opportunity to discuss the Mayor's Executive Budget for Fiscal Year 2014. Since I last testified in March, overall crime has continued to fall by 3% this year and by more than 35% since 2001. After a year in which New York saw the fewest homicides since 1960, murders are down by 28% in 2013. Shootings are down by 25% and shooting victims are down by 27% compared to the same point last year.

Much of the reduction in crime this year can be attributed to Operation Crew Cut, which we began last October. As you may recall, we've been concentrating on the loosely affiliated gangs, or crews, that are responsible for 30% of shootings in New York City. As part of this effort, we've expanded the size of our Gang Division. We're also monitoring social media sites for signs of retaliatory shootings and reaching out to young crew members and their families to keep them from getting involved in a life of crime. Our precinct youth officers are making home visits, meeting with parents, and providing them with information about after-school programs, job training and other social services.

So far, Operation Crew Cut has been very successful. And combined with other proactive strategies like Operation Impact, it has helped us to build on the gains we've made in reducing violent crime and getting dangerous weapons off the street. As highlighted in a report released by the National Center for Disease Control last month, New York has the lowest ratio of teenagers carrying guns in the entire country. A separate report from the City Department of Health showed that the current overall firearm fatality rate for New York City is less than half the U.S. rate. During the past decade, firearms-related deaths in New York fell by 32% while nationally they remained flat.

We're using every means at our disposal to make New York even safer, including the distribution of new smartphones to 400 officers on patrol. They link directly to our Real Time Crime Center. With the help of these phones, our officers can obtain instantaneous information about a potential suspect's criminal history. They can verify an individual's identification through access to arrest files, police photographs and state DMV databases. The phones are especially helpful in domestic disputes. They enable officers at the scene to know if police have previously been called to the residence, provide them with the details of those incidents, and let them know whether or not there are any active warrants or orders of protection. As part of our pilot project, we're evaluating how well the devices deliver information before expanding their use on patrol.

In March I discussed the substantial impact of the theft of personal electronic devices, and especially Apple products, on the City's crime rate. To give you some idea, this year 40% of all grand larcenies from a person involve Apple devices. That's up from 37% last year. Meanwhile, 27% of all robberies involve Apple products, up from 23% last year. I've testified previously before the Council about the strategies we've put in place to combat this

trend. These include assigning additional officers in the transit system; conducting decoy operations; enlisting cell phone carriers to permanently disable a phone once it's been stolen and implementing a widespread campaign with the public to register phones. In addition, we've entered into discussions with Apple on ways to improve the subpoena process and our ability to track stolen phones with the help of the company's data. While the measures I've described have been helpful, the ever-increasing supply of these products on the market will pose a constant challenge.

In addition to maintaining our focus on conventional crime, we're also addressing the health and safety threats posed by prescription drug abuse. Between 2004 and 2010, the rate of New York City emergency room visits related to pain-killers nearly tripled. The unintentional death rate also rose significantly. Last week, it was reported that Staten Island, which is one of the focal points of our efforts, saw a 261% spike in prescription opioid overdoses from 2005 to 2011.

This wider trend was the subject of a recent panel discussion I took part in at New York University with President Bill Clinton, who is playing a leading role in this issue. At that event, I presented the Police Department's core strategies to combat prescription drug abuse, which I outlined in detail before the City Council last March. In brief, we've enhanced training for our police officers, created a special task force with the Drug Enforcement Administration, and established a database of area pharmacies so that we can share best security practices with them. We've also distributed "bait bottles" to pharmacies containing placebo Oxycodone pills and GPS tracking devices to track thefts and identify stash locations. Finally, we've launched a comprehensive program of outreach to high school and college students to raise awareness among young people.

Let me also say a word about hate crimes and in particular, the recent series of bias-motivated assaults against members of the Lesbian, Gay, Bisexual and Transgender community, primarily in Manhattan. The NYPD is bringing the full resources of our Hate Crime Task Force to bear in investigating these cases. We're collaborating closely with the City's five District Attorneys' Offices to ensure that when an arrest is made in any crime of this nature, the perpetrators are charged with a hate crime. In addition, the Police Department's three LGBT liaisons – two from our Community Affairs Bureau and one from my office—have been visiting with victims, precincts, elected officials, community leaders and LGBT groups to gather as much information as possible and raise awareness in an effort to prevent similar crimes from occurring. Later today, I'll be meeting with members of the Police Department's LGBT Advisory Council to discuss additional steps we can take to heighten awareness and protect the public.

The Police Department is equally committed to protecting the citizens who travel on our roadways, and to the proper investigation of traffic accidents. Here, too, we've made significant progress. In the last ten years, traffic accidents are down by 14%. Traffic-related injuries are down by 33% and traffic-related fatalities are down by 29%. Recently we expanded the role of our Accident Investigation Squad. In the past, officers from AIS responded only to cases in which a victim was killed or seriously injured and likely to die. We're now expanding these criteria to include victims who suffer a "critical injury," as

determined by on scene EMS personnel. These include individuals receiving CPR, in respiratory arrest, or requiring life sustaining support. In addition, when the extent of injuries or unique circumstances of a collision warrant such action, the duty captain may also determine that an investigation is necessary. We've also made significant changes to the Accident Investigation Squad itself, renaming it the Collision Investigation Squad and assigning additional personnel to the unit. They've been provided with new, specialized equipment and enhanced collision investigation training.

We also continue to do everything in our power to deter another terrorist attack. In the wake of the bombings at the Boston Marathon last month, the Police Department took a number of steps to protect New York City. And for good reason, as we subsequently learned the Tsarnayev brothers planned to drive to New York and detonate their six remaining bombs in Times Square. Immediately after the explosions in Boston, we conducted perimeter searches of hotels and increased security around landmarks and subway stations here. We also assigned a lieutenant and two sergeants to the Boston Regional Intelligence Center to gather information. It helped that we already had a longstanding relationship with the Boston Police Department, which is part of our Operation Sentry program. Through this initiative, we share training and information with more than 140 law enforcement agencies throughout the Northeast, Mid-Atlantic and other parts of the United States.

We also dispatched a lieutenant from our Intelligence Division to Youngstown, Ohio to meet with executives from Phantom Fireworks. This is the company that unwittingly sold the fireworks to both the Tsarnayev brothers and Faisal Shahzad, who attempted to detonate a car bomb in Times Square in 2009. We want Phantom to spread the word to its employees at 1,200 locations nationwide that their products could be exploited by individuals seeking to build explosive devices. We're asking them to deny or flag suspicious purchases and to alert us if they believe there are possible links to terrorism. Ideally, through strong partnerships, good intelligence and expert analysis, we'll identify threats in their earliest stages.

New York presents no shortage of high value targets for terrorism. So we have to focus our efforts on those areas the terrorists are most likely to hit. Certainly, the World Trade Center site tops that list. Contrary to what some of its critics have said, the World Trade Center Campus Security Plan designed by the Police Department does not isolate the area from the Lower Manhattan community. Pedestrians and bicyclists will be able to enter the site and travel its streets and sidewalks freely. Taxis, cars and tour buses having business at the site will have access after screening to guard against the threat of a vehicle bomb. Delivery trucks will be diverted for separate screening. This is a reasonable precaution to take after the 1993 truck bombing of World Trade Center claimed six lives and caused an additional thousand casualties.

The destruction of the Twin Towers on 9/11, the truck bombing, the requisite protection of the Memorial to the nearly 3,000 dead, and the fact the New York City has continued to be the target of multiple terrorist plots over the last decade were all important considerations in striking the balance between safety and access that we believe has been achieved with this plan.

Technology also has a big role to play in our counterterrorism efforts and, especially, our network of cameras to protect Lower and Midtown Manhattan. By the end of the summer we expect to have 5,000 cameras operated by the private sector and the NYPD tied into our Lower Manhattan Security Coordination Center. Thanks to the City Council, we're also in the process of adding hundreds of new surveillance cameras to our Argus network of anti-crime cameras throughout the City. We've determined the appropriate locations for the cameras and will be forwarding that list shortly to the Council. Locations were selected based on an analytical review of crime data, counterterrorism risk assessments, and to the degree possible, recommendations from Council Members. Now we're awaiting approval from the City Comptroller's office. We'll do everything we can to install the new cameras as quickly as possible as soon as this is received. If all goes according to plan, we'll beginning installation within a month of the Comptroller's approval. We expect all of the cameras to be installed within a year from that time.

I also want to note that this summer, to better understand how a biological, chemical or radiological attack could impact New York City, we're teaming up with the U.S. Department of Energy for the largest urban airflow study ever to be conducted. We'll install monitoring equipment on subway platforms and lamp posts and deploy a harmless gas in the subway system and onto the streets. Researchers from Brookhaven National Laboratory will then collect air samples to track its movement and concentration. The Police Department will use this data to optimize our emergency response in the event of either an intentional or accidental release of hazardous materials.

The success of our public safety mission depends most of all on developing strong community partnerships. We have an entire Community Affairs Bureau devoted to this function. It conducts extensive outreach to New York City's diverse communities and oversees a range of programs for young people. In addition to collaborating with the public through 76 Precinct Community Councils, we have broad-based partnership with members of the clergy throughout the City. We also created a special Strategies and Tactics Advisory Committee. The Committee is made up of prominent New Yorkers and community leaders including the Reverend Calvin Butts, the Reverend Herbert Daughtry, Geoffrey Canada and Arva Rice. We conduct quarterly meetings at Police Headquarters on a variety of issues, everything from gang violence to reasonable suspicion encounters, gun trafficking and drug-related crime. Our discussions have been wide-ranging and constructive. We'll continue to consult with the Committee on a regular basis moving forward.

We also meet quarterly with a Muslim Advisory Council that provides guidance to the Police Department on all aspects of our public safety mission. Its members are also prominent spiritual and community leaders and include Daisy Khan, Executive Director of the American Society for Muslim Advancement; Imam Tahir Kukiqi, leader of the Albanian Islamic Cultural Center on Staten Island; and Moustafa El-shiekh, founder and president of Ameripeace, which provides social services to the Arab-Muslim community in Queens. With the help of these and other individuals, we intend to build on the foundation of trust we've worked so hard to establish with the City's Muslim community over the last eleven years.

Turning to the Mayor's Executive Budget for Fiscal Year 2014, the Department continues to apply for and obtain federal assistance to protect members of the public and vital assets, including the Financial District, the transit system, bridges, tunnels, and ports.

Federal Fiscal Year 2003 through 2012 awards amount to \$3.5 billion in counterterrorism grant funding allocated to New York State. Approximately \$1.95 billion, or 56%, of this amount was allocated to New York City. Of that amount, \$1.15 billion, or nearly 59% of the funds received by the City, was allocated to the NYPD.

As I discussed at the Preliminary Budget Hearing this past March, the Federal Fiscal Year 2012 Department of Homeland Security preparedness grants, which total \$1.4 billion nationally, were reduced by nearly \$1 billion, as compared to the Federal Fiscal Year 2011 appropriation. This resulted in a net decrease in funding of the five major grants that support the Department's ongoing counterterrorism programs: the Urban Areas Security Initiative, the State Homeland Security Program, Law Enforcement Terrorism Prevention Grant, the Transit Security Grant Program, and the Port Security Grant Program.

Compared to 2011, the total funding for Federal Fiscal Year 2012 under these programs was decreased by \$655 million, or 40%, nationwide; by \$87 million, or 25%, for New York State; by \$24.6 million, or 13%, for New York City; and by \$19.1 million, or 16%, for the NYPD. Despite this cut, it's worth noting that the City's share of homeland security grant funding decreased far less as a percentage than other localities. That is due in large part to the support of Secretary of Homeland Security Janet Napolitano, who has consistently advocated for the strongest possible level of funding for New York as the nation's number one terrorist target.

The \$19.1 million decrease in funding was attributable to reductions in both the Transit Security Grant Program as well as the Homeland Security Grant program. The TSGP grant award was less because it reduced funding for the integration of CCTV camera feeds from New York City Transit stations into the Domain Awareness System and for other transit programs such as the Explosive Detection Canine Teams. The reduction to the HSGP limited the purchase of specialized personal protective equipment such as heavy ballistic vests and response vehicles.

We'll re-submit a funding request for these critical initiatives as a part of our 2013 grant proposals for both grant programs.

In total, the Department was awarded \$99 million under the five Federal Fiscal Year 2012 Department of Homeland Security preparedness grants for the continuation and expansion of various counterterrorism projects and initiatives. The amounts awarded under these five programs are as follows:

- Under the Homeland Security Grant Program, which includes the Urban Areas Security Initiative, Law Enforcement Terrorism Prevention Grant and State Homeland Security Program, a total of \$86 million was awarded.

- Funding under the Transit Security Grant Program totaled \$8 million.
- The Port Security Grant Program was awarded \$5 million.

Last week, FEMA released the Federal Fiscal Year 2013 application guidelines for each grant program. As in the past, the Department's submission will request funding under these grants to allow for the continuing build-out of the Lower and Midtown Manhattan Security Initiative, as well as for the purchase of critical explosive and radiation detection equipment, personal protective equipment, and mitigation and rescue equipment. Funding will continue to support deployment of officers to anti-terrorism teams throughout the City, including the transit system and underwater tunnels, cover the salary cost of our Intelligence Research Analysts, overtime costs for counterterrorism training, and continued maintenance and support costs for our counterterrorism projects and equipment.

Exact funding allocations to the NYPD are still unknown at this time. However, we're optimistic that our share of DHS preparedness grants will increase from last year. This is based on conversations with federal officials and the recent announcement that nationwide allocations for the 2013 Urban Areas Security Initiative and the State Homeland Security Grant Program will include approximately \$23 million in additional funding to New York City.

As the Council is aware, we've also utilized funding from DHS's Domestic Nuclear Detection Office under the Securing the Cities program to construct a radiation alarm system around New York. The goal of the system is to prevent a nuclear weapon or dirty bomb from entering the City. As the lead agency in this program, the NYPD administers funds across 3 states and 12 jurisdictions. The total amount received funding awarded to the NYPD under this program was \$18 million in 2012; an increase of \$1.5 million from \$16.5 million in 2011. We anticipate funding under this program will continue at the same level for Federal Fiscal Year 2013.

The Department's cumulative costs for Hurricane Sandy now total \$189 million, which includes \$91 million for overtime, cash and comp-time, \$59 million in Pension and City Benefit costs, and \$39 million in OTPS costs for facility repairs and cleanup, vehicle replacements and repairs, information technology and communications equipment, and supplies. To date, FEMA has reimbursed the City \$105 million of the Department's total cost.

Our losses were significant and temporarily disabling in many areas. Just some examples include the 60th Precinct, the 100th Precinct, PSA 1, the Erie Basin Property Clerk facility, the Pier 76 facility, the Floyd Bennett Field Aviation hanger, Edwards Hall, the Quartermaster Facility, Manhattan South Narcotics Division (Pier 36), and the Bomb Squad facility at the Outdoor Range. The hurricane caused structural damage to some facilities as well as utilities, life-safety systems, telecommunications equipment, as well as back-up and emergency support systems.

Despite these conditions, the Police Department continued to respond effectively during and after the storm thanks to the courage and skill of our police officers. In addition,

as highlighted in the Mayor's Hurricane Sandy after action report, the City's 911 emergency call-taking system functioned as designed throughout the crisis and did not fail or drop any calls. This, despite reaching its highest hourly call volume ever—20,000 calls per hour—at the peak of the storm.

Our response capacity will only be strengthened by the imminent changeover on May 29th from the legacy SPRINT 911 system to the new Computer Aided Dispatch, or CAD system. The SPRINT system, which was introduced in 1969, is no longer sufficient to accommodate the City's enhanced 911 operations. In contrast, CAD gives us dynamic new capacities including more precise measurement of response times and enhanced mapping abilities that can provide latitude and longitude readings for events where no address is given. In addition, dispatchers will be able to view jobs and unit status in real-time using only one monitor. They'll no longer have to use two different software systems to run license plates and perform name checks. Nor will call takers have to continue memorizing more than 500 radio codes. These are all provided in a drop down menu box in the CAD system. These are just a few examples among many of how much more efficient and technologically advanced the new system is.

Regarding the Executive Financial Plan and its impact on the Police Department:

The Department's Fiscal Year 2014 budget is \$4.7 billion; 93% of this amount is allocated for Personal Services and 7% for O'TPS. The Fiscal Year 2014 budget is \$300 million lower than this year's budget of \$5 billion. This decrease reflects an amount for non-City funds that have not been added yet to the Fiscal Year 2014 budget.

There were no expense reductions during this Plan, however, critical new needs requests were funded as follows:

- Funding in the amount of approximately \$726,000 in FY'14 and \$267,000 in the out-years was provided to the Collision Investigation Squad for startup and on-going operational costs. This was due to an expansion of the number and type of cases that will be investigated by the Squad. As I mentioned previously, this is part of our efforts to strengthen the investigation of traffic collisions and road safety for the general public.

- City funds were provided in the amount of approximately \$486,000 beginning in FY'14 for Auto Vehicle Locators (AVLs) communication costs. This technology will provide real time geographical position to up to 3,000 patrol vehicles. AVL technology can be leveraged by the Department to achieve greater levels of efficiency and visibility around the management of its fleet and day-to-day operations. Additionally, AVLs can be utilized in various crime fighting and counterterrorism efforts to achieve greater situational awareness.

- Beginning in FY'14 and annually thereafter, \$1.4 million was provided for Wide Area Network (WAN) lines that provide end-to-end Disaster Recovery. Due to the failure of primary communications data circuits during Hurricane Sandy, an end-to-end telecommunications solution utilizing multiple communications carriers will enhance network

survivability from the Department's datacenter to the Disaster Recovery site in the event of future disasters.

- The leased mainframe located at the Disaster Recovery site is running out of capacity and will be replaced with a mainframe that will provide more processing power and storage. Approximately \$798,000 was provided beginning in FY'14 and out-years.

- Funding in the amount of approximately \$288,000 was provided in FY'14 and annually thereafter for Communications and Network lines at the new Police Academy.

- Funding in the amount of approximately \$608,000 in FY'14, \$239,000 in FY'15, \$246,000 in FY'16, \$856,000 in FY'17, as well as additional funding in the out-years, was provided for on-going maintenance and support requirements for the new Balance Configuration Unit (BCU), which was funded in the September 2012 Capital Plan.

- Funding in the amount of approximately \$373,000 in FY'14 and \$498,000 beginning in FY'15 was provided for equipment maintenance and support of the Department's computer network infrastructure.

- City funds for the on-going system maintenance and support for the Pawn Broker/Second Hand Dealer Program were provided as follows: approximately \$175,000 in FY'14, \$180,000 in FY'15, \$186,000 in FY'16, as well as additional funding in the out-years.

- Lastly, funding in the amount of approximately \$131,000 beginning in FY'14 was provided for utility and parking expenses for the new Mounted Unit location at 770 11th Avenue (at West 53rd Street), Manhattan.

The following is a summary of the Department's civilian and uniformed authorized staffing levels:

The number of funded authorized full-time civilian positions is 14,514 in Fiscal Year 2013 and 14,261 in the out-years. The decrease in Fiscal Year 2014 is due to grant-funded positions that have not yet been added to the Fiscal Year 2014 authorized headcount. The authorized headcount reflects a reduction of 1,395 full-time civilian positions as a result of prior year PEG reductions.

The part-time budget currently funds 2,607 positions in Fiscal Year 2013, which consist mostly of School Crossing Guards. Prior year PEG cuts have reduced the number of part-time staffing by 571 positions, including 547 Police Cadet positions.

The uniformed funded peak headcount will remain at 35,437 in Fiscal Year 2014 and the out-years. However, due to the anticipated high attrition of police officers eligible for retirement upon reaching their 20-year anniversary in the months of August and February, the Office of Management and Budget has authorized advancing the hiring of police officers from the January 2014 class. We anticipate hiring approximately 1,250 police recruits in July

2013 and 714 in January 2014. This will allow the Department to maintain the average headcount of the prior three fiscal years of approximately 34,950.

I'll turn now to overtime costs.

Overtime costs in Fiscal Year 2013 are projected to total \$637 million, which is \$33 million more than the Fiscal Year 2012 actual expenditures of \$604 million. This increase is mainly due to \$84 million in overtime for Hurricane Sandy. The costs of Hurricane Sandy are offset by approximately \$10 million in savings from Planned Events including those events cancelled by the storm, \$18 million decrease in Occupy Wall Street overtime expenditures compared to Fiscal Year 2012, and reductions of \$23 million in other overtime categories.

The anticipated Fiscal Year 2013 overtime budget is \$634 million, which includes \$198 million in non-City funds. This budget will fall short of the \$637 million in projected spending by \$3 million; however, future Unplanned Events that might occur during the remainder of Fiscal Year would further increase overtime costs, resulting in a greater deficit.

The Fiscal Year 2014 overtime budget of \$494 million is \$140 million lower than the anticipated Fiscal Year 2013 budget of \$634 million. The difference is mainly due to \$84 million provided for Hurricane Sandy, and other non-City funds not yet included in the Fiscal Year 2014 overtime budget.

As always, we will work to achieve overtime savings wherever possible. Since 2002, our uniformed deployment to Planned Events has been reduced, due to careful management efforts. As a result, overtime costs for this category decreased by a cumulative total of \$234 million through Calendar Year 2012. Based on prior-year overtime savings through Calendar Year 2012, and adjustments for those events cancelled because of Hurricane Sandy, we expect to continue saving approximately \$23 million each year when compared to the amount spent in 2002.

On May 2, 2013, the Mayor released the Fiscal Year 2014 Ten-Year Capital Strategy, Executive Budget, and Commitment Plan. The total Capital Plan for the Police Department is \$960 million, covering Fiscal Years 2013 to 2023.

In this plan, \$39 million in additional funding has been provided for the following projects:

- \$36 million was allocated in various fiscal years for the lifecycle replacement of vehicles, technology, a helicopter, and patrol boats.
- \$2 million was provided for various facility repairs damaged by Hurricane Sandy. These include facility roofs, electrical systems, and HVAC systems.
- \$538,000 was provided for a technology need to support the expansion of the Unified Crime Reporting System.

As mentioned at the March budget hearing, the Fiscal Year 2013 to Fiscal Year 2023 Capital Plan maintains funding for the following major facility projects:

- **Design and construction of the new Police Academy is budgeted at \$37 million in Fiscal Year 2013, which supplements the \$714 million budgeted in prior fiscal years. Construction of the new facility is continuing and is scheduled for completion in December 2013.**
- **Design and construction of the new 121st Precinct is budgeted at \$7 million in Fiscal Year 2013, which supplements the \$62 million budgeted in prior fiscal years. Construction of the new facility is continuing and is scheduled for substantial completion in June 2013.**
- **The restoration and renovation of the landmark Central Park Precinct is budgeted at \$359,000 in Fiscal Years 2013 and 2014, which supplements the \$58 million budgeted in prior fiscal years. Construction started in September 2007 and Precinct personnel moved into the facility in January 2012. Construction of the facility and demolition of the temporary facility were completed in March 2013.**

Thank you for the opportunity to discuss these issues. At this time, I'll be pleased to answer any questions you might have.

**Testimony of Daniel D. Chu, Chairman,
Civilian Complaint Review Board
Before Finance and Public Safety Committees
of the New York City Council**

May 23, 2013

Chair Recchia, Chair Vallone, members of the Finance and Public Safety Committees, my name is Daniel D. Chu. I am the Chairman of the Civilian Complaint Review Board (CCRB). With me today are the agency's Acting Executive Director, Marcos Soler, and members of our executive and senior staff.

The CCRB is an independent board that investigates and mediates police misconduct complaints involving excessive force, abuse of authority, discourtesy, and use of offensive language (known as FADO). It also conducts public outreach and issues semi-annual reports. Under a Memorandum of Understanding (MOU) with the Police Department, the agency also prosecutes substantiated police misconduct cases in which the Board has recommended charges and specifications.

The Executive Plan Budget for Fiscal 2014 stands at \$11,916,954, of which \$9,585,325 are allocated to personal services (PS). It authorizes a headcount of 164 full-time positions: 117 positions are in the investigations division; 20 positions are in the administrative prosecution unit (APU); and 27 positions are in the administrative and support staff units.

The Preliminary and the Executive Financial Plans have not altered the fiscal 2014 funding and authorized headcount as adopted in June of 2012. The

CCRB's other than personal services (OTPS) appropriation has remained basically unchanged. Overall, the Board is confident that it has the financial resources needed to perform its core function of investigating and prosecuting complaints in Fiscal 2014. However, the Board feels that, with your support and funding, we could better address two important areas that were subjected to cuts in prior years -- mediation and public outreach.

I here outline these two specific funding requests for five positions, that the Board is seeking from the Council, one in mediation and four in public outreach. But, first, I would like to give you a brief update on the work of our new prosecution unit and our investigations division.

The Administrative Prosecution Unit & the Investigations Division Update

On April 11, 2013, after new agency rules were approved and published in the City Record, the actual transfer of prosecutorial power to the CCRB went into effect. Since then, twenty cases have been assigned to our prosecutors and we have already begun the process of serving officers with charges and specifications. Four factors are contributing to facilitate this transition: the lessons learned during the APU pilot program; the fact that we have hired a group of experienced and motivated prosecutors; the leadership of the Board's APU Committee and the stewardship of our chief prosecutor; and the cooperation we are receiving from the Police Department.

Under the guidance of our deputy executive director for investigations, the investigations division is also making good progress. As we reported in March, Hurricane Sandy had a detrimental impact on our operations as we were displaced from our offices for three months. But, since our return to lower Manhattan, we have reduced our docket and the time it takes to complete an

investigation. Year-to-date, we have closed 82% more full investigations than in the same period of 2012. The docket of the investigations division has decreased by 28%, from 2,541 cases in January to 1,840 in May. In fact, the open docket is 10% lower than a year ago. In addition, the time it takes to complete a substantiated investigation has decreased by 11%, from 490 days in January to 434 days in May. Although further improvements are needed, the efficiency initiatives that we have implemented are having a positive impact.

Requests for Funding

Since 2008, as a result of the financial crisis that affected our country and our city, the CCRB has suffered staffing reductions. From fiscal 2008 to fiscal 2012, prior to the implementation of the APU, our headcount was reduced by 25%, from 192 to 144 positions. In order to meet the various PEG targets, we made notable cuts to vital parts of our operations - we lost 35 investigators and 13 members of our administrative staff. Our goal is to restore some of those reductions in two essential areas, mediation and outreach. Both programs are part of our Charter mandate.

-- Mediation: Request for one position

Since 2008, we have undertaken a series of initiatives to expand our mediation program. The success of these initiatives has been undermined by the understaffing of the program. In the last three years, more than 1,800 officers and 2,100 civilians have accepted the offer to mediate their complaint. As more officers and civilians agreed to mediate, the total number of cases processed and closed through mediation has increased by more than 50%. We closed 376 cases in 2011 and 285 in 2012 (even though our operations were severely disrupted by Superstorm Sandy) compared to 192 cases in 2008. It is not just

the number of people who have elected to participate in the program that has made the program more relevant. Our data also shows a great deal of satisfaction from both officers and civilians who participated in the process. In the last three years, the successful resolution rate has been at 94%. We have also found that officers who participated in mediation were less likely to receive a subsequent complaint.

Although the number of cases referred to the mediation unit has increased drastically, the number of staff members processing these cases has remained unchanged. The mediation unit is currently staffed by only a director and three coordinators. As a result, the time it takes to process a mediated complaint has increased by 20%, from 167 days in 2008 to 250 days in 2013. In this past year, the open docket of the mediation unit has increased from 235 to the current 370 cases. In order to address this backlog stemming from the success of the program, we are asking for funding of an additional mediation coordinator at a yearly cost of \$45,000. The coordinator will help us to reduce both the time it takes to mediate as well as our open docket.

-- Outreach: Request for four positions

Under the leadership and direction of the Outreach Committee, the Board has one full-time member of staff dedicated to the Charter mandate of "informing the public about the Board and its duties" and developing "an on-going program for the education of the public." The full-time director has, from time to time, received assistance from unpaid college interns. In spite of these staffing restraints, through the dedication of staff members of other units and unpaid interns, the CCRB increased the number of public presentations from 47 in 2008 to 164 in 2011. Due in large part to the difficulties in maintaining that level of

intensity without full-time outreach staff, the number of presentations decreased to 100 in 2012.

At the direction of the Board, the outreach unit has also identified three populations for targeted outreach: residents of public housing, immigrants and youth. To ensure that we are reaching these populations, the unit targets some of our activities at communities where these groups are most evident. In addition to the populations identified above, the staff participated in outreach activities at schools, churches and community groups. The Board also tries to utilize those who provide assistance and services to these populations. This year the Board has decided to increase its outreach to the LGBTQ community to address specific issues that have been brought to our attention.

In addition to this type of general outreach, in 2011 and 2012, the CCRB received a grant to enhance the scope of its outreach program. The grant was provided by the New York City Community Trust Fund and funded the CCRB's "Ambassador Program." The CCRB partnered with the East River Development Alliance (ERDA) and gave internships to young residents of the public housing developments of District 1 in western Queens (including Astoria Houses, Queensbridge Houses, Ravenswood Houses, and Woodside Houses). The terms of the grant have now expired.

Due to the success of the Ambassador Program and our general outreach program, the Board seeks to replicate and extend these initiatives. We are requesting that four new positions be created in the outreach unit so that this unit has the proper infrastructure in place to run such programs throughout the city as mandated by law.

Although the outreach unit has been quite successful, it cannot continue to operate effectively while using interns and volunteers as its core staffing model. It is too important a function to be staffed in this fashion. The use of interns has led to some inherent inefficiencies in staffing, scheduling and administration of the unit. Therefore, the CCRB is requesting \$218,446 to fund four outreach coordinators that will support the two major programs established by the unit: the Ambassador Internship Program and the Citywide Outreach Program. A total of \$160,896 would be allocated for personnel cost and \$57,550 would be allocated to OTPS cost.

The total amount of funds that we are requesting from the Council is \$263,446. This is a modest amount that will have an immediate and vital impact on our ability to advance our mission.

Thank you for your time and continued support. Mr. Soler and I will be happy to answer any questions you may have.



DISTRICT ATTORNEY
QUEENS COUNTY
125-01 QUEENS BOULEVARD
KEW GARDENS, NEW YORK 11415-1568

Richard A. Brown
District Attorney

(718) 286-6000
www.queensda.org

MEMORANDUM

May 23, 2013

To: The Chairpersons and Members of the Committees on Finance and Public Safety of the New York City Council

From: Queens County District Attorney Richard A. Brown

Re: Mayor's FY 2014 Executive Budget

Thank you for the opportunity to discuss with you the Mayor's proposed Executive Budget for Fiscal Year 2014.

At the outset, I want to once again express my appreciation to Speaker Quinn, Chairpersons Recchia and Vallone and your colleagues for your support through the years and your recognition of the important role that New York City's prosecutors have played and continue to play in keeping our city safe.

With your continued support, we have begun to stabilize our budgetary situation this year and going forward. That said, we still very much need your continued support to ensure that we are provided the resources that we need to re-build our operations, to meet the needs posed by emerging crime trends and to fulfill our constitutional and statutory prosecutorial obligations.

* * * *

I have already provided you all with a booklet and materials, as I do each year, that offers a brief overview of some of our most recent accomplishments. In summary, this past year was another eventful one for us during which we prosecuted many high profile cases, completed many significant long term investigations and handled our growing caseload, I believe most people would agree, fairly, efficiently and professionally. The past year was also another in which we once again made significant progress in our efforts to address criminal activity in our county and improve the quality of life for those who live and work here.

FY13 was, however, also a year of continuing challenges as our resources, in the aftermath of the decade of substantial budget reductions, were strained to the limit. It was a year during which we once again faced increasing caseloads while also needing to manage many new initiatives to address emerging crime trends and case processing needs. We continued to see some particularly

troubling trends and increases in index crimes during the last year as well with an increase in rapes, felony assaults, burglaries and grand larcenies, gang activity and shooting incidents in a number of areas in our County. All of these growing demands have been increasingly difficult to address effectively with reduced staffing levels throughout our office with our long term investigations, white collar/financial crimes and computer-related offenses perhaps the hardest hit.

* * * *

Now let me turn more specifically to the issue at hand -- our fiscal situation.

You all know the serious impact the repeated series of budget reductions we took on the City, State, and Federal levels over the past decade have had on our operations over time. With the bulk of the cuts we faced on the City level -- an extraordinary loss of \$11.7 million in baselined funding, or close to 25% of our operating budget through Fiscal 2013 -- we faced major challenges in our ability to maintain the level of legal and investigative staffing levels sorely needed to support the high quality, professional prosecutorial services that we have come to expect of the Office and that all of our 2.3 million constituents deserve. And while year by year, with your support, we received a number of restorations and new initiative funding to offset a portion of those cuts, it was not really until Fiscal 2012 that the tide began to turn with the phased-in workload formula adjustments you devised to address chronic under-funding of this and three of our colleague offices.

As we said before, until you acted in Fiscal 2012, the uncertainty in our fiscal situation severely hampered our ability to plan over those years as to how to provide for adequate staffing and meet the needs of both our day to day operations and the emerging crime trends in our County.

We were forced over time to reduce staffing available to handle core functions -- things like case intake, hearings, trials, appellate work, and ongoing investigative activity. We had to curtail a number of our ongoing programs, including our Family Court program and a number of our community-based youth anti-violence initiatives -- even at a time when we saw a disturbing increase in the incidence of youth violence in our community. We restricted salaries and lost pace with colleague's offices -- in the process making it difficult to retain our middle level experienced assistants. And we cut OTPS to the bone, along the way slowing our pace of growth in critical technology and software development areas despite increasing demand.

And this all happened while, at the same time, we worked incrementally with the City to take on new responsibilities and establish a network of cost savings and revenue producing initiatives -- all of which required substantial re-deployment of existing staff. This, unfortunately, had the effect of further drastically reducing the resources we had available for our core mission of processing and prosecuting the near 75,000 arrest cases we must handle each year. And this left us as well with few resources to address emerging areas and new needs. This was particularly so in the areas of economic and computer crimes, with the incidence of identity theft, telemarketing scams, credit card fraud, consumer frauds, counterfeit check fraud, trademark counterfeiting, and mortgage and real estate fraud on the rise and continuing challenges in our community -- and with many of these crime

victims members of our County's elderly population.

* * * *

But, after nearly a decade of these devastating budget challenges, there is, as I said earlier, good news for us in the baselined workload formula adjustment that you provided to us in stages over the past two fiscal years. And I am very pleased to say today that the Mayor's proposed Executive Budget for Fiscal 2014 does indeed include the third and final scheduled installment of that funding to our proposed budgets. For Queens, that will mean an additional \$1.66 million in baselined funds in FY2014 -- above and beyond the two workload formula adjustments we already received in Fiscal 2012 and 2013.

This is all simply good news and provides us for the first time in many years of fiscal uncertainty and repeated budget reductions, the ability to stabilize our budget situation, to plan, and to make intelligent, thoughtful decisions as to where best to direct our resources.

* * * *

That said, I want to underscore the fact that we still have a long road ahead of us as we begin the process of re-building our operations back to peak levels and as we work with you in addressing the many new needs that have arisen.

First, while the new monies are welcome and sorely needed baselined funding for us, when we get the final infusion of monies in Fiscal 2014, it still will leave us about \$2.0 million behind where we started in Fiscal 2002 -- or the equivalent of about 30 new full-time attorneys.

Second, we anticipate that a good portion of this new funding that we are slated to receive in Fiscal 2014 will continue to be needed to address our continuing structural deficit in funding. This is due to many factors including the long term impact of the budget reductions we have taken over the years; the continued loss of other available outside federal, state and local funding or grant streams to cover the gaps; the re-deployment of existing resources away from core mission to many new initiatives at the request of the City -- including specialized efforts to target misdemeanor recidivists; community-based juvenile crime prevention efforts; new programs to target revenue crimes; mental health and drug court initiatives; and a host of cost savings efforts, including expedited case intake processing and conviction to sentence times, amongst many others; and rising OTPS costs.

And third, there are also many emerging crime trends for which we sorely need funding support to adequately address. These include a massive effort that is required in areas such as financial crimes and computer crimes in the year ahead, along with many other areas. This year, as detailed later in this booklet, we put in some new needs requests that begin in some small way to build us up in a number of these areas -- this year particularly focusing on computer crimes targeting children; youth anti-violence investigation and crime prevention efforts; and the growing problem

of financial exploitation crimes targeting the elderly. But, for all these areas and more, we very much will need to work with you in the next year to assure that we have more than a stop-gap solution and that additional baselined new needs funding is provided to us to address the troubling growth and flow of cases we continue to see.

In short, the long-term impact of the budget reductions we sustained over time has simply been devastating and will take time to reverse. It will certainly take substantial time and planning for us to begin to address all this. And there will be many critical decisions and choices we will need to make as to how best to add and direct resources to meet both the demands of and staffing needs of our core functions as well as the challenges of emerging crime trends and the many new needs that have arisen over the past decade.

* * * *

A few other very important points and lessons to note. First, as I have said many times before, the District Attorneys are key partners in the criminal justice system along with police, probation and the courts. And if any one of these partners is hampered in doing its job the efficiency of the entire system is affected. I am pleased we are beginning to come out of this very long and challenging cycle but I think it is very important for us all to remember that going forward.

I also believe it is extremely important that we and all my fellow prosecutors here today are treated fairly and equitably in terms of budget dollars and that each County is given its proportional share of the criminal justice and public safety dollars they need to do their jobs effectively.

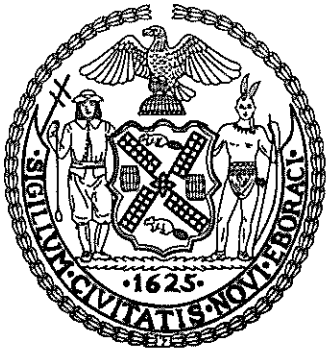
There still remain varying ways as to how each of our budgets is being handled and how this translates into how monies may be distributed. Whatever it may be, however, in the long run, it is critical, I believe, to avoid disparities, inequities, and separate tiers of funding amongst the Counties.

In the last analysis, the overall solution to the problem, I believe, is to ensure that the pot of money available to all prosecutors is large enough to compensate us fairly and predictably for all of the work that we do.

* * * *

So once again, I thank you for the opportunity to address you today on this matter so critical to criminal justice in the County. And I am very pleased at the significant progress we see in the proposed Executive Budget. And I personally very much look forward to having the opportunity to use these resources and, with your support, begin the process of re-building and of addressing new and emerging needs in the next few years ahead.

Again, I thank you for the opportunity to be here today. I very much appreciate your listening to our needs and for the continued support that you have given to this office -- and me personally -- over the years.



Richard A. Brown
District Attorney

City Council Budget Presentation

Office of the Queens County District Attorney

Fiscal Year 2014

March 12, 2013



DISTRICT ATTORNEY
QUEENS COUNTY
125-01 QUEENS BOULEVARD
KEW GARDENS, NEW YORK 11415-1568

Richard A. Brown
District Attorney

(718) 286-6000
www.queensda.org

MEMORANDUM

March 12, 2013

**To: The Chairperson and Members of the Committee on Public Safety
of the New York City Council**

From: Queens County District Attorney Richard A. Brown

Re: Mayor's FY 2014 Preliminary Budget

Thank you for the opportunity to discuss with you the Mayor's Preliminary Budget for Fiscal Year 2014.

At the outset, I once again want to express my appreciation to Speaker Quinn, Chairperson Recchia, Chairperson Vallone, and your colleagues for your support through the years and your recognition of the important role that New York City's prosecutors play in the criminal justice system. With your support, I am pleased to say that we have made great strides in helping to stabilize our budgetary situation this year and going forward. That said, we still very much need your continued support to ensure that we are provided the resources that we need to re-build our operations, meet the needs posed by emerging crime trends and fulfill our constitutional and statutory obligations.

* * * *

Let me begin, though, as I do each year, by providing you with a brief overview of some of our most recent accomplishments.

* * * *

Last year was another eventful year for us in which we prosecuted many high profile cases, completed many significant long term investigations, and handled our growing caseload, I believe

most people would agree, fairly, efficiently and professionally. And 2012 was another year in which we once again made significant progress in our efforts to address criminal activity in our county and improve the quality of life for those who live and work here.

Overall, we have seen great success and much has changed since the early 90's when I first took office. Since 1993, index crimes in all categories have dramatically declined, with murders down 69.8%, rapes down 41.2%, robberies down 75.5%, felony assaults down 41.3%, burglaries down 78 %, and grand larcenies down 50.7%.

* * * *

Despite these successes, however, we have in fact seen some particularly troubling trends and increases in index crimes in the last year as well with an increase in rapes, felony assaults, burglaries and grand larcenies, gang activity and shooting incidents in a number of areas in the County. We are watching all of this very closely and continue to be especially vigilant at keeping up the pressure on violent crime and what we see as some of the major contributing factors to violence -- gang activity, drug trafficking and the proliferation of guns. Along those lines, we have dedicated a team of experienced trial and investigative attorneys to work closely with police and community leaders to more effectively monitor crime trends and mount a coordinated response to target repeat offenders whose criminal activity impacts significantly on the safety and security of our county.

* * * *

As I have said each year, I continue to be extremely proud of those with whom we work -- men and women who work extremely hard, oftentimes on nights and weekends without additional compensation, to keep this county a safe place in which to live and work. Significantly, over 50% of our assistants have been with us over 10 years, with 57% women. With our secretaries, paralegals and other support staff, we together are representative of the extraordinary diversity of our county.

Our Legal Affairs Division oversees the many training and continuing legal education programs that help our assistants hone their legal skills and keep us up to date on new developments in the law. Included within our Legal Affairs Division is our Appeals Bureau which provides legal guidance to assistants throughout our office, defends our convictions in our state and federal courts and responds to a vast array of post-conviction motions and proceedings.

We have no appellate backlog and our office has argued in our appellate courts some of the most significant cases in the State. We are in the Federal Courts on a regular basis; we have argued before the United States Supreme Court -- and my former colleagues continue to praise our professionalism.

Our Trial Division is responsible for the vast majority of our office's prosecutions from the thousands of misdemeanors that we handle to felony gun cases, burglaries, robberies, gang violence, narcotics, and the prosecution of career criminals. Our Major Crimes Division includes our

Homicide Investigations and Homicide Trials Bureaus, our Domestic Violence Bureau and our Special Victims Bureau, which handles prosecutions of sexual assaults, child physical and sexual abuse, and crimes against the elderly. The assistants assigned to both of these Divisions bring to their work great skill and talent, extraordinary dedication, and compassion and sensitivity for crime victims and their families.

Our plea policy -- which severely limits post indictment plea bargaining -- has significantly reduced case backlogs in the Supreme Court and has allowed us to engage in meaningful plea discussions with the defense bar early on.

And we continue to make a concerted effort to get involved in our cases as early in the process as possible. We continue to have in place, as you know, an extensive "riding" program which puts our assistants at all sorts of crime scenes to work alongside of our police officers. In addition, we are regulars in the police precincts working with police in enhancing investigations and prosecutions where we can. And we are out in the hospitals and in the homes of victims at all hours of the day and night -- responding to reports of criminal activity in the County at the earliest possible stage of a case.

* * * *

Many of you are also familiar with the important work of our Special Prosecutions Division which runs a host of crime prevention, school based and community outreach programs and attends all of our precinct council and community board meetings, provides speakers for schools, community groups and town hall meetings, coordinates our many advisory councils, and so much more.

* * * *

In addition, our Investigations Division continues to conduct intensive long term investigations utilizing court ordered electronic surveillance and other sophisticated investigative techniques -- investigations that have helped to dismantle many criminal enterprises that have been preying on Queens communities and which involve many areas, including organized crime, narcotics trafficking, gang violence, insurance fraud, crime at our airports, credit card fraud, identity theft, money laundering, and all sorts of other types of criminal activity.

We are an office that works closely with our federal, state and local law enforcement partners -- sharing information and jointly investigating criminal activity.

Along those lines, in view of the fact that our county is home to two of our nation's busiest airports, we maintain an Airport Investigations Unit which works with our federal, state and local partners in investigating and prosecuting criminal activity at JFK and LaGuardia. And following the tragic events of September 11, 2001, we added a Counter Terrorism Unit which, among other things, shares on a daily basis vital information with our law enforcement colleagues and lends support in coordinating our efforts. We have a permanent seat on the Joint Terrorist Task Force and assist in

gathering intelligence and investigating and prosecuting specific precursor crimes to terrorism including identity theft, money laundering, counterfeit trademarking and the forgery or illegal procurement of identification documents. As a result, we have been able to provide valuable information to both the NYPD's Intelligence Division and the Joint Terrorist Task Force and to work with them on significant classified investigations.

* * * *

And we are doing all of this at a time when the number of arrest cases that we handle each year continues to rise. Indeed, last year we handled some 72,500 arrest cases here in Queens -- up over 71% since the early 90's.

We continue to take particular pride in the expeditious fashion in which we process our cases. Queens County once again last year had the best arrest to arraignment time in the City -- 20.99 hours, with the citywide average at 24.02. Our arrest to sworn time is also equally impressive -- at 9.34 hours in Queens as opposed to 10.54 Citywide. We have the highest percentage of cases arraigned within 24 hours, arraigning over 74.17% of our defendants within 24 hours last year, as compared to the citywide average of 61.60%. That means that those accused of crime in Queens spend as little time as possible in detention before they see a judge -- and that we get our police officers back out on the street more quickly to do their jobs rather than having them hanging out in courthouse corridors.

We also are very proud of the overall results of our efforts in these matters. Last year we convicted 20.6% of the City's violent felons; but, of all the City's convicted violent felons who go to State prison, 24% come from Queens County. Our Domestic Violence Bureau has the highest conviction rate in the City and the lowest dismissal rate and takes more pre-indictment felony pleas than the rest of the City combined. And we remain aggressive in assisting police as they develop their cases. Last year, along those lines, our office drafted close to 900 search warrants and our assistants attended and supervised 493 lineups in police precincts across the county.

And finally, we continue to be a national leader in the number of court-authorized wiretaps that we do. According to the most recent federal wiretap report, Queens County had the largest number of wiretaps (235) in the entire country, representing nearly 12% of the national total.

* * * *

In short, we are a busy metropolitan prosecutors office committed to the highest level of professionalism. We are an office that I believe is among the best in the State -- indeed the best in the country -- an office that I think it is fair to say has the respect of our law enforcement colleagues and the confidence of the 2.3 million residents of Queens County whom we represent.

* * * *

I am also proud to say that, in addition to all of these efforts and despite the many fiscal challenges we have faced over recent years, this office has also long been at the cutting edge of taking on new responsibilities and developing new and innovative initiatives. And, significantly, in recent years, we have continued to implement and expand on many of these efforts.

We have, for example, a broad array of alternative sentencing programs which include our felony and misdemeanor Drug Treatment Courts and our Mental Health Court, with more than 4,500 defendants participating since they opened, as well as a Court which responds to the needs of our returning veterans.

The Queens DWI Treatment Court, which handles trials of those facing driving while intoxicated charges, was the first of its kind in New York City. We are pleased that the effectiveness of the court has been given high marks, with the court offering a successful alternative to prison for first time felony DWI offenders, and with offenders receiving intensive substance abuse treatment leading to an extremely low rate of recidivism. To add even more teeth to our efforts, since December, 2008, every felony DWI defendant who takes a treatment court plea in Queens County has been required, as part of his or her sentence, to wear a SCRAM monitoring bracelet for a minimum of 90 days, checking through this technology whether an individual has elevated alcohol levels and is complying with court-ordered conditions. In this important area, this office has also in recent years taken on the responsibility of serving as the Citywide Ignition Interlock monitor to assist in ensuring that important safety-related court conditions in driving while intoxicated cases are complied with citywide.

With respect to juvenile and youthful offenders, we also have a wide variety of support, crime prevention and alternative sentencing programs available. In the past two years, for example, we established both a Supreme Court Youth Part and a Youth Diversion Program that specifically target young people who get themselves into trouble and which provides alternatives to incarceration in appropriate felony cases and supplements our Second Chance Program for first time misdemeanor offenders.

And in the area of domestic violence, one of the initiatives of which we continue to be most proud is our Family Justice Center which opened in July of 2008 and which offers a host of services and support to victims of domestic violence and their families. Our Domestic Violence Bureau, with a dedicated team of attorneys, paralegals and investigators, is now located in the Center, together with close to twenty City and non-profit agencies that offer counseling and support services in one safe, comfortable and user friendly location -- making it easier for victims of domestic violence to get all of the support and assistance that they need in a welcoming and sensitive environment, which is multi-lingual and multi-cultural.

Our Queens Child Advocacy Center continues to be a great success as well. Through a collaborative effort of this office, NYPD, Safe Horizon, the Administration for Children's Services and the NorthShore/LIJ Health System's Cohen Children's Medical Center of New York, comprehensive services are provided to victims of child physical and sexual abuse and their families, with the goal of providing a holistic and effective way to assist victims through offering counseling, police, prosecutorial, child welfare, and medical services in one child friendly location. Hundreds of joint interviews are now conducted each year at the Center, sparing physically or sexually abused children from numerous traumatic interviews by multiple agencies. Children and families in crises are guided to appropriate counseling and treatment services and strong cases are built for criminal prosecution with minimal trauma to abused children.

In the area of economic crimes, it is probably not surprising in light of our continuing economic crisis to see the rise of problems in this area, with incidence of identity theft,

telemarketing scams, credit card fraud, consumer frauds, counterfeit check fraud, trademark counterfeiting, and mortgage and real estate fraud continuing challenges in our community – and with many of these crime victims members of our County’s elderly population. All of these are difficult and complex cases that require a significant investment of time and effort and the volume is rising. In addition, other types of fraud and financial crimes have mushroomed in both number and scope. So we are continuing to enhance efforts where we can to meet these growing problems as well.

And we have also continued to be very active in our ongoing efforts to combat human trafficking and internet crimes against children. In December, 2009, as you know, our office was the first to obtain a conviction in the State under New York’s new human trafficking statute. Our office continues to use both the human trafficking and existing “promoting prostitution” statutes aggressively to prosecute pimps, particularly those who utilize underage girls and we continued to lead the State last year in the number of prosecutions under the promoting prostitution statutes.

Those are just a few of the newer initiatives that we have implemented in the last few years. They join a host of other innovative programs that we have put in place over the years, including, for example, our felony gun court; Operation Spotlight which targets misdemeanor recidivists; our Elder Abuse Project which provides social service assistance to elderly crime victims and our Elder Fraud Unit which prosecutes crimes involving financial exploitation of the elderly; our felony and misdemeanor drug courts; our Crimes Against Revenue program; Operation Guardian which targets child exploitation; our fugitive enforcement program which targets bail jumpers; our STAR TRACK school anti-violence program and our other youth violence prevention initiatives; and our specialized DNA-based prosecutions for sex crimes, burglaries and other crimes.

* * * *

We have provided you with more detail on all of these ongoing efforts in the booklet we distributed to you today. But now let me turn to the issue at hand -- our fiscal situation.

You all know the serious impact the repeated series of budget reductions we took on the City, State, and Federal levels over the past decade have had on our operations over time. With the bulk of the cuts we faced on the City level -- an extraordinary loss of \$11.7 million in baselined funding, or close to 25% of our operating budget through Fiscal 2013 -- we faced major challenges in our ability to maintain the level of legal and investigative staffing levels sorely needed to support the high quality, professional prosecutorial services that we have come to expect of the Office and that all of our 2.3 million constituents deserve. And while year by year, with your support, we received a number of restorations and new initiative funding to offset a portion of those cuts, it was not really until Fiscal 2012 that the tide began to turn with the phased-in workload formula adjustments you devised to address chronic under-funding of this and three of our colleague offices.

As we said before, until you acted in Fiscal 2012, the uncertainty in our fiscal situation severely hampered our ability to plan over those years as to how to provide for adequate staffing and meet the needs of both our day to day operations and the emerging crime trends in our County. We were forced over time to reduce staffing available to handle core functions -- things like case intake, hearings, trials, appellate work, and ongoing investigative activity. We had to curtail a number of our ongoing programs, including our Family Court program and a number of our community-based

youth anti-violence initiatives – even at a time when we saw a disturbing increase in the incidence of youth violence in our community. We restricted salaries and lost pace with colleague offices -- in the process making it difficult to retain our middle level experienced assistants. And we cut OTPS to the bone, along the way slowing our pace of growth in critical technology and software development areas despite increasing demand.

And this all happened while, at the same time, we worked incrementally with the City to take on new responsibilities and establish a network of cost savings and revenue producing initiatives -- all of which required substantial re-deployment of existing staff. This, unfortunately, had the effect of further drastically reducing the resources we had available for our core mission of processing and prosecuting the near 75,000 arrest cases we must handle each year.

* * * *

But, after nearly a decade of these devastating budget challenges, there is substantial good news for us in the baselined workload formula adjustment you provided us in stages over the past two fiscal years. And I am very pleased to say today that the City's proposed Preliminary Budget for Fiscal 2014 does indeed include the third and final scheduled installment of that funding to our proposed budgets. For Queens, that will mean an additional \$1.66 million in baselined funds in FY2014 -- above and beyond the two workload formula adjustments we already received in Fiscal 2012 and 2013.

This all is simply great news and provides us for the first time in many long years of fiscal uncertainty and repeated budget reductions, the ability to stabilize our budget situation, to plan, and to make intelligent, thoughtful decisions as to where best to direct our resources.

* * * *

That said, I do have to note that we also still have a long road ahead of us as we begin the process of re-building our operations back to peak levels.

First, while the new monies are welcome and sorely needed baselined funding for us, when we get the final infusion of monies in Fiscal 2014, it still will leave us about \$2.0 million behind where we started in Fiscal 2002 -- or the equivalent of about 30 new full-time attorneys.

Second, we anticipate that a good portion of this new funding we are slated to receive in Fiscal 2014 will continue to be needed to address our continuing structural deficit in funding. This is due to many factors including the long term impact of the budget reductions we have taken over the years; the continued loss of other available outside federal, state and local funding or grant streams to cover the gaps; the re-deployment of existing resources away from core mission to many new initiatives at the request of the City -- including specialized efforts to target misdemeanor recidivists; community-based juvenile crime prevention efforts; new programs to target revenue crimes; mental health and drug court initiatives; and a host of cost savings efforts, including expedited case intake processing and conviction to sentence times, amongst many others; and rising OTPS costs.

And third, there are also quite a number of emerging crime trends for which we sorely need funding support to adequately address. These include areas such as computer crimes -- this year particularly those targeting children; youth anti-violence investigation and crime prevention efforts; and the growing problem of financial exploitation crimes targeting the elderly. For all these areas and more, as detailed later in this booklet, there needs to be additional new needs funding to address the troubling growth and flow of cases we continue to see.

In short, the long-term impact of the budget reductions we sustained over time has simply been devastating and will take time to reverse. It will certainly take substantial time and planning for us to begin to address all this. And there will be many critical decisions and choices we will need to make as to how best to direct resources to meet both the demands of and staffing needs of our core functions as well as the challenges of emerging crime trends and the many new needs that have arisen over the past decade.

* * * *

A few other very important points and lessons to note. First, as I have said many times before, the District Attorneys are key partners in the criminal justice system along with police, probation and the courts. And if any one of these partners is hampered in doing its job the efficiency of the entire system is affected. I am pleased we are beginning to come out of this very long and challenging cycle but I think it is very important for us all to remember that going forward.

I also believe it is extremely important that we and all my fellow prosecutors here today are treated fairly and equitably in terms of budget dollars and that each County is given its proportional share of the criminal justice and public safety dollars they need to do their jobs effectively.

There still remain varying ways as to how each of our budgets is being handled and how this translates into how monies may be distributed. Whatever it may be, however, in the long run, it is critical, I believe, to avoid disparities, inequities, and separate tiers of funding amongst the Counties.

In the last analysis, the overall solution to the problem, I believe, is to ensure that the pot of money available to all prosecutors is large enough to compensate them fairly and predictably for all of the work that they do.

* * * *

So once again, I am very pleased at the significant progress we see in the proposed Preliminary Budget. And I personally very much look forward to having the opportunity to use these resources and, with your support, begin the process of re-building and of addressing new and emerging needs in the next few years ahead.

Again, I thank you for the opportunity to be here today. I very much appreciate your listening to our needs and for the continued support that you have given to this office -- and me personally -- over the years.

Proposed New Initiatives

**Office of the Queens County District Attorney
Proposed New Initiatives
New York City Fiscal Year 2014**

The following outlines a number of critical special initiative areas for which we also request funding support this year for the Office of the Queens County District Attorney:

1. Youth Anti-Violence, Anti-Gun Initiative

Requested: \$370,000

Over the last few years alone, we have unfortunately seen an increase in the incidence of youth gang activity in Queens County, with a high incidence of related violent crimes, including assaults, shootings, robberies, and homicides in our community. We are also seeing many new gangs continuing to emerge throughout the County, with increased recruitment of youths in the community, including in neighborhood schools.

We have been taking a strong stand against all of this conduct and have aggressively - - and successfully - - prosecuted those who engaged in such behavior. To address these matters to date, we have assigned a team of experienced attorneys, paralegals and investigators to our Gang Violence/Hate Crimes Bureau, so that specially trained and dedicated staff can handle these serious matters through vertical investigation and prosecution of gang-related crimes. This same dedicated staffing has formed active partnerships with fellow state, local and federal law enforcement; has established an ongoing forum for intelligence sharing on gang development in the Northeast through regional information sharing and an annual conference that brings together fellow state, local and federal law enforcement professionals in this important area to share their observations and findings throughout the year. The Bureau staff also works closely with the schools in our community to keep abreast of emerging recruitment and gang activity patters there - - with an eye on both enforcement and prevention.

In addition and equally importantly, assigned staff has placed a large emphasis on building community-based and not-for profit partnerships that will ensure maximizing of available services for diversionary alternatives to incarceration programs for eligible youths - with the goals of early intervention in the lives of youthful offenders at a critical juncture and of encouraging rehabilitation through a comprehensive community based approach, with the use of social workers, counselors, family interventions, community service, and educational and recreational opportunities, where appropriate.

All of this has resulted in a great success to date, but with the steady increase in reported youth and/or gang violence crimes in the County, our existing resources are greatly strained and need to be supplemented. While we feel the need to dedicate more personnel to this area, unfortunately, budget constraints have not allowed us to do so. We sorely need funding support, therefore, to increase the number of attorneys, paralegals and investigators we can dedicate to this important area. We specifically hope to add two attorneys at an average salary of \$85,000, one paralegal at an

average salary of \$30,000, two investigators at an annual salary of \$45,000 and an intelligence analyst an average salary of \$80,000 to the effort, with dedicated and specially trained staff to investigate and prosecute gang activity and related violent crimes, enhance law enforcement partnerships, increase intelligence gathering and analysis and work closely with schools and community groups pro-actively. We also are seeking to add an intelligence analyst to the effort who will work with fellow law enforcement in using and enhancing existing databases with the aim of better tracking gang activity, discerning emerging patterns and aiding in better targeting of investigative and prosecutorial priorities. Intelligence will be gathered through ongoing cooperative relationships with law enforcement, through our ongoing investigative efforts, the use of confidential informants, as well as through the development of leads through trial cases. Information gathered will include active and updated case information, tracking of gang offenses and general intelligence concerning organized groups related to gang activity. The assigned additional assistant district attorneys will also serve as liaisons to the police and community members on youth gang activity issues thereby strengthening our Office's investigations and prosecution and helping to discern any patterns of activity in this area. Also, additional staffing will enable our Office to place an increased focus on outreach to the community on gang violence issues by conducting gang awareness trainings that will focus on how to spot signs of gang affiliation and violent behavior among youth. This same staff will also continue to work closely with not-for-profits and community-based partners to further our collaborations on community-based diversionary alternatives to incarceration efforts.

2. Specialized Handling of Financial Exploitation of the Elderly Matters

Requested: \$260,000

Elder abuse, unfortunately, includes a whole array of physical, sexual, and financial abuse matters and the problem is growing, affecting hundreds of thousands of elderly people across the country each year. Elder abuse statistics demonstrate the severity of this problem nationwide – with estimates that each year nearly 500,000 elderly persons fall victim to abuse or neglect, with a significant portion of these matters instances of financial exploitation.

Queens County, with an elderly population of nearly 400,000 is unfortunately a good example of the extent of the problem faced by localities throughout the nation. In addition to a significant number of physical abuse matters, this Office has also seen a disturbing pattern emerging over recent years in an increased number of reports of financial crimes against the elderly.

However, even with these increases, reported numbers alone likely do not present a complete picture of the extent of the problem we are facing in our community. It is clear that many crimes against elderly victims simply continue to go unreported due to the victims' often-seen reluctance to come forward to law enforcement, lack of awareness of resources available to help them, or, simply, feelings of isolation, embarrassment or hesitation to admit they were victimized. The number of reports of the crimes we do receive, therefore, are likely and unfortunately just the "tip of the iceberg".

A number of years ago, to address this emerging problem, we were able to obtain one year

of pilot project funding through the United States Department of Justice for a demonstration project focused on specialized handling of financial exploitation of the elderly matters. With the funding, we were able to establish a dedicated unit of attorneys, paralegals, and investigators for the investigation and prosecution of crimes of financial exploitation of the elderly, have enhanced available victims support services and begun an ambitious community education and outreach program to alert seniors in our community to potential scams and schemes for victimization.

As a result, we were able to make substantial inroads in addressing this important area, handling hundreds of new investigations and prosecutions, while providing comprehensive support services to many elderly victims of financial crimes through our Office's two elder abuse social workers and critical education and outreach efforts. In addition to handling individual investigations and prosecutions in these matters, we also worked to discern possible patterns of financial crime activity targeting the elderly in our community. We saw the problem unfortunately covered a wide range of areas including identity theft, credit card fraud, familial/caregiver theft crimes and "sweetheart" scams. A particularly troubling pattern we saw emerge has been in the area of mortgage fraud, with many of the cases we have seen involving individuals allegedly involved in befriending innocent victims, gaining control over finances, or fraudulently refinancing, mortgaging or selling the victim's home without the victim's permission or knowledge.

Even with these successes thus far, however, it is clear that much work remains to be done. Accordingly, we are now seeking funding support to stabilize our funding base and continue and enhance the provision of these critical prosecutorial, investigative and support services to elderly victims of financial crimes.

To address these issues, our Office is requesting \$260,000 in funding to support our Elder Abuse Unit including dedicated attorney, investigative and paralegal staff. This unit will continue to serve as a model program and will provide comprehensive investigative, prosecutorial and support services for elderly victims of financial crimes.

Core components of the proposed program will continue to include:

1. Assignment of dedicated attorneys and investigators specially trained in the handling of financial exploitation of the elderly matters. These dedicated personnel will handle assigned elder abuse cases from inception through disposition in a comprehensive team approach.
2. Assignment of elder abuse counselors to provide intensive support services to elderly victims of financial crimes. These services will include transportation, counseling, hospital and/or home visits, referrals, safety planning, court accompaniment and advocacy with financial institutions, government agencies and the courts.

3. Development, production, and distribution of sorely needed pamphlets and brochures on the problem of financial exploitation of the elderly and on resources available to help combat this serious problem.
4. Public education and community outreach on specific patterns of elder abuse and financial scams targeting the elderly population.

We believe that with this funding support for dedicated staffing and a specialized initiative to address the complex problems posed by financial exploitation of the elderly crimes, we will continue to make significant improvements to the handling of these important matters and to addressing the overall incidence of financial exploitation of the elderly in our community – with the continued goals of improving the handling of specialized investigations and prosecutions of these serious matters, providing comprehensive support services for elderly victims of financial crimes; and encouraging elderly victims of financial crimes to come forward and report victimization to police and prosecutors and to cooperate with law enforcement so that they can be assisted in breaking free of debilitating cycles of financial abuse.

3. Computer Crimes Program

Requested \$350,000

The Queens County District Attorney's Office (QDA) seeks funding to develop a dedicated Computer Crimes program to address the burgeoning area of computer crime in our community which has proven to have many manifestations, including credit card theft, telemarketing scams, and identity theft, amongst many other areas. This year we propose a particular focus on crimes targeting children in response to the tremendous growth in Internet-based sexual exploitation of children. The program will strengthen current efforts in Queens to investigate online crimes against children, enhance the office's capacity to prosecute these crimes effectively, and promote public awareness of the increased threat to children over the Internet. The goal of our program is to reduce child sexual exploitation through an increased focus on targeted investigations and prosecutions of child sexual predators and proactive investigations and sting operations. This will be accomplished by the addition of investigative/forensic analytical and paralegal staff to a specialized initiative, already staffed with two senior attorneys, as well as the building of a forensic laboratory capability. Through this, QDA will be enabled to handle an increased volume of referrals; take a more proactive approach to assigned cases; enhance accountability of offenders through collaborations with probation and parole agencies to ensure all sentencing conditions are being met; increase focus on fugitives crossing jurisdictional lines through cooperative efforts with federal, state and local law enforcement agencies, as well as with community groups and private agencies, including Internet service providers pivotal to investigative activity in this area; and increase public education and outreach efforts with an eye toward the prevention of future exploitation crimes. Funding will be used to hire three detective investigators/forensic analysts and two paralegals, to work with existing legal staff in a comprehensive team approach. Assigned attorneys will oversee all legal aspects of efforts, including handling of all referrals; conducting interviews and debriefings; preparing search warrants, subpoenas, and other legal documents; supervising search and evidence handling; developing pro-active investigations and sting operations; and handling all assigned cases vertically,

from inception through to disposition. The forensic effort, including detailed examinations of computers, phones, cameras and other devices seized in investigations, will be led by one senior investigator/forensic analyst, supported by two line investigators/analysts. One investigator/forensic analyst will also take the lead on field investigations, with all three serving as liaisons with local, state and federal law enforcement in cooperative strategy setting. One paralegal will also be added to the effort. Remaining funding will be utilized to build a state of the art forensic laboratory capacity to enable an aggressive response to this serious criminal activity in our community. We believe that this will greatly strengthen our existing efforts and collaboration in this important area.

Budgetary Issues

Summary

City:

- As of the FY 13 November Plan, our Office sustained *a total of \$11.7 million in baselined budget cuts in City funding alone, between July 1, 2002 and December 31, 2012.*

Even with some baselined restorations, new initiative funding and recent workload formula adjustments, which will take until Fiscal 2014 to be finalized, *we will still be down over \$2 million in unrestored budget cuts since July 1, 2002.*

State:

- State budget reductions also continue to be significant. *In State Aid to Prosecution funding alone, we lost \$1.89 million since the beginning of this Administration in the early 1990's.*

Other:

- Other available Federal and State funding streams have also greatly diminished in the aftermath of the fiscal crisis.

City Budget Cuts

Fiscal 2003	7.0%	baselined
Fiscal 2003	3.75%	baselined
Fiscal 2004	3.0%	baselined
Fiscal 2004	2.5%	baselined
Fiscal 2004	3.0%	baselined
Fiscal 2009	3.63%	baselined
Fiscal 2011	7.84%	baselined
Fiscal 2012	1.2%	baselined
Fiscal 2013	0.4%	baselined

All of these City budget reductions totaled \$11.7 million in baselined cuts. Even with some baselined restorations and new initiative funding through Fiscal 2011, by Fiscal 2012 we were still down close to \$7.0 million as a result of these cuts alone.

City Workload Formula Adjustments

- In Fiscal 2012, however, we began receiving workload formula adjustments to address chronic underfunding from the City. This has helped largely offset the budget cuts enacted since Fiscal 2009, but even by the close of Fiscal 2014, *overall we will still be down over \$2 million in City funding since Fiscal 2002.*

Fiscal 2012 \$1,666,000 baselined

Fiscal 2013 \$1,666,000 baselined

Fiscal 2014 (Projected) \$1,666,000 baselined

Total: \$4,998,000

City Funding Summary

- *What all this means is that we are slowly beginning to re-build, while many of our day-to-day functions, along with many emerging crime trends such as gun violence, gang activity, cyber-crime, and youth anti-violence issues in our community sorely need funding support.*

State Funding Reductions

- Our Office has also sustained significant reductions to State grant funding over the last several years – facing over the last State fiscal year alone another \$200,000 in grant reductions, including:
 - Enhanced Prosecution: 22% - Totaling \$76,000 (For the period of 7/1/12 to 6/30/13)
 - Elimination of *All* Legislative Grant Awards including Points of Entry and Early Case Intervention Funding

Historical Look at State Aid to Prosecution Cuts

1991 - 92	15%
1992 - 93	15%
1993 - 94	4.3%
2003 - 04	15%
2004 - 05	5.0%
2008 - 09	6.0%
2009 - 10	6.0%
2010 - 11	10.0%
2011 - 12	8%

Through Fiscal 2013, Queens DA has lost a total of \$1.89 million in funding over these years -- from \$3.16 million to \$1.27 million.

Other Funding Reductions

- Other available Federal and State funding streams have also greatly diminished.
- 10% reduction in Federal VAWA domestic violence grant funding from 2010 to current funding through 2014 – *a loss of \$100,000. In addition, Federal VAWA funding is in jeopardy of being completely eliminated.*
- 62% decrease in Federal JAG funding passed through New York City from 2005 to 2013 – *a loss of over \$437,000 to date.*
- In addition, while in past years we received Congressionally-sponsored support for specialized Mortgage Fraud and Financial Exploitation of the Elderly initiatives, overall, available Federal funding streams have been largely eliminated.

2012 STATISTICS

INDEX CRIMES ROSE SLIGHTLY

IN 2012 INDEX CRIME IN QUEENS ROSE BY 2.6% COMPARED TO A 3.3% INCREASE FOR THE CITY

Highlights

- Homicides, Robberies, Rapes, Felony Assaults, Burglaries, Shooting Incidents and Grand Larcenies increased between 2011 and 2012
- Auto Theft decreased between 2011 and 2012.
- To view the historical trends in all of these Index Crimes, see the chart at the bottom of this page which compares index crimes in 2012 with index crimes in 1993

SOURCE: N.Y.P.D. COMPSTAT 2012

AGGRESSIVELY FIGHTING VIOLENT CRIME

Highlights

- Queens arrested 22% of the City's violent felons.
- Queens indicted 18.2% of the City's violent felons.
- Queens convicted 20.6% of the City's violent felons.
- Queens sent 24% of the City's violent felons to prison.

SOURCE: STATE OF NEW YORK DIVISION OF CRIMINAL JUSTICE SERVICES 2012

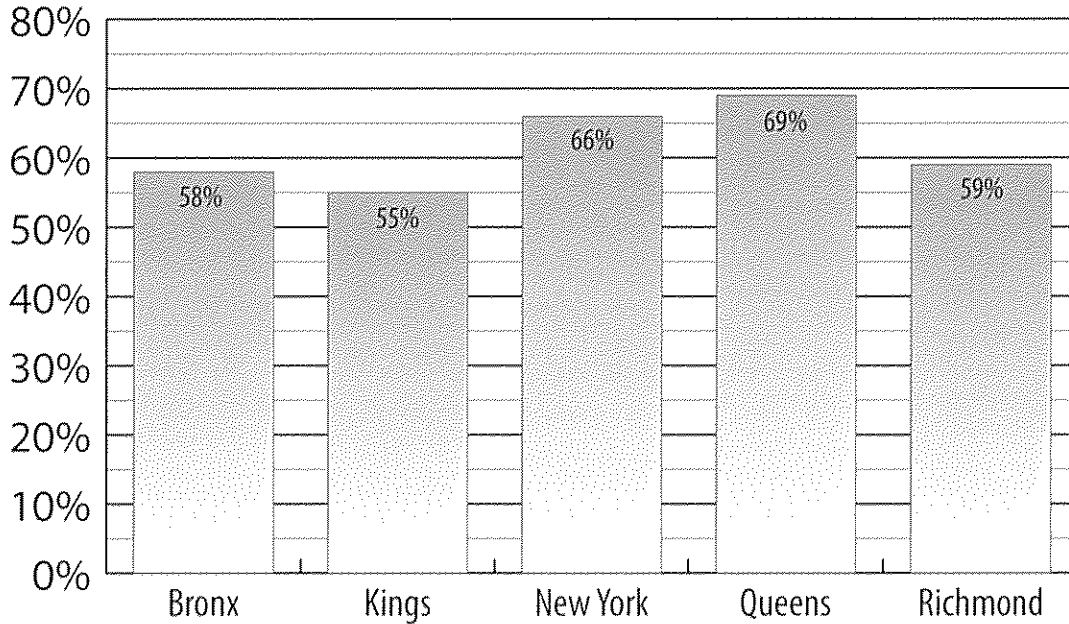
INDEX CRIME IN QUEENS HAS DROPPED DRAMATICALLY SINCE 1993

Crimes	1993	2012	Percentage Reduction
Murder	275	83	69.8%
Rape	549	323	41.2%
Robbery	16,775	4,116	75.5%
Felony Assault	6,600	3,869	41.3%
Burglary	23,725	5,225	78%
Grand Larceny	16,250	8,001	50.7%

Statistics- Conviction Rates for Felony & Violent Felony Arrests

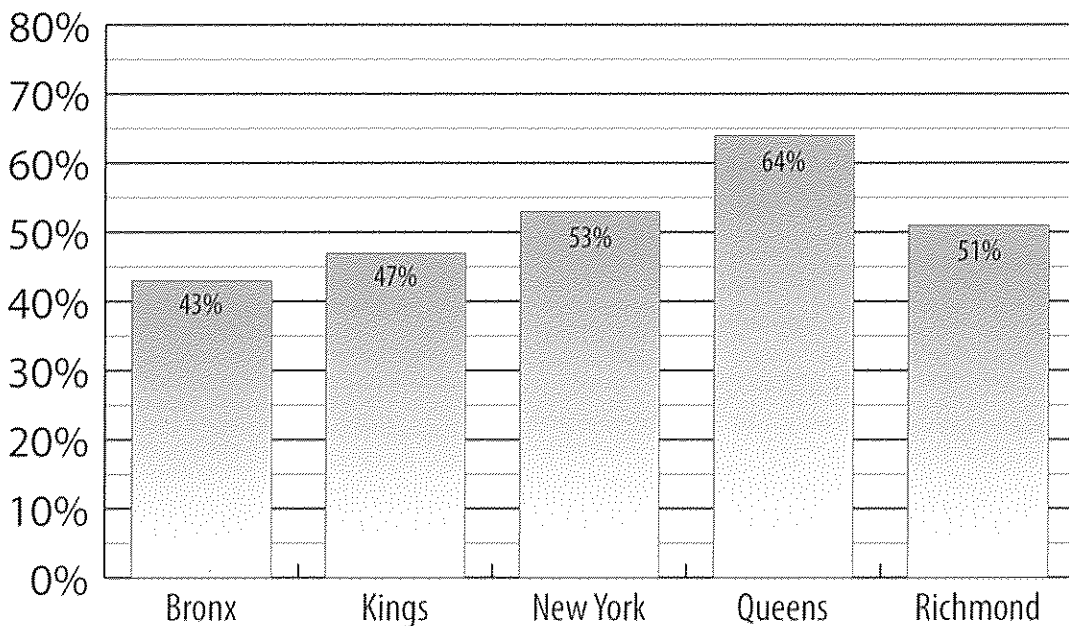
HIGHEST CONVICTION RATE IN NYC FOR FELONY & VIOLENT FELONY ARRESTS

CONVICTION RATES FOR FELONY ARRESTS IN 2011



SOURCE: DIVISION OF CRIMINAL JUSTICE SERVICES AS REPORTED IN NYC CRIMINAL JUSTICE INDICATOR REPORT JANUARY 2013

CONVICTION RATES FOR VIOLENT FELONY ARRESTS IN 2011

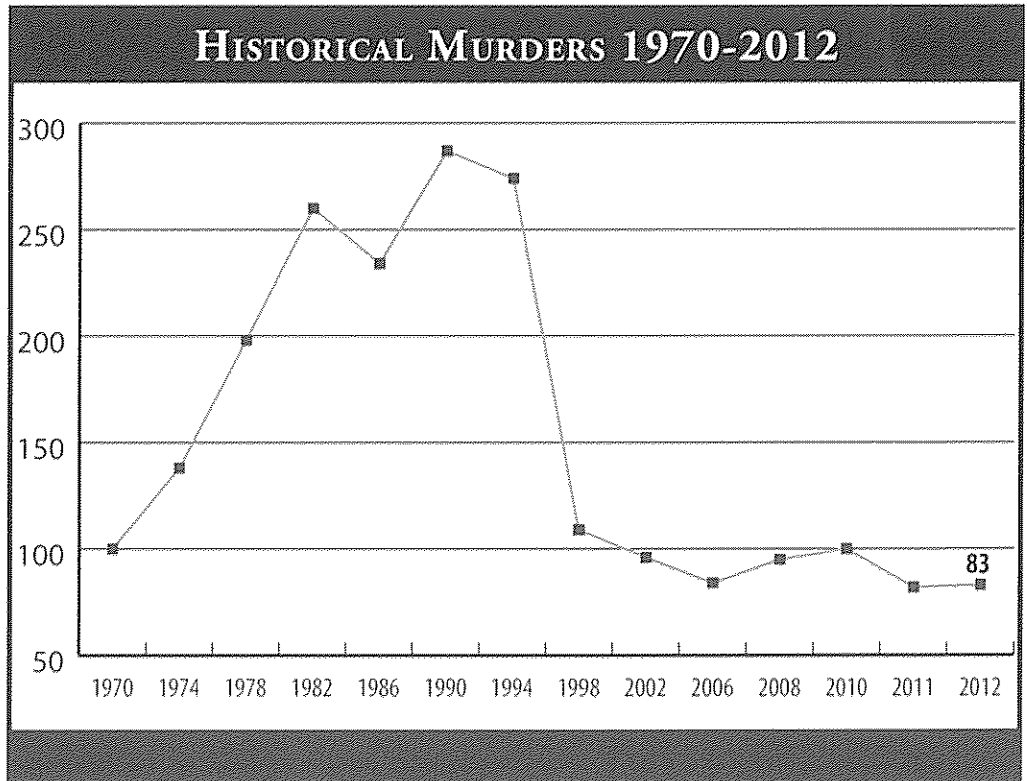
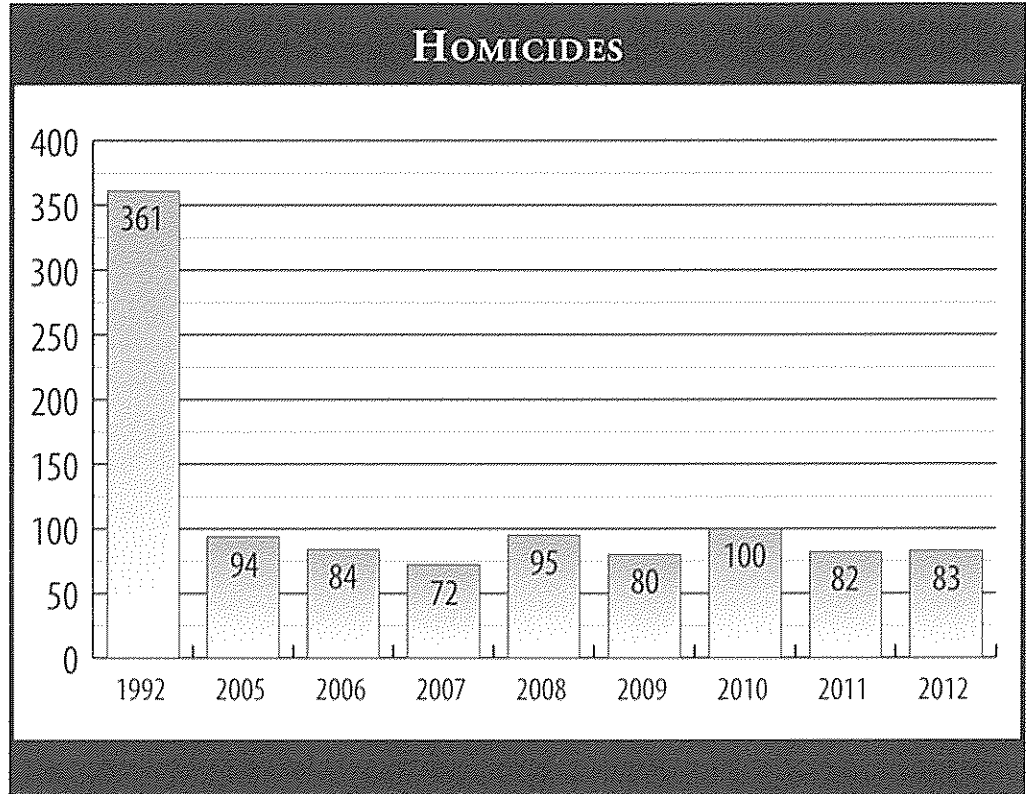


SOURCE: DIVISION OF CRIMINAL JUSTICE SERVICES AS REPORTED IN NYC CRIMINAL JUSTICE INDICATOR REPORT JANUARY 2013

Homicides in Queens have Dropped More than 77% Since 1992.

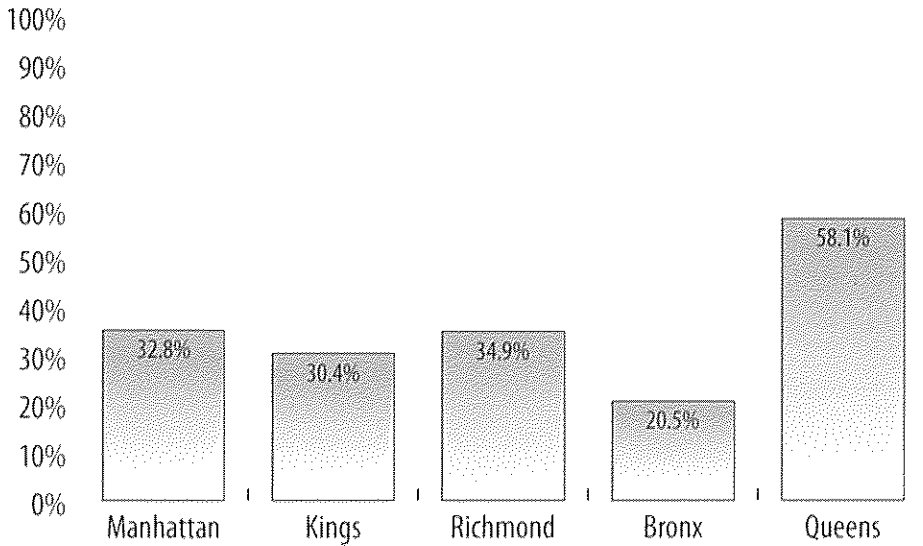
Homicides in Queens County Increased from 82 in 2011 to 83 in 2012.

Homicides in Queens Increased 1% from 2011 to 2012.



Statistics- Domestic Violence

COMPARISON OF DOMESTIC VIOLENCE CONVICTION RATES CITYWIDE BY COUNTY

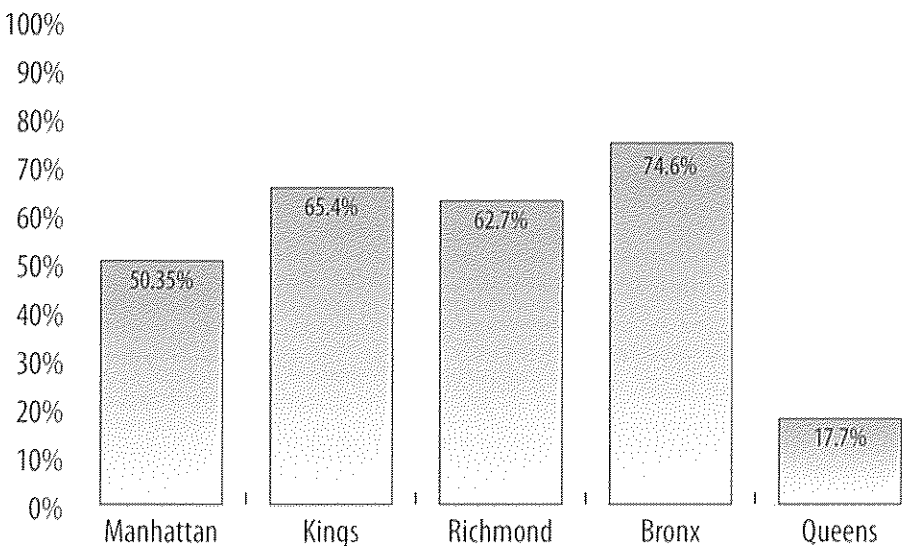


SOURCE: OFFICE OF COURT ADMINISTRATION

Queens has the Highest Domestic Violence Conviction Rate in New York City.

Queens has More Pre-Indictment Domestic Violence Felony Pleas than the Rest of the City Combined.

COMPARISON OF DOMESTIC VIOLENCE DISMISSAL RATES CITYWIDE BY COUNTY



SOURCE: OFFICE OF COURT ADMINISTRATION

Queens has the Lowest Domestic Violence Dismissal Rate in New York City.

DNA SOLVES COLD CASES

Queens NIJ DNA Cold Case Grant 2011-12: Progress Summary

The Queens DA's DNA Unit Chief applied for and received a National Institute of Justice DNA grant that provided for hiring a cold case analyst and detective investigator to review every unsolved sex crime in Queens County from 1996-2007 in an attempt to make new cases by identifying previously untested evidence that might contain a perpetrator's DNA profile. These are the results to date...

- Cold cases investigated: 594
- Cold cases indicted ("John Doe" cases): 13
- Cold cases still under investigation for possible indictment: 15
- Cold cases with untested evidence that is now undergoing DNA analysis: 28
- Total number of grant based potential cold case prosecutions: 56

DNA GENERATES INVALUABLE LEADS

In addition to Queens' efforts to solve cold cases through the NIJ grant, New York State's DNA databank continues to generate invaluable leads. In 2012, there were:

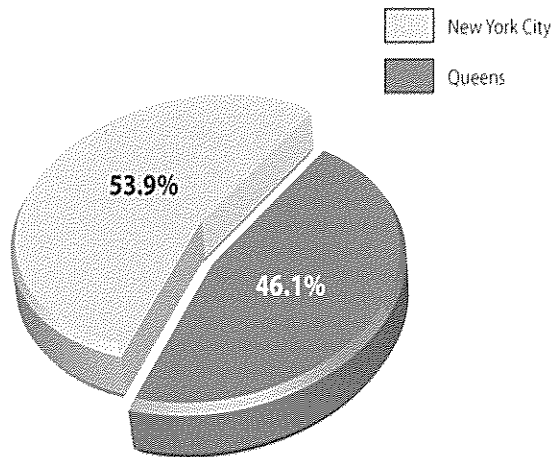
- Cold DNA hits: 247
- Case-to-case DNA matches: 73
- Cold case hits from first months of New York State DNA Databank Expansion:
- 2 prosecutions including 1 violent felony
- 4 pending investigations

DNA RECOVERED FROM CRIME SCENES WHEN A DEFENDANT

- Left a flashlight at a burglary scene.
- Bled on an interior door during a burglary.
- Cut himself on a bathroom window entering a home.
- Drank from a cup during a home invasion.
- Wore and disposed of his brother's glove at the scene of a robbery.

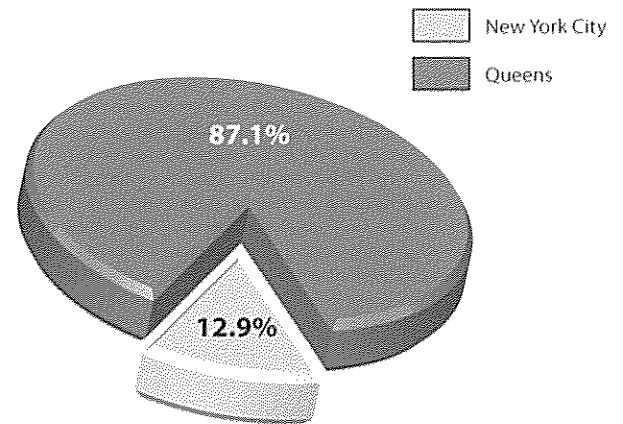
Statistics- Bail Jumping

FELONY BAIL JUMPING



*Queens County brought 46.1% of
New York City's Bail Jumping
Indictments for 2012*

MISDEMEANOR BAIL JUMPING



*Queens County brought 87.1% of
New York City's Bail Jumping
Complaints for 2012*

CONVICTIONS FOR BAIL JUMPING

*SOURCE: STATE OF NEW YORK DIVISION OF CRIMINAL JUSTICE SERVICES
INCLUDES FELONY AND MISDEMEANOR BAIL-JUMPING

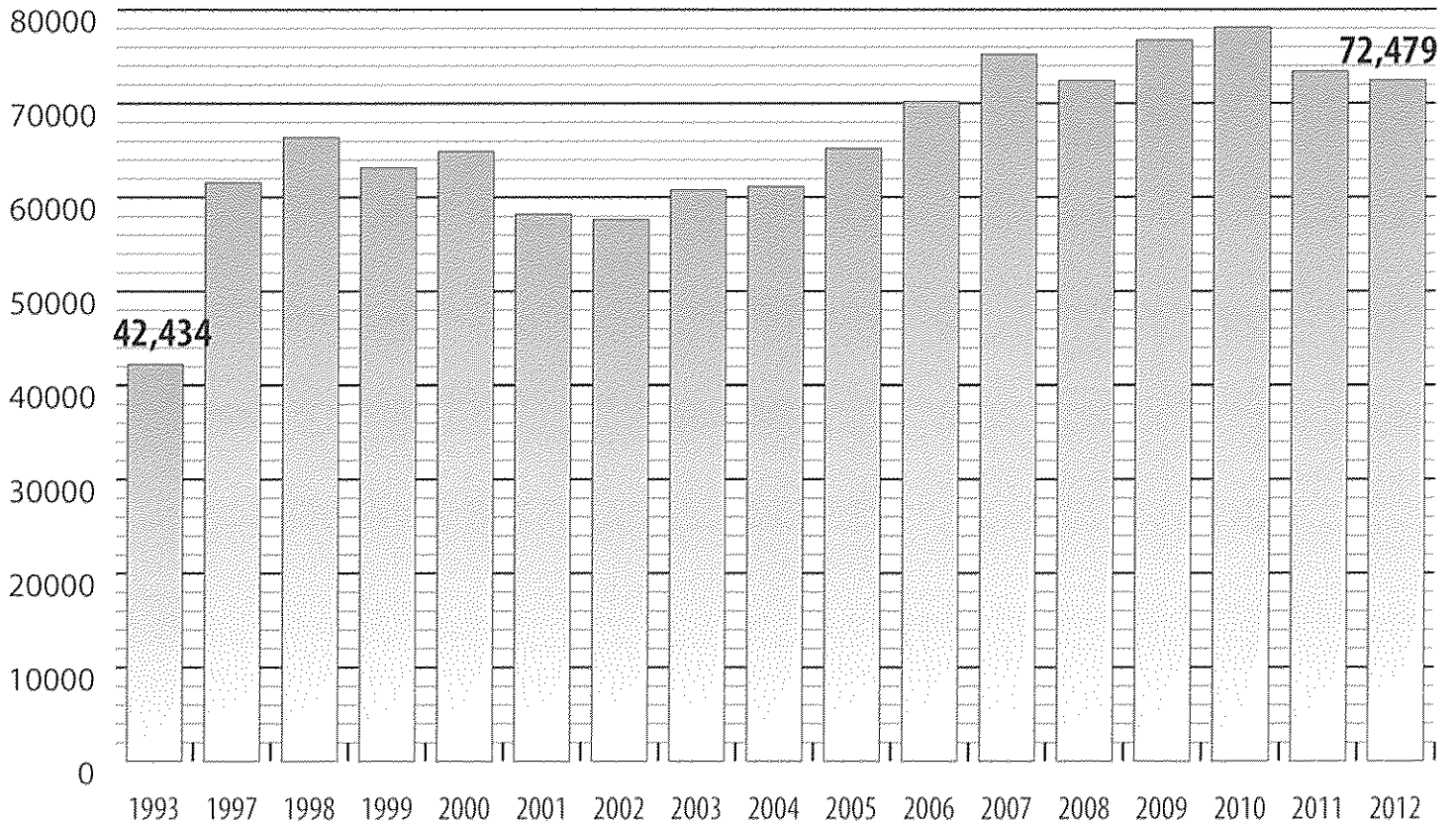
Year	New York City Total	Queens Total
2003	167	68
2004	198	94
2005	208	75
2006	230	125
2007	501	373
2008	572	452
2009	564	422
2010	484	333
2011	510	352
2012	450	275

Statistics- Lineups Supervised & Arrests

LINEUPS SUPERVISED

Year	Lineups
2004	690
2005	599
2006	656
2007	696
2008	702
2009	422
2010	555
2011	357
2012	493

ARRESTS REMAIN HIGH



TOTAL ARRESTS HAVE INCREASED MORE THAN 71% SINCE 1993 (42,434 TO 72,479)

Statistics- Case Processing & Arrests

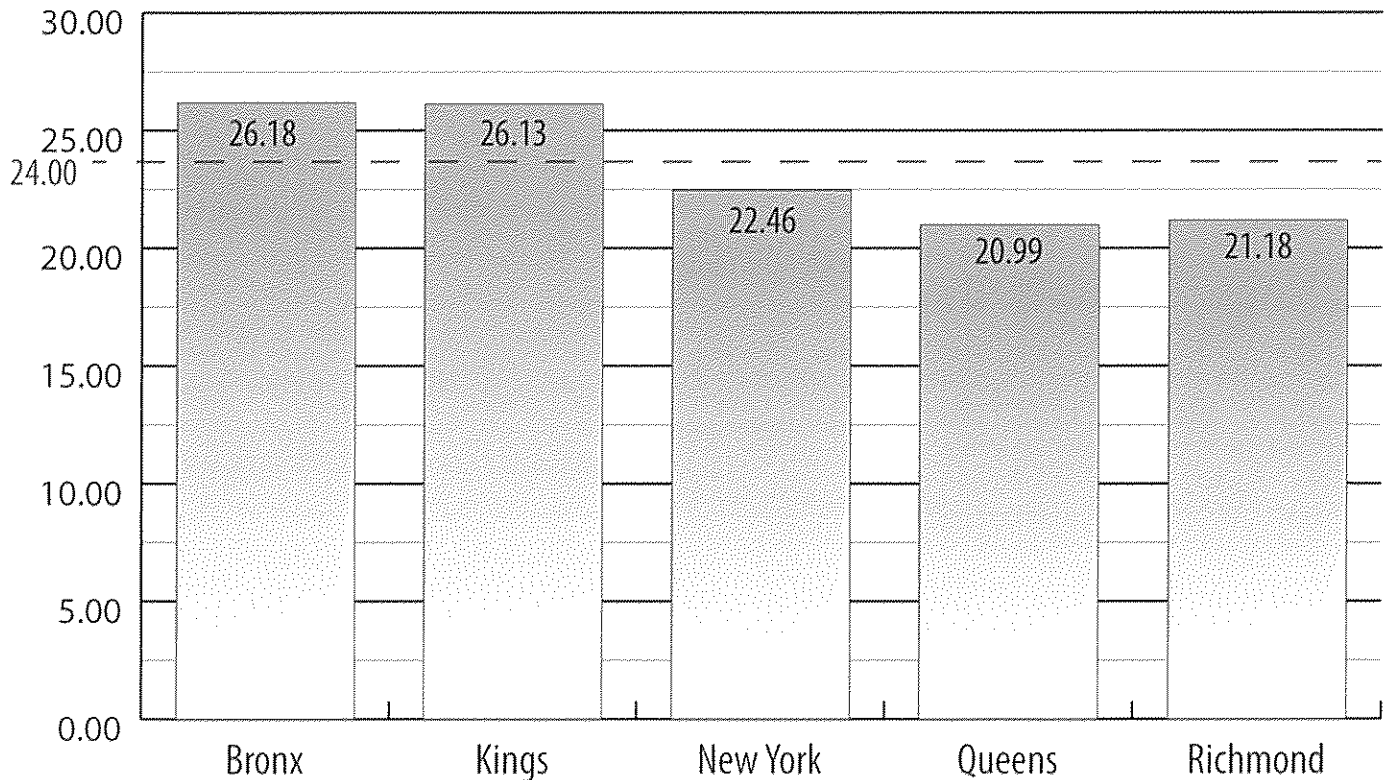
QUEENS REMAINS LEADER IN CASE PROCESSING EFFICIENCY

LEADS CITY IN LOWEST ARREST TO ARRAIGNMENT TIME AND HIGHEST PERCENTAGE OF CASES ARRAIGNED WITHIN 24 HOURS; SECOND BEST IN CITY IN ARREST TO SWORN COMPLAINT TIME

	Queens	Citywide
Arrest To Arraignment Time	20.99 Hours	24.02 Hours
Arrest To Sworn Complaint Time	9.34 Hours	10.54 Hours
Percentage Of Cases Arraigned Within 24 Hours	74.17%	61.60%

SOURCE: 2012 NYPD CRIMINAL JUSTICE BUREAU

AVERAGE ARREST TO ARRAIGNMENT TIME BY BOROUGH IN 2012

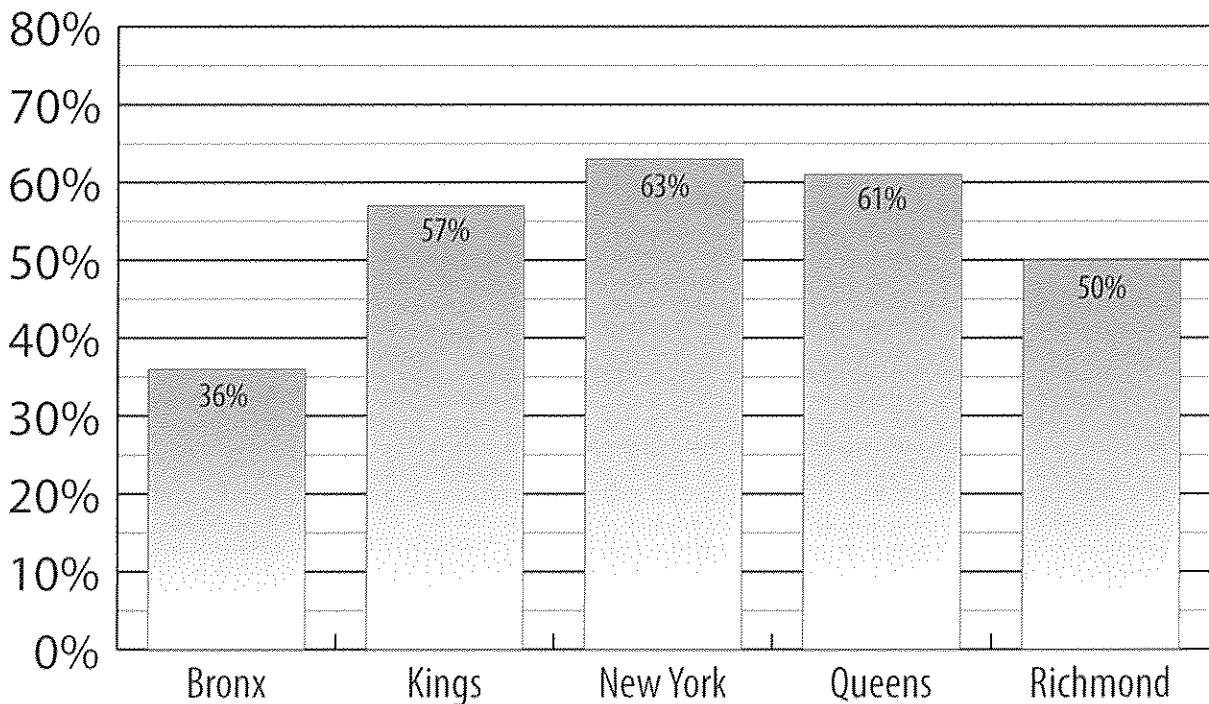


SOURCE: DIVISION OF CRIMINAL JUSTICE SERVICES AS REPORTED IN NYC CRIMINAL JUSTICE INDICATOR REPORT JANUARY 2013

CBQ INTERVIEW PROGRAM

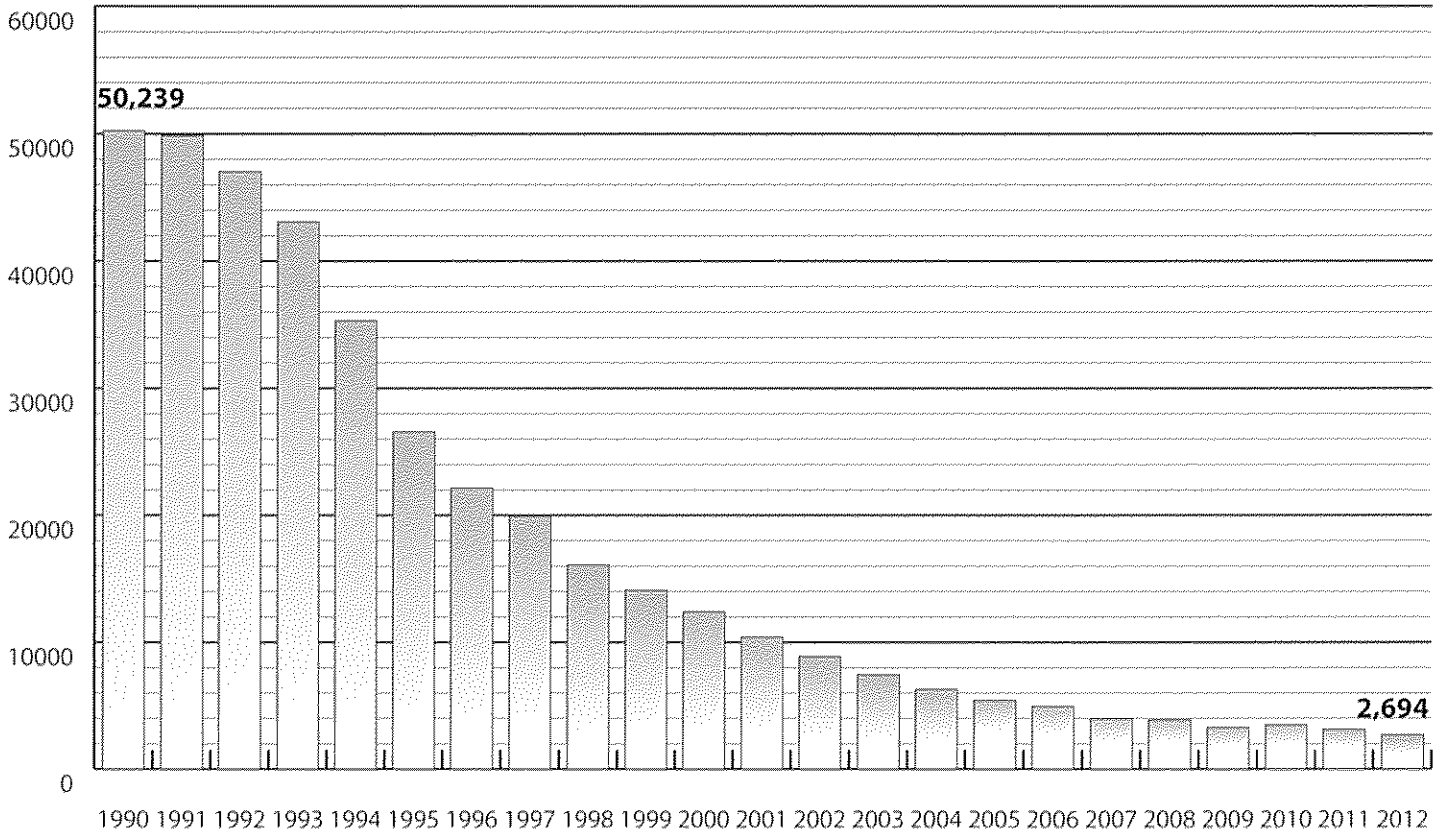
- On June 28, 2007, the Queens County District Attorney's Office began a program to videotape statements from defendants arrested for felonies in Queens County.
- A QDA Detective and an Assistant District Attorney interview defendants prior to their arraignment regarding the case for which they were arrested.
- Investigations conducted as a result of these interviews have resulted in some cases in the enhancement of charges, in others in the modification of charges, and in others the dismissal of charges against defendants.
- Since the inception of the program, close to 12,000 defendants have been interviewed.

PERCENT OF CONVICTED OPERATION SPOTLIGHT PERSISTENT MISDEMEANOR OFFENDERS WHO ARE SENTENCED TO JAIL: OCTOBER 2011 - MARCH 2012



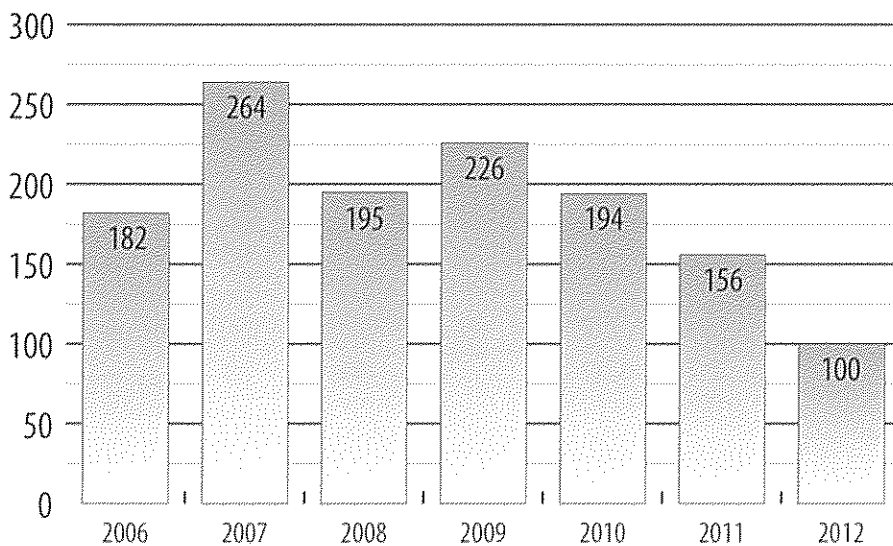
Statistics- Auto Theft & Mortgage Fraud

AUTO THEFT 1990-2012



AUTO THEFT IN QUEEN COUNTY DECREASED 94% SINCE 1990

MORTGAGE FRAUD COMPLAINTS



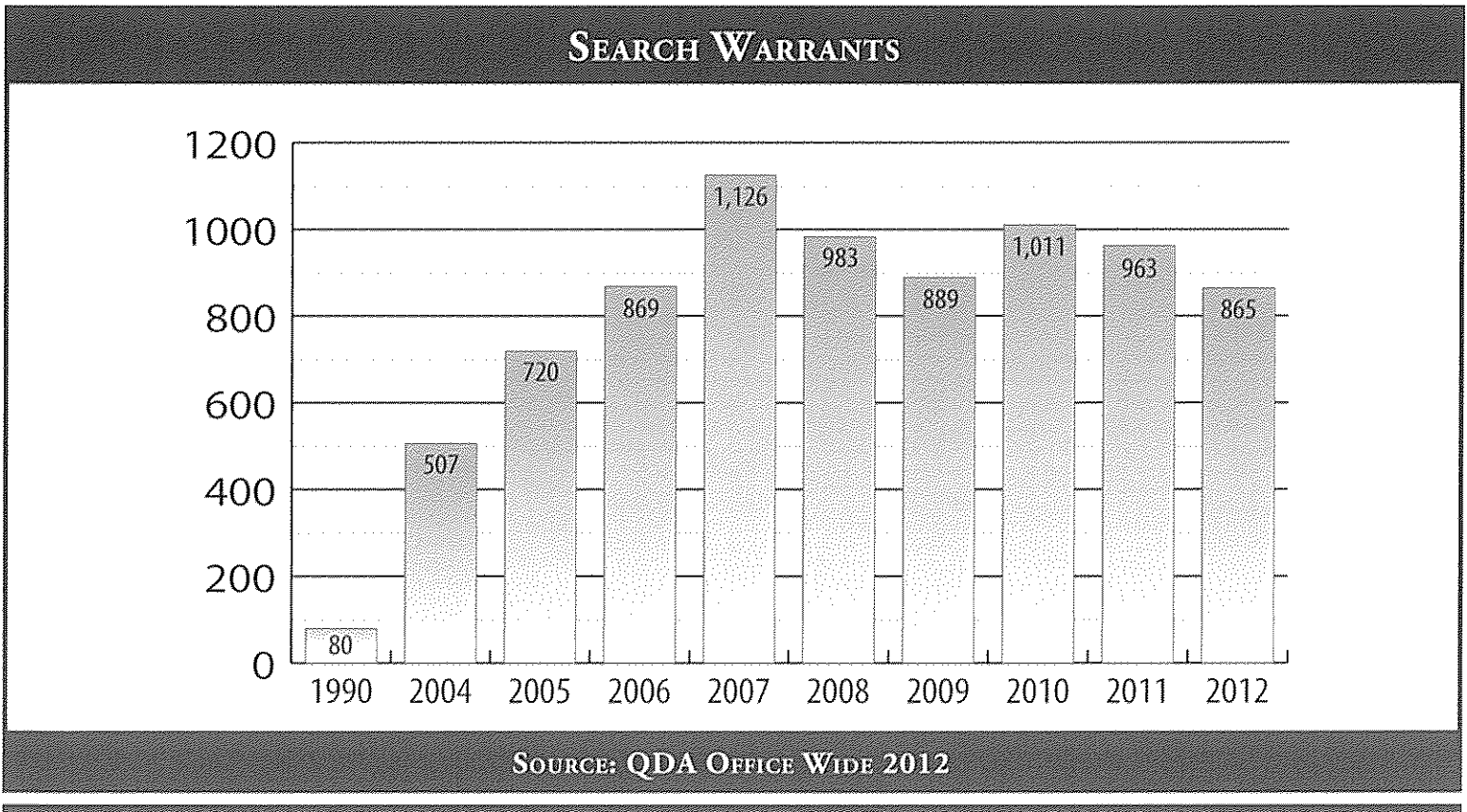
The Queens DA'S Office also received 1,364 consumer complaints in 2012

These are complaints that need to be investigated. These numbers only reflect complaints directly to our Office and not those which are brought to our attention by other agencies such as NYPD, FBI, Banking... Etc. Also any one complaint may involve either a single property or numerous properties.

COURT ORDERED ELECTRONIC SURVEILLANCE AGAINST ORGANIZED CRIMINAL ENTERPRISES

- Once again, Queens County was a national leader in the use of court authorized electronic surveillance.
- Queens County had the largest number of wiretaps in the entire country (235).
- Our wiretaps exceeded those of Los Angeles County(180), whose DA's office has about five times the staff. Queens County's wiretaps represented over 12% of the national total.

STATISTICS FROM 2011 FEDERAL WIRETAP REPORT (THE MOST RECENT REPORT AVAILABLE)



Statistics- Evictions, Prostitution, Sex Trafficking

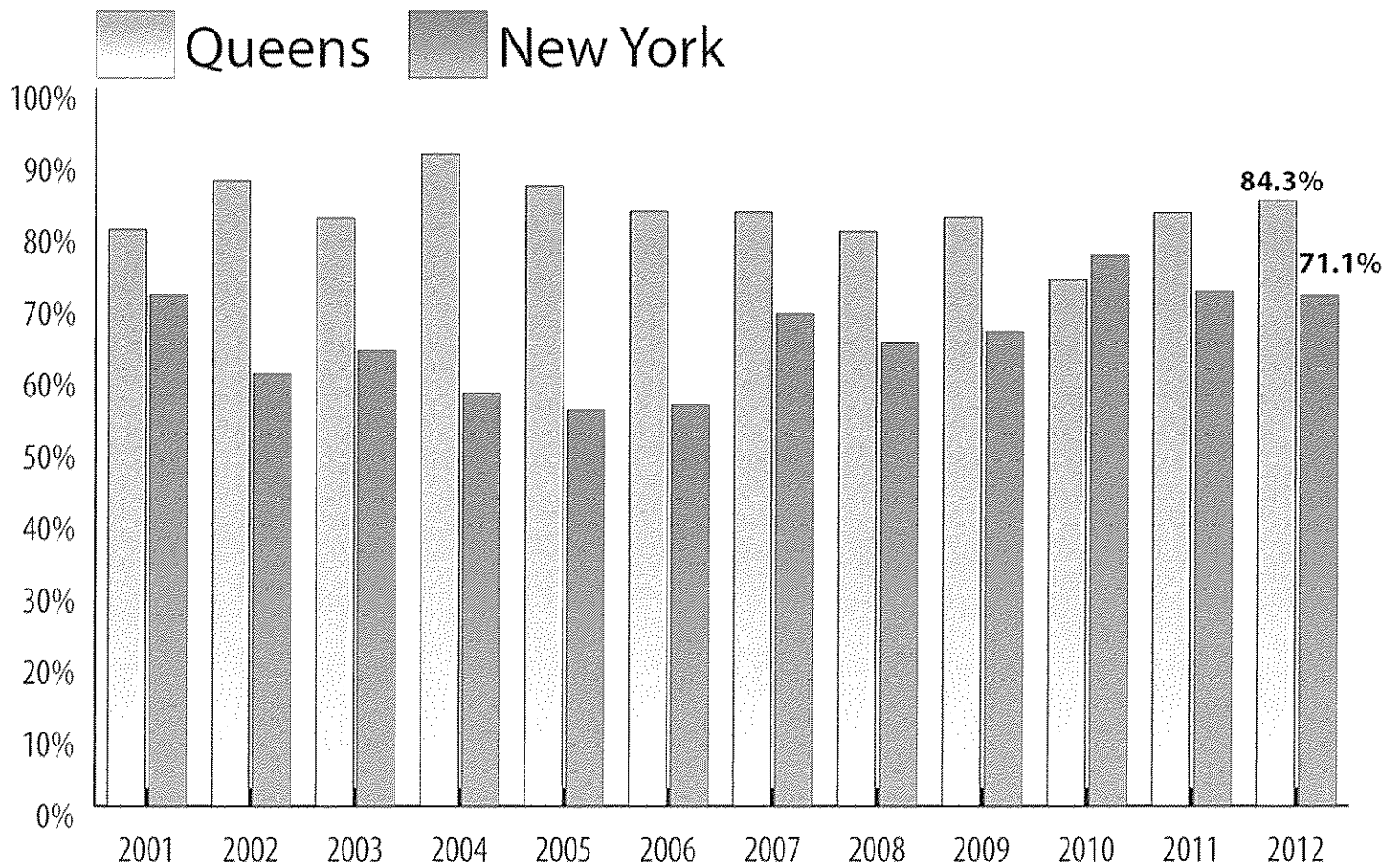
SEX TRAFFICKING CASES

- 8 B felony Sex Trafficking convictions to date.
- 7 additional defendants charged with Sex Trafficking.

EVICIONS FOR CONDUCTING ILLEGAL BUSINESSES

56 successful evictions in 2012 pertaining to Prostitution, Drug Dealing, Gambling, and other crimes.

QUEENS COUNTY LEADS CITY IN CONVICTIONS FOR PROMOTING PROSTITUTION



QUEENS CONVICTION RATE: 84.3%

NYC CONVICTION RATE: 71.1%

SOURCE: DIVISION OF CRIMINAL JUSTICE SERVICES

SAVING STATE AND CITY MONEY

Restitutions	
<i>Governmental restitutions</i>	\$2,592,176.48
<i>Non-governmental restitutions</i>	\$710,220.46
<i>Total restitution</i>	\$3,302,396.94

Confession of Judgments	
<i>Governmental Confession of Judgments</i>	\$509,806.61
<i>Non-governmental Confession of Judgments</i>	\$876,946.85
<i>Total Confession of Judgments</i>	\$1,386,753.46

Totals	
<i>Total Restitutions and Confession of Judgments</i>	\$4,689,151.40

**THE BENEFICIARIES OF RESTITUTIONS AND
CONFESSIONS OF JUDGMENT INCLUDE:**

NYS/NYC Sales Tax
NYS/NYC Personal Income Tax
NYS/NYC Cigarette Tax
NYS Insurance Fund
NYC Human Resources Adm.
NYS Alcohol Beverage tax
Businesses

NYC Dept. of Investigations
US Housing & Urban Development
NYC Housing Authority
NYS Department Of Labor
NYS Workers Compensation Board
City of New York
Individuals

**QUEENS DISTRICT
ATTORNEYS OFFICE
INITIATIVES**

QUEENS CHILD ADVOCACY CENTER 2012 STATISTICS



Queens prosecutors screened over 4,500 reports of suspected child abuse for criminality.

The Queens Child Advocacy Center

- Saw 2,021 children alleged to be victims of abuse (Of these 652 were sexual abuse allegations, 330 were physical abuse allegations and the rest involved domestic violence or being a witness to violence)
- Conducted 717 forensic interviews
- Performed 407 medical exams.

Of the children seen:

- 61% are girls/ 39% are boys
- 42% are 0-6 years old
- 42% are 7-12 years old
- 15% are 13-18 years old

97.7% of the alleged offenders were known to the children.

QUEENS CHILD ADVOCACY CENTER

112-25 Queens Blvd.
Forest Hills, New York 11375
(718)575-1342

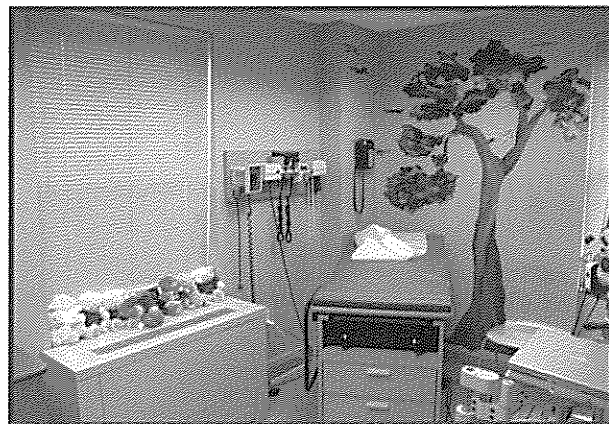
Child Advocacy Centers (CACs) are child-friendly, safe spaces that provide prevention, intervention, emotional support, and treatment services to physically and sexually abused children and their families by using a child-focused team approach.

Child Advocacy Centers work to prevent re-traumatization (further trauma of the child) and to ensure that a coordinated investigation is begun immediately. Counselors and clinicians work with law enforcement and legal representatives, medical service providers, and child protection agencies to provide a cooperative and coordinated approach to the investigation of child abuse cases and to build the strongest possible case against the abusers. Since opening, the Queens Child Advocacy Center has served over 11,000 children.

Our multidisciplinary teams at the Child Advocacy Centers represent:

- The Queens District Attorneys' Office
- Safe Horizon
- The New York City Administration for Children's Services
- The New York Police Department
- Medical Providers and Partnering Hospitals- Cohen's Children's Hospital

The Queens Child Advocacy Center is the only Safe Horizon CAC that opens its doors to allegations of abuse against teenagers, 13-18.



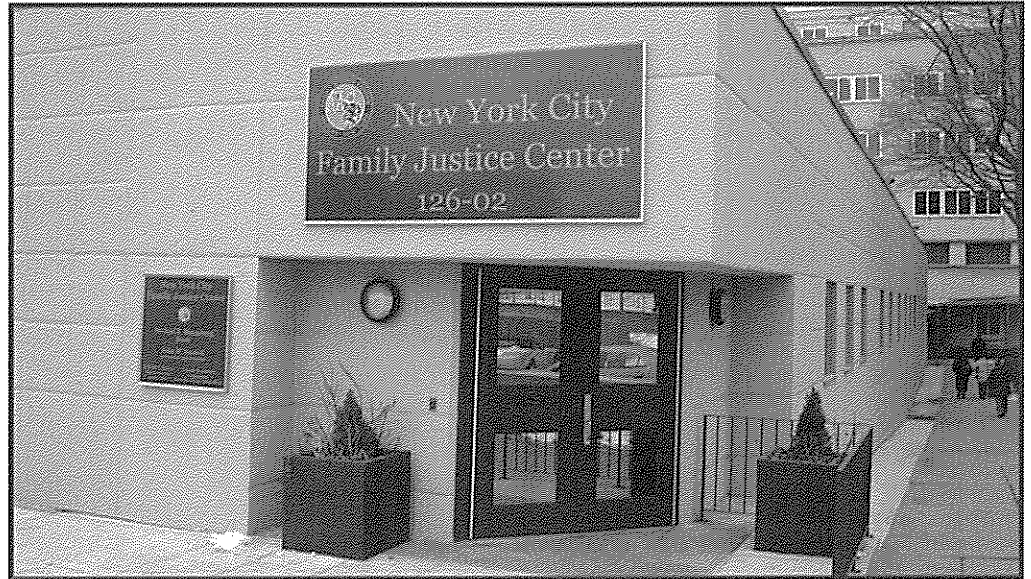
QUEENS FAMILY JUSTICE CENTER

126-02 82nd Ave
Kew Gardens, New York 11415
(718)575-4500

The New York Family Justice Center in Queens is a walk in, integrated service center for domestic violence victims and their children. It provides “one-stop shopping” for domestic violence survivors by placing lawyers, police, dedicated domestic violence prosecutors, counselors, clergy, and other service providers under one roof. Many agencies are located at the Center. Services are free and available to all victims regardless of what language you speak.

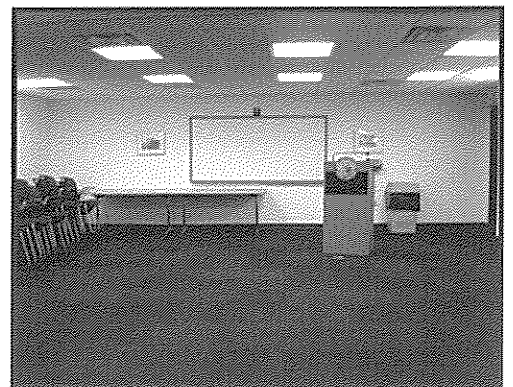
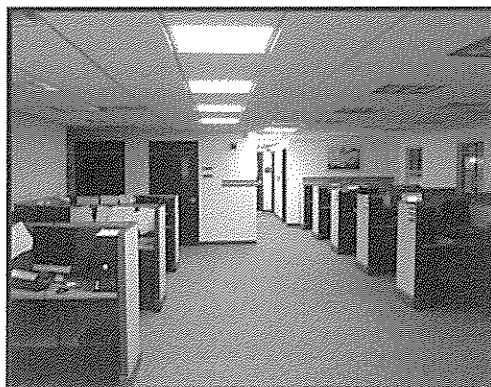
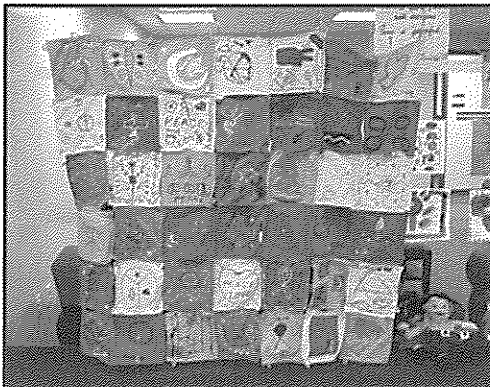
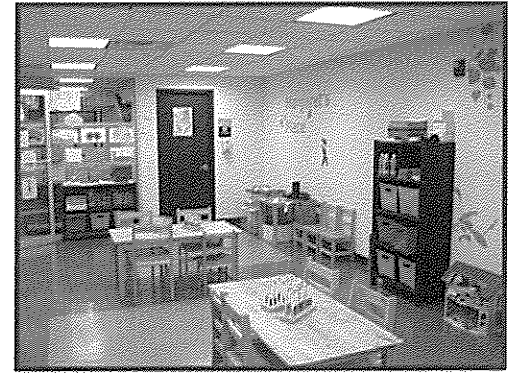
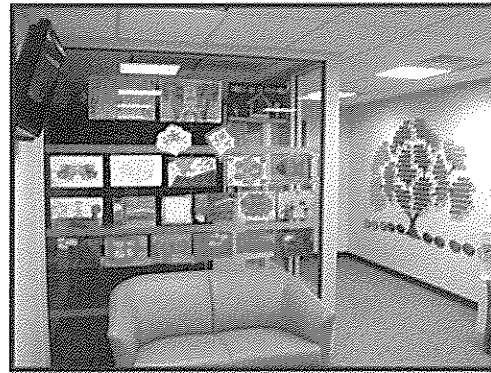
The Center is a safe and caring environment with one-on-one services and support. On the first visit to the Center a client will meet with a specialist who will speak with her about what services she might need. The client specialist will then link the client to a case manager.

Since opening in July 2008 through September 30, 2012, this center has



served 16,426 new clients seeking domestic violence services and 3,312 children were supervised in the Center's

Children's Room, Margaret's Place. There have been 112,286 adult client visits to the Center since it opened.



Initiatives- Alternative Sentencing

WHAT IS ALTERNATIVE SENTENCING?

The diversion of criminal defendants from a traditional sentencing structure toward mandatory treatment for drug abuse and other behavioral issues which motivate criminal behavior. TASC (Treatment Alternative to Street Crime) is a not-for-profit criminal justice agency that screens, assesses, places and case manages defendants as an alternative to incarceration.

QUEENS D.A. YOUTH DIVERSION PROGRAM

- Males ages 14-19 years old- First felony arrest/minimal criminal history.
- Intensive out patient treatment through the District Attorney's office.
- Minimum one year participation with frequent court visits.
- Dismissal or reduction of charges to misdemeanor.
- To date, 30 participants with 8 graduates and 100% retention rate.

QUEENS DISTRICT ATTORNEY'S YOUTH PART

- Males ages 14-21 years old- First felony arrest/minimal criminal history.
- Minimum one year participation with frequent court visits.
- In 2012, placed 147; 77 graduates, 19 failures, 51 pending with 87% retention rate.

SECOND CHANCE

- Panel develops and monitors first time misdemeanor offenders' progress in individualized services.
- Participants are required to complete services and upon completion, receive an ACD.
- Over 400 cases were handled in 2012.

SCRAM - SECURED CONTINUOUS REMOTE ALCOHOL MONITORING

- Provides 24/7 alcohol monitoring.
- Takes alcohol reading every 30 minutes.
- Required in all conditional DWI dispositions and costs \$11 dollars per day.
- Research supports reduction in DWI's.
- 725 participants, 602 graduates and a retention rate of 89%.

IGNITION INTERLOCK DEVICE (*REQUIRED BY LEANDRA'S LAW*)

- Required as a sentence for any DWI conviction.
- The Queens District Attorney's office is designated the implementation monitor for all 5 counties.
- January-December 2012, 1,892 defendants monitored and 360 installed the device.
- 96% paid full IID fees.

Initiatives- Alternative Sentencing

QTC - QUEENS TREATMENT COURT

- Designed in 1998 for first time non-violent felony offenders in need of substance abuse treatment.
- Most successful Treatment Court in New York State.
- Upon completion, felony charges are dismissed and sealed.
- To date, over 2,219 defendants have enrolled in the court with 80% retention rate.

DTAP - DRUG TREATMENT ALTERNATIVE TO PRISON

- Non-violent drug addicted second felony offenders who seek drug treatment for a minimum of 1 year as a jail alternative.
- Since 1993, over 1,050 defendants have participated.
- More than 668 graduates with a retention rate of 73%
- 271 defendants sentenced to jail.
- Upon completion, case is dismissed.

QMTC - QUEENS MISDEMEANOR TREATMENT COURT

- Targets non-violent defendants with at least 3 prior arrests.
- Participants must have a drug or alcohol diagnosis and agree to enter treatment for a minimum of 1 year.
- Since January 2002, over 1,100 defendants have enrolled in the program with 55% retention rate.

COMMUNITY SERVICE

- Average 5-10 days of community service at DOT, NYC parks and NYC Transit.
- Each year, more than 7,000 defendants participate with 70% retention rate.

QMHC - QUEENS MENTAL HEALTH COURT

- Must have an Axis I diagnosis.
- Participation is for a minimum of 1 year.
- Extensive psychological support and wrap-around services.
- Goal is medication compliance/maintenance.
- Queens TASC mental health unit facilitates most assessments and treatment plans.
- 239 placements, 134 graduates with a retention rate of 71%.

DOMESTIC VIOLENCE CASES

- Batterers Intervention Program- Between 26 and 52 weeks.
- Anger Management Treatment- 1, 5 and 12 sessions are available.
- Parenting Classes- 12 Sessions.
- Sexual offender treatment- 52-104 weeks.
- Deferred sentencing model.

QUEENS RESIDENT PLEADS GUILTY TO GUN TRAFFICKING IN SOUTHEAST QUEENS

*MORE THAN 10
ILLEGAL WEAPONS PURCHASED
OVER FIVE-MONTH SPAN*



In January of 2013, a resident of Hollis, pleaded guilty during jury selection to first and second degree criminal sale of a firearm, 5 counts of second-degree criminal possession of a weapon and 5 counts of third-degree criminal sale of a weapon.

The defendant admitted that between June 2010 and November 2010 he sold in excess of 10 pistols, revolvers and assault rifles to an undercover officer.

FAR ROCKAWAY MAN SENTENCED TO 50 YEARS TO LIFE IN PRISON FOR FATAL SHOOTING OF BYSTANDER AND WOUNDING ANOTHER MAN

Defendant Fired Dozens Of Times Into Crowd

A Far Rockaway resident, Paul Williams, who was convicted of opening fire on a crowd in September 2009 and killing one man and wounding another, has been sentenced to 50 years to life in prison.

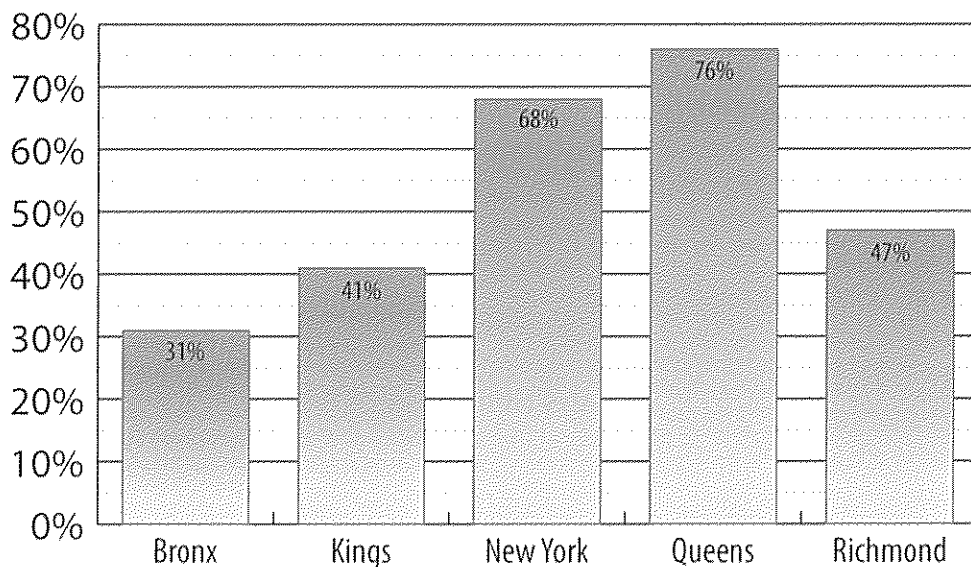
According to trial testimony, on September 14, 2009, at 1315 Augustina Avenue in Far Rockaway, Williams, armed with an assault rifle, fired 29 rounds into a crowd of people who were at that location. The victim, Ronald Washington, 28, also of Far Rockaway, was fatally struck four times in the upper torso. Todd Jamison, 45, of Cedarhurst, New York, was struck in the leg, resulting in the



amputation of his leg above the knee.

Williams fled the scene but was identified and arrested five months later in North Carolina after an arrest for an unrelated incident.

PRISON AS A PERCENT OF SUPREME COURT SENTENCES FOR FELONY GUN ARRESTS (CPW 2) BY BOROUGH IN 2011



SOURCE: DIVISION OF CRIMINAL JUSTICE SERVICES AS REPORTED IN
NYC CRIMINAL JUSTICE INDICATOR REPORT JANUARY 2013

Initiatives- Working to Reduce Gun Violence



OPERATION SOUTH SIDE

Queens District Attorney Richard A. Brown and Police Commissioner Raymond Kelly join police and prosecutors in announcing the May 2012 takedown of two alleged drug organizations that operated in Southeast Queens and which allegedly grossed more than \$15,000 per week by distributing narcotics to numerous street dealers who, in turn, sold the narcotics to customers. In total, 45 individuals were arrested, including 19 customers, and approximately one and one-half kilograms of cocaine, over 50 decks of heroin, a quantity of marijuana, an estimated \$70,000 in alleged narcotic proceeds, numerous cell phones and four handguns and a 9mm submachine gun were seized.



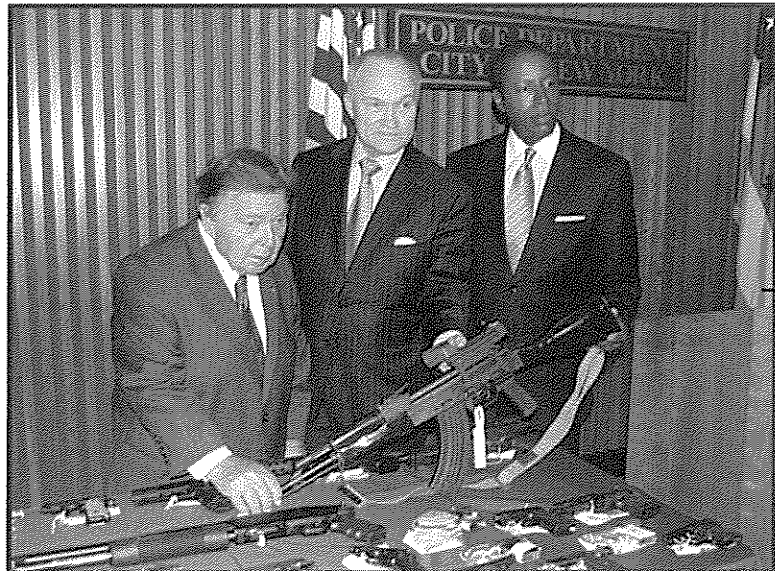
SOUTHEAST QUEENS GUN VIOLENCE INITIATIVE

District Attorney Richard A. Brown and a coalition of Queens elected officials – Congressman Gregory W. Meeks, City Council Members Leroy Comrie and Ruben Wills, State Assembly Members Vivian Cook and Barbara Clark, Mark McMillan, Counsel to Queens Borough President Helen Marshall, and State Senator Malcolm Smith – met in a show of solidarity and pledged support to help stem the increase in gun violence that has caused injury to and claimed the lives of innocent community members.



OPERATION PAC MAN

Queens District Attorney Richard A. Brown announced that five Jamaica, Queens, residents have been charged with illegally trafficking in firearms in southeast Queens over the past three years. As part of the joint undercover investigation conducted by the Queens District Attorney Office and the NYPD, twenty firearms were seized.



GUN BUYBACK PROGRAM NETS 509 WEAPONS

A one-day gun buy-back program sponsored by the District Attorney's Office, the NYPD and Senator Malcolm Smith's P3 Foundation allowed individuals in possession of illegal or unwanted guns to anonymously trade them in for a \$200.00 bank card. More than 500 weapons were taken out of circulation including an AK-47, a TEC-9, a Calico 9mm with a 50 round magazine, 245 revolvers, 168 semi-automatic pistols and five sawed-off shotguns.

Initiatives- Youth Crime Prevention Programs

MOCK TRIAL/ MOOT COURT

For over twenty years, the District Attorney's Office has coordinated Queens County's portion of the statewide high school mock trial tournament. The Queens tournament runs from February through April, and the Office is responsible for securing judges, coaches, and court rooms. The Office also assists with the statewide moot court tournament, providing lawyers, training, a fact pattern, and research materials from Lexis.

YOUTH ENRICHMENT PROGRAM

A partnership with the Queens Borough Public Library, the Youth Enrichment Program targets 16 to 19 year olds who have committed non-violent, first time misdemeanors and, in conjunction with the DA's Second Chance program, affords the opportunity to avoid prosecution by participating in a 12 week program offering training in computers and job skills as well as motivational guest speakers.

SCHOOL PRESENTATIONS

The District Attorney's Office sends attorneys and staff members to schools throughout Queens County, where they speak on one of the many community issues on which they have expertise. Common topics include internet crime, identity theft, drugs, gangs and gun violence.

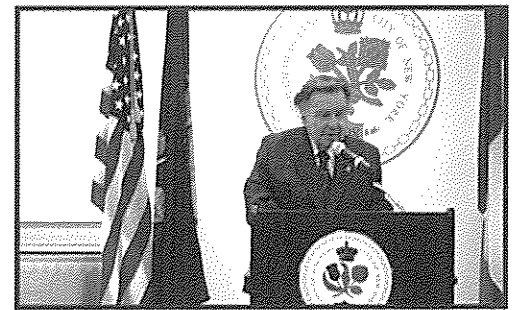
YOUTH DIVERSION PROGRAM

The mission of the Youth Diversion Program is to positively transform the lives of selected young men who are presently involved in the criminal justice system as felony defendants. This select group of troubled males between 14 and 19 years old is offered an alternative to incarceration using a deferred sentence model. Each class of approximately 10 young people is diverted to intensive targeted services with an emphasis on education, counseling and interactive experiences. The program runs for a minimum of one year, and a new class is assembled every four months. Those who successfully complete the program will have their cases dismissed or reduced.

Among the program's requirements are that the defendant be placed on interim probation supervision, an electronic monitoring bracelet be worn for a minimum of 90 days, and that random urine testing is conducted and a curfew imposed. The defendants must also terminate membership and contact with gangs and are required to attend program activities and school or a job. In addition, program participants

are given a weekly schedule that includes individual and group counseling, community service, and specialized training on such topics as handling peer pressure, impact of violence on communities, getting out of a gang, anger management, health, fitness and life skills. There are presentations from crime victims and their families as well as trips to the Holocaust Resource Center, the Poconos Educational Environmental center and other locations.

Our graduates leave with GED's, college aspirations and a real chance for a more promising future. Eight young men have graduated and another twenty-two are currently in treatment.



STAR TRACK

Far Rockaway School Anti-Violence Program

STAR Track, which began in 1993, is a program aimed at helping children in Far Rockaway choose the right life path. STAR Track sends Assistant District Attorneys, Assistant Corporation Counsel and defense attorneys from Queens Law Associates to 10 schools: Public Schools 43, 104, 106, 197, 215, 333, MS53, Village Academy, Frederick Douglass Academy and QIRT, where they teach fourth through twelfth grade students about the importance of avoiding gangs, drugs and guns, how to deal with peer pressure and bullying, and how to make good choices.

Beyond the in-school meetings, STAR Track chairs an Interagency Council to bring school and law enforcement officials, community leaders, elected officials and not for profit agencies together to discuss the issues facing schools and students and develop strategies to address them. Say NO to Violence Week features school-wide assemblies - complete with anti-violence themed songs,

skits, videos and dances - and poster and essay contests, all aimed at reaching students beyond the STAR Track classes. The Safety Corridors initiative provides students from each of the participating schools with recommended routes to and from school patrolled by the 101st Precinct. Say YES to Tennis, NO to Violence Day at the National Tennis Center offers students a chance to learn about the game of tennis while learning about teamwork, cooperation and personal achievement.

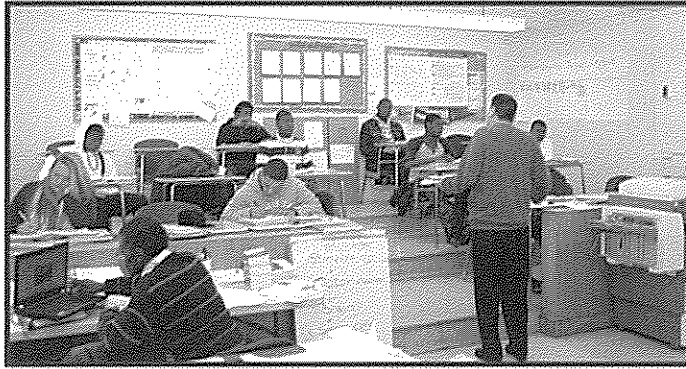


Initiatives- Youth Crime Prevention Programs

QUEENS COURT ACADEMY

A room in Queens Borough Hall has been converted into a high school classroom where 17 to 19 year old defendants who have fewer than 20 high school credits and who may have difficulty returning to a regular classroom can prepare for their general equivalency diploma (GED). Through a partnership with the New York City Board of Education, the Queens Court Academy is staffed by two full time certified teachers, 1 full time paraprofessional

and a guidance counselor who is present 2 full days per week. The Academy can serve as many as 20 students.



OPERATION SUMMER FUN

Operation Summer Fun is an annual program that began in 2001 in response to parents' complaints that their children had nothing to do during the summer and often got into trouble as a result. The goal is to provide positive healthy activities in which children can get involved while simultaneously allowing them to build positive relationships with law enforcement.

Approximately 120 children register for the program every year. The program is coordinated by the Police Athletic League with funding from the DA's Office and operates in the 101st and 113th Precincts.

Participants, usually between the ages of seven and thirteen, are taken to various recreational venues, including parks, museums, zoos, science centers, roller skating rinks, amusement parks, ballgames and sightseeing attractions.



SUMMER YOUTH EMPLOYMENT PROGRAM

The Summer Youth Employment Program brings students from all over Queens County to the District Attorney's Office every summer. They are placed in various assignments throughout the Office. Placements are based both on the Office's needs and on a determination as to the type of work that will best allow the students to grow. The program affords its participants the chance to get involved in the criminal justice

system and to decide whether they might like to pursue a career in law. They also receive labor market training, with lessons ranging from writing resumes to understanding sexual harassment policies. This exposure to real-life work environments allows the interns to learn basic skills – such as arriving on time, wearing appropriate attire, and maintaining proper office demeanor – that will assist them later.

LEGAL EXPLORERS POST

Since 1996 the DA's office has been operating a Boy Scouts Legal Explorers Post through which 15- 20 high school students with an interest in the legal profession are given the opportunity to learn about the law firsthand. Meetings are held twice a month throughout the school year and participants hear from guest speakers, shadow Assistant District Attorneys, observe court proceedings, and are exposed to the wide spectrum of careers that comprise the legal profession.

COURT TOURS

Court Tours are available to anyone grades four and up. The District Attorney's Office sends a letter to schools throughout the borough, inviting them to arrange a visit. Upon arrival, students are addressed by an assistant district attorney, taken on a tour, and given an opportunity to ask questions. The program aims to show its participants as much as possible and generally tracks the court process from beginning to end, starting with Central Booking and then proceeding to arraignments and trials. Some tours also visit the Family Justice Center and the Child Advocacy Center.

STUDENT ADVISORY COUNCIL

High school students who are interested in pursuing careers in criminal justice or law are handpicked by their principals meet once a month to discuss and debate controversial issues, hear from guest speakers and participate in community service projects.

QUEENS VETERANS COURT HOLDS FIRST GRADUATION CEREMONY

In December 2010, Queens County added to its growing list of alternative to incarceration programs by establishing a Veterans Court to assist returning veterans and their families. The Court is premised on the recognition that some of our returning veterans who witnessed first-hand the horror and devastation that war brings have unfortunately brought back with them deep emotional and psychological scars as a result of their experiences. The goal of the Veterans Court is to ensure that when veterans become involved in the criminal

justice system and are in need of alcohol, substance abuse or mental health services that they receive the needed treatment as an alternative to incarceration. A key component of the Court's success is the collaboration among judges, prosecutors, defense attorneys and treatment providers.

The Veterans Court identifies nonviolent veteran offenders and provides outreach, specialized support services and treatment; offers peer support to sustain engagement in services; and facilitates the exchange of information between legal, clinical and community resources. Since its creation, 40 otherwise jail-bound veterans have been diverted through the Queens Veterans Court. Those who successfully complete the year-long program have the charges against them dismissed

or reduced.

In March of 2012, the first five veterans who successfully completed the program's requirements participated in a graduation ceremony attended by, among others, District Attorney Richard A. Brown, Justice Fernando M. Camacho, former Administrative Judge of the Criminal Term of Queens Supreme Court, Justice Judy Harris Kluger, Chief of Policy and Planning, New York State Courts and the Honorable Sol Wachtler, Professor of Constitutional Law at Touro Law School and former Chief Judge of New York State. Justice Marcia Hirsch presides over the Veterans Court.



BRINGING SEX TRAFFICKERS TO JUSTICE

EIGHT TRAFFICKERS CONVICTED; ANOTHER SEVEN UNDER INDICTMENT

Since the enactment of New York State's Sex Trafficking statute in 2007, the Queens County District Attorney's Office has been in the forefront of efforts to use the statute to protect trafficking victims and bring their traffickers to justice. Queens brought the first indictment in New York State and obtained the first conviction in New York State for sex trafficking. To date, eight individuals have been convicted of sex trafficking. All have received state prison sentences. Another seven individuals are under indictment for sex trafficking and their cases are pending.

In the convicted cases, the majority of the sex trafficking victims were underage runaways as young as 13 and 14 years old. Many of them were advertised on Craigslist or Backpage.com. Some were subjected to beatings, choking and threats of death.

In addition, Queens has obtained numerous convictions of pimps for promoting the prostitution of young girls.

In one such case in 2012, a Far Rockaway man was sentenced to up to 13 years in prison for prostituting two teenage female runaways - a 14 year old and a 17 year old.

In March of 2012, pursuant to a coordinated government initiative by the Queens District Attorney's Office, the New York City Police Department and the New York City Department of Buildings, two motels were shut down under the nuisance abatement law. Undercover officers posing as prostitutes and customers visited the Kew Motor Inn and the Par Central Inn in Kew Gardens on several occasions during which time they witnessed various illegal acts. It is alleged that five motel employees accepted bribes, allowed the undercover officers to rent rooms without proper identification, knowingly allowed actual prostitution activity on the premises and, in some cases, assisted in the illegal activity. For instance, the undercover officers posing as prostitutes allegedly instructed the desk clerks to call their rooms when a customer arrived for them and

then direct the customer to the room.

Since 2004, the District Attorney's Office has participated in a specialized court called the Human Trafficking Intervention Part which offers men and women charged with prostitution or loitering for prostitution the opportunity to attend treatment or service programs targeted for human trafficking victims. A variety of treatment providers serve the court and offer a range of programs which can meet the varied needs of the participants including age, gender identity, language spoken and other special needs - GEMS (English), SAVI (Spanish), RESTORE or New York Asian Women's Center (Mandarin or Korean), and Hidden Victims project (Special Needs). Those who successfully complete the individualized program created for them receive a favorable disposition of their case. Approximately 100 defendants are served by the court at any time.

**CASES
OF
INTEREST**

QUEENS MAN SENTENCED TO UP TO 235 YEARS IN PRISON IN \$1.8 MILLION IMMIGRATION AND REAL ESTATE FRAUD SCAM ON WEST INDIAN COMMUNITY

*Wife and Daughter also Sent to Prison for their Roles in Scheme
in Which Father Posed as ICE Agent with Inside Connections; Nineteen Victims Swindled*

Three members of a Richmond Hill family have been collectively sentenced to 139 a to 418 years in prison for defrauding a total of nineteen individuals, mostly members of the borough's West Indian community, out of more than \$1.8 million over a nearly six-year period by promising to assist them in obtaining "federally seized" properties in Florida and Queens at cheap prices or to assist them in gaining legal status in this country.

According to trial testimony, Shane Ramsundar, his wife Gomatee, and his daughter Shantal held Shane out to be a federal agent – complete with a real-looking gun, a badge and false ID card – and a deeply religious Pandit, who could obtain cheap government-seized real estate properties in Florida and the Ozone Park/Richmond Hill/Jamaica areas of Queens. In particular, the two elder Ramsundars claimed that the government allowed their special agents first option to buy the properties seized from tax evaders and drug dealers cheaply prior to their public auction. Shane Ramsundar then told his victims that he would purchase properties

and obtain mortgages for them with his special government connections and then transfer the deeds over to them and they could live in the residences or re-sell them at great profit. Checks were laundered through eleven different bank accounts – eight belonging to Shantal Ramsundar and three belonging to the family's race car repair company, Baba Boost Racing, Inc., of Long Island City, of which Shantal Ramsundar is the president and Gomatee Ramsundar is the manager. In total, the Ramsundars received a total of more than \$1.5 million from eleven victims.

Furthermore, in carrying out the immigration portion of their scheme, Shane Ramsundar again posed as an ICE/FBI agent and convinced victims that he could use his insider access to get people green cards, have them removed from deportation lists and even get them off "terrorist watch lists" in exchange for sums of money. Gomatee Ramsundar aided her husband by convincing some of the victims that he could obtain the necessary immigration documents and was present when some of the victims turned over their

money. Shantal Ramsundar also aided in the scheme by holding her father out as an FBI agent and by cashing checks and laundering substantial amounts of the proceeds through bank accounts in her name. In total, the Ramsundars received more than \$300,000 from twelve victims, some of whom were victimized in the defendants' real estate scheme.

Court-authorized search warrants executed at the family's residence and storage locker resulted in the recovery of contracts and five realistic looking air guns. The case against the Ramsundars was initiated when its victims read press reports in August 2009 about the sentencing of Port Authority janitorial worker Nazim (Tony) Hosein who had defrauded five members of the West Indies community by promising to expedite and produce legitimate green cards and other U.S. documents after collecting a total of nearly \$100,000 from them. As a result of that unrelated case, the victims in the instant case contacted the Port Authority police with information about Shane Ramsundar, who was arrested in September 2009 on similar charges.

DOZEN CHARGED WITH LOOTING BUSINESSES IN HURRICANE-RAVAGED ROCKAWAYS



District Attorney Brown took a zero tolerance approach to those individuals who hoped to exploit a natural disaster like Hurricane Sandy for their own personal gain by charging a dozen individuals with burglary and other crimes for looting various Far Rockaway businesses – including a liquor store, clothing stores and a Radio Shack – in the aftermath of the

superstorm.

As of January 28, 2013, a total of twenty-three individuals have been charged with looting in Far Rockaway right after Hurricane Sandy swept through the peninsula. Of that total, six have pled guilty(all to the top count), eleven individuals have been indicted, three are presently awaiting indictment and the grand jury voted no true bill on the remaining three cases.

105 LONG ISLAND RESIDENTS AMONG 'COMMUTER' CUSTOMERS ARRESTED IN 14-MONTH UNDERCOVER PROBE OF NEW YORK CITY HEROIN DRUG RING

Drug Ring Successfully Dismantled; 12 Arrested

One hundred and twenty-one individuals – most of whom reside in Suffolk and Nassau Counties – have been arrested on drug possession charges for allegedly commuting into New York City to buy heroin and other drugs from a New York City drug ring operating in Queens County and elsewhere. Eight alleged members of the drug ring – including its alleged director – were arrested, along with four others.

The main defendants are accused of operating as a tightly knit ring that catered almost exclusively to drug buyers from the eastern end of Long Island, virtually turning the Long Island Expressway into the 'Heroin Highway.' In carrying out drug sales, it is alleged that customers – including 90 from Suffolk

County and 15 from Nassau County who were arrested in the investigation – would call the main dealer, drive into New York City and meet the dealer's runners at various location in the city – including hotels, restaurants, diners, electronic stores and even a 99-cent store – in an effort to thwart surveillance. However, unbeknownst to them, they, in fact, were under investigation by the District Attorneys office and the New York City Police Department and being marked for arrest, prosecution and prison sentences.

Over the course of the investigation, officers seized more than 8,000 glassine envelopes of heroin, more than five kilograms of heroin, 2.7 kilograms of cocaine and five pistols (four of them loaded), a shotgun and an assault rifle. In addition to the arrests

this week, officers executed three court-authorized search warrants and allegedly recovered heroin inside a grinder, scales, packaging, a loaded semi-automatic pistol, as well as various quantities of heroin, hydrocodone, cyclobenzene, cocaine, ecstasy and marijuana.

One of the defendants was arrested with a loaded Glock on his way to a shoot a customer who owed him money. Another was arrested carrying a loaded AK-47 machine gun. Were it not for the work of NYPD Narcotics detectives and the Queens County District Attorney's Office, these dangerous dealers would remain at large.

The NYPD's Queens Narcotics Division and his Narcotics Investigation Bureau commenced a long-term investigation in November 2010 of a controlled substance organization which, according to the criminal charges, was selling heroin and other narcotic drugs in Queens County and elsewhere in New York State. It is alleged that, in monitoring ten different telephones utilized by one of the defendants through court-authorized wiretaps, investigators learned that the defendant arranged hundreds of controlled substance transactions by directing customers to various locations in Queens County and elsewhere, where his associates, delivered the controlled substances to the customers. In addition to alleged drug transactions, a number of intercepted telephone calls allegedly pertained to weapons.

One of the defendants was arrested with a loaded Glock on his way to a shoot a customer who owed him money. Another was arrested carrying a loaded AK-47 machine gun.

BOYFRIEND SENTENCED TO TWENTY YEARS IN PRISON FOR STABBING DEATH OF GIRLFRIEND



Susan T. Woolf, 49, was a sculptural artist who worked with objects from nature and bronze according to the NY Daily News. She also created jewelry.

On December 11, 2009, her boyfriend, Tigran Tambiev, repeatedly stabbed her in the back and chest during a domestic dispute inside their Long Island City apartment. Woolf's body was discovered the next day by a friend who was concerned about her well-being. Tambiev was apprehended a month later in Miami Beach.

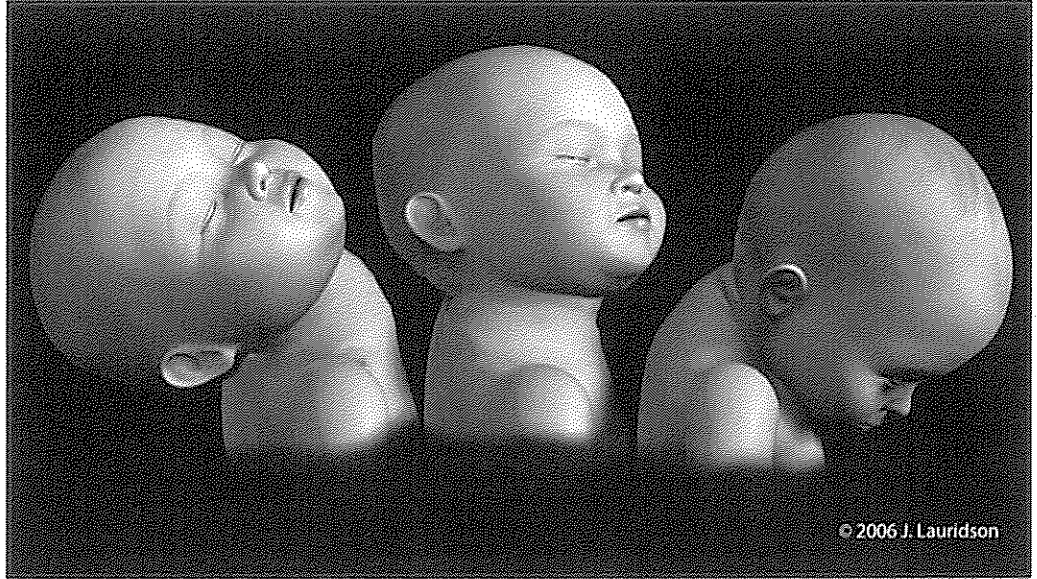
In October 2012, Tambiev pleaded guilty to first-degree manslaughter before Queens Supreme Court Justice Gregory L. Lasak and was sentenced the following month to a determinate sentence of 20 years in prison and five years' post-release supervision.

FATHER ADMITS TO ASSAULTING INFANT DAUGHTER BY VIOLENTLY SHAKING HER

In November, Israel Garcia, 28, of Elmhurst, admitted in court to violently shaking his crying infant daughter as he pleaded guilty to first-degree assault. Garcia, who will be sentenced to a determinate term of fourteen years in prison, agreed to make an educational video on Shaken Baby Syndrome in the hopes of keeping other parents from making the same mistake. His daughter, who suffered permanent life-threatening injuries, remains on life support.

The infant, Maria Gordillo, who was born on March 12, 2012, arrived at Elmhurst Medical Center's emergency room on May 28, 2012, in an unresponsive condition and was thereafter transferred to New York University Hospital. Medical tests revealed the infant to be suffering bleeding on the brain and eyes, old and new brain injuries, multiple old rib fractures and various bruises on her left foot and back.

Garcia, who is the baby's biological father, admitted that he came home from work in early May tired and frustrated, heard the baby crying, forcefully grabbed and squeezed the baby around her torso



and moved her repeatedly in an up and down motion. Garcia said that he believed he injured the baby's ribs at that time but did not tell anyone.

Garcia also admitted that on May 28, 2012, he was home alone with the baby and the baby woke up from a nap and started to cry. Garcia then forcefully grabbed the baby

and shook her repeatedly for approximately three minutes until she stopped crying and appeared to go to sleep. Garcia admitted that he saw the baby's head moving backward and forward and that thereafter the baby stopped breathing and went limp. Garcia then admitted that he attempted to revive the baby and called 911.

FIVE INDIVIDUALS CHARGED WITH GUN TRAFFICKING IN SOUTHEAST QUEENS

20 Illegal Weapons Allegedly Purchased over Three-Year Span

District Attorney Brown and NYPD Commissioner Ray Kelly announced in December the arrest of five individuals in connection with illegal firearms trafficking in Southeast Queens over the past three years. The price allegedly paid for each of the 20 weapons that were purchased ranged from \$500 to \$2,400, with most weapons typically going for about \$1,000.

"With relatively few exceptions, the weapon sales were brazenly conducted in broad daylight between the hours of noon and 5:00 p.m., and in some cases, the transactions occurred in public places such as street corners

and store parking lots," said D.A. Brown. "We must remain vigilant in our efforts to keep illegal firearms out of the hands of criminals and off of the streets of Queens."

The indictment and criminal complaint filed with the courts charge that the defendants sold a total of 20 revolvers and semi-automatic firearms – namely, four 9 mm, three .22 caliber, one .25 caliber, six .38 caliber, three .380 caliber, one .44 caliber and two .45 caliber – to undercover agents in Southeast Queens between August 12, 2009, and

October 3, 2012. It is alleged that four of the weapons were defaced.



QUEENS MAN CHARGED WITH TRAFFICKING IN UNTAXED CIGARETTES

More Than 20,000 Counterfeit State/City Tax Stamps and Nearly 230,000 Untaxed Cigarettes Among Items Allegedly Seized

Tobacco bootleggers who illegally bring thousands of untaxed packs of cigarettes from other locations to New York for resale cheat the public by failing to contribute their fair share of the dollars. For every dollar or two dollars a store owner or consumer saves by purchasing an untaxed pack of cigarettes, the honest taxpayer becomes the victim by being forced to dip into his or her pocket to pay higher taxes.

As a direct result of cooperation between the Department of Finance, the District Attorney and the Tax Department, a Jackson Heights man has been charged in connection with a scheme to sell untaxed cigarettes by using counterfeit tax stamps. As part of the investigation, authorities allegedly seized 11,423 packs of untaxed cigarettes, more than 21,000 counterfeit cigarette tax stamps and thousands of dollars in cash. It is alleged that the defendant was seeking to shortchange New York State and New York City out of nearly \$200,000 in tax revenue.



The arrests are just the latest results brought about by the District Attorney's Crimes Against Revenue Unit which protectively investigates and prosecutes individuals and businesses that deliberately fail to pay tax obligations associated with legal and illegal activities. To date, more than 8.5 million untaxed cigarettes have been

seized, forfeited, and surrendered.

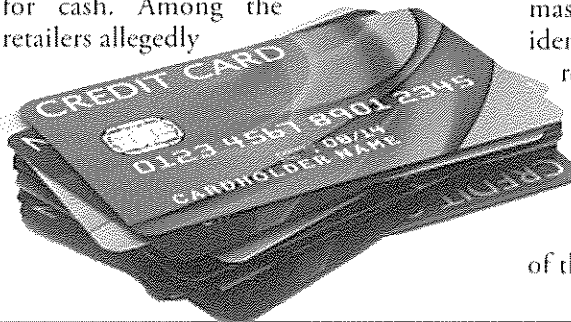
In January of 2012, a Flushing resident was charged with second-degree trademark counterfeiting and other charges following the seizure of approximately 1,400 cartons of cigarettes, 14,500 counterfeit Virginia tax stamps and \$32,000 in cash from two apartments in Flushing.

13 INDIVIDUALS CHARGED IN IDENTITY THEFT AND COUNTERFEIT CREDIT CARD OPERATION BASED IN QUEENS

Scores of Unsuspecting Consumers, Retailers and Financial Institutions Allegedly Defrauded

According to the charges, the defendants fraudulently obtained credit card account numbers through various means, which were then used to manufacture forged credit and identification cards. Once the counterfeit cards were created, they were ultimately given to "shoppers" who were sent out on shopping expeditions all over the New York area including Long Island, Upstate and New Jersey, as well as Delaware, Florida and Pennsylvania to shop using counterfeit credit cards, stolen account and personal identification information,

counterfeit currency and counterfeit Traveler's Cheques. The defendants allegedly resold the purchased items or in some cases – such as when using Traveler's Cheques – returned the items for cash. Among the retailers allegedly



targeted by the defendants are Best Buy, Home Depot, Loehmann's, Walgreens and Sephora.

Authorities learned of the alleged ring as part of the investigation of a massive \$13 million credit card and identity fraud ring with a worldwide reach – dubbed "Operation Swiper" – that was dismantled last October with the arrests and indictments of 111 defendants. Of those defendants, 75 have pleaded guilty to date – including several of the lead defendants.

TWO MEN SENTENCED FOR SEX TRAFFICKING OF 14-YEAR-OLD GIRL

*Each Defendant Sentenced to
Indeterminate Term of 3 to 9
Years in Prison*

Two 21-year-old men, Shaquan Gould and Evan Harrington, have been sentenced to three to nine years in prison today following a guilty plea earlier this month to sex trafficking for forcing a 14-year-old girl to work as a prostitute in South Ozone Park and to turn over all of her earnings to the defendants.

On multiple occasions between April 19 and April 26, 2012, according to the charges, the victim told defendant Harrington that she no longer wanted to work for the defendants, but was told that she could not leave and was struck about the face and body by Harrington. The victim managed to escape from the house on April 26, 2012, and call a relative, who then called police.

The defendants' guilty pleas bring to eight the number of sex trafficking convictions obtained by the Queens District Attorney's Office since state legislation strengthening penalties against human trafficking and providing assistance to victims took effect on November 1, 2007.

25 INDICTED ACROSS U.S. IN MASSIVE \$50 MILLION SPORTS BETTING RING

120 OHIO ST	-34.5	168 PENN ST	-2.5
121 KENT ST	-24.5	169 MINNESOTA	
122 TEMPLE		170 HIGH ST	
123 BALL ST	-5.5	171 MICHIGAN	-17
124 BUFFALO		172 UNLV	
125 ARKANSAS		173 COL ST	-15.5
126 AUBURN	-16	174 N MEX ST	PICK
127 DUKE		175 IDAHO	
128 ALABAMA	-29	176 VIRGINIA	
129 OKLA ST	-3	177 E CAROLINA	-6.5
130 KANSAS ST		178 AKRON	
131 TEXAS A&M	-1.5	179 CINCINNATI	-6
132 KANSAS		180 S CAR	-6.5
133 S DIEGO S		181 KENTUCKY	
134 BYU	-27	182 BAYLOR	
135 RICE	-2	183 COLORADO	-5
136 TULANE		184 NEBRASKA	-6.5
137 NAU			

In a series of well-timed and coordinated arrests, representatives from local, state and federal law enforcement agencies fanned out across the United States in October and arrested 25 individuals – including three owners of a sports betting Internet website – in five states on charges of operating an illegal sports betting enterprise in Queens County and elsewhere that profited by more than \$50 million during an eighteen-month period by accepting wagers on various sporting events – including horse-racing and professional and college football, basketball, hockey and baseball.

In addition, dozens of search warrants and asset seizure warrants were executed in multiple jurisdictions in New York, New Jersey, Pennsylvania, Nevada and California, resulting, to date, in the seizure of real property and more than \$7.6 million in cash and gambling chips. The arrests and/or warrants were carried out by the New York City Police Department's Organized Crime Investigation Division, the FBI's Asset Forfeiture Section, the Nevada Gaming Control Board, the New Jersey State Commission of Investigation, the Monmouth County (NJ) Prosecutor's Office, the New Jersey State Attorney General's Office, the Pennsylvania State Police and the Los Angeles Police Department. Furthermore, the Office of Loretta E. Lynch, the United States

Attorney for the Eastern District of New York, has filed asset forfeiture warrants against the defendants' assets.

The investigation leading to the arrests began in February 2011 when NYPD Organized Crime Investigation Division detectives developed information about an illegal sports betting operation and began a joint investigation with the District Attorney's Organized Crime and Rackets Bureau. The investigation included physical surveillance, intelligence information and court-authorized electronic eavesdropping. According to the indictment, between April 13, 2011 and October 18, 2012, the defendants conspired to acquire money illegally through the operation of an unlawful gambling enterprise involving the use of Internet web sites that accepted bets on sporting events.

The indictment also alleges that the ring used non-traditional "wire rooms" in the form of off-shore, Internet-based gambling services – such as www.pinnaclesports.com, www.jazzsports.net/com, www.wager4you.com and www.playhere.ag – used by bettors and agents to actually place their wagers. It is alleged that the members of the enterprise used the off-shore wire rooms to maintain the gambling accounts of numerous agents through the Internet website in an effort to evade law enforcement detection through traditional methods.

GANG MEMBERS CONVICTED IN FATAL SHOOTING OF 13-YEAR-OLD BOY AND ASSAULT OF 17-YEAR-OLD BOY

Victim Killed by Stray Bullet While Walking Home from School, Second Teen Struck by Stray Bullet While Working at Car Wash

In a tale of two trials prosecuted simultaneously in November, a 21-year-old St. Albans man and a 19-year-old Springfield Gardens man, both members of the Crips street gang, were convicted of first-degree manslaughter for the 2009 shooting death of 13-year-old Kevin Miller. They were also convicted of first-degree assault for the wounding of another teen. Both were innocent victims struck by stray bullets during an altercation between a Crips street gang and a rival Bloods street gang.

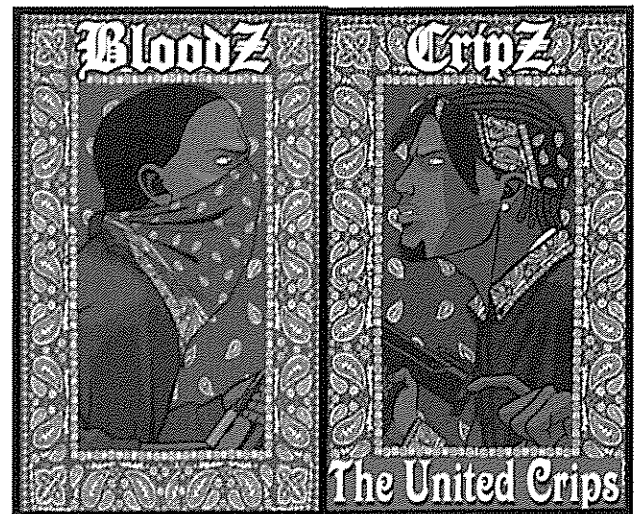
According to the testimony elicited at trial, the defendant, acting in concert with his co-defendant, who was also armed and firing a gun, discharged his .380 semi-automatic revolver on October 2, 2009, at approximately 3:15 p.m., in front of 208-15 Linden Boulevard in Cambria Heights, Queens, in the direction of three persons with whom he had just had a physical altercation, and who were fleeing, unarmed. One of the defendants' bullets struck

13-year-old Kevin Miller, an innocent bystander who was a freshman at the nearby Campus Magnet Humanities and the Arts High School, in the head, killing him. Miller had been walking to McDonald's after school with a friend.

Testimony revealed that additionally, during the altercation, one of the defendants' bullets struck a second teenager, Pedro Garcia, 17, who was working at the Cambria Car Wash and Detail Center at Linden and Springfield Boulevards. He sustained a gunshot wound to his left leg.

Testimony showed that both defendants were members of the Crips, a violent street gang, and were involved in an altercation with a rival street gang known as the Bloods. Neither Miller nor Garcia was a gang member or involved in the altercation.

The shooting followed a fight among students from Campus Magnet, also known as Andrew Jackson High School. The fight broke out near 116th Road and Springfield Boulevard, then moved around the block back toward the school, before moving near the car wash at Linden and Springfield.



ST. ALBANS MAN CONVICTED OF RAPING WOMAN HE MET THROUGH INTERNET

Defendant Identified Through DNA Hit

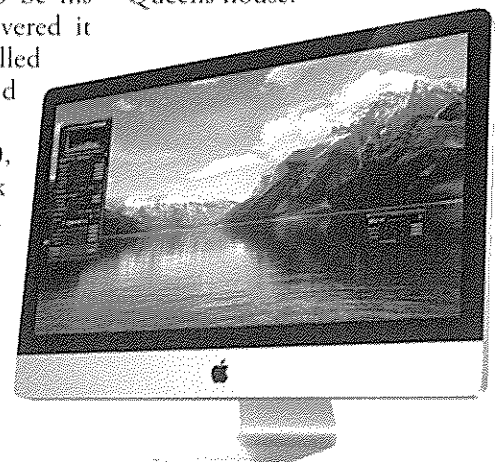
Dominicio Fuhrtz, was convicted after a jury trial of the 2010 rape of a 21-year-old woman he had met through the adult website directory, backpage.com. The defendant was apprehended when he attempted to pick up another female on the same website – not knowing that the victim had shared his information with friends who also advertised on the site and had set up a sting.

According to the trial testimony, the victim agreed to meet Fuhrtz, who she had met through backpage.com. On May 1, 2010, Fuhrtz brought her

to a house located at 115-30 175th Street in Queens, which she believed to be his residence. Once inside, she discovered it was a vacant house. Fuhrtz then pulled out a gun and forcibly raped her and engaged in other sexual acts.

Fuhrtz was arrested on June 10, 2010, when he attempted to pick up another female on backpage.com – not knowing that the victim had shared his information with friends who also advertised on the site and had set up a fake meet. Ultimately, his DNA, as well as the victim's, matched the profiles

on a used condom recovered at the Queens house.



FEDERAL OFFICIALS PRAISE QUEENS DISTRICT ATTORNEY'S OFFICE FOR THEIR ROLE IN HISTORIC \$1.9 BILLION DOLLAR HSBC MONEY LAUNDERING CASE

U.S. government officials – including Lanny A. Breuer, Assistant Attorney General of the Justice Department's Criminal Division and Loretta Lynch, U.S. Attorney for the Eastern District of New York – praised District Attorney Brown and his office for their significant role in helping to develop the case against HSBC, which has admitted to money laundering and sanctions violations and agreed to forfeit \$1.256 billion as part of a deferred prosecution agreement and pay an additional \$665 million in civil penalties for its anti-money laundering program violations.

During a press conference in December, U.S. Department of Justice officials noted that the anti-money laundering investigation was conducted by Homeland Security Investigations' El Dorado Task Force, a joint task force composed of members from more than 55 law enforcement agencies in New York and New Jersey – including investigators from the Queens County District Attorney's Office – with the assistance of the Drug Enforcement Administration's New York Division.

In his remarks, John Morton, the Director of U.S. Immigration and Customs



Enforcement (ICE), recognized District Attorney Brown and his office for their assistance and gave a special thanks to Homeland Security Investigations Group Supervisor and Queens County District Attorney Lieutenant Frank DiGregorio who co-led the El Dorado investigation, which discovered that HSBC Bank USA violated the Bank Secrecy Act and its implementing regulations by failing to maintain an

effective anti-money laundering program and to conduct appropriate due diligence on its foreign correspondent account holders. As a result, hundreds of millions of dollars in drug trafficking proceeds that helped fund cartels in Mexico and Colombia were laundered through HSBC – even though HSBC was aware of the significant anti-money laundering problems in its financial institution and allowed them to continue.

EIGHTEEN BUSTED IN JFK AIRPORT LIQUOR THEFT STING

More than a dozen workers at John F. Kennedy International Airport had their last call for alcohol in September when they were swept up in a five-month sting operation that charged them with the widespread theft of tens of thousands of mini bottles of liquor and other items from John F. Kennedy International Airport.

In all, eighteen airport workers – fifteen present and former truck drivers employed by LSG Sky Chefs, the food and beverage subcontractor for

American Airlines, and three security guards employed by FJC Security Services Inc., and SCIS Air Security Corporation -- were charged with pilfering more than 100,000 of the mini bottles, as well as duty-free items – such as larger bottles of liquor, perfume, and cartons of cigarettes – with an overall estimated retail value of more than \$750,000.



LONG ISLAND CITY RESIDENT GUILTY IN PONZI SCHEME IN WHICH 30 VICTIMS LOST MORE THAN \$1.3 MILLION

Defendant Sentenced to Indeterminate Term of 3 to 9 Years in Prison

A Long Island City woman who pleaded guilty in connection with a "Ponzi" scheme that targeted the Latino community in Queens has been sentenced to 3 to 9 years in prison. A second defendant charged in the case is still at large. The defendant admitted bilking 30 people out of their life savings by pretending to invest the money in a corporation that bought and sold real estate and offered above-market returns on it. Many of the victims of this scheme lost their entire life savings.

Between September 30, 2003, and October 1, 2008, the defendants purported to operate a corporation known as Buyersnet Real Estate Corporation with offices in Elmhurst, in Jackson Heights, and in Long Island City.

The complainants in the case gave the defendants various amounts of money which was to be used by Buyersnet to either purchase, renovate or sell real estate. They were allegedly informed by the defendants that depending on the date of the investment, they would be guaranteed to earn 10, 12 or a 14 percent return interest on their monies which could either be received by the complainant or reinvested. Each time the complainants invested monies they received certificates that were alleged to represent the amount of their investments and which were referred to as "GIOS" or Guaranteed Interest Options. The certificates allegedly reflected a guaranteed interest rate which was much higher than the rates being paid

by reputable financial institutions.

The investors contributed various amounts – in some instances as much as \$500 a month – and suffered individual losses ranging from approximately \$5,000 to as much as \$50,000. The total losses suffered by the 30 complainants are alleged to be approximately \$1.365 million. Finally, it is alleged that none of the money invested by the complainants was invested in real estate. Instead, the defendants allegedly used new investor money to pay interest dividends to earlier investors but during the later part of 2008 the scheme collapsed and the defendants stopped making interest payments, refused to return principal requested by various complainants and by the end of that year the business was closed.

MOTORIST PLEADS GUILTY TO VEHICULAR MANSLAUGHTER IN DEATH OF GRAND CENTRAL PARKWAY WORKER

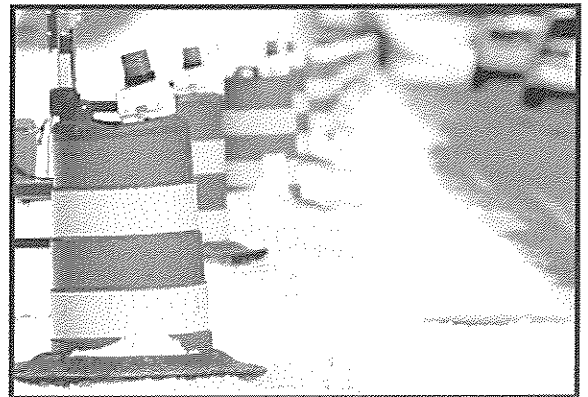
A motorist has pleaded guilty to vehicular manslaughter in the death of a 63-year-old highway worker killed this past July on the Grand Central Parkway.

According to the charges, the defendant was driving a 2002 Audi A6 at an unsafe speed westbound in the left lane of the Grand Central Parkway near Jewel Avenue on the morning of July 10, 2012. Just ahead of him a large construction vehicle was parked in the left lane with its arrow light flashing, indicating that the left lane was closed and directing motorists to the center lane. Directly behind the construction vehicle, Frank Avino, 63, of Long Island, was placing orange traffic cones in the left lane when the defendant's Audi struck him, causing Avino to hit the Audi's windshield and then fly into the air and land on top of the construction

vehicle. Avino, who worked as an electrician for Welsbach Electric Corp., of College Point, Queens, was pronounced dead at the scene. Based on skid marks at the scene it was determined that the minimum speed of the Audi was 58 miles per hour at the time of the collision and that the posted speed limit is 50 miles per hour.

Police responding to the scene observed that the Audi had front end damage and a shattered windshield and that the defendant had bloodshot watery eyes and a strong odor of alcohol on his breath. The defendant was taken to Jamaica Hospital, where he consented to have his blood drawn and which resulted in a blood alcohol content reading of .18 percent – above the legal limit of .08 percent in New York.

Upon request of police officers the defendant was unable to produce a valid New York State driver's license and in a statement to police he admitted to drinking from 12:00 a.m. to 3:00 a.m. that morning and that he was driving the Audi because his friends were too drunk to drive.



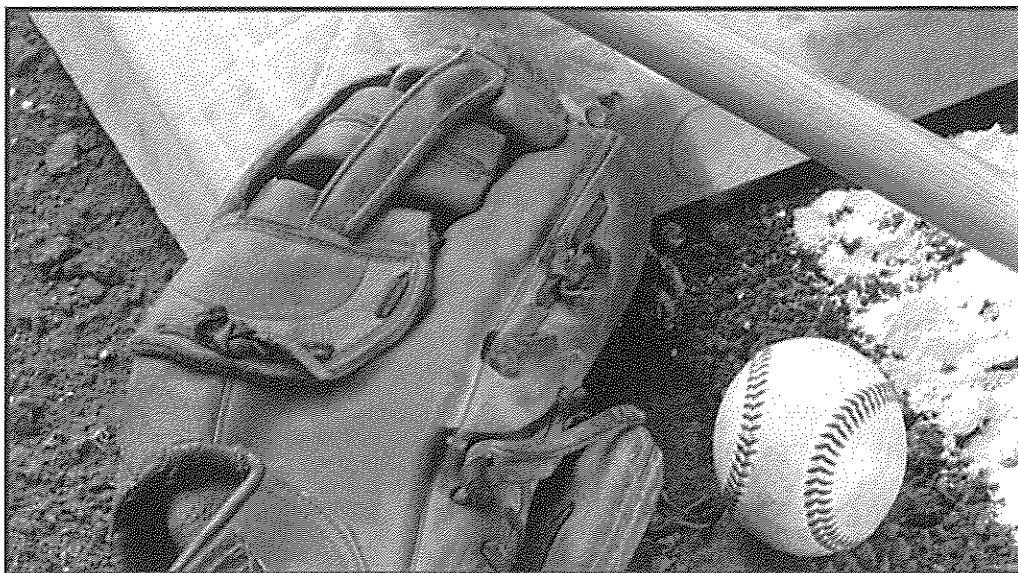
LITTLE LEAGUE COACH SENTENCED TO 18 YEARS IN PRISON FOR SEXUALLY ABUSING THREE TEENAGE BOYS

A baseball coach can be one of the most influential people in a young player's life. For the parents who entrusted their children to former "Rochdale Village Little League Coach of the Year" David Hartshorn that turned out not to be a good thing. Hartshorn had admitted in court to being a sexual predator who took advantage of his position as a Little League coach to get close to young boys before sexually abusing them. In September, Hartshorn was sentenced to 18 years in prison for sexually abusing three boys at his residence and using two other teenage boys in a sexual performance which he filmed.

In pleading guilty in August to one count of first-degree criminal sexual act, two counts of second-degree criminal sexual act and two counts of use of a child in a sexual performance, Hartshorn admitted that he sexually abused or had inappropriate sexual contact with three teenage boys on various occasions between

July 2009 and August 2010. During that time, Hartshorn filmed two additional teenage boys engaging in sexual acts with one another. A search warrant executed on Hartshorn's residence recovered many

movies on various formats – including VHS and DVD – showing young boys engaging in sexual acts and images of small children less than ten years of age engaged in similar activity.



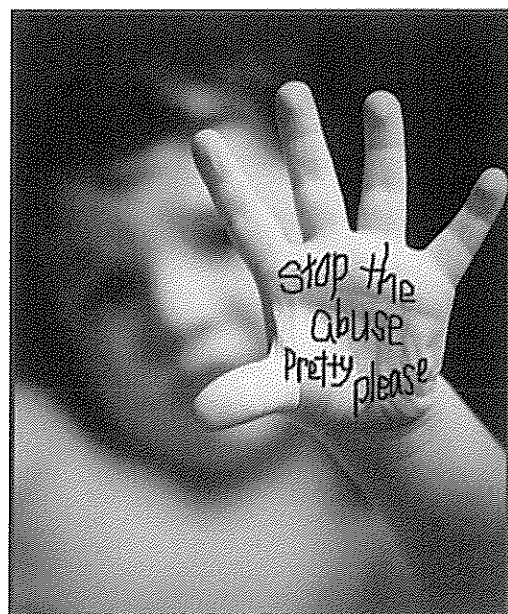
BABYSITTER SENTENCED TO 11 YEARS IN PRISON IN DEATH OF THREE-MONTH-OLD INFANT

A 28-year-old Corona woman has been sentenced to 11 years in prison following her guilty plea to one count of second-degree manslaughter and one count of first-degree assault for causing the death of a three-month-old infant for whom she had been babysitting by violently shaking the child because he was crying.

According to the guilty plea, the defendant, a family friend, was babysitting three-month-old Addison Reinoso-Xoyatla at her residence on Wednesday, December 29, 2010, when, sometime after 11:00 a.m., the baby awoke and began crying. Delarosa tried to console the infant but he continued to cry, at which point she repeatedly shook him hard

and asked, "What is wrong with you? Why are you crying?" Delarosa shook the baby until he stopped crying and went limp, at which point she sought help.

The baby arrived at Elmhurst General Hospital later that day in cardiac arrest and in an unresponsive and life-threatening condition. An examination of the child revealed that he suffered severe brain injury, as well as bleeding around the nerves that connect the eyes to the brain, both of which are common markers of abusive head trauma (also known as shaken baby syndrome), which occurs when a baby is violently and repeatedly shaken. The child died on Tuesday, January 4, 2011.



CAR DEALERSHIP AND ITS OWNERS CHARGED WITH \$730,000 SALES TAX FRAUD

Former Finance Manager also Charged with Defrauding Customers out of \$115,000

A nearly one-year investigation has resulted in a Woodside, Queens, used car dealership and its husband and wife owners being charged in connection with their operation of the dealership. In addition, a Queens County grand jury has returned an indictment charging the dealership's former finance manager with defrauding 23 car buyers out of a total of more than \$115,000 in cash through a phony refinance scheme.

According to the criminal complaint filed in the case, the defendants allegedly stole more than \$728,844 in state and local sales taxes that they collected from buyers but did not forward to the State Department of Taxation and Finance.

In the second case, according to the charges filed, the dealership's finance manager was responsible for meeting with each car buyer to finalize the financial end of the purchase. As is typical, many car buyers financed their purchases through lending institutions. To entice customers to go through with their car purchases, it is alleged that the finance manager promised customers that after six months of on-time payments they could come back and see him at the dealership and refinance their loans at a better rate and thus lower their monthly payment by hundreds of dollars.



It is additionally alleged that when customers returned to and met with the finance manager, he would tell them that there was a "fee" or "down payment" – ranging from \$1,000 to as much as \$13,000 – that they had to pay in cash in order to refinance their loan.

It is further alleged that the finance

manager took a total of more than \$115,000 in cash from 23 car buyers and never refinanced their loans. When the car buyers realized that their original loan payments were still due and contacted their original lenders, they were told that the loans were still in full effect and the loans had not been refinanced.

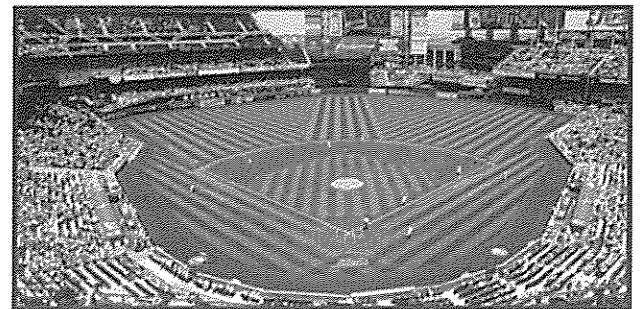
LONG ISLAND MAN PLEADS GUILTY TO JUMPING ON FIELD FOLLOWING METS NO-HITTER AT CITI FIELD

After New York Mets pitcher Johan Santana threw the first-no-hitter in Mets' history on June 1, 2012, giving the team an eight-nothing win over the St. Louis Cardinals, Rafael Diaz jumped over the railing and onto the playing area of Citi Field and then ran across the field to the pitcher's mound where he came in physical contact with various players before being apprehended.

Diaz pleaded guilty to interfering with a professional sporting event and

was sentenced to a conditional discharge, the conditions being that he pay a \$1,000 fine to the City of New York and \$4,000 in civil penalties to the New York Mets, perform 100 hours of community service in Queens County, and does not visit Citi Field for one year. If Diaz fails to complete any of the conditions of his sentence, he can be re-sentenced to a minimum of 15 days in jail to a maximum

of one year. Judge O'Donoghue ordered that all the conditions of the sentence be completed by December 14, 2012.



QUEENS MAN CONVICTED OF MURDER IN FATAL STABBING ON SUBWAY PLATFORM

The defendant was convicted in late November of fatally stabbing a 27-year-old Woodhaven resident at an elevated subway station in July of 2010. The victim was stabbed after going to the station to help his younger brother, who had been punched by a member of a group of young people that included the defendant.

Following a two-week jury trial before Queens Supreme Court Justice Gregory L. Lasak, the defendant was convicted of second-degree murder, first-degree manslaughter, tampering with physical evidence and fourth-degree criminal possession of a weapon. The defendant faces up to 26 1/3 years to life in prison when he is sentenced in February 2013.

According to trial testimony, Dario Paiva, 27, was at home at approximately 11:30 p.m. on July 30, 2010, when his mother told him that his younger brother, Khristian Paiva, 20, might need help after overhearing a commotion during a telephone call with him. Exiting the house,



Dario found his brother minutes later on 85th Street and was told that the alleged attackers had fled up the stairs of the 85th Street-Forest Parkway subway station to the J train platform. Dario then went up

to the platform to look for them and, after a brief verbal exchange, was stabbed once in the chest by the defendant. Dario was transported to a local Queens hospital where he died a short time later.

SHOOTER SENTENCED FOR MURDER OF TEENAGER OUTSIDE RICHMOND HILL BAR

Miguel Viruet, 37, of Ozone Park, Queens, was convicted in December of murder and other charges in the fatal shooting of a 19-year-old teenager outside of Scooby's, an Atlantic Avenue bar, in the early morning hours of May 5, 2010.

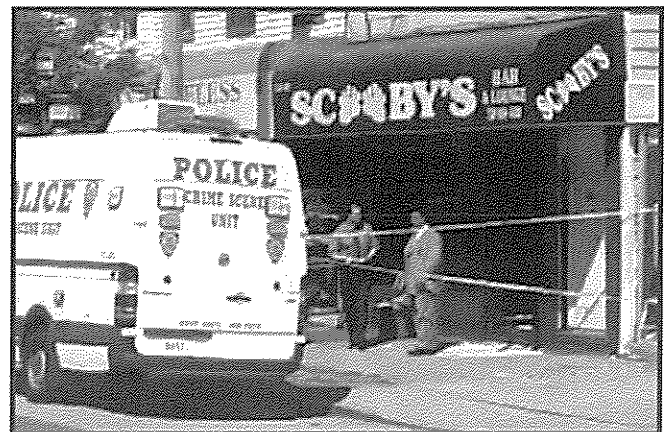
Viruet was convicted of second-degree murder and two counts of second-degree criminal possession of a weapon following a jury trial that began on November 26, 2012. Viruet was sentenced to 25 years to life in prison in January of 2013.

According to trial testimony, prior to the fatal shooting just before 4:00 a.m. on May 5, 2010, Viruet received a phone call from his brother who was upset and said that while

standing outside Scooby's Bar, located at 118-07 Atlantic Avenue, he had been punched in the face by an unknown male. A few minutes later, Viruet drove to Scooby's with two other individuals and approached the bar's bouncer, demanding to know who punched his brother. The bouncer told Viruet that his brother was drunk and had been punched outside of the bar and was not allowed back in. Viruet then drove away but later walked back to the bar.

While he stood across the street, Viruet

fired approximately nine shots in the direction of the people standing in front of Scooby's, hitting 19-year-old Christian O'Hara in the lower torso and causing his death.



SPA OWNER PLEADS GUILTY TO UNLAWFULLY PRACTICING MEDICINE AND SERIOUSLY INJURING CLIENT

*Endangered Patient by Performing Liposuction and Fat Injections;
Sentenced to Two Years in Prison;
Ordered to Make Restitution of \$180,000 to other Clients*

The owner of a Corona esthetic spa has pleaded guilty to unlawfully practicing medicine and assaulting a client by performing liposuction on her stomach and then re-injecting the fat into her buttocks. A week later, the client sought medical help, underwent life-saving surgery and was hospitalized for five days.

The defendant held out the false promise of being able to provide her victim with a more attractive appearance. Instead, she nearly caused the death of the young woman by performing medical procedures which she was neither licensed to perform nor capable of performing. As a result of the defendant's actions, her victim suffered life-threatening infections and physical impairment.

The defendant Barbara Nieto, has a business license from the New York State Department of State to operate an appearance enhancement business but did not hold a license to actually perform appearance enhancement treatments or practice medicine. She pleaded guilty and was sentenced to serve a term of two years in prison and three years' post-release supervision. She also signed a confession of judgment for \$130,000 and was required to pay an additional \$50,000 in restitution by the date of sentencing.

The \$180,000 represents money owed to other clients who paid the defendant for procedures done at Perfect Image Stethics (located at 40-63 Junction Boulevard) or Bell Stetika Esthetics and Spa (located at 93-28A Corona Avenue) based on the belief that she was a licensed professional. According to records recovered during the execution of a search warrant in this case, it is estimated that more than 100 people signed forms consenting to the defendant injecting substances into their buttocks to enhance

their shape. None of these individuals had liposuction and fat transfer injections or suffered the grave injuries sustained by the victim in this case.

According to the criminal charges filed against Nieto, the client went to Perfect Image Stethics for a consultation and was informed by Nieto of procedures that she could perform which would remove fat from her stomach area and then be re-inserted into her buttocks. Nieto told the client that the procedure would cost \$500.

Scheduling an appointment, the client returned to Perfect Image on the morning of March 20, 2010, and was taken into a room where Nieto wheeled in a machine that was connected with several hoses. Nieto injected the woman with a substance that was supposed to help with pain and then, cutting an opening in her stomach area, used the machine to suction fat from her stomach area. Nieto then injected the woman in the buttocks with a supposed pain-relieving substance and then, making two incisions, reinserted the fat into her buttocks. Once Nieto completed the medical procedures by stitching up the holes in the woman's stomach area and buttocks, Nieto informed the woman that she would need follow-up massage sessions.

Several days after having the procedure performed, the woman began to feel severe pain and developed a high fever, which continued for several days. Finding it difficult to walk, the woman went on March 27, 2010, to Flushing Hospital, where she was diagnosed with bilateral buttock abscesses and underwent surgery. She remained hospitalized for five days. According to medical experts, if the woman did not seek treatment, she would have developed a septic infection which would have led to death.

50 YEARS TO LIFE IN PRISON FOR MURDER OF PIZZERIA OWNER'S SON DURING FAILED HOME INVASION ROBBERY

*Three Other Defendants
Previously Pleaded Guilty*

Ozone Park resident Francis LaCorte has been sentenced to 50 years to life in prison for the 2009 shooting death of Gerardo Antonello, the 29-year-old son of an Ozone Park pizzeria owner. The death occurred during one of three home robberies carried out between August and September of 2009. Three other individuals arrested in connection with the Antonello murder have previously pleaded guilty in the case.

According to trial testimony, LaCorte and another man, met to discuss and plan the home robbery of Bartolomeo Antonello, the owner of Romeo's Pizzeria on Cross Bay Boulevard. They identified Antonello's home to accomplices and provided certain accomplices with items that would be used during the robbery – including duct tape and a loaded firearm. As Bartolomeo Antonello arrived home, the robbers approached him and forced their way into the Antonello home. Thereafter, a struggle ensued as Gerardo Antonello came to his father's aid. During the struggle, one of the robbers pulled out a weapon and shot Gerardo Antonello in the head before fleeing empty-handed.

SENTENCED TO 20 YEARS IN PRISON FOR RAPE OF TEENAGER WAITING FOR BUS

After a jury trial John Dixon was convicted of rape, assault and sexual abuse in connection with a 2009 sexual attack on a 19-year-old girl whom he had lured her into his vehicle with an offer to drive her to work.

After she entered his vehicle, Dixon drove a short distance and stopped in front of 70-20 Parsons Boulevard, where he choked and hit her and then sexually assaulted her before forcibly raping her. Following the attack, Dixon released her from the vehicle and drove off, but not before the victim wrote down his license plate number and walked to the nearest police precinct.

ASTORIA MAN WILL SPEND 25 YEARS IN PRISON FOR THE BEATING DEATH OF HIS WIFE

The defendant, Jordan L. Hawes, admitted that he struck his wife, Tara Hawes, 33, in the head repeatedly with a baseball bat while she was asleep in bed.

The victim's body was discovered in her bed on Thursday, February 2, 2012, at approximately 10:30 p.m. with extreme blunt force trauma to her head and body. Two knives with what appeared to be blood on them, a baseball bat covered with what appeared to be blood, skin and hair, and the victim's cell phone were recovered from the apartment. Defendant ultimately pled guilty to first degree manslaughter.

"AMERICA'S MOST WANTED" FUGITIVE SENTENCED TO 50 YEARS TO LIFE IN PRISON FOR MURDER AND ATTEMPTED MURDER IN 2002 SHOOTINGS

Danny Williams was arrested on July 19, 2010, in Jackson, New Jersey, by the New York Police Department's Fugitive Task Force and local police following two appearances on America's Most Wanted. After a jury trial, Williams was convicted of second-degree murder, second-degree attempted murder and first-degree assault.

According to trial testimony, Williams, armed with a shotgun, and a co-defendant, Reginald Artis, who was armed with a handgun, approached Roshawn Tate, 22, and Mark Belizaire, 21, just after midnight on Tuesday, May 28, 2002, began firing their weapons in the direction of the



two victims, both of whom were hit by discharges from the shotgun. Williams and Artis had been robbed earlier in the day and they believed that Tate and Belizaire, while not the robbers, somehow had been involved. Both defendants then fled the scene.

Tate died at the scene as a result of being hit several times in the back as he ran for his life and Belizaire suffered multiple injuries to his torso and legs, including nerve damage to his legs that has resulted in him being permanently disabled.

Artis pleaded guilty to second-degree criminal possession of a weapon and was sentenced to nine years in state prison.

CORONA MAN SENTENCED TO UP TO NINE YEARS IN PRISON FOR POSSESSING AND PROMOTING CHILD PORNOGRAPHY

A Corona, Queens, man who admitted to possessing a huge cache of very disturbing child pornography on his home computer has been sentenced to up to nine years in prison.

According to the charges originally filed against the defendant, the New York City Police Department was notified on August 19, 2010, by the New York Internet Crimes Against Children Task Force about a cyber tip received at the National Center For Missing and Exploited Children that the username 3SF0R17SZW0W7 – which was created and registered to the email address XANNXANGELX@hotmail.com – had uploaded 12 images of child pornography to the Ning Social

Networking Website – an online platform for building social websites – and that Ning had intercepted the images and reported the incident to the National Center for Missing and Exploited Children. It was determined that the e-mail address was registered to the defendant.

On November 24, 2010, detectives went to the defendant's home and seized his computer. An initial search recovered 80 images of child pornography. Later, a more detailed forensics analysis of the computer led to the recovery of more than 1,000 images and more than 500 videos of children depicted in a sexual manner or performing sexual acts, which were the basis of the charges in the indictment.

SHOOTING OF UNARMED MAN BRINGS 25 YEARS IN PRISON ON ATTEMPTED MURDER AND ROBBERY CHARGES

Sentence to be Served Consecutively to 15 Year Prison Term Defendant is Presently Serving in Connection with Brooklyn Murder of Police Officer Russell Timoshenko

Defendant, Robert Ellis, was convicted of participating in the cold blooded shooting of an unarmed man who was then robbed of his possessions as he lay bleeding on the ground. A lengthy prison sentence was imposed by the court is to hold the defendant accountable for his actions and to protect society.

According to the trial testimony, Carl Field, who was 20 at the time, was standing on the corner of Sutphin Boulevard and 109th Drive talking to a friend just before 5:00 a.m. on July 8, 2007, when a gray Porsche Cayenne being driven by Ellis stopped at the corner and Ellis' co-defendant allegedly exited the vehicle, holding a silver .45-caliber handgun, and began shooting. Mr. Field attempted to run but was shot once in his left leg, the bullet shattering his femur and causing him to fall to the ground. It is alleged that the co-defendant then approached Mr. Field and demanded money. Mr. Field allegedly

handed over \$1,800 in cash, a chain and the keys to his vehicle. The defendants then allegedly fled in the Porsche.

During the early morning hours of the following day, the stolen black BMW SUV in which Ellis and two other individuals were riding was pulled over in Brooklyn by Police Officers Russell Timoshenko, 23, and Herman Yan, 27, when it was noticed that the license plate on the car had been reported stolen from a Mitsubishi Outlander. As the two officers approached the vehicle, they were shot at multiple times – including by the gun used the day before to shoot Mr. Field. Officer Timoshenko died five days later from the wounds he suffered in the attack. Officer Yan, who was also severely hit, survived.

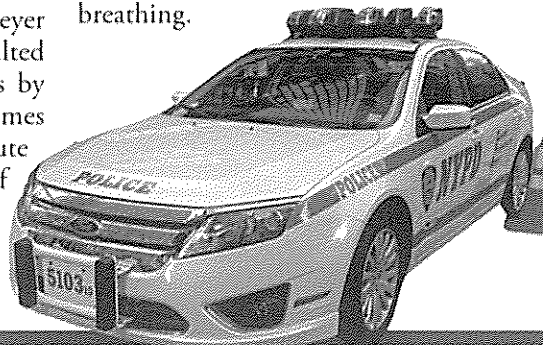
In December 2008, Ellis was convicted in Brooklyn Supreme Court of three counts of second degree criminal possession of a weapon and sentenced the following month to 15 years in prison.

EIGHTEEN YEARS IN PRISON FOR BRUTAL GANG ASSAULT OF OFF-DUTY POLICE OFFICER

Joseph Meyer, a construction worker from Howard Beach, Queens, convicted after a jury trial of first-degree gang assault and other charges for an August 2009 attack on an off-duty police officer during a traffic dispute, has been sentenced to eighteen years in prison.

According to trial testimony, Meyer and several unapprehended others assaulted off-duty police officer Damien Bartels by punching and kicking him multiple times about the head following a traffic dispute in the Long Island City section of Queens during the early morning hours of August 30, 2009. Officer Bartels was treated for a shattered nose, two broken

eye sockets, a broken jaw and shifted teeth. As a result of his injuries, he underwent an eleven-hour surgery in which titanium rods were placed in his eye sockets and titanium plates were surgically implanted in his face. A second surgery was also required to repair his septum because of difficulty he had in breathing.



RECIDIVIST THIEF ADMITS TO REPEATEDLY STEALING PASSENGER LUGGAGE FROM JFK AIRPORT

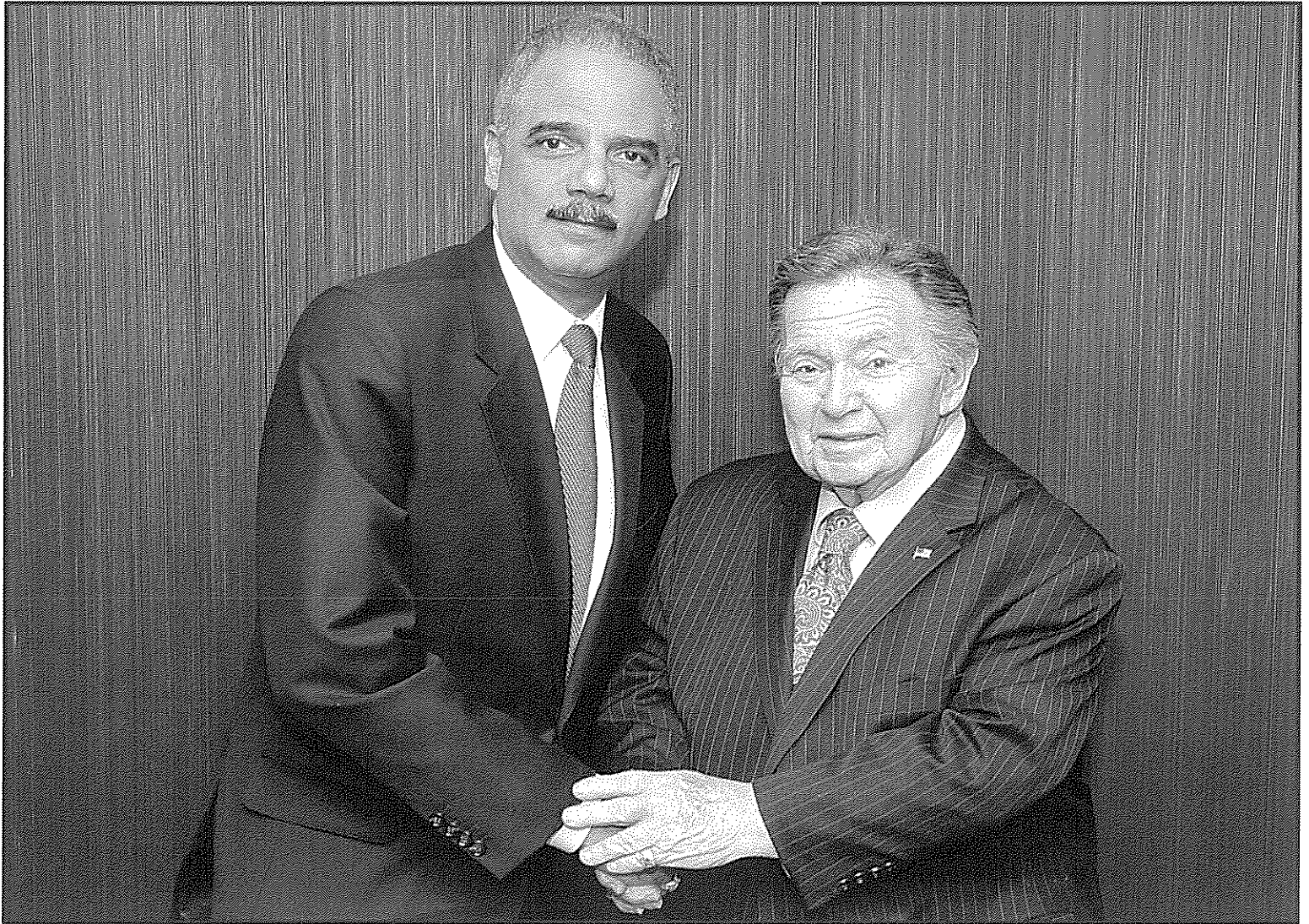
Traveling through the airports is stressful enough these days without having to worry that if you turn your back for a moment a thief who is lurking about will steal your luggage. This is exactly how the defendant operated – snatching luggage filled with thousands of dollars in cash, electronics and other valuables as soon as the victimized passengers were distracted.

Upon noticing a pattern of thefts, the Port Authority Police Department viewed hundreds of hours of video surveillance footage and ultimately recovered footage of the defendant committing the crimes or rifling through the stolen luggage.

In July, the defendant, a 46-year-old Far Rockaway man, pleaded guilty to third- and fourth-degree grand larceny for stealing passenger luggage from malls, restaurants and other areas of several different terminals at John F. Kennedy International Airport on six occasions between 2011 and 2012. He was sentenced to 3 to 6 years in prison.

**WORKING
WITH
COMMUNITIES**

**DISTRICT ATTORNEY RICHARD A. BROWN
HONORED WITH PRESTIGIOUS HOGAN AWARD
AT NEW YORK STATE DISTRICT ATTORNEYS' WINTER CONFERENCE**



At the District Attorneys Association of the State of New York's winter conference, which was held at the Grand Hyatt Hotel in Manhattan, district attorneys from around the state and others convene for three days to discuss public safety and legislative priorities. District Attorney Brown received the Hogan Award at the conference's annual award luncheon, where United States Attorney General Eric H. Holder delivered the

keynote address about President Barack Obama's gun safety proposals.

The Hogan Award is presented to the district attorney who best exemplifies the values for which New York County District Attorney Frank S. Hogan stood: integrity and an unwavering commitment to achieving justice and fairness for all who come before the court.

In presenting the award to District Attorney Brown, the Association's

president, Manhattan District Attorney Cyrus R. Vance, Jr., said, "Judge Brown is an icon in the New York criminal justice system, beloved by his staff, and enormously respected by jurists and prosecutors around the country. In his 21 years as Queens DA, he has transformed that office into what it is today – one of the very finest prosecutor's offices in the country, and the one that boasts the highest conviction rate in New York City."

Working with Communities



THOMAS E. DEWEY AWARD

Queens District Attorney Richard A. Brown congratulates Assistant District Attorney Donna Aldea, Counsel for Special Litigation in the District Attorney's Legal Affairs Division, on receiving the Thomas E. Dewey Medal Award from the New York City Bar Association. The award is presented each year to an outstanding prosecutor in each of the City's five District Attorney's Offices, in recognition of their excellent work as prosecutors, and contributions to public service.



HISPANIC HERITAGE AWARD

Queens County District Attorney Richard A. Brown presents New York State Court of Claims Judge Joseph A. Zayas with the District Attorney's 2012 Hispanic Heritage Award for his long and distinguished career as a jurist and for his many accomplishments and contributions to the Hispanic community of New York.



D.A. BROWN HONORED WITH COAST GUARD PATRIOT AWARD

The U.S. Coast Guard presented Queens District Attorney Richard A. Brown with its Employer Support of Guard and Reserve Patriot Award on March 6, 2012, in recognition of his outstanding support of QDA Detective and Coast Guard Reservist John J. Keeley. In addition, the Federal Law Enforcement Officers Association honored D.A. Brown for his continued support of their Association and U.S. Coast Guard Reserve Military Criminal Investigators.



TROOP NYC MEMORIAL CEREMONY

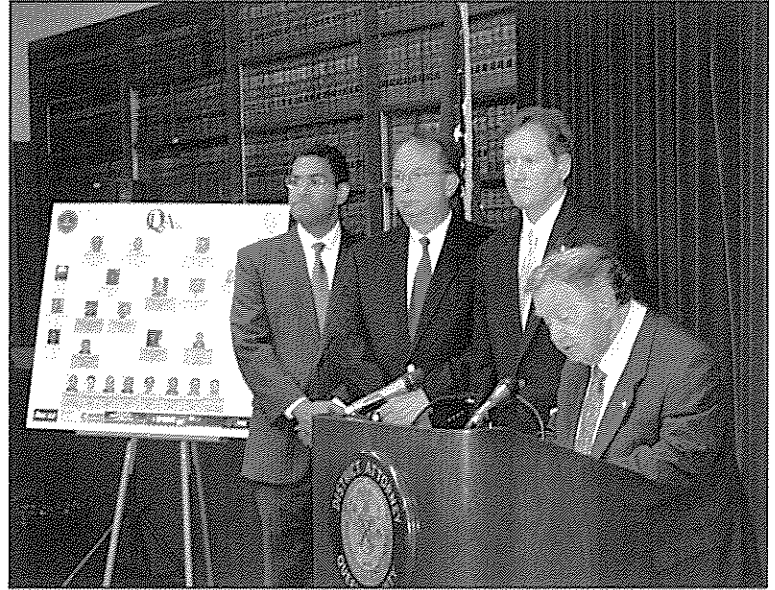
Queens District Attorney Richard A. Brown joined Major John J. McCabe, Troop Commander, New York State Police Troop NYC, at its 2nd Annual Memorial Ceremony. The event honors those Troopers in Troop NYC who gave their lives to protect and serve the public and the State of New York.

Working with Communities



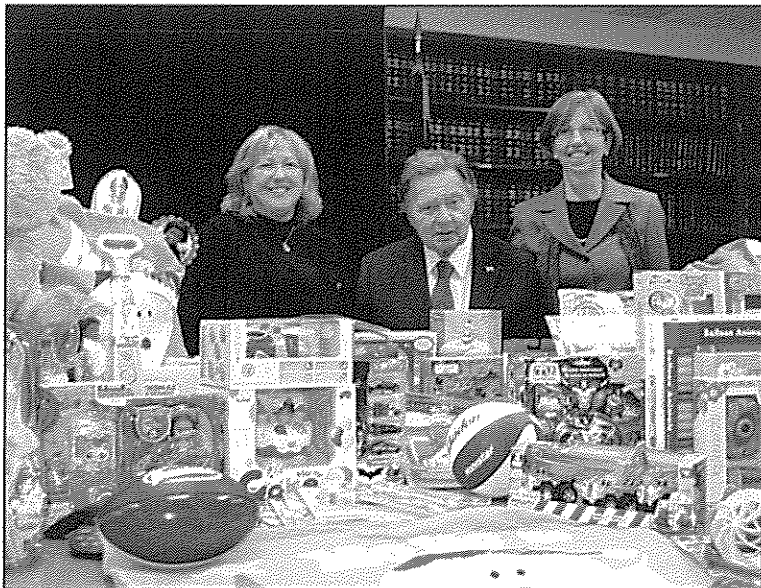
OPERATION HEROIN HIGHWAY

Queens District Attorney Richard A. Brown and NYPD Inspector Michael Bryan, Commanding Officer of Narcotics Borough Queens, announce take down of New York City heroin drug gang and the arrest of 121 individuals – mainly from Long Island – who commuted into the city to buy heroin and other drugs from the gang. Also pictured are detectives and prosecutors who worked on the investigation.



OPERATION WORLD WIDE WAGERS

25 individuals, including 3 owners of a sports betting Internet website, in five states were charged with operating an illegal sports betting enterprise in Queens County and elsewhere that profited by more than \$50 million during an eighteen-month period by accepting wagers on various sporting events. This included horse-racing and professional and college football, basketball, hockey and baseball.



HOLIDAY TOY DRIVE

Lori Zeno, Deputy Director of the Queens Law Associates, District Attorney Brown, and ADA Lois Raff, Counsel to the District Attorney, join the DA in surveying some of the toys generously donated by QLA to the QDA annual Toy Drive.



CUNY SCHOOL OF LAW RIBBON-CUTTING CEREMONY

The City University of New York (CUNY) School of Law held a ribbon-cutting celebration on Monday, October 22, 2012, to mark the opening of the Law School's new home at 2 Court Square in Long Island City. New York State Chief Judge Jonathan Lippman delivered the keynote address and District Attorney Brown was on hand to receive the prestigious Dean's Award for his many contributions to the school over the years.

Working with Communities



DNA PRESS CONFERENCE

In February at a press conference at the Governor's office, District Attorney Brown, joined by Lieutenant Governor Duffy, the other New York City District Attorneys, victims of violent crimes and advocates, urge passage of a All Crimes DNA bill. The bill was later passed by the legislature and signed into law.



METROPOLITAN YOUTH GANG CONFERENCE

The 18th Annual Metropolitan Youth Gang Conference was held at the Holiday Inn J. E. K. in Jamaica, Queens in July. The two-day long information-sharing conference is co-hosted by the QDA, Middle Atlantic Great Lakes Organized Crime Law Enforcement Network, New York City Police Department and the East Coast Gang Investigators Association.



D.A. BROWN CONGRATULATES JUSTICE ENG

A reception was held to honor Justice Randall T. Eng on his appointment to the position of Presiding Justice of the Appellate Division, Second Department. Justice Eng's proud parents look on as District Attorney Brown congratulates Justice Eng.



PROSECUTORS TESTIFY BEFORE CITY COUNCIL ON BUDGET

Queens District Attorney Richard A. Brown is joined by his fellow City prosecutors in testifying before the City Council's Finance and Public Safety Committees on what impact proposed budget cuts will have on their ability to provide essential services to the residents of New York City.

NATIONAL CRIME VICTIMS RIGHTS WEEK



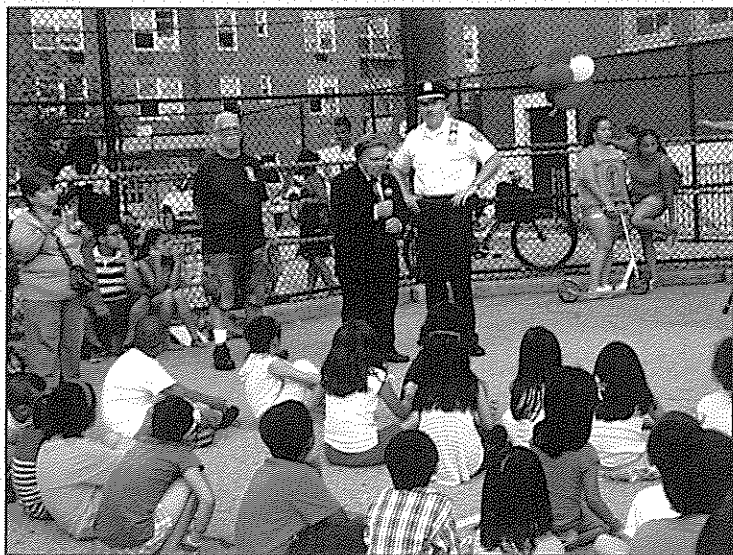
Queens District Attorney Richard A. Brown, joined by Crime Victims Advocates Natasha Morales and Jaterah Brown, presents Alana Tyrrell, a sophomore at the Frank Sinatra School of the Arts, with a \$50 savings bond as the winner of this year's National Crime Victims' Rights Week essay contest. This annual event honors victims of crime and pays tribute to those who provide services and support to such victims. Mr. Audias Sierra (middle), the uncle of 19-year-old Jose N. Sierra who was fatally shot and stabbed, presents a plaque to Assistant District Attorney Shawn Clark (right), for his "dedication, true devotion, hard work, and relentless pursuit of justice" in prosecuting the men responsible for the death of his nephew as District Attorney Brown looks on.

TENNIS EVENT: SAY YES TO TENNIS, NO TO VIOLENCE



Queens District Attorney Richard A. Brown joined the United States Tennis Association (USTA) and the New York Junior Tennis League in hosting more than 650 Far Rockaway public school students at the 15th annual "Say Yes To Tennis, No To Violence" Day at the USTA Billie Jean King National Tennis Center in Flushing Meadows-Corona Park in Queens. The day-long outing culminates the District Attorney's year-long STAR Track anti-violence program in which members of his staff, as well as members of the New York City Corporation Counsel's Office, visit Far Rockaway schools throughout the school year to talk about the risks of guns, drugs, gangs and how to make the right choices. The program's curriculum is designed to drive down the crime rate and build up self-esteem, confidence and the quality of life for the students.

NATIONAL NIGHT OUT AGAINST CRIME



Queens District Attorney Richard A. Brown visited precincts throughout Queens to join community members at anti-crime events in observance of "National Night Out Against Crime" this August. He is pictured here at events in the 109th precinct and the 112th precinct.

A black and white photograph of a modern building under construction. The building features a prominent, stepped tower structure on the right side. The foreground shows a construction site with a fence and some scaffolding. The sky is clear.

NEW YORK COUNTY
DISTRICT ATTORNEY'S OFFICE

ANNUAL
REPORT

HIGHLIGHTS FROM 2012

A MESSAGE FROM
THE NEW YORK COUNTY
DISTRICT ATTORNEY



The principles that guide me as District Attorney today are the same as those that I followed working as a young prosecutor in this Office more than 30 years ago: a prosecutor's job is to seek not just convictions, but justice. And that obligates us to do what we believe is right in every case, every day, without fear or favor. I am guided by those same values today, as we strive not just to make the city safe, but also ensure fairness in our justice system.

In 2012, three years after taking office, I appreciate more than ever the challenges of balancing the need for public safety with fairness. The threats we face today are in many ways more daunting, and the stakes ever higher, than the threats of the past. In just the past decade, we have seen our nation mobilize in an unprecedented way against the threat of domestic terrorism. We saw Ponzi schemes the size of great corporations and small economies. But at the same time in this new world, we saw new opportunities: modern technologies and new approaches that enhance our ability to detect the guilty and exonerate the innocent. We've also seen a continuing evolution in the role of the prosecutor, one in which he or she has increasingly become a community partner. We strive to build trust within communities and let them know that the DA's Office is a safe place to report crime.

As crime continues to drop to historic lows, New York remains the safest big city in the country. Shooting incidents were down 14% in 2012, a year in which Manhattan saw a 10% decrease in murders, along with fewer rapes, robberies and vehicle thefts. There is no doubt that working with communities and our partners at the New York City Police Department has been critical to law enforcement's successes. Moving forward in 2013, I hope to build on these successes and make our city an even safer place for all New Yorkers.

CYRUS R. VANCE, JR.



CYRUS R. VANCE, JR.
DISTRICT ATTORNEY

ABOUT THE OFFICE

With a long history of excellence, the Manhattan District Attorney's Office is unlike any other prosecutor's office in the country in terms of the breadth, variety, complexity, and scope of cases.

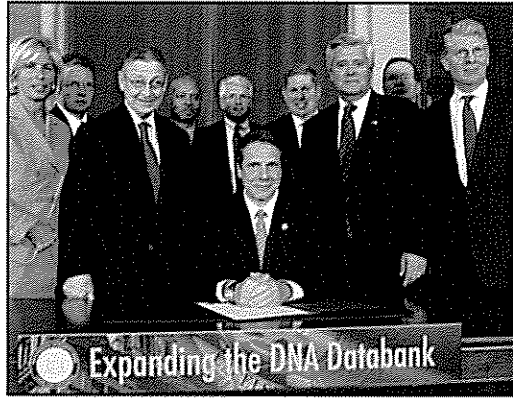
The Office, which employs more than 500 Assistant District Attorneys, handles approximately 100,000 criminal cases each year. Traditional street crimes like murder, robbery and gang violence, which confront any urban prosecutor's office, comprise a substantial part of our docket.

And because Manhattan serves as the financial capital of the world, the Office also is well positioned to prosecute a wide range of sophisticated white-collar crimes, including international money laundering and securities fraud, as well as 21st century threats like terrorism and cybercrime.

This Annual Report highlights some of the Office's work in 2012, including notable prosecutions, crime prevention initiatives, community partnerships, and legislative and victims' rights advocacy.



VIOLENT CRIME
Page 3

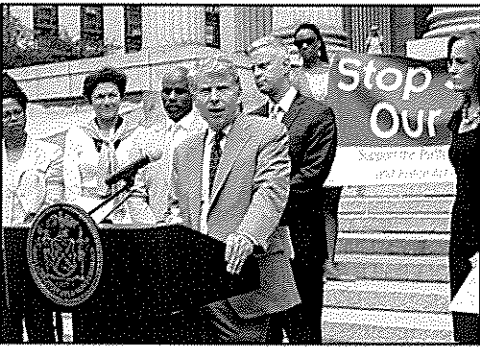


FORENSIC SCIENCES/ COLD CASES
Page 8

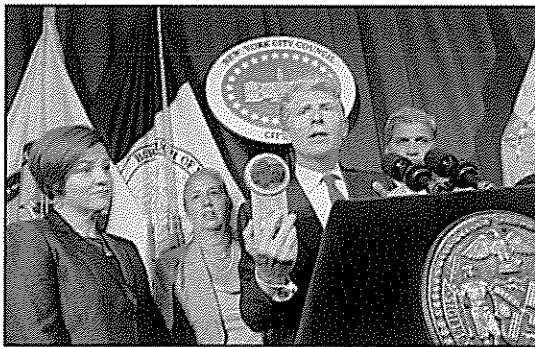


TERRORISM
Page 9

Contents
NEW YORK COUNTY
DISTRICT ATTORNEY'S
OFFICE
Annual Report 2012



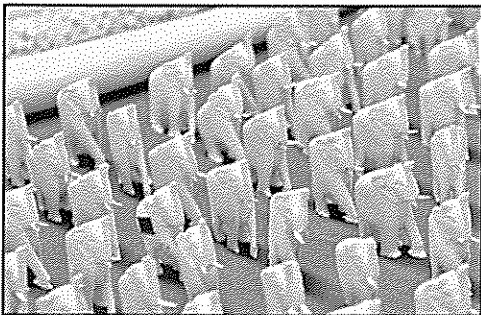
SPECIAL VICTIMS
Page 11



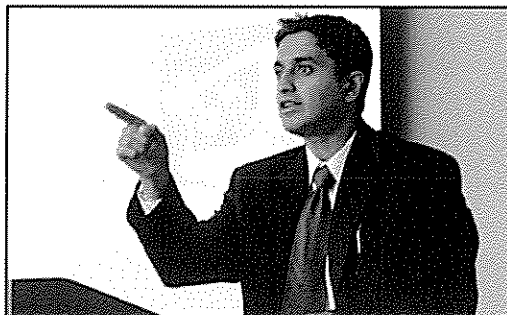
CYBERCRIME & ID THEFT
Page 17



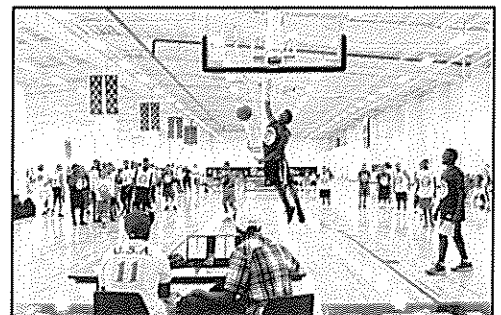
MAJOR ECONOMIC CRIMES
Page 19



ENVIRONMENTAL CRIMES
Page 22



CRIMINAL COURT
Page 24



COMMUNITY PARTNERSHIPS
Page 25



VIOLENT CRIME

Organized Street Violence: GANGS, GUNS, AND DRUGS

While New York remains safer than any other big city in the country, many Manhattan neighborhoods are still terrorized by violent gang activity. For decades, these communities have suffered from crime and decay brought by drug dealers and gun traffickers to their playgrounds, courtyards, sidewalks, and apartment buildings.

In June 2010, District Attorney Vance established the Violent Criminal Enterprises Unit (VCEU) to prosecute violent organized crime. As the Office took a close look at what was occurring in Manhattan and beyond, studying crime statistics block-by-block, building-by-building, one thing was clear: gang violence has turned certain communities into war zones. The members are younger, and better armed, than ever before. Many times, these gangs create violence for the sake of violence, as petty turf disputes turn deadly.

Shortly after the VCEU's creation, the Unit successfully prosecuted a young gun and drug crew that operated around 137th Street in Harlem, as well as 11 members of a drug crew that sold marijuana out of a fake Harlem furniture store. In 2012, VCEU continued its work to make the city safer by dismantling several criminal organizations from top to bottom.

Violent Criminal Enterprises Unit

Gun Trafficking

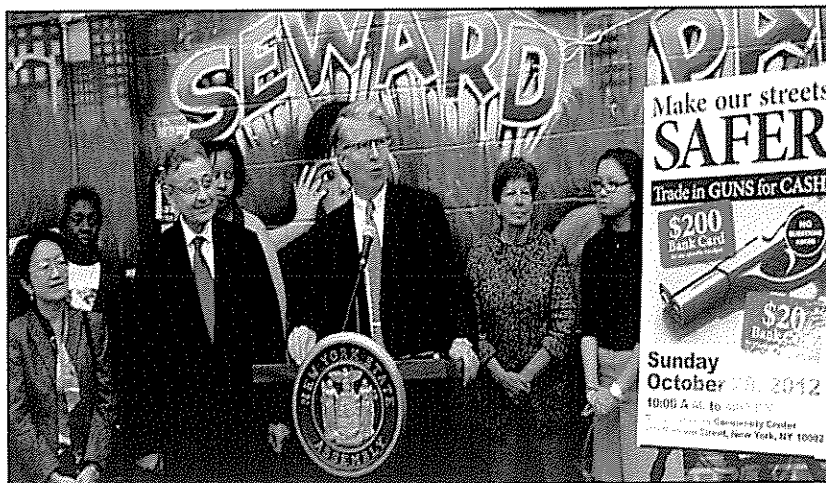
Any crime prevention effort must include taking illegal guns off the streets. Over the past few years, more homicides have been committed with guns than any other type of weapon. In 2012, there were 177 victims of gun shootings in Manhattan, 22 of whom died.

New York has some of the strongest and most carefully drawn gun laws in the country, and there is no doubt that these laws play a critical role in our law enforcement successes. Despite the state's strong gun laws, our ability to keep illegal firearms out of the hands of criminals is hampered by individuals buying guns in other states with weaker laws, and trafficking them into New York.

Working with NYPD and community partners, the Office is aggressively prosecuting gun traffickers. Since its formation in June 2010, the Violent Criminal Enterprises Unit has brought 15 indictments against gun traffickers, seized nearly \$2 million of criminal proceeds, and taken more than 500 illegal guns off the streets.

In October 2012, the Office announced indictments against 16 gun traffickers from two separate gun trafficking networks. These two cases, through one single undercover officer, took more than 110 illegal guns off the streets, including assault rifles banned in New York. The cases represent the most significant gun trafficking investigation in Manhattan in recent history, both in terms of the number of the traffickers taken into custody and the number of guns removed from the streets.

One month later, Nicholas Mina, a former police officer, was sentenced to 15-and-a-half-years in prison for stealing police-issued firearms out of his own colleagues' lockers at the 9th Precinct and selling them on the underground market.



OTHER NOTABLE CONVICTIONS IN 2012

- Thirteen members of a violent Central Harlem street gang, which terrorized the neighborhood surrounding West 129th Street between Lenox and Fifth Avenues, pleaded guilty to importing, possessing, and using firearms. Many of these firearms—including semiautomatic pistols, revolvers, rifles and assault weapons, as well as ammunition—were used in shootings in Central Harlem between 2007 and 2011.

- **Travis Matthews** and **Albert Streigel** were convicted for transporting firearms from Western Pennsylvania and selling them in Manhattan. Matthews pleaded guilty to selling 13 guns to an undercover police detective, and was sentenced to 16 years in state prison. Streigel pleaded guilty to selling 6 firearms to an undercover police detective, and was sentenced to 9 years in state prison.

- **Jose Alvarez** pleaded guilty to selling 32 firearms to an undercover police detective and was sentenced to 22 years in prison. His co-defendant, **James Carter**, pleaded guilty to selling 13 firearms to an undercover detective and was sentenced to 16 years in prison.

An additional 139 guns were turned in on a single day last fall at a "Cash for Guns" buyback event sponsored by the Manhattan DA's Office and the NYPD. At the request of community members, the DA's Office also sponsored a gun buyback on the Lower East Side in October 2012, which took 50 guns off the streets. Numerous weapons also are removed from circulation each year in routine criminal prosecutions.

Violent Criminal Enterprises Unit

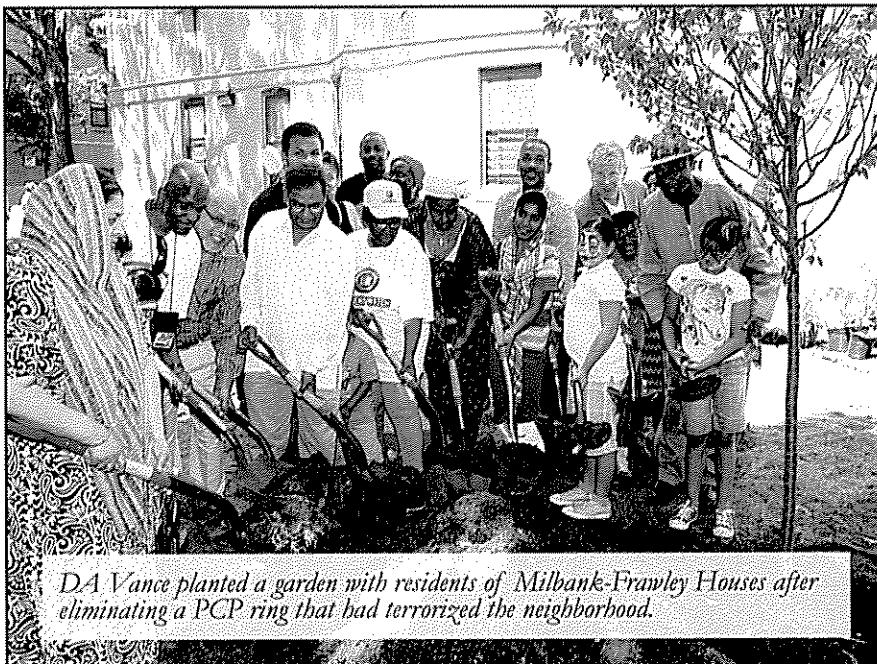
Drug Trafficking

The Office's successful prosecutions of drug trafficking crews demonstrate the importance of partnership between law enforcement and communities.

In January 2012, the Office announced the indictment of a major East Harlem PCP drug ring that sold large quantities of PCP and other drugs through street-level distributors. The investigation into this case started with an anonymous letter that concerned residents wrote to the police about drug dealing and violence.

The defendants had made the Milbank-Frawley Houses their place of business, operating in the courtyard, the playground, and the hallways of that community. They brought drug users into the building, forcing residents to walk past or around users and dealers while they tried to go to school or work, or come home at the end of the day. Residents said they feared for their safety and implored law enforcement to bring an end to the drug dealing so that families could go about their daily lives without living in fear.

After a 15-month investigation, the residents were able to take back their community from drug traffickers. The VCEU's case against this East Harlem PCP ring dismantled the organization from the ringleaders down to the street sellers.

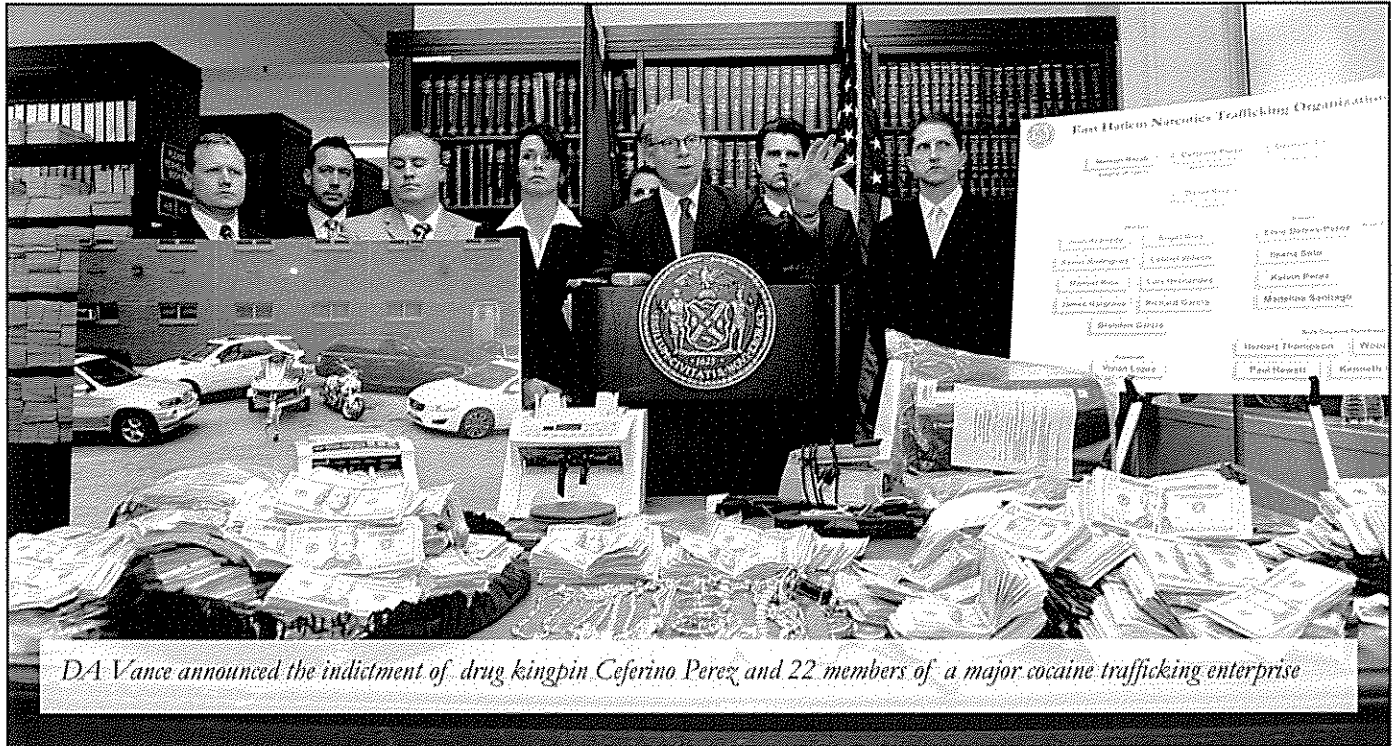


After eliminating this drug ring, the DA's Office and the NYPD worked with residents of the Milbank-Frawley Houses to rebuild their neighborhood.

In June 2012, DA Vance joined residents at "Summerfest," where they planted a garden in the same courtyard that drug dealers had controlled just several months prior.

In November, the PCP drug ring's kingpin, Bernard Moultrie, was sentenced to 35 years in state prison after he pleaded guilty to Operating as a Major Trafficker and other serious charges. The remaining defendants also pleaded guilty and were sentenced to a range of up to 35 years in prison, depending on their role in the organization.

Violent Criminal Enterprises Unit Drug Trafficking



DA Vance announced the indictment of drug kingpin Ceferino Perez and 22 members of a major cocaine trafficking enterprise

In addition to the PCP ring, the VCEU obtained New York City's first conviction under the state's "Drug Kingpin" statute against Ceferino Perez, one of the principal dealers of powder cocaine in the city for more than 25 years, who pleaded guilty in February 2012. He was sentenced to 20-years-to-life in prison.

Perez's East Harlem narcotics trafficking organization had generated approximately \$1.8 million worth of cocaine sales each year. The investigation uncovered and eliminated the entire organization—its suppliers, major dealers, and workers—and seized cocaine, firearms, and more than \$1 million in narcotics proceeds. Twenty-one other members of this drug ring pleaded guilty and were sentenced to significant prison terms.

"The significance of our cases against drug trafficking operations is not taking a few drug dealers off the streets. We are not satisfied tackling the problem street dealer by street dealer. When we put one dealer in prison, another quickly takes his place. In order to make real progress in our fight against drugs in our communities, we must focus on the bosses of these crime syndicates and use all tools available to us to put them in jail."

CYRUS R. VANCE, JR.

In August, the Office announced the indictment of 19 members of two separate gangs—"20 BLOCC" and "Flow Boyz"—for possessing and selling crack cocaine and related crimes in the vicinity of the Wagner Houses, a public housing facility, and the Taino Towers, both in East Harlem. These defendants are accused of selling crack cocaine on sidewalks, playgrounds, residential buildings, stairwells, lobbies, and in front of community centers.

Homicide & Assault

As in other areas of violent crime, the homicide rate in Manhattan continued to drop in 2012. There were 63 murders in 2012 in Manhattan, a 10 percent decrease from 2011. Six of the homicides were gang-related, while two of the victims were less than 18-years-old.

In May 2012, Daniel Everret was sentenced to 32-years-to-life in prison for shooting and killing a 13-year-old boy, Scotty Scott, during an argument in Northern Manhattan between members of two of Manhattan's violent criminal street gangs – the Lenox Boys and 2MF. The argument escalated into a fight between the rival gang members. Everett, a member of 2MF, retrieved the gang's 9-millimeter semi-automatic weapon, and fired seven shots in the direction of approximately 15-20 Lenox Boys, 2MF members, and their young followers and associates, who had gathered to watch or take part in the fight. Two bullets pierced Scott's heart, lungs, liver, and leg; he died at the scene.

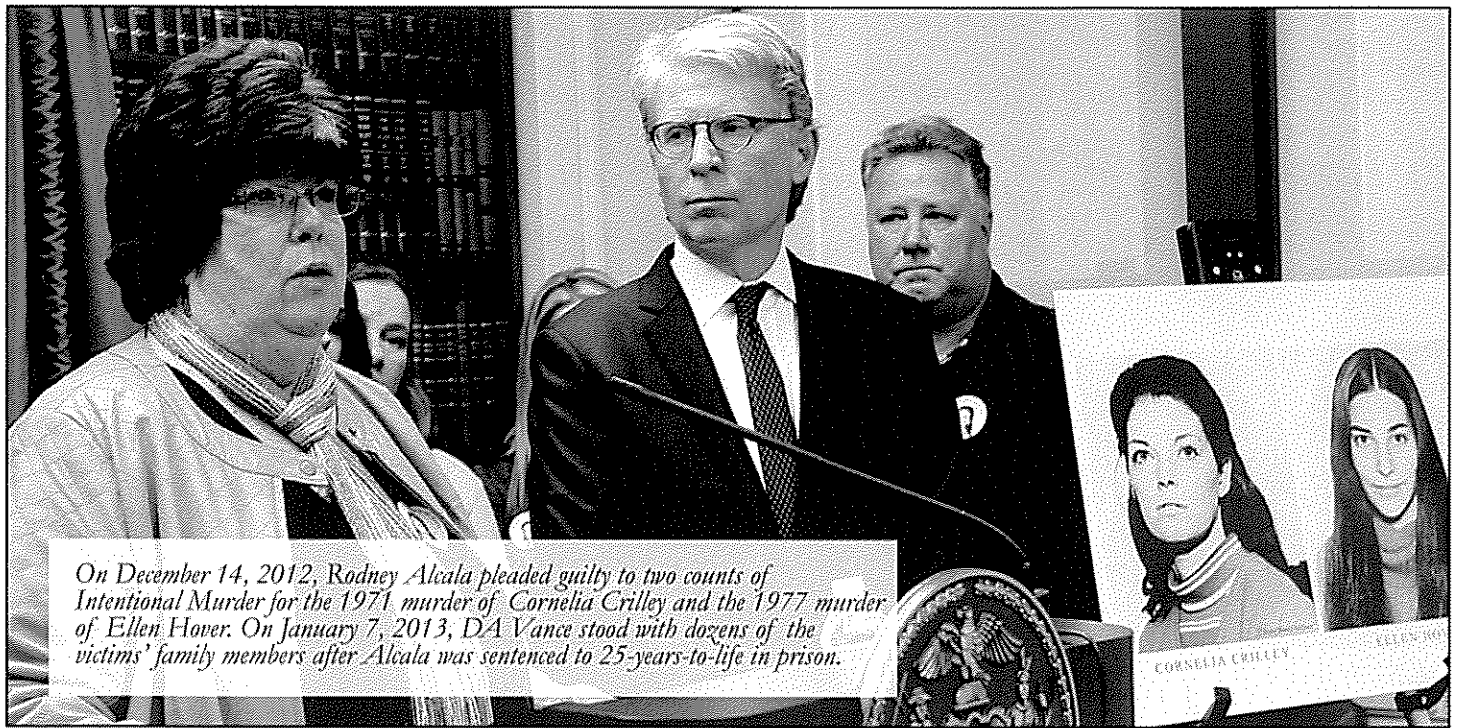
A second victim, who was 18 years old at the time of the shooting, was struck in his knee, which fractured his leg. A bullet fired by Everett also grazed the head of a third victim, who was 16 years old at the time of the shooting, causing bleeding to his brain. He survived.

NOTABLE MURDER CONVICTIONS

- In November, **Bakary Camara** was sentenced to 25-years-to-life in prison after pleading guilty to raping and murdering Rita Morelli, a college student from Italy, in her East Harlem apartment.
- In July, **Boris Brown** was sentenced to 32-years-to-life after being convicted by a trial jury for murdering 17-year-old Cheyenne Baez on October 3, 2010. The victim, an innocent bystander, was shot to death while she was talking to friends in the courtyard of her home in East Harlem. Brown's co-defendant, Devon Coughman, was sentenced to 10 years in prison for acting in concert with Brown to possess the illegal, loaded firearm.
- In June, **Joseph Pabon** was sentenced to 25-years-to-life for murdering Eridania Rodriguez in a Lower Manhattan office building, where the defendant and victim worked. Pabon had attacked the victim and suffocated her with industrial tape, and hid her body in an air duct, where it was discovered four days later.
- In June, **Alujah Cutts** was sentenced to 25-years-to-life for robbing and murdering a 90-year old Holocaust survivor in the victim's apartment on the Upper East Side.

NOTABLE ASSAULT CONVICTIONS

- In November, **Godfrey Molemohi** was sentenced to 15 years in prison for attacking three innocent bystanders in the F subway station at Second Avenue and East Houston Street. One of the victims was a Good Samaritan who tried to help another victim.
- In June, **Edwin Santiago** was sentenced to 21 years in prison for attacking a young woman with a box cutter inside the Chambers Street Station. The victim required 50 stitches to close deep cuts on her face, scalp, and left hand, as well as reconstructive surgery on her thumb.
- In March, **Jose Rojas** was sentenced to 15 years in prison after being convicted by a jury trial for pushing a woman into a subway train as it was pulling into the station at 28th Street and Broadway. The victim suffered extensive injuries to her face, ribs, and shoulders, as well as nerve and spinal damage.



Forensic Sciences / Cold Case Unit

Crime victims and their families deserve justice, no matter how much time has passed. Recognizing that "cold cases" are not forgotten cases, DA Vance created the Forensic Sciences/Cold Case Unit in April 2010, committing significant resources and the expertise of some of the finest attorneys in the country to do a systematic review of more than 3,000 unsolved case files dating back to the 1970s. The Unit, with the help of the NYPD, is re-examining physical evidence in homicide and rape cases using new forensic techniques, as well as re-interviewing witnesses.

In July, the Unit secured its first homicide conviction based on DNA evidence in its systematic cold case review: Steven Carter was sentenced to 25-years-to-life after being convicted by a jury for the rape and murder of Antoinette Bennett in 1986. The victim's body was found by park workers in a playground area in St. Nicholas Park in the early morning hours of November 10, 1986. Investigators from the New York City Office of the Chief Medical Examiner (OCME) had collected physical evidence, but no further testing could be done at the time, and the case remained unsolved for 26 years. In 2010, the Unit reopened the case and re-examined evidence, including physical evidence held by OCME, and created a DNA profile that led to the defendant.

In October, the Unit secured another "cold case" conviction, when Lerio Guerrero was sentenced to 15 years in prison after pleading guilty to the rape and burglary of a 28 year-old woman on the Lower East Side in 1998. The defendant was not apprehended immediately after the assault, but DNA from the attack was recovered and entered into a national database by OCME. The Manhattan DA's Office obtained a "John Doe" indictment in 2005, listing the perpetrator by his DNA profile. In 2011, the defendant's DNA was found to match the DNA profile from the attack on the Lower East Side.

And in December, notorious "Dating Game" serial killer Rodney Alcala pleaded guilty to two previously unsolved murders from the 1980s. He admitted to raping and strangling Cornelia Crilley, a 23-year-old TWA flight attendant, inside her Upper East Side apartment in 1971. He also admitted to murdering Ellen Hover, who was also 23 and living in Manhattan, in 1977. Decades after these crimes occurred, the Unit re-examined the evidence and worked with the NYPD to interview more than 100 witnesses. In January 2011, the DA's Office obtained an indictment against Alcala and worked with the State of California to extradite him from the state, where he was serving a life sentence for separate murders. In June 2012, Alcala was transported to New York by U.S. Marshals and turned over to the custody of the NYPD.



Terrorism

In today's fight against a local, unaffiliated radicalized threat, intelligence and pre-emption are key. Working in tandem with federal and local law enforcement, we must use all tools at our disposal to neutralize this threat before local terrorists have the opportunity to act.

In the case against Ahmed Ferhani, the Manhattan District Attorney's Office used New York state law to pre-empt and remove a developing terrorist threat before harm could be done. This case demonstrates the Office's commitment to support the fight against terrorism in the most effective way possible.

In December, Ferhani pleaded guilty to terror-related charges in connection with a plot targeting New York synagogues and churches. The guilty plea marks the first time a terrorist has been convicted on state terror charges since the New York Anti-Terror Laws were passed shortly after September 11, 2001.

Ferhani's conviction confirms what we in local law enforcement already knew – we are prepared and equipped to root out and prosecute would-be terrorists living among us. Ferhani, an Islamic extremist, conspired and took concrete steps to blow up synagogues and churches to advance his ideological goals, and to possess illegal firearms and explosives – grenades – to achieve them. He did it for something he referred to simply as "the cause," which meant the violent and armed fight against Israel, Jews, other non-Muslims, and the West.

This is a case that would not have come about without the diligent work of the NYPD. Though the fight against terror has typically been the purview of federal officials, the NYPD is the most likely law enforcement agency to whom the average New Yorker will report suspicious activity and its officers serve as our eyes and ears on every street and in every neighborhood. In this case, the NYPD focused on an individual about whom they had evidence of a violent jihadist ideology. Together, the NYPD and the Manhattan DA's Office were there to stop Ahmed Ferhani before he had the chance to kill.

"For the Manhattan District Attorney's Office, the job of keeping citizens safe must include a commitment to and expertise in addressing terrorist threats both abroad and at home. We have learned through tragedy that New York's preeminence—all of those things that make the City a source of leadership and aspiration throughout the world—also makes it a prime target for terrorists. But that same preeminence gives us the tools, and the responsibility, to take a leadership role in the fight against terrorism."

CYRUS R. VANCE, JR.

Terrorist Financing

Transactions that take place on foreign shores often leave an electronic footprint in Manhattan. In addition to policing local markets, the Manhattan District Attorney's Office is well positioned to prevent terrorist organizations and rogue states from obtaining the money they need to operate.

In 2012, the DA's Office, working with federal partners, entered into separate Deferred Prosecution Agreements (DPAs) with HSBC Bank, Standard Chartered Bank, and ING Bank for moving money and processing wire transfers through the New York banking system on behalf of sanctioned countries, including Iran, Libya, Sudan, Myanmar, and Cuba. These banks removed—or "stripped"—information that otherwise would have alerted federal regulators to the identity of the sanctioned clients.

"For sanctions to be effective, they must be enforced, and they must be respected. These cases put teeth into sanctions enforcement, send a strong message about the need for transparency in international banking, and make it more difficult for rogue regimes, narcotics traffickers, and the financiers of terrorism to access the global financial markets. This makes all of us safer, especially those of us residing, working, and playing in Manhattan, which has been, and undoubtedly will continue to be, the focus of radical violent ideologues throughout the world."

CYRUS R. VANCE, JR.

Since 2009, the Manhattan DA's Office also has entered into DPAs with three other banks for similar illegal conduct: Barclays, Credit Suisse, and Lloyd TSB Bank. In total, the six banks have forfeited in settlements approximately \$2.4 billion, with approximately half of the funds being paid to the City and State of New York.

DPAs have given law enforcement an important new tool which provides a means—in the right cases—of holding a company accountable with fines and significant policy changes without necessarily putting the company out of business to the detriment of the employees and shareholders.

Under the DPAs, the banks agree to cooperate with law enforcement, adhere to best practices for international banking transparency, implement procedures and training designed to ensure U.S. sanctions compliance, and pay millions of dollars in penalties and forfeiture.

Investigations of financial institutions, businesses, and individuals who violate U.S. sanctions by misusing banks in New York are vitally important to national security and the integrity of our banking system.

SPECIAL VICTIMS BUREAU

Sex Crimes

Regardless of whether sexual assaults take place inside the home or in a public space, and whether the defendant is a stranger or is known to the victim, these crimes are taken extremely seriously by the criminal justice system. Convicted defendants receive some of the most significant sentences, including a prison sentence of 75 years-to-life secured by the DA's Office against Michael Peña in May 2012. Peña, an off-duty NYPD officer, was convicted at trial of sexually assaulting a young school teacher at gunpoint in Inwood while threatening her with his police-issued firearm.

The DA's Office sought and successfully secured significant prison sentences for a number of defendants convicted of sexual assault
INCLUDING:

- In October, **Nathaniel Jackson** was sentenced to 40 years in prison for repeatedly raping and assaulting a 16-year-old girl in his Harlem apartment, and then obstructing justice in connection with his prosecution.
- In September, **Marquis Phillips** was sentenced to 78 years-to-life in prison after being convicted by a jury of robbing a woman in an elevator, dragging her into stairwells within her East Harlem apartment building, and sexually assaulting her.
- Also in September, **Jason Quinones** was sentenced to 20 years in prison after pleading guilty to Rape and Sexual Abuse in the First Degree for two separate crimes. Quinones crawled into one victim's ground-floor window while she slept. He took her cell phone to prevent her from calling for help before raping her. In a separate incident, Quinones followed a different victim into her apartment, despite her refusal to let him enter. He then pushed her onto a couch and sexually abused her.
- In August, **Greg Poirier** was sentenced to 25 years in prison after being convicted by a jury of a sexually motivated attack on a 28-year-old woman as she entered her East Village apartment.
- In June, **Mustapha Ouanes** was sentenced to 10 years in prison after being convicted by a jury for raping a sleeping woman in his hotel room at the Plaza.
- In March, **Kentrel Whitaker** was sentenced to 22 years in prison after being convicted by a trial jury of attempting to rape a 73-year-old woman as she was walking down the East River promenade near 111th Street.

SPECIAL VICTIMS BUREAU

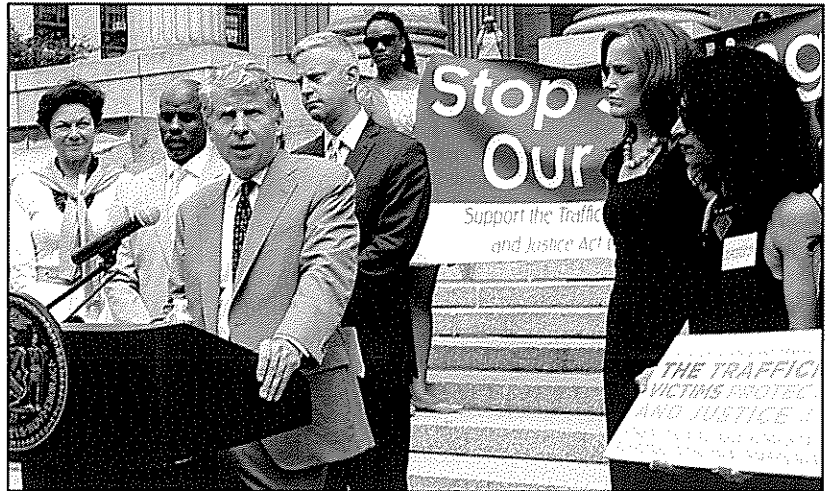
Human Trafficking

In March 2012, DA Vance created the Human Trafficking Program within the Office's Special Victims Bureau to employ all of the Office's resources in a coordinated effort against sex and labor trafficking.

Human trafficking is a crime that has a devastating impact on its victims and preys upon some of the most vulnerable members of our society. Because of the deep physical and psychological scars left upon victims of human trafficking, many of these victims do not report their abuse and remain hidden in the shadows. It is only through the coordinated efforts of partners in law enforcement, service providers, and advocates that will bring this problem into the light and get justice for victims.

The mandates of the Human Trafficking Program are to: (i) better identify trafficking victims, (ii) provide greater support for victims and their families in partnership with those in the victims' advocate community, and (iii) educate law enforcement and the public about trafficking and related issues. The Program draws on the expertise of all areas of the Office, including Cybercrime, Major Economic Crimes, Asset Forfeiture, and Witness Aid Services. This approach allows the Office to better identify trafficking victims and investigate and prosecute sex traffickers.

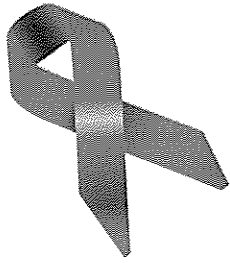
In April, the DA announced charges in a domestic sex trafficking operation in a landmark takedown that charged the alleged pimps, drivers, and "johns." The case accuses the defendants with sex trafficking, money laundering, and promoting prostitution. The indictment also charges six livery cab drivers with promoting prostitution, for their role in the schemes, and 14 other individuals with patronizing prostituted women.



This case represents a top-to-bottom dismantling of a sex trafficking operation, from the traffickers at the very top, to the drivers who drum up business for them, to the "johns" themselves. With these indictments, the DA's Office is taking a new approach to addressing the modern day realities of sex trafficking, in part by going after everything that allows sex trafficking to thrive, including the demand side.

NOTABLE HUMAN TRAFFICKING CONVICTIONS IN 2012

- In October, **Donnell Baines**, was convicted by a jury for operating a sex trafficking ring out of his Upper East Side apartment and raping the women he employed, using physical force, coercion, and threats of violence to compel women to continue to engage in prostitution. Baines forced the victims to stay with him by taking their identifications, threatening to expose private information, and threatening to harm the victims' families in order to prevent them from leaving him.
- In August, **Lamont Brunson** was sentenced to 3-to-9 years in prison after pleading guilty to running a prostitution and sex trafficking operation. As is common in domestic sex trafficking cases, Brunson required the victim, a 17-year-old woman, to turn over all profits made through prostitution, and instituted a quota of money that she was required to earn each night. When the victim failed to meet her quota or violated one of the defendant's rules, she was beaten. Brunson further intimidated the victim by making her sign a purported contract stating that she would stay with him "until death do us part." These violent and coercive tactics left the victim essentially helpless and financially dependent on the defendant.



SPECIAL VICTIMS BUREAU

Domestic Violence

The District Attorney's Office's Special Victims Bureau handles cases involving some of Manhattan's most vulnerable victims, including victims of domestic violence, child abuse, sex crimes, sex trafficking, and elder abuse.

The Bureau's investigators and prosecutors, working with the Office's Witness Aid Services Unit, are specially trained to not only bring justice to the victims in court, but also to help them to recover from trauma, return to a place of safety, and move forward with their lives.

Domestic violence is not just a criminal justice crisis—it is a national public health crisis that affects all neighborhoods and communities, and threatens our most vulnerable family members, particularly women and children. Last year, NYPD responded to more than 263,000 domestic violence incidents--that's more than 720 incidents each day.

The devastating effects of domestic violence became clear to all who listened to a father testify in court in October about his 23-year-old daughter's murder at the hands of her boyfriend. The defendant, Raul Barrera, pleaded guilty to fatally stabbing this innocent young woman 30 times in her apartment because she wanted to break up with him. The victim knew her boyfriend was unstable, but did not believe she could get out of a relationship that was physically and emotionally abusive. As Assistant District Attorney Matthew Bogdanos said at the defendant's sentencing hearing, "It was not a question of if he was going to kill her, but when." Barrera was sentenced to 25-years-to-life.

OTHER NOTABLE DOMESTIC VIOLENCE CONVICTIONS

- In December, **Renato Seabra**, a Portuguese model, was sentenced to 25-years-to-life after being convicted by a trial jury of bludgeoning, choking, and mutilating his lover before murdering him in a Times Square hotel room.
- In May, **Francisco Martinez**, a corrections officer, was convicted by a trial jury for physically, sexually, and psychologically abusing a victim multiple times over a three-year period.
- In February, **Ramon Lalondriz-Castillo** was sentenced to 15 years in prison after pleading guilty for shooting his ex-girlfriend. Lalondriz-Castillo followed the victim, who was 21 at the time, as she left the store where she was employed on the Upper East Side. The defendant rushed toward the victim from behind, pushed her to the ground, pointed a handgun in her direction, and fired several gunshots before fleeing the scene. The victim was shot twice, once in the base of her skull and once in her right forearm. She was treated at a hospital for her injuries, and made a full recovery.

Although society has come a long way in its perception of domestic violence, it is still a vastly underreported crime. The conservative estimate is that only one-quarter to one-half of domestic violence is ever reported to the police.

Raising awareness about this public health crisis is critical, as early intervention can mean the difference between life and death. Members of the DA's Community Affairs Unit, together with Assistant District Attorneys, regularly travel throughout Manhattan giving presentations on domestic violence prevention. The goal of these presentations is to raise awareness, help families understand what signs to look for, and what resources are available to victims.

THE FAMILY JUSTICE CENTER

Combating domestic violence requires our consistent, concerted efforts to identify victims, prosecute offenders, and get victims the help they need to find a place of safety.

As part of these efforts, we need to make it less difficult for victims to break out of the cycle of violence and to access counseling and social services.

In October DA Vance, along with the Mayor's Office and the Manhattan Borough President, announced the official start of construction of the Manhattan Family Justice Center. Housed under the same roof as the Special Victim's Bureau, the Center is designed to bring comprehensive services for victims in one centralized place.

The Center will offer counseling, safety planning, medical referrals, assistance with accessing shelter and applying for housing, and assistance with family court matters. And it will be staffed by experts in every discipline, committed to looking at all angles of domestic violence cases. The Center is expected to open in Fall 2013.

DOMESTIC VIOLENCE BY THE NUMBERS

- 38% of battered women will be victimized again within six months.
- In 2012, the NYPD responded to an average of more than 720 domestic violence incidents each day.
- There were 69 family-related homicides in Manhattan in 2012 alone.
- Speedy dismissals of domestic violence cases are down 40% from 2009 - 2012.
- The Manhattan DA's Office screened more than 5,600 domestic violence cases in 2012.

Sources: NYC Mayor's Office to Combat Domestic Violence, Manhattan DA's Office



DA Vance joined Mayor Michael Bloomberg, Manhattan Borough President Scott Stringer (not pictured), City Council Speaker Christine Quinn, and advocates to announce the construction of the Manhattan Family Justice Center.

Domestic Violence Legislation



DA Vance stood with City Council Speaker Christine Quinn, Manhattan Borough President Scott Stringer, New York State Senator Daniel Squadron, and victims' advocates to urge lawmakers to pass the Aggravated Domestic Violence bill.

District Attorney Vance strongly advocated for the 2012 Aggravated Domestic Violence legislation that addresses one of the underlying problems of domestic violence – the ability of offenders to abuse their victims again and again without serious consequences. The law created a class E felony for an abuser who commits two or more misdemeanor domestic violence offenses within five years, including those involving intimate partners, non-traditional familial relationships, and adult children abusing parents.

Defendants may now be placed under probation supervision for five years, and in more serious cases, could be sent to state prison for up to four years. This law also extends the period of time for orders of protection, because felony orders cover periods almost twice as long as those in misdemeanor cases.

All Crimes DNA Legislation

DNA collection is one of the most reliable and cost-effective tools that we have in law enforcement. Since New York State's DNA Databank was created, this accurate technology has solved thousands of rapes, murders, robberies, and burglaries, and prevented countless more crimes. Crucially, DNA evidence does more than put criminals away; it also exonerates the innocent.

In 2012, in conjunction with other law enforcement agencies and victim advocacy groups, the Office fought for and won passage of the All Crimes DNA legislation, an expansion of the state's DNA databank to include collection of DNA upon all criminal convictions.

Governor Cuomo signed the All-Crimes-DNA bill into law in March 2012, making New York the first state to expand its DNA databank to include anyone convicted of a penal law crime, with the exception of minor marijuana offenses. This expanded database will help convict the guilty, exonerate the innocent, and bring closure for thousands of victims.



DA Vance joined victims and advocates in Albany to push for passage of the All Crimes DNA bill.

By the Numbers

SUCCESSFUL PROSECUTIONS

- In 2012, 88% of gun possession indictments resulted in convictions.
- In 2009, 57% of child abuse trials resulted in convictions. In 2012, that percentage climbed to 86%.
- In 2009, 83% of sex assault indictments resulted in convictions. In 2012, 90% of sex assault cases resulted in convictions, the highest rate in recent years.

Source: Manhattan District Attorney's Office

SPEEDY TRIAL DISMISSAL RATES

- Dismissals of DWI cases for violation of speedy trial rules have fallen by 92% since 2009. In 2009, 421 DWI cases were dismissed under speedy trial rules. In 2012, that number dropped to 35 .
- Speedy trial dismissals in cases of sexual assault fell by approximately 61% from 2009 to 2012.
- Speedy trial dismissals in cases of domestic violence fell by approximately 40% since 2009.

CRIME INDEX RATE

- Homicides decreased by 10% from 2011-2012.
- Shootings decreased by 14% from 2011-2012.

Vehicular Crimes

Far too many cyclists and pedestrians are killed in crashes with motorists each year, in every borough of New York. Often times these deaths are not crimes, but they are of grave concern to law enforcement. The District Attorney's Office investigates and files charges where the evidence supports them, and advocates for best standards and practices to investigate and prosecute vehicular crimes.

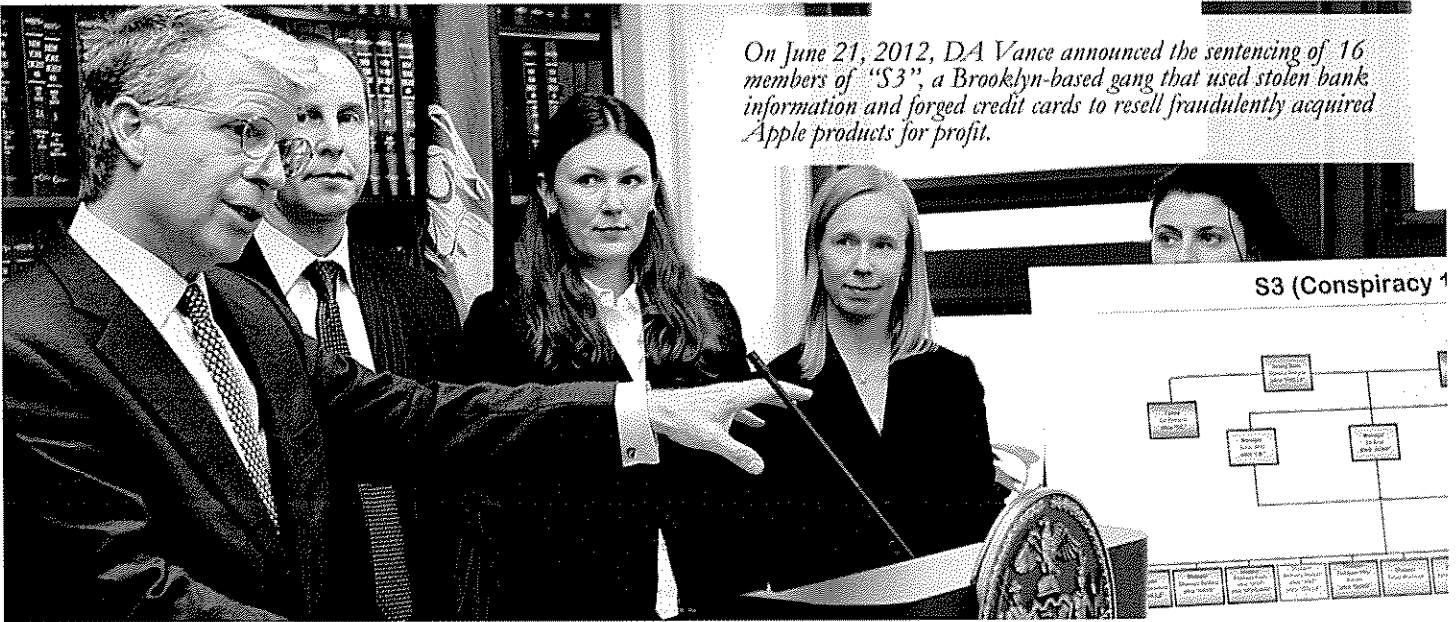
As part of an ongoing effort to educate prosecutors from throughout the region, the Office's Vehicular Crimes Unit has been hosting specialized training programs for law enforcement on vehicular crimes and investigations.

In October 2012, more than 60 prosecutors from around the region attended the week-long "2012 Crash Investigation and Reconstruction for Prosecutors" course at the Manhattan District Attorney's Office, during which they received training from experts in vehicular crash scene reconstruction, evidence collection, pedestrian and cyclist strike collisions, and vehicular crime trial strategies and techniques.

NOTABLE VEHICULAR CONVICTIONS IN 2012 INCLUDE

- **Dyson Williams** was sentenced to 17 years-to-life in prison after pleading guilty to driving a car that killed a nun and injured four people in Harlem following an early-morning robbery spree. His co-defendant, William Robbins, was sentenced to 15 years after pleading guilty. In the early morning hours of June 22, 2010, the defendants executed several armed robberies in Northern Manhattan. Police officers pulled over the defendants in their car, and ordered Robbins, who was in the driver seat, to exit the car. After Robbins exited the car, Williams moved to the driver's seat and drove away. Minutes later, the car struck another vehicle and a group of pedestrians, injuring four people and killing Sister Mary Celine Graham of the Franciscan Handmaids of Mary religious order.
- **Lynette Caban** was convicted by a trial jury for a vehicular homicide in East Harlem. She backed up into an intersection and fatally struck Francesca Maytin, an 82-year-old woman who was crossing the intersection with the light. The force of the impact caused the victim to fly through the air and strike her head on the pavement on the middle of the intersection.

On June 21, 2012, DA Vance announced the sentencing of 16 members of "S3", a Brooklyn-based gang that used stolen bank information and forged credit cards to resell fraudulently acquired Apple products for profit.



Cybercrime & Identity Theft

As the high-tech and digital world becomes more sophisticated, so do the criminals who use computers and new technology to take advantage of unsuspecting victims. Ranging from simple identity theft from individuals to large-scale financial fraud against multi-billion dollar businesses, cybercrime has become the fastest growing crime in New York and around the country. Some Manhattan police precincts report that identity theft is their most frequently reported complaint, and national statistics mirror this upward trend in cyber-related offenses.

"Every day, hardworking New Yorkers find themselves the victims of cybercrime and identity theft - their financial information stolen from ATMs, from internet transactions, from financial institutions and from retailers. Cybercrime is the new face of organized crime, and we will continue to fight it with every tool we have."

CYRUS R. VANCE, JR.

In some cases, we are finding a direct link between traditional street gangs and cybercrime and identity theft. Rather than engaging in traditional street crime, these criminal organizations recruit insiders at organizations to steal personal identification information, and use the internet to trade such information and commit financial crime. The information is used in various sophisticated ways, including the manufacturing of counterfeit checks or counterfeit credit cards.

But while advances in technology have changed the way criminals conduct their business, it also has enhanced how we fight crime. Recognizing the need to prosecute this growing area of crime, District Attorney Vance created the Cybercrime and Identity Theft Bureau (CITB) upon taking office.

The significant prison sentences that the Office has secured for the top defendants in these cases reflect the seriousness of cybercrime and identity theft.

Additionally, the CITB does not only handle cases involving cybercrime and identity theft. Nearly every case prosecuted by the Manhattan District Attorney's Office—from domestic violence to domestic terrorism—relies upon the resources and expertise of this Bureau and its computer forensics laboratory. Every case involving a cell phone, a smart phone, or a computer depends upon the CITB to process what can be truly vast amounts of evidence -- from the subway rider who takes photos up women's skirts, to the murderer whose whereabouts can be tracked using cell phone signals.

Cybercrime & Identity Theft

State-of-the-Art Cybercrime Lab

In order to effectively prosecute these crimes, a state of the art forensic laboratory is crucial. In August 2012, District Attorney Vance and City Council Speaker Christine Quinn announced funding for a state-of-the-art cybercrime lab. The City Council has provided \$4.2 million for construction of an expanded High Technology Analysis Unit lab.

This lab already performs forensic analysis of digital media—including cell phones, smart phones, computers, and other electronic storage devices, as well as cell site mapping, but will now be able to do so more efficiently and on a larger scale.

This redesign and expansion will also allow the DA's Cybercrime prosecutors, personnel, investigators, analysts and examiners to be co-located within a single facility. With the number of electronic devices on the rise, an enhanced cybercrime lab in Manhattan is expected to ease the strain on forensic data examiners citywide.

by THE NUMBERS

The Manhattan DA's Office investigates approximately 200 to 300 new cases of ID theft each month.

The number of computers analyzed by the Office's Cybercrime & Identity Theft Unit skyrocketed last year - up 195% from 2010 to 2011.

NOTABLE CONVICTIONS IN 2012

- In October, **Tracey Nelson** was sentenced to 6-to-18 years in prison for her role in an organized identity theft and financial crime ring that relied on corrupt employees at banks, businesses, and a non-profit organization to steal clients' and donors' information. They sold that information to co-defendants, who used that stolen information to steal money from the victims' bank and credit card accounts.

- In September, **Sam Yin**, a disgruntled former network engineer for Gucci America, was sentenced to 2-to-6 years in prison after pleading guilty to hacking into the company's computer system. This cyber intrusion led to the functional shut down of all computers in Gucci's New York office. Yin used an account he secretly created during his tenure at Gucci to access and control the company's computer system, shutting down its servers and networks, and deleting data from others. As a result, Gucci lost access to documents and e-mail for nearly 24 hours, while other documents and emails were deleted permanently.

- In September, **Joel Luciano**, the ringleader of a well-organized check fraud ring, was sentenced to 3-to-9 years in prison after pleading guilty to the top charge of the indictment. This crime ring was responsible for stealing at least \$450,000 from more than 90 accounts at TD Bank. Luciano enlisted individuals to open personal savings and checking accounts at various TD Bank locations. Upon opening the accounts, the new account holders received Visa credit/ATM cards associated with the accounts, and then deposited bad checks drawn either from closed bank accounts or from accounts with insufficient funds, from banks other than TD Bank, into their newly-opened savings accounts at TD Bank. The criminal organization opened more than 90 bank accounts at TD Bank to deposit fraudulent checks, and then used special cash access locations to withdraw money from those accounts.

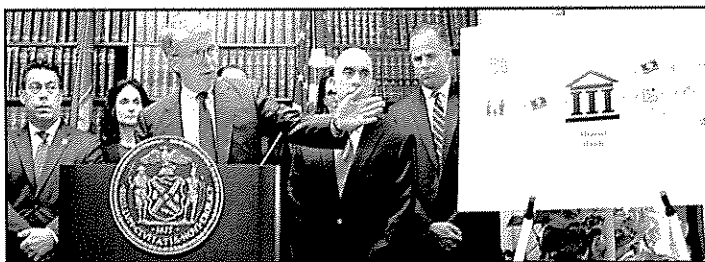
- In June, leaders of a large-scale identity theft ring were sentenced for compromising hundreds of bank accounts and fraudulently purchasing Apple products from stores around the country to resell for profit. Ringleaders **Shaheed Bilal** was sentenced to 4 ½-to 9 years in prison; **Rahim Bilal** to 2-to-6 years; and **Ali Bilal** to 1-to-3 years. The defendants, who called themselves "S3," illegally obtained personal identifying information, such as the names and credit card account numbers of identity theft victims. They purchased the stolen information from online data traffickers via web-based portals, stored the credit card information in shared email accounts, and used that information to create counterfeit credit cards. The defendants then recruited individuals to act as "shoppers," who used these fake cards to purchase electronic goods from Apple stores. They then sold those products for cash at below retail cost to several different individuals in Brooklyn acting as "fences." In turn, the fences would then resell the illegally obtained goods at a profit.

- In June, **Nikolai Ivanov** and **Dimitar Stamatov**, both Canadian nationals were sentenced to 3-9 years in prison for planting illegal "skimming" devices on ATM machines in Manhattan to steal the debit card numbers of nearly 1,500 individuals, and then exploiting the stolen debit card numbers to make more than \$285,000 in fraudulent transactions.

Major Economic Crimes Business and Investor Fraud

White collar crime weakens the stability of our financial markets and imposes staggering costs on the law-abiding public. Continuing the Office's long history of leadership in the battle against white collar crime, the Major Economic Crimes Bureau is aggressively prosecuting cases ranging from terrorist financing, Ponzi schemes that shake investors' faith in the integrity of the financial system, and swindlers who steal from small businesses and consumers.

Financial markets are governed by rules that keep investors safe and the marketplace stable. The Major Economic Crimes Bureau is continuing to root out and prosecute individuals who steal from investors and businesses, and who create mistrust and instability in our financial markets.



NOTABLE CONVICTIONS IN 2012

- **Joseph Greenblatt** was sentenced to 6-to-18 years in prison for stealing more than \$31 million from investors by operating a Ponzi scheme through his real estate company. Greenblatt told his victims, many of whom were retirees living in Florida, that he would use their funds to invest in real properties. However, these investments were wholly unsecured and left the investors without any apparent claim to the value of the property. Greenblatt used these investment funds for his personal use and to make several million dollars in restitution payments owed under a separate criminal investigation against him in Brooklyn Supreme Court.
- **Douglas Arntsen** was sentenced to 4-to-12 years in prison after pleading guilty to embezzling more than \$10 million dollars from two clients of the law firm Crowell & Moring LLP, where he was employed as an attorney. Although Arntsen was originally scheduled to fly to Hong Kong out of New York, in order to evade arrest he drove to Philadelphia that evening and flew to Hong Kong, where he was later arrested and extradited to the U.S.
- **Jeffrey Bernstein** was sentenced to 3 1/3-to-10 years in prison after pleading guilty to stealing more than \$2.5 million from the Albert Ellis Institute, a non-profit psychotherapy institute. While serving as the director of administration, Bernstein made nearly 80 unauthorized wire transfers from the institute to three business accounts that he controlled.
- Four defendants were convicted by a trial jury for defrauding Columbia University out of approximately \$5.7 million and transferring the funds into accounts for their own use. One of the defendants, **Joseph Pineras**, a Columbia University accounts payable clerk, fraudulently redirected payments from Columbia, payable to New York Presbyterian Hospital, into a bank account held by Pineras's co-defendants, **George Castro**, **Walter Stephens**, and **Jeremy Dieudonne**. Castro and Dieudonne were each sentenced to 7-to-21 years in prison.

Grand Jury Property Tax Report

In addition to numerous prosecutions of tax fraud, in August 2012, the DA's Office released a report by a New York State Supreme Court Grand Jury examining the filing of false documents and information with New York City in connection with the computation of real property tax liability. The Grand Jury Report found that current laws, regulations, and systems are not adequate to prevent and deter costly false filings, which occur with unacceptable frequency.

The Grand Jury called for legislative, executive, and administrative reforms to protect the integrity of the tax system and maximize tax receipts lawfully due to the City. The Report stemmed from investigations by the DA's Office's Money Laundering and Tax Crimes Unit into false filings submitted to the NYC Department of Finance in connection with assessing the value of real property, as well as to the NYC Tax Commission in connection with taxpayers seeking a reduction of that assessment.

Public Corruption and Construction Safety

The Office's Rackets Bureau conducts long-term investigations into the corrupt activities of criminal enterprises, including matters involving construction fraud and labor investigations; public corruption; organized crime; and terrorist activities. In 2012, the Office's Rackets Bureau continued its long-term investigations into criminal activities in the construction industry, prosecuting companies who put profit before public safety. The Rackets Bureau also secured convictions against public officials who exploited their positions for personal gain.

NOTABLE CONVICTIONS IN 2012

- **American Standard Testing** and Consulting Laboratories and several of its executives and employees pleaded guilty to corruption and related charges for falsifying concrete testing and inspection reports, which jeopardized the public's safety. ASTC was hired by contractors, engineers, architects, and others to perform tests and inspections relating to the strength and quality of concrete, as mandated by the New York City Building Code. For more than 10 years, the defendants submitted thousands of false test reports, regularly skipping vital safety tests and creating false reports to create the impression that the tests were performed.
- Ten subway maintenance supervisors and signal maintainers from the New York City Transit Authority were indicted for falsifying MTA records to reflect inspections of equipment that were never actually completed. All of the defendants have pleaded guilty.
- **Edward Marquette**, a former inspector at the NYC Department of Buildings Division of Cranes and Derricks, was convicted after a bench trial for falsifying inspection sheets on two separate dates. He claimed to have inspected cranes, which he was found not to have done.
- **Patrick Alcindor** was sentenced to 6 ½-to-13 years in prison after being convicted by a trial jury for defrauding Medicaid. While working as a pharmacist in Manhattan, he acted as a signatory on the pharmacy's bank account. He purchased prescriptions from Medicaid clients for cash and then billed Medicaid as if the prescriptions had been filled and the medications actually dispensed to the clients. In fact, the pharmacy never had the medications in stock. The Office of the Medicaid Inspector General has alleged that the defendant's fraud caused the government more than \$1.8 million in losses.

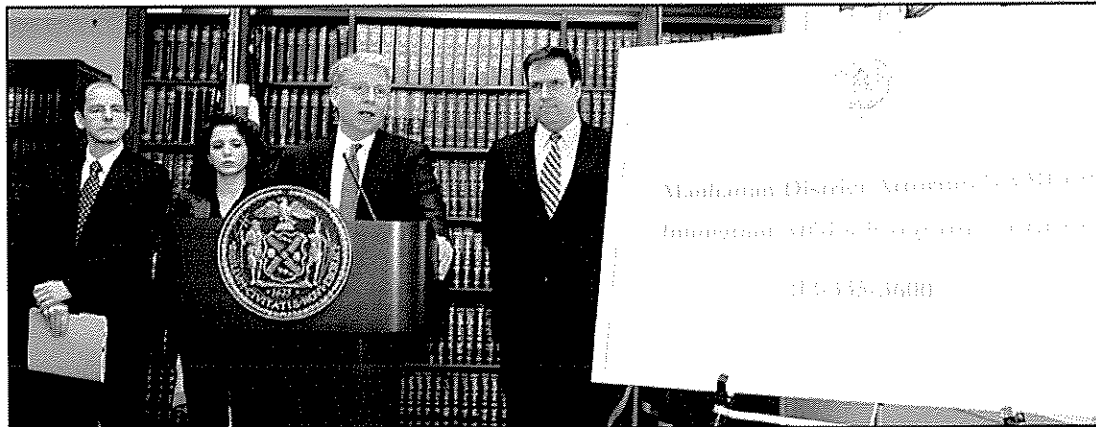
Elder Abuse

Elder Abuse includes both the physical abuse and financial exploitation of older victims by family members, companions, caretakers, con artists, accountants, bankers, and others. The Office's Elder Abuse Unit investigates and prosecutes approximately 700 elder abuse cases each year. But like other forms of domestic violence and sex crimes, cases of elder abuse often go unreported because many victims feel shame, embarrassment, and guilt. The DA's Office is working to raise awareness about elder abuse and encourage victims to come forward. The Office co-founded New York City's first Elder Fatality Review Team with other city agencies to evaluate elder deaths in which abuse or neglect may have played a role. The Office also conducts trainings for various professionals who regularly enter seniors' homes to detect, prevent, and report cases of elder abuse.

In many cases, victims of elder abuse are victimized by someone they know. For example, in June, Larry Brown was sentenced to 22 years in prison for assaulting and robbing his step-aunt and step-uncle in their home. Brown told the elderly couple that he was going to stop by their home to pick up clothing for his sister, and entered their home with a knife, a billy club, and twine. He stabbed his step-aunt multiple times, and when his step-uncle entered the room, Brown held a knife to his step-aunt and threatened to kill her if his step-uncle did not give him money. He then tied up his step-aunt with twine, followed his step-uncle upstairs while brandishing the knife and billy club, and took \$1,000. His step-aunt was able to escape to call for help.

Elder abuse can also come in the form of financial exploitation. Philip Leopold pleaded guilty to stealing money from an 85-year-old woman who had entrusted him with her finances. Leopold first met the victim, who is nearly blind, hearing impaired, and has other health issues, about 40 years ago, and helped her with her finances. Taking advantage of the victim's trust, Leopold stole more than \$1.6 million from her by withdrawing money from her bank and trust accounts without her authorization.

Immigrant Affairs Program



One of New York City's great sources of strength and pride is our diversity. But we know that immigrants are especially vulnerable to unscrupulous people who take advantage of those who are new to this country, not fluent in the language, and struggling to navigate a complex legal and social services system.

The DA's Immigrant Affairs Program investigates and prosecutes fraud committed against immigrants, and to educate the public about immigration fraud through prevention workshops and seminars. Since its creation, the Program has fielded more than 2,664 complaints in three languages – Spanish, Cantonese, and Mandarin – and is staffed with experts who are specially-trained to handle fraud that targets immigrants.

Those in immigrant communities should know that the Manhattan DA's Office is a safe place to report crime – regardless of immigration status.

In addition to prosecuting cases, the District Attorney's Office also regularly hosts fraud prevention seminars, where Assistant District Attorneys join members of the Community Affairs Office to provide immigrant communities with information about immigrants' rights and how to detect and prevent fraud.

The most common scams against immigrants are committed by individuals who pretend to be licensed attorneys, Immigration and Customs Enforcement officials, or other government employees.

These scammers file false or erroneous documents or nothing at all, but only after stealing hundreds, and sometimes thousands, of dollars from their victims. Even when the monetary sums are low, for victims that can often be their life's savings.

NOTABLE CONVICTIONS IN 2012

- **Hit Shrestha** pleaded guilty to defrauding Nepalese nationals of thousands of dollars. Shrestha convinced multiple victims to pay between \$3,000 to \$7,000 in exchange for arranging air travel, travel documents, and immigration forms for her victims' relatives to immigrate to the U.S.
- **Francisco Alberto Gautreaux Calcano** pleaded guilty to defrauding victims in NYC and the Dominican Republic. He falsely told victims he was an employee of the Embassy of the Dominican Republic and was collecting funds to transport donated utility and emergency vehicles to municipalities and charitable organizations in the Dominican Republic.
- **Jennifer Lam** pleaded guilty to defrauding a Chinese national seeking permanent residency in the U.S. By falsely representing herself as an immigration attorney, Lam stole more than \$14,000 from the victim.

Environmental Crimes

The underground economy in Manhattan is thriving, as criminals sell illegal goods to eager buyers. Often, we are here talking about drugs and guns. But in New York City, nearly anything and everything is for sale on the black market: there is a market for stolen electronics, stolen art, stolen identities and, as described below, even a market for ivory harvested from endangered and threatened elephants.

2011 was the worst year in elephant killings in more than two decades, according to a recent report. More than 2,500 elephants were killed that year for their tusks. The global demand for elephant ivory jewelry, carvings, and other products has resulted in a significant reduction in African elephants, which have been classified as threatened since 1978, and the Asian elephant species, which has been classified as endangered since 1976. Despite international efforts to stop poaching, the black market for ivory is booming and pushing both species of elephants to the brink of extinction.

"Poachers should not have a market in Manhattan. It is unacceptable that tusks from elephants wind up being sold as mass-produced jewelry and unremarkable decorative items in this city. Despite efforts to protect populations of endangered and threatened species, poachers are pushing them to the brink of extinction. This is an international problem that requires local solutions. In order to curb the poaching of elephants in Africa and Asia, we need to curb the demand side of the illegal ivory trade right here at home. These cases are a small, but important, step in protecting endangered and threatened elephant species. This investigation is part of an ongoing and focused effort by my Office, working with federal and state partners, to combat environmental crimes and clamp down on the illegal ivory underground marketplace, which fuels the international poaching crisis."

CYRUS R. VANCE, JR.

In July 2012, two defendants and their companies pleaded guilty to selling and offering for sale items made from ivory that was harvested from endangered and threatened elephants. From this investigation, the Manhattan District Attorney's Office recovered more than two million dollars worth – and close to one ton – of illegal ivory. Each of the defendants is charged with Illegal Commercialization of Wildlife, an E felony under the New York State Environmental Conservation Law.

As a result of their guilty pleas, the defendants forfeited elephant ivory articles and items valued at nearly \$2 million. The forfeited ivory will be used for educational and training purposes, such as training new wildlife investigators to identify ivory products. The defendants also paid nearly \$200,000 to be distributed to the Wildlife Conservation Society.

Appeals Bureau

The DA's Appeals Bureau handles cases in the state's appellate courts, as well as all federal courts, to ensure that properly-obtained convictions are upheld, and that defects in trial proceedings do not unduly affect either the public or the defendant.

In 2012, the Appeals Bureau was responsible for upholding numerous convictions obtained against defendants who preyed upon vulnerable victims. For example, in *People v. Moronta*, the defendant, who was already the subject of an order of protection issued in favor of his ex-girlfriend, stabbed her to death while in a jealous rage because she was socializing with other men. The appellate court upheld the defendant's prison sentence of 25-years-to-life and rejected his claim that the jury should have been given the option of convicting him of a lesser crime because he was acting under an extreme emotional disturbance.

In *People v. Cajigas*, New York's highest court held that a defendant has committed a burglary when he unlawfully enters an apartment with the intent to commit an act prohibited by an order of protection against him, even if that act would not otherwise have been illegal. The court recognized that "perpetrators of these offenses frequently engage in persistent and often escalating courses of conduct that cause victims to be emotionally terrorized – if not worse."

The Appeals Bureau also helped shape important legal principles. Of particular note is *Corby v. Artus*, in which the Appeals Bureau persuaded a federal appellate court to reinstate a conviction for felony murder and first-degree robbery. The court agreed that the trial judge's ruling prohibiting the defendant from cross-examining the main witness about the defendant's own out-of-court claim that the witness was responsible for the murder did not violate the defendant's constitutional right to confront the witnesses against him.

Asset Forfeiture Unit

The DA's Office's Asset Forfeiture Unit works to disgorge illegally-obtained criminal proceeds from criminal defendants and non-criminal defendants who hold criminal proceeds. Any funds recovered by the Unit are distributed first to the victims of the defendants' crimes. If no victims exist, the funds are divided according to law, with a large percentage going to the New York State Offices of Alcohol and Substance Abuse Services.

At the end of Fiscal Year 2012, the Unit forfeited nearly \$25 million in criminal proceeds – up from \$7 million in 2009. The forfeited assets came from a wide range of cases, including violent gangs who traffic in drugs and guns, human traffickers, and white collar and cyberfraud criminals.

In addition to cash, the Office forfeited defendants' right, title, and interest in valuable property, including nearly a ton of illegal elephant ivory and dozens of antique coins. The forfeitures also included luxury vehicles, electronics, more than \$600,000 in jewelry, Louis Vuitton and Gucci bags, Rolex and other high-end watches, foreign currency, and even Foxwoods casino chips, all of which were converted into cash and distributed according to law.

Criminal Court Reform

Approximately 100,000 cases come to the Manhattan DA's Office every year – 80,000 of which are misdemeanors or violations. The Office continues to reduce the significant backlog of cases in the Manhattan Criminal Court through more efficient, effective prosecution and the use of creative dispositions in cases where public safety is not compromised. Shortly after taking Office, DA Vance, working with the Office of Court Administration, implemented various reform measures to make the criminal justice system more efficient for everyone who comes before it.

In addition to the overall reduction in speedy dismissals, the reforms have resulted in reduction of speedy trial dismissals in Driving under the Influence cases. Since 2009, DWI speedy trial dismissals have declined 92 percent, from 421 speedy trial dismissals in 2009, to only 35 in 2012.

In coordination with the Office of Court Administration, District Attorney Vance created the Quality of Life Initiative, a single, specialized court part designed to address misdemeanors and violations for non-violent and non-repeat offenders. Enforcing quality of life laws are crucial to the continued success of our city. But when those thousands and thousands of low-level arrests arrive in the criminal justice system, they overwhelm the capacity of the courts, and pull resources from more serious misdemeanors like domestic violence assault and DUI cases.

The quality of life cases adjourned to this specialized court part are low-level cases such as trespassing in a public park, marijuana possession, public consumption of alcohol, making graffiti and other administrative code violations. In its first year of operation, more than 4,000 cases were diverted to the Quality of Life Part, and that went a long way to making a real dent in the backlog of pending cases elsewhere in criminal court. Removing such cases from the regular criminal court calendar and rotating ADAs through the quality of life part has led to a 55 percent reduction in speedy trial dismissals since 2009 and reduced the average caseload for second year ADAs by 29 percent.

In October 2012, DA Vance announced a new clinical program with New York Law School to give students hands-on experience in the Quality of Life court part. The students will work alongside assistant district attorneys to prepare and try cases in criminal court. Expected to start in the fall of 2013, the clinic will give students real-world legal experience, and the criminal justice system the benefit of New York Law School's best and brightest students to help reduce the backlog of misdemeanor and violation cases in Criminal Court.

Alternatives to Sentencing

Sandy Relief Effort

Working with non-profit organizations and city agencies, the Manhattan District Attorney's Office strives to tailor dispositions, and in particular community service options, to best fit defendants' crimes while best serving the residents of New York City.

In December, the District Attorney's Office worked with the Center for Court Innovation and the Mayor's Office of the Criminal Justice Coordinator on an initiative to aid the hundreds of New York City residents still reeling from trash and debris left by Hurricane Sandy.

Approximately 70 defendants sentenced to community service in Manhattan Criminal Court traveled to Mermaid and Surf Avenues between 25th and 37th St. in Coney Island, Brooklyn. They removed hundreds of bags of garbage, leaves, debris, and mud from the streets and sidewalks. In total, defendants provided 732 hours of work and collected approximately 1,000 bags of trash and debris from the streets of this neighborhood, which was among the hardest-hit by Hurricane Sandy. The defendants were transported from 100 Centre St. to Coney Island in vans provided by the Center for Court Innovation, and worked in supervised groups throughout the week.

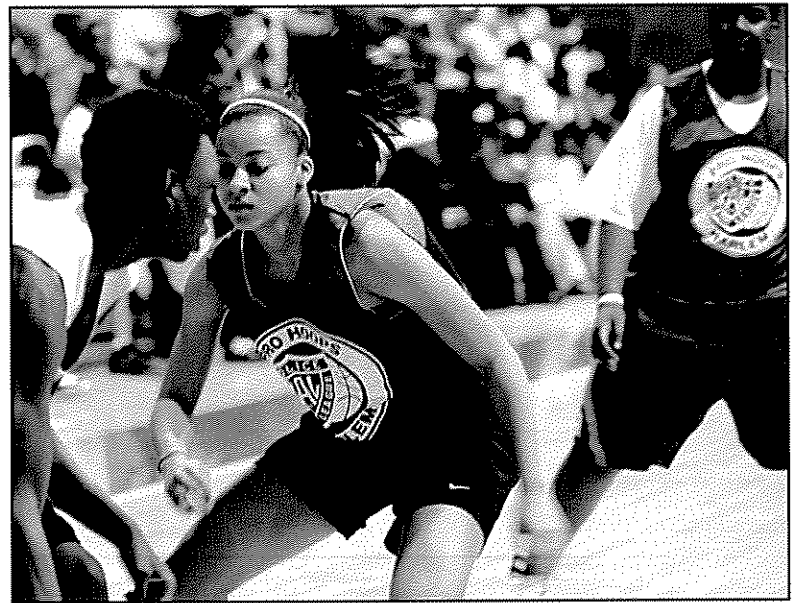
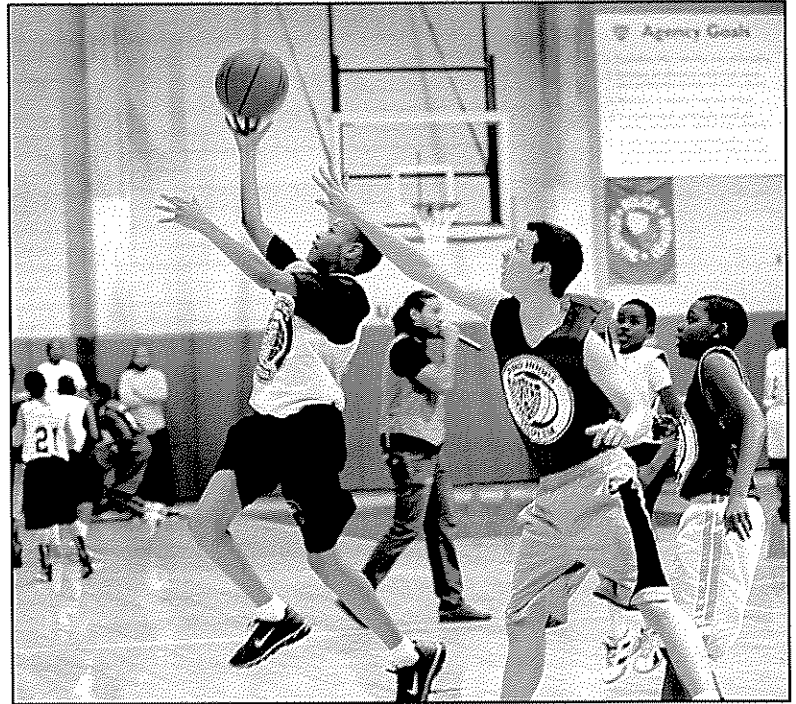
Community Partnerships

A critical component of our crime prevention initiatives is youth outreach. What we've seen in prosecutions against gangs and gun and drug traffickers is that both the perpetrators and victims of violence are getting younger. Of the 184 defendants indicted in Manhattan in 2012 for carrying loaded weapons, nearly 18 percent of those defendants were 18 years or younger. Additionally, 16 percent of all shooting victims were 18 years old or younger. Our children deserve so much better.

To keep our young people safe and away from gangs, guns, and street violence, we are working with community and law enforcement partners to provide young people with greater opportunities. The fall of 2012 marked the start of our second year of the PAL/ Pro Hoops basketball training camp. Teaming up with the Police Athletic League, Pro Hoops, Inc., NYPD, and the Drug Enforcement Administration, the DA's Office opened gyms throughout Manhattan, on Friday and Saturday nights, so that young people have a safe place for positive activities during peak crime hours, when they are most at risk from being victimized or getting into trouble themselves.

“My Office continues to work aggressively for the safety and protection of all Manhattan communities by not only prosecuting crime, but seeking ways to prevent it. But we can't do it alone. To effectively root out violence, we have to partner with communities to better understand the crime trends and needs of each neighborhood, and to build trust with residents.”

CYRUS R. VANCE, JR.

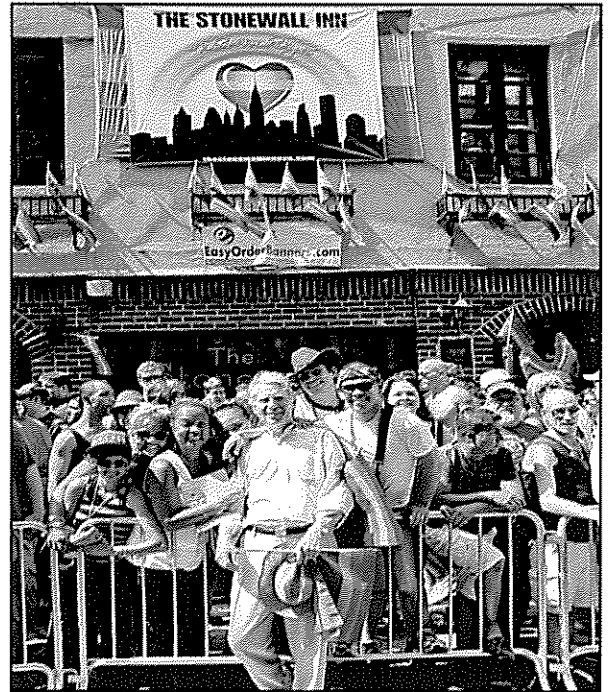
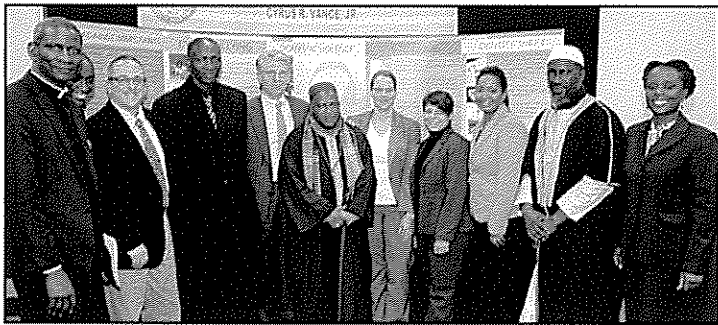


Funded by the DA's Office and the DEA through asset forfeiture money from anti-drug cases, these free basketball training programs are run by world-class professional trainers who also train NBA and college-level players. The program allows young people to interact in a positive setting with prosecutors and police officers, who serve as guest assistant coaches during the training sessions and as the kids' teammates during tournaments.

What started as a youth basketball program for boys on Saturday nights in Central Harlem in the fall of 2011 has now evolved into a multi-sport program offered in four locations throughout Manhattan for boys and girls ages 12 to 18 on Fridays and Saturdays nights. In 2012, the program served almost 2,000 children and will continue to expand in 2013.

Community Partnerships

In addition to free sports programs, for the second summer in a row, the Manhattan District Attorney's Office hosted a youth internship program for at-risk middle and high school students in conjunction with the City Council and Brotherhood/Sister Sol. The internship exposes its young participants to some of the best that New York has to offer through workshops and educational field trips. The program was the result of conversations between community leaders, elected officials in Harlem, and members of the DA's Office's Community Affairs Unit on how to engage youth in order to provide educational and cultural experiences they would not otherwise receive.



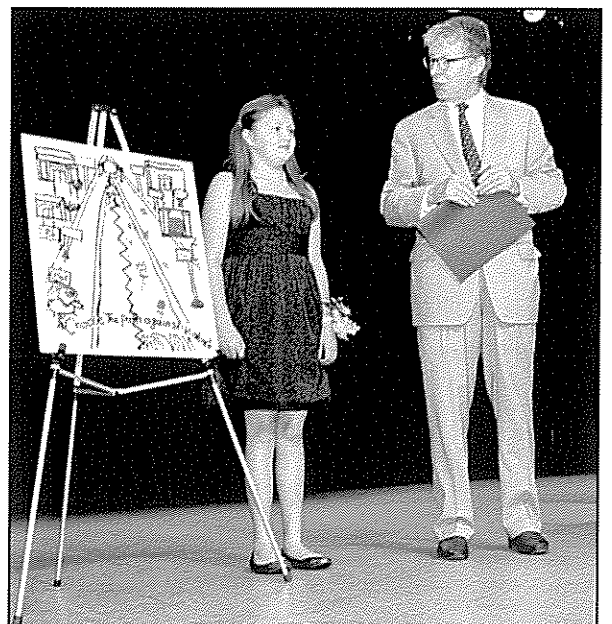
*Left: DA Vance at a crime prevention seminar for the African community.
Above: DA Vance at the 2012 Gay Pride Parade.*

The DA's Office's initiatives extend far beyond youth outreach. Since DA Vance took office in January 2010, the Office's lawyers, Community Affairs representatives, and Victims Aid workers have participated in more than 2,000 neighborhood meetings and community events, talking to New Yorkers from all walks of life -- in their neighborhoods, senior centers, churches and town halls -- about issues ranging from domestic violence and elder abuse, to fraud against immigrants and cyberbullying. These events have been critical to our understanding the needs of our residents, and invaluable to our goal of keeping New Yorkers safe.

Kids Against Violence

In the spring of 2012, the Manhattan DA's Office held the first-annual "Kids Against Violence" poster contest. The goal of the contest was to encourage school-age children to play a proactive role in preventing the spread of violence among youth.

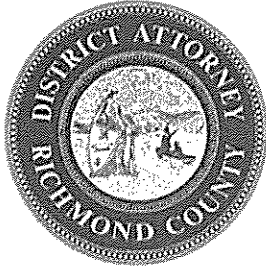
The DA's Office received dozens of entries from Manhattan public elementary schools, and a panel of judges named Alice Rojas from P.S. 75 Emily Dickinson the winner of the contest. District Attorney Vance presented Miss Rojas with her award certificate at her fifth-grade graduation at Symphony Space, a performing arts center, on the Upper West Side.



Victim Assistance

The Manhattan District Attorney's Office is a safe place to report crime, and victims are strongly encouraged to contact the Office's specialized units for assistance.

- Special Victims Unit** 212-335-4308
Investigates and prosecutes crimes concerning domestic violence, child abuse, and family violence
- Sex Crimes** 212-335-9373
Investigates and prosecutes all acts of sexual assault (rape, sexual abuse, and other criminal sexual acts)
- Immigration Affairs Program** 212-335-3600
Focuses on fraud schemes targeting the immigrant community
- Elder Abuse** 212-335-9007
Investigates financial crimes committed against senior citizens
- Hate Crimes** 212-335-3100
Investigates and prosecutes crimes that target victims for their color, race, religion, gender, sex, etc.
- Cybercrime and Identity Theft** 212-335-9600
Investigates and prosecutes identity theft and high technology crimes committed in New York County; including cyber-stalking and cyber-bullying
- Public Integrity / Public Corruption** 212-335-8987
Investigates and prosecutes crimes such as bribery and bribe receiving, larceny, false filings with government agencies, Election Law crimes, campaign finance crimes, and criminal violations of various ethics laws, such as the New York State Public Officers Law.
- Special Prosecutions Complaint Hotline.** 212-335-8900
Investigates and prosecutes a wide variety of financial crimes such as employee embezzlement, fraudulent documents, insurance fraud, arson, unauthorized practice of law, thefts committed by attorneys and other professionals, bank fraud, offenses related to real estate and housing, computer offenses, and all kinds of schemes to defraud the public
- Conviction Integrity Program** 212-335-4016
In order for the Conviction Integrity Program to carry out a preliminary review of a conviction, the following prerequisites must be met:
- *The conviction must have been in New York County.*
 - *There must be a claim of actual innocence; the Conviction Integrity Program does not review non-innocence related claims, such as those concerning procedural errors at trial.*



RICHMOND COUNTY DISTRICT ATTORNEY

Daniel M. Donovan, Jr.
District Attorney

FISCAL YEAR 2014
CITY COUNCIL EXECUTIVE
BUDGET HEARINGS

May 23, 2013

OFFICE OF THE RICHMOND COUNTY DISTRICT ATTORNEY

Members of the Committee on Public Safety and the Finance Committee of the New York City Council:

Good afternoon and thank you for the opportunity to address the Committee on Public Safety and the Finance Committee regarding the Fiscal Year 2014 Executive Budget. Several issues remain a concern, but there is one in particular that affects my office and the Staten Island community at large which I am asking for City Council support.

Listed below are the issues that need to be addressed.

FAMILY JUSTICE CENTER

Family Justice Centers were established to reduce the burden of domestic violence victims by providing comprehensive services for them in one location. Counselors at the centers provide culturally and linguistically appropriate assistance, as well as increased coordination among services providers. Additionally, the centers provide a safe and caring environment with one-on-one counselor victim interaction. Among the services offered are advocacy career counseling, childcare, dental assistance, forensic documentation of injuries, legal assistance, medical services, and information regarding public benefits. As a result of the City's focus on this issue, since inception, family-related homicides have declined significantly Citywide and thousands of victims have had access to services when they have needed them the most.

New York City has three Family Justice Centers operating, one in Brooklyn, one in Queens and one in the Bronx while a fourth center will be opening in Manhattan in September 2013. My office, however, currently runs a **virtual** Family Justice Center, managed by one staff member, a Domestic Violence (DV) Coordinator; a position I filled without the assistance of additional City funds. The position is paid for in part by the federal *Violence Against Women* grant. Expanding our current virtual center is a top priority for me as DV cases in Staten Island continue to rise. The statistics are alarming:

- In 2012, our DV Coordinator alone had 3,563 victim contacts for Domestic Violence and Integrated Domestic Violence cases.
- Over the past three years, Staten Island has experienced a 34% increase in DV arrests.

- Of the 13,303 total arrests that occurred in 2012 in the borough, 2,582 (22%) were DV related.
- Of the 11,256 docketed cases filed in Staten Island Criminal Court last year, 2,582 (23%) were DV related.
- Approximately 600 misdemeanor DV cases are currently pending in Staten Island Criminal Court.
- Approximately 30 DV indictments are currently pending in Staten Island Criminal Court which accounts for 19% of all pending indictments.

Most compelling however, is that DV victims here are not receiving the same level or amount of services received by DV victims in the other boroughs. Our **virtual** Family Justice Center involves our DV Coordinator briefly meeting with a victim and referring them for various services, all of which are outside of our office. For example, in Staten Island, a DV victim has to visit five separate locations to (1) meet with an ADA to discuss the criminal matters of the case, (2) receive counseling services from Safe Horizon, (3) obtain legal civil representation from Staten Island Legal Services, (4) get information regarding food stamps from HRA, and (5) visit Family Court regarding custody issues. In the other boroughs, all of these services are self contained in each of the Family Justice Centers. For DV victims here, this can be an extremely time consuming and frustrating process. The victim often cannot get to each of these locations because of work or family issues and does not receive the level of services they are entitled to. Expanding our virtual operation to a formal Family Justice Center, where all services are contained in one location, is crucial.

An approval was given to establish a new Family Justice Center on Staten Island by Yolanda Jimenez, Commissioner of the Mayor's Office to Combat Domestic Violence (OCDV). We have been working closely with her office during these initial stages of the planning process. However, financial support will be needed to properly staff this facility. I have made a formal request to the Office of Management and Budget to secure Personal Service (PS) funding.

I would respectfully request that the City Council consider providing capital funding for space renovations which will be necessary at the Family Justice Center in order to make it operational. The Mayor's Office to Combat Domestic Violence has determined that the size of the facility should be between 7,000 and 7,500 square feet. The Family Justice Center will house Richmond County District Attorney staff, as well as staff assigned there from the Mayor's Office to Combat Domestic Violence, the NYPD, Staten Island Legal Services, Safe Horizon and some various not-for-profit organizations. The space identified is in a City-owned building with renovation costs estimated at approximately \$1.75 million.

I remain fully committed to reducing domestic violence on Staten Island and ask that victims here on Staten Island be given the same consideration as other victims throughout the City of New York.

DRUG TREATMENT COURT

The Treatment Alternatives for Safer Communities (TASC) is an extremely successful alternative to incarceration program that performs required drug tests for defendants and manages most of the cases for Staten Island Drug Treatment Court. The TASC program in my borough is once again unfunded beginning July 1, 2013 and is in jeopardy of closing.

Our drug treatment court places non-violent addicted criminals into treatment instead of jail. This not only allows for the greater possibility of rehabilitating these individuals, but results in significant cost savings for the City of New York. TASC keeps track of the progress of these defendants by performing drug tests, follow-up interviews and monitoring court appearances. In 2012, TASC conducted over 4,000 drug tests and placed 141 new defendants in drug treatment programs. Additionally, 74 non-violent defendants successfully completed court-mandated treatment programs on Staten Island last year.

Two years ago, the Education and Assistance Corporation (EAC), the organization that operates TASC on Staten Island, proposed to shutdown the program. EAC suffered a cut in State funding and decided to simply eliminate the program on Staten Island to absorb the reduction. The decision by EAC was not without controversy since similar programs it operated in Brooklyn, Queens and the Bronx continued to be funded and remained open. Further complicating the problem was that the City Council had traditionally allocated \$1 million to cover TASC funding shortfalls in those other boroughs, but none of that money was ever earmarked for Staten Island. After considering the potential consequences from letting TASC close, the City Council has provided \$250,000 in the FY 2012 and FY 2013 Adopted Budgets to keep the program operating. I would like to thank Speaker Quinn, Chairman Vallone, Chairman Recchia, Minority Leader Oddo, Council Member Ignizio and Council Member Rose, as well as the entire New York City Council for allocating these funds. However, we are once again at a crossroad since the FY 2013 funding was allocated for the current fiscal year only.

As I have stated in the past, without TASC, proper monitoring will no longer be performed and defendants, as opposed to being placed in treatment programs, will be sentenced to jail or probation. Sadly, the possibility of rehabilitating these individuals so that they may develop job skills will decrease and the likelihood of them becoming predicate felons will rise.

Allowing TASC to shut down the Staten Island program will undoubtedly have negative repercussions as recidivism rates among addicted offenders are certain to rise. Prescription drug abuse is a national epidemic. According to a New York City Health Department study released in April 2011, Staten Island has the highest rates of prescription drug overdose deaths in the five boroughs, at 7.4 per 100,000 people. Additionally, 11.2% of Staten Island students between 7th and 12th grade have admitted to abusing prescription opiates - higher than any other borough. We simply cannot afford to lose a program as vital as TASC or this epidemic will undoubtedly grow even worse.

Furthermore, the difference in expenses associated with treatment versus incarceration is startling. Incarcerating a prisoner in a City jail costs \$76,000 per year. Conversely, inpatient program costs for individuals are \$20,000 per year and shrinks even further to \$7,500 per year in an outpatient program. Perhaps even more significant is that the City does not bear any treatment costs since these are paid for by the defendant's family, Medicaid or private insurance. Putting this in perspective, the \$250,000 investment made by the City Council allowed 74 individuals to successfully complete Staten Island Drug Court treatment programs in 2012 which saved the City \$5.6 million.

The statistics alone regarding overdose deaths and abuse rates are alarming enough to justify keeping this program open. Staten Island has been operating one of the most successful Drug Treatment Court programs in New York State for several years now, one that is also a cost savings initiative. When considering these dramatically high numbers, along with the savings to the City of New York, closing this program makes absolutely no sense.

I am again respectfully requesting the New York City Council to make the \$250,000 available in this upcoming FY 2014 budget, so that Staten Island gets its fair share of the discretionary funding for alternatives to incarceration.

ASSISTANT DISTRICT ATTORNEY SALARIES

Assistant District Attorneys (ADAs) pay continues to lag behind the salaries of lawyers and other positions working in other agencies throughout the City of New York. Most positions in City government have unions that negotiate on their behalf. Teachers, Police Officers, Firefighters, Sanitation Workers, as well as clerical and various other professional titles, all have structured ways of dealing with salary issues. ADAs do not have that luxury. In the City's five District Attorney's offices, the District Attorney has become the main advocate for the ADAs. As District Attorney, I am the only voice for the ADAs in my office. Unfortunately, we do not get the opportunity to participate in collective bargaining sessions to lobby for guaranteed salary increases the way other positions in the City do. Due to this factor, ADA salaries have fallen behind in

determining fair compensation for the value of their work.

Unfortunately for my office of fewer than 50 Assistant District Attorneys, within the last 45 days, I have received and sadly accepted the resignations of two of my office's mid-level ADAs. Both ADAs are graduates of top law schools (NYU and the University of Michigan), and both cited as the primary reason for their departure their low salaries. Again, sadly, neither ADA is leaving the field of prosecution, as both are continuing their careers as Assistant United States Attorneys. The City of New York and my constituents will suffer for their departures. But regrettably, this is the price our communities have to pay for the proven pennywise and pound foolish current funding policies. If our caseloads remain as high as they are and our salaries as low as they are, we can expect this exodus of top talent to continue. I believe it is well within financial wherewithal of this City and State to address this problem.

The ADA position is quite unique in that it requires a law degree and a successful passing of the bar exam in order to qualify for the job. The cost of undergraduate school and law school has become so exorbitant that it is not unusual for young ADAs to have well over \$100,000 in outstanding loans after they complete law school. A major portion of their paychecks is spent on paying off those loans and little is left over for basic living expenses. The cost of living has risen while the prosecutors' salaries have remained the same. Rents in particular have been steadily rising as the housing market crawls along. Many ADAs cannot even afford their own apartment and are forced to share housing, especially those who have relocated from outside of the City. Others must continue to live in their parent's homes if they are from the area.

There is no equity for salaries of our mid-level to senior ADAs; in particular when compared to other positions in the City. The lack of bargaining power and a structured tiered progressive salary path is the main reason for that. For example, a Police Officer after 5.5 years of service achieves top pay and earns \$90,829 in total pay according to the NYPD website. Those earnings increase if the police officer is required to work overtime, which is pensionable. Conversely, an ADA in my office with the same years of experience is paid \$67,192. Additionally, that same ADA routinely works well over 35 hours per week, but receives no overtime as compensation. This makes for quite an interesting comparison. A typical day for both might involve that same police officer meeting with that ADA working together on a case. Yet, the Police Officer is earning significantly more money, even though they are both equally contributing. The salary discrepancy exists with other criminal justice agencies as well. A New York City Correction Officer earns \$85,364 after 5.5 years of service. While not as much as a Police Officer, it is still a considerable amount more than an ADA with comparable years of service. These three positions are integral players in the criminal justice process, but clearly, one is not being fairly compensated and that one has the greatest educational costs to repay. As an example, one of our ADAs graduated from Duke University and Georgetown Law School. Both are very prestigious institutions, but also very expensive.

The Police Officer and the Correction Officer require only 2 years of college education. The ADA is required to have 7 years of education and consequently more outstanding loans makes substantially less salary. The Police Officer and the Correction Officer both deserve the salaries they are making. Assistant District Attorneys should also be fairly compensated for their contribution to the safety of our residents, but are not.

WORKLOAD

While my office will never neglect the victims of crimes, additional workload is putting a tremendous burden on our existing resources. For example, Criminal Court caseloads on Staten Island have increased from 150 – 175 cases per ADA to 200 – 225 cases per ADA at any given time. Annually, these ADAs carry an average of 824 cases each. Once again, this raises the issue of equity. Legal Aid Society (LAS) criminal defense attorneys will have an annual limit of 400 misdemeanors or 150 felony criminal defense caseloads. Assistant District Attorneys have no such limit. The practical effect of these caseload limits is that since 2011, the number of Legal Aid Society attorneys on Staten Island has doubled from 18 to 36, while the number of ADAs in my office have remained the same. What's going on? Our criminal justice system needs to be a level playing field. Currently, the field is demonstrably tilted in favor of the defense. The Office of Court Administration (OCA) advocates for additional Legal Aid Society attorneys, when needed. Since 2010, each of the five boroughs have seen an increase in the number of public defenders. However, the ADA headcounts in the individual District Attorney's offices have, for the most part, either remained the same or in some cases gone down. The City of New York should be doing the same for the District Attorney offices. If my office was bound by the same limit of 400 cases as the Legal Aid Society defense attorneys, I would have to double the number of ADAs in our Criminal Court Bureau in order to reduce their current caseload.

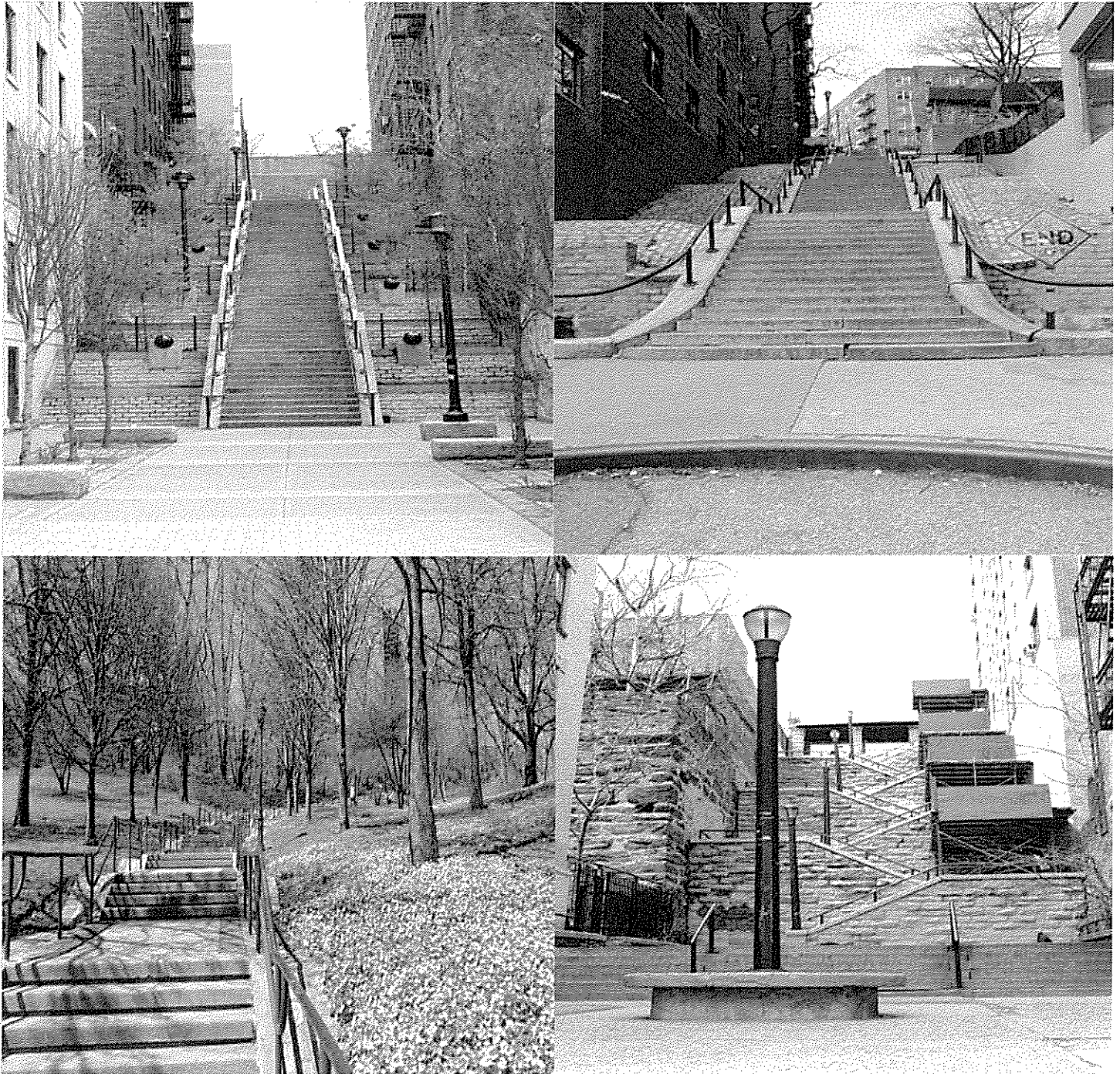
Furthermore, Staten Island continues to be the fastest growing county in the City and one of the fastest growing counties in the State. According to the NYC Department of City Planning, since 2000, our population has increased from 443,000 to over 470,000 in 2011, a 6% increase representing the highest growth rate among the five boroughs. During that same period, Staten Island also experienced a growth rate well above the State average. Coinciding with that population increase, we are now investigating other newly prevalent crimes. Complaints related to mortgage frauds and predatory lending, as well as identify theft and welfare frauds are on the rise and they are extremely labor-intensive cases.

CONCLUSION

The first responsibility of government is the safety of its residents. I ask that the City Council work with the Mayor to find a way to address my concerns.

Thank you again for your time and I look forward to working closely with the members of the New York City Council to help resolve these important issues.

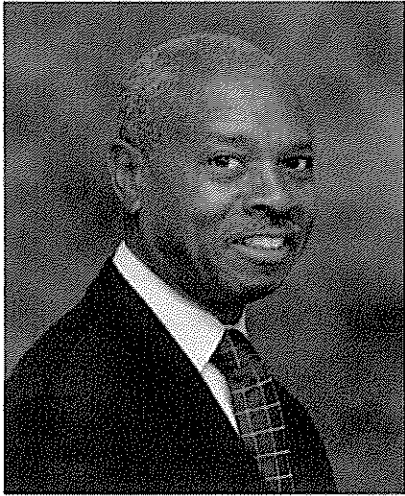
OFFICE OF THE BRONX COUNTY DISTRICT ATTORNEY ANNUAL REPORT 2012



BRONX STEP STREETS

Robert T. Johnson
District Attorney

www.bronxda.nyc.gov



Robert T. Johnson,
Bronx County District Attorney

District Attorney's Message

"As ever, in addition to criminal prosecution we employ a wide variety of tools to fight crime. These include diversionary and treatment programs, participation in specialized courts addressing drug treatment and mental health, and numerous educational, training, and community-based efforts."

This year again saw fluctuations in certain crime categories, in both directions. After achieving record low levels in 2009, in 2011 homicides rose by 16.5% over 2010, but then decreased by 23% in 2012. Burglaries, which had risen some 5.1% from 2010 to 2011, decreased 11.2% in 2012. Assaults, however, increased 7.8% and rapes increased 6.3% over last year. Crime is still very low by historic standards, but some of these variations, while perhaps to be expected, remain an unwelcome change from the steady decline of the last twenty years. So too is the continuing and disturbing reality that Bronx residents still suffer from a disproportionately high crime rate. With 16.9% of the City's population, in 2012 Bronx County experienced one in four of the City's felony assaults, nearly one in four of its robberies, and one in five of its rapes. Some 28% of all of the City's Domestic Violence Incident Reports originated in the Bronx.

In 2012, we prosecuted 4,350 felony cases. One notable trend is the proportion of narcotics cases,

which has now declined to 35% of the total. As usual, there were some standouts. One was the case of Eddie Coello, a former police officer who murdered his wife shortly after she had filed for divorce, and then carried her body out of their home in a duffel bag and dumped her remains in northern Westchester. A week later, the body was discovered in the woods off the Taconic Parkway. Coello was found guilty of murder in the second degree and sentenced to 25-years-to-life imprisonment.

Another standout was the case of Lawrence Johnson, who beat his three-month-old daughter to death as she lay sleeping in her bassinet. He also was convicted of murder and sentenced to 25-years-to-life imprisonment.

A third noteworthy case was that of Sahim Lucas, a thirty-one year old man who met a thirteen-year-old runaway girl in Atlantic City, convinced her that he was a model agent, and forced her into prostitution, requiring her to service "johns" who placed ads for sexual favors

on Craigslist. There was evidence that he had prostituted many other women. He was convicted of sex trafficking and promoting prostitution, and sentenced to 12½-to-25 years imprisonment.

In the area of economic crime, this year a joint investigation with the New York State Department of Taxation and Finance stopped a multi-million dollar tax fraud operation, involving a scheme in which thousands of fraudulent tax returns were filed electronically, resulting in millions of dollars in undeserved refunds. We also worked with Adult Protective Services and bank officials to prevent Otto Kalo, the superintendent of a Bronx Building, from taking financial advantage of an 84-year-old tenant. Kalo was stopped before he succeeded in looting the majority of his victim's assets, and ultimately convicted of grand larceny.

These cases, and many others, are more fully described in the following report. As ever, in addition to criminal prosecution, we employ a wide variety of tools to fight crime.

These include diversionary and treatment programs, participation in specialized courts addressing drug treatment and mental health, and numerous educational, train-

ing, and community-based efforts. These too are described below.

Unfortunately, we are still struggling in the face of continuing budgetary constraints and a lack of

judicial resources. Nevertheless, as in previous years we will continue to strive to do the very best we can to maintain the highest level of public service.

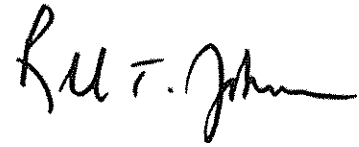


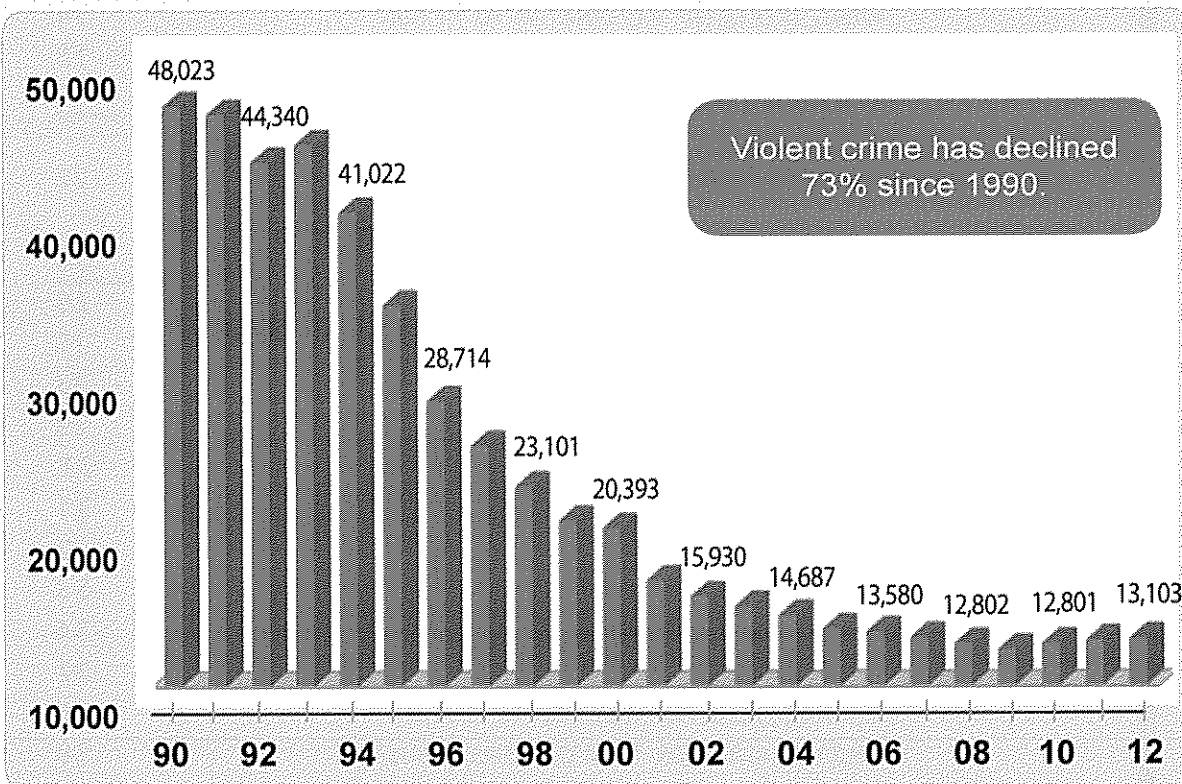
Table of Contents

DISTRICT ATTORNEY'S MESSAGE	1
CRIME OVERVIEW	4
PROSECUTING CRIME	7
VIOLENT CRIME	8
DRUG CRIME	12
DRUG TREATMENT ALTERNATIVE TO PRISON	14
TECHNOLOGY	15
FINANCIAL CRIME	19
CRIME VICTIMS ASSISTANCE	22
PARTNERSHIPS AND COLLABORATION	28
OPERATION GUN HALT	28
SPECIALIZED COURTS AND PROGRAMS	28
BRONX MENTAL HEALTH COURT	28
BRONX COMMUNITY SOLUTIONS	29
OPERATION WEED AND SEED	31
CONCEPT	31
DOMESTIC VIOLENCE	32
GANG PROSECUTION	33
AUTO CRIME INITIATIVES	34
ELDER ABUSE	37
BRONX SEXUAL ASSAULT RESPONSE TEAM	39
MULTIDISCIPLINARY TEAM ON CHILD ABUSE	39
NYPD POLICE TRAINING	40
ST. JOHN'S LAW SCHOOL CLINIC	40
INTERNATIONAL VISITORS	40
COMMUNITY OUTREACH	42

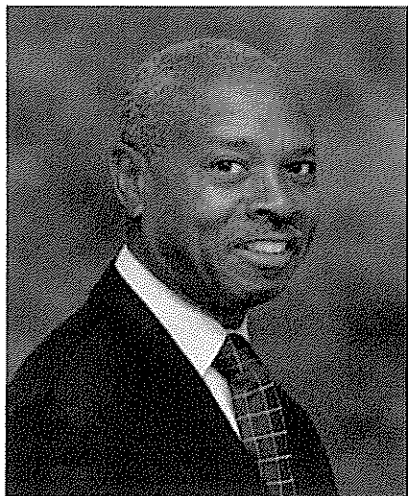
Crime Overview

Bronx County has made remarkable progress against crime in the past two decades. For 16 consecutive years there have been fewer than 200 homicides in the County. In 2012 there were 114 homicides in the Bronx, 83% fewer than in 1990. This decrease contributed to the overall 73% decline in violent crime over that period. Robberies, for example, have been reduced by 74% since 1990.

Violent Crime 1990 – 2012



Source: New York City Police Department



Robert T. Johnson,
Bronx County District Attorney

District Attorney's Message

"As ever, in addition to criminal prosecution we employ a wide variety of tools to fight crime. These include diversionary and treatment programs, participation in specialized courts addressing drug treatment and mental health, and numerous educational, training, and community-based efforts."

This year again saw fluctuations in certain crime categories, in both directions. After achieving record low levels in 2009, in 2011 homicides rose by 16.5% over 2010, but then decreased by 23% in 2012. Burglaries, which had risen some 5.1% from 2010 to 2011, decreased 11.2% in 2012. Assaults, however, increased 7.8% and rapes increased 6.3% over last year. Crime is still very low by historic standards, but some of these variations, while perhaps to be expected, remain an unwelcome change from the steady decline of the last twenty years. So too is the continuing and disturbing reality that Bronx residents still suffer from a disproportionately high crime rate. With 16.9 % of the City's population, in 2012 Bronx County experienced one in four of the City's felony assaults, nearly one in four of its robberies, and one in five of its rapes. Some 28% of all of the City's Domestic Violence Incident Reports originated in the Bronx.

In 2012, we prosecuted 4,350 felony cases. One notable trend is the proportion of narcotics cases,

which has now declined to 35% of the total. As usual, there were some standouts. One was the case of Eddie Coello, a former police officer who murdered his wife shortly after she had filed for divorce, and then carried her body out of their home in a duffel bag and dumped her remains in northern Westchester. A week later, the body was discovered in the woods off the Taconic Parkway. Coello was found guilty of murder in the second degree and sentenced to 25-years-to-life imprisonment.

Another standout was the case of Lawrence Johnson, who beat his three-month-old daughter to death as she lay sleeping in her bassinet. He also was convicted of murder and sentenced to 25-years-to-life imprisonment.

A third noteworthy case was that of Sahim Lucas, a thirty-one year old man who met a thirteen-year-old runaway girl in Atlantic City, convinced her that he was a model agent, and forced her into prostitution, requiring her to service "johns" who placed ads for sexual favors

on Craigslist. There was evidence that he had prostituted many other women. He was convicted of sex trafficking and promoting prostitution, and sentenced to 12½-to-25 years imprisonment.

In the area of economic crime, this year a joint investigation with the New York State Department of Taxation and Finance stopped a multi-million dollar tax fraud operation, involving a scheme in which thousands of fraudulent tax returns were filed electronically, resulting in millions of dollars in undeserved refunds. We also worked with Adult Protective Services and bank officials to prevent Otto Kalo, the superintendent of a Bronx Building, from taking financial advantage of an 84-year-old tenant. Kalo was stopped before he succeeded in looting the majority of his victim's assets, and ultimately convicted of grand larceny.

These cases, and many others, are more fully described in the following report. As ever, in addition to criminal prosecution, we employ a wide variety of tools to fight crime.

These include diversionary and treatment programs, participation in specialized courts addressing drug treatment and mental health, and numerous educational, train-

ing, and community-based efforts. These too are described below.

Unfortunately, we are still struggling in the face of continuing budgetary constraints and a lack of

judicial resources. Nevertheless, as in previous years we will continue to strive to do the very best we can to maintain the highest level of public service.

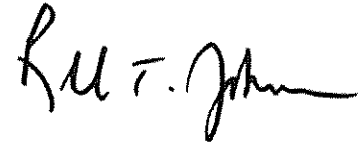


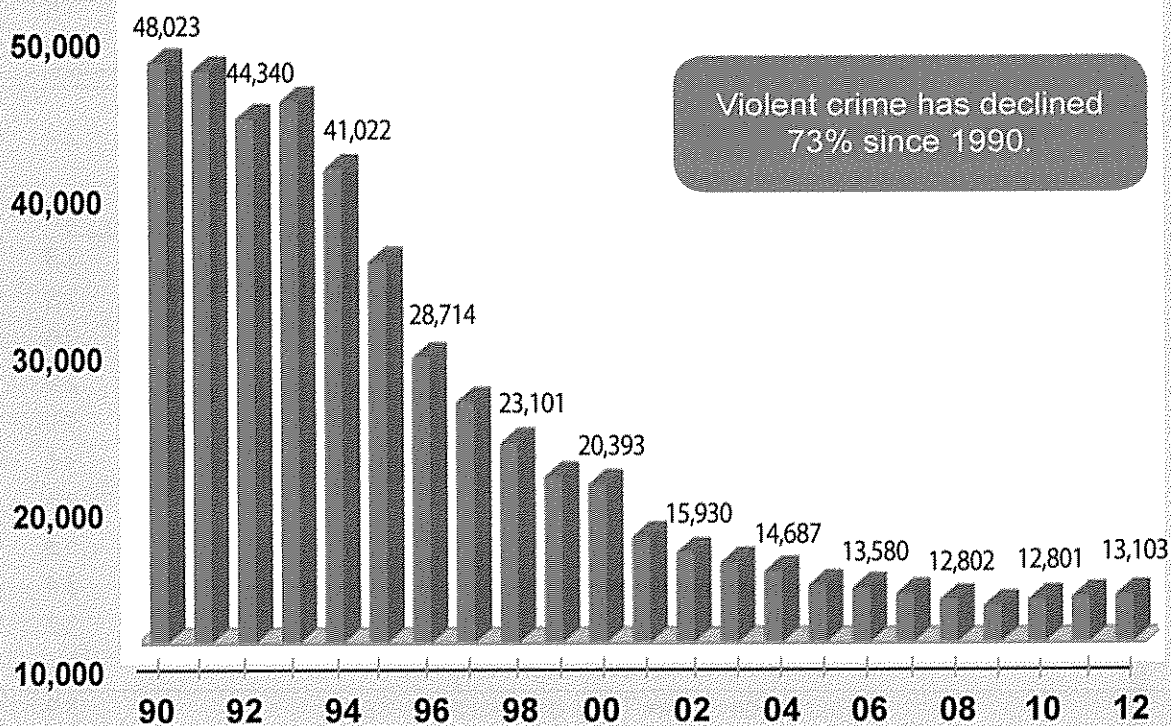
Table of Contents

DISTRICT ATTORNEY'S MESSAGE	1
CRIME OVERVIEW	4
PROSECUTING CRIME	7
VIOLENT CRIME	8
DRUG CRIME	12
DRUG TREATMENT ALTERNATIVE TO PRISON	14
TECHNOLOGY	15
FINANCIAL CRIME	19
CRIME VICTIMS ASSISTANCE	22
PARTNERSHIPS AND COLLABORATION	28
OPERATION GUN HALT	28
SPECIALIZED COURTS AND PROGRAMS	28
BRONX MENTAL HEALTH COURT	28
BRONX COMMUNITY SOLUTIONS	29
OPERATION WEED AND SEED	31
CONCEPT	31
DOMESTIC VIOLENCE	32
GANG PROSECUTION	33
AUTO CRIME INITIATIVES	34
ELDER ABUSE	37
BRONX SEXUAL ASSAULT RESPONSE TEAM	39
MULTIDISCIPLINARY TEAM ON CHILD ABUSE	39
NYPD POLICE TRAINING	40
ST. JOHN'S LAW SCHOOL CLINIC	40
INTERNATIONAL VISITORS	40
COMMUNITY OUTREACH	42

Crime Overview

Bronx County has made remarkable progress against crime in the past two decades. For 16 consecutive years there have been fewer than 200 homicides in the County. In 2012 there were 114 homicides in the Bronx, 83% fewer than in 1990. This decrease contributed to the overall 73% decline in violent crime over that period. Robberies, for example, have been reduced by 74% since 1990.

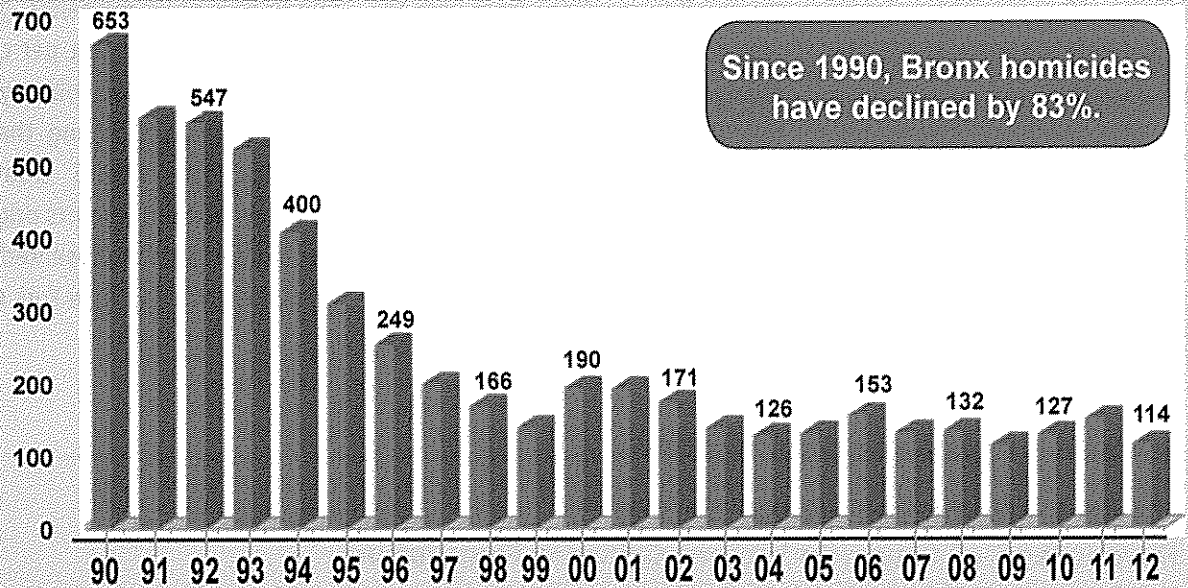
Violent Crime 1990 – 2012



Source: New York City Police Department

Decline In Homicides

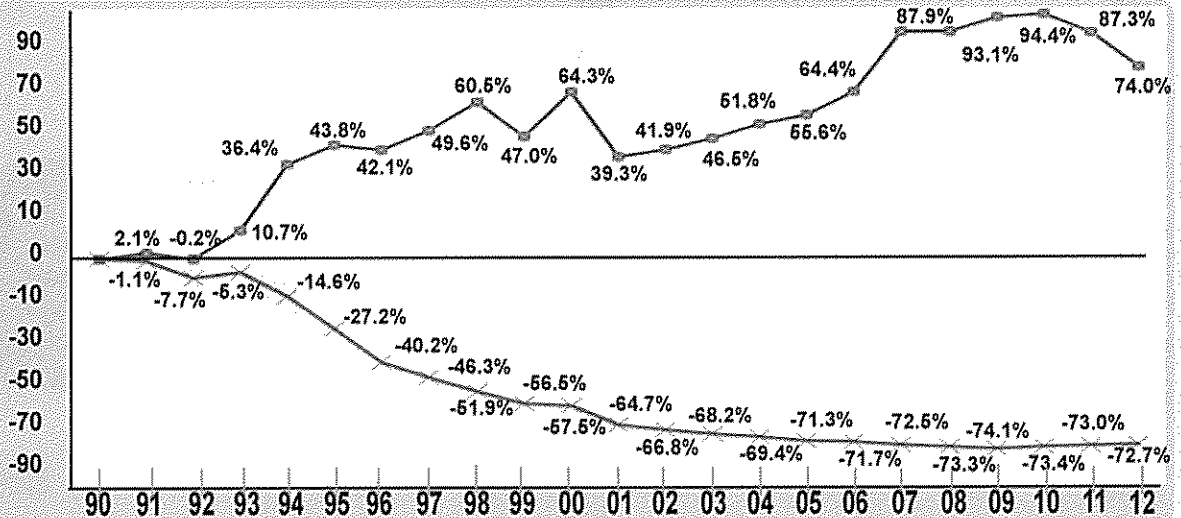
1990 - 2012



Source: New York City Police Department

Bronx Reduction in Violent Crime v. Increase in Arrests

Percentage Change from 1990 - 2012



Source: New York City Police Department

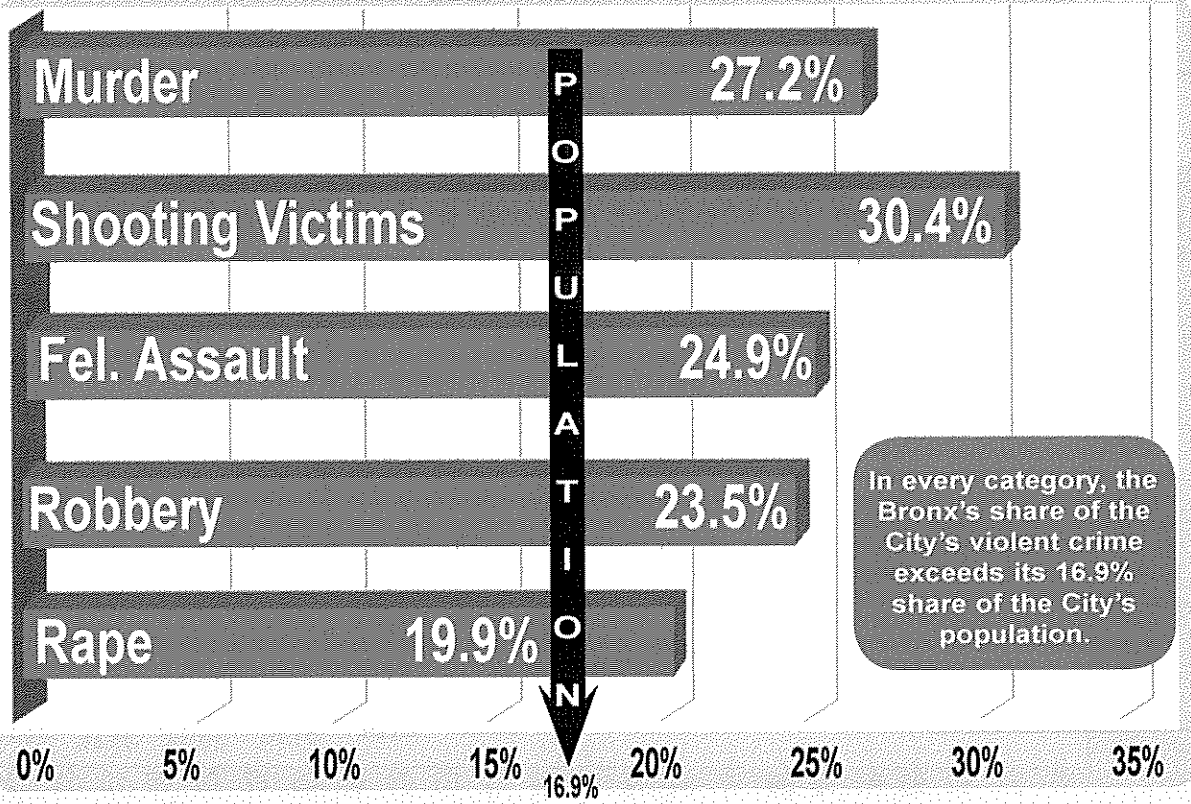
Despite these long-term gains, in recent years the Bronx has seen more fluctuation in certain crime categories. After record low levels in 2009, homicides rose in 2011 by 16.5% over 2010, but in 2012 there were 23% fewer homicides than in 2011. Burglaries rose 5.1% from 2010 to 2011, and then decreased 11.2% from 2011 to 2012. From 2011 to 2012 assaults increased 7.8%, and rapes increased 6.3%

(following a 6.8% decrease from 2010-2011). Rather than the steady declines seen for the past 20 years, the small fluctuations from year to year combine to show little overall change. Crime rates remain at historically low levels.

Despite the long-term decreases, Bronx residents continue to suffer from a disproportionately high crime rate. With only 16.9% of the City's population, in

2012 Bronx County witnessed one in four of the City's felony assaults, one in five of its rapes, and nearly one in four of its robberies, giving the county the highest per capita incidence of murder, robbery, and felonious assault among the five counties. The 73,275 Domestic Violence Incident Reports originating in the Bronx represented 28% of all those filed in New York City.

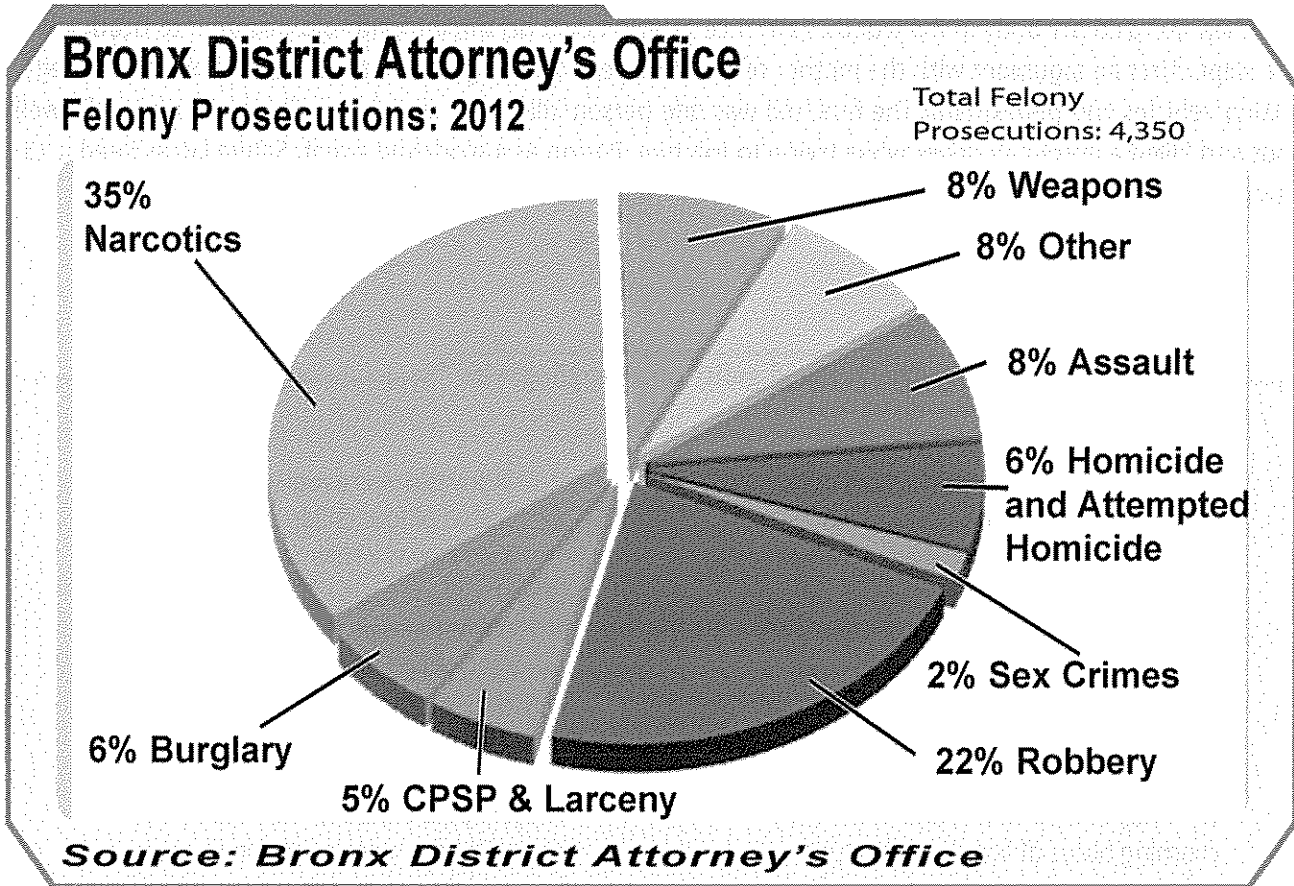
Bronx Violent Crime 2012 Percentage of Citywide Violent Crime v. Population



Source: New York City Police Department

Prosecuting Crime

While crime complaints have fallen dramatically, Bronx arrests have risen 74% since 1990. The Bronx District Attorney's Office indicted 4,350 felony-level defendants in 2012. Narcotics cases accounted for 35% of the felony prosecutions in Bronx County.



VIOLENT CRIME

Violence comes in many forms--such as assault, robbery, and homicide – and its victims have many different faces—young, old, male, female. There is no way to quantify which is most tragic. Is it the young child killed by a parent or the victim of a random shooting? The five cases presented here are very different from one another, but all share one characteristic, violence. Former police officer Eddy Coello strangled and beat his wife to death and then dumped her body in the woods. Lawrence Johnson beat his three-month-old daughter to death while she slept. After an argument with the mother of his three-year-old daughter, Mark St. Pierre drove off in a rage, hitting vehicles and pedestrians. The final toll was one person killed and six injured. Charles “Tuffy” McDowell shot and killed a livery cab driver while trying to rob him. Posing as a modeling agent, Sahim Lucas lured a 13-year-old runaway into forced prostitution.

“Former Bronx cop Eddy Coello found guilty of strangling wife”

Headline from *NY Daily News*, 10/15/2012

Thirty-eight-year-old Eddy Coello murdered his 40-year-old wife, Tina Adovasio, in their Bronx apartment just weeks after Adovasio had filed for divorce. Coello strangled and beat Adovasio. The cause of death was asphyxiation, and Adovasio also sustained blunt force trauma to the head and chest.

After murdering his wife, Coello hid her body in their home, and in the early morning hours of March 11, 2011, he calmly carried her body out of the house in a duffel bag and drove from the Bronx to Yorktown in northern Westchester County, where he dumped the remains in the woods. On March 17, 2011, Adovasio’s body was discovered in the woods off the Taconic Parkway about a week after Coello reported her missing.

Adovasio was a registered nurse and the mother of four children.

Coello was a New York City Police Officer for four years until he resigned in 2000. At the time of the crime, he was a physician’s assistant working at a Westchester surgical practice.

Coello was found guilty of murder in the second degree on October 15, 2012. The jury deliberated for less than three hours. Prior to sentencing, family members told the court of the pain and suffering that the loss of Adovasio continues to cause in their lives. On November 14, 2012, the judge imposed the maximum sentence allowed by law—25-years-to-life in prison.

“Lawrence Johnson Gets 25 Years To Life in Prison For Beating His 3-Month-Old Daughter To Death...As She Slept”

Headline from the *Village Voice*, 8/14/2012

On February 1, 2006, 25-year-old Lawrence Johnson and his wife put their one-year-old baby boy to bed. His wife then went to bed, and Johnson put their three-month-old daughter in her bassinet. During the night, Johnson punched the three-month-old in the head repeatedly. The child died instantly as she lay sleeping in her bed. During the police investigation that followed, Johnson confessed to killing the child.

The baby was found dead in the morning by her mother. The autopsy found she had sustained a broken skull and massive internal bleeding. She had just achieved the developmental milestone of being able to raise her own head.

At the time of the murder, Johnson and his wife were raising their two children as well as his wife's five-year-old daughter. In addition, Johnson had six other children with four other women, all of whom had been born within the preceding six years. As a result of his actions, his daughter died and seven other children were deprived of their father.

On February 7, 2012, Johnson was found guilty of one count of murder in the second degree. He was sentenced on August 13, 2012, to 25-years-to-life imprisonment for the depraved indifference murder of his infant daughter.

“Son recalls horror of losing his dad in fatal hit-and-run; ‘We didn’t deserve this’”

Headline from *NY Post*, 8/2/2012

On July 12, 2009, 36-year-old Mark St. Pierre argued with Doreen (pseudonym), the mother of his then three-year-old daughter in the parking lot of a Bronx Chuck E. Cheese following a birthday party. The exchange escalated, and St. Pierre hit Doreen and grabbed her by the throat. He then took the little girl from Doreen, even though Doreen has legal custody of the child. Some bystanders came to Doreen's aid, and she was able to drive away with her daughter.

St. Pierre became further enraged, and he got into his car to pursue Doreen. He immediately crashed into a parked car, injuring a man. St. Pierre sped away from the scene, driving at speeds greater

than 60 miles per hour. He ran several red lights. He was driving at more than 80 miles per hour when he struck and killed 36-year-old Miguel Colon as he crossed the street with his six-year-old son. The child was uninjured, but St. Pierre barely missed hitting him. St. Pierre did not stop after killing Colon. Instead, he continued driving at more than 80 miles per hour and had a series of collisions with four separate vehicles. St. Pierre then fled on foot. He was arrested a short time later when he returned to the scene of the collisions to retrieve something from his car.

**“Son recalls horror of losing his dad in fatal hit-and-run;
‘We didn’t deserve this’”**
(Continued)

In total, the incident resulted in one death and physical injuries to six others.

On July 17, 2012, St. Pierre pleaded guilty to one count of manslaughter in the second degree, four counts of assault in the second degree, two counts of assault in the third degree, and one count of leaving the scene of an incident without reporting. Under the plea agreement, St. Pierre waived his right to appeal. On August 1, 2012, St. Pierre was sentenced to five-to-fifteen years in prison on the manslaughter charge and five additional consecutive years imprisonment on one of the second degree

assault charges. In addition, St. Pierre was sentenced to concurrent terms of five years imprisonment on three other felony assault charges, one-to-three years imprisonment on the felony charge of leaving the scene of an incident, and one year imprisonment on each of two misdemeanor charges of third degree assault. St. Pierre will have to serve a minimum of ten years in prison before he can apply for parole. He will also be subject to three years of post-release supervision.

**“Bronx killer gets at least 40 years in prison for murder of
immigrant cabbie Amadou Ndiaye: Two dozen fellow livery drivers attend sentencing”**
Headline from *NY Daily News*, 12/12/2012

At about 12:30 am on August 17, 2009, in the Williamsbridge section of the Bronx, 22-year-old Charles McDowell (AKA Tuffy) entered a livery cab driven by 46-year old Amadou Ndiaye. McDowell attempted to rob Ndiaye, and shot him in the back. The car hit two cars before coming to a rest. Ndiaye, an immigrant from Senegal, Africa, was pronounced dead at a local hospital.

Although in his early twenties, McDowell already had a criminal history that included convictions for such offenses as criminal trespass, disorderly conduct, and criminal sale of a controlled substance.

Later that same month, on August 31, 2009, McDowell and an accomplice, 24-year-old William Clemente, took a cell phone, watch, and bracelet from a victim on a sidewalk. McDowell and Clemente

were arrested while fleeing the scene of the robbery. In addition to the stolen property, police recovered a .25 caliber handgun. This same weapon was used in the attempted robbery in which the livery cab driver was killed.

McDowell was found guilty of murder in the second degree and robbery in the first degree. On March 9, 2012, McDowell was sentenced to consecutive terms of 25-years-to-life imprisonment for the murder and 15 years in prison for the robbery. He must serve a minimum of 40 years in prison before becoming eligible for parole.

Clemente, who pleaded guilty to robbery in the first degree for his role in the August 31 robbery, was sentenced to eight years in prison on December 7, 2011.

“Bronx judge sentences ‘despicable human being’ to max for pimping out 13-year-old girl on craigslist: Defiant craigslist pimp gets up to 25 years; 13-year-old victim ‘scarred deeply’”

Headline from *NY Daily News*, 5/14/2012

Thirty-one-year-old Sahim Lucas met 13-year-old runaway Jane (pseudonym) in Atlantic City, New Jersey. Jane, a runaway from Delaware who lost her father at a young age and was having trouble at school and at home, told Lucas she was interested in becoming a model. Lucas convinced the victim that he was a legitimate model agent and persuaded her to accompany him to New York City. After arriving at Lucas' Bronx apartment, the young girl was told that she would not be modeling but would instead work as a prostitute. Jane had no identification, and Lucas took her cell phone. Jane testified at trial that she was coerced into prostitution through physical intimidation and deprivation of food and sleep. For his own financial benefit, Lucas forced Jane to service “Johns” who placed ads for sexual favors on Craigslist.

Jane managed to escape from the apartment after a violent episode during which Lucas choked her.

Jane's testimony was corroborated by another young woman who told the jury that she also had been deceived by Lucas and manipulated into engaging in prostitution. This witness testified that she and Jane would sometimes be sold together as a “Two Girl Special” with the pet names of “Buttercup” and “Bubbles.”

Lucas represented himself at a jury

trial, acting as his own attorney. Evidence presented at trial, including explicit photos and sexual advertisements recovered from his computer, indicated that Lucas had prostituted many other women. Lucas had previous felony convictions in New York State, including two different robberies and one burglary. He also had a felony conviction in New Jersey for possessing three bags of rock cocaine which resulted in a five-year prison sentence.

On May 14, 2012, the jury convicted Lucas of one count of sex trafficking and one count of promoting prostitution in the second degree.

The mother of the victim wrote in a statement that her daughter “will never be able to erase this horrible situation from her mind or life.” On May 14, 2012, Lucas was sentenced to concurrent terms of 12½-to-25 years on the sex trafficking charge and 7½-to-15 on the promoting prostitution charge.

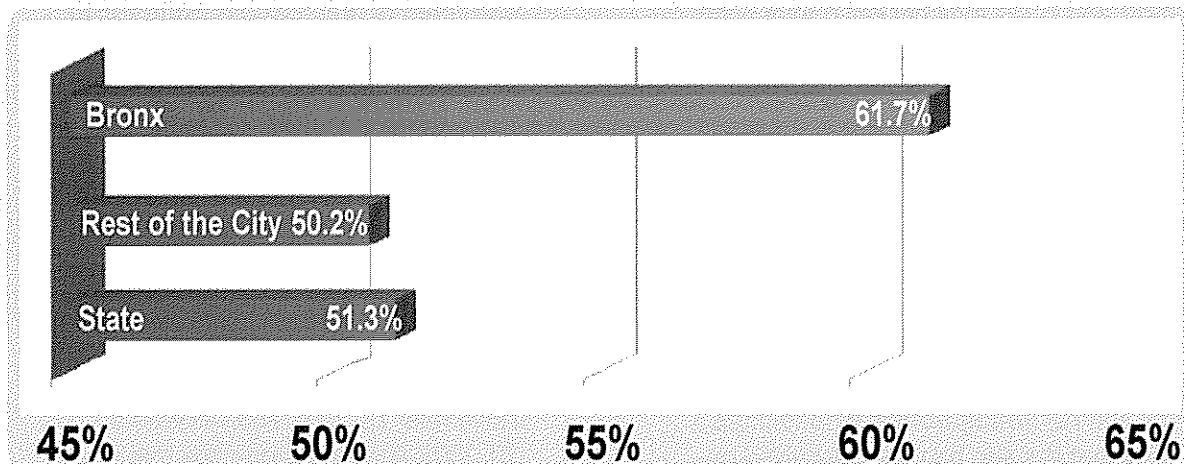
The crimes occurred between November 21, 2008, and December 10, 2008. This case is only the third trial conviction statewide since the Sex Trafficking statute became law in November 2007. One of the other two convictions was also successfully prosecuted in the Bronx.

DRUG CRIME

The Bronx District Attorney's Office approaches drug crime with a combination of careful screening and vigorous prosecution of cases, which contributes to the high proportion of convicted drug offenders who receive state prison sentences. In addition to being tough on for-profit sellers, the Office offers many Bronx defendants drug treatment as an alternative to incarceration. In 2012, more than 600 drug-involved defendants were diverted to treatment. Drug arrests have decreased in recent years, resulting in a reduction in both the number of felony drug prosecutions and the percentage of the caseload that these cases comprise. In 1996 drug cases accounted for more than 65% of the Office's felony-level defendants. In 2012, just 35% of Bronx felony defendants were prosecuted on drug charges. Nevertheless, drug crime is still a very serious problem in the Bronx.

State Prison Sentences

Percentage of Felony Narcotics Convictions 2012



Source: NYS Department of Criminal Justice Services

Narcotics Arrest Ends Alternative to Incarceration

On August 11, 2012, a narcotics detective observed 38-year-old Edgar Sanabria inside a vehicle exchanging small objects for money with another person. After the transaction, Sanabria drove away traveling about 60 mph in a 30 mph zone. He drove through stop signs and red lights; he only came to a stop when his vehicle was boxed in by traffic. As police approached the vehicle, Sanabria handed a plastic bag to his wife, who was sitting beside him in the front passenger seat. Sanabria's two-year-old and two-month-old children were present in the rear passenger seat of the vehicle.

Police seized the plastic bag from Sanabria's wife. The bag contained crack-cocaine. Sanabria also had 83 glassine envelopes of heroin in his pocket.

At the time of his arrest, Sanabria was participating in a drug treatment program through judicial diversion. During a traffic stop on September 25, 2010, Sanabria was found in possession of 27 small bags of marijuana, 11 ecstasy

pills, three stacks of heroin, and 28 bags of crack-cocaine as well as a substantial amount of money in cash. Sanabria pleaded guilty on October 27, 2011, to criminal possession of a controlled substance in the third degree. He was sentenced to a drug treatment program as an alternative to incarceration. His conviction would have been reduced to a misdemeanor upon successful completion of the treatment program. However, his 2012 narcotics arrest ended his participation in the outpatient treatment program.

Sanabria pleaded guilty to criminal possession of a controlled substance in the third degree with intent to sell and endangering the welfare of a child on January 17, 2013. He was sentenced to two years in prison on this conviction. In addition, he was sentenced concurrently to two years as a jail alternative for violating the terms of his placement in a drug treatment program on the 2010 judicial diversion case.

DRUG TREATMENT ALTERNATIVE TO PRISON (DTAP)

Bronx prosecutors have had substantial success in placing drug offenders in treatment programs. Between 1993 and 2012, more than 16,000 Bronx defendants were placed in drug treatment programs as an alternative to incarceration. While the Office's initial experiment with alternative-to-incarceration (ATI) drug treatment focused on first-time

offenders, treatment is now also being offered to some second felony offenders. In late 1995, through the TASC program, this Office began placing offenders with prior non-violent felony convictions in ATI programs. We first received DTAP funding in 1998. From 1998 through 2012, the Office placed 3,817 defendants in drug treatment through DTAP. The DTAP model involves: (1) identification of drug-involved offenders; (2) assessment of the offender's drug and

alcohol treatment needs; (3) referral to appropriate treatment; and (4) continuous case management. Bronx participants in the DTAP program are required to plead guilty to a class B felony. If they complete the program, their felony plea is set aside, and they are permitted to plead guilty to a misdemeanor. However, those who withdraw or fail to complete the program satisfactorily receive a sentence of three years in prison and two years post-release supervision.

**Drug Treatment Enrollment*
1993 – 2012**

PROGRAM	1993 - 2009	2010	2011	2012	TOTAL
DTAP	3,304	271	140	102	3,817
BX Treatment Court	1,706	74	39	0	1,819
Mental Health Court	986	105	58	45	1,194
BX Treatment Misd. Court	1,079	103	64	42	1,288
Other Residential	4,232	95	127	89	4,543
Other	2,468	94	123	85	2,770
Judicial Diversion	0	110	243	251	604
TOTAL	13,775	852	794	614	16,035

Source: Office of Bronx District Attorney

***Note:** Drug Treatment Alternatives to Prison (DTAP) is for predicate offenders. "Other Residential" includes first-time offenders placed in residential programs. "Other" includes Extended Willard Drug Treatment, residential and outpatient programs and first-time and predicate defendants.

Since 2010, the Bronx Court has classified cases even with District Attorney's consent as Judicial Diversion. The District Attorney's Office consents to approximately 95% of all diversions.

TECHNOLOGY

Advancements in DNA technology and successes using DNA databanks have revolutionized law enforcement and created a powerful crime fighting tool for prosecutors. When properly documented, collected and stored, biological evidence can be analyzed to produce a reliable DNA profile years, even decades, after a crime has occurred. Today prosecutors can use DNA evidence not only to identify a suspect or place a known individual at a particular crime scene, but also to exonerate the innocent.

DNA PROSECUTIONS

The DNA Prosecutions Director advises the Office on a broad range of DNA-related issues that involve forensic science to enhance investigations and prosecutions of cases. The Director provides grand jury and trial assistance, as well as continuing legal education training, to assistant district attorneys (ADAs) to ensure that the Office continues to use the most updated and state-of-the-art forensic evidence in prosecutions. The Director also reviews and responds to requests and motions for post-conviction DNA testing. Recent efforts in 2012 have focused on the continuation of the Cold Case grant project, the partial matching initiative, and the passage of the All-Crimes DNA legislation which took effect on August 1, 2012.

DNA COLD CASE GRANT

In October 2012, the Bronx District Attorney's Office received additional funding through a grant from the National Institute of Justice to continue to identify, review and investigate unsolved homicide cases. In the grant's beginning stages in 2011, homi-

cides that fell within established parameters were reviewed for untested or otherwise probative evidence that may now be suitable for analysis by the Forensic Biology Laboratory. Roughly 4,162 unsolved homicides were committed in Bronx County between 1985 and 2005. To narrow the grant's focus to a more manageable caseload, the DNA Prosecutions Director, working in conjunction with the New York City Police Department and the Office of the Chief Medical Examiner, specifically targeted cold case homicides from 1995 through 2000, which involved some form of close contact (e.g., strangulation, stabbing). To date, the cold case project has reviewed over a 100 cases and successfully brought indictments on two homicide cases that occurred between 1993 and 1998.

ALL CRIMES DNA LEGISLATION

With the creation and expansion of the Combined DNA Index System (CODIS), which operates at the local, state and national levels, the retesting of evidence from unsolved cold case crime scenes has a greater chance of "hitting" to a convicted offender's profile

and resolving cases that, due to technological limitations, were virtually unsolvable at the time of their occurrence. Every state in the country has a statutory provision for the establishment of a DNA database that allows for the collection of DNA profiles from offenders convicted of qualifying offenses.

NEW YORK STATE DNA DATABASE EXPANSION AND THE COLLECTION OF DNA SAMPLES

Effective on August 1, 2012, this new legislation requires all convicted offenders to provide a DNA sample upon conviction of a felony or a penal law misdemeanor offense. Formerly, only offenders convicted of felonies and 36 qualifying misdemeanors were obligated to provide a sample for inclusion in the New York State DNA database pursuant to the New York State Executive Law, §995(7).

From August 2012 through January 2013, there were 79 new DNA hits in the Bronx directly related to the newly added DNA qualifying misdemeanor offenses. Most noteworthy, these hits linked these misdemeanor convicted offenders to 30 burglaries, four homicides and 22 sexual assaults.

DNA Matches Solve Crimes

● **CHURCH BURGLARY SOLVED** - The church alarm tripped early in the morning. Upon arriving at the scene, a church employee saw that money was stolen from the donation box and the office was in a state of disarray. The glass door on the side of the church was broken. Swabs from a screwdriver found inside the church generated a DNA match to the defendant. He was located and arrested three months later.

● **HOME INVASION SOLVED WITH BLOODY SHIRT** - The victim was home with his family and a friend when he heard a knock at the door. Thinking it was UPS, the victim opened his door and three masked men burst into the home. The defendants took approximately \$12,000 from a safe and tied the victims up with duct tape. One of the victims noticed during the robbery that one of their assailants was bleeding from his hand. When the police arrived, officers found a bloody shirt left behind and submitted it for DNA testing. The DNA generated a hit to one of the defendants' state offender profiles.

● **BURGLARY SOLVED WITH SUNFLOWER SEEDS** - The victim came home to his apartment to find it ransacked. Various electronics had been stolen, as well as a birth certificate. Scattered on the floor of the apartment were sunflower seeds that did not belong to the victim. A DNA profile developed from the sunflower seeds matched the defendant who had DNA on file with the local DNA databank.

● **DENTAL OFFICE BURGLARY** - The victim left his dental practice for the day after locking up the business. When he arrived the next morning, he found the front window shattered and removed from its frame. The floor was covered with broken glass, and the TV and radio were missing. A blood sample was collected from the broken window frame and submitted for DNA analysis; the sample hit to the defendant's state DNA profile.

● **DNA SOLVES COLD CASE** - In 1998, the defendant raped and strangled a 15-year-old victim, and then dumped the body on the street on Valentine Avenue. As part of a National Institute of Justice's Cold Case Grant, the post mortem sex assault evidence kit was re-tested and a DNA profile was generated from the vaginal swabs. That male profile hit to the defendant's state offender sample. At the time of the DNA match, the defendant was incarcerated for another unrelated homicide in Pennsylvania.

● **SWEATSHIRT LINKS DEFENDANT TO HOMICIDE** - The defendant approached the victim and fired a gun multiple times, hitting him in the chest. The defendant then fled, running into a school yard. Eyewitnesses were able to point out the defendant as he fled, recognizing his hoodie. Once in the schoolyard, the defendant tore off his sweatshirt and left it behind. This sweatshirt was visible on video surveillance of the shooting and was recovered as evidence and submitted for DNA testing. The scrapings from the sweatshirt matched a previously identified defendant, who was subsequently found guilty and sentenced to 25-years-to-life in state prison.

● **DNA LINKS TWO STRANGER RAPES** - The defendant sexually assaulted two women in two separate incidents. The first victim was walking down the street early in the morning when the defendant followed her and began giving her directions. He then attacked her and sexually assaulted her in a nearby park. In the second incident, the defendant broke into the victim's apartment in the middle of the night and sexually assaulted her in her bedroom. A DNA hit was generated which linked both stranger rape cases to the same defendant.

INTERNET CRIMES AGAINST CHILDREN

Ever-increasing access to computers and the internet opens doors for both children and adults to acquire a wealth of information without ever having to leave their homes. Unfortunately, however, the availability of this technology may also give sexual predators access to our children. According to the U.S. Census 2010, there are close to 400,000 Bronx residents who are under the age of 18. Many of them use computers daily. In 2001 this Office received a federal grant to establish an Internet Crimes Against Children (ICAC) Investigative Satellite initiative. Through this program, detectives and assistant district attorneys

have developed excellent contacts in the law enforcement community, with whom they share ideas and expertise. The agencies include New York State's ICAC Task Force and Attorney General, District Attorneys' Offices, the New York State District Attorneys Association, U.S. Customs, the Federal Bureau of Investigation and the U.S. Secret Service. In addition, members of the Satellite Task Force are members of numerous other task forces and committees dedicated to the investigation and prosecution of internet crimes against children. The explosive growth of the internet over the last decade has been accompanied by an increase in associated crimes, including crimes committed against chil-

dren. The majority of these crimes involve the dissemination of pornographic images. They are committed by people from all walks of life, including doctors, lawyers, clergy, teachers and even law enforcement professionals. The perpetrators often seem to believe that they are insulated from prosecution due to the relative anonymity of the internet. The harmful effects on children can be enormous and enduring. Perpetrators of these crimes are identified through the use of undercover officers who enter cyber "chat rooms" and engage in explicit sexual chats, posing as someone the predator believes to be a minor. This is often a time consuming process because the predator's trust must be gained.

An undercover officer can typically only "chat" with one predator at a time. It frequently takes many hours of "chatting" before discussions of meetings take place. In

addition, the perpetrator must be identified through an Internet Service Provider address because the perpetrator rarely provides a true name or address. Although

these investigations are labor intensive, the payoff is enormous when a potential child abuser is arrested and punished.

"Bronx school bus driver Jose Peralta charged with downloading and sharing child pornography"
Headline from *NY Daily News*, 5/16/2012

Thirty-six-year-old Jose Peralta obtained his license to become a school bus driver on April 28, 2012. On May 14, 2012, the day before he was scheduled to begin work as a school bus driver, Peralta was arrested and charged with 25 counts of possessing a sexual performance by a child and possessing an obscene sexual performance by a child. The arrest prevented Peralta from having regular access to young children.

Between June 8 and June 20, 2011, Peralta used his personal computer in his Bronx apartment to access an online public file-sharing network where he downloaded known child pornographic videos. In addition, he shared videos of children engaged in sexual acts by uploading them to the public shar-

ing network. Such networks are commonly used to share music, but have become a place where child pornography is publicly shared. Many of the videos Peralta downloaded and uploaded were full length videos of obviously young children engaged in multiple sex acts.

On May 31, 2012, Peralta pleaded guilty to promoting a sexual performance by a child. On October 1, 2012, he was sentenced to one-to-three years in state prison.

FINANCIAL CRIME

Newspapers report almost daily on financial crimes fueled by technology, such as internet scams that promise millions of dollars in exchange for personal information and identity thefts that allow predators to sell victims' homes without their knowledge. However, some thieves steal the old fashioned way, without assistance from computers or other sophisticated technology. Some of these crimes deprive victims, both individuals and businesses, of hundreds of thousands of dollars. Sometimes the "victim" of financial crime is a government, such as New York City or State. Since 2005 this Office has received grants from NY State under the Crimes Against Revenue Program

(CARP). Funds from CARP grants support prosecutors, detective investigators and forensic accountants to investigate and prosecute individuals and corporations that steal from NY State and/or NY City by failing to pay sales or income taxes. In some cases, the amounts owed may reach hundreds of thou-

sands or even millions of dollars. The sentences for convictions of such crimes include restitution to the state and/or city of the taxes owed.

One of the cases illustrated below is a "CARP" case. This case involved a defendant who filed more than 2,000 fraudulent NY

State and federal tax returns. After stealing money from clients, the defendant in the second case was suspended from practicing law in New York State; however, she continued to misrepresent herself as an attorney and collect money from clients for work that she did not perform.

"Bronx tax preparer arraigned for personal tax dodge as IRS, state, district attorney probe his business"

Headline from *NY Daily News*, 4/20/2012

As described in the 2012 press releases of the Bronx District Attorney's Office and the US Attorney's Office, a successful joint investigation conducted by the New York State Department of Taxation and Finance and the Bronx District Attorney's Office stopped an alleged multi-million dollar tax fraud operation. Within days of the start of the investigation, the District Attorney's Office executed a search warrant and arrested the defendant. Over \$400,000 of the "profits" from the operation were seized.

The defendant operated a tax preparation business in the Bronx that was amazingly successful yet actually somewhat simple. The alleged operation involved filing thousands of false tax returns. The returns allegedly con-

tained false statements, such as false claims that the taxpayers had tuition expenses of up to \$10,000 per year; false Schedule C business expenses to reduce income; and false reduced wage information. The defendant's business was so busy that people lined up around the block, believing that if they provided their social security number and a photocopy of their driver's license or New York State benefit card, the defendant would give them a pre-paid debit card containing "free money from the government." Presenting himself as a tax preparer with specialized knowledge of the tax code, the defendant allegedly told his customers that the money was tax refunds that they were entitled to because of a recently enacted law. In reality, the money was

“Bronx tax preparer arraigned for personal tax dodge as IRS, state, district attorney probe his business” (continued)

allegedly portions of tax refunds that the defendant obtained by filing false tax returns in his customers' names. The defendant invariably pocketed a large portion of the refund for himself. It is alleged that the tax returns were filed electronically in the names of other people in an effort to avoid having his own name associated with the client tax returns he prepared. The tax returns that defendant prepared allegedly containing numerous fabricated and fraudulently inflated items (such as higher education or tuition credits, tuition expenses, unreimbursed employee business expenses, medical and dental expenses, gifts to charity, business income and losses, rental real estate losses, and Earned Income Tax Credits) were prepared and filed between 2005 and April 2012.

In addition to the tax preparation business, the defendant allegedly filed his own false returns for the 2005-2007 and 2011 tax years. The defendant allegedly stole nearly \$50,000 in refunds from New York State through filings of his own tax returns.

The investigation into over 2,000 tax returns that the defendant allegedly prepared for clients resulted in a federal prosecution that is ongoing. Because the investigation uncovered millions of dollars of theft from New York State and the Internal Revenue Service, the Bronx

District Attorney's Office partnered with the US Attorney's Office for the Southern District of New York and the IRS to bring the case federally. A federal grand jury indicted the defendant for the tax fraud scheme and his own personal tax fraud, wire fraud, and dozens of counts of filing false tax returns. Although the federal indictment is being prosecuted by the US Attorney's Office, the District Attorney developed the investigation and is assisting in the prosecution; an Assistant District Attorney has been cross-designated as a Special Assistant US Attorney. At the time of the federal indictment, Bronx District Attorney Robert T. Johnson said, "The greed-driven crimes that are alleged . . . are particularly offensive in light of the recent years of economic difficulty. Fraudulent tax filings have deprived federal, state and local governments of millions of dollars that could have been used to provide communities, families and individuals with much needed services. If these allegations are determined to be true, this defendant must be held accountable and punished appropriately."

The charges in the federal indictment are accusations and the defendant is presumed innocent unless and until proven guilty.

“Ex-Lawyer Who Did Not Stop Practicing Gets Prison Term”
Headline from *New York Law Journal*, 11/30/2012

Attorney Kehinde Jobi accepted \$10,000 on August 20, 2005, and \$6,535 on October 11, 2005 to satisfy a client's past due mortgage payments. The payments were never made, and the bank foreclosed on the property on May 12, 2006. The money was never returned to the client. Jobi also accepted a \$21,250 down payment for a real estate transaction that fell through; instead of returning the funds, Jobi converted them from an escrow account for her personal use by writing checks payable to herself. Like Jobi, many of the clients were immigrants from Africa.

On October 23, 2008, 45-year-old Kehinde Jobi was suspended from practicing law in New York State. The Disciplinary Committee found that she took money from clients and failed to cooperate with the committee's investigation. However, Jobi continued to misrepresent herself as an attorney, and accepted money for work that she did not perform. She was retained to represent a client in a divorce action and had a telephone conference with opposing counsel on December 11, 2008, in an effort to settle the case. She also wrote two letters to opposing counsel

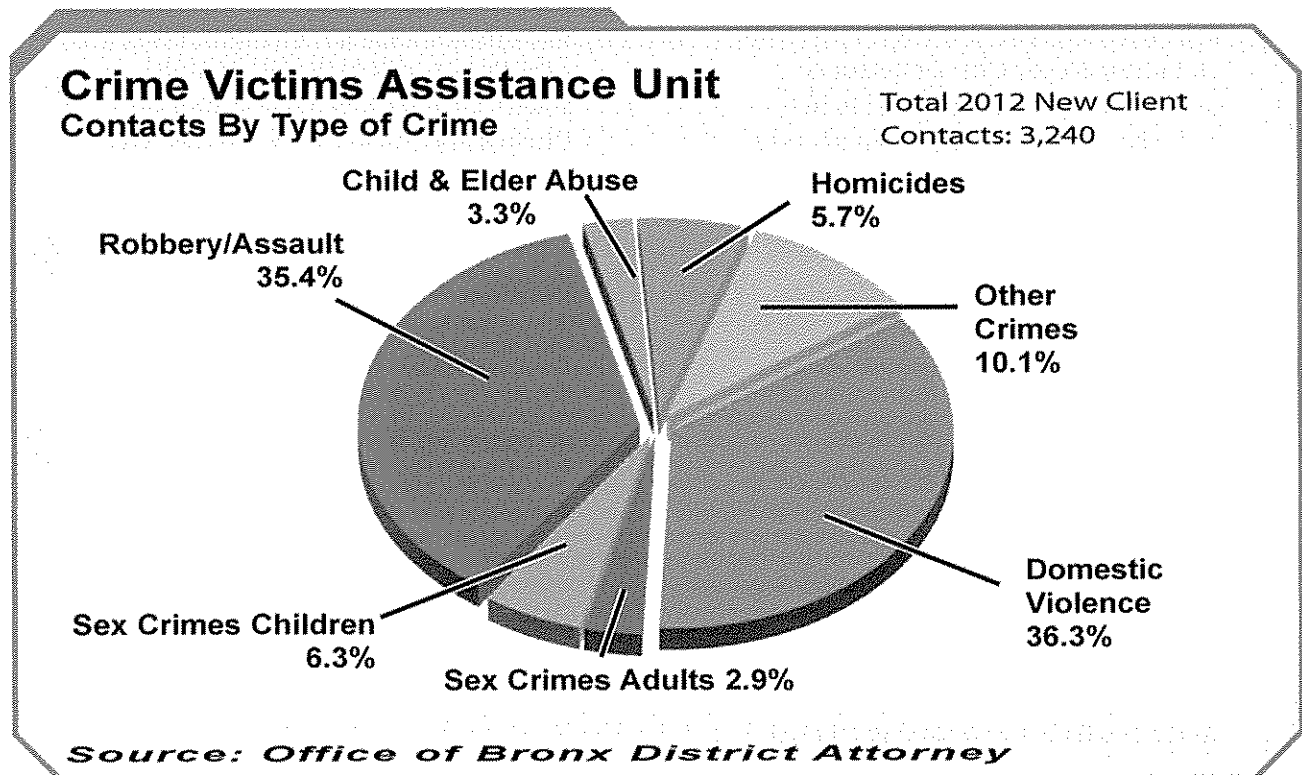
regarding a disposition of the case. The letters were written on her “Attorney at Law” stationery. On April 23, 2009, Jobi accepted \$1,050 to represent a client in a bankruptcy proceeding. She also handled a case involving the guardianship of an elderly woman.

The criminal case against Jobi began as a citizen complaint. Jobi stole more than \$53,000 from ten people and fraudulently represented clients. Evidence presented at trial included statements that Jobi made before the Disciplinary Committee. The Court ruled that the statements, including some that were demonstrated to be false, were made voluntarily and should not be precluded by the Fifth Amendment; they were therefore admissible in Jobi's trial. On October 23, 2012, Jobi was found guilty of two counts of grand larceny in the third degree, one count of grand larceny in the fourth degree, and eight counts of judicially disbarred attorney practicing law. The jury deliberated for just part of one day. On November 28, 2012, Jobi was sentenced to three-to-nine years in prison and is required to make financial restitution.

Crime Victims Assistance

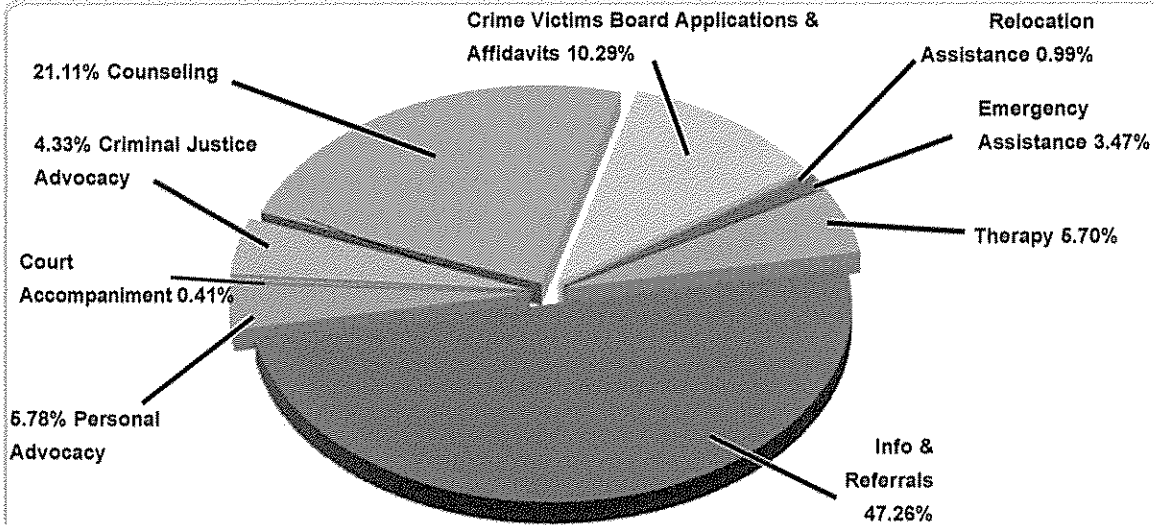
The Bronx District Attorney's Crime Victims Assistance Unit (CVAU) provides comprehensive services to crime victims, ranging from information and referrals to individual and group therapy. The locations of the unit, in the District Attorney's Offices on 161st Street in the South Bronx, are generally convenient because of their proximity to the court.

The CVAU saw a total of 3,240 new clients in 2012. CVAU staff made more than 41,441 service contacts with victims and witnesses during 2012. These services were provided from both the Unit's three sites on 161st Street and the CVAU satellite office in the northeast Bronx.



Crime Victims Assistance Unit Contacts By Type of Service Provided

Total 2012 Service
Contacts: 41,441



Source: Office of Bronx District Attorney

DOMESTIC VIOLENCE AWARENESS MONTH

In October 2012, as part of Domestic Violence Awareness Month, the CVAU held its fourth annual Purple Door Project. CVAU staff covered all of the Unit's doors in purple, the designated color for domestic violence. Their hope was that the services we deliver to victims will lead to domestic violence stopping at our doors. In addition, they invited the rest of the staff to show support by displaying purple on their office door or around their cubicle. As part of its adult workshop series, the Office held a Roundtable Discussion entitled, "The Many Faces of Domestic Violence." Seated around the table were the Chief of the

Domestic Violence Bureau, the Director and a clinical therapist from CVAU, a representative from the Bronx Family Justice Center, a police officer from the NYPD's Domestic Violence Unit, and two domestic violence survivors. The survivors shared their stories that led to a discussion between the professionals and the survivors that an audience had an opportunity to observe. The audience, composed of community members, then had an opportunity to ask questions of the professionals and survivors.

CRIME VICTIMS ASSISTANCE UNIT SATELLITE OFFICE

This Office's Crime Victims Assistance Unit (CVAU) provides comprehensive services to crime

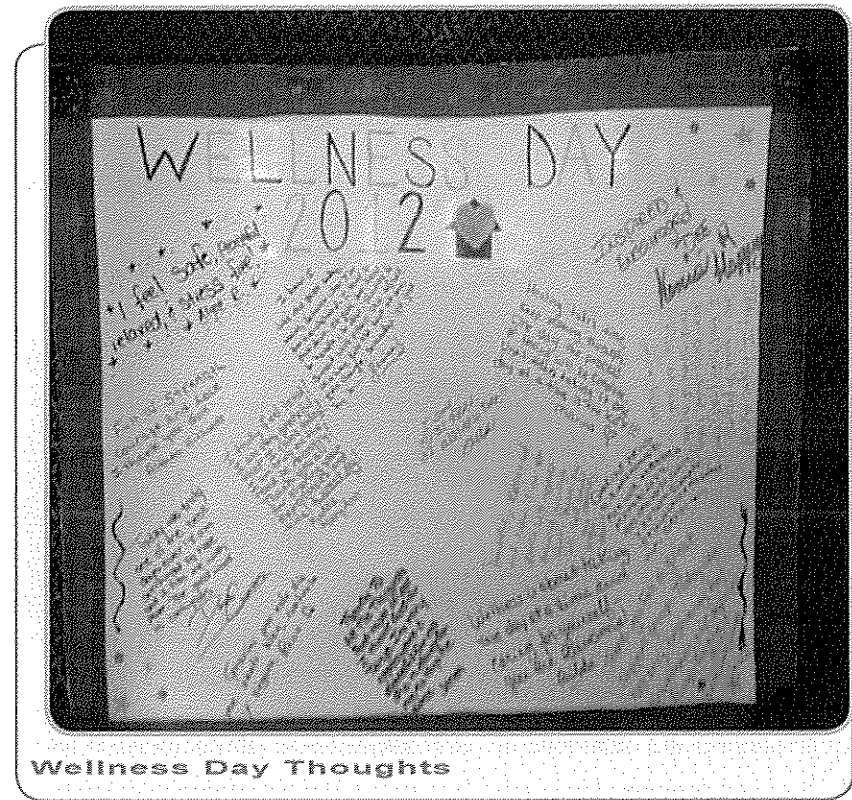
victims, both at the Office's main location on 161st Street and also at a satellite office that opened in Community District 12 in 2003 to make services available throughout the Bronx. The satellite office grew from a series of federal grants from 2002-2005 that funded an Advisory Committee tasked with planning and implementing a referral network to link clients to community service providers for services that cannot be provided by CVAU staff. During 2012 we held special events at the satellite office, including a Wellness Day during Domestic Violence Awareness Month and Coping with the Holiday Blues in December.

WELLNESS DAY

On October 26, 2012, the CVAU hosted its annual day of wellness for victims and survivors of domestic violence. The Wellness Day mind/body/spirit workshop promoted a positive and healthy way of feeling, thinking and living. Eighteen women attended the event. Clients learned healthy coping skills, ways to reduce stress and reconnect with their inner selves through a variety of techniques that included art, Zumba, and yoga classes facilitated by professional instructors. The clinical staff provided clinical services on site and instruction behind the scenes.

Participants began the day by hearing the personal stories of other fellow survivors who have been with the CVAU therapy program for a while. The clinical staff provided clinical services on site and instruction behind the scenes.

This year's classes were "Shake It" (which was meant to awaken the inner girl by moving to easy-to-follow zumba dance moves that invigorated the participant from head to toe); "State Yourself" (which helped the participant learn how to use creative art techniques and positive statements to create a transitional object that can be used as a comfort object to help cope with stress, anxiety, sadness, loneliness or other feelings that are difficult and/or overwhelming); and "De-Stress and Release" (a yoga class designed to introduce victims/survivors to deep breath-



ing, stretching and meditation to quiet the mind and feel the mind and body connecting. After each class, clients were asked to take a group picture as a commemoration of their class participation. Clients were given lunch and refreshment/snacks throughout the day, another approach to ensuring that clients make healthy choices. Throughout the day, clients were asked to write on a poster board designed and provided for the event so as to capture their thoughts and feelings. The day wrapped up with all participants, clients and staff, gathering in a circle to share their thoughts and reflections about the day.

COPING WITH THE HOLIDAY BLUES

Frequently the Holidays are difficult for crime victims. There is often the feeling that what once was can never be again. Therefore, during the Holiday Season CVAU sponsors two events: Coping with the Holiday Blues workshop and the Lighting of the Tree of Angels. Both of these events took place at the CVAU satellite office on Saturday, December 1, 2012. The workshop was designed to help those who were struggling through the holiday season have a better understanding as to why and not feel so isolated. Twenty-five CVAU clients and their families were invited to participate in the workshop. The adults participated in a therapeutic art activity focused on what the



Tree of Angels

holidays meant prior to their victimization, what they mean since then, and their outlook for the future. Led by an art therapist who donated her time, the participants each created a scrap book. While the adults were involved in this activity, the children participated in their own therapeutic art activity, led by child therapists. At the end of the day, each child in attendance received one or two new books (donated by District Attorney's Office staff).

The workshop was followed by a tree lighting ceremony. The "Tree of Angels" was started by Milagros Guzman, whose 10-year-old daughter Jessica was murdered in 1990. In 2011 Ms. Guzman, who now lives out of state, requested that the Tree of Angels continue to be placed outside the CVAU Satellite Office. It is a place where families and friends affected by homicide can commemorate the

angel they lost by hanging an angel ornament on the tree. In 2012 CVAU was joined by the Grace Baptist Church Praise Dancers, the Gospel of St. Luke's Church Choir and Father Richard Gorman of

Community Board 12 who provided the Blessing of the Tree.

NATIONAL CRIME VICTIMS' RIGHTS WEEK EVENTS

In April 2012, CVAU was involved in the yearly presentation of the National Crime Victims' Rights Week (NCRVW) Candle Light Vigil, the kick-off event that recognizes the plight of victims and survivors. The national theme for 2012 — "Extending the Vision, Reaching Every Victim" — focused on the progress made toward reaching the ideals that inspired the victims' rights movement. CVAU then coordinated and organized, through the Bronx Committee for NCRVW, a partnership of allied professionals and community volunteers, the Annual display of the Bronx

NATIONAL CRIME VICTIMS' RIGHTS WEEK • APRIL 22-28, 2012
Information and Referrals about Victims' Rights, Services, and Criminal and Juvenile Justice Resources

The 2012 Survivor's Tribute
 Thursday April 26, 2012 – 6:00 PM – 8:00 PM

At
 Bronx Civil Supreme Court
 851 Grand Concourse, Veterans Memorial Hall (Rotunda)
 Bronx, NY 10451
Wheelchair accessible

Annual Display of the Bronx Clothesline Project & Information Fair
 Wednesday, April 25, 2012 10:00AM – 5:00PM
 Thursday, April 26, 2012 10:00AM – 4:00PM
 Free Admission - All Welcome

Sponsored by: The Bronx District Attorney's Office, The Bronx Borough President's Office & The Bronx Committee for National Crime Victims Rights Week
 For information call: The Bronx District Attorney's Office, Crime Victims Assistance Unit, (718)593-2115 or (718)706-5892

Survivor's Tribute

Line Project, an Information Fair and the Bronx Survivors Tribute. The Clothes-Line Project is a striking visual presentation of t-shirts designed by survivors of crime to break the silence surrounding victimization and to make their voices heard by others who support them in their struggles to heal. Each shirt symbolizes pain, survival, healing and empowerment, and provides a window into the life of a victim who survived violence. The messages on the shirts are individualized – some poetic, some plaintive – allowing the artists to express their feelings in their own way. This visual presentation tells the stories of hundreds of survivors of abuse, violence and neglect. The dramatic illustration of t-shirts hanging side-by-side provided viewers with a glimpse of the devastating effects of crime.

Survivors of domestic violence, rape, child abuse, elder abuse, assault and other crimes of violence decorated the t-shirts

with messages, poems, photographs and drawings.

Some t-shirts were memorials to victims of homicide. On the final day of NCRVW, a Survivor's Tribute was held where the NYPD's Commissioner Ray Kelly addressed over one hundred people from many different backgrounds.

BRONX HOMICIDE SURVIVORS SUPPORT PROJECT

During 2012 the Bronx Homicide Support Project, now in its 12th year, continued to provide two evening therapy groups for the family members, mostly mothers, of Homicide Victims. These two groups are facilitated by the Director of Crime Victims Assistance Unit and a Director from Safe Horizon. While there are now other peer-led support groups in the Bronx and other boroughs throughout the City, up until 2012 the evening group was the only professionally led trau-

matic grief group of its kind in New York City specifically for family members of homicide victims. However, the CVAU director was able to train another CVAU therapist in the Restorative Retelling Model and was able to have her attend a Restorative Retelling Conference sponsored by Tulane University and the Virginia Mason Medical Center's Separation and Loss Services. Part of the hands-on training this therapist received was co-facilitating a day group with the trainer. This meant that the Bronx Homicide Survivors Project was able to expand its services and was able to offer two evening groups and two day groups in 2012. The social worker trained is bi-lingual, giving us the ability to offer this group in both English and Spanish. In November 2012 the first Spanish speaking homicide group was provided.

"Bronx livery murderer convicted" Headline from *NY Post*, 12/25/2012

On May 10, 2009, in an apparent robbery attempt, 20-year-old Francisco Tineo-Santos shot Mr. P (pseudonym) as he drove his livery cab. The cab crashed against the wall of a school building and pinned Tineo-Santos in the back seat of the cab, where cops quickly caught him. Although EMT personnel responded to help Mr. P, he succumbed to his injuries a few minutes later.

Mr. P's 34-year-old wife and two sons were in Ecuador at the time of

the murder. They returned to New York the day after Mr. P's death to identify his body, meet with the New York City Police Department and the Bronx District Attorney's Office, and make the necessary arrangements to return his body to Ecuador.

Mr. P's wife, Mrs. P, met with the Bronx District Attorney's Office Crime Victims Assistance Unit two days after her husband's murder. She was accompanied by the President of the New York

“Bronx livery murderer convicted” (continued)
Headline from *NY Post*, 12/25/2012

State Federation of Taxi Drivers, members of the Ecuadorean Consulate, fellow cab drivers, and a few friends and relatives. A crime victims advocate & therapist was assigned to Mrs. P, and she was provided with services and referrals to help her confront the issues she faced as a “homicide survivor.”

Mr. P’s family needed assistance with funeral expenses, so an Office of Victims Services (OVS) application was completed, and calls were made to expedite the application to receive emergency funds for funeral expenses. Mr. P was able to have funeral services both in the Bronx and in Ecuador.

Mrs. P returned to Ecuador for many months. Both the advocate and therapist stayed in touch with Mrs. P. The advocate continued to update Mrs. P on the status of the case against Tineo-Santos, who was arrested and charged with murder in the second degree shortly after the homicide. In 2010, Mrs. P moved back to the United States permanently. She continued to receive therapy during this difficult time of transitions.

The crime victims advocate assisted Mrs. P with applications to the New York City Housing Authority and the Human Resources Administration to obtain housing and public assistance. Mrs. P

was referred to Sanctuary for Families to obtain legal consultation regarding her immigration status. She was able to renew her green card.

Mrs. P continued to meet and remain in phone contact with both her therapist and advocate as the case moved towards trial. Delays in the process inevitably caused anxiety. In preparation for the trial and knowing that Mrs. P was going to be present in the courtroom when crime scene photos of her dead husband would be entered into evidence, Mrs. P’s therapist began gradual exposure therapy to help with the impact seeing such graphic material of her loved one.

Tineo-Santos’ trial began with opening statements on November 30, 2012. Mrs. P attended each day of the trial, sometimes with her children, and was accompanied by the crime victims advocate. On December 24, 2012, Tineo-Santos was found guilty of murder in the second degree. Mrs. P was able to put her thoughts together for the victim impact statement, and read the statement at sentencing on January 18, 2013. Tineo-Santos was sentenced to 25-years-to-life in state prison. Mrs. P has returned to her life of working and caring for her children.

Partnerships and Collaboration

OPERATION GUN HALT

In July 2012, with funding provided through the NY State Division of Criminal Justice Services (DCJS), the Bronx District Attorney's Office implemented Operation Gun Halt. This gun violence reduction program is based on an offender notification forum model originally implemented in Chicago. A multidisciplinary team was created to implement the monthly forums. The Team consists of federal (US Attorney for the Southern District of New York, ATF) and local law enforcement (NYPD, Bronx District Attorney, NYS Division of Parole), community partners (the Fortune Society, the Bronx Borough President's Re-entry Task Force), and ex-offenders.

Each month a group of parolees who have recently been released to community supervision in the 40th Precinct in the Bronx are invited to attend the forum. The forums are held in the Bronx Museum of the Arts in a roundtable format, with all participants, from parolees to law enforcement, to service providers, seated around the table. The focus of the presentations is on choice and the consequences of those decisions. If the parolee decides to get involved with guns again, s/he is subject to federal prosecution, which often results in a much

stiffer sentence than if prosecuted locally. Alternatively, s/he can opt to take advantage of the services that are offered. One of the most compelling presentations at the forum is provided by an ex-offender, who can speak directly to the parolees from personal experience.

SPECIALIZED COURTS AND PROGRAMS

This Office plays a key role in Bronx County's specialized courts and programs. There are currently a number of such specialized courts within the county, including the Bronx Treatment Court and the Bronx Mental Health Court. The Bronx District Attorney's Office has diverted defendants to drug treatment for many years and developed formal partnerships to do so in October 1992. As can be seen from the table on page 14, in 2012 the Bronx District Attorney's Office diverted 614 defendants to treatment through the Drug Treatment Alternative to Prison (DTAP) program, the Bronx Mental Health Court, and other programs.

BRONX MENTAL HEALTH COURT

Over time it became clear that some candidates for diversion suffered from both drug dependency and mental illness. While staff always tried to place

such non-violent defendants in treatment programs which were appropriate for individuals with dual diagnoses, in 2002 we entered into a formal partnership with Treatment Alternatives for Safer Communities (TASC) and Research Triangle Institute (RTI) to create the Bronx Mental Health Court. As the grantee, this Office administers grants and subgrants, monitors compliance with the terms of grants and with subgrantees' letters of agreement, has fiscal responsibility, and provides staff to work in the court part. In 2003, eligibility for diversion to the Bronx Mental Health Court was extended to defendants with serious mental illness (with or without drug dependency). In 2004, the court's capacity was further expanded to provide services for mentally ill defendants with HIV/AIDS. These defendants are subject to the same level of supervision and sanctions for failure to complete treatment as other diverted defendants.

In 2007 federal funds enabled us to further expand treatment capacity to defendants who have tested positive for HIV/AIDS or are at risk of contracting HIV (but do not necessarily have a mental illness). In 2010 we received a grant to enhance treatment and services for defendants with alcohol and drug abuse/

dependence and those with co-occurring mental disorders. In 2012 we received a grant to further expand treatment capacity for defendants who have tested positive for HIV/AIDS or are at risk for HIV.

BRONX COMMUNITY SOLUTIONS

In 2004 we worked with the Center for Court Innovation to establish a Community Court, known as "Bronx Community Solutions," to enhance community service sentences and provide services to defendants. The goal of the project is to provide judges with more sentencing options for the many defendants convicted of non-violent, misdemeanor offenses such as marijuana possession, prostitution and shoplifting. By combining punishment with services, Bronx Community Solutions (BCS) aims to hold offenders accountable while offering them the assistance they need to avoid

further criminal conduct. In 2012, Bronx Community Solutions handled about 9,357 misdemeanor cases. Of those, approximately 4,938 received community service sentences. Eighty percent of offenders who appeared for intake completed their mandate. Community service projects included graffiti removal, sorting donated food for a faith-based charity, street sweeping and maintaining local parks. In addition, Bronx Community Solutions provided services such as job training and drug treatment. On average participants performed three days of service. BCS estimates that 74,690 hours of community service were completed in 2012. Community service is sometimes performed in partnership with community-based organizations.

In addition to community service, Bronx Community Solutions offers other sentencing options, including treatment readiness programs, inpatient and outpatient

drug treatment, social service and educational assessments and customized group classes. Examples of social service group classes that are available include health education, job readiness, decision making, anger management, drug treatment, and youth life skills. Each class is designed for particular needs of the offender population and meets up to three days, Monday through Friday, during business hours. BCS also operates special initiatives.

The Adolescent Diversion Program (ADP) began in January of 2012, focusing on case outcomes for 16 and 17 year old defendants. BCS provided age-appropriate sentencing options to 452 ADP cases, 73% of whom completed their mandates. The Mental Health Initiative (MHI) completed its third full year in 2012; MHI screening identified 1,245 clients, 81% of whom completed their mandates. In addition, 2012 was the second full year of the Prostitution

Successful Treatment as an Alternative to Incarceration

Forty-four-year-old Doris (pseudonym) was arrested in the Bronx for selling narcotics to an undercover detective. On May 24, 2011, Doris was referred to the Bronx TASC Mental Health Court Program. After completing an assessment and evaluation, Doris pleaded guilty to criminal sale of a controlled substance in the fifth degree. Doris was addicted to multiple substances and suffered from a panic disorder.

Doris was born in Fort Lauderdale, Florida. She was adopted by an elderly

couple. The family moved to Manhattan. Her adoptive parents were supportive and loving and successful professors. Doris spent much of her adulthood caring for her elderly parents. Her father eventually developed Alzheimer's and passed away from pneumonia in 1987. Her mother lived to age one hundred. Doris has not maintained contact with the rest of her family.

Doris was diagnosed with ADHD and prescribed Ritalin for hyperactivity when she was nine to 12 years old. She

majored in theater and directing at Binghamton University, and graduated with honors. She attended graduate school at Florida State University on an academic scholarship. After graduation, Doris completed a six-month internship at a theatre company in New York, and then worked for two years as a stage manager. In her late twenties she also directed her own Off-Broadway play. Doris became debilitated by her mental illness and stopped working in 1994. She has been receiving SSI for an acute anxiety and panic disorder since then.

Doris began using alcohol at age twelve. She began using cocaine several times per week at 18. Doris was introduced to crack cocaine and heroin by a boyfriend in her 30's. She used heroin several times per day until beginning a methadone program in her late 30's. Crack cocaine was her "main problem."

Doris suffers from several medical problems, including Hepatitis C, hypothyroidism, rheumatoid arthritis, and chronic bronchitis. Doris reports a history of anxiety that began in high school. She states, "Even when things were going really well, I was always petrified of what might happen in the future." Specifically, she would experience intrusive thoughts about her parents dying and her performances being a disaster. She had chronic low self-esteem and felt "not being good enough" to be a member of her family.

In college, the anxiety became worse, and Doris began to abuse crack cocaine and heroin as a means of "calming herself down." She sought professional help in 1994, when she experienced a full-blown panic attack. She recalls taking a bus to Macy's and suddenly starting to shake, sweat, and experience heart palpitations. She reports being

unable to speak and feeling as if she was unable to breathe. She reported, "I was so frightened. I was sure I would die."

Another passenger on the bus assisted Doris off the bus, and she felt better after an hour. After the panic attack, Doris sought treatment from a psychiatrist at Lower East Side Services, where she was prescribed psychiatric medication. She describes a pattern of meeting abusive men that led to further drug use and anxiety. She also began cutting her wrists "on and off."

Doris thinks about suicide occasionally. She said, "I've really done nothing with my life. I think about whether I have anything to live for. I am very sad much of the time, and there's really nothing very positive in my life." However, she has also been hopeful about the future. She would like to work part-time directing and volunteer at a soup kitchen. She recently rescued an abused cat.

Her experience with the Bronx TASC Mental Health Court Program saw several successful milestones. She began attending the Realization Center and used their treatment services. Doris also began attending AA and NA meetings frequently. During her treatment, all toxicology screenings returned negative. Case managers at TASC have been able to utilize her help in case studies for special projects, including a job readiness module. On December 10, 2012, Doris successfully completed all requirements for the Bronx TASC Mental Health Court Program. Her case was dismissed. She currently lives in independent housing received through HRA with the assistance of Bronx TASC personnel. She continues to see her therapist as well as her physician and she complies with her medication regimen.

Initiative. BCS staff worked with 242 Prostitution clients and had a 78% completion rate. Over the past year, BCS has taken proactive steps to comprehensively improve the existing process for DWI cases. In 2012, 548 DWI cases were assigned and new protocols have led to an 88% compliance rate; a 20 percent increase in compliance from 2011.

OPERATION WEED & SEED

The Weed and Seed program focuses on specific communities to "weed out" drug trafficking, violent gangs, and robbery perpetrators, while "seeding" the community with resources to improve the quality of life. Beginning in the late 1990s, Bronx County has been home to two Weed and Seed sites, one located in the Soundview/ Bruckner neighborhood and the other in Mott Haven (which reached maximum funding and closed in 2006). After reaching maximum funding from the US Department of Justice, the Soundview/Bruckner site is now a "graduated" site. Although we no longer receive federal funding, activities and programs continue to be offered.

The Soundview/Bruckner Weed & Seed involves collaboration among the District Attorney's Office, the U.S. Attorney for the Southern District of New York, the NYPD, other local, state and federal law enforcement agencies and the New York City Department of Education. Operation Weed and

Seed/Bruckner also relies on close working relationships with the Bronx Borough President's Office, Kips Bay Boys and Girls Club, the Bronx Lions Club, Parkchester Kiwanis Club, PEP Senior Center, clergy, Children's Arts and Science Workshop, Inc., St. Raymond's Community Outreach, Phipps Houses, C.O.N.N.E.C.T., elected officials, school-based parent organizations, other community-based organizations and community residents.

Each year since 2007, Weed and Seed has operated a Volunteer Income Tax Assistance (VITA) program that provides free tax preparation services for community members. In 2012 VITA volunteers at the Bronx River Houses Community Center prepared and filed (electronically) 255 returns for community residents. As a result, they generated \$250,000 in federal tax refunds for the community. In 2012 funding from Councilwoman Palma enabled us to pay one person to manage the VITA Center for three half-days per week during tax season.

THE C.O.N.C.E.P.T. PROGRAM

The C.O.N.C.E.P.T. (Creating Opportunities Necessary to Create Empowered Positive Teens) program is a twelve-week, comprehensive, school-based curriculum that includes classroom instruction, academic enrichment, and diverse-learning activities taught by certified

professionals from the Office of the Bronx District Attorney. Since antisocial behavior often acts as a prerequisite for crime, the focal point of this curriculum is prevention, which is to provide life skills to students who need assistance in avoiding delinquent behavior. During the program, every instructor teaches and encourages students to demonstrate the following skills of leadership: Attain and reinforce positive relationships, focus on the problem and not the person, be proactive and lead by example

The C.O.N.C.E.P.T. program offers students the opportunity to avoid gang affiliation; acquire problem solving skills; obtain a realistic view of criminality, and build strong relationships with peers by using a skills-based strategy that addresses three areas of learning: reasoning, social, and affect.

The C.O.N.C.E.P.T. program promotes a positive attitude and creates behavioral changes through a unique combination of skills training, cooperative learning, healthy dialogue, and role-playing. Participants have the opportunity to learn and practice life skills pertaining to real circumstances. With training and positive reinforcement, youths will more than likely exhibit these behavioral skills in practical situations.

Between January and May 2012, C.O.N.C.E.P.T. was offered

to 242 students in two middle schools. Between October 2012 and January 2013, C.O.N.C.E.P.T. was provided to 745 students in six middle schools. In addition, during 2012 C.O.N.C.E.P.T. staff provided parent workshops on such topics as "Gang Awareness and Cyber-Bullying." They also presented assemblies and symposia for students on various topics, including "Bullying," "Making Healthy Choices," and "Unlawful Weapons and Making Smart Decisions."

DOMESTIC VIOLENCE

In 2012 the Bronx continued to suffer the highest rate of domestic violence reports per 100,000 population among the five boroughs. The Bronx's 73,275 Domestic Incident Reports represented 28% of the City's total. The Office has pursued many strategies to address the domestic violence problem. These include its work with criminal justice agencies and non-profit organizations in Bronx

County's Domestic Violence court parts, and its collaboration with local agencies, most prominently the Bronx Borough President's Office. Although many of these initiatives have been supported by some level of grant funding, those funds have waned.

In 2011 the Bronx Borough President's Office, in partnership with the Bronx District Attorney's Office, Safe Horizon (a nonprofit provider of victim services), and the NYC Department of Probation, received funding under a Grant to Encourage Arrest Policies from the Office on Violence Against Women.

This 24-month grant provides funding for prosecution staff; an interpreter; and two probation Officers. Funding also provides support and services for domestic violence victims, and a Batterers Intervention Program for probationers.

In 2012 this Office continued to work with the Mayor's Office to Combat Domestic

Violence on the Bronx County Family Justice Center (FJC), which opened in April 2010 and is located in our main building at 198 East 161st Street. The FJC houses the Bronx District Attorney's Domestic Violence Bureau, as well as representatives from a vast array of social service organizations (e.g., Safe Horizon, Sanctuary for Families, inMotion, Urban Justice Center), legal services providers, and City agencies (e.g., NYPD, Probation, NYCHA). Services are available in English, Spanish, and other languages. The FJC is a one-stop center for domestic violence victims and their children.

In the three years since opening in April 2010, the FJC has served 14,566 clients seeking domestic violence services. During the same period, 3,553 children were supervised in the Children's Room. There were 39,643 total client visits (new and repeat) to the FJC between April 26, 2010, and April 26, 2013.

Domestic Violence Fatality

Forty-three-year-old Jose Felipe and his wife Jackie had two children, ages ten and eight. On July 5, 2011, Jose stabbed Jackie four times in her arm, neck, chest, and abdomen. Jackie suffered a possible defensive wound to her hand and had abrasions and contusions to her head, neck, chest, hand and leg. Later that

night, Felipe went to New Rochelle and jumped off the roof of a parking garage. Felipe told responding personnel, "I want to die." He survived, but Jackie did not.

On that same day, Felipe's sister was busy with appointments. Upon leaving the doctor's office and heading to the family dry cleaning business, her

Domestic Violence Fatality

brother-in-law told her that Felipe was trying to reach her and she should check her messages. First she charged her cell-phone battery, then she heard her brother's message: "I just killed Jackie and now I am going to kill myself." Felipe directed his sister to a notebook in his bag at their grandmother's house. In it were letters of apology to various members of the family for what he had done to Jackie, and for what he was possibly about to do to himself. Felipe's sister was overwhelmed with panic. She called her

aunt and together they went to Felipe and Jackie's apartment. They saw Jackie on the floor, bleeding but not moving.

After months of hospitalization and physical therapy, Felipe was brought to court for arraignment to face criminal charges. On September 12, 2012, Felipe pleaded guilty to manslaughter in the first degree. He was sentenced on October 3, 2012, to 20 years in state prison plus five years of post-release supervision.

GANG PROSECUTION

In 2012 gang-related or gang-motivated crime incidents in the Bronx ranged from homicides and other violent crimes, to weapons, drug possession, and various property crimes. This gang activity contributes

to the Bronx's disproportionate share of violent crime. The Bronx District Attorney's Gang/Major Case Bureau assigns experienced prosecutors to investigate growing and increasingly violent gang activity in the Bronx. These assistant district attorneys use an array of inves-

tigative techniques including wiretap and DNA evidence, and monitoring of social network sites to effectively combat violence and other criminal activity engaged in by gang members and associates.

Gang Members Commit Murders

An example of the severity of the gang problem in Bronx County is illustrated by what happened to Roderick Tucker and Monique Ford. They were both gunned down inside their apartment by Christopher Sinclair. Sinclair was hired by 25-year-old David Marrero and 25-year-old Bernard Gumbs. Marrero and Gumbs wanted Mr. Tucker killed because he testified against Marrero at his previous murder trial and cooperated with authorities. Marrero was the leader of a

Blood set; according to their oaths and rules, anyone who is a "snitch" must be killed.

Sinclair is awaiting sentencing in federal court for these and other incidents. On October 1, 2012, Marrero and Gumbs were found guilty of murder in the second degree. Marrero was sentenced to 25-years-to-life in prison, and Gumbs was sentenced to 20-years-to-life incarceration.

AUTO CRIME INITIATIVES

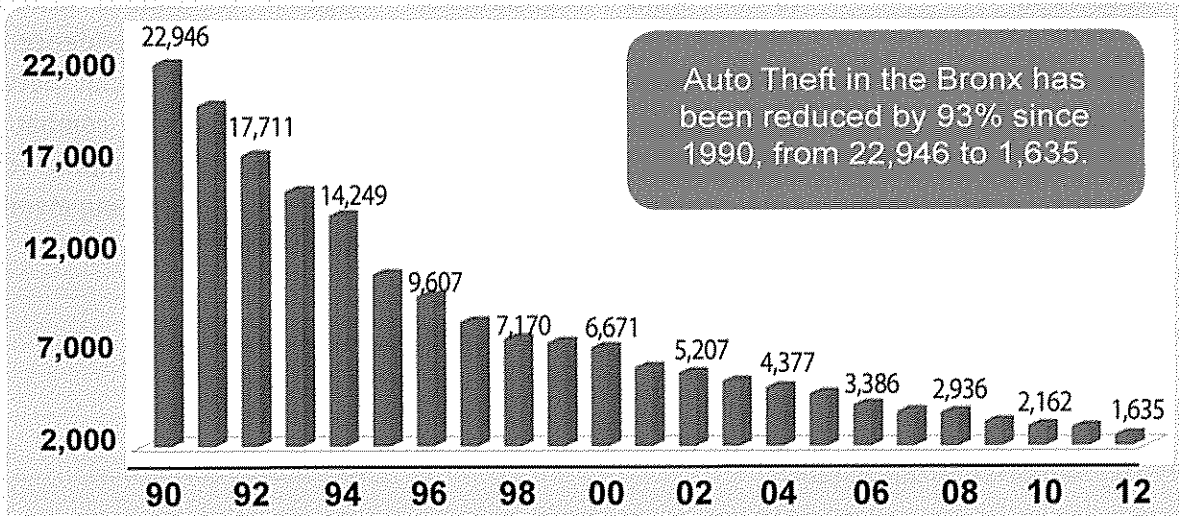
The Office of the Bronx District Attorney has operated the Bronx Anti Auto Theft Program since 1995. In 2012 alone this Office recovered 252 stolen vehicles (for return to their rightful owners). These cars were valued at \$4,013,145. The Anti-Auto Theft program, which has been supported with resources provided by state

grants, was designed to increase the number of successful prosecutions of defendants charged with grand larceny of a motor vehicle, criminal possession of stolen property, illegal possession of a vehicle identification number, auto stripping and/or unauthorized use of a vehicle. It was also expected to result in an increased number of stolen cars recovered pursuant to

arrests made and/or search warrants executed.

Although this program has been very successful (Bronx grand larceny auto has been reduced 93%, see graph below), in 2010 (the most recent statistics available) auto theft in Bronx County remained at the highest rate per 100,000 registered vehicles in the state and second highest rate per

Decline In Grand Larceny Auto 1990 - 2012



Source: New York City Police Department

100,000 population (highest in New York City).

The Bronx District Attorney's Office has owned bait cars for several years. In 2010 the Office received a Legislative Grant through State Senator Klein which provided funding which enabled us to purchase two additional bait cars. Working jointly with precincts that experience an increase in car

theft, the bait cars are positioned in high crime areas, with plainclothes police officers stationed nearby. After a suspect breaks into the car and removes property, the police move in to make an arrest. Break-ins in a given area are often committed by relatively few people. Removing these car thieves from the streets can significantly reduce a neighborhood's auto damage

and petit larceny numbers. In 2012 Bronx District Attorney's staff participated in 36 bait car operations which resulted in 14 arrests.

This Office continues to deploy bait cars around the county in an ongoing effort to reduce break-ins. The Anti-Auto Theft program was expanded in 1999 to include night-time surveillance and investigations of auto-related

crimes. In the last 11 years, we expanded the program to include document fraud and insurance fraud. This expansion was made possible through grants from the New York State Motor Vehicle Theft and Insurance Fraud Prevention (MVTIFP) Board. Since September

2006, Bronx District Attorney's Office Detective Investigators have worked with the NYPD using a License Plate Reader (LPR). LPR technology uses specialized cameras and computers to capture large numbers of license plates quickly, convert them to text and

compare them to a large list of plates of interest. LPR systems can identify a target plate within seconds of contact with it, allowing law enforcement to identify target vehicles that might otherwise be overlooked.

Auto Theft

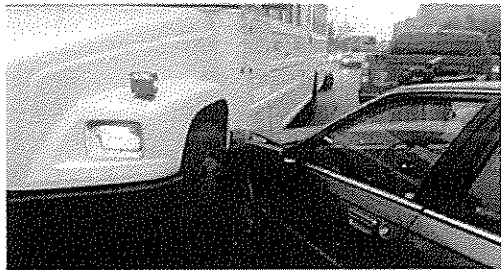
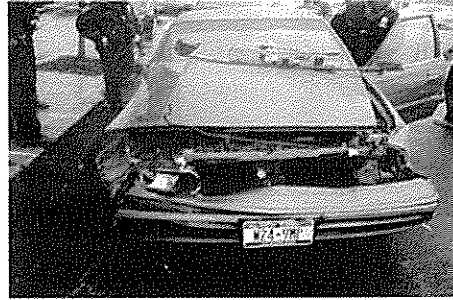
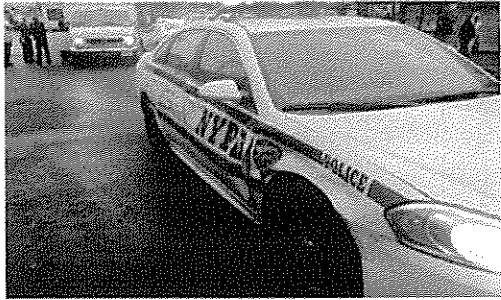
Late in the afternoon on October 19, 2011, a police officer on foot patrol spotted 60-year-old Jose Lafontaine behind the wheel of a grey Oldsmobile drinking a 12-ounce bottle of Corona beer. As the officer approached the vehicle and knocked on Lafontaine's window to give him a summons for having an open container in the car, Lafontaine looked at the officer and then stepped on the gas pedal and took off driving. Lafontaine headed north, and the officer saw the vehicle side swipe a white Toyota and a grey Ford, causing scratches and dents. The driver of the Ford suffered bruising to her knee and elbow. Lafontaine proceeded to run a red light and head east. The officer then lost sight of Lafontaine, but he put out a description of the Oldsmobile over the police radio.

Meanwhile, Lafontaine struck another vehicle and kept driving. Two police officers heard the description of the vehicle; soon thereafter they saw the vehicle. They pursued Lafontaine with their lights and sirens on. Lafontaine was driving at a high rate of speed as he ran through numerous stop lights and stop signs, drove on the wrong side of the street, and cut in and out of lanes without signaling. One of the cars Lafontaine

struck during the chase was a NYPD police car. After running a stop light, Lafontaine struck a black Chevy and then struck a school bus with children inside, causing a dent in the driver's side wheel well. Finally, Lafontaine's vehicle was disabled and one of the officers pursuing him removed him from the car and placed handcuffs on him. The officer observed a screw driver in the middle console of the car and saw that the steering column was broken and there were wires dangling from the steering column, signs that the car was "hot wired" and stolen. In fact, the vehicle had been stolen earlier in the day in Yonkers.

Lafontaine has a substantial criminal history stretching back many years for crimes such as assault, auto theft, and auto stripping. Having previously been convicted of auto stripping within the last five years, his new arrest was elevated to a felony. He was also driving with a suspended license.

On November 8, 2012, Lafontaine pleaded guilty to unauthorized use of a vehicle in the second degree. He was sentenced on November 29, 2012, to two-to-four-years incarceration.



LaFontaine Crime Scene Photos

Insurance Fraud Ring

Following a year-long joint investigation with the National Insurance Crimes Bureau, in 2011 Bronx District Attorney investigators arrested 21 people involved in an insurance fraud and money laundering ring. The scheme cost insurers Allstate, GEICO, GMAC, Liberty Mutual, and Progressive more than \$300,000 in fraudulent payouts.

The scheme was carried out by stealing the identities of legitimately insured policy holders. Non-existent accidents were reported involving the perpetrators' cars. Insurance claims were then submitted for the costs of repairs to already damaged cars. The defendants reported more than one hundred claims involving 19 damaged vehicles.

Over \$100,000 of the illegally obtained proceeds was pocketed by 26-year-old Carlos Cespedes. Cespedes allegedly recruited other defendants to submit fraudulent claims under their

own names. They would cash the checks issued by the insurance companies and give most of the proceeds to Cespedes, who allegedly allowed them to keep between \$50 and \$400 for each claim.

All of the defendants were charged with grand larceny in the third degree.

The scam began to unravel when an adjuster for an insurance company recognized a car brought in for inspection and assessment of damage. The same vehicle had been the subject of a prior claim for the same damage.

Six defendants were convicted during 2012, including Cespedes. He pleaded guilty to second degree grand larceny and was sentenced on October 26, 2012, to two-to-six year incarceration. In addition, he was sentenced to a consecutive term of 51 months for an unrelated federal matter.

ELDER ABUSE

"Elder abuse" can take many forms, including neglect or abuse of a physical, financial, psychological, emotional or sexual nature. Although anyone can be a victim of crime, age may render victims physically weak, physically or emotionally isolated, or mentally disabled. These conditions increase the trauma of victimization and make the criminal justice system more difficult to negotiate.

The Bronx District Attorney's Office hired an Elder Abuse Coordinator in 2000 to serve as a liaison among the bureaus and units of the office, obtain services from outside agencies and serve as a resource for educating the community. The Coordinator is often the first point of contact for elder abuse inquiries. She handled 65 elder abuse cases and 205 elder abuse calls in 2012.

In 1998, the Bronx District Attorney formed an elder abuse committee to develop strategies to enhance prosecution in elder abuse cases and to increase the coordination of services to elderly victims. Now in its 12th year, the Elder Abuse Multidisciplinary Task Force, an outgrowth of the Office's committee, continues to meet. The Task Force is co-chaired by the Elder Abuse Coordinator at the Bronx District Attorney's Office and the Bronx Borough Director of Adult Protective Services.

This bimonthly gathering of law enforcement, social service,

healthcare, financial, business, governmental and private agencies enables the sharing of expertise and facilitates the coordination of efforts to prevent, investigate and remedy the abuse of our most vulnerable seniors. At each meeting an expert in his/her field speaks and advises members about elder abuse. In 2012 speakers included a psychiatrist from the NYC Health and Hospital Corporation's Family Court Mental Health Services Program to discuss how elder abuse cases are evaluated, types of services, and how the community agencies can access such services organizations to discuss challenging cases. Additionally, the Bronx District Attorney's Forensic Accountant presented on the role of the forensic accountant in analyzing financial fraud cases. The presentation covered motivation, techniques and types of crimes and how these cases are analyzed to provide evidence for investigation and prosecution.

On May 15, 2012, the Bronx District Attorney's Elder Abuse Coordinator, Bronx District Attorney's Chief of the Arson, Auto, Economic Crimes Bureau, Bronx Adult Protective Services and the Weinberg Center of the Hebrew Home in Riverdale presented a conference and breakfast for Fraud Investigators from the major banks with branches in Bronx County. "Partnering to Protect Our Seniors" was designed to strengthen existing partnerships with banks, create new partners and educate one

another about the nature of elder abuse and the integration of various systems to identify, prevent and remedy elder abuse.

The Bronx District Attorney's Office was selected in early 2006 to become a CASE ("Communities Against Senior Exploitation") Model Site. The CASE partnership is an elder fraud prevention and intervention program. The Bronx District Attorney's Office is one of approximately 50 sites across the country that work with faith-based communities and senior centers to combat elder fraud and exploitation.

As part of this program, staff from the District Attorney's Office conduct training in the community using CASE resource materials. During 2012, the Elder Abuse Coordinator gave 23 CASE, "ID Theft and Scam Recognition, Prevention and Remedy," and various Elder Domestic Violence presentations to community groups, churches, senior centers, tenants' associations, social service providers, banks, colleges, and at conferences. This program is currently implemented without funding, staffed by volunteers from the Office.

The Elder Abuse Coordinator continues to represent the Bronx District Attorney's Office in various NYC Elder Abuse Coalitions and Multi-Disciplinary Teams.

Financial Fraud Elder Abuse

Sixty-five-year-old Otto Kalo developed a relationship with 84-year-old Caroline (pseudonym) as the superintendent of the building where she lived. Kalo took advantage of this relationship and began to exploit Caroline financially.

A Chase bank branch in the Riverdale section of the Bronx became alarmed when Caroline, a Bronx resident for over 40 years and a longtime customer whom they had not seen recently, came to the bank with Kalo trying to execute a Chase power of attorney form which would give Kalo access to Caroline's brokerage accounts valued at over \$500,000. Chase refused to allow the transaction. But Kalo returned to the bank with Caroline and a local attorney with a NYS long-form durable power of attorney which purported to give Kalo authority over Caroline's finances. Chase refused to permit the transaction, froze her accounts, and notified Adult Protective Services (APS). During a field visit, an APS psychiatrist diagnosed Caroline with dementia.

Kalo next took Caroline to another bank in Riverdale and created joint accounts with her. He then cashed out over \$90,000 of Caroline's savings bonds and put the proceeds into a joint account, giving himself access to the funds.

Following their diagnosis and field visit, the District Attorney's Office worked with APS and the fraud investigators at Chase and the other bank. Kalo was arrested and held in lieu of bail. The arrest was coordinated with APS, who moved Caroline to an elder care facility where she could receive the care and treatment she needed. An audit of bank records revealed that by the time of the

arrest, only about \$30,000 had been spent on items unrelated to Caroline's care or needs, including about \$20,000 in checks drawn on Caroline's account that Kalo deposited into his personal account.

Because Caroline had no guardian in place, the District Attorney's Office worked closely with the banks to freeze her accounts as the product of fraud instead of a guardianship order or court order from a Surrogate or Civil Court judge.

On September 27, 2012, Kalo pleaded guilty to grand larceny in the fourth degree. He was sentenced on October 19, 2012, to four months in jail plus five years probation. In addition, a judgment of \$30,000 in restitution was entered against him and a 10-year order of protection was issued with a special condition that Kalo may conduct no transactions with any property owned (or jointly owned) by Caroline. One of the conditions of the plea was that Kalo must disclose all financial records and existence of all wills or accounts, so that he is not able to take advantage of the victim again.

The prosecution of this case illustrates the success of multi-disciplinary team work. The case was a cooperative effort among Chase Bank, Adult Protective Services, the Weinberg Center of the Hebrew Home in Riverdale, the Elder Abuse Coordinator and the Bronx District Attorney's prosecutor and detective. Elder Abuse is complex and demands a comprehensive variety of services to meet the emotional, economic, medical, social service and safety needs of the vulnerable senior.

BRONX SEXUAL ASSAULT RESPONSE TEAM

In 2002 the Bronx Adolescent and Adult Sexual Assault Task Force began meeting at the District Attorney's Office. The goal of the Task Force is to identify and respond to system challenges and develop solutions to improve services for victims of sexual assault. The Task Force is composed of representatives from hospitals and the medical community, the New York City Mayor's Criminal Justice Coordinator's Office, the New York City Alliance Against Sexual Assault, nonprofit crime victim service providers, the New York City Police Department, and the Bronx District Attorney's Office. The members identified a need and with the aid of the Mayor's Office obtained funding for a Bronx Sexual Assault Response Team (SART).

The Bronx SART began delivering advanced forensic and counseling services in April 2004 to every sexual assault victim seeking treatment at any of the three municipal hospitals in the Bronx. The Bronx SART is on-call around-the-clock, every day of the year to respond within one hour. The responders include a specially-trained forensic examiner and a rape crisis advocate. Compassionate and competent care delivered promptly helps sexual assault victims overcome the trauma from the attacks. The rapid response is also meant to ensure that critical evidence is properly collected as soon as possible after

an attack, which assists in the investigation and prosecution of these violent crimes.

In 2008, Bronx SART participated in the establishment of a city-wide protocol which mandates that any city ambulance transporting a sexual assault victim bring the victim to a SART-based hospital. In the Bronx, those are North Central Bronx, Jacobi and Lincoln Hospitals. Also in 2008, Bronx SART was a major impetus in the development of a "Suspect Evidence Collection Kit" which is now being used to collect important forensic evidence in appropriate cases from the person of an alleged perpetrator of a sexual assault.

The Bronx SART is primarily supported with NYC funds and consists of a group of 12 – 14 Sexual Assault Forensic Examiners (SAFEs) who are coordinated by a project director based at North Central Bronx Hospital. The examiners conduct a physical examination of the victim, collect potential DNA evidence, and document both internal and external injuries.

In 2012 Bronx SART hospitals covered 247 of these cases. In 90% of those cases, a SART examiner responded to the hospital within one hour of admission of the sexual assault victim to the Emergency Room. Eighty-one percent of those victims eligible for a forensic examination consented to be examined. In 13% of the cases, the physical examination of the victim revealed findings of genital trauma only. In 18% of the cases, the physical

examination revealed findings of non-genital injury only. Twenty-four percent of the examinations revealed both genital and non-genital injuries, and 44% showed no visible injury.

MULTIDISCIPLINARY TEAM ON CHILD PHYSICAL AND SEXUAL ABUSE

The Multidisciplinary Team on Child Physical and Sexual Abuse is a coalition of representatives from the Office of the Bronx District Attorney, Bronx hospitals, mental health service providers, the NYC Department of Education, the Administration for Children's Services, the New York City Corporation Counsel, the NYPD and the Juvenile Rights Division of the Legal Aid Society. Its purpose is to improve communication among participating agencies and coordinate their involvement in child abuse cases. The primary benefit of this multidisciplinary approach is the minimization of system-induced trauma to the victim. The Multidisciplinary Team assists hospital personnel in identifying and treating victims of child abuse, and acts as a network for further referrals. This team approach affords a number of benefits. First, it enhances the quality of evidence available to all participants by affording them the opportunity to be present to ask questions at the victim's first interview. Second, it minimizes the additional trauma to the victim who, if subjected to repeated interviews, must revisit incidents that may have been emo-

tionally devastating. Third, it avoids problems associated with having victims repeat their stories, such as details forgotten or inadvertently omitted, and having victims become tired and uncooperative. In 2012, the District Attorney's Office responded to approximately 300 joint interviews with members of the Multidisciplinary Team.

Through its participation in the Multidisciplinary Team, the Office has significantly improved its ability to prosecute child abusers effectively while addressing the needs of child abuse victims.

NYPD POLICE TRAINING

In 2005 the Bronx District Attorney's Office began a training program for newly appointed police officers in Bronx County. The training is provided to officers after they have had four-to-six months of street experience and covers basic legal issues (*e.g.*, citizen/police encounters and laws governing identification and statements), Complaint Room policies and procedures (including how to complete supporting depositions), and what to do when lodging a prisoner at Central Booking.

The training is provided by the Chief of Vehicular Crimes, the Chief of Arraignments and Complaint Room, and NYPD Supervisors from Bronx Central Booking. The Office receives cooperation and support from the NYPD Patrol Borough Bronx Commanding Officer and the Borough Training Officer, who

provide coordination and assign officers to attend the training. Depending on the size of the Police Academy graduating class, there are three to four training sessions per year. In 2012, reflecting an increase in NYPD hiring to make up for the past few years of budgetary limits, there were four separate sessions with a total of 250 officers trained.

These training sessions have resulted in marked improvement in new officers' paperwork, particularly in completing supporting depositions and in articulation of the facts of the case to establish probable cause to justify the arrest. In addition, the training sessions continue to open communication within law enforcement. The officers rate the training very highly and have requested that "refresher" courses be offered every six months and that their supervisors also attend the training.

In 2012, in collaboration with the other New York City prosecutors' offices, we implemented a training program for sergeants. Each month 25 sergeants receive a one-day training session provided by the NYPD at the Police Academy. The District Attorneys' Offices provide senior prosecutors on a rotating basis to lead a discussion workshop on ethics and integrity issues regarding arrest processing.

ST. JOHNS LAW SCHOOL CLINIC

Since 1999, staff from the Bronx District Attorney's Office

have participated in a clinical program for law students at St. John's University School of Law in which several law students are designated as student assistant district attorneys. Each year the students prosecute cases under a special designation to practice order issued by the Appellate Division, First Department. The students handle misdemeanor cases and are permitted to argue their cases in Court. The students are supervised by Bronx District Attorney's Office staff. In addition to the clinical component, a member of the Bronx District Attorney's Office staff, the Chief of Vehicular Crime Prosecutions, teaches coursework related to this program at St. John's University. Several times in recent years, he was named Clinical Professor of the Year.

INTERNATIONAL VISITORS

Over the past several years representatives of governments around the world have visited the Bronx District Attorney's Office. Some of these have been part of the International Visitor Leadership Program of the US Department of State. Others have come independently. In return members of our staff have been invited to make international visits.

On January 11, 2012, Presiding Judge Son, Bong-Kie and nine students from the Republic of Korea visited the Office. The students were prospective attorneys. The visitors were given a tour of the

Bronx courts. An assistant district attorney from the Narcotics Bureau made a presentation in Korean about United States Constitutional protections.

In May 2012 a second group of Korean students visited the

Office. In the morning they listened to a presentation by the District Attorney and the Chief of the Litigation Training Unit. These were followed by a tour of the Child Abuse and Sex Crimes Bureau, a tour of the Arson/ Auto/

Economic Crime Bureau and a tour of the Narcotics Bureau. These were followed by a brief tour of the Complaint Room and Arraignments.

Community Outreach

Community residents and business people often serve as the "glue" that holds together collaborative efforts among public and private sector agencies and thereby enhances each group's efficacy in preventing crime and improving quality of life. The Bronx District Attorney and his staff actively participate in a variety of programs and community activities to better serve the residents of the county.

In these collaborations the Community Affairs Unit (CAU) is often the connection between the District Attorney and the residents of Bronx County. For example, the Community Affairs Unit facilitates community involvement in the Office's Felony Trial Training program for new assistant district attorneys. CAU staff reach out to Bronx residents over the age of 18 at community meetings, schools, churches, senior centers, *etc.* to serve as mock jurors for the training.

Staff from the unit attend community meetings, and the unit provides speakers and tours of the courts, offers education and prevention programs, participates in interagency committees, and interacts regularly with community residents, neighborhood leaders and others. The unit also keeps residents informed of

the status of cases as they progress through the criminal justice system.

While the Office's programs are coordinated by the unit, volunteers from both legal and support staff throughout the Office are needed to implement them. These individuals use their own time, often during evenings and weekends, to work with the Bronx community around issues of crime prevention and intervention.

The programs highlighted below are just a sample of those offered by the Office. Some of the other programs, such as the Elder Abuse Initiative and Operation Weed & Seed, are discussed elsewhere in this report. Still other programs have been in existence for a number of years and are described on the Office's web site: www.bronxda.nyc.gov.

PROJECT JUMP (JUVENILE MENTORING PROGRAM)

Sophomores, juniors and seniors from the Law, Justice and Public Service Academy at Theodore Roosevelt High School are matched with volunteers from the Bronx District Attorney's Office on a one-to-one basis. Mentors provide much needed support and inspiration to stu-

dents making their way through school. Traveling to the Bronx District Attorney's Office to meet with mentors allows students to experience the work environment and learn about the functioning of the criminal justice system. Nineteen mentor/mentee pairs were matched in 2012.

READ-TO-ME PROGRAM

In partnership with two local day care centers, staff from the Bronx District Attorney's Office hold weekly reading sessions. Support staff and assistant district attorneys volunteer their time to read stories to children between the ages of two and five at the Marshall England Early Childhood Learning Center and at the Paradise Learning Center.

TOURS AND SPEAKERS

The Community Affairs Unit coordinates requests for tours and speakers. Most requests are from the Bronx, but we also receive requests from foreign delegations, universities and suburban school districts. Assistant district attorneys and support staff address community, religious, civic and student groups regarding various topics within the criminal justice system. Speakers

discuss a variety of issues of specific interest to the community. In addition, staff members are available to conduct tours of the courthouses and explain how a case proceeds through the criminal justice system.

YOUTH TRIAL ADVOCACY PROGRAM

The Bronx District Attorney's Office Youth Trial Advocacy Program (Y.T.A.P.) provides motivated students with an opportunity to explore a career in law. Students meet with assistant district attorneys to discuss legal careers and the criminal justice system. Students are then divided into teams, each with up to four assistant district attorneys serving as coaches or mentors. Each team learns how to develop advocacy skills and debate techniques. Students then test their newly acquired skills in a moot court competition. At the end of the program, every student is awarded a certificate marking successful participation in the program, and the top two participants are awarded Summer Internships within this Office.

THE ADULT WORKSHOP SERIES

The Adult Workshop Series provides the District Attorney's Office with an avenue to educate Bronx residents about various issues related to the criminal

justice system. Workshops such as "After the Arrest," "You Be the Judge," "Safeguarding Your Child on the Internet," "Perspectives on Protecting Your Identity," "Gang Awareness," "Domestic Violence," and "Sexual Assault" have been developed to inform citizens about issues such as identity theft, criminal court arraignment, trial procedures, dangers lurking on the Internet and the presence of gangs in our schools and neighborhoods. Workshops are presented monthly on a rotating basis.

COURT MONITORING

State Senator Jeffrey Klein organized a Bronx court monitoring program in 2010. The Community Affairs Unit cooperates by providing information regarding court dates and other case-related information. Senator Klein's office organizes residents, provides transportation, signage, *etc.* The program began by monitoring graffiti cases and expanded to auto crime cases in the Senator's district. They continue to monitor selected cases.

PRECINCT COUNCIL REPRESENTATIVES

There are 12 precinct community councils and two Police Service Areas (PSAs) in the Bronx which meet monthly. Fourteen assistant district attorneys have volunteered to attend these meet-

ings. These representatives assure that the District Attorney is kept informed about issues of significance to the community.

SPECIAL PROJECTS

The Community Affairs Unit also implements several special events and programs throughout the year to address various community needs. Special programs are developed with community organizations to afford various segments of the Bronx community an opportunity to interact with the Bronx District Attorney and his staff. National Night Out, held each year on the first Tuesday in August, is one of the unit's biggest special projects. Planning begins in June and involves collaboration with community residents and leaders, faith-based organizations, and the NYPD. Bronx District Attorney's staff members volunteer their time to participate in the evening's activities in all 12 police precincts and the two Police Service Areas in the Bronx. In 2012 approximately 40 staff members participated.

PAL PLAY STREET AND TEEN CENTER

In January 2011, a long-term, joint investigation between the Bronx District Attorney's Gangs/Major Case Bureau and the NYPD's Narcotics Borough Bronx led to the indictment and arrest of 22 alleged drug dealers at the River Park Towers housing complex. Prior to

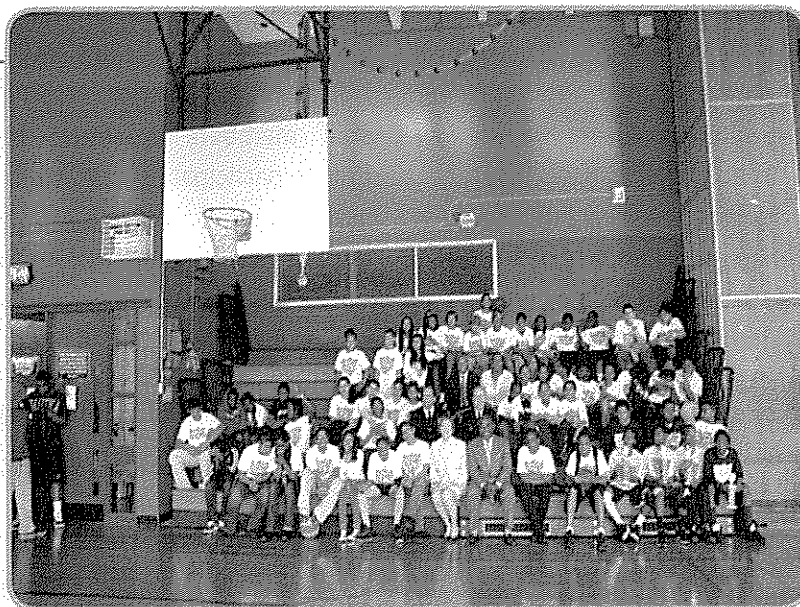
the Bronx District Attorney's take-down in River Park Towers, the Special Narcotics Prosecutor dismantled a nearby drug network. These prosecutions enabled this Office and the Special Narcotics Prosecutor's Office to use asset forfeiture funds to support a Police Athletic League (PAL) Play Street in July and August 2011 in the area previously controlled by drug dealers. These funds were also used to support a PAL Teen Impact Center in IS 229 for six months, beginning December 5, 2011, and ending in June 2012. The Impact Center provided a range of activities, including Cops & Kids basketball, volleyball, dance, and cultural events. It also included a prevention component designed to reduce risk-taking behaviors.

2012 BRONX LAW DAY

On May 2, 2012, the Bronx District Attorney's Office hosted some of the top Bronx high-school students for the second annual "Law Day." The purpose of this day is to expose high-school students who are interested in law to the different types of units and jobs that are available in the Criminal Justice system. The students were able to speak to the Chief of the Detective Investigators, the Deputy Chief of the Arson, Auto, Economic Crime Bureau and a Supervisor from the Narcotics Bureau about what they do in the Office and what they had to do in their careers to get to their current positions.

The students were also able to take a tour of the Criminal Court Building. A Court Officer spoke to the students regarding what it takes to be a Court Officer and what it's like to work in the Criminal Court Building.

The final part of Law Day provided an opportunity for the students to meet with and speak to District Attorney Robert Johnson. The District Attorney shared his experiences in the Office and what it took for him to become the District Attorney. He also talked about the tough decisions that have to be made on a daily basis in the Office. The students were given certificates at the end of the program.



PAL Play Street and Teen Center

Testimony

of

Bridget G. Brennan
Special Narcotics Prosecutor

Before

The New York City Council
Committees on Public Safety & Finance

Fiscal Year 2014
Executive Budget Hearings

May 23rd, 2013
City Council Chambers
City Hall
New York, NY

OFFICE OF THE SPECIAL NARCOTICS PROSECUTOR

FY2014

Overview

I would like to thank the City Council for its support of the Office of the Special Narcotics Prosecutor and all of the District Attorneys' Offices. As always, I appreciate the leadership and dedication of the Public Safety and Finance Committees and Chairmen Vallone and Recchia in addressing the criminal justice issues that confront all of our offices.

We are especially appreciative of the new needs funding that has been included in the Executive Budget by the Mayor and the Office of Management and Budget (OMB) to support our new Digital Forensics Unit. We are projecting total funding from all sources in FY2014 still 3.5% lower than in FY2010.

Digital Forensics Unit

As the City has recognized by proposing to set aside \$470,000 for our new Digital Forensics Unit, in order to protect public safety we must keep pace with technological changes. The targets of our investigations are intent on evading us in the ever more complex digital communications landscape. We are thankful for the city's support, which will enable us to launch the unit and address urgent needs. The unit will be staffed by Assistant District Attorneys, analysts and information technology specialists – detectives of the 21st century – who will help us keep pace with tech savvy criminal groups. We anticipate a burgeoning workload for this unit. Right now, our focus is on just catching up. One day, I hope to have the resources to move one step ahead.

Communications Today

The Internet, smartphones and tablets have revolutionized how we communicate and do business. In this digital age, the methods criminals use to exchange information are likewise evolving at an incredibly rapid rate. It is well established that criminal gangs have seized on

SNP Total Funding Reductions	
<i>Fiscal 2010 Modified - Fiscal 2014 Projected</i>	
	<u>Amount</u>
FY 2010 Modified Budget	\$ 18,507,116
A. Funding Changes:	\$ (666,152)
City Budget Reductions	(685,990)
State Funding Reductions	(143,895)
Federal Funding Changes	163,733
FY 2013 Current Modified Budget	\$ 17,840,964
Projected Funding Chngs in FY 14	\$ 23,932
Funding for Digital Forensics Unit	470,000
Projected FY 14 Funding Changes	(446,068)
FY 2014 Projected Budget	17,864,896
Net Budget/Funding Reduction - FY 14 vs FY 10	\$ (642,220)
% Reduction	-3.5%

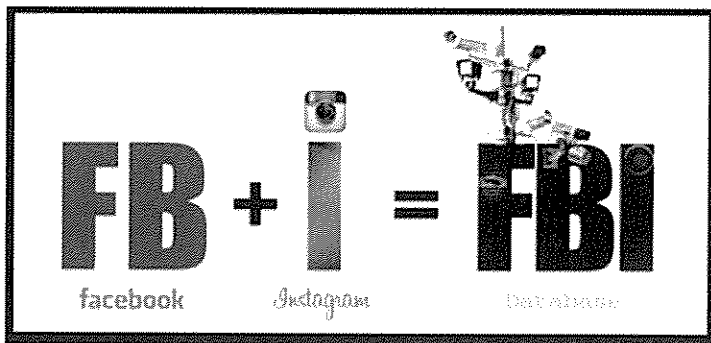
social media, such as Facebook, YouTube, Twitter and Instagram, as a primary means of coordinating activity. While these Internet platforms give criminals greater ability to respond to the police or threats from rivals, new technologies are also a boon to law enforcement. Social media and new Internet applications can be a great source of valuable and reliable evidence, but only if we know how to access, analyze, and present the information as evidence admissible in court proceedings.

Over the past year, my office's Narcotics Gang Unit conducted important investigations into two rival gangs in the Bronx that were involved in a violent and prolonged turf battle. These cases demonstrated how gang leaders made use of technology to recruit new members, share information about gang activities, such as the locations of drugs and weapons, and even to track victims. The Gang Unit used its expertise in mining social media for evidence to build a sweeping indictment against the leaders of these two gangs. By analyzing texts, emails and social media messages on Facebook and Instagram, in combination with traditional investigative techniques, we were able to identify and prosecute a murder conspiracy and remove weapons and narcotics from the streets.

Analyzing the evidence that we collected, we were able to hone in on the major players – the leaders of the criminal activities – and disregard the less significant hangers on, who affiliated with the gangs for social purposes and were not involved in shootings, assaults and drug dealing.

Future Challenges

Criminals are always looking for new ways to thwart law enforcement and to communicate covertly. Already, social media sites such as Facebook and Instagram have gained a reputation for attracting law enforcement scrutiny. As we have become experts in these forms of media, some criminal groups have decided they are passé, and are moving on to other applications that offer free mobile messaging services. In one violent gang investigation, a member signaled his wariness of Facebook and Instagram when he posted a Facebook message stating, "FB + I = FBI."



Facebook message posted by a subject of a narcotics gang investigation.

We now face the challenge of identifying and mastering technologies that criminal groups are turning to because they believe they can more easily conceal their activity using new and evolving communications products. The use of new applications offering free Internet texting is

exploding. Facebook Messenger is available to one billion Facebook users, but it appears other new mobile messaging apps are gaining in popularity. WhatsApp and WeChat launched over the past two years and now serve approximately 200 million and 300 million users respectively. Video chats are also becoming an increasingly mainstream method of communicating. With some of the companies that offer these services located outside of the U.S., obtaining evidence for investigations is no longer as straight forward as issuing a subpoena to Verizon or AT&T for phone and text records.

App Name	Launch Date	Number of Users
Apple Messenger	Oct 2011	Available on all iPhones, iPads and iPods.
Facebook Messenger	Dec 2011	Available to all Facebook Users: 1.1 Billion
We Chat	Apr 2012	300 Million
WhatsApp	Sep 2011	200 Million
KIK	Jan 2011	50 Million
MessageMe	Mar 2013	1 million

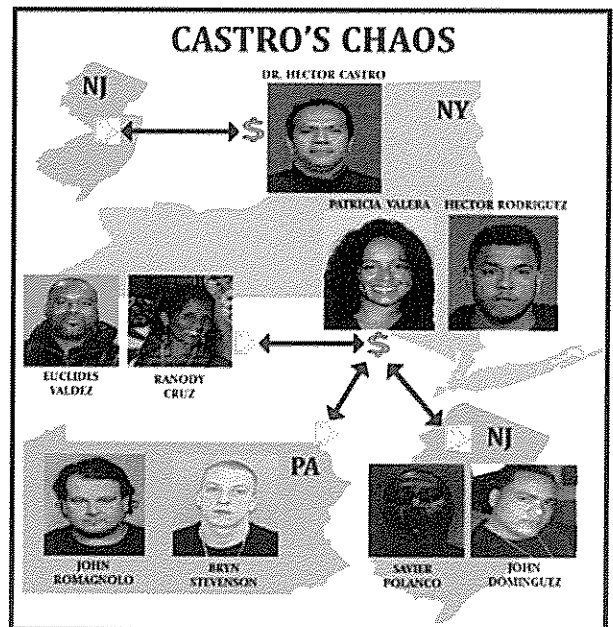
Further complicating matters, apps offering enhanced privacy features are highly attractive to criminals, such as password-protected encryption services and self-destruct mechanisms that erase messages seconds after they are read. Locking options for phones will soon include fingerprints, retinal scans and voice recognition. These privacy apps and security features have the potential of making it more difficult for law enforcement to capture evidence. However, the importance of these communications in building investigations cannot be overstated. That is why it is so important that we invest the time and resources necessary to stay at the cutting edge. Trained personnel armed with the necessary equipment can capture this evidence, analyze it and determine its evidentiary value.

These are the challenges that we face – criminal organizations always on the lookout for new ways to conceal their activity – and a technology industry dedicated to coming out with the newest and flashiest, and sometimes the most covert, communications applications.

Prescription Drug Epidemic

Our ability to intercept digital communications played a major role in a prescription drug investigation, which culminated in the arrest in March of a Gramercy Park

Manhattan doctor and office manager illegally sold prescriptions for \$10 million in pills to drug trafficking rings in three states.



doctor, Hector Castro, and his office manager on charges involving the widespread trafficking in oxycodone, a highly addictive narcotic painkiller, in New Jersey and Pennsylvania. The investigation resulted in 49 arrests and the seizure of 30 guns. Dr. Castro and his office manager ran independent rings out of the same office, with Dr. Castro distributing drugs to a New Jersey organization, and his office manager catering to a trafficking organization in the Poconos. The doctor and his manager had something else in common – both made extensive use of texts to communicate with their buyers.

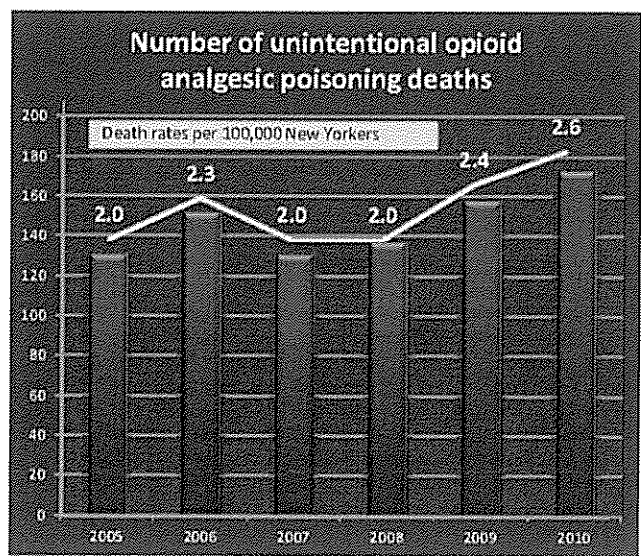
Their text messages provided critical evidence in our case, along with undercover purchases of prescriptions by a Special Narcotics investigator. Our investigation uncovered schemes that distributed more than half a million pills worth \$10 million on the black market with the coordinated efforts of our office, the NYPD, the DEA, the Pennsylvania Attorney General's Office and a host of other federal, state and local agencies.

Now in its second year, my office's Prescription Drug Investigation Unit seeks to cut off the illicit supply of painkillers and other highly addictive prescription drugs at the highest level possible. Since the unit's creation, we have indicted five physicians on charges ranging from Criminal Sale of a Prescription for a Controlled Substance to Manslaughter. My office has also prosecuted numerous other medical professionals, including physicians' assistants, office managers and pharmacists.

As we persevere in our efforts to confront the prescription drug epidemic, the costs keep climbing. Due to the complex and time consuming nature of these cases, and skyrocketing referrals to our Prescription Drug Investigation Unit, we are devoting more and more resources to these cases on a daily basis. While we truly appreciate the funding we have received to date from OMB, we anticipate a shortfall of almost a quarter of a million dollars in FY 2014. We ask the City Council to cover these costs so that we can continue to meet the challenge of investigating and prosecuting these difficult cases.

Death Rates Soar

While New York City is in the forefront of efforts to curb the availability of narcotic pain drugs and to increase public awareness, statistics show the problem is still spiraling out of control. Just last week, the New York City Department of Health and Mental



Source: NYC Office of the Chief Medical Examiner & New York City Department of Health and Mental Hygiene 2005-2010

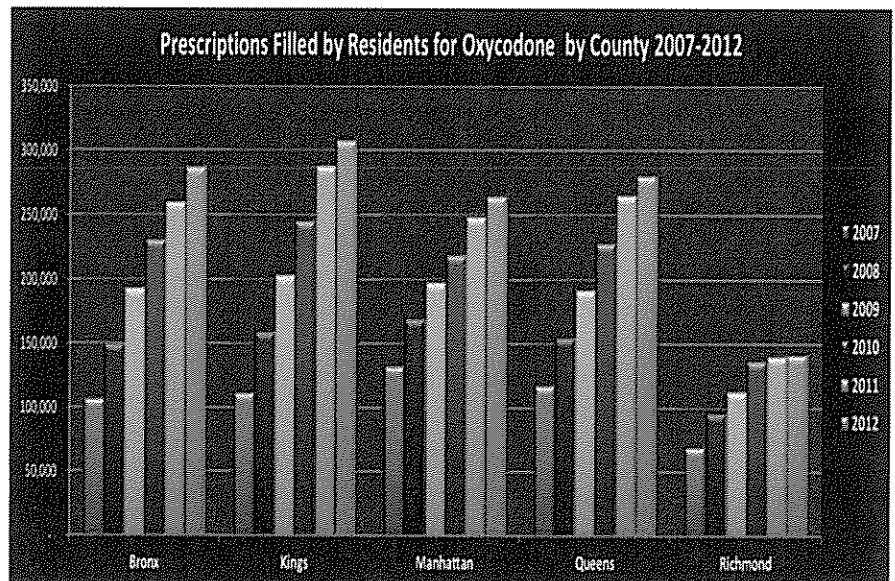
Hygiene released data showing that between 2005 and 2011, the citywide rate of overdose deaths from prescription opioid painkillers increased by 65%. While rates increased in all five boroughs, Staten Island suffered the most dramatic spike. Between 2005 and 2011, rates of opioid painkiller deaths in Staten Island increased by 261%. The 2011 rate in Staten Island was four times as high as that of Manhattan, Queens and Brooklyn.

Citywide, 220 people died of fatal opioid painkiller overdoses in 2011. On average, more than one overdose death involving an opioid painkiller occurred every other day in New York City in 2011. The largest increase of opioid painkiller use between 2005 and 2011 was among New Yorkers aged 24 to 34 – a 227% increase, according to the New York City Health Department. However, the residents aged 45 to 54 had the highest fatal overdose rate.

The number of prescriptions for narcotic painkillers filled in New York City has increased at an alarming rate over the past several years. My office analyzed New York State Health Department data on prescriptions for oxycodone (one of the most commonly abused opioid painkillers) between 2007 and 2012 and found that the number of oxycodone prescriptions filled in New York City increased by 138%. In 2012, there were 1,279,655 prescriptions for oxycodone filled citywide – a 7% increase over 2011.

A Coordinated Approach

Beyond building cases, my office participates in the Mayor's Task Force on Prescription Painkiller Abuse, which is developing and implementing coordinated strategies for responding to the growth of opioid painkiller misuse and diversion. In January, Mayor Michael Bloomberg and City Health Commissioner Dr. Thomas Farley announced new voluntary emergency room guidelines for the prescription of opioid painkillers at New York City's 11 public hospitals. The Mayor's Task Force also created in NYC RxStat, which combines relevant public health and public safety data.



Overall, the number of oxycodone prescriptions filled in New York City has increased by 138% from 2007 to 2012.

Funding

Overall Funding Outlook

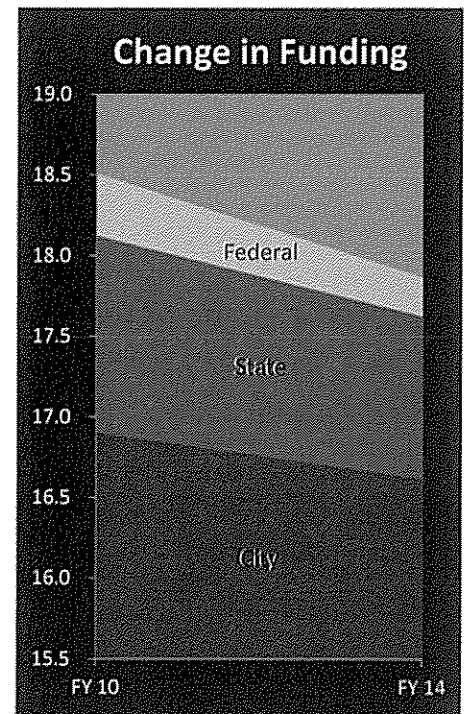
In fiscal year 2014, our projected total funding from all sources, City, State and Federal, will be 3.5% or \$642,220 less than what we received in fiscal 2010. We are facing this shortfall despite the new-needs funding we received from the City for our Digital Forensics Unit. For a small agency, a 3.5% funding loss, coupled with already increased payroll cost associated with our recently established Prescription Drug Investigations Unit and new hires necessary to staff our new Digital Forensics Unit, makes balancing our budget a real challenge each year. In the 40 years since this office was established, we might be faced with our first budget deficit in fiscal 2014.

Loss in City Funding

In fiscal 2014, with the new needs funding provided by OMB, our projected City funds is \$287,113 or 1.7% less than our actual City funding for fiscal 2010.

Since fiscal 2010, we have received three City budget cuts totaling \$1,349,600 or 8%. During the same time period, we have also lost our long-term cash grant for \$850,000 from the City Council, as well as DA revenue funding ranging from \$99,734 in fiscal 2010 to \$433,970 in fiscal 2011. Though the City restored a portion of our Council grant in 2011, we have still faced a \$246,338 shortfall ever since. Luckily, the City recognized the seriousness of the prescription drug problem and provided us with the new needs funding. However, the new needs funding we received for our Prescription Drug Investigations Unit only covers approximately 60% of our cost. We need support from the City Council to continue our initiatives in this important area.

We ask that the City Council renew the cash grant it provided us in fiscal year 2011 and prior, but for the shortfall amount of \$246,338 only, so we have additional resources to pay for costs associated with the investigation and prosecution of prescription drug cases.



Change in funding in millions.

State Funding Reductions

In fiscal 2014, we are hopeful that our SNP Aid to Prosecution and Drug Treatment Diversion Program (DTDP) will remain at the same level as proposed by the Governor's budget. However, we must assume that Crimes Against Revenue Program funding will not be renewed next year.

Over the past 10 years, State funding for our longest running grant, the SNP Aid to Prosecution program, has been cut six times ranging from a 2% cut (23,000) to a cut as high as 15% (\$214,000). Our total loss in this State grant alone amounted to a stunning \$600,000 or 42%. In fact, State funding is now so low that in fiscal 2014 the Governor proposed to keep our funding at the same level. However, we are quite concerned that this might only be a temporary reprieve and the history of grant reductions will resume in fiscal 2015.

Federal Funds

Though we have been fortunate to receive some one-time case-related funding from the Federal government, this grant has decreased by 68% to merely \$100,000. In addition, our long-term and recurring Federal grant fund has plummeted by a staggering 81% or \$557,468, from \$687,468 in 2002 to \$130,000 in FY 2013. The only Federal funding remaining is the Byrne Justice Assistance Grant, which continues to diminish each year.

Office of the
Special Narcotics Prosecutor
for the **City of New York**



2012 Annual Report

Editors: Catherine A. Christian, Kristine Hamann, Craig Jelen, Joan Maloney, Thomas G. Van Noy

Managing & Copy Editor: Kati Cornell

Design & Layout Editor: William Power

Photography: Victoria Belanger & Rosa Margarita McDowell, New York County District Attorney's Office;
Charyute Ottamakorn; Joseph J. Tesoriero; Richard Smith, New York State Bar Association;
Police Athletic League; New York City Police Department; U.S. Drug Enforcement Administration,
New York Division; New York State Police; Office of the Special Narcotics Prosecutor, Investigators Unit

Contents

Message from the Special Narcotics Prosecutor	2
About the Office	3
How Gangs Use Social Media to Fuel Gang Activity	4
Trends: Digital Forensics and Narcotics Gangs	6
Trends: Prescription Drug Epidemic.	8
SNP Outreach	10
Neighborhood Initiatives	11
Investigation Division	12
Case Highlights.	13
<i>17 Members of "Dub City" Gang Arrested: 10 Guns Seized</i>	
<i>10 Leaders of "WTG" Gang Indicted: Murder Conspiracy Charged</i>	
<i>Doctor Faces Homicide Charges for Overdose Deaths</i>	
<i>Harlem Pharmacy Manager Arrested for Illegal Rx Sales</i>	
<i>Chinatown Buses Used in Narcotics Trafficking Scheme</i>	
<i>Major NYC Trafficker Tapped New England Demand for Illicit Rx Drugs</i>	
<i>Lost Luggage Handler Snuck Drug-Filled Foods through JFK, Looted Baggage</i>	
<i>Doctor Wrote Rxs to Phantom Patient: \$150,000 in Cash and Gold Seized</i>	
<i>Manhattan Physician's Assistant and Attorney in Rx Drug Scheme</i>	
<i>Correction Officer, Jailhouse Barber and Inmate Plot Armed Robbery</i>	
<i>Two Multi-Million Dollar Heroin Mills Raided in the Bronx</i>	
Trial Division.	19
Case Highlights.	19
<i>Three Guns Seized in Police Crack-Down on Brownsville Drug Dealers</i>	
<i>Chicago to New York Drug Trafficking Ring: Five Firearms Sold</i>	
<i>Over 100 Pounds of Cocaine Seized Near Times Square</i>	
<i>Bronx Couple Use Children in Heroin Sales</i>	
<i>"Operation Dot Com" Targets Drug Sales on Craigslist</i>	
<i>Eight Kilos of Cocaine Seized from Queens Stash House</i>	
<i>Tire Shop Drug Hub in Canarsie</i>	
<i>Over \$20 Million in Heroin Seized from Queens Mill</i>	
<i>Rice Krispie Treats Deliver More than Sugar High in East Village</i>	
Housing Summaries:	23
<i>23 Drug Dealers Arrested in Upper West Side: Firearm Seized</i>	
<i>32 Arrested at Cypress Hills Houses</i>	
<i>Coney Island Arrests</i>	
Alternative Sentencing Division	24
Investigators Unit.	25
Legal Training Unit	27
NYPD Special Narcotics Team.	28
Search Warrant Unit	28
Technical Unit	28
Support Services Units	29
The People of SNP	31
Executive & Legal Staff	32
Managerial & Support Staff	33

Message from the Special Narcotics Prosecutor

This year, we celebrate the 40th Anniversary of the Office of the Special Narcotics Prosecutor for the City of New York. At the beginning, in 1972, a heroin epidemic overwhelmed New York City. Borough boundaries and conflicting policies fractured effective narcotics prosecutions. The legislature established the Office of Special Narcotics and directed it to lead citywide narcotics prosecutions. Thanks to excellent investigative work, targeted prosecutions, and wiretaps on notorious gangsters, the heroin epidemic was reined in.

Today, as the front cover suggests, guns, violence and greed still fuel the New York City drug trade. However, the targets of 21st century investigations use digital tools to communicate, boldly trumpeting the destruction they cause on YouTube, Facebook, Instagram and other social media sites.

In 2012, we focused significant resources on narcotics gangs that spike violent crimes in distressed neighborhoods. These groups are typically composed of teenagers, with leaders in their early 20s. Drug dealing brings in cash used to finance gun purchases and gang-promoting video productions.

These gangs often leave a rich trail of evidence for information specialists, analysts, prosecutors and law enforcement officers. Technical experts can download information



from personal devices seized in search warrants or after arrests. Trained analysts connect the dots, relating evidence collected to shootings, robberies, assaults and other crimes. Experienced attorneys ensure that constitutional requirements are met whenever evidence is seized, and assemble it

into a form admissible in court and understandable to juries. The elements of a digital investigation are outlined in this year's report.

The report also describes prosecutions of medical professionals and pill distribution rings. It reminds us that the epidemic of prescription drug abuse continues in our city and chronicles our efforts to contain it. Highlights of investigations conducted in 2012 range from wiretap probes targeting international traffickers to arrests of local drug dealers responsible for community violence.

The Office of the Special Narcotics Prosecutor is proud to have contributed to making New York City a far safer place than it was 40 years ago. We honor our collaborators, the thousands of dedicated public servants who have worked side by side with us and accomplished so much. We look forward to improving the quality of life for all New York City residents.

Bridget G. Brennan
Special Narcotics Prosecutor

About the Office

An independent prosecutors' office with citywide jurisdiction, the Office of the Special Narcotics Prosecutor (SNP) is responsible for felony narcotics investigations and prosecutions in the five boroughs of New York City. Founded in 1971, it is the only agency of its kind in the United States.

Created in response to a burgeoning heroin epidemic and a related spike in violent crime, SNP was granted broad authority under New York State Judiciary Laws to root out sophisticated narcotics trafficking organizations and track offenders across traditional jurisdictional boundaries. Since its inception, SNP has worked closely with local, state and federal law enforcement partners to dismantle drug networks, money laundering enterprises and entrenched local gangs in neighborhoods across the city and beyond.

Renowned for its wiretap investigations, SNP is a leader in the use of cutting-edge electronic technology to identify and pursue members of criminal enterprises from street-level dealers to top suppliers. In recent years, SNP has applied its technological expertise to confronting the explosion of prescription drug abuse and diversion, and the prosecution of violent gangs. The office is also committed to reducing demand for narcotics by raising public awareness and facilitating treatment for addicted offenders.

Assistant District Attorneys are assigned to the office by the city's five District Attorneys and placed into one of three divisions: the Investigation Division, the Trial Division or the Alternative Sentencing Division.

The first Special Narcotics Prosecutor, Frank Rogers, was appointed in January 1972. He was succeeded by Hon. Sterling Johnson, Jr., who headed SNP for 16

years before becoming a federal judge in the Eastern District of New York. Robert H. Silbering was named the Special Narcotics Prosecutor in 1992 and served for six years.

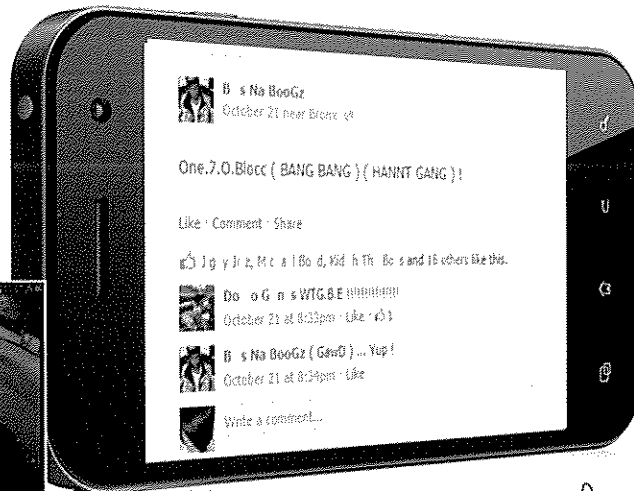
On May 1, 1998, Bridget G. Brennan was appointed Special Narcotics Prosecutor by the city's five District Attorneys. Under her direction, the office has developed innovative strategies to stem the flow of drugs into the city and target emerging problems, such as prescription drug diversion and the use of social media by violent gangs. In 2011, Ms. Brennan established the Prescription Drug Investigation Unit. Ms. Brennan previously launched the Narcotics Gang Unit and the Money Laundering and Financial Investigations Unit.



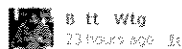
Bridget G. Brennan celebrates the Office of the Special Narcotics Prosecutor's 40th Anniversary at the Harmonie Club, joined by (left to right) former Special Narcotics Prosecutors, Robert H. Silbering and Hon. Sterling Johnson, Jr., and R. Gil Kerlikowske, Director of the White House's Office of National Drug Control Policy.

How Gangs Use Social Media to Fuel Gang Activity

Social media postings, photos and videos promote gang violence and instigate rivalries. Below, private security cameras capture WTG gang members in shootout on busy stretch of 171st Street and Jerome Avenue.



Firearm used to retaliate against rival gangs. Photos depict three of 16 guns recovered from WTG and Dub City. Facebook post by 15-year-old WTG recruit: "im ready for war."



im ready for war

Like · Comment

15 M y likes this.

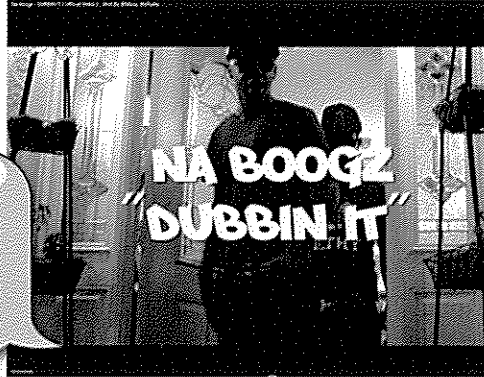
Write a comment...

Comment

Youths view social media postings and seek to join gang. Main recruiter for WTG produced YouTube videos touting gang lifestyle, as shown here.

Recruit:

I'm from Queens but I watch all ya videos n shyt Imma trying to be down with tha WTG Move. Make real ca\$\$h.



Recruits must provide firearm or money for firearm to join gang. Messages show recruiter instructing would-be WTG member to pay initiation fee.

Recruit:

Yeoo I want you 2 put me down with WTG; My brother DubTGee but I know you a top boss; What to I have to do to be WTG?


WTG Member:

You gotta bring me n only me a glock or money 4 it

Recruit:

If I bring you a .22 that's gucci great?

Narcotics sold to finance gun purchases and gang activities. Wide variety of drugs seized in the WTG/Dub City investigations.

 NYPDPETS <small>PROPERTY AND EVIDENCE TRACKING SYSTEM</small> Property Clerk Invoice <small>PD 521-141 (11/0)</small>	
<small>Invoicing Command</small> 44th PCT.	<small>Invoice Status</small> OPEN
<small>Property Type</small> CONTROLLED SUBSTANCE	<small>Property Category</small> ARREST EVIDENCE
<small>Articles</small>	
COCAINE	
CRACK	
PCP	
MDMA	
MARIJUANA	

Trends

Digital Forensics and Narcotics Gangs

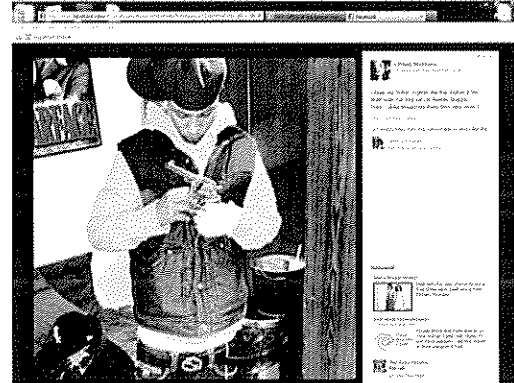


Phone seized from defendant charged with drug trafficking. Smartphones often contain valuable evidence used in criminal prosecutions.

Today's violent narcotic gang members are often armed, young and lacking maturity and judgment. They coordinate criminal activity on Facebook, YouTube, Twitter and Instagram, and are branching into Internet-based texting and voice services such as Skype and Cloud services. Gang members communicate with the touch of a keystroke. Digital messages order shootings, pinpoint locations of enemies, and direct the movement of weapons and drugs.

Technological advances allow gang members to respond quickly to law enforcement and rival gangs, and provide a wider audience for recruitment. But the Internet, smartphones and other technology are also sources of detailed leads and credible evidence that have become critical to SNP's investigations and prosecutions.

Databases, blogs, sites with background information, and other sources offer invaluable information for law enforcement. Analysts and Information Technology

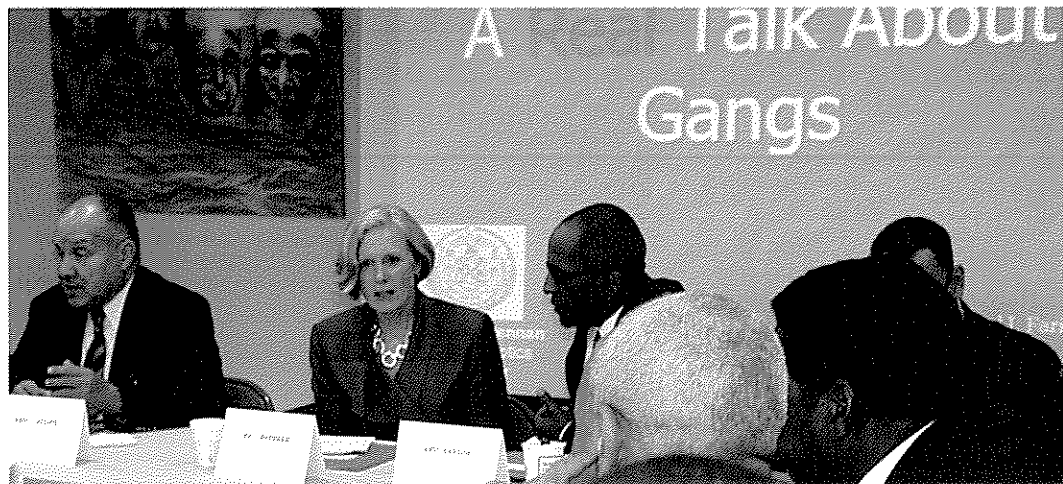


The Facebook page of a gang member provides a window into criminal activities and practices of his gang.

Specialists trained to find relevant information are the super sleuths of the 21st Century.

Case Study: "Dub City" and "WTG"

In 2012, the Narcotics Gang Prosecution Unit conducted gang investigations in partnership with the New York City Police Department's 44th Precinct Field Intelligence officers and the Bronx District Attorney's Office. Members of the violent gangs "Dub City" and "WTG" had terrorized their community for years with a prolonged and violent turf battle.



Bridget G. Brennan and representatives of SNP's Narcotics Gang Prosecution Unit sponsor a Community Gang Forum in Harlem with clergy members and community leaders from around the city.



Facebook was a primary means of communication for the Dub City and WTG gangs.

Analyzing gang members' social media messages, texts and other communications about criminal activity enhanced traditional investigative techniques. SNP indicted more than two-dozen, including leaders of Dub City and WTG, on charges ranging from murder conspiracy to possession and sales of weapons and narcotics.

The feud was triggered by the shooting death of a Dub City member in April 2011. Bronx neighborhoods witnessed at least two-dozen retaliatory shootings, including a near-fatal shooting of a Dub City member in September 2011 in the early evening on a busy street. It was captured on multiple private security cameras.

NYPD officers, prosecutors and analysts in the Narcotics Gang Unit reviewed thousands of messages and photographs on Facebook and Instagram, as well as text messages. When placed in the context of reported shootings and other crimes, these messages provided evidence for conspiracy charges and a window into the structure and methods of the gangs.

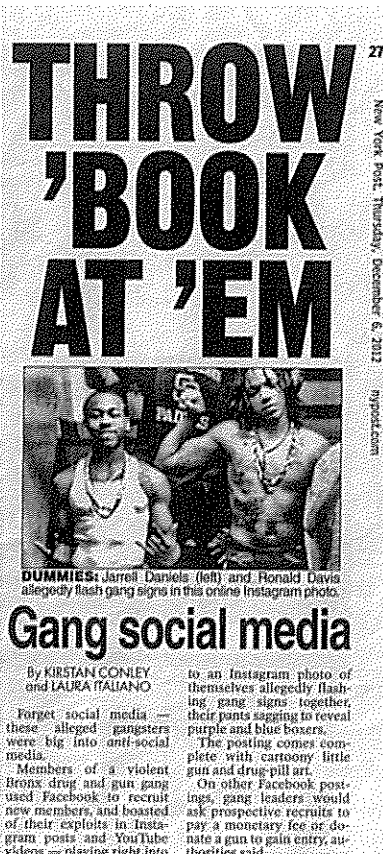
Texts Track Communal Firearms

While members of the gangs seemed to open fire with little provocation, the leaders were keenly aware of the penalties for being caught with a gun and implemented the practice of maintaining communal firearms. Leaders use coded language in texts and

social media messages to order shootings and pass along the location of these weapons. Under the communal firearm system, guns are owned by the gang and leaders make guns available to a wide circle of members for use in crimes. Weapons are moved from place to place, and the task of hiding or carrying firearms often falls to the more juvenile members.

Facebook, YouTube Score Recruits

WTG maintained a strict two-tiered hierarchy that included the "Top Five," five original founders; followed by the "Big Homies," the second-tier leadership. Facebook posts and commercially produced videos on YouTube recruited new members. The price of gaining entry to the gang was a firearm or cash to buy one. These new recruits were often juveniles. Narcotics sales, burglaries and robberies also funded gun purchases.



New York Post, Dec. 6, 2012

Impact on Crime Rates

In the Bronx, the NYPD believes gang prosecutions have contributed to a decline in homicides and shootings for the borough as a whole. This trend is reflected in crime statistics for areas of the Bronx impacted by SNP gang investigations. Homicides and

shootings across the Bronx reached historic lows in 2012. There were 114 murders in the Bronx in 2012, or 34 fewer than in 2011. Shootings in the Bronx decreased from 431 to 402 during the same period.

DAILY NEWS 4/0 DailyNews.com

Friday, January 4, 2013 31

BRONX NEWS

Murders drop to record low

Increase in gang busts leads to decline in killings, authorities say

BY DENIS SLATTERY
NEW YORK DAILY NEWS

THE first homicide in the city in 2013 happened in the Bronx on Thursday, when two women were shot, one fatally, on Ninety Ave. in the 43rd Precinct.

The precinct covering Parkchester and Soundview led the borough in murders in 2012, with 18, the same number it had in 2011.

But last year, the number of homicides and shootings in the Bronx plummeted to historic lows, and the drop coincided with a marked increase in gang busts.

During 2012, the Bronx saw a record low of 111 murders, 34 less than in 2011.

Shootings decreased from 422 to 398, fueled largely by the 40th Precinct in Mott Haven, which reported 19 fewer shootings than the 69 reported in 2011.

Deputy Inspector Christopher McCormack, the commanding officer of the 40th Precinct, said, "We are hoping to see another significant decrease in 2013."

"Since 2009, the city has seen a major decrease in murders and shootings. In the same 10 year span, the 4-0 saw an increase. We are still above our numbers from 2009. There is still work to be done."

The 40th and the 46th Precincts

each saw 50 shootings, the most in the borough.

Overall crime was up less than 1% for the borough.

Major gang busts conducted by the NYPD, with the FBI, the DEA, the U.S. District Attorney's Office and the city's Special Narcotics Prosecutor contributed to the decrease in killings, according to precinct commanders and community leaders.

"A lot of the major crimes were attributed to a select group of gangs that were active in the area. The decline is due to the actions that the precinct took to go as far as majorize downs of these gangs," Jose Rodriguez, the District Manager

of Community Board 4, said of the police in his Mount Eden neighborhood.

In August, 17 members of the "Dub City" gang were charged with assault, conspiracy, gun and drug charges after a series of revenge shootings in Morris Heights.

Inspector Kevin Catalina, commanding officer of the 44th Precinct, believes the more focused efforts have paved the way for positive change.

"We put a lot of effort into identifying who the problematic individuals are," Catalina said. "I tell cops, 'Don't stop more people, stop the right people more often.'"

In 2012, the 44th Precinct, which covers Mount Eden, Highbridge, and Concourse Village, had 11 fewer murders and five fewer shootings than 2011, according to the most recent NYPD data.

"The (shootings) reverberate throughout the community; they have a calming effect," added Catalina.

In December, 46 members of the Trinitarios gang and its female auxiliary were arrested.

In June 21 of the Morda Moore Gangstas that had terrorized the Moore Houses in Mott Haven were hit with a slew of federal drug and gun charges.

dslaterry@nypd.com

Violence dips after gang prosecutions. Daily News, Jan. 4, 2013

Trends Prescription Drug Epidemic

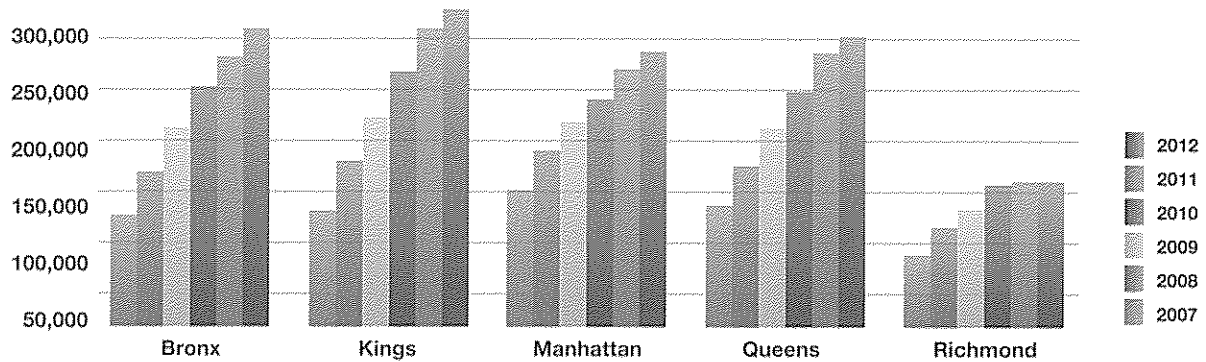
The number of prescriptions for narcotic painkillers continues to grow at an alarming rate. Since 2007, prescriptions for oxycodone have increased year after year. In 2012, there were 1,279,655 prescriptions for oxycodone filled citywide – a 7% increase over 2011. The borough with the largest relative increase was the Bronx, which saw a 10% increase in oxycodone prescriptions in 2012, followed by Brooklyn (7%), Manhattan and Queens (both 6%) and Staten Island (1%). Overall, the number of oxycodone prescriptions filled in New York City has increased by 138% from 2007 to 2012.

A Coordinated Approach

Despite the still spiking epidemic of prescription drug abuse in New York City, a thoughtful approach to harness the problem has developed. Public awareness has increased. Local, state and federal agencies, in both the health and law enforcement sectors, are working together.

New York City is in the forefront of efforts to curb the availability of narcotic pain drugs. In January, Mayor Michael Bloomberg and the City Health Commissioner announced new voluntary emergency room guidelines for the prescription of opioid painkillers at

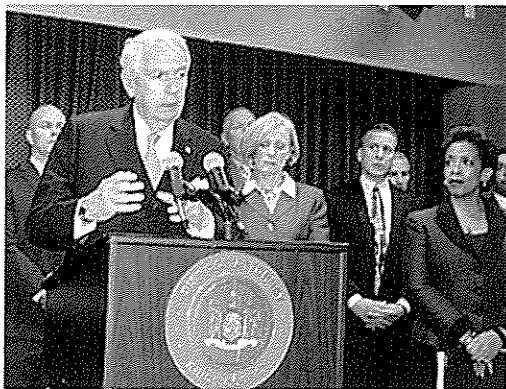
Prescriptions Filled by Residents for Oxycodone By County 2007-2012



Overall, the number of oxycodone prescriptions filled in New York City has increased by 138% from 2007 to 2012.

Source: NYC Office of the Chief Medical Examiner & New York City Department of Health and Mental Hygiene 2005-2010

New York City's 11 public hospitals. The guidelines were detailed in a report issued by the Mayor's Task Force on Prescription Painkiller Abuse, of which Bridget G. Brennan is a part. The Mayor's Task force also created NYC RxStat, which combines relevant public health and public safety data. Soon afterwards, Brooklyn District Attorney Charles J. Hynes announced the formation of a Healthcare Fraud Division in his office to prosecute doctors, pharmacists and patients who steal city, state and federal healthcare funds.



Brooklyn DA Charles J. Hynes announces the formation of a Healthcare Fraud Division.

Enforcement Efforts

The Special Narcotics Prosecutor has led city enforcement efforts with investigations of pill mills and distribution rings. SNP's Prescription Drug Investigations Unit, now in its second year, attempts to shut off the supply of illicit pill distribution at the highest level. Since inception, the unit has handled approximately 115 investigations, which consume an enormous amount of time and resources. Over the past year, the unit prosecuted pharmacy employees, physicians' assistants, dentists and doctors, as well as major prescription drug traffickers who collected pills and sold them in bulk quantities in New York, New England and beyond.



Bridget G. Brennan at public policy forum on "Prescription Drug Misuse" sponsored by the New York Society of Addiction Medicine.

SNP Outreach

Sharing Expertise with International Partners



ABOVE: Narcotics Investigators from the Supreme Prosecutors' Office, Republic of Korea, meet with SNP staff.

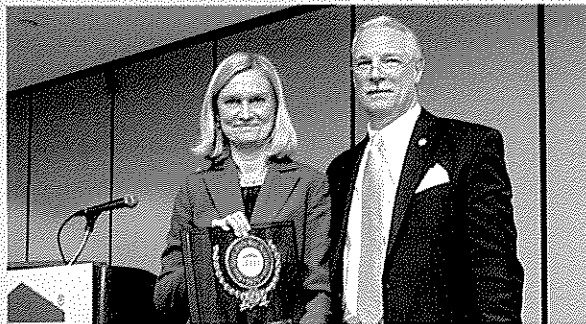


TOP RIGHT: Serbian prosecutors and police participate in the Department of State's International Visitor Leadership Program.



BOTTOM RIGHT: Thai Senators visit SNP.

Professional Recognition



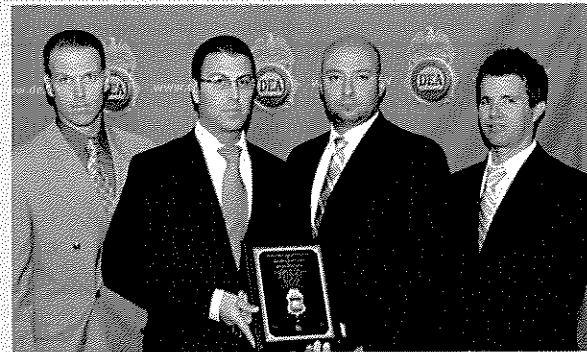
Kristine Hamann, Executive ADA, named Outstanding Prosecutor of the year by the New York State Bar Association.



Jodie Kane, Chief of the Special Investigations Bureau, receives the Thomas E. Dewey Medal from New York City Bar Association.



Chief Investigator Leon Schwartzman gets a Lifetime Achievement Award from Detective Investigators Association.



Federal Drug Agents Foundation honors ADA Justin Wechsler and New York Drug Enforcement Task Force, Group T-33.

Neighborhood Initiatives

The Special Narcotics Prosecutor's Office (SNP) sponsors Police Athletic League (PAL) Play Streets in locations previously dominated by drug networks. With the coordination of PAL, the prosecutors' offices and the New York City Housing Authority join in a cooperative effort to maintain the gains achieved when drug organizations are removed from a community, and to improve relationships between young people and law enforcement.

Play Street Sites

Special Narcotics, the Manhattan District Attorney's Office and PAL announced the opening of two PAL Summer Play Streets at 3333 Broadway and the Douglass Houses, a New York City Housing Authority complex, in July 2012. The programs provided a safe haven for youth in the Upper West Side and Harlem following law enforcement operations in those areas.

As a result of an investigation by SNP and the NYPD's Manhattan North Narcotics, four members of a major Chicago to New York narcotics trafficking organization were arrested at 3333 Broadway in March 2012. The defendants were charged in connection with over \$19,000 in sales of drugs and guns, as well as heroin and cocaine possession. Two of those arrested were also charged with selling six firearms to undercover officers.

In response to widespread drug dealing and violence in the Douglass Houses, SNP and the NYPD's Manhattan North Narcotics arrested 29 narcotics traffickers. The arrests followed a yearlong investigation involving over 40 sales of crack-cocaine. During one arrest, police seized a firearm and ammunition from an apartment where two young children were present. The Manhattan District Attorney's Office assisted with the prosecutions.



A ribbon-cutting ceremony for the PAL Summer Play Street at the Douglass Houses featured (left to right) Manhattan DA Cyrus R. Vance, Jr., Bridget G. Brennan, PAL participants, NYCHA Chairman John B. Rhea and PAL Executive Director Alana Sweeny.



Explorers from the NYPD's 30th Precinct kick off a PAL Summer Play Street at I.S. 195, Roberto Clemente School, to serve youth from 3333 Broadway.

The office also extended support of a PAL Play Street at I.S. 229 in the Bronx, which first opened in July 2011.

Gang Forum

Another SNP community outreach program led to a series of Community Narcotic Gang Forums to address the growing problem of gang violence. Bridget G. Brennan hosted meetings attended by clergy members and community leaders from across the city.

An Assistant District Attorney from the Narcotics Gang Prosecution Unit presented an overview of violent narcotic gangs in New York City and highlighted emerging trends, such as the use of communal firearms, and the role of new technologies and social media in coordinating criminal activity and gang recruitment.

Investigation Division

SNP WIRETAP ACTIVITY	
ORDERS	189
Originals	117
Extensions	67
Amendments	5
Cell Phone	177
Email	2
Landline	7
SNP INVESTIGATION ACTIVITY	
INVESTIGATIONS OPENED	278
Investigation Division	160
Trial Division	118



Analysts are the detectives of the 21st Century, mining electronic databases and other Internet resources for valuable information.

Special Investigations Bureau

The Special Investigations Bureau, (SIB) targets major narcotics trafficking organizations importing and distributing multi-kilogram quantities of cocaine and heroin. The activities of the criminal enterprises extend beyond county, state, and international borders. In 2012, SIB prosecutors worked with the Drug Enforcement Administration (DEA), the New York City Police Department (NYPD), the New York State Police, the New York Drug Enforcement Task Force (NYDETF), U.S. Immigration and Customs Enforcement (ICE), the New York Organized Crime Drug Enforcement Strike Force and other local, state, federal and foreign law enforcement. The division launched 104 investigations targeting a wide range of criminal activity including drug trafficking, robberies, weapons trafficking, and money laundering. SIB

also commenced civil actions to forfeit narcotics proceeds.

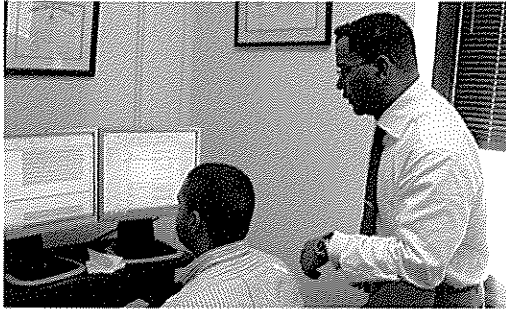
In 2012, senior staff supervised 23 wiretap investigations, including 113 original eavesdropping applications. Narcotics investigations resulted in the seizure of approximately 552 pounds of cocaine, 85 pounds of heroin, 250 pounds of marijuana, 4,500 oxycodone pills, and various other drugs.

Prescription Drug Investigation Unit

Alarming rates of prescription drug abuse and related crime led SNP to form the Prescription Drug Investigation Unit. The unit, created in 2011, is designed to combat the proliferation of prescription narcotics on the black market by investigating and prosecuting the criminal distribution of these drugs. Prosecutions target a range of subjects, from members of street level drug organizations to doctors and pharmacists engaged in the criminal sale of prescriptions or pills. Armed robberies of pharmacies, shootings, home invasions and other violent crimes are also associated with prescription drug diversion. The Unit works closely with the New York State Health Department's Bureau of Narcotic Enforcement, the NYPD, and the DEA, among other law enforcement agencies.

Narcotics Gang Unit

The Narcotics Gang Unit was established in 2002. It concentrates on violent neighborhood groups, robbery crews, and weapons traffickers committing drug-related criminal activity across the city. The unit works closely with detectives from the NYPD's Narcotics Division and members of the New York Drug Enforcement Task Force's REDRUM Unit. In 2012, the unit conducted major investigations that examined the use of new technologies and social media, such as



Members of the Narcotics Gang Unit are expert at developing evidence from smartphones, social media and other digital sources.

Facebook, YouTube, Twitter, and Instagram, by violent warring gangs. In addition to narcotics trafficking, the unit also prosecuted murder conspiracy, assault, armed robbery, kidnapping, burglary, weapons possession, and illegal firearms sales.

Money Laundering and Financial Investigations Unit

The Money Laundering and Financial Investigations Unit was initiated in 2001, and reconfigured in 2005 and 2008. It investigates narcotics-related money laundering and other financial criminal activity. Cases are generated from multiple sources, including intelligence developed during narcotics investigations. The unit aims to prevent foreign drug trafficking organizations from repatriating drug proceeds through smuggling, as well as the use of the financial system and international trade; and to prevent local drug organizations benefiting from illicit profits.

Forfeiture Investigations Unit

Established more than 25 years ago, the Forfeiture Investigations Unit evaluates felony drug prosecutions for potential civil litigation to recover proceeds of narcotics crimes. The unit works closely with law enforcement on the federal, state and local levels in identifying criminal assets to deprive narcotics traffickers and money laundering groups of the profits of criminality. The unit has in place a comprehensive set of systems to track

office participation in investigations resulting in forfeiture actions. In 2012, 255 federal forfeiture actions were entered and 195 were completed. At the state level, 405 actions were initiated and 395 were completed.

Case Highlights

17 Members of “Dub City” Gang Arrested: 10 Guns Seized



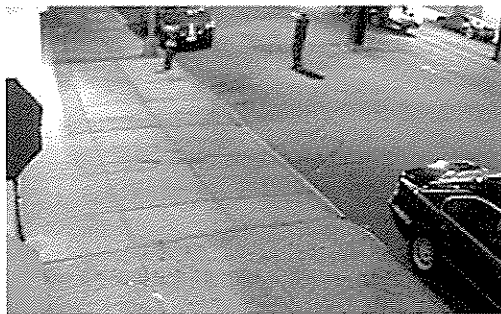
Police seized 10 guns from the “Dub City” gang in the Bronx.

Seventeen members of the criminal gang “Dub City” were indicted in connection with a violent turf battle between two rival groups in the Bronx. The feud was triggered by the fatal shooting of Dub City member Dontae Murray, aka “Tay,” in April 2011. Members of Dub City, which operates between East 175th Street and East 177th Street from Walton Avenue to Jerome Avenue, engaged in at least 14 retaliatory shootings, two slashings and a baseball bat beating. Shootings, assaults, robberies, and drug and gun sales were the subject of four conspiracy charges in the indictment, unsealed in August. Gang members also faced 31 substantive charges for possessing and selling narcotics and weapons.

Dub City members made extensive use of social media, such as Facebook and YouTube, to coordinate criminal activity and to recruit new members to the gang, including minors. The Special Narcotics Gang Prosecution Unit and the NYPD’s 44th Precinct, with assistance from the Bronx District Attorney’s Office, reviewed thousands

of text messages in which Dub City members used coded language to communicate about shootings, gun and drug sales, and plots against members of enemy gangs "280" and "WTG." Communal firearms were stored in various Dub City members' homes and kept readily available for retaliatory shootings. One leader's family home served as a headquarters and stash house. Minors were also often used to hide weapons. The gang sold narcotics and committed robberies in order to make money to purchase firearms, jewelry and other goods.

10 Leaders of "WTG" Gang Indicted: Murder Conspiracy Charged



Private security cameras captured members of the "WTG" gang in a shootout on a busy stretch of 171st Street and Jerome Avenue.

Ten leaders of a violent Bronx street gang "WTG" were indicted on six conspiracy charges for murder, assault, weapons possession and sales, narcotics possession, and 35 related substantive counts in December. Police seized six firearms during the investigation. The indictment includes Murder Conspiracy and Attempted Murder in connection with a near-fatal shooting of a member of rival gang "Dub City" on Sept. 21, 2011. The shootout was captured on private security cameras on a busy block.

Seven shootings took place during the course of the conspiracy, which ran from January 2011 to November 2012.



Firearm seized during WTG investigation.

The Special Narcotics Gang Prosecution Unit and the NYPD's 44th Precinct's Field Intelligence Sergeant conducted the investigation with assistance from the Bronx District Attorney's Office.

WTG operated under a structured hierarchy, with the "Top Five" at WTG's uppermost level of leadership and the "Big Homies" as a second tier of leadership. The gang made extensive use of social media and developed a distinctive "lingo," or system of code words and phrases, to communicate with one another about their criminal activity in thousands of exchanges on Facebook and Instagram.

Facebook messages and videos posted on YouTube served as a primary means of gang recruitment targeting minors. WTG leadership required prospective gang members to provide money for the purchase of communal firearms, or to provide an actual firearm, in order to gain admission to the gang. New gang members were then placed "under" a leader, to whom they answered. WTG maintained readily available, loaded communal firearms for use by members. Gang leaders directed minors aged 14 and 15 to possess, transport and store the guns in order to avoid the arrest or detection of adult gang members.

Doctor Faces Homicide Charges for Overdose Deaths

A physician who operated a pain management clinic in Flushing, Queens was arrested on a 219-count superseding indictment charging homicide and illegal sales of prescriptions for controlled substances to 20 patients. The indictment followed a two-year investigation by the Special Narcotics Prosecutor's Prescription Drug Investigation Unit, which presented evidence to a special grand jury over a six-month term.

Stan Xuhui Li faces two counts of Manslaughter in the 2nd degree for recklessly causing the overdose deaths of two patients of his Flushing, Queens pain management clinic: Joseph Haeg, 37, and Nicholas Rappold, 21. Both died within days of receiving prescriptions for controlled substances from the doctor. Li failed to perform adequate examinations or verify patients' reports of chronic pain, and ignored repeated warning signs of addiction.

Haeg's body was found in his bedroom in East Moriches, Suffolk County on Dec. 29, 2009 after receiving 15 prescriptions for controlled substances from Li over the course of three months. Rappold was found dead in his parked car in Queens on Sept. 14, 2010. The car's console contained a bottle of Xanax that identified Li as the prescriber. During the five weeks leading to Rappold's death, Li saw him three times and wrote prescriptions for more than 500 pills of controlled substances, including opioids and Xanax, a potentially high-risk combination.

A licensed physician certified in anesthesiology and pain management, Li maintained a full-time practice as an anesthesiologist at a hospital in New Jersey. Meanwhile, Li spent Saturdays operating Medical Pain Management in Flushing, where patients lined up on the sidewalk in the early morning and waited hours to see him.

The indictment also charges Li with three counts of Reckless Endangerment in the 1st degree for demonstrating depraved indifference to human life in connection with his treatment of three patients, and four counts of Reckless Endangerment in the 2nd degree for recklessly creating a substantial risk of serious physical injury to another four patients. Two of these seven patients suffered fatal overdoses, although Li is not charged in these deaths.

Additionally, Li is charged with selling prescriptions other than in good faith in the course of his professional practice to 20 patients. At least eight non-fatal overdoses occurred among this group of 20 during the time they were seeing Li. A total of seven of the 20 patients ultimately died of prescription drug overdoses between January 2009 and December 2011, although the Manslaughter charges relate only to Haeg and Rappold.



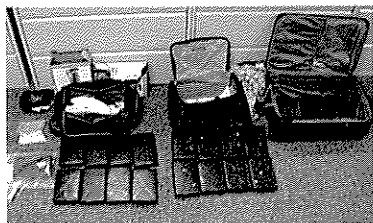
Pain management doctor charged with manslaughter in overdose deaths of two patients of his Flushing, Queens clinic and illegal sales of prescriptions to 20 patients.

Harlem Pharmacy Manager Arrested for Illegal Rx Sales

A manager of Broadway Pharmacy in Harlem was arrested for making backdoor buys of narcotic pain relievers and prescriptions in a health care fraud scheme. During the six-month investigation, Antonio Tavarez bought seven prescriptions for HIV/AIDS medications and drugs used for treating herpes and heartburn, from an undercover officer with New York City's Human Resources Administration. The majority of these prescriptions carried three refills. During each sale, the undercover officer supplied Tavarez with a Medicaid benefits card. Tavarez did not dispense any medication during these transactions, which took place inside the pharmacy, yet the pharmacy billed Medicaid

as if the prescriptions had been filled. On the day of his arrest in May, Tavarez purchased 360 pills of Percocet, an opioid painkiller, from the undercover. He paid \$100, with a promise of more money at a later date.

Chinatown Buses Used in Narcotics Trafficking Scheme



Chinatown bus passengers transported 42 pounds of cocaine and half a pound of methamphetamine to New York.

Three drug traffickers were arrested for transporting 19 kilos of cocaine and half a pound of methamphetamine in a bus operated by Golden Horse Tours in April. The bus had travelled from Houston to New York via

Atlanta. DEA agents seized two suitcases and a purse containing cocaine and crystal meth from a couple seated in the passenger area. An additional bag containing cocaine and belonging to a third defendant had been stowed in a luggage compartment under the bus. These arrests were the third drug seizure in a year involving buses operated by Golden Horse.

Major NYC Trafficker Tapped New England Demand for Illicit Rx Drugs



A New York City drug trafficker transported between 2,000 and 5,000 pills of narcotic painkillers to New England each week.

Jose Garcia Acosta was indicted for his role in a multi-million dollar scheme to transport large quantities of narcotic painkillers from New York City for sale in New England. A long-term investigation by Special Narcotics and the Drug Enforcement Task Force revealed that Acosta made

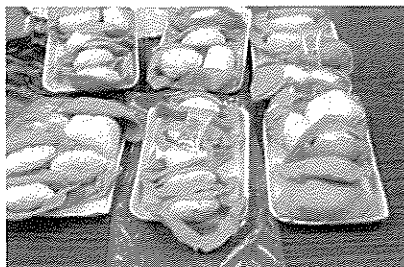
two to three trips to New England each week to deliver shipments of anywhere from 2,000 to 5,000 pills of oxycodone and oxymorphone.

Acosta obtained the pills from “bundlers,” who operate in open-air markets on certain blocks in Upper Manhattan and the Bronx, paying approximately \$16 each for pills that he would resell for twice that price in New England. New York State Police Troopers stopped Acosta’s vehicle on the Hutchinson River Parkway in Westchester in May as he headed north to deliver a shipment. A search of a trap hidden in the rear seat of the vehicle yielded over 3,100 prescription pills, including 2,725 tablets of oxycodone, worth more than \$110,000. Agents suspect the scheme netted Acosta millions of dollars each year.

This investigation relates to a case being prosecuted by the U.S. Attorney for the Southern District of New York, in which 14 individuals were arrested for the illegal distribution of more than 10,000 prescription pills per week in Upper Manhattan. The defendants engaged in hand-to-hand sales of prescription painkillers, including oxycodone and oxymorphone, at open-air drug markets. Many of these pills were bound for New England.

Lost Luggage Handler Snuck Drug-Filled Foods through JFK, Looted Baggage

Lost luggage handler Jose Guerrero was one of six individuals arrested in August for importing narcotics from Ecuador through privately-owned parcel delivery companies. A long-term wiretap investigation by Special Narcotics and Homeland Security Investigations revealed that kilograms of cocaine and heroin were concealed in empanadas, chocolate bars, cookies and other foods, and soaked into scuba diving diplomas. The packages of drug-filled foods and goods were transported to JFK International Airport on cargo planes and distributed to private parcel delivery companies across the Tri-state area. Guerrero or another member of the trafficking ring



Kilograms of cocaine and heroin were smuggled through JFK Airport concealed in empanadas, chocolate bars, cookies and other foods, and soaked into scuba diving diplomas.

would then pick up the packages from the parcel delivery companies. Beyond the drug scheme, Guerrero was also charged in a grand larceny conspiracy for using his position as a lost luggage delivery driver to steal designer clothing and handbags, jewelry, laptops, iPads and other valuables from airline passengers' bags. Passengers are estimated to have lost thousands of dollars in goods as a result of Guerrero's scheme.

Doctor Wrote Rx's to Phantom Patient: \$150,000 in Cash and Gold Seized

A physician was indicted for selling prescriptions for thousands of pills of oxycodone from a family medical practice he operated in Sunset Park, Brooklyn. The majority of the charges in the 41-count indictment relate to prescriptions Shaikh Monirul Hasan wrote in the name of a woman who never visited the doctor, and who was unaware that prescriptions for a highly addictive narcotic painkiller were being filled in her name. Searches of Hasan's office, a safe deposit box and his home in

Woodmere, New York at the time of his arrest in June yielded approximately \$150,000 in cash and gold ingots. Data shows that Hasan prescribed a high volume of highly addictive opioid painkillers, in some cases writing up to 100 prescriptions for controlled substances in a single day.

During the probe, investigators learned that Hasan had written 32 prescriptions for 3,840 oxycodone pills in the name of the woman. An undercover NYPD detective observed Hasan provide one of these prescriptions to a male patient and receive cash in exchange. Police determined that the woman had lost a college identification card in 2009, and that her name had been misspelled on the card. This misspelling was repeated on all the prescriptions that Hasan wrote in the woman's name.

Manhattan Physician's Assistant and Attorney in Rx Drug Scheme

Eric Schein, a physician's assistant, and Perri Weissman, an attorney, were arrested in June for scheming to fill fraudulent prescriptions for Percocet, a narcotic painkiller. The two, who were engaged to be married at the time of their arrests, filled 163 prescriptions for Percocet from September 2010 to December 2011. At least 25 of these prescriptions were fraudulently presented to pharmacies. Schein worked at Mount Sinai Medical School in Manhattan, and later at a family practitioner's office. Weissman, an attorney, was a Subpoena Compliance Officer for Duane Reade/Walgreens. The investigation



Gold ingots seized at a physician's home in Woodmere, NY.

revealed that Schein stole prescription pads from his places of employment and wrote out prescriptions to himself and to Weissman. The scheme unraveled when a staff at an Upper East Side pharmacy grew suspicious upon receiving one of Schein's prescriptions and contacted the family practitioner whose name appeared on the prescription.

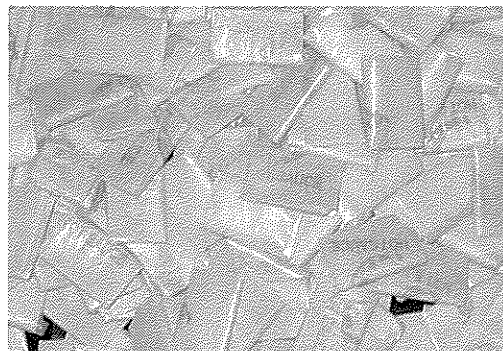
Correction Officer, Jailhouse Barber and Inmate Plot Armed Robbery

An inmate and a barber on Rikers Island teamed up with a New York State correction officer to plot an armed robbery of a drug stash house in June. The month-long investigation began when inmate Fabian Faulkner was recorded telling a former inmate about his involvement in a robbery crew that targeted drug dealers. The discussion took place on a Rikers Island phone and law enforcement officials soon became aware of it. Faulkner was tipped off to a drug stash house in the Inwood section of Manhattan that would be a good robbery target. Faulkner passed this information along to Melbourne Rowe, the Rikers Island barber, who in turn told Kirk Francis, the New York State correction officer. Unbeknownst to the trio, this stash house did not exist. Francis and Rowe were arrested when they met near the location of the supposed stash house intending to rob it. Members of the New York Drug Enforcement Task Force's REDRUM Group seized two firearms. Agents learned that prior to working for the New York State Department of Corrections, Francis had been assigned to Rikers Island as a New York City corrections officer and that is how he'd met Rowe and Faulkner.

Two Multi-Million Dollar Heroin Mills Raided in the Bronx

Investigators arrested 11 heroin mill workers at two related drug packaging locations

in the Bronx in September. The lucrative narcotics operation netted up to \$1.5 million per week. Approximately 24,000 glassine envelopes of heroin stamped with various brand names, such as Hot Sauce, Cartier and Cristal, were seized from two apartments on Selwyn Avenue and Loring Place North. Several mill workers tried to launch themselves out the windows in unsuccessful escape attempts and one defendant hid under the bed during the raids. The investigation revealed that the same drug trafficking ring used both locations and pumped out approximately three kilos of heroin per week.



Heroin seized from two packaging mills in the Bronx had been marketed under a variety of brand names.



Apartment at 2287 Loring Place North housed heroin mill.

Trial Division

Trial Division Assistant District Attorneys handle most of the drug felony arrests referred to the office for prosecution. They are assigned to one of two bureaus that comprise the Trial Division. Each bureau is headed by a Chief and Deputy Chief who supervise assistants as they provide legal advice and draw up court orders, including search and arrest warrants, on a 24-hour basis.

Assistants work closely with the NYPD's Narcotics Division, the New York Drug Enforcement Task Force, the Port Authority Police, the New York State Police, the New York State Health Department's Bureau of Narcotic Enforcement and the SNP Investigators Unit. In 2012, the Division launched 118 new investigations. A total of 1,719 complaints were referred to the Trial Division for prosecution during the year; 1,047 defendants were indicted. Trial Division search warrants drafted numbered 582.

Case Highlights

Three Guns Seized in Police Crack-Down on Brownsville Drug Dealers



Guns and marijuana sealed inside Sour Patch candy wrapping seized from apartments at 1800 Pitkin Avenue in Brownsville, Brooklyn.

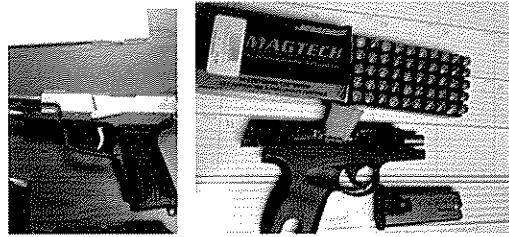
The NYPD rounded up 14 loosely-affiliated drug traffickers for selling crack-cocaine in Brownsville, Brooklyn in February. In court authorized searches of two apartments

at 1800 Pitkin Avenue, police seized three loaded handguns – a 9mm, a .380 caliber and a .40 caliber with a high capacity magazine – as well as approximately 200 zips of crack, \$300 cash and marijuana sealed inside Sour Patch candy wrapping. These items were hidden in a safe inside an oven. The building at 1800 Pitkin gained notoriety in October 2011, when a gunman fired a hail of bullets from the roof and tragically killed a 34-year-old woman as she picked up her child after school. The woman was killed by a stray bullet. The 14 arrests were the culmination of a nine-month investigation, in which undercover officers made 69 purchases of crack-cocaine. The majority of the dealers were in their teens and early 20s.

2012 SNP WORKLOAD	
Arrests	2085
Indictments/SCI	1363
Trials	47
FELONY DISPOSITIONS	
Convicted	1229
Acquitted	16
Dismissed	107
Treatment Dismissals	89
FELONY SENTENCES	
State Prison	573
City Jail	294
Probation	194
City Jail & Probation	68
SEIZURES	
Cocaine	919 lbs.
Heroin	140 lbs.
Oxycodone	13,422 pills
Marijuana	1,292 lbs.
Firearms	80

Chicago to New York Drug Trafficking Ring: Five Firearms Sold

Four members of an interstate drug trafficking ring were indicted on charges related to a scheme to transport large quantities of heroin and cocaine from Chicago to New York City. NYPD detectives arrested the defendants in an apartment at 3333 Broadway in Harlem during a dramatic raid in April. As detectives worked to open the door of the apartment, a Chicago supplier who had travelled to New York just days earlier tossed a kilogram of heroin from a 13th floor window. There were also signs that cocaine had been flushed down a sink



Two members of an interstate drug trafficking ring sold five firearms to an undercover NYPD detective.

and toilet. Twenty grams of cocaine were recovered from the apartment, as well as the kilogram of heroin, which police retrieved from the ground below the window. During the three-month NYPD investigation, an undercover officer bought cocaine and five firearms for a total of more than \$19,000 from two New York defendants, Juan Honorio and Rafael Oliveras, during meetings inside the apartment.

Over 100 Pounds of Cocaine Seized Near Times Square



New York State Police investigators picked off a group of drug traffickers one by one as they carted suitcases of cocaine out of a Times Square hotel.



Six drug traffickers were indicted in the seizure of 48 kilograms of cocaine in Midtown Manhattan in October. Three suitcases of drugs were intercepted at a concourse area inside the Crowne Plaza Hotel in Times Square and in two vehicles that had departed from the hotel. Members of the New York State Police Special Investigations Unit observed two defendants load suitcases into a silver BMW and a livery cab in front of the Crowne Plaza. Searches of the vehicles yielded approximately 18 kilos (nearly 40

lbs.) of cocaine. The third suitcase, which was seized from an individual in a concourse area at the hotel, contained approximately 30 kilos (66 lbs.) of cocaine. Inside the hotel, investigators searched a room used by the drug ring and seized plane tickets, cell phones and drug packaging materials. An additional suspect escaped after leading investigators on a foot-chase through the Theater District. The livery cab driver was released without bail and fled to the Dominican Republic. He was subsequently found dead in an apparent homicide.

Bronx Couple Use Children in Heroin Sales

A husband and wife drug-dealing team who brought their kids along on heroin sales was arrested in the Bronx. Yvette Gonzalez, husband Richard Cedeno and three other men sold 1,120 glassine envelopes of heroin to an undercover NYPD officer with Manhattan North Narcotics during four transactions in a month for \$6,400. Three of the four drug sales involved the couple's children. During the first sale in late September, the undercover officer was waiting for Gonzalez at a pre-arranged meeting place when the 11-year-old boy rode up on his bicycle and waved to his mother down the street. Gonzalez approached with two young girls, ages 4 and 6, in tow and handed the undercover officer 20 glassines of heroin. During the final sale, Cedeno met with the undercover and brought along the boy and one of the young girls. Police arrested the couple at their apartment on East 134th Street and seized 130 glassines of heroin and \$1,000 cash.

“Operation Dot Com” Targets Drug Sales on Craigslist

Advertisements for prescription drugs and illicit narcotics on the website Craigslist led the NYPD to arrest 21 defendants. Undercover police officers made 60

drug purchases for \$30,000, including approximately \$19,000 in pills and \$10,400 in cocaine. The defendants sold more than 1,000 prescription pills, including painkillers, amphetamines, sleep aids, anti-anxiety medication and drugs used in the treatment of opioid addiction. The officers also purchased heroin and ecstasy. Sales took place across Manhattan, including locations near Union Square and Washington Square Park. The defendants range in age from 22 to 62 and represent a broad spectrum of occupations, from student, teacher's aide and human resource professional to dot com entrepreneur and celebrity photographer.

new.york.craigslist > manhattan > for sale / wanted > general for sale - by owner

Avoid scams and fraud by dealing locally! Beware any deal involving Western Union, Moneygram, wire transfer, cashier check, money order, shipping, escrow, or any promise of transaction protection/certification/guarantee. [More info](#)

Pain relief & anxiety help (West Village)

Date: 2012-04-13, 7:17PM EDT
Reply to: ifqmc-2956977147@craigslist.org (www.craigslist.org)

Friendly Nyu student who can offer pain relief and anxiety relief
Easy, non-sketchy, straight-forward meeting
Located in Washington Square Park area in west village - prefer to meet around here, but willing to meet u in certain other locations in Chelsea, Greenwich Village, Meatpacking, Union Sq.

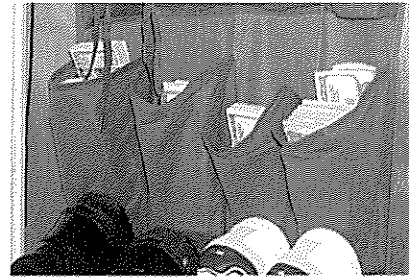
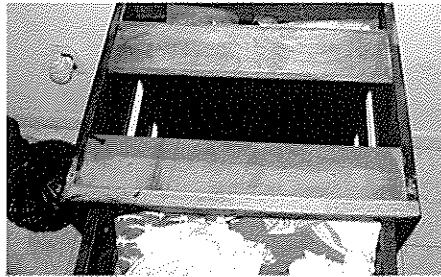
Would like to get rid of this wknd - tonight, sat night or Sunday afternoon. Tonight is most preferal i.e. E-mail me for more info

** perc roxy **
)

• it's NOT ok to contact this poster with services or other commercial interests

One Craigslist posting advertised "Pain relief and anxiety help" from a "Friendly Nyu student."

Eight Kilos of Cocaine Seized from Queens Stash House



Members of a drug crew in Jackson Heights, Queens stashed drugs and money inside an oven, a shoe holder and a dresser with a false back.

Two drug traffickers were charged with the possessing over eight kilos (18 lbs.) of cocaine, \$70,000 in cash and drug packaging material in June. Investigators with the New York State Police (NYSP) Special Investigations Unit observed one defendant haul a large plastic garbage bag from a Queens building and place it in a Chevy Envoy. Investigators stopped the vehicle and discovered tire tread, towels and plastic ties used to conceal kilos of drugs inside the plastic bag. A stop of a second individual yielded a small quantity of cocaine and keys to a ground-level apartment inside the house. Over six kilos (13.5 lbs.) of cocaine were found inside a hidden trap in a dresser with a false back.

Another two kilos (4.5 lbs.) turned up in an oven and \$68,000 cash in a bedroom. A second search of the Chevy Envoy yielded another half a pound of cocaine.

Tire Shop Drug Hub in Canarsie

Eight drug traffickers were arrested for selling illegal narcotics and prescription drugs in Canarsie, Brooklyn. Sales took place in and around a tire shop, Pito's Flat Fix, located near the Breukelen Houses, a New York City Housing Authority complex. One defendant is also charged with selling a firearm. The NYPD launched the investigation in response to complaints about an open-air drug market in the area. Hand-to-hand pill sales were so common a Google Street View image of



Pills were sold from the counter of a tire shop near the Breukelen Houses in Canarsie, Brooklyn.

the spot appears to show a drug transaction taking place in broad daylight. During the nine-month probe, the defendants made 45 sales of cocaine, heroin and prescription drugs for roughly \$32,000. Multiple sales took place

inside the tire shop, where Henry Caceres and Thomas Venetar sold prescription drugs from behind the counter. Lobbies in two apartment buildings in the Breukelen Houses were also the scene of multiple drug sales.

Over \$20 Million in Heroin Seized from Queens Mill



DEA agents and NYPD detectives seized 86 pounds of heroin from a Queens mill where workers processed and packaged the drug for distribution.

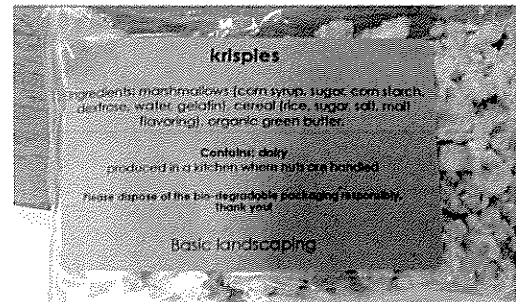
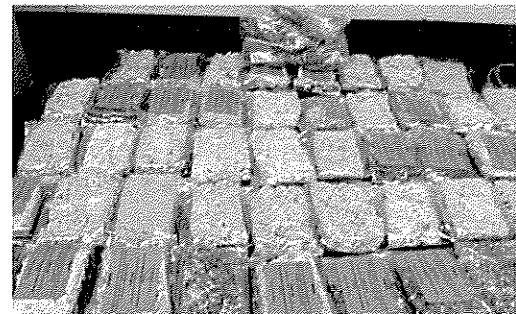
In one of the largest single heroin seizures in NYC in recent years, DEA agents and NYPD detectives with the Drug Enforcement Strike Force seized a load of 39 kilos (86 lbs.) of heroin worth over \$20 million from a ground-floor apartment in Richmond Hill, Queens. The apartment served as a heroin mill, where the drug is processed and packaged for retail

distribution. One member of the heroin trafficking organization, Jose Sandiago Diaz, was arrested. Agents found packages of heroin on the floor and inside a duffel bag. Buckets of loose heroin also sat on a table, along with equipment for a makeshift assembly line, such as kilo presses, grinders and sifters. Prior to the September search, members of the Strike Force had spent several weeks conducting surveillance at the location. On

the day of the seizure, agents observed an individual wearing latex gloves open a window and detected a strong odor of heroin emanating from the apartment. Diaz exited the apartment and drove off in a vehicle, at which point agents stopped and questioned Diaz, and seized his key to the apartment. Diaz, an illegal alien who had previously been deported to the Dominican Republic, was detained. A K-9 dog confirmed the presence of heroin at the apartment prior to the search.

Rice Krispie Treats Deliver More than Sugar High in East Village

NYPD detectives arrested two men in January in connection with a sale of marijuana-laced Rice Krispie's Treats on East 14th Street. Detectives with Manhattan South Narcotics observed Ariel Herrera make an exchange with customer Logan Delfugeo in the back seat of Herrera's 2011 Honda Accord. Delfugeo was arrested on the spot with the sweets inside his jacket.



The key ingredient in these Rice Krispie's Treats is the organic green butter.

Housing Development Cases

23 Drug Dealers Arrested in Upper West Side: Firearm Seized

Police arrested 23 drug traffickers in June after a yearlong investigation into crack-cocaine trafficking at the Douglass Houses, a New York City Housing Authority complex on Manhattan's Upper West Side. The NYPD launched the probe in response to community complaints about widespread drug dealing and related shootings and robberies. Drug sales took place inside halls, apartments and courtyards. One defendant, Steven Smith, was arrested in May and charged with Endangering the Welfare of a Child and Unlawful Dealing with a Child in addition to drug crimes. Inside his apartment, detectives saw Smith crouched beside a bed where a five-month-old baby boy was laying



A drug trafficker was charged with endangering the welfare of his child after police seized a .45 caliber gun from between a bed frame and mattress where the baby was laying.

and seized a loaded .45 caliber gun hidden between the bed frame and the mattress, as well as crack and marijuana. A second child was also in the apartment.

32 Arrested at Cypress Hills Houses

Police arrested 32 individuals following an eight-month investigation into cocaine and heroin trafficking at the Cypress Hills Houses, a New York City Housing Authority residential complex in East New York, Brooklyn. The investigation came in response to community complaints and escalating gang violence in a dispute between Blood and Crip-related crews. NYPD officers purchased narcotics on 27 occasions inside the lobbies, hallways, stairwells and elevators of the Cypress Hills Houses. The majority of the arrests took place in August, while one defendant, David Vasquez, was arrested a month earlier in connection with the July 2nd shooting of an innocent bystander. Vasquez was engaged in a shoot-out with a rival when two bullets he fired strayed and hit a woman in the leg and toe. That attempted murder case is being prosecuted by the Kings County District Attorney's Office.

Coney Island Arrests

Nine narcotics traffickers were charged with selling crack-cocaine, oxycodone, marijuana and morphine at the Coney Island Houses, a New York City Housing Authority residential complex, in April. The arrests came after a rash of fatal shootings in the area. The defendants belonged to two loosely organized crews that operated in close proximity to one another. The NYPD's Brooklyn South Narcotics Major Case Unit made 48 undercover purchases of drugs over the course of 10 months. Many sales took place near a playground.

Alternative Sentencing Division



Alternative Sentencing Division staff evaluates and monitors candidates for drug treatment.

For addicted criminal offenders, an effective drug treatment program can mean the difference between repeated terms of imprisonment and the ability to lead a productive, law-abiding life. Yet it is not enough to simply conquer addiction. To begin anew, recovering drug users require skills gained through academic and vocational training, along with supportive counseling. The Alternative Sentencing Division has successfully worked with thousands of addicted criminal defendants over the past 20 years to provide them with the tools they need to permanently close the door on crime and dependence.

Through SNP's pioneering Drug Treatment Alternatives to Prison programs,

highly experienced staff members evaluate offenders to identify those who are likely to reap the benefits of treatment. Eligible candidates are given the opportunity to enter an appropriate program, most often at a long-term residential facility, instead of going to prison.

Residential programs typically last for at least one year and are followed by an additional term of supervision. Offenders who are employed and have strong community ties may be placed into short-term residential programs or, in rare cases, directly into intensive outpatient treatment programs. When offenders enter treatment, their sentences are deferred. Upon successful completion, charges may be dismissed. However, failure to abide by the rules of a program can result in a sanction. If offenders commit a new crime, their original prison sentence may be imposed.

Since October 2009, judges are authorized to place defendants in court-sponsored diversion programs. Although a judge determines which addicted felony offenders qualify for these programs, and court staff supervises them, SNP continues to offer its expertise in the screening and monitoring of diverted defendants.

SNP DEFENDANTS ENTERING TREATMENT 2005-2012								
	2005	2006	2007	2008	2009	2010	2011	2012
DTAP	169	137	90	114	91	36	7	5
MTC	156	101	81	76	33	17	6	0
Diversion					18	99	68	73
Total Treatment	325	238	171	190	142	152	81	78
% Indictments/SCI diverted	13%	11%	9%	11%	9%	11%	6%	6%

Investigators Unit

The Special Narcotics Investigators Unit works with federal and state law enforcement agencies throughout the five boroughs of New York City. During 2012, the unit opened 44 new investigations, resulting in arrests of 121 offenders. Sixty-seven were charged with top felony narcotics counts, 17 were charged with violations of money laundering laws and 14 with prescription drug-related crimes. Additionally, the unit and its DEA and NYPD partners were involved in 40 investigations that yielded cash seizures totaling millions of dollars in narcotics trafficking proceeds.

Created in 1992, the unit fulfills two primary areas of responsibility: investigations and enforcement support. The majority of the investigators are law enforcement veterans from the NYPD's Narcotics Division and the New York Drug Enforcement Task Force. They develop their own cases or work jointly with law enforcement agencies in large-scale narcotics and money laundering investigations. With the emergence of narcotics trafficking over the Internet, select investigators have specialized in this area.

The Investigators Unit handles a wide variety of narcotics cases targeting local, national and international trafficking groups. In recent years, the unit has developed a unique expertise in prescription drug-related investigations.

A Chief Investigator oversees activities of the investigators, monitors all investigation-related expenditures and acts as liaison with the squad of NYPD detectives assigned to SNP.

Prescription Drug Investigations

SNP's investigators work closely with the office's Prescription Drug Investigations Unit, the NYPD, DEA agents, investigators from the New York State Department of Health's Bureau of Narcotic Enforcement, the New

York State Office of the Medicaid Inspector General and New York City's Human Resources Administration's Bureau of Fraud Investigation, and other law enforcement agencies, to combat the widespread epidemic of pharmaceutical drug abuse and diversion.

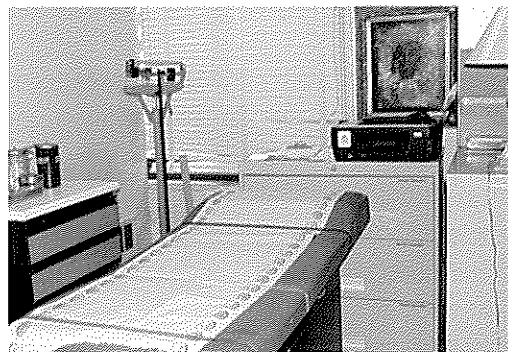
The investigators' expertise in this area, combined with their decades of experience in narcotics enforcement, has enabled the office to successfully investigate and prosecute corrupt medical professionals, including doctors, pharmacists and physicians assistants.

Manhattan Doctor Illegally Sold Painkiller Rx's to Drug Trafficker

A probe by SNP investigators targeted Dr. Robert S. Gibbs, a licensed internal medicine physician. Gibbs was arrested at his Harlem office for allegedly writing dozens of oxycodone prescriptions for individuals not under his care in exchange for cash



Investigators found cash all over the doctor's office, some of it in paper bags from Louis Vuitton and McDonald's.



Gibbs practiced medicine in a ground floor office at Lenox Terrace, 10 W. 135th St. in Harlem.

payments. An indictment charges Gibbs with 42 counts of Criminal Sale of Prescription for a Controlled Substance, in addition to other crimes.

These illicit prescriptions were collected by Ronald Vaughan, the leader of a drug trafficking ring, who was also arrested. Vaughan supplied Gibbs with numerous individuals' personal information, including names and dates of birth, to be used on prescriptions. Many of these individuals had been recruited as "runners" to fill prescriptions in the pyramid-style scheme. Vaughan also filled prescriptions under his own name and an alias. The organization then distributed the oxycodone pills on the black market.

The Investigators Unit conducted the 18-month investigation with attorneys and analysts from SNP's Prescription Drug Investigations Unit, intelligence officers with

the NYPD's 19th Precinct, and their local, state and federal partners.

Since January 2008, Gibbs wrote prescriptions for more than a million pills of oxycodone. During a court authorized search, investigators seized over \$45,000 in cash that was stashed in various places around the doctor's office at 10 West 135th Street, Suite 1P. Gibbs voluntarily agreed to surrender his DEA license to prescribe controlled substances.

Investigation Ends With Homicide Charges

A two-year investigation of a physician who illegally sold prescriptions from his pain management clinic in Flushing, Queens culminated in a 219-count indictment charging the doctor with homicide. Stan Xuhui Li was arrested in November 2011. However, unlike most narcotics investigations, that was only the beginning of the complex probe. Throughout 2012, SNP investigators diligently interviewed hundreds of witnesses, followed up on countless leads and poured through mountains of medical records. A special grand jury returned the homicide charges in late 2012. This case demonstrates how challenging prescription drug investigations can be, and how they require experienced prosecutors and dedicated, trained investigators.

Li Case: Building a Prescription Drug Prosecution

- ▶ Over 200 witnesses interviewed, including the fatal overdose victims' family members, patients and their relatives, neighbors, pharmacists, physicians, law enforcement officers and medical examiners.
- ▶ Thousands of names of overdose victims in Medical Examiner records compared to Li's patient lists.
- ▶ Sixteen fatal overdoses identified among Li's former patients. After reviewing evidence, the grand jury charged Li with Manslaughter in the 2nd degree for two of those deaths.
- ▶ Over 200 subpoenas were issued for prescriptions, prescribing histories, medical records, medical examiner case files and death records, bank accounts and civil court files.
- ▶ Nearly 1,300 medical files examined, including more than 10,000 pages of documents.

Legal Training Unit

The Legal Training Unit develops and implements the professional training curriculum offered to Assistant District Attorneys. The unit selects speakers, lectures and workshops to address topics that include investigatory and prosecutorial techniques, legal procedures, changes in the law, and effective approaches in the prosecution of felony narcotic and related crimes.

In 2012, the Legal Training Unit offered a professional development series and numerous workshops and lectures throughout the year to both experienced and new Assistant District Attorneys. Presentations included: *Forgery and Forged Prescription Investigations*, *Electronic Surveillance Law Update*, *Developing a Gang Investigation*, *Prosecuting Gun Cases*, *Conspiracy Law and Practice*, *Discovery and Ethical Obligations*, and *Drug Treatment as an Alternative to Incarceration*.

The training curriculum complies with the regulations and guidelines of the New York State Mandatory Continuing Legal Education program and all courses are open to prosecutors from the city's District Attorneys' Offices and other offices in the state. The office has been an accredited provider of the State's Continuing Legal Education Program since 2000.

For over a decade, SNP has devoted a portion of its resources to training programs offered to hundreds of local and federal enforcement and criminal justice personnel in New York and other areas of the country.



Narcotics Chiefs from the five District Attorneys' Offices discuss citywide law enforcement strategies with SNP staff.

During the year, senior staff lectured on narcotics investigations and prosecutions at the New York State District Attorney's Association Summer College, the New York Prosecutors Training Institute (NYPTI), New York Police Department's Police Academy, Organized Crime Control Division and Narcotics Division, and the High Intensity Drug Trafficking Area Task Force (HIDTA).



Law students recognized by Bridget G. Brennan and Catherine A. Christian, Director of Legal Training, upon completion of summer internships.

NYPD Special Narcotics Team

The New York City Police Department has assigned a team of detectives to the office from the Narcotics Division's Organized Crime Control Bureau since 1972. The Special Projects Unit, as it is known, is under the command of a senior lieutenant who serves as a liaison between both agencies. Within SNP, the team's detectives are assigned to either the Search Warrant Unit or the Technical Unit.

Expert at tracking, safekeeping and presentation of electronically recorded evidence, the detectives also provide support on search warrant investigations and maintain citywide repositories for electronically recorded evidence and SNP search warrants.

Beginning in 2009, the unit assumed the responsibility of tracking all seized illegal narcotics and marijuana shipped to New York City via the United States Postal Service and common carrier services such as UPS and FEDEX. In 2012, the NYPD seized 95 packages containing a total of nearly 2,150 pounds of marijuana, at least 11 kilograms

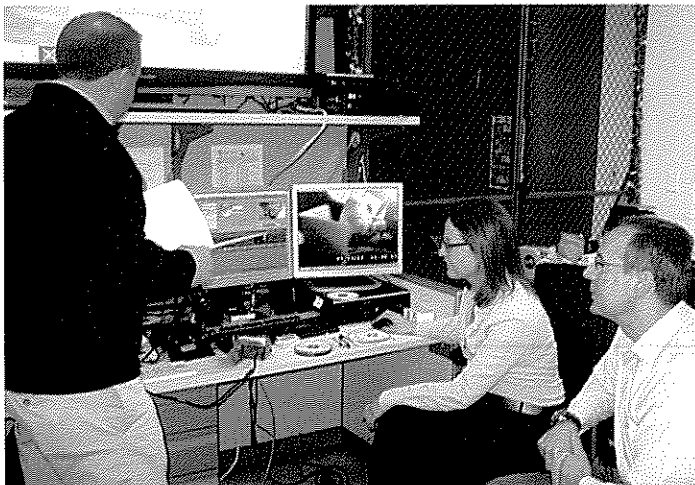
(24 lbs.) of cocaine and 30 kilograms (66 lbs.) of heroin, as well as quantities of ketamine. The tracking of this information is used for prosecutions and to assist common carriers in the prevention of the shipment of contraband.

Search Warrant Unit

The Search Warrant Unit prepares search warrants and affidavits and expedites requests through the SNP. The detectives keep track of all confiscated evidence and maintain a database on arrests and seizures resulting from the execution of search warrants. The unit also educates new investigators on search warrants procedures. In 2012, the unit processed 1,040 search warrants.

Technical Unit

The Technical Unit tracks and controls "chain of custody" for electronically recorded evidence and makes certain that all audio/video evidence is secure. The unit is responsible for the creation of grand jury/trial wiretap composite recordings and processes digital photographic evidence as well as data evidence.



The NYPD Special Narcotics Team processes, secures and tracks electronically recorded evidence.

Support Services Units

Fiscal

All agency fiscal activities, including the production and submission of funding requests to federal, state and city funding agencies, as well as the monitoring of expenditures, fall under the responsibility of the Fiscal Unit. To that end, the unit assesses and approves purchases and payment vouchers, disbursement of funds, such as petty cash, and payroll coordination; enforces fiscal policy; conducts internal audits; and reviews and approves agency procurements.

Personnel



Human Resource professionals administer payroll and benefits for agency staff.

The Personnel Unit oversees and implements procedures related to the assignment or transfer of Assistant District Attorneys from the offices of the five county District Attorneys and the recruitment of managerial, administrative and clerical personnel. Unit staff participates in planning, developing and executing employee programs and policies for all staff. The unit disseminates information on mandatory programs and policies for all city agencies and monitors implementation of procedures; provides facts on citywide policies and labor relations issues; and maintains time and leave records for all staff. The unit is responsible for the bi-weekly distribution of paychecks and serves as liaison with the citywide payroll management system.

Public Information

The Public Information Unit disseminates information about the office and responds to inquiries from members of the media, government agencies, advocacy groups, and individuals on the status of cases, legal decisions, legislative action, citywide drug trafficking trends and the results of joint enforcement efforts.

Community Outreach

The Community Outreach Coordinator meets with community and religious leaders, block associations, the New York City Housing Authority, and other groups to address local drug problems, while conferring regularly with NYPD officials to devise strategies to combat crime. Once an investigation is completed and a drug organization is removed from a building or neighborhood, resources are devoted toward providing community support services. Additionally, experienced prosecutors offer lectures to schools and youth groups on topics ranging from drug laws and gang activity to alternatives to incarceration.

Information Technologies (IT)



IT staff provide technical support and assist in gathering digital evidence for investigations.

Information Technologies develops, establishes and administers SNP's computer and telecommunication systems. The unit identifies needs and puts in place systems that effectively merge technology with office

processes. IT also provides a variety of case-related services, including:

Case Information: captures and tracks data pertaining to all cases prosecuted by the office, from arrest to disposition. The section prepares regular reports and ad hoc reports on narcotics activities, trends, and statistical analyses. Unit staff is assigned to the Trial Division to coordinate data capture and provide additional support.

Litigation Support: provides pre-trial and in-court technology support, including exhibit preparation and presentation.

Analyst Services: prepares and processes subpoenas, analyzes phone records and provides background searches using public records and law enforcement specific databases.

Records Management: files, registers and maintains a record of closed and bench warranted case files and processes parole requests.

Trial Preparation Assistants (TPAS)

Trial Preparation Assistants (TPAs) are assigned to the Investigations Division, the Trial Division, Part N, and the Alternative Sentencing Division. Investigations and Trial Division TPAs track cases, maintain case records, and gather reports and legal papers required by Assistant District Attorneys. Additionally, they make arrangements for prisoners to be produced in court and help Assistants prepare for grand jury and trial presentations. Alternative Sentencing Bureau TPAs interview defendants who are diverted to treatment and track their progress. Part N TPAs assist in tracking plea offers, grand jury actions and case dispositions that take place in the Part.

Extraditions/Detainers

The unit administers the return of fugitives apprehended or in custody in other

jurisdictions and in foreign countries that have extradition treaties with the United States.

Grand Jury Reporters



Grand jury reporters transcribe and preserve confidential testimony in grand jury proceedings.

Grand Jury Reporters record, produce and maintain transcripts of confidential testimony presented before the grand juries.

Interpretation and Translation Services

The unit interprets and translates for non-English speaking witnesses in debriefings with investigators and Assistant District Attorneys, and during testimony before the grand jury; provides written translation and transcription services for evidentiary consent and wiretap recordings that contain dialogue in a foreign language; and provides translation of foreign language documents.

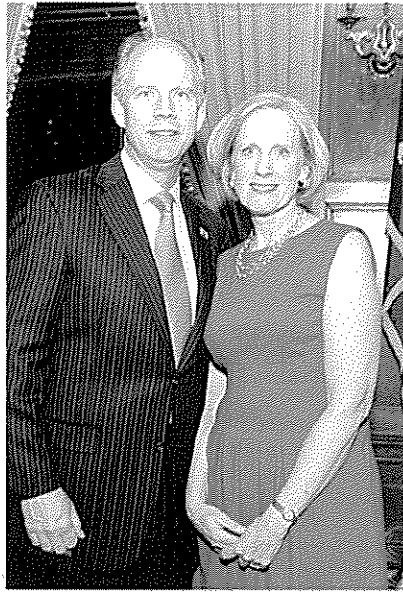
Operations

The Operations Unit is responsible for office maintenance, reproduction of documents, mail delivery, messenger services, housekeeping requests, office supply inventory and disbursement.



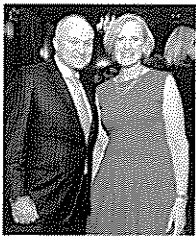
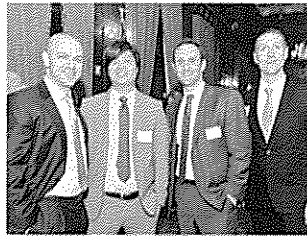
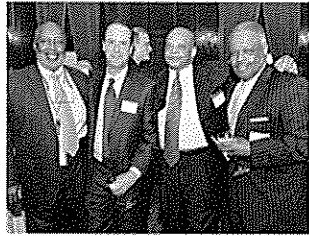
The Operations Unit keeps the office running smoothly.

The People of SNP



40th Anniversary

The Office of the Special Narcotics Prosecutor for the City of New York celebrated its 40th Anniversary at the Harmonie Club in Manhattan. Joining Bridget G. Brennan at the event was Daniel M. Donovan, Jr., Richmond County District Attorney and a former Special Narcotics Deputy Bureau Chief.



Executive & Legal Staff

Bridget G. Brennan
Special Narcotics Prosecutor

Steven M. Goldstein
Chief Assistant District Attorney

Kristine Hamann
Executive Assistant
District Attorney

Joseph J. Tesoriero
Executive Assistant
District Attorney
Chief of Investigations

Lisa DePasquale
Chief of the Trial Division
Bureau Chief, 40/50

Thomas G. Van Noy
Deputy Administrative Assistant
District Attorney

Catherine A. Christian
Counsel for the Trial Division
Chief of Alternative Sentencing

Meggan K. Dodd
Counsel to the Special Narcotics
Prosecutor

Peter M. Kougasian
Special Assistant

Rhonda Ferdinand
Special Assistant District Attorney
for Drug Prevention and Policy

Nicholas Mauro
Bureau Chief, 30/60

Jodie E. Kane
Chief, Special Investigations Bureau

Susan N. Lanzatella
Co-Chief, Narcotics Gang Unit

Edward Burns
Deputy Bureau Chief, 30/60

Susan Krischel
Co-Chief, Special Investigations Bureau

Nigel I. Farinha
Co-Chief, Narcotics Gang Unit

Paul H. Harvey
Deputy Bureau Chief, 40/50

Bernice Ordenez
Deputy Bureau Chief,
Special Investigations Bureau

Clark S. Abrams
Money Laundering and
Financial Crimes Coordinator

Steven R. Miller
Deputy Bureau Chief, 40/50

Lisa M. Tompkins
Deputy Bureau Chief,
Special Investigations Bureau

Marcel J. Philippe
Chief, Forfeiture Unit

Leon Schwartzman
Chief Investigator

Ryan Sakacs
Chief, Prescription Drug Investigation Unit

Kati Cornell
Public Information Director

NEW YORK COUNTY

Clark S. Abrams
Erin Brzeski
Edward Burns
Wesley Cheng
Catherine A. Christian
Emily Cohen
Tess Cohen
Nicholas Conner
Daniel Davis
Lisa DePasquale
Meggan K. Dodd
Kathleen V. Doyle
Christopher C. Edel
Nigel I. Farinha
Rhonda Ferdinand
Charlotte Fishman
Philip Gary
Evan Glaberson
Oren Gleich
Steven M. Goldstein
Daniel Haier
Kristine Hamann

Nowles Heinrich
Joseph T. Ippolito
Jodie E. Kane
Alona Katz
Bradley King
Peter M. Kougasian
Eryck Kratville
Susan Krischel
Susan N. Lanzatella
David Lauscher
Jeffrey Linehan
Catherine Lloyd
Michael Lui
Nicholas J. Mauro
Atalanta Mihos
Stephanie Minogue
Matthew Murphy
Bernice Ordenez
Alexander Owen
Marcel J. Philippe
Matthew C. Reinhardt
Francesca Rios

Kaitrin Roberts
Jannine Rowser
Jordan S. Rubin
Kofi Sansculotte
Patrick Scruggs
Bryan Serino
Amy Sharpe
Elizabeth Sheetz
Jonathan Shih
Daniel Shin
Kathryn Spota
H. Adeniyi Taiwo
Sandra Talbott
Joseph J. Tesoriero
Andres Torres
Thomas G. Van Noy
Justin K. Wechsler

BRONX COUNTY

James Hanley
William Novak
Jonathan Ruti
Lisa M. Tompkins

KINGS COUNTY

Frederick S. Hartwell
Grace Jean
Anju Malhotra
Steven R. Miller
Kelli Muse
Ari M. Rottenberg

QUEENS COUNTY

Paul H. Harvey

RICHMOND COUNTY

Ryan Sakacs
Alexander Shapiro

Managerial & Support Staff

ADMINISTRATIVE MANAGEMENT AND SUPPORT

Joan Maloney
Supervisor

Grand Jury Reporters Unit

Jodi Arnold
Carol Bach
Dana Cogliano
Bonnie Greenstein
Rivka Kaplan
Nancy McEnroe
Mireille Monestime
Reva Palmer

Interpretation and Translation Services

Rosa Ruales

Operations

Alberto Laguer
Albert Nichols

EXECUTIVE SUPPORT

Carla Jenkins
Hysa Moultrie-Miller
David Rosenberg

FISCAL

Lei Yuan
Director
Jenny Lai
Ewelina Malysza
Krisna Ramkhelawan

GRAND JURY WARDENS

SCO Christopher Stottmann
SCO George Vassall

INVESTIGATORS

Leon Schwartzman
Chief Investigator

PERSONNEL

Beatrice Miller
Director
Darlene Cole-Jeffrey
Sylvia Fernandez
Craig Jelen
Diane Johnson
Lisa Thomas

PUBLIC INFORMATION

Kati Cornell
Director

COMMUNITY OUTREACH

Calvin Solomon
Coordinator

INFORMATION TECHNOLOGY

William Power
Director
Chanyute Oottamakorn
Deputy Director

Management Information Systems

Joseph Cullen
Christopher Spies
Boris Vestfrid
Gregory L. Wilson

Case Information

Belinda Berry
Supervisor
Debra Danielson
Alisa Figueroa
Regina Mavasheva
Edward Montes
Jocelyn Pilotin-Lazar
Pilar Quinones
Harry Reyes
Victor Rodriguez
Anne Roy

Bureau Coordinators

Karen Johnson
Renee Williams

NYPD TEAM

Lt. Alfred Vitale
Det. Christopher R. Henderson
Det. Karyn Keenan
Det. Eli Slavkin

INVESTIGATIONS DIVISION

Special Investigations Bureau

Ana Pichardo
Support Administrator, Supervising TPA
Linda O'Leary
Supervising TPA
Cindy Cintron
Demond Cook
Jonathan Courtney
Irina Diaz
Diana Valentin

Investigative Analysts

Christian Bermudez
Luisa Boireau
Caitlin Brown
Mariella Chilmaza
Siobhan Fisher
Stefani L. Miotto

Forfeiture Investigations Unit

John Polizzotto
Coordinator

Prescription Drug Investigation Unit

William Reeves
Investigative Analyst

Narcotics Gang Unit

Christopher Torres

Investigators Unit Support

Belinda McNeill

ALTERNATIVE SENTENCING DIVISION SUPPORT

Berneatha Champagne

TRIAL PREPARATION ASSISTANTS

Alternative Sentencing Division

Rochelle Davis
Supervising TPA
Akua Akoto
Tammy O'Hara
Andrea Obregon

Trial Division

Bureau 30/60
Phillip Lambert
Supervising TPA
Mireilly Meiss
Bureau 40/50
Michelle Myton
Supervising TPA
Maddalena Coppola
Chanmattie Pantlall

Extraditions

Carla Jenkins
Coordinator

Part N

Desiree Creary



**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Hon. Raymond W. Kelly

Address: NYPD COMMISSIONER

I represent: 1 POLICE PLAZA

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 5/23/2013

(PLEASE PRINT)

Name: CHAIRMAN DANIEL D. CHU, CCRB

Address: 40 RECTOR STREET, 2nd FL.

I represent: NYC CCRB

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 5/23/2013

(PLEASE PRINT)

Name: BISHOP M. TAYLOR, CCRB

Address: 40 RECTOR ST, 2nd FL NY NY 10006

I represent: NYC CCRB

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: DANIEL M. DONOVAN, TR

Address: 130 STUYVESANT PLACE

I represent: DA OF STATEN ISLAND

Address: DA DONOVAN IS PRESENT / testifying

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: BRIDGET G. BRENNAN

Address: 80 Centre St., 6th Fl NY NY 10013

I represent: Office of Special Narcotics

Address: Prosecutor

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Daniel Alonso

Address: 1 Hogan Place

I represent: NY County D.A.'s Office

Address: 1 Hogan Place

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: May 23, 2013

(PLEASE PRINT)

HON. Name: Robert T Johnson

Address: 198 E 161st STREET, BX, NY 10451

I represent: THE OFFICE OF THE BRONX DISTRICT ATTORNEY

Address: 198 E 161st STREET, BX, NY 10451

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: MAY 23, 2013

(PLEASE PRINT)

Name: AMID FEINSTEIN FIRST ASSISTANT DISTRICT ATTY

Address: 350 JAY STREET BROOKLYN NY 11201

I represent: KINGS COUNTY ATTORNEY CHARLES J. HYNES

Address: 350 JAY STREET, BROOKLYN, NY 11201

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 5/23/13

(PLEASE PRINT)

Name: John M Ryan, Chief Assistant District

Address: Queens County District Attorney Attorney
125-01 Queens Blvd New York NY 11415

I represent: Queens County District Attorney

Address: Same as above

Please complete this card and return to the Sergeant-at-Arms