

**STATEMENT OF POLICE COMMISSIONER
WILLIAM J. BRATTON**

**BEFORE THE NEW YORK CITY COUNCIL
PUBLIC SAFETY AND FINANCE COMMITTEES
ON THE EXECUTIVE BUDGET FOR FISCAL YEAR 2015**

TUESDAY, MAY 20, 2014

Good morning. Thank you for the opportunity to discuss the Mayor's Executive Budget for the 2015 Fiscal Year.

Before I present the key budget highlights, I want to update you on our core crime-fighting mission and the status of several important public safety initiatives.

In my last appearance before the Council in March, I reported on the consistent, focused efforts of our police officers to maintain New York City's record low crime rates. I'm pleased to inform you that this exceptional work continues as we near the halfway point of the year.

Overall crime is down by 3% from last year (37,089 vs. 38,050). Homicides are down by 14% from 2013's historic low (101 vs. 117); robberies are down by 10% (5,769 vs. 6,422); rapes are down by 11% (472 vs. 529); grand larcenies are down by 3% (15,160 vs. 15,560); burglaries are down by 4% (5,838 vs. 6,081). We've seen increases in two categories of major crime: auto theft, which is up by 9% (2,620 vs. 2,410) and assault, which is up by 3% (7,129 vs. 6,931).

While shootings are up by 7% (358 vs. 334) compared to last year's record low, they are still down by 19% from the same point two years ago. We continue to employ initiatives like Operation Impact and Operation Crew Cut to focus our resources on preventing gun violence.

In April members of the New York City Police Department and the Brooklyn District Attorney's Office completed a 7-month undercover firearms investigation that resulted in the arrest of six suspects and the seizure of 155 guns with a street value of more than \$126,000. These included handguns and assault rifles, among them 2 Tech 9s, a Mac 11 and an AR 15. The case also included the largest single purchase of firearms ever conducted in New York City by the NYPD's Firearms Investigations Unit: \$20,000 for 25 handguns.

Let me also address concerns about crime in public housing, which is up by 3% overall this year (1,796 vs. 1,750). We're especially focused on the increase in shootings, which are up by 32% for a total of 18 more shootings compared to last year (74 vs. 56). I should mention that in 2013 we had an exceptionally low number of shootings citywide and in housing developments. In fact, compared to two years ago our shootings are down in

housing by 11% (74 vs. 83), however we are working very proactively to attack gun violence and make the historic low we saw last year the norm.

We've implemented a Housing Bureau Violence Reduction Plan in Brooklyn and the Bronx, where the majority of the uptick in violence is concentrated. It consists of the following elements:

We're assigning additional patrol cars from our CRV deployments to patrol housing developments that have shown an increase in shootings. We have as many as 23 extra patrol cars now covering violence-prone areas.

We're deploying the overtime equivalent of 320 additional police officers to housing commands where they're most needed. These officers are assigned to foot posts. They conduct vertical patrols of stairwells and rooftops. They provide an added, reassuring presence to law-abiding residents.

Starting last week, we directed our Warrant Section to conduct stepped-up warrant operations in housing developments that have seen the most violence. We're focusing these efforts on individuals with a past history of gun violence as well as those wanted for misdemeanor domestic violence offenses.

Finally, we're deploying additional Command Post Vehicles, SkyWatch observation towers, light towers and our Terrahawk mobile SkyWatch towers to enhance police presence at problematic locations and to send a message to would-be criminals that we are determined to keep our streets and housing developments safe.

Taken together, I'm confident these measures will help us to reduce violent crime in public housing.

In March, I mentioned our strategy to reduce grand larcenies, which accounted for 40% of the city's overall crime last year. The grand larceny problem is driven by the theft of electronic devices, credit card fraud, and identity theft. We've laid out a comprehensive strategy to combat grand larcenies. Its centerpiece is the establishment of a new Grand Larceny Division within the Detective Bureau and the creation of grand larceny investigative squads in every borough. We're also placing the Financial Crimes Task Force under the Grand Larceny Division and dedicating it to high-level cases involving identity theft and financial fraud. In addition, we're looking to create a joint NYPD-federal task force to advance these investigations. Our goal is to apply the same analytical and investigative focus to grand larcenies that we have traditionally applied to robberies and burglaries.

In the transit system members of our Transit Bureau have been conducting extensive crime prevention outreach. They distribute three to four thousand fliers a day to riders in high density stations, as well as locations where we've registered spikes in crime. We advise subway riders on the steps they can take to keep themselves and their property safe. Along with this, we've intensified the "broken windows" approach to maintaining

safety and order in the system. We will continue to enforce quality of life violations that, if left unchecked, breed more serious crime. Due in large part to these efforts, crime in the transit system is down by 6% this year.

As I stated back in March, safer streets must also mean safer roadways for pedestrians, bicyclists and motorists alike. The NYPD is playing a major role in Vision Zero, Mayor Bill de Blasio's plan to eliminate traffic-related deaths entirely. We continue to work in close partnership with the New York City Department of Transportation, sharing critical collision data and analysis.

We're also partnering with DOT and the Taxi and Limousine Commission on joint traffic education and enforcement campaigns throughout the five boroughs. We've completed campaigns in the Bronx, Queens, and Staten Island and we're currently conducting campaigns in Manhattan and Brooklyn. In addition, last week we carried out a citywide initiative to address the use of cell phones and texting while driving and failing to yield to pedestrians. This week we're conducting another citywide initiative to address speeding.

These efforts are yielding very positive results. Citywide traffic fatalities are down by more than 12% this year (81 vs. 92). That includes a 30% decline in pedestrian fatalities (44 vs. 63). Of course, we have a lot more work to do to achieve the Mayor's goal of zero traffic deaths. As we acquire all of the resources outlined in his Vision Zero Action Plan, I'm confident we'll continue to make significant progress.

The success of our public safety mission depends most of all on our efforts to rebuild and repair collaborative partnerships with the communities we serve. Our collaborative policing initiative is proceeding apace and we are formulating agency-wide strategies and new initiatives in this area. The department is actively participating in meetings with community groups, elected officials, city agencies, and non-profit organizations to reinforce the collaborative policing vision: that public safety is everyone's responsibility. We're also engaged in a comprehensive effort to improve our response to the victims of crime. By treating them more humanely and with consideration and compassion we can strengthen the entire criminal justice system.

As the Council is aware, last week the Police Department announced a significant change in vouchering procedures in prostitution-related arrests. After reviewing agency protocols with respect to invoicing condoms in prostitution-related offenses, we will limit the circumstances under which condoms will be secured as arrest evidence. With the strong support of the Mayor and all five District Attorneys, this change in policy is the direct result of the NYPD collaborating with public health officials, community-based advocates, and members of the City Council.

We're also increasing our participation in focused deterrence programs that are designed to isolate the small number of people within a community who commit the vast majority of violent crimes. Together with leading criminologists like Professor David Kennedy of John Jay College, who we are working with closely, as well as prosecutors,

federal agents, and local citizens, we will identify and exert social pressure on these individuals, many of whom have already served jail time. We will meet with them and warn them about the consequences they'll face if they re-offend, and we expose them to moral voices from their own communities saying that the violence must stop. We also provide them with assistance in finding a job or obtaining social services. Our goal is to break the cycle of violence and prevent future crimes.

We'll continue to leverage every tool available to us to keep the city safe, including the use of new and innovative technology. Twenty years ago the development of the CompStat program revolutionized the application of computers to crime-fighting. We still rely on CompStat today to ensure rapid follow-up on crime conditions and accountability. But we're also keenly focused on where the next technology advances will come from. Let me mention three:

First, data mobility. We now have access to a vast storehouse of information through our Domain Awareness System, or "DAS" as we call it. Through a single application, we can access a network of 7,000 closed circuit cameras citywide. We can view data from thousands of license plate readers, an array of chemical and radiation sensors, all emergency 911 calls, criminal records and much, much more through a single desktop application.

We're in the process of launching a DAS mobile tablet pilot that, if successful, will allow officers to view the full suite of information provided by the system from anywhere on patrol.

Second, predictive policing. We're beginning to write algorithms that identify in a real-time way patterns of criminal activity like burglary and grand larceny complaints. The algorithms can search hundreds of records, recognize links, and alert us to them. In the busiest precincts for shootings, we're using data driven analytics to change the deployment of anti-crime teams, optimizing our resources to prevent these incidents before they occur.

Third, something we call "next generation CompStat." We are building into our Domain Awareness System a business intelligence model that supports the analysis of real-time crime data. Rather than analyze where crime was occurring, say, a week ago, our commanders will be able to assess what is happening in their precincts at that very moment. This will allow them to focus resources on problem locations much more swiftly to prevent crime.

Let me also update you on our initiative to employ social media in the Department. A pilot project is under way with the participation of five precinct commanders. In addition, I have a Twitter account myself, as does our Chief of Department, Phillip Banks III. We will soon establish an account for our Detective Bureau as well. Our goal is to create Twitter accounts for every one of our precinct, housing PSA, and transit district commanders by the end of the year, so that they can share timely and important information directly with the public.

We saw a great example of Twitter's usefulness on May 2nd when an F line subway train derailed in Queens. Captain Thomas Conforti, Commanding Officer of the nearby 112th Precinct, immediately began tweeting information to users of the system about how to get in and out of the area. He continued to provide updates on the best options for the next morning's commute, what lines were open, and the best ways to get home.

Turning to budgetary issues, the Department continues to apply for and obtain federal assistance to protect members of the public and critical infrastructure including the Financial District, the transit system, bridges, tunnels, and ports.

As mentioned in March, \$3.8 billion in counterterrorism grant funding has been allocated to New York State from Federal Fiscal Year 2003 through 2013. Approximately \$2.2 billion, or 57%, of this amount was allocated to New York City. Of that amount, \$1.3 billion, or 60% of the funds received by the City, was allocated to the NYPD.

As in the past, the Department is requesting funding to allow the continuing build-out of the Lower and Midtown Manhattan Security Initiative, as well as the purchase of critical explosive and radiation detection equipment, personal protective equipment, and mitigation and rescue equipment. Our submission includes funding to continue to support deployment of officers to anti-terrorism teams throughout the City, including the Transit Bureau bus and platform targeted initiative. This funding will cover the salary costs of our Intelligence Research Analysts, overtime costs for counterterrorism training, and continued maintenance and support costs for our counterterrorism projects and equipment. It is anticipated that the Preparedness Grants will be awarded no later than September 30, 2014.

On April 24, 2014, we submitted project proposals to OMB under the Federal Fiscal Year 2014 Homeland Security Grant Program. OMB will incorporate our projects into a citywide application and send it to the NYS Department of Homeland Security and Emergency Services for their review and submission to FEMA by the due date of May 23, 2014. A national review panel comprising FEMA Federal Preparedness Coordinators, DHS Office of Infrastructure Protection, Transportation Security Agency, US Coast Guard, and others will review applications. After their review, award recommendations are forwarded to the Secretary of DHS. We are hopeful that the Police Department will receive the same amount or somewhat more funding than last fiscal year.

The Department submitted a funding request totaling \$27.8 million under the 2014 Transit Security Grant Program to the Metropolitan Transportation Authority. The MTA will submit our application to FEMA for review and scoring by a national panel. FEMA then conducts a final review and awards funding.

The Department is also preparing to submit projects totaling \$17.3 million to FEMA under the 2014 Port Security Grant Program for review and scoring by a national panel. FEMA then forwards the application to the Area Maritime Security Committee for their review and comment. FEMA will then conduct a final review and award funding.

The Securing the Cities Grant, which we receive from the Domestic Nuclear Detection Office of the Department of Homeland Security, is another critical source of funding. We rely on this grant to construct and maintain an electronic safety net around the city that can alert us to the presence of a nuclear or dirty bomb, or the materials used to make them. The NYPD is the lead law enforcement agency in administering these funds among regional stakeholders across three states and twelve jurisdictions. The NYPD received \$11.4 million in funding under the 2013 STC program, which was a decline of \$6.6 million from the previous year. Recently, we received the 2014 award letter from the Department of Homeland Security announcing that as much as \$7.6 million is available for continued funding for this critical protection program.

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

The Department's Fiscal Year 2015 Expense Budget is \$4.71 billion. The vast majority of this, 93%, is allocated for Personal Services and 7% for OTPS. The Fiscal Year 2015 budget is \$255 million lower than this year's budget of \$4.97 billion. That's because a significant amount of non-City grant funds are not accounted for in the Fiscal Year 2015 budget. Once those funds are added, next year's budget total will be comparable to this year's.

The Executive Financial Plan included additional funding of \$3.5 million in FY'14, \$100 million in FY'15, and \$28 million in FY'16 and the out-years for critical on-going needs and new initiatives and programs. The following are some highlights of the major programs that were funded:

- \$4.1 million in FY'14, \$13.3 million in FY'15 and the out-years was provided as part of the Mayor's Vision Zero Initiative to end the scourge of traffic deaths and injuries on our streets. The funding will allow for hiring an additional 147 TEA's to help improve pedestrian and traffic safety. By purchasing additional and enhanced speed detection equipment and training officers in its use, we will be able to increase speeding enforcement at the precinct level. Funds provided will allow for additional deployment of officers citywide to Radar Traffic Enforcement, Collision Investigations, and Vision Zero Community Outreach programs. Funding was also provided for an enhanced Traffic Accident Management System to more accurately capture and report on vehicle collisions and traffic incidents.

- \$1.3 million in FY'15 and \$1.2 million in FY'16 and out-years was provided for hiring of additional personnel and associated OTPS needs for our Collaborative Policing Initiative. This initiative will formulate agency-wide strategies and new initiatives to rebuild collaborative partnerships with nonprofits and community-based organizations; to enlist other City agencies in crime-fighting strategies; and to review the Department's response to victims of any kind of crime, including domestic violence, sexual assault, identity theft, burglary, and every other crime.

- **\$4.9 million in FY'15 and \$3.9 million in FY'16 and the out-years was provided for the hiring of additional personnel and associated OTPS for the creation of the new Compliance Unit. With the Police Department under increased scrutiny and oversight, additional staffing will allow the Department to meet data and information requests from the Inspector General and Federal Monitor offices, as well as to implement policy changes and prepare reports as requested by the City Council. In addition to the staff assigned to supporting the IG and Federal Monitor functions, staffing was also provided for the new Risk Assessment Unit tasked with the goal of reducing the Department's exposure to liability by reviewing trends and patterns in cases against the Department.**

- **\$4.3 million in FY'15, \$4.9 million in FY'16 and \$5.6 million in the out-years was provided for on-going maintenance and technology support costs that were previously funded in the Capital Budget.**

- **\$519,000 in FY'15, FY'16 and the out-years was provided for lease costs associated with the relocation of Staten Island Traffic Enforcement Division to One Teleport Drive.**

- **\$500,000 in FY'15 was provided for the Gunshot Detection Technology Pilot Program.**

- **\$70 million in FY'15 was provided in order to relieve NYCHA of the FY'15 payments to the NYPD for Police Services.**

On May 8, 2014, the Mayor released the Fiscal Year 2015 Executive Budget and Commitment Plan. The total Capital Plan for the Police Department is \$784.8 million which covers Fiscal Years 2014 to 2018.

In this Plan, the Department was granted an additional \$115.9 million in City and Federal Capital funds for various facility and technology projects.

As you know, many of the Department's precincts are in a state of disrepair requiring either major rehabilitations or complete replacement. In the past several years, mandated reductions imposed upon the Department required the elimination of virtually all capital funding allocated for new precinct construction and rehabilitation projects, with the exception of the new Police Academy and the new 121st Precinct. These reductions have led to increased maintenance costs for deteriorating facilities, overcrowded conditions at station houses, and sub-standard working environments for NYPD employees. I'm pleased that the new Administration has begun to address this important Department priority by providing funding in this plan for some of our facility renovations and replacement needs, as follows:

- **\$68.9 million for the design and construction of a new 40th Precinct Stationhouse in the Bronx, which was built in 1924, is in very poor condition and cannot be**

rehabilitated. A proposed site located at East 149th Street and Saint Ann's Avenue has been identified for the new precinct.

- \$40.3 million for design and construction costs associated with the renovation of the 13th Precinct Stationhouse in Manhattan; and the renovation of 245 Glenmore Avenue in Brooklyn, which houses the Brooklyn North Narcotics Division.

- \$2.3 million in Federal funds and \$252,000 in City funds was provided for the replacement of the Bomb Squad Administrative/Training facility at Rodman's Neck in the Bronx, which was severely damaged by Hurricane Sandy.

- \$2 million for renovation costs associated with leased space at 1 Teleport Drive in Staten Island that will serve as a permanent site for Staten Island Traffic Enforcement Division.

- \$250,000 in the Expense Budget in FY'14 and the out-years for the painting of Department facilities.

Also provided in the Capital Plan was \$2.2 million for technology projects, including an upgrade of the Traffic Accident Management System, and a Case Management Tracking System to support the Inspector General, Federal Monitor and Risk Assessment Compliance Initiatives.

The number of funded authorized full-time civilian positions is 14,589 in Fiscal Year 2014; 14,646 in Fiscal Year 2015; and 14,495 in the out-years. The reason for the reductions in 2015 and the out years is that a number of grant-funded positions have not yet been accounted for in the Fiscal Year 2015 budget. The part-time budget currently funds 2,631 positions in Fiscal Year 2014, which consists mostly of School Crossing Guards.

There were no changes to the uniformed staffing levels, and the funded peak headcount will remain at 35,437 in Fiscal Year 2015 and the out-years.

The July 2013 Police Officer class size was 1,247 recruits; of these, 1,171 graduated in December. The January 2014 Police Officer class size was 650 recruits. In order to reach the funded peak headcount of 35,437 in Fiscal Year 2015, the class size needed in July 2014 would be approximately 950 police recruits. In addition, the January 2015 class is estimated at 600 police recruits. The size of police recruit classes is designed to maintain the funded peak headcount by replacing the attrition of officers that has occurred since the prior class.

The projected attrition is approximately 2,100 in Fiscal Year 2014 and 1,300 in Fiscal Year 2015. In 2014 larger numbers of police officers were eligible for retirement than in most years upon reaching their 20-year anniversary this past August and February.

The average uniformed headcount is estimated to be 35,108 in Fiscal Year 2014, which represents an increase of 61 positions, as compared to 35,047 in Fiscal Year 2013.

The average headcount for Fiscal Year 2015 is projected at 35,122, which would be 14 higher than Fiscal Year 2014.

Completion of our new Police Academy is budgeted at \$57.3 million in Fiscal Year 2014 and 2015, which supplements \$727 million budgeted in prior fiscal years. The building will be substantially completed this summer and we'll begin the phase-in of certain training activities and functions at that time. We expect the facility to be ready to host the entire training for its first recruit class in January.

As mentioned in my March testimony, even as our new Academy opens in January, it will be necessary for the Police Department to retain the current Police Academy facility on 20th Street in Manhattan. Many of this building's facilities, including the Firearms and Tactics Range, must remain active and in use, not only for recruits but also for in-service training. In addition, the 13th Precinct and the Police Academy are conjoined and share the same infrastructure. The Department intends to consolidate a variety of functions in the old building.

I am very optimistic about the future of the Police Department and the direction we are heading. As the decrease in crime so far this year shows, we can police the city effectively without intruding unnecessarily or excessively into the lives of its citizens. I believe the same is true of our mission to defend New York from another terrorist attack. My long experience has taught me there is a direct correlation between the level of community support for the police and success in fighting crime and terror. With the exceptional budget provided by Mayor de Blasio and the assistance of the members of the City Council, we will continue to work tirelessly to earn the trust and confidence of New Yorkers and to ensure that there are even better, brighter days ahead for our city.

Thank you again for this opportunity to testify. At this point, I'd be happy to take your questions.

**Statement of Elizabeth Glazer
Director, Mayor's Office of Criminal Justice
New York City Council
Committees on Public Safety and Finance
May 20, 2014**

Good afternoon, Chairperson Gibson, Chairperson Ferreras and members of the Public Safety and Finance Committees. My name is Elizabeth Glazer and I am the Director of the Mayor's Office of Criminal Justice. I am joined today by Jean-Claude LeBec, our Executive Director for Budget and Operations; Migdalia Veloz, our Chief Contracting Officer; and Jordan Dressler, our General Counsel. I am glad to have the opportunity to speak with you today about the Mayor's FY15 executive budget as it pertains to criminal justice programs and initiatives.

The Mayor's Office of Criminal Justice oversees citywide criminal justice policy and develops and implements strategies aimed at achieving three main goals: to reduce crime; to reduce unnecessary incarceration; and to promote fairness. The Office of Criminal Justice is the Mayor's policy advisor on criminal justice and acts as a liaison among the various actors in the criminal justice system, developing and promoting initiatives to enhance effectiveness, efficiency and fairness.

We have an opportunity this year to take a significant step forward in achieving all three goals and doing it in a way that integrates the many players and entities that affect and are affected by the criminal justice system. As District Attorney Vance told you earlier, his office's work has yielded asset forfeiture money that will fund a Criminal Justice Investment Fund. Working together with the DA's Office and OMB, we have the opportunity to develop an affirmative multi-year strategy to make our city safer and fairer. By investing wisely, we can move from the disjointed, sporadic and pilot-project driven world that the criminal justice "system" currently inhabits, towards an integrated, systemic and results-oriented world that fairness and effectiveness demand.

REDUCING CRIME AND ENHANCING PUBLIC SAFETY

This City continues to experience an extraordinary decline in crime that has kept New York the safest big city in the country. As of May 11, major crime in the City was down 2.7% from the same period one year ago. Murders are down 14% from the same period last year. These drops have occurred even as stop-and-frisk incidents have declined by 86% in the first quarter of 2014 and the number of criminal summonses issued has dropped by 21% this year to date. We have also continued our decline in the use of incarceration; as of yesterday, the inmate population in custody of the Department of Correction was down 7% this year versus last year, and the City's overall prison and jail incarceration rate is half of what it was at its peak in 1996.

But there is still work to do. Our job this year is to find ways to make sure that all parts of the City see success in reducing crime and enhancing public safety. One way that we hope to achieve this – with the Council's support – is to continue to find ways to further combat gun violence. Unfortunately, although homicides have declined, we have seen a 7% uptick in shootings this year compared to last, an increase that has been concentrated in public housing and the City's most disadvantaged neighborhoods. We know that we can all do more to reverse

this trend. This year's DOHMH budget includes \$6 million for anti-gun violence initiatives that can expand and build on programs funded by the Council. As we plan for the investment of these funds, we will also want to understand what other models – funded privately, as well as by the state and federal government – are effective; where they are operating and where there are gaps.

In Crown Heights, the privately funded "Save Our Streets" program has reduced retaliatory violence -- a 20% reduction in average monthly shootings than there would have been without the program. "Save Our Streets" uses a variation of the Cure Violence model recruiting credible messengers and local "violence interrupters." They have also experimented with changing social norms through messaging, including developing a kind of "flash mob" that appears at the site of shootings to signal that shootings should not be considered an accepted norm.

And we should explore other approaches as well that have proven track records: interventions in hospitals or other sites; instilling a sense of "legitimacy" in those most likely to offend. Promoting perceptions of fairness and making people feel that they are being treated with dignity and have a voice, research shows, encourages people to voluntarily obey the law. Critically, as we invest in programming, we will also invest in the assessments that tell us what works and what doesn't.

REDUCING UNNECESSARY INCARCERATION

Reducing the unnecessary use of incarceration is a second goal. We know that we can reduce both crime and incarceration when we are smart about assessing risk and about matching the right people to programs that work at the right time. A key piece of this strategy is to ensure that we invest in effective programming and develop the tools to help judges and other parts of the criminal justice system to appropriately assess whether incarceration, programming or nothing is the most effective response.

To do this we are committed to the most effective use of our robust portfolio of pretrial services and alternative-to-detention and incarceration programs. Our budget for these programs totals \$35.7 million in City funds for FY15, which includes \$18.1 million in funding for the non-profit Criminal Justice Agency (CJA) to provide pretrial services. CJA's funding was increased by \$194,000 this year to establish a new Failure-to-Appear (FTA) Unit in Manhattan and expand the Bronx's FTA Unit. This adds to units currently operating the Brooklyn and Queens. With the FTA Units, CJA contacts defendants who have missed appearances in court and have bench warrants out for their arrest and persuades them to return to court on their own. These defendants might otherwise be detained by police on the warrant, spend time in custody and then be returned to court involuntarily. Nearly every defendant that CJA makes contact with returns to court on their own. Typically, the warrant is then vacated and most defendants are either released or have their case immediately resolved.

One new piece of our ATI/ATD contract portfolio highlights our approach to assessing risk accurately and matching programs effectively to reduce both crime and unnecessary incarceration. The FY15 budget includes \$2.8 million in funding for the Court Based Intervention Resource Teams program, or CIRT. This is a joint initiative of our Office, the Department of Correction and the Department of Health and Mental Hygiene which supports ATI and ATD programs for mentally ill inmates in Department of Correction custody.

We developed CIRT in response to research which showed that inmates in DOC custody who have a mental illness remain in jail nearly twice as long as those who don't. Using technology built at the Department of Correction and a risk assessment instrument developed by DOC and the Vera Institute of Justice, CIRTs in all five boroughs can identify non-violent inmates with mental health problems who do not pose a high risk of recidivism and offer case management and court-ordered supervision instead of jail. Manhattan CIRT, which is being operated by CASES, began taking clients in March, and we expect that CIRT programs in the other four boroughs will begin operating this summer.

PROMOTING FAIRNESS

Our third key goal is promoting fairness in the criminal justice system, which includes a strong and well-funded indigent defense system. The budget for indigent defense in fiscal year 2015 is \$252.7 million. This includes a 42% increase in funding for defense organizations in family court representing over 3,000 indigent parents and guardians accused of abuse or neglect (also known as "Article 10" cases), from \$12.5 million to \$21.7 million. This rise in funding reflects how much legal, investigative and advocacy work is required to provide a robust defense for clients, and how long it takes for these cases to reach resolution. As we reported to the Council in March, an RFP for Article 10 representation was issued last November. We are currently concluding negotiations with organizations in Brooklyn, the Bronx, Manhattan and Queens for contracts that would begin in July.

This year, we will be working with criminal justice stakeholders to solve a long-standing problem in the criminal justice system – delays in the processing of cases in court. Case delays in the Supreme Court continue to grow, despite a drop in filings; since 2000, the Supreme Court caseload has decreased 23% while the number of cases pending over the Court's 180-day Standards and Goals measure increased by 79%. As of the beginning of March, 56% of the cases pending in Supreme Court exceeded Standards and Goals. These delays negatively affect defendants waiting to resolve their cases, whether they are missing work or school to repeatedly return to court, or they are being held in custody. We look forward to working with the many different players in the system to solve this problem.

We know it can be done, because we have seen it work in moving defendants faster from arrest to arraignment, with measurable results. Over the past two years, in the face of increased delays in arrest processing, the courts, the Police Department, the District Attorneys, the defense bar and our office worked together to bring arrest-to-arraignment times down. For January through April of 2012, the average arrest to arraignment time in the City was 26.72 hours. For the same period last year, the average was 21.96 hours. This year, the average was 21.11 hours, a 21% drop from the same period in 2012 and well below the 24-hour standard.

Thank you for this opportunity to speak to you today. I am happy to take your questions.



**New York County District Attorney Cyrus R. Vance, Jr.
FY15 Executive Budget Testimony
Before the New York City Council Public Safety Committee
May 20, 2014**

When I last spoke before City Council in March, I highlighted the innovative and effective work of the New York County District Attorney's Office Crime Strategies Unit and the success of our Intelligence Driven Prosecution model. I am extremely proud of our achievements in bringing violent crime to record lows in Manhattan and I pledge we will remain vigilant. At the same time that we have made substantial gains in keeping our streets safe, our office has also built a reputation as a national leader in policing the economic markets of our City and nation. Within our jurisdiction lies the world's greatest center for global business, trade and finance and the New York County District Attorney's Office has the responsibility, singular among local prosecutors, to investigate major economic crimes, including those involving financial transaction in our global markets. In fact, one of our core philosophies is that we have an obligation to act as a local "cop" for the world's markets and international businesses located within our jurisdiction. In an ever-more complicated and fast moving world, cases brought by this Office protect the integrity of these businesses, markets and financial institutions. As a result, we are a national leader in investigating and prosecuting extremely complicated cases that protect our markets and consumers.

Major Economic Crime Investigations

The investigation of major economic crime is performed by DANY's Investigation Division, unique among the local prosecutor offices in its mission, capabilities, and resources. Annually, DANY spends \$21 million and assigns over 300 employees to conduct proactive investigations. We conduct investigative work and provide local expertise alongside partnering Federal, State, and City agencies to target individuals and entities who misuse our financial institutions for illicit purposes, or whose conduct undermines the integrity and stability of our markets and businesses upon which this city relies for its growth. International money laundering, terrorist financing, investment and securities fraud schemes, cyber-crime threats, and construction fraud are a few such areas.

The benefit to the City and the State in the form of public safety, a level playing field for all businesses, and financial market fairness cannot be overstated. At the same time, since 2009, the effect of these investigations and prosecution by our Office have, through forfeitures, settlements and restitution brought in over \$1.1 billion in unrestricted general fund revenue to the City and the State. \$580 million, over seven times our annual city tax levy funding, was deposited in the City treasury. This money was used to cover budget gaps and fund necessary services Citywide. In addition to returning millions of dollars for New York City, our willingness and ability to investigate

and prosecute major financial crimes acts as a strong deterrent to would-be perpetrators of financial crimes, thereby saving the City and its citizens, both individual and corporate, billions of dollars in lost revenue. The following are just a few examples of investigations undertaken by DANY that have a direct impact on taxpayer money:

- In March 2014, we announced a grand jury report examining the vulnerability of New York's workers' compensation insurance system to fraud and misuse. The report stemmed from investigations by DANY Money Laundering and Tax Crimes Unit into false information provided to the New York State Insurance Fund in connection with applications for workers' compensation policies.
- In January 2014, we announced the indictment of 134 defendants for a massive fraud against the federal Social Security Disability Insurance Benefits ("SSDI") program that resulted in the loss of hundreds of millions of dollars from taxpayers. The defendants, including many retirees of the NYPD and FDNY, are accused of lying about their psychiatric conditions in order to obtain benefits to which they were not entitled. This investigation is ongoing and will likely result in additional indictments.
- In August 2012, a grand jury empanelled by our office found systemic problems with real property tax filings, including the filing of false documents and information with New York City in connection with the computation of real property tax liability. The report recommended legislative, executive, and administrative reforms to protect the integrity of the tax system and maximize tax receipts lawfully due to the City.

We are pleased to be able to contribute so much more than we take and we strongly believe that the resources we invest in complex white-collar cases are well worth the benefits they return to the taxpayers in the form of fairness justice, and public safety. While our office has consistently benefited from a revenue sharing agreement with the City that allows for reinvestment of fines and restitution derived from cases pursued by our office, this arrangement made it difficult to plan from year to year. Given the uncertainty associated with such a funding arrangement and in recognition of the importance of DANY's white collar crime work to the City, our office was allocated \$7.5 million starting in FY15 as part of the Mayor's Executive Budget. We are grateful for this baseline budget adjustment, as it will provide us with the ability to best plan for our continued our work in this field.

Criminal Justice Investment Fund

Last year, in partnership with the U.S. Department of Justice and the U.S. Treasury Department, we resolved two terrorist financing cases involving HSBC and Standard Chartered Bank which resulted in large federal asset forfeitures. These forfeited funds are subject to stringent federal equitable sharing rules, which govern both the distribution of forfeited funds to partner agencies, as well as the manner in which the funds are spent. The federal guidelines, for example, require that the money be spent exclusively on law enforcement purposes or other public safety priorities. Additionally, and of critical importance to any discussion of my office's budget, these funds generally cannot be used for salaries or additional personnel, or used to supplant existing funds and operations.

In response to this funding and in recognition of the unprecedented opportunity it presents to transform law enforcement and criminal justice policy Citywide, I decided to place the funding from these cases in something we are calling the Criminal Justice Investment Fund (CJIF). The primary mission of the Criminal Justice Investment Fund is to enhance public safety and promote fairness and excellence throughout New York City's criminal justice system.

Our office is working in partnership with the Mayor's Office of Criminal Justice and the Office of Management and Budget (OMB) to develop an overall Citywide strategy for the administration of this fund. We will work as partners with the Mayor's Office to identify and manage investments in criminal justice initiatives that are transformative, far-reaching and address the most significant public safety and law enforcement needs across the City. Already identified projects include the development of an alternative to incarceration and detention performance clearinghouse to track individual-level progress and provide information to stakeholders about existing programs, their availability and the quality of services. Other areas of focus include an expansion of diversion options for special populations, including the mentally ill, and reentry programming.

We have also already committed to sharing these funds with the offices of our fellow District Attorneys to modernize courtroom presentation technology throughout the City and enhance the capacity of other District Attorney's offices with basic telephone and computer forensics. Through the allocation of these monies, my counterparts in other boroughs will have state-of-the-art crime fighting tools at their disposal.

We are also working closely with the Police Department to identify shared law enforcement priorities. One example is an expansion of the NYPD's public safety camera network. Cameras continue to be a critical law enforcement tool as they serve as both a deterrent and a source of investigative materials when crimes have been committed. Our office will invest in a significant expansion of the camera network in high crime areas and neighborhoods.

Finally, we have committed resources to addressing core technology and facility needs of my office, including the longstanding need to modernize and renovate our office space and enhance data and analytic capacity. These projects, and other capacity building efforts, will support our office's ability to remain on the forefront of prosecutorial innovation.

Through the significant contribution my office will make to enhance public safety – both through the Criminal Justice Investment Fund and our office's core mission of responding to and preventing crime – I am confident that New York will continue to thrive as the country's safest big city and a place where people want to do business. I thank you for the opportunity to discuss our budget and highlight some of the significant initiatives underway in my office.



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TRACY CATAPANO-FOX, ESQ.
EXECUTIVE DIRECTOR

**Testimony of Board Member
Bishop Mitchell Taylor
of the Civilian Complaint Review Board
before the Finance and Public Safety Committees
of the New York City Council**

May 20, 2014

Chairwomen Ferreras and Gibson, members of the Finance and Public Safety Committees, my name is Bishop Mitchell Taylor and I am a Queens City Council designee to the Civilian Complaint Review Board (or CCRB). With me today are Executive Director Tracy Catapano-Fox and members of our executive staff. We will be available to answer your questions at the conclusion of my testimony.

The CCRB is mandated to investigate, mediate, make findings, recommend actions and prosecute complaints of police misconduct involving what is commonly referred to as FADO, ie. excessive use of force, abuse of authority, discourtesy or use of offensive language. To fulfill this mandate, the CCRB thoroughly and impartially investigates all civilian complaints typically within eighteen months of date of incident, which encourages all parties to have confidence in the process and findings by the Board. When the Board determines misconduct has occurred, it may recommend various levels of discipline, including Instructions, Command Discipline, or most seriously, Charges and Specifications. If the Board recommends Charges, the CCRB Administrative Prosecution Unit ("APU") is tasked with prosecuting these cases before

the NYPD Deputy Commissioner of Trials, and the Police Commissioner makes the ultimate determination for discipline. The APU has been in effect since April 11, 2013.

On May 8, 2014, Mayor de Blasio released the Executive Budget for Fiscal Year (FY) 2015. For FY 2015, the CCRB has a current preliminary budget of \$12,758,025, \$9,858,625 for PS and \$2,899,400 for OTPS. The authorized headcount is 167 positions: 120 positions in investigations, 20 positions in the APU and 27 positions in administration. The Mayor's Executive Budget added three legal advisor positions to our Investigations Division. We are very thankful to the administration for the additional funding. These experienced attorneys will be well positioned to identify, through their review of cases, those areas ripe for board policy recommendations, which can improve the overall quality of policing in New York City, and provide high quality legal review of a greater number of cases. By improving the legal quality of CCRB investigations, we will ensure a fair and thorough review of all allegations of police misconduct brought to the CCRB.

In March, we submitted a request for new needs for FY 2015 to the administration. The new needs request was thoroughly evaluated by the administration. In addition to three attorney positions that the administration granted, the CCRB requested funds for two additional proposals that the administration did not grant: five new outreach positions to launch "the CCRB in the Five Boroughs" initiative and seven investigative positions for our new "Field Investigative Team" initiative.

Initiatives for FY 2015

"CCRB in the Five Boroughs" Initiative

The "CCRB in the 5 Boroughs" is a new initiative that will expand our outreach into all communities in New York City, to provide greater resources and assistance to civilian victims of police misconduct, and educate New Yorkers about their rights and responsibilities in deescalating interactions with police officers. To support this initiative,

we are seeking five new administrative staff positions, who will be present in each borough and perform the above functions for the CCRB.

One function of the "CCRB in the 5 Boroughs" initiative is to increase outreach and awareness to various communities within New York City. In 2013, the CCRB outreach program made 204 presentations. This was a significant increase from 2008, where the CCRB held 47 presentations, and 2009, where the CCRB held 49 presentations. However, due to the hiring freeze from 2009-2011, the outreach department decreased to only 1 full time employee and had to rely on temporary unpaid college interns and members of staff who volunteered to perform outreach. Despite the removal of the hiring freeze, we only have 2 full time employees to supervise and execute the tremendous increase in outreach programs, and still rely on board members, unpaid interns and staff volunteers to handle the volume. In the first 4 months of 2014, the CCRB handled over 100 outreach programs across New York City, which is almost seven times more than were handled in the first four months of 2008 and 2009. The question begs an answer: how are we doing more with less? The Chair of our Outreach Committee is very aggressive concerning outreach and the Board has challenged us to make outreach a priority. Because of this, staff have volunteered their time, to field these additional outreach opportunities. However, it diminishes their capacity to do the vital work they were hired to do. Although doing it on their own time, they work long hours on weekdays and weekends to ensure the quality of the investigations are maintained. Inevitably, this diminishes our ability to put out a quality work product by continuing to supplement the outreach program with staff from other divisions. The CCRB believes that there are significant limitations to the long-term sustainability of an outreach program running almost solely on interns and volunteers, and therefore seeks five additional staff members to facilitate and offer outreach programs to the five boroughs.

The "CCRB in the 5 Boroughs", in addition to providing greater outreach in each borough, would also assign one staff member to each borough for weekly intake sessions, so that civilians can file complaints of police misconduct with the staff member

in a location within each borough. Often we hear from victims of police misconduct that they are unable to come to the CCRB office to file complaints or be interviewed because it is a financial burden to travel to Manhattan, it is too time consuming, or that they are unable to leave work to appear at the agency during office hours. In order to create a continuity of service, we must have additional staff that will be able to work unconventional hours, to accommodate the working population of New York City. We believe that most of our complainants are part of the working poor, and to ask them to take off from their jobs in order to come to the CCRB can be daunting. It is unfair to place a greater burden on these citizens in order to pursue their civil rights. This initiative allows us to remove the barriers that are inherent with most of our complainants. By having outreach coordinators in each borough weekly, this would alleviate the burden of civilians of having to travel to the CCRB agency during work hours, and give them the opportunity to immediately file a complaint and be interviewed by a CCRB investigator within their own community. This staff member would also schedule interviews for witnesses and victims in pending CCRB cases as well as handle intake of new complaints. The outreach staff member can provide information and answer questions to civilians interested in learning more about the agency and how it can assist the community.

We are working to coordinate with Borough Presidents and City Councilmembers to facilitate obtaining locations for the “CCRB in the 5 Boroughs” initiative on a weekly basis. These conversations have bolstered our belief that having a dedicated staff member for each borough will improve community relations and provide stability and consistency for our partners in government who will offer us the facility space. We anticipate that this initiative will increase the number of outreach presentations by 50% and ensure that all communities will be reached in New York City.

To ensure the stability and success of the “CCRB in the 5 Boroughs” initiative, we are asking for five additional staff members at an annual salary of \$49,538. This funding is reasonable in light of the valuable work these employees will perform in

ensuring that civilians are provided the opportunity to address their allegations of police misconduct timely and efficiently.

“Field Investigative Team” Initiative

Our second initiative is a “Field Investigative Team” to improve the quality and timeliness of our investigations. We are seeking seven investigators at an annual salary of \$49,045 each, who will respond to allegations of police misconduct throughout New York City, and obtain witness statements, audio and critical video evidence within 24 hours of the report incident.

The central mission of the CCRB is to investigate and resolve allegations of police misconduct in a timely and efficient manner. Past budget cuts and hiring restrictions have limited the CCRB's capacity to timely investigate allegations of police misconduct. In 2008, the CCRB had 153 investigators, but due to budget cuts and hiring freezes, that number has dwindled to 120 investigators in the 2014 Executive Budget for FY 2015. This massive decrease in investigators has greatly affected the agency's ability to effectively perform its core mission. In 2008, the CCRB was able to close a substantiated investigation in 351 days, less than one year after the date of incident. However, in 2013, it took the CCRB an average of 436 days to close a substantiated investigation, a 24% increase in time.

The CCRB is committed to increasing our case resolution rate by getting earlier access to video and audio evidence, interviewing complainants and witnesses earlier, and decreasing time for mediations to occur. To address this systemic problem, the CCRB has created a new intake unit that has reallocated resources around investigative teams to more promptly receive and respond to complaints. However, our ability to increase our case resolution rate depends on our ability to reach complainants earlier and obtain interviews, as well as obtain video and locate witnesses to fully investigate cases.

The request for adding seven investigators will allow the CCRB to conduct more field operations. Under the "field investigators" initiative, the CCRB will be able to designate investigators to go to the field every day and collect video and civilian statements within two days of the complaint being filed. This will enhance the quality of the investigations, by ensuring we quickly obtain objective video evidence and witness information from the onset of the investigation. Further, this will help increase the case resolution rate, as well as enable the CCRB to conduct more investigative steps (conduct witness interviews, collect video, take photographs of the incident location, etc.) in a timely manner, thus reducing the days required to complete a full investigation.

With the support and funding for these initiatives, we are confident that we can meet the objectives of Mayor de Blasio and the City Council in fulfilling the CCRB's mission to provide quality, impartial and thorough investigations into police misconduct for the citizens of New York. We are grateful that the Administration and the Council are committed to ensuring that the Board has all the resources needed for the future success of the CCRB.

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



KINGS COUNTY DISTRICT ATTORNEY

Kenneth P. Thompson

District Attorney

Fiscal Year 2015 Executive Budget Hearings

Public Safety Committee

City Council

May 20, 2014

INTRODUCTION

Thank you for this opportunity to address the Public Safety Committee to discuss the Mayor's Executive Budget, its impact on my Office and the fiscal challenges uniquely facing my Office going forward.

I would like to begin by thanking the City Council, The Mayor, The Office of Criminal Justice and OMB for their response to our budget request in the FY 15 Executive Plan budget. Beginning next fiscal year, my Office was provided \$5.2M in the baseline to address a variety of needs as described in my prior testimony. These additional resources are vital to the operation of my Office and will allow us to begin to move the Kings County District Attorney's Office towards being the leading law enforcement agency the people of Brooklyn expect and deserve.

CRIME STRATEGIES

Brooklyn remains the borough with the highest number of Felony arrests Citywide. My Office is committed to utilizing all of its resources not only to prosecute those who seek to terrorize neighborhoods with criminal activity and violence but also, wherever possible, to utilize crime prevention strategies to save the residents of Brooklyn from becoming the victims of crime in the first place.

As noted in my previous testimony, my Office now has a Crime Strategies Unit which is focused on completing in depth statistical analysis on historical and current crime trends in key high crime areas to help us employ crime prevention strategies. This unit will be staffed with ADAs as well as 7 Data and Statistical Analysts, each focused on a select collection of precincts, providing up to date data on crime reported in that area, instances of criminal activity and violence as well as statistical data to inform decisions regarding the effectiveness of initiatives designed to reduce specific types of crime in the area. With this effort, my Office hopes to know what is occurring in the various areas of Brooklyn, which will allow us to implement and adjust crime prevention strategies according to the needs of that area rather than using a broad based approach to crime prevention.

CONVICTION REVIEW

And as we know, Brooklyn is in the unique position of dealing with an ever expanding number of convicted cases requiring review. With every case that is publicized, additional cases are sent to my Office for review. As we work diligently to review all cases placed before us, it remains unclear just how far back or how many cases will require this extensive and labor intensive review. In the 5 short months since I became Brooklyn District Attorney, my Office has moved to vacate 6 convictions of defendants, as well as withdrew an appeal involving one other defendant, who, upon review of their cases, were wrongfully convicted. These actions not only foster public trust in the criminal justice system but also begin the process of righting an injustice committed against these defendants.

It is the responsibility of my Office and my counterparts in the criminal justice system to enforce the law with the goal of ensuring that there is justice for all. In the pursuit of justice, we are committed to reviewing the cases before us and dedicating the necessary resources to investigating those cases in question to ensure that anyone serving time for a crime is doing so as a result of a fair investigation and prosecution.

Since my prior testimony, the newly formed Conviction Review Unit has been expanded, and now includes 10ADAs, 3 investigators and other support staff dedicated to this effort. Additional resources provided in the Mayor's FY 15 Executive budget will be utilized to continue to expand the unit to meet this unique need. While the allocation of resources for this purpose was not specified in the budget, my Office intends to spend an additional \$500,000 annually of the \$5.2 million provided to us for a total cost of \$1.1 million annually to staff this critical unit.

FORENSIC SCIENCE UNIT

And since I am committed to utilizing the resources necessary to ensure that cases are handled with the highest level of integrity, I have created a Forensic Science Unit that will specialize in the use of state-of-the-art forensic science to enhance investigations and prosecutions. Specifically, this unit will assist on motions for post-conviction DNA and the work being done by the Conviction Review Unit. A unit of this type is essential to ensure justice for victims and protect the integrity of the criminal justice system.

PROJECT RE-DIRECT

In addition, the recent shooting of 13-year old Gama Droyville shows that gun violence is still plaguing areas of Brooklyn, including East New York, Brownsville and Bedford Stuyvesant. Every effort is being made to combat this violence through investigations and swift prosecution. For example, just last month, Police Commissioner Bratton and I held a press conference announcing the arrest of a family in Georgia and others for selling 155 guns to an undercover NYPD officer that they thought were destined for the streets of Brooklyn.

Unfortunately, there are still too many illegal guns on the streets of our City and young people in Brooklyn are too often offenders and victims of senseless gun violence. The key to keeping our streets safe for all is to ensure that our young people have alternatives to joining gangs. Similarly, for those who have entered the criminal justice system, it is important to provide alternatives to incarceration focused on changing the path that they are on.

Project Re Direct is one of our programs working with violent youth offenders ages 14-22. Through participation in this program, these young people are provided counseling, electronic monitoring as well as life skills training. Rather than incarcerating these young people at a tremendous cost to the City as well as the young people involved, this program seeks to intervene at a critical point where the adaptation of basic life skills can divert these young people from participating in the violent behavior that led them into the criminal justice system. On average, 85% of our program participants do not recidivate within two years of successfully completing the program. This success rate lets us know that we are changing lives with Project Re Direct and it should be continued. While this program was once grant funded, that funding expired at the close of 2013. Not only would we like to continue this program but we seek to expand the program to have the capacity to serve 40 participants, a 30% increase from the current population. I ask for the Council's support with funding in the amount of \$150,000 to maintain and expand Project Re-Direct in FY 2015 – because this essential community program literally can save lives.

FRAUDS BUREAU

As my Office works to combat the rise in violent crime in Brooklyn, we must not overlook the rise of fraud based crimes. To address what we see as a growing trend, I have

created a Frauds Bureau within the Investigation Division. This bureau will investigate and prosecute instances of fraud in areas such as Immigration and Healthcare. This newly created bureau will have the broad responsibility of investigating and prosecuting all forms of fraud, including complex frauds such as embezzlement, investment fraud and insurance fraud. Unfortunately, the most vulnerable in our community are being targeted and defrauded out of their hard earned money and that is why I recently created the Immigrant Fraud Unit so that we can protect those who live in our immigrant communities in Brooklyn from being scammed, ripped off and exploited by criminals.

CONCLUSION

In closing, I would like to again thank the Council, specifically the Brooklyn delegation and the Public Safety Committee, for all your hard work in support of my Office. Your efforts are demonstrated in the increase to my Office's baseline budget. The funding provided mitigates the budget deficit I was facing as result of the previous administration. Furthermore, the resources provided will allow my Office to have fiscal stability and the ability to plan which is crucial. While the amount provided does not meet all the needs I identified in the new needs request to the OMB, I have been assured that further conversations will be had to discuss additional resources needed by my Office in order to move completely beyond the fiscal situation that we inherited from the prior administration and forward to address the critical law enforcement needs in Brooklyn.

Thank you.



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MEMORANDUM

May 20, 2014

**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 2015 Executive Budget

Thank you for the opportunity to appear before you today to discuss the Mayor's Executive Budget for Fiscal Year 2015.

At the outset, I want to express my appreciation to Chairpersons Ferreras and Gibson and to your colleagues for your efforts on our behalf. The time that each of you and your staffs have taken over these past few months to understand both the operations of our office and the budgetary issues that we face has been extraordinary. We very much appreciate your recognition of the important role that New York City's prosecutors play in the criminal justice system both in ensuring accountability of offenders and in critical community-based crime prevention initiatives. And we look forward to working with you and your colleagues in addressing the important public safety issues that we face in the communities that we represent.

* * * *

I have provided you with a booklet, as I do each year, that provides you with a brief overview of some of our most recent accomplishments.

In short, the Queens County District Attorney's Office is among the busiest metropolitan prosecutors' offices in the nation and an office that I believe, 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.

Our Trial and Major Crime Divisions handled over 78,000 criminal prosecutions last year alone resulting from arrests made by our police officers. Our Investigations Division maintains an extraordinarily active effort working with federal, state and local law enforcement in addressing criminal activity at its roots -- ranging from organized crime and rackets activity to financial crimes to integrity matters to investigations of large scale narcotics and gun trafficking, as well as of emerging crime trends such as gang violence, human trafficking and the victimization of youths by organized prostitution operations. Our Special Prosecutions Division continues to run a host of community-based prevention, education and outreach programs -- with many focused on our communities' youths and active anti-violence, anti-drug, and anti-gang efforts, incorporating school based outreach, partnerships with communities, after-school and summer recreational activities, and youth employment and empowerment efforts. Our Legal Affairs Division provides legal guidance and training to our assistants, defends our convictions in state and federal courts and responds to a vast array of post-conviction motions and proceedings.

And we take great pride in our alternative sentencing programs that divert offenders from possible jail sentence to a wide array of support programs that help offenders turn their lives around. At the same time, we are very much committed to doing everything in our power to make certain that the innocent are never wrongfully convicted, that only appropriate charges based on the evidence are filed against the guilty and that justice is done with respect to each and every one of the cases that we handle.

* * * *

Turning now to our fiscal situation, we are gratified to see in the Mayor's Executive Budget an infusion of \$2.9 million dollars in baselined funding to support a host of new initiatives. We are very pleased that these new monies will allow us to begin to meet many of the growing needs that have emerged over the past decade.

We are currently working on a plan that we will shortly be submitting to the City's Office of Management and Budget on how we propose to use these monies so that this new funding can actually be released to our office's budget going forward. We are hopeful that, once the plan is finalized, we will be able to increase staffing and other resources that will focus on recent crime trends such as financial exploitation crimes, internet crimes against children, identity theft, computer crime and credit card fraud, among many others.

We also hope to include an enhanced focus on the investigation and prosecution of felony vehicular crimes, vehicular homicides and vehicular assaults involving serious physical injury, with particular emphasis placed on matters involving impairment of motor vehicle operators by the use of drugs or alcohol; matters in which drivers are operating vehicles with suspended licenses; and repeat vehicular crime and reckless driving offenses. In the gang violence area, we also plan to increase staffing dedicated to both investigations and prosecutions of gang violence matters to better ensure accountability of offenders as well as to community-based youth violence prevention and youth

empowerment initiatives.

Perhaps, most importantly, we also intend to use a portion of these monies to help us begin to build into our office a real capacity to harness technology in the aid of our ongoing investigations and prosecutions and to analyze evidence increasingly appearing on social media sites -- particularly in the area of youth gang activity.

As we testified this past March, we currently rely on police and other outside agencies to conduct the forensic examinations we need in our investigations and prosecutions. But, with technology advances and growing demands, relying on already strained outside resources is simply no longer sufficient, often resulting in long backlogs before forensic work can be completed.

And this is at a time when the need for the analysis of cell phones, computers, video and audio, social media sites and other technological evidence has been on the rise and has become increasingly prevalent in our cases -- whether they be felony assaults, burglaries, robberies, narcotics and gun trafficking, internet crimes targeting children or other offenses. The ability to address all of these issues and access and preserve evidence from these devices and sites is critical and growing in importance in order to both track emerging crime patterns and to build the strongest possible investigations and prosecutions.

We believe that building an in-house forensic capacity, will help us significantly in addressing our growing needs, while supplementing ongoing efforts of the NYPD and other agencies.

* * * *

That said, it is important to note that we still have a long road ahead of us as we continue to re-build our operations in the aftermath of the devastating series of budget reductions that we sustained over the last decade. Even with the help of a number of restorations and workload formula adjustments, we still are feeling the long-term effects of the cuts we took over time.

As you know, over the past decade, we were forced to reduce staffing assigned to core functions like case intake, hearings, trials, appellate work and ongoing investigative activity. We had to curtail 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. At the same time, we also re-deployed many existing resources to many important new initiatives that we developed in collaboration with 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.

We also 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.

Along these lines, significantly, during these years we were unable to grow our physical office space as a number of our colleague offices were able to do. As a result, we still today remain in fragmented office facilities scattered along Queens Boulevard in both the original office space built in the 1950's for a fraction of the staff we now have and in rental space away from the courthouse where we conduct our work each day.

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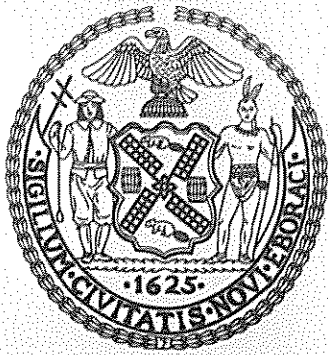
So we very much look forward to working with you and the Mayor's Office on all of these critical issues as well, with a particular focus on moving forward to address the long standing issues of salary parity and retention, critical facilities-related needs, and staffing levels needed for and assigned to core mission.

I am confident -- particularly in light of the significant progress that we already have seen in the Mayor's Executive Budget for Fiscal 2015 -- that working together we will also be able to successfully address these equally long-standing and critical issues that my Office continues to face.

In doing so, we look forward as well to continuing the dialogue with the City on workload formulas for budget allocations. In the last analysis, I believe that it is extremely important to ensure that each of our offices is given the criminal justice and public safety dollars that we need to do our jobs effectively and to meet emerging demands. As I have said many times before, the City's prosecutors are key partners in the criminal justice system along with police, probation and the courts. And we must work collaboratively to ensure the efficiency and effectiveness of the entire system.

* * * *

Again, thank you for the opportunity to testify today. I very much appreciate your listening to our needs and am committed to working with you in addressing our City's public safety issues.



Richard A. Brown
District Attorney

City Council Budget Presentation

Office of the Queens County District Attorney

Fiscal Year 2015

March 21, 2014



Richard A. Brown
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MEMORANDUM

March 21, 2014

**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 2015 Preliminary Budget

Thank you for the opportunity to appear before you to provide an overview of our office's operations and to discuss with you the Mayor's Preliminary Budget for Fiscal Year 2015.

We very much look forward to working with you and your colleagues in addressing the important public safety issues that we face in our communities. We know that you recognize the important role that New York City's prosecutors play in the criminal justice system both in ensuring accountability of offenders and in critical community-based crime prevention initiatives. We look to you for your support in furthering these efforts and ensuring that we have the necessary resources to meet the needs posed by emerging crime trends and to fulfill our constitutional and statutory obligations. Working with you, we are hopeful that we can make significant progress in achieving those goals while we also begin to re-build our operations after close to a decade of historic budget reductions.

* * * *

The Queens County District Attorney's Office is one of the busiest metropolitan prosecutors' offices in the nation and an office that I believe, 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. We handle over 75,000 criminal prosecutions each year resulting from arrests made by our police officers. In addition, we maintain an extraordinarily active investigations effort working with federal, state and local law enforcement in addressing criminal activity at its roots -- ranging from organized crime and rackets activity to financial crimes to integrity matters to investigations of large scale narcotics and gun trafficking, as well as of emerging crime trends such as gang violence, human

trafficking and the victimization of youths by organized prostitution operations. Our Special Prosecutions Division works closely with communities in addressing quality of life issues and oversees a significant number of crime prevention and community outreach programs -- many of which are directed towards the youths in our county. And we take great pride in our work utilizing alternative sentencing programs that divert offenders from possible jail sentencing to a wide array of support programs that help offenders turn their lives around.

* * * *

2013 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 efficiently and effectively, while making 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 78.5%, rapes down 43.5%, robberies down 76.2%, felony assaults down 39.7%, burglaries down 79.6%, and grand larcenies down 47.7%.

* * * *

Despite our successes, however, we have seen some particularly troubling trends and increases in index crimes as well as increases in rapes, felony assaults, burglaries and grand larcenies, gang activity and shooting incidents in a number of areas in our county. We are watching all of this very closely and continue to be especially vigilant at keeping up the pressure on what we see as some of the major contributing factors to violence -- gang activity, drug trafficking and the proliferation of guns. 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. We have worked with community leaders, as well, instituting a number of gun buyback programs to help to take guns off the streets of our county. And we have established ongoing outreach efforts -- particularly focused on our county's youths -- to raise awareness of the dangers of illegal gun possession and resulting violence.

* * * *

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 our county a safe place in which to live and work. Significantly, over 50% of our assistants have been with us over 10 years. We make every effort, as well, to ensure diversity of our staff. Our attorneys, along with our investigators, secretaries, paralegals and other support staff are representative of the extraordinary diversity of our county -- indeed, the most diverse in the nation.

Our Legal Affairs Division includes 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. The Division also 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.

We have no appellate backlog. 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.

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, 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. From the outset we have placed great emphasis on an extensive "riding" program which puts our assistants at all sorts of crime scenes to work alongside of our police officers and this continues today. As a result, we are regulars in the police precincts working with police in enhancing investigations and prosecutions. 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.

* * * *

Our Investigations Division continues to conduct intensive long term investigations utilizing court authorized 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.

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.

* * * *

As noted above, our Special Prosecutions Division runs a host of crime prevention and community outreach programs, attends all of our precinct council and community board meetings, and provides speakers for schools, community groups and town hall meetings, coordinates our many advisory councils, and so much more.

A major focus of Special Prosecutions continues to be its work with young people. One of its programs, for example, is our Star Track youth anti-violence, anti-drug and crime prevention initiative which teams Queens District Attorney's staff partners with teachers, police and other partners in conducting bi-monthly sessions in targeted schools on the Rockaway peninsula for over 1000 10 to 17 year-old-students. Sessions are based on an anti-drug, anti-gun and anti-gang curriculum and address numerous issues, including peer pressure, development of life skills, and the importance of positive choices. As a complement to the school-based program, assigned staff also participate in a community-based Inter-Agency Council, composed of Queens District Attorney's Office staff, teachers, students, parents, school officials, community leaders and elected officials focused on gang and gun violence and substance abuse problems in the community with an eye toward developing effective preventative measures. Our office also hosts an annual "Say No to Violence Week" during the school year for students in the STAR Track schools with the aim of furthering the anti-drug and violence message that is presented in regular classroom presentations, culminating in a yearly "Say No to Violence" Week tennis event at Flushing Meadow Park for about 1000 of our students. In the summer months Special Prosecutions also operates two companion programs, "Operation Summer Fun", a recreational program for Far Rockaway youth (ages 10 to 17), and the Summer Youth Employment Program for Far Rockaway teenagers (ages 14 to 17).

* * * *

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 -- 19.74 hours, with the citywide average at 21.44. Our arrest to sworn time is also equally impressive -- at 8.70

hours in Queens as opposed to 9.96 Citywide. We have the highest percentage of cases arraigned within 24 hours, arraigning over 84.94% of our defendants within 24 hours last year, as compared to the citywide average of 78.81%. 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.

Last year we convicted 20.8% of the City's violent felons. 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, for example, our office drafted over 1000 search warrants and our assistants attended and supervised close to 400 lineups in police precincts across the county.

And 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 third largest number of wiretaps (175) in the entire country, representing 8.5% of the national total.

* * * *

I am also proud to say that, in addition to all of these efforts and despite the many fiscal challenges that we have faced over recent years, our 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.

As I noted earlier, we have, for example, a broad array of alternative sentencing and community programs which include our felony and misdemeanor Drug Treatment Courts and our Mental Health Court, with close to 5,000 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 cases involving driving while intoxicated charges, was the first of its kind in New York City. The court provides a successful alternative to prison for first time felony DWI offenders with offenders receiving intensive substance abuse treatment leading to an extremely low rate of recidivism. To add even more teeth to our efforts, we work to ensure that felony DWI defendants who take treatment court pleas in Queens County are also required to wear a SCRAM monitoring bracelet for a minimum of 90 days which assures that the defendant complies with all court-ordered conditions. Our 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 few 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.

We also operate a Child Advocacy Center which 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 not surprising in light of continuing economic problems to see the rise of incidences of identity theft, telemarketing scams, credit card fraud, consumer frauds, counterfeit check fraud, trademark counterfeiting, and mortgage and real estate fraud. All of these are difficult and complex cases that require a significant investment of time and effort and the volume is rising.

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, our office was the first to obtain a conviction in the State under New York's new human trafficking statute. And we have continued aggressive efforts in this area, using both the human trafficking and existing "promoting prostitution" statutes to prosecute pimps, particularly those who utilize underage girls. Along these lines, 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 Crimes Against Revenue program; Operation Guardian which targets child exploitation; our fugitive enforcement program which targets bail jumpers; an array of youth violence prevention initiatives; and our specialized DNA-based prosecutions for sex crimes, burglaries and other crimes.

* * * *

But now let me turn to our fiscal situation and bring you up to date on where we are now.

As you know, over the past decade all six prosecutors offices here today sustained a long series of significant budget reductions on the City, State, and Federal levels. In Queens, we took an extraordinary loss of \$11.7 million in City baselined funding alone over that time -- or close to 25% of our operating budget -- and this was compounded by the reduction or elimination of other federal and state funding streams.

As a result, over time, we were forced to reduce staffing assigned to core functions like case intake, hearings, trials, appellate work and ongoing investigative activity. We had to curtail 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. At the same time, we also re-deployed many existing resources to many important new initiatives we developed in collaboration with 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. 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.

Along these lines, significantly, during these years we were unable to grow our physical office space as a number of our colleague offices were able to do. As a result, we still today remain in fragmented office facilities scattered along Queens Boulevard in both the original office space built in the 1950's for a fraction of the staff we now have and in rental space away from the courthouse where we conduct our work each day.

* * * *

So where are we in our fiscal situation today? The good news is that, with the help of a number of restorations, new initiative funding, and three recent installments of workload formula adjustments the City devised to address chronic under-funding of this and three of our colleague offices, we are now in the process of beginning to move forward and re-build our operations -- with the first step restoring staffing to pre-9/11 levels.

That said, it is important to note that we still have a long road ahead of us. First, even with all the restorations and workload formula adjustments to date, we are still behind about \$2 million dollars annually from where we started in 2001. And as appreciative as we are of workload formula adjustments made to address our needs, they still do not go far enough to allow us to meet all the growing needs that have emerged over the past decade. These include crime trends such as growing gang violence in our communities, financial exploitation crimes, internet crimes against children, identity theft, computer crime and credit card fraud, amongst many others.

And to bring us into the 21st Century, we very much need as well to build into our office the capacity to harness technology in the aid of our ongoing investigations and prosecutions. To date, we rely on fellow law enforcement or outside agencies to conduct the forensic examinations of cell phone, computer, video and audio evidence that has become increasingly prevalent in our cases -- whether it be felony assaults, burglaries, robberies, narcotics and gun trafficking, internet crimes targeting children, and many other offenses. We also have no specialized staff to assist with analyzing evidence increasingly appearing on social media sites -- particularly in the area of youth gang activity. The ability to address all of these issues and access and preserve evidence from these devices and sites, though, is growing in importance in order to both track emerging crime patterns and to build the strongest possible investigations and prosecutions.

So we very much need your help in addressing that need to modernize our operations as well. With your help, we hope this year to build a cyber-crime forensic laboratory capacity in Queens, with the equipment, software and staffing that we need to help our investigators and prosecutors in their ongoing work.

* * * *

I very much look forward to working with you and your staffs in furthering these efforts. In doing so, I believe that it is extremely important to ensure that each of our offices is given the criminal justice and public safety dollars that we need to do our jobs effectively and to meet emerging demands. 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 we must work collaboratively to ensure the efficiency and effectiveness of the entire system.

* * * *

Again, I thank you for the opportunity to be here today. I very much appreciate your listening to our needs and am committed to working with you in addressing our City's public safety issues.

2013 STATISTICS

Statistics- Index Crime & Violent Crime

INDEX CRIMES DROPPED SLIGHTLY

- In 2013 index crime in Queens dropped by 1.8%. There was virtually no change for the rest of the city.
- Homicides, Robberies, Rapes, Burglaries, and Auto theft decreased between 2012 and 2013.

SOURCE: N.Y.P.D. COMPSTAT YEAR END REPORT 2013

AGGRESSIVELY FIGHTING VIOLENT CRIME

- Queens arrested 22.2% of the City's violent felons.
- Queens indicted 18.9% of the City's violent felons.
- Queens convicted 20.8% of the City's violent felons.
- Queens sent 12.6% of the City's violent felons to prison.

SOURCE: STATE OF NEW YORK DIVISION OF CRIMINAL JUSTICE SERVICES 2013

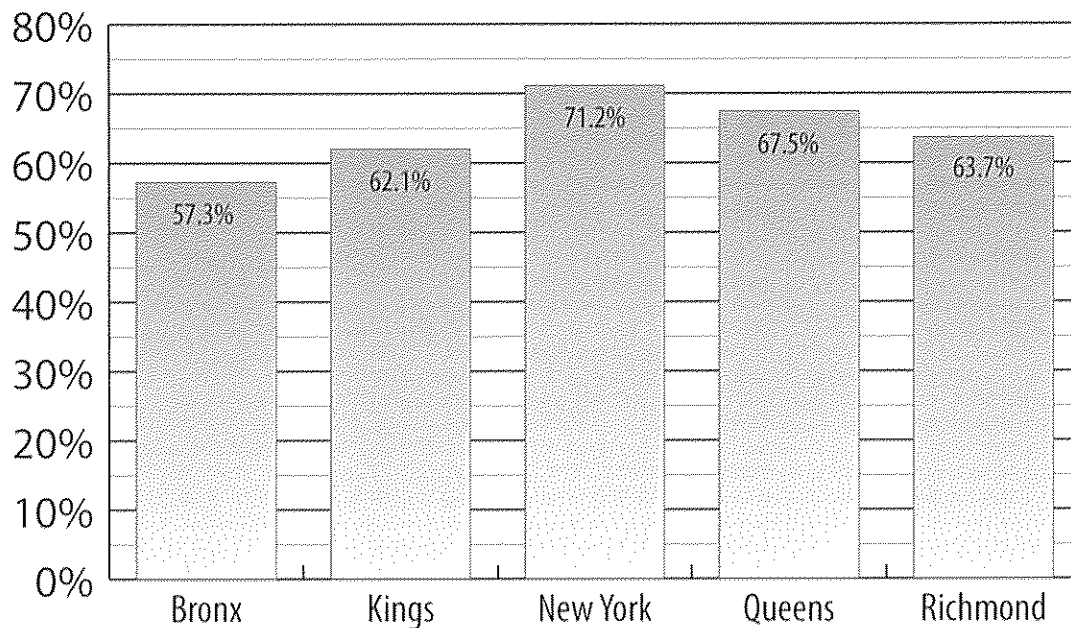
INDEX CRIME IN QUEENS HAS DROPPED DRAMATICALLY SINCE 1993

SOURCE: N.Y.P.D. COMPSTAT YEAR END REPORT 2013

| Crimes | 1993 | 2013 | Percentage Reduction |
|------------------------|--------|-------|----------------------|
| <i>Murder</i> | 275 | 59 | 78.5% |
| <i>Rape</i> | 549 | 310 | 43.5% |
| <i>Robbery</i> | 16,775 | 3,989 | 76.2% |
| <i>Felony Assaults</i> | 6,600 | 3,981 | 39.7% |
| <i>Burglary</i> | 23,725 | 4,848 | 79.6% |
| <i>Grand Larceny</i> | 16,250 | 8,496 | 47.7% |

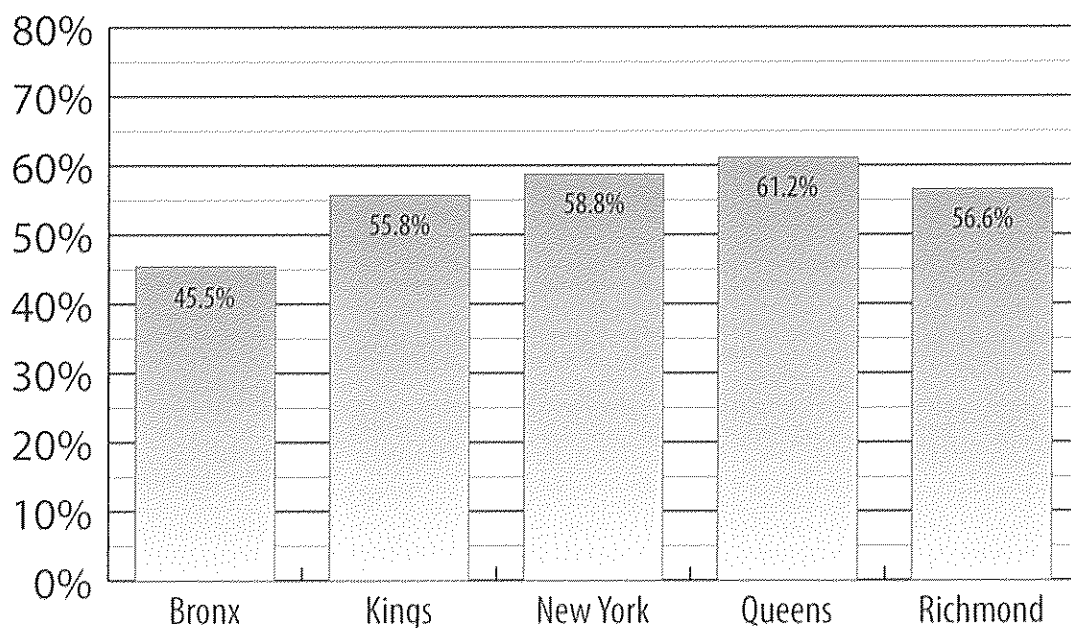
Statistics- Conviction Rates for Felony & Violent Felony Arrests

2013 CONVICTION RATES FOR FELONY ARRESTS



SOURCE: DIVISION OF CRIMINAL JUSTICE SERVICES

2013 CONVICTION RATES FOR VIOLENT FELONY ARRESTS



SOURCE: DIVISION OF CRIMINAL JUSTICE SERVICES

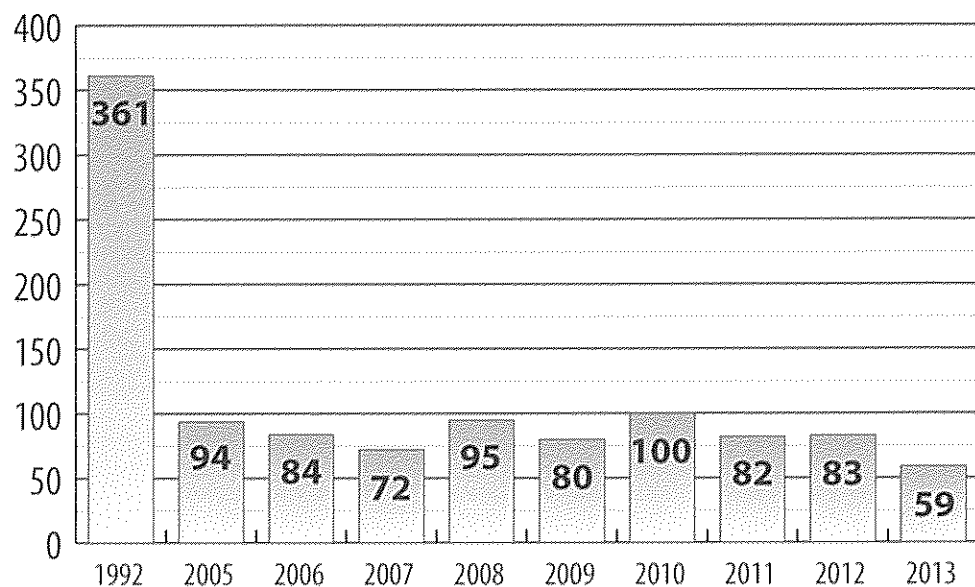
Statistics- Homicides

Last year homicides in Queens County decreased 28.9% from 83 in 2012 to 59 in 2013.

Lowest number of homicides in Queens since 1963

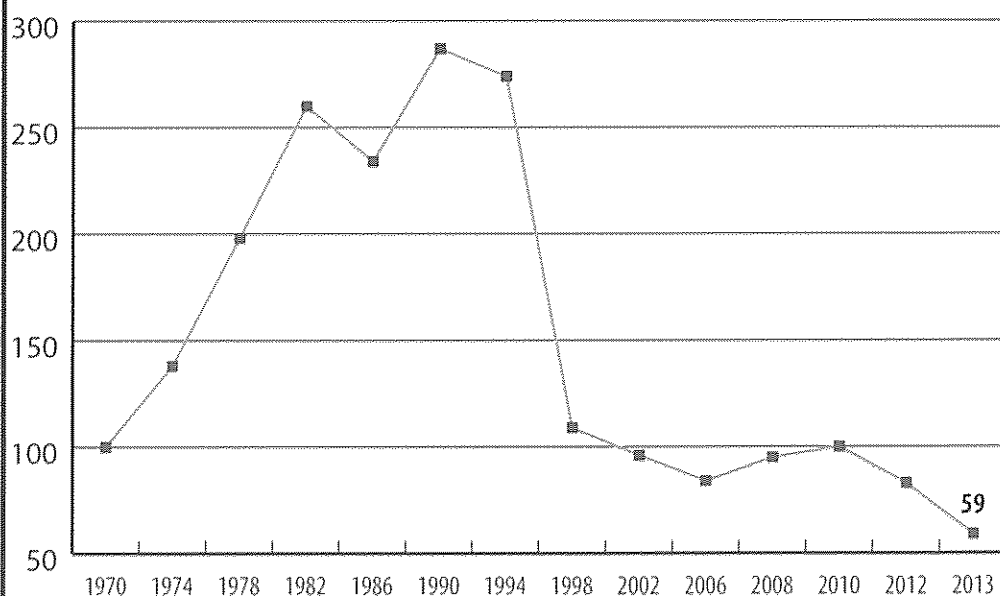
Since 1992 homicides in Queens have dropped more than 78.7%

HOMICIDES



SOURCE: N.Y.P.D. COMPSTAT YEAR END REPORT 2013

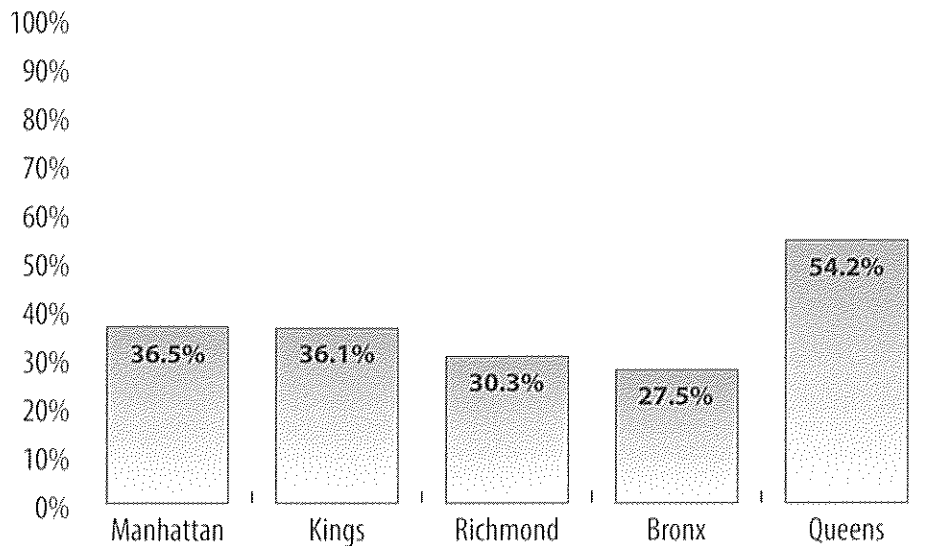
HISTORICAL MURDERS 1970-2012



SOURCE: N.Y.P.D. COMPSTAT YEAR END REPORT 2013

Statistics- Domestic Violence

2013 COMPARISON OF DOMESTIC VIOLENCE CONVICTION RATES CITYWIDE BY COUNTY

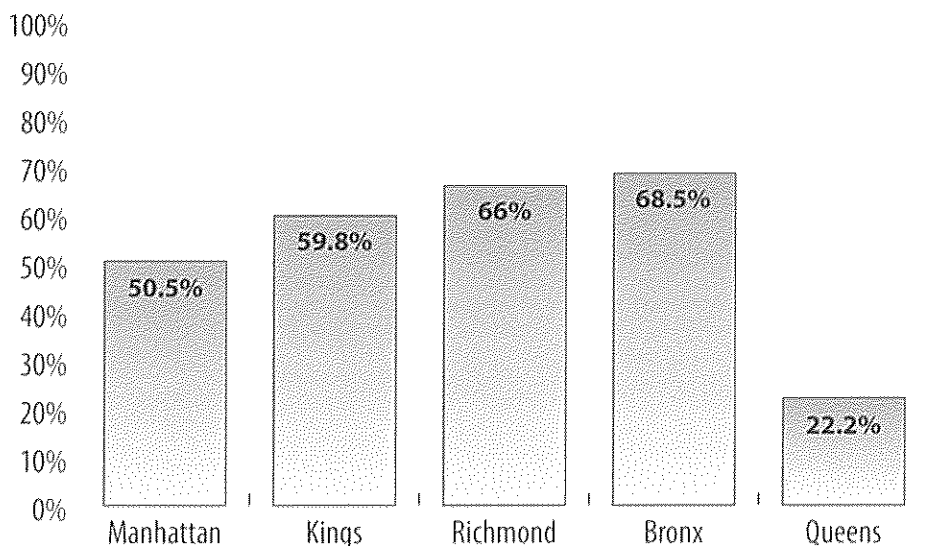


SOURCE: OFFICE OF COURT ADMINISTRATION

*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.*

2013 COMPARISON OF DOMESTIC VIOLENCE DISMISSAL RATES CITYWIDE BY COUNTY



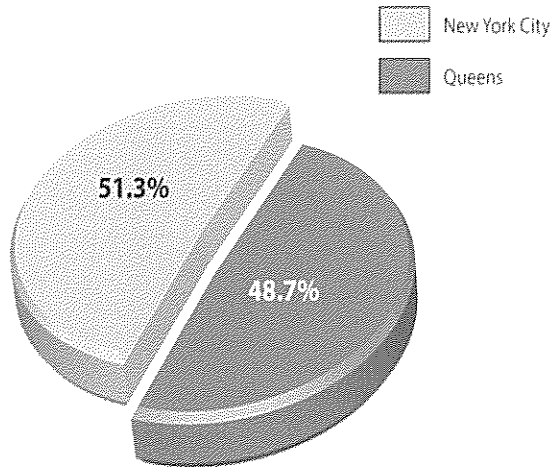
SOURCE: OFFICE OF COURT ADMINISTRATION

*Queens has the
lowest domestic violence
dismissal rate in
New York City.*

Statistics- Bail Jumping

FELONY BAIL JUMPING

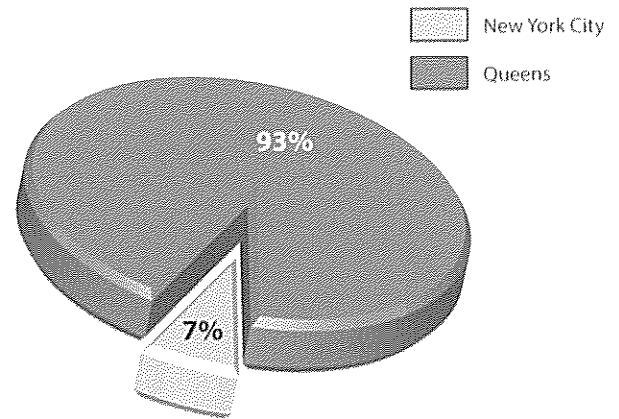
SOURCE: OFFICE OF COURT ADMINISTRATION



*Queens County brought 48.7% of
New York City's Bail Jumping
Indictments for 2013*

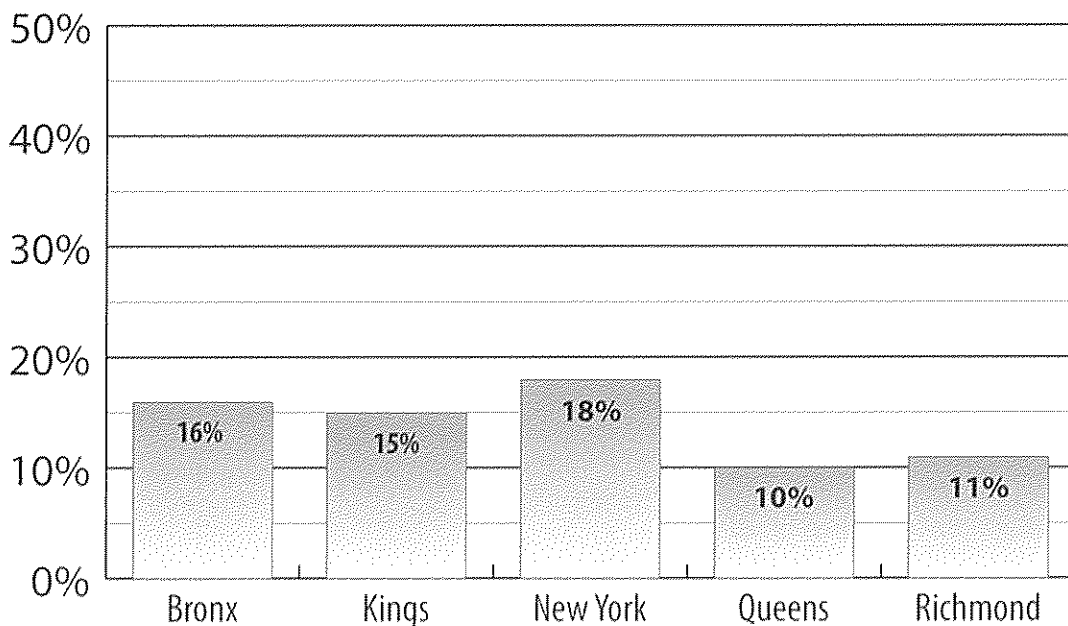
MISDEMEANOR BAIL JUMPING

SOURCE: OFFICE OF COURT ADMINISTRATION



*Queens County brought 93% of
New York City's Bail Jumping
Complaints for 2013*

FAILURE-TO-APPEAR RATE FOR RELEASED DEFENDANTS IN 2012



SOURCE: CRIMINAL JUSTICE AGENCY

CONVICTIONS FOR BAIL JUMPING

SOURCE: OFFICE OF COURT ADMINISTRATION

*INCLUDES FELONY AND MISDEMEANOR BAIL-JUMPING

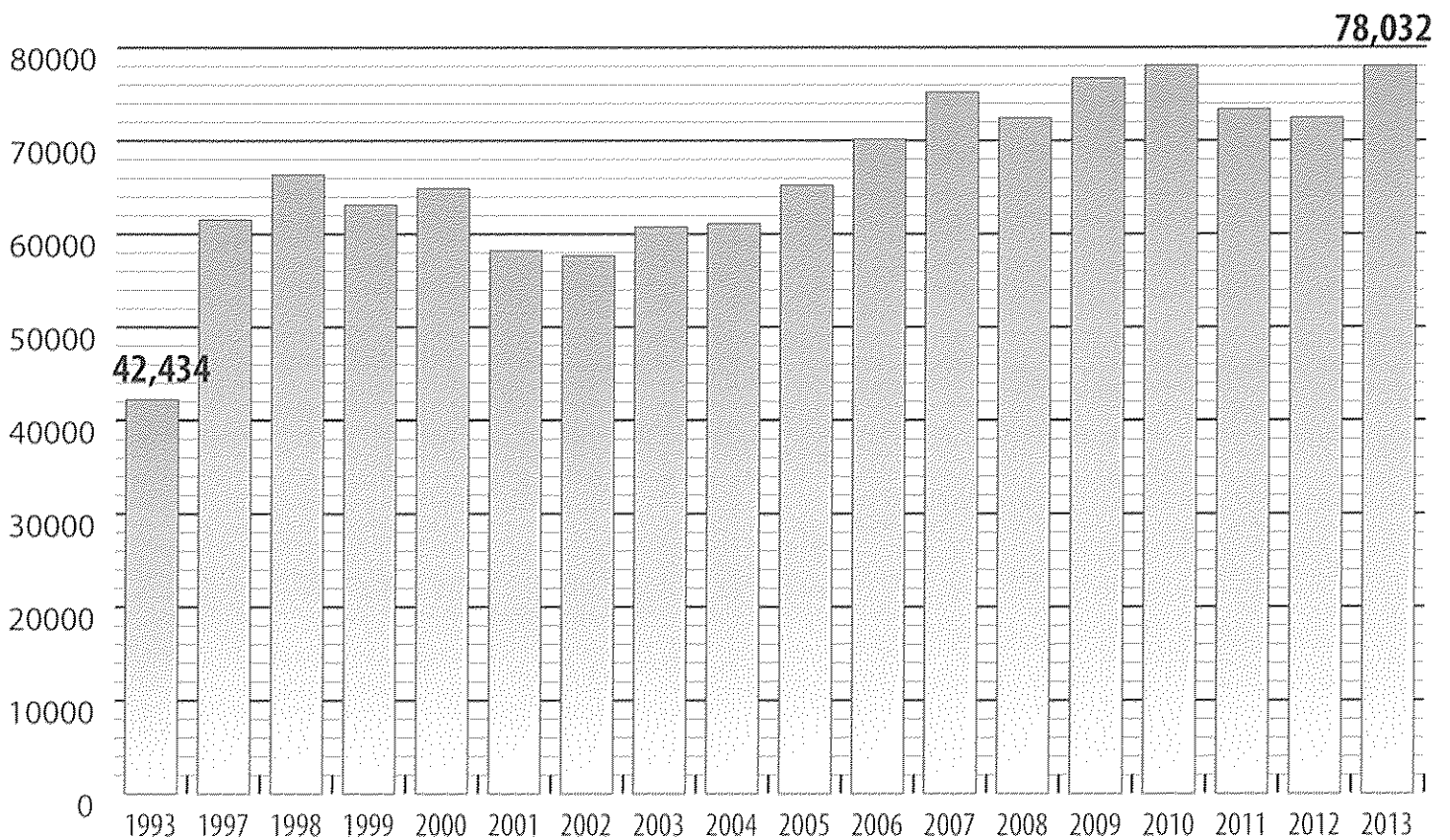
| Year | New York City Total | Queens Total |
|------|---------------------|--------------|
| 2003 | 167 | 68 |
| 2004 | 198 | 94 |
| 2005 | 209 | 75 |
| 2006 | 229 | 125 |
| 2007 | 502 | 374 |
| 2008 | 572 | 452 |
| 2009 | 560 | 421 |
| 2010 | 483 | 333 |
| 2011 | 508 | 351 |
| 2012 | 432 | 272 |
| 2013 | 515 | 379 |

Statistics- Lineups Supervised & Arrests

LINEUPS SUPERVISED

| Year | Lineups |
|------|---------|
| 2005 | 599 |
| 2006 | 656 |
| 2007 | 696 |
| 2008 | 702 |
| 2009 | 422 |
| 2010 | 555 |
| 2011 | 357 |
| 2012 | 493 |
| 2013 | 383 |

ARRESTS REMAIN HIGH



TOTAL ARRESTS HAVE INCREASED MORE THAN 83% SINCE 1993 (42,434 TO 78,032)

Statistics- Case Processing & Arrests

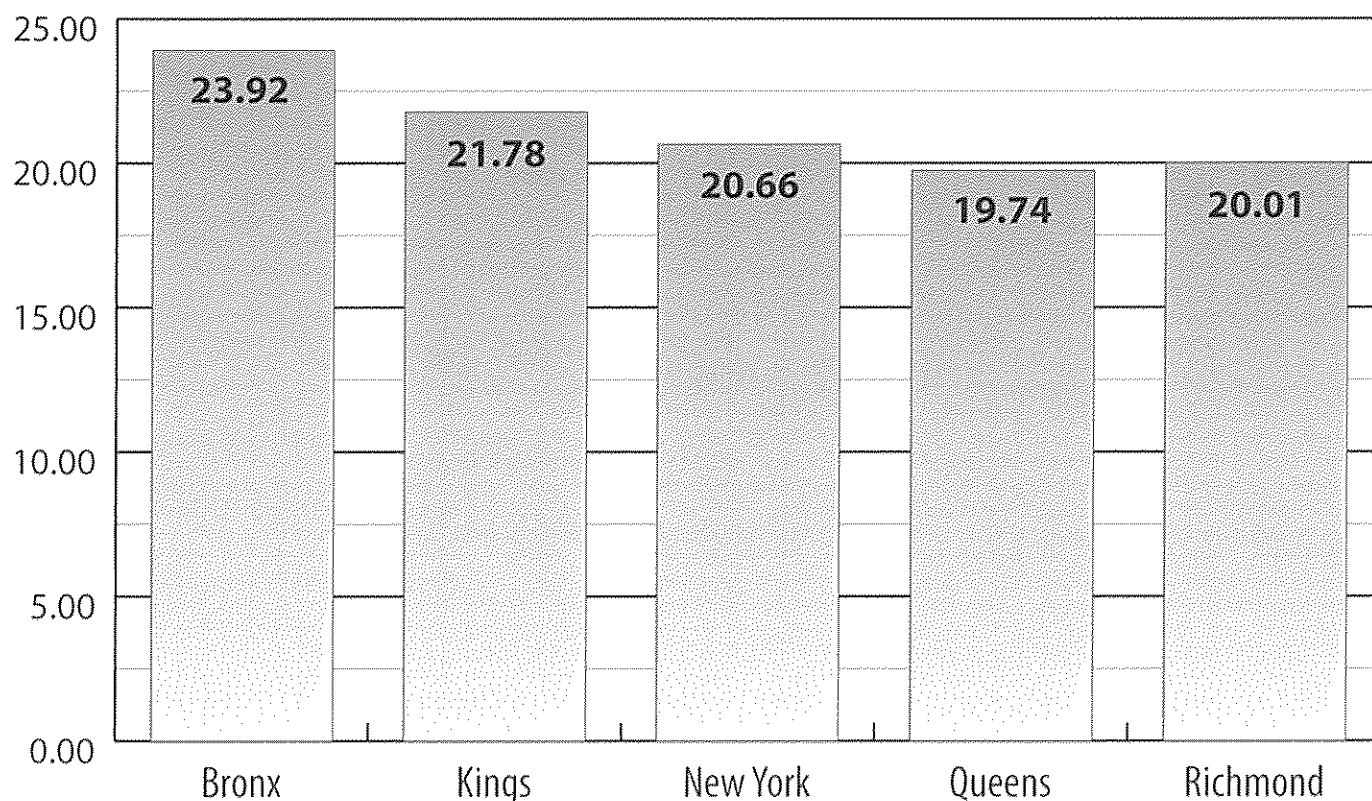
QUEENS REMAINS LEADER IN CASE PROCESSING EFFICIENCY

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 | 19.74 Hours | 21.44 Hours |
| Arrest To Sworn Complaint Time | 8.70 Hours | 9.96 Hours |
| Percentage Of Cases Arraigned Within 24 Hours | 84.94% | 78.81% |

SOURCE: 2013 NYPD CRIMINAL JUSTICE BUREAU

AVERAGE ARREST TO ARRAIGNMENT TIME BY BOROUGH IN 2013

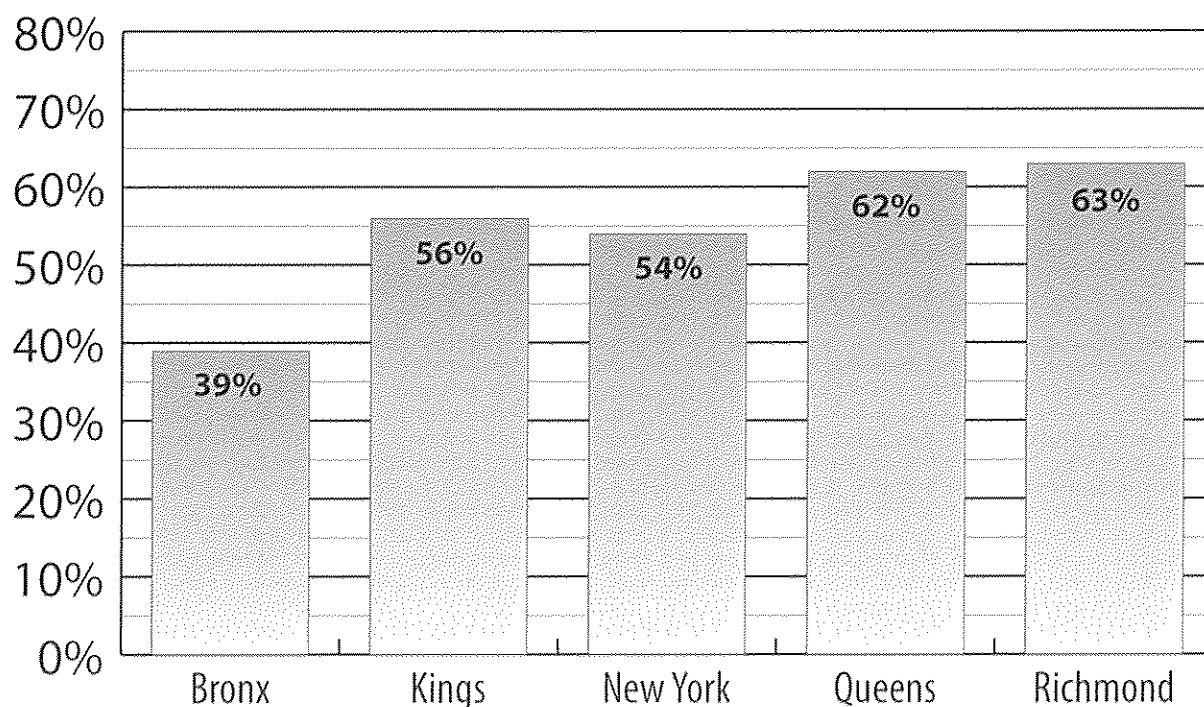


SOURCE: DIVISION OF CRIMINAL JUSTICE SERVICES AS REPORTED IN NYC CRIMINAL JUSTICE INDICATOR REPORT DECEMBER 2013

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 14,000 defendants have been interviewed.

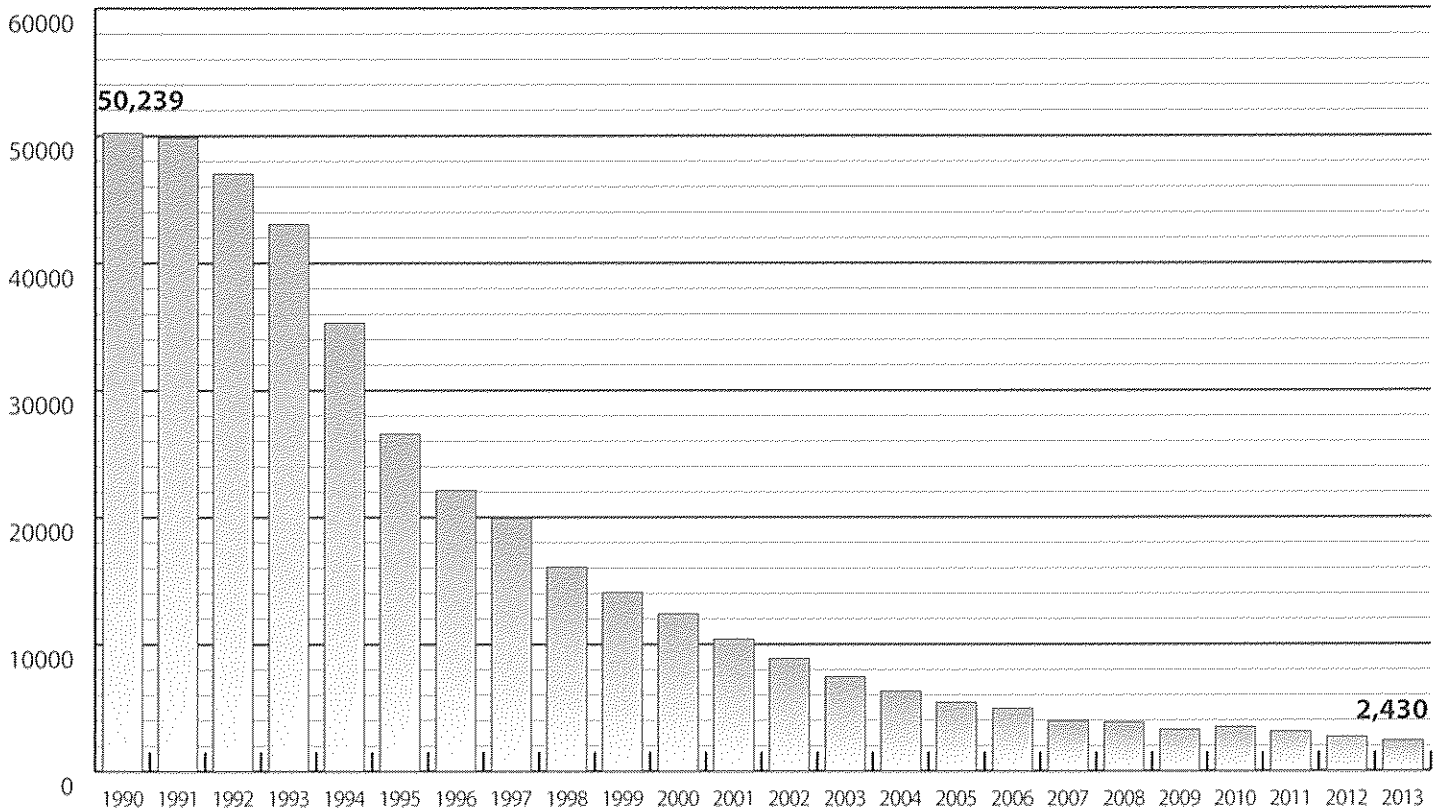
PERCENT OF CONVICTED OPERATION SPOTLIGHT PERSISTENT MISDEMEANOR OFFENDERS WHO ARE SENTENCED TO JAIL: OCTOBER 2012 - MARCH 2013



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

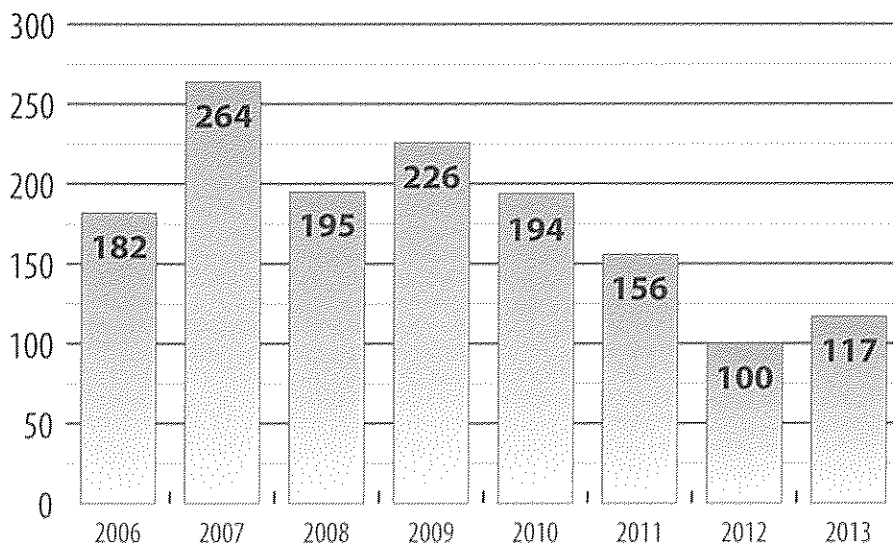
Statistics- Auto Theft & Mortgage Fraud

AUTO THEFT 1990-2013



AUTO THEFT IN QUEEN COUNTY DECREASED 95% SINCE 1990

MORTGAGE FRAUD COMPLAINTS



The Queens DA'S Office also received 998 consumer complaints in 2013

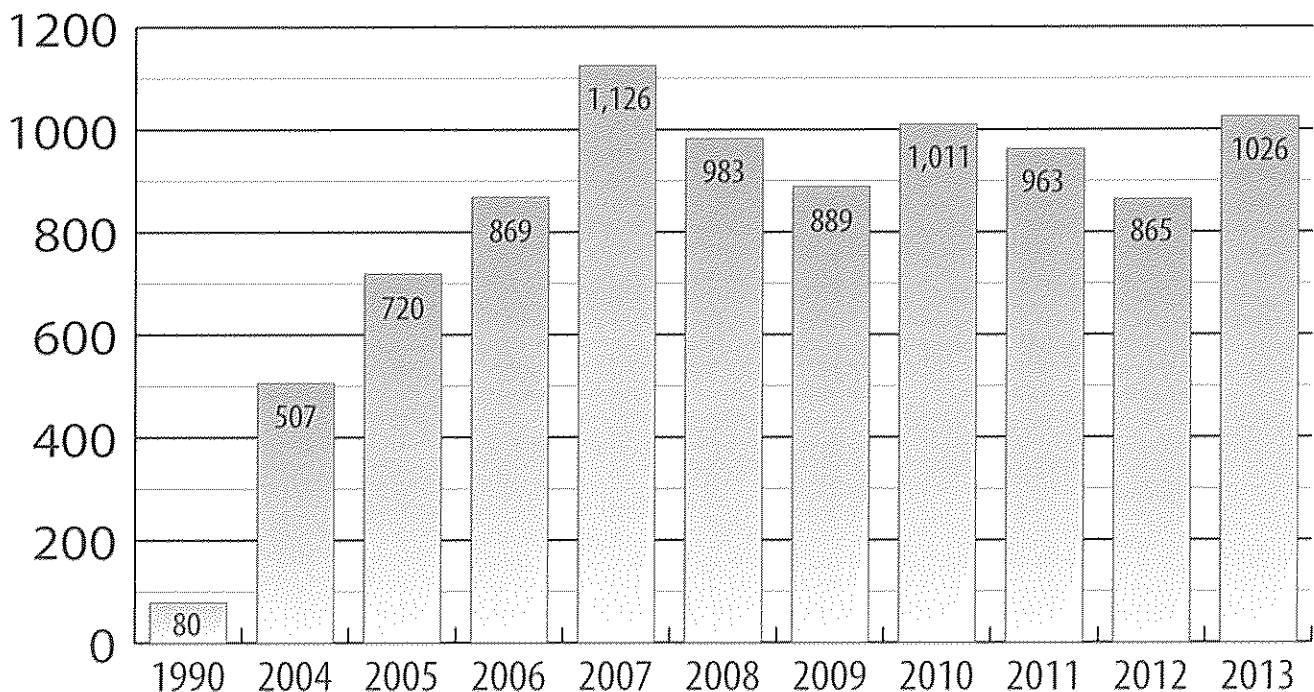
These are complaints that need to be investigated. These numbers only reflect complaints directly to our Office and not those which are brought to our attention by other agencies such as NYPD, FBI, Banking... Etc. Also any one complaint may involve either a single property or numerous properties.

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 third largest number of wiretaps in the entire country (175).
- 8.5% of all wiretaps in the U.S. were done in Queens County.
- Queens County had more court ordered wiretaps than any other prosecutor in New York State.

STATISTICS FROM 2012 FEDERAL WIRETAP REPORT (THE MOST RECENT REPORT AVAILABLE)

SEARCH WARRANTS



SOURCE: QDA OFFICE WIDE 2013

Statistics- Evictions, Prostitution, Sex Trafficking

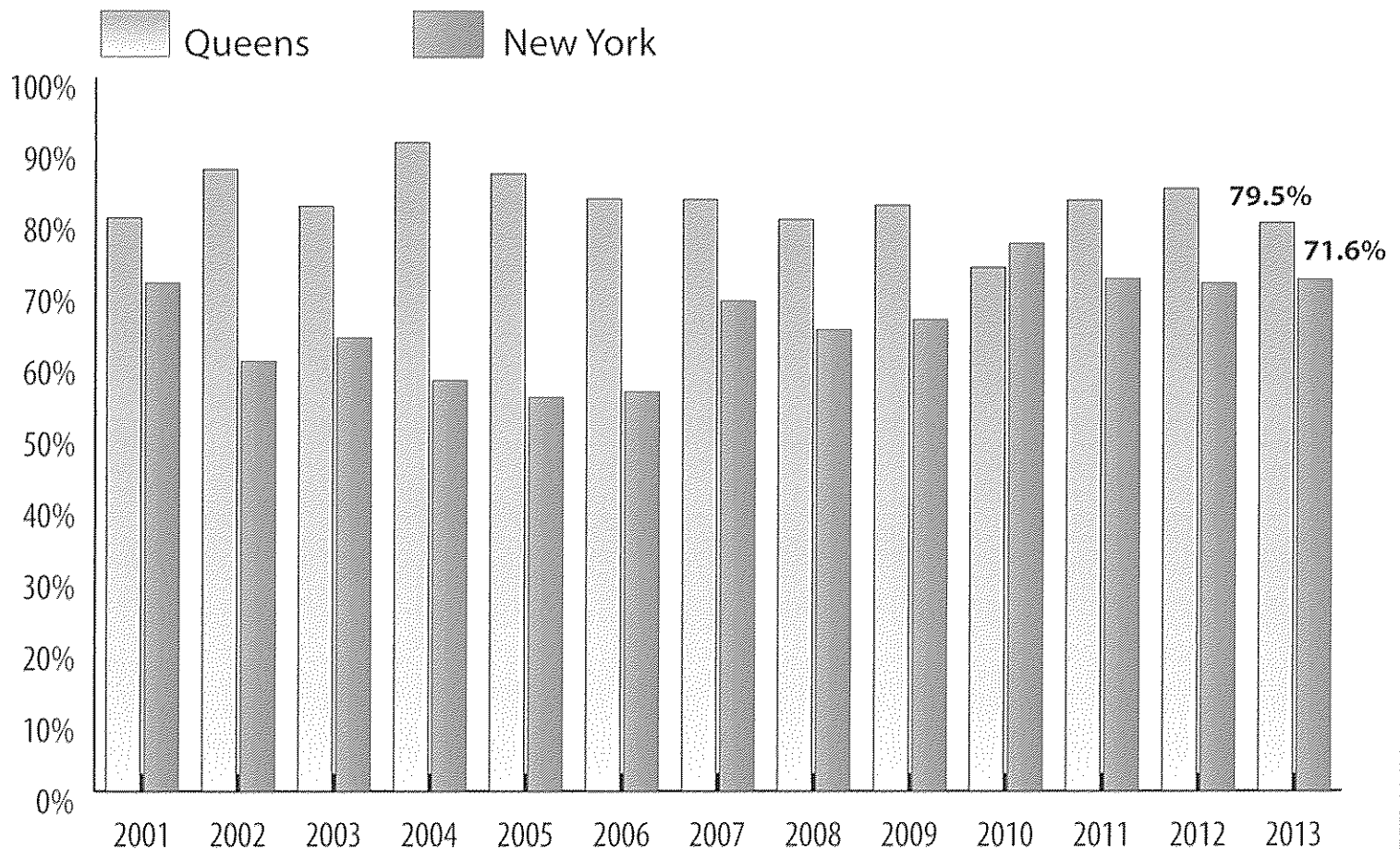
SEX TRAFFICKING CASES

- 13 B felony Sex Trafficking convictions to date.
- 4 additional defendants charged with Sex Trafficking.

EVICCTIONS FOR CONDUCTING ILLEGAL BUSINESSES

39 successful evictions in 2013 pertaining to Prostitution, Drug Dealing, Gambling, and other crimes.

QUEENS COUNTY LEADS CITY IN CONVICTIONS FOR PROMOTING PROSTITUTION



QUEENS CONVICTION RATE: 79.5%

NYC CONVICTION RATE: 71.6%

SOURCE: DIVISION OF CRIMINAL JUSTICE SERVICES

Restitution and Confessions of Judgement

2013 SAVING STATE AND CITY MONEY

| Restitutions | |
|--------------------------------------|-----------------------|
| <i>Governmental restitutions</i> | <i>\$2,927,765.49</i> |
| <i>Non-governmental restitutions</i> | <i>\$319,096.38</i> |
| <i>Total restitution</i> | <i>\$3,246,861.87</i> |

| Confession of Judgments | |
|---|-----------------------|
| <i>Governmental Confession of Judgments</i> | <i>\$1,302,064.95</i> |
| <i>Non-governmental Confession of Judgments</i> | <i>\$771,515.78</i> |
| <i>Total Confession of Judgments</i> | <i>\$2,073,580.73</i> |

| Totals | |
|---|-----------------------|
| <i>Total Restitutions and Confession of Judgments</i> | <i>\$5,320,442.60</i> |

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/NYC Withholding Tax
Businesses

NYC Dept. of Investigations
Social Security Administration
NYC Housing Authority
NYS Department Of Labor
NYS Workers Compensation Board
City of New York
Individuals

QUEENS DISTRICT ATTORNEY'S OFFICE SPECIAL INITIATIVES

QUEENS CHILD ADVOCACY CENTER 2013 STATISTICS



Queens prosecutors screened over 4,300 reports of suspected child abuse for criminality.

The Queens Child Advocacy Center

- Saw 1,089 children alleged to be victims of abuse (Of these 629 were sexual abuse allegations, 446 were physical abuse allegations and the rest involved domestic violence or being a witness to violence)
- Conducted 662 forensic interviews
- Performed 406 medical exams.

Of the children seen:

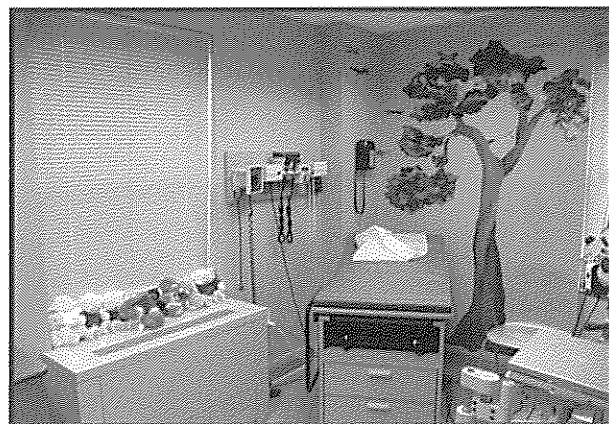
- 61% are girls/ 39% are boys
- 42% are 0-6 years old
- 42% are 7-12 years old
- 15% are 13-18 years old

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.

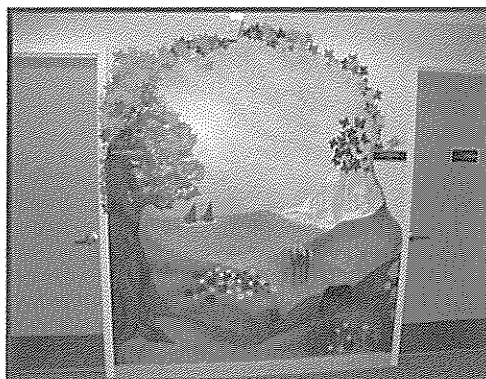


Child Advocacy Centers work to prevent re-traumatization (further trauma of the child) and to ensure that a coordinated investigation is begun immediately. Counselors and clinicians work with law enforcement and legal representatives, medical service providers, and child protection agencies to provide 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 12,000 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

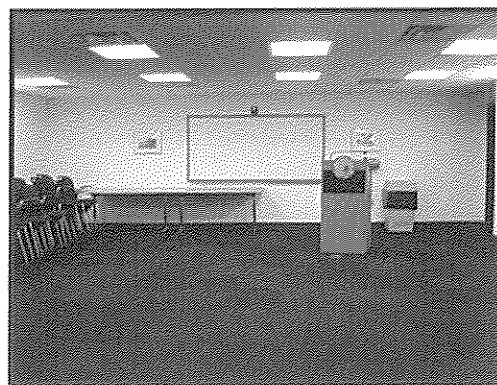
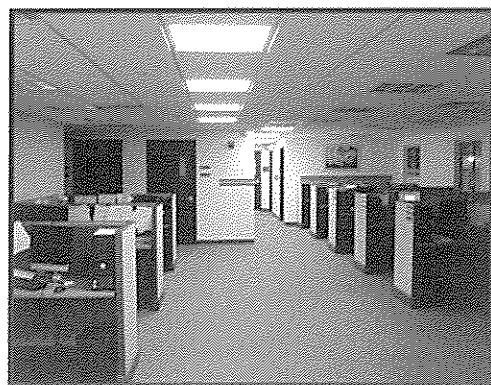
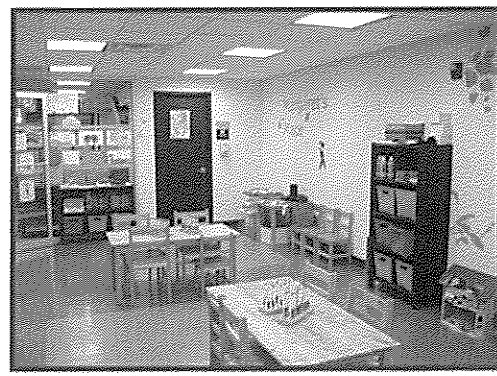
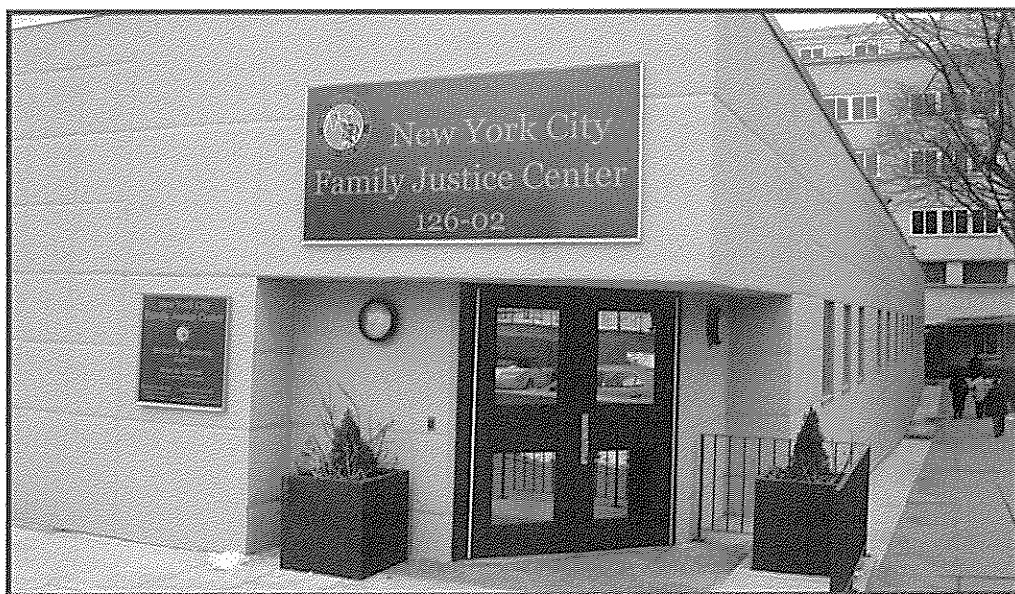
The New York Family Justice Center in Queens is a walk in, integrated service center for domestic violence victims and their children. It provides "one-stop shopping" for domestic violence survivors by placing lawyers, police, dedicated domestic violence prosecutors, counselors, clergy, and other service 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 June 30, 2013, this center has served

19,466 new clients seeking domestic violence services and 3,828 children were supervised in the Center's Children's

Room, Margaret's Place. There have been 51,829 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.

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, 39 participants with 18 graduates and 82% retention rate.

QUEENS YOUTH PART

- Males ages 14-21 years old- First felony arrest/minimal criminal history.
- Minimum one year participation with frequent court visits.
- Through 2013, placed 206; 114 graduates, 31 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.
- 77 new cases were handled in 2013.

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.
- 890 participants, 765 graduates and a retention rate of 86%.

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

- Required as a sentence for any DWI conviction.
- The Queens District Attorney's office is designated as 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 2,316 defendants have enrolled in the court with 79% 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 1,077 defendants have participated.
- More than 711 graduates with a retention rate of 73%
- 277 defendants sentenced to jail.
- Upon successful 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.
- In 2013 Community Service processed 5,424 defendants with a retention rate of 77%.

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.
- 280 placements, 167 graduates with a retention rate of 69%.

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.

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. Eighteen young men have graduated and another six are currently in treatment.



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.



Initiatives- Youth Crime Prevention Programs

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.

The culminating event of the Star Track program is Say Yes to Tennis, No to Violence Day at the National Tennis Center. Close to 1000 students participate in Say YES to Tennis, NO to Violence Day which offers students a chance to have fun playing the game of tennis while learning about teamwork, cooperation and personal achievement.



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 and 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 ASSISTS RETURNING VETERANS



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 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.

COMBATING THE DESTRUCTIVE "DON'T SNITCH" STREET MESSAGE



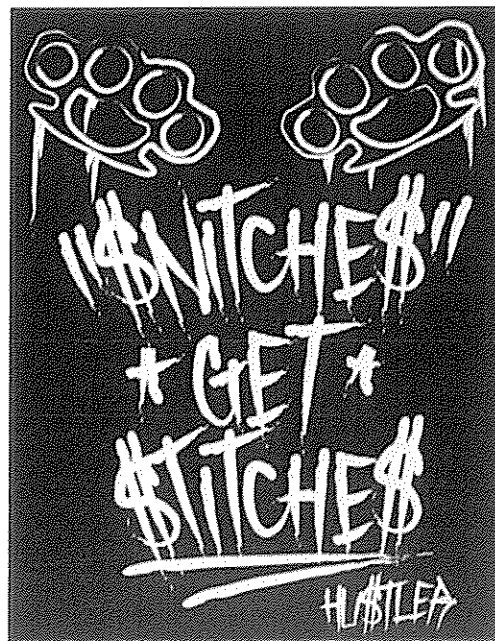
In September of 2013, the Queens District Attorney's Office hosted the second community forum focused on the "Don't Snitch" street code - in which witnesses of crimes do not come forward with information, often out of fear of retribution. The forum, held at Campus Magnet High School in Cambria Heights, provided parents, young people and other community members with an overview of what the code is, what it does and what it costs communities struggling to reduce violence. Over 150 people attended the event which offered a platform for safe, open discussion of the topic and an opportunity to ask questions.

The event opened with a slide show of pictures of fifty homicide victims ranging in age from 5 years old to 76. A panel of experts were available to answer question about violence and the criminal justice process. Mariela Herring, Chief of District Attorney Brown's Gang Violence Bureau, and Elizabeth Parke, Director of Juvenile Prosecutions represented the office.

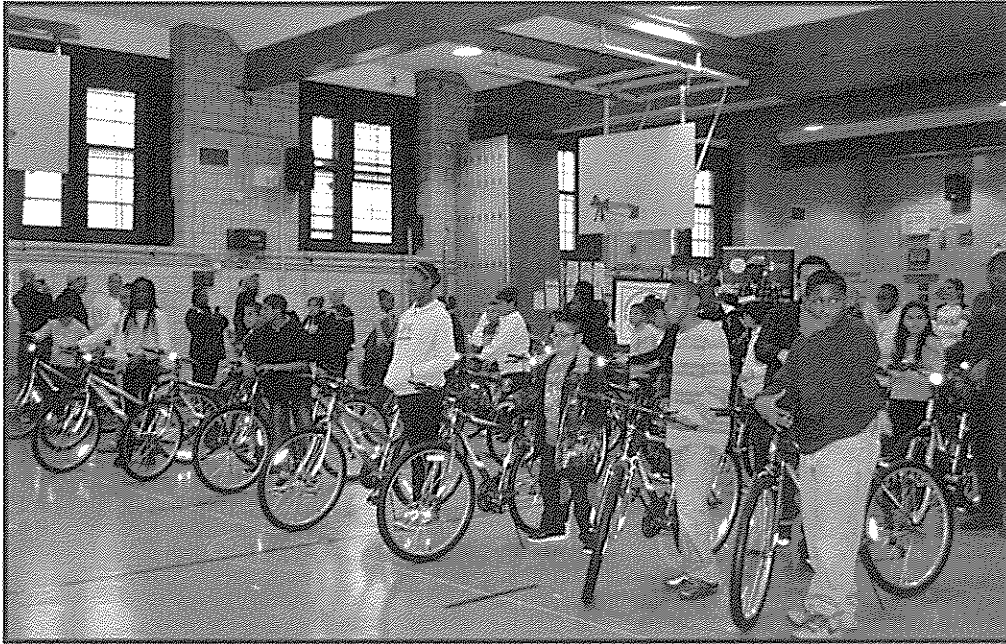
One purpose of the event was to galvanize community support to combat the "Don't Snitch" culture. The sponsors hope to encourage community members to speak out against violent crimes committed in local neighborhoods and work with law enforcement in the investigation and prosecution of these cases.

A second goal of the event was to enlist

the creativity of young people in shaping an alternative model including a constructive catch phrase for community involvement and ideas for projects, programs and events that can help bring communities together to keep their neighborhoods safe. Toward this end, District Attorney Brown invited all Queens school children in grades 6-12 and Queens based youth organizations to participate in his office's Speak Up for Your Community initiative.



QUEENS DISTRICT ATTORNEY RICHARD BROWN HOSTS BUILD-A-BIKE WORKSHOP



In late December thirty Far Rockaway children who attend public schools that participate in the District Attorney's STAR Track (Straight Talk About Risks) anti-violence program received brand-new bicycles as a surprise gift in a partnership with the D'Brickshaw Ferguson Foundation, which was created by the New York Jets offensive tackle for whom it is named.

The children – who were selected by their school's principal based on their community service – were invited to participate in the event which took place at P.S. 104 on Mott Avenue in Far Rockaway, Queens. They were told that they were to help build a bicycle that would be given as a holiday gift to a child who was less fortunate than themselves. Once the tasks had been completed – with the help of their parents and other volunteers– the children were told that, in fact, they had just built themselves a bicycle that they would be taking home with them. The children were also provided with helmets and bicycle safety tips.

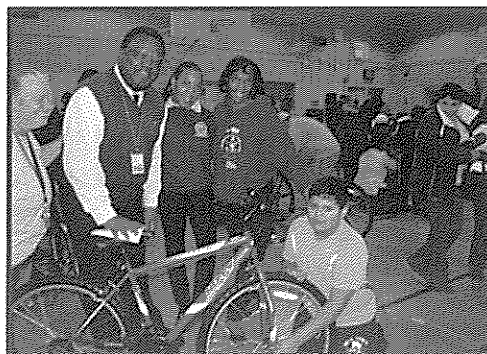
The District Attorney said that five children between the ages of nine and twelve were chosen from each of the following STAR Track schools in Far Rockaway: P.S. 104, P.S. 197, P.S./M.S. 43, P.S. 215, P.S. 106 and P.S./M.S. 333. Lunch for all of the children and volunteers was provided by White Castle.

The District Attorney's STAR Track anti-

violence program features assistant district attorneys and other members of the District Attorney's Office, members of the New York City Corporation Counsel's Office and members of the Queens Law Associates being assigned to classes at each of the 10 participating Far Rockaway schools – from elementary through high school – 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.

The D'Brickshaw Ferguson Foundation was founded in October 2007 by the New York Jets offensive tackle to build stronger communities through various means including awarding scholarships and providing resources to schools, churches and food and clothing banks.



PROTECTING YOUNG CHILDREN FROM ABUSIVE HEAD TRAUMA 2013 ACADEMIC CONFERENCE



In conjunction with the New York City Office of the Chief Medical Examiner and the New York Prosecutors Training Institute, in September of 2013, the Queens District Attorney's Office once again co-sponsored a New York City Conference on Abusive Head Trauma/Shaken Baby Syndrome. The two day conference gathers medical, legal and law enforcement representatives to share their expertise in identifying and responding to cases involving this devastating form of abuse.

Each year, more than 1,000 children across the country, ages five and under, experience severe or fatal head trauma as a result of violent, repetitive shaking. Providing specialized education and training in this complicated field to medical, legal and law enforcement professionals will better equip them to fight against this serious and often deadly form of Abusive Head Trauma. The forum featured medical and legal experts from around the nation and drew several hundred participants.

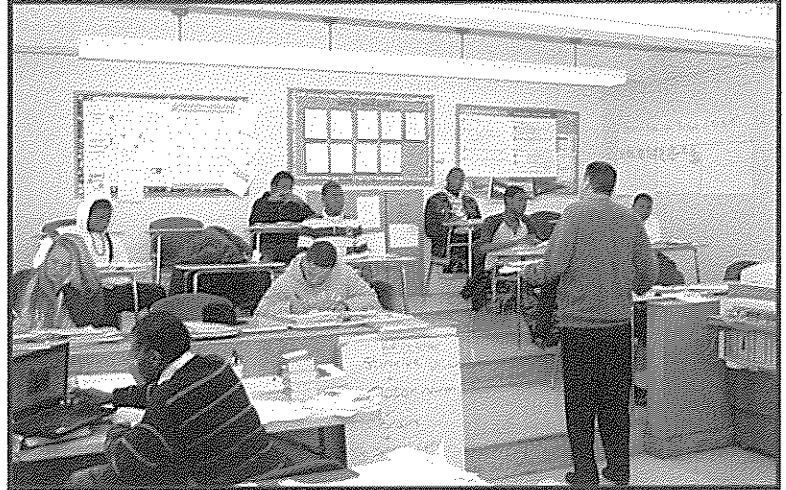
QUEENS COURT ACADEMY HELPING YOUNG OFFENDERS OBTAIN A HIGHER EDUCATION

When young first offenders come into the criminal justice system they are often not attending school or are having serious difficulties completing course work. The Queens Court Academy is an innovative collaborative effort between the Queens District Attorney's Office and the New York City Department of Education to address this issue. Since September of 2011, a Department of Education Restart alternative school for adolescents between the ages of 17 and 21 has been operating in Borough Hall. The Department of Education provides two full time teachers, one full time paraprofessional and a certified guidance counselor. First time offenders between the ages of 17 and 21 charged with non-violent misdemeanors or felonies who have fewer than 20 high school credits can be diverted to the Queens Court Academy as part of an alternative sentencing conditional plea.

Participants in the program receive educational instruction toward their GED plus a host of support services and assistance

including full time access to teachers for extra help, weekly access to the guidance counselor, metro cards, breakfast and lunch, and weekly support groups to address a variety of non-academic issues. A system of rewards and consequences including student contracts and pizza parties is used to incentivize attendance and performance.

The results have been very gratifying. Since 2011, 68 students have been enrolled. Sixteen have already earned their GED's. Eighty four percent of the students who have taken the GED have passed. (16 out of 19) Several



graduates currently attend college and trade school including nursing school and Coop Tech. Proportionate to its size, the Queens Court Academy was among the highest graduating agencies from alternative schools during the academic calendar year of 2013.

BRINGING SEX TRAFFICKERS TO JUSTICE

THIRTEEN TRAFFICKERS CONVICTED: ANOTHER FOUR 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, thirteen individuals have been convicted of sex trafficking. All have received state prison sentences. Another four 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, 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.

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. Since 2004, more than 1000 individuals have benefitted from the services provided by the part.

CASES OF INTEREST

**It should be noted that an indictment is merely an accusation and that defendants are presumed innocent until proven guilty.*

FOUR MULTI-MILLION DOLLAR TRADEMARK COUNTERFEITING RINGS WHOSE REACH STRETCHED FROM CHINA TO ACROSS THE UNITED STATES SMASHED IN THREE-YEAR UNDERCOVER OPERATION

Twenty-Six Individuals and Two Corporations Charged with Importation, Manufacturing and Nationwide Distribution of Counterfeit Designer Brands, such as True Religion, Polo by Ralph Lauren, The North Face, Nike, Timberland and Others; Also Allegedly Dealt in Watches, Headphones and Unstamped Counterfeit Cigarettes

Four organized trademark counterfeiting rings based in Queens County and elsewhere have been successfully dismantled following the indictment of twenty-six individuals and two corporations for allegedly importing and selling counterfeit brand name apparel and other items from China to wholesale buyers throughout the United States and the Virgin Islands.

It is alleged that the rings, which operated from self-storage facilities in Brooklyn and Queens, generated approximately \$10 million in combined gross annual revenue. Twelve of the defendants have been indicted for enterprise corruption under New York State's Organized Crime Control Act among other charges. The remaining defendants face felony trademark counterfeiting and conspiracy charges.

In addition, the Mayor's Office of Special Enforcement, a multi-agency task force operating under the City's Criminal Justice Coordinator's Office, will be filing nuisance abatement lawsuits against the self-storage facilities that allegedly were being used for the storage, sale and

distribution of the counterfeit trademark merchandise, as well as their owners and operators and those defendants who actually ran the illegal businesses from within the self-storage facilities.

Such trademark counterfeiting enterprises typically consist of bosses, investors, importers, manufacturing/production people, shippers and money agents and wholesale buyers. Their alleged roles were:

Bosses. They assumed responsibility for, and participated in virtually every aspect of, the importation, manufacture, and sale of the merchandise.

Importers. They allegedly assisted the bosses by facilitating the entry of the finished or blank goods from foreign factories and delivering them to the bosses for a fee.

Investors. They provided capital to facilitate the bulk purchase and import of merchandise bearing counterfeit trademarks or the raw material necessary for their manufacture and were repaid either by cash or credit or being provided with the sales-ready product at a discount.

Investors also might occupy additional roles, such as "importer," "sales and marketing agent," or "shipper."

Tailors. These defendants were allegedly responsible for the manufacture of blank or semi-finished items into finished trademark counterfeit items which were then transported to shipping and payments agents.

Sales and Marketing Agents. Defendants who allegedly assisted the bosses by securing wholesale buyers for the products.

Shippers and Payment Agents. They allegedly facilitated the clandestine delivery of merchandise bearing counterfeit trademarks to the wholesale buyers.

Wholesale Buyers. They purchased finished products from members of the enterprise and then re-sold that merchandise either to another wholesale buyer or to individual customers in storefronts or flea-market-style venues.

In addition to those arrested, more than a dozen court-authorized search warrants were executed in which cash in excess of \$500,000 was allegedly seized, as well as more than 1,000 boxes of counterfeit merchandise and business records.

QUEENS AUTO BODY SHOP OWNERS CHARGED WITH \$250,000 NEW YORK STATE SALES TAX THEFT

An Old Westbury, New York, couple were charged with a \$250,000 state sales tax theft in connection with the operation of their auto body repair shop in Jamaica, Queens. The couple and the business allegedly under reported sales between December 2007 and February 2011 by approximately three million.

The owner/operators were arraigned in Queens Criminal Court

on charges of second-degree grand larceny, second-degree criminal tax fraud, third-degree grand larceny, third-degree criminal tax fraud, first-degree offering a false instrument for filing, first-degree falsifying business records and first- and second-degree scheme to defraud.

In conducting an audit of the auto body shop's corporation from December 2007 through February 2011, the New York State Tax Department

concluded that the defendants had allegedly collected \$3,661,875 for vehicle repairs from four insurance companies: GEICO, Ameriprise, Met Life Auto and Home and State Farm. The corporation claimed, however, to have conducted only \$739,055 in total taxable vehicle repair sales, and thus allegedly collected and failed to pay at least an additional \$255,259 in New York State and local taxes.

Cases of Interest

DNA LEADS TO RAPE CHARGES AGAINST STATE PRISONER IN TWO 1997 COLD CASES

Case Is Part Of District Attorney's Cold Case Initiative Of Unsolved Sexual Assaults



A 55-year-old incarcerated man has been indicted on charges of raping two women in separate attacks in Queens more than sixteen years ago after a DNA hit linked him to the crimes. The man was connected to the rapes through forensic evidence uncovered by the District Attorney's DNA Prosecution Unit.

The office's DNA Prosecutions Unit has been systematically reviewing every unsolved sexual assault in Queens County dating back to 1996 – which is as far as the statute of limitations permits. In this case, DNA evidence was collected from the rape victims and crime scenes at the time of the incident and stored in a database. DNA from those two rape cases was positively matched to a DNA sample provided by the defendant to the state data bank known as CODIS (Combined DNA Index System) after he pleaded guilty to second-degree burglary in 2000. This case underscores the crucial importance of DNA evidence.

Rape kits from New York City were all tested more than a decade ago, but many did not yield DNA profiles at the time. The Queens District Attorney's cold case initiative, which commenced nearly two years ago using federal grant money, focuses on identifying evidence that has not been previously tested, and also on retesting rape kit samples using more sensitive modern techniques. To date, the District Attorney's cold case initiative has resulted in 13 John Doe indictments covering 17 separate criminal incidents, as well the indictments of two named individuals.

John Doe indictments use the unique

genetic DNA profiles of unidentified sex criminals to indict them even before they are apprehended, thereby preventing their escape from prosecution.

In reviewing the two cold case rapes, the DNA Prosecutions Unit identified rape kit evidence and clothing that had been previously tested, but now could be retested using more sophisticated techniques that were not available at the time of the crimes. The more sensitive tests revealed DNA profiles which the data bank matched to the defendant.

According to the charges, at approximately 4:00 a.m., on July 11, 1997, the defendant allegedly entered a basement apartment located on 129th Street in Richmond Hill, Queens, through an unlocked door where the 23-year-old female victim was asleep with her three children. She awoke to find a stranger, crouching in her bedroom. He allegedly grabbed her, placed a knife to her throat, and demanded cash. She gave him \$20 after which he allegedly sodomized and raped her before fleeing. She immediately called 911 to report the attack and was taken to Jamaica Hospital where a rape kit was prepared.

In the second incident, at approximately 1:00 a.m., on November 9, 1997, according to the charges, the defendant is accused of breaking into an apartment on 130th Street in Richmond Hill, Queens, where the 24-year-old female victim was sleeping. He is alleged to have displayed a knife and raped the victim before fleeing. The victim was taken to Jamaica Hospital where a rape kit was prepared.

FATAL STABBING IN VIOLATION OF ORDER OF PROTECTION



Despite having been issued an order of protection directing him to stay away from his wife, Ganesh Seelall, 40, of Richmond Hill, Queens, went to their residence and during the course of his visit fatally stabbed her.

Seelall pleaded guilty in April 2013 to first-degree manslaughter and was sentenced to a determinate sentence of 18 years in prison.

According to the criminal charges, while at their residence between the hours of 7:30 a.m. and 2:32 p.m., on August 16, 2012, Seelall caused the death of his wife, Samantha Seelall, by inflicting the following injuries: multiple stab wounds to her chest and to the left side of her head, neck compression and smothering. When a police officer from the 102nd Precinct responded to the residence, he observed the victim underneath the bed in the couple's bedroom, naked with a blanket over her torso, and a black plastic bag with duct tape around her head and rags tied to both of her wrists.

SHOOTING DEATH AT POMONOK HOUSES OVER UNPAID DEBT

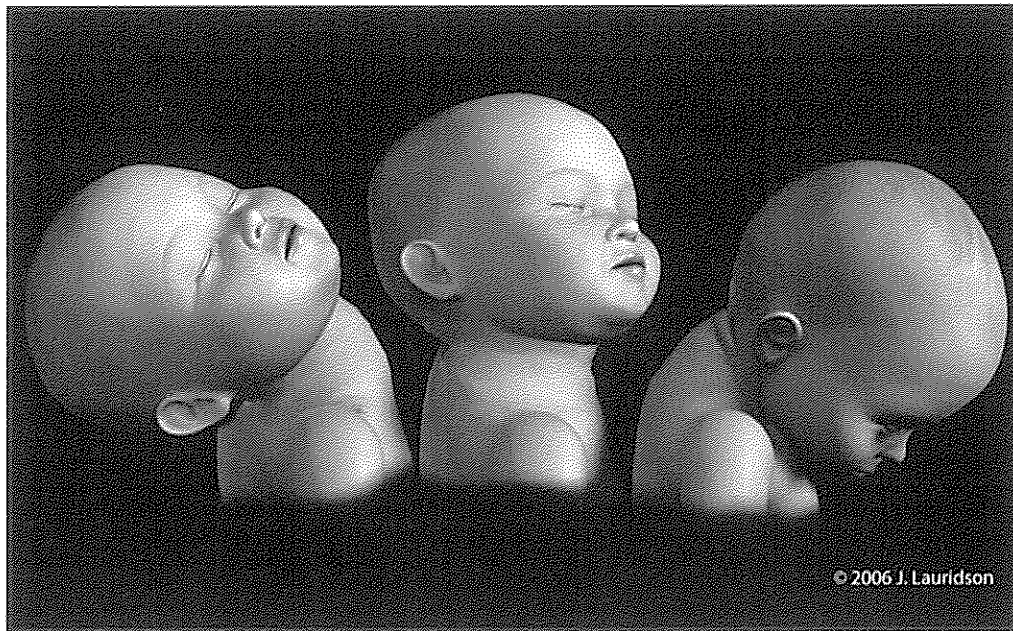
*Defendant Convicted Of Second-
Degree Murder At Trial*

Malcolm Thompson has been sentenced to 25 years to life in state prison for the October 2010 shooting death of a 27-year-old man in a Pomonok Houses courtyard after the victim asked the defendant to pay back approximately \$200 that the defendant had borrowed from him months earlier.

The victim, Laseam Hogan, 27, was in the vicinity of 154-01 71st Avenue (Pomonok Houses) in Queens at approximately noon on October 15, 2010, when he asked Thompson to pay back approximately \$200 that he had borrowed from the victim months earlier – to which Thompson responded: "I'll dead you, you ain't getting (expletive)." Hogan stated that he was prepared to fight but Thompson kept his hands in his pockets, silently refusing. At that point Hogan was about to walk away when Thompson pulled out a gun and shot Hogan in the leg and torso. When Hogan fell to the ground, Thompson stood over him and shot him three additional times in the torso, neck and head, killing him.

WHEN TWO MONTH OLD DAUGHTER CRIED, FATHER VIOLENTLY SHOOK HER

Baby Suffered Severe Brain and Eye Injuries, Remains On Life Support



The infant arrived at the emergency room at Elmhurst Medical Center 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 from multiple subdural hematomas (bleeding on the brain), retinal hemorrhages in the left eye (bleeding in the eye), old and new brain injuries (resulting from trauma and oxygen deprivation to the brain), multiple old rib fractures and various bruises on her left foot and back.

Doctors who examined the infant determined that the injuries were consistent with non-accidental inflicted Abusive Head Trauma (including Shaken Baby Syndrome) which occurs when a baby is repeatedly and violently subjected to acceleration and deceleration rotational forces with or without impact that cause brain damage which may result in permanent brain injury or death. In addition, doctors determined that the nature and extent of the baby's rib fractures were consistent with an adult grabbing

the baby around the torso and forcefully squeezing the rib cage.

Israel Garcia, who is the baby's biological father, admitted that on one occasion he came home from work 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 admitted that on a second occasion 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.

Garcia pleaded guilty to first degree assault and was sentenced to a determinate sentence of 20 years in prison.

GUILTY PLEA TO DECEPTION BURGLARIES OF THREE ELDERLY QUEENS MEN

Victims Aged 91, 92 And 77 Tricked Into Giving Defendant Access To Their Homes

Justin Frank, a Brentwood, Long Island, man has pleaded guilty to burglary as a hate crime in connection with three separate incidents in one day in which three elderly men were duped into allowing the defendant and his unapprehended cohorts into the victims' homes. Cash and valuables were taken from all three victims. He was subsequently sentenced to six years in prison.

Under the provisions of New York State's Hate Crimes Act of 2000 enhanced charges can be filed when a defendant is alleged to have selected his or her victim because of their disability and/or age which is defined as being 60 years of age or older.

According to the charges, a 91-year-old Flushing man was standing in his driveway on August 28, 2012, when he was approached by Frank and several other unapprehended individuals. One of the

individuals claimed to have been a former neighbor of the victim and asked to be allowed into his house to write down his new address so that the victim could visit. Frank picked up an envelope while inside the house – presumably to write down his new address. The men pushed and slapped the victim and threatened to kill him, then took his cell phone, cash from his pocket, and his eyeglasses. They also forced him into the basement, placing a pointed stick at his neck, threatened to kill him and took additional cash.

Approximately two hours later, on the same day, a 92-year-old Woodside man was taking out the garbage when he was approached by some men who stated that they were from the water company and needed to check a broken pipe. They pushed their way into the living room and Frank and

the other unapprehended male individuals entered the home. The males took money from the victim's living room, pushed him to the floor and fled the house.

Finally, a few minutes later and a few blocks away, a 77-year-old man was home with his wife when some men knocked on his door and claimed to have done work for him years earlier. Frank asked for a glass of water and blocked the victim at his refrigerator while the other men wandered around the house. All of the men then left together. Afterwards, the victim checked his wallet which he had left on the dining room table and noticed that it had been moved and that money was missing from it.

Frank's fingerprints were matched to the fingerprint left on the envelope in the first incident and the fingerprint left on the water glass in the third incident.

DEFENDANT PRESENTLY SERVING LIFE WITHOUT PAROLE FOR FATAL SHOOTING OF NYPD OFFICER RUSSEL TIMOSHENKO GIVEN CONSECUTIVE SENTENCE FOR ATTEMPTED MURDER AND ROBBERY

Dexter Bostic has been sentenced to 25 years to life in prison as a mandatory persistent violent felony offender for the attempted murder and robbery of a Queens man in July 2007. The shooting occurred less than twenty-hours before Bostic fatally shot NYPD Police Officer Russel Timoshenko in Brooklyn – a crime for which Bostic is already serving life in prison.

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 Robert Ellis, 40, also

of Far Rockaway, stopped at the corner and Bostic 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. Bostic then approached Mr. Field and demanded money. Mr. Field handed over \$1,800 in cash, a chain and the keys to his vehicle. Bostic and Ellis then fled in the Porsche.

Ellis, who was convicted of the same criminal charges as Bostic following a jury trial, was sentenced in July 2013 to a determinate term of 25 years in prison. The sentence was ordered to be served consecutive to the 15-year prison sentence Ellis was serving for a weapons possession conviction

stemming from the July 9, 2007, fatal shooting of Officer Timoshenko.

In that case, the stolen black BMW SUV in which Ellis, Bostic, and another individual were riding was pulled over by Police Officers Russel 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.

JURIES RETURN SAME DAY GUILTY VERDICTS IN THREE SEPARATE HOMICIDE CASES

Verdicts Returned Within Hours Of Each Other; One Defendant Fatally Shot Teenager In His House and Killed and Injured Two Others On City Bus; Second Defendant Fatally Strangled Girlfriend And Dumped Body At Cemetery; Third Defendant Fatally Shot Victim In Barbershop Bathroom During Dice Game

Jurors deliberating in three separate murder trials being conducted in Queens Supreme Court in Kew Gardens returned unanimous verdicts of guilty within hours of each other.

Damel O. Burton, was convicted of second-degree murder, second-degree attempted murder, first-degree assault and second-degree criminal possession of a weapon following a four-week jury trial. According to trial testimony, Burton shot Keith Murrell once in the chest inside the victim's Foch Boulevard apartment during the afternoon of December 2, 2011. Murrell fled into his room, closed the door and jumped from the second-story window to a grassy area below. He was pronounced dead at Jamaica Hospital later in the day. Thereafter, Burton left the apartment and walked to the Q111 bus stop, where he boarded a bus. While on the bus Burton fatally shot Marvin Gilkes

in the back of the head and a third victim, who underwent surgery for a gunshot wound to his mouth and face. Burton was sentenced to 95 years to life.

Muhammad Iqbal, was convicted of second-degree murder, tampering with physical evidence and fourth-degree criminal possession of a weapon following a three-week jury trial. According to trial testimony, Iqbal was involved in a verbal altercation with his live-in girlfriend, Khadija Mahel, 44, at approximately 4:00 p.m. on April 13, 2010, when he grabbed an extension cord and wrapped it around her neck, killing her. Iqbal then put her body underneath their bed and left her there for more than 29 hours. Afterwards, on the night of April 14, 2010, Iqbal wrapped Ms. Mahel's body in a carpet and drove to 228th Street and Francis Lewis Boulevard - which is next to the Montefiore Cemetery - and dumped her body.

Kereim Richardson was convicted

of second-degree murder, second-degree attempted murder and second-degree criminal possession of a weapon following a three-week jury trial. According to trial testimony, Richardson was playing dice with several other individuals -including the deceased victim, Gary Bowlin, and a surviving gunshot victim - in the backroom of a barbershop located at 135-02 Liberty Avenue sometime after midnight on December 29, 2010. At some point, Richardson and Bowlin were in the barbershop's bathroom at the same time when witnesses heard shots fired and then observed Bowlin on the bathroom floor with gunshots to his head and torso. He was declared dead at the scene. When Richardson exited the bathroom, he was grabbed by one of the dice players and they tussled, during which Richardson shot the card player twice, once in the nose. Richardson was sentenced to 40 years to life in prison.

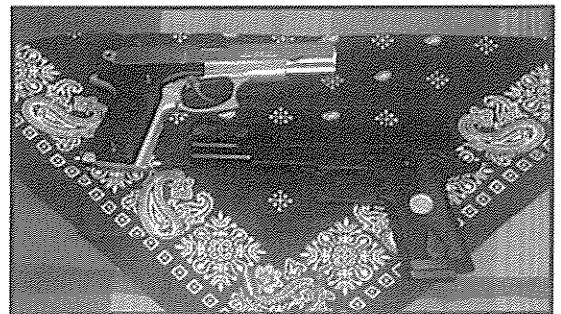
REPUTED CRIPS GANG MEMBER SENTENCED TO PRISON FOR GUNPOINT STREET ROBBERY OF TEENAGER

A reputed member of the Crips street gang, who pleaded guilty to first-degree robbery, was sentenced to seven years in prison for the August 2012 gunpoint robbery of a teenager.

According to the criminal charges, the defendant approached his 19-year-old male victim from behind on the night of August 1, 2012, near Hollis Avenue and Monterey Street and, racking a black semi-automatic pistol, ordered the victim onto the ground, at which time the defendant took the victim's iPhone and black backpack which contained a pair of gold Nike

Air Foamposite sneakers. The victim and his mother reported the robbery to the police the following day and picked out the defendant from a photo array. On August 4, 2012, at the intersection of 218th Place and Hempstead Avenue, the victim's mother observed the defendant on the street wearing a black backpack and her son's Nike sneakers. She immediately called 911 and then her brother. When police arrived at the scene, they observed the victim's uncle struggling with the defendants in an effort to keep

him from fleeing. The police recovered a black unloaded and inoperable .380 pistol from defendants backpack and the victim's sneakers from his feet.



MAJOR "STOLEN TO ORDER" LUXURY AUTOMOBILE THEFT OPERATION SMASHED

*Eighteen Individuals Charged As A Result of Investigation Into Ring That
Stole High-End Vehicles Directly From Dealerships;
In Addition, Civil Forfeiture Suit Seeks \$2.4 Million From Defendants
For Alleged Ill-Gotten Gains*



A luxury automobile theft ring allegedly responsible for stealing 48 high-end vehicles – valued at approximately \$2.4 million – has been shut down following a sweeping 18-month investigation that utilized court-authorized wiretaps, traditional surveillance and other investigative techniques.

Eighteen individuals have been charged as a result of the investigation. The charges are set forth in five separate indictments and three criminal complaints. In one of the indictments, nine of the defendants are charged with the crime of enterprise corruption under New York State's Organized Crime Control Act. The defendants are accused of stealing nearly 50 automobiles – including such expensive models as a Bentley Continental GTC Convertible (valued at \$196,000) and a Mercedes-Benz S550 4matic (valued at \$105,000), as well as Audis, BMWs, Range Rovers, Jeep Grand Cherokees and a Porsche Panamera – from Queens County and elsewhere in the tri-state area. The defendants are accused of stealing and then "tagging" the cars – essentially changing the vehicle identification (VIN) number and registering them with "washed" titles

– and then using "brokers" to sell them – even taking orders for certain makes and models to be stolen.

The defendants charged in this case, dubbed 'Operation Title Wave,' shopped for high-end luxury vehicles as orders from their criminal cohorts were placed – plucking the automobiles right out of dealerships. It is alleged that each member of the ring had a specialized role in the operation, such as 'thieves' who stole the vehicles and fed the stolen cars to the brokers; 'taggers' who supplied 'packages' for stolen cars that included VIN stickers and license plates; 'brokers' who obtained cars from thieves and sold them on the black market; 'title washers' who provided forged titles for the stolen vehicles; and 'black market dealers' who sold the tagged and washed vehicles to local and out-of-state buyers.

The charges are the result of an 18-month joint investigation by the New York State Department of Motor Vehicles, the New York City Police Department's Auto Crime Division, the Queens District Attorney's Organized Crime and Rackets Bureau and the New York State Department of Financial Services.

SIX INDICTED IN \$1 MILLION TRI-COUNTY FAMILY-OPERATED NUMBERS RACKET

Following a six-month investigation, a family-operated gambling ring that allegedly ran an old-fashioned numbers racket complete with betting parlors, wire rooms and runners and collectors that handled approximately \$3,000 a day in bets, or \$1 million a year has been dismantled.

It is alleged that a central wire room in Brooklyn maintained a number of fax machines that received betting slips from more than thirty betting parlors scattered throughout Queens, Brooklyn and Nassau County. A second wire room was operated from a private house in Queens. Two of the defendants allegedly were primarily tasked with collecting and distributing money to the betting parlors.

In addition to the arrests, court-authorized search warrants were executed at twelve locations, including one of the defendant's residences, the two wire rooms and various betting parlors in Queens, Brooklyn and Long Island. In total, twenty-six individuals, including the six pre-indicted defendants, were arrested on various charges and more than \$120,000 in cash, gambling records, ten fax machines, narcotic pills and six weapons were recovered -- including two MP-15 assault rifles.

COLD CASE SOLVED - FORMER NYC CORRECTION OFFICER SENTENCED FOR MURDER OF MOTHER OF HIS CHILD

*Shot His Girlfriend 8 Times in The
Head And Once In The Chest*

Barbara Perez's bullet-ridden body had been found on the floor inside the now-defunct The Power Factory, a gym in Ridgewood, on the morning of August 11, 2000. The 32-year-old Perez, who was an assistant manager at the gym, had been shot nine times -- once in the chest and eight times in the head.

Suspicion immediately fell on NYC Correction Officer Christopher Clavell, Perez's former boyfriend who worked as a Correction Officer on Rikers Island at the time. Detectives questioned him immediately after the shooting but no charges were filed at the time. In the years that followed, however, the investigation into Perez's murder continued and, at trial, it was revealed that Clavell had "repeatedly harassed and confronted" Perez about child support payments following a legal proceeding in Queens Family Court and that Perez had told family members Clavell claimed he would "sooner kill her than give her any money,"

Thanks to the hard work of the NYPD's Queens Homicide Squad and the District Attorneys Homicide Investigation Bureau, justice was finally achieved for the victim and her family. Clavell was ultimately convicted at trial of second-degree murder and sentenced to 25 years to life in prison.

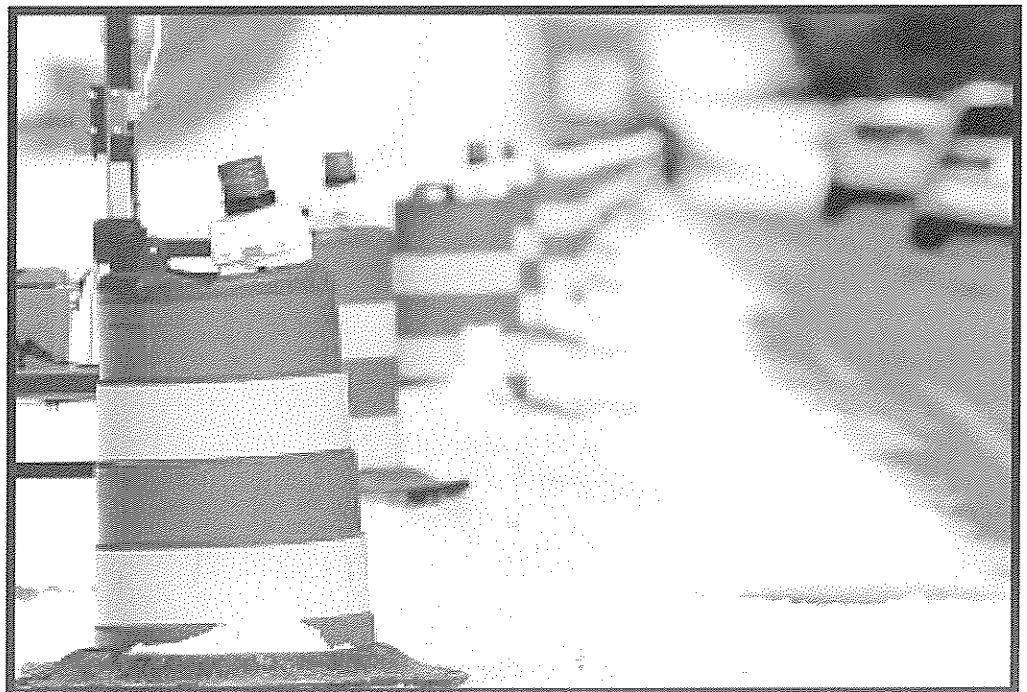
MOTORIST SENTENCED TO UP TO SEVEN YEARS IN STATE PRISON FOR VEHICULAR MANSLAUGHTER IN DEATH OF GRAND CENTRAL PARKWAY WORKER

Following his guilty plea earlier this year to vehicular manslaughter in the death of a 63-year-old highway worker killed this past July on the Grand Central Parkway, Abdullah Munshi, was sentenced to the maximum term of two and one-third years to seven years in prison and, following his release from state prison, to a three-year conditional discharge, during which time he will be required to install an ignition interlock device at his own expense in any vehicle that he owns or operates for a period of five years.

Munshi 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 Munshi'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 Munshi had bloodshot watery eyes and a strong odor of alcohol on his breath. Munshi 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.



QUEENS MAN SENTENCED TO SIX YEARS IN PRISON FOR SERIOUSLY INJURING 11-YEAR-OLD GIRL BY DRIVING AROUND STOPPED SCHOOL BUS

Defendant Ignored Bus' Stop Sign; Struck Child And Fled Scene



A 26-year-old Richmond Hill man who struck and seriously injured an 11-year-old girl in December 2011 after driving around a stopped school bus that had its stop sign extended and red lights flashing has been sentenced to six years in prison. The defendant, Errol Gangaram had been convicted of second-degree assault leaving the scene of an incident without reporting, failing to stop at a steady red signal, unsafe lane change, second-degree reckless endangerment, endangering the welfare of a child, reckless driving, third-degree aggravated unlicensed operation of a motor vehicle, and overtaking and passing a school bus following a bench trial.

According to the trial testimony, Gangaram was traveling westbound in a silver vehicle on 103rd Avenue at approximately 6:40 a.m. on December 9, 2011, when the vehicle in front of him stopped at the intersection of 103rd Avenue and 125th Street because the driver observed that a school bus had displayed its stop sign so as to allow children to safely cross the street. Instead of stopping, Gangaram crossed over the double yellow

line into 103rd Avenue's eastbound lanes and passed the school bus on the left side.

Witnesses observed something flying through the air, saw a young girl lying in the street and heard a woman scream, "He is getting away," as Gangaram fled the scene in his vehicle. Another motorist followed in pursuit as Gangaram drove onto 124th Street and then continued on to 131st Street, during which time he drove through two red lights. Gangaram exited his vehicle in the vicinity of 131st Street and 101st Avenue, and began pacing in the street while talking on his cell phone, according to the driver who followed him. The police arrived and Gangaram was arrested.

The victim, Preeya Sahadeo, 11, suffered a skull fracture, among other injuries, and was listed in critical condition. She remained hospitalized from the date of the incident until April 2012 when she was transferred to a children's pediatric facility. On December 31, 2012, Preeya was discharged and returned home. However, she continues to be confined to a hospital bed and cannot walk or speak and has extensive neurological damage.

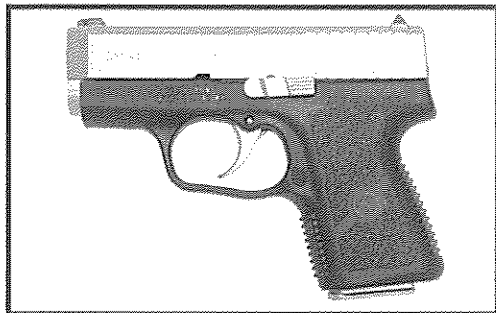
TWO GANG MEMBERS FATALLY SHOOT A 13-YEAR-OLD BOY AND WOUND ANOTHER TEENAGER

Victim Killed By Stray Bullet While Walking Home From School, Second Teen Struck By Stray Bullet While Working At Car Wash

Following a six week jury trial two members of the Crips street gang were convicted of first degree manslaughter and other charges and sentenced to 50 years in prison for the fatal shooting of a 13-year-old student and the wounding of a 17-year-old car wash employee. Both victims were innocent bystanders struck by gunfire during an October 2009 altercation between the Crips and a rival Bloods street gang.

According to trial testimony, Gregory Calas, acting in concert with Nnonso Ekwegbalu, 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 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, in the head, killing him. Testimony revealed that additionally, during the altercation, one of the defendants' bullets struck a second teenager, Pedro Garcia, 17, who was working at a corner car wash. He sustained a gunshot wound to his left leg, which required him to be treated at a local Queens hospital.

MURDER ATTEMPT RESULTS IN PRISON SENTENCE FOR FORMER NYPD BODYGUARD OF MAYOR



Leopold McLean, a veteran New York City Police Department detective convicted of attempted murder in connection with an off-duty shooting in which an unarmed man was wounded, has been sentenced to seven years in state prison.

McLean, who had been a member of the NYPD for nearly two decades and whose most recent assignment was as a member of Mayor Bloomberg's Dignitary Protection Unit, was convicted of second-degree attempted murder and first-and second-degree reckless endangerment following a jury trial.

According to testimony at trial, McLean approached Lepaul Gammons, then 39, in the vicinity of 119th Road and 153rd Street at approximately 12:34 a.m. on November 15, 2010, and demanded to know why Gammons was at that location – the residence of a woman known to both men and who had a restraining order against Gammons. At that point, McLean pointed a black handgun at Gammons, who asked if McLean was going to shoot him. McLean then stated that he had something for Gammons and lowered the black handgun and reached down toward his ankle, at which point Gammons ran from the location, which was captured on video surveillance. As he ran, he heard gunshots coming from where McLean had been standing. As he ran down 119th Road toward Sutphin Boulevard, Gammons sustained a gunshot that entered and exited his buttocks. Gammons climbed a fence of a neighboring yard and hid briefly. As he ran back to his car, McLean fired more shots. The incident ended when Gammons

managed to drive off in his car.

Though McLean and Gammons both failed to report the shooting, McLean and his girlfriend reported a burglary at the time, saying Gammons had a knife. Bullet fragments of a gun registered to McLean were found at the scene. Ballistic tests on a bullet recovered from a fence post located on the north side of 119-26 153rd Street determined that the bullet came from the Kahr .9mm Luger registered to McLean.

Later, Gammons called the police, gave his name and the name of the shooter, but refused to meet with the police or go to the hospital for treatment out of fear that he would be arrested. He informed the police where they could find the blood-soaked clothing that he was wearing when he was shot and officers assigned to Internal Affairs went and retrieved those items.

Gammons, who suffered substantial pain, impaired mobility and a high fever as a result of the gunshot wound, was subsequently taken to Jamaica Hospital for treatment.

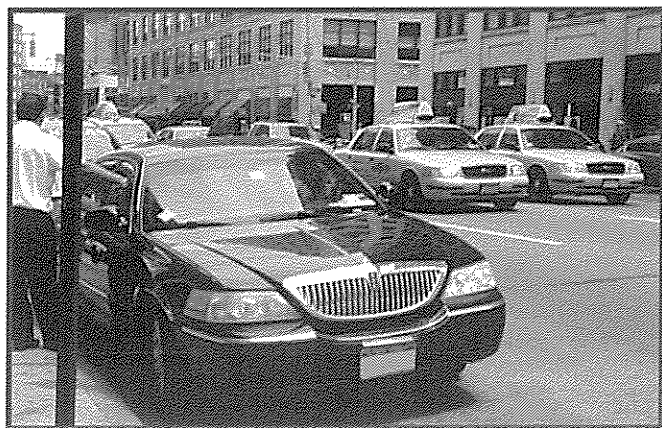
LIVERY DRIVER AND ACCOMPLICE SENTENCED TO PRISON IN ROBBERY AND MURDER OF OZONE PARK BAR PATRON

It should have been just another fare for livery cab driver Deevan Jagmarine. A patron at The Rush, a lounge in Ozone Park, was intoxicated and needed a ride home. Instead, Jagmarine decided to rob the patron. But he needed help. So after Matadin Ramnarain, 58, who was heavily intoxicated, got into Jagmarine's taxi outside The Rush at about 10:30 p.m. on August 16, 2010, Jagmarine then picked up Alex Gobardhan and drove to the vicinity of 89-12 Arion Road in Ozone Park. Once there, the two men punched the victim in the face and robbed him of his cell phone, wallet and a gold bracelet before dumping his body, which was later found by a passerby who called 911. The victim was removed to Jamaica

Hospital by emergency medical responders where he was pronounced dead at 11:33 p.m. According to the medical examiner's office the cause of death was determined to be cardiac arrhythmia due to cardiovascular disease following blunt trauma to the head.

Gobardhan, 22, was convicted on July 24, 2013, of second-degree murder, second-degree robbery and three counts of fifth-degree criminal possession of stolen property following a week-long jury trial. He was sentenced the following month to seventeen years to life in prison.

Jagmarine, 24, who testified against Gobardhan, pleaded guilty to first and second-degree robbery on July 22, 2013, and was sentenced the following month to eleven years in prison.



LONG ISLAND CITY MAN CONVICTED IN HIT-AND-RUN DEATH OF BICYCLIST

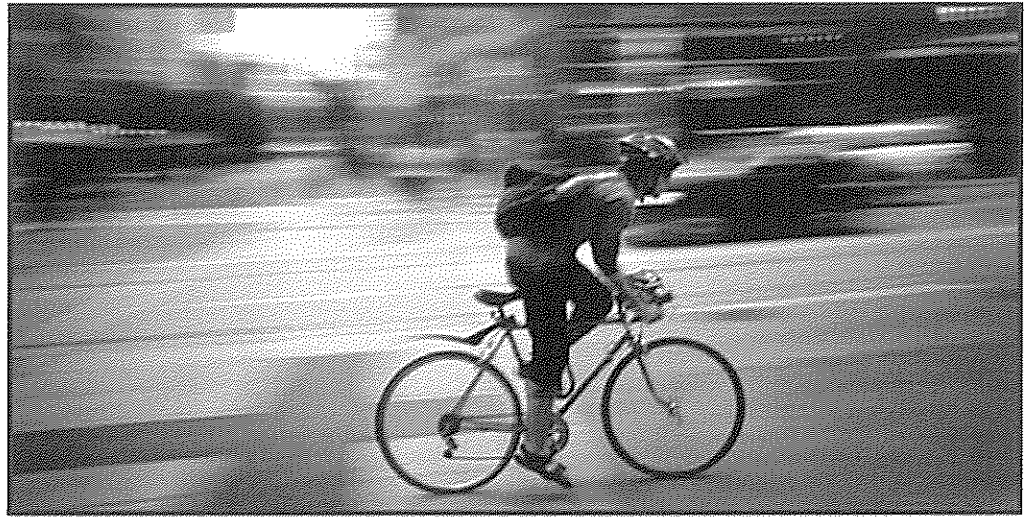
Alex J. Batista, pleaded guilty on February 24, 2013, to second-degree assault and operating a motor vehicle while under the influence of alcohol or drugs and was sentenced to a determinate sentence of five years in prison and three years' post-release supervision. The defendant was also ordered to pay a \$1,000 fine and install an ignition interlock device at his own expense in any vehicle that he owns or operates for a period of three years following his release from prison.

Batista was driving a 2006 black Infinity M35 four-door sedan at a high rate of speed eastbound on Greenpoint Avenue at approximately 10:51 p.m. on Wednesday, July 18, 2012, when he struck the rear of 37-year-old Roger G. Hernandez's bicycle as he rode eastbound with the flow of traffic on Greenpoint Avenue between 39th Place and 39th Street, causing Mr. Hernandez to be thrown onto the hood of Batista's vehicle and strike the windshield before being thrown off the vehicle and onto the roadway near 39th Place. Mr. Hernandez

was pronounced dead at the scene of massive head and body trauma approximately six minutes after the incident.

According to the criminal charges, Batista fled the scene in his vehicle, which was subsequently observed to be crashed into a building at 58-16 Laurel Hill Boulevard, approximately ten blocks

from the scene of the collision with Mr. Hernandez. Batista was lying on the side walk a few car lengths from his vehicle in what appeared to be an intoxicated condition with bloodshot, watery eyes, slurred speech and an odor of alcohol. At the time of Batista's arrest, police recovered two bags of marihuana from his person.



EX-BOYFRIEND SENTENCED TO 50 YEARS TO LIFE IN PRISON FOR STRANGULATION MURDER OF PREGNANT WOMAN AND OF TODDLER WHO DIED IN DEADLY COVER-UP FIRE

Jimmy Humphrey was convicted after a four week jury trial of the July 2010 murders of his former girlfriend, whom he strangled, and her two-year-old son who perished in the fire he purposely set in her Springfield Gardens apartment to cover up his crime. The former girlfriend was seven-months pregnant with his child at the time.

According to trial testimony, firefighters responded to an anonymous 911 call and came upon a fire on the second floor of 179-56 Anderson Road just after 4:30 a.m. on Tuesday, July 13, 2010. Inside, they discovered the burned body of Linda Anderson, 25, and her son, Ayden Hayes, 2, laying in

the apartment. The toddler was transported to a local Queens hospital where he was pronounced dead. An investigation by the New York City Fire Department determined that the fire was not the result of any accidental or natural causes.

In statements made to police, Humphrey said that he was in the apartment with Ms. Anderson and her son just prior to the fire and that he had grabbed Ms. Anderson by the throat and shoved her, causing her to fall. He also admitted that he hit Ms. Anderson with a bottle of alcohol and used her lighter to set her couch on fire even though he knew that her son Ayden was inside the apartment. Humphrey additionally admitted that he was aware

that Ms. Anderson was pregnant and that he did not want to have a family with her. Humphrey further admitted that he then ran from the apartment, leaving behind Ms. Anderson with her body on fire and her son asleep in a bedroom. Finally, Humphrey admitted that he went home and laid down for a period of time before walking to a phone to call 911 to report the fire.

The Office of the Chief Medical Examiner ruled that Ms. Anderson died as a result of neck compression and that she was pregnant. The Medical Examiner's office also ruled that Ayden Hayes died as a result of smoke inhalation and other injuries.

51 CHARGED IN MAJOR DRUG SWEEP FOLLOWING UNDERCOVER INVESTIGATION AT TWO QUEENS HOUSING DEVELOPMENTS

Hundreds Of Undercover Drug Buys Allegedly Made Of Heroin, Cocaine and Marijuana

Anti-drug initiatives at the New York City Housing Authority's Queensbridge Houses in Long Island City and the Ravenswood Houses in Astoria, Queens have resulted in charges against fifty-one individuals.

They are charged with selling heroin, cocaine, oxycodone, methamphetamine and marijuana to undercover police officers on hundreds of separate occasions over an eight-month period between 2012-2013.

The investigation began last August when detectives assigned to the NYPD's Queens Narcotics Division teamed up with District Attorney Brown's Narcotics Investigation Bureau with the goal of identifying, disrupting and stopping marijuana and narcotics trafficking organizations operating in the Queensbridge and Ravenswood Houses and to apprehend its members and associates.

Officers also executed seven court-authorized search warrants and recovered narcotics, hashish, marijuana, drug paraphernalia and cash.

The Queensbridge Houses, which are owned and managed by the New York City Housing Authority ("NYCHA"), is



the largest public housing development in North America and covers nearly 50 acres. Located in Long Island City and completed in March 1940, the more than 3,000-unit complex is broken into two separate complexes – the North and South Houses. The Queensbridge North Houses consist of 13 six-story buildings that house some 3,400 residents in 1,517 apartments. The

Queensbridge South Houses consist of 13 six-story buildings that house some 3,500 residents in 1,602 apartments.

The Ravenswood Houses is another NYCHA Queens development. The Astoria, Queens, complex was completed in 1951 and consists of 31 six- and seven-story buildings that house some 4,500 residents in 2,163 apartments.

FUGITIVE SENTENCED TO 10 YEARS IN PRISON FOR MANSLAUGHTER STEMMING FROM 2005 HIT-AND-RUN THAT KILLED 15-YEAR-OLD BOY

Defendant Extradited From Spain

Bartolo Paula, who spent more than seven years on the run, first in the Caribbean and then in Europe, was sentenced to ten years in prison on his first-degree manslaughter guilty plea in connection with the 2005 hit-and-run death of a teenage special-education student in Ozone Park. In addition to the 10-year prison term, Paula was also sentenced to five years

of post-release supervision

According to the charges, Paula had just dropped off his teenage son at John Adams High School on the morning of October 26, 2005, and was at a red light when Jeffrey Javier, 15, entered the crosswalk. When the light changed to green Paula struck Javier, who was still in the crosswalk, and kept going. A witness followed Paula for several blocks, took down his license

plate number and turned it over to police, who later interviewed the suspect. After agreeing to surrender to police the next day, Paula instead fled to the Dominican Republic and ultimately to Spain, from where he was extradited in December 2012. Javier, who suffered a fractured skull and other injuries, died a few days later at Jamaica Hospital.

ATTEMPTED MURDER OF POLICE OFFICER AFTER HOUR-LONG CRIME SPREE RESULTS IN LONG PRISON TERM

In February 2010, two Queens men shot at a marked police vehicle attempting to stop them after they stole a car, burglarized a house and robbed a woman on the street at gunpoint. Upon conviction for these crimes, the men Darius Lowery and Urban Fermin were sentenced to indeterminate terms of 40 years to life and 30 years to life respectively in prison.

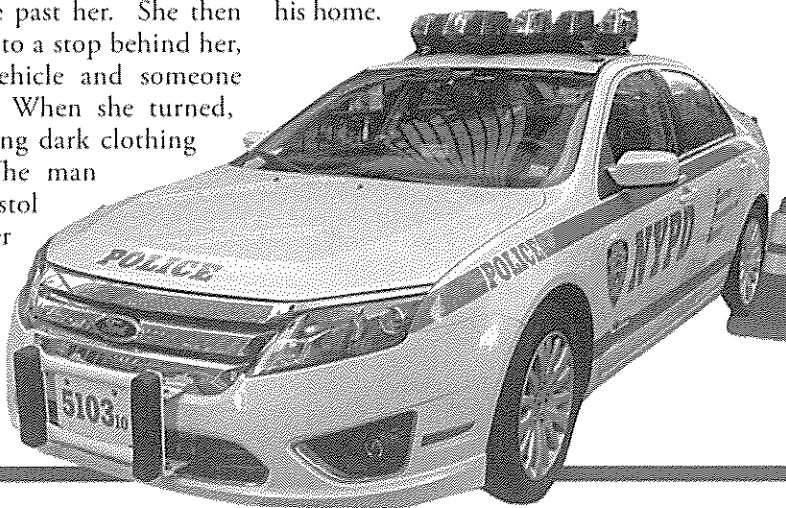
According to trial testimony, at 7:35 a.m. on February 2, 2010, a 55-year-old St. Albans man left his white 2000 Ford Focus warming up outside his residence. When he returned five minutes later, the vehicle was gone. At 8:10 that same morning, a 72-year-old South Ozone Park woman opened the front door of her residence and was confronted by two males wearing masks and dark clothing. The men stated, "This is a robbery, move in!" Once inside the residence, the men – one of whom displayed a black pistol and the other a revolver ordered the woman's 40-year-old daughter to get on the floor before eventually having the two women sit on the sofa. One of the men then stayed with the women while the other ransacked the residence – taking the batteries from the telephone and removing cash, a digital camera, assorted jewelry, a Nintendo Wii gaming console and a Westinghouse flat screen television – before fleeing in a white vehicle.

Thereafter, a 35-year-old South Ozone Park woman was walking along 128th Street at approximately 8:27 a.m. when a white vehicle drove past her. She then heard a vehicle come to a stop behind her, a person exit the vehicle and someone running toward her. When she turned, she saw a male wearing dark clothing approaching her. The man displayed a black pistol and demanded her pocketbook. He then ripped the pocketbook from her and began to return to the white vehicle before

stopping and again confronting the victim, this time stating, "No, give me everything." He then began rummaging through her pockets, taking her pocketbook, credit card, driver's license, cellular telephone and a sum of cash before returning to the white vehicle and entering the front passenger seat. A second man was seated in the vehicle's driver seat.

Police Officers observed Lowery and Fermin seated in the Ford Focus at the intersection of 130th Street and Foch Boulevard approximately twenty seconds after the street robbery occurred. When the officers attempted to stop the two men they were taken on a high speed chase through three different precincts, at times traveling the wrong way on one-way streets, until they arrived on Sutphin Boulevard heading southbound. On Sutphin Boulevard Lowery hung his upper body out of the passenger side window, pointed a black pistol at the officers, and fired at least eight rounds.

Ultimately the defendants ended up jumping out of the still moving Ford Focus. Lowery was observed reaching for his waistband and the two officers opened fire. However, neither defendant was hit. The Focus continued to roll unmaned to the end of the block where it crashed. The proceeds of the burglary and robbery were found inside the vehicle. Fermin was apprehended near the scene of the car crash while Lowery was apprehended approximately twelve hours later at his home.



SEX TRAFFICKERS SENTENCED TO PRISON

*Victimized two young women –
a 19-year-old runaway from
Rockland County
and a 20-year-old from
New York City*

Hikeem L. Green and Darcell Marshall pleaded guilty to sex trafficking, and were sentenced to four to twelve years and one to three years in prison respectively.

According to the investigation, Green first took custody of the two women separately by pretending to be a "John" (prostitution customer) and picking them up on "tracks" (known prostitution locations frequented by prostitutes and their customers) in the Bronx and Brooklyn. He then told them that he was a pimp and that they now had to work as prostitutes for him. Green kept the two women imprisoned inside a Springfield Boulevard location between October 2012 and December 2012, during which time he took photographs of both victims and posted them on the adult website directory, backpage.com, to advertise their services as prostitutes. Numerous men responded to the ads and the victims met with them either at the Springfield Boulevard address or other locations in Queens where they were forced to perform various sexual acts with the men for money, which they had to turn over to Green and Marshall.

Cases of Interest

THEFT OF TRAILWAYS BUS RESULTS IN PRISON TERM

Darius McCollum, 48, was sentenced in August to an indeterminate term of 2½ to 5 years in prison as a predicate felon in connection with the 2010 theft of a Trailways bus from a depot in Hoboken, New Jersey, which he then drove to Queens. McCollum was behind the wheel of the bus at the time of his arrest.

McCollum's prior felony was a 2006 third-degree attempted grand larceny conviction in connection with his attempt to steal a Long Island Rail Road train in 2005. He had been sentenced to 1½ to 3 years in that case.

SENTENCED FOR STABBING DEATH OF 17-YEAR-OLD WHILE TRYING TO STEAL HIS IPHONE

Stephon Huffman, who took part in a fatal attack on a 17-year-old boy while trying to steal his iPhone, has been sentenced to 20 years in prison. Huffman pleaded guilty in July to first-degree manslaughter in connection with the 2011 daytime attack.

According to the criminal charges, Huffman and others approached Patrick Dixon, 17, after following him off of a bus, and placed him in a chokehold while demanding his iPhone and trying to remove it from his pocket. As Dixon struggled, an accomplice grabbed him along with Huffman. When Dixon managed to free himself from the grasp of Huffman and his cohort, a third person approached and slashed Dixon's neck with a razor blade. As Dixon fled from his attackers, with blood spurting from his neck, Huffman and two others followed him. Dixon fell to the ground while one of his attackers continued to demand that he turn over his phone. Huffman admitted that as he was running after Dixon, the victim's blood sprayed onto his face, mouth, jacket, sweatshirt and pants.

CONVICTION IN 2007 MURDER AT JACKSON HEIGHTS BAR

*Extradited Co-Defendant Already
Serving 18 Year Prison Term*

It was just after 4:00 a.m. on February 4, 2007, when Carlos Sanchez and Francisco Uribe, two Colombian nationals, pulled up in a silver BMW to the Blue Lounge bar at 83-17 Roosevelt Avenue in Jackson Heights. For a few minutes the two men stood outside the bar watching people exit before they entered the premises. Already inside were their soon-to-be victims: Robinson Lopez and his friend, Diokis Rosario. When Lopez came out of the bar, Sanchez and Uribe followed by car.

Rosario and his fiancé, who had been walking in front of Lopez, heard a commotion and turned. Seeing Uribe attacking Lopez with a knife, Rosario went to the aid of his friend. In response, Uribe slashed Rosario in the face, cutting him next to his left eye, as Sanchez stopped the car and ran to join Uribe on the sidewalk. Sanchez then stabbed Rosario once in the torso before he and Uribe fled in the BMW.

Lopez died and Rosario received 39 stitches to close his wounds. Immediately after the stabbing, Sanchez and Uribe fled the country. Fifteen months after the stabbings, Sanchez was arrested at the Mexican border attempting to illegally re-enter the United States through Texas. Uribe was returned to the United States from Colombia in June 2010. In January 2013, Uribe pleaded guilty to first-degree manslaughter, and was sentenced to 18 years in prison.

Sanchez was convicted in October 2013 of second-degree murder and first-degree assault following a three-week jury trial.

GANG ASSAULT IN BAR CAUSES DEATH

*Victim Was Injured in Club Fight and Later
Died From a Heart Attack*

Donnell Coleman, 31, of Jamaica, Queens, was sentenced to 18 years in prison for the brutal beating of another man in a Forest Hills club in November 2010. Coleman had been convicted of first-degree gang assault in March 2013 following the conclusion of a two-week jury trial.

According to court testimony, in the early morning hours of November 27, 2010, inside of Bartini's, a nightclub located at 1 Station Square, in Forest Hills, Coleman, along with approximately eight to ten others, punched and kicked the victim, Haroon Walfall, 33, of Rosedale, Queens, repeatedly about the face, head, and torso after an altercation inside the club over a girl. Mr. Walfall, who had an enlarged heart, sustained bruising, swelling, bleeding and lacerations to his face and neck, subsequently died later that morning from a heart attack.

100 YEARS IN PRISON FOR GUNPOINT RAPE OF TWO WOMEN ON TWO CONSECUTIVE DAYS

Leaman King was convicted of two counts each of first-degree rape, first-degree criminal sexual act, second-degree kidnapping, and second and third-degree criminal possession of a weapon following a jury trial.

According to trial testimony, shortly after midnight on October 29, 2005, the first victim was walking down Springfield Boulevard when she was abducted at gunpoint by the defendant and forced into his vehicle. Once inside the vehicle, the defendant raped and sodomized her. On the following day, October 30, 2005, at approximately 8:30 p.m., the second victim was walking down Eveleth Road when she was abducted by the defendant at gunpoint and forced into his vehicle where he raped and sodomized her.

Cases of Interest

PRISON TERM FOR SHOOTING WITNESS WHO TESTIFIED AGAINST DEFENDANT IN EARLIER ROBBERY CASE

A Far Rockaway man has been sentenced to 25 years in prison after pleading guilty last month to first-degree manslaughter in the shooting death of a witness who had testified against him in an earlier robbery case. His girlfriend, who drove him to and from the crime scene and pleaded guilty to first-degree hindering prosecution, was sentenced to two to six years in prison.

In pleading guilty, Shytique Kelly admitted that he approached Tysheen Coakley, 21, and two other individuals at approximately 5:28 p.m. on May 27, 2012, at the intersection of 110th Avenue and 160th Street and fired in the direction of the three individuals, hitting Coakley in the chest and causing his demise. The Co-defendant admitted that she assisted in the killing by driving Kelly to and from the crime scene.

REGISTERED SEX OFFENDER SENTENCED FOR SEXUALLY ASSAULTING WOMAN IN ALLEY

A twenty-three year-old already listed as a Level One sex offender on the state registry, grabbed a 35-year-old woman from behind as she headed toward a bus stop on her way to work. He dragged the woman into an alley and physically and sexually attacked her. Half-naked, she eventually managed to escape and flee to a nearby bodega, where a customer called 911.

The defendant, whose DNA was found on a letter he wrote to a friend describing what he had done, was convicted of first-degree attempted rape, first-degree criminal sexual act, second-degree attempted robbery and second-degree assault following a bench trial.

ELEMENTARY SCHOOL TEACHER SEXUALLY ABUSED FIVE STUDENTS

A Queens public school teacher has been sentenced to prison for sexually abusing five of his students – four females and one male who ranged between eight and ten in age – over a three-year period. The incidents all took place at the school – many during class time.

The defendant, Simon Watts who was formerly employed as a teacher at P.S. 15, was the third and fourth-grade teacher for the five students whom he sexually abused – sometimes on multiple occasions. A child told her mother what had happened and the police were called and Watts was immediately suspended from school. Subsequently four more students came forward and disclosed that Watts had either touched them in a sexual manner or made them touch him. On at least one occasion, according to the testimony, Watts told a student, "Don't tell anybody."

TEN DEFENDANTS INDICTED IN CONNECTION WITH AUTO THEFT RING TARGETING DEALERSHIPS

*Eleven Vehicles Recovered, Including One
Found In Shipping Container At Staten
Island Port*

Ten men were indicted on grand larceny and other charges in connection with an auto theft ring that allegedly stole vehicles from car dealerships in Queens and Brooklyn for resale, including allegedly selling one of the vehicles to a defendant who was arranging to have it shipped overseas.

PAKISTANI NATIONAL AND U.S. NATURALIZED CITIZEN CHARGED WITH SOLICITING AID FOR TERRORIST GROUPS IN AFGHANISTAN

Two New York City residents -- a Pakistani national residing in Elmhurst and a naturalized U.S. citizen from Kuwait residing in Brooklyn -- have been charged with conspiring to solicit aid in support of terrorist organizations -- including the Taliban and al-Qaeda -- fighting American troops in Afghanistan.

QUEENS VILLAGE MAN SENTENCED FOR SEX TRAFFICKING 15-YEAR-OLD GIRL

*Burned victim with
cigarettes and a razor when she asked to
stop engaging in prostitution*

According to the criminal charges filed in the case, the 15-year-old victim, who had run away from home, was told by defendant Christopher Whitfield, on March 8, 2012, that she was going to make money for him by having sexual intercourse with men in exchange for cash that would be paid to him. In furtherance of his scheme, Whitfield posted prostitution advertisements of the victim on backpage.com. Between March 8, 2012, and April 1, 2012, numerous men responded to the ads and the victim met them on a daily basis at hotels and other locations in Queens where she had sex with them for money, which she paid to Whitfield. Lastly, when the victim repeatedly asked to leave and stop engaging in prostitution, Whitfield threatened to physically beat her and on several occasions burned her on the breast and wrist with cigarettes and, heating a razor, burned her on the leg. All three burnings resulted in scars. The victim managed to escape when she was left alone. Whitfield pled guilty and was sentenced to 3 to 9 years in prison.

WORKING WITH COMMUNITIES

Working with Communities



THREE ADA'S HONORED FOR OUTSTANDING WORK

Senior Assistant District Attorney Jessica L. Melton, recipient of the New York City Bar Association's Thomas E. Dewey Award; Assistant District Attorney Nicole J.A. Reid, recipient of the Queens District Attorney Office's Hal Miller Weinstein Memorial Award; and Assistant District Attorney Marjory D. Fisher, Chief of the Special Victims Bureau and the recipient of the Queens District Attorney Office's Eugene J. Kelly Memorial Award join the District Attorney.



HISPANIC HERITAGE AWARD

District Attorney Richard A. Brown presents the Hon. Carmen Beauchamp-Ciparick, retired Senior Associate Judge of the New York State Court of Appeals, with his office's 8th Annual National Hispanic Heritage Award in honor of her distinguished legal career. Joining them are the Hon. Joseph A. Zayas, Administrative Judge for the Criminal Term of the Supreme Court in Queens County, and the Hon. Randall T. Eng, Presiding Justice of the New York State Appellate Division, Second Department.



WILLIAM TUCKER GARVIN PUBLIC SERVICE AWARD

District Attorney Richard A. Brown presented the 2013 William Tucker Garvin Public Service Award to Executive Assistant District Attorney Jesse J. Sligh in celebration of Black History Month. The award was established in 2001 to honor the memory of Mr. Garvin, the first African-American Assistant District Attorney appointed in Queens County.



STATE'S DISTRICT ATTORNEYS HONOR BROWN

Queens District Attorney Richard A. Brown received the Association's highest honor - the Frank S. Hogan Award - for his decades of public service at the Association's annual winter conference. He was presented with the award by the Association's immediate past president, Manhattan District Attorney Cyrus R. Vance Jr., during the conference's award luncheon, where U.S. Attorney Eric H. Holder delivered the keynote address.

Working with Communities



GERALDINE FERRARO SCHOOL DEDICATION

On October 22, 2013, the campus of a new school building was named after Geraldine A. Ferraro, the first female vice-presidential candidate and three-term Queens Congresswoman. Present at the dedication were Assemblywoman Catherine Nolan, District Attorney Brown, former Schools Chancellor Dennis Walcott and many elected and education officials. The Geraldine A. Ferraro Campus will house the former P.S. 290, which is now called the A.C.E. Academy for Scholars.



METROPOLITAN YOUTH GANG CONFERENCE

The 19th Annual Metropolitan Youth Gang Conference was held at the Holiday Inn J. F. 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.



HOLIDAY TOY DRIVE

District Attorney Richard A. Brown stands amidst some of the more than 200 toys donated by staff members and distributed to needy children in Queens County this holiday season.



QUEENS TREATMENT COURT GRADUATION CEREMONY

District Attorney Richard A. Brown addressed the 14 graduates of the Queens Drug Treatment Court program, which was established to provide an alternative to the incarceration of first-time nonviolent drug offenders. Seated behind District Attorney Brown are the Honorable Joseph A. Zayas, the Administrative Judge for Criminal Matters, Queens County Supreme Court, and the Honorable Marcia P. Hirsch, the presiding judge of the Queens Treatment Court.

2013 LEGISLATIVE BREAKFAST



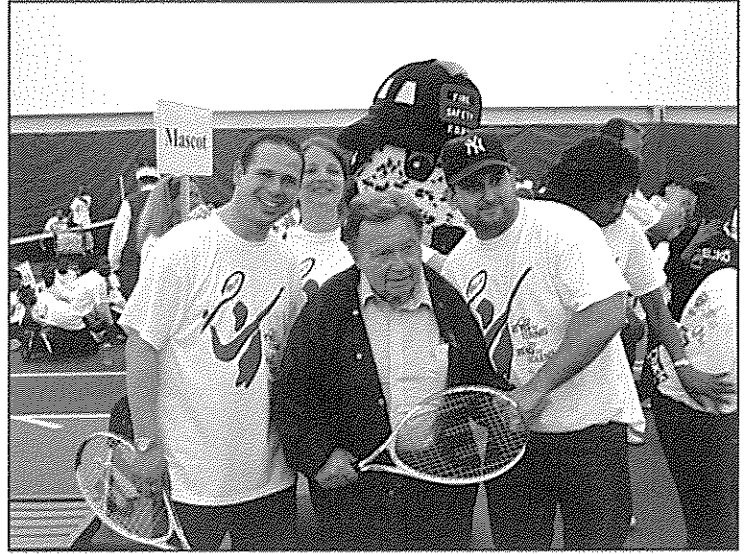
Queens District Attorney Richard A. Brown briefed City, State and Federal elected officials from Queens County at his annual legislative breakfast held at his Kew Gardens offices. The public safety briefing highlighted key accomplishments and major initiatives of the past year, as well as the difficult challenges facing the office in the year ahead. Among those attending were former City Councilman Archie Spigner, Assemblyman Edward Braunstein, Assemblyman Michael G. DenDekker, Assemblyman David Weprin, City Councilman Leroy Comrie, City Comptroller John Liu, Assemblyman Andrew Hevesi, City Councilman Peter Vallone, Jr., City Councilman Mark Weprin, Assemblyman Jeffrion Aubry, State Senator Malcolm A. Smith, State Senator Toby Stavisky, Assemblywoman Catherine Nolan, City Councilwoman Karen Koslowitz and Queens County Clerk Audrey Pheffer.

NATIONAL CRIME VICTIMS RIGHTS WEEK



District Attorney Richard A. Brown observed National Crime Victims' Rights Week by hosting a community awareness program at the Queens Criminal Courthouse. Among the program activities, District Attorney Brown and Queens Borough President Helen M. Marshall presented a \$50 savings bond to essay contest winner Victoria Scarlett, a student at Frederick Douglass Academy VI High School in Far Rockaway. Among those attending were Natasha Morales, Director, and Trial Prep Assistant Jaterah A. Brown, of the QDA Crime Victims Advocate program, and Claudette Christian-Bullock of the New York State Office of Victims Services, who is holding a proclamation from New York State Governor Andrew M. Cuomo proclaiming April 21-27, 2013 as Crime Victims' Rights Week.

TENNIS EVENT: SAY YES TO TENNIS, NO TO VIOLENCE



District Attorney Brown joined the United States Tennis Association (USTA) and the New York Junior Tennis and Learning (NYJTL) in hosting more than 800 Far Rockaway public school students at the 16th 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 and Queens Law Associates, visit Far Rockaway schools throughout the school year to talk about the risks of guns, drugs, gangs and how to make the right choices. Joining DA Brown with the students are NYJTL President and CEO Deborah MacFarlane Antoine and Tennis Program Manager York Chu. ADAs Harold Rosengarten, Samantha Alessi, and John Esposito enjoy a moment with District Attorney Brown and the FDNY mascot.

NATIONAL NIGHT OUT AGAINST CRIME



In observance of "National Night Out Against Crime" this August, District Attorney Brown visited precincts throughout Queens to join community members at anti-crime events. He is pictured here at the 109th Precinct with former Mayor Michael Bloomberg, former Police Commissioner Ray Kelly, 109th precinct commander Inspector Brian Maguire and Precinct Council President Chrissy Voskerichian.

FY 15 BUDGETARY REQUESTS

**Office of the Queens County District Attorney
Proposed New Initiatives
New York City Fiscal Year 2015**

The following outlines a number of special initiative areas for which we request funding support this year -- in addition to our request to re-visit workload formulas based on current workloads and new needs. These special initiatives include:

1. Cyber-Crime Forensic Laboratory

Requested: \$760,000

In recent years, with the growth of cell phone, computer, tablet, smart phone and other personal device, and video and audio evidence technology, we all have been facing increased challenges in our investigations and prosecutions in addressing the increasing need to access and preserve evidence from these devices and sites.

To date, we have no specialized in-house technical capacity to conduct the type of forensic examinations that are typically required. We also have no specialized staff to assist with analyzing evidence increasingly appearing on social media sites -- particularly in the area of youth gang activity.

As a result, we currently rely on the already sorely strained resources of fellow law enforcement or outside agencies, including NYPD, the New York State Police (NYSP), or the New York Electronic Crimes Task Force to conduct the forensic examinations we need of the cell phone, computer, video and audio evidence that has become increasingly prevalent in our cases. These include matters ranging from white collar crime, credit card fraud, identity theft, and other financial scams to internet sexual predator crimes against children to street crime, including felony assaults, burglaries, robberies, narcotics and gun trafficking, and many other offenses. With most of the essential forensic work dependent on the availability of outside police agency resources, our lack of dedicated forensic staffing has hampered us at a time when the ability to conduct forensic examinations of these types is growing in importance.

Accordingly, we seek funding support this year to begin to build that capacity into our office, modernize our operations to fit the times, and build a cyber-crime forensic laboratory capacity. With the requested funding we hope to add specially trained staff who will be dedicated to utilize new hardware and software we plan to acquire with the aim of enhancing ongoing investigations and prosecutions.

To accomplish this, we request \$610,000 in personal services monies to support the addition of a forensic unit supervisor at an average annual salary of \$100,000; 5 forensic specialists at an average annual salary of \$70,000; and four senior paralegal/analysts at an average annual salary of \$40,000. Overseen by the assigned forensic unit supervisor, the forensic specialists will be responsible for conducting detailed forensic examinations and information retrieval from computers, cell phones, tablets and other equipment seized during the course of investigations. They will utilize an array of specialized equipment and software that will aid in

the retrieval of information such as personal documents, images, digital evidence, and will have the ability to decrypt files, crack passwords and analyze Internet activity, chat sessions, emails and address books that will be essential in the development of investigations and prosecutions. Assigned staff will be specially trained in the use of forensic software and hardware such as EnCase Software, which will enable the assigned forensic specialists to capture, analyze and report on digital evidence collected and provide the ability to conduct thorough investigations by collecting intelligence from a variety of sources including Internet activity, chat sessions, email, documents, graphics, and address books and also has the ability to recover digital evidence from deleted files, reformatted disks and hidden files; Forensic Toolkit Software which, using a different search methodology, will enable assigned forensic specialists to conduct in-depth forensic analysis and give them the ability to create images, analyze registries, conduct investigations, decrypt files, crack passwords, and build reports; Cellebrite Field Forensics Kit to be used by the assigned detective investigators and forensic analysts to extract data from mobile phones including contact information, messages, pictures, videos and call logs, during the course of field operations; Ramsey Forensic Enclosure to be used by forensic specialists while conducting analysis of cell phones and other wireless devices in order to preserve the integrity of the evidence and to provide an audio and visual recording of the analysis process; and Snag It and Camtasia Screen Capture Software which will be used during the course of investigations to capture digital evidence and capture images from computer screens. An additional important component of the forensic specialists' work will be to write comprehensive and accurate reports of the forensic examinations conducted which will be used as evidence during case prosecutions.

The senior paralegal/analysts will support the work of the Unit staff serving as the lead in gathering and cataloguing evidence over social media sites; organizing documentation needed for investigations and trials; and preparing detailed paperwork and spreadsheets, that will develop as a result of these complex cases.

We also request an additional \$150,000 to support consulting and training services that will assist in the planning and set-up of a basic forensic laboratory on site. This will allow for approximately 6 month of full time consulting services to assist with the selection and set-up of equipment and software, as well as on-site guidance and training which will be an essential ongoing component of the program as well.

We believe that the addition of specialized staffing to a basic forensic laboratory capability will enable QDA to handle an increased volume of referrals and take a more proactive approach to cyber-crime cases, while greatly strengthening our existing efforts in the handling of electronic evidence going forward.

2. Youth Anti-Violence, Anti-Gun Initiative

Requested: \$360,000

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 patterns 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. Accordingly, we request funding to support the addition of two community outreach specialists at an average salary of \$40,000, two attorneys at an average salary of \$85,000, and two investigator/analysts at an annual salary of \$55,000 to the effort. This dedicated staff will be specially trained 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. With this staff, we also hope to add an intelligence gathering and analysis component to the effort with the aim of better tracking and deterring gang activity, discerning emerging patterns and aiding in better targeting of investigative and prosecutorial priorities. 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 prosecutions 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.

3. Specialized Handling of Financial Exploitation of the Elderly Matters Requested: \$270,000

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 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 continue and enhance the provision of these critical prosecutorial, investigative and support services to elderly victims of financial crimes, with the addition of two investigators at an average salary of \$55,000, one investigative accountant at an average salary of \$80,000, and two crime victim advocates to work with elderly victims and provide needed support services at an average salary of \$40,000.

To address these issues, our Office is requesting \$270,000 in funding to support our Elder Abuse Unit including dedicated investigative and crime victim support 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 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 and advocates 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.

**Office of the Queens County District Attorney
Vehicular Crimes Unit**

Requested Funding: \$315,000 Personal Services

The Office of the Queens County District Attorney seeks FY 2015 baselined funding of \$315,000 to support the establishment of a dedicated Vehicular Crimes Unit.

The unit would be staffed with two assistant district attorneys, one detective investigator, and two paralegal/analysts who will focus on the investigation and prosecution of felony vehicular crime offenses, vehicular homicides, and vehicular assaults involving serious physical injury. Particular emphasis will be placed on matters involving impairment of motor vehicle operators by the use of drugs or alcohol; matters in which drivers are operating vehicles with suspended licenses; and repeat vehicular crime and reckless driving offenses.

Assigned staff will handle all matters vertically, from case inception to disposition, working closely with assigned police investigators to enhance cases from the outset of crime scene analysis through to conclusion. Assistant district attorneys assigned will handle all hearings and trials of resulting cases with an eye toward ensuring accountability of offenders and appropriate dispositions and sentences. They will work with assigned police investigators to enhance cases, will respond to crime scenes on a 24/7 basis, will be available to take defendant and witness statements, and will draft, as needed, subpoenas, search warrants, and other court orders, including for blood alcohol/controlled substance analysis.

The assigned investigator will be responsible for working along with assigned assistants in enhancing cases from their outset and building the strongest possible prosecutions, working hand in hand with assigned NYPD Collision Investigation Squad (CIS) detectives on scene. Particular emphasis for both assigned attorneys and the assigned investigator will be full familiarity and specialized training on the forensics of accident investigations, including alcohol and drug analysis, skid marks, use of street video capability to document accident activity, and reconstruction of accidents, including use of new "black box" technology available in newer model cars. This expertise will also be utilized office-wide in ongoing training of other assistant district attorneys and investigators in the office handling other misdemeanor or driving while intoxicated or impaired matters.

The two paralegal/analysts assigned will be responsible for supporting the assigned attorneys in their efforts, serving as liaisons for gathering of and cataloguing of all subpoenaed information as well as for witness contact, and legal research and document drafting efforts for court submissions.

Overall, the unit's focus will be to collaborate as well with the new Citywide **Vision Zero** policy and **Vision Zero** partners, including NYPD, the New York City Department of Transportation, the New York City Taxi and Limousine Commission, and New York City's

Department of Education, Health, and Aging, as well as the New York City Mayor's Office for People with Disabilities. Efforts will be made to leverage these resources with the aim to developing a targeted strategy to address the incidence of vehicular crimes, which will work in conjunction with our QDA proposed specialized effort.

To accomplish this, we request \$315,000 in personal services funding to support the assignment of two senior assistant district attorneys at an average annual salary of \$90,000; one investigator at an average annual salary of \$55,000; and two paralegal/analysts at an average salary of \$40,000. We believe the addition of this specialized staffing dedicated to the investigation and prosecution of vehicular crimes will greatly strengthen our existing efforts, increase pedestrian and driver safety, and enhance current efforts to ensure accountability of offenders.

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ON THE INSIDE

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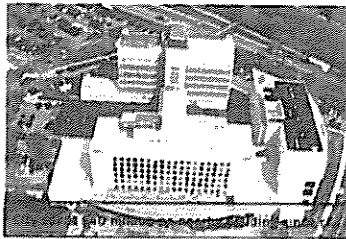
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Millions Spent on Queens DA's Offices But Building Next to Court Sits Empty



By Murray Weiss (<http://www.dnainfo.com/new-york/about-us/our-team/editorial-team/murray-weiss>) on March 19, 2014 6:58am
@weiss_murray (http://twitter.com/weiss_murray)



[View Full Caption](#)

City of New York

KEW GARDENS — The city has spent nearly \$40 million over the last 12 years on office space for Queens prosecutors and other law enforcement officials while a city-owned building attached to the borough's courthouse sits empty, DNAinfo New York has learned.

Every day, some 277 prosecutors, investigators and police officers commute along a five block stretch of dangerous Queens Boulevard to the courthouse, often lugging sensitive case folders or pushing carts filled with confidential court and investigative reports.

Their trek begins at 80-02 Queens Blvd, where the city spends nearly \$3 million a year renting 80,000 square feet on four floors for the DA's team, hate crimes and special victims bureaus, a sitting Queens grand jury and the court officers and police officers who guard them.

But the city also maintains the empty Queens House of Detention, a 10-story jail that's been closed since 2002 and is directly attached to the rear of the courthouse.

A few days ago, Queens DA Richard Brown (<http://www.dnainfo.com/new-york/20120228/forest-hills-rego-park/queens-da-richard-brown-says-funding-cuts-threaten-wiretaps>) illustrated the point while standing in his main conference room. He tapped on a wall that literally separates his office from the aging jail — a wall that inmates once tried to crash through to escape to freedom, he recalled.

Brown said the city has been renting space down the street for about half of his prosecutors and police investigators since before he became the borough's top law enforcement officer 25 years ago.

It's therefore not surprising that he and other court and NYPD officials want someone to take a sledgehammer to the wall and then renovate the empty jail into a thriving office space for them and other social service agencies to use which is right next to their place of business.



The idea had been floated several times during the Bloomberg administration, but the cost-saving concept apparently fell on deaf ears without even an explanation why, sources said.

The 467-bed jail was closed during Bloomberg's first year in office in 2002 because of cuts in the budget and a decrease in the overall average daily inmate population, sources said.

Since then, the city's prisoner population has only declined, from 13,934 in 2002 to 11,825 last year, which was an achievement Mayor Michael Bloomberg touted when he left office. (<http://www.dnainfo.com/new-york/20121221/new-york-city/record-number-of-new-yorkers-arrested-during-bloomberg-era-nypd-stats-show>)

Meanwhile, the city's Department of Correction says it continues to use the prison's pens during the day to hold inmates arriving from other jails who are scheduled to appear in court.

The facility is otherwise closed and maintained by a skeleton crew. Theoretically, it could provide backup capacity in the event that the prison system suddenly requires more bed space — a situation that hasn't arisen in 12 years.

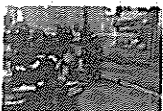
Brown and others believe it is time to reuse the space and he expects to discuss the shuttered prison with the City Council on Friday when he appears regarding the city's budget.

This time, he hopes someone will listen.

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City Agrees to Pay \$8M to Settle FDNY Bias Lawsuit (<http://new-york/20140318/civic-center/city-agrees-pay-8m-settle-fdny-bias-lawsuit>)



Testimony

of

Bridget G. Brennan
Special Narcotics Prosecutor

Before

The New York City Council

Fiscal Year 2015
Executive Budget Hearings

May 20th, 2014
Council Chambers
City Hall

OFFICE OF THE SPECIAL NARCOTICS PROSECUTOR

FY2015

Overview

I would like to thank the City Council for its support of the Office of the Special Narcotics Prosecutor (SNP) and all of the District Attorneys' Offices. I appreciate the leadership and dedication of the Public Safety and Finance Committees and Chairwomen Vanessa Gibson and Julissa Ferreras in addressing the criminal justice issues that confront all of our offices.

We are especially appreciative of new needs funding that we received through the Mayor and the Office of Management and Budget (OMB) to support our efforts in curtailing the flow of heroin and black market prescription drugs onto the streets of New York City and throughout the region.

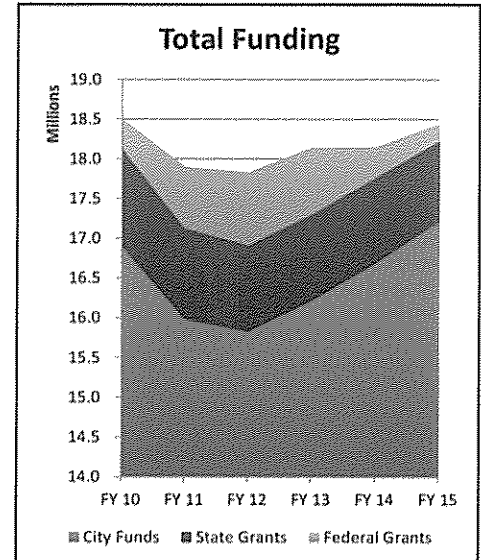
Heroin Investigations and Expanded Prescription Drug Unit

The FY 2015 Executive Plan allots an additional \$530,000 for new needs: Heroin Investigation Enhancement Funding and an Expanded Prescription Drug Investigation Unit (PDIU). Through its support of this work, the City recognizes the serious threat the current opioid epidemic poses to the health and safety of New York City residents.

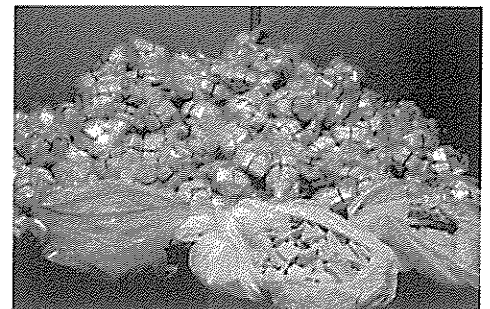
An increasingly large percentage of our resources are devoted to disrupting heroin trafficking and prescription drug diversion. We are thankful for the additional funding, which will enable us to add and train experienced staff, including Assistant District Attorneys, analysts and investigators, in these areas. The revenue will also support our extensive work on legislative change that is crucial if we are to meaningfully curb the scourge of opioid abuse.

Opioid Epidemic: Heroin Supply Surges

The amount of heroin being sold by New York City-based drug trafficking organizations is skyrocketing. In just the past 4 ½ months, SNP's heroin seizures exceed the agency's total heroin seizures for all of last year or any year in recent memory. As of this weekend, we have seized 131 kilos (288 lbs.) with a street value of between \$40 and \$65 million since January 1, 2014. By way of comparison, the U.S. Drug Enforcement Administration (DEA) New York Division reported approximately 144 kilos (317 lbs.) of heroin seized in all of New York State for 2013.



\$11 million in heroin delivered from the Bronx to Connecticut.



National

The New York Times

15 JAN 23 1993

EDITION: JAN 23 1993

"We had a bad epidemic, and now we have a worse epidemic."

BY MARK PHILLIPS, President of the Northern New England Society of Addiction Medicine

Heroin in New England, More Abundant and Deadly

**Overdoes Soar
As Addicts Confront
Limits on Painkillers**

By MARK PHILLIPS

PHILADELPHIA, Pa. — In recent months, bad news has been coming from the war-torn streets of New England. In the middle of last year, heroin addicts in Boston, Massachusetts, began to die in large numbers. The deaths were attributed to a new strain of heroin, one that was more potent than the one that had been used for years. The new strain was called "junk," and it was more potent than the one that had been used for years. The new strain was called "junk," and it was more potent than the one that had been used for years.

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Continued on Page 16

3

So far in 2014, investigations have resulted in the dismantling of at least eight heroin mills. A total of 13 heroin mills were dismantled in New York State in 2013 as the result of investigations involving the DEA.

The Business of Heroin Trafficking: Technology and Marketing

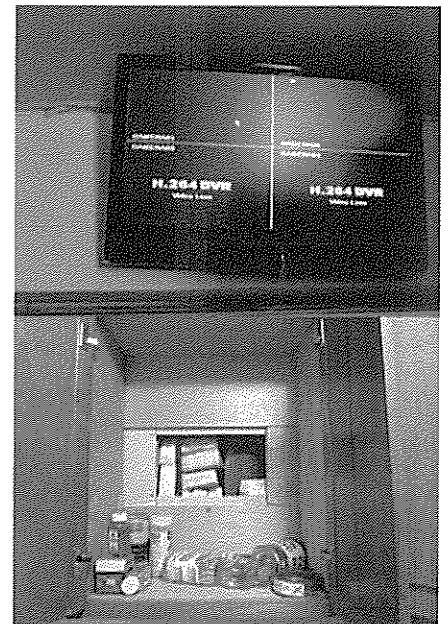
Heroin trafficking is a highly lucrative business. A kilo of highly pure heroin purchased wholesale for approximately \$60,000 can be converted into 25,000 to 50,000 individual doses (depending on purity) worth up to half a million dollars on the street.

In order to protect their investments, heroin mill operators make the most of new technologies to employ increasingly sophisticated counter-surveillance equipment, which alert them to the presence of both law enforcement and potential robbers. A heroin mill operation we dismantled with the DEA's Long Island Office in two apartments on Wadsworth Avenue in the Washington Heights section of Manhattan in April featured such a system. Investigators and agents from SNP and DEA seized approximately 20 kilos (44 lbs.) of heroin from "traps" (hidden compartments) throughout the two apartments.

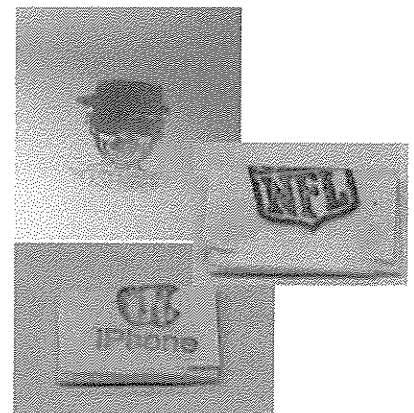
Two pinhole cameras were concealed in the doorframe of one of the apartments to record activity in the hallway, with clear view from one end to the other. The tiny cameras would have been invisible to the casual observer. The video was fed to a monitor mounted above the door inside the apartment and to a DVR that recorded the feed.

In another mill we dismantled in March with the New York City Police Department's (NYPD) Narcotic Borough Manhattan North, a window air conditioning unit concealed a surveillance camera that recorded activity outside the main entrance to the building. The video was fed live to a television near where the mill workers were packaging heroin.

Like other businesses, heroin trafficking organizations tailor marketing to their customer base. Stamps used to brand individual dose envelopes draw from headlines and popular culture. A search of a heroin mill on Noble Avenue in the Bronx in March yielded a host of stamps and a handwritten running list of ideas for new stamp names and those previously used. One stamp was modeled after Walter White, the drug dealing main character from the hit TV show "Breaking Bad." Other heroin mills that we dismantled this year used a wide variety of brand names, ranging from "Government Shutdown" and "Syria" to "NFL" and "iPhone".



Heroin mills feature surveillance systems and hidden compartments.



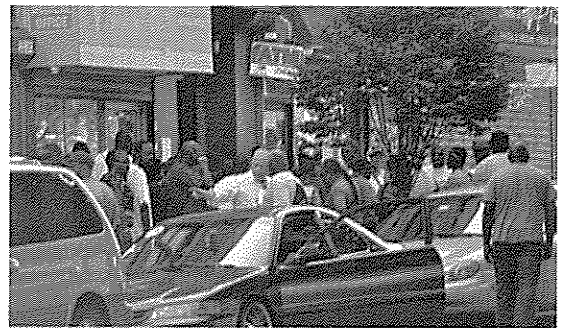
A variety of stamps are used to market heroin.

Opioid Overdose Deaths

As I discussed in my testimony to the City Council in March, reducing the supply is a critical part of any harm reduction plan. Heroin overdose deaths in New York City rose by 84% between 2010 and 2012. The abuse of heroin and prescription painkillers is inextricably linked. Americans reporting heroin use nearly doubled between 2007 and 2012, according to the Substance Abuse and Mental Health Services Administration (SAMHSA). Rates of heroin abuse were 19 times higher among those who reported having previously abused painkillers than among those who had not. The severity and widespread nature of the opioid epidemic is reflected in statistics from throughout the region.

Prescription Drug Investigation Unit

Now in its third year, my office's Prescription Drug Investigation Unit continues to seek to cut off the illicit supply of painkillers and other highly addictive prescription drugs at the highest level possible. In 2014, SNP, the DEA and the U.S. Attorney's Office for the Southern District of New York together shuttered the region's largest pill mill – Astramed Physicians in the Bronx. My office investigated the doctor who was illegally selling prescriptions from the Astramed location between June 2012 and February 2014. This doctor wrote over 18,000 prescriptions for oxycodone to over 4,200 individuals, none of which are believed to be legitimate.



A doctor sold prescriptions to drug crews at Astramed Physicians in the Bronx - the City's largest pill mill

While deaths stemming from the misuse of opioid painkillers appear to have dropped somewhat between 2011 and 2012, the potential for overdoses from these pills remains a significant problem. Prescription opioid-related fatalities rose by a dramatic 267% between 2000 and 2011, and then dropped by 9% in 2012, according to the New York City Department of Health and Mental Hygiene (DOHMH). Opioid painkillers were involved in 28% of all drug overdose deaths in the city in 2012.

As a law enforcement agency, our primary focus is on the supply side of a drug epidemic. For the past several years, SNP has examined data from the New York State Health Department's Bureau of Narcotic Enforcement (BNE) to track the number of prescriptions for narcotic painkillers filled by New York City residents. The rate of prescriptions filled for oxycodone (one of the most highly addictive and commonly abused types of opioid painkillers) increased by an alarming 138% between 2007 and 2012.

Fortunately, after awareness campaigns targeted at the medical community and the general public, increased law enforcement efforts,

and tighter controls through programs such as I-STOP, the numbers now appear to be leveling off. Between 2012 and 2013 the rate of oxycodone prescriptions filled by New York City residents dropped by 1%. In 2013, there were 1,270,162 prescriptions for oxycodone filled citywide – 9,493 less than in 2012. Likewise, doctor shopping has been sharply reduced with the advent of I-STOP.

Beyond building cases, my office participates in the Mayor's Task Force on Prescription Painkiller Abuse and the RxStat Workgroup, which are developing and implementing coordinated strategies for responding to the growth of opioid painkiller misuse and diversion.

Operation Crew Cut

We commend the City Council's Committees on Public Safety, Public Housing and Juvenile Justice for taking the initiative to hold a public hearing on the NYPD's Operation Crew Cut and Crime Reduction Strategies last month. Operation Crew Cut has been highly effective in targeting violent gangs that destabilize their neighborhoods and threaten the safety and security of law abiding citizens.

As SNP's Chief Assistant District Attorney Steven Goldstein testified at that hearing, we have experienced great success under this model of enforcement in our collaborations with the NYPD's 44th Precinct Field Division in the Morrisania section of the Bronx. Four successive takedowns targeting high-level members of four rival gangs served to drive down crime rates in that area. You heard how gang members use technology to coordinate criminal activity, recruit juveniles and threaten witnesses. We cannot overstate the importance of digital forensics in these investigations. Our new Digital Forensic Unit, which received the City's support last year, will greatly enhance our future work in this area.

A "ribbon-cutting" ceremony marked the opening of a PAL Play Street at the Mott Playground in the Morrisania section of the Bronx.

However, as the City Council wisely noted, more needs to be done to ensure that young people have positive opportunities and role models to deter them from joining these gangs in the first place. Towards that end, my office partners with the Police Athletic League (PAL), the NYPD and the District Attorneys' Offices to bring recreational opportunities to communities where we have conducted major enforcement operations. We welcome your ideas on how we can further contribute to the well-being of the communities we serve.



Funding

In FY 2015, our total funding from all sources, City, State and Federal, is projected to be \$63,822 less than what we received in FY 2010. Thanks to the support of the City Council and the Office of Management and Budget, our request for new needs funding submitted in our preliminary budget hearing has been approved for FY 2015 and out years.

City Funding Changes

In FY 2015, after years of financial struggle our budget is finally brought back to fiscal 2010 level. We are very grateful for the support we have received from the City Council during this difficult time.

In current FY 2014, our projected city fund is \$215,938 or 1.3% less than our actual city funding for FY 2010. Since FY 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 FY 2010 to \$433,970 in FY 2011.

Over the past four years, the City recognized the seriousness of the prescription drug epidemic and the new technological challenges law enforcement agencies are faced with in the 21st century and provided us with various new-needs funding accordingly.

State Funding Reductions

In FY 2015, 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%.

Federal Funds

Though we have been fortunate to receive some one-time case-related funding from the federal government, we must assume that this cash grant will not be renewed in FY 2015. In addition, our long-term and recurring federal grant fund has plummeted by a staggering 85% or \$586,969, from \$687,468 in 2002 to \$100,499 in FY 2014. The only federal funding remaining is the Byrne Justice Assistance Grant, which continues to diminish each year.

Endnotes

1 Office of the Medical Examiner, Dutchess County Department of Health (2013 data compiled February 2014; 2012 data compiled February 2013; 2011 data compiled February 2012; 2010 data compiled January 2010; 2009 data compiled March 2010). All data is subject to revision as case details are added or revised. Data includes all deaths where illicit and/or prescriptions drugs were identified via toxicology or case reports as a contributing factor and the intent was unknown or accidental. Alcohol-only overdoses were removed from the analyzed dataset.

2 Office of the Medical Examiner, Westchester County Department of Laboratories and Research. 2013 data collected and compiled as of March 28, 2014 by the Westchester Intelligence Center; 2009-2012 data collected and compiled as of June 1, 2013 by the Westchester Intelligence Center. All data is subject to revision as case details are added or revised. Data includes all deaths where illicit and/or prescriptions drugs were identified via toxicology or case reports as a contributing factor and the intent was unknown or accidental. Alcohol-only overdoses were removed from the analyzed dataset.

Office of the
Special Narcotics Prosecutor
for the **City of New York**



2013 Annual Report

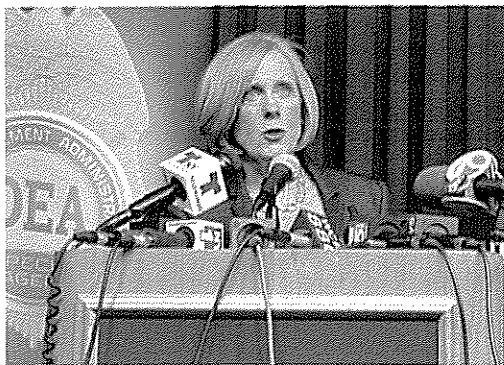
The cover photo was taken inside a "heroin mill," a location where bulk quantities are processed for retail distribution. Heroin mills are commonly set up in residential apartments and houses. The plastic tubs shown hold approximately 10 kilos (22 lbs.) of heroin in loose powder form, which would have yielded hundreds of thousands of individual doses. Coffee grinders, sieves and a blender were used to cut the heroin with a diluting substance. Mill operators prefer glass-topped tables for their transparent, hard and smooth surfaces, which won't absorb the heroin. A MetroCard® and toothbrush would have been used to scrape residue off the tabletop.

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Message from the Special Narcotics Prosecutor

This year we explore New York City's role in the widely reported epidemic of heroin abuse in the United States. The Office of Special Narcotics noted an uptick in heroin seizures from international drug cartels in 2009. Sadly, four years later, state and local officials nationwide are reporting a high incidence of heroin addiction and overdose deaths.



Special Narcotics Prosecutor Bridget G. Brennan announces the results of a major investigation at DEA New York Division headquarters.

The Office of the Special Narcotics Prosecutor for the City of New York was established more than four decades ago in response to a heroin epidemic that overwhelmed New York City. That epidemic was ushered in by American soldiers returning with heroin habits nurtured by opium grown in Southeast Asia. It hit Harlem, the South Bronx and parts of Brooklyn especially hard, and battered impoverished communities in urban areas. Forty years ago, the heroin found on the New York City streets was 5% to 10% pure, and usually injected. Effective prosecutions, which reduced the supply of heroin, combined with the drug's waning allure to those who lost friends and relatives to overdose and addiction brought the epidemic under control.

Today, New York City has again become one of the nation's hubs for the importation and distribution of heroin. Most of the heroin found in New York today originates in South America, not Asia. The drug sold on the street is much more concentrated than the heroin in the 1970s — 40% to 60% pure. It is often snorted rather than injected. Initial exposure to opioid drugs does not occur on a battle front in a distant land, but in comfortable homes or schoolyards, where the gateway drug comes in the form of legally prescribed pain killing medication.

Prescription pain medication is highly addictive, and a robust street market has developed around the sale of drugs like oxycodone, which contain ingredients from the same family as heroin. Once addicted to pain pills, people often turn to heroin, which is cheaper and offers a quicker high. Unlike the victims of the epidemic 40 years ago, today's heroin abuser is often a teenager or young adult from a suburban community and as likely to be middle class as from an impoverished background.

Curtailling the available supply of heroin through investigations into street level and importation organizations are critical elements of a prevention strategy. The Office of the Special Narcotic Prosecutor is committed to working together with partners in law enforcement and public health to bring today's heroin epidemic under control.

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 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 the related surges in heroin trafficking and prescription drug diversion, and the use of social media to coordinate criminal activity by violent gangs. In 2013, Ms. Brennan established the Digital Forensic Services Unit. Ms. Brennan previously launched the Prescription Drug Investigation Unit, the Narcotics Gang Unit and the Money Laundering and Financial Investigation Unit.



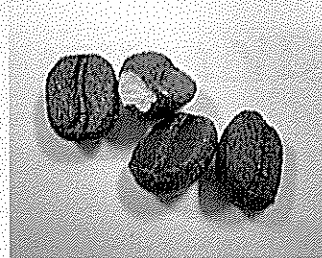
(Photo courtesy of DA Donovan's office)

Special Narcotics Prosecutor Bridget G. Brennan with Richmond County District Attorney Daniel M. Donovan (left) and former Special Narcotics Prosecutor Robert H. Silbering (right) at a Federal Drug Agents Foundation ceremony in Manhattan. D.A. Donovan, a former SNP Assistant District Attorney, received a lifetime achievement award.

New York: Distribution Hub

Heroin found in the Northeastern U.S. usually originates in South America. Drugs are smuggled over land, by sea and by air. Shipments travel from Colombia, through Mexico, to the Southwestern U.S. and on to New York. Smugglers also send drugs by boat or plane from South America via the Dominican Republic or Puerto Rico.

Drug smugglers use an infinite variety of methods to conceal heroin. Multiple kilos are packed inside furniture and transported by boat or truck. In an unusual seizure, heroin was pressed into the form of coffee beans, sealed inside a retail coffee bag and shipped through a parcel-delivery company.



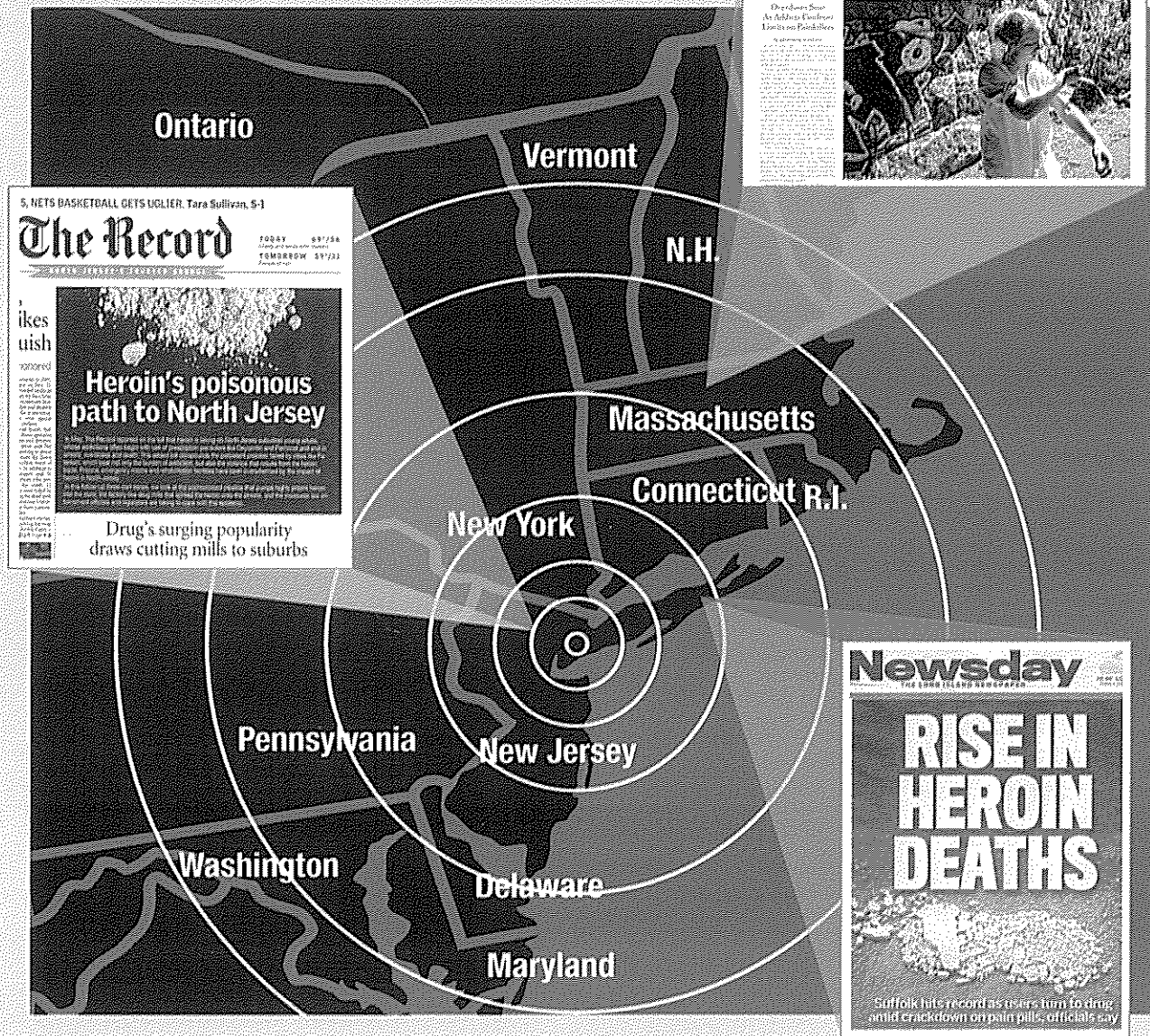
"Heroin mills" are multi-million dollar wholesale drug packaging locations, where workers process bulk quantities of heroin for retail distribution. Using coffee grinders to cut the heroin with diluting agents, workers spoon single dosages into user-ready glassine envelopes.



Heroin Fuels Regional Crisis

Regional Distribution

Pre-packaged glassines of heroin are resold to dealers throughout the region and distributed in local neighborhoods.



Vermont: Gov. Peter Shumlin announced that deaths from heroin and opioids in 2013 were nearly double the number of the preceding year. There was a 771% increase in treatment for all opiates since 2000 and a 260% increase in people receiving heroin treatment since 2000.

Massachusetts: Gov. Deval Patrick declared a public health emergency in response to heroin overdoses and opioid addiction. Opiate overdose deaths rose 90% between 2000 and 2012.

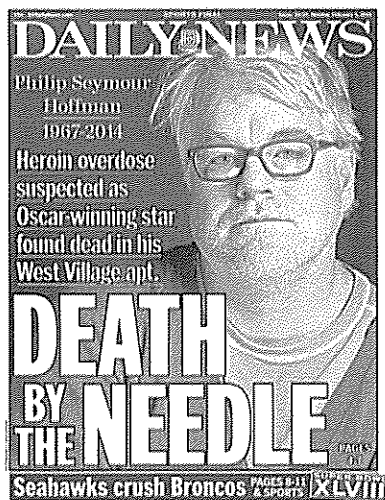
Long Island: The number of heroin overdose deaths in Nassau and Suffolk County increased 45% between 2010 and 2012. Heroin-related deaths account for nearly one third of all opiate overdose fatalities on Long Island.

New Jersey: From 2009 to 2012, there was a 40% increase in prescription opioid-involved deaths and a 65% increase in heroin-involved deaths.

Trends

Opioid Epidemic – Heroin and Prescription Painkillers

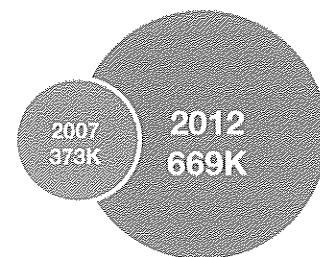
Much of the nation is in the grips of an exploding epidemic of opioid abuse. Officials from Bennington, Vt. to Portland, Ore. are sounding the alarm. Recently the highly-publicized death of Philip Seymour Hoffman in New York City shone a spotlight on the nation's opioid crisis and the link between prescription drug abuse and heroin. With recent reductions in violent crime, drug overdose deaths now claim more lives than homicides and car crashes in many communities.



Daily News,
February 3, 2014

Over the past five years, SNP and our local and federal law enforcement partners have witnessed a dramatic upsurge in large-scale heroin distribution operations in New York City. Sadly, heroin-related overdose deaths in the city are also spiking, with the largest increases among young adults in middle-class neighborhoods. Between 2010 and

2012, heroin-related overdose deaths in the city increased by 84%, according to the most recent data available from the New York City Department of Health and Mental Hygiene (DOHMH). In 2012, heroin was involved in 382 deaths – 52% of all fatal drug poisonings in the city.

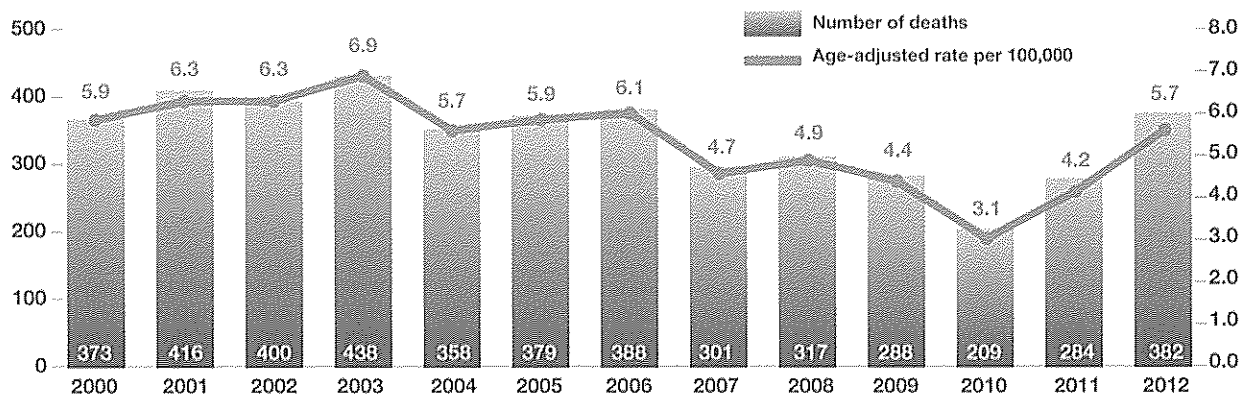


Americans reporting heroin use nearly doubled between 2007 and 2012, from 373,000 to 669,000: Substance Abuse and Mental Health Services Administration (SAMHSA)



Nationwide, heroin overdoses increased by 45% between 2006 and 2010, with 3,038 heroin overdose deaths in 2010, according to the U.S. Drug Enforcement Administration

Unintentional drug poisoning deaths involving heroin, New York City, 2000-2012



Source: NYC Office of the Chief Medical Examiner & DOHMH Bureau of Vital Statistics

Painkillers as a Gateway to Heroin

Prescription opiates like Vicodin can create an appetite that leads to cheaper drugs.

By BENEDICT CAREY

The life of a heroin addict is not the same as it was 20 years ago, and the biggest reason is what some doctors call “heroin life”: prescription opiates. These medications are more available than ever, and reliably whet an appetite that, once formed, never entirely fades.

Details are still emerging about the last days of Philip Seymour Hoffman, the actor who died last week at 46 of an apparent heroin overdose. Yet Mr. Hoffman’s case, despite its uncertainties, highlights some new truths about addiction and several long-known risks for overdose.

The actor, who quit heroin more than 20



Doctors said they see addicts switch back and forth between pills and heroin.

years ago, reportedly struggled to break a prescription painkiller habit last year. Experts in addiction say that the use of medications like Vicodin, OxyContin and Oxycodone — all opiates like heroin — has altered the landscape of addiction and relapse, in ways that affect both current users and former ones.

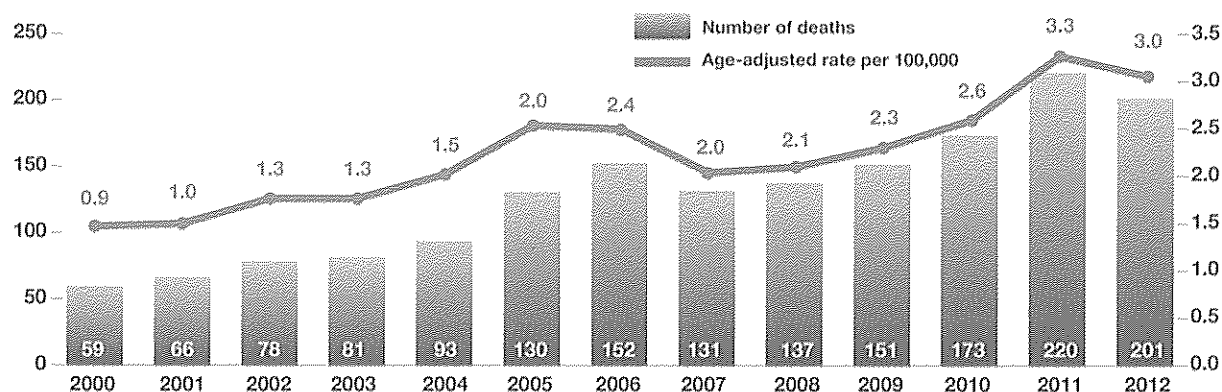
“The old-school user, pre-1990s, mostly used just heroin, and if there was none around, went through withdrawal,” said Stephen E. Lankenau, a sociologist at Drexel University who has surveyed young addicts. Today, he said, “users switch back and forth, to pills then back to heroin when it’s available, and back again. The two have become integrated.”

Rates of prescription opiate abuse have risen steadily over the last decade, while the number of people reporting that they used heroin in the past 12 months has near-

CONTINUED ON PAGE D2

New York Times, February 11, 2014

Unintentional drug poisoning deaths involving opioid analgesics, New York City, 2000-2012



Source: NYC Office of the Chief Medical Examiner & DOHMH Bureau of Vital Statistics

The enormous amount of heroin on the wholesale level isn't just staying here. New York City is a hub of drug importation and distribution for the Northeast. Curtailing the available supply of drugs at the street level and at the time of importation are critical elements of a prevention strategy. It is our mission to prevent addiction, overdose deaths, and abuse of narcotic drugs.

SNP has been focused on the parallel surges in heroin trafficking and the continued overprescribing of highly addictive opioid prescription painkillers since 2009. Working at the forefront of policy development and legislation, SNP coordinates with city, state and federal agencies over these issues.

It is increasingly common for individuals who misuse painkillers to transition to heroin,

which is generally cheaper than pills and offers a purer, more immediate high to users.

While deaths stemming from the misuse of opioid painkillers appear to have dropped somewhat between 2011 and 2012 in New York City, the potential for overdoses from these pills remains a significant problem. Prescription opioid-related fatalities rose by a dramatic 267% between 2000 and 2011, and then dropped by 9% in 2012, according to DOHMH. Opioid painkillers were involved in 28% of all drug overdose deaths in the city 2012.

Philip Seymour Hoffman's sad end highlighted not only the potentially deadly consequences of heroin use, but also the dangers posed by ingesting multiple substances. Toxicology reports revealed the presence of not only heroin, but

the anti-anxiety drug benzodiazepine (commonly prescribed as Xanax and Valium), which further suppresses the already compromised respiratory system of an individual who has ingested heroin or opioid painkillers. Between 2000 and 2012, benzodiazepine-related fatalities in New York City increased by 180%.

Enforcement Efforts: Heroin

Over the past five years, SNP and our law enforcement partners have dismantled dozens of large-scale “heroin mills,” or wholesale drug packaging locations. These multi-million dollar operations are typically set up in apartments, where round-the-clock workers process bulk quantities of heroin for retail distribution. Coffee grinders are used to cut the heroin cut with diluting agents. Single dosages of the heroin are packaged into user-ready glassine envelopes, which are stamped with brand names selected by the trafficking group, and bundled together for retail distribution. A heroin organization can purchase a kilogram (over 2 lbs.) of heroin for approximately \$60,000 and package it into an average of 30,000 glassine envelopes that retail for anywhere from \$5 to \$15 each. Large mills churn out hundreds of thousands of these glassines at a time.

These operations have become all too common in areas of the Bronx and Upper Manhattan, where there is easy access to transportation routes. Increasingly, New

York City-based heroin organizations are also establishing mills in quiet residential neighborhoods and suburban areas. SNP’s Investigators Unit works cooperatively with U.S. Drug Enforcement Administration (DEA), the New York City Police Department (NYPD), the New York State Police, U.S. Immigration and Customs Enforcement’s (ICE) Homeland Security Investigations (HSI) and other law enforcement partners to locate these mills through a variety of sophisticated investigative techniques.

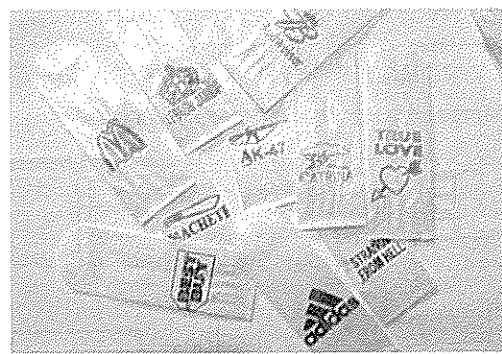
In 2013, the DEA New York Division reported dismantling 13 heroin mills — 50% more than any other year in the past decade. Heroin seizures in New York State went up 67% over the last four years. Approximately 144 kilograms (317 lbs.) were seized by DEA New York, which accounts for approximately 20% seized nationwide.



Bulk quantities of heroin are packaged into thousands of user-ready envelopes in heroin mills located throughout the city.



Heroin mill workers use coffee grinders to cut the drug with a diluting agent.



Stamps are used to brand glassine envelopes of heroin.

Enforcement Efforts: Prescription Opioid Painkillers

As a law enforcement agency, our primary focus is on the supply side of a drug epidemic. For the past several years, SNP has examined data from the New York State Health Department's Bureau of Narcotic Enforcement (BNE) to track the number of prescriptions for narcotic painkillers filled by New York City residents. The rate of prescriptions filled for oxycodone (one of the most highly addictive and commonly abused types of opioid painkillers) increased by an alarming 138% between 2007 and 2012.

Fortunately, after awareness campaigns targeted at the medical community and the general public, increased law enforcement efforts, and tighter controls through programs such as I-STOP, the numbers now appear to be leveling off. Between 2012 and 2013 the rate of oxycodone prescriptions filled by New York City residents dropped by 1%. In 2013, there were 1,270,162 prescriptions for oxycodone filled citywide – 9,493 less than in 2012. Likewise, doctor shopping has been sharply reduced with the advent of I-STOP.

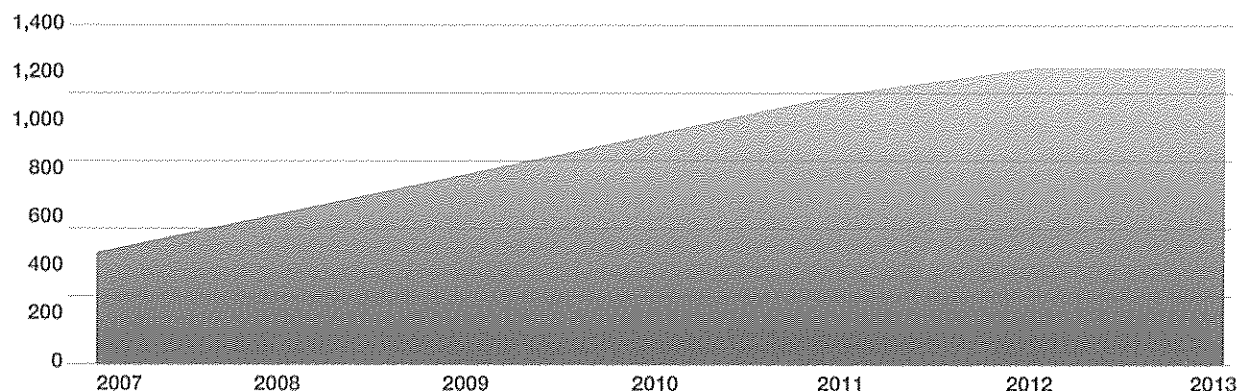
SNP's Prescription Drug Investigation Unit (PDIU) has sought to cut off the illicit supply of painkillers and other highly addictive prescription drugs at the highest level possible. Since the unit's creation in September 2011, we have opened



A Gramercy doctor and office manager were arrested in a \$10 million drug trafficking scheme run out of a medical center at 205 East 16th Street.

approximately 160 prescription drug investigations, which have resulted in the indictment of seven corrupt physicians on charges ranging from Criminal Sale of a Prescription for a Controlled Substance to Manslaughter. PDIU has also prosecuted numerous other medical professionals, including physicians' assistants, office managers and pharmacists. We have learned that one pill mill can issue a huge volume of illegal prescriptions that impacts not only New York City, but the state and the entire Northeast.

New York City Oxycodone Prescriptions



Rates of oxycodone prescriptions filled by New York City residents spike over five years and begin to level off in 2013.

SNP Outreach

Sharing Expertise with Local and International Partners



Narcotics Chiefs from the five District Attorneys' Offices and SNP staff meet to develop citywide law enforcement strategies.



Narcotics investigators from the Supreme Prosecutor's Office, Republic of Korea, meet with SNP staff.



Treatment providers discuss drug trends with staff from Special Narcotics.



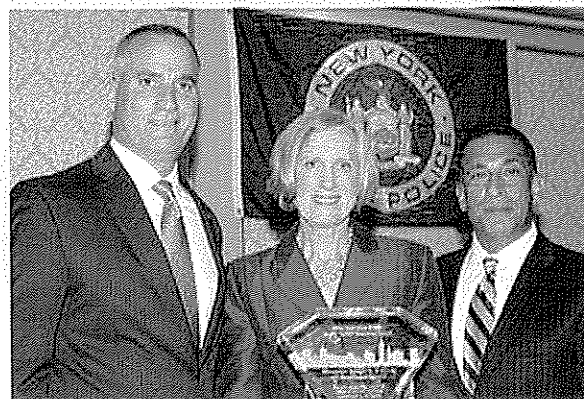
Turkish judges participate in the Department of State's International Visitor Leadership Program.

Professional Recognition



Top Left: Joseph J. Tesoriero, Executive Assistant District Attorney and Chief of Investigations, (far right), receives the Thomas E. Dewey Medal from the New York City Bar Association. Photo credit: Rick Kopstein/New York Law Journal

Top Right: Federal Drug Agents Foundation honors ADAs Nicholas Connor (far left) and Amy Sharpe (center) and New York Drug Enforcement Task, Group T-22.



Left: New York State Police Superintendent Joseph A. D'Amico (right) and Major Keith M. Corlett (left) present Special Narcotics Prosecutor Bridget G. Brennan (center) with the Troop NYC Excelsior Award.

Neighborhood Initiatives

The Special Narcotics Prosecutor's Office (SNP) sponsors Police Athletic League (PAL) Play Streets and Teen Impact Centers in locations previously dominated by drug networks. In coordination with PAL, our partner District Attorneys' Offices and the New York City Police Department (NYPD), we strive to maintain the gains achieved when drug organizations are removed from a community, and to improve relationships between young people and law enforcement. The programs provide a safe haven for youth to participate in fun recreational activities.

SNP, the Bronx District Attorney's Office, the NYPD and PAL announced the opening of a PAL Summer Play Street and a Teen Impact Center in the Morrisania section of the Bronx, following a series of significant narcotics gang investigations in the area. The PAL Summer Play Street Program served youth ages 6 to 16 during the summer of 2013 and was located at Mott Playground, a New York City Department of Parks and Recreation facility between 166th Street and 167th Street and Morris Avenue and College Avenue. In the spring of 2014, youth ages 14 to 19 were invited to participate in activities at a Teen Impact Center located at Junior High School 22, Jordan L. Mott.

Over the past two years, the SNP's Narcotics Gang Unit, the Bronx District Attorney's Office and the NYPD's 44th Precinct Field Intelligence Division



Attending the PAL Summer Play Street 2013 season kick-off in Harlem were (from left to right) Robert M. Morgenthau, Chairman of the PAL Board of Directors, Special Narcotics Prosecutor Bridget G. Brennan, Richard Guevara, PAL Director of Field Operations, Alana Sweeny, PAL Executive Director, and John A. Catsimatidis, a member of the PAL Board of Directors.

investigated and prosecuted 50 leaders and members of four violent gangs engaged in a turf dispute: "Dub City," "WTG," "6 Wild" and "280." A total of 24 firearms were seized during these related investigations. The NYPD credits these cases in part with driving down shootings in the area. As each successive gang was prosecuted, shooting rates declined.

Gang members sold narcotics and committed robberies in order to fund the purchase of communal firearms, which were often carried by juveniles at the direction of gang leaders. Members of the four violent narcotic gangs were responsible for 34 shootings in which 43 individuals were shot.

Also in 2013, Special Narcotics Prosecutor Bridget G. Brennan hosted two citywide community forums addressing drug dealing and gang violence. The first was on January 30, 2013 at the Infinity Mennonite Church located at 2522 Adam Clayton Powell, Jr. Blvd., and the second on May 16, 2013 at Convent Avenue Baptist Church located at 420 West 145th Street.

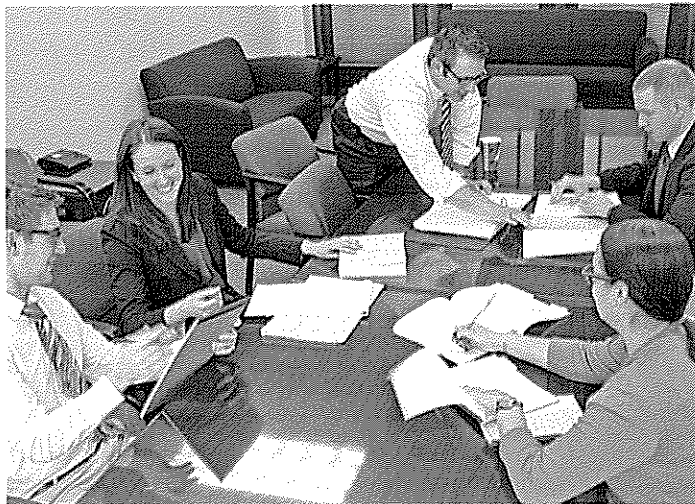


A ribbon-cutting ceremony marked the opening of the PAL Teen Impact Center at J.H.S. 22 in the Morrisania section of the Bronx.

Investigation Division

| SNP WIRETAP ACTIVITY | |
|------------------------|-----|
| Amendment | 10 |
| Extension | 81 |
| Original | 122 |
| | 213 |
| INSTRUMENT TYPES | |
| Cellphone | 119 |
| Chat Accounts | 3 |
| | 122 |
| INVESTIGATION ACTIVITY | |
| Trial Division | 121 |
| Special Invest. Bureau | 132 |
| Prescription Drug | 46 |
| Narcotics Gang | 4 |
| | 303 |

Special Investigations Bureau



Assistant District Attorneys in SIB handle complex international narcotics investigations.

The Special Investigations Bureau, (SIB) targets major narcotics trafficking organizations, including those that import and distribute multi-kilogram quantities of cocaine and heroin. The activities of the criminal enterprises extend beyond county, state, and international borders. SIB prosecutors work 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), the New York Organized Crime Drug Enforcement Strike Force, U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI) and other local, state, federal and foreign law enforcement agencies.

In 2013, SIB launched 132 investigations targeting a wide range of criminal activity including drug trafficking, robberies, weapons trafficking and money laundering. The bureau also commenced civil actions to forfeit narcotics proceeds. Senior staff supervised 38 wiretap investigations and 213 eavesdropping applications, including 122 originals, 81 extensions and 10 amendments. Narcotics investigations resulted in the seizure of approximately 56 pounds of heroin, 228 pounds of cocaine, thousands of pills of oxycodone and other prescription drugs, 112 pounds of marijuana and various other drugs. Also in 2013, SIB handled the largest gun trafficking investigation in New York City history, resulting in the seizure of 254 illegal guns. This case was initiated by the Trial Division.

Prescription Drug Investigation Unit

Alarming rates of prescription drug abuse and related crime led SNP to form the Prescription Drug Investigation Unit (PDIU). 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 Narcotics 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 Gang Division, Narcotics Division and Precinct members. In 2013, the unit conducted major investigations that examined the use of new technologies and social media, such as 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 local drug organizations from benefiting from illicit profits.

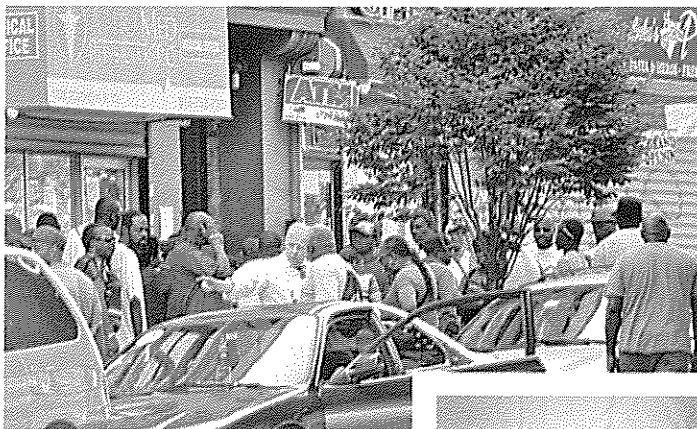
Forfeiture Investigations Unit

Established more than 25 years ago, the Forfeiture Investigations Unit evaluates felony

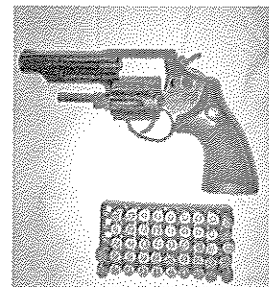
drug prosecutions for potential civil litigation to recover proceeds of narcotics crimes. The unit works closely with law enforcement — on the federal, state and local levels — in identifying criminal assets to deprive narcotics traffickers and money-laundering groups of the profits of criminality. The unit has in place a comprehensive set of systems to track office participation in investigations resulting in forfeiture actions. In 2013, 291 federal forfeiture actions were initiated and 298 were completed. At the state level, 512 actions were initiated and 344 were completed.

Case Highlights

Physician Charged in Massive Oxycodone Scheme at Bronx Pain Clinic



A doctor sold prescriptions to drug crews at Astramed Physicians in the Bronx — the city's largest pill mill. Agents seized a firearm from the Yonkers motel room where the doctor was living.



A Bronx pain clinic believed to be the region's largest pill mill was shuttered as a result of long-term investigation by SNP, DEA New York Division and the U.S. Attorney's Office for the Southern District of New York. An SNP indictment charged Dr. Robert Terdman, a licensed internist, with illegally selling

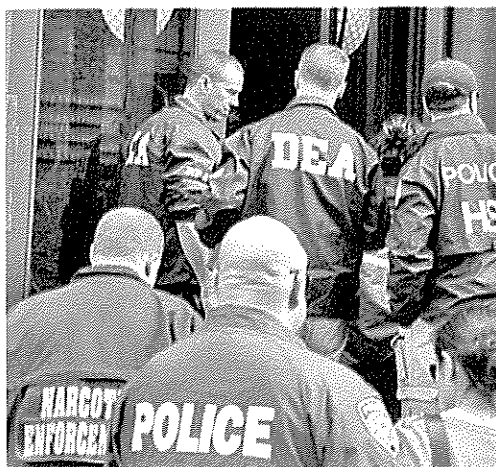
thousands of prescriptions for oxycodone from Astramed Physicians, PC, in the Morrisania section of the Bronx. Terdiman sold prescriptions to undercover officers on eight occasions. Agents also seized a firearm from a motel room in Yonkers, N.Y. where Terdiman was living.

Since June 2012, Terdiman wrote over 18,000 prescriptions for oxycodone to over 4,200 individuals, none of which are believed to be legitimate. The doctor allegedly conspired with "recruiters," who supplied a steady flow of purported "patients" to obtain prescriptions for oxycodone. The prescriptions were then filled at pharmacies and the pills sold on the black market. On weekday mornings, security guards performed crowd control on the sidewalk and inside the medical offices and waiting rooms.

Federal prosecutors focused a related investigation on Astramed owner Dr. Kevin Lowe and the drug rings supplied by Terdiman. Following the arrests, a superseding federal indictment also incorporated charges against Terdiman and state charges were dismissed at the request of SNP.

Gramercy Center Pumped \$10 Million in Pills onto Interstate Market

A Gramercy physician and his office manager were among 49 individuals arrested in New York, New Jersey and Pennsylvania in connection with the illegal trafficking of \$10 million in oxycodone pills. Dr. Hector Castro, founder of the Itzamna Medical Center on East 16th Street, and his office manager Patricia Valera are charged in two separate prescription-related criminal schemes that together led to the diversion of well over 500,000 narcotic pills onto the black market. Thirty firearms were seized by DEA agents and partner law enforcement agencies



DEA agents arrested the founder of the Itzamna Medical Center on East 16th Street in Manhattan, while officers seized weapons and pills from drug trafficking crews in Pennsylvania.

in Pennsylvania during the 15-month investigation.

Castro supplied groups in New York and New Jersey. The doctor personally sold 28 narcotic painkiller prescriptions to an undercover investigator from Special Narcotics, including prescriptions written in the names of individuals who were not present. Castro never performed any physical examinations on the undercover officer or referred him for medical tests. At least two New Jersey residents who received prescriptions from Castro's office died of drug overdoses. These deaths are the subject of an ongoing investigation. Meanwhile, Valera sold prescriptions to two rival crews in Pennsylvania. Of the 49 individuals arrested in the investigation, 41

were members of these violent Pennsylvania drug rings and are being prosecuted by the Pennsylvania Attorney General's Office. Additionally, 28 of the 30 firearms seized in the case were recovered during court authorized searches in Pennsylvania.

Over 250 Guns Sold in New York City's Largest Firearms Investigation

An investigation into narcotics sales in Brooklyn led to the largest gun case in New York City history. Nineteen members of two loosely-organized gun trafficking groups were indicted for illegally funneling firearms from North and South Carolina. The guns were intended for resale on the city's black market, where they fetch at least three times their original price. During the long-term wiretap investigation, 254 illegal weapons were sold to an undercover with the NYPD's Firearms Investigation Unit for over \$200,000. Two main defendants, Walter Walker, of North Carolina, and Earl Campbell, of South Carolina, personally smuggled the guns inside their luggage on Chinatown-bound buses. Each trafficker tapped a network of individuals in his home town with access to black market weapons or the willingness to purchase guns, knowing they would be illegally resold in New York City. In at least one instance, an individual acted as a straw buyer and shopped at gun stores for Walker. Firearms ran the gamut from .22 caliber pistols to assault weapons.

Criminal associates in New York City assisted the gun traffickers in securing buyers and conducting sales. A rap studio in the Ocean Hill section of Brooklyn was the scene of 11 gun sales, while other sales were made in Manhattan's Lower East Side. Special Narcotics announced this case with the NYPD, the Mayor's Office, and partner District Attorneys' Offices in Manhattan and Brooklyn.



Among the 254 guns sold to an undercover detective with the NYPD's Firearms Investigation Unit were 10 assault weapons. The guns were smuggled to New York City from North and South Carolina.


A 552-count Special Narcotics indictment charged the defendants with Conspiracy, Criminal Sale of a Firearm, Criminal Possession of a Weapon and other crimes. The Manhattan District Attorney's Office is overseeing the prosecutions post-arrest.

50 Members of Warring Gangs Arrested in the Bronx

Fifty leaders and members of four warring gangs in the Morrisania section of the Bronx were indicted and arrested over the past two years, as a result of collaboration between the Special Narcotics Gang Unit, the Bronx District Attorney's Office and the New York City Police Department's (NYPD) 44th Precinct Field Intelligence Division. Investigations targeting the crews "Dub City," "WTG," "6 Wild" and "280" led to the seizure of 24 guns. Since at least 2011, these gangs were linked to 34 shooting incidents in which

THE GAZETTE
Wednesday, 2/1/11

Swedish Foreigns like my 60 Volvo... Jack got my 60th a car wash



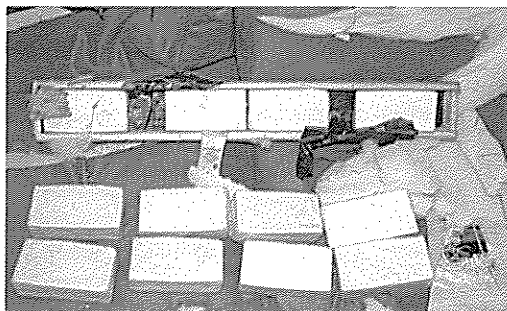
These cases involved investigation of violent incidents and a close examination of evidence obtained from text messages and social media, which gang members used to fuel violent rivalries, boast about victories and attract new recruits. As four successive waves of arrests occurred, the NYPD's 44th

Kingpin Convicted in \$1.5 Million Cocaine Seizure near Midtown Hotel

16

Colombian Kingpin Extradited in New York Heroin Trafficking Scheme

Drug kingpin Sergio Zuilanny Gordillo Joya was extradited to New York to face charges for smuggling millions of dollars of heroin bound for New York via the Port of Miami. Joya had been held in Argentina, where he lived as a fugitive after fleeing authorities in Colombia. A second defendant who reported to Joya, Luis Fernando Galleano Gasca, was extradited from Bogota, Colombia. A DEA-led wiretap investigation revealed that Joya intended to transport a large heroin shipment to New York City. Agents used information from email exchanges between Joya and his cohorts to locate and seize 16 kilos of heroin (over 35 lbs.) from a freight ship, the "Seaboard Pride," as it docked in Miami in 2012. A total of 34 packages of heroin were found hidden inside four couches, which were packed in a shipping container.



Agents found packages of heroin hidden inside a shipment of couches aboard a freight ship in Miami.

A third defendant was arrested in New York and a fourth is contesting extradition in Colombia. Joya is charged with Operating as a Major Trafficker under New York State's kingpin statute, which carries a possible life sentence.

Nearly \$200,000 in Crystal Meth Seized in Chinatown

Four members of a drug trafficking group that operated in Manhattan's Chinatown and in Flushing, Queens were arrested in March after an undercover DEA agent bought three-quarters of a kilo of methamphetamine (nearly 2 lbs.) for \$193,000. The arrests followed a six-month wiretap investigation, in which members of the drug ring spoke openly about their illegal business while conversing in Mandarin. The undercover officer made numerous drug purchases from the group during the investigation. The group obtained "crystal meth" from Mexican suppliers. The largest and final sale of methamphetamine took place in the parking lot of a closed Pathmark supermarket on Cherry Street in Chinatown.

Kingpin Among Eight Indicted for Smuggling Millions of Dollars in Heroin

A multi-million dollar drug trafficking organization that smuggled approximately 10 kilos (22 lbs.) of heroin to New York City from Colombia each month was dismantled. The head of the heroin ring, Cruz Aguaviva-Done, is charged under New York State's kingpin statute and faces a possible life sentence. A wiretap investigation revealed that Aguaviva-Done ordered heroin directly from a Colombian drug organization that had a point person in New York City. On the day of the kingpin's arrest, DEA agents intercepted a shipment of 4½ kilos (nearly 10 lbs.) of heroin



DEA agents seized millions of dollars in heroin, including three kilos found inside an ottoman.

from two brothers who worked for Aguaviva-Done. The load carried a street value of more than \$1.2 million. Court authorized searches yielded another 4½ kilos (nearly 10 lbs.) on the day of the arrests. Several months earlier, agents had seized another large shipment of 3 kilos (nearly 7 lbs.) worth over \$800,000 from inside an ottoman. Members of the Aguaviva-Done organization had stashed the drug-filled ottoman at a furniture store before handing it off to a customer.

\$3 Million in Drugs and Cash, 2 Guns, Seized Near Horace Mann School

A drug trafficker was indicted after DEA agents seized 31 kilos of cocaine (over 68 lbs.), \$1.6 million in cash and two

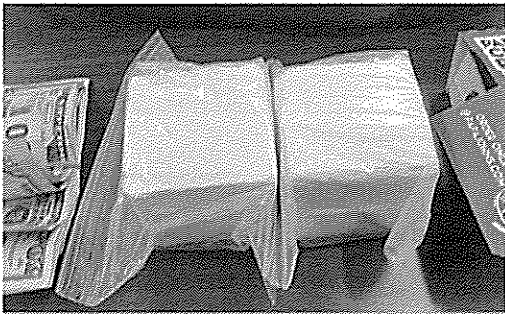
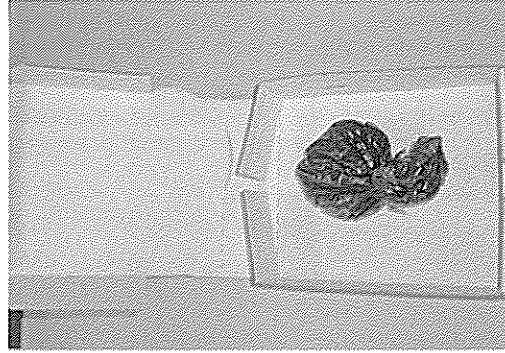


Cocaine, guns and cash seized from an apartment near in the Fieldston section of the Bronx.

semi-automatic pistols from an apartment in the Fieldston section of the Bronx. The cocaine was found inside a closet in the bedroom, wrapped in plastic and covered in grease. The firearms were hidden under the bed. The apartment complex abuts the Horace Mann School, a private school for youth from kindergarten through high school.

Rikers Island Correction Officer Sentenced to 8 Years for Bribe Receiving

Robert Whitfield, formerly a Correction Officer with the New York City Department of Correction, was sentenced to eight years in state prison for receiving a bribe of \$100,000 in cocaine after he promised to secure an inmate's early release. A trial jury found Whitfield guilty on charges of drug possession, conspiracy, bribe receiving and official misconduct. Testimony and other evidence presented at trial proved that Whitfield, a veteran Correction Officer assigned to Rikers Island, made an agreement with an inmate to receive three kilos of cocaine (over 6½ lbs.) in exchange for shortening the inmate's sentence in the Corrections Department computer system. Authorities arrested Whitfield in the Inwood section of Manhattan shortly after his designated intermediary received the cocaine from an undercover agent at a nearby meeting place. The investigation was conducted by the New York City Department of Investigation, the DEA's New York Organized Crime Drug Enforcement Strike Force and the New York Department of Taxation and Finance.



A pizza deliveryman who sold cocaine to an undercover officer set up meetings outside the Papa John's restaurant where he worked and sometimes used food boxes to conceal drugs.

Pizza Delivery Man Served “Coke” with Slices: \$45K in Cocaine Sold

A drug-dealing pizza deliveryman used his job at a Papa John's restaurant in Sunset Park, Brooklyn as a cover to sell cocaine. Ramon Rodriguez made at least 19 sales to an undercover officer during an investigation by the NYPD's Narcotics Borough Brooklyn South. Rodriguez frequently wore his Papa John's uniform during the sales, which took place in front of his workplace and near his home. Prior to many of the sales, the undercover observed Rodriguez going inside the restaurant and returning with a pizza box, a menu or an insulated pizza bag, which he would use to conceal cocaine he was carrying. In the largest and final sale, the undercover arranged to purchase a kilo of cocaine for \$27,500. Rodriguez carried a bag containing the cocaine out of the restaurant and placed it in the officer's car. A court authorized search of Rodriguez's home yielded approximately \$4,500 cash. Rodriguez pleaded guilty to Criminal

Possession of a Controlled Substance in the Second Degree and was sentenced to four years in prison.

Police Clip Barbershop Cocaine Ring in the Bronx

A drug crew that made brazen cocaine sales near two schools and terrorized residents in the Tremont section of the Bronx was dismantled. The NYPD investigation, dubbed “Operation Scissorhands,” revealed that barber Ian Ortiz, of Diamond Cuts Barbershop on E. Tremont Ave., and a second defendant supplied cocaine to a street level crew, headed by Ryan Alcantra. Members of Alcantra's drug ring sold cocaine from lawn chairs that they set up on a sidewalk outside a deli. Sales also took place near The William W. Niles School, MS 118, and the St. Joseph School, which serves children Pre-K through 8th grade, and in vehicles. The drug crew was the subject of numerous community complaints from residents and local business owners. Members of the ring are charged in 12 sales to an undercover officer from the NYPD's Bronx Narcotics Division, including the largest sale of nearly 200 grams of cocaine for \$9,000 by Ortiz and Alcantra on the day of the arrests.

Trial Division

| 2013 SNP WORKLOAD | |
|-----------------------|--------------|
| Arrests | 2230 |
| Indictments/ SCI | 1364 |
| Trials | 36 |
| FELONY DISPOSITIONS | |
| Convicted | 1191 |
| Acquitted | 14 |
| Dismissed | 91 |
| Treatment Dismissals | 74 |
| FELONY SENTENCES | |
| State Prison | 534 |
| City Jail | 388 |
| Probation | 183 |
| City Jail & Probation | 38 |
| SEIZURES | |
| Cocaine | 536 lbs. |
| Heroin | 175 lbs. |
| Oxycodone | 21,188 pills |
| Marijuana | 507 lbs. |
| Guns | 359 |

Trial Division Assistant District Attorneys handle the bulk of the drug felony arrests referred to the office for prosecution. They are assigned to one of the 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 2013, the Division

launched 121 new investigations. A total of 1,928 complaints were referred to the office for prosecution during the year; 1,070 defendants were indicted. Search warrants drafted numbered 713.

Case Highlights

\$8 Million in Heroin Seized in the Bronx



Heroin seized from a wholesale packaging operation in the Bronx.

A wholesale heroin packaging operation was dismantled in the Kingsbridge section of the Bronx in June. Members of the DEA's New York Drug Enforcement Task Force seized 11 kilos of heroin (24 lbs.) worth approximately \$8 million after members of the organization loaded a bag containing a large amount of drug proceeds into a vehicle. Investigators had been conducting surveillance outside the drug location near Van Cortlandt Park and the Major Deegan Expressway.

Rx Pills, Cocaine and 4 Guns: Brooklyn and Staten Island

Eleven members of a drug trafficking ring were indicted for selling oxycodone and cocaine in Sheepshead Bay, Brooklyn and in Staten Island. A nine-month wiretap investigation revealed three overlapping conspiracies. In one, a defendant received

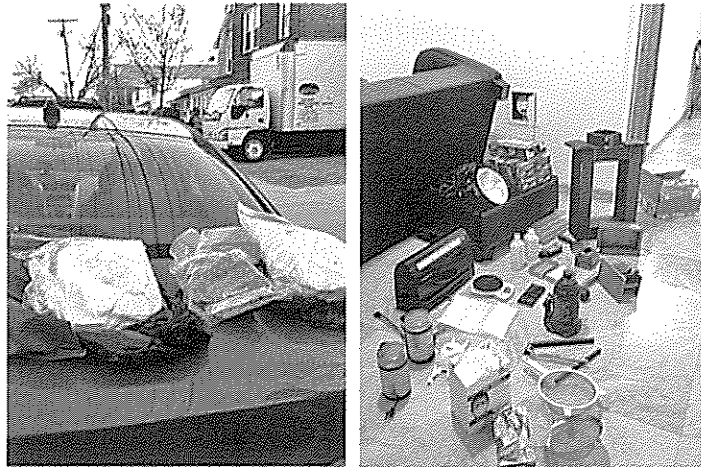
prescriptions for oxycodone from a corrupt Sheepshead Bay physician with whom she was acquainted. Four firearms were seized during court authorized searches of the homes of two suppliers, including two semi-automatic pistols and a revolver from a home in Staten Island and an AK-47 style assault rifle from an apartment in Brooklyn. During the investigation, an undercover DEA agent made two purchases of cocaine for approximately \$7,000 from defendant Simon Berman. Berman was arrested after he sought to buy 10,000 pills of oxycodone from the undercover, with the intention of reselling the drugs. After his arrest, Berman attempted to bribe the undercover agent by offering to pay \$20,000 cash.

Rx Trafficking Ring Ran Brooklyn Practices: \$3.4 Million in Pills

Five members of a prescription drug trafficking ring that illegally collected and distributed over \$3.4 million in oxycodone and other prescription drugs were indicted. A nine-month wiretap investigation by the DEA revealed that ringleader Sergey Plotits established and controlled medical offices in Sheepshead Bay and other neighborhoods in Brooklyn for the sole purpose of illegally obtaining and selling highly addictive medication. Among those indicted was Zhanna Kanevsky, a physician hired by Plotits to write prescriptions at a medical office at 1763 East 12th Street. Other members of the crew recruited people they knew to pose as patients. Medical practitioners employed by Plotits were paid by the hour or by the day and generally failed to perform examinations on the phony patients. These phony patients collected the pills and handed them over to the drug ring. Between 2011 and 2013, the defendants illegally collected and distributed over 180,000 prescription pills, including 170,000 pills of oxycodone. Kanevsky

pleaded guilty to charges of conspiracy and criminal sale of a prescription and her medical licenses in New York and New Jersey were revoked.

Over \$2 Million in Heroin and Crystal Meth, and Firearm, Seized from Trio



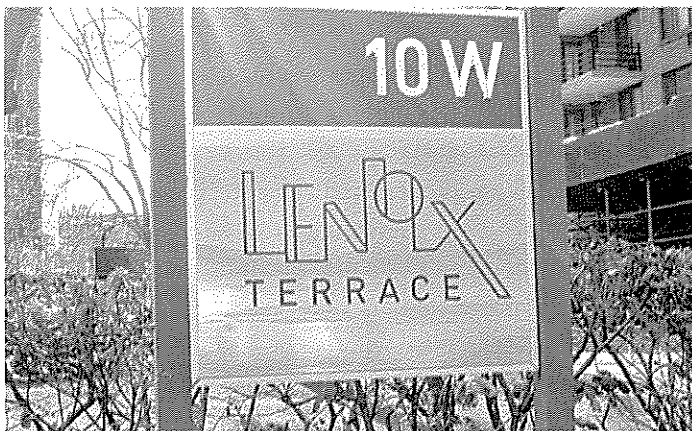
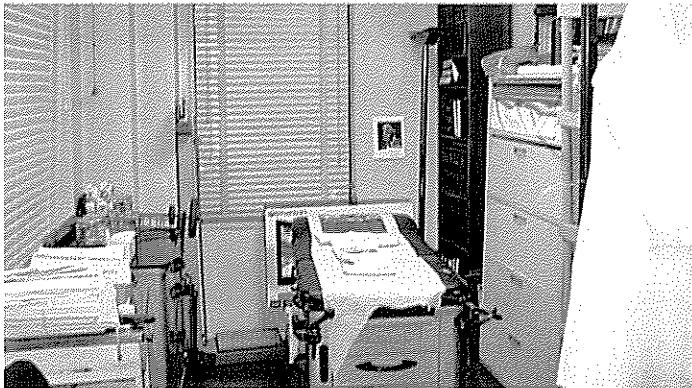
A drug crew used a house in Corona, Queens as a stash location, where heroin and crystal meth were processed for resale. Investigators stopped three men with narcotics after following their cars to the Bronx.

New York State Police investigators seized nearly 20 pounds of heroin and methamphetamine worth more than \$2 million and arrested three members of a drug trafficking group that maintained a stash location in a house in Corona, Queens. Investigators had been conducting surveillance at the stash location when they observed the trio exit the house and leave in two separate vehicles. The cars traveled to the Bronx, where both stopped and a defendant emerged from one vehicle, entered the other vehicle, and removed a bag. Investigators arrested the individual with the bag as he left the area on foot. The bag contained 3 kilos (nearly 7 lbs.) of heroin. A court authorized search of the Corona stash location yielded more than a kilo of heroin (approximately 3 lbs.), 4 kilos of crystal

meth (nearly 9 lbs.) and a 9mm handgun. The drugs and the firearm were found in a dresser with a hidden compartment. Investigators believe the crystal meth was produced in Mexico. A drug ledger, \$2,000 cash and equipment used for packaging narcotics were also found inside the stash location.

Harlem Doctor Sold Painkiller Prescriptions to Drug Ring

Dr. Robert S. Gibbs, Sr., a licensed internal medicine physician, was arrested for illegally selling prescriptions for powerful narcotic painkillers to a drug trafficking ring in exchange for cash. The investigation revealed that Gibbs, 75, who maintained an office in Harlem, had written and sold at least 42 illegal prescriptions for oxycodone.



A Harlem doctor used his medical practice to illegally funnel prescriptions for narcotic painkillers to a drug trafficking ring.

In a scheme that ran more than three years, prescriptions were written in the name of Ronald Vaughan, head of the drug trafficking organization, as well as numerous other names that Vaughan supplied to the doctor. These individuals were not under the doctor's care. In exchange, Vaughan made cash payments to Gibbs. The pills were then distributed on the black market. Gibbs pleaded guilty to Conspiracy, Criminal Sale of a Prescription for a Controlled Substance and Criminal Facilitation. He was sentenced to five years of probation and ordered to forfeit approximately \$48,000 and to surrender his medical license. Vaughan pleaded guilty to Conspiracy and Attempted Criminal Possession of a Controlled Substance, and was sentenced to a prison term of between six and nine years.

Cobble Hill Office Manager Sold Rx's for \$165,000 in Pills

An office manager for a Cobble Hill neurologist was arrested for stealing and forging prescriptions for approximately \$165,000 in hydromorphone, a potent opioid painkiller sold under the brand name Dilaudid. A trusted employee, Syreeta Jones had worked at the doctor's office for nearly two decades. The criminal scheme spanned the last two years.

Jones stole 48 prescription sheets from the medical practice without the neurologist's knowledge and supplied them to drug trafficker Ira Sutton, with whom Jones communicated by text message. Jones wrote the prescriptions in Sutton's name and the names of two of his relatives, forging the doctor's signature. Each prescription was for 360 pills of Dilaudid. Sutton's drug ring filled the prescriptions at pharmacies in the Upper East Side and Gramercy sections of Manhattan, and in Flushing, Queens. Sutton pleaded guilty

to Criminal Possession of a Controlled Substance in the Third Degree and faces a year in jail. Charges are pending against Jones.

Curtain Closes on Citywide Cocaine Ring



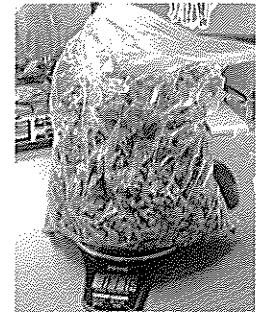
Drug traffickers made a dozen sales of cocaine to an undercover officer inside a Bronx barbershop.

Five drug traffickers were arrested in connection with sales of nearly \$45,000 in cocaine from two barbershops in the Bronx and Brooklyn. Undercover police officers from the NYPD's Narcotics Borough Bronx Major Case Unit made 16 purchases of cocaine, totaling more than a kilo (approximately 3 lbs.). A dozen of these sales took place inside a busy barbershop called Noel Barber Shop & Unisex, in the Mott

Haven section of the Bronx. The investigation revealed that the cocaine sold was obtained from a supplier, who owned a barbershop in the Cypress Hills section of Brooklyn.

Harlem Stash: Pit Bulls, Python, Pot, Guns and Cash

Police recovered over \$35,000 in marijuana, four guns and \$21,000 cash in a long-term investigation targeting a high-volume marijuana operation in Harlem. Defendants Mark Hansen and Manuel Bey made two gun sales and 10 bulk marijuana sales — totaling more than 6 pounds for \$9,200 — to an undercover NYPD officer with Narcotics Borough Manhattan North. Sales were conducted in a first floor hallway of an apartment building at 1 East 124th St., where customers lined up seven days per week.



Guns and large quantities of marijuana were seized in connection with a bustling bulk marijuana spot across the street from Marcus Garvey Park.

The bustling marijuana business was the subject of numerous community complaints. The basement of the building served as a stash location for Hansen and Bey. During a court authorized search, police encountered two pit bull dogs and an eight-foot python in the basement, where they also found a loaded revolver, several pounds of marijuana and \$1,200 cash. An additional firearm was recovered from Bey's residence in the Morrisania section of the Bronx, along with a pound of marijuana and over \$19,200 cash. A search of Hansen's residence in the Van Nest section of the Bronx yielded another 20 pounds of marijuana.

Traffickers Smuggle Narcotics through U.S. Mail: Day Care Centers Searched

A sophisticated drug ring used the U.S. Postal Service to smuggle large quantities of cocaine to New York City from Puerto Rico. Ring leader Juan Valdez and four others were arrested following a wiretap investigation by the DEA's New York Organized Crime Drug Enforcement Strike Force and the U.S. Postal Inspection Service. The traffickers concealed cocaine in objects associated with children. In December 2013, investigators intercepted

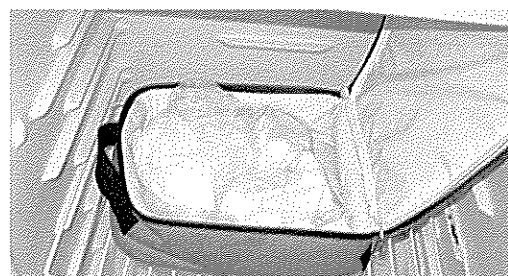
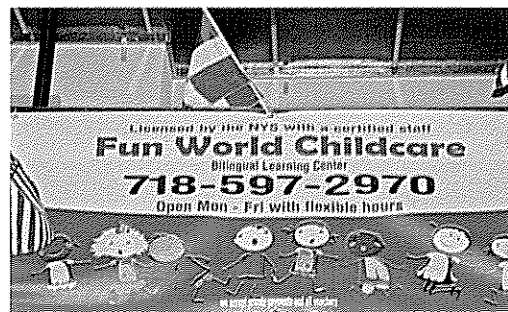
a package that contained a kilo of cocaine (over 2 lbs.) wrapped in SpongeBob SquarePants bedding.

A Bronx day care center served as a cover for the ring. Drugs and cash were seized from a residence that housed Fun World Childcare, including a kilo of cocaine (over 2 lbs.), 1,000 pills of oxycodone, 150 grams of crack-cocaine, and \$20,000 cash. Some of the cocaine was hidden in a child's insulated lunch bag. Valdez was arrested at a family member's home that contained a second day care center called Sweet Home. Approximately \$7,500 in cash was seized.

Charges in the indictment involve \$300,000 in narcotics, including 4 kilos of cocaine (nearly 9 lbs.) and 1,000 pills of oxycodone, \$400,000 in drug proceeds and a firearm. Over the past five years, investigators seized packages containing 23 kilos of cocaine (over 50 lbs.) worth approximately \$1.4 million that have been linked to the organization.



A package containing a kilo of cocaine wrapped in SpongeBob SquarePants bedding was shipped via express mail from Puerto Rico to New York City.



Authorities seized large quantities of drugs and cash from a residence that housed a day care center, including cocaine hidden inside a child's insulated lunch bag.

Alternative Sentencing Division

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 two decades 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 (DTAP) 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. SNP also refers eligible offenders with co-occurring substance use and mental illness disorders to the Manhattan Mental Health Court to provide integrated substance use and mental health treatment.

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



Alternative Sentencing Division staff evaluates and monitors candidates for drug treatment.

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 a court sponsored diversion program. 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 2005-2013 | | | | | | | | | |
|---|------|------|------|------|------|------|------|------|------|
| | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 |
| DTAP | 169 | 137 | 90 | 114 | 91 | 36 | 7 | 5 | 6 |
| MTC | 156 | 101 | 81 | 76 | 33 | 17 | 6 | 0 | 0 |
| Diversion | | | | | 18 | 99 | 68 | 73 | 121 |
| Total Treatment | 325 | 238 | 171 | 190 | 142 | 152 | 81 | 78 | 127 |
| Indictments/SCI | 2424 | 2178 | 1974 | 1703 | 1595 | 1376 | 1293 | 1373 | 1364 |
| % Indictments/SCI diverted | 13% | 11% | 9% | 11% | 9% | 11% | 6% | 6% | 9% |

Investigators Unit

The Special Narcotics Investigators Unit works with federal, state and local law enforcement agencies throughout the five boroughs of New York City. During 2013, the unit opened 31 new investigations, resulting in arrests of 174 offenders. Of those, 84 were charged with top felony narcotics counts and 21 with violations of money laundering laws. As a result of those arrests, the unit was involved in the seizure of 114 kilograms of cocaine (over 250 lbs.), over 44 kilograms of heroin (98 lbs.), approximately 10,600 oxycodone pills, hundreds of pounds of marijuana, and 16 handguns. Additionally, the unit and its DEA and NYPD partners were involved in 60 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 investigators, many of whom are law enforcement veterans from the NYPD's Narcotics Division and the New York Drug Enforcement Task Force (DETF), develop their own cases or work jointly with partner 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.

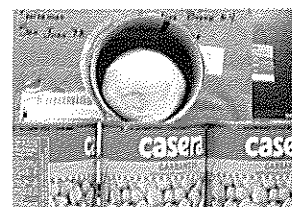
The Chief Investigator oversees activities of the investigators, monitors all investigation – related expenditures and acts as liaison with the squad of NYPD detectives assigned to SNP.

Controlled Deliveries

In a continuing trend, drug traffickers are using the U.S.

Postal Service and private package delivery services to transport shipments

of narcotics into New York City. In 2013, the Investigators Unit joined with U.S. Immigration and Customs Enforcement's (ICE) Homeland Security Investigations (HSI) New York, the U.S. Postal Inspection Service, the Drug Enforcement Task Force and the Drug Enforcement Strike Force to identify and intercept these packages. Investigators identify those involved in sending and receiving packages of narcotics.



An investigation into drugs shipped via a package delivery service led to a surprising seizure: two kilos of cocaine concealed inside garbanzo bean cans.

Partners in Heroin Investigations – 2013

| | |
|---|--|
| DEA New York Division | Hudson County, N.J. Prosecutor's Office |
| Drug Enforcement Task Force (DETF) | Paterson, N.J. Police Department |
| Drug Enforcement Strike Force | U.S. Immigration and Customs Enforcement's (ICE) Homeland Security Investigations (HSI) New York |
| NYPD Narcotics Division | Border Enforcement Security Task Force (BEST) |
| New York State Police | Waterfront Commission of New York Harbor (WCNYH) |
| DEA New York Division, Long Island Office | U.S. Coast Guard |
| Nassau County Police Department | U.S. Postal Inspection Service |
| Suffolk County Sheriff's Office | DEA Philadelphia Division |
| Hempstead Police Department | DEA New England Division |
| Yonkers Police Department | DEA Detroit Division, Youngstown, Ohio Office |
| DEA New Jersey Division | Youngstown, Ohio Police Department |
| Passaic County, N.J. Sheriff's Department | Inland Crackdown Allied Task Force (INCA), San Diego |
| Passaic County, N.J. Prosecutors Office | |
| Bergen County, N.J. Prosecutor's Office | |

Heroin Investigations

A specialized team within the Investigators Unit has developed a high level of expertise in identifying and dismantling major heroin trafficking organizations within New York City and the metropolitan area. These investigators provide crucial leadership in collaborative efforts with law enforcement partners. In 2013, the Investigators Unit worked in conjunction with a host of local, state and federal agencies.

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 2013, 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: Mutual Legal Assistance Agreements and International Extraditions, Social Media and Digital Communications, Trying a Wiretap Case, False Identifications, Call Analysis, Asset Forfeiture, Handling Cooperators: Ethics, Policy and Practice, Recent Developments in Search and Seizure, Alternative Sentencing, Prescription Drug Investigations.

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.



Special Narcotics offered training to new undercover officers assigned to the NYPD's Organized Crime Control Bureau, headed by Chief Thomas P. Purtell (pictured here with Special Narcotics Prosecutor Bridget G. Brennan).

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. 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, the Drug Enforcement Task Force (DETF), and the High Intensity Drug Trafficking Area Task Force (HIDTA).

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 U.S. Postal Service and common carrier services such as UPS and FEDEX. 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 warrant procedures. In 2013, the unit processed 1,311 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 and testimony of grand jury/trial wiretap composite recordings and processes digital photographic evidence as well as data evidence.

In 2013, the unit registered 1,323 pieces of audio/video evidence, 1,544 pieces of wiretap media evidence, and 172 pieces of photographic and data evidence. The unit also prepared, created and registered 3,539 duplicate copies of registered audio/video and wiretap 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.

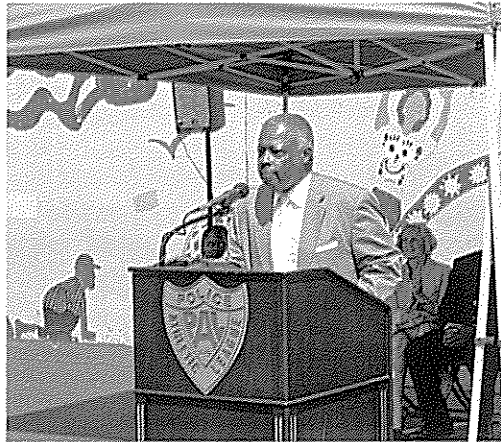
Personnel

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. Visits by foreign dignitaries are coordinated through the unit.

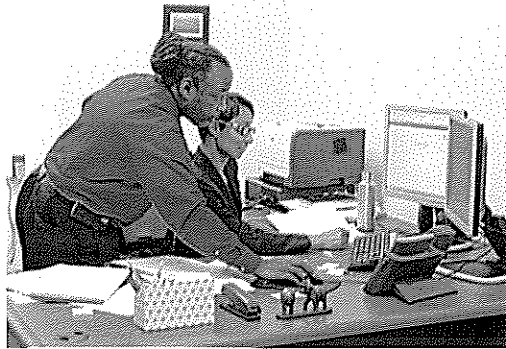
Community Outreach



SNP Community Outreach Director has coordinated with the DA's Offices, PAL and the NYPD to provide recreational programs for youth.

The Community Outreach Director 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 Technology 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.

Digital Forensics and Litigation

Support: provides pre-trial and in-court technology support, including recovery and examination of evidence from electronic devices, trial exhibit preparation and presentation.

Records Management: files, registers and maintains a record of closed and bench warranted case files and processes parole requests.

Criminal and Investigative Analysts

Analysts are instrumental to all stages of investigation and prosecution, using the most current technology available to enhance a case from its inception through trial. Evidence from various sources is analyzed, including telephone communication carriers, social media sources, treasury department data and prescription drug-related data. Analysts prepare and process subpoenas, provide background searches using public records and law enforcement specific databases, prepare investigative reports, and act as points of contact for law enforcement. During the presentation of a case, analysts prepare trial exhibits, and testify in the grand jury and at trial.



Analysts are instrumental to all stages of investigation and prosecution.

Trial Preparation Assistants (TPAs)



TPAs support the work of each legal division in the office.

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 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.

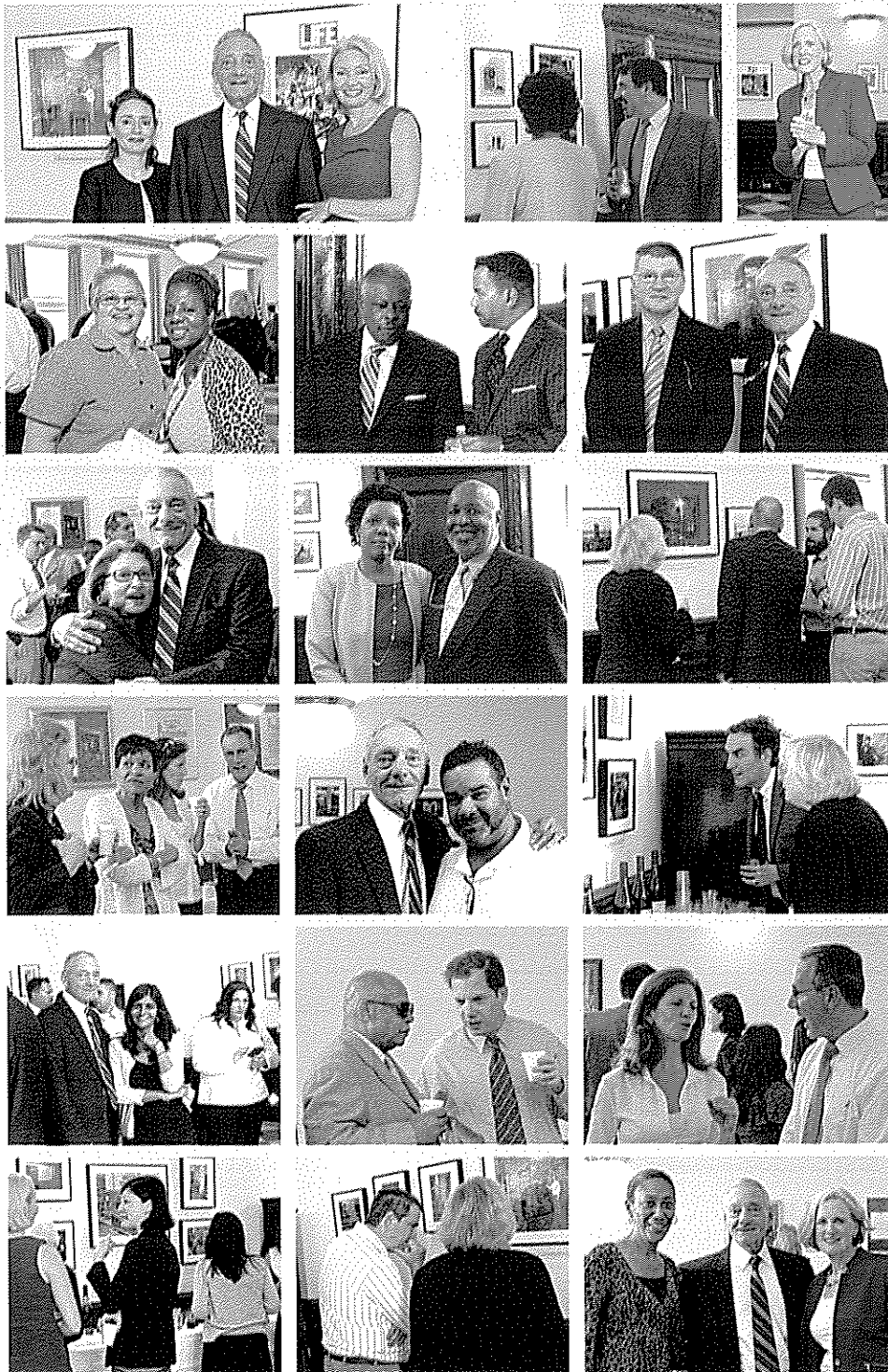
Operations

The Operations Unit is responsible for office maintenance, reproduction of documents, mail delivery, messenger services, housekeeping requests, office supply inventory and disbursement.

The People of SNP

“A Great Shot” - Photos by Chief Investigator Leon Schwartzman Exhibited

A photographer for the NYPD during the 1970s and 1980s, Leon Schwartzman documented two notoriously challenging decades in crime fighting. A collection of Mr. Schwartzman's photos on display at SNP showcases his skill with a camera and chronicles the impact of the narcotics trade on New York City. Colleagues gathered to view the exhibit.



Holiday Party 2013



Executive & Legal Staff

Bridget G. Brennan
Special Narcotics Prosecutor

Steven M. Goldstein
Chief Assistant District Attorney

Joseph J. Tesoriero
Executive Assistant District Attorney
Chief of Investigations

Lisa DePasquale
Chief of the Trial Division
Bureau Chief, 40/50

Catherine A. Christian
Counsel for the Trial Division
Chief of Alternative Sentencing

Thomas G. Van Noy
Deputy Administrative Assistant
District Attorney

Meggan K. Dodd
Counsel to the Special Narcotics
Prosecutor

Peter M. Kougasian
Special Assistant District Attorney

Rhonda Ferdinand
Special Assistant District Attorney
for Drug Prevention and Policy

Scott Leet
Bureau Chief, 30/60

Nicholas Mauro
Chief, Special Investigations Bureau

Nigel I. Farinha
Co-Chief, Narcotics Gang Unit

Edward Burns
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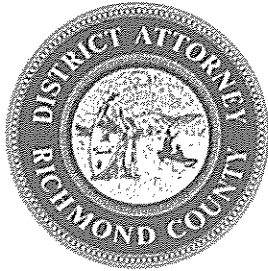
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RICHMOND COUNTY DISTRICT ATTORNEY

Daniel M. Donovan, Jr.
District Attorney

FISCAL YEAR 2015 CITY COUNCIL EXECUTIVE BUDGET HEARINGS

May 20, 2014

OFFICE OF THE RICHMOND COUNTY DISTRICT ATTORNEY

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

Good afternoon and thank you for the opportunity to address the Committee on Public Safety and the Committee on Finance regarding the Fiscal Year 2015 Executive Budget. Today I would like to discuss with you two areas that remain a concern for my office. Listed below are those issues that need to be addressed for my office. One issue is a direct plea to you for continued funding. The other is a request for your advocacy regarding salary equity.

DRUG TREATMENT COURT

The Treatment Alternatives for Safer Communities (TASC) is a very 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, 2014 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 2013, TASC conducted over 3,000 drug tests for the Staten Island Drug Treatment Court. Additionally, 160 defendants referred to Staten Island TASC were screened resulting in 144 new defendants being diverted from jail or prison into community-based treatment programs to address their behavioral health issues. Staten Island TASC manages an average active caseload of 200 participants throughout the year and with the guidance of TASC's case management services, 80 non-violent defendants successfully completed court-mandated treatment programs in 2013. Three years ago, the Education and Assistance Corporation (EAC) Network, the organization that operates TASC on Staten Island, proposed to shut down the program. The EAC Network suffered a cut in State funding and decided to simply eliminate the program on Staten Island to absorb the reduction. The decision by the EAC Network 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 provided \$250,000 in the FY 2012, FY 2013 and FY 2014 Adopted Budgets to

keep the program operating. I would like to once again thank the current and former Council Members who were responsible for allocating these funds. However, we are once again at a crossroad since the FY 2014 funds were 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 prison. 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 rate 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. Based on City data, three of the City's top five neighborhoods for prescription drug overdoses are in Staten Island. And the problem doesn't end with prescription pills as trends show that some young adults are moving onto heroin for a cheaper, but more dangerous high. What's even more alarming is the heroin overdoses in the City increased by 71% between 2010 and 2013, to the highest level since 2006, after years of steady decline, according to *RxStat*, a report compiled by former Mayor Bloomberg's *Task Force on Prescription Painkiller Abuse*. 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 80 individuals to successfully complete Staten Island Drug Treatment Court programs in 2013, which saved the City \$5.8 million.

The statistics alone regarding overdose deaths and abuse rates are alarming enough to justify keeping this program open, but each year the threat of a shutdown continues because of the State funding reduction initiated three years ago. The City Council has recognized this every time I have asked for their monetary assistance and has provided the funding to keep the program running seamlessly. 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 \$250,000 available in the adopted budget, so that Staten Island gets its fair share of the discretionary funding for alternatives to incarceration.

ASSISTANT DISTRICT ATTORNEYS SALARIES

Assistant District Attorneys (ADAs) pay continues to lag behind the salaries of lawyers and other professional staff working in other agencies throughout the City of New York. Most employees in City government have unions that negotiate on their behalf. Teachers, Police Officers, Firefighters, Sanitation Workers, as well as professional and various other clerical titles, all have structured ways of dealing with salary issues. These various City employees will continue to get salary increases as the various unions have already begun to negotiate with the de Blasio administration. The United Federation of Teachers (UFT) has reached a tentative 9 year contract with the City of New York retroactive to 2009 for an 18% increase. I congratulate all teachers since this agreement recognizes the vital role they play in the development of our children. While teachers clearly deserve that recognition, there is no such similar acknowledgement ever made for ADAs. In the City's five District Attorney's offices and the Office of the Special Narcotics Prosecutor, 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. I believe it is well within the financial wherewithal of this City to address this problem.

The ADA position is quite unique in that it requires a law degree and a successful passing of the NYS 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 City 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 \$70,192. Additionally, that same ADA routinely works well over 40 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 City 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 my 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 titles require only 2 years of college education. The ADA is required to have 7 years of education and consequently more outstanding loans, but 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.

From a historical perspective, on September 11, 2001, the Office of the Richmond County District Attorney had 57 Assistant District Attorneys (ADAs) and 68 non-legal support staff, which included the Detective Investigator's Squad. By 2004, when I assumed the office of District Attorney, we had 47 ADAs handling 9,433 cases with the assistance of 58 administrative staff employees. Currently, we have 46 prosecutors and 62 non-legal staff handling over 11,000 cases annually. In 2008, the caseload spiked to over 13,000 cases. Additionally, our budget has been reduced numerous times over the past 13 years. While the budget has been partially restored at different time intervals, funding is still needed to bring my office back to the same staffing level it was in 2001. I have sent a new needs request to the Mayor's Office of Management and Budget (OMB) for additional personal services (PS) funding in the amount of \$1.1 million.

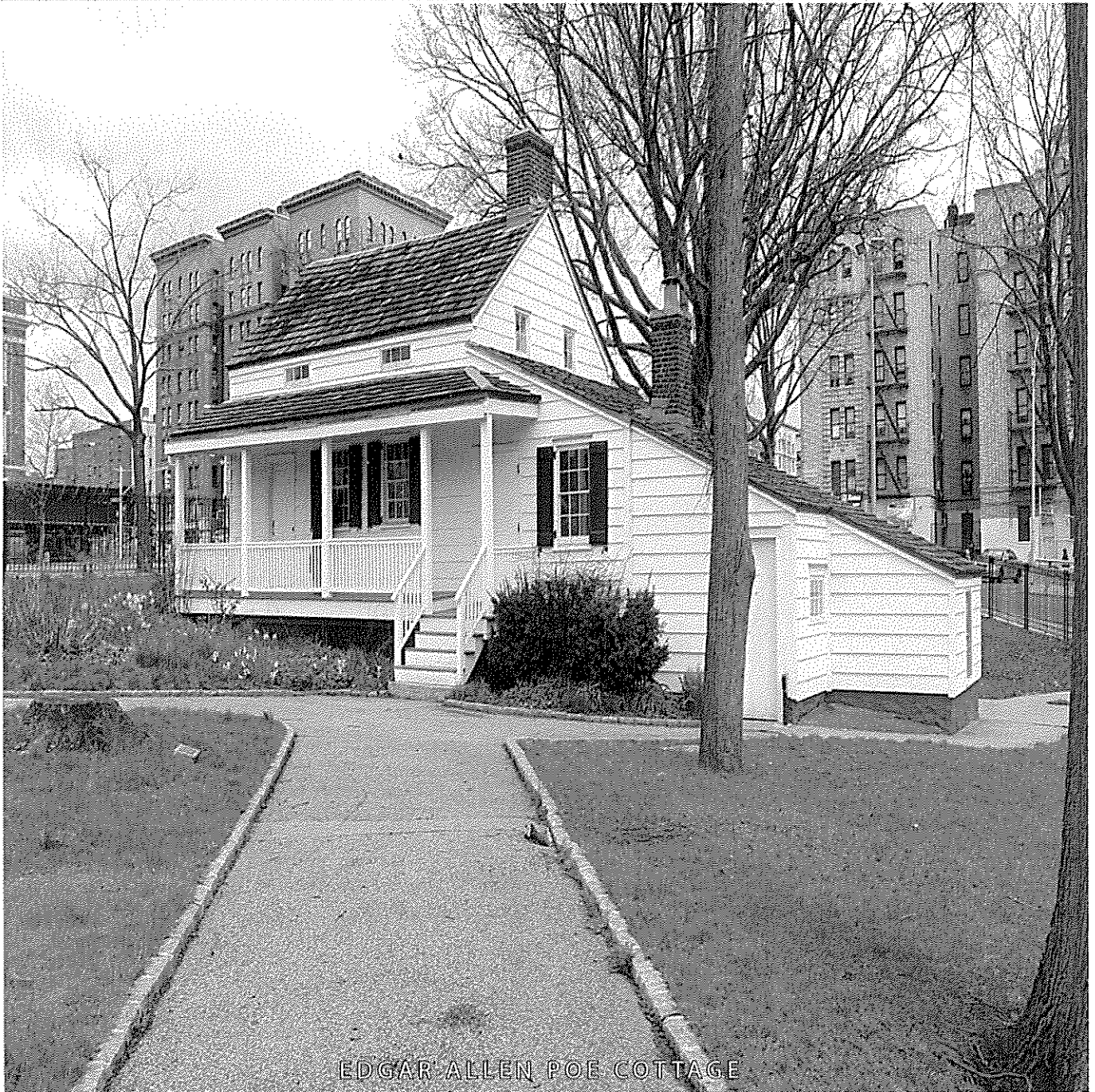
Recently, my office was notified by OMB that additional funding was available for new initiatives. While I am extremely happy about this additional funding, ADA's salaries still remain a major issue for my office.

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.

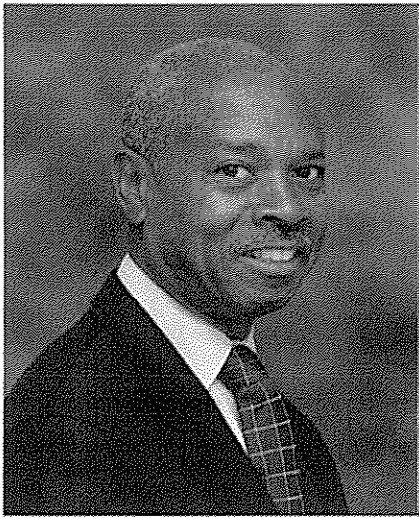
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BRONX COUNTY DISTRICT ATTORNEY
ANNUAL REPORT 2013



EDGAR ALLEN POE COTTAGE

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 was a good year for public safety and a bad year for crime. In 2013 there were 83 homicides in the Bronx, 87% fewer than in 1990 and 27% fewer than in 2012. There were 30% fewer shooting victims. Rape was down by 10%, robbery was down by 6%, burglary was down by 7%, and auto grand larceny was down by 12%. The news is not entirely positive. Felonious assault was up by 13%, and (non-auto) grand larceny also rose by 9%.

Crime remains very low by historic standards, but the continuing and disturbing reality is that as in prior years, Bronx residents still suffer from a disproportionately high crime rate. The numbers are virtually identical to last year. With 16.9 % of the City's population, in 2013 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 29% of all of the City's Domestic Violence Incident Reports originated in the Bronx.

In 2013, we prosecuted 4,869 felony cases, a significant increase from last year's 4,350. The decline in the proportion of narcotics cases continued; they now comprise 34% of the total, a slight decrease from last year's 35% of the total.

As usual, there were some standout cases, which are recounted in more detail in the body of this report. For example, advances in DNA technology enabled us to try and convict Robert Fleming for the 1988 double homicide of Selina Cooper and her nine-year-old daughter Joi. Fleming was sentenced to 25 years to life imprisonment, the maximum sentence permitted by law. Another case involving violent crime was that of Luis Vasquez, who along with several accomplices, carried out the planned shooting and robbery of a Bronx wholesale food distributor who was known to carry a large amount of cash. Vasquez was convicted of robbery and assault, and sentenced to concurrent terms of 25 years imprisonment.

In the area of economic crime, this year a long term investigation into several tri-state identity theft rings successfully terminated in the conviction of several defendants, who were part of an elaborate operation that fraudulently raided customers' JP Morgan/Chase bank accounts. Bank losses totaled more than 1.5 million dollars. The investigation ultimately involved cooperation with the US Secret Service and the US Postal Service, eavesdropping warrants and physical surveillance as well as other investigative techniques. Some thirty people were arrested and indicted, and hundreds of counterfeit documents were seized. These included drivers' licenses, immigration documents, and counterfeit checks, as well as the equipment used to produce them. The prosecution is continuing. So far, two of the more significant convictions were those of Shawn Fagan and Markese Jones, principal figures in the scheme. Fagan pled guilty to Enterprise Corruption and was sentenced to 6½ to 13 years imprison-

ment. Jones was sentenced to 3 to 9 years imprisonment.

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, training, and commu-

nity-based efforts. These too are described below.

As in previous years we will continue to strive to do the very best we can to maintain the highest level of public service.

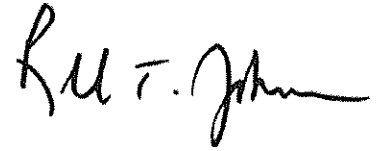


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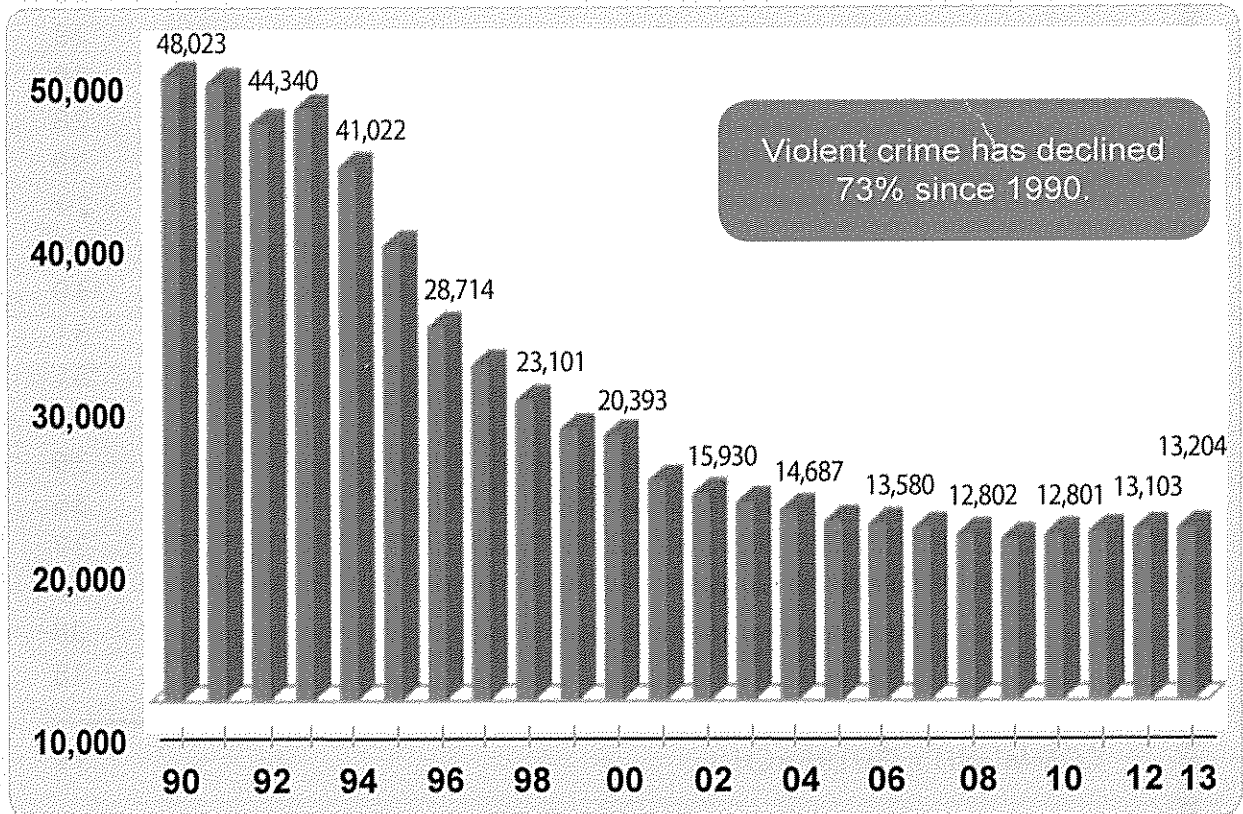
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Crime Overview

Bronx County has made remarkable progress against crime in the past two decades. For 17 consecutive years there have been fewer than 200 homicides in the County. In 2013 there were 83 homicides in the Bronx, 87% fewer than in 1990 and 27% fewer than 2012. This decrease contributed to the overall 73% decline in violent crime over that period. Robberies, for example, have been reduced by 75% since 1990.

The long-term trend of declining crime continued in 2013. The *Bronx Times* declared in a headline on January 9, 2014, "Borough crime decline leads city." In 2013, almost every major category of crime complaint tracked by the NYPD declined over 2012. Murder was down 27%, rape was down 10%, robbery was down 6%, burglary was down 7%, and grand larceny auto was down 12%. There were 30% fewer shooting victims. In a speech in December 2013 at an event hosted by the Partnership for New York City, then Mayor Michael Bloomberg said, "Today the Bronx is safe and people are starting to do business there."

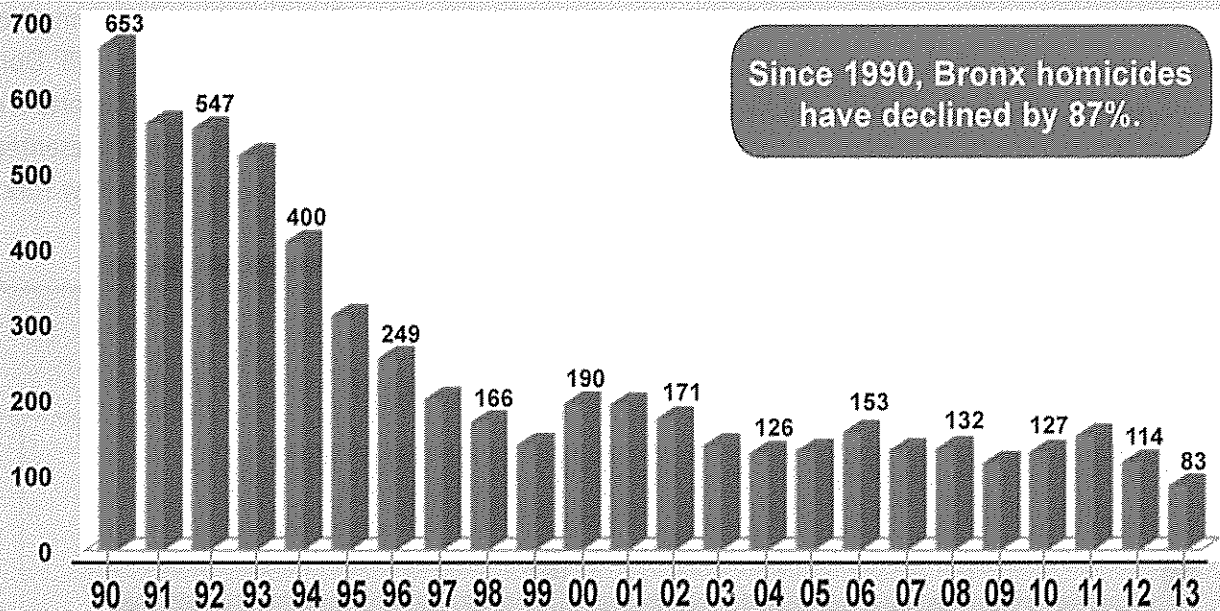
Violent Crime 1990 – 2013



Source: New York City Police Department

Decline In Homicides

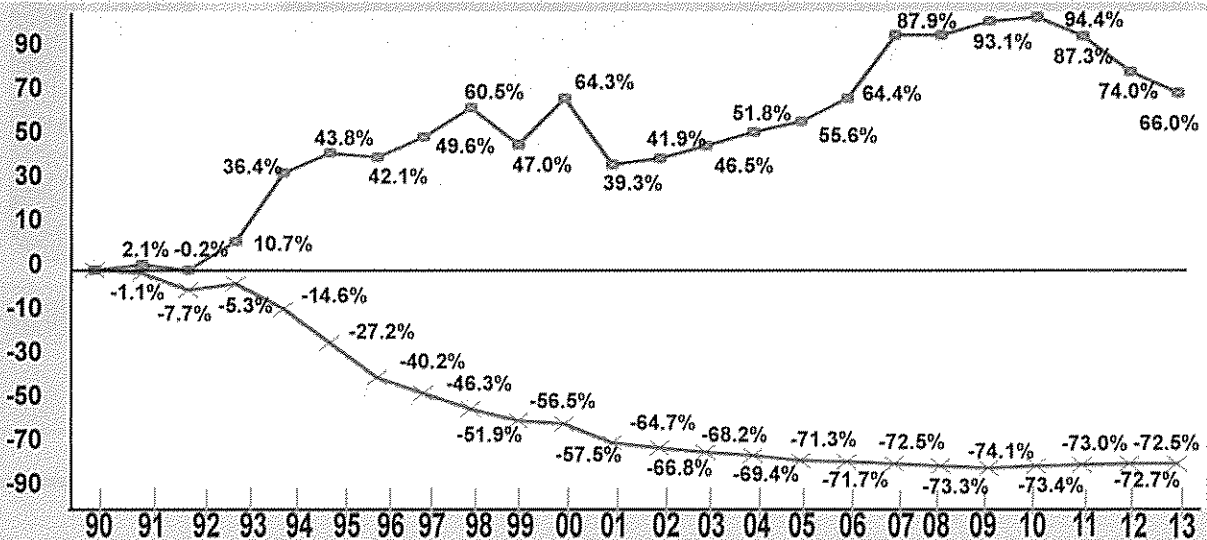
1990 - 2013



Source: New York City Police Department

Bronx Reduction in Violent Crime v. Increase in Arrests

Percentage Change from 1990 - 2013



Source: New York City Police Department

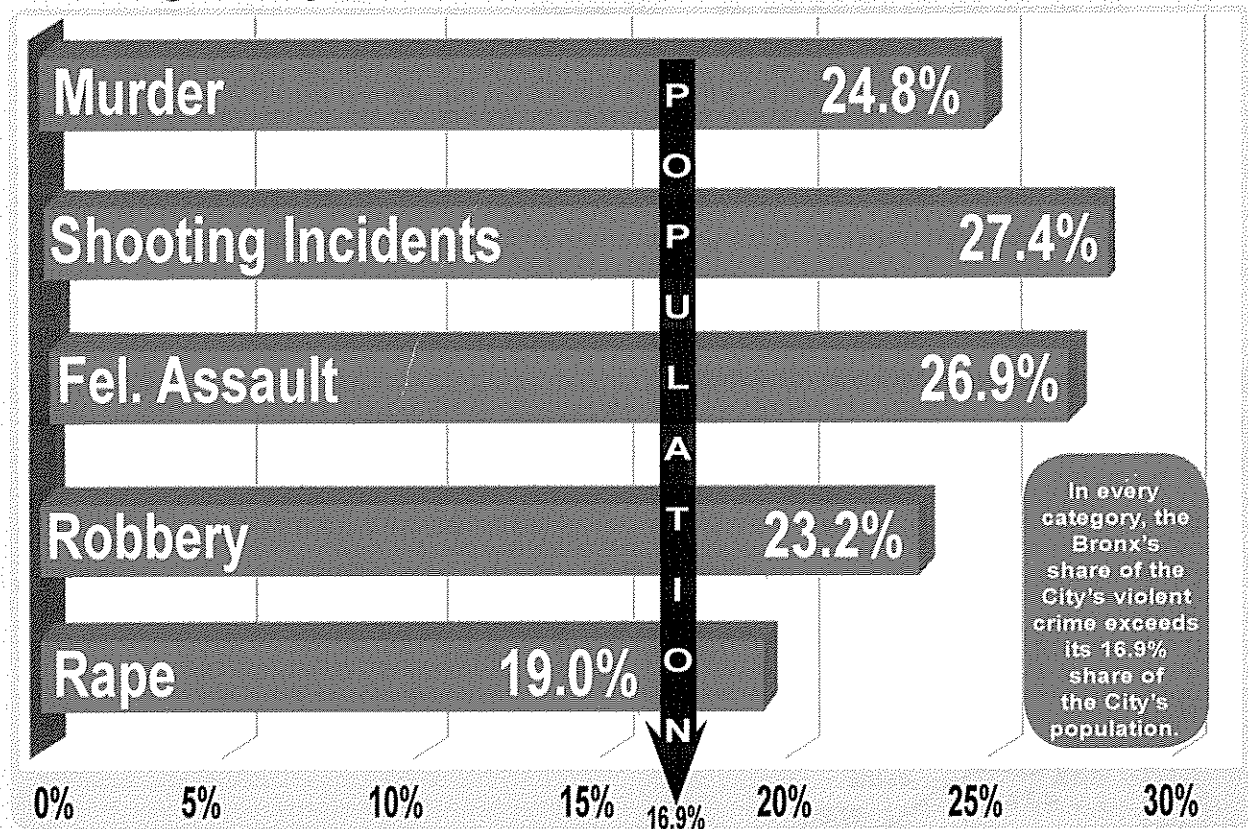
While crime rates remain at historically low levels, the news is not completely positive. Two categories of crime complaints that showed increases in 2013 were felonious assault (up 13% to 5,467) and grand larceny (up 9% to 5,564). Despite the long-term decline in

crime, Bronx residents continue to suffer from a disproportionately high crime rate. With only 16.9% of the City's population, in 2013 Bronx County witnessed more than 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, rape, robbery, and felonious assault among the five counties that comprise New York City. The 68,978 Domestic Violence Incident Reports originating in the Bronx represented 29% of all those filed in New York City.

Bronx Violent Crime 2013

Percentage of Citywide Violent Crime v. Population



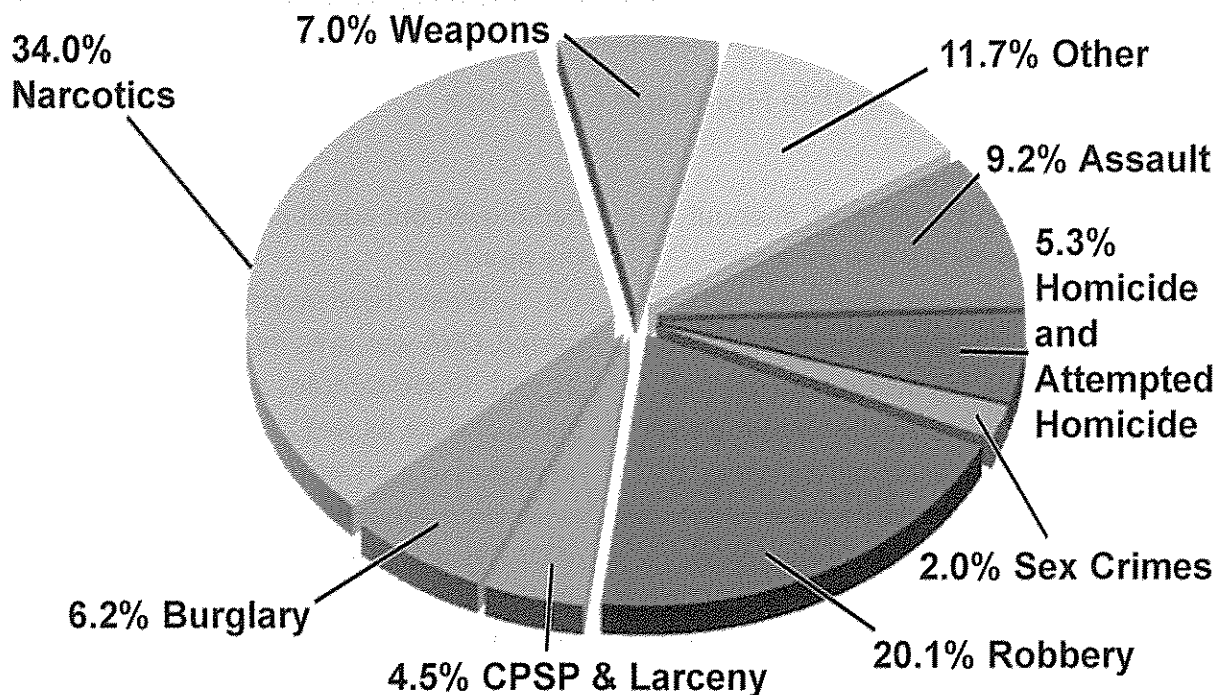
Source: New York City Police Department

Prosecuting Crime

While crime complaints have fallen dramatically, Bronx arrests have risen 66% since 1990. The Bronx District Attorney's Office indicted 4,869 felony-level defendants in 2013. Narcotics cases accounted for 34% of the felony prosecutions in Bronx County.

Bronx District Attorney's Office Felony Prosecutions: 2013

Total Felony
Prosecutions: 4,869



Source: Bronx District Attorney's Office

Violence comes in many forms--such as assault, robbery, and homicide – and its victims have many different faces—young, old, male, female. The four cases presented here are very different from one another, but all illustrate the tragic consequences of violence. In the first case, DNA evidence solved a double homicide long after the murders were committed. In the second case, a robbery resulted in the shooting of a local Bronx businessman. In the next case which involved excessive force, four NYC correction officers allegedly assaulted an inmate. In the last case, an incident of domestic violence left the victim in critical condition at a local hospital for an extended period of time.

DNA Helps Solve Double Homicide Cold Case

On February 29, 1988, at about 7 am Phyliss Little went to the apartment of her granddaughter's mother, Selina Cooper, to pick up her 9-year-old granddaughter, Joi, over whom she had custody. Joi had spent the weekend with her mother and it was time for her to go to school. When Ms. Little entered the apartment, she found a horrific scene. Joi and Selina were bound with their nightgowns lifted over their shoulders. Selina's hands, feet and neck were tied and Joi had bled profusely from the vaginal area due to sexual trauma. Both had died of asphyxiation, Selina by means of ligature, Joi by manual strangulation.

There were no eyewitnesses to the crime. Over the years, two persons came forward to blame different men. Both "witnesses" were substance abusers and gave inconsistent statements that changed substantially with each interview. A third man, Robert Fleming, was interviewed the night of the murders. He admitted to living with Selina in the past, but said he had not seen Selina since he

had moved out about a month before the murders.

When these murders were committed, DNA was in its infancy as a forensic tool. Blood samples and swabs from Selina and Joi, as well as from bed sheets, were sent to a private laboratory in Maryland. Unfortunately, the only method of DNA testing then available required a large sample, and there was no data bank of DNA profiles from convicted criminals against which to test the crime scene evidence. Nonetheless, over the next few years, blood samples of suspects and witnesses who said they had been in or near the apartment during that late February weekend were sent to the private laboratory. All were excluded as possible suspects.

The Cold Case Squad joined the investigative team. Although every Detective and Police Officer who spent time on this investigation remained in contact with the ADAs assigned to the case - helping whenever they could - there was no resolution. New stories emerged

DNA Helps Solve Double Homicide Cold Case

(Continued)

about who abused and killed Joi and Selina, but all proved to be dead ends. Only improvements in DNA testing could resolve the case.

In the late 1990s, the Office of the Chief Medical Examiner of the City of New York (OCME) opened a forensic biology department and began to test DNA using the PCR method. PCR requires only a small DNA sample for comparison. OCME also matches its DNA findings in the CODIS data bank to the DNA profiles of convicted offenders who have committed certain crimes. In 2000, DNA taken from the bed sheets in Selina's apartment was matched in CODIS to Robert Fleming's DNA file. Fleming's DNA profile had been captured during a twenty-year criminal career that included convictions for drug sales, attempted robbery, trespassing, larceny and weapons possession.

The problem for investigators was that Robert Fleming had lived in Selina's apartment. Accordingly, DNA on the sheets did not alone prove that he had killed Joi and Selina. However, in 2003 the samples of Selina's and Joi's body

fluids that were initially sent to the private lab in Maryland were recovered, still in their original packaging. Now able to yield results from minimal genetic material, the tests concluded that the male DNA profile in swabs taken from the victims' vaginal and rectal areas matched Robert Fleming's profile. With this finding, the investigations into their deaths and into Selina's and Fleming's relationship were re-energized. Ultimately, the case was presented to the Grand Jury of Bronx County, which indicted Robert Fleming for the intentional murders, and murders in the course of sex acts, of Joi Little and Selina Cooper.

In 2013 a Jury returned guilty verdicts on two counts of intentional murder, one each for Joi and for Selina, and on September 4, 2013, the Hon. Margaret Clancy sentenced Robert Fleming to the maximum incarceration permitted under the laws in force in 1988: Sentences of 25 years to life to be served consecutively.

Conviction Of Luis Vasquez In Connection With The Robbery And Shooting Assault Of Local Businessman

On September 16, 2010, a Bronx wholesale food distributor ended the workday as usual with a half block walk from his place of business to his parked car on Lafayette Avenue. As Luis Vasquez, Francisco Calderon, and two female accomplices already knew, the businessman carried a black satchel filled with cash. The group had spent the previous days analyzing his movements in preparation for a robbery.

After waiting in their car for two hours, Calderon and one of the female accomplices approached the businessman as he left his workplace. Even before he could react, Calderon shot the businessman and took the satchel, which on this night contained approximately \$28,000. In his role as getaway driver, Vasquez pulled their car around from a nearby block and picked up Calderon and the female accomplice.

The perpetrators did not know that a retired sanitation worker was parked in the area and had observed the entire incident. A chase began, as the good samaritan pursued the perpetrators by car from the crime scene for about 30 minutes, communicating with police at each turn to help them locate the group. Once the witness managed to flag-down police officers, the chase ended, but only

briefly. Vasquez turned off the car engine and pretended to surrender, only to restart the car and drive off for a second high-speed chase.

Three of the four defendants were apprehended that evening. Although Vasquez fled on foot, he left behind his wallet and other personal identification. He was subsequently caught after an altercation with a Yonkers police officer, in which he pushed the officer into highway traffic. Vasquez was tried and convicted of that crime in Westchester before being tried for the Lafayette Avenue robbery and shooting.

Calderon pled guilty to multiple charges in 2013 and is serving a sentence of twenty years imprisonment.

Vasquez, who exercised his right to go to trial, was swiftly found guilty by a Bronx jury on two robbery counts and one assault charge. On July 1, 2013, he was sentenced to three concurrent 25 year terms of imprisonment for his Bronx crimes, which will run consecutively to his ten year sentence for the Westchester assault.

Four New York City Correction Officers Indicted For Allegedly Assaulting An Inmate And Attempting To Cover Up The Incident

On April 8, 2014, a Grand Jury indicted four New York City Correction Officers for allegedly assaulting a Rikers Island inmate and for filing false reports in order to justify their use of force. The 19-count indictment charges Correction Officers Michael Dorsainvil, Christopher Huggins, and Mark Anglin with Attempted Gang Assault in the first and second degrees, Attempted Assault in the first degree, Assault in the second degree, Official Misconduct, Falsifying Business Records in the first degree, and Offering a False Instrument for Filing in the first degree. The indictments are merely accusations.

The case began on March 15, 2013, at the George Motchan Detention Center on Rikers Island. The indictments allege that as Carl Williams, a Rikers Island inmate, was being escorted back to the facility following a court appearance, he reportedly began to curse at the officers, because they confiscated a bag he was carrying and threw it into the garbage. Allegedly, three defendants placed Williams into a holding cell, held him down on the floor and struck him repeatedly, while Donnelley observed from outside the cell. Williams later received medical attention for contusions, bumps and cuts to his face and head, including nine

stitches to his mouth.

During the Department of Correction's routine use of force review, and as witnesses gave their accounts of the incident, discrepancies began to appear in the defendants' story. The defendants allegedly claimed that they had intervened because Williams threatened to hang himself, but those alleged written official accounts were contradicted by Department of Correction video recordings of the incident.

If the defendants are convicted of the most serious charges, Attempted Gang Assault in the first degree and Attempted Assault in the first degree, both Class C violent felony offenses, they will face a maximum sentence of up to 15 years imprisonment. The fourth Officer, Ronald Donnelley, has been charged only with Official Misconduct, Offering a False Instrument for Filing in the first degree and Falsifying Business Records in the first degree. Donnelley faces a maximum sentence of up to four years imprisonment if convicted of the most serious Class E felony charges dealing with falsifying official reports. The Defendants are currently released on bail ranging up to \$200,000 as they await trial.

The Bronx District Attorney's Office Announces The Conviction Of 26 Year Old Keith Bailey For Arson, Attempted Murder And Coercion

On December 22, 2010, Keith Bailey and his girlfriend, Quasona Cobb, were involved in a violent domestic dispute. Cobb wanted to end her relationship with Bailey. He responded by grabbing Cobb by the hair and dragging her from the bedroom of their apartment into the living room, where he restrained her on the floor and poured flammable oil onto Cobb's face and hair. While holding a lighter in his hand, Bailey threatened, "You don't want to be with me? No other man is going to have you. I'm going to light you on fire." The next morning, after Bailey left for work, Cobb had the locks changed and reported the incident to the Police.

On December 26, Bailey wanted access to their apartment to retrieve his personal belongings. He contacted Arlene Gordon, Cobb's mother, who agreed to meet him at the apartment. Surveillance from inside the building showed Bailey and Gordon entering the apartment together. Bailey then exited and entered the apartment several times to make trips to the trash compactor, but the video showed that Gordon never left. Bailey left the apartment for the last time approximately one hour after he and Gordon had arrived.

Building tenants soon alerted the

super that the elevators were stuck on the first floor. When he checked the fire alarm, the super observed that sprinklers had gone off on the 11th floor. When he went to investigate, the super saw water flowing from under the door of apartment 11C. He entered using his master key and observed blood all over the walls and the floor inside the apartment. Hearing a voice from the smoke-filled bedroom, he found Gordon face down on the floor with a plastic bag wrapped over her head and torso. He ripped open the bag and saw bloody lacerations on Gordon's head and face. She was unresponsive and was gasping for air.

Ms. Gordon lay in critical condition at the hospital for an extended period of time. Bailey had inflicted burns to approximately 20% of her body, and she remained on a ventilator and under sedation. Gordon's extensive injuries included traumatic brain injury, blindness in one eye, amputated fingers, and a fused elbow. Subsequently, she suffered through several skin graft surgeries.

On June 10, 2013, Bailey pled guilty to Arson in the First Degree, Attempted Murder, and Coercion before State Supreme Court Justice Newman, who sentenced him to eighteen years to life in prison.

DRUG CRIME

The Bronx District Attorney's Office approaches drug crime with a combination of careful screening, treatment alternatives and vigorous prosecution of cases. The latter contributes to the high proportion of convicted drug sellers 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 2013, more than 700 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 2013, just 34% of Bronx felony defendants were prosecuted on drug charges. Nevertheless, drug crime is still a very serious problem in the Bronx.

Indictment for Possession of Marijuana

In February 2012, the property manager of 2243 Ryer Avenue observed that a new large wall had been constructed in the building's basement a few feet from the front door of the superintendent's apartment, in the area where he was the sole tenant.

At first the property manager simply told Wilson Salazar, the super, to take down the wall, as it violated the New York City building code. Salazar then assured the property manager over several months that he would take the wall down, but never did, despite the property manager's repeated requests. On April 2, 2012, the property manager asked one last time about the wall, and the defendant told him that he had taken it down. When the property manager went to the basement to look for himself, he saw that the wall was still there. The property manager then instructed Salazar to get some tools, because they were going to take the wall down at that moment.

The property manager broke through the wall himself and was imme-

diately overwhelmed by a rush of hot air and a strong odor of marijuana. When he looked inside, the manager observed a small room filled with numerous marijuana plants, which the now broken wall had enclosed in an airtight, windowless growing space. The defendant said "please don't call the police, I don't want to get in trouble."

This marijuana grow house was a sizeable operation. The 40 plants alone had a street value of approximately \$40,000. The equipment, which included large heating lamps, transformers and state-of-the-art carbon filter were worth thousands of dollars more. The property manager, Cesar Torres, is a retired NYPD homicide detective, and this apartment building was located less than a block from the 46th precinct. So much evidence was recovered that every vehicle used to transport evidence back to the precinct was completely full, and the officers had to follow behind the cars on foot back to the precinct.

Indictment for Possession of Marijuana

(Continued)

At trial, the defense maintained that someone else had erected the wall, and that the defendant was unaware of what lay behind and was merely paid for the space and his silence. The jury was not convinced. Convicted on March 6, 2013, on the top count of Possession of Marijuana in the First Degree, Salazar was sentenced on April 11, 2013, to 3 ½ years imprisonment, plus two years post release supervision.

DRUG TREATMENT ALTERNATIVE TO PRISON (DTAP)

Bronx prosecutors have had substantial success in placing drug offenders in treatment programs. Between 1993 and 2013, more than 16,700 Bronx defendants were placed in drug treatment programs as an alternative to incarceration. 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 2013, the Office placed 3,947 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 pled guilty to a class B felony. If they complete the program,

their felony plea is set aside, and they are permitted to pled guilty to a misdemeanor. However, those who withdraw or fail to complete the program satisfactorily generally receive a sentence of three years in prison and two years post-release supervision.

Drug Treatment Enrollment 1993 – 2013

| PROGRAM | 1993 - 2010 | 2011 | 2012 | 2013 | TOTAL |
|--------------------------|-------------|------|------|------|--------|
| DTAP | 3,575 | 140 | 102 | 130 | 3,947 |
| BX Treatment Court | 1,780 | 39 | 0 | 0 | 1,819 |
| Mental Health Court | 1,091 | 58 | 45 | 65 | 1,259 |
| BX Treatment Misd. Court | 1,182 | 64 | 42 | 6* | 1,294 |
| Other Residential | 4,327 | 127 | 89 | 114 | 4,657 |
| Other | 2,562 | 123 | 85 | 156 | 2,926 |
| Judicial Diversion** | 110 | 242 | 251 | 236 | 839 |
| TOTAL | 14,627 | 793 | 614 | 707 | 16,741 |

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.

* Following the "demerger" of the Bronx Criminal and Supreme courts in late 2012, OCA closed the misdemeanor treatment court due to a lack of demand for misdemeanor drug treatment. Some MICA (mentally ill chemical abuse) defendants arrested for misdemeanors may still be enrolled in treatment programs

**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.

Successful Treatment as an Alternative to Incarceration

On January 24, 2012, 44-year-old Max (pseudonym) was arrested in the Bronx for selling heroin. Max was referred to TASC for placement in a residential drug treatment program.

Max is one of three children. He was born in Puerto Rico. He graduated from high school in 1985. His longest job was working for 15 years as a barber. Prior to his arrest, Max was living with his common law spouse in the Bronx. He has one child, who he visits regularly.

During assessment, Max reported an addiction to alcohol and heroin. He began using alcohol at the age of 16. At 28, Max began using heroin daily until he was prescribed methadone to stop his cravings for heroin.

On December 12, 2012, Max pled guilty to criminal sale of a controlled substance with the condition that he complete a residential drug treatment program through DTAP. Max continuous-

ly submitted negative toxicology results and received favorable progress reports while in treatment. He was described as being "engaged in his treatment process;" he verbalized his "desire to remain clean and sober;" and he "actively participated in his relapse prevention groups and individual counseling."

Max completed the residential portion of treatment in July 2013. He enrolled in the Apex Technical School, majoring in Auto Mechanics. He graduated in October 2013 with a 3.6 grade point average. He was also able to maintain part-time employment.

After Max completed his court-ordered obligations, his felony indictment was withdrawn and reduced to an A misdemeanor. He was then sentenced to a Conditional Discharge. Max reports that he looks forward to spending time with his wife and completing college.

Advancements in DNA technology and the success of the 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 who understand which evidence may yield a DNA profile and how to use that evidence effectively can do more than just identify a suspect; they can place a known individual at a crime scene, refute a claim of self-defense, or exonerate the innocent.

DNA also presents challenges for prosecutors. To utilize it effectively and responsibly, prosecutors must ensure that potential DNA evidence is properly collected at the crime scene, sent to the laboratory for testing, and properly analyzed based on its potential value to a particular case. Prosecutors must have adequate training to understand test results, to assess their significance, and to present the findings to a jury in a meaningful fashion.

DNA PROSECUTIONS

The DNA Prosecutions Director of this Office advises ADAs on a broad range of DNA-related issues that involve forensic science to enhance investigations and prosecutions. The Director provides grand jury and trial assistance, as well as continuing legal education training, to ensure that the Office uses the most current forensic evidence practices. The Director also reviews and responds to requests and motions by the defense for post-conviction DNA testing. Recent efforts in 2013 have continued work originally funded through the Cold Case grant project, responding to frequent Frye motions concerning the use of Low Copy Number DNA testing and the application of the Forensic Statistical Tool in criminal case work.

Low copy number ("LCN") testing is also referred to as "high sensitivity" DNA testing. LCN testing focuses on the same genetic

markers utilized in regular high copy number DNA testing. LCN DNA testing uses the same procedures as traditional DNA testing with only slight modifications to increase the sensitivity of the testing process. Such testing allows a DNA profile to be developed using much smaller amounts of DNA than traditional DNA testing.

Forensic Statistical Tool ("FST") assists scientists in interpreting DNA mixtures by calculating a statistical weight for evidence and reference sample comparisons, particularly for mixtures of DNA that cannot be deconvoluted. The FST software provides a quantitative weight to interpretations that would otherwise be qualitative. This is referred to as a 'likelihood ratio' (LR). Likelihood ratios are statistics relating to the likelihood of one scenario over another. In forensic DNA analysis the first scenario is the probability that a particular suspect contributed to a mixture of DNA detected on an item of evidence, while the second scenario

is the probability that unknown, unrelated individuals (and not the defendant) contributed to a mixture of DNA detected on an item of evidence. The statistical calculations are generated by computer algorithms which employ a conventional mathematical equation commonly used in the scientific community.

DNA Matches Solve Crimes

● **COMMERCIAL PATTERN ROBBERY** - The victim was working at a deli when the defendant jumped behind the deli counter where the cash register was located. The defendant punched the victim in the face. During the struggle the victim swung a metal spatula at defendant's head, knocking his baseball cap off into the sink. The defendant took cash from the cash register and ran out. The baseball hat was retrieved by the police and submitted for DNA testing. Later that same day the defendant approached the cashier at another store and threatened the victim. The entire incident was caught on surveillance video. The DNA testing came back to a known convicted offender who had absconded to Ecuador after these incidents. When he attempted to reenter the country, NYPD was notified and he was arrested. The defendant pled guilty and received three years.

● **ROBBERY SOLVED BY BLOOD STAIN** - Early in the morning, the victim was walking to the subway on his way to work when he was approached by the defendant from behind. The assailant put the victim into a choke hold with both arms. During the ensuing struggle, both fell to the ground. The assailant put his hand over the victim's mouth. The victim was able to bite the assailant's fingers, causing them to bleed. The assailant grabbed the victim's bag which contained his driver's license, TLC license, social security card, EZ pass, monthly metro card and address book. The assailant's blood was found on the back of victim's jacket. The jacket was submitted for forensic testing and the DNA profile matched the assailant's DNA profile, which was already on file with the NYS DNA database. This match led to the arrest and indictment of a defendant on multiple charges, including Robbery in the Second Degree.

● **SERIAL RAPIST LINKED TO TWO RAPES** - Stephen Robinson committed two separate stranger sexual assaults in 2009 within days of each other. The young women, 17 and 18 at the time, were approached by the defendant and forced into the same abandoned building at gunpoint. DNA was recovered at both crime scenes which linked both the defendant and his brother to the scene. Both men were registered sex offenders. Both victims were able to identify their attacker during lineups, but the DNA evidence conclusively linked the defendant to both crime scenes.

● **BURGLARY SOLVED BY DISCARDED SODA CAN** - Two defendants broke into a Chinese restaurant via a hole in the ceiling of the building. DNA was recovered from a soda can and a cigarette butt left at the scene after the restaurant was cleaned and closed for the night. The male profiles from these items came back to two convicted offenders already on file with the NYS DNA database.

● **LATEX GLOVE FOUND AT SCENE LINKED TO ATTEMPTED MURDER** - The victim and his girlfriend were returning home from work when they were confronted at the front of their apartment door by multiple masked men wearing ski masks and latex gloves armed with duct tape and mace. The men demanded money. During the ensuing struggle the victim was shot in the face causing serious and permanent disfigurement to his jaw. As the defendants fled, they left behind a latex glove, a ski mask and an imitation pistol. DNA testing on the latex glove revealed a male DNA profile which matched a person previously in the DNA databank.

● **DNA SOLVES COLD CASE** - On December 19, 2006 Teresa Reyes was found dead, bound and gagged with duct tape in her apartment on Bathgate Avenue. The cause of death was asphyxiation. In 2009 a DNA from a piece of glove found on the victim's body identified Mario Castro, who was in the NYS DNA databank after a prior robbery conviction in New York County. Further investigation linked additional people to this crime including several of the suspect's friends. During the investigation it was determined that one of the victim's relatives through marriage had learned that she had a large sum of money in the apartment and planned a home invasion with the defendant. In July 2013, Mario Castro was convicted of felony murder and sentenced to 25 years to life for his role in the murder.

● **COLD CASE MURDER SOLVED, CONVICTION FOLLOWS** - On March 16, 1993 Altagracia Valdez was discovered stabbed to death in her apartment at 1170 Gerard Avenue, Bronx, where she had recently moved. Police forced their way into the apartment and found the victim, who was in her early twenties, in a pool of blood lying face up, naked from the waist down and with her legs spread. An investigation was commenced by the 44 Precinct and the Crime Scene Unit discovered a steak knife believed to be the murder weapon in the medicine cabinet in the bathroom. The investigation also revealed that the victim had been dating a cab driver named Angel at the time of her death but no further information about him was uncovered. The autopsy showed the victim had been stabbed five times in the neck. The Medical Examiner took vaginal swabs and prepared a sexual assault evaluation kit which was sent for testing. The Forensic Biology Unit of the Office of Chief Medical Examiner determined that semen was present on the vaginal swabs at that time and a DNA profile was developed using an early DNA test. Based on the DNA profile developed, some suspects were ruled out.

In 2003, detectives from the Cold Case Apprehension Squad re-opened the investigation as part of a police initiative to look into cold case homicides where there might be DNA evidence. The detectives contacted the Forensic Biology Laboratory and requested a new analysis from the vaginal swabs taken from the victim using more advanced, sensitive DNA techniques. In 2008, the Forensic Biology Laboratory reported a "hit" from the DNA Databank to Angel Guridy, the defendant. Detectives located the defendant in the Dominican Republic and in May, 2012, following a lengthy extradition process; the defendant was arrested and returned to New York to stand trial. Guridy was convicted of Murder in the Second Degree following a jury trial and was sentenced to 25 years to life on March 5, 2014.

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 con-

tacts 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 children. The majority of these crimes involve the dissemination of por-

nographic 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.

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 thousands or even millions of dollars. The sentences for convictions of such crimes include restitution to the state and/or city of the taxes owed.

The case below illustrates how identity theft can quickly affect many innocent victims.

Identity Theft Ring

Our Office continues to see steady growth in financial fraud, including embezzlement, elder financial abuse, identity theft, welfare fraud, housing fraud, labor and workers' compensation fraud, and insurance fraud and tax offenses. One case illustrates the wide-ranging financial connections that are sometimes uncovered in these cases.

Responding to the complaints of area JP Morgan/Chase customers, who reported that their account funds had been withdrawn without permission, this Office conducted an investigation from October 2011 – April 2013 into several tri-state identify theft rings. The office ultimately expanded the investigation to partner with the US Secret Service and the US Postal Service, and discovered that customers from as far away as Louisiana and Florida had been victimized by two local identify theft rings. Bank losses totaled more than 1½ million dollars.

Eavesdropping warrants and physical surveillance resulted in the indictment and arrest of over thirty individuals. Investigators also seized hundreds of cash, counterfeit documents, including various state driver's licenses and US Green Card documents, as well as counterfeit checks, and counterfeiting equipment, including a laminating machine and blank check stock.

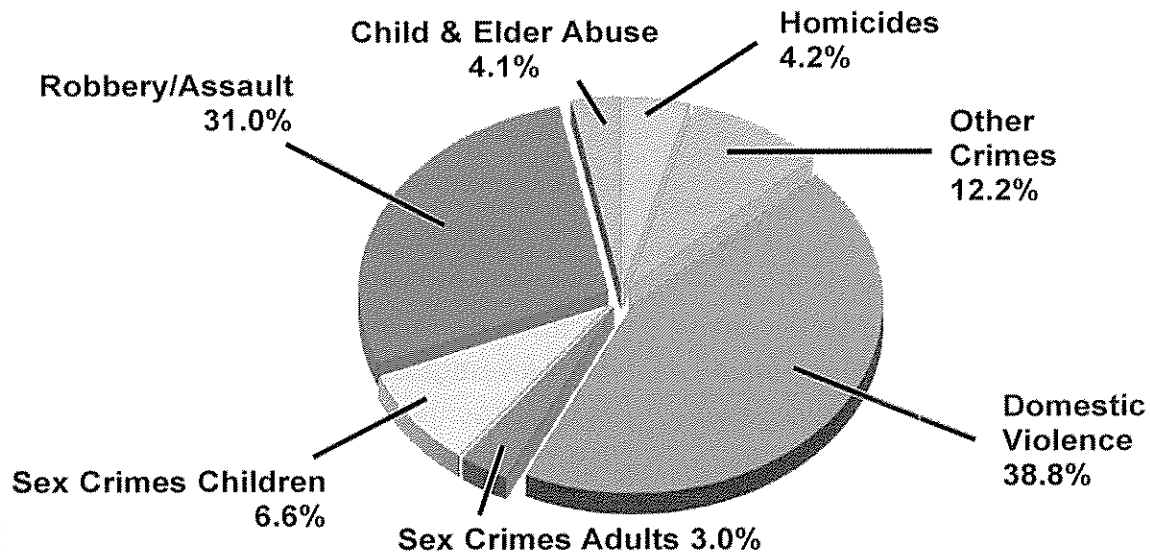
Two of the more significant convictions were of Shawn Fagan and Markese Jones. Fagan pled guilty to one count of enterprise corruption on December 20, 2013 and was sentenced to 6½ to 13 years imprisonment. Jones, who assisted in producing forged documents and recruiting people into both rings, pled guilty to two counts of criminal possession of a forged instrument in the second degree and was sentenced on January 30, 2014, to three-to-nine years imprisonment. Other cases are pending.

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. These services were provided at both the Unit's three sites on 161st Street, which are in close proximity to the courts, and also at the CVAU satellite office in the northeast Bronx. The CVAU saw a total of 3,087 new clients in 2013. CVAU staff made more than 46,000 service contacts with victims and witnesses during 2013.

Crime Victims Assistance Unit Contacts By Type of Crime

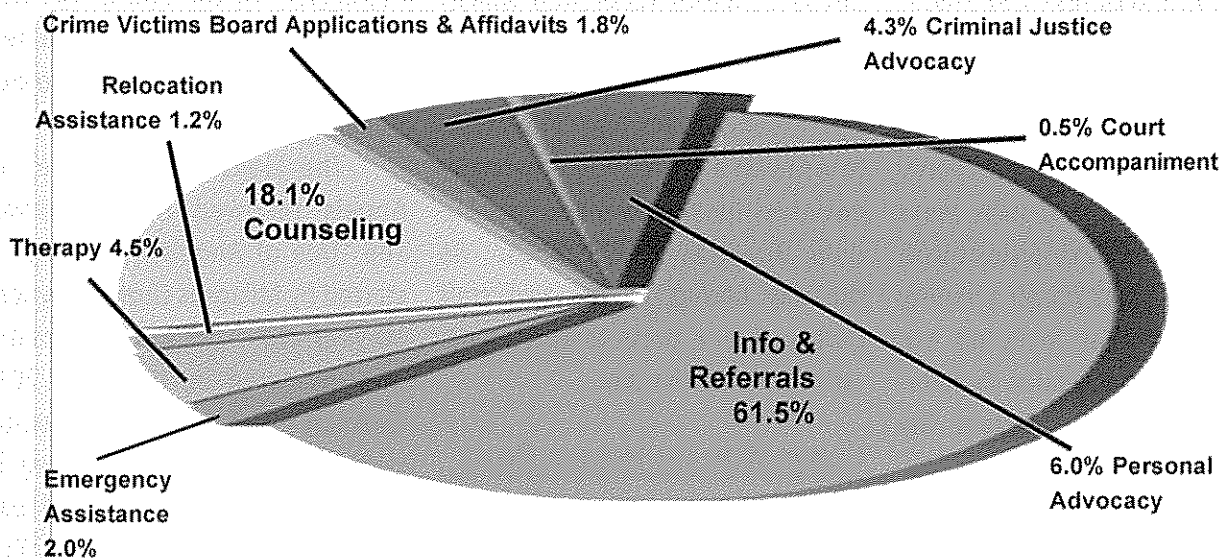
Total 2013 New Client
Contacts: 3,087



Source: Office of Bronx District Attorney

Crime Victims Assistance Unit Contacts By Type of Service Provided

Total 2013 Service
Contacts: 46,327



Source: Office of Bronx District Attorney

DOMESTIC VIOLENCE AWARENESS MONTH

In October 2013, as part of Domestic Violence Awareness Month, CVAU held its fifth annual Purple Door Project. CVAU Staff covered all of the Unit's doors in purple – the designated color for domestic violence – and encouraged the rest of the agency's staff to join them, as a way to heighten awareness of CVAU's services and its mission to stop domestic violence at our doors.

As part of its adult workshop series, the Office held a Roundtable Discussion before a community audience, entitled "The Many Faces of Domestic Violence." Seated around the table were the Chief of the Domestic Violence Bureau, the CVAU Director, and a

clinical therapist from the Unit, a representative from the Bronx Family Justice Center, a police officer from the NYPD's Domestic Violence Unit, and a domestic violence survivor. The survivor shared her story that led to a discussion between the professionals and the survivor. The message of the forum was that we should take more time to listen to DV victims. Once the conversation ceased, the audience had the opportunity to ask questions.

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 2003 in Community District 12 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 2013 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 24, 2013, 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. Twenty-two 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 listening to the personal stories of fellow survivors who have prior experience with the CVAU therapy program.

There were three classes this year. The "Shake It" class was meant to invigorate the participants through movement to an easy-to-follow zumba dance. Participants in the "Making Connection" class produced individual art tiles that helped them to connect with themselves and others through creative art techniques and positive statements of reflection, insight and empowerment. The individual tiles were joined to create a group mosaic, which remains on display at the Satellite Office. Finally, the "De-Stress and Release" yoga class introduced victims / survivors to deep-breathing, stretching and meditation that brings tranquility through a renewed mind-body connection.

Following each class, clients took a group photograph to commemorate their participation. Clients received lunch and snacks throughout the day – another way to promote healthy food choices. Periodically, clients were also asked to write on a poster board specially designed for the event to capture their thoughts and feelings. As the day ended, clients and staff gathered in a circle to share their reflections on the day.

COPING WITH THE HOLIDAY BLUES

Frequently the Holidays are difficult for crime victims, as they feel a sharpened sense of loss. CVAU helps to soften the challenges of the Holiday Season with a 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 7, 2013. The Holiday Blues Workshop was designed to help those struggling through the holidays to gain a better understanding of their feelings and to address feelings of isolation.

Forty-one CVAU clients and their families were invited to participate this past year (18 minors and 23 adults). The adults participated in two group sessions (one in English, the other in Spanish), that were facilitated by CVAU therapists and focused on what the holidays meant prior to their victimization, what they mean now, and their outlook for the future. While the adults

were involved in the workshop, the children participated in their own therapeutic art activity, led by child therapists. At the end of the day, each child received one or two new books (donated by District Attorney staff).

The Lighting of the Tree of Angels followed the workshop. The "Tree of Angels" is a program started by Milagros Guzman, whose 10-year-old daughter Jessica was murdered in 1990. In 2011 Guzman, who now lives out-of-state, requested that the Tree of Angels continue to be placed outside the CVAU Satellite Office. This program provides a way for families and friends affected by homicide to commemorate the angel they lost by hanging an angel ornament. In 2013 CVAU was joined by the Gospel of St. Luke's Church Choir and Father Richard Gorman, Chairman of Community Board 12, who provided the Blessing of the Tree. NYPD Deputy Inspector Mullin of the 47th Precinct also participated.

NATIONAL CRIME VICTIMS' RIGHTS WEEK EVENTS

In April 2013, 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 BRONX CLOTHES-LINE PROJECT

Throughout the year CVAU displays the Bronx Clothes-Line Project (BCL) at various locations around the County. BCL 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.

BRONX HOMICIDE SURVIVORS SUPPORT PROJECT

During 2013 the Bronx Homicide Support Project, now in its 13th year, continued to provide therapy groups for the family members, mostly mothers, of Homicide Victims. These two groups are facilitated by the Director of the

Crime Victims Assistance Unit and a Director from Safe Horizon. While there are other peer-led support groups in the Bronx and other boroughs throughout the City, Bronx Homicide Survivors is the only professionally led traumatic grief group of its kind in New York City specifically for family members of homicide victims. However, in 2012 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. As such, during 2013 CVAU was able to expand its weekly group sessions to include two evening sessions and one day session for Spanish-speaking participants.

Surviving Homicide

Jane and her twenty-four year old daughter Tina (pseudonyms) were referred to the Crime Victims Assistance Unit (CVAU) in November 2011, after the death of their daughter and sister, respectively. The victim, a mother of four, had lived with her boyfriend until an argument ended in her murder. A CVAU advocate met with Jane and Tina three days after the homicide to deal with the family's immediate trauma and concrete needs. The victim's thirteen-year old-son was the first to discover the murder when he ran into the apartment and saw his mother's body on the bed. The defendant had beaten her to death. Jane and Tina, who lived in the same apartment building as the victim, returned home to the crime scene.

CVAU began supportive services immediately. The advocate referred the family to the CVAU Therapy Program. In February 2012, Jane began to participate in CVAU's Homicide Survivors Weekly Support Group and in May of 2012 Tina began individual therapy. Each modality was utilized to help them process their traumatic grief. Both presented and experienced similar symptoms: Intrusive images and flashbacks of what happened to their daughter/sister; tremendous guilt and blame for having missed the warning signs of an abusive relationship and fantasies of reunion and rescue. All of these symptoms are common after enduring an unnatural and traumatic death. Jane and the CVAU advocates were also deeply concerned about the emotional health of

the deceased's children, ages 6 through 14. CVAU immediately made a referral to the Center for Court Innovation's Child and Adolescent Therapy program which is housed on the same floor as the CVAU. The children began getting therapy in February 2012.

In addition to individual therapy, Tina and the family participated in other CVAU events. Holidays are always a difficult time for crime victims, and this was especially true for this family, as the murder occurred so close to Thanksgiving. The first event was the annual Holiday Blues event, which helps survivors of violent crime cope during the holidays. During this day separate therapeutic events are held for children and for adults. The day concluded with all participants sharing what they had learned and remembering their loved ones. The family also took part in the annual "Tree Lighting" event at the Satellite Office, where staff and adult and child survivors of homicide put an angel on the tree to commemorate the memory of their loved one.

With the emotional trauma of their daughter/sister's murder came many practical challenges. Initially, the family needed financial assistance with her burial. CVAU worked with the NYS Office of Victim Services and the funeral home on the documents necessary for financial assistance. Custody of the deceased's four children was also a pressing issue. CVAU helped Jane to successfully navigate the Bronx Family Court process and become the sole legal guardian of her grandchild-

Surviving Homicide

(Continued)

dren.

Advocacy work was also done to help lighten the financial strain Jane experienced in taking custody of her four grandchildren. To make sure that she maintained a residence for her grandchildren, Jane needed rent assistance, which CVAU helped obtain with an advocacy letter and multiple phone calls to the Human Resources Administration. Working with Administration for Children's Services, CVAU also helped Jane claim child support for the deceased's eldest child.

The criminal justice process also left the family with many questions. They relied upon CVAU for information about the criminal justice process, including what to expect from upcoming court cases and proceedings. The continuing dialogue involved meetings with the ADA assigned to the case, so the family could directly hear about procedural details.

On October 9, 2013, the defendant pled guilty to Manslaughter 1. CVAU

staff helped the family to prepare victim impact statements that were read in open court at the defendant's sentencing on October 28, 2013. The defendant was sentenced to 17 years imprisonment. The day was emotional and powerful for all family members. Once the sentencing was complete, the advocate registered the family for parole updates, so they will stay informed of future developments. Although there will never be complete closure for this family as it relates to the loss of their loved one, their concrete needs have been met, and they continue to make progress in dealing with their traumatic grief and guilt.

This past November and December, Tina and Jane once again participated in CVAU's Wellness Day and Holiday Blues events but in a different way. In honor of their daughter/sister, they were able to speak and share their story in an effort to help other crime victims/survivors.

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 Reentry Task Force), and ex-offenders.

Each month a group of ex-offenders (now probationers as well as parolees) who have recently been released to community supervision in the 40th Precinct are invited to attend the forum. The forums, which were initially held at the Bronx Museum of the Arts, and have now been relocated to NYC Probation NEON, are conducted in a roundtable format that seats all participants together at the same table. The focus of the presentations is on the choices these ex-offenders make and the consequences of those choices. Ex-offenders who decide to re-involve themselves with guns face 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 ex-offenders themselves, who speak directly to the participants 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. In 2013 the Bronx District Attorney's Office diverted 707 defendants to treatment through the Drug Treatment Alternative to Prison (DTAP) program, the Bronx Mental Health Court, and other programs. In July 2013, the Veterans Court was established in the Bronx through which 13 people have been placed in treatment 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. The program has been further expanded on several occasions, most recently in 2012.

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 2013, 8,943 cases were mandated to Bronx Community Solutions (29% of the cases disposed at arraignment in the Bronx). Of those, approximately 5,106 received community service sentences. Eighty-three percent of offenders who appeared for intake completed their community service 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. An estimated 66,059 hours of community service were completed.

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.

BCS also operates special initiatives. The Adolescent Diversion Program (ADP) began in January 2012, focusing on 16 and 17 year old defendants. In 2013, 75% of the 659 ADP youths successfully completed their mandates. In 2013, the Mental Health Initiative (MHI) completed its fourth year and with a screening instrument identified 1,491 clients. MHI achieved a 75% completion rate. In 2013 the Prostitution Initiative completed its third year and included 145 prostitution cases with a 70% completion rate. BCS has continued to take proactive steps to comprehensively improve the existing process for DWI cases. Notably these clients maintain an 87% compliance rate.

In recognition that many individuals, mostly women and girls, arrested for prostitution-related offenses may be victims of trafficking and other forms of violence, in October 2013 Chief Judge Lippman created the Human Trafficking Intervention Court (HTIC) program in 11 coun-

ties throughout the State. In Bronx County, Bronx Community Solutions has been designated as the HTIC site provider and handles all prostitution-related offenses in the borough. The HTIC program aims to help individuals safely exit the sex trade by identifying victims of sex trafficking, linking individuals to social services, and reducing or eliminating consequences of criminal conviction for victim-defendants.

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.

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 2013 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 CONCEPT PROGRAM (CREATING OPPORTUNITIES NECESSARY TO CREATE EMPOWERED POSITIVE TEENS)

CONCEPT 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.

CONCEPT 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. CONCEPT 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.

Over 800 students have completed the CONCEPT program during the 2013-2014 school year, with an average attendance of 26 students attending 32 class-

es. Also, 158 parents/adults have attended seven workshops offered in conjunction with the CONCEPT program at the schools where it is taught. In addition, during 2013 CONCEPT 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."

POLICE ATHLETIC LEAGUE PLAYSTREET PROGRAM

Through a collaboration between this office, the Police Athletic League (PAL), and the Special Narcotics Prosecutor, in July 2013, the summer Playstreet Program opened at the Mott Playground, which lies in the South Bronx's 44th Precinct. Playstreet, which opens again on weekdays beginning July 10, 2014, invites young people aged 6 to 16 to participate in a range of games, sports and other recreational activities, such as table games, cultural arts and basketball tournaments. Commenting on the goals of Playstreet, District Attorney Johnson noted that "Policing is essential to public safety, but the importance of positive outlets and support for our young people cannot be overlooked." Fittingly, Playstreet operates in the territory that was the focus of intense anti-gang efforts beginning in Spring,

2011 that resulted in the prosecution of 41 members of three violent drug gangs – “Dub City,” “WTG” and “6 Wild.” These gangs were responsible for multiple shootings and narcotics sales in the area

DOMESTIC VIOLENCE

In 2013, the Bronx continued to suffer the highest rate of domestic violence reports per 100,000 population among the five boroughs. The Bronx’s 68,979 Domestic Incident Reports represented 29% 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 nonprofit 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 this office, Safe Horizon (a nonprofit provider of victim services), and the NYC Department of Probation, received funds under the federal Grants to Encourage Arrest Policies program. This 24-month grant funded four prosecutors; an interpreter; and two probation Officers, as well as support and services for domestic violence victims, and a Batterers Intervention

Program. Unfortunately, this grant expired, although the Office will apply shortly for additional support. Presently, the Stop Violence Against Women program is the only source of grant funds that support the office’s work on Domestic Violence issues.

In 2013 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 that include Safe Horizon, Sanctuary for Families, inMotion, and the Urban Justice Center). Also present are legal services providers, and City agencies including NYPD, Probation, and 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, FJC has served a growing number of domestic violence victims. There were 51,741 total client visits (new and repeat) to the FJC between April 26, 2010, and April 26, 2014, of which 18,654 were new clients seeking domestic violence services. During the same period, 47,020 children were supervised in the Children’s Room.

GANG PROSECUTION

In 2013 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 investigative 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. Three cases that follow show how a variety of violent criminal gang activity continues to plague our communities, even in a time of declining violent crime.

Indictment of Rival Drug Gangs in Highbridge

In May 2013, Bronx District Attorney Robert T. Johnson announced the grand jury indictment of 37 alleged drug dealers from rival crews in the Highbridge section of the Bronx following an eleven-month long joint investigation with NYPD.

The 124-count indictment alleged a range of crimes. The defendants, belonging either to the "Woodycrime" crew or to the "165th and Nelson" crew, were alleged to have "acted-in-concert," engaging in more than 100 drug transactions with undercover detectives during the course of their investigation. The majority of these drug sales occurred on a one block stretch of 165th Street between Woodycrest and Nelson Avenues, where the defendants resided. The indictment charged the defendants with conspiracy to sell narcotics, criminal sale and possession of narcotics, attempted murder, assault, criminal possession of a weapon, and possession of ammunition.

Twenty defendants have already pled guilty and have been sentenced to multi-year prison terms. For those who await trial, the most serious conspiracy charge, Conspiracy in the second degree, is punishable by a maximum sentence of up to 8 1/3 to 25 years imprisonment. The most serious drug charge, Criminal Sale of a Controlled Substance in the third degree, is punishable by a maximum sentence of up to 9 years imprisonment on each count, depending on prior criminal records.

Acting State Supreme Court Justice Steven Barrett ordered that Luis "Lou" Pacheco, 21, an alleged principal player in the Woodycrime crew, be held without bail. Pacheco is currently awaiting trial in connection with two separate shootings as well as narcotics sales and conspiracy charges. The indictment alleged that on November 9, 2011, Pacheco intentionally shot Nicholas Barbour in the back with a .45 caliber semi-automatic pistol, in the course of firing several shots at Barbour's minivan as he attempted to drive away on West 165th Street and Woodycrest Avenue. The gunfire is believed to have erupted over a dispute between one of Pacheco's fellow Woodycrime crew and the occupants of the van. For his alleged role in this incident, Pacheco was indicted for Attempted Murder in the second degree, assault in the first and second degrees, and Criminal Possession of a Weapon in the second degree. He faces a maximum sentence of up to 25 years imprisonment if convicted of the most serious offense, attempted murder.

The other shooting for which Pacheco was indicted occurred on January 16, 2011, when he allegedly fired in the direction of a crowd of people, striking a bystander in the hand. That shooting occurred on East 161st and Gerard Avenue outside a coffee shop. The most serious offense, Criminal Possession of a Weapon in the second degree, is punishable by a maximum sentence of up to fifteen years

Indictment of Rival Drug Gangs in Highbridge

(Continued)

imprisonment, if convicted. Another alleged Woodycrime leader, Christian Caban, 27, was also remanded, without bail on Second degree conspiracy charges, weapons possession and possession of

over four ounces of crack cocaine as well as \$10,000 in cash. A third alleged principal player, Marvin Gamoneda, 27, pled guilty to conspiracy charges and is currently serving his sentence.

Bloody Milla Army

Gang activity significantly contributes to the Bronx's disproportionate share of violent crime in New York City. Gang-related or gang-motivated crime incidents in the Bronx range from homicides and other violent crimes, to weapons and drug possession, and various property crimes. The deaths of Christopher Umpierre and John Hopkins-Drago illustrate the severity of the gang problem in Bronx County. In December 2008, Mr. Umpierre was found lying on the floor of an apartment building in the northern Bronx. He had been shot once in the chest. Mr. Hopkins-Drago was found stuffed inside a cart lined with garbage bags in an alley on Pelham Parkway in the eastern Bronx.

These seemingly unrelated crimes were both perpetrated by members of the Blood Milla Army, a set of the Bloods street gang. Mr. Umpierre was an innocent bystander present when gang members were sent to kill a rival gang

member. Mr. Hopkins-Drago was falsely accused of "snitching" on a gang member, a violation of Blood code that warrants death. These facts emerged from an investigation that involved inter-agency law enforcement coordination, the use of confidential informants, accomplice testimony involving cooperative agreements, civilian eyewitnesses, the interception of surreptitious gang-related communication, wiretap evidence, and enhanced forensic analysis.

Five gang members received lengthy state prison terms for committing these crimes. On February 6, 2014, Robert Pastore was sentenced to 25 years in state prison for actions resulting from his attempt to control this set of the Bloods. He pled guilty to manslaughter in the first degree. Carlos Colon--the most active stabber of Mr. Hopkins-Drago--pled guilty to murder in the first degree on February 18, 2014, and was sentenced to 25 years-to-life in state prison.

The Office of the Bronx District Attorney has operated the Bronx Anti Auto Theft Program since 1995. In 2013 alone this Office recovered 221 stolen vehicles for return to their rightful owners. These cars were valued at \$3,135,735. 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 94% since 1990), 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 100,000 population (highest in New York City).

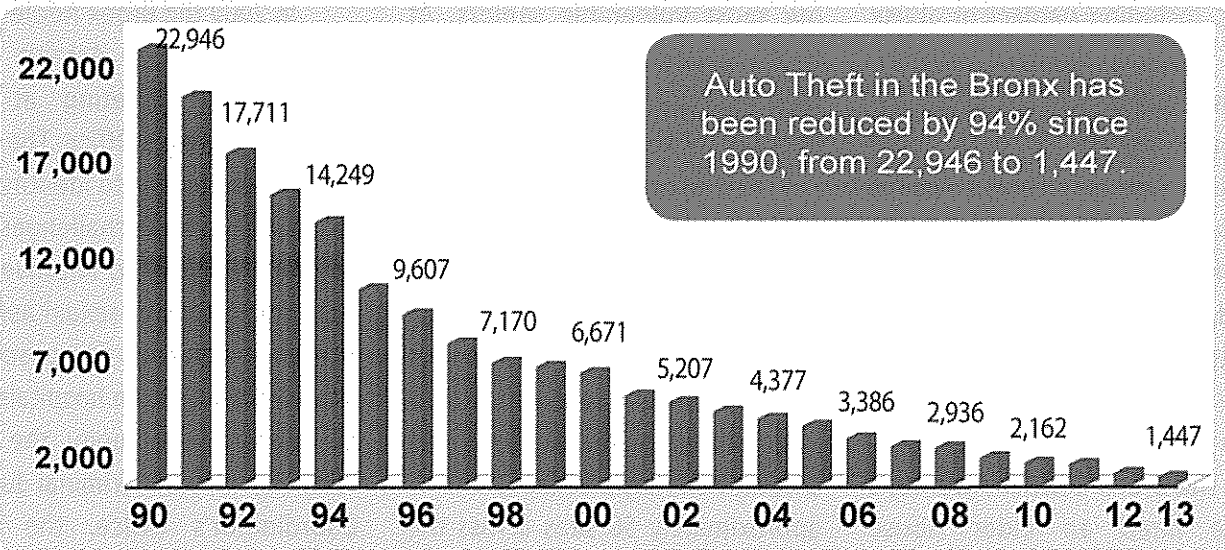
The Bronx District Attorney's Office has owned bait cars for several years. In 2010 the Office received a Legislative Grant through State Senator Klein which provided funding which enabled us to purchase two additional bait

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. This Office continues to deploy bait cars around the county in an ongoing effort to reduce break-ins.

In the last 12 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.

Decline In Grand Larceny Auto

1990 - 2013



Source: New York City Police Department

People V. Reynaldo Nazario

Reynaldo Nazario's knowledge of cars and the scrap business helped him to steal 26 early model Toyotas, Hondas and Nissans from Bronx residents during the period August through October, 2012. Nazario gained access to the cars using "jiggle keys," which are keys from other vehicles that can be used to enter older Toyotas, Hondas and Nissans when they have been shaved down by a skilled car thief. After stealing the cars, Nazario took each them to local scrap yards, where he claimed to be the rightful owner and sold them for quick cash, usually about \$400 per vehicle. Nazario knew that to sell a vehicle more than eight years old he did not need to present a valid title. He had only to complete a special DMV form, sign under penalty of perjury that he was the vehicle owner, and present his NYS

identification card. All twenty-six local Bronx residents whom Nazario victimized lost their vehicles. None of them received money from their insurance companies, as the cars were too old to be carrying full theft coverage. Each resident lost their transportation to school, work and family events.

In November of 2012, the Bronx District Attorney announced that the Grand Jury of Bronx County had indicted Nazario both for the car thefts and his false statements to the scrap yards. Nazario was held on bail, then pled guilty in November of 2013 to 26 counts of Grand Larceny, one count for each car. Hon. Martin Marcus sentenced Nazario to a term of 3 ½ to 7 years in prison for his crimes.

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. 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 13th 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 exper-

tise 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.

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 2013, the Elder Abuse Coordinator gave 10 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.

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 promotes the prompt collection of critical evidence 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 2013, Bronx SART hospitals covered 270 Cases. In 87% of those cases, a SART examiner responded to the hospital within one hour of admission of the sexual assault victim to the Emergency Room. The average length of response was 53 minutes. Eighty-five percent of those victims eligible for a forensic examination consented to being examined. In 13% of the cases where a forensic examination was conducted, the physical examination of the victim revealed findings

of genital trauma only. In 17% of the cases, the physical examination of the victim revealed findings of non-genital injury only. Twenty nine percent of the examinations revealed both genital and non-genital injuries, and 41% 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. The team approach strengthens the evidence gathering process by affording all parties the opportunity to ask questions at the victim's first interview, thereby avoiding the problems that arise when victims must repeat their

stories. Details may be forgotten or inadvertently omitted as victims become tired and uncooperative. Through its participation in the Multidisciplinary Team, the Office has significantly improved its ability to effectively prosecute child abusers while addressing the needs of abuse victims.

The large number of cases referred to the Unit in 2013 created a heavy burden. There were over 300 joint interviews in the Bronx of which approximately 200 were conducted with DA participation. The Child Abuse Response Unit (CARU) screened 4,298 cases (a 7% increase from 2012) and assigned 2,552 of the cases to paralegals for follow up with ACS. Another 1,447 (an approximate 40% increase from 2012) of the screened cases involved the NYPD. The demands on the Unit will continue to rise with the anticipated opening of the Bronx co-located Child Advocacy Center (CAC) in January of 2015.

NYPD 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 four-to six months of street experience, and covers basic legal issues, such as citizen-police encounters, 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.

This training is jointly provided by Chiefs of the Vehicular Crime and Arraignment/Complaint Room Bureaus and NYPD Supervisors from Bronx Central Booking. The Office receives cooperation and support from the NYPD Patrol Borough's Commanding Officer and Training Officer, who coordinate 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 2013 this office was able to host three separate sessions.

These training sessions have resulted in a 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 2013, we continued to collaborate with other New York City prosecutors to train approximately 25 NYPD sergeants each month at the Police Academy. At this one day training event, the District Attorneys provide senior prosecutors to lead discussion workshops

on ethics and integrity issues surrounding the arrest process.

ST. JOHNS LAW SCHOOL CLINIC

Since 1999, staff from the Bronx District Attorney's Office have participated in a clinical program for St. John's law students. Several students are designated each year as student assistant district attorneys and are permitted to prosecute cases under a special designation to practice issued by the Appellate Division, First Department. The students handle misdemeanor cases and argue their cases in Court under the supervision of Bronx District Attorney staff. In addition to the clinical component, the Chief of Vehicular Crime Prosecutions teaches coursework related to this program at St. John's University. Several times in recent years, he was honored as Clinical Professor of the Year.

INFORMATION-SHARING VISITS

Over the past several years representatives from governments both and internationally 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 national and international visits.

During the past year the Office was visited by the Joint Service Committee of the Armed Forces. As part of a conversation that included many local jurisdictions around the country, Chiefs of our Child Abuse / Sex Crimes and Crime Victims Bureaus met representatives of the four branches of the armed services to discuss training, victim advocacy, and procedural issues involved with the investigation and prosecution of sexual assault complaints in the military.

Last December, former Bronx ADA Sandy Baggett returned to learn how our office coordinates the work of ADAs and detectives in Investigations cases. Ms. Baggett, who departed the office in 2005, now serves as Deputy Public Prosecutor/ Deputy Senior State Counsel for the Economic Crimes and Governance Division of the Singapore Attorney General's office. She met with Investigation Bureau Chiefs Stuart Levy and William Zelenka.

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 students 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. Twenty-one mentor/mentee pairs were matched in 2013.

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 twelve precinct community councils and two Police Service Areas (PSAs) in the Bronx which meet monthly. Fourteen assistant district attorneys have volunteered to attend these meetings. These representatives ensure 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 2013 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 continues to provide a range of activities, including Cops & Kids basketball, volleyball, dance, and cultural events. It also includes a prevention component designed to reduce risk-taking behaviors.

2013 BRONX LAW DAY

On May 1, 2013, the Bronx District Attorney's Office hosted some of the top Bronx high-school students for the third 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 ask questions of 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

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Name: First Deputy Commissioner Rafael Pineiro

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Name: TERACY CATAPANO - FOX

Address: 100 CHURCH ST 10TH FL

I represent: NYC CCRB

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Name: Dep. Comm. Vincent Grippio

Address: Dep. Comm., Management & Budget

I represent: NY PD

Address: 1 Police Plaza

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Name: ELIZABETH GLAZER DIRECTOR

Address: 1 CENTRE ST, RM 1012N, NY, NY 10007

I represent: MOCJ

Address: 1 CENTRE ST, RM 1012N, NY, NY 10007

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I represent: MOCJ

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Name: JORDAN M. DYESSLER, GEN. COUNSEL

Address: 1 CENTRE ST, RM 1012N, NY, NY 10007

I represent: MOC)

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