

001/2006



ROBERT T. JOHNSON
DISTRICT ATTORNEY

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**851 GRAND CONCOURSE
BRONX, N. Y. 10451
590-2234**

— PRESS RELEASE —

Thursday, January 5, 2006

BRONX DISTRICT ATTORNEY ANNOUNCES NEW APPOINTEES

Bronx District Attorney Robert T. Johnson announced today the hiring of six new Assistant District Attorneys.

The new ADAs began a one-week training program under the supervision of Assistant District Attorney Cari E. Ferreiro, Director of Litigation Training on Tuesday, January 3, 2006. The intensive program combines courtroom observation with lectures in criminal court practice.

The following is a list of the new Assistants and their law schools:

- Emily Aldridge American University, Washington College of Law
- Jessica Bourbon New York Law School
- Michelle Johnson St. John's University School of Law
- Michele Melnick Dickinson School of Law at Pennsylvania State University
- Addisa Richards Albany Law School
- Nicholas Tuffarelli Albany Law School

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— PRESS RELEASE —

Friday, January 6, 2006

**GRAND JURY CHARGES 45 YEAR OLD MAN WITH FIRST DEGREE
MURDER, ATTEMPTED RAPE AND OTHER OFFENSES IN THE STABBING DEATH
OF A 22 YEAR OLD WOMAN ON CHRISTMAS MORNING**

Bronx District Attorney Robert T. Johnson announced today that Sheldon Becker, 45, has been indicted on murder and other charges in the fatal stabbing of Damaris Lopez, 22, and the attempted murder of her father, Hector Lopez, 62, last month on Christmas Day.

A grand jury indicted Becker on one count of Murder in the 1st degree, one count of Murder in the 2nd degree, one count of Manslaughter in the 1st degree, one count of Attempted Murder in the 2nd degree, two counts of Assault in the 2nd degree, two counts of Attempted Rape in the 1st degree, two counts of Attempted Sexual Abuse in the 1st degree, one count each of Criminal Possession of a Weapon in the 3rd and 4th degrees.

Becker, a long time friend of the murdered woman's father, is facing a maximum sentence of life imprisonment without the possibility of parole if convicted on the most serious offense, Murder in the 1st degree. He is scheduled to be arraigned on the indictment on Thursday, February 9, 2006 in State Supreme Court Part A.

The crimes occurred on December 25, 2005 at the victims' home near the Cross Bronx Expressway in the Throggs Neck section of the Bronx. Both victims were stabbed multiple times

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with a sharp metal instrument.

The case is being prosecuted by Assistant District Attorney Adam Oustatcher of the Child Abuse / Sex Offense Bureau.

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— PRESS RELEASE —

Friday, February 3, 2006

**SOUTH CAROLINA MAN FACING NINE YEARS IN PRISON FOR ILLEGAL
GUN TRAFFICKING**

Bronx District Attorney Robert T. Johnson announced today that a South Carolina man is facing a nine year prison term for illegally selling firearms to undercover detectives. Daniel Blanding, 26, of Summerton, South Carolina pled guilty to five counts of Criminal sale of a firearm in the 3rd degree and two counts of Criminal possession of a weapon in the 3rd degree. Both charges are Class D felony offenses. Blanding pled guilty during his trial following several days of testimony by one of the undercover detectives involved in the investigation.

State Supreme Court Justice David Stadtmauer set sentencing for Wednesday, March 1, 2006 in Part T-19 and has indicated that he will impose a term of nine years imprisonment.

Blanding, in pleading guilty, admitted selling eleven illegal firearms to undercover detectives on five separate occasions on January 28, 2004, April 14, 2004, April 16, 2004, May 3, 2004 and June 9, 2004. The firearms included an SKS assault rifle, HiPoint 9 MM and .380 caliber semi-automatic pistols, H&R Magnum .32 caliber revolvers and a Taurus .44 caliber revolver. All were sidewalk transactions at various locations.

Two co-defendants, who had limited involvement in the illegal gun sales were also convicted after pleading guilty to one count of Criminal sale of a firearm in the 3rd degree. South

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Carolina residents Curtis Doctor, 28, and Quincey Jackson, 21, are also scheduled to be sentenced on March 1, 2006 in Part T-19. Judge Stadtmauer has indicated that Doctor will be sentenced to 5 years probation while Jackson is to serve a six month jail term and five years of probation.

The case is being prosecuted by Senior Trial Assistant District Attorney Donald Levin and Assistant District Attorney Christopher Clark of the Investigations Division.

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— PRESS RELEASE —

Friday, February 3, 2006

**GRAND JURY INDICTS MOM AND MOM'S BOYFRIEND IN THE BEATING
DEATH OF MOM'S FOUR YEAR OLD SON**

Bronx District Attorney Robert T. Johnson announced today that a grand jury late this afternoon indicted Jose Calderon, 18, and Aleshia Smith, 26, in the beating death of Smith's four year old son Quachaun Brown.

Calderon was indicted on two counts of Murder in the 2nd degree, one count of Manslaughter in the 1st degree and one count of Endangering the Welfare of a Child. Calderon is facing a maximum sentence of 25 years to life imprisonment if convicted of either of the murder charges.

Smith was indicted on one count of Manslaughter in the 2nd degree, one count of Criminally Negligent Homicide and one count of Endangering the Welfare of a Child. Smith is facing a maximum sentence of up to 15 years imprisonment if convicted of the manslaughter charge.

It is alleged that the child died as a result of several beatings that occurred between January 27, 2006 and January 30, 2006. Calderon is accused, according to court papers, of repeatedly beating the child in the head and body "by using his fists, a belt, a plastic bat and by striking his head against a wall." The court papers allege that defendant Smith failed to obtain

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prompt medical attention for Quachaun Brown even though she observed the boy to have “multiple bruises to his head and body, to be lethargic, and to be frequently bleeding from the ear and vomiting blood” as a result of the beatings.

The case is being prosecuted by Senior Investigative Assistant District Attorney Astrid Borgstedt of the Child Abuse / Sex Offense Bureau.

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Friday, February 3, 2006

**GRAND JURY INDICTS TWO BRONX MEN IN CONNECTION WITH THE
BEATING OF AN OFF DUTY POLICE OFFICER**

Bronx District Attorney Robert T. Johnson announced today that a grand jury has initially charged two men in connection with an attack against off duty Police Officer Eric Hernandez at a fast food restaurant on Saturday, January 28, 2006.

The grand jury has indicted Edwin Rivera, 25, and Nelson Rodriguez, 25, on one count of Attempted Gang Assault in the 1st degree, a Class C felony offense punishable by a maximum sentence of up to 15 years imprisonment.

It is alleged that Rivera and Rodriguez were part of a group of six people who kicked and punched Hernandez at the fast food restaurant at 1831 Webster Avenue causing serious physical injury to the victim who remains hospitalized.

The grand jury investigation is continuing and additional charges will be considered next week against these and other defendants.

The case is being prosecuted by Senior Assistant District Attorney Nancy Borko and Assistant District Attorney John Tseng of the Gangs / Major Case Bureau.

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— PRESS RELEASE —

Tuesday, February 7, 2006

**TWO MORE SUSPECTS INDICTED IN THE BEATING OF OFF DUTY POLICE
OFFICER ERIC HERNANDEZ AT FAST FOOD RESTAURANT**

Bronx District Attorney Robert T. Johnson announced today that a grand jury has indicted two more suspects in the beating of off duty Police Officer Eric Hernandez at a fast food restaurant on Saturday, January 28, 2006.

The grand jury indicted Jonathan Ayala, 19, and Alexander Fontanez, 23, on one count of Attempted Gang Assault in the 1st degree, a Class C felony offense punishable by a maximum sentence of up to 15 years imprisonment.

Ayala and Fontanez allegedly were part of a group of six people who kicked and punched Hernandez at a White Castle Restaurant at 1831 Webster Avenue, causing him to suffer serious physical injury for which he remains hospitalized. Two other defendants, Edwin Rivera, 25, and Nelson Rodriguez, 25, were indicted last Friday on the same charge of Attempted Gang Assault in the 1st degree. The grand jury investigation is continuing and additional charges are being considered against Ayala, Fontanez, Rivera and Rodriguez, as well as charges against two other suspects, Victor Mercado, 16, and Daryl Massey, 22.

Senior Assistant District Attorney Nancy Borko and Assistant District Attorney John Tseng of the Gangs / Major Case Bureau are prosecuting the case.

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Thursday, February, 9, 2006

**RINGLEADER OF A VIOLENT NARCOTICS DISTRIBUTION RING IN THE
PATTERSON HOUSES HAS BEEN SENTENCED TO A MAXIMUM TERM OF UP TO
LIFE IMPRISONMENT**

Bronx District Attorney Robert T. Johnson announced today that Anthony Windley, 31, the alleged ring leader of a violent narcotics distribution ring in the Patterson Houses, a New York City Housing Authority development, has been sentenced to a term of up to life imprisonment.

Windley, aka "Tone" of 454 East 145th Street, was found guilty last November of two counts of Criminal possession of a controlled substance in the 3rd degree, one count of Criminal possession of a controlled substance in the 7th degree and Conspiracy in the 4th degree. State Supreme Court Justice Richard Price sentenced Windley, a discretionary persistent felony offender, and a "Bloods" associate, to a term of twenty years to life imprisonment.

Last December, State Supreme Court Justice Richard Price sentenced co-defendant Mohammed Jackson, aka "P-killla" of 2715 Third Avenue, also convicted last November, to an indeterminate term of three and a third to ten years imprisonment. Jackson was convicted of one count each, of Criminal possession of a controlled substance in the 3rd and 4th degrees, Criminal use of drug paraphernalia in the 2nd degree and Conspiracy in the 4th degree.

Seven other gang members arrested and charged with various crimes in April 2003 have

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since pled guilty and have been sentenced. Those gang members are as follows: Co-defendants Corey Stone, aka "CO", 26, of 2645 Third Avenue, Bronx, and Juan Sanchez, aka "Chelo", 25, of 281 East 143rd Street, Bronx, pled guilty to Conspiracy in the 4th degree. Stone was sentenced to an indeterminate term of 1 1/3 to 3 years imprisonment. Sanchez was sentenced to an indeterminate term of 2 to 4 years imprisonment. Jose Acevedo, aka "Stalloff", 20, of 360 Morris Avenue, Bronx, pled guilty to Attempted criminal possession of a controlled substance in the 3rd degree. Acevedo was sentenced to a determinate term of 1 year in jail. Richard Cruz, aka "Goose", 22, of 2715 Third Avenue, Bronx, pled guilty to Conspiracy in the 2nd degree, and was sentenced to an indeterminate term of 1 to 3 years imprisonment. Eric King, 21, of 281 East 143rd Street, Bronx, pled guilty to Criminal Possession of a Weapon in the 2nd degree. King was sentenced to a determinate term of 1 year in jail. Richard Perez, aka "Bone Thugs", 22, of 315 East 143rd Street, Bronx, pled guilty to one count of Criminal sale of a controlled substance in the 4th degree. Perez was sentenced to a term of 5 years probation. Brandy York, 30, of New Jersey, pled guilty to Attempted criminal possession of a controlled substance in the 3rd degree. York was sentenced to a term of 3 to 6 years imprisonment.

These convictions were the result of a nine month investigation that included the use of court authorized wire taps, other electronic surveillance techniques and analysis of records from several telephone companies, a utility company and the New York State Department of Motor Vehicles. This investigation was the first by the Bronx District Attorney's Gang Prosecution Bureau which was formed in 2003.

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During the Course of the lengthy investigation, authorities recovered 1,155 vials of crack, a one and a half ounce rock of crack, 527 bags of marijuana, \$4,025 in cash and five guns, including two .45 caliber semi-automatic pistols, one .380 caliber semi-automatic pistol, one .40 caliber pistol and one .38 caliber revolver. Fifty three rounds of ammunition and a bullet proof vest as well as scales and other drug paraphernalia were also recovered.

These cases were prosecuted by Assistant District Attorneys Jeremy Shockett, Supervisor, and Joshua Gradinger of the Gangs Prosecutions / Major Case Bureau.

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— PRESS RELEASE —

Friday, February 10, 2006

**JURY CONVICTS BRONX MAN OF MANSLAUGHTER IN THE FATAL
BEATING DEATH OF A THIRTY SEVEN YEAR OLD MAN**

Bronx District Attorney Robert T. Johnson announced today that a 19 year-old Bronx man has been convicted of manslaughter in the fatal beating of a thirty seven year old man.

Jacob Reyes, of 1069 Grand Avenue, was found guilty of one count of Manslaughter in the 1st degree for killing Washington "Daniel" Rojas in July 2003. State Supreme Court Justice Martin Marcus set sentencing for Thursday, March 2, 2006 in Part T13. Reyes, a predicate felony offender, is facing a maximum term of fifteen years to life imprisonment.

Co-defendants Luis Pinales, 22, of 595 Trinity Avenue, the Bronx, and Rafael Quezada, 24, of 1645 Grand Avenue, the Bronx, are currently awaiting trial. Each defendant has been charged with one count of Murder in the 2nd degree, and Manslaughter in the 1st degree. If convicted of the most serious charge of murder, Pinales and Quezada each face a maximum term of twenty five year's to life imprisonment.

The deadly incident, according to testimony, began just after midnight on July 9, 2003, when an eyewitness observed Reyes, allegedly with Pinales and Quezada, and three other unapprehended individuals, pull Rojas out of his building at 1667 Grand Avenue, into the court

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yard of 1667-1669 Grand Avenue by his feet. The eyewitness further testified that the defendants were seen punching, kicking, and banging the victim's head on the pavement. The beating continued as the defendants dragged Rojas out of the courtyard and onto Grand Avenue and 174th Street. Witness testimony stated that upon hearing the sirens approaching, the defendants ran away leaving Rojas mortally wounded. The defendants were apprehended on July 13, 2003, following a positive identification by the eyewitness.

These cases are being prosecuted by Assistant District Attorney's Suzanne Mc Elwreath and Adam Sheldon of the Trial Division.

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— PRESS RELEASE —

Friday, February 17, 2006

**DISTRICT ATTORNEY JOHNSON ANNOUNCES PROMOTIONS AND
APPOINTMENTS INVOLVING HIS EXECUTIVE STAFF AND COMMUNITY
AFFAIRS UNIT**

Bronx District Attorney Robert T. Johnson announced today the appointment of Assistant District Attorney Maria T. Rivero to his Executive Staff. Ms. Rivero will serve as Administrative Assistant District Attorney. Prior to her promotion, Ms. Rivero was Director of Legal Recruitment, a position that she had held since July 1998. Mr. Johnson said that Ms. Rivero “ will retain overall responsibility for the process of recruiting the best new legal talent available to serve the people of Bronx County” in addition to assuming several other executive level administrative duties. Ms Rivero was appointed a Bronx Assistant District Attorney in September 1991.

L. Christopher Standora has been appointed Chief Financial Officer. Prior to being hired by Mr. Johnson, Standora worked for the New York State Unified Court System where he was Assistant Budget Director for New York City Courts, a post that he held since November 2000. Before that, Standora served for nearly four years as an Assistant to the Administrative Judge of New York City Criminal Court.

Lisa Payne Wansley has been named Administrative Chief. This promotion follows Ms.

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Wansley's elevation to the Executive Staff in August 2005 when she was appointed Deputy Administrative Chief. Her responsibilities include oversight of Office Operations, Community Affairs, and Human Resources in matters involving approximately 400 support staff personnel. Ms. Wansley has worked for the Bronx District Attorney's Office since May 1995 when she was appointed Director of Community Affairs.

Barbara Robles- Gonzalez, has been appointed Director of Community Affairs. She had been Acting Director since last August and prior to that Deputy Director since September 2002. Ms. Robles Gonzalez joined the Office in March 1999 when she was hired as Coordinator of Soundview /Bruckner/Castle Hill Weed and Seed, a federally funded crime prevention program jointly sponsored by the Bronx District Attorney's Office and the Office of the United States Attorney for the Southern District.

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— PRESS RELEASE —

Thursday, February 23, 2006

**BRONX MAN IS SENTENCED TO A TERM OF UP TO TWENTY-YEARS
IMPRISONMENT FOR SELLING DRUGS NEAR A SCHOOL**

Bronx District Attorney Robert T. Johnson announced today that a 23 year-old Bronx man has been sentenced to a term of up to twenty years imprisonment for selling drugs near a school in 2003.

Jose Santana, of 1408 Webster Avenue, was convicted last December of five counts of Criminal sale of a controlled substance in or near school grounds. State Supreme Court Justice Margaret Clancy sentenced Santana, a predicate felon, to an indeterminate term of ten to twenty years imprisonment.

This conviction and sentence, is the result of a seven month joint investigation called "Operation Good Neighbor" from May to October 2003, with the NYPD's Bronx Narcotics Division. Twenty three drug dealers, including members of four independent "drug crews" operating within the 46th Precinct were arrested. All except two of the defendants were affiliated with organizations identified as The 7-Up crew, The East 176th Street Crew, The 247 Mount Hope Place Crew, and The Mount Hope / Monroe Avenue Crew. All of those arrested have now been convicted. An additional subject is currently in federal custody.

The defendant was convicted of five separate one-hundred dollar sales of crack cocaine

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to the same undercover officer between June and October 2003.

This case was prosecuted by Assistant District Attorney Thomas Kapp of the Narcotics Bureau.

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— PRESS RELEASE —

Friday, March 2, 2006

BRONX DISTRICT ATTORNEY ANNOUNCES NEW APPOINTEES

Bronx District Attorney Robert T. Johnson announced today the hiring of three new Assistant District Attorneys. One of the new ADAs, David Scott Porter, is a recent law school graduate of George Mason University School of Law, and two, Richard P. Lawson and Jean Soo Park, are experienced attorneys.

ADA Lawson, a graduate of Florida State University College of Law, was a prosecutor for nearly seven years at the State Attorney's Office, 13th Judicial Circuit, in Tampa, Florida. ADA Park, a graduate of Brooklyn Law School, was a law clerk for one year for a Magistrate Judge in U.S. District Court for the District of Columbia, and for two years for a Magistrate Judge in U.S. District Court for the Eastern District of New York.

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— PRESS RELEASE —

Friday, March 3, 2006

**MANHATTAN MAN IS SENTENCED TO A TERM OF UP TO
LIFE IMPRISONMENT FOR THE MURDER OF A BRONX MAN**

Bronx District Attorney Robert T. Johnson announced today that a 27 year-old Manhattan man has been convicted of murder in the shooting death of 34 year-old Sean Riley, in December 2003.

Last January a jury found Latee Robinson, aka "Tee", a parolee, of 65 West 112th Street, guilty of Murder in the 2nd degree. Acting State Supreme Court Justice Robert Torres stated "that in all his year's of dealing with homicide cases, he has never seen such a cold killing as this", and sentenced Robinson to a term of twenty five years to life imprisonment.

The circumstances that led to this fatal shooting began Sunday morning, December 7, 2003, when Robinson, a guest of the victim's aunt, overstayed his welcome. According to testimony, when Riley realized that Robinson was still present, he grew angry and told the defendant that this is not a shelter, and told Robinson that he had to leave.

Robinson left and returned the next day, looking for Riley. When the victim returned home and saw Robinson sitting in the kitchen, he approached the defendant. Robinson shot him directly in the left cheek. Witnesses stated that Robinson calmly walked out of the house. He was apprehended the following day without incident.

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Assistant District Attorney Cleopatra L. Takantzas of the Trial Division prosecuted this case.

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— PRESS RELEASE —

Tuesday, March 7, 2006

**FORMER NYPD DETECTIVE FACING TEN YEARS IMPRISONMENT FOR
SEXUALLY ASSAULTING HIS TWO YOUNG NIECES**

Bronx District Attorney Robert T. Johnson announced today that a former New York City Police Detective, Brian Tuitt, has been convicted of sexually assaulting two young girls. The victims were the 7 and 12 year old nieces of Tuitt's ex-wife.

Tuitt, 39, of Pine Island, New York in Orange County, pled guilty to one count of Course of Sexual Conduct Against a Child in the 1st degree for his conduct involving the 12 year old victim, and one count of Course of Sexual Conduct Against a Child in the 2nd degree in connection with the charge involving the 7 year old girl.

State Supreme Court Justice John Moore set sentencing for Wednesday, March 22, 2006 in Part 70. Under terms of the plea agreement, Tuitt will be sentenced to ten years imprisonment for assaulting the older girl and concurrent term of seven years imprisonment for his crime against her younger sister.

In pleading guilty to the top count in the indictment, Tuitt admitted that he "engaged in two or more acts of sexual conduct, including at least one act of sexual intercourse, oral sexual conduct, anal conduct or aggravated sexual conduct" with the victim who was "less than 13 years old." Tuitt admitted that his criminal conduct occurred between November 17, 2002 and

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January 31, 2005. Tuitt's admission involving the seven year old victim covered the period between June 1, 2004 and January 15, 2005 when he engaged in "two or more acts of sexual conduct."

The crimes against the children occurred at Tuitt's ex-wife's apartment in the Bronx where, occasionally, he would spend the night after work rather than drive to his home in Orange County. Tuitt had been a New York City Police Officer for more than eighteen years when he resigned after being arrested in January 2004.

Tuitt has pled guilty to similar charges involving six other victims, all of them young girls, in Westchester and Orange Counties. He is awaiting sentencing in both jurisdictions.

The Bronx case against Tuitt is being prosecuted by Assistant District Attorney Julia Chariott.

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— PRESS RELEASE —

Tuesday, March 14, 2006

**BRONX MAN FOUND GUILTY OF MURDER IN THE BEATING DEATH OF
HIS GIRLFRIEND**

Bronx District Attorney Robert T. Johnson announced today that Cecil Jacob, 59, has been convicted of murdering his 37 year old girlfriend during a heated argument in April 2004. The jury deliberated for three and a half hours before finding Jacob guilty on one count of Murder in the 2nd degree in the death of Waheeda Khan.

Acting State Supreme Court Justice Judith Lieb set sentencing for Thursday, March 30, 2006 in Part 26. Jacob is facing a maximum term of 25 years to life imprisonment.

Khan was bludgeoned to death in the apartment in the Castle Hill section of the Bronx that she had shared with the defendant and her two sons, ages 19 and 15. The murder occurred on April 27, 2004. Khan began arguing with the defendant because he had sent her 19 year old son to the store at approximately 2:00 a.m. to buy fried chicken. As the argument over the boy's safety escalated, Jacob became enraged and began striking Khan's face and head repeatedly. The Medical Examiner determined that the deceased died as a result of blunt force trauma. The murdered woman's son discovered the body lying in a pool of blood at the foot of her bed when he returned home from the store. The 19 year old boy alerted his younger brother who was

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asleep in another bedroom and then called 911. Jacob, who had fled after committing the murder, surrendered two days later.

Senior Trial Assistant District Attorney Bruce Birns is prosecuting the case.

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— PRESS RELEASE —

Wednesday, March 15, 2006

**GRAND JURY INDICTS BRONX MAN ON CHARGES OF POSSESSION OF
STOLEN PROPERTY TOTALING NEARLY \$29,000**

Bronx District Attorney Robert T. Johnson announced today that a 49 year-old Bronx man has been indicted on charges of allegedly possessing stolen property taken from at least six homes in the affluent Fieldston section of Riverdale, and one home in the Pelham Manor section of lower Westchester County.

The grand jury charged Darrell Lee, of 4135 Barnes Avenue, with two counts of Criminal possession of stolen property in the 3rd degree, three counts of Criminal possession of stolen property in the 4th degree and two counts of Criminal possession of stolen property in the 5th degree. If convicted of the most serious charge, criminal possession of stolen property in the 3rd degree, a "D" felony, Lee would be facing a maximum term of up to 7 years imprisonment on each count.

The defendant is being held by the Westchester County Department of Corrections on charges of burglary in the 2nd degree. In that case, the defendant has been remanded. Lee is scheduled to appear in Bronx Supreme court on Monday, April 24, 2006 in Part 20, for pre-trial motions.

It is alleged that Lee is responsible for a three month long crime spree that began in

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August 2005 and ended in November 2005, when he was caught burglarizing a home in Westchester County. After officials in Westchester County executed a search warrant at the defendant's home, the matter was referred to Detective Chris Boerke, of the 50th Precinct, who contacted the Bronx District Attorney's office.

A search warrant was subsequently issued by a Bronx County judge on November 23, 2005. Investigators recovered property totaling approximately \$28,400 that belonged to several victims. Six victims from the Bronx identified some of their possessions and one victim from Pelham Manor, identified his/her property.

Mr. Johnson thanked the members of Pelham Manor Police Department in Westchester County and New York City Police Department, for their help with this case.

Assistant District Attorney Felicity Lung of the Trial Bureau is prosecuting this case.

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Thursday, January 5, 2006

BRONX DISTRICT ATTORNEY ANNOUNCES NEW APPOINTEES

Bronx District Attorney Robert T. Johnson announced today the hiring of six new Assistant District Attorneys.

The new ADAs began a one-week training program under the supervision of Assistant District Attorney Cari E. Ferreiro, Director of Litigation Training on Tuesday, January 3, 2006. The intensive program combines courtroom observation with lectures in criminal court practice.

The following is a list of the new Assistants and their law schools:

- Emily Aldridge American University, Washington College of Law
- Jessica Bourbon New York Law School
- Michelle Johnson St. John's University School of Law
- Michele Melnick Dickinson School of Law at Pennsylvania State University
- Addisa Richards Albany Law School
- Nicholas Tuffarelli Albany Law School

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Friday, January 6, 2006

**GRAND JURY CHARGES 45 YEAR OLD MAN WITH FIRST DEGREE
MURDER, ATTEMPTED RAPE AND OTHER OFFENSES IN THE STABBING DEATH
OF A 22 YEAR OLD WOMAN ON CHRISTMAS MORNING**

Bronx District Attorney Robert T. Johnson announced today that Sheldon Becker, 45, has been indicted on murder and other charges in the fatal stabbing of Damaris Lopez, 22, and the attempted murder of her father, Hector Lopez, 62, last month on Christmas Day.

A grand jury indicted Becker on one count of Murder in the 1st degree, one count of Murder in the 2nd degree, one count of Manslaughter in the 1st degree, one count of Attempted Murder in the 2nd degree, two counts of Assault in the 2nd degree, two counts of Attempted Rape in the 1st degree, two counts of Attempted Sexual Abuse in the 1st degree, one count each of Criminal Possession of a Weapon in the 3rd and 4th degrees.

Becker, a long time friend of the murdered woman's father, is facing a maximum sentence of life imprisonment without the possibility of parole if convicted on the most serious offense, Murder in the 1st degree. He is scheduled to be arraigned on the indictment on Thursday, February 9, 2006 in State Supreme Court Part A.

The crimes occurred on December 25, 2005 at the victims' home near the Cross Bronx Expressway in the Throggs Neck section of the Bronx. Both victims were stabbed multiple times

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— PRESS RELEASE —

Wednesday, March 22, 2006

**FORMER NYPD DETECTIVE HAS BEEN SENTENCED TO TEN YEARS
IMPRISONMENT FOR SEXUALLY ASSAULTING HIS TWO YOUNG NIECES**

Bronx District Attorney Robert T. Johnson announced today that former New York City Police Detective Brian Tuitt, has been sentenced to a term of ten years imprisonment for sexually assaulting the 7 and 12 year old nieces of his ex-wife.

Tuitt, 39, of Pine Island, New York in Orange County, pled guilty earlier this month, to one count of Course of sexual conduct against a child in the 1st degree, for his conduct involving the 12 year-old victim, and one count of Course of sexual conduct against a child in the 2nd degree in connection with the charge involving the 7 year-old girl.

State Supreme Court Justice John Moore sentenced Tuitt to a term of ten years imprisonment for assaulting the older girl and a concurrent term of seven years imprisonment for his crime against her younger sister.

In pleading guilty to the top count in the indictment, Tuitt admitted that he "engaged in two or more acts of sexual conduct, including at least one act of sexual intercourse, oral sexual conduct, anal conduct or aggravated sexual conduct" with the victim who was "less than 13 years old." Tuitt admitted that his criminal conduct occurred between November 17, 2002 and January 31, 2005. Tuitt's admission involving the seven year old victim covered the period between June

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1, 2004 and January 15, 2005 when he engaged in "two or more acts of sexual conduct."

The crimes against the children occurred at Tuitt's ex-wife's apartment in the Bronx where, occasionally, he would spend the night after work rather than drive to his home in Orange County. Tuitt had been a New York City Police Officer for more than eighteen years when he resigned after being arrested in January 2004.

Tuitt has pled guilty to similar charges involving six other victims, all of them young girls, in Westchester and Orange Counties. He is awaiting sentencing in both jurisdictions.

This case was prosecuted by Assistant District Attorney Julia Chariott.

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— PRESS RELEASE —

Wednesday, March 22, 2006

**BRONX MAN CONVICTED OF THE ATTEMPTED MURDERS OF THREE
INNOCENT BYSTANDERS IN GANG RELATED SHOOTINGS**

Bronx District Attorney Robert T. Johnson announced today that a Bronx man has been convicted of the attempted murders of three innocent bystanders in a shooting incident that he initiated in order to settle a dispute with members of a rival gang.

Joao Delesline (aka 1220), 26, was found guilty on three counts of Attempted Murder in the 2nd degree in connection with the shootings which occurred on February 10, 2004 in front of 610 Castle Hill Avenue. All three victims were innocent bystanders who were mistakenly believed to be "Bloods" gang members. Delesline, a "Crypts" gang member, was convicted of "acting in concert" with three accomplices in attempting to kill the bystanders who were 16, 17 and 21 years old when the incident occurred.

State Supreme Court Justice David Stadtmauer set sentencing for Monday, April 3, 2006 in Part T-19. Delesline is facing up to 75 years imprisonment if the judge imposes consecutive sentences of 25 years in state prison for each victim.

Witnesses testified that the defendant, armed with a .32 caliber handgun, confronted his intended target in front of a Laundromat at 610 Castle Hill Avenue, placed a gun to his head and pulled the trigger. The weapon jammed, however, and failed to discharge. Meanwhile, one of

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Delesline's accomplices chased and shot the innocent bystanders who tried to run to safety. One victim was shot twice in the back and was left paralyzed from the waist down. Another was shot once in the back of his heel which required reconstructive surgery. The third victim was shot once in the back, twice in the legs and has recovered from the injuries. Police arrested Delesline a short time later when they spotted him leaving an apartment house at 2280 Randall Avenue, where the assailants had fled following the shootings. Delesline was the only one apprehended.

The case is being prosecuted by Assistant District Attorneys Lawrence Piergrossi and April Cohen.

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— PRESS RELEASE —

Monday, March 27, 2006

**JURY DELIBERATES FOR ONE HOUR BEFORE CONVICTING BRONX MAN
OF MURDER DURING A FOUR DAY "CRACK" BINGE; DEFENDANT CAPTURED
ON VIDEO TAPE REMOVING BODY OF DECEASED FROM HIS APARTMENT**

Bronx District Attorney Robert T. Johnson announced today the murder conviction of career criminal who was captured on video tape removing the body of the deceased from an apartment that he had moved into for a short term stay at 401 East 187th Street.

Gregory Taylor, 49, of 732 East 152nd St., the Bronx, was found guilty of Murder in the 2nd degree in the death of Ana Almono Fowler, 41, on May 6, 2004. The cause of death, according to the Medical Examiner, was blunt force impact to the head and compression of the chest and neck. The jury deliberated for about an hour before finding Taylor guilty.

State Supreme Court Justice Michael Gross set sentencing for Monday, April 17, 2006 in Part T-11. Taylor has three prior felony convictions for assault, robbery and witness intimidation, and is facing a maximum sentence of 25 years to life imprisonment.

The crime occurred at a temporary housing facility for clients with HIV. During the trial the jurors viewed a security system video tape of Taylor leaving his apartment with the body of the deceased slumped over his shoulder. Other evidence included the defendant's own admissions that he had been on a four day "crack" binge when he met the victim on a staircase in

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the residence and negotiated a deal to have sex with her in exchange for drugs and money. The woman's body was found on the roof five days later on May 11, 2004 during a routine inspection by the New York City Fire Department. .

The case is being prosecuted by Senior Trial Assistant District Attorney Allen Karen and Assistant District Attorney Marisa Capra.

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Tuesday, March 28, 2006

**GRAND JURY INDICTS ONE INMATE AND TWO NEW YORK CITY
CORRECTION OFFICERS IN CONNECTION WITH TWO SEPARATE ASSAULTS
AND AN ATTEMPTED COVER UP AT A CORRECTIONAL FACILITY ON RIKERS
ISLAND**

Bronx District Attorney Robert T. Johnson announced today that a grand jury has handed up indictments against an inmate on Rikers Island and two New York City Correction Officers in connection with two separate assaults and an attempted cover up at the Anna M. Kross Center last October. The charges stem from a disturbance on October 5, 2005 and are the result of a continuing joint investigation by the Bronx District Attorney's Office and the New York City Department of Investigation.

Kenneth Robinson, 27, of Halleck St., the Bronx, has been indicted on one count of Aggravated assault upon a peace officer, a Class B felony offense punishable by a maximum sentence of up to 25 years in prison. Robinson is accused of slashing Correction Officer Alan Gold across the cheek and jaw with a sharpened piece of metal. The incident occurred on October 5, 2005 in the bathroom of a housing unit at the Anna M. Kross Center. Robinson is scheduled to be arraigned on this indictment on Tuesday, April 11, 2006 in State Supreme Court Part A. Robinson is currently incarcerated at a New York State Correctional Facility for an unrelated offense.

The grand jury also voted to indict Correction Officers Nicholas Zito, 33, of Staten

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Island and Joseph Collins, 42, of Flatbush, Brooklyn, on one count each of Official misconduct, a Class A Misdemeanor offense punishable by a maximum sentence of up to one year in jail. Collins also has been charged with two other misdemeanor offenses, Assault in the 3rd degree, and Falsifying business records in the 2nd degree as well as two Class E felony offenses; Offering a false instrument for filing in the 1st degree, and Falsifying business records in the 1st degree. Collins is facing a maximum sentence of up to 4 years imprisonment if convicted of the more serious felony offenses.

It is alleged that during the response to the initial attack on Correction Officer Gold, Collins, without provocation, punched an inmate who was not involved in the slashing incident. Collins allegedly filed a "Use of Force Report" which included a written statement that the inmate had threatened him physically. Investigators found that videotaped surveillance of the unit failed to substantiate the report filed by Collins. The sole charge of Official misconduct that was filed against Correction Officer Nicholas Zito stems from his alleged act of turning off a Digital Video Recorder and surveillance camera during the disturbance.

A third officer, Captain Anastasia Henderson, 36, of Rockaway Beach, Queens, was charged earlier this year in connection with this incident. Henderson is facing a maximum sentence of up to one year in jail if convicted of Falsifying business records in the 2nd degree. It is alleged that Henderson's report on the disturbance made no mention of the punching incident even though she witnessed it while standing next to Collins when he threw the punch.

The case is being prosecuted by Assistant District Attorney Rachel Singer of the Investigations Division's Rackets Bureau.

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— PRESS RELEASE —

Wednesday, March 29, 2006

**GRAND JURY FILES FIVE COUNT INDICTMENT ON CHARGES OF
MANSLAUGHTER AND OTHER OFFENSES IN CONNECTION WITH THE DEATHS
OF TWO NYC FIREFIGHTERS AND INJURIES SUSTAINED BY FOUR OTHERS**

Bronx District Attorney Robert T. Johnson announced today that an indictment was unsealed charging three individuals and a corporation with manslaughter and reckless endangerment, in connection with a blaze in which two firefighters were killed and four others were injured on January 23, 2005. The indictment is the result of a 14 month long joint investigation by the Bronx District Attorney's Office, The New York City Department of Investigation and the New York City Fire Department.

The deaths and injuries were the result of firefighters becoming trapped because of the illegal subdivision of apartments in the building at 236 East 178th Street in the Tremont section of the Bronx. Partition walls that were built in order to create additional bedrooms blocked access to a fire escape, thereby forcing the firefighters to jump from a fourth floor window in order to avoid being burned.

Rafael Castillo, 55, has been indicted on two counts of Manslaughter in the 2nd degree, two counts of Criminally Negligent Homicide, and one count of Reckless Endangerment in the 2nd degree. The most serious offense, Manslaughter in the 2nd degree is a Class C felony offense

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punishable by up to 15 years imprisonment. Criminally Negligent Homicide is a Class E felony offense punishable by up to 4 years imprisonment. Reckless Endangerment in the 2nd degree is a Class A misdemeanor punishable by up to 1 year in jail. The corporation, if found guilty, could be fined as much as \$15,000. Two other individuals named in the indictment, including the building's former owner and the indicted corporation that currently owns the property, will be arraigned at a later time.

District Attorney Johnson said: "It is unconscionable that human life could be sacrificed and destroyed because of hazardous conditions created solely because of someone's hunger for bigger profits. Firefighters risk their lives daily to serve and protect all of us; For them to perish, allegedly at the hands of people with such reckless disregard for human life, is particularly tragic."

Department of Investigations Commissioner Rose Gill Hearn said: "The City of New York suffered a great loss as a result of the fire in the Bronx on January 23, 2005. These defendants' reckless actions created dangerous conditions within this residence where Lt. John Bellew and Lt. Curtis Meyran jumped to their deaths. DOI is pleased to hear of today's indictments and believes justice will be served. DOI thanks District Attorney Johnson for bringing this case which is so important to the families of the victims and to the City."

Fire Commissioner Nicholas Scoppetta said: "Firefighting is an extremely dangerous profession, and it is made all-the-more dangerous when living spaces are illegally carved up by individuals who are motivated by greed. This activity poses a threat not only to our firefighters,

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but to the individuals living in these unsafe conditions. This indictment sends a strong message to property owners and tenants that we will not tolerate this illegal practice. I want to thank Bronx District Attorney Robert Johnson, DOI Commissioner Rose Gill Hearn and our Chief Fire Marshal Louis Garcia for working together cooperatively and effectively in bringing this indictment.”

The top counts in the indictment alleges that Castillo and the other defendants “recklessly caused the deaths of Lt. John Bellew and Lt. Curtis Meyran by creating and allowing dangerous conditions at 236 East 178th Street, which resulted in a fire.” The indictment also alleges that the defendants had acted “with criminal negligence” in causing the deaths of the two firefighters, and “recklessly engaged in conduct which created a substantial risk of serious physical injury” to firefighters and residents of an occupied building. Castillo was the lease holder of the third floor apartment where the fire started before spreading to the fourth floor apartment directly above; Both were three bedroom apartments that were illegally subdivided into five bedrooms with locks on each bedroom door. The fire was determined to have originated in Castillo’s third floor apartment in a failed electrical extension cord which overheated and caused a short in an outlet which in turn set a bed on fire. Firefighters were in an identically subdivided apartment on the fourth floor searching for any occupants who may still have been on the premises, when the blaze spread and trapped them.

In addition to the deaths of Lt. Meyran and Lt. Bellew, the crimes alleged caused injuries to Lt. Joseph DiBernardo and Jeffrey Cool, of Rescue Company 3, and Eugene Stolowski and,

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Brendan Cawley, of Ladder Company 27, The injuries to DiBernardo, Cool and Stolowski were massive, requiring dozens of surgeries and ongoing medical treatment.

District Attorney Johnson and Commissioners Hearn and Scoppetta thanked members of their staffs, as well as federal ATF personnel, for the dedication and hard work that led to this indictment following a 14 month long joint investigation: DOI Deputy Inspector General Joseph Ferraro and Special Investigator John DelValle; FDNY Chief Fire Marshal Louis Garcia, Supervising Fire Marshal John David Lynn and Fire Marshal Lawrence Pliska; Assistant Special Agent in Charge, Delano Reid, U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms, & Explosives, Assistant District Attorney Stephen Bookin, Chief of the Investigations Division, Assistant District Attorney Richard Baker, Chief of the Arson /Auto/ Economic Crimes Bureau, Senior Trial Assistant District Attorney Jeffrey Glucksman and Senior Trial Assistant District Attorney Miriam Bell-Blair.

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— PRESS RELEASE —

Thursday, March 30, 2006

**JURY CONVICTS TWO BRONX MEN OF MANSLAUGHTER IN THE FATAL
BEATING DEATH OF A THIRTY SEVEN YEAR OLD MAN**

Bronx District Attorney Robert T. Johnson announced today that Luis Pinales 22, and Rafael Quezada, 24, of the Bronx, have been convicted of manslaughter in the fatal beating of a thirty seven year old man.

A jury found Pinales, of 595 Trinity Avenue, and Quezada, of 1645 Grand Avenue, guilty of one count of Manslaughter in the 1st degree in the death of Washington "Daniel" Rojas in July 2003. Acting State Supreme Court Justice Seth Marvin set sentencing for Thursday, April 13, 2006 in Part T27. Pinales and Quezada each face a maximum term of up to twenty five years imprisonment.

A third defendant, Jacob Reyes, a predicate felon, was found guilty of Manslaughter in the 1st degree last February. Reyes is facing a maximum term of up to twenty five years imprisonment when he appears for sentencing before State Supreme Court Justice Martin Marcus on Monday, April 3, 2006 in Part T13.

The deadly incident, according to testimony, began just after midnight on July 9, 2003, when an eyewitness observed Pinales, Quezada and Reyes, along with three other

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unapprehended individuals, drag Rojas out of his building by his feet and into the court yard of 1667 Grand Avenue. The eyewitness further testified that the defendants punched, kicked, and banged the victim's head on the pavement. The beating continued as the defendants then dragged Rojas out of the courtyard and onto Grand Avenue and 174th Street. The assailants fled shortly before police arrived and were arrested four days later on July 13, 2003.

These cases are being prosecuted by Assistant District Attorney's Suzanne Mc Elwreath and Daniel Solinsky of the Trial Division.

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— PRESS RELEASE —

Monday, April 3, 2006

**BRONX MAN ARRAIGNED ON INDICTMENT IN GANG ATTACK OF OFF
DUTY POLICE OFFICER AT A WHITE CASTLE RESTAURANT**

Bronx District Attorney Robert T. Johnson announced today that an indictment was unsealed regarding the beating of off duty Police Officer Eric Hernandez.

A grand jury charged Edwin Rivera and five other people with one count of Gang Assault in the 1st degree, a Class B felony offense; one count of Assault in the 1st degree, a Class B felony offense; and one count of Attempted Gang Assault in the 1st degree, a Class C felony offense. If convicted of the most serious offenses, Rivera could be sentenced to a maximum term of up to 25 years imprisonment.

Rivera, 25, of 1295 Spofford Avenue, the Bronx, was arraigned on the indictment in State Supreme Court, Part A before Justice John Byrne. Rivera is being held on \$50,000 bail and is scheduled to return to court on Friday, May 5, 2006 in Part 60.

The indictment alleges that Rivera, "with intent to cause serious physical injury to Eric Hernandez and being aided by two or more other persons actually present, caused serious physical injury to Eric Hernandez." Rivera also is charged with intentionally causing serious physical injury to Hernandez "by means of a deadly weapon or dangerous instrument that being footwear." The defendant allegedly was part of a group of six people who kicked and punched

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the off duty officer at a White Castle restaurant at 1831 Webster Avenue early Saturday morning on January 28, 2006.

Hernandez left the restaurant after the beating and drew his off duty revolver while confronting a bystander whom he mistakenly believed to be one of the people who had attacked him. Officers responding to the scene observed Hernandez, who was wearing civilian clothes, holding a gun and ordered him to drop the weapon. Hernandez was shot when he failed to comply. He died as a result of the gunshot wounds according to the Medical Examiner.

District Attorney Johnson said: "While the people who allegedly beat and kicked Officer Hernandez may be morally responsible for his death, as a matter of law, they cannot be held criminally liable for this tragic loss of life."

Five other defendants named in the indictment are expected to be arraigned within the next few weeks.

The case is being prosecuted by Senior Trial Assistant District Attorney Nancy Borko and Assistant District Attorney John Tseng of the Major Case / Gang Prosecution Unit.

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Wednesday, April 5, 2006

**BRONX MAN IS SENTENCED TO A TERM OF TWENTY-FIVE YEARS
IMPRISONMENT FOR THE MISTAKEN ATTEMPTED MURDERS OF THREE
INNOCENT VICTIMS IN A GANG-RELATED SHOOTING**

Bronx District Attorney Robert T. Johnson announced today that Jomo Delesline, 26, a “Cripps” gang member, has been sentenced to a term twenty-five years imprisonment for the attempted murders of three innocent victims in a shooting incident that he initiated in order to settle a dispute with members of a rival gang in February 2004.

Last month Delesline, of 281 East 143rd Street, the Bronx, was found guilty by a jury of three counts of Attempted Murder in the 2nd degree in connection with the shootings, which occurred on February 10, 2004, in front of 610 Castle Hill Avenue. All three victims were innocent bystanders who were mistakenly believed to be “Bloods” gang members. They were 16, 17 and 21 years old when the incident occurred. Delesline was convicted of “acting in concert” with three accomplices.

State Supreme Court Justice David Stadtmauer sentenced Delesline to three concurrent terms of twenty-five years imprisonment for each count of attempted murder, meaning the defendant must serve a minimum of twenty-one years imprisonment before being considered for parole. Delesline must also serve five years post-release supervision. The People had asked for a term of sixty-five years imprisonment.

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During the trial, witnesses testified that the defendant, armed with a .32 caliber handgun, confronted his intended target in front of a laundromat at 610 Castle Hill Avenue, placed a gun to his head and pulled the trigger. The weapon, however, jammed and failed to discharge. Meanwhile, one of Delesline's accomplices chased and shot the innocent bystanders, who had attempted to run to safety. One victim was shot twice in the back and was left paralyzed from the waist down. Another was shot once in the back of his heel, and the third victim was shot once in the back, twice in the legs. Police arrested Delesline a short time later when they spotted him leaving an apartment house at 2280 Randall Avenue, where the assailants had fled following the shootings. Delesline was the only one apprehended.

This case was prosecuted by Assistant District Attorneys Lawrence Piergrossi and April Cohen.

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— PRESS RELEASE —

Thursday, April 6, 2006

**LIFE SENTENCE FOR CONVICTED BURGLAR FOLLOWING TEN MONTH
HEARING ON DEFENDANT'S ELIGIBILITY FOR PRISON TERM AS A
PERSISTENT FELONY OFFENDER**

Bronx District Attorney Robert T. Johnson announced today that a career criminal was sentenced to a term of up to life imprisonment following a lengthy pre-sentencing hearing that began last summer when defendant Scott Ortiz was convicted of burglary on June 29, 2005.

State Supreme Court Justice Richard Lee Price sentenced Ortiz, 45, to serve 15 years to life imprisonment after ruling on the exhaustive ten month hearing to determine the defendant's eligibility to be treated as a 'persistent felony offender'.

Ortiz was found guilty of Burglary in the 3rd degree, a Class D felony offense punishable by a maximum term of 3 and a third to 7 years imprisonment for non predicate offenders. However, at the time that Mr. Ortiz was convicted he had already compiled a criminal record spanning 25 years, which included four prior felony convictions, more than a dozen misdemeanor convictions and two parole violations.

The law governing a judge's discretion to sentence a person as a 'persistent felony offender' requires that the People prove, by a 'preponderance of the evidence', that a defendant merits such adjudication, as a result of 'matters pertaining to his history and character'. In this

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case, however, the judge exceeded the legislature's intent by imposing a higher burden of 'proof beyond a reasonable doubt' which stretched out the pre-sentencing hearing unnecessarily.

District Attorney Johnson said: "We should not have had to fight so hard in order to protect the community from Mr. Ortiz who was found guilty, by a jury, ten months ago.

Unfortunately, the court inappropriately tried to raise the bar on the standard of proof, set forth by the legislature, that has to be met in order to obtain enhanced sentencing for a career criminal.

Given Mr. Ortiz' lengthy criminal history, a sentence of life imprisonment is well deserved."

This most recent crime for which Ortiz was convicted occurred on August 2, 2004 when Michael Awuah returned home to his Tudor Place apartment to find Ortiz and an unidentified accomplice inside. The victim's three children were with him, including a nine month old baby who was being carried. Awuah testified that he and the baby were pushed and fell on the floor as the two burglars fled. Awuah told the jury that he got up and chased the fleeing suspects into the street where they split up ran in different directions. Awuah continued to chase Ortiz and quickly caught up with him. Ortiz attempted to slash Awuah with a box cutter before being disarmed and held until police arrived and took him into custody.

The case was prosecuted by Assistant District Attorney Andrew Sacher.

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— PRESS RELEASE —

Monday, April 10, 2006

**PAROLEE FACING UP TO 15 YEARS IN PRISON AFTER BEING FOUND
GUILTY OF ATTEMPTED AGGRAVATED ASSAULT ON A POLICE OFFICER**

Bronx District Attorney Robert T. Johnson announced today that a 23 year old Bronx man has been convicted by a jury of the Attempted Aggravated Assault of Police Officer Soraya Batista, hours after being released from prison on New Year's Eve 2003.

Kevin Carroll, who also was found guilty of Resisting Arrest, is facing a maximum sentence of up to 15 years imprisonment and mandatory post release supervision for 5 years upon the completion of his sentence. State Supreme Court Justice Efraim Alvarado set sentencing for Tuesday, June 6, 2006 in Part T-32.

The crime occurred on December 31, 2004 only hours after Carroll had been released from the Greenhaven State Correctional Facility where he had served a two year sentence for attempted robbery. Carroll was on the southbound platform of the IRT #2 subway station at 149th Street and the Grand Concourse when Officer Batista asked him for identification documents and warned him to stop annoying other passengers. Instead of complying with the officer's request, Carroll threw her on the ground and attempted to push her onto the tracks into the path of an approaching train. The defendant also attempted to grab the officer's service pistol

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before being subdued by other police officers who responded to the incident.

The case is being prosecuted by Assistant District Attorneys Aaron Kaplan and Marc

Brown.

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— PRESS RELEASE —

Wednesday, April 12, 2006

**GRAND JURY INDICTS BRONX MAN IN CONNECTION WITH A NEARLY
MONTH LONG SPREE OF SIX ARMED ROBBERIES AND ONE ATTEMPTED
ROBBERY AT FAST FOOD RESTAURANTS**

Bronx District Attorney Robert T. Johnson announced today that a 28 year old suspect has been indicted in connection with six armed robberies within a three week period at Dunkin' Donuts and Subway sandwich shops.

The Grand Jury has charged Keary Bynum with six counts of Robbery in the 1st degree, one count of Attempted Robbery in the 1st degree, six counts each of Robbery in the 2nd and 3rd degrees, one count each of Attempted Robbery in the 2nd and 3rd degrees, one count of Petit Larceny, seven counts of Criminal Possession of Stolen Property and seven counts of Menacing. If found guilty of the most serious charge in each incident, Bynum could be facing a term of up to 165 years imprisonment if consecutive sentences are imposed

It is alleged that Bynum robbed the same Dunkin' Donuts store, at 4115 Third Avenue, on three consecutive Sunday evenings on March 5th, March 12th, and March 19th.

According to court papers, Bynum "brandished a black firearm" in each case and demanded money while threatening to shoot if employees failed to comply. Bynum allegedly robbed another Dunkin' Donuts store at 511 East 163rd Street on Monday, March 20th. Five days

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later on Saturday, March 25th, Bynum allegedly robbed a Subway sandwich shop at 1047 East 163rd Street. He allegedly attempted to rob a Dunkin' Donuts store at 2241 Southern Boulevard on Monday, March 27th before returning to the Subway store at 1047 East 163rd Street on Thursday, March 30th, where he forced an employee to give him cash.

Bynum, of 19 Moshulu Parkway West, is scheduled to be arraigned on the indictment on Wednesday, July 5, 2006 in State Supreme Court, Part A. He was arrested on March 31, 2006 and is being held without bail.

The case is being prosecuted by Assistant District Attorney Katherine Hort.

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— PRESS RELEASE —

Thursday, April 20, 2006

**CO-OP CITY MAN SENTENCED TO UP TO 8 YEARS IMPRISONMENT FOR
IDENTITY THEFT AND GRAND LARCENY**

Bronx District Attorney Robert T. Johnson announced today that a Co-op City man, who victimized his neighbors, has been sentenced to a maximum term of up to 8 years imprisonment following his conviction on charges of identity theft and grand larceny.

Harold Charles, 38, of 170 Dreiser Loop, the Bronx, pled guilty earlier this year to one count of Identity Theft in the 1st degree, and one count of Grand Larceny in the 3rd degree. Both are Class "D" felony offenses. State Supreme Court Justice Steven Barrett sentenced Charles to serve consecutive terms of two to four years imprisonment on each count. Charles will not become eligible for parole until he has served at least four years of his sentence.

The defendant admitted that he had withdrawn \$3,800 from one victim's bank account without authorization and that he had fraudulently obtained a temporary credit card on a department store account that belonged to another victim. Charles admitted that he used the credit card during a two day shopping spree at the J. C. Penney Department Store at Bay Plaza in Co-op City where he purchased nearly \$2,800 worth of jewelry, shoes, sneakers, and other items including a jumbo grill and a back massager. The defendant claimed to be the victim's fiancé and was issued a temporary credit card on February 11, 2004 after producing the woman's social

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security number and a photo ID in the name of yet another person. Charles began buying things immediately and returned to the store the following day to continue his shopping spree. The victim was alerted and notified store personnel when the unauthorized purchases showed up on her bill.

Charles also admitted that two months earlier, in December 2003, he went to at a Northfork Bank branch in Co-op City and fraudulently withdrew nearly \$2,800 from the bank account of another victim. Charles was given the money after filling out withdrawal slips on December 12th, 13th, and 15th in the amounts of \$500, \$1,600 and \$1,700. The theft was discovered when the victim went to the bank on December 19th to inquire about his account balance. Charles was arrested the next day on December 20, 2003 when he returned to the bank in an attempt to make another unauthorized withdrawal.

Investigators later recovered over one hundred pieces of mail in the defendant's possession that was addressed to numerous residents of Co-op City. The mail contained bank, pension and credit card statements, as well as other personal identifying information. Investigators believe that Charles obtained the mail as a result of an informal 'honor system' that Co-op City residents used for mis-delivered mail.

The case was prosecuted by Assistant District Attorney Juan Soto of the Investigation Divisions' Arson / Auto / Economic Crime Bureau.

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— PRESS RELEASE —

Friday, April 28, 2006

**BRONX DISTRICT ATTORNEY'S OFFICE OBSERVES NATIONAL CRIME
VICTIMS' RIGHTS WEEK AS CO-SPONSOR OF A TWO DAY EVENT AT THE JOHN
PHILLIP SOUSA MIDDLE SCHOOL 142**

The Bronx District Attorney's Crime Victims Assistance Unit, in partnership with allied professionals and community volunteers, observed National Crime Victims' Rights Week as co-sponsors of a two day event at the John Phillip Sousa Middle School 142, at 3750 Baychester Avenue, the Bronx.

A centerpiece of this past week's event was the tenth annual Bronx Clothesline Project and Tribute to Survivors. The Clothesline Project is a massive visual presentation that tells the stories of hundreds of survivors of abuse, violence and neglect. The display was exhibited in the school's gymnasium. Rows of approximately fifteen hundred T-shirts created by survivors of crime hung side by side on clotheslines as though the survivors were standing shoulder to shoulder bearing witness to the violence that had scarred their lives.

The Clothesline Project is intended to serve as an ongoing source of support and inspiration to crime victims during their process of healing by giving them an opportunity to 'break their silence' about their experiences and have their voices heard. Another objective of

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the Clothesline Project is to increase awareness of the magnitude of violence committed against men, women and children.

The massive display served as a backdrop for a 'Tribute to Survivors' that was held on Tuesday evening April 25th. The tribute included a skit on teen dating violence, a featured speaker, and closing remarks by children from families of homicide victims. Young people from a program sponsored by E.A.R.S. (Effective Alternatives and Reconciliation Services), performed a skit in which teen dating and violence were seen from the perspectives of the victim, parents, and younger sister. After the performance, the audience had an opportunity to interact with the cast during a question and answer session.

A highlight of the evening was a talk by featured speaker, Karen Carol, Associate Director of the Bronx Sexual Assault Response Team. Carol, a registered nurse, shared her personal experience as a survivor of domestic violence who had been sexually assaulted by her husband. She explained how, through the healing process, she was led to develop a specialty in forensic nursing in order to help other people who have suffered the trauma of sexual assault.

The Tribute to Survivors ended with a moving ceremony in which children ranging in age from 4 to 11 read a group statement about the loss of a loved one and then recited a poignant role call of the dead. One after the other they called out the names of the mothers, fathers, brothers, sisters, grandmothers, grandfathers, uncles, aunts and cousins whose lives were cut

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short violently and abruptly. The children were participants in a support group for families of homicide victims sponsored by Safe Horizons.

Earlier in the day, the students at the middle school were given an opportunity to view the Clothesline exhibit and attend an Information Fair concerning the rights of crime victims. Some twenty three Bronx based organizations distributed pamphlets and brochures about a wide variety of resources and services that are available for victims of crime. Students also attended a special Assembly Program on the danger of being victimized by adults who prey upon children via the Internet. The program included a skit in which young people demonstrated ways of protecting themselves from Internet predators. The skit was based on information that the students had learned in workshops with Detective Investigators from the Bronx District Attorney's Office.

The two day observance of Crime Victims' Rights Week ended with a series of classroom visits by Bronx District Attorney Robert T. Johnson, Bronx Borough President Adolfo Carrion, State Senator Ruth Hassell-Thompson and others. The elected officials as well as service providers met with students in their classrooms and engaged them in discussions about their feelings about crime and its impact on their community.

District Attorney Johnson praised the spirit of cooperation that contributed to the success of the two day event that was made possible by a broad coalition of victims' advocates and service providers. The list included the Bronx District Attorney's Crime Victims Assistance,

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Community Affairs and Detective Investigators Units; The Bronx Borough President's Office; The Mayor's Office to Combat Domestic Violence; The Office of State Senator Ruth Hassell-Thompson; Safe Horizons; Effective Alternative in Reconciliation Services (EARS); the 47th Precinct; St. Barnabas Hospital - Child Protection Center; Fordham / Tremont Community Mental Health Center; Kingsbridge Heights Community Center (Child Sexual Assault Program); Legal Information for Families Today; the New York City Housing Authority (Bronx Social Services); Sanctuary for Families; North Central Bronx Hospital; NYC Commission on Human Rights; Day One (formerly Break the Cycle); New York State Crime Victims Board; Jewish Board of Family & Children Services; Institute for Puerto Rican / Hispanic Elderly; East Harlem Neighborhood Based Alliance; Bronx Independent Living Services; NYC Human Resources Administration - Community Affairs Unit; Jacobi Hospital Family Advocacy Center; New Yorkers Against Gun Violence; Aging in America; and Neighborhood SHOPP.

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— PRESS RELEASE —

Friday, April 28, 2006

**GRAND JURY CHARGES 26 YEAR OLD BRONX MAN WITH SEXUALLY
ATTACKING FIVE WOMEN AT KNIFE-POINT**

Bronx District Attorney Robert T. Johnson announced today that Jamaal Holton, 26, has been indicted on numerous charges stemming from sexual assaults against five young women.

The grand jury returned a 44 count indictment charging Holton with 8 counts of Criminal Sexual Act in the 1st degree, 5 counts of Criminal Sexual Act in the 3rd degree, 10 counts of Sexual Abuse in the 1st degree, 3 counts of Burglary in the 1st degree, 4 counts of Robbery in the 1st degree, 1 count of Attempted Robbery in the 1st degree, 6 counts of Menacing in the 2nd degree and 7 counts of Endangering the Welfare of a Child.

Holton, of 1060 Anderson Avenue, the Bronx, is being held on \$250,000 bail and is scheduled to be arraigned on the indictment on Thursday, May 11, 2006 in State Supreme Court, Part A. Holton is facing a maximum sentence of up to 25 years imprisonment on each count if convicted of the most serious offenses of Criminal Sexual Act in the 1st degree, Robbery in the 1st degree and Burglary in the 1st degree.

It is alleged that the sexual assaults occurred over a period of approximately six months beginning on October 27, 2005 and ending on April 7, 2006. Five young women ranging in age from 16 to 20 were accosted at knife-point and either forced to the roof of their apartment

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building or pushed into their apartment after answering a knock on the door. All five were forced to perform oral and /or anal sexual acts. Several victims were robbed of either cash, personal property or both. In one incident the victim's 9 year sister and 2 year old daughter were present in the apartment and threatened. In another incident, the victim's 4 year old sister, 74 year old grandfather and 68 year old grandmother were present in the apartment when the assault occurred. It is alleged that the defendant also threatened them and forced the grandmother to give him an undetermined amount of cash.

The case is being prosecuted by Assistant District Attorney Julia Chariott of the Child Abuse / Sex Crimes Bureau.

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— PRESS RELEASE —

Tuesday, May 2, 2006

**BRONX MAN CONVICTED OF MURDERING HIS FIANCÉ AND
ATTEMPTING TO MURDER HER MOTHER**

Bronx District Attorney Robert T. Johnson announced today the murder conviction of a 26 year old man in the stabbing death, nearly two years ago of his fiancé, Vanessa Reynoso, 21.

Rafael Castro was found guilty of one count of Murder in the 2nd degree, one count of Attempted Murder in the 2nd degree, and two counts of Endangering the welfare of a child.

The jury found that Castro stabbed Reynoso numerous times in the head and neck and struck the deceased woman's mother, Miriam Rivas, 50, in the head causing serious physical injury. The brutal stabbing and assault occurred in Reynoso's apartment in the presence of the defendant's daughters who were six years old and eighteen months old when their mother was killed on May 13, 2004. It took the jury less than one full day of deliberations to convict Castro, who fled to the Dominican Republic after murdering the mother of his children.

Acting State Supreme Court Justice Judith Lieb set sentencing for Wednesday, May 17, 2006 in Part 26. Castro is facing a maximum terms of up to 25 years to life imprisonment on the murder charge and up to 25 years imprisonment on the attempted murder charge. Endangering the welfare of a child is punishable by a maximum sentence of up to one year in jail on each count. Castro could be sent to state prison for a maximum term of 50 years to life imprisonment

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if he is sentenced to serve consecutive terms.

The case is being prosecuted by Assistant District Attorney David Birnbaum, Trial Counsel, Domestic Violence Bureau and Assistant District Attorney Peter Coddington, Chief Appellate Attorney.

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— PRESS RELEASE —

Thursday, May 4, 2006

**CORRECTION OFFICER CONVICTED OF TAKING A BRIBE AND
ATTEMPTING TO SELL NARCOTICS TO AN INMATE AT THE CITY JAIL ON
RIKERS ISLAND**

Bronx District Attorney Robert T. Johnson announced today that a 38 year old New York City Correction Officer has been convicted of bribe receiving and the attempted sale of narcotics to an inmate at a detention facility on Rikers Island.

Gary Heyward, of Manhattan, pled guilty to one count of Bribe Receiving in the 3rd degree, a Class D felony offense, and one count of Attempted Criminal Sale of a Controlled Substance in the 3rd degree, a Class C felony offense. Under terms of the plea agreement, will be sentenced to a term of two years imprisonment and one year of post release supervision on the drug conviction. Heyward is also to receive a concurrent sentence of one year imprisonment on the bribe receiving charge. Heyward is scheduled to appear for sentencing before Acting State Supreme Court Justice John Byrne in Part A on Monday, May 22, 2006.

Heyward admitted that on January 21, 2006 he accepted a \$500 payment to smuggle a cellular telephone to an inmate at the George Motchen Detention Center. Heyward followed through and delivered the cellular telephone the next day on January 22nd. Two days later on January 24, 2006, he accepted a cash payment of \$1,000 and took possession of a bag containing a white powdery substance that he believed to be more than half an ounce of cocaine. The bag

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of simulated cocaine was delivered to an inmate at the George Mochen Detention Center on January 27, 2006.

Heyward was arrested on April 26, 2006 following an investigation by the New York City Department of Investigation. During the sting, Heyward was approached by an undercover agent who pretended to be the girlfriend of the inmate to whom Heyward delivered the cellular telephone and simulated cocaine.

The case is being prosecuted by Assistant District Attorney Colleen Barry of the Rackets Bureau.

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— PRESS RELEASE —

Friday, May 5, 2006

**BRONX WOMAN AND TWO OTHERS ARE CHARGED IN COMPLEX
SCHEME THAT COST THE VERIZON TELEPHONE COMPANY MORE THAN
\$100,000 IN UNPAID COLLECT CALLS BY STATE PRISON INMATES PHONING
HOME**

Bronx District Attorney Robert T. Johnson announced today the indictment of a 49 year old Bronx woman and two incarcerated co-defendants in connection with an alleged scheme to fraudulently secure free telephone service for inmates in the New York State prison system.

Mr. Johnson said that a grand jury has returned a 282 count indictment charging Paulette Dildy, aka Sugar, of 3353 Fort Independence Avenue, with 137 counts of Theft of Services, 137 counts of Falsifying Business Records in the 1st degree, 4 counts of Attempted Theft of Services and 4 counts of Attempted Falsifying Business Records in the 1st degree. Also named in the indictment and charged in dozens of counts with 'acting in concert' with Paulette Dildy are her husband, Victor Dildy, 40, aka Justice, and Leonard Goodman, 49, aka Ali. Dildy and Goodman are currently state prison inmates.

The defendants are facing a maximum term of up to 4 years imprisonment on each felony count if convicted. Falsifying Business Records in the 1st degree is a Class E felony offense. All of the other charges are misdemeanor offenses.

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This indictment is the result of a lengthy joint investigation by the Bronx District Attorney's Office, the New York State Department of Correctional Services / Inspector General's Office, and Verizon's Telecommunications Fraud Division.

It is alleged that the defendants devised a scheme which enabled them to exploit a New York State Department of Correction protocol for inmates making telephone calls from prison to family members and legal counsel. For security reasons, inmates are only allowed to make collect calls.

Investigators discovered that in exchange for a \$150 fee, Paulette Dildy allegedly would establish telephone service in the homes of inmates' families using false business names or stolen or fictitious identity information. Inmates could then place lengthy collect calls to these accounts and run up huge bills. Mrs. Dildy allegedly instructed the inmates' families not to pay the bills, but instead to write 'addressee unknown' on the envelope and send the bills back to Verizon. After six to eight weeks, the charges on these accounts could reach into the thousands of dollars. Verizon would disconnect the service for 'non-payment'. However, for an additional \$150, Mrs. Dildy would re-establish telephone service at the same location, using different false identity information.

The investigation revealed that numerous families bought a series of fraudulently obtained phone lines from Mrs. Dildy over a period of months, and even years in some cases. Verizon Telecommunications Fraud Investigators estimated that the losses from this scheme

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were in the hundreds of thousands of dollars.

Paulette Dildy was arraigned on the indictment before State Supreme Court Justice Steven Barrett who set bail in the amount of \$50,000 bond or \$25,000 cash. Co-defendants Victor Dildy and Leonard Goodman remain imprisoned on unrelated charges. Dildy is serving 6 years to life on a 1995 robbery conviction in Queens, and Goodman is serving 15 years to life on a 1991 murder conviction in Brooklyn.

Mr. Johnson said the investigation into the massive fraud is continuing and that efforts are being made to identify the numerous state prison inmates and their relatives who repeatedly obtained and used the fraudulent telephone accounts.

District Attorney Johnson thanked the following for the hard work and cooperation that led to this indictment: William Smith, Verizon Telecommunications Investigator; Senior Investigator Thomas Walsh and Investigators Ada Feliciano, and Chris Martuscello, New York State Department of Correctional Services / Inspector General's Office; Frank Viggiano, Deputy Chief, Bronx District Attorney Detective Investigators, and BXDA Detective Investigators Lt. Rocco Galasso, William Qualls and Peter Moro.

Assistant District Attorney James Goward of the Rackets Bureau is prosecuting the case.

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— PRESS RELEASE —

Thursday, May 10, 2006

**BRONX MAN FOUND GUILTY IN THE MURDER OF A NEW YORK CITY
CORRECTION OFFICER IN FEBRUARY 1990**

Bronx District Attorney Robert T. Johnson announced today that a 36 year old Bronx man has been convicted of murder in the slashing death of a New York City Correction Officer in February 1990.

Robert Nazario, of Paulding Avenue, was found guilty of one count of Murder in the 2nd degree in the death of Scott Barker who was 26 years old when his life was cut short on a sidewalk in front of a bar on Eastchester Road.

Nazario was convicted following a non-jury trial before Acting State Supreme Court Justice Cesar Cirigliano. The judge set sentencing for Friday, May 26, 2006 in Part T5. Nazario is facing a maximum sentence of up to 25 years to life imprisonment.

The murder occurred on February 23, 1990 in front of Sully's Bar (now known as Gleason's Bar) at 2040 Eastchester Road when Nazario approached Barker from behind and slashed his throat twice. The victim was taken to Jacobi Hospital and was declared brain dead three days later as a result of a loss of blood. There was testimony that Nazario, while inside the bar, had interjected himself into an altercation between the deceased and an acquaintance of Nazario. Even though the two principals involved in the altercation ultimately resolved their differences, Nazario later accosted Barker on the street and killed him.

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Investigators were not able to charge Nazario until December 27, 2001 after the defendant admitted that he had murdered Barker. Ironically, Nazario's admission occurred during a conversation with another man which took place in the same bar that was the scene of the fatal confrontation eleven years earlier.

The case is being prosecuted by Senior Trial Assistant District Attorney David Greenfield.

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— PRESS RELEASE —

Thursday, May 11, 2006

**BRONX MAN ARRAIGNED ON MURDER INDICTMENT IN THE EASTER
SUNDAY SHOOTING DEATH OF A TWO YEAR OLD TODDLER**

Bronx District Attorney Robert T. Johnson announced today that an indictment was unsealed in State Supreme Court this afternoon charging Nicholas Morris, 26, with murder in the death of a two year old boy last month on Easter Sunday.

Morris, who is being held without bail, was arraigned on the indictment before State Supreme Court Justice John Byrne. The grand jury charged Morris with two counts of Murder in the 2nd degree, one count of Manslaughter in the 1st degree, and one count of Criminal Possession of a Weapon in the 2nd degree. The grand jury filed murder charges under two different legal theories. One theory charges Morris with 'intentional murder' and alleges that although he intended to kill another individual, Morris caused the death of bystander David Pacheco Jr., instead. An alternate theory alleges that Morris "acted in a manner evincing a depraved indifference to human life" when he fired a gun into a crowd of people, and thereby caused the death of David Pacheco Jr.

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If convicted of murder, Morris, of 1962, University Avenue, the Bronx, would be facing a maximum sentence of up to 25 years to life imprisonment.

The murder occurred on the afternoon of Easter Sunday, April 16, 2006 at the intersection of Harrison and East Tremont Avenues. David Pacheco was sitting in a child seat in his family's vehicle when he was struck and killed by a bullet that the defendant allegedly fired.

The case is being prosecuted by Senior Trial Assistant District Attorney Allen Karen and Assistant District Attorney Timothy DiMarco.

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— PRESS RELEASE —

Wednesday, May 17, 2006

BRONX MAN SENTENCED TO A TERM OF UP TO LIFE IMPRISONMENT
FOR MURDERING HIS FIANCÉ AND ATTEMPTING TO MURDER HER
MOTHER

Bronx District Attorney Robert T. Johnson announced today that Rafael Castro, 26, has been sentenced to a term of up to life imprisonment for the stabbing death of his fiancé, Vanessa Reynoso, 21, and the attempted murder of her mother.

A jury found Castro, of 1013 Freeman Street, guilty earlier this month, of one count of Murder in the 2nd degree, one count of Attempted Murder in the 2nd degree, and two counts of Endangering the welfare of a child.

Acting State Supreme Court Justice Judith Lieb sentenced Castro to a term of twenty-five years to life imprisonment on the charge of murder, and a term of twenty-five years imprisonment on the charge of attempted murder to be served consecutively, meaning the defendant must serve a minimum of fifty years in prison before being considered for parole.

Nearly two years ago, Castro stabbed Reynoso numerous times in the head and neck and struck the deceased woman's mother, Miriam Rivas, 50, in the head causing serious physical injury. The brutal stabbing and assault occurred in Reynoso's apartment in the presence of the couple's daughters' who were six years old and eighteen months old when their mother was killed

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on May 13, 2004.

The case was prosecuted by Assistant District Attorney David Birnbaum, Trial Counsel, Domestic Violence Bureau and Assistant District Attorney Peter Coddington, Chief Appellate Attorney.

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— PRESS RELEASE —

Monday, May 22, 2006

FORMER CORRECTION OFFICER HAS BEEN SENTENCED TO A TERM OF
TWO YEARS IMPRISONMENT FOR ATTEMPTING TO SELL NARCOTICS TO AN
INMATE AT THE CITY JAIL ON RIKERS ISLAND

Bronx District Attorney Robert T. Johnson announced today that a 38 year-old Gary Heyward, a former New York City Correction Officer, has been sentenced to a determinate term of two years in prison for his role in the attempted sale of narcotics to an inmate and bribe receiving at a detention facility on Rikers Island.

Heyward, of Manhattan, was convicted earlier this month of one count of Bribe receiving in the 3rd degree, and one count of Attempted Criminal sale of a controlled substance in the 3rd degree.

Under the terms of the plea agreement, Acting State Supreme Court Justice John Byrne, sentenced Heyward to a term of two years imprisonment and one year post release supervision. Heyward also received a concurrent sentence of one year imprisonment on the charge of bribe receiving.

Heyward was arrested on April 26, 2006 following an investigation by the New York City Department of Investigation. During the sting, Heyward was approached by an undercover agent who pretended to be the girlfriend of the inmate to whom Heyward delivered the cellular

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telephone and simulated cocaine.

Heyward admitted that on January 21, 2006 he accepted a \$500 payment to smuggle a cellular telephone to an inmate at the George Motchan Detention Center. Heyward followed through and delivered the cellular telephone the next day on January 22nd. Two days later on January 24, 2006, he accepted a cash payment of \$1,000 and took possession of a bag containing a white powdery substance that he believed to be more than half an ounce of cocaine. The bag of simulated cocaine was delivered to an inmate at the George Motchan Detention Center on January 27, 2006.

This case was prosecuted by Assistant District Attorney Colleen Barry of the Rackets Bureau.

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— PRESS RELEASE —

Tuesday, May 23, 2006

CORRECTIONS CAPTAIN HAS BEEN ARRESTED FOR THE ALLEGED
SEXUAL ABUSE OF A NINTH INMATE

Bronx District Attorney Robert T. Johnson announced today that Department of Correction (DOC) Captain Dominick Labruzzo has been arrested for allegedly abusing an inmate who was housed in the Adolescent Reception and Detention Center (ARDC), on Rikers Island last December.

Labruzzo, 30, of Rosedale Queens, was arrested last January on similar offenses, following an investigation by the Department of Investigation (DOI), and charged with abusing eight other inmates, ranging in age from sixteen to nineteen. In that case Labruzzo was arraigned on two counts of Endangering the welfare of a child, and ten counts each of Forcible touching, Sexual abuse in the 2nd and 3rd degrees and Harassment in the 2nd degree. Following his arrest, Labruzzo was removed from his assignment at ARDC, and placed on modified duty. Bail was set at 3,500 cash or bond.

With respect to the ninth inmate, Labruzzo is currently being charged with one count each of Sexual abuse in the 2nd degree and Forcible touching, both class "A" misdemeanors; and one count each of Sexual abuse in the 3rd degree and Harassment in the 2nd degree. It is alleged that the offenses occurred on or about December 24, 2005. If convicted of the most serious charges

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of sexual abuse in the 2nd and forcible touching, Labruzzo faces a maximum term of up to one year imprisonment on each count.

In this newer case, it is alleged that Labruzzo took an inmate, now twenty-three years of age, to a secluded locked area within ARDC and inappropriately touched and fondled his genitals and buttocks. The defendant then allegedly instructed the inmate to remain quiet about the incident or face harsh consequences.

Mr. Johnson thanked Rose Gill Hearn, Commissioner of the Department of Investigation, along with her staff for bringing this case to our attention. Mr. Johnson also thanked Correction Captain Vincent Valerio and Correction Officer Investigators Albert Jones and Rhonda Young for building a case against Labruzzo.

This case is being prosecuted by Assistant District Attorney Alexandra Militano of the Sex Crimes and Child Abuse Division.

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— PRESS RELEASE —

Tuesday, May 23, 2006

GRAND JURY INDICTS TWO TEENS ON MURDER CHARGES

Bronx District Attorney Robert T. Johnson announced today that the grand jury has indicted sixteen year-old Dashawn Harris and eighteen year-old Raymel Poole for the stabbing death of Monique Hattan, 26. Both defendants will be tried as adults.

Harris and Poole of 1326 Grand Concourse have been charged with one count each of Murder in the 2nd degree, Manslaughter in the 1st degree and Rape in the 1st degree. If convicted, the defendants could each face a maximum sentence of up to life imprisonment.

Poole and Harris will be arraigned on the indictment on Monday, June 21, 2006 in Part A.

The stabbing occurred sometime between May 1, and May 16, 2006 when the defendants allegedly stabbed Hattan, then wrapped her body in a bed sheet and garbage bags, then placed her body in a garbage can on the roof of their building.

This case is being prosecuted by Senior Investigative Assistant District Attorney Astrid Borgstedt of the Child Abuse / Sex Crimes Division.

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— PRESS RELEASE —

Thursday, May 25, 2006

**TWO BRONX MEN HAVE BEEN SENTENCED TO A TERM OF UP TO
FIVE YEARS FOR THE ATTEMPTED MURDER OF A LIVERY CAB DRIVER**

Bronx District Attorney Robert T. Johnson announced today that 20 year-old Ronnie Coleman, and 17 year-old William Burgos, have been sentenced to a term of up to five years imprisonment for the attempted murder of a 42 year-old livery cab driver.

Coleman, of 1409 Fulton Avenue, the Bronx, and Burgos, of 571 East 170th Street, each pled guilty to one count of Attempted Murder in the 2nd degree earlier this month.

State Supreme Court Justice Troy K. Webber sentenced Coleman to a determinate term of 5 years imprisonment. Burgos, a youthful offender at the time of the incident, was sentenced to an indeterminate term of 1 1/3 to 4 years imprisonment. The People recommended a term of ten years imprisonment.

The incident occurred on November 30, 2005 when livery cab driver Juan Arroyo, arrived to pick up a fare at 1451 Crotona Place. When Burgos and Coleman got into the cab, they gave the driver a location then changed their minds twice. Growing suspicious of their behavior, Arroyo asked the pair to get out.

Coleman, who was sitting directly behind Arroyo, pulled out a gun and held it to the cab driver's neck and demanded money. Arroyo grabbed the nozzle of the gun and began to struggle

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with Coleman. Burgos, who was sitting in the rear passenger seat, punched Arroyo in the face. The pair jumped out of the cab, and as Arroyo attempted to drive off, Coleman fired one shot into the cab striking the cab driver in the hand. Both defendants fled on foot, and were apprehended a short time later.

This case was prosecuted by Assistant District Attorney Jose Contreras of the Trial Bureau.

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— PRESS RELEASE —

Thursday, May 25, 2006

BRONX MAN PLEADS GUILTY TO ASSAULT FOR THE 2004 ATTACK OF
ICE CREAM TRUCK OWNERS

Bronx District Attorney Robert T. Johnson announced today that Fernando Esparza, 53, has been convicted of assaulting the owner / operators of an ice cream truck in March 2004.

Esparza, of 645 Barretto Street, the Bronx, pled guilty to two counts of Assault in the 1st degree for the severe beating of Luis and Juana, (Jenny) Marrero. State Supreme Court Justice Lawrence Bernstein set sentencing for Wednesday, June 14, 2006 in Part 20. Under the terms of the plea agreement, Esparza is expected to be sentenced to concurrent terms of ten years imprisonment for each count of assault.

The incident occurred on March 27, 2004 as the Marrero's and their granddaughter returned to the truck depot in the Hunts Point section of the Bronx. According to court papers, Esparza was observed striking Juana Marrero in the face and head with an orange object. Esparza then struck Luis Marrero in the head with the same object.

The Marrero's sustained numerous skull fractures, which required emergency treatment. Juana Marrero remained hospitalized for more than a month.

This case is being prosecuted by Senior Assistant District Attorney Debra A. Guarnieri of the Trial Division.

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— PRESS RELEASE —

Thursday, June 1, 2006

**'BRONX MENTAL HEALTH COURT' DESIGNATED A NATIONAL MODEL
FOR TREATMENT ALTERNATIVES TO INCARCERATION FOR DEFENDANTS
WITH SERIOUS MENTAL ILLNESSES**

The Bronx Mental Health Court TASC (Treatment Alternatives for Safer Communities) today was formally awarded a certificate designating the court as a national model for treatment alternatives to incarceration for defendants with serious mental illnesses.

The presentation on behalf of the United States Department of Justice, Office of Justice Programs Bureau of Justice Assistance, follows an announcement earlier this Spring that the Bronx Mental Health Court has been selected to be one of five national 'learning sites' for other jurisdictions that are interested in developing and refining mental health courts. Under this new federal initiative, the Bronx Mental Health Court will provide other jurisdictions with an opportunity to observe and study all aspects involved in the successful and sustained operation of the court, as well as strategies for resolving those issues that a mental health court routinely confronts.

The Bronx Mental Health Court diverts from jail to treatment, defendants who suffer from either mental illness by itself or mental illness combined with problems of drug and / or alcohol abuse or HIV/AIDS. Treatment is supervised by the court and made available in

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appropriate cases to defendants who either have been charged with felony offenses or are repeat misdemeanor offenders. The court defers sentencing for these defendants and actively monitors their progress as they undergo treatment. Defendants receive comprehensive diagnosis, treatment, and risk assessment evaluation from a clinical team that is an integral component of the Bronx Mental Health Court.

The Bronx Mental Health Court was created in 2002 when the Bronx District Attorney's Office, the Bronx State Supreme Court, Treatment Alternatives for Safer Communities (TASC), New York University and Research Triangle Institute created a formal partnership to establish the first such court in New York State. As a result of its success, the court was one of five chosen from approximately 120 mental health courts across the nation, to participate in the Mental Health Courts Learning Sites Initiative by sharing its expertise with other jurisdictions.

Bronx District Attorney Robert T. Johnson said: "We join with our partners in this effort because of the importance that we place on treating certain mental and medical conditions that may be contributing factors in the criminal conduct of some individuals. Our objective in this approach is to make life better for the entire community including the afflicted defendants who come before the court. This designation as a "learning site" will enable us to show how our collaborative efforts have made a difference here and thereby help other communities develop solutions to help themselves."

The Honorable Justice John Collins said: "I am proud to say that the Bronx Supreme

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Court, in partnership with the Bronx District Attorney's Office, initiated one of the first mental health courts in New York State. As both the Administrative Judge of Bronx Supreme Court, Criminal Division, and the presiding judge of the mental health court, I appreciate the services this innovative approach provides to the community and share in the individual success stories of these mentally ill defendants. I am pleased that, having been selected as a learning site, we can help advance the widespread use of these services."

Dr. Merrill Rotter, Medical Director of the Bronx Mental Health Court said: "We are very excited to have been chosen as one of the national learning sites. The Bronx Mental Health Court is more than just a judge, some attorneys and a mental health team. It is a network of care that begins with identification of persons in need of services and ends with community based treatment. The Learning Site designation reflects the success of our collaboration with our program partners in both the criminal justice and mental health communities in developing and implementing a very productive model of mental health diversion; to that extent, it is a feather in all our caps. However, even more important, it gives us the opportunity to share our experience broadly with the benefits of enhancing diversion opportunities for individuals with mental illness in other jurisdictions and stimulating further creative thinking within our own."

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— PRESS RELEASE —

Friday, June 9, 2006

**SUMMER INTERNS RETURN TO THE BRONX DISTRICT ATTORNEY'S
OFFICE**

Bronx District Attorney Robert T. Johnson announced today that 24 law school and college students began an eight-week summer internship program this past Monday, June 5, 2006.

The interns will help attorneys prepare cases for trial and provide research and other assistance in the Appeals, Child Abuse / Sex Crimes, Criminal Court, Domestic Violence, Gang Prosecutions, Investigations, Narcotics and Felony Trial Bureaus, as well as the Arraignment / Complaint Room, Community Affairs and Planning and Analysis.

The summer interns and their schools are as follows:

- | | |
|-------------------|---|
| Joseph Bernard | Washington and Lee University School of Law |
| William Cohen | Touro College – Jacob D. Fuchsberg Law Center |
| Victoria Coleman | Pace University School of Law |
| Christina Hall | Fordham University School of Law |
| Davina Harris | University of Michigan Law School |
| KellyAnne Holohan | Fordham University School of Law |
| Alexander Jean | Fordham University School of Law |
| Jeffrey Kimelman | Touro College – Jacob D. Fuchsberg Law Center |
| Valerie Kravets | Fordham University School of Law |

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Yumi Lee	New York Law School
Adrian Martinez	University of Connecticut School of Law
Michelle Mechanic	Rutgers University School of Law – Newark
Thomas O’Keefe	Thomas Jefferson School of Law
Stephanie Oates	SUNY @ Buffalo School of Law
Cassandra Raphael	Brooklyn Law School
Raul Rivera-Lopez	Rutgers University School of Law – Newark
Irene Slobin	Touro College – Jacob D. Fuchsberg Law Center
Melanie Spuches	Fordham University School of Law
Barbara Vazquez	New York Law School

College Students

Jaime Badia	Syracuse University
Teagan Copland	College of Mount Saint Vincent
Robyn Feldstein	Washington University in St. Louis
Nicole Idoko	University of Virginia
Shanee Mitchell	Johnson C. Smith University

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— PRESS RELEASE —

Wednesday, June 14, 2006

**BRONX MAN IS SENTENCED TO TEN YEARS IMPRISONMENT FOR THE
2004 ATTACK OF ICE CREAM TRUCK OWNERS**

Bronx District Attorney Robert T. Johnson announced today that 53 year-old Fernando Esparza has been sentenced to a term of ten years imprisonment for assaulting the owner / operators of an ice cream truck in March 2004, in an attempt to take control of the victims' financially lucrative ice cream truck route.

Esparza, of 645 Barretto Street, the Bronx, pled guilty last month to 2 counts of Assault in the 1st degree in the severe beatings of Luis and Juana (Jenny) Marrero.

State Supreme Court Justice Lawrence Bernstein sentenced Esparza to concurrent terms of ten years imprisonment for each count of assault, with five years post release supervision. The judge also issued a permanent order of protection for each victim which includes the couple's granddaughter Dominique Donofrio.

The incident occurred on March 27, 2004 as the Marreros and their granddaughter returned to the truck depot in the Hunts Point section of the Bronx. Esparza admitted striking Juana Marrero in the face and head and Luis Marrero in the head with a hard orange object.

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The Marreros sustained numerous skull fractures which required emergency treatment.

Juana Marrero remained hospitalized for more than one month.

This case was prosecuted by Senior Assistant District Attorney Debra Guarnieri of the Trial Division.

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— PRESS RELEASE —

Wednesday, June 28, 2006

**MARIJUANA DEALER SENTENCED TO A YEAR IN JAIL FOR OFFERING A
\$500 BRIBE TO ARRESTING OFFICER**

Bronx District Attorney Robert T. Johnson announced today that a 24 year old marijuana dealer has been sentenced to one year in jail for offering a bribe to his arresting officer.

Preston Frye, of 291 Prospect Avenue, the Bronx, was sentenced minutes after pleading guilty to one count of Bribery in the 3rd degree, a Class D felony offense. Frye also entered guilty pleas in two other unrelated cases involving the unlawful possession and sale of marijuana. State Supreme Court Justice Megan Tallmer sentenced Frye to concurrent terms of 30 days in jail on those charges and ordered that the 30 days be served after the completion of the one year sentence for bribery.

Frye was arrested on the bribery charge on April 14, 2005 at NYPD Patrol Service Area 7 at 737 Morris Avenue. The defendant was caught on audio tape offering a plainclothes anti-crime police officer a \$500 bribe in exchange for his freedom. The officer had arrested Frye after observing him in possession of a small amount of marijuana behind a building at 1150 Union Avenue. Once he was taken into custody, Frye repeatedly offered to give the officer \$500 if he would allow him to walk away without being charged. When the officer reported the bribe offer to his superiors, he was equipped with an electronic surveillance device to allow investigators to

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monitor his conversations with the defendant and document the bribe offer.

Frye was next arrested and charged with the unlawful possession of marijuana on August 19, 2005. Less than a month later, on September 3, 2005, Frye was arrested and charged with the unlawful sale of marijuana. Both of those arrests occurred while Frye's bribery case was still pending.

The cases against Frye were prosecuted by Assistant District Attorney Gregory Cho of the Rackets Bureau.

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— PRESS RELEASE —

Friday, June 30, 2006

**FORMER NEW YORK CITY POLICE COMMISSIONER BERNARD KERIK
ADMITS GUILT IN CONFLICT OF INTEREST INVOLVING GIFT OF COSTLY
RENOVATIONS TO HIS APARTMENT**

Bronx District Attorney Robert T. Johnson and New York City Department of Investigation Commissioner Rose Gill Hearn announced today that former New York City Police Commissioner Bernard Kerik pled guilty to the misdemeanor crime of violating a New York City law prohibiting conflicts of interest by public employees. Kerik also pled guilty to the crime of failing to disclose loans obtained from a real estate developer.

Kerik's conviction and public admission of wrongdoing is the culmination of a lengthy joint investigation by the Bronx District Attorney's Office and the New York City Department of Investigation.

Kerik pled guilty to violating Section 2604 (b) (5), Prohibited Conflict of Interest, under the New York City Charter which makes it a crime for a public official to accept a valuable gift from a person or firm which the public servant knew was either engaged in business dealings with the City, or intending to become engaged in business dealings with the City.

Kerik also pled guilty to the crime of Failure to Report, a misdemeanor, in violation of the New York City Administrative Code (12-110 b.15). Kerik admitted that he failed to list loans from

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a real estate developer totaling approximately \$28,000 when he filed an annual disclosure report with the Conflicts of Interest Board after leaving City service.

The pleas was entered before Justice John Collins, Administrative Judge, Bronx Supreme Court Criminal Division. Under terms of the plea agreement Justice Collins sentenced Kerik to pay \$206,000 in fines and \$15,000 in civil penalties to the Conflicts of Interest Board. Kerik also waived his right to appeal the two convictions.

District Attorney Johnson said: "The laws which criminalizes conduct of this nature are designed to ensure the public's trust in government officials. The crimes committed by Bernard Kerik have eroded that trust. Hopefully, prosecution and conviction, along with the hefty fines imposed, and the defendant's public admission of guilt, will help restore that trust and repair some of the damage."

DOI Commissioner Hearn said: "There is now from Mr. Kerik a clear, unequivocal admission of wrongdoing that accurately reflects the criminal conduct of which he is guilty. It is now a matter of public record that he abused his position to benefit himself financially."

The investigation leading to the former Police Commissioner's admission of guilt was launched in December 2004 as a result of information that came to light following the defendant's withdrawal to serve in the President's Cabinet as Secretary of the U.S. Department of Homeland Security.

Kerik further admitted that while serving as Commissioner at the New York City

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Department of Correction, accepted a gift valued at approximately \$165,000 in the form of renovation work on his co-op apartment in the Riverdale section of the Bronx. The work was done by Interstate Companies or a subsidiary between August 1, 1998 and December 31, 2000 during which time the company was actively seeking to do business with the City. Kerik, on two separate occasions, spoke with City officials about Interstate Companies and on one occasion permitted the use of his City office for a meeting between representatives of Interstate Companies and officials of the Trade Waste Commission, an entity of the City of New York. Investigators also discovered that Kerik had failed to list indebtedness in excess of five thousand dollars to realty developer Nathan Berman, as required by law, when Kerik filed financial disclosure forms with the Conflicts of Interest Board in February, 2002.

District Attorney Johnson and DOI Commissioner Hearn thanked their staffs for all of the hard work in the investigation and prosecution of this case. They acknowledged in particular: Walter Arsenault, First Deputy Commissioner DOI, Robert Joyce, DOI Assistant Commissioner, Assistant District Attorney Stephen Bookin, Chief of the Investigations Division, Assistant District Attorney Thomas Leahy, Chief of the Rackets Bureau, and Assistant District Attorney Dennis Consumano.

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— PRESS RELEASE —

Friday, June 30, 2006

**RING LEADERS SENTENCED TO PRISON FOR ENTERPRISE CORRUPTION
AND OTHER OFFENSES TIED TO THE OPERATION OF A STOLEN CAR RING**

Bronx District Attorney Robert T. Johnson announced today that the leaders of a major stolen car ring have been sentenced to significant prison terms after pleading guilty to charges of Enterprise Corruption and other offenses.

The defendants were involved in the systematic theft, storage, and illegal dismantling of stolen motor vehicles, as well as the sale and distribution of the component parts from vehicles worth a total of nearly \$1,000,000.

Acting State Supreme Court Justice Steven Barrett sentenced STEVEN LUGO ,35, of 1901 Gleason Avenue, the Bronx, to a term of 5 to 10 years imprisonment and VICTOR ESTRELLA, 46, of 2005 Davidson Avenue, the Bronx, to a term of 3 to 9 years in prison.

LUGO and ESTRELLA were convicted last month on one count of Enterprise Corruption, three counts of Criminal Possession of Stolen Property in the six counts of Criminal Possession of Stolen Property in the 3rd degree, three counts of Grand Larceny in the 3rd degree, and one count each of Insurance Fraud in the 3rd degree, Auto Stripping in the 1st degree, Unlawful Transfer or Disposal of Junk and Salvage Vehicles, and Criminal Possession of Forgery Devices.

On Wednesday, June 28, 2006, Justice Barrett sentenced another defendant, JAMES

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LUGO, 39, to a term of 2 to 6 years imprisonment. James Lugo, of 422 47th Street, Brooklyn, pled guilty last month to one count of Enterprise Corruption, three counts of Criminal Possession of Stolen Property in the 3rd degree, three counts of Grand Larceny in the 3rd degree, and one count each of Insurance Fraud in the 3rd degree, auto Stripping in the 1st degree, Unlawful Transfer or Disposal of Junk and Salvage Vehicles, and Criminal Possession of Forgery Devices.

The defendants were arrested in December 2004 following a three year long joint investigation by the Bronx District Attorney's Office, NYPD's Organized Crime Investigation Division, and the New York City Business Integrity Commission, formerly the Trade Waste Commission.

During the course of the investigation, detectives and prosecutors were assisted by court ordered electronic audio and video surveillance, telephone wiretaps and a Global Positioning System satellite tracking device that was secreted in a van regularly used by members of the ring in order to transport ring members to and from vehicle theft locations, chop shops and delivery locations for stolen car parts. As a condition of STEVEN LUGO's guilty plea he and his common law spouse formally forfeited all right, title and interest in this van to the Bronx District Attorney's Office.

By these guilty pleas, STEVEN LUGO and VICTOR ESTRELLA each admitted being the leaders of the criminal enterprise and thereby overseeing the day to day activities of the criminal enterprise including the theft, storage, and illegal dismantling of stolen motor vehicles,

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and the sale and distribution of the component parts from the stolen vehicles. STEVEN LUGO, VICTOR ESTRELLA and JAMES LUGO each admitted engaging in the systematic “theft, possession and dismantling of stolen vehicles” as well as the “distribution of the stolen vehicles and their dismantled component parts.” The admissions these defendants made in support of their guilty pleas confirmed that members of the criminal enterprise conducted business from various abandoned lots that were converted into open air “chop shops” to dismantle stolen vehicles. These locations were used to take orders for vehicle parts, dismantle vehicles, alter Vehicle Identification Numbers (VIN) on parts, rebuild motor vehicles using stolen parts, and also arrange for the disappearance of vehicles in connection with the filing of fraudulent insurance claims. The ring, during the course of the investigation engaged in criminal activities involving mostly “high end” motor vehicles, a garbage truck, and a tractor trailer.

In addition to the open air “chop shops,” an automobile sound and security shop that had been operating at 2655 Webster Avenue, Auto Sports, Inc., was similarly used in furtherance of the enterprise’s criminal activities (a similar type business is still operating at the same location under the same name but with new owners who have no connection to allegations resulting from this investigation.) On January 24, 2006, the corporate entity who had operated Auto Sports, Inc., during the course of the investigation pled guilty to a single count of Attempted Enterprise Corruption and is expected to be sentenced in Part M-60 on July 21, 2006 to a Conditional Discharge requiring the payment of \$7,500 in forfeiture proceeds.

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In addition to these recent convictions, additional members, associates and customers of the criminal enterprise have also been convicted.

RAYMOND LUGO, a/k/a CoCo, 42, of 422 47th Street, Brooklyn, New York, was convicted on July 1, 2005 by guilty plea to Attempted Enterprise Corruption. He was sentenced on July 12, 2005 to an indeterminate term ranging from 3 - 6 years.

ADALBERTO MARTY, JR., a/k/a Albert, a/k/a Al, 37, of 16 Wiles Drive, Stony Point, New York was convicted on January 24, 2006 by guilty plea to Criminal Mischief in the 3rd degree. He was sentenced on January 24, 2006 to 5 years probation and the forfeiture of three motor vehicles.

CARMEN MARTY, a/k/a Millie, 39, of 16 Wiles Drive, Stony Point, New York, was convicted on January 24, 2006 by guilty plea to Criminal Mischief in the 4th degree. She was sentenced on January 24, 2006 to a Conditional Discharge and the forfeiture of three motor vehicles.

RENE CRUZ, a/k/a Javi, 29, of 1373 Franklin Avenue, Bronx, New York, was convicted on May 25, 2005 by guilty plea to Grand Larceny in the 3rd degree. He was sentenced on June 8, 2005 to an indeterminate term ranging from 2 - 4 years.

JUAN CARLOS, a/k/a Juan Carlos Osorio, a/k/a Kiki, a/k/a Shorty, a/k/a White Boy, 30, of 299 Troutman Street, Brooklyn, New York, was convicted on October 7, 2005 by guilty plea to Criminal Possession of Stolen Property in the 3rd degree. He was sentenced on October 20, 2005 to an indeterminate term ranging from 2 ½ - 5 years.

MICHAEL NUNEZ, 35, of 25 Kress Avenue, New Rochelle, New York, was convicted on

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November 16, 2005 by guilty plea to Criminal Possession of Stolen Property in the 3rd degree. He was sentenced on January 20, 2006 to a Conditional Discharge and \$10,000 in restitution.

MICHAEL RIVERA, a/k/a Chunie, 29, of 2516 Hone Avenue, Bronx, New York, was convicted on February 1, 2005 by guilty plea to Criminal Possession Stolen Property in the 3rd degree. He was sentenced on March 23, 2005 to 5 years probation and \$2,500 in restitution.

JUSTINO LOPEZ, a/k/a Justin, 36, of 579 East 178th Street, Bronx, New York, was convicted on February 16, 2006 by guilty plea to Insurance Fraud in the 5th degree and Attempted Grand Larceny in the 4th Degree. He was sentenced on April 12, 2006 to a Conditional Discharge and the forfeiture of \$10,000 forfeiture.

JOSHUA KAUFMAN, a/k/a Joshua Alpert, 30, of 53 Stewart Place, Eastchester, New York, was convicted on May 26, 2005 by guilty plea to Insurance Fraud in the 4th degree and Grand Larceny in the 4th Degree. He was sentenced on May 26, 2005 to a Conditional Discharge and nearly \$15,000 in restitution.

The investigation of the criminal enterprise and the resulting prosecution was conducted on behalf of the District Attorney by Senior Investigative Assistant District Attorney Todd Sherman of the Investigations Division.

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Thursday, July 13, 2006

**MULTI-STATE DRUG TRAFFICKING RING SHUT DOWN - GRAND JURY
INDICTS LEADERS AND UNDERLINGS ON CHARGES OF CONSPIRACY AND
OTHER OFFENSES INVOLVING THE SALE AND POSSESSION OF HEROIN,
COCAINE AND MARIJUANA**

Bronx District Attorney Robert T. Johnson announced today that a Bronx based narcotics ring that earned an approximately \$1,000,000 a year as wholesalers for street level drug dealers has been shut down following a sixteen month investigation.

District Attorney Johnson said that indictments were unsealed charging 17 individuals, including the ring's leaders, with a total of 21 counts of conspiracy, as well as the possession and sale of heroin, cocaine and marijuana.

The charges were the result of evidence uncovered through court ordered wiretaps on the cellular telephones of the accused and extensive surveillance of the defendants as they engaged in high volume narcotics transactions. During the course of the investigation authorities learned of the group's ties to drug traffickers in Las Vegas, Nevada, Phoenix, Arizona, Wilmington, Delaware and Puerto Rico. All of the defendants were linked to the web of the alleged conspiracy through detailed telephone conversations about specific activities by people affiliated with the drug trafficking ring. The conversations included information regarding the quantities of narcotics delivered, purchase and sale prices, identities of the couriers, and the times and

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locations of meetings between buyers and sellers.

The alleged leaders of the drug distribution ring have been identified as Jose Roman, 37, aka Boli, of 129 East 102nd Street, Manhattan, and Angel Castro, 31, of Newark, Delaware.

Roman and Castro have been charged with 2 counts of Conspiracy in the 2nd degree, a Class B felony offense. Roman has also been indicted on 1 count each of Criminal Sale of a Controlled Substance in the 1st degree, and Criminal Possession of a Controlled Substance in the 1st degree, both Class A-1 felony offenses, Criminal Possession of a Controlled Substance in the 3rd degree, a Class B felony offense and Conspiracy in the 4th degree, a Class E felony offense. The most serious offense, Conspiracy in the 2nd degree is punishable by a maximum sentence of up to 25 years imprisonment.

The indictment focuses on high volume drug transactions that occurred on four separate occasions. It is alleged that on May 4, 2006, Julio Carmona, 37, of 55 East 99th Street, Manhattan, Louis Rivera, 45, of 1519 Metropolitan Avenue, the Bronx, and George Carmona, 36, of Hamden, Connecticut, acted in concert with each other in the sale of 8 pounds of marijuana to a buyer who has been charged in a separate complaint. The transaction occurred at a Mobil Gasoline Station on Bruckner Boulevard in the Soundview section of the Bronx. Julio Carmona, George Carmona, and Louis Rivera have been charged with Criminal Sale of Marijuana in the 1st degree, a Class C felony offense, and Criminal Possession of Marijuana in the 2nd degree, a Class D felony offense. The marijuana possession charge stems from an incident that occurred 4 days later on May 8, 2006 when investigators intercepted and seized a

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package containing 10 pounds of marijuana that the defendants were expecting via United Parcel Service. Rivera, a UPS employee, was arrested this morning.

It is alleged that on May 22, 2006, Jose Roman sold 3 kilos (nearly six and a half pounds) of cocaine to Melquisede Carrero, 31, aka Melky, of 327 East 108th Street, the Bronx, on behalf of Julio Carmona. Carrero took possession of the narcotics in a parking lot near 645 Westchester Avenue, in the Bronx and was followed by investigators to a garage near East 100th Street and Lexington Avenue, in Manhattan where he was arrested. Carrero has been charged in this indictment with Conspiracy in the 2nd degree, and is being prosecuted on the drug possession charges by the Office of the Special Narcotics Prosecutor.

Two other narcotics transactions which have resulted in charges being filed by the grand jury occurred on June 16, 2006 and June 21, 2006 when John Torres, 36, aka Jay, of 1107 Bryant Avenue, the Bronx, allegedly possessed and sold on those two dates, 400 glassine envelopes and 300 glassine envelopes containing heroin. Torres has been charged with 2 counts of Criminal Sale of a Controlled Substance in the 2nd degree, 4 counts of Criminal Possession of a Controlled Substance in the 3rd degree, 2 counts each of Conspiracy in the 2nd and 4th degrees.

Ten remaining defendants named in the indictment allegedly worked for the distribution ring in various capacities and have all been charged with conspiracy. Following are those defendants who have been charged with Conspiracy in the 2nd degree: Raymond Arroyo, 27, of 1277 Shakespeare Avenue, the Bronx; Julio Cintron, 32, of 117 East 101st Street, Manhattan; Nelson Estrada, 30, aka Skinny Nell, of 1410 Park Avenue, Manhattan; Myra Fuentes, 35, of

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1107 Bryant Avenue, the Bronx; William Mejia, 1809 Third Avenue, the Bronx; Seon Phillips, 29, aka Pluck, of Wilmington, Delaware; Farrah Rodriguez, 28, of 645 Westchester Avenue, the Bronx; and Rey Rodriguez, 34, of 2390 Second Avenue, Manhattan. Charged with Conspiracy in the 4th degree are Louis Aponte, 30, of 999 East 163rd Street, the Bronx and Miguel Roman, 32, of 3555 Olinville Avenue, the Bronx.

While the Bronx and Manhattan formed the epicenter of the drug ring, it has also been linked to illegal narcotics activity in Wilmington, Delaware, where one of the alleged leaders, Angel Castro, resided. Castro's alleged partner Jose Roman maintained multiple residences in Manhattan, Puerto Rico, Las Vegas, Nevada, and Phoenix, Arizona where he was arrested before being returned to the Bronx to face these charges. The investigation uncovered evidence that Puerto Rico was the source of the cocaine and marijuana that the ring distributed, while the heroin was shipped from Arizona. The illegal drugs were shipped via United Parcel Service. Investigators intercepted three of those deliveries including a package to Delaware containing 106 grams of Black Tar heroin which was hidden in the bottom of a toy Elmo, the Sesame Street character. A portion of that heroin was to have been sent to New York to be sold. The package was seized on July 3, 2006.

District Attorney Johnson said the scope of this drug ring's operation was such that the investigation required the cooperative efforts of numerous law enforcement agencies: Office of the Special Narcotics Prosecutor, Office of the Manhattan District Attorney, Office of the United States Attorney for the Eastern District, the New York City Police Department, the Phoenix

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Office of the Drug Enforcement Administration, the Arizona Department of Public Safety, the Maricopa County District Attorney's Office, and the Delaware State Police. Mr. Johnson also thanked the Security Division of the United Parcel Service for its assistance. District Attorney Johnson noted that this investigation could not have been successful without the assistance of the New York Office of the Drug Enforcement Administration.

District Attorney Johnson said that he was particularly appreciative of the diligence and hard work of Detectives Wilford Pinkney and Sergio Conde of the DA's Squad (NYPD), Assistant District Attorney Edward Friedenthal, Counsel to the Gang Prosecution / Major Case Bureau, Assistant District Attorney Jeremy Shockett and Assistant District Attorney Adam Oustatcher.

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— PRESS RELEASE —

Tuesday, August 8, 2006

WIFE SLASHER PLEADS GUILTY

Bronx District Attorney Robert T. Johnson today announced that Ivor Forbes, 35, of 2199 Holland Avenue, has pleaded guilty to Manslaughter in the first degree in connection with the death of his wife, Keisha Denton, on December 7, 2003. On that date, Forbes slashed Denton numerous times with a sword in their first floor apartment. She was then 34 years old. Forbes was originally charged with murder in the second degree. Under the terms of the plea, he will serve 18 ½ years in prison. The plea was accepted in the light of all of the circumstances of the case, including the defendant's psychiatric reports.

The case is being prosecuted by Senior Trial Assistant District Attorney Bruce Birns of the Domestic Violence Bureau. The plea was taken by the Hon. John Carter. Sentencing is scheduled for September 12, 2006 in Part DV.

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Wednesday, August 9, 2006

YANKEE STADIUM NET JUMPER CONVICTED

Bronx District Attorney Robert T. Johnson announced that Scott Harper, 18, was convicted today for jumping off the upper deck in Yankee Stadium and on the netting behind home plate.

Mr. Harper, of Armonk, New York, pled guilty to one count of Reckless endangerment in the 2nd degree for the August 9, 2005 incident at the Stadium. State Supreme Court Justice Troy Webber set sentencing for Tuesday, September 19, in Part 40.

The plea recommendation by the Bronx District Attorney's office had been a sentence of probation and restitution to the Yankees for damages caused by Mr. Harper's actions. That offer was rejected by Mr. Harper. The District Attorney's office asked the Court to then sentence the defendant to thirty days incarceration.

Under the terms of Justice Webber's plea agreement Mr. Harper's sentence will be predicated on the outcome of his subsequent Westchester County case for Operating a motor vehicle while under the influence of alcohol or drugs. The Court made clear that Mr. Harper was an individual in need of supervision and if that was not imposed in his Westchester case, she

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would sentence him to supervision in the Bronx. Justice Webber did promise Mr. Harper that his sentence would include a lifetime ban from Yankee Stadium as it presently exists and any future Yankee Stadium that may be built on the site.

The case is being prosecuted by Assistant District Attorney Tama Monoson.

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— PRESS RELEASE —

Thursday, August 10, 2006

BRONX MAN SENTENCED IN THE FATAL BEATING DEATH OF A THIRTY
SEVEN YEAR OLD MAN

Bronx District Attorney Robert T. Johnson announced today that Jacob Reyes, 19, has been sentenced to a maximum term of 25 years imprisonment in the fatal beating of a thirty seven year old man.

A jury found Reyes, of 1069 Grand Avenue, guilty of one count of Manslaughter in the 1st degree for killing Washington "Daniel" Rojas in July 2003.

State Supreme Court Justice Martin Marcus sentenced Reyes to the maximum term on the charge of Manslaughter in the 1st degree.

Co-defendants Luis Pinales, 22, of 595 Trinity Avenue, the Bronx, and Rafael Quezada, 24, of 1645 Grand Avenue, the Bronx, are currently in jail. Each defendant was found guilty of one count of Manslaughter in the 1st degree. Pinales was sentenced to a maximum term of 15 years imprisonment and Quezada was sentenced to a maximum term of 20 years imprisonment.

The deadly incident, according to testimony, began just after midnight on July 9, 2003, when an eyewitness observed Reyes, Pinales and Quezada, along with three other unapprehended individuals, pull Rojas by his feet, out of his building at 1667 Grand Avenue, into the court yard of 1667-1669 Grand Avenue. The eyewitness further testified that the defendants were seen

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punching, kicking, and banging the victim's head on the pavement. The beating continued as the defendants dragged Rojas out of the courtyard and onto Grand Avenue and 174th Street. Witness testimony stated that upon hearing the sirens approaching, the defendants ran away leaving Rojas mortally wounded. The defendants were apprehended on July 13, 2003, following a positive identification by the eyewitness.

These cases were prosecuted by Assistant District Attorney's Suzanne Mc Elwreath and Adam Sheldon of the Trial Division.

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— PRESS RELEASE —

Tuesday, September 5, 2006

BRONX DISTRICT ATTORNEY ANNOUNCES NEW APPOINTEES

Bronx District Attorney Robert T. Johnson announced today the hiring of 45 new Assistant District Attorneys.

The new ADAs began a three-week training program today under the supervision of Assistant District Attorney Cari E. Ferreiro, Director of Litigation Training. The intensive program combines courtroom observation with lectures in criminal court practice.

The following is a list of the new Assistants and their law schools:

- | | |
|------------------|--|
| Christina Barba | American University, Washington College of Law |
| Benjamin Bernard | New York Law School |
| Elizabeth Brown | St. John's University School of Law |
| Noah Chamoy | Brooklyn Law School |
| Heather Cook | CUNY School of Law @ Queens College |
| Larry Cunningham | Georgetown University Law Center |
| Lauren Di Chiara | St. John's University School of Law |
| Akane Fujiwara | Brooklyn Law School |
| John Gardiner | St. John's University School of Law |
| Andres Gil | Albany Law School |

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- Jason Herman Pace University School of Law
- Bryan Hughes University of Baltimore School of Law
- Rosemarie Iaconis St. John's University School of Law
- Bari Kamlet Albany Law School
- Meridith Kelsch University of North Carolina @ Chapel Hill School of Law
- David Kirsch Touro College, Jacob D. Fuchsberg Law Center
- Allyson Kohlmann Touro College, Jacob D. Fuchsberg Law Center
- Biju Koshy Seton Hall University School of Law
- Gina Kowalczyk New York Law School
- Thomas Lancer Albany Law School
- Lawrence Lazzara New York Law School
- Gabriela Leal CUNY School of Law @ Queens College
- Dana Levin St. John's University School of Law
- Kieran Linehan Syracuse University College of Law
- Joshua Magri Boston College Law School
- Elizabeth McGrath Hofstra University School of Law
- Pearl Moore University of Arkansas at Little Rock School of Law
- Jamie Moran St. John's University School of Law
- Larry Mutz Rutgers University School of Law - Newark
- Sharif Nesheiwat Pace University School of Law

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- | | |
|-------------------|---|
| Jennifer Newton | American University, Washington College of Law |
| William Novak | Chicago-Kent College of Law |
| Jonathan Ortiz | Villanova University School of Law |
| Raasheja Page | St. John's University School of Law |
| Paul Parisi | State University of New York School of Law at Buffalo |
| Rakhi Patel | Georgetown University Law Center |
| Kimberly Ragazzo | Emory University School of Law |
| Alejandra Rosario | Albany Law School |
| Jason Scheu | Brooklyn Law School |
| Andrew Sherwood | New York Law School |
| Matthew Sotirhos | St. John's University School of Law |
| Leslie Sturm | Boston University School of Law |
| Denice Szekely | Brooklyn Law School |
| Laura Trachtman | University of California @ Berkley School of Law |
| Jason Wong | Benjamin N. Cardozo School of Law |

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— PRESS RELEASE —

Thursday, September 7, 2006

**BRONX MAN SENTENCED TO TWENTY YEARS IMPRISONMENT IN FATAL
STABBING AT ROLLER RINK**

Bronx District Attorney Robert T. Johnson announced today that a 26 year old man was sentenced to 20 years imprisonment for stabbing a man to death at the Skate Key Roller Rink at East 138th Street and Canal Street on March 8, 2004.

Terrell Gilford, of 274 West 140th Street, Manhattan, was convicted last month of Manslaughter in the 1st degree and other offenses in connection with an incident that led to the death of 22 year old Bronx resident James Jones. Gilford was found guilty following a non-jury trial before State Supreme Court Justice Ceasar Cirigliano. Gilford also was found guilty of Assault in the 1st degree in the stabbing of a second victim, Kyle Williams, and Criminal Possession of a Weapon in the 4th degree. Justice Cirigliano sentenced Gilford to concurrent terms of 20 years imprisonment on the manslaughter conviction, 20 years imprisonment on the assault conviction and one year in jail for the illegal possession of a knife.

The stabbings occurred when Gilford became involved in a fight over a woman. Even though Gilford did not know the woman or anyone else involved in the dispute, he brandished a knife and stabbed Jones four times in the heart, right arm and hand.

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Williams, who survived the attack, was stabbed four times in the back and stomach. Gilford fled following the stabbings at the roller rink at East 138th Street and Canal Street but was captured after a short chase. He was taken into custody while running on the walkway on the 138th Street bridge into Manhattan. The defendant was identified by an eyewitness who had joined in the chase following the stabbings at the roller rink.

The case was prosecuted by Assistant District Attorney Susanna Imbo and Senior Trial Assistant District Attorney Allen Karen.

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— PRESS RELEASE —

Friday, September 8, 2006

**FORMER NEW YORK CITY SANITATION WORKER SENTENCED TO
SERVE UP TO ELEVEN YEARS IN PRISON FOR ROBBERY AND SEXUAL
ASSAULT WHILE POSING AS A POLICE OFFICER**

Bronx District Attorney Robert T. Johnson announced today that a 52 year old Bronx man was sentenced to a maximum term of up to eleven years imprisonment in connection with a sexual assault and a robbery involving two victims. The defendant, who was employed as a New York City sanitation worker, committed the crimes while posing as a police officer.

Clarence Evans, of 1670 East 174th Street, the Bronx, was convicted last July on one count of Robbery in the 3rd degree, one count of Criminal Sexual Act in the 3rd degree, and two counts of Criminal Impersonation in the 1st degree.

State Supreme Court Justice Martin Marcus sentenced Evans to consecutive maximum terms of 2 1/3 - 7 years imprisonment on the robbery conviction and 1 1/3 - 4 years on the sex offense conviction. The judge also imposed concurrent sentences of 1 1/3 - 4 years imprisonment on each count of criminal impersonation.

The first of the two crimes occurred on August 27, 2005 shortly before midnight when Evans pulled a woman into his minivan, identified himself as police officer and drove her around before dumping her near the Bronx - Westchester County border. The 49 year old victim, who

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was standing at a bus stop at 174th Street and Boston Road when the defendant approached her, testified that she was on her way to a club to celebrate her birthday. She said Evans mistook her for a prostitute. She said that after being driven around the area for a period of time, Evans took her purse and pushed her out of the minivan while it was still moving, in the vicinity of Ropes Avenue and Boston Road near Mount Vernon where workers from a nearby restaurant came to her assistance.

Four days later on August 31, 2005, Evans approached an admitted 29 year old prostitute in the Hunts Point area and agreed to pay her \$20 in exchange for oral sex. The victim testified that Evans then showed her a badge and identified himself as a detective. Evans took the woman's purse, checked her ID, and told her that he had to question her about an investigation that he was conducting and also make sure that there were no arrest warrants lodged against her. Evans escorted the woman to his apartment on East 174th Street, took possession of her purse and subjected her to a strip search. When he victim complied with an order to take a shower she was raped and sodomized.

The case was prosecuted by Assistant District Attorney Alexandra Militano of the Child Abuse / Sex Offense Bureau.

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— PRESS RELEASE —

Thursday, September 14, 2006

**BRONX MOTHER CHARGED WITH INCITING TO RIOT AND MAKING
FALSE STATEMENTS TO POLICE IN CONNECTION WITH MELEE THAT LEFT
ONE OF HER SONS 'BRAIN DEAD'**

Bronx District Attorney Robert T. Johnson announced today that a woman, who had claimed to be a victim in a bloody altercation last Spring, has been arrested and charged with instigating the fight.

A grand jury has charged Evelyn Cruz, of 200 West Kingsbridge Road, the Bronx, with Inciting to Riot and Making False Statements to Police in connection with an altercation and fight involving Cruz, unidentified accomplices aligned with her, and students from the Mount St. Michael Academy. Both crimes are Class A Misdemeanor offenses punishable by a maximum penalty of up to one year in jail.

The incident occurred on May 5, 2006 beneath the elevated Woodlawn train station on the IRT #4 Line in the vicinity of Bainbridge and Jerome Avenues. Following the fight, charges initially were filed against two of the students one of whom had been stabbed. The grand jury however, based on information that came to light during the continuing investigation, dismissed all charges against the two students and charged Evelyn Cruz instead. It is alleged that Cruz orchestrated the confrontation because she believed that her 15 year old son, a sophomore at

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Mount St. Michael Academy, was being bullied by fellow students. Cruz allegedly set into motion a chain of events which resulted in serious injuries to her older son, Eric Acevedo, 23, while a 16 year old student sustained a single stab wound in his back. Acevedo suffered severe head trauma resulting in permanent brain damage when the injured student struck him with a tree limb after being stabbed. Although Acevedo was identified as being involved in the fight, he was not identified as the individual who had stabbed the student.

Cruz, who surrendered to detectives, was released without bail after pleading not guilty before State Supreme Court Justice John Byrne.

Assistant District Attorney Georgia D. Barker is prosecuting the case.

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— PRESS RELEASE —

Tuesday, September 26, 2006

BRONX MAN PLEADS GUILTY TO MURDERING HIS NEIGHBOR

Bronx District Attorney Robert T. Johnson announced today that a 42 year-old Bronx man has pled guilty to the 2004 murder of his 47 year-old neighbor.

Edward Smalls, of 2861 Exterior Street, pled guilty to Murder in the 2nd degree in the death of Lydia Fraizier, in March 2004. Under the terms of the plea agreement, Smalls will be sentenced to an indeterminate term of 15 years to life imprisonment when he appears before Acting State Supreme Court Justice William Mogulescu on Tuesday, November 17, 2006 in Part M30. The People had recommended that the defendant receive a sentence of 20 years to life imprisonment.

In a written confession, Smalls admitted that on March 12, 2004, he struck the victim in the head with a hammer, dismembered her body in his bathtub, and then placed her corpse in a 50 gallon plastic container. Smalls stated that he then placed the victim in his bedroom closet until April 2005.

Smalls further confessed that he could no longer live with the corpse and disposed of it behind his building on April 15, 2005. Frazier's body was discovered by building maintenance workers along with the knives used to dismember the victim later that day.

This case is being prosecuted by Assistant District Attorney Cristina S. Park of the Trial Division.

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059/2006



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— PRESS RELEASE —

Tuesday, October 17, 2006

YONKERS WOMAN PLEADS GUILTY TO CHARGES OF OPERATING
A MOTOR VEHICLE WHILE UNDER THE INFLUENCE

Bronx District Attorney Robert T. Johnson announced today that a 21 year-old Yonkers woman was convicted of operating a vehicle while under the influence of alcohol.

Stefanie Armento, 21, of 42 Gunther Avenue, Yonkers, New York, pled guilty to one count of Operating a motor vehicle while under the influence of alcohol, a misdemeanor. Under the terms of the plea agreement, State Supreme Court Justice Troy K. Webber imposed a fine of \$500, a six-month driver license revocation and ordered Armento to complete a state funded Stop DWI Program in Westchester County.

The incident occurred on March 26, 2006, when Officer Nelson Robles of Highway 01, observed Armento driving erratically along the Sheridan Expressway. The officer, according to court papers, said he witnessed the defendant roll through a stop sign at the intersection of East 177th Street and the Cross Bronx Expressway, and approach an accident on the Bruckner Expressway at Westchester Avenue at a high rate of speed narrowly missing the caution flares.

Officer Robles pulled Armento over at the corner of Pelham and the Hutchinson River Parkways, where the defendant was observed to have blood shot eyes, a strong smell of alcohol on her breath, and slightly slurred speech. Armento was placed under arrest when she failed to

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successfully complete coordination and breath analysis tests.

This case was prosecuted by Assistant District Attorney Elizabeth M. Brandon of the Criminal Court Bureau.

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— PRESS RELEASE —

Thursday, October 26, 2006

**HOMELESS PAROLEE CONVICTED OF ROBBING FIVE WOMEN DURING A
TWO WEEK CRIME SPREE IN 2004**

Bronx District Attorney Robert T. Johnson announced today that a 40 year old homeless man has been convicted of robbing five young women in September of 2004 while on parole for an attempted robbery that he committed in 1995.

Emilio Mena pled guilty to five counts of Robbery in the 3rd degree involving five separate incidents in the Hunts Point section of the Bronx between September 12, 2004 and September 26, 2004. Acting State Supreme Court Justice Megan Tallmer set sentencing for December 1, 2006 in Part T-22. The judge said that Mena will be sentenced to five consecutive terms of 3 ½ to 7 years imprisonment.

Mena committed the first of the robberies on September 12, 2004 when he accosted a 36 year old woman who was walking her dog in a park at Bryant and Spofford Avenues. Mena pointed what appeared to be a gun at the victim and robbed her of three rings, a gold chain and \$450 in cash. Two days later on September 14, 2004, Mena followed a 32 year old woman and her two young children into an elevator in an apartment building on Westchester Avenue. When the victim got off the elevator on the 20th floor, Mena robbed her at knife-point, snatching a gold chain that she was wearing.

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The third in the string of robberies occurred on September 18, 2004 when Mena followed a 36 year old woman into a building on Hoe Avenue and up one flight of stairs where he grabbed the victim's purse and punched her in the face repeatedly before fleeing. The following day on September 19, 2004, the defendant accosted a 37 year old woman as she was leaving a building on Vyse Avenue to walk her dog. Mena brandished a knife and grabbed the victim's purse. Mena confronted his fifth victim a week later on September 26, 2004 when he followed a 48 year old woman into an elevator in a building on Southern Boulevard. He removed a gold ring from the victim's finger after pounding her in the face with his fist so severely that the woman had to be hospitalized for several days.

Mena was arrested on September 29, 2004 in the vicinity of the Intervale Avenue IRT train station, which was the scene of an unrelated police investigation. Officers recognized Mena as the subject in a "Wanted" photo that had been distributed at the start of their shift.

Assistant District Attorney Richard Kearney is prosecuting the case.

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— PRESS RELEASE —

Friday, October 27, 2006

SUSPECT IN TRIPLE HOMICIDE INDICTED BY GRAND JURY

Bronx District Attorney Robert T. Johnson has announced that a grand jury late this afternoon indicted Rafin Vellon, 38, on murder and weapon possession charges in the death of Polonio Peralta, 60, during a bloody rampage in which two other people also were killed.

The indictment charges Vellon, of 1029 Hall Place, the Bronx, with one count of Murder in the 2nd degree and two counts of Criminal Possession of a Weapon in the 4th degree. Additional murder charges in the deaths of Gloria Valdez, 56, and her son Carl Valdez, 36, are still pending.

Vellon is accused of murdering Peralta by striking the victim numerous times with a hard metal barbell on Monday, October 23, 2004 outside the basement apartment on Hall Place where he resided with the other two victims.

The defendant is being held without bail and is scheduled to be arraigned on the indictment in the Domestic Violence Part at State Supreme Court on Tuesday, November 21, 2006.

Assistant District Attorney David Birnbaum is prosecuting the case.

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— PRESS RELEASE —

Monday, October 30, 2006

25 YEAR OLD BRONX MAN FACING UP TO FIFTY YEARS IMPRISONMENT
FOR SEXUALLY ASSAULTING A 20 YEAR OLD WOMAN

Bronx District Attorney Robert T. Johnson announced today that Rohan Campbell, 25, has been convicted of sexually assaulting a 20 year old woman whom he had abducted at gunpoint in August 2004.

Campbell, of 712 East Gunhill Road, the Bronx, was found guilty on two counts of Criminal Sexual Act in the 1st degree, a Class B felony offense punishable by a maximum sentence of up to 25 years imprisonment on each count. Sentencing has been scheduled for Thursday, November 9, 2006 in Part T-19. Campbell could be facing as many as 50 years in prison if State Supreme Court Justice David Stadtmauer imposes consecutive maximum terms.

Campbell committed the sexual assaults on August 10, 2004 beginning at approximately 2:40 A.M. in the Williamsbridge section on the Bronx when he accosted his victim and her boyfriend in the vicinity of 216th Street and Bronxwood Avenue. The young woman was being escorted home when the defendant forced her at gunpoint to accompany him to a parked car. The woman's boyfriend was told that she would be shot if he moved. Campbell drove off with the victim and forced her to engage in oral sex twice during a period of ninety minutes. The second

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sexual encounter occurred at the initial location of the abduction where Campbell returned after driving around. Police, who had been alerted by the victim's boyfriend, stopped to investigate when they noticed the car parked at an unusual angle. When they shined a flashlight into the car they realized that the defendant and the young woman matched the descriptions that had been provided by the boyfriend. Campbell turned on the ignition and attempted to flee but was taken into custody after a short foot chase that began after he crashed into a parked car a couple of blocks away.

Assistant District Attorney Aaron Kaplan is prosecuting the case.

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Thursday, November 9, 2006

**GRAND JURY INDICTS BRONX MAN FOR ALLEGEDLY ASSAULTING
TWO POLICE OFFICERS WHO WERE INVESTIGATING A REPORT OF A STOLEN
LUXURY CAR**

Bronx District Attorney Robert T. Johnson announced today that a grand jury has indicted Rafael Then, 22, on assault and other charges for allegedly causing injuries to New York City police officers who were investigating a report of a stolen luxury car.

The grand jury indicted Then on charges of Assault in the 1st degree, Assault on a Police Officer, Assault in the 2nd degree, Criminal Possession of a Weapon in the 2nd degree, Criminal Possession of a Weapon in the 3rd degree, Reckless Endangerment in the 1st degree, Reckless Endangerment in the 2nd degree, and Resisting Arrest.

Then, of 1680 Clay Avenue, is facing a maximum sentence of up to 25 years imprisonment if convicted of the most serious Class B felony offense of Assault in the 1st degree.

The incident that resulted in the filing of these charges occurred on October 27, 2006 near the intersection of Clay Avenue and East 173rd Street. Sgt. Edward Warren, Police Officer Fannie Ortiz, and Police Officer Samuel Castro were on routine patrol looking for stolen vehicles. The check of a license plate indicated that a parked 2003 model Lexus had been

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reported stolen from an automobile dealership in Queens. The officers waited for the driver to return to the car. Sgt. Warren approached on the driver's side while Officers Ortiz and Castro approached on the passenger side. The defendant allegedly ignored repeated orders to turn off the ignition and get out of the vehicle and instead attempted to drive away in reverse. Officer Castro, who had reached inside the car from the front passenger side in an effort to shut off the ignition, noticed a gun tucked in the defendant's waistband and grabbed his arm when he allegedly reached for the weapon. The vehicle continued moving backwards and slammed Officer Ortiz into a metal stanchion. As Officer Castro continued struggling to disarm the defendant, Sgt. Warren, believing that his partner's life was in danger, shot into the moving car striking the defendant once in the face.

Officer Castro was treated for lacerations to his face and head, and soreness in his back and knee. Officer Ortiz underwent surgery for multiple fractures. Then underwent surgery for facial wounds.

Then remains hospitalized and is scheduled to be arraigned on the indictment on Wednesday, December 6, 2006 in State Supreme Court, Part A.

The case is being prosecuted by Assistant District Attorney Stuart Levy, Deputy Chief of the Rackets Bureau and Assistant District Attorney Omer Wiczuk.

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— PRESS RELEASE —

Wednesday, November 15, 2006

**SUSPECT ARRESTED FOLLOWING RECENT DNA MATCH ARRAIGNED ON
'JOHN DOE' INDICTMENT ALLEGEDING SEX CRIMES AGAINST A TWELVE
YEAR OLD BOY IN VAN CORTLANDT PARK IN 1998**

Bronx District Attorney Robert T. Johnson announced today the first arrest of a defendant in Bronx County to be charged with a crime in a 'John Doe' indictment based on a DNA profile. The suspect, Emmanuel Taveras, 27, of 550 West 157th Street, Manhattan, has been charged with committing sex offenses against a 12 year old boy who was on his way to school.

The grand jury indicted Taveras, first as 'John Doe', on two counts of Criminal Sexual Act in the 1st degree, a Class B felony offense, two counts of Sexual Abuse in the 1st degree, a Class D felony offense, and one count of Endangering the Welfare of a Child, a Class A misdemeanor offense. Taveras is facing a maximum sentence of up to 25 years imprisonment if convicted of the most serious offense.

The alleged crimes occurred on April 23, 1998 in a wooded area in Van Cortlandt Park. The 12 year old victim was standing at a bus stop at 251st Street and Broadway across the street from the park when the defendant allegedly approached the boy and asked for assistance in finding the baseball field. It is alleged that as the child accompanied him, Taveras pulled the boy into a wooded area, punched him in the face and forced him to engage in oral and anal

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sexual acts.

Although Taveras was not identified as a suspect until this year, the grand jury returned an indictment in this case on June 6, 2005. Named in the indictment was 'John Doe' whose only identity at the time was the DNA profile that had been developed from the rape kit in the 1998 attack.

The defendant's profile was entered into the Combined DNA Index System (CODIS) a national data bank that links federal, state and local DNA data banks containing forensic biological evidence collected from crime victims. The profile was identified as a match for Taveras as a result of his conviction on a drug offense in Bergen County, New Jersey, at which time a sample of his DNA was uploaded to the national data base.

District Attorney Johnson said: "This arrest underscores the importance of the expansion in recent years of law enforcement's use of DNA technology, from the mayor's initiative to eliminate the back log of rape kits to the governor signing into law, bills requiring all convicted felons and those convicted of certain misdemeanors to provide the state data base with DNA samples. We now have a huge opportunity to solve open sexual assault cases that might otherwise have gone unsolved."

Assistant District Attorney Rachel Singer of the Child Abuse / Sex Offense Bureau is prosecuting the case.

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— PRESS RELEASE —

Tuesday, November 21, 2006

PRISON INMATE CONVICTED OF ASSAULT FOR THROWING PUNCHES
THAT LEFT FELLOW INMATE BRAIN DEAD

Bronx District Attorney Robert T. Johnson announce today that a 29 year old convict has been found guilty of assaulting a fellow inmate who was left brain dead after the altercation in a holding pen at Bronx Criminal Court.

A jury convicted Kenny Taylor of Assault in the 2nd degree in causing the injury that ultimately resulted in the death of Ronald Fesce, 54. Taylor is to be sentenced by Acting State Supreme Court Justice Michael Gross on Monday, December 11, 2006 in Part T-11. Assault in the 2nd degree is a Class B felony offense punishable by a maximum sentence of up to 7 years imprisonment. The judge could order that the sentence run consecutive to the 6 to 12 year term that Taylor already is serving following earlier convictions for attempted robbery and criminal sale of a controlled substance. If that happens, Taylor's sentence for this assault conviction would not begin until the completion of the six to a 12-year prison term. Although Taylor was responsible for the assault there was no evidence that the defendant had intended to cause Fesce's death.

The incident occurred on October 12, 2004 around eight o'clock in the morning at 215 East 161st Street. The two men were in a holding cell at Bronx Criminal Court arguing about

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legal advice when the dispute escalated. Taylor began punching Fesce in the face and upper body causing him to fall to the ground. During the fall, the victim's head struck a steel bench. However, the seriousness of the injury was not apparent until two days later on October 14th when Fesce lapsed into a coma and was hospitalized because of internal bleeding. Despite undergoing surgery in an effort to repair the damage, Fesce was declared 'brain dead' and removed from life support on October 17, 2004.

The case is being prosecuted by Assistant District Attorneys James Goward and Omer Wiczuk of the Rackets Bureau.

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— PRESS RELEASE —

Thursday, November 30, 2006

**BRONX MAN FACING 15 YEARS IN PRISON FOR ATTEMPTED MURDER IN
DISPUTE OVER \$20 WORTH OF MARIJUANA**

Bronx District Attorney Robert T. Johnson announced today that a 21 year old Bronx man has been convicted of attempted murder in connection with a dispute over \$20 worth of marijuana.

Elah Wells, of 2114 Daly Avenue, pled guilty to one count of Attempted Murder in the 2nd degree for shooting Erick Oliver, 22 in the back on January 22, 2006. State Supreme Court Justice Troy Webber set sentencing for January 3, 2007 in Part 40. Judge Webber has indicated that Wells will be sentenced to a term of 15 years imprisonment.

Oliver was shot once in the upper back near his kidney while talking with friends in front of 1363 Prospect Avenue near Freeman Street. He told police that he heard a gunshot, felt nothing at first and then collapsed on the sidewalk. Wells said that after he fell he saw Oliver holding a gun which he placed in his pocket before running from the scene.

The shooting was the culmination of an ongoing dispute over money that the victim allegedly owed the defendant's brother for \$20 worth of marijuana. A week before the shooting Wells saw Oliver on the street and attempted to collect the \$20 debt. When he was rebuffed, Wells left the scene of the confrontation and later returned with a gun which jammed when he

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attempted to shoot Oliver. The two men began fighting and Wells retreated for a second time that day. As Wells fled, he threatened Oliver, telling him that he was going to die.

Assistant District Attorney Jason Petri is prosecuting the case.

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— PRESS RELEASE —

Wednesday, December 6, 2006

**BRONX MAN CONVICTED OF MURDER IN THE STABBING DEATHS OF
THREE YOUNG GIRLS IN PARKCHESTER BETWEEN 1988 AND 1990**

Bronx District Attorney Robert T. Johnson announced today that a 40 year old convict admitted brutally murdering three young girls, one during a robbery following a drug binge in 1988 and two during a robbery in 1990. All three murders occurred in the Parkchester section of the Bronx.

James Johnson, a.k.a. James Buie, pled guilty to three counts of Murder in the 2nd degree in the stabbing deaths of Joanna Acosta, 13, Michelle Ross, 15, and Sharon Sadhoo, 17. Under terms of the plea agreement, Acting State Supreme Court Justice Steven Barrett will sentence Johnson to 30 years to life imprisonment. Johnson will receive two concurrent terms of 15 years to life for the murders of Michelle Ross and Sharon Sadhoo, which will run consecutive to a term of 15 years to life for the murder of Joanna Acosta. Sentence will be imposed in State Supreme Court Part 60 in February 2007, on a date to be set by the court.

The first of the three murders occurred on September 15, 1988 when Acosta, 13, left her apartment to throw away some garbage and was confronted by Johnson who had been on the roof of the building smoking crack. Johnson forced her back inside the apartment on Metropolitan Avenue, tied her hands and feet, and stabbed her numerous times. More than two

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years later on November 6, 1990, Johnson followed Ross, 15, and Sathoo, 17, into another building in the vicinity of Metropolitan Avenue and forced his way into Ross' apartment where the girls were bound and stabbed multiple times.

More than a decade and a half later in July 2005, Johnson finally was charged and indicted for the murders as a result of partial fingerprints left at the murder scenes, advances in technology, and the persistence of Detectives Ronald Pereira of the 43rd Precinct and Daniel Perruzza of the NYPD Latent Print Section. Over the years, the development of new technology has made it easier for investigators to match partial fingerprints with full fingerprints. When the evidence in the murder cases finally came together in 2005, Johnson was already in state prison serving time for an armed robbery that he had committed ten years earlier in 1995.

The case is being prosecuted by Assistant District Attorney Edward Talty, Chief of the Gangs / Major Case Bureau.

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— PRESS RELEASE —

Friday, December 8, 2006

**GRAND JURY INDICTS MANAGER OF BURGER KING FOR MURDER IN
THE DEATH OF A 16 YEAR OLD YOUTH DURING A SHOOTOUT IN THE
RESTAURANT'S PARKING LOT**

Bronx District Attorney Robert T. Johnson announced today that the manager of a Burger King restaurant has been indicted for murder for his alleged involvement in a shootout last month in which a 16 year old boy was killed.

The grand jury indicted Ronald Johannes, 45, of 3331 Wickham Avenue, the Bronx on one count of Murder in the 2nd degree, one count of Manslaughter in the 1st degree, one count of Criminal possession of a weapon in the 2nd degree, three counts of Criminal possession of a weapon in the 3rd degree, and one count of Reckless endangerment in the 1st degree.

Johannes, manager of a Burger King Restaurant at 3500 Baychester Avenue, was charged with "intentional murder" in causing the death of Shacka Walcott on November 11, 2006. Johannes is scheduled to be arraigned on the indictment on January 26, 2007 in State Supreme Court Part A. He is being held without bail and is facing a maximum sentence of 25 years to life imprisonment if convicted of the most serious charge of Murder in the 2nd degree. In addition to the charges related to the fatal shooting, Johannes was also indicted on weapons charges resulting from the execution of a search warrant at his home following his arrest.

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The fatal shooting occurred in the parking lot of the crowded Burger King on a Saturday evening at approximately 7:30 P.M. Investigators said the defendant and victim were engaged in a heated argument when they started shooting at each other. Johannes was wounded. Walcott was killed. The deadly shootout was the culmination of a simmering dispute that had begun a week earlier at the restaurant when the deceased spat at the defendant during a pushing and shoving altercation. Walcott was upset because Johannes had refused to serve him because the restaurant was closed.

The case is being prosecuted by Assistant District Attorney Lawrence Piergrossi.

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— PRESS RELEASE —

Monday, December 11, 2006

GIRL WHO GAVE BIRTH AT THIRTEEN HAS BEEN ADJUDICATED AS
'RESPONSIBLE' IN THE DEPRAVED INDIFFERENCE MURDER OF HER
NEWBORN CHILD IN JANUARY 2005

Bronx District Attorney Robert T. Johnson announced today that a young girl who gave birth barely one month after her 13th birthday, has been adjudicated as 'responsible' for the depraved indifference murder of the infant in January 2005.

Mabelin F. was found responsible on the sole count of the indictment, Murder in the 2nd degree, in a manner evincing a depraved indifference to human life. The finding was entered by Family Court Judge Nelida Malave-Gonzalez. The judge found that the defendant did not meet her burden of proof in arguing that she was not responsible for the infant's death because of mental disease or defect. Mabelin F., who turned 15 yesterday, is facing a maximum sentence of up to 5 years placement in a facility operated by the New York State Division for Youth. Judge Malave-Gonzalez has scheduled a hearing on the disposition for Friday, December 15, 2006.

The murder occurred on January 14, 2005 at the Morris Avenue apartment where the defendant, who was then 13, lived with her family. She admitted that after giving birth she wrapped the infant in a white T-shirt, opened the window in her bedroom, and pushed the

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newborn under the window guard allowing him to fall into an alley.

The case is being prosecuted by Assistant District Attorney Kimberley Capers of the Domestic Violence Bureau and Assistant District Attorney Robin Cowan Deputy Chief of the Child Abuse / Sex Crimes Bureau.

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— PRESS RELEASE —

Friday, December 15, 2006

25 YEAR OLD BRONX MAN SENTENCED TO TWENTY-FIVE YEARS IN
PRISON FOR THE GUNPOINT ABDUCTION AND SEXUAL ASSAULT OF A 20 YEAR
OLD WOMAN

Bronx District Attorney Robert T. Johnson announced today that Rohan Campbell has been sentenced to a term of twenty-five years imprisonment for abducting a young woman at gunpoint and sexually assaulting her in August 2004.

Campbell, 20, of 712 East Gunhill Road, was found guilty in October 2006, on two counts of Criminal Sexual Act in the 1st degree and was sentenced to terms of 12 and a half years imprisonment on each count. State Supreme Court Justice David Stadtmauer ordered that the sentences run consecutive to each other for a total term of twenty-five years incarceration.

Campbell committed the sexual assaults on August 10, 2004 beginning at approximately 2:40 A.M. in the Williamsbridge section on the Bronx when he accosted his victim and her boyfriend in the vicinity of 216th Street and Bronxwood Avenue. The young woman was being escorted home when the defendant forced her at gunpoint to accompany him to a parked car. The woman's boyfriend was told that she would be shot if he moved. Campbell drove off with the victim and forced her to engage in oral sex twice during a period of ninety minutes. The second

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sexual encounter occurred at the initial location of the abduction where Campbell returned after driving around. Police, who had been alerted by the victim's boyfriend, stopped to investigate when they noticed the car parked at an unusual angle. When they shined a flashlight into the car they realized that the defendant and the young woman matched the descriptions that had been provided by the boyfriend. Campbell turned on the ignition and attempted to flee but was taken into custody after a short foot chase that began after he crashed into a parked car a couple of blocks away.

Assistant District Attorney Aaron Kaplan prosecuted the case.

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— PRESS RELEASE —

Friday, December 15, 2006

**ALLEGED INTERNET PREDATOR CAUGHT IN STING CHARGED WITH
ATTEMPTING TO DISSEMINATE PORNOGRAPHY TO A MINOR**

Bronx District Attorney Robert T. Johnson announced today the arrest of a 45 year old man who believed that he had arranged a rendezvous to have sex with a 13 year old girl who was in fact an undercover detective.

Shiv Nair, of 19 Stanton Street, on Manhattan's Lower East Side, was taken into custody Friday afternoon when he arrived at River Plaza Shopping Center on West 225th Street in the Bronx. Nair has been charged with Attempted Disseminating Indecent Material to Minors in the 1st and 2nd degrees. If convicted of the most serious offense, a Class E felony offense, Nair could be sentenced to a maximum term of up to 4 years imprisonment. The investigation is continuing and additional charges could be filed pending the forensic examination of the defendant's computer.

NYPD Detectives assigned to the Bronx District Attorney's Squad took Nair into custody when he arrived at a Starbucks' Coffee Shop for a pre-arranged meeting that he allegedly had set up on the Internet. The meeting was the result of more than 24 hours of conversations with a person whom the defendant believed to be a girl who was a minor. The two had met in an AOL chat room on December 8, 2006. It is alleged that during the course of Internet chats occurring

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over several days, Nair sent the 'young girl' pornographic photographs and videos, as well as home made music videos of love songs that the defendant had written for her.

At the time of his arrest, Nair allegedly was in possession of baby oil, condoms, beer, a CD containing pornographic images, and a regular feature length comedy DVD. According to investigators the defendant allegedly had arranged to meet his '13 year old victim' at Starbucks and then go back to her apartment to have sex while her father was out of town.

The defendant, a 45 year old man with an MBA from Tulane University, is a former manager of development and finance at Mount Sinai Hospital.

Assistant District Attorney Wendy Thomas of the Investigations Division is prosecuting the case.