



ROBERT JOHNSON
DISTRICT ATTORNEY

**OFFICE OF THE
DISTRICT ATTORNEY
OF BRONX COUNTY**
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– PRESS RELEASE –

**198 EAST 161ST STREET
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(718) 590-2234



Gales, Jiminian (Department of Correction)

TWO RIKERS COs, FOUR INMATES, CHARGED IN ATTACK ON FELLOW INMATE

January 2014 Incident Occurred on the Rikers Boat

(Bronx, NY – September 17, 2015) – Bronx District Attorney Robert Johnson announces the Supreme Court indictment of two Rikers Island correction officers on charges of Falsifying Business Records, Offering a False Instrument for Filing, and Official Misconduct for a January 29, 2014 incident inside Rikers Island’s Vernon C. Bain Center (“the Boat”), during which they are accused of acting in concert with four inmates to attack a fellow inmate.

39-year-old NAKIA GALES was arraigned today before Justice Steven Barrett, and pled not guilty to the charges. 41-year-old HERMAN JIMINIAN (pron: him-INN-ee-un) is scheduled to surrender to authorities tomorrow and will be arraigned at that time.

The injured inmate, Gilbert Bacallao (pron: back-uh-YOW), was one of several prisoners being housed on the Boat. It’s alleged that, following a previous trash-talking altercation, NAKIA GALES, with JIMINIAN’s help, recruited the four charged inmates from an adjoining housing area to assault Bacallao, in order to teach him a lesson. GALES is accused of luring Bacallao into the vestibule with the promise of a package arrival. Once in the vestibule, TROY ROBERTS, PERCY AYERS, LUIS GARCIA and EDWIN MARTINEZ surrounded and assaulted the victim, according to the indictment.

At arraignment, it was further alleged in Court that NAKIA GALES is affiliated with a gang, as evidenced by the tattoos on her neck [see photo, page 3], marks which are broadly recognized to signify gang membership. It was further alleged members of a Bloods set have referred to her as “one of us” – and the very manner of this assault was committed by alleged gang members willing to commit a violent felony against another inmate at her direction as a result.

Officers NAKIA GALES and HERMAN JIMINIAN are further accused of concealing the circumstances of the assault by recording false narratives in their “use of force” paperwork.



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JIMINIAN also faces charges for allegedly making false claims on a Workers Compensation employee statement form, for injuries relating to this incident.

NAKIA GALES is charged with:

Assault in the 2nd Degree (Class D Violent Felony)
Falsifying Business Records in the 1st Degree (Class E Felony)
Offering a False Instrument for Filing in the 1st Degree (Class E Felony)
Falsifying Business Records in the 2nd Degree (Class A Felony)
Offering a False Instrument for Filing in the 2nd Degree (Class A Felony)
Official Misconduct (Class A Misdemeanor)
Assault in the 3rd Degree (Class A Misdemeanor)

HERMAN JIMINIAN is charged with:

Assault in the 2nd Degree (Class D Violent Felony)
Falsifying Business Records in the 1st Degree (Class E Felony), 2 counts
Offering a False Instrument for Filing in the 1st Degree (Class E Felony), 2 counts
Falsifying Business Records in the 2nd Degree (Class A Felony), 2 counts
Offering a False Instrument for Filing in the 2nd Degree (Class A Felony), 2 counts
Official Misconduct (Class A Misdemeanor), 2 counts
Assault in the 3rd Degree (Class A Misdemeanor)

PERCY AYERS, TROY ROBERTS, EDWIN MARTINEZ and LUIS GARCIA are each charged with one count of Assault in the 2nd Degree and Assault in the 3rd Degree.

Bail was set in the amount of \$25,000 for NAKIA GALES. She will appear in Part 60, Bronx Supreme Court, on Friday, September 18th.

If convicted of the charges, NAKIA GALES and HERMAN JIMINIAN face up to seven years behind bars.

The case against NAKIA GALES, HERMAN JIMINIAN, PERCY AYERS, TROY ROBERTS, EDWIN MARTINEZ and LUIS GARCIA is being prosecuted by Deputy Chief James Goward of the Bronx DA Investigations Division and Assistant District Attorney Ilya Kharkover of the Rackets Bureau.

The D.A. also wished to thank the Department of Investigations Investigator Richard Askin, Investigators Richard Richard Askin, working under the supervision of First Deputy



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Inspector General Chin Ho Cheng, Senior Inspector General Jennifer Sculco, Chief of Investigations Mike Carroll and First Deputy Commissioner Lesley Brovener.

An indictment is merely an accusation, and all defendants are innocent until proven guilty.

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