

# OFFICE OF THE BRONX COUNTY DISTRICT ATTORNEY ANNUAL REPORT 2007



Office of the Bronx County District Attorney



Bronx County Hall of Justice



Bronx County Criminal Court



Bronx Supreme Court



Bronx Borough Courthouse

**Robert T. Johnson**  
District Attorney

[www.bronxda.nyc.gov](http://www.bronxda.nyc.gov)

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**Robert T. Johnson,**  
Bronx County District Attorney

## District Attorney's Message

***"...my office continues to fight crime through a strategy that includes vigorous prosecution combined with innovative rehabilitative programs, participation in specialized courts, anti-crime education, victim services, and community outreach."***

Violent crime in the Bronx continued to decrease in 2007. Index crime complaints decreased by some 3% from 2006. Robbery declined by 6%, rape by 5%, and grand larceny auto crime declined by 12%. Thankfully, the largest decrease (15%) was in homicide.

Despite this welcome news, violent crime remains a serious problem in the Bronx, which continues to experience a disproportionate share of such crime in relation to its 16.6% share of New York City's population. For example, in 2007, even with the decrease, the 130 murders in the Bronx still constituted 26% of the citywide total.

Arrests have also surged. In 2007, felony arrests rose by 13% and misdemeanor arrests by 14%. Given the City's bleak fiscal outlook and diminished law enforcement funding, these trends suggest another challenging year.

Last year, we prosecuted some 5,971 felony cases. As usual, some stand out. One of these involved the conviction of a mother and her boyfriend for the death of four-year-old Quachaun Brown. The boyfriend

beat the child to death over a three-day period, while the child's mother failed either to protect Quachaun or to obtain prompt medical treatment for him. Quachaun's mother and her boyfriend are now serving state prison sentences.

Another noteworthy case involved the novel use of a New York State anti-terrorism statute. The law, passed just six days after 9/11, allows for more severe sentences for crimes committed as acts of "terrorism," which is defined in part as the intention to "intimidate or coerce a civilian population." The St. James Gang declared themselves "Kings of the Bronx" and conspired to dominate and terrorize the entire community surrounding St. James Park in the Fordham section, committing numerous acts of violence in furtherance of that goal. In October 2007 a gang member was convicted of first degree manslaughter and related crimes under the terrorism statute. This was the first such use of the law against gang violence, and resulted in an enhanced sentence, including consecutive terms of 20 years to life imprisonment.

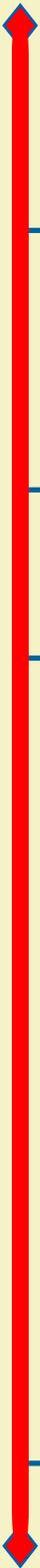
Financial crimes were also a concern in 2007. An accountant stole more than \$500,000 from a Bronx school. A physician's assistant scheduled herself to work simultaneous shifts at two separate Bronx hospitals, stealing more than \$100,000. Finally, a woman with no medical training posed as a doctor and bilked at least ten people out of thousands of dollars for phoney "treatment" for a variety of maladies. All of these cases were successfully prosecuted in 2007.

Finally, my office continues to fight crime through a strategy that includes vigorous prosecution combined with innovative rehabilitative programs, participation in specialized courts, anti-crime education, victim services, and community outreach. We continue to seek new tools and programs to enhance this multifaceted effort.

As ever, I remain confident that we will make every effort to faithfully and ably discharge our responsibilities to the people of the Bronx.



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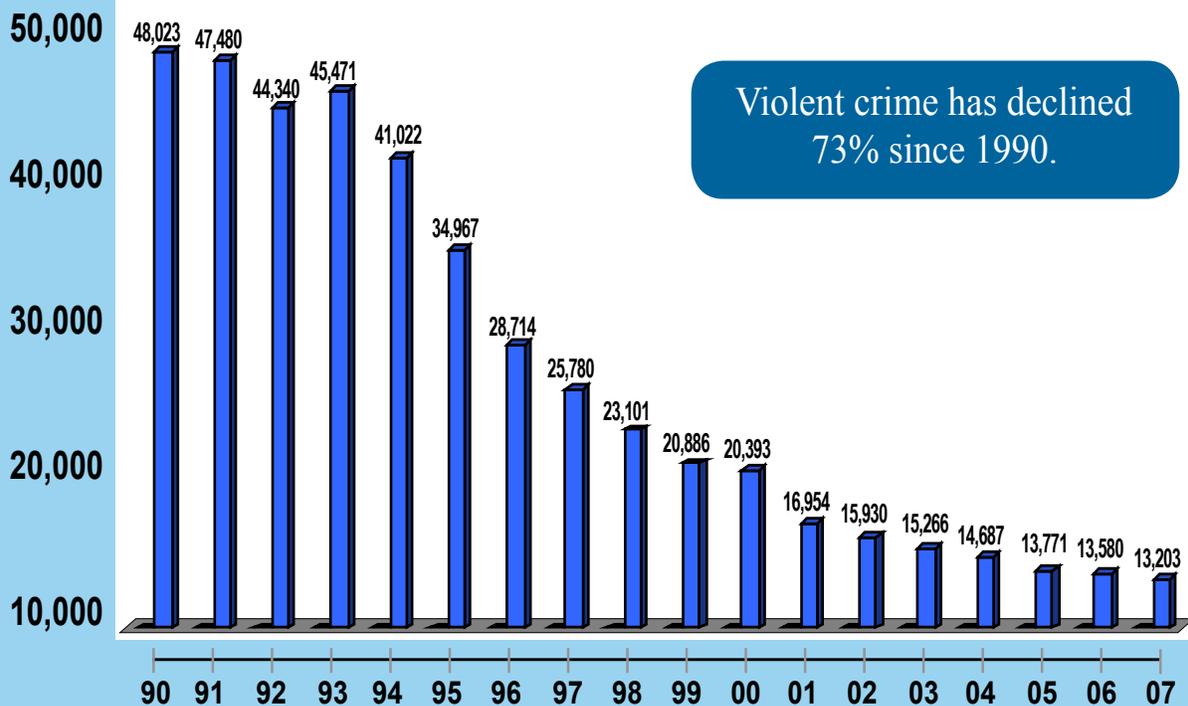
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# Crime Overview

## REDUCTION IN CRIME

Crime has fallen sharply in the Bronx since 1990, and this trend continued in 2007. Among index crimes, which decreased by 3% from 2006, robbery complaints fell by 6%, rape complaints by 5%, and grand larceny auto complaints by 12%. Violent crime has also fallen sharply, with declines each year from 1994 through 2007 that have contributed to a 73% decrease since 1990.

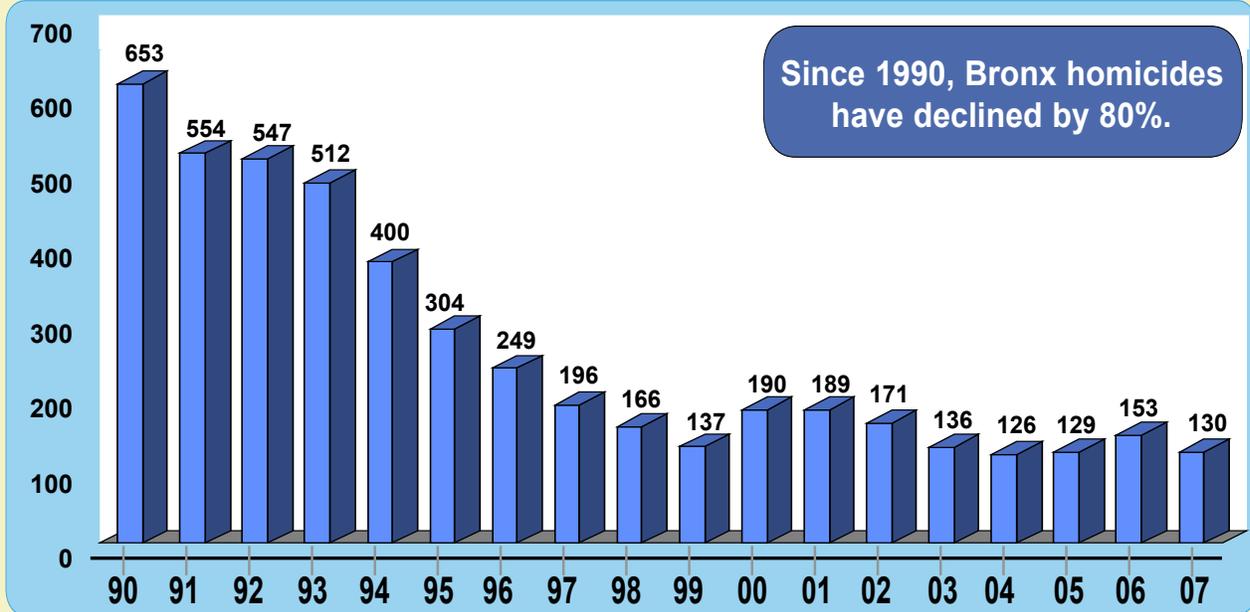
### Violent Crime 1990 – 2007



Source: New York City Police Department

## Decline In Homicides

1990 - 2007



Source: New York City Police Department

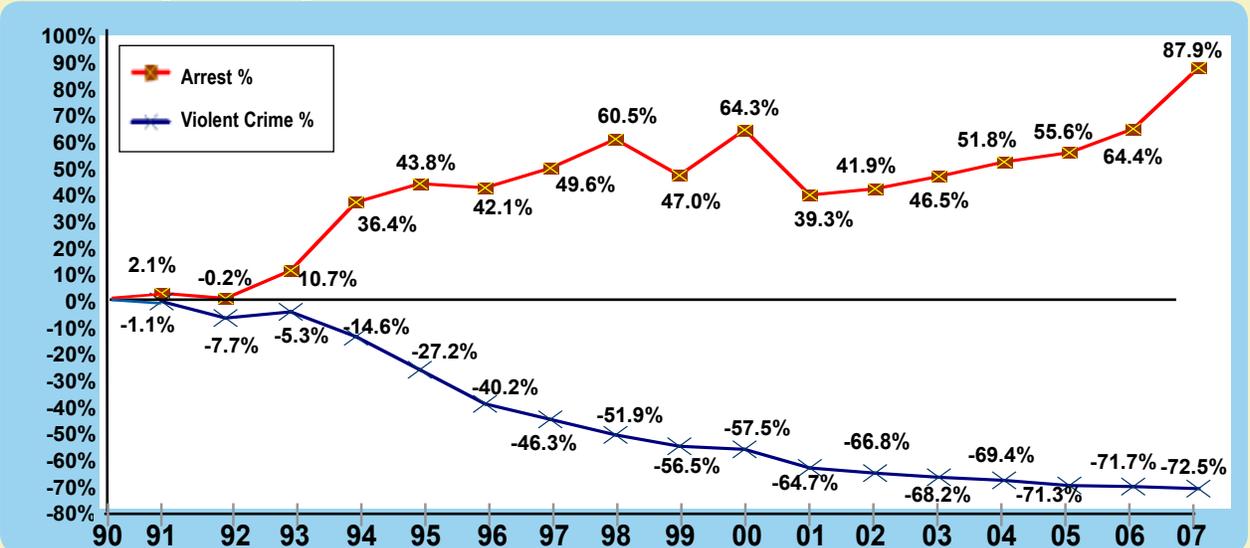
Last year homicide showed the largest decrease among index crimes (15%). Since 1990 the number of homicides in the

Bronx has been reduced by 80%, from 653 to 130 in 2007. For each of the past 11 years, there have been fewer than 200 homi-

cides in the Bronx, a level not seen since the 1960s.

## Bronx Reduction in Violent Crime v. Increase in Arrests

Percentage Change from 1990 - 2007



Source: New York City Police Department

## **BRONX COUNTY'S HIGHER PROPORTION OF CITYWIDE VIOLENT CRIME**

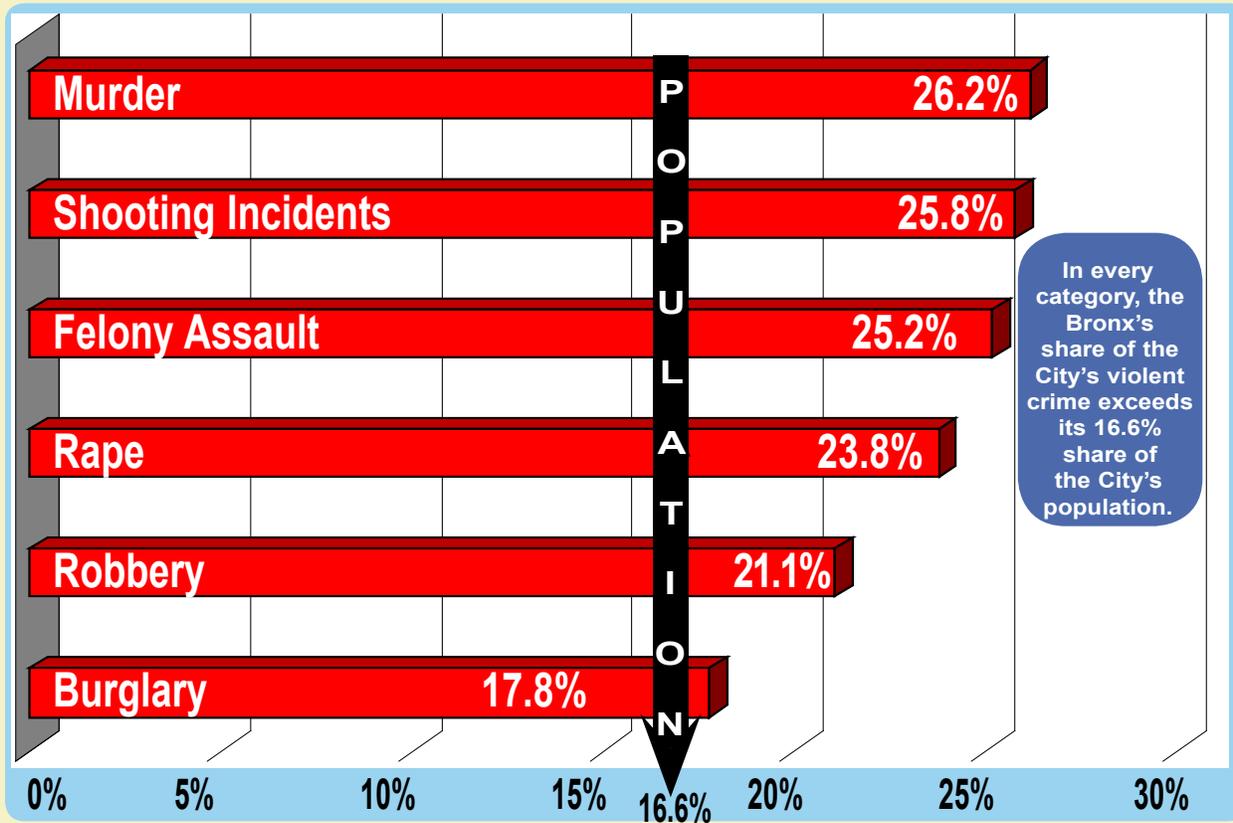
Despite the remarkable strides in recent years, the Bronx continues to experience a disproportionately high crime rate. With only 16.6% of the City's population, the 130 murders in the Bronx in 2007 constituted 26% of the citywide

total. Bronx shooting incidents represented 26% of incidents citywide. More than one in four of the City's felony assaults, nearly one in four of its rapes, and one of five robberies occurred in the Bronx, giving the county the highest incidence in New York City per 100,000 residents of murder, rape, robbery, felonious assault, and burglary. Last year the Bronx also continued to experience

the highest rate of domestic violence reports among the five boroughs. The Bronx's more than 57,000 Domestic Incident Reports, an increase of 13% over 2006, represented 29% of the citywide total.

### **Bronx Violent Crime 2007**

**Percentage of Citywide Violent Crime v. Population**

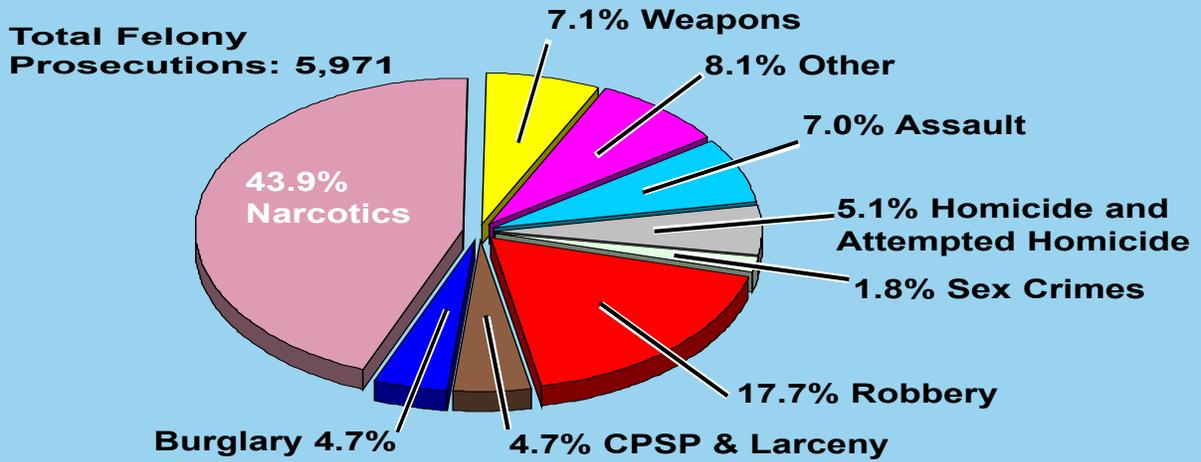


Source: New York City Police Department

# Prosecuting Crime

As crime complaints have fallen, Bronx arrests have risen by a staggering 88% since 1990. The Bronx District Attorney's Office prosecuted 5,971 felony-level defendants in 2007, about the same number prosecuted in 2006. Narcotics cases accounted for more than 40% of the felony prosecutions in Bronx County.

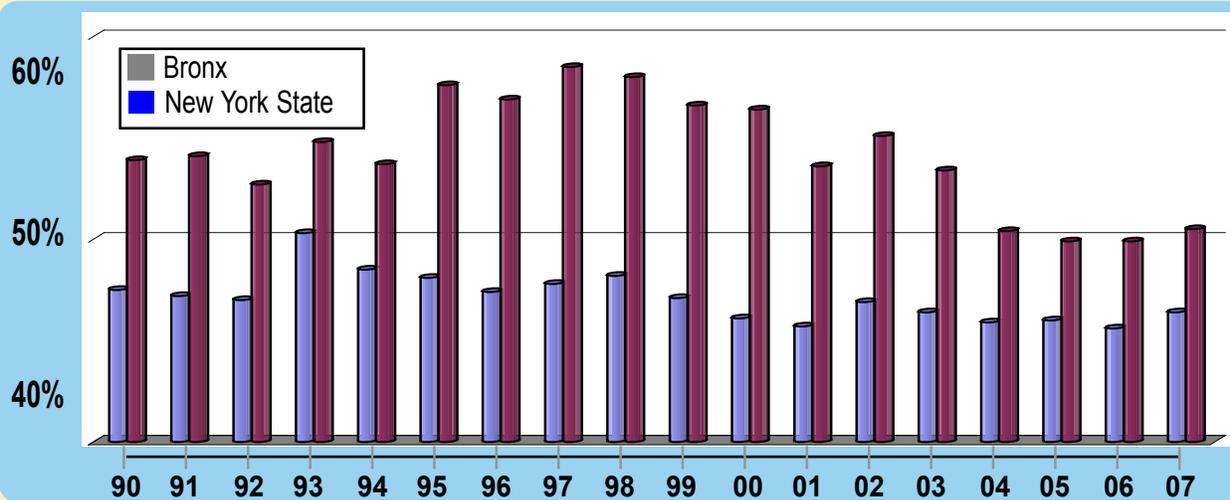
## Bronx District Attorney's Office Felony Prosecutions: 2007



Source: Bronx District Attorney's Office

In each of the past 17 years, this Office sent a higher proportion of convicted felons to state prison than the statewide average.

## Percentage of Convicted Felons Sentenced to State Prison New York State v. Bronx 1990-2007



Source: NYS Department of Criminal Justice Services

## VIOLENT CRIME

While the number of violent crime complaints fell in 2007, encouraging statistics cannot soften the brutality of each crime. Sadly, two of the four homicides profiled this year had child victims; the others involve domestic violence victims. One young victim was just 10 years old when she was killed, an innocent bystander waiting for her bicycle to be fixed. Anita Haimraj's death at the hands of her common-law husband was particularly gruesome; after killing Anita, he cut up her body and threw the parts in Westchester Creek. The third case is a double homicide in which a woman and her adult son were killed by the woman's former husband. Finally, it was just one month after his fourth birthday when Quachaun Brown was brutally beaten and killed by his mother's boyfriend.

### **Girl, 10, Is Killed and Teenager Hurt as Dispute Leads to Gunfire at Barbecue**

*Headline from New York Daily News, 9/7/2005*

On Labor Day 2005 about one hundred people attended a neighborhood picnic at a Bronx park. Trouble arrived in the evening when 20-year-old Rene Bonilla came bearing a .380 automatic handgun, and the intent to kill 19-year-old Leonardo De Aza. The two had a prior dispute. De Aza was fixing a bicycle for a family friend, 10-year-old Naisha Pearson. Naisha won the bicycle at a church raffle the previous day and was looking forward to returning to school.

Bonilla opened fire when he saw De Aza. His first shot struck Naisha in the heart. Bonilla kept firing and ran towards De Aza. De Aza was struck three times in the back as he attempted to cover Naisha. De Aza fell to the ground, and Bonilla attempted to kill him with a final shot to

the head. De Aza raised his hand and was shot in the arm instead. Bonilla fled, pursued by dozens of enraged onlookers. The neighborhood crowd cornered him on the roof of a nearby building and pelted him with rocks and bottles. He fell off the roof and was apprehended by police.

Naisha staggered a few feet, collapsed and died in her mother's arms. De Aza survived his injuries and testified at trial.

On May 11, 2007, a jury found Bonilla guilty of murder in the second degree for killing Naisha and of attempted murder in the second degree for trying to kill De Aza. He was sentenced on June 14, 2007, to two consecutive terms of 25-years-to-life in prison. He must serve at least 50 years before becoming eligible for parole.

### **Man convicted of strangling wife, dumping body in Bronx park**

*Headline from New York Daily News, 12/12/2007*

Forty-two-year-old Joshua Nowrang and his common-law wife, 35-year-old Anita Haimraj, lived together for 16 years and were the parents of two children. In

the months leading up to the murder in July 2005, Nowrang became increasingly violent towards Anita.

Nowrang wanted Anita to sell the family home and give him half the proceeds.

**Man convicted of strangling wife, dumping body in Bronx park**

*Headline from New York Daily News, 12/12/2007, Continued*

He would then walk out of her life. Anita refused. They bought the house after moving to New York from Guyana. Nowrang prepared for Anita's murder. First, he sent his children out of the family home to stay with relatives. The 16-year old son went to Trinidad to stay with relatives there, and the eight-year-old daughter went to Queens to stay with an aunt. Then, when Anita returned home from work on July 5, 2005, Nowrang beat and strangled her. In a gruesome effort to cover up the crime, he transported her body to Castle Hill Park and disarticulated her. Disarticulate is a medical term that means to take apart at every joint. Nowrang then shaved the hair from his wife's head and hurled her body parts into the water.

Anita obviously did not arrive at her job and could not be reached. About

12 hours after her murder, frantic family members who were searching for her in the park found parts of her body in the surf after the tide receded.

Nowrang was soon taken into custody. He made inconsistent statements about his relationship with his wife. Other circumstantial evidence, including a prior history of domestic violence, led a jury convict him after a trial.

On December 12, 2007, the jury found Nowrang guilty of murder in the second degree. He was sentenced to 25-years-to-life imprisonment.

**Mom & son slain: Ex-beau shot 2 in Bx.: cops**

*Headline from New York Post, 9/24/2005*

Fifty-year-old David Saunders and his wife argued after a night of drinking on September 23, 2005. During the argument, Saunders shot his 47-year-old wife with a 9 mm handgun. The victim was also armed with a .32 caliber gun. Saunders then entered another bedroom and shot and killed his wife's 28-year-old son, who was asleep or watching television in his room. Both victims were shot multiple times.

Saunders turned himself in to police after driving to Pennsylvania to see other family members. Saunders

admitted that he used cocaine the day of the crime. Saunders had prior arrests for robbery, grand larceny, and narcotics charges.

After a jury trial, on March 9, 2007, Saunders was found guilty of murder in the second degree. On April 17, 2007, he was sentenced to 25-years-to-life imprisonment for the double homicide. The younger victim, Saunders' stepson, is survived by a blind 5-year-old daughter who was not at home at the time of the double homicide.



CHILD ABUSE SUSPECT Jose Calderon, the boyfriend of the mother of Quachaun Smith, being led from the 52nd Precinct in the Bronx yesterday. He is charged with second-degree murder in Quachaun's death. The mother, Aleshia Smith, inset, is charged with second-degree manslaughter.

## Boyfriend Charged With Second-Degree Murder in Death of 4-Year-Old Bronx Boy

By LAUREN ELKIES

NY Sun  
02/01/06

## Girl's Testimony Describes Horrific Beating of Brother

By TIMOTHY WILLIAMS

NY Times  
10/10/07

Four-year-old Quachaun Brown never made it to his fifth birthday. He died on January 30, 2006, one month after his fourth birthday.

Quachaun lived in a one-bedroom apartment with his mother, 26-year-old Aleshia Smith; his mother's boyfriend, 18-year-old Jose Calderon; and four of his sisters. Quachaun was beaten to death over a three-day period by Calderon. He repeatedly beat the child in the head and body by using his fists, a belt, a plastic bat and by slamming his head against a wall.

Both Calderon and Smith were arrested when Quachaun died. Smith was prosecuted under a theory that she failed to protect her son from harm and that she failed to obtain prompt medical attention for him, despite the fact that he was obviously suffering from serious injuries, including head trauma. Quachaun died a brutal, prolonged death. Smith observed Quachaun with multiple bruises to his

head and body, bleeding from the ear, and frequent vomiting of blood. Smith pleaded guilty on June 19, 2007, to manslaughter in the second degree. She admitted to "recklessly causing the death" of her son and was sentenced on July 18<sup>th</sup> to 2½-to-7½ years in prison.

Smith's boyfriend of one month, co-defendant Calderon was tried for beating Quachaun repeatedly to death. The child sustained injuries consistent with beatings on multiple occasions over several days. Quachaun suffered head trauma, a severed liver, a lacerated pancreas, and he had bruises covering his entire body.

A jury found Calderon guilty of manslaughter in the second degree on October 17, 2007. The guilty verdict followed a month of testimony including that from Quachaun's 10-year-old sister who recounted details of the brutal death. Calderon was sentenced to 5-to-15 years imprisonment on November 1, 2007.

## DRUG CRIME

Drug arrests have decreased in recent years, resulting in a reduction in both the number of felony drug prosecutions and the percentage of our caseload that these cases comprise. In 1996 drug cases accounted for more than 65% of the Office's felony-level defendants. In 2007, fewer than half of Bronx felony defendants were prosecuted on drug charges. Nevertheless, drug crime is still a very serious problem in the Bronx.

### **Routine Traffic Stop Leads to Discovery of \$10,000 and Seizure of 11 Kilograms of Cocaine**

At about 11:30 pm on March 24, 2005, police officers from the New York City Police Department's Bronx Anti-Crime Unit spotted a Honda Odyssey minivan driving without headlights in the North Bronx. Police pulled the vehicle over and approached the driver, 35-year-old Jaime Dominguez. Dominguez provided his license and documentation for the vehicle. Dominguez said that a friend of his owned the car; however, he did not know his friend's name. Neither the driver (Dominguez) nor the passenger (37-year-old Rafael Martinez) was named on the registration or insurance card. Both Dominguez and Martinez appeared nervous.

An officer asked Dominguez to step out of the car. A pat-down revealed that Dominguez was carrying a gravity knife in his pants pocket. Dominguez told the officer that he did not have anything in the car that he "wasn't supposed to have," and he gave the officer permission to search the car. One of the officers then looked in the vehicle and noticed an unusual carpet seam running underneath

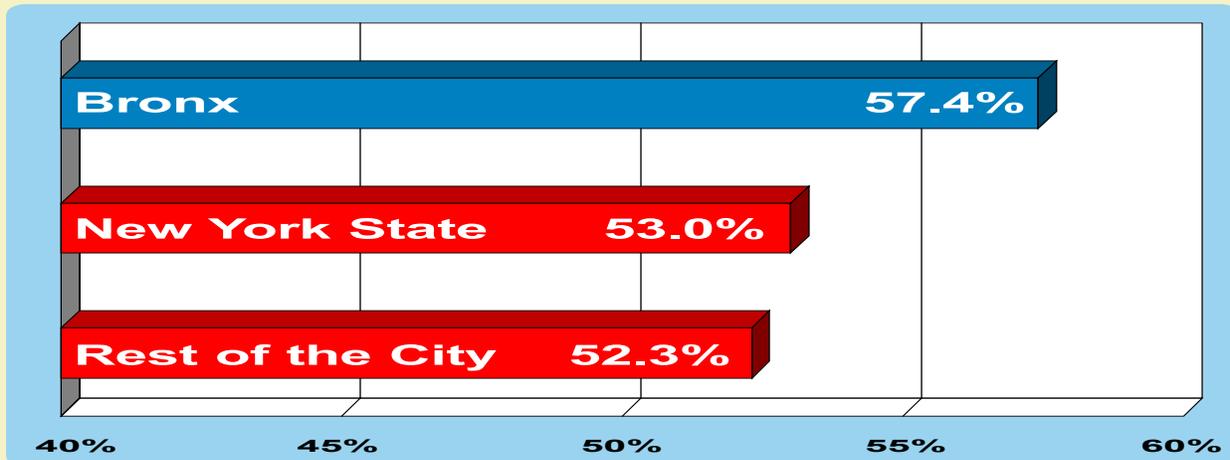
the rear bench seat. Based on his training and experience, the officer believed that the seam indicated that there might be a secret compartment or trap door under the carpet. The officer slipped his finger underneath the carpet seam and discovered such a secret compartment. This compartment contained bricks of alleged narcotics. The two defendants were taken into custody, and the minivan was further searched at the precinct. The secret compartment contained \$10,000 cash and eleven kilograms (approximately 25 lbs.) of cocaine with a potential street value of \$850,000.

Testimony at trial connected Martinez to the car and to its titled and registered owner. Following a jury trial, Martinez was convicted on June 1, 2007, of criminal possession of a controlled substance in the first degree. He was sentenced to 12 years incarceration in state prison. His co-defendant, Dominguez, was convicted of criminal possession of a weapon in the fourth degree and August 15, 2007, was sentenced to time served on.

Over the past 17 years combined, more than 57% of Bronx defendants convicted on felony drug charges were sentenced to state prison, a higher proportion than that for either New York State (53%) or the rest of New York City (52%). This year, 58% of Bronx defendants convicted on felony drug charges were sentenced to state prison.

## State Prison Sentences

Percentage of Narcotics Convictions from 1990-2007



Source: NYS Department of Criminal Justice Services

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## TECHNOLOGY

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Technological advances give law enforcement new tools to investigate and prosecute crime. However, technology has also spawned new crimes that did not exist before the “computer age,” such as identity theft and internet crimes against children. DNA technology, which represents one of the most important advances, is producing valuable forensic evidence that is useful in an increasing number of property and sex crime cases.

Between 2003 and 2006, the Mayor’s John Doe Indictment Project enabled this Office to indict individuals fitting the DNA profile recovered in sex crimes where the offender was neither apprehended nor even initially identified. It was important to obtain the indictment before the ten-year statute of limitations on the crime expired. Filing John Doe indictments before the expiration enabled prosecutors to proceed with cases whenever offenders were identified, regardless of how much time passed.

In 2006 the first of these “John Does” was matched to an offender, who was then arrested on the indictment. While the statute of limitations on the most serious sex crimes was eliminated in 2006, making it unnecessary to indict the DNA profile as a John Doe, DNA technology remains a critical tool in sexual assault prosecutions.

### **DNA — PROPERTY CRIMES/ BIOTRACKS PROGRAM**

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Begun as a pilot program in Queens County in 2005, and made possible by a grant from the National Institute of Justice, the NYPD “Biotracks” program involved the collection of possible biological evidence left behind at the scenes of

commercial and residential burglaries and robberies. The New York City Police Department’s Evidence Collection Teams were trained to recognize and collect possible biological evidence left on items, such as clothing, soda bottles, and cigarette butts.

The success of the NYPD Biotracks pilot program led to its citywide expansion in January 2006. Because the City’s forensic DNA laboratory, located within the Office of the Chief Medical Examiner, was only testing items of evidence related to homicides and sexual assault cases, Biotracks evidence was sent out for testing by a private laboratory in Virginia.

In April 2007, the Office of the Chief Medical Examiner, Department of Forensic Biology began accepting and testing evidence on property crimes committed within the City of New York. This significant expansion coincided with the opening of a new \$290 million state-of-the-art DNA laboratory, the largest public forensic laboratory in the nation. Consequently, it was no longer necessary to send out evidence for DNA testing under the Biotracks program, and it was phased out.

From January 1, 2006 to December 31, 2007, more than 109

suspects were identified via DNA testing in connection with burglaries and robberies in Bronx County, many of whom are repeat offenders. Seventy of the identified individuals, were indicted and 30 of those pleaded guilty. While the vast majority of suspects have been identified via the New York State Convicted Offender DNA data bank, we have also received matches from Florida, Michigan, New Jersey, Ohio and Virginia. In many cases the presence of DNA evidence results in pleas before indictment, helping to reduce the costs associated with going to trial. Additionally, in at least two cases, suspects were exonerated after DNA testing revealed that there was no match between the suspect and DNA profile recovered at the crime scene.

In addition to those suspects who have been identified through DNA testing, we have approximately 68 open “John Doe” investigations in which DNA was recovered and analyzed from a crime scene of a burglary or robbery, but has not yet been linked to an individual in the local, state or national DNA data banks. Nine of the pending John Doe cases are pattern investigations in which the DNA is a forensic case-to-case match with at least one other crime scene.

# Biotracks

DNA is increasingly used to solve property crimes. In one case below, DNA was used as evidence to exonerate a suspect. The other cases are examples of crimes in 2007 that may not have been solved were it not for DNA matches linking defendants to crime scenes.

- A defendant involved in a home invasion was identified from duct tape that was used to bind the victim during the burglary. The male DNA profile extracted from the tape matched a convicted offender who had committed two previous robberies in Ohio in 2005. This case is pending.

- A defendant involved in a commercial burglary left a half-finished bottle of Gatorade at the crime scene. Swabs from the mouth of the bottle yielded the DNA profile of the defendant. He pleaded guilty and received a sentence of 2½ - 5 years in prison.

- A defendant involved in a commercial robbery of a Chinese restaurant was identified through utensils that were left at the scene. The defendant ate food he ordered, and then handed a note demanding money to the restaurant worker. The DNA profile from the utensils left on the table matched the defendant's DNA profile on file with the New York State DNA data bank. The defendant pleaded guilty and received a sentence of 2-4 years in prison.

- A defendant involved in a residential burglary left a pair of pants and a sweatshirt at the crime scene. A male DNA profile was extracted from scrapings taken from the jeans. This profile was then uploaded to the local DNA data bank where an initial match was made to evidence collected from a 1994 sexual abuse case for which the defendant pleaded guilty but failed to register as a sex offender. A wanted card was placed on the defendant, who was subsequently taken into custody on an unrelated summons for possession of an open container of alcohol. A DNA exemplar was taken from the defendant upon arrest. The profile from the defendant's exemplar was matched to the profile from the jeans. The defendant pleaded guilty and received a sentence of 1-3 years in prison.

- A defendant was arrested for an attempted home invasion. The complainant alleged that she encountered an unknown male while standing in her doorway on the way to taking out the garbage. The defendant displayed what appeared to be a fire-arm, then dragged the victim into the kitchen and struck her once in the head. The suspect left behind a hat and a set of keys. The defendant was arrested after he was identified by the victim through a police-arranged identification procedure. The defendant denied any involvement. DNA from the baseball cap left at the scene yielded a male DNA profile. The defendant consented to a DNA exemplar which revealed that his DNA did not match the DNA profile extracted from the hat left by the unknown perpetrator. The case was dismissed and sealed.

## **INTERNET CRIMES AGAINST CHILDREN**

Ever-increasing access to computers and the internet opens doors for both children and adults

to acquire a wealth of information without ever having to leave their homes. Unfortunately, however, the availability of this technology may also give sexual predators access to our children. According to the

U.S. Census 2000, there are close to 400,000 Bronx residents who are under the age of 18. Many of them use computers daily.

In 2001 this Office received a federal grant to establish an

Internet Crimes Against Children (ICAC) Investigative Satellite initiative. Through this program, detectives and assistant district attorneys have developed excellent contacts in the law enforcement community with whom they share ideas and expertise. The agencies include New York State's ICAC Task Force and Attorney General, numerous District Attorneys' Offices, the New York State District Attorneys Association, U.S. Customs, the Federal Bureau of Investigation and the U.S. Secret Service. In addition, members of the Satellite Task Force are members of numerous other task forces and committees dedicated to the investigation and prosecution of internet crimes against children.

The explosive growth of the internet over the last decade has been accompanied by an increase in associated crimes, including crimes committed against children. The majority of the crimes against children involve dissemination of pornographic images. These crimes are committed by people from all walks of life, including doctors, lawyers, clergy, teachers and even law enforcement professionals. The perpetrators often seem to believe that they are insulated from prosecution due to the relative anonymity of the internet. The harmful effects on children can be enormous and enduring. In recognition of this problem, the Office of the Mayor's Criminal Justice Coordinator formed a Sexual Predator and Electronic Crimes Task Force to coordinate law enforcement efforts.

Perpetrators of these crimes are identified through the use of undercover officers who enter cyber "chat rooms" and engage in explicit sexual chats, posing as someone the predator believes to be a minor. This is often a time-consuming process because the predator's trust must be gained. An undercover officer can typically only "chat" with one predator at a time. It frequently takes many hours "chatting" before discussions of meetings take place. In addition, the perpetrator must be identified through an ISP address because the perpetrator rarely provides a true name or address. Although these investigations are labor intensive, the payoff is enormous when a potential child abuser is arrested and punished.

### **IDENTITY THEFT INITIATIVE**

Despite an increase in awareness, the problem of identity theft and related crimes is growing in the Bronx. Several factors contribute to the identity theft problem, including the ease of using a fraudulent identity on the internet; the increased availability of identity "mills" to produce forged, official-looking documents; and the difficulty in investigating and prosecuting sophisticated or elusive perpetrators. In 2006, in response to this trend, Mayor Bloomberg's Office of the Criminal Justice Coordinator formed an Identity Theft Task Force comprised of bureau chiefs from

each borough's District Attorney's Office responsible for investigating and prosecuting these crimes. High-ranking members of various New York City Police Department units that investigate identity theft are also members of the Task Force. The goal of the Identity Theft Task Force is to combat this growing problem through effective coordination of efforts between the police and District Attorneys' Offices. The Task Force meets to discuss how each borough is combating the problem, to discuss specific cases, and to share information. The Task Force also intends to develop training programs and draft or recommend legislative changes.

Identity theft is a uniquely difficult crime to investigate and solve. When one uses another person's identity to purchase goods or services, it may be impossible to identify and apprehend the offender unless there is a strong paper trail to the perpetrator or photographic or other identification evidence. Identity thieves are rarely caught during the actual commission of the crime. The mastermind of an identity theft ring is often insulated from the crime, for example by using teenagers to make the actual purchases. These young offenders are usually unwilling to cooperate with law enforcement. Even when they do cooperate, corroboration may not be readily obtainable. Therefore, it takes a significant amount of investigative work to identify the main perpetrator.

## FINANCIAL CRIME

Newspapers report almost daily on financial crimes fueled by technology, such as internet scams that promise millions of dollars in exchange for personal information and identity thefts that allow predators to sell victims' homes without their knowledge. However, some thieves steal the old fashioned way, without assistance from computers or other sophisticated technology. Some of these crimes deprive victims, both individuals and businesses, of hundreds of thousands of dollars. Grand larceny was the only one of the seven index crimes that increased in the Bronx in 2007, to 5,402 from 5,287.

Although their methods differed, the offenders in the cases presented below were each charged with the same crime: grand larceny in the second degree, a class C felony. Eileen Koranteng, an accountant,

stole more than \$500,000 from a school. Ann Landsman, a physician's assistant, scheduled herself to overlapping, simultaneous shifts at two Bronx hospitals, stealing a total of more than \$100,000. Dolores Rodas

posed as a doctor and bilked at least ten people out of thousands of dollars for "treatment" of a variety of maladies, including infertility.

### **School bookkeeper helped self to half a mil, DA says**

*Headline from Bronx News, 5/31-6/6/2007*

From 1997 until December 2006, 50-year-old Eileen Koranteng was employed as an accounting assistant in the student billing and payroll department at the Riverdale Country School. Her annual salary was \$61,000. She is a resident of Peekskill, New York.

Koranteng was in a position in which she handled the school's money, and she gave in to the temptation to steal from her employer. Beginning in July 2001 and continuing through December 2006, Koranteng embezzled tuition payments and skimmed cash generated by the school cafeteria and school fund raising events. She also forged and cashed checks. She stole a total of approximately \$508,000. The scheme unraveled when a bank called the school, wondering why an \$11,000 tuition check was used by Koranteng to pay her car loan. This theft brought the case to the District Attorney's attention.

An extensive investigation which included witness interviews and subpoenas

revealed that Koranteng stole over half a million dollars. It is believed the money was used to pay off part of the mortgage on her house, purchase two BMW's, and hold a Sweet 16 party for her daughter.

Koranteng had a previous federal conviction for embezzling funds from a nursing home. On January 18, 2008, Koranteng pleaded guilty to grand larceny in the second degree. On February 13 she was sentenced to three-to-six years in state prison.

**"...she gave in to the temptation to steal from her employer."**

## **Guilty of double-dipping: Medical worker submitted false time sheets**

*Headline from Bronx Times Reporter, 8/16/2007*

One cannot be in two places at the same time. However, Ann Landsman received pay for working two jobs at separate hospitals at the same time.

Landsman was a New York State-licensed physician's assistant. She was employed full-time on the night shift by the Montefiore Medical Center at their Weiler Division-East Bronx Campus (Einstein Hospital), where she earned \$78,000 a year. Beginning in April 2003, Landsman signed up and scheduled herself to overlapping, simultaneous shifts at the Montefiore's Moses Division-West Campus, located about five miles away. Each position required her to be physically present and available for patients as the primary medical provider on duty. She was responsible for diagnostic testing, interpreting tests results, administering medications, and ordering and supervising courses of treatment. She filled out timesheets indicating that she worked at both places at the same times.

Auditors for the hospitals uncovered the scam after a doctor affiliated with both institutions came across one of the defendant's timesheets. The doctor realized that Landsman could not have been in both places at the same time. Hospital administrators contacted the Bronx District Attorney's Office, which began an investigation.

Between April 2003 and September 2005, Landsman worked two separate shifts at the same time on over one hundred occasions. The total amount of theft from Montefiore Hospital was over \$80,000. The investigation also revealed that Landsman had previously engaged in similar double-billing at two other hospitals. These cases were added to the

indictment. Landsman worked as a full-time physician's assistant assigned to the day shift at North Central Bronx Hospital in its Medical Psychiatric Ward. Starting at the end of August 1999, Landsman worked overlapping hours at the Bronx Veteran's Affairs Hospital in its "out-reach" program. In February 2002, North Central Bronx Hospital discovered this and she was fired. The amount of her theft from North Central Bronx Hospital for these overlapping hours (occurring on over 200 different days over a 31-month period) was approximately \$35,000. The total amount of theft from both hospitals was over \$100,000.

On June 6, 2007, Landsman was found guilty by a jury of scheme to defraud in the first degree. The jury deliberated for three days. She was sentenced on August 7, 2007, to a conditional discharge and required to pay restitution. She subsequently had her license suspended by the New York State Department of Health for three years (with the last two years stayed with probation). Landsman, a mother of 15 children, lives in Brooklyn.

**"The total amount of theft from both hospitals was over \$100,000."**

## **Couple scammed by fake Bronx baby doc, cops say**

*Headline from New York Daily News, 3/30/2007*

Forty-three-year-old Dolores Rodas pretended to be a doctor. Not only were Rodas' treatments not effective, but they left hopeful patients financially drained and in physical pain.

Rodas' scheme came to light as a result of a complaint by a childless couple from Irvington, New Jersey. Between April 2006 and March 2007 the couple underwent what they were told -- and they believed -- were fertility treatments for which they were charged more than \$50,000. The treatments involved injections in their genitals with a syringe containing a liquid substance which caused substantial pain, bruising and swelling. The treatments, which included the insertion of a metal object, resulted in vaginal bleeding that required emergency treatment at Beth Israel Hospital in Newark, New Jersey. Hospital staff notified authorities in New Jersey, who in turn contacted the Bronx District Attorney's Office. Detective Investigators from the Bronx District Attorney's Office arrested Rodas in front of her Bronx apartment building where numerous victims sought treatment. Once the case came to light, additional victims came forward.

It is alleged that Rodas "treated" at least ten victims and collected over \$100,000 (always in cash). She allegedly treated at least three couples for infertility and other issues and four individuals for gastrointestinal problems. All but two of

the victims were residents of Irvington or the adjacent town of Maplewood, New Jersey. All of the victims had been referred to Rodas by friends and family members. Rodas drew blood and gave injections treating people for issues related to fertility, fatigue, "blood illnesses" and other maladies. She told people she was a doctor at Bronx Lebanon Hospital.

Rodas is an illegal Ecuadoran immigrant with no medical training. She held herself out as a doctor with the Ecuadoran community. Ten victims came forward, resulting in a ten-count indictment for charges in connection with the scam, including assault and grand larceny.

On January 3, 2008, Rodas pleaded guilty to grand larceny in the second degree, and she was sentenced on January 30 to one year imprisonment. She was also required to pay back over \$40,000 in restitution.

District Attorney Robert Johnson called the charges "extremely serious" because Rodas was "willing to put the lives of others at risk solely for personal financial gain."

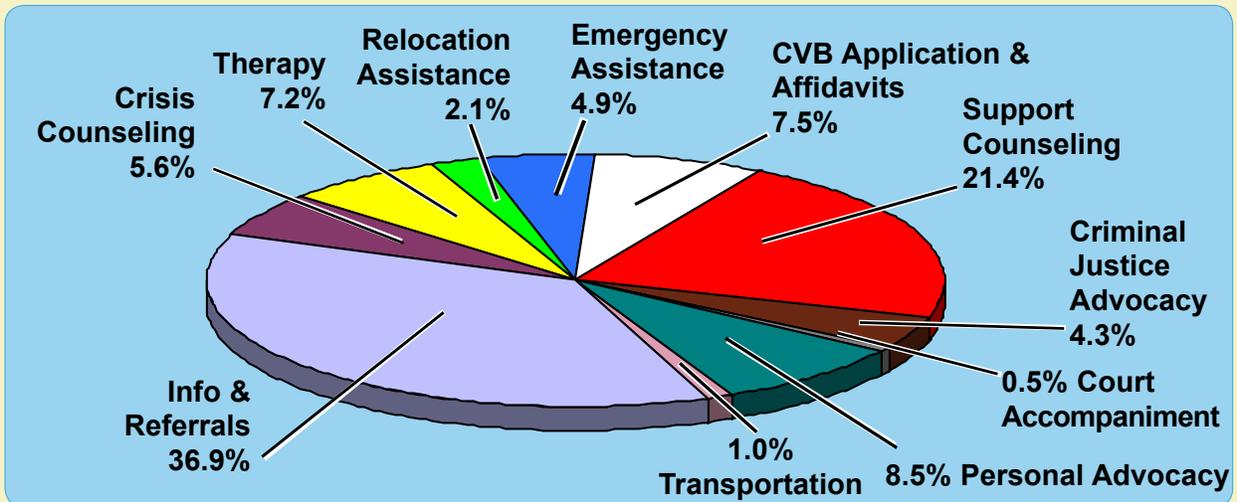
**"It is alleged that Rodas "treated" at least ten victims and collected over \$100,000 (always in cash)."**

# Crime Victims Assistance

The District Attorney's Crime Victims Assistance Unit (CVAU) made more than 22,000 service contacts with victims and witnesses during 2007, an increase of 23% over 2006. These services were provided from both the main office on 161st Street and the CVAU satellite office in the north Bronx.

## Crime Victims Assistance Unit Contacts By Type of Service Provided

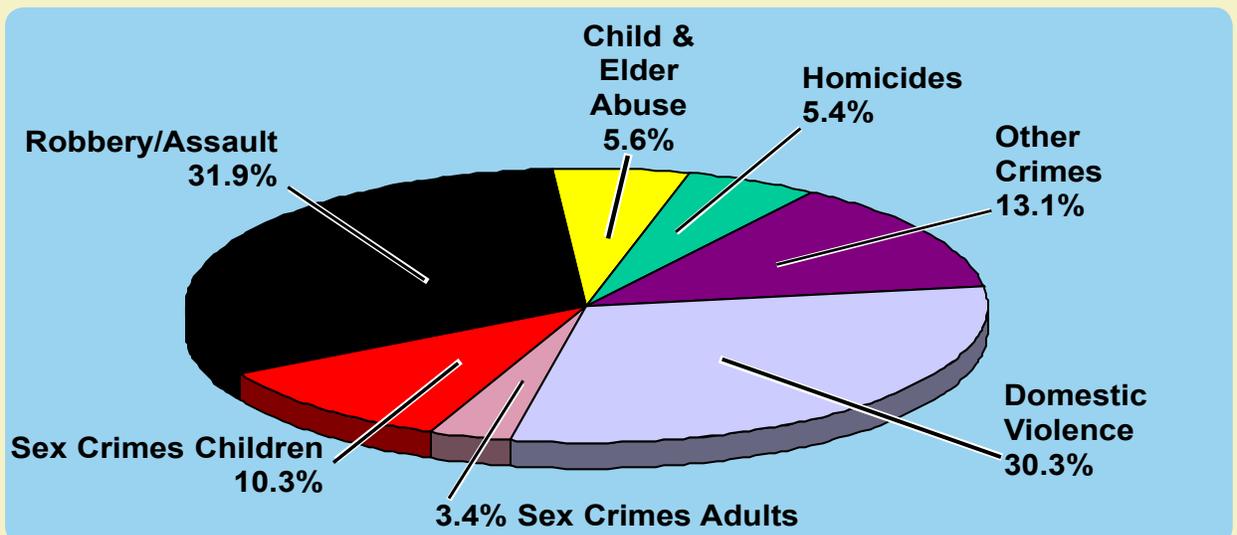
Total 2007 Service  
Contacts: 22,217



Source: Office of Bronx District Attorney

## Crime Victims Assistance Unit Contacts By Type of Crime

Total 2007 Client  
Contacts: 2,089



Source: Office of Bronx District Attorney

## **CRIME VICTIMS ASSISTANCE UNIT SATELLITE OFFICE**

The Bronx District Attorney's Crime Victims Assistance Unit (CVAU) provides comprehensive services to crime victims, ranging from information and referrals to individual and group therapy. The location of the unit, in the District Attorney's Office on 161st Street in the South Bronx, is generally convenient because of its proximity to the court. But for some crime victims who reside in the northern end of the county, transportation is a problem.

In September 2002, we received a one-year planning grant from the federal government for an innovative project to bring services closer to

crime victims in the North Central Bronx. We received three additional grants in 2003, 2004 and 2005 which supported the program's implementation. In late 2003 the satellite office opened in the community, and additional staff were hired in 2004. Although federal funding ended in late 2006, this Office continues to work with an Advisory Committee composed of representatives from law enforcement, schools, hospitals, faith-based organizations, local media, local government, youth services, child welfare and community-based organizations to tailor the type of services and their delivery to the needs of the community. From this satellite office CVAU staff provide services similar to those offered at the

District Attorney's main office. During 2007 staff provided 1,664 services to clients at the satellite office and 169 new crime victims received services at the Satellite Office. These clients were victims of crimes such as domestic violence, assault, and elder abuse.

A need for additional space resulted from the program's expansion. Consequently, in 2005 renovation began on unoccupied third floor space donated by the City, rent-free, in the building which houses Community Board 12. These renovations are complete and the entire third floor is furnished and occupied by the Satellite Office. In each office, the work performed by crime victim advocates is extensive and comprehensive.

### **Domestic Violence Victim Advocacy**

On June 7, 2006, a crime victim advocate who works at the District Attorney's Satellite Office contacted 40-year-old Mrs. A (pseudonym) because she reported to the 47<sup>th</sup> Police Precinct that her 41-year-old husband threatened to kill her. They met and Mrs. A discussed her relationship with her husband, Mr. A. The couple met while he was in prison on an assault charge. They corresponded, became close, married and had a daughter and twin boys while he was incarcerated.

After nearly 20 years in prison, Mr. A was released in 2005 under the supervision of the NYS Division of Parole. He was allowed to reside with Mrs. A, their children, and Mrs. A's two children from a previous marriage. Mrs. A attempted to make her husband's "re-entry" or transition as smooth as possible, but the rela-

tionship was not going well. Mr. A was verbally abusive and threatened his wife.

The advocate was concerned and referred Mrs. A for shelter placement and advised her to petition for an order of protection from Bronx Family Court. Mrs. A loved her husband and wanted her marriage to work. The advocate informed her that her safety and that of her children was more important. Mrs. A was concerned that her husband would be returned to prison.

Mr. A was shot on July 12, 2006. Mrs. A told the advocate that she was concerned for her safety and no longer wanted her husband in the home. The advocate advised her to petition for an order of protection barring him from the home and to contact the NYS Division of Parole to request that he be removed from the home. The advocate also contacted the

## **Domestic Violence Victim Advocacy** *Continued*

local NYPD Police Precinct to determine the case status. The advocate was contacted by the preventive case worker assigned to her case. They discussed the current case status and the advocate was informed that the domestic violence counselor with the preventive agency would escort Mrs. A to petition for the order of protection.

On July 20, 2006, Mrs. A's husband had been released from the hospital and was residing with a relative in another borough, but Mrs. A had not petitioned for the restraining order. The advocate stressed the importance of barring her husband from the home and again advised her to apply for the restraining order. On August 25, 2006, the advocate contacted Mrs. A, who stated that she was doing well and that her husband was visiting the children on the weekend, which she supervised.

On August 31, 2006, Mr. A physically assaulted Mrs. A on her way to work. He pushed her to the ground and attacked her. Mrs. A contacted the advocate from the hospital. He advised her to travel to the Bronx Family Court and petition for an order of protection. Mrs. A was granted an order of protection and the court issued a bench warrant for her husband. Mrs. A met with and gave the parole officer a copy of the restraining order, warrant, police report and medical documentation regarding the assault.

Mrs. A completed the NYS Crime Victims Board Application for the injuries she received on August 31. She also agreed to meet with the Domestic Violence Response Team sponsored by the NYC Mayor's Office to Combat Domestic Violence.

On September 11, 2006, Mrs. A told the advocate her husband had come to the home. The advocate directed her to contact 911 immediately. On September 12, 2006, the advocate contacted the local

precinct's domestic violence unit, discussed the case and requested that Mrs. A be placed on the high propensity list. On September 13, 2006, the advocate gave officers from the local police precinct's domestic violence unit Mrs. A's address because they wanted to make face-to-face contact with her that day.

On September 14, 2006, the advocate contacted the domestic violence unit to determine if they made contact with Mrs. A. The advocate was told that the police had only been able to speak to family members and that Mrs. A was stabbed to death on her way to work, and the suspect -- her husband -- was being sought by the police. She was carrying a restraining order that named her husband.

On September 15, 2006, Mr. A was arrested and taken into custody. The defendant was charged with murder in the second degree and remanded to the NYC Department of Correction. The advocate attempted to reach out to family members.

On September 18, 2006, the funeral home handling arrangements requested assistance from the NYS Crime Victims Board to cover expenses. Emergency funds were obtained to pay for the burial.

On September 21, 2007, a year and a week after the homicide, the advocate testified during the trial in Manhattan. He testified about the services he provided and the assault that occurred on August 31, 2006. On September 28, 2007, Mr. A was found guilty of murder in the second degree.

During the sentencing hearing, Mrs. A's mother read a statement that she prepared and a statement prepared by her granddaughter. The statements described the pain the family suffered. Mr. A also spoke and admitted to the murder and, typically, tried to blame the victim for provoking him to kill her. Mr. A was sen-

## Domestic Violence Victim Advocacy Continued

tenced on November 7, 2007, to 25-years-to-life in prison for the homicide.

The advocate continues to keep in touch with the victim's mother and continues to offer the family assistance. The victim's mother still has difficulty understanding why the murder happened. She is caring for the children on a kinship foster basis. The family is being monitored by a foster care agency, and they receive supportive services. Mr. A's mother is seeking to gain custody of her grandchildren. She visits

with them regularly, but the children remain with their maternal grandmother.

Mrs. A. was a domestic violence victim who was murdered by her husband. Although the advocate discussed and offered interventions, followed up with the client, and the family was monitored by a preventive agency, a life was still lost. The Bronx District Attorney's Crime Victims Assistance Unit remains in contact with the family as a support, and will continue to do so.

## BRONX CLOTHES-LINE PROJECT

In April 2007, the Bronx District Attorney's Crime Victims Assistance Unit collaborated with the Bronx Committee for National Crime Victims' Rights Week to host the annual display of the Bronx Clothes-Line Project. The theme for 2007 — "Victims' Rights: Every Victim. Every Time." — "reminds us that every victim deserves respect and compassion, assistance to recover from the impact of crime, and full access to the criminal justice system." As it has each year since 1996, the Crime Victims Assistance Unit collaborated with a partnership of allied professionals and community volunteers to create and organize the Bronx Clothes-Line Project. The Clothes-Line Project is a striking visual presentation of t-shirts designed by survivors

of crime to break the silence surrounding victimization and to make their voices heard by others who support them in their struggles to

heal. Each shirt symbolizes pain, survival, healing and empowerment, and provides a window into the life of a victim who survived vio-

lence. The messages on the shirts are individualized — some poetic, some plain-tive — allowing the artists to express their feelings in their own way. This visual presentation tells the stories of hundreds of survivors of abuse, violence and neglect. The dramatic illustration of t-shirts hanging side-by-side provided viewers with a glimpse of the devastating effects of crime on victims. Survivors of domestic violence, rape, child abuse, elder abuse, assault and other crimes of violence decorated the t-shirts with messages, poems, photographs and drawings. Some t-shirts were memorials to victims of homicide.

2007 NATIONAL CRIME VICTIMS' RIGHTS WEEK

EVERY VICTIM EVERY TIME

**VICTIMS' RIGHTS**

**The 2007 Annual Display  
of the  
Bronx Clothesline Project**

Tuesday, April 24, 2007  
3:00pm - 6:00pm  
At  
John Philip Sousa Middle School 142  
Gymnasium  
3750 Baychester Avenue  
Bronx, N.Y. 10466

Sponsored by:  
**The Bronx Committee for  
National Crime Victims' Rights Week**

Wheelchair accessible

For information call:  
The Bronx District Attorney's  
Crime Victims' Assistance Unit  
(718) 590-2115, (718) 798-5892

# Partnerships and Collaboration

## **COURT MERGER: BRONX SUPREME COURT, CRIMINAL DIVISION**

In November 2004 the New York State Office of Court Administration (OCA) implemented a court merger program to address the backlog of misdemeanor cases. This merger, the first in the state, created the Criminal Division of Supreme Court which handles felony and misdemeanor proceedings that were previously divided between Supreme Court and the New York City Criminal Court. This Office has cooperated fully with OCA, including reorganization of our Criminal Court Bureau, enabling the new Criminal Division to operate more efficiently.

Although the backlog of cases decreased initially, pending cases have begun to increase again, partially as a result of a reduction in the number of judges assigned to the Criminal Division. In December 2003 there were 8,639 pending misdemeanor cases. Following the court merger, in December 2005 the number of pending misdemeanor cases decreased to 5,147. By the end of 2007, however, there were 7,997, an increase of nearly 55%. Pending felony cases also decreased from 5,007 (in 1996) to 2,750 in 2003. Following the merger, pending felonies began a steady increase

to 3,312 in 2005, to 3,765 in 2006, and to 3,952 in 2007, an increase of 44% from 2003 to 2007.

## **BRONX MENTAL HEALTH COURT**

The Bronx District Attorney's Office has been diverting defendants to drug treatment for many years and developed formal partnerships to do so in October 1992. Over time it became clear that some of these defendants were suffering from both drug dependency and mental illness. While staff always tried to place such non-violent defendants in treatment programs that were appropriate for persons with dual diagnoses, in 2002 we entered into a formal partnership with Treatment Alternatives for Safer Communities (TASC) and Research Triangle Institute to create the Bronx Mental Health Court. As the grantee, this Office administers grants and sub-grants, monitors compliance with the terms of grants and with sub-grantees' letters of agreement, has fiscal responsibility, and provides staff to work in the court part.

In 2003, eligibility for diversion to the Bronx Mental Health Court was extended to defendants with serious mental illness (with or without drug dependency). In 2004, the court's capacity was further expanded to provide services for mentally ill defendants with HIV/

AIDS. Using federal funds to provide mental health and drug dependence screening and assessment, placement and program evaluation, we recommended 105 defendants for placement in 2007. These defendants are subject to the same level of supervision and sanctions for failure to complete treatment as other diverted defendants.

In 2006 the US Department of Justice designated the Bronx Mental Health Court a national model for treatment alternatives to incarceration for defendants with serious mental illness. As one of just five national "learning sites" the Bronx Mental Health Court provides other jurisdictions with an opportunity to observe and study all aspects involved in the successful and sustained operation of the court.

The Bronx Mental Health Court was again honored in 2007. On October 18th, at the Fourteenth Annual United Nations Awards Luncheon, the American Association for Psychosocial Rehabilitation honored the Bronx Mental Health Court with the Alice Fordyce Public Service Award. Also in October, Education and Assistance Corp (EAC) honored District Attorney Robert Johnson with their Humanitarian of the Year Award for his participation in the Bronx Mental Health Court.

## Ms. G

After being referred by a judge from Bronx Treatment Court to the Bronx TASC Mental Health Court Program and completing an assessment and evaluation, 42-year-old Ms. G pleaded guilty on February 28, 2006, to criminal sale of a controlled substance in the third degree. This is a B Felony, and failure to complete her treatment program would result in a sentence of two years incarceration plus two years post-release supervision.

Born in the Bronx, Ms. G was raised by her mother and older sister. Although her biological father left the family when she was about three years old, Ms. G still remembers the alcoholism and physical beatings her mother endured. An uncle sexually abused Ms. G at the age of five, and the abuse continued to the age of eight. As a child, Ms. G remembers liking school, but she had difficulty sitting still and focusing. Ms. G dropped out of school while in the ninth grade.

By 16, Ms. G was a “full fledge alcoholic.” She progressed from beer to hard alcohol. The effect of the alcohol would “take the edge off” as she went through the routine of the day. Ms. G began acting out sexually. She states, “I was very promiscuous.” At 21 she gave birth to her daughter. The struggle to work and raise her child became an overwhelming task that led to severe bouts of depression. At times she was unable to leave her small apartment. Ms. G experimented with heroin “just to feel better, relaxed” but would always return to alcohol. Blackouts became frequent occurrences. By 25, Ms. G lost custody of her daughter to her older sister.

Ms. G’s hospitalizations usually stemmed from her heavy drinking. She remembers that she would stay in the hospital “just to dry out” and then return to

her regular routine of working and drinking. She managed to keep basic office jobs for a while and was well liked. However, frequent absences and effects of alcoholism would eventually cause Ms. G to lose work and seek other jobs. Ms. G’s major depressive disorder was never addressed or treated, thus leaving her more likely to relapse because of this untreated mental illness.

At the time of her referral to the Bronx Mental Health Court program, Ms. G had been drinking heavily, daily for over 20 years. Her initial appointments at the TASC office were often canceled because Ms. G would show up intoxicated. Often she would have no recollection of appearing at the TASC office and would consider her regular case manager a stranger at every meeting. Gathering simple information for a routine psycho-social form became a monumental task. A close family friend would often escort Ms. G to her assessments and appointments, only to accompany her to an emergency room for medical detox. Each trip to the emergency room was in hope of Ms. G “drying out” long enough to do an adequate and complete assessment and to determine if her cognitive impairment might improve with abstinence and psychiatric treatment.

Ms. G remembers the day “God came in and took charge.” Ms. G again reported to the Bronx TASC office under the influence of alcohol. She was referred to the Bronx Addiction Treatment Center, which is located on the grounds of Bronx Psychiatric Center. Ms. G went to the routinely scheduled AA meetings offered in detox. A combination of the meetings and staff engaging her around her depression convinced Ms. G to stay, not only for the seven day detox but also for the 21-day rehabilitation program.

Ms. G recalls her time in this rehabilitation program as a turning point in

**Ms. G***Continued*

her life. “My mind cleared; I connected with the speakers.” Ms. G was prescribed antidepressants and continued her daily AA meetings. By the end of her 21 day rehab, Ms. G looked and sounded like a different person. As the psychiatric medications took effect, the Bronx Mental Health Court program was able to see Ms. G as a woman struggling with her past abuse and separation from her daughter. Traumatic brain injury could be ruled out and her prognosis, the level of functioning she was expected to reach, was quite high.

After rehab Ms. G was referred to Casa Banomie, a sober house in the Bronx. From there she attended VIP women’s services where she completed groups along with individual counseling. Ms. G continued to attend daily AA meetings. Through the fellowship of AA, Ms. G obtained a sponsor. She went on to speak at hospitals and other

institutions. With each meeting she gained a stronger understanding of her alcoholism and herself. During her time with the Mental Health Court, Ms. G was twice given permission to travel out of state to attend and speak at regional AA meetings. Ms. G continues to take medication for depression but feels that it is the “rooms” of AA that truly keep her on track.

Ms. G no longer remembers the woman who first came into the Mental Health Court program. She listens in amazement when staff share these first experiences with her. On August 16, 2007, Ms. G successfully completed her treatment mandate. The Court reduced her charge to an A misdemeanor, and she was sentenced to a conditional discharge with no post-release supervision. She continues to attend the program at VIP women’s services and continues to attend AA meetings.

### **DRUG TREATMENT ALTERNATIVE TO PRISON (DTAP)**

Bronx prosecutors have had substantial success in placing drug

offenders in treatment programs. Between 1993 and 2007, more than 12,000 Bronx defendants were placed in drug treatment programs as an alternative to incarceration.

While the Office’s initial experiment with ATI drug treatment focused on first-time offenders, treatment is also appropriate for some second felony offenders. In late 1995

### **Drug Treatment Enrollment\* 1993 – 2007**

<b>PROGRAM</b>	<b>1993 - 2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>TOTAL</b>
<b>DTAP</b>	<b>1,979</b>	<b>298</b>	<b>241</b>	<b>281</b>	<b>2,799</b>
<b>BX Treatment Court</b>	<b>1,156</b>	<b>151</b>	<b>116</b>	<b>327</b>	<b>1,750</b>
<b>Extended Willard</b>	<b>196</b>	<b>27</b>	<b>17</b>	<b>19</b>	<b>259</b>
<b>Mental Health Court</b>	<b>223</b>	<b>17</b>	<b>19</b>	<b>14</b>	<b>273</b>
<b>BX Treatment Misd. Court</b>	<b>--</b>	<b>108</b>	<b>342</b>	<b>247</b>	<b>697</b>
<b>Other Residential</b>	<b>3,505</b>	<b>158</b>	<b>122</b>	<b>157</b>	<b>3,942</b>
<b>Other</b>	<b>1,533</b>	<b>21</b>	<b>163</b>	<b>145</b>	<b>1,862</b>
<b>TOTAL</b>	<b>8,697</b>	<b>949</b>	<b>1,159</b>	<b>1,276</b>	<b>12,081</b>

**Source: Office of Bronx District Attorney**

**\*Note:** Drug Treatment Alternatives to Prison (DTAP) is for predicate felony (second and later) offenders. Extended Willard Drug Treatment is also for predicate felony offenders and is operated by the New York State Department of Correctional Services in conjunction with the Division of Parole. “Other Residential” includes first-time offenders placed in residential programs. “Other” includes residential and outpatient programs for first-time and predicate defendants.

through the TASC program, this Office began placing offenders with prior non-violent felony convictions in alternative-to-incarceration programs and first received DTAP funding in 1998. From 1998 through 2007, the Office placed 2,799 defendants in drug treatment through DTAP. The DTAP model involves: (1) identification of drug-involved offenders; (2) assessment of the offender's drug and alcohol treatment needs; (3) referral to appropriate treatment; and (4) continuous case management.

Bronx participants in the DTAP program are required to plead guilty to a class B felony. If they complete the program, their felony plea is set aside, and they are permitted to plead guilty to a misdemeanor. However, those who withdraw or fail to complete the program satisfactorily receive a sentence of three and one-half years in prison.

In addition, this past year nearly 1,000 Bronx defendants who were not eligible for DTAP were diverted through other treatment programs.

### **BRONX COMMUNITY SOLUTIONS**

In 2004 we worked with the Center for Court Innovation to establish a Community Court, known as "Bronx Community Solutions," to enhance community service sentences and provide services to defendants. The goal of the project is to provide judges with more sentencing options for the

many defendants convicted of non-violent, misdemeanor offenses such as marijuana possession, prostitution and shoplifting. By combining punishment with services, Bronx Community Solutions aims to hold offenders accountable while offering them the assistance they need to avoid further criminal conduct.

In 2006, Bronx Community Solutions worked with over 10,500 clients, a 67% increase in caseload over 2005. Clients of Bronx Community Solutions performed more than 70,000 hours of community service and provided services to the Bronx community such as painting over graffiti, cleaning streets and maintaining local parks. Participants attended over 700 social service classes taught by Bronx Community Solutions clinical staff and partner agencies. After completing their mandates, close to 1,300 participants accepted voluntary referrals for affiliated community-based programming for services, including vocational training and job place-

ment, substance abuse treatment, health and mental health counseling, and housing assistance. By scheduling clients to begin community service immediately, identifying new community service partners, developing its own clean-up crew, and closely monitoring the work of clients, Bronx Community Solutions has created visible improvements to neighborhood conditions in the Bronx. These outcomes were achieved with compliance with court orders averaging about 70%.

### **OPERATION WEED & SEED**

Weed and Seed is a federally funded strategy designed to "weed out" drug traffickers and violent crime while "seeding" the community with federal, state and local resources to improve the quality of life. The law enforcement strategies that are part of this effort have combined federal and local resources to identify, target, arrest and prosecute narcotics traffickers,



**Weed & Seed: Stickball**

gang members and robbery perpetrators in the Weed and Seed area. The Bronx has been home to two Weed and Seed sites, one located in the Soundview/Bruckner neighborhood and the other in Mott Haven. Unfortunately, the Mott Haven site lost its funding eligibility in 2006 and is no longer in operation.

Weed and Seed involves collaboration among the District Attorney's Office, the U.S. Attorney for the Southern District of New York, the NYPD, other local, state and federal law enforcement agencies and the New York City Department of Education. Operation Weed and Seed/Soundview also relies on close working relationships with the Bronx Borough President's Office, the Bronx YMCA, Kips Bay Boys and Girls Club, the Bronx Lions Club, Parkchester Kiwanis Club, clergy, elected officials, school-based parent organizations, other community-based organizations and community residents.



**Weed & Seed - Philadelphia Trip**

In July 2002 through a federally-funded grant, we formed Law Enforcement Advisory Committees (LEACs), comprised of community members who live in the Weed and Seed neighborhoods. In 2004 the Citizens Committee for New York City provided customized leadership training for LEAC members. In addition, the NYPD Citizens Police Academy provided training regarding law enforcement. LEAC members now collaborate with the

District Attorney's Office to solve problems within the community. The LEAC is also represented on the Weed and Seed Steering Committee

### **DOMESTIC VIOLENCE**

Beginning in 2002 this Office, in partnership with other City agencies and non-profit victim services providers, has received a series of domestic violence grants from the Office on Violence Against Women of the U.S. Department of Justice. With resources from these grants, the Bronx Borough President's Office formed an advisory committee that initiates domestic violence awareness projects. Grant funds have also been used for some of the District Attorney's staff in the Domestic Violence Court Parts, and to enable the non-profit partners to provide services to domestic violence victims.

In 2007 we and our partners received an additional two-



**Weed & Seed Trip**

**“Through such collaborations we hope to increase victim safety, improve prosecution and hold batterers accountable.”**

year grant award. Resources from this award have enabled the NYC Department of Probation to expand to misdemeanor offenders a program of intensive supervision originally designed for felony domestic violence offenders. At the same time these funds have enabled us to place Safe Horizon’s crime victim advocates in Bronx police precincts with high rates of domestic violence. Through such collaborations we hope to increase victim safety, improve prosecution and hold batterers accountable.

### **Domestic Violence Empowerment (DoVE)**

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The New York City Council created the DoVE Initiative to support organizations in their efforts to provide domestic violence services in neighborhoods throughout the city. The DoVE initiative places priority on communities with high rates of domestic violence or

whose members are more vulnerable due to factors such as poverty, immigration status, and limited English proficiency. As part of a broader DoVE network, funded organizations have the opportunity to connect and collaborate with each other through forums such as advocacy groups, training programs and conferences.

In 2006 and 2007 the Bronx District Attorney’s Office received DoVE grants through the efforts of Councilwoman Maria Baez. The Office is using the funding for a bilingual therapist to provide both individual and group therapy for domestic violence survivors. We also hired a bilingual advocate who works evening hours in the Bronx District Attorney’s Complaint Room, providing crisis intervention, explanation of court process and procedures, information, accompaniment, advocacy and referrals. These staff members also provide educational seminars

to the Bronx community and work closely with the Community Affairs Unit at the District Attorney’s Office. The DoVE project links the education and outreach work of Community Affairs with the direct services provided by CVAU through expert bilingual domestic violence counseling.

### **Youthful Offender Domestic Violence Court**

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Beginning in October 2006 the NY State Office of Court Administration (OCA) opened a new Youthful Offender Domestic Violence Court (YODVC) part in the Domestic Violence Court complex. Defendants with cases in the YODVC part were between the ages of 16 and 21 and accused of dating violence or domestic violence. Another YODVC partner offered defendants in the YODVC part a batterers program designed for adolescent offenders.

With sub-grant funding from a STOP Violence Against Women grant awarded to OCA, the Bronx District Attorney’s Crime Victims Assistance Unit hired a crime victims advocate whose caseload was drawn from victims of defendants with cases in the YODVC part. The advocate was stationed in the Domestic Violence Court on Tuesday afternoons, when the YODVC was in session.

The advocate provided initial outreach to the victim by phone (if available) or mail. Once the victim was reached and a CVAU case

opened, the advocate provided crisis intervention; emotional support; court information; safety planning; temporary and permanent relocation assistance (when needed and feasible); information and referrals; and court accompaniment.

The funding ended October 1, 2007, and the advocate left the Office. However, CVAU still monitors YODVC alerts and reaches out to victims in the Complaint Room.

## **GANG PROSECUTION**

According to the NYPD, in 2006 there were 1,359 incidents in the Bronx that were either gang-related or gang-motivated. Gang activities included weapons possession, shooting, slashing, stabbing, homicide, assault, robbery, burglary, larceny, harassment, criminal possession and criminal sale of a controlled substance, and criminal possession of marijuana. This

gang activity contributes to the Bronx's disproportionate share of violent crime.

The Bronx District Attorney's Gang/Major Case Bureau assigns experienced prosecutors to investigate growing and increasingly violent gang activity in the Bronx. One recent investigation resulted in the conviction of a 25-year-old defendant for manslaughter and attempted murder under New York's terrorism statute.

### **Gang Member Is Convicted Under Terror Law**

*Headline from New York Times, 11/1/2007*

Just six days after 9/11, the New York State legislature passed an anti-terrorism statute that allows for more severe sentences in cases involving terrorism. The state law defines terrorism, in part, as a crime meant to "intimidate or coerce a civilian population."

Less than a year later, on August 18, 2002, gunfire erupted outside a baptism party at a church hall. The altercation began when then 19-year-old Edgar Morales and other members of the St. James Gang invaded the party. The uninvited guests confronted individuals whom they believed to be members of a rival gang. Words were exchanged, prompting Javier Toccimani and a friend to leave the party in an effort to avoid further trouble. Morales and several other gang members followed the two men outside and shots were fired. The bullets killed ten-year-old Melanny Mendez, who was hit once in the head by a stray bullet, and paralyzed Toccimani. Fellow gang member 22-year-old Enrique Sanchez, who testified against Morales, ultimately pleaded

guilty to manslaughter in the first degree and was sentenced to eight years imprisonment on January 8, 2008.

Witnesses at Morales' trial told the jury that the St. James gang was initially formed for protection against other Mexican gangs, but by 1999 it had evolved into a group that worked to cultivate a reputation as the most violent Mexican gang in the Bronx. Members declared themselves "Kings of the Bronx." The gang conspired to terrorize an entire community surrounding St. James Park in the Fordham section of the Bronx through violent means. For example, gang members fired shots into a crowd of people in a park on October 16, 2001; a 15-year-old boy was shot in the face after leaving a birthday party on April 14, 2002; and gang members fired shots into a crowd of people who were on their way to a birthday party at a hall in St. Nicholas of Tolentine Church on February 21, 2004. Evidence of 19 specific acts of violence was presented at trial. The purpose of such wanton violence was to enhance the gang's status and flex its muscle by

## **Gang Member Is Convicted Under Terror Law**

*Headline from New York Times, 11/1/2007, Continued*

targeting private parties, restaurants and other business establishments. The gang's objective was to carry out a systematic campaign of intimidation.

Morales was found guilty on October 31, 2007, of manslaughter in the first degree in the death of Melanny Mendez and attempted murder in the second degree in the shooting of Toccimani. He was also found guilty of conspiracy in the second degree and criminal possession of a weapon in the second degree. The jury concluded these four offenses were "crimes of terrorism." This case was the first time a prosecutor in New York State used the antiterrorism statute to convict a member of a street gang. District Attorney Robert Johnson said at the time of the indictment, "The obvious need for this statute is to protect society against acts of political terror. However, the terror perpetrated by organized gangs which all too often occurs on the streets of New York also fits squarely within the scope of this

statute."

Morales was sentenced on December 10, 2007, to two consecutive terms of 20-years-to-life imprisonment on the manslaughter and attempted murder convictions. He must serve at least 40 years in state prison before becoming eligible for parole. He was also sentenced to concurrent terms of 15 years imprisonment on the gun conviction and 5-to-15 years imprisonment on the conspiracy conviction. Ordinarily, the maximum sentence for first degree manslaughter and attempted murder would be 25 years imprisonment on each count. But because these offenses were determined by the jury to be "crimes of terrorism," Morales could be kept in prison for the rest of his life. District Attorney Robert Johnson noted, "These were callous acts that resulted in the life of an innocent child being snuffed out. The jury's finding of terrorism is significant in determining an appropriate punishment."

## **A call for justice in inmate's death.**

*Headline from Newsday, 6/20/2005*

Thirty-year-old Amir Douglas was a Bloods gang member and convicted felon. He was convicted for slashing an inmate with a razor in 1993, and for attempted robbery in the second degree two years later in 1995.

On April 29, 2004, twenty-one-year-old Tyreece Abney was at the George Motchen Detention Center at the

City Jail on Rikers Island awaiting transfer to a drug treatment program. Douglas and two other inmates struck, punched and kicked Abney to the floor. A second assault on Abney occurred a short time later as he was being moved to another housing area for his own protection. As Abney was escorted away after he tried to punch another inmate, Douglas and several others were prompted to

**A call for justice in inmate's death.**  
*Headline from Newsday, 6/20/2005, Continued*

retaliate. Douglas straddled Abney's chest and punched his face and head numerous times before repeatedly smashing Abney's head into the floor. The Medical Examiner determined that Abney's death was caused by multiple blunt force trauma.

During Douglas' trial, a homicide detective testified that an eyewitness and his family came into the 43<sup>rd</sup> Precinct to report death threats that the witness received on the street from strangers. Douglas was a high-ranking member of a Bloods set known as "Sex Money Murder." He had been tried twice before for two unrelated homicides, one in the Bronx and one in Manhattan. Juries acquitted him of both of these homicides. During pre-trial hearings, a series of witnesses were called to demonstrate

that these acquittals resulted from witness intimidation.

On March 22, 2007, the jury found Douglas guilty of gang assault in the first degree and two counts of assault in the second degree. His two prior violent felony convictions made Douglas a persistent violent felony offender. On May 24, 2007, he was sentenced to 25-years-to-life imprisonment. In 2006, two other defendants were also sentenced to state prison terms for their roles in this deadly assault. One was sentenced to three-to-nine years imprisonment for manslaughter in the second degree, and the other was sentenced to four years imprisonment for assault in the second degree.

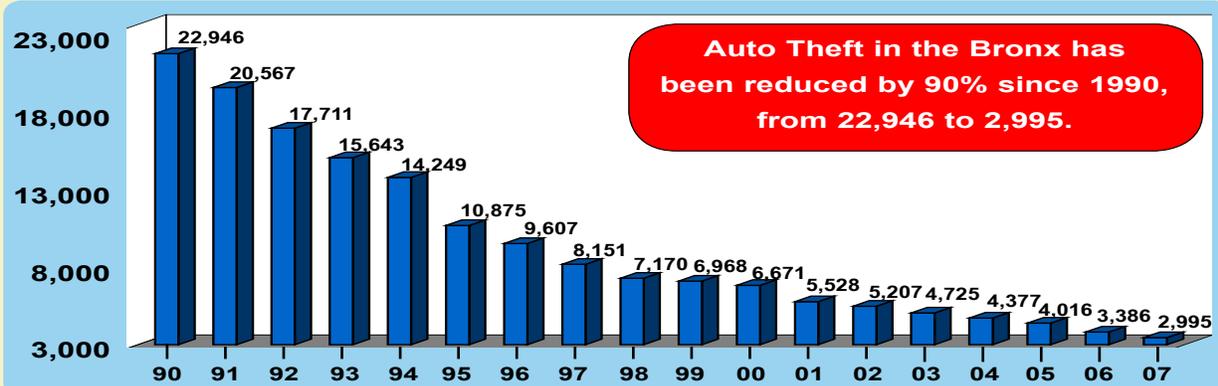
**AUTO CRIME INITIATIVES**

The Office of the Bronx District Attorney has operated the Bronx Anti-Auto Theft Program since 1995. The program, which has been supported with resources provided by

state grants, was designed to increase the number of successful prosecutions of defendants charged with grand larceny of a motor vehicle, criminal possession of stolen property, illegal possession of a vehicle identification number, auto stripping and/or

unauthorized use of a vehicle. It was also expected to result in an increased number of stolen cars recovered pursuant to arrests made and/or search warrants executed. In 2007 this office recovered 361 stolen vehicles valued at more than \$4 million.

**Decline In Grand Larceny Auto  
 1990 - 2007**



Source: New York City Police Department

Although this program has been very successful, in 2005 (the most recent year for which statewide statistics are available) auto theft in Bronx County remained at the highest rate per 100,000 registered vehicles in the state and second highest rate per 100,000 population.

In the last seven years, the program has been expanded to include document fraud and insurance fraud. In 1999, we expanded our effort to include night-time surveillance and investigations of auto-related crimes.

This expansion was made possible through a series of grants from the New York State Motor Vehicle Theft and Insurance Fraud Prevention Board which provide funds for equipment, investigators and prosecutors.

Since September 2006, Bronx District Attorney's Office Detective Investigators have worked with NYPD precincts three-to-four days and three-to-four nights per week using a License Plate Reader (LPR) provided by the National Insurance Crime Bureau.

LPR technology uses specialized cameras and computers to capture large numbers of license plates quickly, convert them to text and compare them quickly to a large list of plates of interest. LPR systems can identify a target plate within seconds of contact with it, allowing law enforcement to identify target vehicles that might otherwise be overlooked. By the end of 2007, these collaborative efforts resulted in a total of 78 arrests, 537 summonses issued, and 189 stolen vehicles recovered.

### **Auto Insurance Fraud**

Thirty-nine-year-old Dixon Troche, a New York City Department of Sanitation employee, drove a 2001 BMW XS. On October 13, 2007, Troche had his car towed to a salvage yard to be crushed. Nevertheless, on October 20, 2007, he told the 45<sup>th</sup> Precinct that he last saw his car on the previous day when he parked it and that it had subsequently been stolen. He reported the car stolen to his insurance company, and GEICO paid out over \$19,000 on the claim.

The garage was under surveillance by NYPD Auto Crime. A detective from that unit saw the vehicle towed into the lot and conducted a business inspection on the location. During the inspection, he noted the Vehicle Identification Number

(VIN) on the car. The detective subsequently entered the VIN into the NYPD's FINEST system, with negative results. He re-entered it approximately every three days, and soon after October 20, the vehicle was identified as stolen.

Troche was arrested on December 15, 2007. Troche did not have a criminal history. On April 1, 2008, he pleaded guilty to attempted grand larceny in the third degree, a felony. He is scheduled to be sentenced in September 2008. If he pays \$19,420 in restitution, he will receive a sentence of a conditional discharge. If he does not repay this amount in a lump sum by this time, he will receive five years probation along with a judgment to repay GEICO any of the \$19,420 that remains unpaid.

### **Automobile Theft**

At least three unrelated people believed that they could sell stolen cars to a Bronx crushing facility without the thefts

being detected. Each was paid an amount determined by the vehicle's scrap weight. However, they were not aware that they were actually selling the cars to an undercov-

## Automobile Theft

### Continued

er police officer nor that their transactions were surreptitiously recorded on video. The first person caught in this undercover operation was Jason (pseudonym).

Twenty-one year old Jason allegedly sold 26 cars to the undercover officer between December 2006 and April 2007. Jason removed the license plates after driving the cars to the location. The cars included 12 Toyotas and nine Hondas. Most of the cars had been stolen from within the New York City metropolitan area less than 36 hours before they were sold. Jason appar-

ently used a “shaved down” key to start each car. He had several such keys in his possession when apprehended; shaved down keys are used to unlock the ignition of certain cars from the pre-transponder-key era. Jason has been charged with 26 counts of criminal possession of stolen property in the fourth degree. His case is pending. Jason also has three other pending indictments for conduct involving apparently stolen cars, reckless driving, and injuries to police officers on three separate dates between January 10 and May 7, 2007.

## ELDER ABUSE

“Elder abuse” can take many forms, including neglect or abuse of a physical, financial, psychological, emotional or sexual nature. Although anyone can be a victim of crime, age may render victims physically weak, physically or emotionally isolated, or mentally disabled. These conditions increase the trauma of victimization and make the criminal justice system more difficult to negotiate.

In 1998, the Bronx District Attorney formed an elder abuse committee to develop strategies to enhance prosecution in elder abuse cases and to increase the coordination of services to elderly victims. The Bronx District Attorney’s Office hired an Elder Abuse Coordinator in 2000 to serve as a liaison among the bureaus and units of the Office, obtain services from outside agencies and serve as a resource for educating the community. As an outgrowth of the Office’s commit-

tee, an Elder Abuse Multidisciplinary Task Force was created in 2001. The complexities of elder mistreatment and neglect necessitate a comprehensive, multidisciplinary approach. The Task Force is co-chaired by the Elder Abuse Coordinator at the Bronx District Attorney’s Office, the Assistant Director of ElderServe Licensed Home Care Services Agency of the Hebrew Home for the Aged at Riverdale, and the Bronx Borough Director of Adult Protective Services. This bimonthly gathering of law enforcement, social service, health-care, financial, business, governmental and private agencies enables the sharing of expertise and facilitates the coordination of efforts to prevent, investigate and remedy the abuse of our most vulnerable seniors.

In April 2007, the Satellite Office of the Bronx District Attorney’s Office hosted its first Senior Information Fair at a local bank as part of National Crime Victims’ Rights Week. In May 2007,

staff presented a workshop titled “Anatomy of an Elder Abuse Referral to a DA’s Office” at the Adult Abuse Training Institute in Albany, NY.

The Bronx District Attorney’s Office was selected in early 2006 to become a CASE (“Communities Against Senior Exploitation”) Model Site. The CASE partnership is an elder fraud prevention and intervention program. The Bronx District Attorney’s Office is one of approximately 50 sites across the country that are working with faith-based communities and senior centers to combat elder fraud and exploitation. As part of this program, staff from the District Attorney’s Office conduct training in the community using CASE resource materials. During 2007, the program made 24 CASE presentations. This program is currently implemented without funding, staffed by volunteers from the Office. In addition the Coordinator, who is often the first point of contact for elder abuse inquiries, handled 239 calls in 2007 regarding suspected elder abuse and neglect.

## Financial Elder Abuse

Eighty-four-year-old Elizabeth (pseudonym) was hospitalized after having a stroke. She was subsequently transferred to a nursing home to recover. While she was away from home, two neighbors allegedly stole the majority of her monetary assets.

The neighbors were a mother-and-daughter team, ages 36 and 56, who allegedly raided the victim's bank account. The alleged crimes occurred between September 1, 2006, and March 7, 2007 as Elizabeth's bank account was drained. The two neighbors allegedly looted the elderly woman's Emigrant Savings Bank account of approximately \$189,000 and submitted to Principal Annuity Life Insurance a fraudulent transfer document that gave the daughter ownership of Elizabeth's \$400,000 annuity. The mother had recently been convicted for stealing Social Security benefits for a relative who had been dead for 10 years.

When Elizabeth returned to her apartment, she discovered that checkbooks and bank books were missing; that checks had been written on her account; and that ownership of her annuity had been transferred. Elizabeth's bank contacted the District Attorney's Office, and an extensive 2½-month investigation followed that involved a detective investigator, a forensic accountant, the Office's Elder Abuse Coordinator, and the New York City Department for the Aging. The District Attorney's Elder Abuse Coordinator worked with Elizabeth's attorney to help her obtain housing and other services.

The duo was arrested and charged with one count of grand larceny in the second degree and criminal possession of stolen property in the second degree. The most serious offense, grand larceny in the second degree, is punishable by a maximum sentence of up to 15 years imprisonment. The District Attorney's Office also brought a civil action to freeze the assets. The cases are pending.

## PROJECT SAFE NEIGHBORHOODS

Project Safe Neighborhoods (PSN) was introduced by the US Department of Justice in January 2002 as a national strategy designed to reduce gun violence in America through the combined efforts of local police and prosecutors, the US Attorney's Office and the federal Bureau of Alcohol, Tobacco and Firearms (ATF). Under this grant program, the Bronx District Attorney collaborates with the US Attorney for the Southern District of New York to

try to reduce the number of illegal guns on the streets of the Bronx.

As part of this effort, we interview defendants charged with illegal sale or possession of guns. A Detective Investigator and an assistant district attorney debrief such defendants in an effort to obtain information to form the basis for long-term investigations of weapons trafficking and the issuance of search warrants for the seizure of weapons. Between April 2000 and March 2006, this effort was further enhanced with state funding which enabled us to

conduct complex sting operations and purchase illegal guns.

Project Safe Neighborhoods builds on existing relationships and agreements with these agencies to share assets and intelligence to investigate weapons trafficking and prosecute gun cases more effectively. This Office works very closely with the US Attorney's Office, particularly in the Bronx Weed and Seed site, where the law enforcement focus is on gangs and violent crime.

In our efforts to eradicate gun violence, we will continue to cooper-

ate with the US Attorney to determine whether a particular case is best prosecuted in state or federal court. Defendants who are over the age of 18 and either have entered the country illegally or have a prior felony conviction are eligible for federal prosecution in gun cases. Furthermore, if a gun has been defaced to thwart its identification, the defendant can be prosecuted federally even without a prior conviction. Under these conditions, when convicted in federal court, gun violators receive stiffer prison sentences than they would for the same conviction in state court. Although the New York gun law

enacted in November 2006 provides for tougher sentences in state court, certain gun offenses, including guns possessed in a home or place of business, can still be more effectively prosecuted in federal court.

In 2006 the Department of Justice split the PSN funding into two separate programs: the original anti-gun program and a new anti-gang program. While this Office received funding under both programs in 2007, the total was substantially lower than that received in prior years for the gun program alone.

The Bronx District Attorney's PSN Anti-Gang program was

implemented in the Soundview/Bruckner Weed and Seed area and has both a prevention component and an enforcement component. The prevention portion involves the Explorers programs from the 43rd Precinct and Police Service Area (PSA) 8, which serves New York City Housing Authority developments in the area. PSN funds were used to purchase uniforms and insurance required to participate in the Explorers and to purchase pressure washers and materials for removal of gang-related graffiti. In addition, this Office conducted a number of anti-gang workshops for children, youth and adults in the target area.

### **Gun Trafficking**

Between February and August 2006, nineteen-year-old Emanuel Sandoval sold the following to an undercover officer from the New York City Police Department's Firearms Investigations Unit: two 12-gauge shotguns (one of which was sawed off, one defaced and loaded), a silencer, a .45-.70 caliber rifle, three loaded, .25 caliber semi-automatic pistols, one .38 caliber special, semi-automatic pistol, and one loaded .22 caliber semi-automatic pistol. In summary, this long-term gun buy operation resulted in the recovery of eight firearms, a silencer and ammunition.

On February 16, 2006, Emanuel Sandoval worked in concert with his co-defendant, 54-year-old Manuel Sandoval, to sell two of the above mentioned firearms, along with a silencer and magazines for assault weapons.

On January 30, 2008, Emanuel Sandoval pleaded guilty to criminal sale of a firearm in the second degree, criminal sale of a firearm in the third degree, and four counts of criminal possession of a weapon in the third degree. On March 25, 2008, he was sentenced to 10 years imprisonment. He waived his right to appeal.

Emanuel's father Manuel pleaded guilty on January 30, 2008, to criminal possession of a weapon in the third degree, and was sentenced on April 4, 2008, to five years probation. He also waived his right to appeal.

The Bronx District Attorney's anti-gang enforcement strategy focuses on problems with a number of gangs in the area, including Crips, Bloods, and "Dominicans Don't Play," commonly known as DDPs. In addition to coordinating with federal and local partners, improving collection and sharing of gang-related intelligence, the Chief of the Bronx District Attorney's Gang Prosecutions Bureau has assigned an assistant district attorney to prosecute gang cases from the Weed and Seed area. The Office also assigned a detective investigator to be dedicated to gang investigations in the 43rd and 40th Precincts. Cases from these areas are reviewed by the Chief of the Bronx District Attorney's Gang Prosecutions Bureau and the detective investigator. In addition, this detective debriefs all defendants with suspected gang involvement who are arrested in the target area.

### **BRONX SEXUAL ASSAULT RESPONSE TEAM**

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In 2002 the Bronx Adolescent and Adult Sexual Assault Task Force began meeting at the District Attorney's Office. The goal of the Task Force is to identify and respond to system challenges and develop solutions to improve services for victims of sexual assault. The Task Force is composed of representatives from hospitals and the medical community, the New York City Mayor's Criminal Justice Coordinator's Office, the New York City Alliance Against Sexual Assault, nonprofit crime victim

service providers, the New York City Police Department, and the Bronx District Attorney's Office. The members identified a need and with the aid of the Mayor's Office obtained funding for a Bronx Sexual Assault Response Team (SART).

The Bronx SART began delivering advanced forensic and counseling services in April 2004 to every sexual assault victim seeking treatment at any of the three municipal hospitals in the Bronx. The Bronx SART is on-call around-the-clock, every day of the year to respond within one hour. The responders include a specially-trained forensic examiner and a rape crisis advocate. Compassionate and competent care delivered promptly helps sexual assault victims overcome the trauma from the attacks. The rapid response is also meant to ensure that critical evidence is properly collected as soon as possible after an attack, which assists with the investigation and prosecution of these violent crimes.

The Bronx SART is supported by federal and state grants and consists of a group of 12 - 14 Sexual Assault Forensic Examiners (SAFEs) who are coordinated by a project director who works from North Central Bronx Hospital. The examiners conduct a physical examination, collect potential DNA evidence, and document both internal and external injuries. In 2007 Bronx SART hospitals covered 247 of these cases. In 96% of those cases, a SART

examiner responded to the hospital within one hour of admission of the sexual assault victim to the Emergency Room. Seventy-two percent of the victims admitted to the Emergency Room consented to a forensic exam. In 42% of the cases, the physical examination of the victim revealed findings of genital trauma. In 51% of the cases, the physical examination revealed findings of non-genital injury.

### **MULTIDISCIPLINARY TEAM ON CHILD PHYSICAL AND SEXUAL ABUSE**

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The Multidisciplinary Team on Child Physical and Sexual Abuse is a coalition of representatives from the Office of the Bronx District Attorney, Bronx hospitals, mental health service providers, school districts, the Administration for Children's Services, the New York City Corporation Counsel, the NYPD and the Juvenile Rights Division of the Legal Aid Society. Its purpose is to improve communication among participating agencies and coordinate their involvement in child abuse cases. The primary benefit of this multidisciplinary approach is the minimization of system-induced trauma to the victim. The Multidisciplinary Team assists hospital personnel in identifying and treating victims of child abuse, and acts as a network for further referrals.

This team approach affords a number of benefits. First, it

enhances the quality of evidence available to all participants by affording them the opportunity to be present to ask questions at the victim's first interview. Second, it minimizes the additional trauma to the victim who, if subjected to repeated interviews, must revisit incidents that may have been emotionally devastating. Third, it avoids problems associated with having victims repeat their stories, such as details forgotten or inadvertently omitted, and having victims become tired and uncooperative. In 2007, the District Attorney's Office responded to 239 joint interviews with members of the Multidisciplinary Team. Through its participation in the Multidisciplinary Team, the Office has significantly improved its ability to prosecute child abusers effectively while addressing the needs of child abuse victims.

### **CRIMES AGAINST REVENUE PROGRAM**

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In 2005, with funding from the NY State Division of Criminal Justice Services (DCJS), this Office initiated a Crimes Against Revenue Program. The goals of the program are to investigate and prosecute those who violate tax laws, to reclaim lost revenue and to increase voluntary compliance with applicable laws. In collaboration with other City, State and Federal agencies, the Bronx District Attorney's Office conducts investigations into businesses and individuals who sell both legitimate

and illegal goods and services. The Office collaborates in such investigations on a regular basis with the New York State Department of Taxation and Finance and the New York City Department of Finance.

Although individuals involved in illegal activities do not generally report revenue derived from these activities as income, such illegal revenue is taxable as income within the meaning of the Tax Law. New revenue investigations are generated by a careful review of our pending inventory of cases as well as new arrests involving larceny (employee dishonesty, identity theft, frauds, prostitution, fencing, gambling, narcotics and unstamped cigarettes).

### **JOINT TRAINING PROGRAM WITH THE NYPD**

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In January 2002 we launched the BXDA/NYPD Joint Training Program. This program is conducted regularly in the Litigation Training Unit of the Office of the Bronx District Attorney. The faculty is comprised of a group of experienced attorneys and NYPD supervisors designated to teach specific topics. During each session approximately 30 - 35 uniformed members of the New York City Police Department are trained together with assistant district attorneys. Between 2002 and 2006, approximately 300 assistant district attorneys and nearly 900 police officers and detectives received this training. In 2007, fifty-two assistant district attorneys and 101 police officers participated in six trainings.

The experience levels of the police and attorneys vary. There are usually two patrol officers per precinct and two Bronx Task Force officers, plus officers from specialized units and a Precinct Training Sergeant. The attorneys are from various prosecution bureaus and usually have between one and two-and-one-half years of experience.

The purpose of the program is to educate and promote an open discussion on criminal law and procedural issues and to keep communication open between the two law enforcement agencies. This will help both agencies to better serve the public and the criminal justice system.

The basic core of program topics includes (1) New York Law, including search and seizure, identification evidence and statement evidence, (2) Complaint Room Procedures, (3) Domestic Violence Issues and (4) Case Preparation and Presentation.

### **NYPD NEW POLICE OFFICER TRAINING**

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In 2005 the Bronx District Attorney's Office began a training program for newly appointed police officers in Bronx county. The training is provided to officers after they have had four-to-six months of street experience and covers basic legal issues (*e.g.*, citizen/police encounters and laws governing identification and statements), proper procedures when responding to domestic violence incidence, and Complaint Room policies and procedures (including how to complete supporting depositions).

The training is provided by the Chief of Vehicular Crimes, the Deputy Chief of the Domestic Violence Bureau, and the Chief of Arraignments and Complaint Room. The Office receives cooperation and support from the NYPD Patrol Borough Bronx Commanding Officer and the Borough Training Officer, who provides coordination and assigns officers to attend the training. Depending on the size of the Police Academy graduating class, there are three to four training sessions per year. In 2007 there were two sessions, each with 80 - 100 officers per class.

These training sessions have resulted in marked improvement in new officers' paperwork, particularly in completing supporting depositions and in articulation of the facts of the case to establish probable cause to justify the arrest. The officers rate the training very highly and have requested that "refresher" courses be offered every six months

and that their supervisors also attend the training.

### **ST. JOHN'S LAW SCHOOL CLINIC**

Since 1999, staff from the Bronx District Attorney's Office have participated in a clinical program for law students at St. John's University School of Law in which several law students are designated as student assistant district attorneys. Each year the students prosecute cases under a special designation to practice order issued by the Appellate Division, First Department. The students are supervised by Bronx District Attorney's Office staff. In addition to the clinical component, a member of the Bronx District Attorney's Office staff, Assistant District Attorney Joseph McCormack, Chief of Vehicular Crime Prosecutions, teaches coursework related to this program at St. John's University. In 2006 and 2007 he was named Clinical Professor of the Year at St. John's University.

### **INTERNATIONAL VISITOR LEADERSHIP PROGRAM**

In 2007, for the fifth year, Bronx District Attorney's Office staff assisted the US Department of State as speakers for the International Visitor Leadership Program. On three separate occasions during this year, staff addressed representatives from China, Taiwan, and a 21-member delegation representing a number of countries from around the world; the topic was intellectual property rights. The countries included Albania, Brazil, Kenya, Pakistan, and Hong Kong.

In addition, the Office's Senior Investigative Assistant District Attorney has been invited by the US Patent and Trademark Office to travel with a delegation to Mongolia in June 2008 to address prosecutors, law students and administrators from their intellectual property office.

# Community Outreach

Community residents and business people often serve as the “glue” that holds together collaborative efforts among public and private sector agencies and thereby enhances each group’s efficacy in preventing crime and improving quality of life. The Bronx District Attorney and his staff actively participate in a variety of programs and community activities to better serve the residents of the county.

In these collaborations the Community Affairs Unit is often the connection between the District Attorney and the residents of Bronx County. Staff from the unit attend community meetings, and the unit provides speakers and tours of the

courts, offers education and prevention programs, participates in interagency committees, and interacts regularly with community residents, neighborhood leaders and others. The unit also keeps residents informed of the status of cases as they progress through the criminal justice system.

The Office’s programs are coordinated by the unit, but volunteers from both legal and support staff throughout the Office are needed to implement them. These individuals use their own time, often during evenings and weekends, to work with the Bronx community.

The programs highlighted below are just a sample of those

offered by the Office. Some of the other programs, such as the Elder Abuse Initiative and Operation Weed & Seed, are discussed elsewhere in this report. Still other programs have been in existence for a number of years and are described on the Office’s web site: [www.bronxda.nyc.gov](http://www.bronxda.nyc.gov).

## ASK THE BRONX D.A.

Ask the Bronx D.A., winner of a 2004 “Telly” award, is a 12-part series co-hosted by the District Attorney and Bronxnet’s Melanie Torres, that serves to educate Bronx residents about the criminal justice system. The show was created as



**You Be the Judge**

part of an outreach effort to educate the public on matters of concern ranging from street-level drug sales to elder abuse. Each show lasts one half-hour and deals with a particular topic. People from the community are invited to ask the District Attorney and his staff various questions related to that topic. Topics of discussion have included: Economic Crime, Quality of Life, Domestic Violence, Narcotics, Community Outreach, Elder Abuse, Homicide Survivors, the Abandoned Infant Protection Act and the Bronx Multidisciplinary Team on Child Abuse, Project Safe Neighborhoods, Safeguarding Your Child on the Internet, Bias Crime, and the Bronx District Attorney's Crime Victim Assistance Unit Satellite Office. This series airs on Bronxnet, Channel 67 in various time slots each week.

### **PROJECT JUMP**

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Sophomores, juniors and seniors from the Law, Justice and Public Service Academy at Theodore Roosevelt High School are matched with volunteers from the Bronx District Attorney's Office on a one-to-one basis. Mentors provide much-needed support and inspiration to students making their way through school. Traveling to the Bronx District Attorney's Office to meet with their mentors allows students to experience the mentors' work environment and learn about the functioning of the criminal justice system. Thirty-nine mentor/mentee pairs were matched in 2007.

### **READ-TO-ME PROGRAM**

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In partnership with two local day care centers, staff from the Bronx District Attorney's Office hold monthly reading sessions. Support staff and assistant district attorneys volunteer their time once a month to read stories to children between the ages of two and five at the Marshall England Early Childhood Learning Center and at the Paradise Learning Center.

### **TOURS AND SPEAKERS**

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The Community Affairs Unit coordinates requests for tours and speakers. Assistant district attorneys address community, religious, civic and student groups regarding various topics within the criminal justice system. Speakers discuss a variety of issues of specific interest to the community. In addition, assistant district attorneys are available to conduct tours of the courthouses and explain how a case proceeds through the criminal justice system.

### **STUDENTS TOGETHER AVOIDING RISK (S.T.A.R.)**

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The S.T.A.R. program uses a multi-faceted approach to battling narcotics and violence. Trained staff at the District Attorney's Office participate in a three-part community outreach program for 5th and 6th grade children and their parents. This program provides age-appropriate information on the nega-

tive effects of gangs, gun violence and drugs. The program also provides information on the people and operations of the District Attorney's Office and the criminal justice system. Close to 350 students participated in the S.T.A.R. program in 2007.

### **YOUTH TRIAL ADVOCACY PROGRAM**

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The Bronx District Attorney's Office Youth Trial Advocacy Program (Y.T.A.P.) provides motivated students with an opportunity to explore a career in law. Students meet with assistant district attorneys to discuss legal careers and the criminal justice system. Students are then divided into teams, each with up to four assistant district attorneys serving as a coaches or mentors. Each team learns how to develop advocacy skills and debating techniques. Students then test their newly acquired skills in a moot court competition. At the end of the program, every student is awarded a certificate marking successful participation in the program, and the top two participants are awarded Summer Internships within this Office.

### **PEOPLE'S COURT PROGRAM**

(P.S. 156)

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Elementary school students from P.S. 156 travel to the Bronx District Attorney's Office to participate in mock trials. Incidents violating school rules are brought before the mock court and the children act as defense counsel, prose-



**Israeli Delegation Visit**

cutor, jury and court officers. With the aid of assistant district attorneys, the students learn how trials are prepared and conducted. The program also assists the students by helping them to develop effective communication skills while learning more about the complexities of the judicial system.

**EAGLE ACADEMY MENTORING PROGRAM**

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The Eagle Academy is an all-boys public charter school that stresses academic excellence. Students from the Eagle Academy are matched with male mentors from the Bronx District Attorney’s Office. A staff member from the Office meets with personnel from the Academy to coordinate group activities for the mentor/mentee pairs and provides support and advice on fostering a positive relationship with mentees. There were 19 pairs in the 2007-2008 school year.

**LAW, GOVERNMENT AND JUSTICE MENTORING PROGRAM**

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The Law, Government and Justice Mentoring Program was designed in collaboration with the School for Law, Government and Justice to introduce seventh grade students to volunteer professionals from the criminal justice field. The mentors will provide insight into their professions, while providing guidance, adult friendship and positive reinforcement to mentees. There were 12 pairs in the 2007-2008 school year.

**THE ADULT WORKSHOP SERIES**

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The Adult Workshop Series provides the District Attorney’s Office with an avenue to educate Bronx residents about various issues related to the criminal justice system. Workshops such as “After the Arrest,” “You Be the Judge,” “Safeguarding Your Child

on the Internet,” “Perspectives on Protecting Your Identity,” “Gang Awareness,” “Domestic Violence,” and “The Fundamentals of Court Monitoring for Community-Based Groups” have been developed to inform citizens about issues such as identity theft, criminal court arraignment, trial procedures, dangers lurking on the Internet and the presence of gangs in our schools and neighborhoods. Workshops are presented monthly on a rotating basis. In 2007 the Adult Workshop series expanded to include “Sexual Assault.”

**PRECINCT COUNCIL REPRESENTATIVES**

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There are 12 precinct community councils and two Police Service Areas (PSAs) in the Bronx that meet monthly. Fourteen assistant district attorneys have volunteered to attend these meetings. These representatives assure that the District Attorney is kept informed about issues of significance to the community.

**SPECIAL PROJECTS**

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The Community Affairs Unit also implements several special events and programs throughout the year to address various community needs. Special programs are developed with community organizations to afford various segments of the Bronx community an opportunity to interact with the Bronx District Attorney and his staff.