

◆ OFFICE OF THE ◆
BRONX COUNTY DISTRICT ATTORNEY
ANNUAL REPORT 2010



HUNTS POINT FOOD DISTRIBUTION CENTER

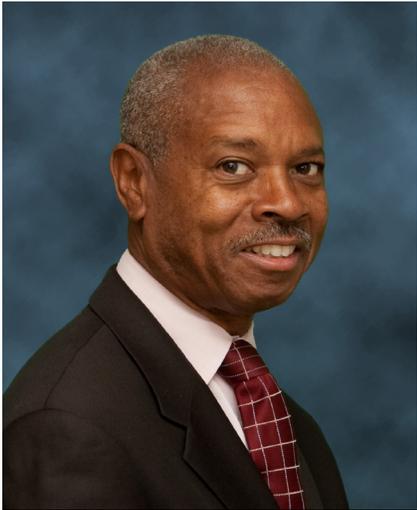
Robert T. Johnson
District Attorney

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DEDICATED TO THE MEMORY OF LEE KEITT

For the last 16 years, Lee Keitt was the artistic force behind the Annual Report. He used his unique talents to give visual life to the graphs, narratives, and cases. We miss him.

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Robert T. Johnson,
Bronx County District Attorney

District Attorney's Message

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

The Bronx has made remarkable strides against crime since 1990. For example, for each of the past 14 years, there have been fewer than 200 homicides. In 1990, there were 653. This year, however, there was a disturbing up-tick in certain crime categories. From record low levels in 2009, last year homicides and robberies each rose by some 12%, while rape increased by 7% and felonious assault by 3%. While crime is still very low by historic standards, these increases are troubling. So too is the disturbing reality that Bronx residents continue to suffer from a disproportionately high crime rate. The Bronx has the highest per capita incidence of murder, robbery, and felonious assault of any of the five boroughs. Our office continues to address these issues in a variety of ways.

In 2010, we collaborated with the NYPD and the Bronx Borough President's Office to implement the second Bronx Gun Buyback Program, which was designed to reduce the number of illegal firearms in the borough. Following a very successful program in April 2009, the 2010

program netted 1,186 guns and set a new record for guns collected in a single day. Participants received a \$200 pre-paid bank card for each operable weapon turned in, and \$20 for BB guns and air pistols. All handguns, rifles, and shot guns, except for those owned by law enforcement officials, were eligible for exchange. Participants were able to turn in up to three guns per visit at any of four locations.

In 2010, we prosecuted 5,695 felony cases. As usual, there were some which stand out. One example was the case of Ross Campbell, who was found guilty of Sex Trafficking and related crimes for several incidents involving forcing or attempting to force young women to prostitute themselves on Craigslist. Campbell, who received a 25-year prison sentence, was the third person in New York State to be convicted under this 2007 New York State law. Another standout was the case of Carlos Cruz, who hired his cousin, Devon Miller, to execute the 18-year-old mother of his child. After Miller killed the mother in a car in the child's presence, Cruz then had his

cousin shoot him in the thigh to make it look like a robbery. Cruz pleaded guilty to murder in the first degree, and Miller was found guilty of that crime. Both will spend the rest of their lives in prison.

In 2010 indictments were obtained charging some 31 individuals in connection with the “La Perla” organization, which allegedly sold heroin in a highly organized fashion at three Bronx locations, generating an estimated \$25,000- \$40,000 per day in sales. These cases are pending. We have also continued our DNA program. In 2010, there were 90 burglary and 28 robbery indictments obtained through DNA “hits.” Sexual assaults, homicides, and even weapons possession matches were also obtained.

In the area of economic crime, in 2010 an MTA contractor which had performed hundreds of millions of dollars worth of work on the City's transit system and other public works projects was found to have illegally underpaid more than 300 workers. Two company officials pleaded guilty in connection with the scheme, and the company was required to estab-

lish an escrow account to make the workers whole.

These cases are more fully described in the following report, which also contains examples of other 2010 cases involving such diverse crimes as child pornography, bribery, auto theft and an organized assault on inmates at the Rikers Island Correctional Facility. It has indeed been a busy year.

In addition to criminal prosecution, we continue to employ a wide variety of tools to fight crime. These include diversionary and treatment programs, participation in specialized courts addressing drug treatment and mental health, and numerous educational, training, and community-based efforts. These, too, are described in the following report.

As we progress in 2011, in the face of continuing budgetary constraints, I can only state that we will continue do the very best we can to maintain the highest level of public service within the resources which we are given.

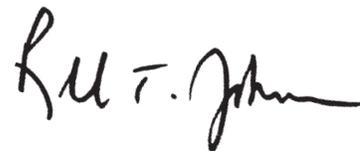
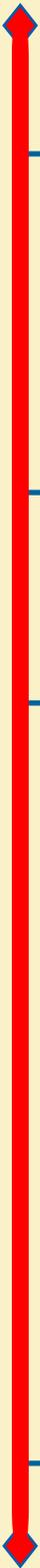


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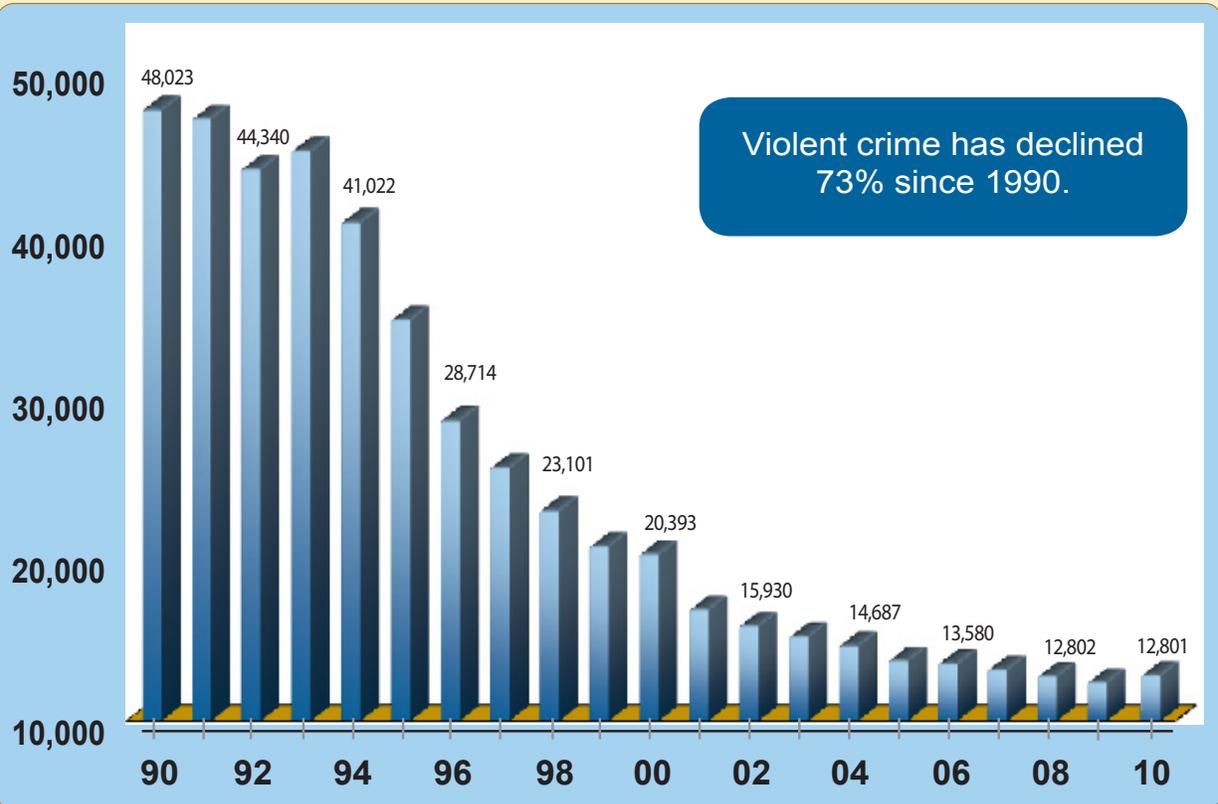


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Crime Overview

Bronx County has enjoyed remarkable strides against crime in the past two decades. For 14 consecutive years there have been fewer than 200 homicides in the County, representing an 81% reduction from the homicide rate in 1990. This decline contributed to the overall 73% decline in violent crime over that period. Robberies, for example, have been reduced by 74% compared with 1990.

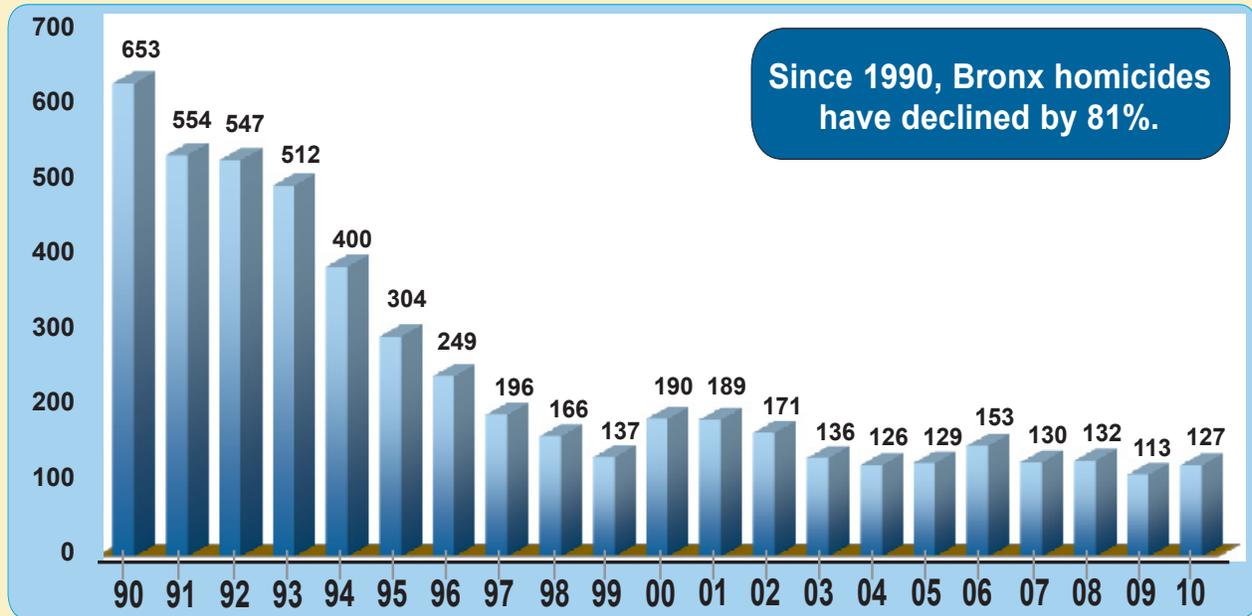
Violent Crime 1990 – 2010



Source: New York City Police Department

Decline In Homicides

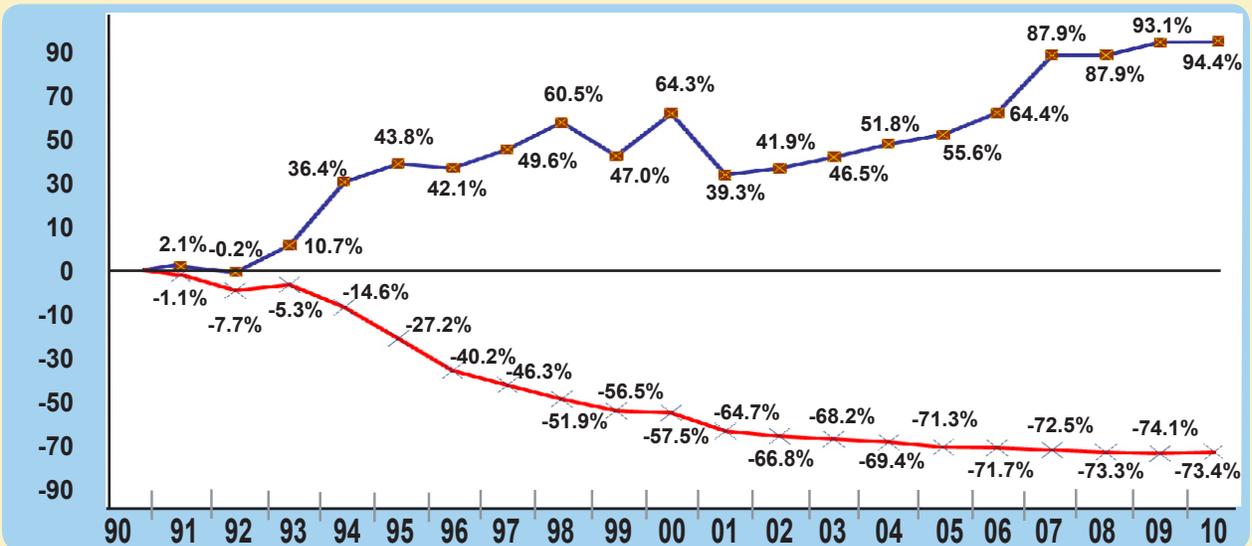
1990 - 2010



Source: New York City Police Department

Bronx Reduction in Violent Crime v. Increase in Arrests

Percentage Change from 1990 - 2010



Source: New York City Police Department

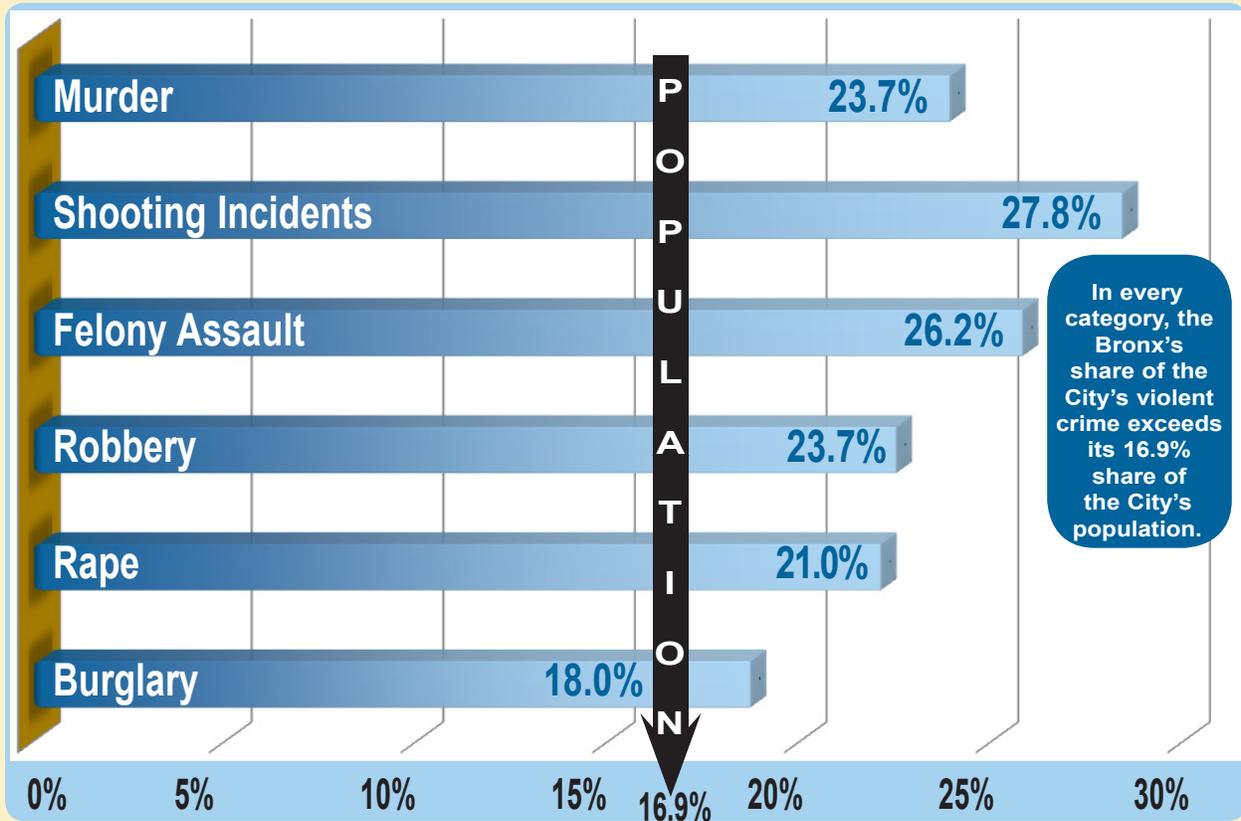
Despite these long-term gains, last year the Bronx experienced a widely-reported up-tick in certain crime categories. As the *Daily News* stated on July 6, 2010: “Violent Trend: It’s Not the Wild ‘90s, but Bronx has hike in serious crimes.” From record low levels in 2009, last year homicides rose by 12.4%, robberies by 11.6%, rape by 7.1%, and felonious assault by 2.4%.

While the figures for one year do not constitute a trend, the more disturbing reality is that Bronx residents continue to suffer from a disproportionately high crime rate. With only 16.9% of the City’s population, Bronx County witnessed one in four of the City’s felony assaults, more than one in five of its rapes, and nearly one in four of its robberies, giving the county the highest per

capita incidence of murder, robbery, and felonious assault among the five counties. The 72,788 Domestic Violence Incident Reports originating in the Bronx represented almost a third of all those filed in New York City.

Bronx Violent Crime 2010

Percentage of Citywide Violent Crime v. Population



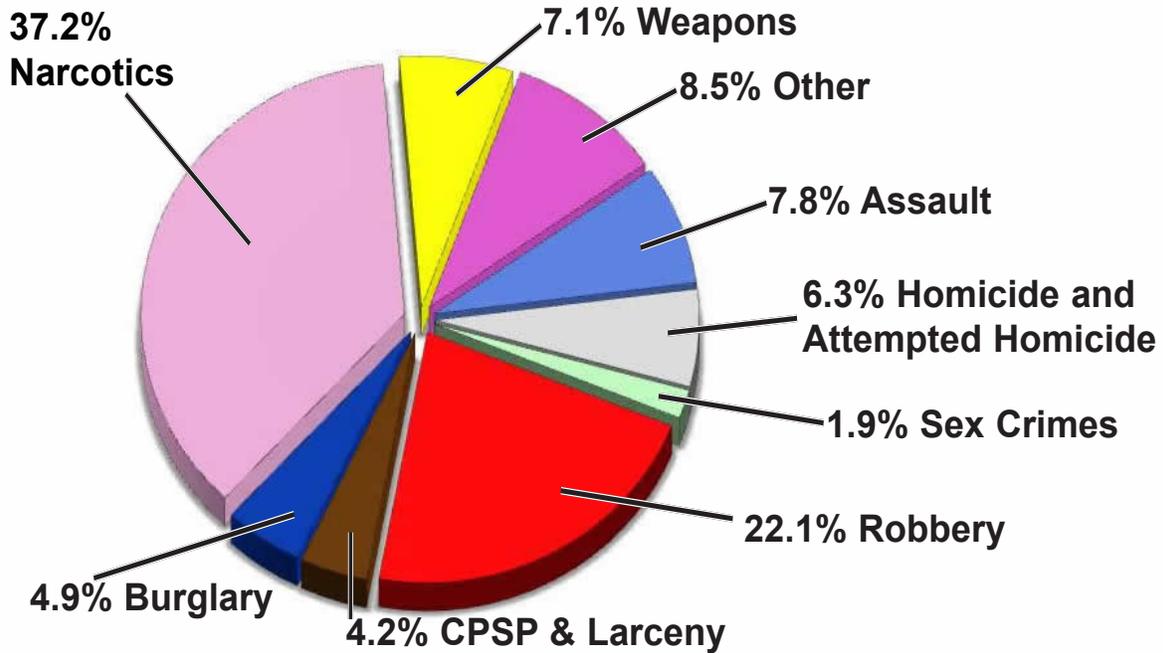
Source: New York City Police Department

Prosecuting Crime

While crime complaints have fallen dramatically, Bronx arrests have risen by a staggering 94% since 1990. The Bronx District Attorney's Office prosecuted 5,695 felony-level defendants in 2010. Narcotics cases accounted for 37% of the felony prosecutions in Bronx County.

Bronx District Attorney's Office Felony Prosecutions: 2010

Total Felony
Prosecutions: 5,695



Source: Bronx District Attorney's Office

VIOLENT CRIME

Statistics cannot convey the human toll violent crime inflicts on individuals and communities. The following four cases detail the tragic consequences of recent crimes in Bronx County and their subsequent prosecution. In 2010 Ross Campbell became the first person in Bronx County to be convicted under New York’s 2007 Sex Trafficking statute. Israel Feliciano was arrested in 2008, sixteen years after he murdered George Orfanos. In the 2009 Annual Report, we included Carlos Cruz’s domestic violence homicide of Chelsea Frazier. Cruz had hired his cousin, Devon Miller, to do the job. Miller was convicted of that crime in 2010. In the fourth case, Sparkle Daniel and Nadine Panton were convicted for the brutal killing of a 91-year-old woman in her home.

Sex Trafficking

Ross Campbell was found guilty on October 26, 2010, of Sex Trafficking (Penal Law 230.34). He is the first person in the Bronx and only the third person in New York State to be convicted under this 2007 New York State law.

Nineteen-year-old Sharon Smith (pseudonym) came to the Bronx from Albany, New York, on April 25, 2008, intending to live with 22-year-old Ross Campbell. Smith had money and family problems at home and believed Campbell could help her. However, when she arrived in Manhattan she was taken to Daniel Ebron’s apartment in the Bronx. Campbell and his cousin Ebron explained to Smith that she would be working for them as a prostitute on Craigslist.

Smith brought her three-year-old child with her. The child was used as leverage against Smith. For example, Campbell and Ebron told her that she did not want to find the baby dead in a trash can.

When the calls from Craigslist were not frequent enough, Smith was taken to various prostitution “tracks” in New York City. She was repeatedly subjected to physical violence and mental degradation. She was forced to prostitute herself until she

escaped with her child on May 7, 2008. The NYPD began investigating. During the investigation, another similar yet unrelated case came to the attention of law enforcement.

Davon Walsh sold marijuana for Ebron and Campbell. One day Walsh took some marijuana to sell, but never returned. On June 9, 2008, Ebron and Campbell found Walsh in Manhattan near Covenant House, an agency which provides basic needs for homeless and wayward young people (a location where Campbell and Ebron knew they could find vulnerable young people). Walsh was with two young women, 18 and 19 years old. They all went back to the Bronx, and Campbell and Ebron decided that they would take these two women as “payment” for Walsh’s debt for the stolen marijuana. That night both women were sexually assaulted, and one was raped by Ross Campbell. Campbell and Ebron also forced the two women to remove their clothes and photographed them. Campbell and Ebron used a shotgun to explain to these young women that they were now “employees” and would be forced to prostitute themselves on Craigslist. The two women escaped from the apartment, and police responded.

Sex Trafficking (*Continued*)

Ebron pleaded guilty on April 15, 2010, to promoting prostitution in the second degree. He was sentenced to five-to-ten years in state prison on May 6, 2010.

On October 26, 2010, Campbell was found guilty of promoting prostitution in the second degree, rape in the first degree,

criminal sexual act in the first degree, and kidnapping in the second degree, as well as sex trafficking. The sentences on these charges will run concurrently. Campbell was sentenced on November 23, 2010, to 25 years imprisonment.

“Israel Feliciano found guilty of murdering beloved pizza maker; kin says ‘finally’ after 18 years”

Headline from NY Daily News, 10/22/2010

George Orfanos, 58, and his 20-year-old son ran a pizzeria in the Bronx. They closed their shop late on the evening of November 2, 1992, and went home to their apartment on the Grand Concourse. As they entered their ground floor apartment, 21-year-old Israel Feliciano and two masked accomplices forced their way in. Inside the apartment, the three robbers struck the son on the head with a gun and bound him, his father, his mother, and his grandmother with duct tape.

The perpetrators remained in the apartment for about half an hour. During this time, they beat the family, demanded money and ransacked the apartment. Before leaving with a few hundred dollars, one of the masked perpetrators fatally shot George in the head. Feliciano apparently believed there might be up to \$30,000 cash in the apartment.

Before leaving the apartment, Feliciano ripped the kitchen phone from its wall jack. His fingerprints were left on the phone’s handle.

Feliciano remained at large for 16 years. In October 2006, he was arrested on a minor charge that was later dismissed. Nevertheless, his arrest fingerprints were entered into the New York State fingerprint database. A match was produced from the latent print found on the kitchen phone.

Feliciano had relocated to South Carolina, and detectives from the 52nd Police Precinct Detective Squad found and arrested him there in 2008. After being confronted with the fingerprint evidence, Feliciano admitted participation in the crime but claimed he did not know that his accomplices were armed.

On October 21, 2010, Feliciano, now 42 years old, was found guilty of murder in the second degree. He was sentenced on November 10, 2010, to 23-years-to-life in state prison.

The two accomplices remain unapprehended.

“Holdup Doesn’t Hold Up”

Headline from New York Post, 4/16/2008

Thirty-six-year-old Carlos Cruz and 18-year-old Chelsea Frazier lived in Southbridge, Massachusetts. Cruz persuaded Chelsea to go on a “shopping trip” for baby clothing to New York with their son the night of April 13, 2008. Cruz had family in the Bronx.

Cruz had a scheme. He hired his cousin, 25-year-old Devon Miller, to execute Chelsea in the Bronx. Miller previously had served separate prison terms for criminal possession of a weapon in the second degree and attempted criminal possession of a controlled substance in the fifth degree.

In a carefully planned crime, Cruz contracted with Miller to execute Chelsea and to inflict a flesh wound on Cruz to make the crime look like a robbery/car jacking gone bad. Cruz drove Chelsea and their one-year-old son to the Bronx. There Miller killed Chelsea by firing a 9 mm handgun eight times as she sat behind the steering wheel of her car. The toddler was physically unharmed in the backseat. Miller then shot Cruz in the thigh before fleeing in a green SUV in a scheme to avoid prosecution by making the “hit” look like a robbery. Three witnesses saw the crime unfold. The witnesses thought Cruz and Chelsea were victims of a violent robbery.

Cruz’s cousin lived less than one mile from the crime scene and returned to the crime scene with his parents to retrieve the child. Miller disposed of the murder weapon off the Deegan Expressway at 138th Street. The weapon was later recovered and Miller’s fingerprints were on the gun’s container.

After the murder, Cruz’s cousin visited him in the hospital and detectives became suspicious. Cruz confessed his involvement in the crime to detectives. Cruz admitted he paid his cousin \$700 to kill Chelsea because she no longer wanted to be in an intimate relationship with him. Cruz also worried about having to pay child support.

After his trial began, Cruz pleaded guilty to murder in the first degree. On April 5, 2010, Cruz was sentenced to life imprisonment without the possibility of parole. Miller was found guilty of murder in the first degree on June 9, 2010. On June 29 Miller was also sentenced to life without the possibility of parole, as well as a concurrent sentence to 15 years imprisonment for criminal possession of a weapon in the second degree. Both Cruz and Miller will spend the rest of their lives in prison.

“Second suspect convicted in 2003 robbery, slay of grandmother Nellie Hocutt”

Headline from New York Daily News, 9/12/2010

On January 10, 2003, eighteen-year-old Sparkle Daniel and 27-year-old Nadine Panton went to the Bronx to visit Daniel’s aunt who lived next door to 91-

year-old Nellie Hocutt. Hocutt had lived in the house since the 1950’s. Under the pretense of wanting to use the bathroom, Daniel and Panton entered Hocutt’s

“Second suspect convicted in 2003 robbery, slay of grandmother Nellie Hocutt”

Headline from New York Daily News, 9/12/2010 (Continued)

house. They decided to rob the woman, whom they knew as “Miss Nellie.”

After entering Hocutt’s home, Daniel and Panton forced Hocutt to sit in a chair and used “movers’ tape” and a telephone cord to bind her legs and body to the chair. Realizing that Hocutt was likely to identify them as perpetrators of the robbery, they poured a bottle of wine down the victim’s throat and placed a cloth gag in her mouth. The woman’s head was then covered with a plastic bag which was secured by a scarf that was tied around her neck. The Medical Examiner determined that the cause of death was asphyxiation.

The defendants fled the crime scene, taking cash, jewelry, household items such as towels and several bottles of liquor. Hocutt’s body was discovered by a concerned neighbor who called police. However, the crime remained

unsolved until a woman came forward in June 2007, recounting the tale she heard from Daniel of a random encounter that turned violent. The tipster knew details about the crime that only the killers could have known, because police had not released details about the crime.

Daniel and Panton made video-taped statements, and fingerprints from a phone in the victim’s home matched Daniel’s fingerprints.

On October 6, 2010, Daniel was found guilty of murder in the second degree during the commission of a felony. Daniel was sentenced on October 25, 2010, to 25-years-to-life in state prison.

Panton was found guilty by a second jury on December 8, 2010, of murder in the second degree and robbery in the second degree. She faces a maximum sentence of 25-years-to-life imprisonment.

DRUG CRIME

The Bronx District Attorney's Office approaches drug crime with a combination of careful screening and vigorous prosecution of cases, which contributes to the high proportion of convicted drug offenders who receive state prison sentences. In addition to being tough on for-profit sellers, the Office offers many Bronx defendants drug treatment as an alternative to incarceration. In 2010, more than 850 drug-involved defendants were diverted to treatment.

Drug arrests have decreased in recent years, resulting in a reduction in both the number of felony drug prosecutions and the percentage of the caseload that these cases comprise. In 1996 drug cases accounted for more than 65% of the Office's felony-level defendants. In 2010, just 37% of Bronx felony defendants were prosecuted on drug charges. Nevertheless, drug crime is still a very serious problem in the Bronx.

Heroin Ring Shut Down

The "La Perla" organization sold heroin at three locations in the Fordham section of the Bronx. The sales were primarily street-level transactions that generated earnings ranging from \$25,000 to \$40,000 per day, with customers coming from as far away as Connecticut. The sales occurred during two five-hour shifts: Monday through Friday from 4:00 am to 9:00 am and from 4:00 pm to 9:00 pm. There was one shift on weekends, from 1:00 pm to 9:00 pm. The alleged criminal enterprise spanned a period of five years between July 23, 2005, and July 22, 2010.

The activity was documented in a 9-month joint investigation among the Bronx District Attorney's Gangs/Major Case bureau, the NYPD Gang/Major Case Division, the NYPD Bronx DA Squad, and the Bronx District Attorney's Detective Investigators. The investigation was conducted with the use of court-ordered wiretaps on 28 telephone lines, video surveillance, observations by detectives and heroin "buys" made by undercover detectives. During the course of the investigation, detectives recovered four kilograms of heroin, including heroin in

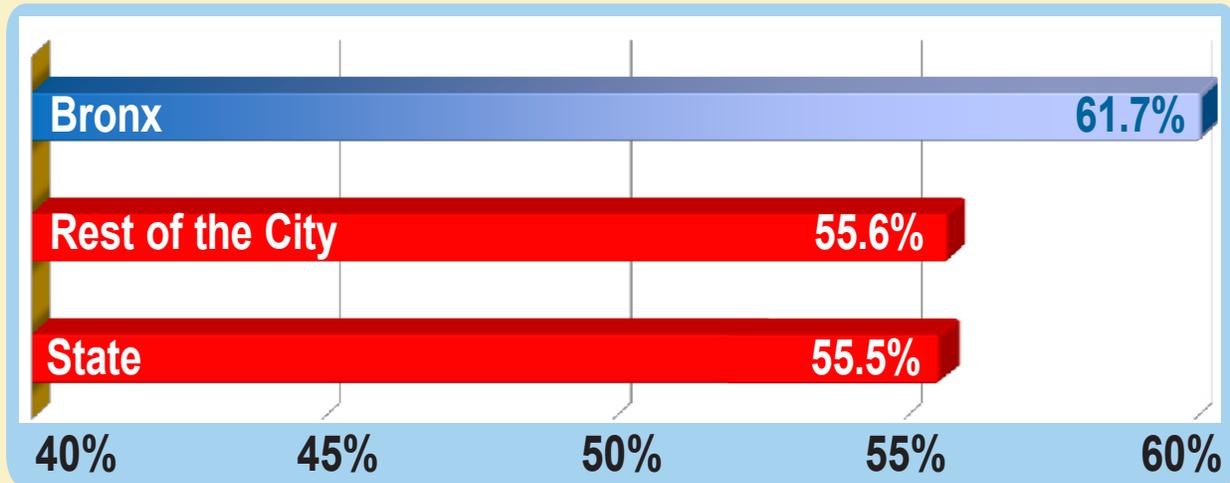
thousands of glassine envelopes that were sold under the brand names LaPerla, Tuna, Salsa, and Sabroso. Detectives also recovered four guns and confiscated twelve vehicles and jewelry (including diamond earrings, a Cuban link chain, and Breitling watches).

The investigation led to the execution of 15 search warrants and dozens of arrest warrants for alleged members of a lucrative heroin distribution ring. More than \$1.6 million dollars in cash and a large quantity of heroin were seized.

The findings from the investigation were presented to a grand jury. The grand jury returned an 82-count indictment charging most of the arrested defendants with conspiracy to distribute narcotics as well as varying counts of the possession and sale of heroin. Thirty-one individuals were arrested, the majority of whom are allegedly either Latin King gang members or gang associates. The alleged leaders were charged with enterprise corruption and operating as major drug traffickers (the Drug Kingpin Statute). These four defendants face up to a maximum sentence of life imprisonment if convicted of the most serious charge under the Drug Kingpin Statute.

State Prison Sentences

Percentage of Felony Narcotics Convictions 2010



Source: NYS Department of Criminal Justice Services

Drug Treatment Enrollment*

1993 – 2010

PROGRAM	1993 - 2007	2008	2009	2010	TOTAL
DTAP	2,799	247	258	271	3,575
BX Treatment Court	1,509	79	118	74	1,780
Mental Health Court	758	89	139	105	1,091
BX Treatment Misd. Court	697	158	224	103	1,182
Other Residential	450	137	153	95	4,327
Other	2,135	146	187	94	2,562
Judicial Diversion	0	0	0	110	110
TOTAL	11,840	856	1,079	852	14,627

Source: Office of Bronx District Attorney

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

DRUG TREATMENT ALTERNATIVE TO PRISON (DTAP)

Bronx prosecutors have had substantial success in placing drug offenders in treatment programs. Between 1993 and 2010, nearly 15,000 Bronx defendants were placed in drug treatment programs as an alternative to incarceration. While the Office's initial experiment with alternative-to-incarceration (ATI) drug treatment focused on first-time offenders, treatment is

now also being offered to some second felony offenders. In late 1995, through the TASC program, this Office began placing offenders with prior non-violent felony convictions in ATI programs. We first received DTAP funding in 1998. From 1998 through 2010, the Office placed 3,575 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 appro-

priate treatment; and (4) continuous case management.

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

A Drug-Free High

Fifty-four-year-old Mr. V was arrested on April 1, 2008, and charged with criminal sale of a controlled substance in the third degree. He was referred to TASC and found eligible for services through the DTAP program due to his substance abuse history.

Mr. V began abusing heroin at the age of 14. He says that he used heroin several times daily up until his arrest. He also began to abuse alcohol at the age of 17. Mr. V had several prior arrests dating back to 1971, when he was arrested at 17 for narcotics possession. Over the next 27 years, he was arrested for possession of stolen property, possession of a hypodermic instrument, criminal possession of a controlled substance, petit larceny, criminal trespass, disorderly conduct, and criminal sale of a controlled substance. He served time in state prison.

Mr. V is one of four children raised in South Carolina by a single mom. At the age of 18, he enrolled in the Army, where he obtained his G.E.D. He received an honorable discharge in 1974. Mr. V has three adult children.

On May 23, 2008, Mr. V was released from incarceration and admitted into Samaritan Village's residential vet-

erans program. But in September 2008, he was discharged from the program for testing positive and attempting to drink bleach to alter his urine results. Mr. V was subsequently remanded to jail. In November 2008, Mr. V was readmitted into Samaritan Village. By May 2010, Mr. V completed all court and DTAP requirements, and his felony charge was reduced to a misdemeanor. He received a conditional discharge on May 14, 2010.

Upon completion of the program, Mr. V was employed full time at a sales and marketing firm. Mr. V had initially agreed to enter residential treatment to avoid jail time. However, the joy of being drug free and being allowed back into the lives of his family is something that he thought he would never feel. He appreciates the support and tools afforded to him by Samaritan Village and the TASC staff. He even views his arrest as a blessing and feels that had it not been a court-ordered obligation, he would not have entered treatment. Mr. V stated, "I love working, being drug free and coming home to my family . . . no high that I get from using drugs will ever replace the high I feel from being reunited with my family and having a stable job."

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 internet crimes against children, hacking, and identity theft by means of stolen data. 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 violent crime cases.

DNA

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. Filing “John Doe” indictments before the expiration of the ten-year statute of limitations enabled prosecutors to proceed with cases whenever offenders were identified, regardless of how much time passed. 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” for such crimes committed after that date.

Beginning in Queens in 2005, with a grant from the National Institute of Justice, the NYPD collected 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 pilot program led to its citywide expansion

in January 2006. 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.

to commit a felony, if the attempt is also a felony) or of specified misdemeanors, must provide a DNA sample for the State DNA Databank. This greatly improves the chances of obtaining a “hit” -- linking DNA evidence from a crime scene with DNA from a convicted offender.

In 2010, there were 90 burglary indictments that resulted from DNA “hits.” Twenty-eight robbery suspects were also indicted by Bronx grand juries.

In addition to those suspects who have been identified through DNA testing, we have approximately 81 case-to-case matches in which DNA profiles recovered from separate crime scenes have been matched to each other, but have yet to be matched to an offender profile in the DNA data-bank. These cases remain open “John Doe” investigations.

In 2010 Bronx DNA hits included 113 sexual assaults, 54 homicides, 28 assaults, and 11 weapons cases. As the cases presented below illustrate, DNA has become a valuable resource for prosecutors both in cases involving violent crimes (*e.g.*, rape, assault, murder) and those involving property crimes (*e.g.*, burglary, larceny).

“In 2010 Bronx DNA

hits included

113 sexual assaults,

54 homicides, 28

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weapons cases.”

In 2006 New York State passed legislation which greatly expanded the pool of offenders required to provide DNA samples. Anyone convicted of a felony (or of an attempt

DNA Matches Solve Crimes

DNA is increasingly used to solve both property and violent crimes. The cases below are examples of crimes in 2010 in which DNA helped identify suspects. These crimes might not have been solved were it not for advances in DNA analysis:

- **BLOOD LINKS DEFENDANT TO CHURCH BURGLARIES** - The defendant entered a church and rummaged around in its basement. A parishioner spotted the defendant leaving the church and alerted police, who were coincidentally responding to a burglary at the school next door. The defendant was apprehended two blocks away and was seen throwing latex gloves on the ground. He also had a roll of nickels in his pocket that were reported missing from the church. After the arrest, the defendant admitted to burglarizing 10-15 other churches in the area. During a subsequent search of the defendant's apartment, police found proceeds from two other church burglaries in the area. The defendant was subsequently linked to two additional church burglaries from blood left at the crime scenes.
- **VACATION BREAK-IN** - A Bronx resident left his home for a three-day vacation. When he returned, he found that money and various personal items were missing. The defendant was identified through DNA left on a yogurt container in the apartment. After his arrest, the defendant confessed to watching the family leave the home before breaking into the apartment and removing the property.
- **DRINKS LINK TWO BURGLARIES** - The defendant broke into a vacant Chinese restaurant, knocked a hole in the wall that connected to an adjoining grocery store, and removed the grocery store safe (containing \$5,000). The owner noticed an out-of-place orange juice container in the grocery store office the following morning. A week after this burglary, the same person broke through the roof of a pizza shop and made a hole in a wall separating the pizza shop from a store. Assorted merchandise and cash were taken. The following day, the pizza shop owner noticed two Pepsi cans near his register that had not been there the night before. The orange juice and Pepsi cans were both sent for DNA analysis. The DNA profile generated from the items resulted in a match to the defendant.
- **FORMER CLIENT ATTACKS CLINIC** - A defendant was observed on a rooftop by two teenagers who saw him drop a burning object and throw two burning objects at the adjoining roof of St. Barnabas Methadone Clinic. The defendant fled. Two Poland Spring bottles and a Snapple bottle filled with gasoline were recovered on the rooftop of the clinic and sent for DNA testing. A DNA profile recovered from one of the Poland Spring bottles matched the defendant, whose DNA profile was in the state CODIS database for a previous conviction. The teenagers later identified the defendant in a photo array, and the director of the methadone clinic remembered him as a former client.

● **BODEGA BURGLARY** -The defendant was committing a burglary inside a bodega when the police responded to a call. The police found the defendant and arrested him. After his arrest the defendant was identified in two other burglaries, one involving a McDonalds, where a lighter was recovered at the crime scene, and another involving a discount store where a glove was recovered. Both the lighter and glove were separately submitted for DNA analysis. Testing revealed that the DNA profile generated from both crime scene items matched the defendant, who was on file with the state DNA database for a previous burglary conviction.

● **HOME INVASION SOLVED BY DOG BITE** - The victim and two females who were known to the victim were at the victim's apartment. When the females left the apartment, three males, who were unknown to the victim but known to the females, entered with knives, tasers and hammers. They proceeded to stab the victim and his pit bull repeatedly. During the altercation, the pit bull bit one of the defendants, causing his arm to bleed. DNA was recovered outside the apartment building on the sidewalk. The NYPD Evidence Collection Team swabbed the blood from the sidewalk and submitted it for DNA testing. The male DNA profile generated from the testing matched one of the defendants connected to the home invasion.

● **DNA SOLVES COLD CASE** - In 1981 a female victim was found strangled with a cloth ligature inside a shack in an abandoned lot. In 2010, previously unavailable DNA testing was performed on the fingernail scrapings collected from the victim at the time of autopsy. The DNA profile matched the defendant, who was currently incarcerated for two similar homicides that had occurred around the same time frame in Bronx and New York counties.

● **SEXUAL ATTACK ON SENIOR SOLVED** - The defendant followed a 79-year-old woman into her building and attacked her in the elevator. The sexual assault was captured on video surveillance. The victim was unable to identify her assailant because he had grabbed her from behind and wore a hat which covered his face. Testing of the metal clasp of the victim's bra yielded a male DNA profile. This profile was uploaded to the FBI's Combined DNA Index System (CODIS) and matched the defendant, a convicted offender already on file with the state DNA database.

● **DRUG SHOOTING SOLVED** - The defendant went to the victim's house to engage in a drug transaction. He shot the victim twice, and then fled the building. Video surveillance captured images of the defendant. Responding detectives recovered a hat and jacket in a garbage can around the block that resembled what the defendant wore on the video. DNA from the hat and jacket collar matched the defendant. In addition, testing on blood found on the outside of the defendant's jacket matched the victim's DNA profile taken at the time of the autopsy.

INTERNET CRIMES AGAINST CHILDREN

Ever-increasing access to computers and the internet opens doors for both children and adults to acquire a wealth of information without ever having to leave their homes. Unfortunately, however, the availability of this technology may also give sexual predators access to our children. According to the U.S. Census 2010, there are close to 400,000 Bronx residents who are under the age of 18. Many of them use computers daily.

In 2001 this Office received a federal grant to establish an Internet Crimes Against Children (ICAC) Investigative Satellite initiative. Through this program, detectives and assistant district attorneys have developed excellent contacts in the law enforcement community, with whom they share ideas and expertise. The agencies include New York State's ICAC Task Force and Attorney General, 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 of "chatting" before discussions of meetings take place. In addition, the perpetrator must be identified through an Internet Service Provider address because the perpetrator rarely provides a true name or address. Although these investigations are labor intensive, the payoff is enormous when a potential child abuser is arrested and punished.

Forensic Analysis Leads to Child Pornographer

In April 2010, two detectives from the Bronx District Attorney's Office undertook an investigation into the distribution of child pornography over the internet. The investigation focused on activity originating in the Bronx. Using proprietary forensic software designed to compare image files found online with known child pornography images, the investigators located a subject using the screen name "Pillform." The unique

Internet Protocol ("IP") address associated with that user was traced through the internet service provider to a street address and apartment number which was the source of pornographic files. Nineteen-year-old Eder Guzman lived at this address.

Through continued internet surveillance, the investigators identified ten separate video files of child pornography that were continuously available for

Forensic Analysis Leads to Child Pornographer *(continued)*

“sharing” or “uploading” between April 3 and June 17, 2010.

On December 7, 2010, investigators executed a search warrant on Guzman’s apartment and seized several computers, USB drives and media storage devices. Guzman admitted that his laptop contained a “couple hundred” child pornography videos. Guzman was arrested for multiple counts of promoting an obscene sexual performance by a child and possessing an obscene sexual performance by a child. He was charged by the grand jury with these and other crimes in a 52-count indictment.

Forensic analysis of the seized laptop computer revealed that at the time of his arrest, the defendant possessed over

190 video files containing child pornography, including many of those offered for distribution.

By applying technologies such as distribution through “peer-to-peer” networks, unique file identification protocols such as Secure Hash Algorithm (SHA-1) values, and value comparisons with reliable known databases of pornographic material, investigators were able to use modern technology to identify and prosecute an age-old crime in the internet age.

Guzman pleaded guilty to possessing an obscene performance by a child, a felony. He was sentenced to one year incarceration and will be required to register as a sex offender.

FINANCIAL CRIME

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

Sometimes the "victim" of financial crime is a government, such as New York City or State. Since 2005 this Office has received grants from NY State under the Crimes Against Revenue Program (CARP). Funds from CARP grants support prosecutors, detective investigators and forensic accountants to investigate and prosecute individuals

and corporations that steal from NY State and/or NY City by failing to pay sales or income taxes. In some cases, the amounts owed may reach hundreds of thousands or even millions of dollars. The sentences for convictions of such crimes include restitution to the state and/or city of the taxes owed.

Another type of financial crime victimizes both workers and governments. This occurs when an employer pays workers less than the prevailing wage for the type of work they are performing. The workers are deprived of income they earned, and federal, state, and local governments receive less tax revenue on the reduced income.

"M.T.A. Contractor Pleads Guilty to Underpaying Workers"

Headline from The New York Times, 6/30/2010

M.A. Angeliades, Inc., obtained contracts for construction projects at subway stations throughout the City. The company performed hundreds of millions of dollars worth of work on the City's transit system and other public works projects. Between July 1, 2005, and September 10, 2008, the company illegally underpaid more than three hundred workers, short-changing them by approximately \$600,000.

The President and Chief Executive Officer of M.A. Angeliades, Merkourios Angeliades, pleaded guilty on June 30, 2010, to one felony count of falsifying business records in the first degree. Irena Merkourios, his daughter and the Vice President of M.A. Angeliades, pleaded guilty to one misdemeanor count of petit larceny.

Charges against M.A. Angeliades were dismissed after a non-prosecution

agreement was filed with the court that required the company to compensate the workers who were underpaid. Failure to comply with all of the terms in the agreement will result in the restoration of all criminal charges. The Angeliades agreed to resign their positions with the company. The company will be monitored by an Independent Private Sector Inspector General through September 10, 2013, and will establish a \$3 million escrow account to settle claims by workers who were underpaid. The corporate defendant was required to post public notices about the existence of the fund as well as the procedures for filing a claim. In addition, the defendant was required to notify, in writing, all workers who were on payroll records associated with the work done under the contract with the Metropolitan Transit Authority (MTA).

The Angeliades admitted that some workers were paid less than the prevailing

“M.T.A. Contractor Pleads Guilty to Underpaying Workers”

Headline from The New York Times, 6/30/2010 (Continued)

wage for overtime and work performed on weekends and holidays, as specified in the firm’s contracts with the Metropolitan Transportation Authority. The workers were paid \$20 per hour in cash for overtime and work performed on weekends and holidays. Contractually mandated benefits were not paid, nor were state and local income taxes withheld.

Anthony Graham, a shop steward for Local 703 of the Excavators Union, was charged in a separate indictment for his role in the scheme. Graham pleaded guilty to one misdemeanor count of falsifying business records in the second degree. Graham falsified records and did not report to the union the names and hours of workers who were entitled to overtime, weekend and holiday pay rates. Another union official, Eduardo Visone, pleaded guilty to one misdemeanor count of falsifying business records in the second degree. Charges are pending against

a third union official who has also been charged in connection with his alleged role in the case.

These convictions are the result of an investigation that was begun by the Office of the Inspector General for the Metropolitan Transportation Authority. The MTA Inspector General received complaints that the firm was not paying employees the prevailing wage rate for overtime, holiday and weekend work.

The indictments that led to the convictions were obtained on May 20, 2009, by the Office of then New York County District Attorney Robert Morgenthau. When the current District Attorney for New York County, Cyrus Vance, was sworn in, the Appellate Division, First Department appointed the Office of the Bronx District Attorney as special prosecutor to avoid a conflict of interest because Vance’s former law firm represented Merkourios Angeliades.

OFFICIAL MISCONDUCT

When people we trust to administer government programs or enforce the law subvert it to their own advantage, the public's faith in government is undermined. Public employees are expected to honor the public trust and behave ethically and within the law. While the vast majority of public employees deserve the public's trust, the District Attorney vigorously prosecutes those who betray it.

The two cases presented below are very different in nature. One is a financial crime, the other a violent crime, but both involve acts of official misconduct. The first case focuses on a NYC Department of Housing Preservation and Development employee who awarded Section 8 housing benefits in exchange for bribes, thus draining public resources and depriving those who deserve the benefits from

receiving them. The second involves a New York City Correction Officer who selected Rikers Island inmates to enforce a set of rules he called "The Program." Inmates who failed to comply were beaten by other inmates, and the guard was convicted of gang assault. The scheme unraveled when a teenage inmate was beaten so badly that he sought medical care.

"Former City Worker Accused of Taking Bribes for Rent Subsidies" *Headline from The New York Times, 6/30/2010*

Thirty-seven-year-old Joba Cottoreal was a supervisor at the New York City Department of Housing Preservation and Development (HPD). From this position she "acted in concert" with others to solicit and accept bribes ranging from \$3,000 to \$7,000 from applicants seeking Section 8 housing benefits. Once the bribes were paid, Cottoreal altered computerized records of applicants on the waiting list for Section 8 housing. The names of those who paid the bribes were substituted for the names of others who had filled out the required paperwork for the federally-funded program. The people who paid the bribes were thus placed in Section 8 housing based on eligibility information that belonged to someone else.

The scheme unraveled when the New York City Department of Investigation acted on an anonymous tip that someone had paid a bribe to

move into an apartment. The crimes occurred over a more than three year time span between June 1, 2003, and August 1, 2006. As a result of the scheme, HPD unknowingly paid millions of dollars of public funds for subsidies towards rent on Bronx apartments. For example, one tenant charged with bribery received more than \$54,000 in Section 8 rent subsidies over 46 months.

Cottoreal pleaded guilty on August 5, 2010, to 26 counts of bribe receiving in the third degree and one count of falsifying business records in the first degree. On November 16, 2010, Cottoreal was sentenced to 1 $\frac{2}{3}$ -to-five years in prison and a concurrent term of one-to-three years incarceration.

Cottoreal's two co-defendants pleaded guilty to their roles in the scheme and were sentenced to five years probation. Twenty-seven people who paid bribes also pleaded guilty to bribery involving public servants.

“6-Year Sentence for Guard in Rikers Island Beatings”

Headline from The New York Times, 8/6/2010

Thirty-five-year-old Lloyd Nicholson worked as a guard at a Rikers Island jail. There he selected inmates known as “The Team” to enforce a set of rules he called “The Program.”

During the day, The Team would approach inmates new to the section of the jail, M3L, and ask if they were “with The Program.” This meant that inmates would abide by the rules of the facility, such as remaining on their beds, not talking, not fighting, and so forth. The Program also meant that inmates would turn over certain property and privileges to members of The Team, such as phone minutes, commissary items, personal property, and so forth. New inmates were told that if they did not abide by The Program they would get a “beat down” during the midnight tour by The Team at the direction of the midnight guard, Nicholson. Nicholson used this select group in an attempt to maintain order and discipline.

On June 10, 2008, all inmates declared that they were “with The Program” except for two inmates, 16 and 18 years old. At the beginning of his 11 pm-to-7 am tour, Nicholson told these two inmates that they were going to learn to respect The Program. The teenagers were told to go into the “dayroom” where six inmates beat them.

These six inmates were indicted separately from Nicholson, and all have received prison sentences for their participation in the scheme. Nicholson

instructed, “No face shots.” The six inmates punched and kicked the two inmates. One of the inmates relented, said he would abide by The Program, and was allowed to leave. The other would not agree to comply with The Program and was forcibly pushed back into the room by Nicholson, who then instructed The Team to continue to beat the lone inmate. The beating continued six-on-one. When the inmate eventually agreed to comply with The Program, he was allowed to leave the room. He was not allowed to go to the infirmary until the next day, even though he complained of having trouble breathing. Nicholson coached him to say he had been beaten during the previous day-tour in the bathroom by inmates. He was sent to Elmhurst Hospital with collapsed lungs. He underwent emergency surgery. Tubes were inserted into his chest cavity for drainage of air and blood. At the hospital, the inmate told the Department of Correction his story.

On June 17, 2010, Nicholson was found guilty of one count of gang assault in the second degree and one count of assault in the second degree following a three-week non-jury trial. He was sentenced on July 15, 2010, to concurrent terms of six years imprisonment with five years post-release supervision on the gang assault charge and two years imprisonment with three years post-release supervision on the assault charge.

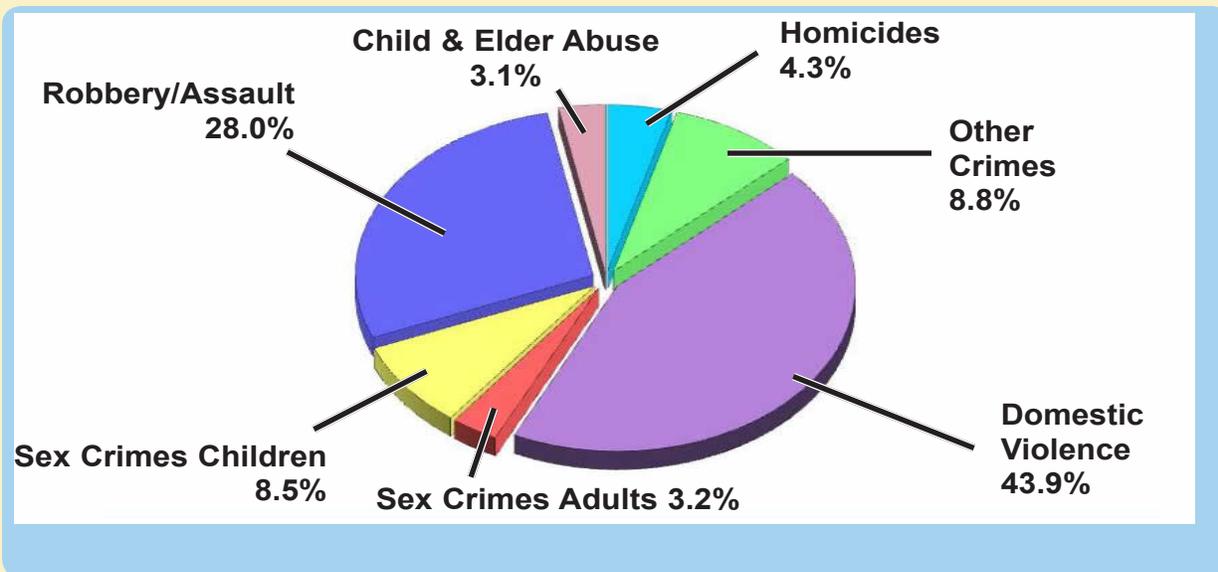
Crime Victims Assistance

The Bronx District Attorney's Crime Victims Assistance Unit (CVAU) provides comprehensive services to crime victims, ranging from information and referrals to individual and group therapy. The locations of the unit, in the District Attorney's Offices on 161st Street in the South Bronx, are generally convenient because of their proximity to the court.

The CVAU saw a total of 3,153 new clients in 2010. CVAU staff made more than 32,000 service contacts with victims and witnesses during 2010. These services were provided from both the Unit's three sites on 161st Street and the CVAU satellite office in the northeast Bronx

Crime Victims Assistance Unit Contacts By Type of Crime

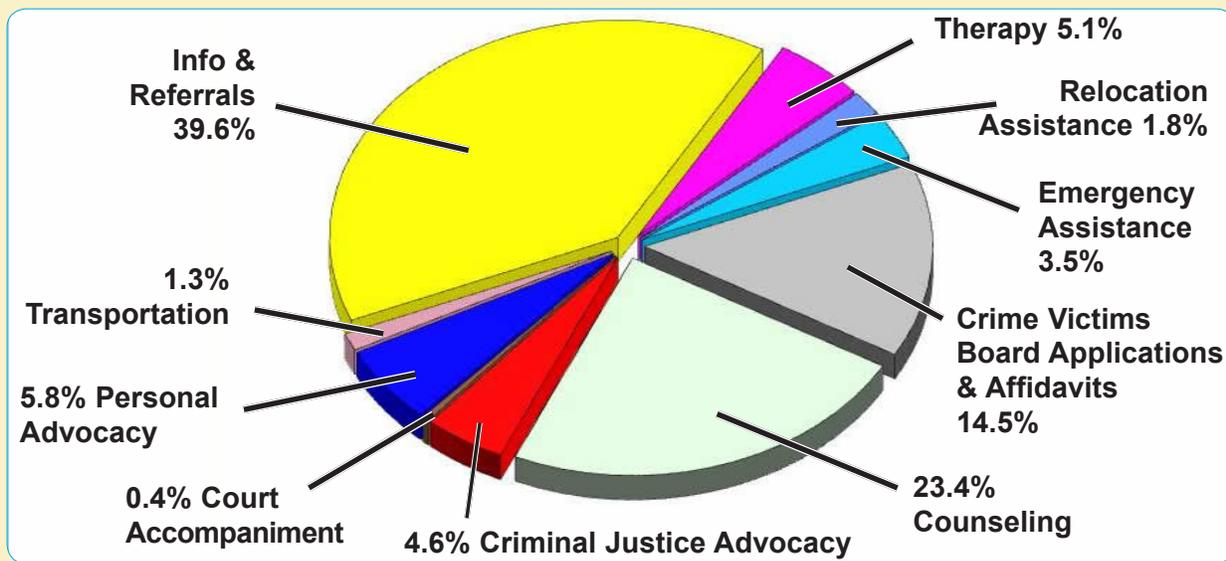
Total 2010 New Client
Contacts: 3,153



Source: Office of Bronx District Attorney

Crime Victims Assistance Unit Contacts By Type of Service Provided

Total 2010 Service
Contacts: 32,010



Source: Office of Bronx District Attorney

Homicide Survivor

Britney was murdered on April 13, 2008, in the presence of her young son. On December 8, 2008, the assistant district attorney prosecuting the case introduced Britney's mother, 45-year-old Mrs. J, to a Crime Victims Advocate. At the initial meeting, the advocate explained the role of an advocate and the services which the Crime Victims Assistance Unit provides, such as court escort, crisis intervention, emotional support, court information, and registering for parole notification. The advocate also explained to Mrs. J her rights as a crime victim..

Mrs. J and other family members were registered with VINE (Victim Information and Notification Everyday), the national victim notification network. This service allows victims to be notified about criminal cases and the custody status of defendants. The New York State Office of Victim Services

application procedures and benefits were explained, even though Mrs. J had already completed the application with another agency. The advocate kept in contact with Mrs. J and provided court information and emotional support as the case proceeded to trial.

In June 2009 one of the defendants pleaded guilty to murder in the first degree during jury selection. The advocate provided telephone counseling and Mrs. J expressed her satisfaction with the conviction. The advocate accompanied Mrs. J and other family members to court for sentencing and assisted Mrs. J and her other daughter with their victim impact statements. During sentencing, the advocate provided emotional support.

In May 2010, the advocate continued to help Mrs. J navigate the criminal justice system during the trial of the co-

Homicide Survivor (Continued)

defendant. Mrs. J lives out of state, so the advocate arranged for Mrs. J to stay in a nearby hotel to avoid the long commute. The advocate arranged reimbursement for parking and lunch.

The advocate accompanied Mrs. J and other family members to court and provided emotional support. The advocate also provided crisis intervention after the guilty verdict was announced, as well as

court information about sentencing procedures. The advocate assisted Mrs. J with the victim impact statement, and accompanied Mrs. J and other family members to the sentencing.

Because her daughter was killed, Mrs. J is now the permanent guardian of her grandson.

BRONX HOMICIDE SURVIVORS SUPPORT PROJECT

For the past ten years the Bronx District Attorney's Crime Victims Assistance Unit (CVAU) and Safe Horizon have collaborated to provide group therapy services to Bronx Homicide Survivors. (The term "homicide survivors" refers to individuals who had special ties with the person who was murdered; therefore, these survivors were victimized not only by the loss of someone close, but also by the circumstances of the death.) The Bronx Model is an adaptation of Dr. Ted Rynearson's "Retelling Violent Death Support Group." The Bronx model is a 14-week program and includes topics such as spirituality, resistance, coping with triggers, and how the criminal justice system impacts grief. The group has two cycles each year, beginning in March and September. The Bronx Homicide Survivors Support Group has

served more than 40 survivors since September 2000.

Although 40 may seem like a small number over 10 years, most group members feel a need to repeat the group several times. Many survivors feel very isolated and find the group to be a refuge where they are understood by others who have had similar experiences. The facilitators support a victim's desire to stay with the group as long as the individual is progressing from the story of his/her loved one's death to how that loved one lived.

CRIME VICTIMS ASSISTANCE UNIT SATELLITE OFFICE

CVAU provides comprehensive services to crime victims at a satellite office that opened in the north end of the county in 2003. The satellite office grew from a series of federal grants from 2002-2005 that funded an Advisory Committee tasked with planning and implementing a referral net-

work to link clients to community service providers for services that cannot be provided by CVAU staff. During 2010, the satellite office staff provided 2,949 services to a total of 1,027 clients, among them victims of domestic violence, assault and elder abuse.

BRONX CLOTHES-LINE PROJECT

In April 2010, 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 national theme for 2010 — "Crime Victims Rights: Fairness. Dignity. Respect." — focused on the progress made toward reaching the ideals that inspired the victims' rights movement. As it has each year since 1996, the Crime Victims Assistance Unit worked 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 violence. The messages on the shirts are individualized – some poetic, some plaintive – allowing the artists to express their feelings in their own way. This visual presentation tells the stories of hundreds of survivors of abuse, violence and neglect. The dramatic illustration of t-shirts hanging side-by-side provided viewers with a glimpse of the devastating effects of crime on victims. Survivors of domestic violence, rape, child abuse, elder abuse, assault and other crimes of violence

Information and Referrals about Victim's Rights, Services, and Resources



NATIONAL CRIME VICTIMS' RIGHTS WEEK

The 2011 Survivor's Tribute

Wednesday April 13, 2011 6:30 PM - 8:00 PM

At

Bronx Museum of the Arts
1040 Grand Concourse, Upper Gallery
Bronx, NY 10456
Wheelchair accessible

Annual Display of the Bronx Clothesline Project & Information Fair

Tuesday, April 12, 2011 10:00AM - 3:00PM
Wednesday, April 13, 2011 3:00PM - 8:00PM
Thursday, April 14, 2011 10:00AM - 3:00PM



Sponsored by: The Bronx Committee for National Crime Victims' Rights Week
For information call: The Bronx District Attorney's Office, Crime Victims Assistance Unit, (718) 590-2115 or (718) 798-5892.

decorated the t-shirts with messages, poems, photographs and drawings. Some t-shirts were memorials to victims of homicide.

Partnerships and Collaboration

CHURCHES JOIN BRONX DA AND NYPD BUYBACK OF NEARLY 1,200 GUNS

On January 23, 2010, the Bronx District Attorney's Office collaborated with the NYPD and the Bronx Borough President's Office to implement a Gun Buyback Program to reduce the number of illegal firearms in the county. Four houses of worship from diverse faiths and neighborhoods served as host sites for the event. Following a very successful program in April 2009, the 2010 program netted 1,186 guns, 20% more than in the 2009 program. An Associated Press report indicated that Police Commissioner Raymond Kelly said that the event set a new record for guns collected in a single day. In addition to the record number of guns collected, the program's overall message of peace was put forth in memory of 2009 gunshot victim Sadie Mitchell, who worshipped at one of the participating churches.

Participants received a \$200 pre-paid bank card for each operable weapon turned in, and \$20 for BB guns and air pistols. All handguns, rifles, and shotguns, except for those owned by law enforcement officials, were eligible for exchange. Participants were able to turn in up to three guns per visit at any of

the four locations, and all transactions were completely anonymous and conducted on a "no questions asked" basis.

The event proved to be a great success. Nearly 1,200 guns

"Nearly 1,200 guns were recovered with a total payout of \$184,000. These included 234 revolvers, 279 rifles, 179 semi-automatic pistols, and 186 shotguns. In hopes of making the Bronx a safer place for all of its residents."

were recovered with a total payout of \$184,000. These included 234 revolvers, 279 rifles, 179 semi-automatic pistols, and 186 shotguns. In hopes of making the Bronx a safer place for all of its residents, this gun buyback will certainly not be the last.

District Attorney Johnson said: "This buyback / amnesty program is a tangible way to help save lives and reduce the number of gun related

crippling injuries in our community, by promoting a message of peace and non-violence during the week in which we celebrate Dr. Martin Luther King Jr.'s birthday."

SPECIALIZED COURTS AND PROGRAMS

This Office plays a key role in Bronx County's specialized courts and programs. There are currently a number of such specialized courts within the county, including the Bronx Treatment Court and the Bronx Mental Health Court. The Bronx District Attorney's Office has diverted defendants to drug treatment for many years and developed formal partnerships to do so in October 1992. As can be seen from the table on page 13, in 2010 the Bronx District Attorney's Office diverted 852 defendants to treatment through the Drug Treatment Alternative to Prison (DTAP) program, the Bronx Mental Health Court, and other programs.

BRONX MENTAL HEALTH COURT

Over time it became clear that some candidates for diversion suffered from both drug dependency and mental illness. While staff always tried to place such non-violent defendants in

treatment programs that were appropriate for individuals with dual diagnoses, in 2002 we entered into a formal partnership with Treatment Alternatives for Safer Communities (TASC) and Research Triangle Institute (RTI) to create the Bronx Mental Health Court. As the grantee, this Office administers grants and 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 2010. 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. In 2010, groups came from within New York City (Columbia University and NYC Department of Health and Mental Hygiene), Texas, the District of Columbia, and from as far away as the United Kingdom to visit the court.

In April 2010 staff presented training at a workshop organized by the NY Department of Probation. The workshop provided training for Probation Officers on working with mentally ill probationers and violence risk management. In November staff provided training at a workshop for the social work department of the Legal Aid Society. The training focused on understanding violence and mental illness in the criminal justice system.

In 2007 federal funds enabled us to further expand treatment capacity to defendants who have tested positive for HIV/AIDS or are at risk of contracting HIV (but do not necessarily have a mental illness). In 2010 we received a grant to enhance treatment and services for defendants with alcohol and drug abuse/dependence and those with co-occurring mental disorders.

BRONX COMMUNITY SOLUTIONS

In 2004 we worked with the Center for Court Innovation to establish a Community Court, known as

"Bronx Community Solutions," to enhance community service sentences and provide services to defendants. The goal of the project is to provide judges with more sentencing options for the many defendants convicted of non-violent, misdemeanor offenses such as marijuana possession, prostitution and shoplifting. By combining punishment with services, Bronx Community Solutions (BCS) aims to hold offenders accountable while offering them the assistance they need to avoid further criminal conduct.

In 2010, Bronx Community Solutions handled about 10,599 misdemeanor cases. Of those, nearly 6,000 received community service sentences (5,005 community service only, 788 social and community services). Eighty-five percent of offenders mandated to BCS appeared for intake. Community service crews performed numerous restitution projects, including graffiti removal, sorting donated food for a faith-based charity, street sweeping and maintaining local parks. In addition, Bronx Community Solutions provided services such as job training and drug treatment. On average participants performed three days of service. BCS estimates that 86,702 hours of community service were completed in 2010. Community service is sometimes performed in partnership with community-based organizations.

In addition to community service, Bronx Community Solutions offers other sentencing options, including treatment readiness programs, inpatient and outpatient drug treatment, social service and educational

assessments and customized group classes. Examples of social service group classes that are available include health education, job readiness, decision making, anger management, drug treatment, and youth life skills. Each class is designed for particular needs of the offender population and meets up to three days, Monday through Friday, during business hours.

OPERATION WEED & SEED

The federally funded Weed and Seed program focuses federal, state and local resources on specific communities to “weed out” drug trafficking, violent gangs, and robbery perpetrators, while “seed-ing” the community with resources to improve the quality of life. Beginning in the late 1990s, Bronx



It's My Park Day



It's My Park Day

County has been home to two Weed and Seed sites, one located in the Soundview/Bruckner neighborhood and the other in Mott Haven (which reached maximum funding and closed in 2006). The Soundview/Bruckner site has also reached maximum funding and is now a “graduated” site. Although we no longer receive federal funding, activities and programs continue to be offered.

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

based parent organizations, other community-based organizations and community residents.

An integral component of any Weed and Seed site is its “Safe Haven,” where programs for children and adults are offered. In the Bronx these include recreational programs such as PAL basketball, mentoring programs and crime prevention through the arts. Many of the individual programs rely on linkages with other organizations, including the Police Athletic League, South Bronx Overall Development Corporation, St. Raymond’s Community Outreach, and Children’s Arts and Science Workshop, Inc.

Each year since 2007, Weed and Seed has operated a Volunteer Income Tax Assistance (VITA) program that provides free tax preparation services for community members. In 2010 VITA volunteers at the Bronx River Houses Community Center prepared and filed (electronically) 263 returns for

community residents. As a result, they generated \$387,000 in federal tax refunds for the community.

CONCEPT – CREATING OPPORTUNITIES NECESSARY TO CREATE EMPOWERED POSITIVE TEENS

CONCEPT is a school-based program offered at Middle Schools 131 and 142, and taught by a member of the District Attorney's staff. These schools, located in the 43rd and 47th precincts, are in neighborhoods with significant gang and gun problems. A total of 350 youth enrolled in seventh grade in each school and 150 eighth grade students participated in CONCEPT in the 2009-10 school year.

The CONCEPT program engages students in constructive dialogue questioning the

legal consequences of criminal activity. Students are able to share their perceptions of the law. As part of the program, students participate through the use of role playing in various skits and other structured, interactive classroom activities that relate to each week's lesson. Students become familiar with the DELSAR decision-making model (Define the situation; Explore your options; List the potential pros and cons; Select the best choice that will benefit you and others; And Reflect on your decision). Students in the class observe and assess various video clips relating to the topic and use what they have learned to respond to practical hypothetical situations. Finally, students practice information analysis relating to unclear or misleading

messages from different media and peer groups and learn how to research whether information is credible.

DOMESTIC VIOLENCE

In 2010 the Bronx continued to suffer the highest rate of domestic violence reports per 100,000 population among the five boroughs. The Bronx's 72,788 Domestic Incident Reports represented 29% of the City's total. The Office has pursued many strategies to address the domestic violence problem. These include its work with criminal justice agencies and non-profit organizations in Bronx County's Domestic Violence court parts, and its collaboration with local agencies, most prominently

Domestic Violence: From Niagara County to the Bronx

In the summer of 2008, thirty-three-year-old Lennie Frankline took his pregnant, 18-year-old, ex-girlfriend Liz (pseudonym) hostage in Niagara County, New York. Liz was his brother's step-daughter. Frankline bound her with plastic ties, gagged her, taped her mouth with duct tape, and "hog-tied" her.

Over the course of several days, Frankline repeatedly beat Liz with his fists and feet. He kicked her repeatedly in the abdominal area, and sexually assaulted her by forcing her to have vaginal and anal sex. He forced her to perform oral sex, and recorded the activity.

Frankline poured gasoline on her body multiple times, including in and around her vaginal area, and threatened to ignite the gas if she refused to comply with his sexual wishes.

After about three days, Frankline went out for food. Liz wrapped her otherwise completely nude body in a blanket and left the apartment where she had been held captive. She flagged down a passing cab. The cab driver picked her up, called police, and contacted her mother. Liz's mother immediately went to get her daughter and brought her back to the family's apartment in the Bronx.

Domestic Violence: From Niagara County to the Bronx *(Continued)*

About one week later (on July 6, 2008), Liz's mother left the apartment to go to a Chinese restaurant. Liz was home with her 14-year-old sister when Frankline kicked in the door to the apartment, grabbed her, dragged her out of the bathroom, squirted her with gasoline and attempted to light the gasoline with a lighter. Liz's sister ran out of the apartment to find her mother. Liz escaped temporarily by wriggling out of her gasoline-soaked shirt and fled the apartment topless to get help.

Frankline caught up with her, knocked her to the ground, and again squirted her with gasoline and ignited her hair.

Liz patted her hair, extinguishing the fire. She tried to cover her body as Frankline beat her. Her brother, coming home, saw the beating and intervened, only to get struck by the defendant with a

large object. Liz escaped, and Frankline fled when her mother arrived at the scene.

Frankline was located in Fresno, California, by tracking his cell-phone activity. On July 22, 2008, after a struggle with Fresno Police, he was apprehended and extradited back to Niagara County.

Frankline was found guilty in the Bronx on October 15, 2010, of attempted murder in the second degree. He was sentenced on November 1, 2010, to 25 years imprisonment. This sentence will run consecutively with an aggregate 40-years-to-life sentence that Frankline received in Niagara County for his crimes committed there. He was found guilty there of four counts of first degree criminal sexual act, three counts of first-degree kidnapping, single counts of predatory sexual assault, second-degree assault and second-degree abortion, and two counts of aggravated harassment.

the Bronx Borough President's Office. Although many of these initiatives have been supported by some level of grant funding, those funds have waned.

Most recently, this Office worked with the Mayor's Office to Combat Domestic Violence on a new Bronx County Family Justice Center (FJC), which opened in April 2010 and is located in our main building at 198 East 161st Street. The FJC houses the Bronx District Attorney's Domestic Violence Bureau, as well as representatives from a vast array of social service organizations, legal services providers, and City agencies (e.g., NYPD, Probation, NYCHA).

Services are available in English, Spanish, and other languages. The FJC is a one-stop shopping center for domestic violence victims and their children.

Since opening in April 2010, through December 31, 2010, the FJC served 9,401 clients seeking domestic violence services. Nearly 700 children were supervised in the Children's Room. There were 8,127 client visits to the FJC between April and December, 2010.

In 2009 the Mayor's Office to Combat Domestic Violence Fatality Review Committee (FRC), of which this Office's Domestic Violence Bureau Chief is a member, iden-

tified Community Districts in the Bronx which had the highest number of domestic violence fatalities in New York City. The Committee conducted a community assessment to determine gaps in services in those communities.

The results of the assessment indicated that (1) residents were not clear about the behaviors that constitute domestic violence; (2) domestic violence victims go to friends and family for help and are unsure about where to go for services; and (3) there are challenges to linking victims with services and keeping them engaged. Based on these findings, the NYC Office to Combat Domestic Violence

is providing additional public education and outreach to increase domestic violence awareness. They are also training City employees at the Department of Homeless Services and NYCHA, and reaching out to medical providers.

DOMESTIC VIOLENCE EMPOWERMENT (DoVE)

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, or limited English proficiency. As part of a broader DoVE network, funded organizations have the opportu-

nity to connect and collaborate with each other through forums such as advocacy groups, training programs and conferences.

The Bronx District Attorney's Office received funding through DoVE grants between 2006 and 2010. The Office used 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.

GANG PROSECUTION

In 2010 gang-related or gang-motivated crime incidents in the Bronx ranged from homicides and other violent crimes, to weapons, drug possession, and various property crimes. This gang activity contributes to the Bronx's disproportionate share of violent crime. The Bronx District Attorney's Gang/Major Case Bureau assigns experienced prosecutors to investigate growing and increasingly violent gang activity in the Bronx. The two cases highlighted below illustrate the brutality of these gangs.

Gang Member Commits Murder

Twenty-two-year-old Rudolph Keitt is a Crips gang member from the Harlem Rolling 30's set. On December 30, 2007, at 9:53 pm, he called out to a victim who was chosen at random to be beaten and stabbed to death. The victim, German Delgado, was just 16 years old. Keitt called out to Delgado, "Soo woo." This is a Blood greeting. Delgado was alone, unarmed, and walking in the street headed to St. Barnabas Hospital to visit his mother. Delgado stopped walking when Keitt shouted out to him. Keitt punched

Delgado. A co-defendant, also a Crip from the local Bronx set known as the Neighborhood Rock Gang Crips, allegedly joined in and punched Delgado. Both Keitt and his co-defendant allegedly acted together in beating and stabbing Delgado to death. Delgado was not a gang member.

Delgado died as a result of seven stab wounds, two of which penetrated each lung as well as his superior vena cava. Delgado lost almost two liters of blood as a result of the stab wounds.

Gang Member Commits Murder (Continued)

Keitt and his co-defendant were apprehended in the lobby of a building located within feet of the crime scene where Delgado collapsed and died. The murder weapon (*i.e.*, the knife) was located on the ledge above the door of this building. Keitt made a video statement to police admitting ownership of the knife, but he claimed he did not have it on him during the incident.

The two defendants were tried simultaneously before two separate juries. The co-defendant's jury was hung on December 17, 2010 and a re-trial is scheduled for 2011.

On December 10, 2010, a jury found Keitt guilty of manslaughter in the first degree. He was sentenced to 20 years imprisonment.

Gang-Related Violence

Shortly after 6:30 pm on August 19, 2006, nineteen-year-old Gavin Murray, acting in concert with an unapprehended accomplice, fired numerous rounds at five people with a .38 caliber revolver and 9mm semi-automatic pistol at a basketball court. Murray is a Bloods gang member.

Three innocent bystanders who happened to be in the vicinity were shot and two of them were killed. The deceased victims were 20 and 25 years old. An employee of a housing development was also injured as he passed by. The two intended targets lived at the development fled when the shots rang out; they were not wounded. Testimony at trial indicated that this incident was in retaliation for another shooting that occurred thirteen hours earlier outside a restaurant.

After this violence, a ten-month long joint investigation with the NYPD's Bronx Gang Squad, the NYPD's Bronx Homicide Task Force and the 42nd Precinct Detective Squad was launched to investigate gang activity and narcotics crime at the Forest-McKinley Housing Developments.

Murray has a violent criminal history and is still awaiting trial on two other murder indictments for unrelated shooting incidents that occurred on April 30, 2005, and June 23, 2006. On February 2, 2010, Murray was convicted of murder in the second degree, manslaughter in the second degree, two counts of attempted murder in the second degree, assault in the first degree, and criminal possession of a weapon in the third degree. On March 5, 2010, he was sentenced to 50-years-to-life imprisonment.

AUTO CRIME INITIATIVES

The Office of the Bronx District Attorney has operated the Bronx Anti Auto Theft Program since 1995. In 2010 alone this Office recovered 397 stolen vehicles

(for return to their rightful owners). These cars were valued at \$4,683,865. The Anti-Auto Theft program, which has been supported with resources provided by state grants, was designed to increase the number of successful prosecutions

of defendants charged with grand larceny of a motor vehicle, criminal possession of stolen property, illegal possession of a vehicle identification number, auto stripping and/or unauthorized use of a vehicle. It was also expected to result in an

increased number of stolen cars recovered pursuant to arrests made and/or search warrants executed.

Although this program has been very successful, in 2009 (the most recent statistics available) auto theft in Bronx County remained at the highest rate per 100,000 registered vehicles in the state and third highest rate per 100,000 population (highest in New York City).

The Bronx District Attorney's Office currently owns three bait cars. In 2010 the Office received a Legislative Grant through State Senator Jeffrey Klein which provided funding to enable us to purchase two additional bait cars. Working jointly with precincts that experience an increase in car theft, the bait cars are positioned in high

crime areas, with plainclothes police officers stationed nearby. After a suspect breaks into the car and removes property, the police move in to make an arrest. Break-ins in a given area are often committed by relatively few people. Removing these car thieves from the streets can greatly reduce a neighborhood's auto damage and petit larceny numbers. In 2010 more than one in four bait car operations resulted in arrests. This Office continues to deploy them around the county in an ongoing effort to reduce break-ins.

The Anti-Auto Theft program was expanded in 1999 to include night-time surveillance and investigations of auto-related crimes. In the last nine years, we expanded the program to include document fraud

and insurance fraud. This expansion was made possible through grants from the New York State Motor Vehicle Theft and Insurance Fraud Prevention (MVTIFP) Board.

Since September 2006, Bronx District Attorney's Office Detective Investigators have worked with the NYPD using a License Plate Reader (LPR). LPR technology uses specialized cameras and computers to quickly capture large numbers of license plates, convert them to text and compare them to a large list of plates of interest. LPR systems can identify a target plate within seconds of contact with it, allowing law enforcement to identify target vehicles that might otherwise be overlooked.

Bait Car Catches Thieves

In response to a rash of break-ins involving cars parked near Fordham University, the Bronx District Attorney's detective investigators assigned to auto crime launched a joint operation with the New York City Police Department's 48th Precinct. This investigation involved placing a "bait car" under surveillance in the neighborhood in an effort to identify offenders and curtail auto crime.

About noon on August 13, 2008, surveillance teams observed 51-year-old Angel Perez throw something at the front passenger side window of a Dodge Stratus owned by Catholic Charities. Detectives watched Perez reach through the shattered glass into the car and take a black Motorola cellular phone. He then attempted to flee on a bicycle. On August 19,

2008, Perez pleaded guilty to auto striping in the third degree. He was sentenced to thirty days in jail.

Nearby and just a few hours after that auto crime, shortly before 2:00 pm on August 13, 2008, the same surveillance teams observed 45-year-old Orlando Rodriguez, 34-year-old Hiram Morales, and 40-year-old Michael Rivera break the front passenger window of a "bait car" with a large rock and remove from the car a laptop computer, a global positioning system with a window mount, a cellular telephone, and other electronic accessories.

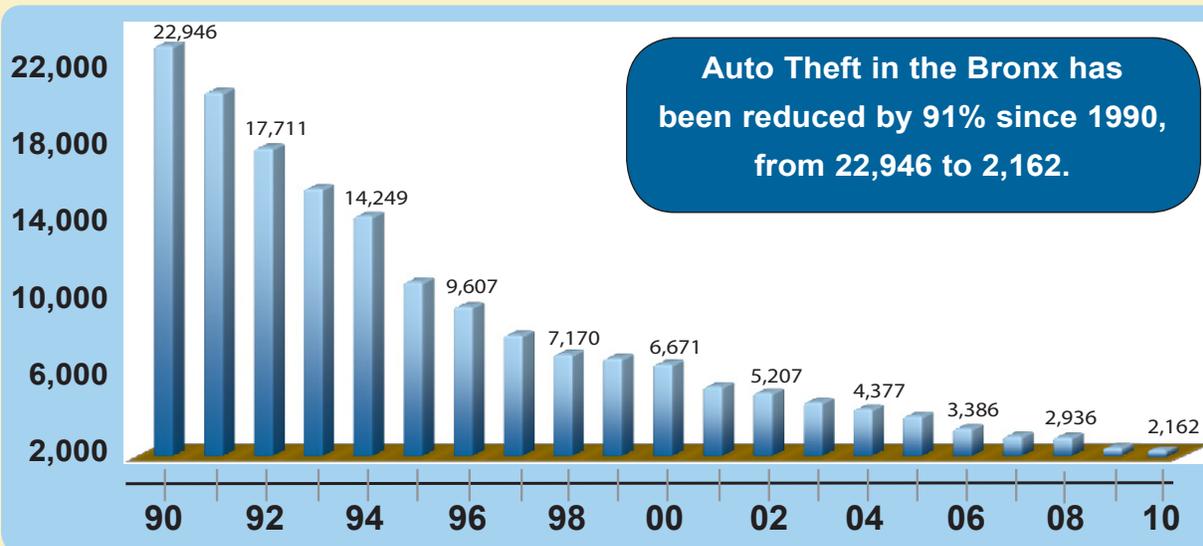
On January 21, 2010, Morales, a predicate felon, pleaded guilty to criminal mischief in the third degree. On February 10, 2010, he was sentenced to an indeterminate term of 1½-3 years incarceration.

Bait Car Catches Thieves (Continued)

On January 20, 2010, Rivera, a predicate felon, pleaded guilty to criminal mischief in the third degree. On March 2, 2010, Rivera was sentenced to an indeterminate term of 1½-3 years incarceration.

On March 17, 2010, Rodriguez, a predicate felon, pleaded guilty to criminal mischief in the third degree. He was placed through judicial diversion in an outpatient drug treatment program.

Decline In Grand Larceny Auto 1990 - 2010



Source: New York City Police Department

ELDER ABUSE

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

The Bronx District Attorney’s Office hired an Elder Abuse

Coordinator in 2000 to serve as a liaison among the bureaus and units of the office, obtain services from outside agencies and serve as a resource for educating the community. The Coordinator is often the first point of contact for elder abuse inquiries. She handled 56 elder abuse cases in 2010. One addition to the elder abuse program in 2010 was the implementation in March of a monthly senior support group.

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. In 2010 the Elder Abuse Multidisciplinary Task Force, an outgrowth of the Office’s committee, celebrated its tenth anniversary. The Task Force is co-chaired by the Elder Abuse Coordinator at the Bronx District Attorney’s Office, and the Bronx Borough Director of Adult Protective Services. This bimonthly gathering of law enforcement, social service, healthcare, financial, business, governmental and private agencies enables the

sharing of expertise and facilitates the coordination of efforts to prevent, investigate and remedy the abuse of our most vulnerable seniors. At each meeting an expert in his/her field speaks and advises members about elder abuse. In 2010 speakers came from Family Court, mental health services, geriatric care and management of elderly dementia patients, and Adult Protective Services.

The Bronx District Attorney's Office was selected in early 2006 to become a CASE ("Communities Against Senior Exploitation") Model Site. The CASE partnership is an elder fraud prevention and intervention program. The Bronx District Attorney's Office is one of approximately 50 sites across the country that work with faith-based communities and senior centers to combat elder fraud and exploitation. As part of this program, staff from the District Attorney's Office conduct training in the community using CASE resource materials. During 2010, the program made 13 CASE presentations and 11 other presentations to community groups, churches, senior centers, tenants' associations, social service providers, *etc.* This program is currently implemented without funding, staffed by volunteers from the Office.

BRONX SEXUAL ASSAULT RESPONSE TEAM

In 2002 the Bronx Adolescent and Adult Sexual Assault Task

Force began meeting at the District Attorney's Office. The goal of the Task Force is to identify and respond to system challenges and develop solutions to improve services for victims of sexual assault. The Task Force is composed of representatives from hospitals and the medical community, the New York City Mayor's Criminal Justice Coordinator's Office, the New York City Alliance Against Sexual Assault, nonprofit crime victim service providers, the New York City Police Department, and the Bronx District Attorney's Office. The members identified a need and with the aid of the Mayor's Office obtained funding for a Bronx Sexual Assault Response Team (SART).

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

In 2008, Bronx SART participated in the establishment of a city-wide protocol which mandates

that any city ambulance transporting a sexual assault victim bring the victim to a SART-based hospital. In the Bronx, that includes North Central Bronx, Jacobi and Lincoln Hospitals. Also in 2008, Bronx SART was a major impetus in the development of a "Suspect Evidence Collection Kit" which is now being used to collect important forensic evidence in appropriate cases from the person of an alleged perpetrator of a sexual assault.

The Bronx SART is 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 based at North Central Bronx Hospital. The examiners conduct a physical examination of the victim, collect potential DNA evidence, and document both internal and external injuries. In 2010 Bronx SART hospitals covered 242 of these cases. In 94% of those cases, a SART examiner responded to the hospital within one hour of admission of the sexual assault victim to the Emergency Room. Eighty-nine percent of those victims eligible for a forensic examination consented to be examined. In 19% of the cases, the physical examination of the victim revealed findings of genital trauma only. In 22% of the cases, the physical examination revealed findings of non-genital injury only. Twenty-five percent of the examinations revealed both genital and non-genital injuries, and 34% showed no visible injury.

MULTIDISCIPLINARY TEAM ON CHILD PHYSICAL AND SEXUAL ABUSE

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

This team approach affords a number of benefits. First, it enhances the quality of evidence available to all participants by affording them the opportunity to be present to ask questions at the victim's first interview. Second, it minimizes the additional trauma to the victim who, if subjected to repeated interviews, must revisit incidents that may have been 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 2010, the District Attorney's Office responded

to 266 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.

JOINT TRAINING PROGRAM WITH THE NYPD

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 uniformed members of the New York City Police Department are trained together with assistant district attorneys. Since 2002 approximately 600 assistant district attorneys and more than 1,300 police officers received this training. Of these, 74 assistant district attorneys and 129 police officers participated in four trainings in 2010.

The experience levels of the police and attorneys vary. There are usually two patrol officers per precinct. The attorneys are from various prosecution bureaus.

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

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

The training is provided by the Chief of Vehicular Crimes, the Chief of Arraignments and Complaint Room, and NYPD Supervisors from Bronx Central Booking. The Office receives cooperation and support from the NYPD Patrol Borough Bronx Commanding Officer and the Borough Training Officer, who provide coordination and assign officers to attend the training. Depending on the size of the Police Academy graduating class, there are three to four training sessions per year. In 2010,

however, due to reduced NYPD hiring, there was one session with 40 officers.

These training sessions have resulted in marked improvement in new officers' paperwork, particularly in completing supporting depositions and in articulation of the facts of the case to establish probable cause to justify the arrest. In addition, the training sessions continue to open communication within law enforcement. The officers rate the training very highly and have requested that "refresher" courses be offered every six months and that their supervisors also attend the training.

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 handle misdemeanor cases and are permitted to argue their cases in Court. The students are supervised by Bronx District Attorney's Office staff. In addition to the clinical component, a member of the Bronx District Attorney's Office staff, the Chief of Vehicular Crime Prosecutions, teaches coursework related to this program at St. John's University. In four of the last five years, he was

named Clinical Professor of the Year at St. John's University.

INTERNATIONAL VISITORS

Over the past several years representatives of governments around the world have visited the Bronx District Attorney's Office. Some of these have been part of the International Visitor Leadership Program of the US Department of State. Others have come independently. In return members of our staff have been invited to make international visits.

As part of the International Visitor Leadership Program, in February 2010 a group of 16 individuals, representing 16 different countries, visited the Office. The focus of the visit was Protection of Intellectual Property Rights in various regions of the world.

In March a group of South African female officials, who were in New York to attend a United Nations conference, spent two days with the Bronx District Attorney's staff. The South African delegation included social workers, government officials, the lead prosecutor for crimes against women, and the Minister of Energy. The Office arranged for representatives who were the visitors' local counterparts to meet with them. For example, a representative from the New York Power Authority spoke about how the Power Authority controls theft of energy, women's roles, and efforts to become more green.

In April a delegation of three law enforcement officials from Italy

visited the Office as part of the International Visitor Leadership Program. The focus of their visit was combating Intellectual Property crimes and methods used in the United States. Topics included investigative techniques used to combat financial crime, drug crime, and intellectual property crime; how judges, prosecutors, and law enforcement collaborate in investigating and prosecuting crime; and the nature of collaboration between law enforcement and industry in fighting crime.

In July a group of 23 Jordanian judges, police officers, medical examiners and prosecutors spent 2½ days at the Bronx District Attorney's Office. The meeting was a joint venture between the Bronx District Attorney's Office and the NYPD Intelligence Division, sponsored by the US Department of State. At the District Attorney's Office the visitors learned about how we use DNA and conduct crime scene evidence collection, and how we prosecute domestic violence, sex crimes, and child abuse cases. Additionally, the visitors toured the Bronx Hall of Justice, including the grand jury facilities and the arraignment parts, and they observed part of a trial. The visitors also spent half of a day at the new Bronx Family Justice Center, which they are interested in replicating.

In September two detectives from Sweden visited the Bronx District Attorney's Office. Their visit focused on how we investigate and interview defendants in gun and auto crime cases.

Community Outreach

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

In these collaborations the Community Affairs Unit (CAU) is often the connection between the District Attorney and the residents of Bronx County. For example, the Community Affairs Unit facilitates community involvement in the Office’s Felony Trial Training program for new assistant district attorneys. CAU staff reach out to Bronx residents over the age of 18 at community meetings, schools, churches, senior centers, *etc.* to serve as mock jurors for the training. In addition to helping the Office, participants benefit from the opportunity to be “behind the scenes.” It makes them better prepared to serve on a real jury.

Staff from the unit attend community meetings, and the unit provides speakers and tours of the courts, offers education and prevention programs, participates in interagency committees, and

interacts regularly with community residents, neighborhood leaders and others. The unit also keeps residents informed of the status of cases as they progress through the criminal justice system.

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

The programs highlighted below are just a sample of those offered by the Office. Some of the other programs, such as the Elder Abuse Initiative and Operation Weed & Seed, are discussed elsewhere in this report. Still other programs have been in existence for a number of years and are described on the Office’s web site: www.bronxda.nyc.gov.

PROJECT JUMP

Sophomores, juniors and seniors from the Law, Justice and Public Service Academy at Theodore Roosevelt High School are matched with volunteers from the Bronx District Attorney’s Office on a one-to-one basis. Mentors provide much-needed

support and inspiration to students making their way through school. Traveling to the Bronx District Attorney’s Office to meet with mentors allows students to experience the work environment and learn about the functioning of the criminal justice system. Twenty-one mentor/mentee pairs were matched in 2010.

READ-TO-ME PROGRAM

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

TOURS AND SPEAKERS

The Community Affairs Unit coordinates requests for tours and speakers. Assistant district attorneys and support staff address community, religious, civic and student groups regarding various topics within the criminal justice system. Speakers discuss a variety of issues of specific interest to the community. In addition, staff members are available to

conduct tours of the courthouses and explain how a case proceeds through the criminal justice system.

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

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 negative 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 300 students participated in the S.T.A.R. program in 2010.

YOUTH TRIAL ADVOCACY PROGRAM

The Bronx District Attorney's Office Youth Trial Advocacy Program (Y.T.A.P.) pro-

vides motivated students with an opportunity to explore a career in law. Students meet with assistant district attorneys to discuss legal careers and the criminal justice system. Students are then divided into teams, each with up to four assistant district attorneys serving as coaches or mentors. Each team learns how to develop advocacy skills and debate techniques. Students then test their newly acquired skills in a moot court competition. At the end of the program, every student is awarded a certificate marking successful participation in the program, and the top two participants are awarded Summer Internships within this Office.

LAW, GOVERNMENT AND JUSTICE MENTORING PROGRAM

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 provide insight into their professions, while providing guidance, friendship and positive reinforcement to mentees. There were 10 pairs in the 2010-2011 school year.

THE ADULT WORKSHOP SERIES

The Adult Workshop Series provides the District Attorney's Office with an avenue to educate Bronx residents about various issues related to the criminal justice system. Workshops such as "After the Arrest," "You Be the Judge," "Safeguarding Your Child on the Internet," "Perspectives on Protecting Your Identity," "Gang Awareness," "Domestic Violence," and "Sexual Assault." have been developed to inform citizens about issues such as identity theft, criminal court arraignment, trial procedures, dangers lurking on the Internet and the presence of gangs in our schools and neighborhoods. Workshops are presented monthly on a rotating basis.



Sexual Assault Workshop

COURT MONITORING

State Senator Jeffrey Klein organized a Bronx court monitoring program in 2010. The Community Affairs Unit assisted the program by presenting a workshop, “The Fundamentals of Court Monitoring for Community-Based Groups,” in five locations to train community residents. The Community Affairs Unit provides information regarding court dates and other case-related information, and Senator Klein’s office organizes residents, provides transportation, signage, *etc.* The program began by monitoring graffiti cases and expanded to auto crime cases in the Senator’s district.

PRECINCT COUNCIL REPRESENTATIVES

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

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



National Night Out

organizations to afford various segments of the Bronx community an opportunity to interact with the Bronx District Attorney and his staff.

National Night Out, held each year on the first Tuesday in August, is one of the unit’s biggest special projects. Planning begins in June and involves collaboration with community residents and leaders, faith-based organizations, and the NYPD. Bronx District Attorney’s staff members volunteer their time to participate in the evening’s activities in all 12 police precincts and the two Police Service Areas in the Bronx. In 2010 approximately 40 staff members participated.

Sometimes an event or crime highlights the need to reach out to the community. On October 3, 2010, a group of gang members allegedly lured a 30-year-old gay man and two teenagers to an empty apartment and savagely beat them. By the end of the month, seven men had been indicted on charges of gang assault, and five of

them were also charged with hate crimes. The cases are pending.

As a result of this case, District Attorney Johnson hosted a meeting with Bronx leaders of the Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex (LGBTQI) community. During the meeting, participants discussed how we as a community can move forward. The LGBTQI, Bronx Pride Center and Anti-Violence Project organized a series of Town Hall meetings in different sections of the Bronx. The meetings focused on coming together and educating the LGBTQI community about such issues as community organizing, identifying needs, and the law.

GIVING BACK

Every day the Bronx District Attorney’s staff members see the effects of crime on crime victims, witnesses, and other community members. These experiences and interactions led to the development of a number of events

intended to counteract the impact of crime, increase public awareness, and help people be more hopeful about the future. These events included the Many Faces of Sexual Assault, the Purple Door Project, the Coping with the Holiday Blues Workshop and Toy Drive, and the Tree of Angels.

April is Sexual Assault Awareness Month. In an effort to educate the Bronx Community about sexual violence, the Crime Victims Assistance Unit, along with a group of youth from Effective Alternatives in Reconciliation Services, created a skit depicting two scenes in which sexual violence takes place. The first scene got the audience to think about the various forms of sexual violence and the conditions in a community that encourage or are tolerant of sexual violence. The second scene showed the terror experienced by a victim of a sexual assault. After the skit was performed, the characters stayed

in their roles and the audience had an opportunity to have a dialogue with them. This workshop, the Many Faces of Sexual Assault, was a part of the Adult Workshop Series provided to the Bronx Community.

In October 2010, as part of Domestic Violence Awareness Month, the CVAU held its second annual Purple Door Project. CVAU staff covered all of the Unit's doors in purple, the designated color for domestic violence. Their hope was that the services we deliver to victims will lead to domestic violence stopping at our doors. In addition, they invited the rest of the staff to show support by displaying purple on their office door or around their cubicle.

There were two events at the CVAU satellite office on Saturday, December 11, 2010 - the Coping with the Holiday Blues Workshop and Toy Drive, and the Tree of Angels. Holidays are a time of

cheer and celebration, but many crime victims do not feel joyful and merry. The workshop was designed to help those who were struggling through the holiday season make the transition from crime victim to survivor. The staff shared coping strategies and gave survivors a chance to describe how they handled their feelings, providing an opportunity for survivors to see that "you are not alone." Many office staff members donated toys and volunteered their time to provide activities for the children.

The workshop was followed by a tree lighting ceremony. The "Tree of Angels" was started by Milagros Guzman, whose 10-year-old daughter Jessica was murdered in 1990. In 2010 Ms. Guzman proposed to the CVAU director that the Tree of Angels be placed outside the CVAU Satellite Office. Families and friends of homicide victims were invited to commemorate the angel they lost by hanging an angel ornament on the tree.



The Tree of Angels