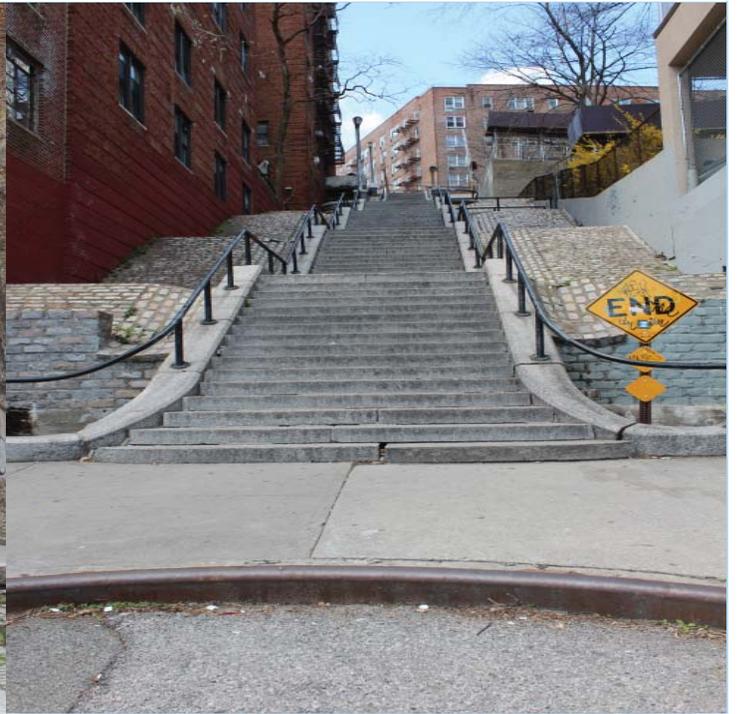
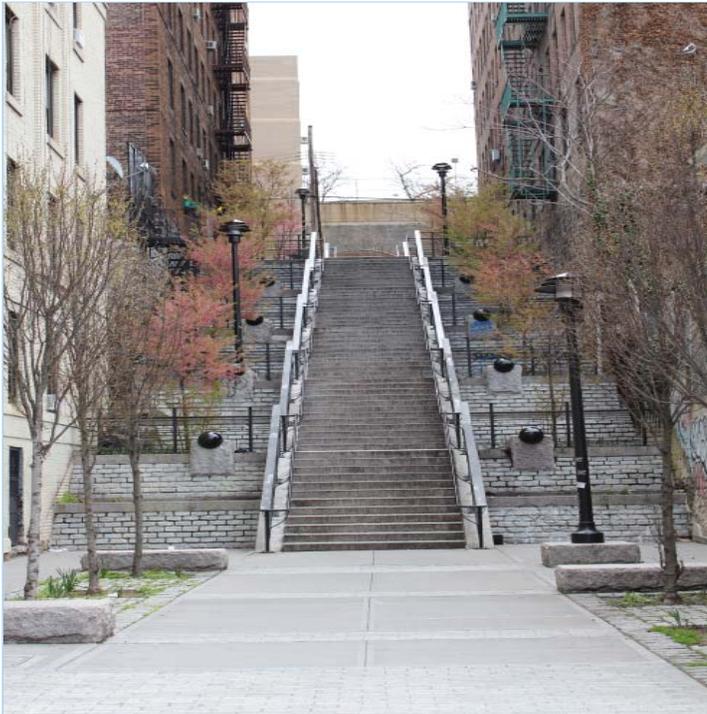


OFFICE OF THE
BRONX COUNTY DISTRICT ATTORNEY
ANNUAL REPORT 2012



BRONX STEP STREETS

Robert T. Johnson
District Attorney

www.bronxda.nyc.gov



Robert T. Johnson,
Bronx County District Attorney

District Attorney's Message

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

This year again saw fluctuations in certain crime categories, in both directions. After achieving record low levels in 2009, in 2011 homicides rose by 16.5% over 2010, but then decreased by 23% in 2012. Burglaries, which had risen some 5.1% from 2010 to 2011, decreased 11.2% in 2012. Assaults, however, increased 7.8% and rapes increased 6.3% over last year. Crime is still very low by historic standards, but some of these variations, while perhaps to be expected, remain an unwelcome change from the steady decline of the last twenty years. So too is the continuing and disturbing reality that Bronx residents still suffer from a disproportionately high crime rate. With 16.9% of the City's population, in 2012 Bronx County experienced one in four of the City's felony assaults, nearly one in four of its robberies, and one in five of its rapes. Some 28% of all of the City's Domestic Violence Incident Reports originated in the Bronx.

In 2012, we prosecuted 4,350 felony cases. One notable trend is the proportion of narcotics cases,

which has now declined to 35% of the total. As usual, there were some standouts. One was the case of Eddie Coello, a former police officer who murdered his wife shortly after she had filed for divorce, and then carried her body out of their home in a duffel bag and dumped her remains in northern Westchester. A week later, the body was discovered in the woods off the Taconic Parkway. Coello was found guilty of murder in the second degree and sentenced to 25-years-to-life imprisonment.

Another standout was the case of Lawrence Johnson, who beat his three-month-old daughter to death as she lay sleeping in her bassinet. He also was convicted of murder and sentenced to 25-years-to-life imprisonment.

A third noteworthy case was that of Sahim Lucas, a thirty-one year old man who met a thirteen-year-old runaway girl in Atlantic City, convinced her that he was a model agent, and forced her into prostitution, requiring her to service "johns" who placed ads for sexual favors

on Craigslist. There was evidence that he had prostituted many other women. He was convicted of sex trafficking and promoting prostitution, and sentenced to 12½-to-25 years imprisonment.

In the area of economic crime, this year a joint investigation with the New York State Department of Taxation and Finance stopped a multi-million dollar tax fraud operation, involving a scheme in which thousands of fraudulent tax returns were filed electronically, resulting in millions of dollars in undeserved refunds. We also worked with Adult Protective Services and bank officials to prevent Otto Kalo, the superintendent of a Bronx Building, from taking financial advantage of an 84-year-old tenant. Kalo was stopped before he succeeded in looting the majority of his victim's assets, and ultimately convicted of grand larceny.

These cases, and many others, are more fully described in the following report. As ever, in addition to criminal prosecution, we employ a wide variety of tools to fight crime.

These include diversionary and treatment programs, participation in specialized courts addressing drug treatment and mental health, and numerous educational, train-

ing, and community-based efforts. These too are described below.

Unfortunately, we are still struggling in the face of continuing budgetary constraints and a lack of

judicial resources. Nevertheless, as in previous years we will continue to strive to do the very best we can to maintain the highest level of public service.

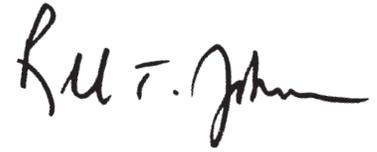


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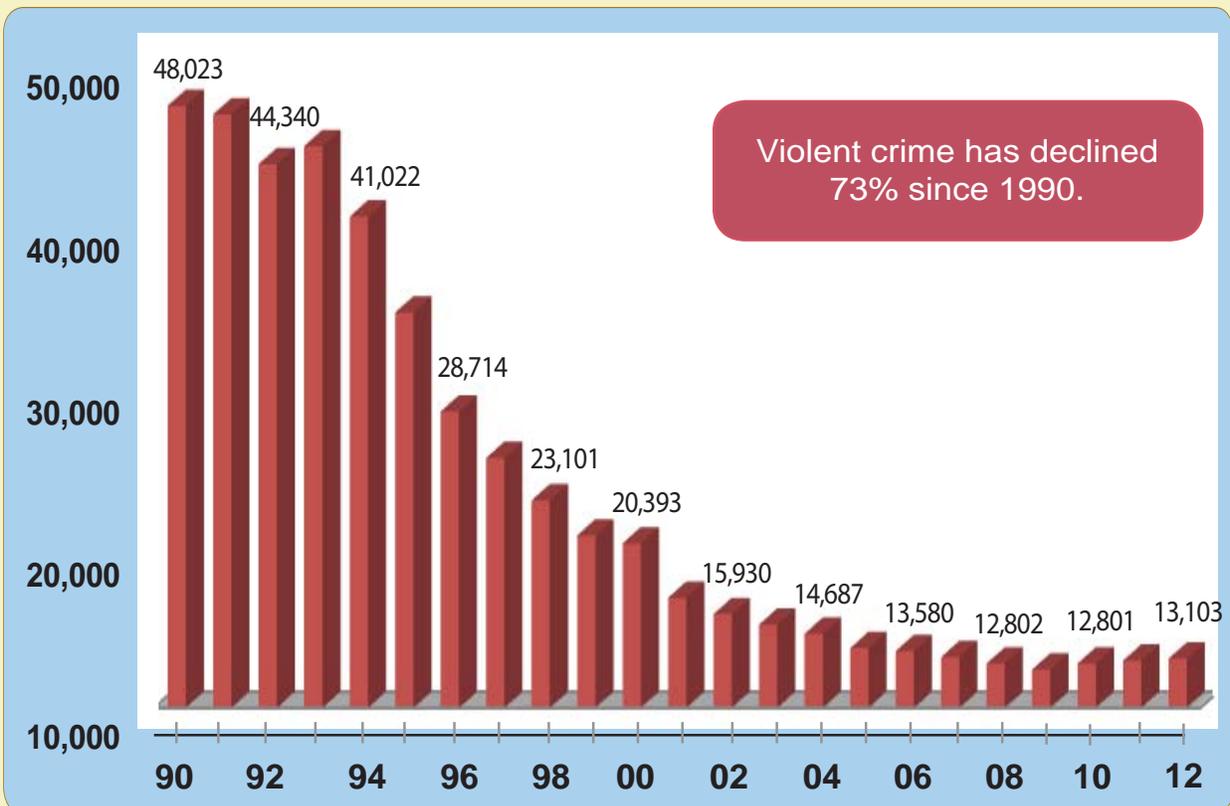


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Crime Overview

Bronx County has made remarkable progress against crime in the past two decades. For 16 consecutive years there have been fewer than 200 homicides in the County. In 2012 there were 114 homicides in the Bronx, 83% fewer than in 1990. This decrease contributed to the overall 73% decline in violent crime over that period. Robberies, for example, have been reduced by 74% since 1990.

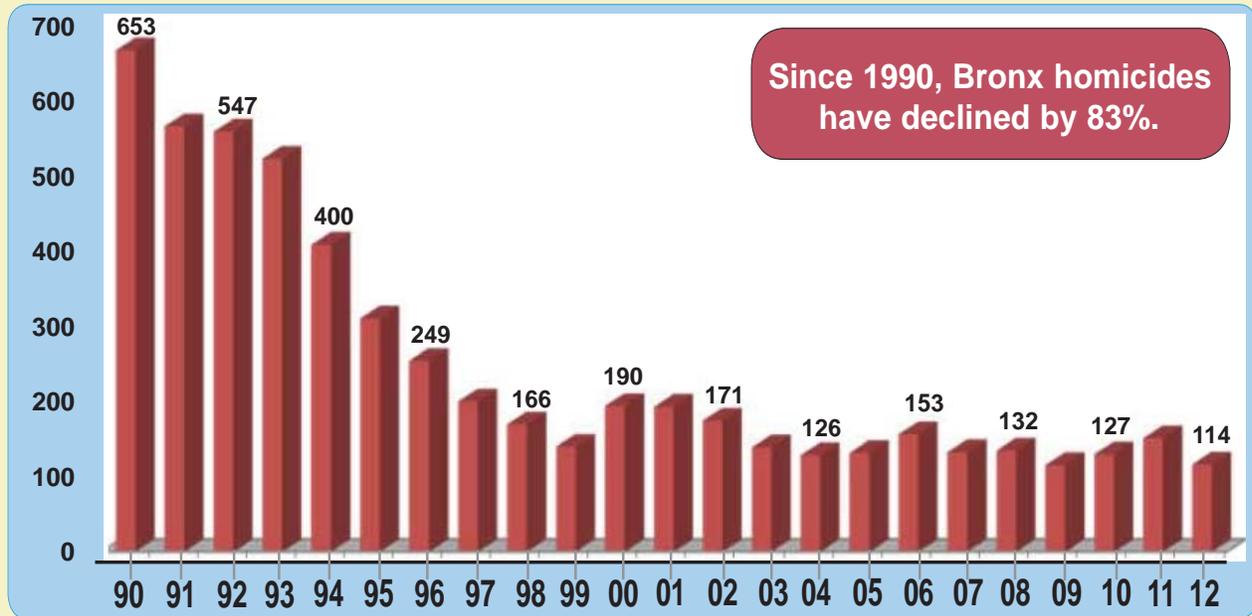
Violent Crime 1990 – 2012



Source: New York City Police Department

Decline In Homicides

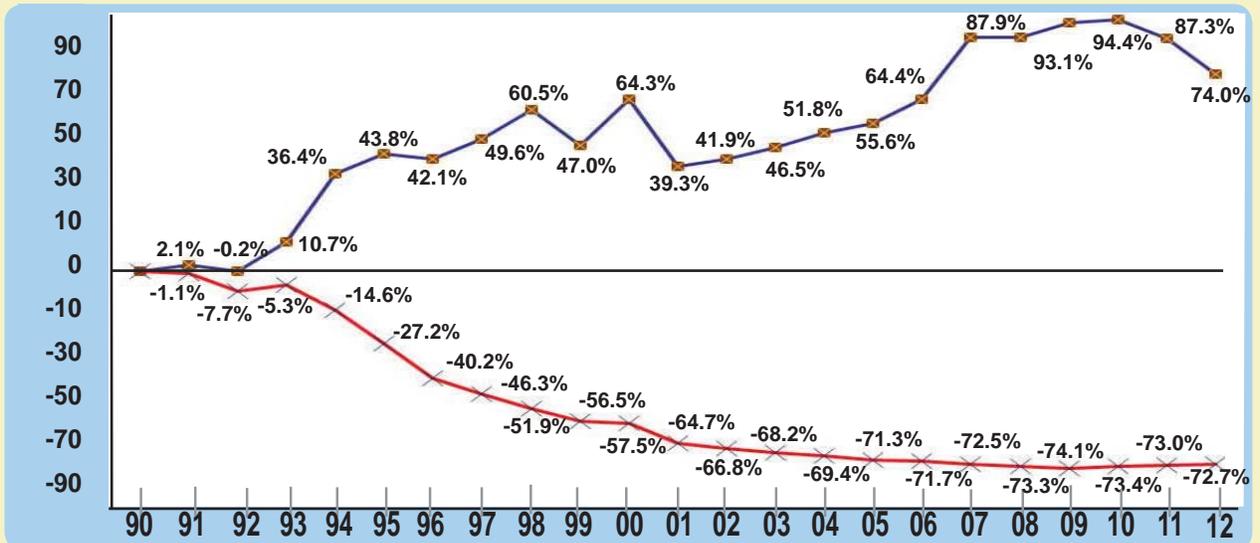
1990 - 2012



Source: New York City Police Department

Bronx Reduction in Violent Crime v. Increase in Arrests

Percentage Change from 1990 - 2012



Source: New York City Police Department

Despite these long-term gains, in recent years the Bronx has seen more fluctuation in certain crime categories. After record low levels in 2009, homicides rose in 2011 by 16.5% over 2010, but in 2012 there were 23% fewer homicides than in 2011. Burglaries rose 5.1% from 2010 to 2011, and then decreased 11.2% from 2011 to 2012. From 2011 to 2012 assaults increased 7.8%, and rapes increased 6.3%

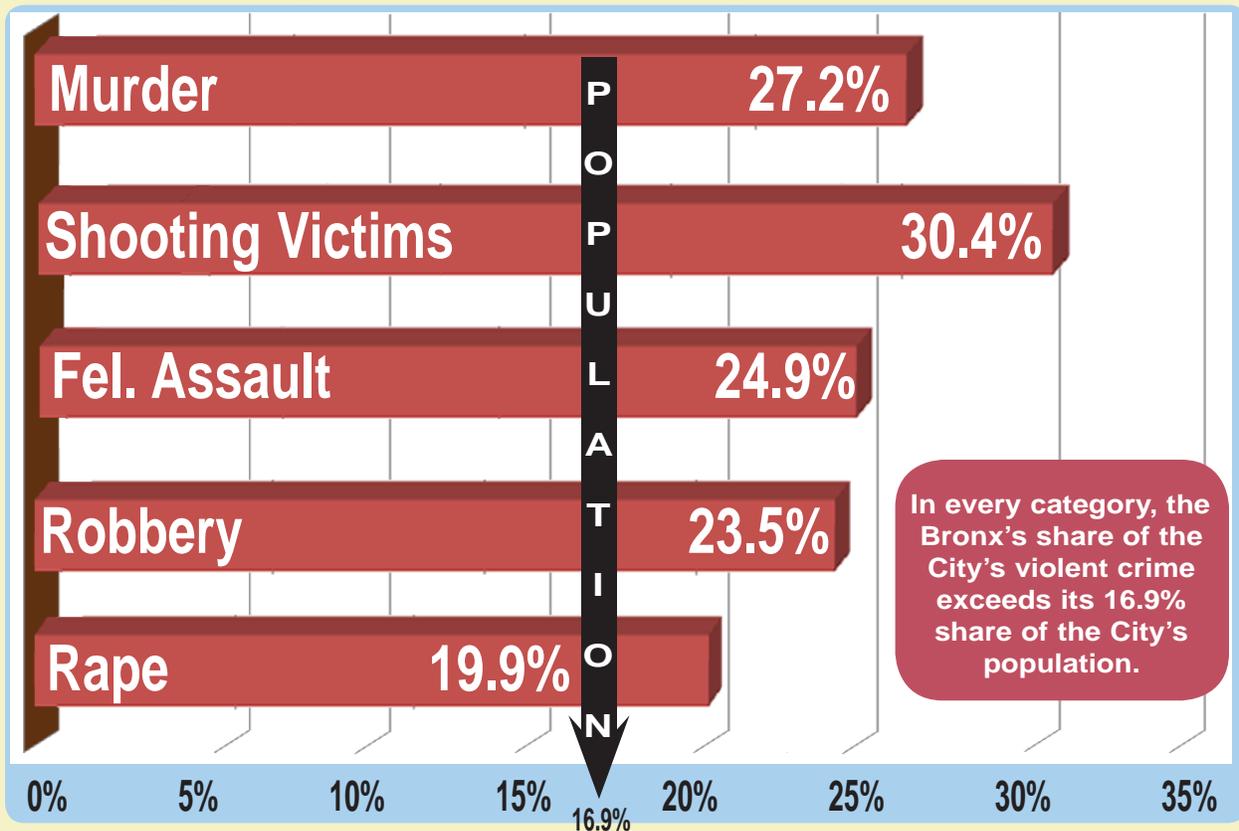
(following a 6.8% decrease from 2010-2011). Rather than the steady declines seen for the past 20 years, the small fluctuations from year to year combine to show little overall change. Crime rates remain at historically low levels.

Despite the long-term decreases, Bronx residents continue to suffer from a disproportionately high crime rate. With only 16.9% of the City's population, in

2012 Bronx County witnessed one in four of the City's felony assaults, one in five of its rapes, and nearly one in four of its robberies, giving the county the highest per capita incidence of murder, robbery, and felonious assault among the five counties. The 73,275 Domestic Violence Incident Reports originating in the Bronx represented 28% of all those filed in New York City.

Bronx Violent Crime 2012

Percentage of Citywide Violent Crime v. Population



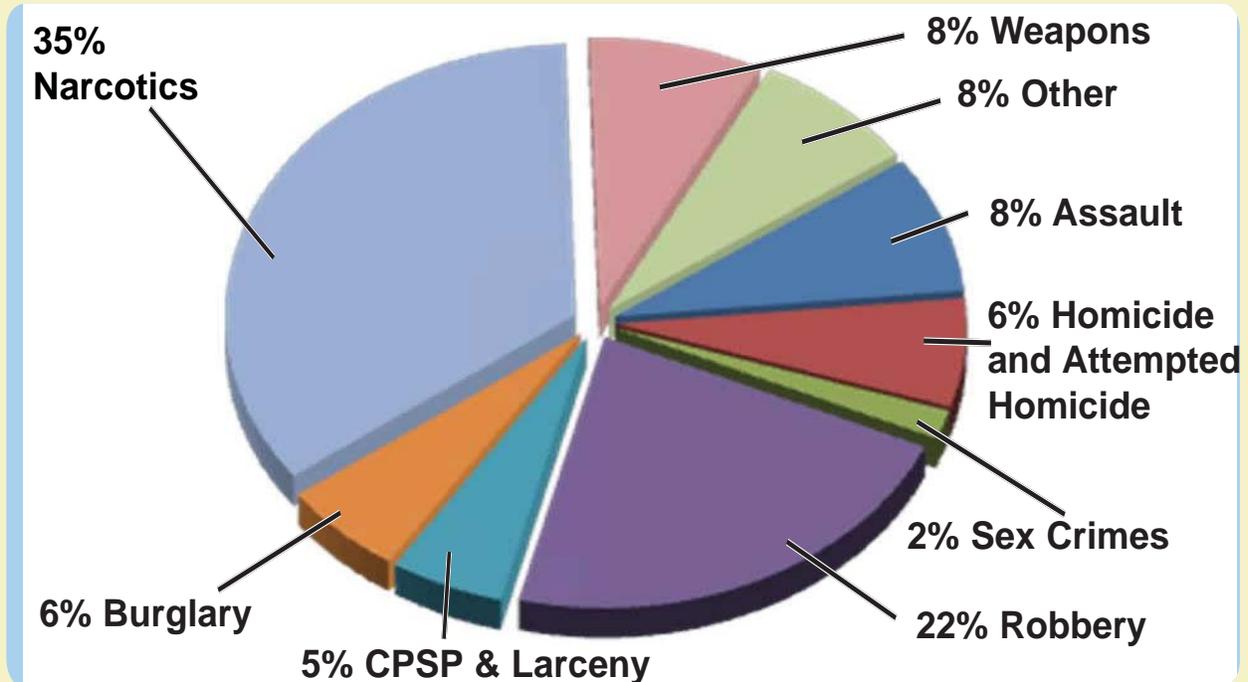
Source: New York City Police Department

Prosecuting Crime

While crime complaints have fallen dramatically, Bronx arrests have risen 74% since 1990. The Bronx District Attorney's Office indicted 4,350 felony-level defendants in 2012. Narcotics cases accounted for 35% of the felony prosecutions in Bronx County.

Bronx District Attorney's Office Felony Prosecutions: 2012

Total Felony
Prosecutions: 4,350



Source: Bronx District Attorney's Office

VIOLENT CRIME

Violence comes in many forms--such as assault, robbery, and homicide – and its victims have many different faces—young, old, male, female. There is no way to quantify which is most tragic. Is it the young child killed by a parent or the victim of a random shooting? The five cases presented here are very different from one another, but all share one characteristic, violence. Former police officer Eddy Coello strangled and beat his wife to death and then dumped her body in the woods. Lawrence Johnson beat his three-month-old daughter to death while she slept. After an argument with the mother of his three-year-old daughter, Mark St. Pierre drove off in a rage, hitting vehicles and pedestrians. The final toll was one person killed and six injured. Charles “Tuffy” McDowell shot and killed a livery cab driver while trying to rob him. Posing as a modeling agent, Sahim Lucas lured a 13-year-old runaway into forced prostitution.

“Former Bronx cop Eddy Coello found guilty of strangling wife”

Headline from *NY Daily News*, 10/15/2012

Thirty-eight-year-old Eddy Coello murdered his 40-year-old wife, Tina Adovasio, in their Bronx apartment just weeks after Adovasio had filed for divorce. Coello strangled and beat Adovasio. The cause of death was asphyxiation, and Adovasio also sustained blunt force trauma to the head and chest.

After murdering his wife, Coello hid her body in their home, and in the early morning hours of March 11, 2011, he calmly carried her body out of the house in a duffel bag and drove from the Bronx to Yorktown in northern Westchester County, where he dumped the remains in the woods. On March 17, 2011, Adovasio's body was discovered in the woods off the Taconic Parkway about a week after Coello reported her missing.

Adovasio was a registered nurse and the mother of four children.

Coello was a New York City Police Officer for four years until he resigned in 2000. At the time of the crime, he was a physician's assistant working at a Westchester surgical practice.

Coello was found guilty of murder in the second degree on October 15, 2012. The jury deliberated for less than three hours. Prior to sentencing, family members told the court of the pain and suffering that the loss of Adovasio continues to cause in their lives. On November 14, 2012, the judge imposed the maximum sentence allowed by law—25-years-to-life in prison.

“Lawrence Johnson Gets 25 Years To Life in Prison For Beating His 3-Month-Old Daughter To Death...As She Slept”

Headline from the *Village Voice*, 8/14/2012

On February 1, 2006, 25-year-old Lawrence Johnson and his wife put their one-year-old baby boy to bed. His wife then went to bed, and Johnson put their three-month-old daughter in her bassinet. During the night, Johnson punched the three-month-old in the head repeatedly. The child died instantly as she lay sleeping in her bed. During the police investigation that followed, Johnson confessed to killing the child.

The baby was found dead in the morning by her mother. The autopsy found she had sustained a broken skull and massive internal bleeding. She had just achieved the developmental milestone of being able to raise her own head.

At the time of the murder, Johnson and his wife were raising their two children as well as his wife's five-year-old daughter. In addition, Johnson had six other children with four other women, all of whom had been born within the preceding six years. As a result of his actions, his daughter died and seven other children were deprived of their father.

On February 7, 2012, Johnson was found guilty of one count of murder in the second degree. He was sentenced on August 13, 2012, to 25-years-to-life imprisonment for the depraved indifference murder of his infant daughter.

“Son recalls horror of losing his dad in fatal hit-and-run; ‘We didn’t deserve this’”

Headline from *NY Post*, 8/2/2012

On July 12, 2009, 36-year-old Mark St. Pierre argued with Doreen (pseudonym), the mother of his then three-year-old daughter in the parking lot of a Bronx Chuck E. Cheese following a birthday party. The exchange escalated, and St. Pierre hit Doreen and grabbed her by the throat. He then took the little girl from Doreen, even though Doreen has legal custody of the child. Some bystanders came to Doreen's aid, and she was able to drive away with her daughter.

St. Pierre became further enraged, and he got into his car to pursue Doreen. He immediately crashed into a parked car, injuring a man. St. Pierre sped away from the scene, driving at speeds greater

than 60 miles per hour. He ran several red lights. He was driving at more than 80 miles per hour when he struck and killed 36-year-old Miguel Colon as he crossed the street with his six-year-old son. The child was uninjured, but St. Pierre barely missed hitting him. St. Pierre did not stop after killing Colon. Instead, he continued driving at more than 80 miles per hour and had a series of collisions with four separate vehicles. St. Pierre then fled on foot. He was arrested a short time later when he returned to the scene of the collisions to retrieve something from his car.

“Son recalls horror of losing his dad in fatal hit-and-run; ‘We didn’t deserve this’”
(Continued)

In total, the incident resulted in one death and physical injuries to six others.

On July 17, 2012, St. Pierre pleaded guilty to one count of manslaughter in the second degree, four counts of assault in the second degree, two counts of assault in the third degree, and one count of leaving the scene of an incident without reporting. Under the plea agreement, St. Pierre waived his right to appeal. On August 1, 2012, St. Pierre was sentenced to five-to-fifteen years in prison on the manslaughter charge and five additional consecutive years imprisonment on one of the second degree

assault charges. In addition, St. Pierre was sentenced to concurrent terms of five years imprisonment on three other felony assault charges, one-to-three years imprisonment on the felony charge of leaving the scene of an incident, and one year imprisonment on each of two misdemeanor charges of third degree assault. St. Pierre will have to serve a minimum of ten years in prison before he can apply for parole. He will also be subject to three years of post-release supervision.

“Bronx killer gets at least 40 years in prison for murder of immigrant cabbie Amadou Ndiaye: Two dozen fellow livery drivers attend sentencing”
Headline from *NY Daily News*, 12/12/2012

At about 12:30 am on August 17, 2009, in the Williamsbridge section of the Bronx, 22-year-old Charles McDowell (AKA Tuffy) entered a livery cab driven by 46-year old Amadou Ndiaye. McDowell attempted to rob Ndiaye, and shot him in the back. The car hit two cars before coming to a rest. Ndiaye, an immigrant from Senegal, Africa, was pronounced dead at a local hospital.

Although in his early twenties, McDowell already had a criminal history that included convictions for such offenses as criminal trespass, disorderly conduct, and criminal sale of a controlled substance.

Later that same month, on August 31, 2009, McDowell and an accomplice, 24-year-old William Clemente, took a cell phone, watch, and bracelet from a victim on a sidewalk. McDowell and Clemente

were arrested while fleeing the scene of the robbery. In addition to the stolen property, police recovered a .25 caliber handgun. This same weapon was used in the attempted robbery in which the livery cab driver was killed.

McDowell was found guilty of murder in the second degree and robbery in the first degree. On March 9, 2012, McDowell was sentenced to consecutive terms of 25-years-to-life imprisonment for the murder and 15 years in prison for the robbery. He must serve a minimum of 40 years in prison before becoming eligible for parole.

Clemente, who pleaded guilty to robbery in the first degree for his role in the August 31 robbery, was sentenced to eight years in prison on December 7, 2011.

“Bronx judge sentences ‘despicable human being’ to max for pimping out 13-year-old girl on craigslist: Defiant craigslist pimp gets up to 25 years; 13-year-old victim ‘scarred deeply’”

Headline from *NY Daily News*, 5/14/2012

Thirty-one-year-old Sahim Lucas met 13-year-old runaway Jane (pseudonym) in Atlantic City, New Jersey. Jane, a runaway from Delaware who lost her father at a young age and was having trouble at school and at home, told Lucas she was interested in becoming a model. Lucas convinced the victim that he was a legitimate model agent and persuaded her to accompany him to New York City. After arriving at Lucas’ Bronx apartment, the young girl was told that she would not be modeling but would instead work as a prostitute. Jane had no identification, and Lucas took her cell phone. Jane testified at trial that she was coerced into prostitution through physical intimidation and deprivation of food and sleep. For his own financial benefit, Lucas forced Jane to service “Johns” who placed ads for sexual favors on Craigslist.

Jane managed to escape from the apartment after a violent episode during which Lucas choked her.

Jane’s testimony was corroborated by another young woman who told the jury that she also had been deceived by Lucas and manipulated into engaging in prostitution. This witness testified that she and Jane would sometimes be sold together as a “Two Girl Special” with the pet names of “Buttercup” and “Bubbles.”

Lucas represented himself at a jury

trial, acting as his own attorney. Evidence presented at trial, including explicit photos and sexual advertisements recovered from his computer, indicated that Lucas had prostituted many other women. Lucas had previous felony convictions in New York State, including two different robberies and one burglary. He also had a felony conviction in New Jersey for possessing three bags of rock cocaine which resulted in a five-year prison sentence.

On May 14, 2012, the jury convicted Lucas of one count of sex trafficking and one count of promoting prostitution in the second degree.

The mother of the victim wrote in a statement that her daughter “will never be able to erase this horrible situation from her mind or life.” On May 14, 2012, Lucas was sentenced to concurrent terms of 12½-to-25 years on the sex trafficking charge and 7½-to-15 on the promoting prostitution charge.

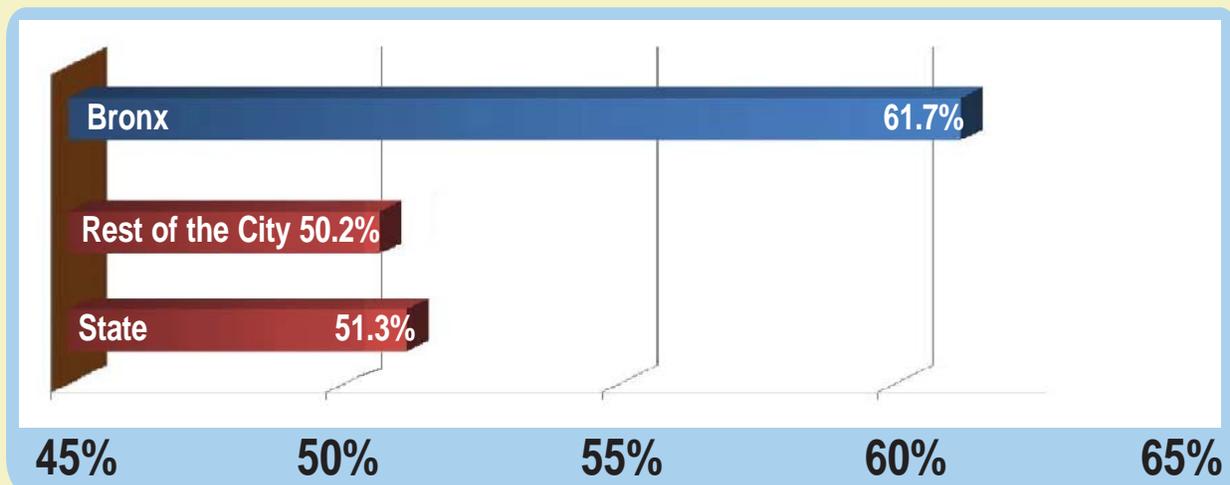
The crimes occurred between November 21, 2008, and December 10, 2008. This case is only the third trial conviction statewide since the Sex Trafficking statute became law in November 2007. One of the other two convictions was also successfully prosecuted in the Bronx.

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 2012, more than 600 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 2012, just 35% of Bronx felony defendants were prosecuted on drug charges. Nevertheless, drug crime is still a very serious problem in the Bronx.

State Prison Sentences

Percentage of Felony Narcotics Convictions 2012



Source: NYS Department of Criminal Justice Services

Narcotics Arrest Ends Alternative to Incarceration

On August 11, 2012, a narcotics detective observed 38-year-old Edgar Sanabria inside a vehicle exchanging small objects for money with another person. After the transaction, Sanabria drove away traveling about 60 mph in a 30 mph zone. He drove through stop signs and red lights; he only came to a stop when his vehicle was boxed in by traffic. As police approached the vehicle, Sanabria handed a plastic bag to his wife, who was sitting beside him in the front passenger seat. Sanabria's two-year-old and two-month-old children were present in the rear passenger seat of the vehicle.

Police seized the plastic bag from Sanabria's wife. The bag contained crack-cocaine. Sanabria also had 83 glassine envelopes of heroin in his pocket.

At the time of his arrest, Sanabria was participating in a drug treatment program through judicial diversion. During a traffic stop on September 25, 2010, Sanabria was found in possession of 27 small bags of marijuana, 11 ecstasy

pills, three stacks of heroin, and 28 bags of crack-cocaine as well as a substantial amount of money in cash. Sanabria pleaded guilty on October 27, 2011, to criminal possession of a controlled substance in the third degree. He was sentenced to a drug treatment program as an alternative to incarceration. His conviction would have been reduced to a misdemeanor upon successful completion of the treatment program. However, his 2012 narcotics arrest ended his participation in the outpatient treatment program.

Sanabria pleaded guilty to criminal possession of a controlled substance in the third degree with intent to sell and endangering the welfare of a child on January 17, 2013. He was sentenced to two years in prison on this conviction. In addition, he was sentenced concurrently to two years as a jail alternative for violating the terms of his placement in a drug treatment program on the 2010 judicial diversion case.

DRUG TREATMENT ALTERNATIVE TO PRISON (DTAP)

Bronx prosecutors have had substantial success in placing drug offenders in treatment programs. Between 1993 and 2012, more than 16,000 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 2012, the Office placed 3,817 defendants in drug treatment through DTAP. The DTAP model involves: (1) identification of drug-involved offenders; (2) assessment of the offender's drug and

alcohol treatment needs; (3) referral to appropriate treatment; and (4) continuous case management. Bronx participants in the DTAP program are required to plead guilty to a class B felony. If they complete the program, their felony plea is set aside, and they are permitted to plead guilty to a misdemeanor. However, those who withdraw or fail to complete the program satisfactorily receive a sentence of three years in prison and two years post-release supervision.

Drug Treatment Enrollment* 1993 – 2012

PROGRAM	1993 - 2009	2010	2011	2012	TOTAL
DTAP	3,304	271	140	102	3,817
BX Treatment Court	1,706	74	39	0	1,819
Mental Health Court	986	105	58	45	1,194
BX Treatment Misd. Court	1,079	103	64	42	1,288
Other Residential	4,232	95	127	89	4,543
Other	2,468	94	123	85	2,770
Judicial Diversion	0	110	243	251	604
TOTAL	13,775	852	794	614	16,035

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.

Since 2010, the Bronx Court has classified cases even with District Attorney's consent as Judicial Diversion. The District Attorney's Office consents to approximately 95% of all diversions.

TECHNOLOGY

Advancements in DNA technology and successes using DNA databanks have revolutionized law enforcement and created a powerful crime fighting tool for prosecutors. When properly documented, collected and stored, biological evidence can be analyzed to produce a reliable DNA profile years, even decades, after a crime has occurred. Today prosecutors can use DNA evidence not only to identify a suspect or place a known individual at a particular crime scene, but also to exonerate the innocent.

DNA PROSECUTIONS

The DNA Prosecutions Director advises the Office on a broad range of DNA-related issues that involve forensic science to enhance investigations and prosecutions of cases. The Director provides grand jury and trial assistance, as well as continuing legal education training, to assistant district attorneys (ADAs) to ensure that the Office continues to use the most updated and state-of-the-art forensic evidence in prosecutions. The Director also reviews and responds to requests and motions for post-conviction DNA testing. Recent efforts in 2012 have focused on the continuation of the Cold Case grant project, the partial matching initiative, and the passage of the All-Crimes DNA legislation which took effect on August 1, 2012.

DNA COLD CASE GRANT

In October 2012, the Bronx District Attorney's Office received additional funding through a grant from the National Institute of Justice to continue to identify, review and investigate unsolved homicide cases. In the grant's beginning stages in 2011, homi-

cides that fell within established parameters were reviewed for untested or otherwise probative evidence that may now be suitable for analysis by the Forensic Biology Laboratory. Roughly 4,162 unsolved homicides were committed in Bronx County between 1985 and 2005. To narrow the grant's focus to a more manageable caseload, the DNA Prosecutions Director, working in conjunction with the New York City Police Department and the Office of the Chief Medical Examiner, specifically targeted cold case homicides from 1995 through 2000, which involved some form of close contact (e.g., strangulation, stabbing). To date, the cold case project has reviewed over a 100 cases and successfully brought indictments on two homicide cases that occurred between 1993 and 1998.

ALL CRIMES DNA LEGISLATION

With the creation and expansion of the Combined DNA Index System (CODIS), which operates at the local, state and national levels, the retesting of evidence from unsolved cold case crime scenes has a greater chance of "hitting" to a convicted offender's profile

and resolving cases that, due to technological limitations, were virtually unsolvable at the time of their occurrence. Every state in the country has a statutory provision for the establishment of a DNA database that allows for the collection of DNA profiles from offenders convicted of qualifying offenses.

NEW YORK STATE DNA DATABASE EXPANSION AND THE COLLECTION OF DNA SAMPLES

Effective on August 1, 2012, this new legislation requires all convicted offenders to provide a DNA sample upon conviction of a felony or a penal law misdemeanor offense. Formerly, only offenders convicted of felonies and 36 qualifying misdemeanors were obligated to provide a sample for inclusion in the New York State DNA database pursuant to the New York State Executive Law, §995(7).

From August 2012 through January 2013, there were 79 new DNA hits in the Bronx directly related to the newly added DNA qualifying misdemeanor offenses. Most noteworthy, these hits linked these misdemeanor convicted offenders to 30 burglaries, four homicides and 22 sexual assaults.

DNA Matches Solve Crimes

- **CHURCH BURGLARY SOLVED** - The church alarm tripped early in the morning. Upon arriving at the scene, a church employee saw that money was stolen from the donation box and the office was in a state of disarray. The glass door on the side of the church was broken. Swabs from a screwdriver found inside the church generated a DNA match to the defendant. He was located and arrested three months later.

- **HOME INVASION SOLVED WITH BLOODY SHIRT** - The victim was home with his family and a friend when he heard a knock at the door. Thinking it was UPS, the victim opened his door and three masked men burst into the home. The defendants took approximately \$12,000 from a safe and tied the victims up with duct tape. One of the victims noticed during the robbery that one of their assailants was bleeding from his hand. When the police arrived, officers found a bloody shirt left behind and submitted it for DNA testing. The DNA generated a hit to one of the defendants' state offender profiles.

- **BURGLARY SOLVED WITH SUNFLOWER SEEDS** - The victim came home to his apartment to find it ransacked. Various electronics had been stolen, as well as a birth certificate. Scattered on the floor of the apartment were sunflower seeds that did not belong to the victim. A DNA profile developed from the sunflower seeds matched the defendant who had DNA on file with the local DNA databank.

- **DENTAL OFFICE BURGLARY** - The victim left his dental practice for the day after locking up the business. When he arrived the next morning, he found the front window shattered and removed from its frame. The floor was covered with broken glass, and the TV and radio were missing. A blood sample was collected from the broken window frame and submitted for DNA analysis; the sample hit to the defendant's state DNA profile.

- **DNA SOLVES COLD CASE** - In 1998, the defendant raped and strangled a 15-year-old victim, and then dumped the body on the street on Valentine Avenue. As part of a National Institute of Justice's Cold Case Grant, the post mortem sex assault evidence kit was re-tested and a DNA profile was generated from the vaginal swabs. That male profile hit to the defendant's state offender sample. At the time of the DNA match, the defendant was incarcerated for another unrelated homicide in Pennsylvania.

● SWEATSHIRT LINKS DEFENDANT TO HOMICIDE - The defendant approached the victim and fired a gun multiple times, hitting him in the chest. The defendant then fled, running into a school yard. Eyewitnesses were able to point out the defendant as he fled, recognizing his hoodie. Once in the schoolyard, the defendant tore off his sweatshirt and left it behind. This sweatshirt was visible on video surveillance of the shooting and was recovered as evidence and submitted for DNA testing. The scrapings from the sweatshirt matched a previously identified defendant, who was subsequently found guilty and sentenced to 25-years-to-life in state prison.

● DNA LINKS TWO STRANGER RAPES - The defendant sexually assaulted two women in two separate incidents. The first victim was walking down the street early in the morning when the defendant followed her and began giving her directions. He then attacked her and sexually assaulted her in a nearby park. In the second incident, the defendant broke into the victim's apartment in the middle of the night and sexually assaulted her in her bedroom. A DNA hit was generated which linked both stranger rape cases to the same defendant.

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, 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 chil-

dren. The majority of these crimes involve the dissemination of pornographic images. They are committed by people from all walks of life, including doctors, lawyers, clergy, teachers and even law enforcement professionals. The perpetrators often seem to believe that they are insulated from prosecution due to the relative anonymity of the internet. The harmful effects on children can be enormous and enduring. Perpetrators of these crimes are identified through the use of undercover officers who enter cyber "chat rooms" and engage in explicit sexual chats, posing as someone the predator believes to be a minor. This is often a time consuming process because the predator's trust must be gained.

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.

“Bronx school bus driver Jose Peralta charged with downloading and sharing child pornography”

Headline from *NY Daily News*, 5/16/2012

Thirty-six-year-old Jose Peralta obtained his license to become a school bus driver on April 28, 2012. On May 14, 2012, the day before he was scheduled to begin work as a school bus driver, Peralta was arrested and charged with 25 counts of possessing a sexual performance by a child and possessing an obscene sexual performance by a child. The arrest prevented Peralta from having regular access to young children.

Between June 8 and June 20, 2011, Peralta used his personal computer in his Bronx apartment to access an online public file-sharing network where he downloaded known child pornographic videos. In addition, he shared videos of children engaged in sexual acts by uploading them to the public file shar-

ing network. Such networks are commonly used to share music, but have become a place where child pornography is publicly shared. Many of the videos Peralta downloaded and uploaded were full length videos of obviously young children engaged in multiple sex acts.

On May 31, 2012, Peralta pleaded guilty to promoting a sexual performance by a child. On October 1, 2012, he was sentenced to one-to-three years in state prison.

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 thou-

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

One of the cases illustrated below is a "CARP" case. This case involved a defendant who filed more than 2,000 fraudulent NY

State and federal tax returns. After stealing money from clients, the defendant in the second case was suspended from practicing law in New York State; however, she continued to misrepresent herself as an attorney and collect money from clients for work that she did not perform.

"Bronx tax preparer arraigned for personal tax dodge as IRS, state, district attorney probe his business"

Headline from *NY Daily News*, 4/20/2012

As described in the 2012 press releases of the Bronx District Attorney's Office and the US Attorney's Office, a successful joint investigation conducted by the New York State Department of Taxation and Finance and the Bronx District Attorney's Office stopped an alleged multi-million dollar tax fraud operation. Within days of the start of the investigation, the District Attorney's Office executed a search warrant and arrested the defendant. Over \$400,000 of the "profits" from the operation were seized.

The defendant operated a tax preparation business in the Bronx that was amazingly successful yet actually somewhat simple. The alleged operation involved filing thousands of false tax returns. The returns allegedly con-

tained false statements, such as false claims that the taxpayers had tuition expenses of up to \$10,000 per year; false Schedule C business expenses to reduce income; and false reduced wage information. The defendant's business was so busy that people lined up around the block, believing that if they provided their social security number and a photocopy of their driver's license or New York State benefit card, the defendant would give them a pre-paid debit card containing "free money from the government." Presenting himself as a tax preparer with specialized knowledge of the tax code, the defendant allegedly told his customers that the money was tax refunds that they were entitled to because of a recently enacted law. In reality, the money was

“Bronx tax preparer arraigned for personal tax dodge as IRS, state, district attorney probe his business” (continued)

allegedly portions of tax refunds that the defendant obtained by filing false tax returns in his customers’ names. The defendant invariably pocketed a large portion of the refund for himself. It is alleged that the tax returns were filed electronically in the names of other people in an effort to avoid having his own name associated with the client tax returns he prepared. The tax returns that defendant prepared allegedly containing numerous fabricated and fraudulently inflated items (such as higher education or tuition credits, tuition expenses, unreimbursed employee business expenses, medical and dental expenses, gifts to charity, business income and losses, rental real estate losses, and Earned Income Tax Credits) were prepared and filed between 2005 and April 2012.

In addition to the tax preparation business, the defendant allegedly filed his own false returns for the 2005-2007 and 2011 tax years. The defendant allegedly stole nearly \$50,000 in refunds from New York State through filings of his own tax returns.

The investigation into over 2,000 tax returns that the defendant allegedly prepared for clients resulted in a federal prosecution that is ongoing. Because the investigation uncovered millions of dollars of theft from New York State and the Internal Revenue Service, the Bronx

District Attorney’s Office partnered with the US Attorney’s Office for the Southern District of New York and the IRS to bring the case federally. A federal grand jury indicted the defendant for the tax fraud scheme and his own personal tax fraud, wire fraud, and dozens of counts of filing false tax returns. Although the federal indictment is being prosecuted by the US Attorney’s Office, the District Attorney developed the investigation and is assisting in the prosecution; an Assistant District Attorney has been cross-designated as a Special Assistant US Attorney. At the time of the federal indictment, Bronx District Attorney Robert T. Johnson said, “The greed-driven crimes that are alleged . . . are particularly offensive in light of the recent years of economic difficulty. Fraudulent tax filings have deprived federal, state and local governments of millions of dollars that could have been used to provide communities, families and individuals with much needed services. If these allegations are determined to be true, this defendant must be held accountable and punished appropriately.”

The charges in the federal indictment are accusations and the defendant is presumed innocent unless and until proven guilty.

“Ex-Lawyer Who Did Not Stop Practicing Gets Prison Term”
Headline from *New York Law Journal*, 11/30/2012

Attorney Kehinde Jobi accepted \$10,000 on August 20, 2005, and \$6,535 on October 11, 2005 to satisfy a client's past due mortgage payments. The payments were never made, and the bank foreclosed on the property on May 12, 2006. The money was never returned to the client. Jobi also accepted a \$21,250 down payment for a real estate transaction that fell through; instead of returning the funds, Jobi converted them from an escrow account for her personal use by writing checks payable to herself. Like Jobi, many of the clients were immigrants from Africa.

On October 23, 2008, 45-year-old Kehinde Jobi was suspended from practicing law in New York State. The Disciplinary Committee found that she took money from clients and failed to cooperate with the committee's investigation. However, Jobi continued to misrepresent herself as an attorney, and accepted money for work that she did not perform. She was retained to represent a client in a divorce action and had a telephone conference with opposing counsel on December 11, 2008, in an effort to settle the case. She also wrote two letters to opposing counsel

regarding a disposition of the case. The letters were written on her “Attorney at Law” stationery. On April 23, 2009, Jobi accepted \$1,050 to represent a client in a bankruptcy proceeding. She also handled a case involving the guardianship of an elderly woman.

The criminal case against Jobi began as a citizen complaint. Jobi stole more than \$53,000 from ten people and fraudulently represented clients. Evidence presented at trial included statements that Jobi made before the Disciplinary Committee. The Court ruled that the statements, including some that were demonstrated to be false, were made voluntarily and should not be precluded by the Fifth Amendment; they were therefore admissible in Jobi's trial. On October 23, 2012, Jobi was found guilty of two counts of grand larceny in the third degree, one count of grand larceny in the fourth degree, and eight counts of judicially disbarred attorney practicing law. The jury deliberated for just part of one day. On November 28, 2012, Jobi was sentenced to three-to-nine years in prison and is required to make financial restitution.

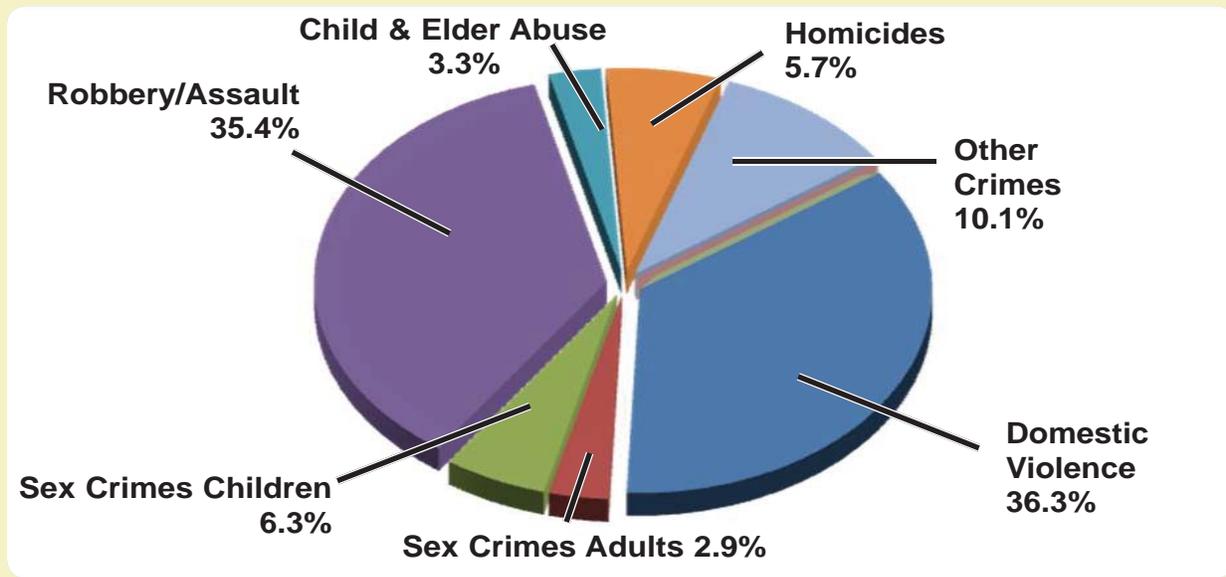
Crime Victims Assistance

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 3,240 new clients in 2012. CVAU staff made more than 41,441 service contacts with victims and witnesses during 2012. 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

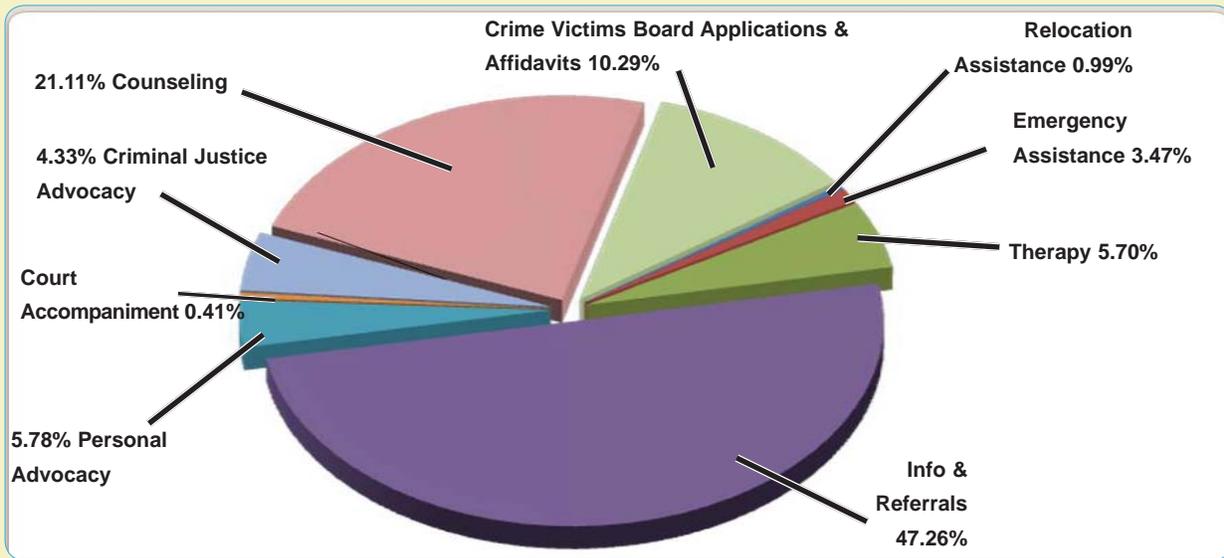
Total 2012 New Client
Contacts: 3,240



Source: Office of Bronx District Attorney

Crime Victims Assistance Unit Contacts By Type of Service Provided

Total 2012 Service
Contacts: 41,441



Source: Office of Bronx District Attorney

DOMESTIC VIOLENCE AWARENESS MONTH

In October 2012, as part of Domestic Violence Awareness Month, the CVAU held its fourth 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. As part of its adult workshop series, the Office held a Roundtable Discussion entitled, "The Many Faces of Domestic Violence." Seated around the table were the Chief of the

Domestic Violence Bureau, the Director and a clinical therapist from CVAU, a representative from the Bronx Family Justice Center, a police officer from the NYPD's Domestic Violence Unit, and two domestic violence survivors. The survivors shared their stories that led to a discussion between the professionals and the survivors that an audience had an opportunity to observe. The audience, composed of community members, then had an opportunity to ask questions of the professionals and survivors.

CRIME VICTIMS ASSISTANCE UNIT SATELLITE OFFICE

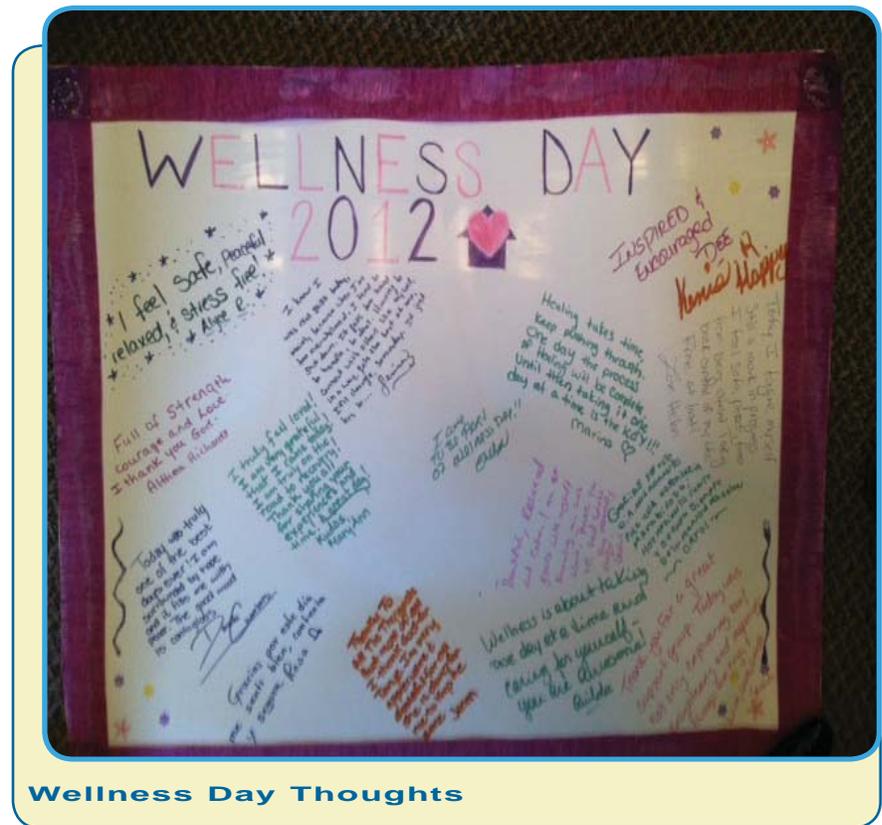
This Office's Crime Victims Assistance Unit (CVAU) provides comprehensive services to crime

victims, both at the Office's main location on 161st Street and also at a satellite office that opened in Community District 12 in 2003 to make services available throughout the Bronx. The satellite office grew from a series of federal grants from 2002-2005 that funded an Advisory Committee tasked with planning and implementing a referral network to link clients to community service providers for services that cannot be provided by CVAU staff. During 2012 we held special events at the satellite office, including a Wellness Day during Domestic Violence Awareness Month and Coping with the Holiday Blues in December.

On October 26, 2012, the CVAU hosted its annual day of wellness for victims and survivors of domestic violence. The Wellness Day mind/body/spirit workshop promoted a positive and healthy way of feeling, thinking and living. Eighteen women attended the event. Clients learned healthy coping skills, ways to reduce stress and reconnect with their inner selves through a variety of techniques that included art, Zumba, and yoga classes facilitated by professional instructors. The clinical staff provided clinical services on site and instruction behind the scenes.

Participants began the day by hearing the personal stories of other fellow survivors who have been with the CVAU therapy program for a while. The clinical staff provided clinical services on site and instruction behind the scenes.

This year's classes were "Shake It" (which was meant to awaken the inner girl by moving to easy-to-follow zumba dance moves that invigorated the participant from head to toe); "State Yourself" (which helped the participant learn how to use creative art techniques and positive statements to create a transitional object that can be used as a comfort object to help cope with stress, anxiety, sadness, loneliness or other feelings that are difficult and/or overwhelming); and "De-Stress and Release" (a yoga class designed to introduce victims/survivors to deep breath-



Wellness Day Thoughts

ing, stretching and meditation to quiet the mind and feel the mind and body connecting. After each class, clients were asked to take a group picture as a commemoration of their class participation. Clients were given lunch and refreshment/snacks throughout the day, another approach to ensuring that clients make healthy choices. Throughout the day, clients were asked to write on a poster board designed and provided for the event so as to capture their thoughts and feelings. The day wrapped up with all participants, clients and staff, gathering in a circle to share their thoughts and reflections about the day.

COPING WITH THE HOLIDAY BLUES

Frequently the Holidays are difficult for crime victims. There is often the feeling that what once was can never be again. Therefore, during the Holiday Season CVAU sponsors two events: Coping with the Holiday Blues workshop and the Lighting of the Tree of Angels. Both of these events took place at the CVAU satellite office on Saturday, December 1, 2012. The workshop was designed to help those who were struggling through the holiday season have a better understanding as to why and not feel so isolated. Twenty-five CVAU clients and their families were invited to participate in the workshop. The adults participated in a therapeutic art activity focused on what the



Tree of Angels

holidays meant prior to their victimization, what they mean since then, and their outlook for the future. Led by an art therapist who donated her time, the participants each created a scrap book. While the adults were involved in this activity, the children participated in their own therapeutic art activity, led by child therapists. At the end of the day, each child in attendance received one or two new books (donated by District Attorney's Office staff).

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 2011 Ms. Guzman, who now lives out of state, requested that the Tree of Angels continue to be placed outside the CVAU Satellite Office. It is a place where families and friends affected by homicide can commemorate the

angel they lost by hanging an angel ornament on the tree. In 2012 CVAU was joined by the Grace Baptist Church Praise Dancers, the Gospel of St. Luke's Church Choir and Father Richard Gorman of

Community Board 12 who provided the Blessing of the Tree.

NATIONAL CRIME VICTIMS' RIGHTS WEEK EVENTS

In April 2012, CVAU was involved in the yearly presentation of the National Crime Victims' Rights Week (NCRVW) Candle Light Vigil, the kick-off event that recognizes the plight of victims and survivors. The national theme for 2012 — "Extending the Vision, Reaching Every Victim" — focused on the progress made toward reaching the ideals that inspired the victims' rights movement. CVAU then coordinated and organized, through the Bronx Committee for NCRVW, a partnership of allied professionals and community volunteers, the Annual display of the Bronx

NATIONAL CRIME VICTIMS' RIGHTS WEEK ♦ APRIL 22-28, 2012
Information and Referrals about Victims' Rights, Services, and Criminal and Juvenile Justice Resources

The 2012 Survivor's Tribute
 Thursday April 26, 2012 – 6:00 PM – 8:00 PM
 At
 Bronx Civil Supreme Court
 851 Grand Concourse, Veterans Memorial Hall (Rotunda)
 Bronx, NY 10451
 Wheelchair accessible

Annual Display of the Bronx Clothesline Project & Information Fair
 Wednesday, April 25, 2012 10:00AM – 5:00PM
 Thursday, April 26, 2012 10:00AM – 4:00PM
 Free Admission - All Welcome

Sponsored by: The Bronx District Attorney's Office, The Bronx Borough President's Office & 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

Survivor's Tribute

Line Project, an Information Fair and the Bronx Survivors Tribute. 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.

Survivors of domestic violence, rape, child abuse, elder abuse, assault and other crimes of violence decorated the t-shirts

with messages, poems, photographs and drawings.

Some t-shirts were memorials to victims of homicide. On the final day of NCRVW, a Survivor's Tribute was held where the NYPD's Commissioner Ray Kelly addressed over one hundred people from many different backgrounds.

BRONX HOMICIDE SURVIVORS SUPPORT PROJECT

During 2012 the Bronx Homicide Support Project, now in its 12th year, continued to provide two evening therapy groups for the family members, mostly mothers, of Homicide Victims. These two groups are facilitated by the Director of Crime Victims Assistance Unit and a Director from Safe Horizon. While there are now other peer-led support groups in the Bronx and other boroughs throughout the City, up until 2012 the evening group was the only professionally led trau-

matic grief group of its kind in New York City specifically for family members of homicide victims. However, the CVAU director was able to train another CVAU therapist in the Restorative Retelling Model and was able to have her attend a Restorative Retelling Conference sponsored by Tulane University and the Virginia Mason Medical Center's Separation and Loss Services. Part of the hands-on training this therapist received was co-facilitating a day group with the trainer. This meant that the Bronx Homicide Survivors Project was able to expand its services and was able to offer two evening groups and two day groups in 2012. The social worker trained is bi-lingual, giving us the ability to offer this group in both English and Spanish. In November 2012 the first Spanish speaking homicide group was provided.

“Bronx livery murderer convicted”
Headline from *NY Post*, 12/25/2012

On May 10, 2009, in an apparent robbery attempt, 20-year-old Francisco Tineo-Santos shot Mr. P (pseudonym) as he drove his livery cab. The cab crashed against the wall of a school building and pinned Tineo-Santos in the back seat of the cab, where cops quickly caught him. Although EMT personnel responded to help Mr. P, he succumbed to his injuries a few minutes later.

Mr. P's 34-year-old wife and two sons were in Ecuador at the time of

the murder. They returned to New York the day after Mr. P's death to identify his body, meet with the New York City Police Department and the Bronx District Attorney's Office, and make the necessary arrangements to return his body to Ecuador.

Mr. P's wife, Mrs. P, met with the Bronx District Attorney's Office Crime Victims Assistance Unit two days after her husband's murder. She was accompanied by the President of the New York

“Bronx livery murderer convicted” (continued)
Headline from *NY Post*, 12/25/2012

State Federation of Taxi Drivers, members of the Ecuadorean Consulate, fellow cab drivers, and a few friends and relatives. A crime victims advocate & therapist was assigned to Mrs. P, and she was provided with services and referrals to help her confront the issues she faced as a “homicide survivor.”

Mr. P’s family needed assistance with funeral expenses, so an Office of Victims Services (OVS) application was completed, and calls were made to expedite the application to receive emergency funds for funeral expenses. Mr. P was able to have funeral services both in the Bronx and in Ecuador.

Mrs. P returned to Ecuador for many months. Both the advocate and therapist stayed in touch with Mrs. P. The advocate continued to update Mrs. P on the status of the case against Tineo-Santos, who was arrested and charged with murder in the second degree shortly after the homicide. In 2010, Mrs. P moved back to the United States permanently. She continued to receive therapy during this difficult time of transitions.

The crime victims advocate assisted Mrs. P with applications to the New York City Housing Authority and the Human Resources Administration to obtain housing and public assistance. Mrs. P

was referred to Sanctuary for Families to obtain legal consultation regarding her immigration status. She was able to renew her green card.

Mrs. P continued to meet and remain in phone contact with both her therapist and advocate as the case moved towards trial. Delays in the process inevitably caused anxiety. In preparation for the trial and knowing that Mrs. P was going to be present in the courtroom when crime scene photos of her dead husband would be entered into evidence, Mrs. P’s therapist began gradual exposure therapy to help with the impact seeing such graphic material of her loved one.

Tineo-Santos’ trial began with opening statements on November 30, 2012. Mrs. P attended each day of the trial, sometimes with her children, and was accompanied by the crime victims advocate. On December 24, 2012, Tineo-Santos was found guilty of murder in the second degree. Mrs. P was able to put her thoughts together for the victim impact statement, and read the statement at sentencing on January 18, 2013. Tineo-Santos was sentenced to 25-years-to-life in state prison. Mrs. P has returned to her life of working and caring for her children.

Partnerships and Collaboration

OPERATION GUN HALT

In July 2012, with funding provided through the NY State Division of Criminal Justice Services (DCJS), the Bronx District Attorney's Office implemented Operation Gun Halt. This gun violence reduction program is based on an offender notification forum model originally implemented in Chicago. A multidisciplinary team was created to implement the monthly forums. The Team consists of federal (US Attorney for the Southern District of New York, ATF) and local law enforcement (NYPD, Bronx District Attorney, NYS Division of Parole), community partners (the Fortune Society, the Bronx Borough President's Re-entry Task Force), and ex-offenders.

Each month a group of parolees who have recently been released to community supervision in the 40th Precinct in the Bronx are invited to attend the forum. The forums are held in the Bronx Museum of the Arts in a roundtable format, with all participants, from parolees to law enforcement, to service providers, seated around the table. The focus of the presentations is on choice and the consequences of those decisions. If the parolee decides to get involved with guns again, s/he is subject to federal prosecution, which often results in a much

stiffer sentence than if prosecuted locally. Alternatively, s/he can opt to take advantage of the services that are offered. One of the most compelling presentations at the forum is provided by an ex-offender, who can speak directly to the parolees from personal experience.

SPECIALIZED COURTS AND PROGRAMS

This Office plays a key role in Bronx County's specialized courts and programs. There are currently a number of such specialized courts within the county, including the Bronx Treatment Court and the Bronx Mental Health Court. The Bronx District Attorney's Office has diverted defendants to drug treatment for many years and developed formal partnerships to do so in October 1992. As can be seen from the table on page 14, in 2012 the Bronx District Attorney's Office diverted 614 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 which were appropriate for individuals with dual diagnoses, in 2002 we entered into a formal partnership with Treatment Alternatives for Safer Communities (TASC) and Research Triangle Institute (RTI) to create the Bronx Mental Health Court. As the grantee, this Office administers grants and subgrants, monitors compliance with the terms of grants and with subgrantees' letters of agreement, has fiscal responsibility, and provides staff to work in the court part. In 2003, eligibility for diversion to the Bronx Mental Health Court was extended to defendants with serious mental illness (with or without drug dependency). In 2004, the court's capacity was further expanded to provide services for mentally ill defendants with HIV/AIDS. These defendants are subject to the same level of supervision and sanctions for failure to complete treatment as other diverted defendants.

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. In 2012 we received a grant to further expand treatment capacity for defendants who have tested positive for HIV/AIDS or are at risk for HIV.

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 2012, Bronx Community Solutions handled about 9,357 misdemeanor cases. Of those, approximately 4,938 received community service sentences. Eighty percent of offenders who appeared for intake completed their mandate. Community service projects included graffiti removal, sorting donated food for a faith-based charity, street sweeping and maintaining local parks. In addition, Bronx Community Solutions provided services such as job training and drug treatment. On average participants performed three days of service. BCS estimates that 74,690 hours of community service were completed in 2012. 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. BCS also operates special initiatives.

The Adolescent Diversion Program (ADP) began in January of 2012, focusing on case outcomes for 16 and 17 year old defendants. BCS provided age-appropriate sentencing options to 452 ADP cases, 73% of whom completed their mandates. The Mental Health Initiative (MHI) completed its third full year in 2012; MHI screening identified 1,245 clients, 81% of whom completed their mandates. In addition, 2012 was the second full year of the Prostitution

Successful Treatment as an Alternative to Incarceration

Forty-four-year-old Doris (pseudonym) was arrested in the Bronx for selling narcotics to an undercover detective. On May 24, 2011, Doris was referred to the Bronx TASC Mental Health Court Program. After completing an assessment and evaluation, Doris pleaded guilty to criminal sale of a controlled substance in the fifth degree. Doris was addicted to multiple substances and suffered from a panic disorder.

Doris was born in Fort Lauderdale, Florida. She was adopted by an elderly

couple. The family moved to Manhattan. Her adoptive parents were supportive and loving and successful professors. Doris spent much of her adulthood caring for her elderly parents. Her father eventually developed Alzheimer's and passed away from pneumonia in 1987. Her mother lived to age one hundred. Doris has not maintained contact with the rest of her family.

Doris was diagnosed with ADHD and prescribed Ritalin for hyperactivity when she was nine to 12 years old. She

majored in theater and directing at Binghamton University, and graduated with honors. She attended graduate school at Florida State University on an academic scholarship. After graduation, Doris completed a six-month internship at a theatre company in New York, and then worked for two years as a stage manager. In her late twenties she also directed her own Off-Broadway play. Doris became debilitated by her mental illness and stopped working in 1994. She has been receiving SSI for an acute anxiety and panic disorder since then.

Doris began using alcohol at age twelve. She began using cocaine several times per week at 18. Doris was introduced to crack cocaine and heroin by a boyfriend in her 30's. She used heroin several times per day until beginning a methadone program in her late 30's. Crack cocaine was her "main problem."

Doris suffers from several medical problems, including Hepatitis C, hypothyroidism, rheumatoid arthritis, and chronic bronchitis. Doris reports a history of anxiety that began in high school. She states, "Even when things were going really well, I was always petrified of what might happen in the future." Specifically, she would experience intrusive thoughts about her parents dying and her performances being a disaster. She had chronic low self-esteem and felt "not being good enough" to be a member of her family.

In college, the anxiety became worse, and Doris began to abuse crack cocaine and heroin as a means of "calming herself down." She sought professional help in 1994, when she experienced a full-blown panic attack. She recalls taking a bus to Macy's and suddenly starting to shake, sweat, and experience heart palpitations. She reports being

unable to speak and feeling as if she was unable to breathe. She reported, "I was so frightened. I was sure I would die." Another passenger on the bus assisted Doris off the bus, and she felt better after an hour. After the panic attack, Doris sought treatment from a psychiatrist at Lower East Side Services, where she was prescribed psychiatric medication. She describes a pattern of meeting abusive men that led to further drug use and anxiety. She also began cutting her wrists "on and off."

Doris thinks about suicide occasionally. She said, "I've really done nothing with my life. I think about whether I have anything to live for. I am very sad much of the time, and there's really nothing very positive in my life." However, she has also been hopeful about the future. She would like to work part-time directing and volunteer at a soup kitchen. She recently rescued an abused cat.

Her experience with the Bronx TASC Mental Health Court Program saw several successful milestones. She began attending the Realization Center and used their treatment services. Doris also began attending AA and NA meetings frequently. During her treatment, all toxicology screenings returned negative. Case managers at TASC have been able to utilize her help in case studies for special projects, including a job readiness module. On December 10, 2012, Doris successfully completed all requirements for the Bronx TASC Mental Health Court Program. Her case was dismissed. She currently lives in independent housing received through HRA with the assistance of Bronx TASC personnel. She continues to see her therapist as well as her physician and she complies with her medication regimen.

Initiative. BCS staff worked with 242 Prostitution clients and had a 78% completion rate. Over the past year, BCS has taken proactive steps to comprehensively improve the existing process for DWI cases. In 2012, 548 DWI cases were assigned and new protocols have led to an 88% compliance rate; a 20 percent increase in compliance from 2011.

OPERATION WEED & SEED

The Weed and Seed program focuses on specific communities to “weed out” drug trafficking, violent gangs, and robbery perpetrators, while “seeding” the community with resources to improve the quality of life. Beginning in the late 1990s, Bronx County has been home to two Weed and Seed sites, one located in the Soundview/ Bruckner neighborhood and the other in Mott Haven (which reached maximum funding and closed in 2006). After reaching maximum funding from the US Department of Justice, the Soundview/Bruckner site is now a “graduated” site. Although we no longer receive federal funding, activities and programs continue to be offered.

The Soundview/Bruckner Weed & Seed involves collaboration among the District Attorney’s Office, the U.S. Attorney for the Southern District of New York, the NYPD, other local, state and federal law enforcement agencies and the New York City Department of Education. 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, Children’s Arts and Science Workshop, Inc., St. Raymond’s Community Outreach, Phipps Houses, C.O.N.N.E.C.T., elected officials, school-based parent organizations, other community-based organizations and community residents.

Each year since 2007, Weed and Seed has operated a Volunteer Income Tax Assistance (VITA) program that provides free tax preparation services for community members. In 2012 VITA volunteers at the Bronx River Houses Community Center prepared and filed (electronically) 255 returns for community residents. As a result, they generated \$250,000 in federal tax refunds for the community. In 2012 funding from Councilwoman Palma enabled us to pay one person to manage the VITA Center for three half-days per week during tax season.

THE C.O.N.C.E.P.T. PROGRAM

The C.O.N.C.E.P.T. (Creating Opportunities Necessary to Create Empowered Positive Teens) program is a twelve-week, comprehensive, school-based curriculum that includes classroom instruction, academic enrichment, and diverse-learning activities taught by certified

professionals from the Office of the Bronx District Attorney. Since antisocial behavior often acts as a prerequisite for crime, the focal point of this curriculum is prevention, which is to provide life skills to students who need assistance in avoiding delinquent behavior. During the program, every instructor teaches and encourages students to demonstrate the following skills of leadership: Attain and reinforce positive relationships, focus on the problem and not the person, be proactive and lead by example

The C.O.N.C.E.P.T. program offers students the opportunity to avoid gang affiliation; acquire problem solving skills; obtain a realistic view of criminality, and build strong relationships with peers by using a skills-based strategy that addresses three areas of learning: reasoning, social, and affect.

The C.O.N.C.E.P.T. program promotes a positive attitude and creates behavioral changes through a unique combination of skills training, cooperative learning, healthy dialogue, and role-playing. Participants have the opportunity to learn and practice life skills pertaining to real circumstances. With training and positive reinforcement, youths will more than likely exhibit these behavioral skills in practical situations.

Between January and May 2012, C.O.N.C.E.P.T. was offered

to 242 students in two middle schools. Between October 2012 and January 2013, C.O.N.C.E.P.T. was provided to 745 students in six middle schools. In addition, during 2012 C.O.N.C.E.P.T. staff provided parent workshops on such topics as "Gang Awareness and Cyber-Bullying." They also presented assemblies and symposia for students on various topics, including "Bullying," "Making Healthy Choices," and "Unlawful Weapons and Making Smart Decisions."

DOMESTIC VIOLENCE

In 2012 the Bronx continued to suffer the highest rate of domestic violence reports per 100,000 population among the five boroughs. The Bronx's 73,275 Domestic Incident Reports represented 28% 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 the Bronx Borough President's Office. Although many of these initiatives have been supported by some level of grant funding, those funds have waned.

In 2011 the Bronx Borough President's Office, in partnership with the Bronx District Attorney's Office, Safe Horizon (a nonprofit provider of victim services), and the NYC Department of Probation, received funding under a Grant to Encourage Arrest Policies from the Office on Violence Against Women.

This 24-month grant provides funding for prosecution staff; an interpreter; and two probation Officers. Funding also provides support and services for domestic violence victims, and a Batterers Intervention Program for probationers.

In 2012 this Office continued to work with the Mayor's Office to Combat Domestic

Violence on the Bronx County Family Justice Center (FJC), which opened in April 2010 and is located in our main building at 198 East 161st Street. The FJC houses the Bronx District Attorney's Domestic Violence Bureau, as well as representatives from a vast array of social service organizations (e.g., Safe Horizon, Sanctuary for Families, inMotion, Urban Justice Center), 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 center for domestic violence victims and their children.

In the three years since opening in April 2010, the FJC has served 14,566 clients seeking domestic violence services. During the same period, 3,553 children were supervised in the Children's Room. There were 39,643 total client visits (new and repeat) to the FJC between April 26, 2010, and April 26, 2013.

Domestic Violence Fatality

Forty-three-year-old Jose Felipe and his wife Jackie had two children, ages ten and eight. On July 5, 2011, Jose stabbed Jackie four times in her arm, neck, chest, and abdomen. Jackie suffered a possible defensive wound to her hand and had abrasions and contusions to her head, neck, chest, hand and leg. Later that

night, Felipe went to New Rochelle and jumped off the roof of a parking garage. Felipe told responding personnel, "I want to die." He survived, but Jackie did not.

On that same day, Felipe's sister was busy with appointments. Upon leaving the doctor's office and heading to the family dry cleaning business, her

Domestic Violence Fatality

brother-in-law told her that Felipe was trying to reach her and she should check her messages. First she charged her cell-phone battery, then she heard her brother's message: "I just killed Jackie and now I am going to kill myself." Felipe directed his sister to a notebook in his bag at their grandmother's house. In it were letters of apology to various members of the family for what he had done to Jackie, and for what he was possibly about to do to himself. Felipe's sister was overwhelmed with panic. She called her

aunt and together they went to Felipe and Jackie's apartment. They saw Jackie on the floor, bleeding but not moving.

After months of hospitalization and physical therapy, Felipe was brought to court for arraignment to face criminal charges. On September 12, 2012, Felipe pleaded guilty to manslaughter in the first degree. He was sentenced on October 3, 2012, to 20 years in state prison plus five years of post-release supervision.

GANG PROSECUTION

In 2012 gang-related or gang-motivated crime incidents in the Bronx ranged from homicides and other violent crimes, to weapons, drug possession, and various property crimes. This gang activity contributes

to the Bronx's disproportionate share of violent crime. The Bronx District Attorney's Gang/Major Case Bureau assigns experienced prosecutors to investigate growing and increasingly violent gang activity in the Bronx. These assistant district attorneys use an array of inves-

tigative techniques including wiretap and DNA evidence, and monitoring of social network sites to effectively combat violence and other criminal activity engaged in by gang members and associates.

Gang Members Commit Murders

An example of the severity of the gang problem in Bronx County is illustrated by what happened to Roderick Tucker and Monique Ford. They were both gunned down inside their apartment by Christopher Sinclair. Sinclair was hired by 25-year-old David Marrero and 25-year-old Bernard Gumbs. Marrero and Gumbs wanted Mr. Tucker killed because he testified against Marrero at his previous murder trial and cooperated with authorities. Marrero was the leader of a

Blood set; according to their oaths and rules, anyone who is a "snitch" must be killed.

Sinclair is awaiting sentencing in federal court for these and other incidents. On October 1, 2012, Marrero and Gumbs were found guilty of murder in the second degree. Marrero was sentenced to 25-years-to-life in prison, and Gumbs was sentenced to 20-years-to life incarceration.

AUTO CRIME INITIATIVES

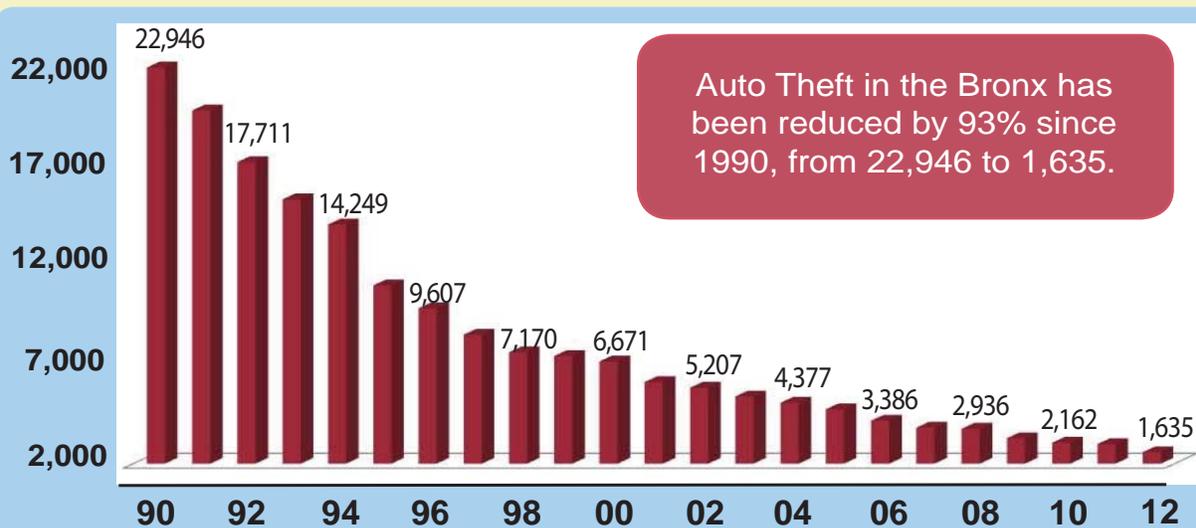
The Office of the Bronx District Attorney has operated the Bronx Anti Auto Theft Program since 1995. In 2012 alone this Office recovered 252 stolen vehicles (for return to their rightful owners). These cars were valued at \$4,013,145. The Anti-Auto Theft program, which has been supported with resources 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 striping and/or unauthorized use of a vehicle. It was also expected to result in an increased number of stolen cars recovered pursuant to

arrests made and/or search warrants executed.

Although this program has been very successful (Bronx grand larceny auto has been reduced 93%, see graph below), in 2010 (the most recent statistics available) auto theft in Bronx County remained at the highest rate per 100,000 registered vehicles in the state and second highest rate per

Decline In Grand Larceny Auto 1990 - 2012



Source: New York City Police Department

100,000 population (highest in New York City).

The Bronx District Attorney's Office has owned bait cars for several years. In 2010 the Office received a Legislative Grant through State Senator Klein which provided funding which enabled us to purchase two additional bait cars. Working jointly with precincts that experience an increase in car

theft, the bait cars are positioned in high crime areas, with plainclothes police officers stationed nearby. After a suspect breaks into the car and removes property, the police move in to make an arrest. Break-ins in a given area are often committed by relatively few people. Removing these car thieves from the streets can significantly reduce a neighborhood's auto damage

and petit larceny numbers. In 2012 Bronx District Attorney's staff participated in 36 bait car operations which resulted in 14 arrests.

This Office continues to deploy bait cars 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 11 years, we expanded the program to include document fraud and insurance fraud. This expansion was made possible through grants from the New York State Motor Vehicle Theft and Insurance Fraud Prevention (MVTIFP) Board. Since September

2006, Bronx District Attorney's Office Detective Investigators have worked with the NYPD using a License Plate Reader (LPR). LPR technology uses specialized cameras and computers to capture large numbers of license plates quickly, convert them to text and

compare them to a large list of plates of interest. LPR systems can identify a target plate within seconds of contact with it, allowing law enforcement to identify target vehicles that might otherwise be overlooked.

Auto Theft

Late in the afternoon on October 19, 2011, a police officer on foot patrol spotted 60-year-old Jose Lafontaine behind the wheel of a grey Oldsmobile drinking a 12-ounce bottle of Corona beer. As the officer approached the vehicle and knocked on Lafontaine's window to give him a summons for having an open container in the car, Lafontaine looked at the officer and then stepped on the gas pedal and took off driving. Lafontaine headed north, and the officer saw the vehicle side swipe a white Toyota and a grey Ford, causing scratches and dents. The driver of the Ford suffered bruising to her knee and elbow. Lafontaine proceeded to run a red light and head east. The officer then lost sight of Lafontaine, but he put out a description of the Oldsmobile over the police radio.

Meanwhile, Lafontaine struck another vehicle and kept driving. Two police officers heard the description of the vehicle; soon thereafter they saw the vehicle. They pursued Lafontaine with their lights and sirens on. Lafontaine was driving at a high rate of speed as he ran through numerous stop lights and stop signs, drove on the wrong side of the street, and cut in and out of lanes without signaling. One of the cars Lafontaine

struck during the chase was a NYPD police car. After running a stop light, Lafontaine struck a black Chevy and then struck a school bus with children inside, causing a dent in the driver's side wheel well. Finally, Lafontaine's vehicle was disabled and one of the officers pursuing him removed him from the car and placed handcuffs on him. The officer observed a screw driver in the middle console of the car and saw that the steering column was broken and there were wires dangling from the steering column, signs that the car was "hot wired" and stolen. In fact, the vehicle had been stolen earlier in the day in Yonkers.

Lafontaine has a substantial criminal history stretching back many years for crimes such as assault, auto theft, and auto stripping. Having previously been convicted of auto stripping within the last five years, his new arrest was elevated to a felony. He was also driving with a suspended license.

On November 8, 2012, Lafontaine pleaded guilty to unauthorized use of a vehicle in the second degree. He was sentenced on November 29, 2012, to two-to-four-years incarceration.



LaFontaine Crime Scene Photos

Insurance Fraud Ring

Following a year-long joint investigation with the National Insurance Crimes Bureau, in 2011 Bronx District Attorney investigators arrested 21 people involved in an insurance fraud and money laundering ring. The scheme cost insurers Allstate, GEICO, GMAC, Liberty Mutual, and Progressive more than \$300,000 in fraudulent payouts.

The scheme was carried out by stealing the identities of legitimately insured policy holders. Non-existent accidents were reported involving the perpetrators' cars. Insurance claims were then submitted for the costs of repairs to already damaged cars. The defendants reported more than one hundred claims involving 19 damaged vehicles.

Over \$100,000 of the illegally obtained proceeds was pocketed by 26-year-old Carlos Cespedes. Cespedes allegedly recruited other defendants to submit fraudulent claims under their

own names. They would cash the checks issued by the insurance companies and give most of the proceeds to Cespedes, who allegedly allowed them to keep between \$50 and \$400 for each claim.

All of the defendants were charged with grand larceny in the third degree.

The scam began to unravel when an adjuster for an insurance company recognized a car brought in for inspection and assessment of damage. The same vehicle had been the subject of a prior claim for the same damage.

Six defendants were convicted during 2012, including Cespedes. He pleaded guilty to second degree grand larceny and was sentenced on October 26, 2012, to two-to-six year incarceration. In addition, he was sentenced to a consecutive term of 51 months for an unrelated federal matter.

“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 65 elder abuse cases and 205 elder abuse calls in 2012.

In 1998, the Bronx District Attorney formed an elder abuse committee to develop strategies to enhance prosecution in elder abuse cases and to increase the coordination of services to elderly victims. Now in its 12th year, the Elder Abuse Multidisciplinary Task Force, an outgrowth of the Office’s committee, continues to meet. The Task Force is co-chaired by the Elder Abuse Coordinator at the Bronx District Attorney’s Office and the Bronx Borough Director of Adult Protective Services.

This bimonthly gathering of law enforcement, social service,

healthcare, financial, business, governmental and private agencies enables the sharing of 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 2012 speakers included a psychiatrist from the NYC Health and Hospital Corporation’s Family Court Mental Health Services Program to discuss how elder abuse cases are evaluated, types of services, and how the community agencies can access such services organizations to discuss challenging cases. Additionally, the Bronx District Attorney’s Forensic Accountant presented on the role of the forensic accountant in analyzing financial fraud cases. The presentation covered motivation, techniques and types of crimes and how these cases are analyzed to provide evidence for investigation and prosecution.

On May 15, 2012, the Bronx District Attorney’s Elder Abuse Coordinator, Bronx District Attorney’s Chief of the Arson, Auto, Economic Crimes Bureau, Bronx Adult Protective Services and the Weinberg Center of the Hebrew Home in Riverdale presented a conference and breakfast for Fraud Investigators from the major banks with branches in Bronx County. “Partnering to Protect Our Seniors” was designed to strengthen existing partnerships with banks, create new partners and educate one

another about the nature of elder abuse and the integration of various systems to identify, prevent and remedy elder abuse.

The Bronx District Attorney’s Office was selected in early 2006 to become a CASE (“Communities Against Senior Exploitation”) Model Site. The CASE partnership is an elder fraud prevention and intervention program. The Bronx District Attorney’s Office is one of approximately 50 sites across the country that work with faith-based communities and senior centers to combat elder fraud and exploitation.

As part of this program, staff from the District Attorney’s Office conduct training in the community using CASE resource materials. During 2012, the Elder Abuse Coordinator gave 23 CASE, “ID Theft and Scam Recognition, Prevention and Remedy,” and various Elder Domestic Violence presentations to community groups, churches, senior centers, tenants’ associations, social service providers, banks, colleges, and at conferences. This program is currently implemented without funding, staffed by volunteers from the Office.

The Elder Abuse Coordinator continues to represent the Bronx District Attorney’s Office in various NYC Elder Abuse Coalitions and Multi-Disciplinary Teams.

Financial Fraud Elder Abuse

Sixty-five-year-old Otto Kalo developed a relationship with 84-year-old Caroline (pseudonym) as the superintendent of the building where she lived. Kalo took advantage of this relationship and began to exploit Caroline financially.

A Chase bank branch in the Riverdale section of the Bronx became alarmed when Caroline, a Bronx resident for over 40 years and a longtime customer whom they had not seen recently, came to the bank with Kalo trying to execute a Chase power of attorney form which would give Kalo access to Caroline's brokerage accounts valued at over \$500,000. Chase refused to allow the transaction. But Kalo returned to the bank with Caroline and a local attorney with a NYS long-form durable power of attorney which purported to give Kalo authority over Caroline's finances. Chase refused to permit the transaction, froze her accounts, and notified Adult Protective Services (APS). During a field visit, an APS psychiatrist diagnosed Caroline with dementia.

Kalo next took Caroline to another bank in Riverdale and created joint accounts with her. He then cashed out over \$90,000 of Caroline's savings bonds and put the proceeds into a joint account, giving himself access to the funds.

Following their diagnosis and field visit, the District Attorney's Office worked with APS and the fraud investigators at Chase and the other bank. Kalo was arrested and held in lieu of bail. The arrest was coordinated with APS, who moved Caroline to an elder care facility where she could receive the care and treatment she needed. An audit of bank records revealed that by the time of the

arrest, only about \$30,000 had been spent on items unrelated to Caroline's care or needs, including about \$20,000 in checks drawn on Caroline's account that Kalo deposited into his personal account.

Because Caroline had no guardian in place, the District Attorney's Office worked closely with the banks to freeze her accounts as the product of fraud instead of a guardianship order or court order from a Surrogate or Civil Court judge.

On September 27, 2012, Kalo pleaded guilty to grand larceny in the fourth degree. He was sentenced on October 19, 2012, to four months in jail plus five years probation. In addition, a judgment of \$30,000 in restitution was entered against him and a 10-year order of protection was issued with a special condition that Kalo may conduct no transactions with any property owned (or jointly owned) by Caroline. One of the conditions of the plea was that Kalo must disclose all financial records and existence of all wills or accounts, so that he is not able to take advantage of the victim again.

The prosecution of this case illustrates the success of multi-disciplinary team work. The case was a cooperative effort among Chase Bank, Adult Protective Services, the Weinberg Center of the Hebrew Home in Riverdale, the Elder Abuse Coordinator and the Bronx District Attorney's prosecutor and detective. Elder Abuse is complex and demands a comprehensive variety of services to meet the emotional, economic, medical, social service and safety needs of the vulnerable senior.

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, those are North Central Bronx, Jacobi and Lincoln Hospitals. Also in 2008, Bronx SART was a major impetus in the development of a "Suspect Evidence Collection Kit" which is now being used to collect important forensic evidence in appropriate cases from the person of an alleged perpetrator of a sexual assault.

The Bronx SART is primarily supported with NYC funds and consists of a group of 12 – 14 Sexual Assault Forensic Examiners (SAFEs) who are coordinated by a project director based at North Central Bronx Hospital. The examiners conduct a physical examination of the victim, collect potential DNA evidence, and document both internal and external injuries.

In 2012 Bronx SART hospitals covered 247 of these cases. In 90% 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-one percent of those victims eligible for a forensic examination consented to be examined. In 13% of the cases, the physical examination of the victim revealed findings of genital trauma only. In 18% of the cases, the physical

examination revealed findings of non-genital injury only. Twenty-four percent of the examinations revealed both genital and non-genital injuries, and 44% 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 emo-

tionally 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 2012, the District Attorney's Office responded to approximately 300 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.

NYPD POLICE 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 2012, reflecting an increase in NYPD hiring to make up for the past few years of budgetary limits, there were four separate sessions with a total of 250 officers trained.

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.

In 2012, in collaboration with the other New York City prosecutors' offices, we implemented a training program for sergeants. Each month 25 sergeants receive a one-day training session provided by the NYPD at the Police Academy. The District Attorneys' Offices provide senior prosecutors on a rotating basis to lead a discussion workshop on ethics and integrity issues regarding arrest processing.

ST. JOHNS 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. Several times in recent years, he was named Clinical Professor of the Year.

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.

On January 11, 2012, Presiding Judge Son, Bong-Kie and nine students from the Republic of Korea visited the Office. The students were prospective attorneys. The visitors were given a tour of the

Bronx courts. An assistant district attorney from the Narcotics Bureau made a presentation in Korean about United States Constitutional protections.

In May 2012 a second group of Korean students visited the

Office. In the morning they listened to a presentation by the District Attorney and the Chief of the Litigation Training Unit. These were followed by a tour of the Child Abuse and Sex Crimes Bureau, a tour of the Arson/ Auto/

Economic Crime Bureau and a tour of the Narcotics Bureau. These were followed by a brief tour of the Complaint Room and Arraignments.

Community Outreach

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

In these collaborations the Community Affairs Unit (CAU) is often the connection between the District Attorney and the residents of Bronx County. For example, the Community Affairs Unit facilitates community involvement in the Office’s Felony Trial Training program for new assistant district attorneys. CAU staff reach out to Bronx residents over the age of 18 at community meetings, schools, churches, senior centers, *etc.* to serve as mock jurors for the training.

Staff from the unit attend community meetings, and the unit provides speakers and tours of the courts, offers education and prevention programs, participates in interagency committees, and interacts regularly with community residents, neighborhood leaders and others. The unit also keeps residents informed of

the status of cases as they progress through the criminal justice system.

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

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

PROJECT JUMP (JUVENILE MENTORING PROGRAM)

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

dents 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. Nineteen mentor/mentee pairs were matched in 2012.

READ-TO-ME PROGRAM

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

TOURS AND SPEAKERS

The Community Affairs Unit coordinates requests for tours and speakers. Most requests are from the Bronx, but we also receive requests from foreign delegations, universities and suburban school districts. Assistant district attorneys and support staff address community, religious, civic and student groups regarding various topics within the criminal justice system. Speakers

discuss a variety of issues of specific interest to the community. In addition, staff members are available to conduct tours of the courthouses and explain how a case proceeds through the criminal justice system.

YOUTH TRIAL ADVOCACY PROGRAM

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

THE ADULT WORKSHOP SERIES

The Adult Workshop Series provides the District Attorney's Office with an avenue to educate Bronx residents about various issues related to the criminal

justice system. Workshops such as "After the Arrest," "You Be the Judge," "Safeguarding Your Child on the Internet," "Perspectives on Protecting Your Identity," "Gang Awareness," "Domestic Violence," and "Sexual Assault" have been developed to inform citizens about issues such as identity theft, criminal court arraignment, trial procedures, dangers lurking on the Internet and the presence of gangs in our schools and neighborhoods. Workshops are presented monthly on a rotating basis.

COURT MONITORING

State Senator Jeffrey Klein organized a Bronx court monitoring program in 2010. The Community Affairs Unit cooperates by providing information regarding court dates and other case-related information. Senator Klein's office organizes residents, provides transportation, signage, *etc.* The program began by monitoring graffiti cases and expanded to auto crime cases in the Senator's district. They continue to monitor selected cases.

PRECINCT COUNCIL REPRESENTATIVES

There are 12 precinct community councils and two Police Service Areas (PSAs) in the Bronx which meet monthly. Fourteen assistant district attorneys have volunteered to attend these meet-

ings. 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 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 2012 approximately 40 staff members participated.

PAL PLAY STREET AND TEEN CENTER

In January 2011, a long-term, joint investigation between the Bronx District Attorney's Gangs/Major Case Bureau and the NYPD's Narcotics Borough Bronx led to the indictment and arrest of 22 alleged drug dealers at the River Park Towers housing complex. Prior to

the Bronx District Attorney's take-down in River Park Towers, the Special Narcotics Prosecutor dismantled a nearby drug network. These prosecutions enabled this Office and the Special Narcotics Prosecutor's Office to use asset forfeiture funds to support a Police Athletic League (PAL) Play Street in July and August 2011 in the area previously controlled by drug dealers. These funds were also used to support a PAL Teen Impact Center in IS 229 for six months, beginning December 5, 2011, and ending in June 2012. The Impact Center provided a range of activities, including Cops & Kids basketball, volleyball, dance, and cultural events. It also included a prevention component designed to reduce risk-taking behaviors.

2012 BRONX LAW DAY

On May 2, 2012, the Bronx District Attorney's Office hosted some of the top Bronx high-school students for the second annual "Law Day." The purpose of this day is to expose high-school students who are interested in law to the different types of units and jobs that are available in the Criminal Justice system. The students were able to speak to the Chief of the Detective Investigators, the Deputy Chief of the Arson, Auto, Economic Crime Bureau and a Supervisor from the Narcotics Bureau about what they do in the Office and what they had to do in their careers to get to their current positions.

The students were also able to take a tour of the Criminal Court Building. A Court Officer spoke to the students regarding what it takes to be a Court Officer and what it's like to work in the Criminal Court Building.

The final part of Law Day provided an opportunity for the students to meet with and speak to District Attorney Robert Johnson. The District Attorney shared his experiences in the Office and what it took for him to become the District Attorney. He also talked about the tough decisions that have to be made on a daily basis in the Office. The students were given certificates at the end of the program.



PAL Play Street and Teen Center