

STATEMENT OF POLICE COMMISSIONER  
JAMES P. O'NEILL  
BEFORE THE NEW YORK CITY COUNCIL  
PUBLIC SAFETY AND FINANCE COMMITTEES  
ON THE EXECUTIVE BUDGET FOR FISCAL YEAR 2019  
CITY HALL, COUNCIL CHAMBERS  
MONDAY, MAY 14, 2018 – 1000 HOURS

---

Good morning everyone. Thank you for the opportunity to discuss the Mayor's Executive Budget for the 2019 Fiscal Year. It is a pleasure, again, to be here and to testify before you about the outstanding work the men and women of the New York City Police Department have been doing – and continue to do – each day and night. And this week, in particular – National Police Week – I ask that you please keep in your thoughts all of our country's police officers who made the ultimate sacrifice. The National Law Enforcement Officers Memorial in Washington, D.C., already contains more than 21,000 names of officers who died in the line of duty. This year, they will be joined by the names of NYPD Detectives Miosotis Familia and Steven McDonald, Sergeant Donald Conniff, and two dozen other NYPD heroes who succumbed to various September 11<sup>th</sup>-related illnesses. From police officer to chief, these lives represent the nation's largest and greatest police department, as well as the very real risks that cops face every time they put on their uniforms and venture out onto the streets in the name of protecting New Yorkers.

Before I present the key budget highlights, I want to update you on our core crime-fighting mission and the status of several important public safety initiatives. I will try to be as brief as I can, so we may get to as many of your questions as possible.

In my last appearance before the Council, at the Preliminary Budget Hearing in March, I reported on the consistent, focused efforts of our police officers to foster even stronger relationships with the people who live in, work in, and visit New York City. Building trust and earning the full and willing support of the people we serve is essential to properly safeguarding New York City, because it will help us drive crime and disorder down beyond the record-low levels we have already achieved. And all of this strengthens the fundamental notion that public safety is a shared responsibility. New York policing today means applying a crime-fighting philosophy that keeps New Yorkers safe, and ensures that they feel safe, too – which are two separate, distinct, and equally-important ideals. The bottom line is: The people we serve know that each of us has a stake in keeping all of us safe. And I'm pleased to inform you that this exceptional work is rapidly expanding and paying fantastic dividends as we near the halfway point of the year.

Preliminarily as of this morning, overall crime is down citywide by 3.5 percent from last year (32,027 vs. 33,188). Homicides are up 4.3 percent (98 vs. 94); robberies are down 8.1 percent (4,341 vs. 4,724); felony assaults are down by 0.5 percent (6,794 vs. 6,831); burglaries are down 7.3 percent (3,949 vs. 4,261); grand larcenies are down 3.8 percent (14,462 vs. 15,040); and auto theft – or grand larceny auto – is down 0.9 percent (1,748 vs. 1,763). The largest outlier, as we have detailed at our monthly crime press conferences, is the rape category – which is up by 33.7 percent (635 vs. 475). The increase in reporting of sexual offenses – which the NYPD fully encourages – is further sustained by the current national discussion on the topic, as well as our various outreach initiatives that are done in collaboration with our advocate partners. Similarly, we have seen a substantial increase in the number of reported rapes that occurred prior to 2018.

Shooting incidents – another major indicator of our effectiveness – are down another 4.7 percent over last year (222 vs. 233). We continue to make massive inroads into gangs and crews by focusing precisely on

the relatively small percentage of people who are responsible for the vast majority of violent crime. You will recall that at the end of 2016, our city marked 998 shootings. At that time, it was the lowest number of shootings ever recorded in New York City – and the first time that figure had ever dropped below 1,100. Then, at the end of 2017, our city marked 790 shooting incidents. When one looks back to 1990, when New York experienced more than 5,000 shootings and more than 2,200 murders a year – I do not think it is possible to overstate how remarkable our progress has been. Your NYPD, in 2018, is continuing to remove illegal guns from this city at a tremendous rate. The way we look at it: Every illegal firearm we are able to take off the streets represents at least one life saved and a family kept intact.

And at the same time that shootings and other violent crimes are being reduced year after year, NYPD police officers are also making thousands of fewer street stops, issuing thousands of fewer summonses, and making many, many fewer arrests. Meanwhile, we continue to lobby heavily against proposed legislation in Washington, D.C., that would undoubtedly bring more guns into New York. The Concealed Carry Reciprocity Act passed in the U.S. House of Representatives in December. The Senate version is still in the Judiciary Committee awaiting a hearing date. What it would do, if passed and signed into law by the President, is force all states to recognize concealed-carry weapon permits from other states, regardless of how lax those state permitting laws may be. In fact, some states do not require gun owners to take any special training or to obtain a license or permit before carrying a concealed weapon. That – in my opinion, and the opinion of many police leaders in our country – is absolute insanity. That lowest-common denominator approach to gun safety would become the law of the land. It would effectively eviscerate state and city laws meant to keep people safe from gun violence – and it threatens to undo much of the incredible success we have achieved here in New York City.

Just after the stroke of midnight this past New Year's Day, we found ourselves truly in uncharted territory. The crime reductions New York City achieved in 2017 were categorically historic: The lowest per-capita murder rate in nearly 70 years; the fewest shootings ever recorded in the modern era; most major crimes down to levels we have not seen since the 1950s. Simply put: The city has not been this safe for three generations. And, let me tell you, there were those who believed we would never be this safe. They assumed that more than 2,200 murders a year was just the price of doing business in New York City – that it was normal, and that nothing could be done about it. There were others, however, who refused to believe that – who refused to accept that life in our city could not change for the better. Chief among these idealists were the hardworking men and women of the NYPD. But we are realists, too. We knew that reversing the decades-long trend of rising crime and violence would take time, and we knew that it would not be a solo effort. We understood that reclaiming our neighborhoods required the coordinated efforts of the entire police department, in full partnership with all the people we serve.

That is why in 2018, we are redoubling our efforts to complete the NYPD's full conversion to Neighborhood Policing. To date, 63 of our 77 Patrol precincts are Neighborhood Policing commands, plus all nine of our Housing Bureau police service areas. And this year, we will finish up the precincts and expand into all 12 of our Transit Districts by the beginning of 2019. In April, we debuted this crime-fighting strategy with Transit District 12 in the Bronx, which covers the 2, 5, and 6 subway lines; and Transit District 30 in Brooklyn, which covers stations along the 2, 3, 4, 5, A, C, B, D, Q, F, G, and R lines. I strongly encourage all New Yorkers – especially regular riders – to reach out to their Neighborhood Coordination Officers in the transit system – at [NYC.GOV/NYPD/Transit](http://NYC.GOV/NYPD/Transit).

Some might wonder how we apply the principles of Neighborhood Policing down in the subway system. I can tell you this, as an old Transit cop who rode the A and D trains alone, three round-trips a night, from eight at night until four in the morning back in 1983 – the same people use the same subway lines every



day to get to and from work, to visit their friends and families, and to explore this great city. And even with a ridership of about six million passengers per weekday, it is not unreasonable to believe that individual police officers can form bonds and build trust with many of those train riders. We are not going to meet everyone, of course – just as we will not meet everyone up on the streets – but we have an obligation to try to foster those relationships and to effect change. It can all begin with a simple smile and a “good morning.” And, as NYPD cops go about their daily business of protecting New Yorkers – wherever it may be in the five boroughs – we are seeking to build that trust.

We are now connecting in local neighborhoods in ways that simply were not possible before. And we have found that these partnerships speed and sharpen our entire investigative process. Information flows from neighborhood residents, to teams of sector cops, to precinct detectives, and to specialty squads like Gang and Narcotics. Over the last three years, the relationships we have built with the public are leading to valuable information that becomes integral to the investigations we conduct. Our method of crime-fighting focuses now on the real drivers of crime. This means listening to New Yorkers and angling our investigative resources toward the small percentage of our city’s population responsible for most of the violence. Our laser-like focus on these specific individuals is further sharpened by the coordinated efforts of our patrol cops, detectives, and all of our local, state, and federal law enforcement partners. In no small way, we are able to do what we do so well because of those relationships. Through a number of joint task forces and other coordinated efforts, we routinely work seamlessly with the FBI; the Bureau of Alcohol, Tobacco, Firearms and Explosives; the Drug Enforcement Administration; the U.S. Marshals Service, the New York State Police and others to combat crime in ways that could not previously be conceived, even as recently as five years ago. Now, these partnerships are truly stronger and vastly more effective than I have ever seen them in my thirty-five-and-a-half years in law enforcement. And as we conduct short, medium, and long-term investigations, we remain in lockstep with our five district attorneys in New York City, the citywide Special Narcotics Prosecutor, and the U.S. Attorneys for the Southern and Eastern Districts of New York at the federal level. We track everything from bank robberies and other so-called traditional crime, to the evolving and ever-present threat of international terrorism. With our partners’ assistance, many of these criminals are pre-indicted before we even knock on their doors to bring them in. Another enormous benefit of this level of collaboration is that we see these cases all the way through to convictions, and appropriate, meaningful prison sentences. And this interagency cooperation is proving effective for all levels of crime.

This is far from a victory speech, however, because there remains much work to be done. The reality is that achieving further declines in crime could become increasingly difficult with each passing year. But we are optimists at the NYPD, and we view this as both a challenge and an opportunity.

Let me address, for example, concerns about crime in our subway system – where, overall this year, crime is down 8.7 percent (817 vs. 895). Felony assaults are flat (122 vs. 122); and grand larcenies – which spans purse- or headphones-snatching, to removing a bag from the shoulder of a sleeping passenger or items from a rider’s pocket without the use of force – have decreased 14.4 percent (527 vs. 616). Robberies, however, have increased by 12.2 percent this year (165 vs. 147). The number of robbery arrests is also up, year-to-date, and I can tell you that about 40 percent of those arrested for robbery in the Transit system this year also have a history of theft of service – commonly referred to as turnstile-jumping. To combat the uptick in robbery incidents, members of our Transit Bureau have been conducting extensive crime prevention outreach, and we have placed even more of our personnel on train cars – where about half of these crimes occur. And we continue to advise riders – particularly in the overnight hours – about the steps they can take to keep themselves and their property safe, including staying awake and alert to their surroundings. Further, we continue to maintain safety and order in the subway system by enforcing quality-of-life violations that, if left unchecked, will breed more serious crimes. I know, firsthand – having been a precinct commander for six-

and-a-half years – that I would not have remained a precinct commander for very long if I had failed to address those community complaints. The people we serve want and expect us to keep answering their concerns, and we do so with the knowledge that many issues – in the subway system, as in our neighborhoods – can be resolved in many ways that do not always involve summary enforcement action. When enforcement is necessary, our officers know they have options available to them in the form of discretion and the issuance of civil summonses in lieu of criminal summonses for some low-level crimes. I can tell you that about 75 percent of people stopped for theft of service in the subway are issued a summons and sent on their way. About 25 percent are arrested, for various reasons that do not permit a summons to be written on-scene. Of those arrestees, about 10 percent are issued Desk Appearance Tickets and are released from the police station house.

Below ground, as well as above, in every community in New York City, our stated purpose is to relentlessly continue our work fighting crime and keeping people safe through our Neighborhood Policing philosophy. And, it is always our mission to evolve and improve. We are very confident we will do just that, in full partnership with the public we serve.

While the possession and discrete use of marijuana continues to become more socially tolerable and, in some cases, legal across our nation – the public smoking of marijuana has not and I understand this is an ongoing conversation. Even in states in which possession has been legalized, public smoking of marijuana – just like public consumption of alcohol – remains a violation of the law and, depending on the jurisdiction, can result in fines or imprisonment. Here in New York, as you know, recreational use and open possession of marijuana is still against the law. NYPD officers have been instructed to issue summonses to those who merely possess marijuana in public, which has helped reduce the number of arrests by 38 percent since 2013. Smoking of marijuana, however, is a quality-of-life condition that New Yorkers call 911 and 311 about with increasing frequency. In addition to those community concerns lodged by telephone or by 311 online, innumerable complaints are also received through conversations with residents, workers, and owners of local businesses, who express concerns about groups of people openly smoking marijuana in front of their stores and homes, and in stairwells of buildings. Still more complaints are culled in the five boroughs at various community meetings, a great many of which I regularly attend. Many New Yorkers clearly feel this behavior reduces their quality of life. In areas of our city in which marijuana enforcement appears to be disproportionate to complaints received, we are working to understand the reasons for that activity and reviewing whether they are the result of local complaints, larger numbers of officers patrolling given areas, or other reasons. I steadfastly reject the idea that these arrests are racially motivated. I do recognize that a disparity exists, and I know that these types of arrests affect certain racial groups more than others. In recognizing this disproportionality in all arrests, the NYPD has taken significant steps to further reduce arrests. In the last four years, we have reduced the total number of arrests citywide by more than 150,000. In the case of smoking marijuana in public, we have evaluated our data and NYPD executive staff members know they must ensure that arrests conform to the mission and vision of this police department – that the enforcement will enhance quality of life or bring about disorder- or crime-control. We must consider previous complaints made at a particular location, or about a particular person. Further, during our weekly CompStat meetings, commanders may be called to explain their officers' arrests, especially when someone's first arrest is for a low-level marijuana offense and take appropriate action when necessary. As we move forward, I believe the NYPD's proactive steps will help balance the reduction in arrests with maintaining the quality of life of every New Yorker.

In sharing the responsibility for public safety, we are scheduled to launch, within a month, the Behavioral Health Diversion Program in all four precincts on Staten Island. It is designed to improve access to community-based behavioral-health treatment, and reduce demands on the police and emergency medical

services. Calls to 911 involving non-violent emotionally-disturbed people will be diverted from a conventional NYPD/EMS response to NYC Well, the city's crisis intervention and referral service. The service offers free confidential support, crisis intervention, and information and referral services for anyone seeking help for mental health or substance abuse concerns. Anyone with behavioral health concerns who is determined to be at imminent risk of danger to themselves or others will continue to receive a direct NYPD/EMS response. Last year, the NYPD responded to nearly 169,000 calls about emotionally-disturbed people. So far in 2018, our officers have responded to about 40,000 such calls. Our department-wide crisis-intervention training, which began in June 2015, is ongoing. Since it began, more than 9,200 police officers have received this valuable training – nearly 100 officers a week. Every patrol lieutenant has taken the four-day course, and all sergeants will receive the training by September.

As I stated back in March, we continue to work toward safer streets for pedestrians, bicyclists, and motorists alike. The NYPD is playing a major role in Vision Zero, Mayor de Blasio's plan to eliminate traffic-related deaths entirely. As you know, we are in close partnership with the New York City Department of Transportation, sharing critical collision data and analysis. And we have partnered with DOT and the Taxi and Limousine Commission on joint traffic education and enforcement campaigns throughout the five boroughs. These efforts are yielding very positive results and, citywide, traffic fatalities are down by 12 percent this year (57 vs. 65). To counter the root causes of many of these incidents, we continue our stepped-up efforts coupling education with enforcement. With the guidance of the Mayor's Vision Zero Action Plan, I am confident we will continue to make significant progress. In 2017, in fact, New York City had the fewest traffic deaths on record, driven by a 32 percent drop in pedestrian fatalities. This marked the fourth consecutive year of declining traffic deaths.

The success of our public safety mission depends most of all on our efforts to forge even stronger relationships with all New Yorkers. This is paramount because we know that in order to drive crime down past already record-low rates, we require the insight and assistance of everyone. As I have said many times before: No one knows a block, a street, or a neighborhood better than those who live and work there every day. We need that knowledge, and we know that to gain it, we must ensure that our partnerships are built on trust. One of the ways we try to earn that trust is through transparency in our reporting. On our publicly-accessible website, the NYPD already provides several data sets that include, but are not limited to: traffic collisions, crime complaints (current and historic), and Stop, Question and Frisk interactions. Before the end of this fiscal year, the NYPD plans to expand the existing complaint records to release several additional key data sets, including: victim and suspect demographics, arrest incidents, shooting incidents, and criminal court summons occurrences. This new data will provide an unprecedented look at overall NYPD activity as we work to further our mission of keeping this city – and all who live, work, and visit here – safe.

Our city is a welcoming place, and the NYPD aims to maintain our well-earned title of "safest large city in the United States" by performing our duties with fairness, professionalism, transparency, and discretion. I know that the vast majority of our police officers carry out their vital work in this fashion. And the members of the public with whom our officers interact are all afforded the same level of respect, regardless of age, race, or immigration status. Make no mistake: We will not throw away the goodwill we have worked so hard to attain these past four-and-a-half years.

As you know, the NYPD is well into the most radical, top-to-bottom, operational change we have experienced since the advent of CompStat in the 1990s. Our Neighborhood Policing philosophy is just that: the principle by which we are guided as we go about all of our daily work – the business of fighting crime and keeping people safe. Neighborhood Policing is a doctrine, not a program we have been testing out with small groups of officers in select precincts. It is, in fact, a complete paradigm shift in the way the entire NYPD

conducts everything it does. And importantly, no one asked us to do it – we saw a need to evolve and to make our way forward. It was necessary to propel the NYPD and New York City, as a whole, into the future of American policing. And it is happening. New York City is leading the way.

We have restructured our department at every level; redrawn the small sectors that police officers patrol so they now follow natural neighborhoods instead of arbitrarily-chosen blocks of space; dedicated teams of sector officers who work the same neighborhoods every day on the same tours, so those we serve can actually get to know them, and vice-versa; and added the role of Neighborhood Coordination Officer to our commands so that two NCOs in each area can act as conduits between the steady sector cops and the people they serve.

Most importantly, we have finally given our police officers the time and the resources to accomplish the things we have long asked them to do. Specifically, our steady sector cops now have a third of their work days away from the constant stream of 911 jobs dispatched over their radios so they can leave their vehicles, visit workers in stores and residents in their homes, and interact with kids on the streets and in our playgrounds. Additional officers are assigned to what we call “response autos” to cover the 911 and 311 calls while all of this is happening. The result is that our cops are working more closely with community members to identify problems specific to their neighborhoods, to develop intelligence about crimes, and to lead problem-solving and crime-fighting efforts. All of this is now the rule, rather than the exception. This is how we are earning trust. Everything we do now is geared toward fostering productive ties to the people in all of our neighborhoods while also reducing crime and keeping people safe. And Neighborhood Policing is inherently proactive, and not only with respect to making connections with those who live and work in every corner of New York City; it also strengthens our efforts to investigate crime, catch criminals, and prevent crimes before they occur.

As I have said before: Neighborhood Policing is not a program, it is not an initiative, and it is not just a few cops in some parts of the city trying to be nicer to people. It is a new way of doing business that is reshaping our approach to fulfilling our core mission – not only in an operational sense, but in the spirit and practice of every aspect of the work we do. Neighborhood Policing reflects a cultural change for our entire agency – for every NYPD employee, uniformed and civilian; for every bureau, division, and unit – and for everyone who lives in, works in, and enjoys New York City. It is about each of us sharing responsibility for public safety by working to reduce violence together – all while building trust. And what we have learned in the NYPD is that if we want everyone who lives in our communities to trust and respect our police officers, all of us in leadership roles – from the Police Commissioner’s Office on down to the front-line supervisors on the street – also have to trust and respect our police officers. We want our cops to know that we trust them – without reservation – to inform the public, to problem-solve, and to cultivate new and innovate ways of fighting crime and disorder. If we want the public to trust us, we first need to show everyone we trust our police officers. We want, and need, them to take responsibility for, and great pride in, the people and the areas of New York City they protect. And we need to treat everyone we serve equally and fairly. In short, New York policing is a game-changer for our entire profession.

Meanwhile, a new website – [BuildTheBlock.NYC](http://BuildTheBlock.NYC) – continues to expand and allows anyone in New York City to see who their Neighborhood Coordination Officers are, and when and where their small, police officer-led sector meetings will be held. We are asking the public to go to that website, to find their meetings, and to engage with us. The site supplies detailed information for the commands already operating under Neighborhood Policing.

I want to point out that throughout this tremendous evolution in the NYPD, we have had Mayor de Blasio's full support. And we have benefited from the City Council's support, as well. Thank you for your ongoing partnership and assistance, and for everything you do to help us build a better and stronger police department. Most notably, the Council and the Mayor authorized the first headcount expansion the NYPD had seen in a dozen years. With the hiring of new police officers and a strong push toward civilianization, we essentially added 2,000 officers to patrol. We used them to create our counterterrorism Critical Response Command, to repurpose our former Task Force as a new-and-improved disorder- and crime-control unit called the Strategic Response Group, and to bolster our Patrol precincts and Housing police service areas as we prepared to introduce Neighborhood Policing citywide.

We know that our successes do not happen by accident. They are all a direct result of the dedication of our cops, the skill and creativity of our commanders, the leadership of our executive staff, and the unrivaled assistance from the public we serve. And, as I told you in March, our successes are also a result of the commitment to public safety by this Administration, and by you. As we look around our nation at crime trending upward in other major cities, we can all see that New York City is indeed an exception.

Citywide, we will continue to leverage every tool available to us to keep the city safe, including the use of new and innovative technology. Twenty-four years ago, CompStat revolutionized crime-fighting by leveraging the power of data. We still rely on CompStat today as the tip of the spear driving our precise investigatory efforts – to ensure rapid and relentless follow-up on crime conditions and accountability. But we are also keenly focused on technological advances, and how they can be applied to fighting crime, as well as creating safer and more-efficient ways for police officers to do the job of keeping all New Yorkers safe. We do all of this with the understanding that it is absolutely imperative to maintain the NYPD's position at the forefront of American policing, while contributing to the important work of building trust. As such, our footprint in social media continues to expand. In order to share timely and important information directly with the public, the NYPD currently operates 128 Twitter accounts with more than one million total followers. We have one Twitter account for every precinct, Police Service Area, and many chiefs and specialty units. We also maintain 58 separate Facebook accounts, including 55 for Neighborhood Policing commands, one for the Recruitment Section, and one for the Cadet Corps. Additionally, we run three Instagram accounts and one Snapchat account, plus an external NYPD website, a blog at NYPDNews.com, and our own YouTube channel. Our goal, of course, is to further engage with all New Yorkers while illustrating how Neighborhood Policing touches everything we do.

At the end of 2014, we launched a voluntary mini-pilot program for body-worn cameras. At that time, we picked a half-dozen commands and had nearly 60 patrol cops test them out for just over a year. The testing informed us about this emerging technology and put us in a great position to start the arduous procurement process. That process included an evaluation of each potential vendor's technology, their ability to provide the NYPD with a comprehensive body-worn camera system, on-site demonstrations, and competitive pricing proposals. After weighing proposals from 28 different body-camera vendors, we selected one. And, in 2017, we launched a larger pilot program – which was much more extensive than was required by the court – and equipped officers in 20 precincts with the cameras. In December, we expanded the roll-out beyond the pilot to include every precinct, Housing police service area, and transit district – on all shifts. As a department, we have been eager to move forward on this. As of today, officers in 47 commands have been issued cameras – approximately 7,000 cameras, so far. By the end of this year, every NYPD officer on patrol – about 21,000 cops – will be outfitted with a body-worn camera, a full year earlier than we originally planned. Further, the manufacturer of our body-worn cameras, Vievu LLC, will be purchased by Axon Enterprise Inc., the police-technology company best known for its Taser stun guns. These two largest providers of the

recording devices will create a dominant force in the market – and Axon has agreed to honor our contract and maintain our speedy schedule for deployment.

Police officers wearing body cameras in the United States is a necessary step, one that I truly believe will benefit everyone in our city – cop and civilian alike. This is the evolution of policing. And we must embrace it; if we are not evolving, we are not moving forward as a police department, as a city, or as a nation.

As you already know, all of our officers have department-issued smartphones, putting police databases in the palms of their hands. A new performance evaluation system is up and running on those phones that allows self-reporting, so officers can record the deeds and interactions that make up their work days. The Cop Rapid Assessment Feedback Tool, or CRAFT, allows supervisors in the field to make notations about individual officers who may not even be under their direct command. The system also makes possible quarterly evaluations, and supervisors conduct monthly assessments of officers' work using multiple data sources, to ensure that police officers – and precincts, PSAs and transit districts, on a wider scale – are performing at their full potentials. And we are working toward developing a revolutionary Neighborhood Policing application that will allow quality-of-life concerns to be more-easily shared with the NYPD, and for those tasks to be managed and discussed by the groups of officers responsible for specific areas of the city.

Turning to budgetary issues, as discussed in March, we have already started planning for the Federal Fiscal Year 2018 Homeland Security preparedness grants, although the applications guidelines have not yet been released. This federal assistance allows the NYPD to purchase personal protective equipment for uniformed members of the service, and enhances our ability to protect New Yorkers and critical transportation and infrastructure, including the Financial District, the transit system, bridges, tunnels, and ports. The timing of the Federal Fiscal Year 2018 appropriation will significantly compress the timeframe to announce and award these grants by September 30, 2018. Consequently, grant applicants will have a much shorter application period than in recent years, and potentially as short as several weeks. The NYPD relies on these funds to help protect all New Yorkers and visitors to our city against terrorist attacks, and to strengthen our homeland security preparedness. New York City, since the devastating 9/11 attacks, has been the target of 28 terror plots. These plots have included a suicide-bomber in a subway passageway beneath Times Square, the fatal truck attack on pedestrians and bicyclists along the West Side Highway, plans to place bombs among the festive crowds watching the July 4<sup>th</sup> fireworks over the East River, and an ISIS plot to behead a woman in Manhattan and to capture it on video. The federal Homeland Security funds buy us a lot, including our Bomb Squad's Total Containment Vessel – the rolling vault that allowed the NYPD to remove the live pressure-cooker bomb planted on a street in Chelsea. The money also funds our Vapor Wake Dogs that patrol large-scale events searching for hidden explosives, and our active-shooter training that hones the tactical skills of thousands of officers who might have to face an automatic weapon-wielding attacker in a crowded concert venue or a school. Federal funds have also allowed the NYPD to develop and sustain our sensor and information technology centerpiece known as the Domain Awareness System, or DAS, which supports the department's counterterrorism mission; to hire Intelligence Research Specialists, to deploy officers to the transit system and other strategic locations citywide based on intelligence; and to train officers to respond to chemical, ordnance, biological and radiological threats or incidents, as well as active-shooter scenarios.

Regarding the Executive Budget and its impact on the NYPD: The NYPD's Fiscal Year 2019 City Tax Levy Expense Budget is \$5.2 billion. The vast majority of this, 92 percent, is allocated for personnel costs. The police department's Capital Commitment Plan contains \$1.97 billion for Fiscal Years 2018 through 2022. As of early May, the department has committed \$294 million in fiscal year 2018, 44 percent more than last fiscal year (\$204 million), and the highest amount in the last eight years.

As part of this year's commitments, the construction contract for the new 40<sup>th</sup> Precinct station house in the Bronx was registered in April for a total of \$57.7 million. The existing station house, built in 1924, is in very poor condition and cannot be rehabilitated. It is important to note, as well, that this will be our first precinct that incorporates community space in which residents and workers from all neighborhoods can engage directly with the police officers who serve them.

We have also commenced work at the Times Square substation. In order to meet current policing needs and to further enhance the presence of the NYPD in this prominent location, the current substation will be completely renovated and will ultimately provide public access to interactive computer kiosks, NYPD displays, and – most importantly – face-to-face interaction with police officers around the clock, every day of the year.

It is not just about traditional crime anymore. Each of our partners is also a critical ally in countering the ever-changing and perpetual threat of terrorism here in New York City – our nation's principal target. And that important work continues around the clock – for vigilant New Yorkers and for the NYPD, alike. Our Critical Response Command works 24 hours a day protecting sites and infrastructure around the city. Cops in our Strategic Response Group are at the ready to rapidly respond to any emerging threat, be it an active-shooter situation or other terror incident. Along with our Emergency Service Unit cops, they are all informed by our first-rate Intelligence Bureau – which continues to be the industry-leader in detecting, deciphering, and responding to a very-fluid threat stream.

Building trust with the people we serve; fighting traditional crime; combating international terrorism – none of this is easy. But cops do not take these jobs because they are easy. People join the police department to make a difference, to do good – and NYPD cops accomplish that every single day. And they are doing it in newer, and better ways every day, both inside and outside our department. Our new Equal Employment Opportunity Division is located within our new Office of Equity and Inclusion – both of which assist in addressing disparities and push forward our efforts to always provide a safe and harassment-free work environment. By maintaining such a climate, the NYPD is able to direct its energy toward our two most important goals: Members of every community should feel they are understood by their police, and know they are treated fairly. When we have achieved that, we will have achieved real trust. And we need civilians to view cops through a lens of trust. Because, frankly, we need their support. Community engagement has always been key to crime-fighting. But, over the years, that fact was somewhat lost. There is no better time than now to rectify the situation. And I think we are well on our way.

We continue to make sure our workforce reflects the communities we serve. We are a majority-minority police department, and we constantly work toward furthering diversity and inclusiveness at every rank. Members of the NYPD are now policing with the people of New York, rather than just for them. The relationships we are fostering with New Yorkers allow us to tailor our crime-reduction and -prevention strategies to individual neighborhoods – and that makes all the difference. Couple that with enhanced training, upgraded equipment, and the newest technology, and you can see how the best cops in the nation are able to constantly improve, year after year.

We know policing is a profession that must change with the times. And when it comes to New York policing, we must always innovate and evolve. We now have almost all of our detectives reporting through the same chain of command. This Unified Investigations Model encompasses traditional precinct detective squad work, plus Narcotics, Vice, Warrants, our Gun Violence Suppression Division, and much more. It is those detectives, along with our Field Intelligence Officers and our Neighborhood Coordination Officers, who are honing in on the most-troubled locations in the city. Soon, every police officer will be working closely, in some

way, with community members to identify problems specific to their neighborhoods, to develop intelligence about crimes, and to lead problem-solving and crime-fighting efforts. This is how trust is earned. This is how lasting, productive community ties are built. And when we sometimes fall short, we need to quickly, decisively, and transparently correct the issue.

In closing, I can tell you: This city is in much better shape today than it was when I became a cop in 1983. Those of you who lived and worked here 25 or 35 years ago know it, too: This is not the same city it was in the 1980s and 1990s. And each year, we are making even more headway. But we need everyone's help, everybody's effort, if we are going to increase those gains. Together, we are proving that New York City is the place that others across the nation want to emulate. As we redefine the role of NYPD police officer and, in essence, redefine what it means to be an engaged member of our society, we all have a unique opportunity, right now, to set the tone for the rest of the United States. Perhaps the most important reason for our city's turnaround on crime is our collective understanding that public safety is the foundation of everything we do. Here in New York City, we are proving that when the public and the police work together, we can make positive, lasting change in our society. That change begins when people are safe. And it is sustained when they feel safe, too.

I am extremely optimistic about the future of the NYPD and the direction we are heading. As the remarkable decrease in crime so far this year shows, we can police the city effectively without intruding unnecessarily or excessively into the lives of its residents, businesses, or visitors. I believe the same is true of our mission to defend New York City from another terrorist attack. In my experience, there is a direct correlation between the level of public support for the police and our success in fighting crime and terror.

We will continue to work tirelessly to earn, and keep, the trust and confidence of all New Yorkers, and to ensure that there are even better days ahead. And we will do so in a way that always optimizes police officer safety. This is all part of policing in 2018, and no police department in the nation has been more successful in recent decades than the NYPD. In fact, in terms of technology, training, and tools, the NYPD has seen more positive change over the past four-and-a-half years than it has seen in a whole generation. We fully expect this trend to continue, and we are so grateful to be moving ahead with the critical support of the Mayor and the City Council. The police do not underestimate the change even one person in our city can effect, and neither should the public. Everything we do is geared toward embracing our differences and celebrating all of our common traits. And I look forward to working with each of you as we make our way forward, together.

Thank you again for this opportunity to testify today. At this point, I am happy to take your questions.

###





**New York County District Attorney's Office**  
**Testimony before City Council Justice System and Finance Committees**  
**FY19 Executive Budget**  
**May 14, 2018**

Good afternoon Chairs Lancman and Dromm and members of the Committees on the Justice System and Finance. I am Chief Assistant District Attorney Karen Friedman Agnifilo and I am presenting testimony on behalf of District Attorney Vance. Thank you, on behalf of District Attorney Vance, for holding today's hearing and affording me the opportunity to speak with you about our Fiscal Year 2019 Executive Budget.

When Mr. Vance testified before you in March, he outlined two pressing funding issues facing our office: the costs associated with the NYPD's Body Worn Cameras program and the comparatively low salaries of our junior ADAs. I am pleased to report that as part of the Mayor's FY19 Executive Budget, our office was allocated \$613,353 to support the Body Worn Camera program beginning in July 2018. We are grateful for this additional funding and thank City Council for its advocacy on our behalf. Since the pilot began in Manhattan, our office has handled just over 3800 body worn camera arrests with over 8100 videos saved. The NYPD is expected to complete its roll out of body worn cameras in Manhattan by the end of August and the new staff that we hire with these funds will handle the expected influx of body worn camera footage and other digital evidence. However, we will continue to be challenged by the limitations of the NYPD's system, particularly the lack of long-term storage capacity necessary to properly store this critical evidence which as per state law we must preserve for a minimum of 25 years for cases we prosecute. We are currently considering strategies for long term storage and retrieval of this digital evidence and in the coming months, our office will develop a forecast for additional capital and OTPS funds necessary to meet the technological demands of this program. We ask for your support in fully addressing this critical budget need.

While we are grateful for the funding we received in the Mayor's Executive Budget, I must note that our request for an additional \$3.9 million in baseline funding necessary to offer a competitive salary to our most junior ADAs remains unaddressed. Furthermore, we have not had substantive conversations with the administration regarding this issue since last summer. We appreciate City Council's support, as expressed in your FY19 Preliminary Budget response, and we are hopeful it will encourage the Mayor's Office to reengage on this matter. As Mr. Vance and his colleagues laid out when they were before you in March, the starting salary of an Assistant District Attorney in New York City is considerably lower than those of other public service lawyers.

Our starting salary for newly admitted attorneys of \$63,000 is one of the lowest in the New York City metropolitan area. This is particularly concerning when compared to the New York City Law Department which offers a starting salary of \$68,494 to its new attorneys many of whom perform similar prosecutorial function as assistant DAs but in Family Court. Even in cases where our starting salary exceeds that offered by another agency, our assistant DAs quickly fall behind due to less generous step increases. The hiring rate for a NYC Agency Attorney is \$58,716; however, the rates for second year and third year Agency Attorneys are \$66,326 and \$73,938 respectively. This increase outpaces the additional \$3,000 per year step increases DANY second and third years receive. The difference in scale is even more extreme for jurisdictions outside City limits. The Westchester County District Attorney's Office starts attorneys at \$61,883 but second year salary climbs to \$69,347 and increases to \$76,166 by the third year. Last, regional Department of Justice AUSA's start at \$90,369 with just a few years of experience, while Manhattan assistant DAs do not achieve a comparable level salary until they are with the office for nine years or more.

This low starting salary combined with the twin burdens of tremendous law school debt and the cost of living in New York City makes it extremely challenging for our offices to recruit recent law school graduates in the competitive legal labor market. The law career landscape has changed dramatically in the last five years, further exacerbating the recruitment challenges caused by our low starting salary. Both law school enrollment and JD graduation rates have decreased 20% since 2013. The total number of Manhattan DA applicants decreased by 45% over the same period. Our office is proud to have maintained consistent diversity staffing levels over the past few years despite a 28% percent decline in minority applicants since 2014. The low starting salary continues to be an impediment, however, and we don't expect that we will be able to attract the same level of talent much longer, because we are falling behind other public offices. Our salary structure, particularly for assistant DAs in their first 10 years of service is lagging as compared to our public service competitors, to say nothing of those individuals lured each year by law firm salaries. We are unfortunately heading down a path whereby the only individuals who can accept a position within our office are those of privileged backgrounds and therefore, the applicant pool is less likely to reflect the population it is seeking to serve. Addressing the low starting salary is an important step toward reversing this trend.

Lastly, I'd like to briefly mention the physical state of the Manhattan Court Complex, an issue that has been under discussion, without any real resolution, for more than 20 years. 80, 100 and 111 Centre Street are home to Manhattan Criminal and Supreme Court as well as our office. The residents of Manhattan and the public service professionals who serve them deserve court facilities that properly reflect the respect and dignity we hold for the criminal justice system. The offices of our 1300 employees are spread out amongst four buildings currently, none of which are interconnected. We have created patchwork solutions to our space problems that has been compounded over the course of many decades. Indeed, I would argue that the substandard state of our facilities negatively impacts recruitment, when prospective attorneys learn that they could be sharing cubicles with six other people in a defunct elevator bank that has been transformed into office space out of necessity.

The Mayor's Office has completed an analysis of the Manhattan Court Complex that outlines a comprehensive plan for improving the facilities and \$500 million has been earmarked for this project in the City's Capital plan. However, it is our understanding that this earmark,

though substantial, is insufficient to address all the issues outlined in the City's plan. This is the third such plan to be developed for the Manhattan Court Complex; the previous two iterations failed, in part, because the cost of the comprehensive renovation was too great. Today, I ask for your support in ensuring that the current effort does not meet the same fate as its predecessors and encourage the administration to utilize the existing earmarked funds to begin improvements to these deteriorating buildings.

Thank you for the opportunity to speak today, and thank you for the continued support of my Office.

---

# OFFICE OF THE RICHMOND COUNTY DISTRICT ATTORNEY

---

FISCAL YEAR 2019 EXECUTIVE BUDGET

---



**THE COUNCIL OF THE CITY OF NEW YORK**

**COMMITTEE ON FINANCE**

**COMMITTEE ON THE JUSTICE SYSTEM**

MAY 14, 2018

**MICHAEL E. McMAHON**

**DISTRICT ATTORNEY**

---

## OVERVIEW

Good afternoon. It is an honor and pleasure to appear before the City Council today. I want to thank the Chair of the Finance Committee, Daniel Dromm, and the Chair of the Committee on the Justice System, Rory Lancman, for their time and hard work in presiding over today's Executive Budget Hearing. I also want to acknowledge and thank the new Speaker of the City Council Corey Johnson for his leadership. I look forward to working with each of you to improve our criminal justice system and better protect and serve the people of the City of New York.

I also want to thank of course Staten Island's delegation: Minority Leader Steve Matteo, Council Member Debi Rose, and Council Member Joe Borelli for their ongoing advocacy on behalf of the people of Staten Island and their continued support of the Richmond County District Attorney's Office (RCDA).

Now, half way through my term, I reflect with great pride on the work we have accomplished in revitalizing RCDA in the last two years. As you may remember, facing a mountain of significant challenges upon entering office, in Fiscal Year 2017 I requested an historic increase in RCDA's budget to bring the office into the 21<sup>st</sup> century with a prosecutorial model that seeks to not only prosecute crime, but prevent it as well. This required new bureaus and staff, new technology, innovative programming, and a Community Partnership unit. In many ways, this meant bringing the Staten Island DA's office into parity with services and programming offered in the other boroughs. We are extremely grateful to have received funding from the City that acknowledged these needs and that allowed us to make these important changes.

We are proud to say that the funding increase in FY17 was put to good use and in the last two years, RCDA's size, productivity, and success in key issue areas have all dramatically increased.

- **We increased the number of felony trials by 200% in 2016 and 100% in 2017.** In 2015, just 8 felony cases went to trial. In 2016, 22 did (+2 in IDV). In 2017, the pace continued with 16 felony cases going to trial and so far in 2018 we have commenced 10 felony trials. Last year we had a 100% conviction rate in all Supreme and Criminal Court jury trials;
- **Improved Case Processing and Reducing the Backlog of Cases.** RCDA has no cases over 2 years old currently pending. In May 2016 we had 66 cases pending over 1 year and 156 cases pending over 180 days. In January 2018 we had 30 cases pending over 1 year and 101 pending over 180 days;
- **We have reduced our average arrest to arraignment time by over 10%;**
- **We implemented and are currently upgrading our case management system, moving towards a paperless system;**
- **We implemented arrest alerts;**



- **We upgraded our website and began using social media to better communicate with the public and increase transparency for the office;**
- **Created a separate and distinct Domestic Violence Bureau.** Prior to June 2016, RCDA's Special Victims Bureau handled all domestic violence cases in addition to all child abuse, sex crimes, elder abuse, trafficking, child pornography, and vulnerable population cases. The ADAs in this bureau were overwhelmed with some of the most serious and complex felony trials and investigations, all which involved victims with a range of needs, and the misdemeanor ADAs had 250-300 cases each. In June 2016, with the opening of the Staten Island Family Justice Center, we created a separate standalone bureau just for domestic violence cases. We were the last borough to make this shift. Today we have a Domestic Violence Bureau with a Chief, Deputy Chief, 4 felony assistants, 1 assistant assigned to the IDV part, and 4 misdemeanor ADAs. Caseloads for misdemeanor assistants are now handled vertically from the point of arraignment and are more manageable with each having around 150 open cases at a time;
- **Created a Victims Services Unit and added staff;**
- **We have fought the heroin and opioid crisis from every angle and are encouraged that from 2016 to 2017 preliminary data shows that there was a 25% decrease in overdose deaths on Staten Island – but this remains a five-alarm fire. On this front we:**
  - o **Created and launched the Overdose Response Initiative to investigate every overdose on Staten Island.**
  - o **Increased our Narcotics & Investigations staff – we added four ADAs and 3 Diversion staff in charge of our HOPE program. And as a result investigations have skyrocketed.** In 2014 just 155 investigations were opened by this office, and in 2015 192 were opened, compared to 350 opened in 2016 and over 400 that were opened in 2017.
  - o **There have been dozens of major narcotics takedowns** since we took office, with arrests of **over 100 major drug dealers, many of which were directly tied to overdoses.**
  - o **We created the Heroin Overdose Prevention & Education (HOPE) Program** in collaboration with partners in NYPD, the Legal Aid Society, MOCJ, DOHMH, the Staten Island Performing Provider System (SIPPS), the Staten Island Partnership for Community Wellness, and other community providers to divert low-level drug offenders from the criminal justice system and towards services and treatment. This program was launched on January 17, 2017 and in a year's time has seen enormous success and I am proud that several other boroughs—Manhattan and Brooklyn—have followed suit and launched HOPE as well.
    - **HOPE Results:**

- Since its launch in January, **HOPE has been offered to more than 440 individuals.**
- **88% of those offered the program enroll in it.**
- **95% of those who enroll meaningfully engage and have their cases withdrawn and their arrests sealed.**
- 335 individuals have received naloxone training and 315 naloxone kits have been distributed.
- **We created the Anti-Violence/Firearms Unit to harness the best-trained, focused prosecutors on our firearms cases;**
- **We created an Animal Cruelty Prosecution Unit;**
- **We created an Elder Abuse Unit;**
- **We created an Economic Crimes Bureau and have begun pursuing asset forfeiture.** As a result, economic and financial investigations have skyrocketed. In fact, in 2017, in its inaugural year as a Unit, this Bureau recovered for taxpayers more than \$1.2 million from prosecutions stemming from the New York State Crimes Against Revenue Program (CARP);
- **We have built bridges with the Community and Strengthened trust in our justice system by:**
  - **Creating a Community Partnership Unit** for the first time in Staten Island history;
  - **Hosting Fresh Start a summons day program** for the first time in Staten Island history and we will host another Fresh Start event this June; and by
  - **Creating a Veterans Court.**

And, perhaps most importantly, our partnership with NYPD and the community has never been stronger and I am exceedingly proud to announce that **crime on Staten Island has decreased by double digits -10.7% since I took office; and overall index crimes are down 13.6%.** In fact, every Staten Island Precinct has seen a decrease in index crimes over the last two years.

Despite these successes and highlights of the past two years, there is no question that there is much more work that remains to be done. With your help, I am confident we can realize our goals and together set a national standard for how big cities should tackle some of the most serious criminal justice and social issues of our generation.

### **LOOKING TO THE FUTURE AND REMAINING NEEDS AND CHALLENGES**

Looking to the future, RCDA does not require the same level of budget increase it did in FY17, but while crime has decreased citywide and also on Staten Island, we have seen an influx and increase in crime in certain critical areas. These include surges in shootings and rapes, which have been driven by domestic violence and crew and gang activity, and narcotics arrests, driven by a heroin and opioid crisis that continues to impact our borough at an alarming rate. These increases necessitate staff and resources to

appropriately and effectively handle them, as well as in some cases new structural changes that will improve the traditional standard for victim and witness interaction and conviction integrity. The increases in these specific areas of crime are also significant because they, in particular, require prosecutors with *experience* to handle them. Due to challenges in retention of ADAs, particularly with those with 5 years or more of experience, we are having to assign homicide and felony cases with violent predicates to ADAs with less and less experience. In addition to overseeing and managing larger bureaus, our Bureau Chiefs also all carry caseloads, including multiple homicides at a time. This reality has an impact on our justice system overall and the quality and efficiency of work done by our office.

As the smallest DA's office in the City, RCDA also continues to need additional funding to keep pace with best practices and niche service offerings that the larger boroughs provide to other New Yorkers. Included among these offerings are restorative justice and diversion opportunities such as a Community Justice Center and Conviction Integrity Review Unit. These types of initiatives are important and worthy of funding not only because they give us the ability to keep pace with citywide and mayoral initiatives (such as lowering the population at Rikers and reducing recidivism), but because they further strengthen the relationship between law enforcement and the community and restore faith and integrity to our justice system and validate our democratic values.

In addition, although we have made tremendous strides in the past year, in this current political climate, the deficiencies that remain in our office have been all the more pronounced. For example, we remain the only DA's office in the City of New York without an Immigrant Affairs Unit at a time when collateral consequences to prosecutions and questions regarding immigration status confront our staff every day. Immigration law is a technical and unique area of law that most lawyers are unfamiliar with; so to address this niche – we need to hire someone with this experience – and we need funding to do that.

Another challenge we uniquely face as the smallest DA's office is fewer numbers of executives and senior level ADAs to meet the institutional and collaborative responsibilities we all face. With more and more city, state, and national collaboration – as well as initiatives built in tandem with the community, our executives and bureau chiefs find themselves obliged to attend more and more meetings, spending less time managing our caseloads, inexperienced attorneys or staff, or attending to in-house matters. While an office of 500+ ADAs can divide supervisory responsibilities to spread this workload – our office struggles to divide the burden of participating in multiple working groups and committees that often necessitate hours of commitment and travel multiple times a month.

In sum, we are incredibly proud of the efforts this office has undertaken in the past two years – much of which has received city, state, and national attention for its innovative and forward thinking approach to improving public safety (e.g. HOPE and the Overdose



Response Initiative). We know these are shared successes with our partners throughout the City that were only made possible with the funding increase RCDA received in FY17. To continue this success, which includes continuing to reduce crime, effectively preventing and prosecuting crime on Staten Island, and improving our justice system overall, we need the personnel and resources to do it.

Since the Preliminary Budget hearing in March, we were encouraged and thankful that this Council supported the needs outlined in our earlier testimony. We were also grateful that the Administration acknowledged two of our most pressing needs and has baselined \$330,000 in funding for the peer engagement portion of HOPE and \$150,000 for personnel to handle the influx of body worn camera footage from NYPD.

In addition to these needs, we hope and are here today to urge the Council and Administration to consider supporting our other requests, which are outlined below:

1. **CREATE AN IMMIGRANT AFFAIRS AND COLLATERAL CONSEQUENCES UNIT- PROJECTED COST (PS): \$150,000**

- We remain the only DA's office in the City of New York without an Immigrant Affairs Unit at a time when collateral consequences to prosecutions and questions regarding immigration status confront our staff every day. Immigration law is a technical and unique area of law that most lawyers are unfamiliar with; so to address this niche – we need to hire someone with this experience – and we need funding to do that.
- In the current climate, we face many questions on a daily basis that we lack the legal authority and expertise to address particularly regarding collateral consequences of convictions. An RCDA Immigrant Affairs Unit would be tasked with investigating crimes that target vulnerable immigrant populations, liaising with immigrant communities, and developing programming to establish trust and communication that helps address each community's unique issues and concerns.
- This funding will allow us to hire one senior ADA with experience in the unique area of immigration law and a paralegal or secretary to provide support.

2. **CREATING A SEPARATE DV COMPLAINT ROOM – PROJECTED COST (PS): \$200,000**

*Domestic Violence numbers prove: We Need to Flip the Script on the Way We Handle Domestic Violence Cases.*

- We know, based on our own experience and in looking at the other boroughs (Queens in particular) that the success of DV cases hinges on cooperation and early support and access to victims and witnesses. By creating a separate DV complaint room that will operate with extended hours (until 2am), we will ensure that ADAs trained and specialized in DV will handle these cases from the get go and build and maintain a relationship with the victim from the earliest possible moment in a case. We also will work with the NYPD to allow for victims to be brought to draw up cases in person, as opposed to relaying information through the arresting officer.
- Currently, other boroughs have complaint rooms with much longer hours than RCDA—which impacts arrest to arraignment time, but particularly in the case of domestic violence, hinders early intervention, access to, and safety planning for victims.
- This funding will allow us to address this issue by extending our complaint room hours for domestic violence cases until 2am, 7 days a week. We will hire 2 additional DV ADAs to staff the extended Complaint Room shifts, and one additional victim advocate to provide supportive services to the victims during the extended hours.

**3. REDUCING INCARCERATION AND BUILDING TRUST WITH THE COMMUNITY: ESTABLISHING A STATEN ISLAND COMMUNITY JUSTICE CENTER- PROJECTED COST (CAPITAL): TBD**

- After seeing firsthand the success of the Red Hook Community Justice Center in Brooklyn of rehabilitating offenders, reducing recidivism, and bringing the community into the criminal justice system in a positive way, we are convinced and determined that Staten Island must have a Community Justice Center.
- Although we understand this is a long-term endeavor and a significant request, we ask that you join us in helping to make this a reality by providing your commitment and support.

**4. CREATE A CONVICTION INTEGRITY REVIEW UNIT- PROJECTED COST (PS): \$425,000**

- Widely acknowledged as a prosecutorial best practice, this Unit would be tasked with thoroughly evaluating convictions that have been submitted for review, as well as conducting after-action evaluations of trial work, and preemptive training for all ADAs on ethics guidelines and to ensure that we are not only effectively addressing claims of innocence, but also preventing wrongful convictions from ever occurring. This Unit would also be tasked with investigating and prosecuting cold cases.

- This will allow us to hire one very senior ADA as Chief, and 2 other senior ADAs, and one paralegal to support this new unit. ADAs must have significant experience – hence the higher salary ranges necessary.

**5. ADA SALARY PARITY - PROJECTED COST (PS): \$250,000**

- As I mentioned earlier in my testimony we are facing an increasingly uphill challenge with the experiential level of our ADAs. The People of New York deserve to have prosecutors with proper training and experience; and who are of the highest quality representing them in the courtroom. Prosecutors are given a tremendous amount of authority with the power of prosecutorial discretion, yet we undervalue them in their pay which has long lasting effects on recruitment and retention. Similar to the other boroughs, if we do not address the issue of ADA salary parity soon, we will be facing a staffing crisis.
- **The Recruitment Challenge: NYC Public Service Lawyers are getting harder and harder to recruit. Here's why:**
  - Public service lawyers are significantly underpaid. The Big Law starting salary for a lawyer in New York City who just graduated law school and passed the Bar is \$180,000. In comparison, the starting salary for an ADA at RCDA is \$68,101.
  - Salary becomes a much bigger factor when you consider:
    1. High cost of living in NYC and cost of raising a family in NYC;
    2. Average cost of student loans;
    3. Changing nature of law practice – there are fewer and fewer “lifetime prosecutors”;
  - This means that our recruitment pool has dwindled to lawyers who come from personal wealth; law school graduates who have struggled to find other employment; or talented lawyers who have aspired to be prosecutors their whole lives or careers but practically cannot remain in our employ for long.
  - Mid-level recruits are almost impossible to find and those positions remain vacant for a considerable period of time. This has lasting repercussions on professional development losses; supervisors are now being promoted with less and less experience.

- **Retention Problem:** The low pay of ADAs in our office combined with the high cost of living, high cost of student loan repayments; and desire to start a family means that we have significant brain drain for ADAs after the 3 year point, and even more significantly after the 5 year mark.
  - 60% of our ADAs (40/67) have 5 years or less of experience; and 32% (21/67) have less than 2 years of experience.
  - Retention issues cause a ripple effect on our supervisors: the average experience level of supervisors has had to drop considerably. We have just 1 ADA who is not a supervisor with more than 10 years of experience; and just 2 ADAs who are not supervisors with more than 7 years of experience.
  - Unit Chiefs, Deputy Bureau Chiefs and Bureau Chiefs at RCDA carry trial caseloads and multiple homicides each.
- A look at some of the salaries of other workers in the City reflects the disparity and unfairness of this gap perhaps most effectively:
  - A sanitation worker with 5.5 years' experience makes on average \$88,616 with overtime; an ADA at RCDA with that level of experience makes \$81,000 and is not eligible for overtime;
  - A police officer with 5.5 years' experience makes \$85,292, not including their holiday pay, longevity, uniform allowance, or overtime; again, an ADA at RCDA with that level of experience makes \$81,000 and is not eligible for overtime;
  - A firefighter with 5 years' experience makes on average \$110,293 including their fringe benefit, an ADA makes \$81,000;
  - It has been reported that under their current contract, in the next 5 years union hotel housekeepers will see their hourly rate grow so that their annual salary will be around \$68,900 – this exceeds the starting salary for our entry level ADAs who are required to have attended law school and passed the NYS Bar.
- Our attorneys work hard, they confront heart wrenching, emotionally draining, and complex circumstances and decisions every day, and we entrust to them our faith to make the right decisions. We the public deserve the best in our

prosecutors, and our prosecutors deserve our respect and, at the very least, the ability to make a living from this honorable and incredibly important public service career.

### CONCLUSION

Thank you for your consideration and support of these critical requests. We look forward to an ongoing dialogue and collaboration to continue to ensure the public's safety and continual improvement to our criminal justice system.

**Office of the District Attorney, Bronx County**

---

**Fiscal Year 2019 Executive Budget**

**The Council of the City of New York  
Committee on the Justice System**

**May 14, 2018**



***Pursuing Justice With Integrity***

---

**Darcel D. Clark  
District Attorney**

BRONX DISTRICT ATTORNEY DARCEL D. CLARK  
TESTIMONY FOR CITY COUNCIL FISCAL YEAR 2019  
EXECUTIVE BUDGET HEARINGS  
MAY 14, 2018

Good afternoon Chairman Lancman and members of the Justice System Committee, Chairman Dromm and members of the Finance Committee.

Thank you for the opportunity to return to the Chamber and speak to you about our critical funding needs to ensure public safety and an equitable criminal justice system for the people of the Bronx.

I want to express my gratitude and appreciation for the \$2.7 million dollars in the Mayor's proposed budget increase, out of the nine million dollars requested on March 12<sup>th</sup>.

We plan to put it to use to implement bail reform, expand discovery, and enhance services for crime victims, because to do JUSTICE means FAIRNESS to defendants and providing security to victims and witnesses.

We have embraced the criminal justice reforms and the goal of reducing the population of Rikers Island, all while we battle the opioid overdose crisis in the Bronx.

As 21<sup>st</sup> century prosecutors, we are pleased to partner with the City Council, the Mayor's office and the NYPD to carry out these reforms.

But to achieve reforms, we must have the REFORMERS.  
No initiative, idea or plan can be realized without TALENT (PEOPLE).

I came here two months ago to plead for parity, to be able to pay the dedicated and hardworking assistant DAs of Bronx County EQUITABLE salaries, asking for \$6.3 million dollars to do so.

I told you how we are losing our most EXPERIENCED talent to other city and state agencies. I recognize that we cannot compete with the salaries of the private sector, however our request is for parity with other NYC and state prosecutorial and municipal agencies performing similar if not the same work.

Well, since I last spoke here, 24 ADAs have resigned. A total of 42 since January. We are forecasting an attrition of 106 ADAs for all of 2018.

I had informed you that our ADAs are the lowest-paid in the city. The starting salary for an ADA in the Bronx is \$61,200 a year. After taxes, that comes to \$23 dollars and 53 cents per hour, based on a 35-hour work week.

But they rarely work a 35-hour week. It's more like a 45-hour work week, because they are on duty on nights, weekends, holidays.

So the actual hourly take home pay for ADA's breaks down to \$18 DOLLARS and 57 CENTS.

That is just THREE DOLLARS and 57 CENTS more than the minimum wage of \$15 DOLLARS AN HOUR that will be enacted in New York State at the end of the year!

This is egregious, unfair and reflects a lack of recognition for the education and training required to become an attorney.

And it disregards the heavy burden of student loans, cost of living and transportation in New York City.

I would like to offer counterpoints to some of the remarks made to the Committee on March 20 by one of my esteemed partners in our quest for a criminal justice model for the nation.

You were told that salary parity "should be able to be done within their context of their budget. It's also NOT LIKE we're living in a time of a crime boom."

Yes, overall crime is down.

But the Bronx bears an inordinate share of the city's crime.

And so far this year the Bronx is experiencing an upsurge in homicides. We have had 32 persons killed in the Bronx, out of the 82? homicide victims citywide. Police Commissioner O'Neill spoke about this alarming development last week.

Responding to and prosecuting these crimes is REACTIVE and unpredictable and takes a lot of personnel and time.



As we speak we are working with the NYPD to address this FORTY PERCENT increase in violent deaths.

There was also testimony that it is “within our discretion as to how we allocate our budgets...that’s what we have to do as managers of our Offices,” and then city’s funding my office for Vertical Prosecution and opening a bureau on Rikers Island in 2016 was cited.

That funding had to be used specifically for new hires, so we could staff the initiatives that the Council, OMB and the Mayor’s Office recognized as necessary investments to public safety in the Bronx and Citywide.

We hired 120 new ADAs. But they are new. They cannot fill the shoes of veteran prosecutors who are leaving.

We answer to the taxpayers. We must use the funding we get for its specific purposes. We use restraint. We cannot just hand out raises without regard to the fiscal impact.

I feel that my Office is being penalized for our fiscal prudence, and encouraged to mismanage funding. Money for initiatives MUST be used for initiatives. We cannot carry them out if we use that money for parity.

The bottom line is that if we continue to lose experienced prosecutors we will have to scale back on important initiatives.

And I do not want to modify the Vertical Prosecution Model, which was the linchpin of my mission and has resulted in improved quality of cases, efficiency, a reduced backlog, and trimming arrest-to-final disposition time.

But I may have no choice.

As I said two months ago, the parity issue has to be addressed quickly. There is a massive talent drain away from my Office. High attrition. Lost productivity.

The average experience level of our ADAs is already low at 3.8 years, and without parity it will continue to drop. This historic disparity predates my tenure and I need your help to correct it.

So I ask you once again for the money to put my legal staff on equal footing.

For example, the starting salary for an attorney at the Law Department is about \$68,500. A Bronx ADA who has been in the Office for THREE years makes \$3,200 less than that.

In March I requested \$6.3 million dollars to pay our ADAs the equivalent to the average salary of prosecutors in the other New York City DA Offices and state and city attorney offices.

Right now, on average, our ADAs make \$12,000 less. My colleague Bridget Brennan mentioned how she has ADAs from each of our offices with the same level of experience and doing the same work for the Special Narcotics Prosecutor's Office, all making different salaries.

If we received half of the \$6.3 million, it would allow us to reduce by half the existing overall disparity.

It would also allow us to increase the starting pay of our new ADA's, modestly increase the salaries of all other ADA's in a graduated manner to avoid compression of salaries.

And, with the future in mind, it would allow us to structure and target a schedule of pay increases toward ADA's so that in their third year they will at least be making what other agencies are enticing them with.

This will require us to come back to this body and request funding to phase in the remainder of parity.

Any part of this parity money would allow us to become more competitive at retaining the talent we develop.

Again, I thank you for your time and consideration.

My home county has been underserved for decades, yet it remains a place of relentless hope and the people succeed amid struggle.

I cannot accept that the city treats the Bronx differently than the other boroughs. I plead with you to give the people of the Bronx the respect and compassion they deserve, by giving them the best possible DA's Office to achieve criminal justice reform and ensure public safety.

I will not let you down, and I will not let the people of the Bronx down.

Thank you.



Kings County District Attorney  
**ERIC GONZALEZ**

Fiscal Year 2019 Executive Plan Budget Hearings

Public Safety Committee

City Council

May 14, 2018



## Introduction

Good Afternoon. Thank you Chairman Richards and the Public Safety Committee and Chairman Lancman and the Justice Committee for this opportunity to address you on the Mayor's Executive Budget and its impact on my office.

During the FY 19 Executive Budget Plan, my office saw several changes to our FY 19 budget including funding for additional lease cost at our 350 Jay Street headquarters as well as collective bargaining adjustments. Unfortunately, while the Mayor's budget added baseline funding for every other DA's office to cover the growing cost of managing the video evidence generated from Body Worn Cameras by the NYPD, my office was not provided those funds. It is my hope that this oversight will be corrected and that OMB will provide the \$600,000 in baseline funding we are requesting during the Adopted budget plan.

## Salary Parity

In my last testimony, I spoke passionately about the need for salary parity between the DA offices. This is imperative not to foster competition between the offices, rather to level the playing field for all of the lawyers who are working hard throughout the City on behalf of New Yorkers. ADAs in Brooklyn shouldn't earn less than others when they start out in their career. This remains among the greatest staffing challenges for my office. With a starting salary of \$60,000, Brooklyn's starting salary is still the lowest amongst the offices. We have asked the City for assistance in raising the starting salary so that we can retain the talented assistants that we invest time and resources in for 3 years only to lose them to the private sector or other City agencies that can pay them substantially more. This request for \$1.6M in the baseline to raise the starting salary to \$65,000 was made back in November. This need has not been funded and

there haven't been any additional discussions from OMB about the possibility of providing this funding in the future. The greatest asset we have at the office is our amazing workforce. Investing in them is the wisest use of our resources and ensures that the people of Brooklyn are getting the best of the best.

### Vertical Prosecution

Like my colleague in the Bronx, I have decided to move the prosecution in my office to the more efficient prosecutorial model of vertical prosecution. In order to effectively implement this change, more staff is required. The City has been supportive of this model in other offices and has demonstrated that support by providing baseline funding to cover the cost of additional staff, both legal and non-legal. In the request to OMB, we have also asked for an additional 80 ADAs, 20 per year over the next four years, to increase our total ADA count to an average of 530. This will require an additional \$5.6 million dollars in baseline funding. In addition, we requested \$1.9 million dollars in baseline funding to hire 21 Senior ADAs to work on high level Felony cases. This cohort of ADAs has been lost through record attrition and we are in great need of attorneys at this level as we respond to changing caseload in Brooklyn which includes more long term investigations requiring more experienced attorneys. While arrests are down Citywide, Brooklyn remains the county with the highest level of Felony arrests with the next highest county having 7,000 fewer Felony arrests than Brooklyn. This total funding request of \$7.5M in the baseline will cover the cost of transitioning my office to meet the prosecutorial needs of today.

### CLEAR Program

Brooklyn's Collaborative Legal Engagement and Addiction Response (CLEAR) launched February 15, 2018. I would like to again to thank the City Council for providing \$700,000 in

funding to my office to develop this pre-charge program to divert into treatment and other services individuals arrested for possessing personal-use quantities of “hard” drugs as opposed to marijuana. Brooklyn CLEAR began as a response to the opioid overdose epidemic, which has taken the lives of over 1000 people in Brooklyn in the past five years. This program was piloted in six precincts in Brooklyn and has been promising thus far. Of the eligible cases through April 30<sup>th</sup>, nearly half of the individuals (47%) agreed to enter the program. We hope as the program continues, we will see that number increase. This month, the program expanded to the other seven precincts in Brooklyn South and it is our intention to expand borough wide in FY 19. Similar programs in Staten Island and the Bronx have been baselined in the Mayor’s Executive Budget, and we urge you to push OMB to baseline funds for CLEAR as well. In the event that those funds are not baselined, we ask that the council provide \$1.4M in funding so this important effort can continue.

### Warehouse

During FY17, OMB provided \$600,000 in baseline funding to my office to cover the cost to lease a file storage warehouse in Brooklyn. This funding was provided with the anticipation that we would require 60,000 square feet of space to handle the amount of files that we have. Once the funding was provided, DCAS began working on the space analysis and brought in an architect who specializes in legal file storage. Based on the assessment, DCAS recommends that an additional 40,000 in square footage is necessary to accommodate the files we are required to store. DCAS has identified a space in Industry City and the landlord is ready to move forward with the lease. The annual cost for this space is \$2.2M. We have requested to OMB that they increase this funding by \$1.2M in the baseline. In Brooklyn, we process the most cases citywide. Each file, from the misdemeanor shoplifter to the homicide defendant requires that a case file is

created and retained. Retention rules require that some cases are kept indefinitely, while many other cases have 25 year lifespans. DORIS cannot effectively take on our long term storage. They are often unable to take on additional files and constantly are unable to locate a file they have in their custody without extensive delays. Mismanagement of case files has a real world impact for a prosecutor's office. Judges are reluctant to hold up a case or prolong detention because my office is waiting for a file to be retrieved. The risk of a case being dismissed because a file cannot be retrieved is real. It is also a risk we don't want to continue to take. Moving into the space identified by DCAS is imperative to our operation. With this space we will be able to consolidate the current file management operations and move out of 210 Joralemon which has been sold by the City and is preparing for construction to begin on the space within the next two months. This couldn't be more urgent for our office and the City. Therefore we ask for your support to get OMB to fund the additional \$1.2M so that DCAS can complete the negotiation of the lease with the landlord allowing this already funded project to move forward to completion.

#### Loss of Federal Grants

Over the course of the last year, my office has lost federal grants which supported important programs in Brooklyn, totaling \$654,000. In spite of attempts to renew the funding, none of it will be available in FY 19. These programs, which address the needs of some of the most marginal groups in Brooklyn, must continue and we urge the Council to push for baseline funding. If these funds don't make it into the Mayor's Executive Budget, we ask the Council to provide these funds for FY19 while we seek out other funding sources for these programs. The programs are the Smart Prosecution Initiative, which supported our Young Adult Court, the BRAVE program, part of the Violence Against Women Act, which provides trauma-informed,



direct services and sensitivity trainings for law enforcement regarding domestic violence and sexual assault, particularly amongst immigrant, non-English speaking, and LGBTQ communities, and End Violence Against and Abuse of Women Later in Life, which addresses domestic violence and elder abuse.

#### Open File Discovery – E-Discovery

Finally, I would like to again mention the upcoming capital request my office will be making to OMB for technology infrastructure upgrades which enable the implementation of software for E-Discovery . As many of you may know, my office has practiced Open File Discovery (OFD) since the mid 90's in the vast majority of our cases. This practice accelerates the disposition of cases. I am confident that we can enhance the OFD process and make it more efficient by developing and implementing a system for electronic discovery. Technology is pushing the world forward and that includes the way in which we prosecute cases. Having the technology to share discovery electronically in our office will enhance the process and save time and money. We will work with OMB over the summer to submit a capital request for server upgrades that will enable us to support new software for electronic discovery.

#### Closing

I once again thank Chairman Richards and Chairman Lancman, all of the members of the Public Safety and Justice Committees and the entire Council for your tireless support of my office as we make the case for these additional resources. With your support it is my hope that this funding will be provided by OMB in the Adopted budget plan so that we can continue to ensure safe neighborhoods and peace of mind to the great people of Brooklyn.



DISTRICT ATTORNEY  
QUEENS COUNTY  
125-01 QUEENS BOULEVARD  
KEW GARDENS, NEW YORK 11415-1568

**Richard A. Brown**  
District Attorney

(718) 286-6000  
[www.queensda.org](http://www.queensda.org)

## MEMORANDUM

May 14, 2018

**To:** The Chairpersons and Members of the Committees on Finance and the Justice System of the New York City Council

**From:** Queens County District Attorney Richard A. Brown

**Re:** Mayor's FY 2019 Executive Budget

Thank you for the opportunity to appear before you today to discuss with you the Mayor's Executive Budget for Fiscal Year 2019.

At the outset, I want to express my thanks to Chairpersons Dromm and Lancman – and your colleagues -- for all of your efforts. With your help and that of the Mayor, over the last several years we have been able to make significant strides in addressing many of our Office's needs as well as addressing many of our County's new and emerging crime trends.

We are very appreciative for the \$250,000 in funding allocated in the FY 19 Executive Budget Plan for staffing related to the NYPD's body worn camera initiative, which will help us begin to address the high volume of body camera videos received as this program continues to be implemented in Queens County. That said, we also have a number of additional initiatives for which we once again need your help and support this year to continue to make progress and move things forward.

\* \* \* \*

I have provided you with a booklet, as I do each year, that provides you some detail on a number of our Office's most recent accomplishments as well as our FY 19 new needs requests.

In short, though, the Queens County District Attorney's Office is among the busiest metropolitan prosecutors' offices in the nation. We are an office very much committed to doing everything in our power to make certain that the innocent are never wrongfully convicted, that

only appropriate charges based on the evidence are filed against the guilty and that justice is done with respect to each and every one of the cases that we handle.

This past year was another eventful one for us in which we prosecuted many high profile cases, completed numerous significant long term investigations and handled our growing caseload efficiently and effectively, while also making significant progress in our efforts to address criminal activity in our county and improve the quality of life for those who live and work here.

\* \* \* \*

Our Office also continues to be on the cutting edge of taking on new responsibilities and developing innovative initiatives.

In recent years, we established an Office of Immigrant Affairs (OIA) staffed with dedicated multi-lingual attorneys, investigators and paralegals, to assist members of Queens County's numerous immigrant communities in navigating and accessing services within the criminal justice system and to provide better coordination and enhanced handling of cases in which members of our immigrant communities have been victimized. OIA also continues to be extraordinarily active in community outreach efforts -- attending meetings, cultural events and forums, networking with governmental and not for profit groups, and launching both a dedicated hotline and a Facebook page -- to inform community members and our immigrant populations of available help and services.

We also established an Animal Cruelty Prosecutions Unit, which has been working actively with NYPD's newly formed Animal Cruelty Investigations Squad to pursue allegations of animal cruelty, abuse, and neglect and to educate the public on the prevention and detection of animal abuse. Centralizing the investigation and prosecution of these matters has greatly increased coordination, communication and specialized handling and expertise in this important category of cases.

We have put a great deal of effort into addressing the specialized area of vehicular crimes -- including vehicular homicides and vehicular assaults involving serious physical injury -- with the overall focus to collaborate with the Citywide Vision Zero policy and Vision Zero partners, including NYPD, the New York City Department of Transportation, the New York City Taxi and Limousine Commission and New York City's Departments of Education and Health.

We also operate a broad array of alternative sentencing and community programs, including our felony and misdemeanor Drug Treatment Courts, our Mental Health Court, as well as a Court which responds to the needs of our returning veterans.

Our Queens DWI Treatment Court, which handles cases involving driving while intoxicated charges, was the first of its kind in New York City. The court and our program provide a successful alternative to prison for first time felony DWI offenders -- with offenders receiving intensive substance abuse treatment leading to an extremely low rate of recidivism. To

add even more teeth to our efforts, a number of years ago, our office also took on the responsibility of serving as the Citywide Ignition Interlock monitor to help ensure that important safety-related court conditions in driving while intoxicated cases are complied with citywide.

Our Second Chance Program, which was established over 25 years ago, focuses on individuals who have committed their first non-violent misdemeanor offense or received a Desk Appearance Ticket (DAT). Prior to arraignment, selected first-time offenders are contacted by QDA staff to schedule a clinical meeting to determine if the traditional DAT process, and a court appearance, can be avoided and instead be referred to a community-based treatment program, if needed, and participate in our Second Chance program. Participants in this program work with a panel of community members who provide mentoring and community support and discuss behavior which led to their involvement in the criminal justice system. If successful, the case is dismissed prior to arraignment.

In addition, our Office recently implemented the Queens Treatment Intervention Program (QTIP), in response to the ongoing opioid crisis in Queens County and throughout New York City and New York State. QTIP is a collaborative program with Samaritan Daytop Village, an Office of Alcoholism and Substance Abuse Services (OASAS) licensed treatment provider, that focuses on misdemeanor non-violent individuals who are addicted to opioids, with the goal of addressing underlying clinical concerns and preventing fatal overdoses. In lieu of traditional community service, defendants are directed for a clinical assessment to determine if further treatment services are warranted. If the defendant is determined to be in compliance, the cases result in an Adjournment in Contemplation of Dismissal (ACD).

With respect to juvenile and youthful offenders as well, we have dedicated a great deal of effort to a wide variety of community-based crime and violence prevention and youth empowerment initiatives, as well as alternative sentencing programs. In recent years, for example, we established both a Supreme Court Youth Part and a Youth Diversion Program that specifically target young people who get themselves into trouble and provide alternatives to incarceration in appropriate felony cases.

In the area of domestic violence, our Queens Family Justice Center offers a host of services and support to victims of domestic violence and their families, with a dedicated team of attorneys, paralegals and investigators located with approximately 20 City and non-profit agencies in one safe, user-friendly, multi-lingual and multi-cultural environment. In the area of child abuse, our Office also operates a Child Advocacy Center, through a collaborative effort of this office, NYPD, Safe Horizon, the Administration for Children's Services and the NorthShore/LIJ Health System's Cohen Children's Medical Center of New York. The Center, of which we are very proud, provides comprehensive services to victims of child physical and sexual abuse and their families, with the goal of assisting victims through offering counseling, police, prosecutorial, child welfare, and medical services in one child friendly location.

These are just a few of the examples of the efforts and initiatives we have been able to put into place over time.

\* \* \* \*

So now let me turn to the issue at hand -- our current fiscal situation and the new needs we are requesting for FY19 and beyond.

We are pleased that \$250,000 in funding has been allocated to my Office's budget in the FY 19 Executive Plan for staffing to address the significant volume of videos received as part of the NYPD's body worn camera initiative. This funding will be used to hire five analysts who will be responsible for reviewing, redacting and cataloging the videos received. As this program continues to be rolled out in Queens, it has become apparent that the volume of videos continues to grow at a rapid pace and additional staffing above and beyond what was initially funded will be required. As a result, we are now requesting an additional \$250,000 in funding for five additional analysts, who can assist with this very time and labor intensive initiative. Further details on our request is provided in the attached documents.

We also have numerous other pending new needs requests that were submitted to both you and the Office of Management and Budget (OMB) at the Preliminary Budget hearing. A copy of our request is attached to this testimony for your reference and is also included in the booklet we provided.

Overall, our new needs request seeks to address overarching ADA salary level concerns as well as headcount disparities that currently exist between my Office and the other counties -- most significantly ADA headcount disparities, particularly with Bronx County.

When comparing ADA caseloads among the five District Attorney's Offices, Queens ADAs are unfortunately carrying a much higher caseload than my colleague offices. For example, when comparing overall arrests in 2017 by county, Queens is showing an average ADA caseload of 179 compared to a 131 average caseload of the Bronx, Manhattan and Brooklyn combined; on felony cases, Queens has an average caseload of 60 compared to 41; and on misdemeanor cases, Queens has an average caseload of 113 compared to 86. The most significant disparity exists between my Office and the Bronx, with the Bronx having approximately 247 more ADAs and having an average ADA caseload of 113 compared to 179 in Queens. To put it in simple terms, the Bronx has approximately 12% more arrests than Queens but has 77% more ADAs and a 33% larger PS budget. In addition, \$2.7 million in new needs funding was added to the Bronx's budget in the FY 19 Executive Plan which only further exacerbates this issue. While the Bronx DA's Office is most certainly entitled to the funding they received, Queens is also entitled to its fair share.

In order to address these disparities, we proposed a new needs request at the Preliminary Budget hearing that would add ADA and support staff to both core function areas of my Office, such as our Criminal Court/Intake and Supreme Court Trials Bureaus, as well as specialized areas of my Office that are in need of additional support and resources. These areas include the establishment of an Opioid and Prescription Drug Trafficking Unit, an enhanced Human Trafficking Unit, enhanced staffing for our Economic Crimes Bureau, the establishment of a

Civil Litigation Unit, a centralized Property Release Unit, an enhanced Animal Cruelty Unit, a Domestic Violence Bureau Pre-Arrest Pilot Program and an enhanced Immigrant Affairs Unit.

The full detail of these initiatives is included in the attached proposal, however, I would like to briefly highlight a few of these initiatives which are of critical importance:

#### Opioid and Prescription Drug Trafficking Unit

We are seeking \$360,000 in funding to establish an Opioid and Prescription Drug Trafficking Unit to investigate and prosecute cases stemming from the burgeoning opioid epidemic in Queens County, with a focus on those who are manufacturing, dealing and distributing fentanyl and other opioids in the County. The opioid epidemic is unfortunately growing in Queens, with approximately 270 non-fatal overdoses in 2017 and over 255 grams (over one-half pound) of fentanyl seized based upon search warrants alone.

Investigating these types of cases is extremely time and labor intensive and regularly requires the use of a variety of investigative techniques including cell phone tracking, records subpoenas, wiretaps, search warrants, undercover investigations, as well as detailed analysis of the high volume of data and documents compiled during the course of investigations. Unfortunately, our current staffing level is not sufficient to address the volume and complexity of these cases and investigations have been delayed due to the lack of resources. In order to address this issue, we are seeking funding for three ADAs and three analysts.

#### Enhanced Human Trafficking Unit

We are also seeking \$305,000 in funding for an enhanced Human Trafficking Unit. Human trafficking is a serious and growing crime concern in Queens County, requiring a specialized prosecutorial response in coordination with comprehensive support services for victims. Trafficking victims are extremely vulnerable and often economically exploited. When they arrive in this country they are often promised work and money, but unfortunately, are instead forced to work in the sex industry or in the trafficker's household or business for no wages. Furthermore, trafficking victims are often deprived of their passport and physically or psychologically abused. Most often trafficking victims do not speak English, are distrustful of the criminal justice system, and fear being deported if they go to law enforcement and are therefore left without resources and hope.

Compounding this problem is the immense diversity of Queens County, which is one of the most diverse counties in the nation. Queens has a significant proportion of immigrants and first-generation Americans, with 47% of the County's residents foreign-born. Queens is also intensely multi-lingual and home to an estimated 140 languages/dialects. According to U.S. Census data, 56% of residents speak a foreign language at home and 29% speak English less than "very well". Queens is also home to two of the nation's busiest airports, John F. Kennedy International and LaGuardia Airports, making Queens County a prime location for trafficking activity to occur.

Currently, we have only one ADA assigned to handle these cases and we are therefore requesting funding for additional staffing of three ADAs and two paralegals to this initiative.

This staff is essential to deal with the high volume of cases we are seeing as well as to coordinate with victim services agencies to ensure that trafficking victims are provided with the comprehensive support services they require.

#### Domestic Violence Bureau Pre-Arrest Pilot Program

We are also seeking \$335,000 in funding for a pilot program within our Domestic Violence Bureau that will target pre-arrest domestic violence cases. Since 1997, our Office has worked in close partnership with the Office of the Queens Borough President (QBP) and Safe Horizon, in implementing a comprehensive domestic violence initiative to more effectively address the complex problems of domestic violence in Queens County. Since the project began, great strides in the area of domestic violence have been made, including the opening of the Queens Family Justice Center (QJFC), which greatly expanded the available services for domestic violence victims.

We are very proud of our achievements to date, however, we continue to face ongoing challenges in addressing domestic violence in Queens County and continue to seek innovative ways to hold batterers accountable, while providing early outreach and services to victims.

One new initiative that we seek to implement is a Domestic Violence Strategic Threat Alert Team (STAT) program which will focus on the prosecution of high-risk domestic violence cases through coordination with the NYPD on identifying and enhancing the response on pre-arrest domestic violence incidents. We hope to pilot this program in two police precincts in Queens County and put into place a system in which QDA Domestic Violence Bureau ADAs will receive email alerts on pre-arrest domestic violence incidents. These cases will then be assessed to determine those that are the most high-risk, based on established criteria. QDA staff will then reach out to the victim in conjunction with specially trained victim advocates for early outreach. This will allow our Office to start gathering important information relating to the incident, including 911 tapes, injury photos, eyewitness statements, all before an arrest is made. In addition, victim advocates will be able to reach out to victims to explain the criminal justice process; address victims' safety concerns; and link victims to needed services.

In order to implement this program, we are seeking funding support for four ADAs and one paralegal. We believe this program will enable us to take a more proactive approach toward domestic violence matters and provide comprehensive support services to victims earlier on in the process.

#### Enhanced Criminal Court/Intake Bureau and Supreme Court Trials Bureau Staffing

We are also seeking \$2.14 million in funding for staffing for both our Criminal Court/Intake Bureaus as well as our Supreme Court Trials Bureaus in order to address both our high misdemeanor and felony caseloads, which as previously mentioned, are significantly higher than my colleague offices. In order to address this issue, we are seeking the addition of 12 ADAs and 6 paralegals to our Criminal Court/Intake Bureaus as well as 15 ADAs and 5 paralegals to staff an additional Supreme Court Trial Bureau which was closed several years back due to budget cuts and fiscal restraints. This staffing is critical to ensure that we are able to handle our prosecutorial mission effectively and efficiently.

\* \* \* \*

An additional part of our FY 19 new needs proposal also includes a request for targeted salary adjustments for our entry level and line assistant district attorneys, with whom we are experiencing a significant attrition problem. Addressing salary levels for our assistant district attorneys continues to be a work in progress and a top priority to ensure that we are both able to attract and retain the top notch staff that the residents of Queens we represent deserve.

By way of background, during the long series of post- 9/11 budget cuts, we were forced to restrict both starting salaries for our new assistant district attorneys and salary increases for attorneys as they gained years of experience and training. As a result, over time we simply lost pace with many of the salary levels other private sector employers and federal, state and local governmental colleague offices were able to provide and salary levels amongst Class Years became compressed. The impact of this has been significant. Particularly as the economy has rebounded, we have seen increasing problems in both attracting the level and diversity of candidates we routinely seek for our entry level assistants and retaining our experienced assistants - largely due to understandable financial concerns and realities and our inability to compete with salaries offered elsewhere.

To address this, we are seeking \$2.5 million in baselined Personal Services funding starting in FY 19 for targeted salary adjustments for our entry level and line assistant district attorneys and to address a continuing problem with compression of salaries amongst our Assistant District Attorney "Class Years" and allow us to provide for growth and adequate separation of salaries based on years of experience in the office.

\* \* \* \*

Lastly, I would like to update you on our ongoing facilities and overcrowding issues. I am pleased to say that with baselined monies provided in FY17 we have begun to make progress in addressing these needs. We have worked together with the City to obtain additional rental space in our existing rental facility located at 80-02 Kew Gardens Road to allow for the much needed expansion of our Economic Crimes Bureau. We are also in the planning process of building a critically needed Cyber-Crime forensic laboratory.

We have also finalized with the City close to 40,000 square feet of space in a new facility across from the courthouse, located at 126-06 Queens Boulevard. This will ultimately allow us, as space becomes available, to alleviate overcrowding of existing staff and to consolidate Trial Division staff near the courthouse.

As you know, the impact of overcrowding on our staff, crime victims, and witnesses is significant. Because of the overcrowded conditions many of our staff must now routinely double- and triple-share offices built for one. Overcrowding has also prevented adequate provision of private interview space, filing and record room facilities, and conference and training rooms. Nearly two thirds of the District Attorney's staff are now located off-site, creating severe logistical problems.



This is all particularly frustrating given the long-standing nature of the problem. And I note that, compounding the problem is that even with the additional space acquired in the 80-02 and 126-06 buildings, we are still left with close to 65,000 rentable square feet of space to find and lease.

So we still very much need your and the City's continued support in expediting rental of the remaining space we need in the short term.

In the long term, we are also very much in need of a comprehensive solution beyond the rental of more office space, which was initially intended as a stopgap measure. As I have testified before, we continue to explore with the City various options, including the possibility of construction of a new consolidated facility or the addition to our existing facilities of the additional square footage we need. As you are aware, for many years we have proposed taking over and renovating the vacant Queens House of Detention, which is contiguous to my Office's main office space. Now, since the Mayor's tentative plan to reopen the facility will likely result in the need for new construction, we are proposing that space for my staff be considered as part of the design, or if not feasible, that the City continue to work to identify other viable options. Progress has been slow, however, in moving forward on a long-term solution that will give us the modern, consolidated and comprehensive physical space we need. This remains a top priority for us and we continue to need your help and support in maintaining focus and momentum on this important issue.

\* \* \* \*

So we are very appreciative of all the monies and support you have given us over the past few years and, with your help, have been able to make significant progress.

I very much look forward to working with you and your staffs in addressing the new needs we outlined for you today and in furthering our efforts. I believe that it is extremely important to do so. As I have said many times before, the District Attorneys are key partners in the criminal justice system along with police, probation and the courts. And we must work collaboratively to ensure that each of our offices is given the criminal justice and public safety dollars that we need to do our jobs to maintain and advance the efficiency and effectiveness of the entire system.

**Office of the Queens County District Attorney  
Summary of FY 19 New Needs Budgetary Requests**

**FY 19 Executive Budget New Needs Request**

1. Supplemental Funding for Body Worn Camera Video Staffing	5 analysts
	<b>Total: \$250,000</b>

<b>FY 19 Preliminary Budget New Needs Request</b>	<b>Grand Total: \$7,200,000</b>
---	---------------------------------

1. ADA Salary Parity	<b>Total Requested Funding: \$2,500,000</b>
----------------------	---

2. Headcount Parity	<b>Total Requested Funding: \$4,700,000</b>
---------------------	---

- |   |         |                              |  |
|---|---------|------------------------------|--|
| • Criminal Court/Intake Bureau Staffing         | 12 ADAs | 6 paralegals                 |  |
| • Supreme Court Trials Bureau Staffing          | 15 ADAs | 5 paralegals                 |  |
|   |         | <b>Subtotal: \$2,140,000</b> |  |
| • Opioid and Prescription Drug Trafficking Unit | 3 ADAs  | 3 analysts                   |  |
|   |         | <b>Subtotal: \$360,000</b>   |  |
| • Enhanced Human Trafficking Unit               | 3 ADAs  | 2 paralegals                 |  |
|   |         | <b>Subtotal: \$305,000</b>   |  |
| • Enhanced Economic Crimes Effort               | 3 ADAs  | 4 accts/fin analysts         |  |
|   |         | <b>Subtotal: \$465,000</b>   |  |
| • Civil Litigation Unit                         | 2 ADAs  | 4 paralegals                 |  |
|   |         | <b>Subtotal: \$340,000</b>   |  |
| • Body Worn Camera Video Staffing               |         | 5 analysts                   |  |
|   |         | <b>Total: \$250,000</b>      |  |

**(THIS REQUEST WAS FUNDED IN THE FY 19 EXECUTIVE PLAN)**

- |                                |        |                            |  |
|--------------------------------|--------|----------------------------|--|
| • Property Release Unit        | 1 ADA  | 2 paralegals, 1 clerk      |  |
|                                |        | <b>Subtotal: \$175,000</b> |  |
| • Enhanced Animal Cruelty Unit | 2 ADAs | 1 paralegal                |  |

**Subtotal: \$185,000**

- Domestic Violence Bureau Pre-Arrest Pilot Program 4 ADAs

1 paralegal

**Subtotal: \$335,000**

- Enhanced Immigrant Affairs Unit 1 ADA

2 paralegals

**Subtotal: \$145,000**

**Total: 46 ADAs**

**36 Support Staff**

**Office of the Queens County District Attorney**  
**Proposed Additional New Needs as of the FY 19 Executive Plan**

**Supplemental Funding for Body Worn Camera Video Staffing**

**Requested Funding:  
\$250,000**

At the time of the FY 19 Preliminary Budget, the Office of the Queens County District Attorney put forth a new needs proposal that included a request for \$250,000 in baseline funding for staffing related to the NYPD's body worn camera initiative. We were ultimately funded for this request in the FY 19 Executive Plan. However, we are now requesting an additional \$250,000 in funding to support additional staffing needs for this initiative. As previously discussed, the NYPD is still in the process of outfitting all officers on patrol in Queens County with body worn cameras, with the roll out expected to be completed by the end of 2018. As the implementation continues, videos are coming in at a faster pace and the volume of videos is significantly increasing. For example, since October 2017, we have received videos from all shifts in three precincts and have received videos from one of three shifts in three precincts. Even with the limited number of precincts participating at this time, we have already received nearly 5,000 videos to date. Based on the current volume of videos received, we estimate receiving approximately 156,000 videos per year, once officers on all tours and in all precincts are outfitted. This is just the tip of the iceberg however. We are obligated to provide all videos, not just that of the arresting officer, and as a result, the volume of videos is anticipated to continue to grow. In addition, we still have not yet begun to tackle the enormous task of redacting the videos received. As a result, we are now requesting an additional \$250,000 in baseline funding beginning in FY 19 for five additional analysts at an average annual salary of \$50,000 to be assigned to this initiative. We feel that this additional staffing is necessary given the growing volume of videos and the significant task that lies ahead of redacting, storing and accessing these videos.

**Office of the Queens County District Attorney**  
**FY19 Proposed New Needs as of the FY 19 Preliminary Plan**

The following outlines a number of critical Personal Services new needs for which we request funding support starting in FY 19:

**1. Assistant District Attorney Recruitment and Retention**      **Requested Funding: \$2,500,000**

As part of our new needs request to you last year, we sought \$1,200,000 in additional baselined Personal Services funding for targeted salary adjustments for our entry level and line assistant district attorneys, with whom we are experiencing a significant attrition problem. At the same time, however -- based on the same issues we face in Queens -- each of our fellow District Attorney's Offices also submitted similar requests for salary parity, but each based on different amounts and different methodology. So after extensive discussions with MOCJ and our colleague offices, we agreed that it was important that we work together to ensure each County is getting its fair share of criminal justice dollars that allows for comparable salaries for assistant district attorneys at each Office Citywide. As a result, MOCJ and OMB conducted an analysis of the five District Attorneys' ADA salary structures, and based on that analysis, to maintain parity, we increased our request to \$2,500,000 annually.

By way of background, addressing salary disparities for our assistant district attorneys continues to be a work in progress and a continued top priority to ensure that we are both able to attract and retain the top notch staff that the residents of Queens we represent deserve. This issue -- particularly for our line attorneys -- has been one of long-standing and while, with your help, we have been able to make substantial progress in making salaries more competitive over time, the problem still remains and requires, we believe, additional incremental change.

Each year we make an active recruiting effort to attract new law school graduates to join our office as assistant district attorneys. And when they join our staff, we provide intensive training -- including classroom sessions, Moot Court exercises, continuing legal education, and individual mentoring -- to ensure that we, as an office, provide the quality legal representation for the People to which the residents of Queens are entitled. And, to staff our office, we rely on retaining these attorneys as they grow in experience so they can handle more complex prosecutions, including serious felonies and specialized matters involving a wide variety of areas, including sex offenses, child abuse, domestic violence, homicides, gang violence, and sophisticated economic crimes, amongst many others.

During the long series of post- 9/11 budget cuts, however, we were forced to restrict both starting salaries for our new assistant district attorneys and salary increases for attorneys as they gained years of experience and training. As a result, over time we simply lost pace with many of the salary levels other private sector employers and federal, state and local governmental colleague offices were able to provide and salary levels amongst Class Years became compressed. The impact of this has been significant. Particularly as the economy has rebounded, we have seen increasing

problems in both attracting the level and diversity of candidates we routinely seek for our entry level assistants and retaining our experienced assistants - largely due to understandable financial concerns and realities and our inability to compete with salaries offered elsewhere.

Indeed, in recent years, in addition to difficulties with recruitment, we have seen our assistant district attorney attrition rates on an upward climb, losing nine more ADAs than our five year annual average in FY17 and losing 20 ADAs year to date in FY 18. If this pattern continues, by the end of FY 18 we are on track to lose 11 more ADAs than our five year average. And the bulk of this attrition in recent years has been with our line/non-supervisory assistant district attorney staff which made up nearly 85% of our ADA attrition in FY 18 YTD, 80% in FY 17, 90% in FY16, and 100% in FY15, for example.

We also see a continuing problem as well in losing our attorneys with fewer than 10 years of experience – representing 71% of our annual assistant district attorney attrition in FY15 and 60% in Fiscal Years 16 through FY 18 (year to date).

In addition, the salary analysis conducted by MOCJ and OMB shows that while Queens currently exceeds Manhattan, the Bronx, and Brooklyn in starting salary (a phenomenon that occurred only last December, 2016 when we opted to restrict or eliminate increases for more experienced attorneys in favor of entry or junior level attorneys), beyond year 3 there are significant disparities between our Office and the other Counties - in some instances a \$2,500 to over \$30,000 disparity depending on County and Class Year.

All this poses an enormous problem after we have invested significant time and effort in training new assistant district attorneys and as we lose the experience and training levels needed to most effectively carry out our mission of investigating and prosecuting the nearly 60,000 arrest cases we handle each year in Queens County.

Overall, we face a significant problem in maintaining our ability to recruit and retain top notch attorneys for our office and need funding that enables us to build into our budget competitive starting salaries and salary increases for our assistant district attorneys. Just as the City needs first-class representation and experience in the handling of its criminal caseload, so too must it provide the funds necessary for the effective prosecution of criminal conduct and the investigation of criminal activity.

To address this, we are seeking \$2.5 million in additional baselined Personal Services funding starting in FY 19 for targeted salary adjustments for our entry level and line assistant district attorneys, with whom we are experiencing a significant attrition problem and to address a continuing problem with compression of salaries amongst our Assistant District Attorney "Class Years" and allow us to provide for growth and adequate separation of salaries based on years of experience in the office. This funding will help ensure that each County is given its fair share of criminal justice dollars to allow for comparable assistant district attorney salaries Citywide.

## **2. Headcount Parity and Staffing for Specialized Initiatives**

**Total Requested Funding:  
\$4,700,000**

When comparing ADA caseloads among the five District Attorney's Offices, Queens ADAs are unfortunately carrying a much higher caseload than our colleague offices. For example, when comparing overall arrests in 2017 by county, Queens is showing an average ADA caseload of 179 compared to a 131 average caseload of the Bronx, Manhattan and Brooklyn combined; on felony cases, Queens has an average caseload of 60 compared to 41; and on misdemeanor cases, Queens has an average caseload of 113 compared to 86. The biggest disparity seems to be between our Office and the Bronx, with the Bronx having approximately 565 ADAs compared to 318 in Queens and having an average caseload of 113 compared to 179 in Queens, with the Bronx having only about 7,000 more arrests than Queens in 2017.

In order to fully address this disparity, Queens would need approximately 120 additional attorneys to bring our overall caseload to that of the average of Manhattan, the Bronx and Brooklyn combined. Therefore, in order to begin to address this disproportionality, we are requesting additional ADA and paralegal staffing to our Criminal Court/Intake and Supreme Court Trials Bureaus, as well as additional staffing for specialized areas of our office that are in need of additional support and resources.

The details of our request are listed below:

### **Enhanced Criminal Court/Intake Bureau and Supreme Court Trials Bureau Staffing**

**Requested Funding: \$2,140,000**

In order to address the ADA headcount disparity with our colleague offices and our high misdemeanor caseload, we are requesting funding support for the addition of 12 ADAs and 6 paralegals to our Criminal Court and Intake Bureaus which would enable us to assign four additional ADAs to each Criminal Court part. This will help us to address the nearly 40,000 misdemeanor arrests that we handle each year in areas such as prostitution, driving while intoxicated, graffiti, gambling, petit larceny, menacing, assault and a variety of other quality of life crimes. While these are lower level offenses, they still require all of the legal and procedural requirements of more serious crimes, including obtaining and reviewing a high volume of case activity reports, affidavits, subpoenas, supporting depositions, police reports, witness statements, motor vehicle histories, search warrants and criminal records. In addition, assistant district attorneys in this bureau share arraignment responsibilities with our Intake Bureau which is responsible for early assessment and enhancement of arrest cases, including interviewing crime victims, witnesses and police officers to determine appropriate charges and gathering additional evidence necessary for the successful prosecution of cases. Therefore the additional staffing will benefit both areas of our Office. We are therefore seeking funding support for 12 ADAs at an average annual salary of \$65,000 and 6 paralegals at an average annual salary of \$35,000 to begin to address the high caseload that our misdemeanor assistants are currently carrying.

In addition, we currently have two Supreme Court Trial Bureaus which handle the bulk of

the Office's felony prosecutions including thousands of robberies, burglaries, auto thefts, assaults and larcenies that occur in the County each year. Cases assigned to these bureaus are handled vertically, meaning the same ADA handles the case from inception through to disposition -- including all pre-trial preparation, motion practice, hearings and trials. In addition, ADAs assigned to these bureaus also respond to crime scenes and police precincts in select cases giving the responding ADA the opportunity to take witness statements, be present at lineups and draft search warrant applications, when necessary.

Several years back, our office closed one of our Supreme Court trial bureaus due to budget cuts and fiscal restraints. We are now proposing to re-establish this bureau with staffing of 15 ADAs at an average salary of \$65,000 and 5 paralegals at an average salary of \$35,000, which will help reduce our ADA felony caseload to more manageable and practical levels.

**Opioid and Prescription Drug Trafficking Unit**

**Requested Funding: \$360,000**

We are seeking funding this year to establish an Opioid and Prescription Drug Trafficking Unit to investigate and prosecute cases stemming from the burgeoning Opioid epidemic in Queens County, with a focus on those who are manufacturing, dealing and distributing fentanyl and other opioids in the County.

Statistics from the Department of Health and Mental Hygiene bear out the extent of this crisis, with data indicating that overdose deaths in New York City have been on an upward trend over the past six years. In 2016, over 1,300 people in New York City died from an opioid-related overdose, which is an increase of close to 47% from the previous year. While data is still being compiled for calendar year 2017, there were over 1,000 New York City residents who died of an opioid-related overdose in the first nine months of 2017 alone, with fentanyl involved in approximately half of all overdose deaths in New York City.

Specifically for Queens, there were approximately 270 non-fatal overdoses in 2017 and over 255 grams (over one-half pound) of fentanyl was seized in 2017 based upon search warrants alone. The opioid epidemic has also led to increased demand for other controlled substances such as Xanax, Tramadol, Klonopin, and other amphetamines, as these drugs help opioid drug users to prolong their high, or counter the effects of withdrawal. Last year, over 30 pounds of these controlled substance prescription pills were seized in Queens County.

In addition, we are seeing that traffickers are more frequently making use of the Internet to commit their crimes, including using social media sites such as Facebook and Instagram to sell narcotics, mobile applications such as WhatsApp and Facetime to communicate with buyers, and applications such as Venmo and PayPal to conduct their financial transactions. We are also seeing that, in addition to these "mainstream" social media platforms, the Dark Web is increasingly being used to traffic prescription narcotics.

Our Narcotics Investigations Bureau (NIB) has been proactive in trying to address this crime



area and has worked in close coordination with the NYPD and other law enforcement agencies to curb the distribution and use of these illicit drugs in Queens County. Our Narcotics Investigations Bureau has worked on long-term investigations into the sale of Carfentanil – a synthetic opioid that is considered to be 100 times more potent than fentanyl and currently has numerous other investigations on opioid-related cases pending at this time. In addition, NIB staff are currently working with the NYPD Overdose Unit on a variety of other investigations relating to fatal and non-fatal overdoses, with the goal of pinpointing those who are dealing and distributing opioids and developing patterns on locations of overdoses and types of drugs being used and sold.

Investigating these types of cases is extremely time and labor intensive and regularly requires the use of a variety of investigative techniques including cell phone tracking, records subpoenas, wiretaps, search warrants, undercover investigations, as well as detailed analysis of the high volume of data and documents compiled during the course of investigations. Unfortunately, current staffing in the Bureau is not sufficient to address the volume and complexity of these cases and we have had to delay investigations due to the lack of resources.

In order to address this issue, we are seeking funding for three ADAs, at an average annual salary of \$75,000, and three analysts, at an average annual salary of \$45,000, to this critical initiative. With this proposed program, we seek to reduce the level of opioids in Queens County through targeted initiatives and a focus on strong investigations and prosecutions.

#### **Enhanced Human Trafficking Unit**

**Requested Funding: \$305,000**

Human trafficking is a serious and growing crime concern in Queens County, requiring a specialized prosecutorial response in coordination with comprehensive support services for victims. Trafficking victims are extremely vulnerable. When they are brought to this country they are often promised work and money, but when they arrive they are instead forced to work in the sex industry or in the trafficker's household or business for no wages. They are often deprived of their passport and physically or psychologically abused. Most often trafficking victims do not speak English, are distrustful of the criminal justice system, and fear being deported if they go to law enforcement and are therefore left without resources and hope.

Compounding this problem is the intense diversity of Queens County, which is one of the most diverse counties in the nation. Queens has a significant proportion of immigrants and first-generation Americans, with 47% of the County's residents foreign-born. Queens is also intensely multi-lingual and home to an estimated 140 languages/dialects. According to U.S. Census data, 56.3% of residents speak a foreign language at home and 28.8% speak English less than "very well". Queens is also home to two busy airports, John F. Kennedy International and LaGuardia Airports, making Queens County a prime location for trafficking activity to occur.

In order to begin to address this issue, our Office established a Human Trafficking Unit. However, it is currently staffed with only one ADA. While we have seen great success thus far, including 35 sex trafficking convictions since 2008, current staffing is not nearly sufficient to address both the volume and complex nature of these cases, which are often very time and labor

intensive.

We are therefore requesting \$305,000 in funding to enhance our Human Trafficking Unit with additional staffing of three ADAs at average annual salary of \$75,000 and two paralegals at an average annual salary of \$40,000. This staff will be specially trained in the handling of human trafficking matters and will handle cases vertically from inception through disposition. In addition, staff will build strong partnerships with federal, state and local law enforcement in specialized investigative efforts; will conduct intelligence gathering and de-briefings for identification of emerging trends and will work in close coordination with prosecutors in the Human Trafficking Intervention Court, which focuses on individuals who are arrested for misdemeanor prostitution and unlicensed massage offenses, but who may actually be victims of sex trafficking in need of treatment and services. Another key component of the proposed program will be a focus on collaborative efforts with the Queens Family Justice Center, as well as a variety of other not-for-profit agencies, to ensure that trafficking victims are provided with the comprehensive support services that they require.

We believe that with the requested funding, we will be able to better address this emerging crime area and better serve victims who are affected by these serious and complex crimes.

#### **Enhanced Economic Crimes Effort**

**Requested Funding: \$465,000**

Another area of great challenge for us is in the emerging area of real estate and mortgage fraud and related financial crime in the County. In 2017, our Economic Crimes Bureau alone handled 136 complaints of mortgage/real estate and rental fraud. Unfortunately, these numbers are only the tip of the iceberg – with numerous complaints involving multiple properties and a high volume of additional complaints made to other agencies, including the New York City Police Department, New York State Department of Banking, the Federal Bureau of Investigation and others.

In addition to the sheer volume of these matters, these cases are extremely serious, routinely impacting on clear title and ownership in homes of many unsuspecting homeowners in the County, who fall prey to a variety of scams. Many of these schemes focus on fraudulent mortgage applications and cashing in on house values through fraudulently obtained financing on homes perpetrators simply do not own. Others are based on outright forgery of mortgage documents and deeds and transfers of homes to unsuspecting legitimate buyers, who put cash down for properties they will never own. Still other scams are part of larger, overall identity theft crimes. In addition to legitimate homeowners and buyers, businesses and corporations have also been greatly affected by this burgeoning crime area, with many bilked out monies through financing given based on fraudulent paperwork on ownership or appraisal of home values. All of this undermines the stability in our community of legitimate homeowners, buyers or businesses who fall victim to this crime.

All of these matters are handled by our Economic Crimes Bureau, which also has the responsibility of handling all financial, environmental, and arson offenses in the County. The team of attorneys, investigators, and accountants/analysts there work closely with the New York City Police Department, the State Police, New York State Banking, I.R.S., F.B.I., Secret Service, Postal

Inspectors, and a variety of other agencies to assist in the investigation and prosecution of these cases. Particularly with the wide variety of methods used in these schemes to defraud, these mortgage fraud matters are extremely labor intensive, though, routinely calling for exhaustive examination and analysis of voluminous documents and financial records and requiring a dedicated staffing of a team of attorneys, investigators, and accountants/analysts familiar with the many manifestations and scams associated with these crimes.

Accordingly, we seek funding support for the addition of three ADAs at an average annual salary of \$75,000 and four accountants/financial analysts at an average salary of \$60,000 to our Economic Crimes Bureau. We believe this will help us address the high volume and wide variety of financial crimes encountered on a daily basis including identity theft, elder fraud, estate embezzlement, corporate fraud, and deed fraud and enhance expertise and expedite case handling going forward.

### **Civil Litigation Unit**

**Requested Funding: \$340,000**

The QDA Appeals Bureau is responsible for the handling of all post-conviction appellate activity in the Office. The Bureau also serves as the Office's adviser on complex legal issues for assigned trial and investigative attorneys in ongoing investigations and prosecutions. In recent years, the Bureau has also been busy addressing the burgeoning growth in the number of Freedom of Information Law (FOIL) requests and civil discovery and litigation matters it must respond to and handle each year.

In FY 17, we requested and received funding for additional staffing for our Appeals Bureau and are currently in the process of filling the remaining funded positions. However, we are seeing that staffing levels are still not adequate, with the Bureau still unable to keep pace with the high volume of cases and increasing demands in the number of FOIL requests and civil litigation matters that they are encountering on a daily basis.

Each year, our office receives approximately 600 requests for records in a variety of areas. In terms of FOIL requests, we often receive requests from reporters, researchers, policy institutions or attorneys for several years worth of data and historical records regarding the Office's case data, policies, procedures, training materials, personnel information and budget reports. These requests can be quite extensive, sometimes requiring the compilation of records that span decades. As a result, these requests are extremely time and labor intensive, often requiring documents to be pulled from archives and then reviewed to determine what can be disclosed. There are often thousands of pages of documents to review and redact prior to response. Currently, we have only one ADA who reviews every FOIL request and have a back log of responses, with many of our FOIL requests pending for over a year.

In addition to FOIL requests, the Appeals Bureau also sees a high volume of civil litigation and subpoena requests from the Law Department, the Comptroller's Office, and from attorneys. There is often a short time period allotted for discovery in these matters and therefore require immediate attention.

Appeals Bureau ADAs currently handle the FOIL and civil litigation work in addition to their significant responsibilities of preparing appellate briefs and motions. Unfortunately, current staffing levels are not sufficient to keep pace with the high volume and variety of matters and has hindered our ability to respond to requests in a timely manner.

We are therefore requesting funding support for the creation of a new Civil Litigation Unit staffed with two ADAs at an average annual salary of \$90,000 and four paralegals at an average annual salary of \$40,000 in order to more effectively address the growing volume of FOIL and civil litigation requests.

**Body Worn Camera Video Staffing**

**Requested Funding: \$250,000**

**(FUNDED IN THE FY 19 EXECUTIVE PLAN)**

As you are aware, the NYPD is in the process of outfitting all officers on patrol with body worn cameras, with the roll out expected to be completed by the end of 2018. Currently, there are four precincts in Queens in which the program has already been implemented. We anticipate as officers continue to be outfitted in Queens that this will create a significant workload for our Office as we determine the most efficient way to access, review, redact, catalog and store these videos. While the program is still in its early stages, it is expected that the volume of videos will be significant and the process of reviewing and redacting videos to be extremely time consuming. As a result, we are requesting funding for five analysts at an average annual salary of \$50,000 to be assigned to this initiative.

**Property Release Unit**

**Requested Funding: \$175,000**

The property release process is often difficult for defendants to navigate. Up to this point, there has been no centralized process for handling property releases in our office, with release requests coming to our office in a variety of ways including directly to ADAs, to paralegals, to reception desk staff, or by way of e-mail and/or mail. In addition, most defendants do not have the necessary paperwork at the time they are making a formal property return claim, which complicates the ability to release property and necessitates the defendant making trips back and forth between the Property Clerk's Office and our Office. This process is significantly more difficult in Queens due to distance between the locations of our office and the Property Clerk's Office.

In addition, a recent federal class action suit challenged the NYPD Property Clerk's policy and practice of retaining personal property seized in connection with an arrest after the criminal case is over and referenced inaction on the part of the Bronx DA's Office in providing property releases. It is therefore increasingly important that we take action to improve the property release process in our Office.

As a result, we are requesting funding support to establish a Property Release Services Unit to ensure accountability, compliance, and timely response to requests for property as required under the Rules of the City of New York. We propose that the Unit be staffed with one ADA at an average annual salary of \$75,000, two paralegals at an average annual salary of \$35,000 and one clerk at an average annual salary of \$30,000. The Unit staff will be available to speak to property release

claimants through a hotline, or via e-mail, and provide prompt responses relating to property release matters, including assisting in making formal property requests, obtaining the necessary vouchers, locating property, receiving a property release and/or a deferral or deferral appeal. An automated system will be developed in which claimants can make requests electronically and Unit staff will be able to monitor the status of requests and issue property deferrals and releases based on the determination of the assigned ADA. In addition, Unit staff will work closely with NYPD Property Clerk staff to transmit data regarding property releases electronically. We anticipate that with the creation of this specialized unit that we will be able to streamline the property release process and have property returned to claimants more quickly and efficiently.

#### **Enhanced Animal Cruelty Unit**

**Requested Funding \$185,000**

In January 2016, our Office established an Animal Cruelty Prosecutions Unit to investigate and prosecute animal cruelty crimes in Queens County and to educate the public on how to detect and report animal abuse. Over the past two years, the Unit has investigated and prosecuted multiple felony and misdemeanor animal cruelty cases and has also initiated several long-term investigations which has resulted in the rescue of an estimated 280 animals during the past two years.

The types of cases we have encountered are wide-ranging, including dogfighting; cockfighting; animals who are abused, neglected, or abandoned; large-scale animal hoarding cases; and instances in which pets have been injured or killed relating to domestic violence incidents. The Unit has obtained numerous convictions, with sentences that included a requirement that the defendant register as an animal abuser. The Unit maintains a close partnership with the NYPD's Animal Cruelty Investigation Squad, comprised of highly experienced and specially trained detectives, as well as with NYPD animal cruelty liaisons in individual police precincts. The Unit also works closely with the ASPCA, which provides vital support through its forensic veterinarians and law enforcement staff.

Despite the progress we have made, the Unit is currently only staffed with one ADA, and additional staffing is needed in order to more efficiently investigate and prosecute these cases and to increase coordination, communication and specialized handling and expertise in these important cases. We are therefore requesting funding to support two ADAs at an average annual salary of \$75,000 and one paralegal at an average annual salary of \$35,000 to be assigned to the specialized unit.

#### **Domestic Violence Bureau Pre-Arrest Pilot Program**      **Requested Funding: \$335,000**

Since 1997, our Office has worked in close partnership with the Office of the Queens Borough President (QBP) and Safe Horizon, in implementing a comprehensive domestic violence initiative to more effectively address the complex problems of domestic violence in Queens County. Since the project began, great strides in the area of domestic violence have been achieved -- including consistent and early outreach to domestic violence victims; enhanced support services for victims and their families; specialized domestic violence courts and defendant monitoring; dedicated, vertical prosecutorial and victims support units working in a team approach; ongoing training efforts; early information sharing with victims on bail and order of protection issues; enhanced alerts and

outreach to victims in instances of repeat offenses, violations of orders of protection, and/or escalating violence; enhanced outreach to Queens' intensely multi-cultural, multi-lingual populations and other underserved populations; and improved information flow through the use of technology and enhanced partnerships with the goal of reaching victims as early as possible on critical orders of protection.

These efforts culminated in 2008 with the opening of the Queens Family Justice Center (QJFC), which greatly expanded the available services for domestic violence victims through the co-location of a wide array of non-profit victim services organizations, law enforcement officers, prosecutors, probation officers, civil legal attorneys, and other organizations. Along with these partner agencies, both QDA and Safe Horizon have co-located staff at the Center working together with QJFC partners to provide victims with vertical, coordinated case handling, while coordinating and leveraging available resources from all partner agencies who are on-site at the Center.

We are very proud of these achievements, however, we continue to face ongoing challenges in addressing domestic violence in Queens County, including addressing the needs of the intensely multi-cultural, multi-lingual populations, as well as the high volume of cases. In addition, we continue to encounter victims who are unwilling to cooperate and who decide to drop out of the prosecutorial process. We have found over the years that the earlier you reach out to and provide support to victims, the more likely they are to stay engaged and move forward with the criminal justice process.

We have made great strides thus far and we continue to be proactive in our response to domestic violence and look for new and innovative ways to effectively address this issue. One new initiative that we seek to implement is a Domestic Violence Strategic Threat Alert Team (STAT) program which will seek to identify and enhance the prosecution of high-risk domestic violence cases through coordination with the NYPD on identifying and enhancing the response on pre-arrest domestic violence incidents. We hope to pilot this program in two police precincts in Queens County and put into place a system in which QDA Domestic Violence Bureau ADAs will receive email alerts on pre-arrest domestic violence incidents. These cases will then be assessed to determine those that are the most high-risk, based on established criteria. QDA staff will then reach out to the victim in conjunction with specially trained victim advocates for early outreach. This will allow our Office to start gathering important information relating to the incident, including 911 tapes, injury photos, eyewitness statements, all before an arrest is made. In addition, victim advocates will be able to reach out to victims to explain the criminal justice process; address victims' safety concerns; and link victims to needed services.

In order to implement the proposed pilot program, we are seeking funding support for four ADAs at an average annual salary of \$75,000 and one paralegal at an average annual salary of \$35,000. We believe this program will enable us to take a more proactive approach to domestic violence matters and provide comprehensive support services to victims earlier on in the process.

**Enhanced Immigrant Affairs Unit**

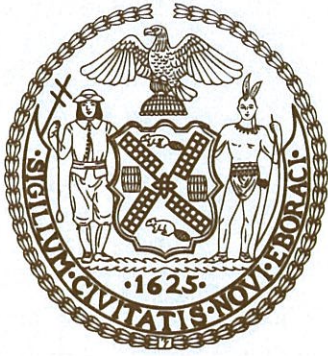
**Requested Funding: \$145,000**

In recent years, our Office established an Office of Immigrant Affairs (OIA) to assist members of Queens County's numerous immigrant communities in navigating and accessing services within the criminal justice system and to provide better coordination and enhanced handling of cases in which members of our immigrant communities have been victimized. The establishment of this unit is particularly significant for Queens due to the intense diversity of the County -- with 47% percent of Queens County's population of 2.3 million foreign born and with nearly 140 different languages spoken here. Immigrant victims of crime often face language barriers, cultural differences, fear of immigration repercussions, and a distrust of government that often leave them feeling helpless when they have been victimized.

OIA also continues to be extraordinarily active in community outreach efforts -- attending meetings, cultural events and forums, networking with governmental and not-for-profit groups, and launching both a dedicated hotline and a Facebook page -- to let community members and our immigrant populations know of available help and services.

In 2017, OIA's staff, with the help of its 65 in-house volunteer liaisons - who speak over 30 languages among them - participated in nearly 90 events all over the borough, fielded hundreds of calls from the public, and issued nearly 300 U-Visa certifications for crime victims. In addition, OIA also works closely with NYPD Community Affairs and School Safety Officers to improve police relations with our immigrant communities. OIA also serves as an office-wide liaison on case referrals and issues involving immigration law to ensure that immigrant crime victims are treated with respect and given the services they need, no matter what their immigration status or background is.

Currently, OIA is staffed with only one ADA, one paralegal and one investigator. This staffing level is not sufficient to address the volume of cases, as well as the manpower needed to coordinate and attend the number of outreach events that have proven to be a critical part of OIA's mission. We are therefore requesting funding support for the addition of one ADA at an average annual salary of \$75,000 and two paralegals at an average annual salary of \$35,000 to support the ongoing efforts of the Unit to outreach and provide enhanced services to the immigrant and multi-lingual populations of Queens County.



Richard A. Brown  
District Attorney

# City Council Budget Presentation

**Office of the Queens County District Attorney**

**Fiscal Year 2019**

**March 12, 2018**





DISTRICT ATTORNEY  
QUEENS COUNTY  
125-01 QUEENS BOULEVARD  
KEW GARDENS, NEW YORK 11415-1568

**Richard A. Brown**  
District Attorney

(718) 286-6000  
[www.queensda.org](http://www.queensda.org)

## MEMORANDUM

March 12, 2018

**To: The Chairpersons and Members of the Committees on Public Safety and the Justice System of the New York City Council**

**From: Queens County District Attorney Richard A. Brown**

**Re: Mayor's FY 2019 Preliminary Budget**

Thank you for the opportunity to appear before you to provide an overview of our office's operations and to discuss with you the Mayor's Preliminary Budget for Fiscal Year 2019.

We know that you all recognize the important role that New York City's prosecutors play in the criminal justice system both in ensuring accountability of offenders and in critical community-based crime prevention initiatives. We very much look forward to continuing to work with you and your colleagues in addressing the important public safety issues that we face in our communities. And we look to you for your support in furthering these efforts and ensuring that we have the necessary resources to meet our community's needs. Working with you, we are hopeful that we can make significant progress in achieving those goals while we also continue the great strides we have been able to make in addressing the incidence of criminal activity and emerging trends in Queens County.

\* \* \* \*

First, let me begin with a brief overview of our office.

### **I. Overview**

The Queens County District Attorney's Office is among the busiest metropolitan prosecutors' offices in the nation and an office that I believe, it is fair to say, has the respect of our law enforcement colleagues and the confidence of the 2.3 million residents of Queens County whom we represent. We are an office very much committed to doing everything in our

power to make certain that the innocent are never wrongfully convicted, that only appropriate charges based on the evidence are filed against the guilty and that justice is done with respect to each and every one of the cases that we handle.

\* \* \* \*

I continue to be extremely proud of those with whom we work -- men and women who work extremely hard, oftentimes on nights and weekends to keep our county a safe place in which to live and work. Significantly, well over 50% of our assistants have been with us over 10 years. We make every effort, as well, to ensure that our attorneys, along with our investigators, secretaries, paralegals and other support staff are representative of the extraordinary diversity of our county -- indeed, the most diverse in the nation.

\* \* \* \*

2017 was another eventful year for us in which we prosecuted many high profile cases, completed many significant long-term investigations and handled our growing caseload efficiently and effectively, while making significant progress in our efforts to address criminal activity in our county and improve the quality of life for those who live and work here. Additional detail on all of this work, and more, is provided in the materials we provided you today.

Overall, we have seen great success and much has changed since the early 90's when I first took office. Since 1993, index crimes in all categories have dramatically declined, with murders down 81.9%, rapes down 36.6%, robberies down 83%, felony assaults down 42.7%, burglaries down 87.9%, and grand larcenies down 52.3%. Our auto theft numbers are also impressive -- with a reduction in reported car thefts in Queens County from a high of 52,000 in the early 90's to 1,517 last year. And, significantly, we had only 50 homicides last year -- a far cry from the 361 homicides that we had in 1992 and the second lowest number since 1961.

Last year we handled over 57,000 criminal prosecutions resulting from arrests made by our police officers. We continue to take particular pride in the expeditious fashion in which we process our cases. Queens County again last year had the best arrest to arraignment time in the City -- 15.98 hours, compared to the Citywide average of 19.77. Our arrest to complaint sworn time was also impressive -- 7.44 hours in Queens compared to 10.48 Citywide. We had the highest percentage of cases arraigned within 24 hours, arraigning 91.15%, compared to the citywide average of 79.32%. That means that those accused of crime in Queens spend as little time as possible in detention before they see a judge -- and that we get our police officers back out on the street more quickly to do their jobs rather than having them hanging around in courthouse corridors.

Our Domestic Violence Bureau has the highest conviction rate in the City, the lowest dismissal rate, and it leads the City in pre-indictment felony pleas. And we remain aggressive in assisting police as they develop their cases. Last year, for example, our office drafted over 1,200 search warrants and our assistants attended and supervised nearly 350 lineups in police precincts

across the county. We also continue to be a national leader in the number of court-authorized wiretaps that we do -- with Queens County reporting the largest number of state court-ordered wiretaps in the entire country, representing 21% of the national total.

\* \* \* \*

We are an office that works closely with our federal, state and local law enforcement partners -- sharing information and jointly investigating criminal activity.

Through our **Investigations Division**, we maintain an extraordinarily active investigations effort overall, helping to dismantle criminal enterprises preying on Queens communities in a wide array of areas, including violent gun trafficking, drug gang activity, prostitution and sex trafficking rings, organized crime, narcotics trafficking, gang violence, insurance fraud, crime at our airports, credit card fraud, identity theft, mortgage fraud, and money laundering, amongst all sorts of other types of criminal activity.

In view of the fact that our county is home to two of our nation's busiest airports, we maintain an Airport Investigations Unit which works with our federal, state and local partners in investigating and prosecuting criminal activity at JFK and LaGuardia. We have a permanent seat on the Joint Terrorist Task Force and assist in gathering intelligence and investigating and prosecuting specific precursor crimes to terrorism including identity theft, money laundering, trademark counterfeiting and the forgery or illegal procurement of identification documents. As a result, we have been able to provide valuable information to both the NYPD's Intelligence Division and the Joint Terrorist Task Force and to work with them on significant classified investigations.

\* \* \* \*

Our **Legal Affairs Division** provides legal guidance and training to assistants throughout our office, defends our convictions in our state and federal courts, and responds to a vast array of post-conviction motions and proceedings. Our Appeals Bureau appears in our state and federal courts on a regular basis, arguing some of the most significant cases in the State and the nation.

Our **Trial Division** oversees the vast majority of our office's prosecutions from the thousands of misdemeanors that we handle to felony gun cases, burglaries, robberies, gang violence, narcotics, and the prosecution of career criminals. Our **Major Crimes Division**, including our Homicide Investigations and Homicide Trials Bureaus, our Domestic Violence Bureau and our Special Victims Bureau, handles prosecutions of some of our community's most serious crimes, including homicides, sexual assaults, domestic violence, child physical and sexual abuse, and crimes against the elderly. The assistants assigned to both of these Divisions bring to their work great skill and talent, extraordinary dedication, compassion and sensitivity for crime victims and their families. And our plea policy -- which severely limits post indictment plea bargaining -- has allowed us to engage in meaningful plea discussions with the defense bar early on.

And we continue to make a concerted effort to get involved in our cases as early in the process as possible. From the outset we have placed great emphasis on an extensive "riding" program which puts our assistants at all sorts of crime scenes early in the case and this continues today. And we are out in the hospitals and in the homes of victims at all hours of the day and night -- responding to reports of criminal activity in the county at the earliest possible stage of a case.

\* \* \* \*

Our **Special Prosecutions Division** works closely with communities in addressing quality of life issues and oversees a significant number of crime prevention and community outreach programs, attending all of our precinct council and community board meetings; providing speakers for schools, community groups and town hall meetings; and coordinating our many advisory councils, amongst so much more.

A major focus of Special Prosecutions continues to be its work with young people, with one of its premier programs, our StarTrack youth anti-violence, anti-drug and crime prevention initiative, continuing to team Queens District Attorney's staff with teachers, police and other partners in conducting bi-monthly sessions in targeted schools on the Rockaway peninsula for over 1000 10-to 17-year-old-students. As a complement to the school-based program, assigned staff also participate in a community-based Inter-Agency Council, composed of Queens District Attorney's Office staff, teachers, students, parents, school officials, community leaders and elected officials focused on gang and gun violence and substance abuse problems in the community with an eye toward developing effective preventative measures. Our office also hosts an annual "Say No to Violence Week" during the school year for students in the STAR Track schools with the aim of furthering the anti-drug and violence message that is presented in regular classroom presentations, culminating in a yearly "Say No to Violence" Week tennis event at Flushing Meadow Park for about 1000 of our students. In the summer months Special Prosecutions also operates two companion programs, the Summer Youth Employment Program for Far Rockaway teenagers (ages 14 to 17) and "Operation Summer Fun", a recreational program for Far Rockaway youth (ages 10 to 17).

\* \* \* \*

## **II. Specialized Initiatives**

In addition to all of the foregoing initiatives, our office also continues to be on the cutting edge of taking on new responsibilities and developing new and innovative initiatives.

In recent years, we established a new Office of Immigrant Affairs (OIA) with dedicated multi-lingual staffing of attorneys, investigators and paralegals, working to assist members of Queens County's numerous immigrant communities in navigating and accessing services within the criminal justice system. The effort focuses on cases in which members of our immigrant communities are victimized -- both by crimes of violence and crimes of financial exploitation -- to provide better coordination and enhanced handling of these prosecutions. OIA is also

extraordinarily active in community outreach efforts -- attending meetings, cultural events and forums, giving interviews to foreign language journalists, networking with governmental and not for profit groups and launching a hotline and Facebook page to let community members and our immigrant populations know of available help so that victims can come forward and access services without fear of reprisal or retaliation.

This program continues to be an increasingly important addition to our ongoing outreach to our diverse constituency -- with 47% of Queens County's population of 2.3 million foreign born and with nearly 140 different languages spoken here. So as we move ahead, I look forward to working closely with you all in ensuring the program's continued success and enhancement.

In other areas, we have been active as well. In 2016, we established a new Animal Cruelty Prosecutions Unit, which has been working actively with NYPD's newly formed Animal Cruelty Investigations Squad to pursue allegations of animal cruelty, abuse, and neglect and to educate the public on how to prevent and detect abuse of animals. While we have always been active in aggressively prosecuting animal cruelty cases, we believe centralizing the investigation and prosecution of these matters in a dedicated unit has greatly increased coordination, communication and specialized handling and expertise in this important category of cases.

We have put a great deal of effort into addressing the specialized area of vehicular crimes -- including vehicular homicides and vehicular assaults involving serious physical injury -- with the effort's overall focus to collaborate with the Citywide Vision Zero policy and Vision Zero partners, including NYPD, the New York City Department of Transportation, the New York City Taxi and Limousine Commission and New York City's Departments of Education and Health.

We also operate a broad array of alternative sentencing and community programs, including our felony and misdemeanor Drug Treatment Courts, our Mental Health Court, as well as a Court which responds to the needs of our returning veterans.

Our Queens DWI Treatment Court, which handles cases involving driving while intoxicated charges, was the first of its kind in New York City. The court and our program provide a successful alternative to prison for first time felony DWI offenders -- with offenders receiving intensive substance abuse treatment leading to an extremely low rate of recidivism. To add even more teeth to our efforts, a number of years ago, our office also took on the responsibility of serving as the Citywide Ignition Interlock monitor to help ensure that important safety-related court conditions in driving while intoxicated cases are complied with citywide.

Our Second Chance Program, which was established over 25 years ago, focuses on individuals who have committed their first non-violent misdemeanor offense or received a Desk Appearance Ticket (DAT). Prior to arraignment, selected first-time offenders are contacted by QDA staff to schedule a clinical meeting to determine if the traditional DAT process, and a court appearance, can be avoided and instead be referred to a community-based treatment program, if needed, and participate in our Second Chance program. Participants in this program work with a panel of community members who provide mentoring and community support and discuss

behavior which led to their involvement in the criminal justice system. If successful, the case is dismissed prior to arraignment.

In addition, our Office recently implemented the Queens Treatment Intervention Program (QTIP), in response to the ongoing opioid crisis in Queens County and throughout New York City and New York State. QTIP is a collaborative program with Samaritan Daytop Village, an Office of Alcoholism and Substance Abuse Services (OASAS) licensed treatment provider, that focuses on misdemeanor non-violent individuals who are addicted to opioids, with the goal of addressing underlying clinical concerns and preventing fatal overdoses. In lieu of traditional community service, defendants are directed for a clinical assessment to determine if further treatment services are warranted. If the defendant is determined to be in compliance, the cases result in an Adjournment in Contemplation of Dismissal (ACD).

With respect to juvenile and youthful offenders as well, we have dedicated a great deal of effort to a wide variety of community-based crime and violence prevention and youth empowerment initiatives, as well as alternative sentencing programs. In recent years, for example, we established both a Supreme Court Youth Part and a Youth Diversion Program that specifically target young people who get themselves into trouble and provide alternatives to incarceration in appropriate felony cases.

In the area of domestic violence, our Queens Family Justice Center offers a host of services and support to victims of domestic violence and their families. Our Domestic Violence Bureau, with a dedicated team of attorneys, paralegals and investigators, has been located in the Center since it opened in 2008, together with close to twenty City and non-profit agencies that offer counseling and support services in one safe, comfortable and user friendly location. All this, we hope, makes it easier for victims of domestic violence to get the support and assistance that they need in a welcoming, sensitive, multi-lingual and multi-cultural environment.

Our Office also operates a Child Advocacy Center, through a collaborative effort of this office, NYPD, Safe Horizon, the Administration for Children's Services and the NorthShore/LIJ Health System's Cohen Children's Medical Center of New York. The Center, of which we are very proud, provides comprehensive services to victims of child physical and sexual abuse and their families, with the goal of assisting victims through offering counseling, police, prosecutorial, child welfare, and medical services in one child friendly location. Hundreds of joint interviews are conducted each year at the Center, sparing physically or sexually abused children from numerous traumatic interviews by multiple agencies. Children and families in crises are guided to appropriate counseling and treatment services and strong cases are built for criminal prosecution with minimal trauma to abused children.

We have also continued to be very active in efforts to combat human trafficking and internet crimes against children. Our office was the first to obtain a conviction in the State under New York's new human trafficking statute back in December, 2009, and the first to work with the courts in establishing a specialized court, which is now a model statewide, for these sensitive cases. And since that time we have continued aggressive efforts, using both the human

trafficking and existing “promoting prostitution” statutes to prosecute pimps, particularly those who utilize underage girls.

These are just a few of the newer initiatives that we have implemented and continue to run over time. They join a host of other programs that we operate as well, including:

- specialized anti-youth gang and violence efforts
- targeting and specialized handling of misdemeanor recidivist matters
- a coordinated effort to combat the incidence of elder abuse in our County through efforts of both our Special Victims Bureau, which handles cases involving sexual or physical abuse
- a specialized elder fraud effort within our Economic Crimes Bureau for specialized handling of crimes involving financial exploitation of the elderly which provides social service assistance to elderly crime victims
- our Crimes Against Revenue program
- our fugitive enforcement program which targets bail jumpers
- our specialized DNA-based prosecutions effort for sex crimes, burglaries and other crimes, amongst many more.

\* \* \* \*

### **III. FY18 Fiscal Update**

Overall, I am pleased to say that with your and the City’s help, we have been able to make a great deal of progress after years of drastic budget reductions. With the help of baselined funding you provided in both FY17 and recent years, we have been able to increase staffing critically needed in a variety of areas throughout the office and start a number of important new initiatives to address emerging crime trends.

\* \* \* \*

Along those lines, with the baselined monies you provided in FY17, we were able to increase the number of investigators assigned to our in-house Queens District Attorney Detective Squad to meet growing workload demands. This has enabled us to better meet the needs of the growing number of economic crime cases, wiretaps, interviews and debriefings, witness protection matters, extradition work, and specialized assignments our Rackets Investigators ably handle each day.

We have begun adding staff as well to our IT effort. This has greatly enhanced our ability to grow our capacity for many projects, including critical planning needed for network, telecommunications and cell phone technology upgrades; document and digital evidence management and storage; court presentation data; disaster recovery and many more.

We have been able to add sorely needed appellate attorney staffing to our Legal Affairs Division -- helping us to meet the demands posed by increased state and federal appellate

litigation as well as a burgeoning growth in Freedom of Information Law requests and civil discovery and litigation matters.

We also were able to add critical staffing for a comprehensive anti-gun, anti-violence initiative to address ongoing concerns of gun violence and shooting incidents in Queens County. Working in conjunction with a project with the Mayor's Office of Criminal Justice, our Office's program targets the problems of gun possession, gun sale and gun violence in Queens with a multi-pronged approach including:

- strong partnerships and coordinated efforts with NYPD, local, state and federal law enforcement and prosecutors, and other governmental agencies
- assignment of dedicated staffing to enhanced investigative and prosecution initiatives targeting gun possession and sale cases and matters of gun violence
- review and targeting of cases for tough dispositions and sentencing
- intensive investigative activity, including the use of sting operations and long-term investigations, and electronic eavesdropping, where appropriate
- vertical prosecutions
- the assignment of a dedicated staff of prosecutors, investigators, and analysts that enhances our ongoing efforts to target firearms offenses and related violent crime in our community

#### **IV. Office Space and Facilities Update**

In the important area of office facilities, I want to update you on where we are with addressing our critical office space issues for which you and the City provided close to \$2.5 million in additional rental monies in FY17.

As you know, this Office has long experienced a significant problem with just a sheer lack of office space. With current legal staffing over eight times the size of that existing when its main office facility was built in the mid 1950's, the District Attorney's office has simply long since outgrown the space allotted to it.

Overcrowding in the office has prevented adequate provision of individual office space allotments, witness reception and waiting areas, private interview space, filing and record room facilities, and conference and training rooms. Because of the overcrowded conditions, nearly two thirds of the District Attorney's staff is now located off-site, with more than half our staff in rental space, creating severe logistical problems. Compounding the problem is the need to rebuild our operations and add to staffing to address emerging trends. In a nutshell, we simply do not have the office space needed to alleviate our current overcrowding or to build critical new facilities we sorely need.

Indeed, total square footage currently provided to the QDA for existing staff in both government-owned and rental space remains far below its current needs – with QDA staff and outside agency personnel totaling about 800 housed in facilities of approximately 132,000 square feet. In contrast, based on prevailing standards, we remain substantially behind where we should



be for existing and planned staff and initiatives -- **short a staggering 90,000 carpetable/120,000 rentable square feet.**

So I am pleased to say that, with the additional rent monies provided in FY 17, the City has actively worked with us to identify additional interim rental space to address at least a portion of our critical space needs now. Along these lines, we worked with the City to add some additional rental space to our existing rental facility located at 80-02 Kew Gardens Road. And we have finalized with the City close to 40,000 square feet of space in a new facility across from the courthouse, located at 126-06 Queens Boulevard. This will ultimately allow us, as space becomes available, to alleviate overcrowding of existing staff; to consolidate Trial Division staff near the courthouse; and to provide additional space for location of a new Cyber-Crime lab and for expansion of our economic crimes investigation and prosecution efforts.

So a great deal of progress was made with your help. But even with this, particularly since available rental space in the area around the Kew Gardens courthouse where we work is in such short supply, this still will leave us with close to 65,000 additional rentable square feet of space to find and lease. So we still very much need your and the City's continued support in expediting rental of the remaining space we need in the short-term to make sure we get the space my staff needs to effectively carry out its duties each day.

In the long-term, we also still very much need a comprehensive solution. As I have testified before, we continue to explore with the City various options, including the possibility of construction of a new consolidated facility or the addition to our existing facilities of the additional square footage we need. As you are aware, for many years we have proposed taking over and renovating the vacant Queens House of Detention, which is contiguous to my Office's main office space. Now, since the Mayor's tentative plan to reopen the facility will likely result in the need for new construction, we are proposing that space for my staff be considered as part of the design, or if not feasible, that the City continue to work to identify other viable options. Progress has been slow, however, in moving forward on a long-term solution that will give us the modern, consolidated and comprehensive physical plant we need. This remains a top priority for us and we continue to need your help and support in maintaining focus and momentum on this important issue.

So we are very appreciative of all the monies and support you have given us over the past few years and, with your help, have been able to make significant progress.

\* \* \* \*

#### **V. FY 19 Budgetary Requests**

All of this progress notwithstanding we still have a long way to go, however, and very much need your continued help and support to move forward. We have a number of Personal Services requests for FY 19 and beyond for which we seek your support.

Overall, our new needs request seeks to address the overarching ADA salary and headcount disparities that currently exist between my Office and the other counties. Specifically, we are requesting \$2.5 million for targeted salary adjustments for our entry level and line assistant district attorneys, with whom we are experiencing a significant attrition problem and to address a continuing problem with compression of salaries amongst our Assistant District Attorney "Class Years" and allow us to provide for growth and adequate separation of salaries based on years of experience in the office. In terms of the salary disparity, it is quite significant -- in some instances a \$2,500 to over \$30,000 difference depending on County and Class Year. The requested funding will help ensure that each County is given its fair share of criminal justice dollars to allow for comparable assistant district attorney salaries Citywide.

In addition, we also seek to address the substantial ADA headcount disparity and resulting high caseloads that my Office faces in comparison to my colleague Offices. For example, when comparing overall arrests in 2017 by county, Queens is showing an average ADA caseload of 179 compared to a 131 average caseload of the Bronx, Manhattan and Brooklyn combined. The biggest disparity seems to be between our Office and the Bronx, with the Bronx having approximately 565 ADAs compared to 318 in Queens and having an average caseload of 113 compared to 179 in Queens, with the Bronx having only about 7,000 more arrests than Queens in 2017.

In order to address this issue, we are seeking \$4.7 million in funding support for additional ADA and paralegal staffing to our Criminal Court/Intake and Supreme Court Trials Bureaus, as well as additional staffing for specialized areas of our office that are in need of additional support and resources, including the creation of an Opioid and Prescription Drug Trafficking Unit; an enhanced Human Trafficking Unit; an enhanced Economic Crimes Effort; a Civil Litigation Unit; body worn camera video staffing; a Property Release Unit; an enhanced Animal Cruelty Unit; the implementation of a Domestic Violence Bureau pre-arrest pilot program; and an enhanced Immigrant Affairs Unit.

Further details on these proposed initiatives are provided in our attached new needs request.

\* \* \* \*

Again, I thank you for the opportunity to be here today. I very much look forward to working with you and your staffs in addressing the new needs we outlined for you today and in furthering our efforts.

I believe that it is extremely important to do so. As I have said many times before, the District Attorneys are key partners in the criminal justice system along with police, probation and the courts. And we must work collaboratively to ensure that each of our offices is given the criminal justice and public safety dollars that we need to do our jobs to maintain and advance the efficiency and effectiveness of the entire system.

---

# NEW NEEDS REQUESTS

---

**Office of the Queens County District Attorney**  
**FY19 Proposed New Needs**

The following outlines a number of critical Personal Services new needs for which we request funding support starting in FY 19:

**1. Assistant District Attorney Recruitment and Retention**      **Requested Funding: \$2,500,000**

As part of our new needs request to you last year, we sought \$1,200,000 in additional baselined Personal Services funding for targeted salary adjustments for our entry level and line assistant district attorneys, with whom we are experiencing a significant attrition problem. At the same time, however -- based on the same issues we face in Queens -- each of our fellow District Attorney's Offices also submitted similar requests for salary parity, but each based on different amounts and different methodology. So after extensive discussions with MOCJ and our colleague offices, we agreed that it was important that we work together to ensure each County is getting its fair share of criminal justice dollars that allows for comparable salaries for assistant district attorneys at each Office Citywide. As a result, MOCJ and OMB conducted an analysis of the five District Attorneys' ADA salary structures, and based on that analysis, to maintain parity, we increased our request to \$2,500,000 annually.

By way of background, addressing salary disparities for our assistant district attorneys continues to be a work in progress and a continued top priority to ensure that we are both able to attract and retain the top notch staff that the residents of Queens we represent deserve. This issue -- particularly for our line attorneys -- has been one of long-standing and while, with your help, we have been able to make substantial progress in making salaries more competitive over time, the problem still remains and requires, we believe, additional incremental change.

Each year we make an active recruiting effort to attract new law school graduates to join our office as assistant district attorneys. And when they join our staff, we provide intensive training -- including classroom sessions, Moot Court exercises, continuing legal education, and individual mentoring -- to ensure that we, as an office, provide the quality legal representation for the People to which the residents of Queens are entitled. And, to staff our office, we rely on retaining these attorneys as they grow in experience so they can handle more complex prosecutions, including serious felonies and specialized matters involving a wide variety of areas, including sex offenses, child abuse, domestic violence, homicides, gang violence, and sophisticated economic crimes, amongst many others.

During the long series of post- 9/11 budget cuts, however, we were forced to restrict both starting salaries for our new assistant district attorneys and salary increases for attorneys as they gained years of experience and training. As a result, over time we simply lost pace with many of the salary levels other private sector employers and federal, state and local governmental colleague offices were able to provide and salary levels amongst Class Years became compressed. The impact of this has been significant. Particularly as the economy has rebounded, we have seen increasing



problems in both attracting the level and diversity of candidates we routinely seek for our entry level assistants and retaining our experienced assistants - largely due to understandable financial concerns and realities and our inability to compete with salaries offered elsewhere.

Indeed, in recent years, in addition to difficulties with recruitment, we have seen our assistant district attorney attrition rates on an upward climb, losing nine more ADAs than our five year annual average in FY17 and losing 20 ADAs year to date in FY 18. If this pattern continues, by the end of FY 18 we are on track to lose 11 more ADAs than our five year average. And the bulk of this attrition in recent years has been with our line/non-supervisory assistant district attorney staff which made up nearly 85% of our ADA attrition in FY 18 YTD, 80% in FY 17, 90% in FY16, and 100% in FY15, for example.

We also see a continuing problem as well in losing our attorneys with fewer than 10 years of experience – representing 71% of our annual assistant district attorney attrition in FY15 and 60% in Fiscal Years 16 through FY 18 (year to date).

In addition, the salary analysis conducted by MOCJ and OMB shows that while Queens currently exceeds Manhattan, the Bronx, and Brooklyn in starting salary (a phenomenon that occurred only last December, 2016 when we opted to restrict or eliminate increases for more experienced attorneys in favor of entry or junior level attorneys), beyond year 3 there are significant disparities between our Office and the other Counties - in some instances a \$2,500 to over \$30,000 disparity depending on County and Class Year.

All this poses an enormous problem after we have invested significant time and effort in training new assistant district attorneys and as we lose the experience and training levels needed to most effectively carry out our mission of investigating and prosecuting the nearly 60,000 arrest cases we handle each year in Queens County.

Overall, we face a significant problem in maintaining our ability to recruit and retain top notch attorneys for our office and need funding that enables us to build into our budget competitive starting salaries and salary increases for our assistant district attorneys. Just as the City needs first-class representation and experience in the handling of its criminal caseload, so too must it provide the funds necessary for the effective prosecution of criminal conduct and the investigation of criminal activity.

To address this, we are seeking \$2.5 million in additional baselined Personal Services funding starting in FY 19 for targeted salary adjustments for our entry level and line assistant district attorneys, with whom we are experiencing a significant attrition problem and to address a continuing problem with compression of salaries amongst our Assistant District Attorney “Class Years” and allow us to provide for growth and adequate separation of salaries based on years of experience in the office. This funding will help ensure that each County is given its fair share of criminal justice dollars to allow for comparable assistant district attorney salaries Citywide.

## **2. Headcount Parity and Staffing for Specialized Initiatives**

**Total Requested Funding:  
\$4,700,000**

When comparing ADA caseloads among the five District Attorney's Offices, Queens ADAs are unfortunately carrying a much higher caseload than our colleague offices. For example, when comparing overall arrests in 2017 by county, Queens is showing an average ADA caseload of 179 compared to a 131 average caseload of the Bronx, Manhattan and Brooklyn combined; on felony cases, Queens has an average caseload of 60 compared to 41; and on misdemeanor cases, Queens has an average caseload of 113 compared to 86. The biggest disparity seems to be between our Office and the Bronx, with the Bronx having approximately 565 ADAs compared to 318 in Queens and having an average caseload of 113 compared to 179 in Queens, with the Bronx having only about 7,000 more arrests than Queens in 2017.

In order to fully address this disparity, Queens would need approximately 120 additional attorneys to bring our overall caseload to that of the average of Manhattan, the Bronx and Brooklyn combined. Therefore, in order to begin to address this disproportionality, we are requesting additional ADA and paralegal staffing to our Criminal Court/Intake and Supreme Court Trials Bureaus, as well as additional staffing for specialized areas of our office that are in need of additional support and resources.

The details of our request are listed below:

### **Enhanced Criminal Court/Intake Bureau and Supreme Court Trials Bureau Staffing**

**Requested Funding: \$2,140,000**

In order to address the ADA headcount disparity with our colleague offices and our high misdemeanor caseload, we are requesting funding support for the addition of 12 ADAs and 6 paralegals to our Criminal Court and Intake Bureaus which would enable us to assign four additional ADAs to each Criminal Court part. This will help us to address the nearly 40,000 misdemeanor arrests that we handle each year in areas such as prostitution, driving while intoxicated, graffiti, gambling, petit larceny, menacing, assault and a variety of other quality of life crimes. While these are lower level offenses, they still require all of the legal and procedural requirements of more serious crimes, including obtaining and reviewing a high volume of case activity reports, affidavits, subpoenas, supporting depositions, police reports, witness statements, motor vehicle histories, search warrants and criminal records. In addition, assistant district attorneys in this bureau share arraignment responsibilities with our Intake Bureau which is responsible for early assessment and enhancement of arrest cases, including interviewing crime victims, witnesses and police officers to determine appropriate charges and gathering additional evidence necessary for the successful prosecution of cases. Therefore the additional staffing will benefit both areas of our Office. We are therefore seeking funding support for 12 ADAs at an average annual salary of \$65,000 and 6 paralegals at an average annual salary of \$35,000 to begin to address the high caseload that our misdemeanor assistants are currently carrying.

In addition, we currently have two Supreme Court Trial Bureaus which handle the bulk of

the Office's felony prosecutions including thousands of robberies, burglaries, auto thefts, assaults and larcenies that occur in the County each year. Cases assigned to these bureaus are handled vertically, meaning the same ADA handles the case from inception through to disposition -- including all pre-trial preparation, motion practice, hearings and trials. In addition, ADAs assigned to these bureaus also respond to crime scenes and police precincts in select cases giving the responding ADA the opportunity to take witness statements, be present at lineups and draft search warrant applications, when necessary.

Several years back, our office closed one of our Supreme Court trial bureaus due to budget cuts and fiscal restraints. We are now proposing to re-establish this bureau with staffing of 15 ADAs at an average salary of \$65,000 and 5 paralegals at an average salary of \$35,000, which will help reduce our ADA felony caseload to more manageable and practical levels.

**Opioid and Prescription Drug Trafficking Unit**

**Requested Funding: \$360,000**

We are seeking funding this year to establish an Opioid and Prescription Drug Trafficking Unit to investigate and prosecute cases stemming from the burgeoning Opioid epidemic in Queens County, with a focus on those who are manufacturing, dealing and distributing fentanyl and other opioids in the County.

Statistics from the Department of Health and Mental Hygiene bear out the extent of this crisis, with data indicating that overdose deaths in New York City have been on an upward trend over the past six years. In 2016, over 1,300 people in New York City died from an opioid-related overdose, which is an increase of close to 47% from the previous year. While data is still being compiled for calendar year 2017, there were over 1,000 New York City residents who died of an opioid-related overdose in the first nine months of 2017 alone, with fentanyl involved in approximately half of all overdose deaths in New York City.

Specifically for Queens, there were approximately 270 non-fatal overdoses in 2017 and over 255 grams (over one-half pound) of fentanyl was seized in 2017 based upon search warrants alone. The opioid epidemic has also led to increased demand for other controlled substances such as Xanax, Tramadol, Klonopin, and other amphetamines, as these drugs help opioid drug users to prolong their high, or counter the effects of withdrawal. Last year, over 30 pounds of these controlled substance prescription pills were seized in Queens County.

In addition, we are seeing that traffickers are more frequently making use of the Internet to commit their crimes, including using social media sites such as Facebook and Instagram to sell narcotics, mobile applications such as WhatsApp and Facetime to communicate with buyers, and applications such as Venmo and PayPal to conduct their financial transactions. We are also seeing that, in addition to these "mainstream" social media platforms, the Dark Web is increasingly being used to traffic prescription narcotics.

Our Narcotics Investigations Bureau (NIB) has been proactive in trying to address this crime

area and has worked in close coordination with the NYPD and other law enforcement agencies to curb the distribution and use of these illicit drugs in Queens County. Our Narcotics Investigations Bureau has worked on long-term investigations into the sale of Carfentanil – a synthetic opioid that is considered to be 100 times more potent than fentanyl and currently has numerous other investigations on opioid-related cases pending at this time. In addition, NIB staff are currently working with the NYPD Overdose Unit on a variety of other investigations relating to fatal and non-fatal overdoses, with the goal of pinpointing those who are dealing and distributing opioids and developing patterns on locations of overdoses and types of drugs being used and sold.

Investigating these types of cases is extremely time and labor intensive and regularly requires the use of a variety of investigative techniques including cell phone tracking, records subpoenas, wiretaps, search warrants, undercover investigations, as well as detailed analysis of the high volume of data and documents compiled during the course of investigations. Unfortunately, current staffing in the Bureau is not sufficient to address the volume and complexity of these cases and we have had to delay investigations due to the lack of resources.

In order to address this issue, we are seeking funding for three ADAs, at an average annual salary of \$75,000, and three analysts, at an average annual salary of \$45,000, to this critical initiative. With this proposed program, we seek to reduce the level of opioids in Queens County through targeted initiatives and a focus on strong investigations and prosecutions.

#### **Enhanced Human Trafficking Unit**

**Requested Funding: \$305,000**

Human trafficking is a serious and growing crime concern in Queens County, requiring a specialized prosecutorial response in coordination with comprehensive support services for victims. Trafficking victims are extremely vulnerable. When they are brought to this country they are often promised work and money, but when they arrive they are instead forced to work in the sex industry or in the trafficker's household or business for no wages. They are often deprived of their passport and physically or psychologically abused. Most often trafficking victims do not speak English, are distrustful of the criminal justice system, and fear being deported if they go to law enforcement and are therefore left without resources and hope.

Compounding this problem is the intense diversity of Queens County, which is one of the most diverse counties in the nation. Queens has a significant proportion of immigrants and first-generation Americans, with 47% of the County's residents foreign-born. Queens is also intensely multi-lingual and home to an estimated 140 languages/dialects. According to U.S. Census data, 56.3% of residents speak a foreign language at home and 28.8% speak English less than "very well". Queens is also home to two busy airports, John F. Kennedy International and LaGuardia Airports, making Queens County a prime location for trafficking activity to occur.

In order to begin to address this issue, our Office established a Human Trafficking Unit. However, it is currently staffed with only one ADA. While we have seen great success thus far, including 35 sex trafficking convictions since 2008, current staffing is not nearly sufficient to address both the volume and complex nature of these cases, which are often very time and labor



intensive.

We are therefore requesting \$305,000 in funding to enhance our Human Trafficking Unit with additional staffing of three ADAs at average annual salary of \$75,000 and two paralegals at an average annual salary of \$40,000. This staff will be specially trained in the handling of human trafficking matters and will handle cases vertically from inception through disposition. In addition, staff will build strong partnerships with federal, state and local law enforcement in specialized investigative efforts; will conduct intelligence gathering and de-briefings for identification of emerging trends and will work in close coordination with prosecutors in the Human Trafficking Intervention Court, which focuses on individuals who are arrested for misdemeanor prostitution and unlicensed massage offenses, but who may actually be victims of sex trafficking in need of treatment and services. Another key component of the proposed program will be a focus on collaborative efforts with the Queens Family Justice Center, as well as a variety of other not-for-profit agencies, to ensure that trafficking victims are provided with the comprehensive support services that they require.

We believe that with the requested funding, we will be able to better address this emerging crime area and better serve victims who are affected by these serious and complex crimes.

**Enhanced Economic Crimes Effort**

**Requested Funding: \$465,000**

Another area of great challenge for us is in the emerging area of real estate and mortgage fraud and related financial crime in the County. In 2017, our Economic Crimes Bureau alone handled 136 complaints of mortgage/real estate and rental fraud. Unfortunately, these numbers are only the tip of the iceberg – with numerous complaints involving multiple properties and a high volume of additional complaints made to other agencies, including the New York City Police Department, New York State Department of Banking, the Federal Bureau of Investigation and others.

In addition to the sheer volume of these matters, these cases are extremely serious, routinely impacting on clear title and ownership in homes of many unsuspecting homeowners in the County, who fall prey to a variety of scams. Many of these schemes focus on fraudulent mortgage applications and cashing in on house values through fraudulently obtained financing on homes perpetrators simply do not own. Others are based on outright forgery of mortgage documents and deeds and transfers of homes to unsuspecting legitimate buyers, who put cash down for properties they will never own. Still other scams are part of larger, overall identity theft crimes. In addition to legitimate homeowners and buyers, businesses and corporations have also been greatly affected by this burgeoning crime area, with many bilked out monies through financing given based on fraudulent paperwork on ownership or appraisal of home values. All of this undermines the stability in our community of legitimate homeowners, buyers or businesses who fall victim to this crime.

All of these matters are handled by our Economic Crimes Bureau, which also has the responsibility of handling all financial, environmental, and arson offenses in the County. The team of attorneys, investigators, and accountants/analysts there work closely with the New York City Police Department, the State Police, New York State Banking, I.R.S., F.B.I., Secret Service, Postal

Inspectors, and a variety of other agencies to assist in the investigation and prosecution of these cases. Particularly with the wide variety of methods used in these schemes to defraud, these mortgage fraud matters are extremely labor intensive, though, routinely calling for exhaustive examination and analysis of voluminous documents and financial records and requiring a dedicated staffing of a team of attorneys, investigators, and accountants/analysts familiar with the many manifestations and scams associated with these crimes.

Accordingly, we seek funding support for the addition of three ADAs at an average annual salary of \$75,000 and four accountants/financial analysts at an average salary of \$60,000 to our Economic Crimes Bureau. We believe this will help us address the high volume and wide variety of financial crimes encountered on a daily basis including identity theft, elder fraud, estate embezzlement, corporate fraud, and deed fraud and enhance expertise and expedite case handling going forward.

#### **Civil Litigation Unit**

**Requested Funding: \$340,000**

The QDA Appeals Bureau is responsible for the handling of all post-conviction appellate activity in the Office. The Bureau also serves as the Office's adviser on complex legal issues for assigned trial and investigative attorneys in ongoing investigations and prosecutions. In recent years, the Bureau has also been busy addressing the burgeoning growth in the number of Freedom of Information Law (FOIL) requests and civil discovery and litigation matters it must respond to and handle each year.

In FY 17, we requested and received funding for additional staffing for our Appeals Bureau and are currently in the process of filling the remaining funded positions. However, we are seeing that staffing levels are still not adequate, with the Bureau still unable to keep pace with the high volume of cases and increasing demands in the number of FOIL requests and civil litigation matters that they are encountering on a daily basis.

Each year, our office receives approximately 600 requests for records in a variety of areas. In terms of FOIL requests, we often receive requests from reporters, researchers, policy institutions or attorneys for several years worth of data and historical records regarding the Office's case data, policies, procedures, training materials, personnel information and budget reports. These requests can be quite extensive, sometimes requiring the compilation of records that span decades. As a result, these requests are extremely time and labor intensive, often requiring documents to be pulled from archives and then reviewed to determine what can be disclosed. There are often thousands of pages of documents to review and redact prior to response. Currently, we have only one ADA who reviews every FOIL request and have a back log of responses, with many of our FOIL requests pending for over a year.

In addition to FOIL requests, the Appeals Bureau also sees a high volume of civil litigation and subpoena requests from the Law Department, the Comptroller's Office, and from attorneys. There is often a short time period allotted for discovery in these matters and therefore require immediate attention.

Appeals Bureau ADAs currently handle the FOIL and civil litigation work in addition to their significant responsibilities of preparing appellate briefs and motions. Unfortunately, current staffing levels are not sufficient to keep pace with the high volume and variety of matters and has hindered our ability to respond to requests in a timely manner.

We are therefore requesting funding support for the creation of a new Civil Litigation Unit staffed with two ADAs at an average annual salary of \$90,000 and four paralegals at an average annual salary of \$40,000 in order to more effectively address the growing volume of FOIL and civil litigation requests.

**Body Worn Camera Video Staffing**

**Requested Funding: \$250,000**

As you are aware, the NYPD is in the process of outfitting all officers on patrol with body worn cameras, with the roll out expected to be completed by the end of 2018. Currently, there are four precincts in Queens in which the program has already been implemented. We anticipate as officers continue to be outfitted in Queens that this will create a significant workload for our Office as we determine the most efficient way to access, review, redact, catalog and store these videos. While the program is still in its early stages, it is expected that the volume of videos will be significant and the process of reviewing and redacting videos to be extremely time consuming. As a result, we are requesting funding for five analysts at an average annual salary of \$50,000 to be assigned to this initiative.

**Property Release Unit**

**Requested Funding: \$175,000**

The property release process is often difficult for defendants to navigate. Up to this point, there has been no centralized process for handling property releases in our office, with release requests coming to our office in a variety of ways including directly to ADAs, to paralegals, to reception desk staff, or by way of e-mail and/or mail. In addition, most defendants do not have the necessary paperwork at the time they are making a formal property return claim, which complicates the ability to release property and necessitates the defendant making trips back and forth between the Property Clerk's Office and our Office. This process is significantly more difficult in Queens due to distance between the locations of our office and the Property Clerk's Office.

In addition, a recent federal class action suit challenged the NYPD Property Clerk's policy and practice of retaining personal property seized in connection with an arrest after the criminal case is over and referenced inaction on the part of the Bronx DA's Office in providing property releases. It is therefore increasingly important that we take action to improve the property release process in our Office.

As a result, we are requesting funding support to establish a Property Release Services Unit to ensure accountability, compliance, and timely response to requests for property as required under the Rules of the City of New York. We propose that the Unit be staffed with one ADA at an average annual salary of \$75,000, two paralegals at an average annual salary of \$35,000 and one clerk at an average annual salary of \$30,000. The Unit staff will be available to speak to property release claimants through a hotline, or via e-mail, and provide prompt responses relating to property release

matters, including assisting in making formal property requests, obtaining the necessary vouchers, locating property, receiving a property release and/or a deferral or deferral appeal. An automated system will be developed in which claimants can make requests electronically and Unit staff will be able to monitor the status of requests and issue property deferrals and releases based on the determination of the assigned ADA. In addition, Unit staff will work closely with NYPD Property Clerk staff to transmit data regarding property releases electronically. We anticipate that with the creation of this specialized unit that we will be able to streamline the property release process and have property returned to claimants more quickly and efficiently.

#### **Enhanced Animal Cruelty Unit**

**Requested Funding \$185,000**

In January 2016, our Office established an Animal Cruelty Prosecutions Unit to investigate and prosecute animal cruelty crimes in Queens County and to educate the public on how to detect and report animal abuse. Over the past two years, the Unit has investigated and prosecuted multiple felony and misdemeanor animal cruelty cases and has also initiated several long-term investigations which has resulted in the rescue of an estimated 280 animals during the past two years.

The types of cases we have encountered are wide-ranging, including dogfighting; cockfighting; animals who are abused, neglected, or abandoned; large-scale animal hoarding cases; and instances in which pets have been injured or killed relating to domestic violence incidents. The Unit has obtained numerous convictions, with sentences that included a requirement that the defendant register as an animal abuser. The Unit maintains a close partnership with the NYPD's Animal Cruelty Investigation Squad, comprised of highly experienced and specially trained detectives, as well as with NYPD animal cruelty liaisons in individual police precincts. The Unit also works closely with the ASPCA, which provides vital support through its forensic veterinarians and law enforcement staff.

Despite the progress we have made, the Unit is currently only staffed with one ADA, and additional staffing is needed in order to more efficiently investigate and prosecute these cases and to increase coordination, communication and specialized handling and expertise in these important cases. We are therefore requesting funding to support two ADAs at an average annual salary of \$75,000 and one paralegal at an average annual salary of \$35,000 to be assigned to the specialized unit.

#### **Domestic Violence Bureau Pre-Arrest Pilot Program**

**Requested Funding: \$335,000**

Since 1997, our Office has worked in close partnership with the Office of the Queens Borough President (QBP) and Safe Horizon, in implementing a comprehensive domestic violence initiative to more effectively address the complex problems of domestic violence in Queens County. Since the project began, great strides in the area of domestic violence have been achieved -- including consistent and early outreach to domestic violence victims; enhanced support services for victims and their families; specialized domestic violence courts and defendant monitoring; dedicated, vertical prosecutorial and victims support units working in a team approach; ongoing training efforts; early information sharing with victims on bail and order of protection issues; enhanced alerts and outreach to victims in instances of repeat offenses, violations of orders of protection, and/or

escalating violence; enhanced outreach to Queens' intensely multi-cultural, multi-lingual populations and other underserved populations; and improved information flow through the use of technology and enhanced partnerships with the goal of reaching victims as early as possible on critical orders of protection.

These efforts culminated in 2008 with the opening of the Queens Family Justice Center (QJFC), which greatly expanded the available services for domestic violence victims through the co-location of a wide array of non-profit victim services organizations, law enforcement officers, prosecutors, probation officers, civil legal attorneys, and other organizations. Along with these partner agencies, both QDA and Safe Horizon have co-located staff at the Center working together with QJFC partners to provide victims with vertical, coordinated case handling, while coordinating and leveraging available resources from all partner agencies who are on-site at the Center.

We are very proud of these achievements, however, we continue to face ongoing challenges in addressing domestic violence in Queens County, including addressing the needs of the intensely multi-cultural, multi-lingual populations, as well as the high volume of cases. In addition, we continue to encounter victims who are unwilling to cooperate and who decide to drop out of the prosecutorial process. We have found over the years that the earlier you reach out to and provide support to victims, the more likely they are to stay engaged and move forward with the criminal justice process.

We have made great strides thus far and we continue to be proactive in our response to domestic violence and look for new and innovative ways to effectively address this issue. One new initiative that we seek to implement is a Domestic Violence Strategic Threat Alert Team (STAT) program which will seek to identify and enhance the prosecution of high-risk domestic violence cases through coordination with the NYPD on identifying and enhancing the response on pre-arrest domestic violence incidents. We hope to pilot this program in two police precincts in Queens County and put into place a system in which QDA Domestic Violence Bureau ADAs will receive email alerts on pre-arrest domestic violence incidents. These cases will then be assessed to determine those that are the most high-risk, based on established criteria. QDA staff will then reach out to the victim in conjunction with specially trained victim advocates for early outreach. This will allow our Office to start gathering important information relating to the incident, including 911 tapes, injury photos, eyewitness statements, all before an arrest is made. In addition, victim advocates will be able to reach out to victims to explain the criminal justice process; address victims' safety concerns; and link victims to needed services.

In order to implement the proposed pilot program, we are seeking funding support for four ADAs at an average annual salary of \$75,000 and one paralegal at an average annual salary of \$35,000. We believe this program will enable us to take a more proactive approach to domestic violence matters and provide comprehensive support services to victims earlier on in the process.

#### **Enhanced Immigrant Affairs Unit**

**Requested Funding: \$145,000**

In recent years, our Office established an Office of Immigrant Affairs (OIA) to assist

members of Queens County's numerous immigrant communities in navigating and accessing services within the criminal justice system and to provide better coordination and enhanced handling of cases in which members of our immigrant communities have been victimized. The establishment of this unit is particularly significant for Queens due to the intense diversity of the County – with 47% percent of Queens County's population of 2.3 million foreign born and with nearly 140 different languages spoken here. Immigrant victims of crime often face language barriers, cultural differences, fear of immigration repercussions, and a distrust of government that often leave them feeling helpless when they have been victimized.

OIA also continues to be extraordinarily active in community outreach efforts -- attending meetings, cultural events and forums, networking with governmental and not-for-profit groups, and launching both a dedicated hotline and a Facebook page -- to let community members and our immigrant populations know of available help and services.

In 2017, OIA's staff, with the help of its 65 in-house volunteer liaisons - who speak over 30 languages among them - participated in nearly 90 events all over the borough, fielded hundreds of calls from the public, and issued nearly 300 U-Visa certifications for crime victims. In addition, OIA also works closely with NYPD Community Affairs and School Safety Officers to improve police relations with our immigrant communities. OIA also serves as an office-wide liaison on case referrals and issues involving immigration law to ensure that immigrant crime victims are treated with respect and given the services they need, no matter what their immigration status or background is.

Currently, OIA is staffed with only one ADA, one paralegal and one investigator. This staffing level is not sufficient to address the volume of cases, as well as the manpower needed to coordinate and attend the number of outreach events that have proven to be a critical part of OIA's mission. We are therefore requesting funding support for the addition of one ADA at an average annual salary of \$75,000 and two paralegals at an average annual salary of \$35,000 to support the ongoing efforts of the Unit to outreach and provide enhanced services to the immigrant and multi-lingual populations of Queens County.



---

# STATISTICS

---



# Statistics- Index Crime & Violent Crime

## INDEX CRIME IN QUEENS HAS DROPPED DRAMATICALLY SINCE 1993

SOURCE: NYPD COMPSTAT YEAR END REPORT 2017

Crimes	1993	2017	Percentage Reduction
<i>Murder</i>	277	50	81.9%
<i>Rape</i>	484	307	36.6%
<i>Robbery</i>	16,751	2,841	83%
<i>Felony Assaults</i>	6,669	3,820	42.7%
<i>Burglary</i>	24,100	2,913	87.9%
<i>Grand Larceny</i>	16,500	7,865	52.3%

## INDEX CRIMES CONTINUED TO DECREASE

- In 2017 Queens saw an overall reduction in serious crimes of 7.9% as opposed to 5.4% citywide.
- Every index crime except murder decreased between 2016 and 2017.
- Burglary decreased by 10.9%; grand larceny decreased by 7.8%.

SOURCE: NYPD COMPSTAT YEAR END REPORT 2017

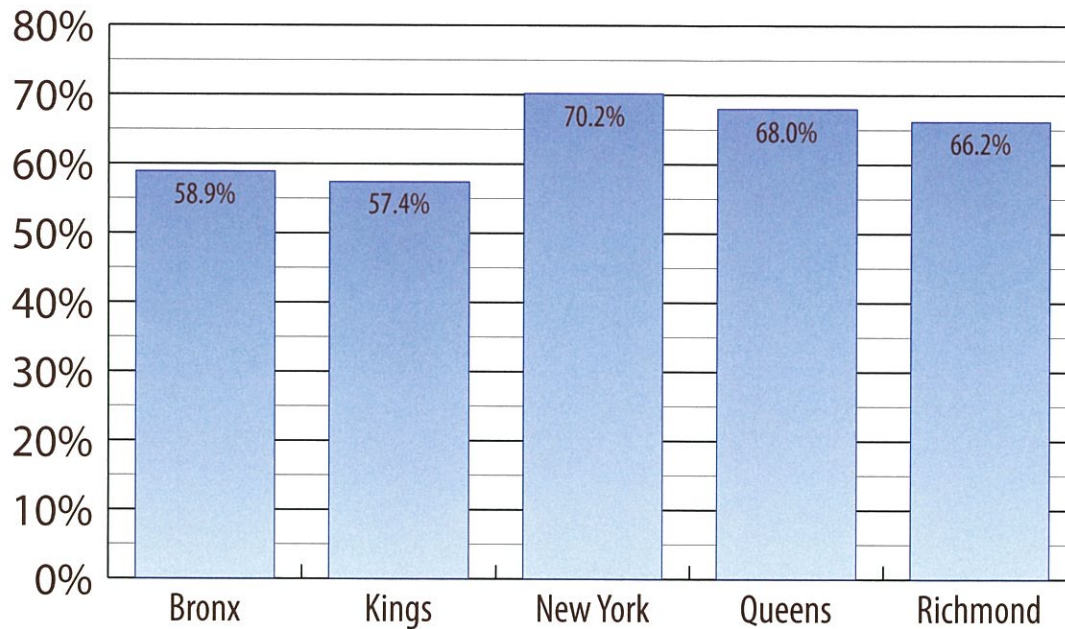
## OPIOID CRISIS

- 172 fatal overdoses in Queens in 2017.
- Over a third of the fatal overdoses involved fentanyl, which is 30-50 times more powerful than heroin.
- 281 non-fatal overdoses in Queens in 2017.
- QDA is aggressively pursuing drug dealers who deal in fentanyl through enhanced charges and innovative investigative techniques.



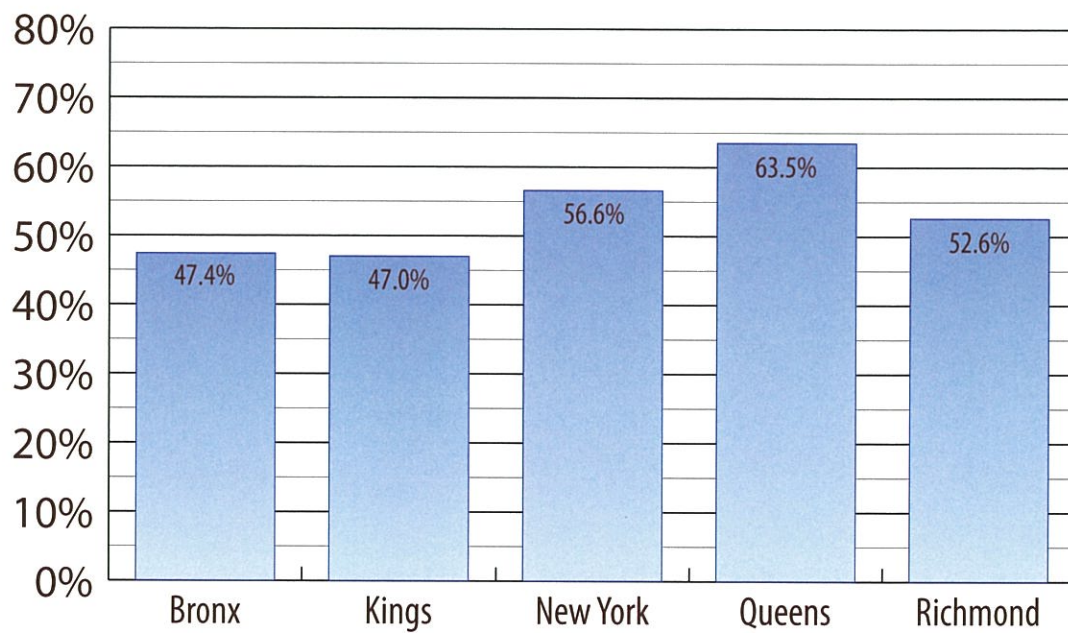
# Statistics- Conviction Rates for Felony & Violent Felony Arrests

## CONVICTION RATES FOR FELONY ARRESTS



SOURCE: DIVISION OF CRIMINAL JUSTICE SERVICES 2017(PRELIMINARY)  
DOES NOT INCLUDE DECLINE TO PROSECUTE OR ARREST CONSOLIDATION CASES

## CONVICTION RATES FOR VIOLENT FELONY ARRESTS



SOURCE: DIVISION OF CRIMINAL JUSTICE SERVICES 2017(PRELIMINARY)  
DOES NOT INCLUDE DECLINE TO PROSECUTE OR ARREST CONSOLIDATION CASES

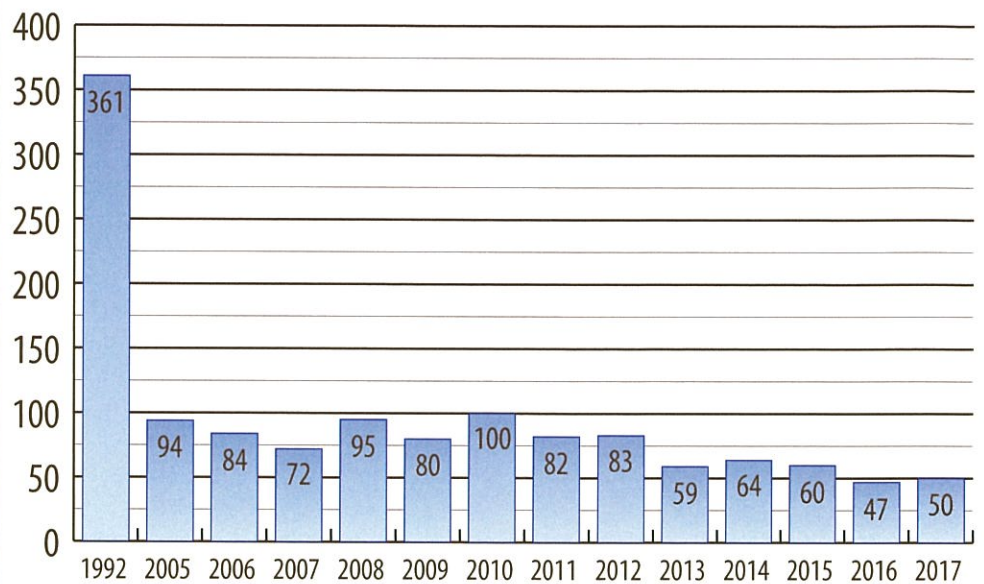
## Statistics- Homicides

*Last year homicides in Queens increased slightly, but is still among the lowest numbers of the last 25 years.*

*The NYPD reported 66 vehicular deaths in Queens County in 2017; over half did not involve criminality.*

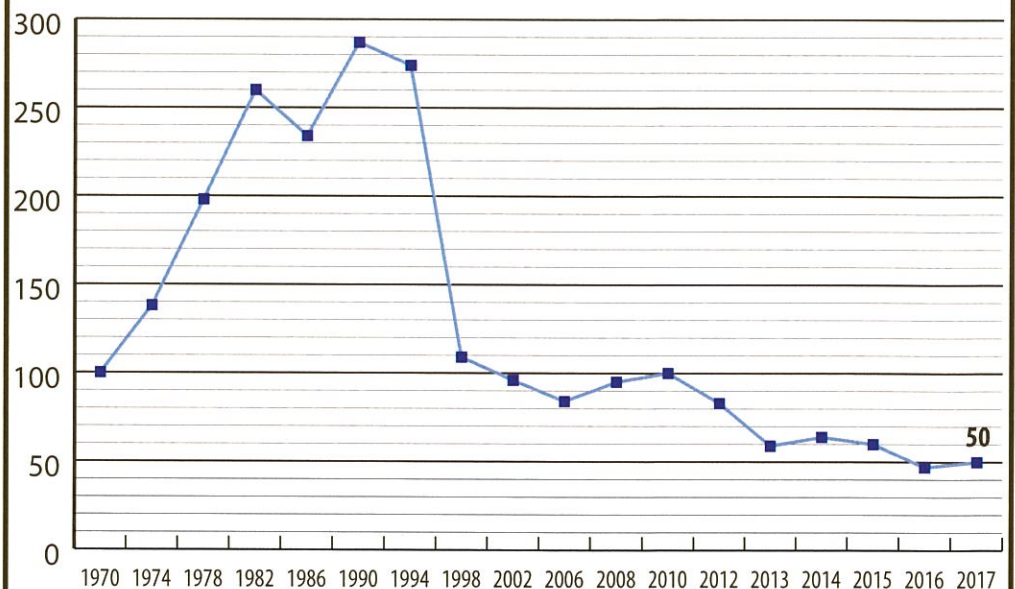
*This is the second-lowest number of homicides since 1961.*

### HOMICIDES



SOURCE: NYPD COMPSTAT YEAR END REPORT 2016

### HISTORICAL MURDERS 1970-2016

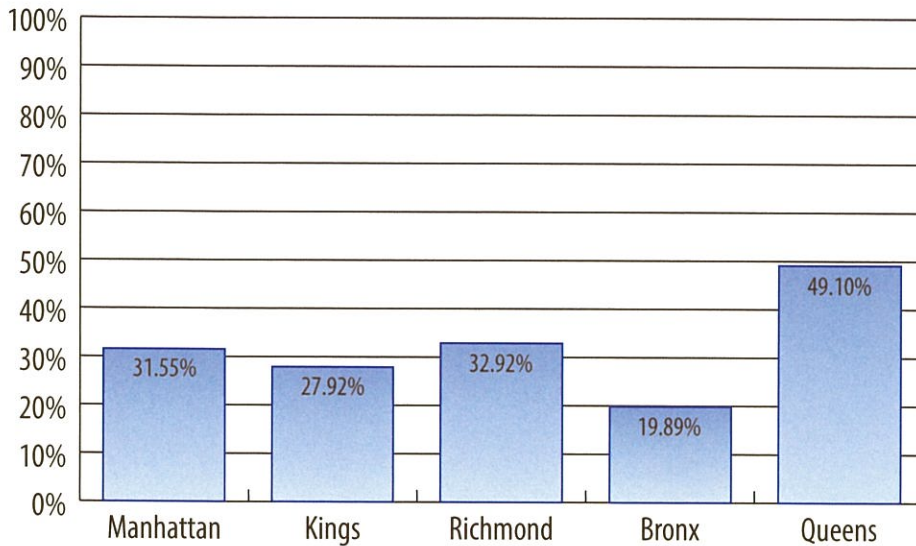


SOURCE: NYPD COMPSTAT YEAR END REPORT 2016



# Statistics- Domestic Violence

## COMPARISON OF DOMESTIC VIOLENCE CONVICTION RATES CITYWIDE BY COUNTY

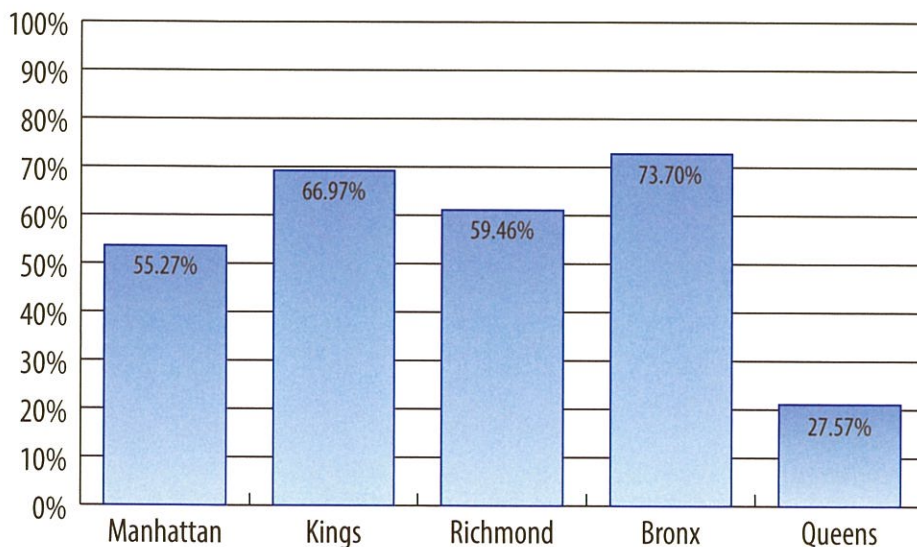


SOURCE: OFFICE OF COURT ADMINISTRATION JANUARY-NOVEMBER 2017

*Queens has the highest domestic violence conviction rate in New York City.*

*Queens leads the city in pre-indictment domestic violence felony pleas.*

## COMPARISON OF DOMESTIC VIOLENCE DISMISSAL RATES CITYWIDE BY COUNTY



SOURCE: OFFICE OF COURT ADMINISTRATION JANUARY-NOVEMBER 2017

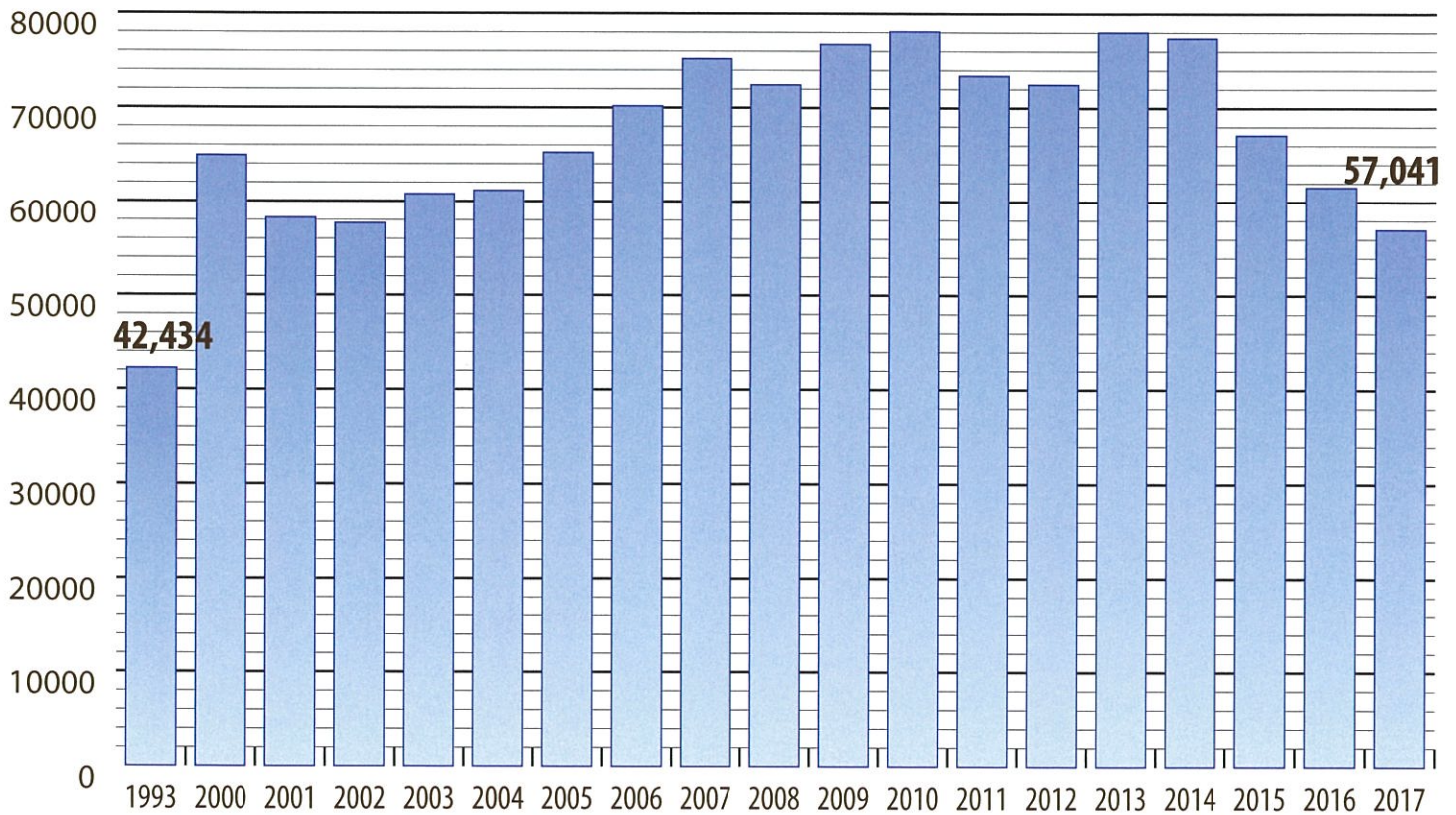
*Queens has the lowest domestic violence dismissal rate in New York City.*

# Statistics- Lineups Supervised & Arrests

## LINEUPS SUPERVISED

Year	Lineups
2009	422
2010	555
2011	357
2012	493
2013	380
2014	359
2015	348
2016	258
2017	348

## QUEENS ARRESTS SINCE 1993



TOTAL ARRESTS HAVE INCREASED MORE THAN 34% SINCE 1993 (42,434 TO 57,041)



## Statistics- Case Processing & Arrests

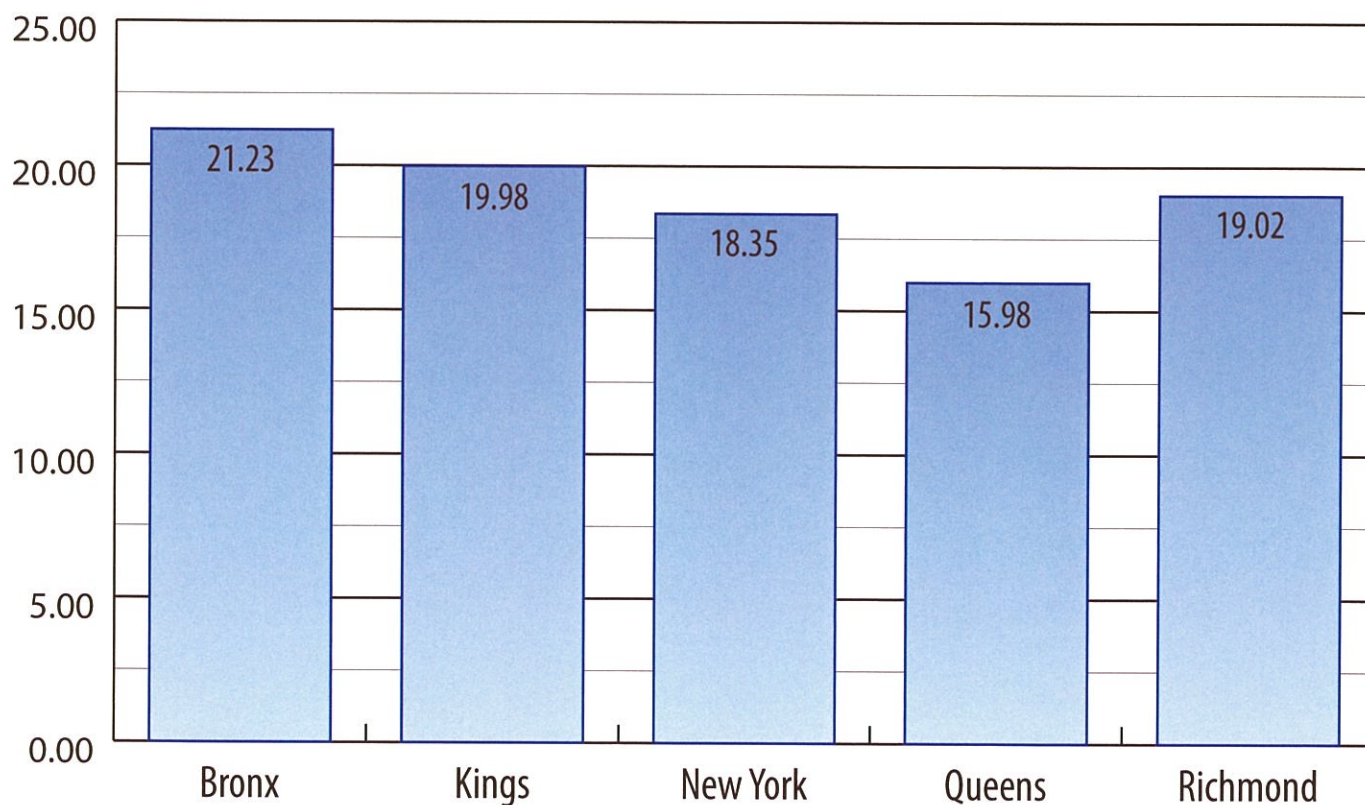
### QUEENS REMAINS LEADER IN CASE PROCESSING EFFICIENCY

LEADS CITY IN LOWEST ARREST TO ARRAIGNMENT TIME AND HIGHEST PERCENTAGE OF CASES  
ARRAIGNED WITHIN 24 HOURS; BEST IN CITY IN ARREST TO COMPLAINT SWORN TIME

	Queens	All Other Boroughs
Arrest To Arraignment Time	15.98 Hours	19.77 Hours
Arrest To Complaint Sworn Time	7.44 Hours	10.48 Hours
Percentage Of Cases Arraigned Within 24 Hours	91.15%	79.32%

SOURCE: NYPD CRIMINAL JUSTICE BUREAU, ARREST/ARRAIGNMENT INDICATORS REPORT 2017

### AVERAGE ARREST TO ARRAIGNMENT TIME BY BOROUGH IN 2017



SOURCE: NYPD CRIMINAL JUSTICE BUREAU, ARREST/ARRAIGNMENT INDICATORS REPORT 2017

# Statistics- CBQ Interview Program & Bail Jumping

## CBQ INTERVIEW PROGRAM

- On June 28, 2007, the Queens County District Attorney's Office began a program to videotape statements from defendants arrested for felonies in Queens County.
- A QDA Detective and an Assistant District Attorney interview defendants prior to their arraignment regarding the case for which they were arrested.
- Investigations conducted as a result of these interviews have resulted in some cases in the enhancement of charges, in others in the modification of charges, and in others the dismissal of charges against defendants.
- Since the inception of the program, 22,914 defendants have been interviewed.

## CONVICTIONS FOR BAIL JUMPING

*SOURCE: DIVISION OF CRIMINAL JUSTICE SERVICES*

*\*INCLUDES FELONY AND MISDEMEANOR BAIL-JUMPING*

<b>Year</b>	<b>Queens</b>	<b>Bronx</b>	<b>Kings</b>	<b>New York</b>	<b>Richmond</b>	<b>Total</b>
<i>2006</i>	<i>122</i>	<i>6</i>	<i>12</i>	<i>76</i>	<i>4</i>	<i>220</i>
<i>2007</i>	<i>362</i>	<i>14</i>	<i>13</i>	<i>79</i>	<i>6</i>	<i>474</i>
<i>2008</i>	<i>431</i>	<i>10</i>	<i>22</i>	<i>63</i>	<i>7</i>	<i>533</i>
<i>2009</i>	<i>389</i>	<i>10</i>	<i>16</i>	<i>83</i>	<i>5</i>	<i>503</i>
<i>2010</i>	<i>293</i>	<i>21</i>	<i>15</i>	<i>76</i>	<i>10</i>	<i>415</i>
<i>2011</i>	<i>321</i>	<i>16</i>	<i>17</i>	<i>104</i>	<i>7</i>	<i>465</i>
<i>2012</i>	<i>258</i>	<i>13</i>	<i>22</i>	<i>92</i>	<i>5</i>	<i>390</i>
<i>2013</i>	<i>301</i>	<i>14</i>	<i>14</i>	<i>76</i>	<i>1</i>	<i>406</i>
<i>2014</i>	<i>204</i>	<i>14</i>	<i>12</i>	<i>61</i>	<i>8</i>	<i>299</i>
<i>2015</i>	<i>231</i>	<i>13</i>	<i>17</i>	<i>63</i>	<i>4</i>	<i>328</i>
<i>2016</i>	<i>290</i>	<i>23</i>	<i>19</i>	<i>55</i>	<i>1</i>	<i>388</i>
<i>2017</i>	<i>295</i>	<i>14</i>	<i>13</i>	<i>71</i>	<i>2</i>	<i>395</i>

**SOURCE: STATE OF NEW YORK DIVISION OF CRIMINAL JUSTICE SERVICES 2017(PRELIMINARY)**



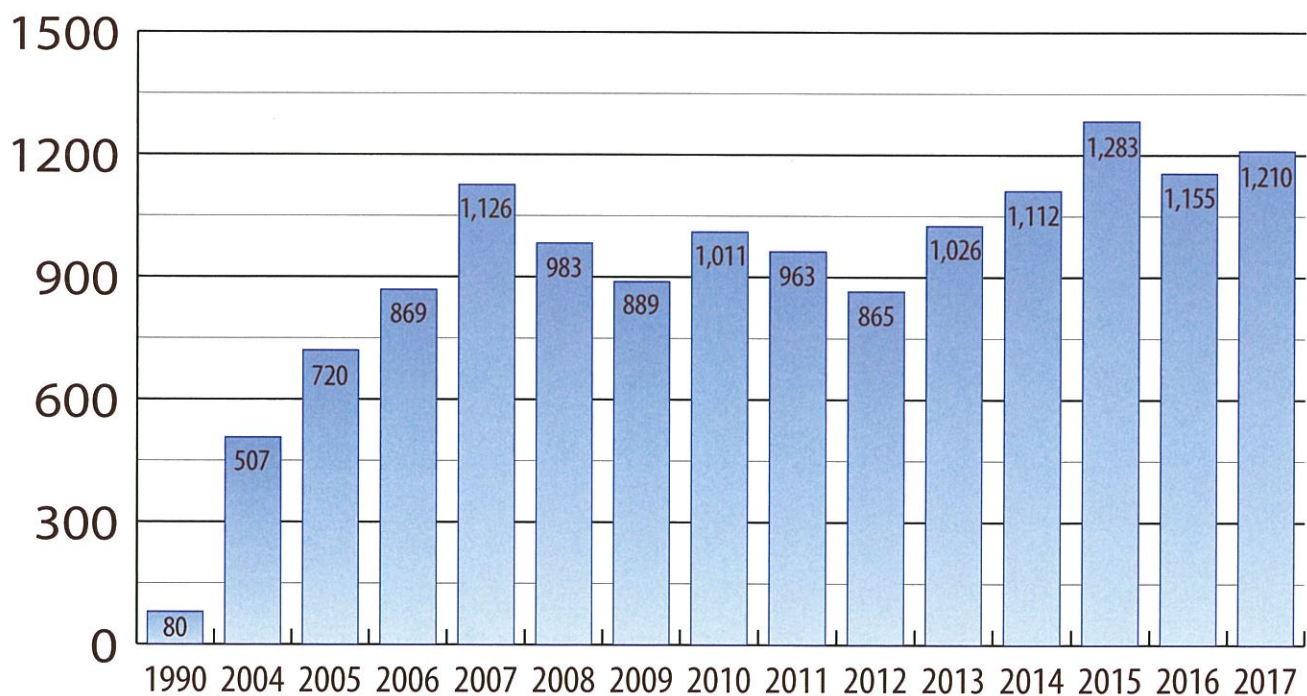
## Statistics- Wiretaps & Search Warrants

### COURT ORDERED ELECTRONIC SURVEILLANCE AGAINST ORGANIZED CRIMINAL ENTERPRISES

- Queens County is the national leader in the use of court-authorized electronic surveillance.
- Queens County had the largest number of state-court-ordered wiretaps in the entire country -- over 21% of the national total.
- Queens County wiretaps that terminated in 2016 resulted in 736 arrests and 380 convictions.

*STATISTICS FROM 2016 FEDERAL WIRETAP REPORT (THE MOST RECENT REPORT AVAILABLE)*

### SEARCH WARRANTS (INCLUDING GPS AND CELL SITE ORDERS)



SOURCE: QDA OFFICE WIDE 2017

# Statistics- Comparison of ADA Staffing

## COMPARISON OF ADA STAFFING

*\*SOURCE: NYLJ - JULY 10, 2017*

*\*\*ALL ARREST DATA IS FROM NYPD CRIMINAL JUSTICE BUREAU ARREST/ARRAIGNMENTS INDICATORS  
PAGES 19-20, DECEMBER 2017 EDITION*

2017	Manhattan	Kings	Bronx	Queens	Richmond
All Arrests**	74,352	81,645	64,102	57,041	11,614
ADA's*	598	526	565	318	58
Average Cases per ADA	124	155	113	179	200
Felony Arrests**	21,009	28,618	19,564	18,904	3,832
Average Felony Arrests per ADA	35	54	35	60	66
Misdemeanor Arrests**	51,591	49,081	44,017	36,051	7,693
Average Misdemeanor Arrests per ADA	86	93	78	113	133

2017	Average ADA Workload (Manhattan, Kings, and Bronx)	Queens	Over/ (Under)	Number of ADA's Needed
Average Cases per ADA	131	179	48	119
Average Felony Arrests per ADA	41	60	19	140
Average Misdemeanor Arrests per ADA	86	113	27	103



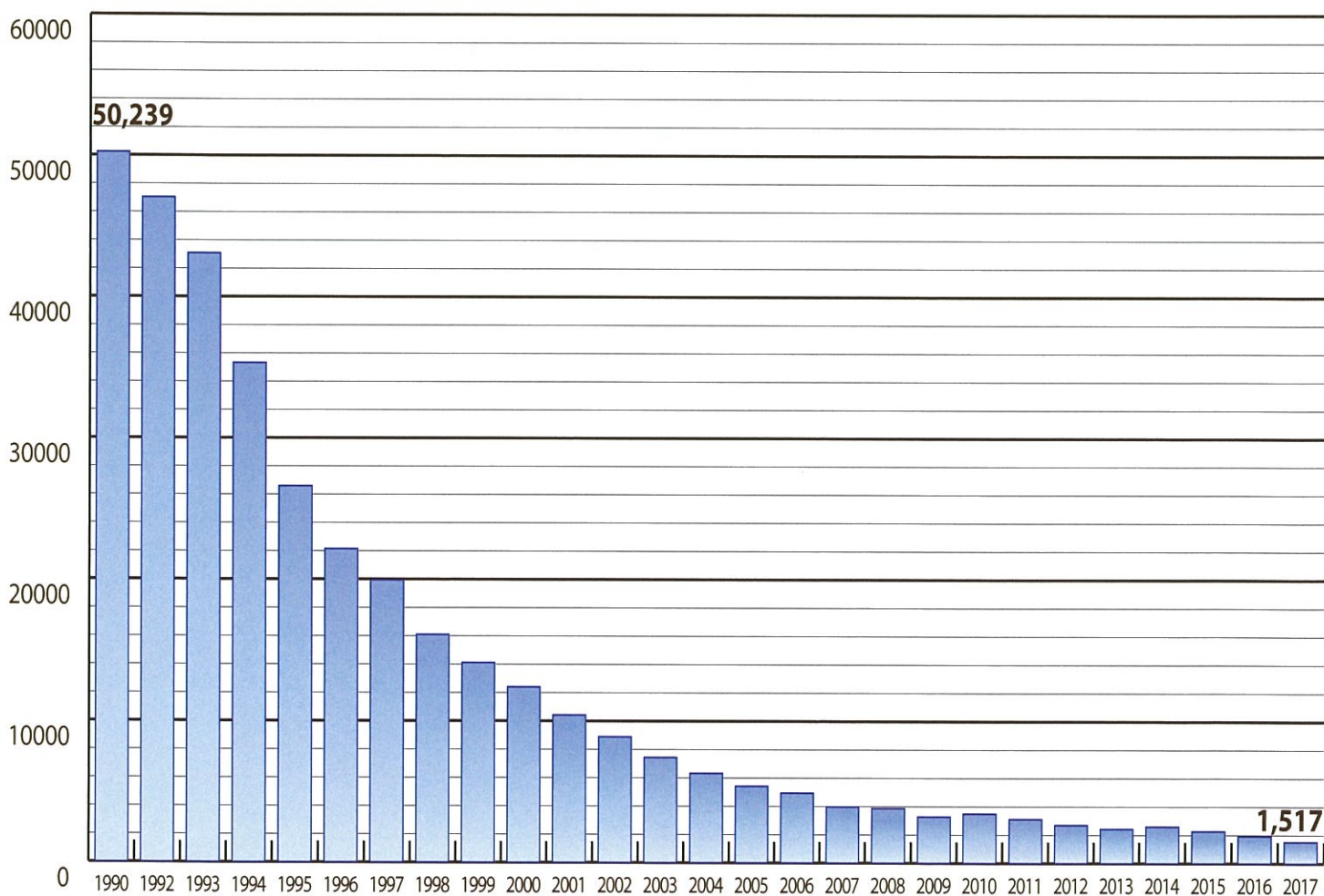
# Statistics- Sex Trafficking & Auto Theft

## SEX TRAFFICKING CASES

- QDA's Human Trafficking Unit has obtained 35 Sex Trafficking convictions since 2008 - over 40% of the state total.
- Additional defendants were convicted of Kidnaping, Compelling Prostitution, Promoting Prostitution, and Labor Trafficking.

*STATISTICS FROM THE N.Y.S. DIVISION OF CRIMINAL JUSTICE SERVICES AND QUEENS DISTRICT ATTORNEY'S OFFICE*

## AUTO THEFT 1990-2017



**AUTO THEFT IN QUEENS COUNTY DECREASED 97% SINCE 1990 AND 21% SINCE 2016**

## Statistics- Saving State & City Money

### SAVING STATE AND CITY MONEY

Restitutions	
<i>Governmental restitutions</i>	<i>\$4,009,278.33</i>
<i>Non-governmental restitutions</i>	<i>\$396,702.33</i>
<i>Total restitution</i>	<i>\$4,405,980.66</i>

Confessions of Judgment	
<i>Governmental Confessions of Judgment</i>	<i>\$2,653,229.23</i>
<i>Non-governmental Confessions of Judgment</i>	<i>\$11,203,829.25</i>
<i>Total Confessions of Judgment</i>	<i>\$13,857,058.48</i>

Totals	
<i>Total Restitutions and Confessions of Judgment</i>	<i>\$18,263,039.14</i>

*"I applaud your office for returning over \$328,887 in restitution to the New York State Department of Labor in 2017. This total return stems from your excellent and continuous professional prosecution of individuals who secured illegal Unemployment Insurance Benefits. Over the past five years, your office has returned over \$1,821,763 to the New York State Unemployment Insurance Trust Fund, establishing your office as one of the leading District Attorney offices in New York State for returned restitution to the Department of Labor."*

**Vince Coyne, Director of Fraud Investigations, NYS Dept. of Labor**

### THE BENEFICIARIES OF RESTITUTIONS AND CONFESSIONS OF JUDGMENT INCLUDE:

NYS/NYC Sales Tax  
NYS/NYC Personal Income Tax  
NYC Human Resources Adm.  
NYS Comptrollers Office  
NYS Office of Mental Health  
NYS Department of Labor

NYC Dept. Of Investigation  
Social Security Administration  
NYC Housing Authority  
NYS Office of Medicaid Fraud  
NYS Cigarette Tax  
Individuals & Businesses



---

# INITIATIVES

---



# Initiatives- Queens Child Advocacy Center

## QUEENS CHILD ADVOCACY CENTER 2017 STATISTICS



Over 4,600 reports of suspected child abuse were referred to law enforcement.

The Queens Child Advocacy Center

- Saw 1,830 children alleged to be victims of abuse and their siblings.
- Conducted 1,136 forensic interviews.
- Performed 317 medical examinations - 133 for sexual abuse and 184 for physical abuse.

Of the children seen:

- 1,113 are girls/ 712 are boys.
- 784 are 0-6 years old.
- 778 are 7-12 years old.
- 268 are 13-18 years old.

The vast majority of the alleged offenders were known to the children.

## QUEENS CHILD ADVOCACY CENTER

112-25 Queens Blvd.  
Forest Hills, New York 11375  
(718)575-1342

Child Advocacy Centers (CACs) are child-friendly, safe spaces that provide prevention, intervention, emotional support, and treatment services to physically and sexually abused children and their families, by using a child-focused team approach.

CACs work to prevent re-traumatization and to ensure that a coordinated investigation is begun immediately. Counselors and clinicians work with law enforcement and legal representatives, medical service providers, and child protection agencies to provide a cooperative and coordinated approach to the investigation of child abuse cases, and to build the strongest possible case against the abusers.

Our multidisciplinary teams at the Queens CAC represent:

- The Queens District Attorney's Office
- Safe Horizon
- The New York City Administration for Children's Services
- NYPD
- NYC Corporation Counsel
- Medical providers, including Cohen Children's Medical Center and Northwell Health

The Queens CAC is the only Safe Horizon CAC that opens its doors to allegations of abuse against teenagers, 13-18.





# Initiatives- Queens Family Justice Center

## THE DOMESTIC VIOLENCE BUREAU AND THE QUEENS FAMILY JUSTICE CENTER

126-02 82nd Ave  
Kew Gardens, New York 11415  
(718)575-4500

In 1994, when Congress passed the Violence Against Women Act ("VAWA"), it provided more than \$1 billion toward the investigation and prosecution of cases involving violence against woman. DA Brown, committed to addressing the problem of intimate partner violence, applied for and received one of the largest VAWA grants in the country.

This grant allowed QDA to revolutionize its approach to domestic violence cases. While domestic abusers had been exercising power and control over their victims in the home through intimidation and fear, they would no longer be able to use those same tactics to control the outcome of the criminal cases against them. As we moved forward through uncharted waters, QDA found new ways to prosecute intimate partner violence cases -- even when we had reluctant or uncooperative witnesses. Some of the tools that our office began utilizing were evidence-based prosecutions, hearings to determine whether defendants had intimidated victims into becoming unavailable, domestic incident reports to memorialize victims' early statements about the defendants' violent acts, recordings of defendants' jail-house calls, digital photography of victims'



injuries, and electronic signatures so that victims would not have to travel to sign documents.

More and better tools meant that QDA needed a bigger and better domestic violence operation -- and so what was originally a small unit of four misdemeanor ADAs and one paralegal grew to a full-sized bureau of 15 ADAs and six paralegals, handling both misdemeanor and felony cases.

The Domestic Violence Bureau is housed in the Queens Family Justice Center at 126-02 82nd Avenue, Kew Gardens, behind the Queens

courthouse. The FJC is a walk-in, integrated service center for domestic violence victims and their children. It provides safe and caring one-on-one support for domestic violence survivors with lawyers, police, prosecutors, counselors, clergy, and other service providers all under one roof. Services are free and are available to all victims regardless of their immigration status or what language they speak.

Since its opening in July 2008, the FJC has served over 100,000 clients. In 2017 alone, the FJC served 5,698 clients who made a total of 14,090 client visits.





# Initiatives- Youth Crime Prevention and Alternatives To Incarceration Programs

## QUEENS YOUTH PART

Males ages 14 through 21 years old who have been arrested for a felony for the first time and have a minimal criminal history are eligible for diversion through the Queens Youth Part (QYP). Participants must undergo treatment or other services for a minimum of one year and return frequently for court monitoring of their progress. Through 2017, 447 young men have been placed through QYP. Of these, 300 have graduated, 55 are still participating and 68 failed to complete the program. The program's retention rate is 85%.

## SECOND CHANCE

Primarily young offenders arrested for a first time misdemeanor offense are eligible for our Second Chance program. A panel of community leaders helps monitor a program of individualized services for each offender designed to address their special needs. Those participants who successfully complete the program receive an adjournment in contemplation of dismissal (ACD).

## QUEENS MENTAL HEALTH COURT(QMHC)

Queens Mental Health Court provides an alternative to incarceration for felony offenders whose criminal activity is related to an underlying mental health issue. Participants must have a major depressive diagnosis and agree to engage in a one year treatment regimen that includes extensive psychological support and wrap-around services. The goal is medication compliance and maintenance. Queens TASC's mental health unit facilitates most of the assessments and the treatment plans for participants. More than 410 offenders have been placed and 254 graduated to date.

## USING TECHNOLOGY TO COMBAT DRUNK DRIVING

Drunk drivers pose a substantial threat to public safety. To reduce the number of alcohol-related injuries and deaths, QDA takes a two-pronged approach to drunk driving cases where incarceration is not warranted: (1) provide treatment for the defendant's alcohol abuse problem, and (2) use technology to help insure that a driver who is intoxicated cannot continue to drive.

In a typical case, the defendant pleads guilty and enters treatment for at least 16 weeks (misdemeanor) to one year (felony). At the same time, the defendant is required to wear a SCRAM (Secure Continuous Remote Alcohol Monitoring) bracelet or submit regularly to Soberlink Breathalyzer testing to monitor whether they are using alcohol. If the defendant successfully completes the program, the charges may be reduced.

The SCRAM bracelet, provided at the defendant's expense and worn on the ankle, automatically captures transdermal alcohol readings twice an hour, 24 hours a day, by sampling perspiration collected from the air above the skin. The system allows data to be accessed by computer, and generates alerts and reports of offender activity. This allows a court to determine accurately whether a defendant is obeying court mandates or

is instead using alcohol.

Soberlink is a small portable Breathalyzer linked to a smartphone that measures breath alcohol concentration (BAC). Several times over the course of the day, the offender receives a text message saying, "BA test now." The offender looks into a camera and blows into the Breathalyzer. The linked smartphone sends the blood alcohol level, the offender's photo, and his or her GPS information instantly to a monitoring service, who in turn notifies us of any significant test results so that we can alert the court.

New York law also requires that individuals convicted of misdemeanor or felony drunk driving charges install, at their own expense and for a minimum of six months, an ignition interlock device (IID). This is essentially a car Breathalyzer installed on a vehicle's dashboard and connected to the ignition system. The vehicle cannot be started or driven unless the driver passes the device's breath alcohol test. The IID's usage history can be downloaded and provided to the appropriate monitoring authority.

Since 2010, QDA's retention rate for defendants placed on a monitoring device has been 90%, and the successful completion rate has been 89%.





# Initiatives- Youth Crime Prevention and Alternatives To Incarceration Programs

## QUEENS MISDEMEANOR TREATMENT COURT CHANGES LIVES

The Queens Misdemeanor Treatment Court (QMTC) helps eligible defendants break the cycle of addiction by referring them to appropriate treatment and providing positive alternatives to drug use. The program targets non-violent misdemeanor offenders with at least three prior arrests whose continued criminal activity is related to alcohol or substance abuse. Participants must have a drug or alcohol diagnosis and must agree to enter treatment for a minimum of one year.

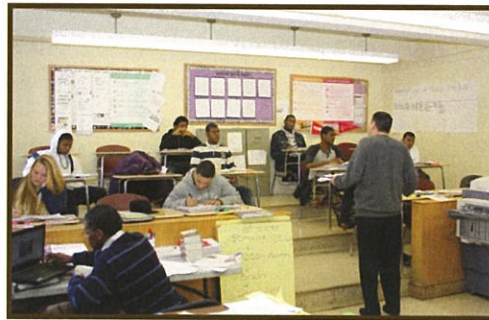
Instead of jail or probation, QMTC will help these offenders enter and stay in a drug or alcohol treatment program. The QMTC program includes regular court appearances and supervision by the QMTC judge.

Participants have found their lives taking a positive upturn after receiving treatment. As one successful participant put it, "I don't have a non-caring attitude anymore.... I decided to get treatment to

change the way I live.... [Completion of the QMTC program] would be one of the first things I accomplished in my life."

Another participant said that the program "has made me a better mother, wife, and human being.... My life is no longer unmanageable."

Since QMTC began operations in January, 2002, over 1,400 individuals have been screened. Of these, more than 200 have successfully completed the program, and more than half of those who took pleas in 2017 remain in treatment.



## QUEENS VETERANS COURT ASSISTS RETURNING VETERANS

In December 2010, Queens County added to its growing list of alternative to incarceration programs by establishing a Veterans Court to assist returning veterans and their families. The Court is premised on the recognition that some of our returning veterans who witnessed first-hand the horror and devastation that war brings have unfortunately brought back with them deep emotional and psychological scars as a result of their experiences. The goal of the Veterans Court is to ensure that when veterans become involved in the criminal justice system and are in need of alcohol, substance abuse or mental health services that they receive needed treatment as an alternative to incarceration.

The Veterans Court identifies nonviolent veteran offenders and provides

outreach, specialized support services and treatment; offers peer support to sustain engagement in services; and facilitates the exchange of information between legal, clinical and community resources. Since its creation, 79 otherwise jail-bound veterans have been diverted through the Queens Veterans Court. Those who successfully complete the year-long program have the charges against them dismissed or reduced.



## QUEENS TREATMENT COURT(QTC)

Designed in 1998 for first-time non-violent felony offenders in need of substance abuse treatment, Queens Treatment Court has proven to be one of the most successful treatment courts in New York State. To date, over 2,559 defendants have been placed with the court which has a 79% retention rate. Upon successful completion of the required minimum of one year substance abuse treatment, felony charges are dismissed and sealed.

## DRUG TREATMENT ALTERNATIVE TO PRISON(DTAP)

This program is directed toward non-violent, drug-addicted second felony offenders who seek drug treatment. A minimum of one year of treatment is required as an alternative to incarceration. Since 1993, over 1,180 defendants have participated and more than 815 have successfully completed the program. Upon successful completion of treatment, the underlying felony is replaced by a misdemeanor disposition. The program's retention rate is 73%.

## QUEENS COURT ACADEMY

The Queens Court Academy, a NYC Department of Education alternative school, helps young first offenders charged with non-violent crimes continue their education in a supervised and supportive environment. Since 2011, 279 students have been enrolled and 41 have earned their GEDs.



# Initiatives- Youth Crime Prevention and Alternatives To Incarceration Programs

## HIGH SCHOOL MOCK TRIAL/ MOOT COURT

For over twenty years, the District Attorney's Office has coordinated Queens County's portion of the statewide high school mock trial tournament. The Queens tournament runs from February through April, and the Office is responsible for securing judges, coaches, and court rooms. The Office also assists with the statewide moot court tournament, providing lawyers, training, a fact pattern, and research materials from Lexis.

## YOUTH ENRICHMENT PROGRAM

A partnership with the Queens Library, the Youth Enrichment Program targets 16 to 19 year olds who have committed non-violent, first-time misdemeanors and, in conjunction with the DA's Second Chance program, affords the opportunity to avoid prosecution by participating in a 12 week program offering training in computers and job skills as well as motivational guest speakers.

## SCHOOL PRESENTATIONS

The District Attorney's Office sends attorneys and staff members to schools throughout Queens County, where they speak on one of the many community issues on which they have expertise. Common topics include internet crime, identity theft, drugs, gangs and gun violence.

## YOUTH DIVERSION PROGRAM

The mission of the Youth Diversion Program is to positively transform the lives of young men who are presently involved in the criminal justice system as felony defendants. This select group of troubled males between 14 and 19 years old is offered an alternative to incarceration using a deferred sentence model. Each class of approximately 10 young people is diverted to intensive targeted services with an emphasis on education, counseling and interactive experiences. The program runs for a minimum of one year, and a new class is assembled every four months. Those who successfully complete the program will have their cases dismissed or reduced.

Among the program's requirements are that the defendant be placed on interim probation supervision, an electronic monitoring bracelet be worn for a minimum of 90 days, random urine testing is conducted and a curfew is imposed. The defendants must also terminate membership and contact with gangs and are required to attend program activities and school or hold

a job. In addition, program participants are given a weekly schedule that includes individual and group counseling, community service, and specialized training on such topics as handling peer pressure, impact of violence on communities, getting out of a gang, anger management, health, fitness and life skills. There are presentations from crime victims and their families as well as trips to the Holocaust Resource Center, the Poconos Educational Environmental center and other locations.

Our graduates leave with GED's, college aspirations and a real chance for a more promising future: 29 young men have graduated and another 5 are currently in treatment.



## OPERATION SUMMER FUN

Operation Summer Fun is an annual program that began in 2001 in response to parents' complaints that their children had nothing to do during the summer and often got into trouble as a result. The goal is to provide positive healthy activities in which children can get involved while simultaneously allowing them to build positive relationships with law enforcement.

Approximately 120 children register for the program every year. The program is coordinated by the Police Athletic League with funding from the DA's Office and operates in the 101st and 113th Precincts. Participants,

usually between the ages of seven and thirteen, are taken to various recreational venues, including parks, museums, zoos, science centers, roller skating rinks, amusement parks, ballgames and sightseeing attractions.





# Initiatives- Youth Crime Prevention and Alternatives To Incarceration Programs

## STAR TRACK

### *Far Rockaway School Anti-Violence Program*

STAR Track, which began in 1993, is a program aimed at helping children in Far Rockaway choose the right life path. STAR Track sends Assistant District Attorneys, Assistant Corporation Counsel and defense attorneys from Queens Law Associates and the Legal Aid Society to 10 schools: Public Schools 43, 104, 106, 197, 333, Village Academy, Frederick Douglass Academy, Middle and High School Divisions of Academy of Medical Technology and QIRT, where they teach fourth through twelfth grade students about the importance of avoiding gangs, drugs and guns, how to deal with peer pressure and bullying, and how to make good choices.

Beyond the in-school meetings, STAR Track chairs an Interagency Council to bring school and law enforcement officials, community leaders, elected officials and not-for-profit agencies together to discuss the issues facing schools and students and develop strategies to address them. Say NO to Violence Week features school-wide assemblies - complete with anti-violence themed songs,

skits, videos and dances - and poster and essay contests, all aimed at reaching students beyond the STAR Track classes. The Safety Corridors initiative provides students from each of the participating schools with recommended routes to and from school patrolled by the 101st Precinct.

The culminating event of the STAR Track program is Say Yes to Tennis, No to Violence Day at the National Tennis Center in which more than 800 students participate, and which offers students a chance to have fun playing tennis while learning about teamwork, cooperation and personal achievement.



## SUMMER YOUTH EMPLOYMENT PROGRAM

The Summer Youth Employment Program brings students from all over Queens County to the District Attorney's Office every summer. They are placed in various assignments throughout the Office. Placements are based both on the Office's needs and on a determination as to the type of work that will best allow the students to grow. The program affords its participants the chance to get involved in the criminal justice system and to decide whether they might like to pursue a career in law. They also receive labor market training, with lessons ranging from writing resumes to understanding sexual harassment policies.

This exposure to real-life work environments allows the interns to learn basic skills - such as arriving on time, wearing appropriate attire, and maintaining proper office demeanor - that will assist them later.



## LEGAL EXPLORERS POST

Since 1996 the DA's office has been operating a Boy Scouts Legal Explorers Post through which 15-20 high school students with an interest in the legal profession are given the opportunity to learn about the law firsthand. Meetings are held twice a month throughout the school year and participants hear from guest speakers, shadow Assistant District Attorneys, observe court proceedings, and are exposed to the wide spectrum of careers that comprise the legal profession.

## COURT TOURS

Court Tours are available to anyone grades four and up. The District Attorney's Office sends a letter to schools throughout the borough, inviting them to arrange a visit. Upon arrival, students are addressed by an assistant district attorney, taken on a tour, and given an opportunity to ask questions. The program aims to show its participants as much as possible and generally tracks the court process from beginning to end, starting with Central Booking and then proceeding to arraignments and trials. Some tours also visit the Family Justice Center and the Child Advocacy Center.

## STUDENT ADVISORY COUNCIL

High school students who are interested in pursuing careers in criminal justice or law and are handpicked by their principals meet once a month to discuss and debate controversial issues, hear from guest speakers and participate in community service projects.



### PROSECUTING HUMAN TRAFFICKERS AND HELPING THEIR VICTIMS

Human trafficking is the epitome of brutality and degradation. Traffickers use threats, deception, drugs, and violence to coerce their victims into performing sex acts on strangers or working as household slaves. The victims are left without resources and without hope.

QDA takes a two-pronged approach to fighting this form of modern-day slavery. The first prong is to vigorously prosecute the predators who enslave their victims. In 2010, QDA's Human Trafficking Unit obtained the first conviction in New York State under the sex trafficking statute, which upgraded advancing or profiting from prostitution with certain aggravating factors to a class B felony. Since then, the Unit has obtained numerous convictions for sex trafficking and related crimes.

The Unit also investigates and prosecutes labor trafficking cases, in

which a victim is brought from another country into the United States, made to work in the trafficker's household or business for no wages, deprived of his or her passport, and often physically and psychologically abused. The Unit recently obtained a conviction in a case where a Queens couple forced two Korean children in their care to become their personal slaves and subjected them to physical abuse.

The second prong of QDA's approach to human trafficking is to ensure that victims obtain the help they need by referring them to counselors and social service providers. The Human Trafficking Unit works closely with a variety of agencies that can help victims get their lives back on track.

QDA also has prosecutors assigned to the Human Trafficking Intervention Court. This special Criminal Court part is for individuals who are arrested

for misdemeanor prostitution and unlicensed massage offenses, but who may actually be victims of sex trafficking in need of treatment and services.

Those who successfully complete the individualized program created for them receive a favorable disposition of their case. The program may include psychological counseling, alcohol or substance abuse treatment, medical care, legal, financial, and immigration assistance, job training, education, and housing.

As with other specialized court parts, defense attorneys, prosecutors, and judges work together to get participants the help they need in order to leave their exploiter and lead productive lives. Since 2004, some 5,000 men and women have benefitted from these programs. Trafficking victims can also avail themselves of a wide range of services at the Queens Family Justice Center.

### SECOND ANNUAL HATE CRIMES FORUM

In November 2017, DA Brown and Queens Borough President Melinda Katz co-hosted the second annual Hate Crimes Forum, entitled "Conquering Hate Together: The Power of Our Voices!" at the Helen Marshall Cultural Center at Queens Borough Hall.

The forum featured speakers from Long Island, Wyoming, and Austria who had been affected by acts of hatred. The keynote speakers were Dennis and Judy Shepard, whose 21-year-old son, Matthew, was brutally beaten in a Wyoming field in 1998 because he was gay. He died five days later.

Other speakers included distinguished representatives of the Sikh, Jewish, Muslim, Hispanic,

and African-American communities. The message of the forum was well expressed by QDA Executive ADA Jesse Sligh, who called hate crimes a "sickness" and hoped that someday people will realize that "there are some things that we can't do if we're going to

call ourselves human beings."

DA Brown's office was the first District Attorney's Office in New York City to establish a bureau dedicated to the thorough investigation and vigorous prosecution of hate crimes.





## OFFICE OF IMMIGRANT AFFAIRS COMPLETES THIRD YEAR

QDA's Office of Immigrant Affairs (OIA) has just completed its third year of operation. Recognizing that it is often more difficult for immigrants to seek and find help when they are victims of crime – language barriers, cultural differences, fear of immigration repercussions, and a distrust of government often leave immigrants feeling helpless when they have been victimized – DA Brown formed the OIA to guide them through the judicial process and address their concerns.

OIA serves as an office-wide liaison on case referrals and issues involving immigration law to ensure that immigrant crime victims are treated with respect and given the services they need, no matter what their immigration status or background is.

And outreach is a key part of OIA's mission. In 2017, OIA's staff, with the help of its 65 in-house volunteer liaisons – who speak over 30 languages among them – participated in nearly 90 events all over the borough, fielded hundreds of calls from the public, and issued nearly 300 U-Visa certifications for crime victims.

In 2017, OIA's "QDA Bridges" initiative brought together NYPD Community Affairs and School Safety Officers to improve police relations with our immigrant communities. And its weekly TipTuesday series on Facebook @QDAImmigrantAffairs and Twitter @QDA\_OIA, was a great success, with advice on topics like avoiding scams and obtaining help on immigration matters. OIA also participates in the annual Hate Crimes Forum, co-hosted by Borough President Melinda Katz and QDA's Gang Violence and Hate Crimes Bureau, which educates the public about the impact of hate crimes on the community and how such crimes can be prevented, investigated, and prosecuted.

OIA is a member of the Queens



Borough President's Immigrant Task Force and the Protecting Immigrant New Yorkers Task Force. It is an active participant in the New York State District Attorneys' League of Immigrant Affairs (DALIA), of which OIA Director Carmencita Gutierrez was the inaugural president. DALIA acts as a resource for district attorneys' offices on immigration issues, encourages

other district attorney's offices to create their own OIAs, and has conducted statewide prosecutor training under the auspices of the New York Prosecutors Training Institute.

The OIA Hotline is at (718) 286-6690. OIA can also be reached at [OIA@queensda.org](mailto:OIA@queensda.org), on Twitter, @QDA\_OIA, or on Facebook, @QDAImmigrantAffairs.





### DA BROWN HOLDS SECOND CHANCE WARRANT FORGIVENESS EVENT

In October 2017, District Attorney Brown, in cooperation with the NYPD, the Office of Court Administration, The Legal Aid Society, and the Greater Allen A.M.E. Cathedral of New York, held a Second Chance Warrant Forgiveness event. An unanswered warrant can result in arrest and, in some instances, jeopardize employment and housing opportunities. Under the warrant forgiveness program, individuals were offered a clean start by having their summonses adjudicated and ultimately dismissed.

Under this program, eligible defendants who had open warrants on summonses for minor, non-violent offenses like disorderly conduct, loitering, public urination, and the like were able to get their cases resolved with free legal assistance from The Legal Aid Society and the Greater Allen A.M.E. Cathedral's Lawyers Guild. Undocumented immigrants were also welcome to participate.

The event resulted in adjournments in contemplation of dismissal for more than 200 individuals.

### ANIMAL CRUELTY UNIT RESCUES SCORES OF ANIMALS

In January 2016, DA Brown established the Animal Cruelty Prosecutions Unit, the first of its kind in New York City. The mission of the Unit is to investigate and prosecute animal cruelty crimes, and to educate the public on how to detect and report animal abuse.

Over the past two years, the Unit has investigated and prosecuted multiple felony and misdemeanor animal cruelty cases and has also initiated several long-term investigations. This has resulted in the rescue of some 280 animals during the past two years.

Several of the Unit's cases involve domestic violence, where an abused partner's pet was injured or killed by the abuser as a tool of power and control. Other prosecutions involve blood sports of dogfighting and cockfighting; defendants who have

abused or killed their own pets or those of others; and defendants who have neglected, starved, or abandoned their animals, including large-scale animal hoarding cases. The Unit has obtained numerous convictions, with sentences that included a requirement that the defendant register as an animal abuser.

The Unit maintains a close partnership with the NYPD's Animal Cruelty Investigation Squad, comprised of highly experienced and specially trained detectives, as well as with NYPD animal cruelty liaisons in individual police precincts. The Unit also works closely with the ASPCA, which provides vital support through its forensic veterinarians and law enforcement staff.

To report animal abuse in progress, call 911, and to report suspected animal abuse, contact the 311 system by phone or online.





### 2017 ACADEMIC CONFERENCE ON ABUSIVE HEAD TRAUMA/SHAKEN BABY SYNDROME

In conjunction with the New York City Office of the Chief Medical Examiner, QDA once again co-sponsored a Conference on Abusive Head Trauma in September. The biennial two-day conference brings together medical, legal, and law enforcement representatives to share their expertise in identifying, investigating, and prosecuting this serious and often deadly form of child abuse.

Each year, more than 1,300 vulnerable babies and young children across the country experience severe head trauma as a result of violent, repetitive shaking, and it kills about 25% of them. Providing specialized education and training in this complicated field is the best way to equip medical and legal professionals with the information and skills they need to better understand this complex form of child abuse and to conduct thorough and accurate medical and legal investigations.

The forum drew hundreds of participants from around the nation

and featured distinguished medical and legal experts as lecturers, such as Dr. Barbara Sampson, Chief Medical Examiner, New York City; Dr. Deborah Spellman Eappen, founder of The Matty Eappen Foundation, created in memory of her infant son who was killed by his nanny; Dr. John Leventhal, Professor of Pediatrics at Yale School of Medicine and Medical Director of the Yale-New Haven Children's Hospital Child Abuse Program; Christopher Greeley, Chief of Public Health Pediatrics at Texas Children's Hospital; Brian Forbes, Ophthalmic Surgeon, Children's Hospital of Philadelphia; Dr. Sandeep Narang, Head of Child Abuse Pediatrics at Children's Hospital of Chicago; Adele Bernhard, Distinguished Professor of Law and Director of the Post-Conviction Innocence Clinic at New York Law School; ADA Leigh Bishop, Chief of QDA's Child Fatality Unit; and Deputy Executive ADA John Castellano, QDA's Chief Appellate Counsel.



### OLD SUMMONS WARRANTS DISMISSED



Under a citywide initiative, in August 2017, QDA consented to the dismissal of some 100,000 summons warrants that were over a decade old.

The prosecution of these old summons part cases posed serious factual and legal challenges. The NYPD vetted the list of warrants and excluded the most flagrant violators, who might still be prosecuted if apprehended.

Dismissal of these old cases enables QDA to focus its resources on more serious offenses, while allowing thousands of Queens residents to move on with their lives without fear of arrest. And it poses no risk to public safety, as those whose warrants were dismissed had not been arrested in the past 10 years, and the warrants stemmed from minor, non-violent infractions like riding a bicycle on the sidewalk, drinking beer in public, disorderly conduct, and being in a park after dark.



### QUEENS DISTRICT ATTORNEY'S OFFICE FOURTH ANNUAL MOCK TRIAL COMPETITION

The Maurice A. Deane School of Law at Hofstra University won QDA's fourth annual mock trial competition, which was held at the Queens Criminal Courthouse in October. Hofstra defeated 15 other teams from around the country in a series of trial meets. The Chicago-Kent College of Law took second place, and St. John's University School of Law came in third.

Although mock trial competitions are held regularly throughout the country, the Queens event is believed to be the first such formal competition sponsored by a district attorney's office. It provided an invaluable hands-on learning experience not only for the law students who participated, but also for the over 180 NYPD recruits who volunteered to serve as jurors this year. The NYPD, in fact, uses this mock trial program as part of its training.

In the tournament, each team, made up of second- and third-year law students, was required to study a fact pattern loosely based upon an actual case tried in Queens County. The law students then played the roles of witnesses and attorneys, representing either the prosecution or defense. Before the tournament, the teams did not know which side they would be arguing



or against which team. After the first two rounds, four teams were selected to move onto the semi-finals based on their score in the first two rounds. Those four teams then competed and two teams were selected for the final round.

Hofstra's team was comprised of students Carolina Solano, Ashur Youash, Dina Lupancu, and Mariam Chamilova. The trials were presided over by 20 trial judges from Queens, Kings, and Suffolk Counties who volunteered to participate

in the competition. Judge John F. Zoll of the Criminal Court, Queens County, presided over the final round.

Senior trial attorneys from QDA, as well as experienced attorneys from the defense bar, served as evaluators and scored the trials. The competition is supervised by QDA's Trial Division, headed by Senior Executive ADA James Clark Quinn, in conjunction with the Trial Advocacy Bureau, headed by ADA Kevin M. Duddy.





---

# CASES OF INTEREST

---

*It should be noted that an indictment is merely an accusation and  
that defendants are presumed innocent until proven guilty.*



### KIDNAPPERS WHO TORTURED BUSINESSMAN SENTENCED TO PRISON

Two men who held a Queens businessman in a warehouse and tortured him for over a month, demanding a \$3 million ransom, were each sentenced to 13 and a half years in prison.

Christian Acuna and Dennis Alves had pleaded guilty to first-degree kidnapping for their roles in abducting the businessman. An accomplice, Eduardo Moncayo, dragged the 52-year-old victim off the street and forced him into a car. They put a mask over his face and drove him to a warehouse in Long Island City, where the three men tied him to a chair and beat him, then forced him to call his mother in Ecuador and demand the \$3 million ransom. During the 32-day captivity, the men burned the victim's hand with acid and threatened to cut off his fingers.

The victim was rescued when a detective posing as a safety inspector gained entry to the warehouse and found him there, bound with cloth and duct tape.

Moncayo was sentenced separately in 2016 to 25 years to life in prison. The cases were handled by QDA's Career Criminal Major Crimes Bureau.

### KILLER OF POLICE OFFICER BRIAN MOORE SENTENCED TO LIFE WITHOUT PAROLE

A Queens Village man who was convicted by a Queens jury in the 2015 murder of New York City Police Officer Brian Moore and the attempted murder of Officer Erik Jansen was sentenced to life without the possibility of parole.

Demetrius Blackwell, 37, was found guilty after a three-week trial of first-degree murder of Officer Moore, first-degree attempted murder of Officer Jansen, and second-degree criminal possession of a weapon.

According to the trial testimony, Officer Moore, 25, and his partner, Officer Jansen, then 30, who were assigned to the NYPD's 105th Precinct Anti-Crime Unit, observed Blackwell, then 35, adjusting something on his waistband on 104th Road at approximately 6:15 p.m. on May 2, 2015. When the two plainclothes officers rode alongside the defendant in their police vehicle to question him,

Officer Moore said, "Police, you got something?" Blackwell responded, "Yeah, I got something." He then removed an unlicensed five-shot silver revolver from his waistband and fired three shots at the two officers, striking Officer Moore twice in the head. The third bullet, which was intended for Officer Jansen, struck a nearby house.

The weapon used in the shooting was found two days later, and DNA evidence discovered on it linked Blackwell to the weapon, as well as to the two unfired bullets found in the chamber.

Officer Moore, who died two days after the shooting, was posthumously promoted to Detective First Grade and Officer Jansen is now with the Suffolk County Police Department.

Executive ADA for Major Crimes Daniel A. Saunders prosecuted the case with Executive ADA for Legal Affairs Robert J. Masters.





### BROOKLYN MAN CHARGED WITH STRANGLING JOGGER TO DEATH

A Brooklyn man was charged with first-degree murder, first-degree aggravated sexual abuse, and related charges, for attacking and strangling to death a young woman who was jogging in Howard Beach.

According to the charges, Karina Vetrano, 30, was jogging alone in Spring Creek Park one evening in August 2016 when she was confronted by the 20-year-old defendant, who beat, sexually abused, and strangled her. Ms. Vetrano's body was discovered by her father later that night, lying in a marshy area about fifteen feet from a trail in the park.

Prior to the defendant's arrest, District Attorney Brown had called upon the New York State Commission on Forensic Science to approve familial DNA searching, in the hope that it would help identify Ms. Vetrano's killer.

The familial DNA search technique has been used effectively in other jurisdictions to solve cold-case murders and rapes. Before the Commission could act, the NYPD, following other leads, was able to identify and arrest the defendant in February 2017. In June 2017, the Commission approved the familial DNA searching technique and in October 2017 promulgated regulations governing its use to ensure its reliability while protecting privacy rights.

The investigation was conducted by the NYPD's Queens South Homicide Squad, the 106th Precinct Detective Squad, the Crime Scene Unit, the Forensic Investigation Division and others, with the assistance of QDA's Homicide Investigations Bureau.

The case is being handled by Brad Leventhal, Deputy Executive ADA for QDA's Major Crimes Division.

### FAR ROCKAWAY GANG MEMBERS NABBED FOR VIOLENT CONSPIRACY

QDA's Violent Criminal Enterprises Unit of the Narcotics Investigations Bureau, along with the NYPD's Gun Violence Suppression Division - Violence Reduction Task Force, spearheaded a gang violence investigation utilizing a vast array of resources, including reviewing telephone conversations, social media pages, and surveillance videos. Eighteen members of a street gang in Far Rockaway known as "Pop on Site," whose ages ranged from 16 to 22, were indicted for conspiracy to murder and assault rival gang members. The charges included first-degree conspiracy to commit murder, attempted murder, felony assault, and weapon possession.

The gang members used Facebook to brag, discuss, and take credit for their violent acts. Notably, the gang used coded or ambiguous language and phrases to communicate with their fellow gang members and to try to elude the police.

Seventeen of the defendants have pled guilty to a variety of charges, with the most serious offenses garnering prison sentences of up to 12 years.





### AIRLINE PILOT CONVICTED OF POSSESSING CHILD PORNOGRAPHY



A commercial airline pilot from Texas was convicted of possessing two videos depicting the sexual exploitation of two girls under the age of sixteen. The pilot, Thomas Perkins, 39, was the subject of a border search at John F. Kennedy International Airport, after the plane he flew from Montreal arrived in New York City. A U.S. Department of Homeland Security inspection of his iPad revealed possible child pornography images.

A jury found Perkins guilty of two counts of possessing a sexual performance by a child following a two-week trial. He was sentenced to six months in jail and 10 years' probation.

The investigation was conducted by U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations special agents, and the case was prosecuted by QDA's Computer Crime Unit.

### NYPD DETECTIVE FOUND GUILTY OF FAKING DRUG ARREST

A jury found an NYPD detective guilty of first-degree perjury and other charges for having falsely arrested a man on drug charges and then twice lying under oath about the arrest before a grand jury and during a court hearing.

Kevin Desormeau, who had been with the NYPD for over 10 years, was previously assigned to the NYPD's Gang Unit. According to the charges, Desormeau arrested the victim for allegedly selling crack cocaine on a street corner in Jamaica. Desormeau stated in the criminal court affidavit that he had observed a hand-to-hand exchange between the victim and an unapprehended woman and that he had recovered rock cocaine from the victim's waistband.

Desormeau then testified before a grand jury that he saw the victim hand two unapprehended women something in exchange for cash, and that upon

arresting the victim he recovered a twist of crack cocaine. Desormeau essentially repeated that testimony during a subsequent court hearing. But the attorney for the victim presented to QDA a video surveillance recording from inside a nearby bar, which shows the victim playing pool at the exact time Desormeau claimed the alleged drug transaction took place. The surveillance video also shows the detective entering the bar while the victim was playing pool and then escorting the victim outside.

The drug charges against the victim were dismissed as a result of the investigation. He had spent 51 days incarcerated on Rikers Island due to the false criminal charges.

The NYPD's Internal Affairs Bureau investigated the case, which was prosecuted by QDA's Public Integrity Bureau.





### MAN GETS JAIL FOR POSSESSING TORTOISE STOLEN FROM ENVIRONMENTAL CENTER

A 36-year-old East Elmhurst man was sentenced to six months in jail after pleading guilty to criminal possession of a stolen tortoise that had been snatched from the Alley Pond Environmental Center (APEC) in Douglaston.

According to the complaint, an APEC employee discovered that Millenium, an African spurred tortoise, was missing and that there was a hole in the rear fence near the tortoise habitat. The 17-year-old tortoise is estimated to be worth about \$2,500.

A Connecticut man had posted an ad on Craigslist that he was selling a musk turtle, according to the charges. A day later, he received a cell phone call from a man who stated that he wanted to trade an African spurred tortoise for the musk turtle. The Connecticut man met with the caller at a Connecticut train station and traded his musk turtle and \$300 for the tortoise. A detective from the NYPD's 111th Detective Squad later recovered the African spurred tortoise from the Connecticut man, who had seen news reports about Millenium's



disappearance. An APEC employee confirmed Millenium's identity, and the tortoise was returned to his home. The cell phone used by the man who had

traded the African spurred tortoise came back to the defendant, Shawn Waters.

The case was handled by QDA's Animal Cruelty Prosecutions Unit.

### DOUBLE MURDERER SENTENCED TO LIFE WITHOUT PAROLE

A 48-year-old East Elmhurst man who was convicted at trial of first-degree murder for the vicious hammer beating deaths of his girlfriend and the woman's daughter was sentenced to life in prison without parole.

According to the trial evidence, after beating the women to death, the defendant, Carlos Amarillo, called 911 and stated, "two females are dead, they were assassinated, hurry they are dead. I killed them because they are witches, I want the police to kill me. I killed them with a hammer." When

police arrived, Amarillo was holding a Bible and walking from the doorway of the home's entrance to the street.

Upon entering the front bedroom, police found Estrella Castaneda, 56, face up on the bed with a pillow over her face and blood seeping into the bed linens and splattered on the wall. The rubber grip of a hammer was beside her body on the bed. Police found the body of Lina Castaneda, 25, on the floor of a rear bedroom. She was face down with injuries to her head, and a hammer was on the floor beside her. Lina Castaneda's young daughter was found unharmed

on the bed in her mother's room. In subsequent statements to police, the defendant stated that the women were "witches and were performing voodoo and casting spells" on him that he claimed had made him sick.

The jury rejected Amarillo's psychiatric defense and found him guilty of first-degree murder and related charges. The court subsequently sentenced him to two consecutive life sentences without the possibility of parole for the two murders. The case was handled by QDA's Homicide Trials Bureau.



### FIGHTING-DOG BREEDER INDICTED

An Orange County man was charged with over 40 counts of prohibition of animal fighting after allegedly selling a pit bull puppy with a dog fighting championship bloodline through his website, which advertises that he breeds champion dog fighters. If convicted, he faces up to four years in prison.

According to the criminal complaint, the defendant's website features the front cover of Sporting Dog Journal, a dog fighting magazine, and includes titles for various dog fighting champions available for breeding. The website also has various images of dogs wearing heavy chains to make their necks strong and descriptions of bloodlines that produce canines with "tremendous mouth," meaning the animal has bite strength and a strong jaw, "game," as in aggression, and "extreme ability" and "long-winded," code words for stamina during fights.

Undercover detectives from the



NYPD's Animal Cruelty Investigations Unit viewed the website and paid the defendant \$2,000 for a pit bull puppy from a dog fighting champion bloodline, the charges state. A court-authorized search warrant was subsequently executed at the defendant's Orange County property, where police allegedly seized 19 pit bull dogs, along with

breeding charts, five break sticks that are used to insert behind a canine's molars to break a dog's grip on another animal or object, multiple copies of Sporting Dog Journal, and a guidebook on breeding and raising pit bull terriers. The ASPCA assisted in the seizure of the dogs.

QDA's Animal Cruelty Prosecutions Unit is prosecuting the case.

### UNDERCOVER OPERATION NETS IRON PIPELINE GUN TRAFFICKERS

A year-long undercover sting operation focused on gun-running along the so-called Iron Pipeline resulted in the arrests of two out-of-state men who brought firearms up from the South and sold them to an undercover officer in a Home Depot parking lot in Queens.

Anthony Black, 33, of Georgia, and Rasheem Greene, 24, of Florida, both pled guilty to firearms offenses. Black was sentenced to five years in prison, and Greene was sentenced to three and a half years in prison. According to the charges, the men sold "bundles" comprised of two to six firearms at prices ranging



from \$1,400 to \$5,000 a bundle. A total of 13 firearms were actually sold to the undercover, and an additional five were recovered pursuant to a search warrant on the men's vehicle after their arrest.

The "Iron Pipeline" is the Interstate 95 corridor between New York City and southern states with less stringent gun laws. Unlicensed gun sellers acquire guns in those states, then bring them up to New York City and illegally sell them.

NYPD's Firearms Suppression Section investigated the case with QDA's Narcotics Investigations Bureau, which handled the prosecution.



### MAN CHARGED IN VIOLENT CRIME SPREE

A man who allegedly broke into two Jamaica women's homes in violation of orders of protection, attempted to kill two police officers who were trying to arrest him, and attacked several other people and their property as he fled, has been charged with numerous crimes, including attempted first-degree murder.

According to the charges, at 1:30 a.m. one morning in December 2016, in violation of an order of protection, the defendant went to his girlfriend's home. When she refused to answer the door, he broke into her landlord's toolshed, stole a sledgehammer, and used it to break down both the front door of the residence and the girlfriend's apartment door. She, meanwhile, had fled to her landlord's apartment, where her landlord called 911.

At 4:00 a.m., the defendant allegedly then proceeded to his ex-wife's home – in violation of yet another order of protection – and began kicking the door when she refused to admit him. Their two children were in the home at the time. He used a flowerpot to shatter a glass pane in the door, threw the flowerpot at a neighbor's car, then picked up a scooter and struck the neighbor's car with it repeatedly.

The defendant then, according to the charges, drove off and posted online a live video showing him driving around holding an axe, and making threats to assault his ex-wife and kill the police.

The spree continued that same morning into the afternoon when the defendant allegedly:

- used a wooden plank to smash the windows at a friend's home;
- led police on a dangerous high-speed chase and drove his car directly at theirs in an attempt to cause a head-on collision;
- headed to Suffolk County, where he deliberately drove into the back of another motorist's car, then stole the vehicle of another person who tried to help;
- returned to Queens in the stolen vehicle, threatened to kill an acquaintance, and damaged the man's van with an axe;
- swung an axe at another acquaintance's head, and struck that man's van with the axe; and
- led police on another reckless high-speed chase, which ended with his arrest on the Belt Parkway.

A grand jury indicted the defendant on over 40 counts, including attempted first-degree and second-degree murder, first-degree burglary, first-degree criminal contempt, first-degree reckless endangerment, criminal mischief, grand larceny, endangering the welfare of a child, and related charges. The case is being handled by QDA's Domestic Violence Bureau.

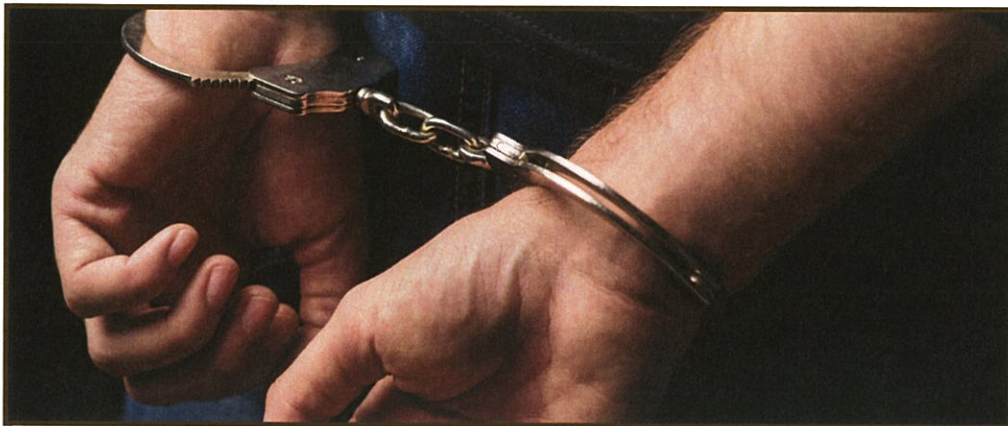
### SEX TRAFFICKER GETS 25 TO 50 YEARS IN PRISON



A 29-year-old Queens Village man has been sentenced to up to 50 years in prison for sex trafficking and promoting prostitution of two teenage girls – ages 18 and 19.

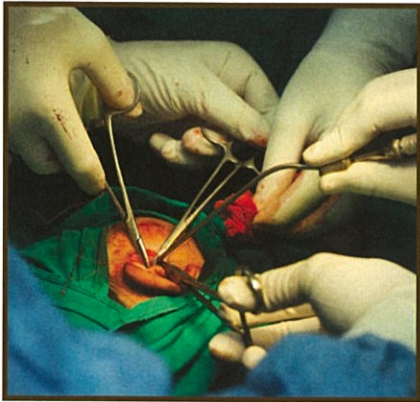
Ricardi Dumervil (a.k.a. "Dirty") was convicted of two counts of sex trafficking and related charges following a jury trial. According to trial testimony, Dumervil forced an 18-year-old girl and a 19-year-old girl into prostitution by threatening to physically injure them if they did not comply with his demand to engage in sexual activity with various individuals in exchange for money, which they were required to turn over to him.

The investigation was conducted by the NYPD's Major Case Vice Enforcement Division's Human Trafficking Team, and was prosecuted by QDA's Human Trafficking Unit.





### 25 YEARS IN PRISON FOR MAN WHO BIT OFF TEENAGER'S EAR



A Brooklyn man was convicted of first-degree assault and sentenced to 25 years in prison for biting off the top of a 15-year-old's ear when the boy tried to stop the man from assaulting his female cousins.

According to the trial testimony, Reynoldo Rayside, 28, had attacked his girlfriend and her mother in their South Ozone Park home. Hearing the commotion from next door, the women's teenaged cousin arrived and saw the injured women on the floor, with Rayside hovering over the younger one. The boy tried to get the woman away from Rayside, but the older man grabbed the youngster, bit into his ear, and ripped the top of it off. The boy was left with permanent, disfiguring scars as a result.

QDA's Domestic Violence Bureau prosecuted the case.

### MAN CHARGED IN GRANDPARENT PHONE SCAM

A Queens man has been charged with stealing \$41,600, and attempting to steal an additional \$10,000, from an 86-year-old man this past January in an all-too-common phone scam in which an impostor pretends to be the victim's grandchild, claiming that he has been arrested and needs money for bail.

According to the criminal charges, the victim received a telephone call from a male posing as the victim's grandson. The male stated that he was in the Dominican Republic, that he had been arrested for possession of marijuana, and that he needed money for bail. A second man, claiming to be a "sergeant," got on the phone and demanded \$9,800 for the bail bond. The victim was allegedly instructed to divide the money in half and package the halves into the middle of two separate magazines, place the magazines into one brown envelope and mail it to an address in Jamaica, Queens. The victim allegedly complied and sent \$10,000 in cash the next day.

After the victim sent the money package, he allegedly spoke again with the "sergeant," who instructed him to send an additional \$22,000 in cash to cover fines that he said the grandson had incurred while in custody. The next day,

the victim allegedly sent \$19,000 cash in a similar manner as the first package to an address on Corona Avenue. Afterwards, the victim allegedly had a third telephone conversation with the "sergeant," who informed him that the grandson was now being detained by U.S. Customs in Florida, and that the victim would need to send an additional \$23,000 to get him released. When the victim informed the "sergeant" that he could not afford that amount, the "sergeant" allegedly instructed the victim to send \$13,500 cash to the Corona Avenue address. The next day, the victim allegedly sent \$12,600 cash to the Corona Avenue address. The day after that, the victim had another conversation with the "sergeant," who instructed him to send an additional \$10,000 to the Corona Avenue address, which the victim did. On the same day, the victim finally spoke to his actual grandson, who informed his grandfather that he had not, in fact, been arrested. The victim stopped the last cash shipment and notified police. The defendant was arrested at the Corona Avenue address.

The case was investigated by NYPD's Grand Larceny Unit and is being handled by QDA's Elder Fraud Unit.





### DEED FRAUD SCHEME UNCOVERED

A Queens County grand jury charged eleven individuals – including three attorneys – and two real estate corporations with preying on New York City homeowners in financial distress and defrauding them into signing over their properties. Half of the alleged victimized homeowners are elderly people, and include a hospitalized veteran waiting for an organ transplant and a single mother with five children.

The grand jury handed down a 55-count indictment, in which all of the defendants are variously charged with the crimes of first- and second-degree criminal possession of stolen property, first-degree falsifying business records, first-degree offering a false instrument for filing, second- and third-degree grand larceny, unlawful eviction, fourth-degree criminal facilitation, fraudulently obtaining a signature and first-degree scheme to defraud. If convicted, the defendants face varying prison sentences, the shortest being up to four years in prison and the longest being up to 25 years in prison.

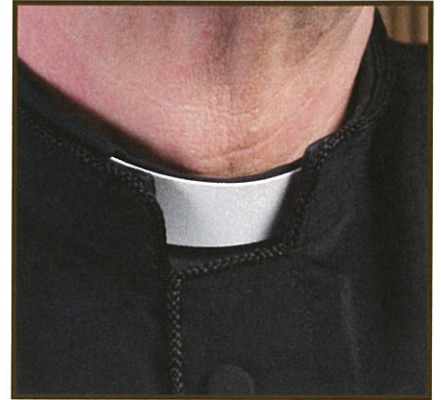
The investigation, which was jointly conducted by QDA's Economic Crimes Bureau and the New York City Sheriff Office's Deed Fraud Unit, began in

2014, when several Queens homeowners informed QDA that they had received cold calls from individuals allegedly promising to assist the homeowner with whatever financial problems they were having with their home. Further probing allegedly revealed a fraudulent real estate operation in which the purported "assistance" that the defendants offered was actually no assistance at all, but rather a scheme to get homeowners to unknowingly sign over the deeds to their property.

Once they signed over the deeds, the homeowners were no longer the recorded owners of the properties, but they were still financially responsible for the mortgages. At the same time, the defendants allegedly profited from the scheme by collecting rents from tenants at the properties or getting rent subsidies from the city for tenants receiving public assistance or homeless individuals. Meanwhile, the defrauded homeowners' properties continued to undergo the foreclosure process and the homeowners' credit continued to be destroyed.

The cases are being prosecuted by QDA's Economic and Environmental Crimes Bureau.

### CHURCH PASTOR CONVICTED OF RAPING YOUNG CONGREGANTS



A Queens Village church pastor was convicted of first-degree rape and related charges for his sexual assaults on two young sisters who attended his church.

According to the trial evidence, Reuben Chizor, 56, then the pastor of Hope Restoration Ministries, subjected the older sister, starting when she was 14 years old, to sexual intercourse and other sexual contact in the basement of the church. He separately subjected the younger sister, starting when she was 12, to similar assaults in the church and in his car. The attacks took place over a period of nearly two years. When the sisters confided in each other, they discovered that they had both been victimized, and the police were contacted.

Chizor was sentenced to a total of 15 years in prison as a violent felony offender. The case was handled by QDA's Special Victims Bureau.





### HIGH SCHOOL COACH IMPRISONED FOR ONLINE CHILD LURING



A court sentenced a Richmond Hill High School coach and former attendance teacher to two to six years in prison after a jury found him guilty of engaging in sexually explicit communications with a 15-year-old student.

Luis Rodriguez, 45, was convicted at a trial in December 2016 of attempted use of a child in a sexual performance, first-degree disseminating indecent material to minors, and endangering the welfare of a child. According to trial testimony, Rodriguez texted or used the FaceTime video chat feature on a cell phone to send sexually explicit messages to a 15-year-old female student. During these conversations, Rodriguez told the student that he wanted to engage in sexual intercourse and have oral sex with her, and he sent a video message to the student's cell phone showing himself masturbating.

The case was handled by QDA's Computer Crimes Unit.

## DEFENDING CASES ON APPEAL

QDA's Appeals Bureau handles all appeals and other post-conviction litigation, in both state and federal courts. This includes nearly 20% of the entire criminal docket of the New York Court of Appeals, the state's highest court, which sets precedent for all 62 counties in the entire state.

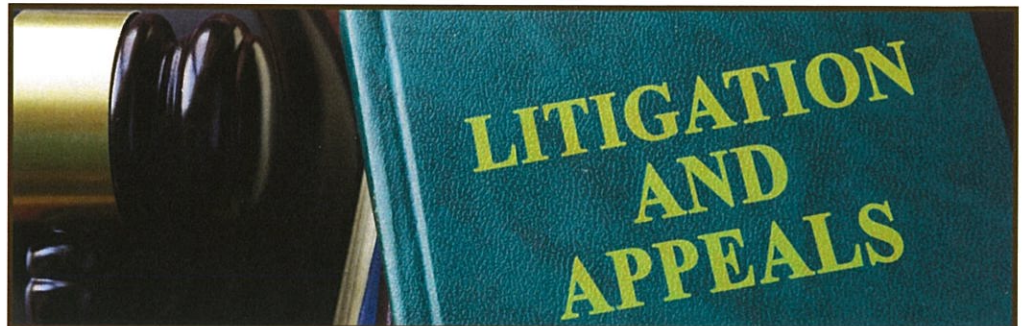
Notable appellate victories in 2017 include:

**Violent home invasions.** In *Kenneth Washington v. Griffin*, the Appeals Bureau successfully defended the conviction of a man who committed two extraordinarily violent home burglaries. In one, he broke into the home of a female off-duty detective in the middle of the night, beating her in the head with her own gun, stomping her face as he dragged her to the bathroom, and leaving her helpless and bleeding in her bathtub. In the other burglary, he broke into the home of a woman who was six months pregnant, sexually assaulted her, and twice choked her until she was about to pass out. DNA evidence linked the defendant to both burglaries. The U.S. Court of Appeals for the Second Circuit upheld the conviction against claims that the prosecution was required to call additional witnesses to admit the forensic evidence. The defendant is currently serving a sentence of twenty-five years to life.

**Bank robberies.** The state's highest court, the Court of Appeals, upheld the conviction of Sean Garvin, who had committed four bank robberies

in Jamaica over a seven-day period, including robbing the same bank twice. In each robbery, the defendant gave the teller a note demanding money and threatening to shoot them if they did not comply. The defendant's fingerprints were found on one of the demand notes, all of the notes were in his handwriting, and his DNA was on a scarf left behind outside one of the banks by the robber. Upon learning of the fingerprint match, NYPD detectives promptly went to the defendant's apartment to effectuate an arrest and prevent any further bank robberies. The Court of Appeals held that, under the circumstances of this case, the arrest was valid despite the absence of an arrest warrant. Defendant is currently serving a fifteen-year-to-life prison sentence.

**Sexual abuse.** In *People v. Nirun Honghirun*, the defendant repeatedly sexually abused his niece by touching her vagina with his fingers, mouth, and tongue, forcing her to touch his penis, and simulating sexual intercourse with her while their clothes were on. The victim was about five years old when the abuse started, and it continued until the time she turned ten. The defendant was indicted and convicted on numerous counts of child sexual abuse. Despite the vigorous defense advanced by counsel, the defendant attacked the adequacy of his attorney's representation. The Court of Appeals affirmed the conviction, finding that counsel's representation was fully competent. The defendant is serving a prison term of fifteen years to life.





### COLD DNA HIT LEADS TO GUILTY PLEA TO RAPE

A DNA match to a man who had already been convicted of sexual abuse in an unrelated case led to his being identified as the man who had raped a woman in Astoria in 2015, in a case handled by QDA's Special Victims Bureau.

David Diaz had been arrested for first-degree sexual abuse, but failed to appear in court. A bench warrant was issued for his arrest. While he was at large, he accosted a woman who was walking to her Astoria home at 4:00 a.m. When she would not stop to talk to him, he grabbed her from behind, threw her to the ground, and placed her in a chokehold. He then removed her underwear and raped her, tightening the chokehold when she struggled. The victim managed to scratch him before she lost consciousness. When she came to, Diaz punched her in the face and fled.

Meanwhile, Diaz was returned to court on the bench warrant. He pled



guilty on that case and, as required by law, gave a DNA sample upon conviction. Fingernail scrapings recovered from the Astoria rape victim matched his DNA sample.

As a result, Diaz pled guilty to first-

degree rape, second-degree strangulation, and second-degree assault, and is expected to be sentenced to twelve years in prison, to run consecutively to the three-year prison sentence he had received on the previous sexual abuse case.

### FLUSHING COUPLE PLEAD GUILTY TO LABOR TRAFFICKING

A husband and wife who were indicted by a grand jury last year on charges of enslaving and abusing two Korean children have pled guilty to labor trafficking.

Sook Yeong Park and her husband, Jeong Taek Lee, had forced the youngsters, who had been entrusted to their care, to work without compensation for six years. Park was sentenced to two to six years' imprisonment, and Lee was sentenced to five years' probation.

According to the charges, the children, a brother and sister who were eight and eleven years old at the time, were placed with the couple by their parents, who had remained in Korea. Shortly after the children

arrived in the United States, the couple confiscated their passports, and the abuse began. The girl was forced to work almost every day after school for about ten hours, doing housework and providing Park with massages, manicures, and pedicures. Later, the girl was made to work at various outside jobs at grocery stores, a nail salon, and a restaurant, and as a babysitter, and was forced to turn over her earnings in full to the couple. The boy was also required to work at a grocery store for at least one day a month and turn over all his wages to the couple.

Park and Lee falsely told the children that they had to work to pay their expenses because their parents were not sending any money from Korea.

The children were not allowed any contact with their parents unless the communication was supervised by Park, so that the parents were kept in the dark about what was going on.

The children were also physically abused. The couple forced the girl to sleep on the floor in a small closet, and the boy to sleep on a bedroom floor. Park routinely beat them, slapped them, stepped on them, and kicked them for not obeying her orders.

The matter came to light when the children reported the abuse to school officials, who notified the police. The children have since been reunited with their parents in Korea. The case was prosecuted by QDA's Human Trafficking Unit.



### CITYWIDE AUTO THEFT RING BUSTED AFTER WIRETAP INVESTIGATION

A Queens County grand jury returned a series of indictments charging 11 individuals from Brooklyn, Queens, Manhattan, and Staten Island for their alleged roles in an automobile and motorcycle theft ring linked to \$500,000 worth of stolen cars, motorcycles, auto parts, and forged inspection stickers.

The investigation leading to the arrests and indictments began in Queens with the NYPD Auto Crime Division investigating an Instagram page that included photographs of car rims and inspection stickers for sale. The NYPD contacted the Instagram account holder, and that allegedly began the undercover operation in which the Instagram account holder allegedly sold forged New York State inspection stickers to an undercover detective on several occasions. These transactions then progressed into that defendant and another man allegedly collaborating to sell stolen automobiles and motorcycles to undercover detectives.

The NYPD and QDA's Auto Crime Unit thereafter obtained a court-authorized wiretap, which helped



unveil the inner workings of this alleged theft ring, which stole vehicles from Queens, Brooklyn, Manhattan, Staten Island, and New Jersey. According to the indictments, the alleged culprits stole about 45 cars and 16 motorcycles, worth a combined estimated total of \$500,000. Unbeknownst to the defendants, they had allegedly sold

roughly 14 of the cars and six of the motorcycles to undercover investigators. Police allegedly recovered 28 autos and bikes worth about \$270,000. One defendant allegedly sold an estimated 13 forged New York State inspection stickers to undercover detectives.

The cases are being prosecuted by QDA's Auto Crime Unit.

### HURRICANE SANDY FRAUD UNCOVERED

A woman who attempted to defraud the city out of Hurricane Sandy "Build It Back" relief funds was arrested and charged with first-degree grand larceny.

The investigation, which was referred to QDA's Public Integrity Bureau by the New York City Department of Investigation, disclosed that in 2013 the defendant filed applications utilizing a power of attorney to receive Hurricane Sandy relief for two properties

located in Queens County that were owned by another woman. That woman, however, had died in 2011, two years before the power of attorney was allegedly executed. Subsequently, both properties were transferred to the defendant in 2015. The defendant received over \$34,000 in Hurricane Sandy relief funds for one of the properties and approval for the second property was pending prior to investigation.

The defendant also used the

fraudulent power of attorney to obtain money that was being held in escrow for the benefit of the decedent. The investigation further disclosed that the defendant attempted to sell one of the properties for \$800,000. Title to the property has since been returned to the decedent's estate, which is now being handled by the Public Administrator.

If convicted, the defendant faces up to eight and a third to twenty-five years in prison.



### GALLERY OWNER CHARGED WITH ILLEGALLY TRAFFICKING BANNED ELEPHANT IVORY

A Long Island City gallery owner and a salesperson for the appointment-only business were charged with illegally selling a sculpture made with elephant ivory to undercover investigators for more than \$2,500. Elephants are listed as an endangered species, and the sale of more than \$1,500 worth of products made from elephant ivory without having first obtained a Department of Environmental Conservation (DEC) license or permit is a felony. The defendants were charged with two violations of New York's Environmental Conservation Law. The defendants each face up to four years in prison if convicted.

According to the criminal charges, two DEC investigators working undercover made appointments to visit the gallery. The salesperson allegedly showed the investigators two ballerina sculptures, which he described as being made of ivory, "but we don't list them as such because you can't sell ivory." The investigators returned to the gallery and paid the owner \$2,612 in cash for the ballerina sculpture. During this visit, the owner showed them another piece – priced at \$3,600 – and he

allegedly stated, "I believe it is ivory" and "they don't even allow the sale of them [ivory]." The investigators left the gallery with the ballerina sculpture and had it examined by an expert, who determined that the sculpture was made from authentic ivory.

A court-authorized search warrant at the gallery recovered several sculptures made with ivory, as well as artifacts believed to be made from the tooth of a sperm whale and the skin of crocodiles.

The Wildlife Conservation Society estimates that 96 elephants are killed every day by poachers for their valuable ivory. Before the enactment of New York's restrictions on elephant ivory sales in 2014, New York City was considered to be the epicenter of the illegal ivory trade in the U.S., worth upwards of \$23 billion annually, according to the United Nations. Results from the 2016 Great Elephant Census show there are only 352,000 African savanna elephants still living – a decline of 30 percent over the last seven years.

The case is being handled by QDA's Economic and Environmental Crimes Bureau.

### CON ARTISTS GET PRISON FOR BILKING ELDERLY WOMAN IN "FOUND MONEY" SCHEME



Two women were sentenced to prison terms in a case where they conned an 88-year-old woman out of over \$10,000 in a "found money" scheme.

Juanita Lamb and Deanna Rhett, who pleaded guilty to grand larceny charges, along with a third woman, approached their victim with a purse full of what appeared to be money and claimed they had "found" the cash. They offered to share the windfall with her if she helped them pay the taxes on it. The victim agreed, and the defendants drove her to a bank, where she withdrew \$10,300 and gave it to the defendants. The defendants then fled in a car.

Police later stopped the defendants' car and recovered the cash, as well as an assortment of wigs and numerous pieces of paper that appeared to be \$100 bills but bore the phrase, "for theatrical use."

Rhett was sentenced to two to four years in prison and Lamb was sentenced to two and a half to five years in prison. The case was handled by the QDA Elder Fraud Unit.





### MAN WHO WAS “MAD AT GOD” CONVICTED OF BURGLARIZING HOUSES OF WORSHIP



A 24-year-old man who was charged with breaking into a Hindu temple and three Christian churches, stealing money and damaging property, pled guilty to third-degree burglary as a hate crime and other charges. He was sentenced to one and a half to four and a half years in prison.

Joseph Woznik broke into the four houses of worship over a three-week period last spring. He forced open donation boxes, stealing the cash inside, and pried open church office doors to steal money, checks, and a camera. He burglarized one church three times during that period.

When Woznik was arrested, according to the charges, he stated, in sum and substance, “I’m mad at God. I don’t like church no more. I don’t want to deal with religion. I’m sick and tired of hearing about religion. I don’t break into houses, only churches. I break in to get back at God.”

The case was prosecuted by QDA’s Special Proceedings Bureau.

### “ABK” GANG MEMBERS ARRESTED IN GUN AND DRUG INVESTIGATION



In December 2016, as part of a long-term investigation dubbed Operation Smashing Pumpkins, members of the Always Banging Kings (“ABK”) gang were arrested in Jackson Heights, Queens, moments after firearms were brought to the location and moments before those firearms were to be used in retaliation against members of the Latin Kings gang for prior altercations. The preventive measure was a result of an authorized wiretap warrant for the sale and possession of controlled substances. Later, two other members of the ABK gang who took part in this attempt to murder rival gang members were also arrested and charged.

In March 2017, Operation Smashing Pumpkins was concluded with the arrest of 18 individuals, with other individuals

being arrested in subsequent weeks, for the sale and possession of controlled substances. In all, 27 individuals, many of whom were allegedly members of the ABK gang, were arrested. Recovered as part of this investigation were 3 loaded firearms, approximately a pound of cocaine, over 30 pounds of marijuana, alprazolam pills containing fentanyl, crystal methamphetamine, PCP, ketamine, scales, diluents, empty baggies, several luxury vehicles, and approximately \$65,000 in cash. The case was investigated by the NYPD’s Queens Gang Squad in conjunction with QDA’s Narcotics Investigations Bureau, which is prosecuting the cases. QDA’s Gang Violence and Hate Crimes Bureau is also prosecuting a related gang assault case.





### “OPERATION DIVERGENT” DISMANTLES IDENTITY THEFT AND STOLEN CREDIT CARD RING

A stolen credit card and identity theft ring was successfully dismantled with the indictment of 30 individuals. The ring was allegedly responsible for stealing the personal credit information of hundreds of consumers and costing the individuals, financial institutions, and retail businesses more than \$3.5 million in losses over the course of the alleged scheme. In addition to the arrests, four fake identification “mills” where the forged documents were manufactured were closed down – several along the Roosevelt Avenue corridor.

The principal defendants – 19 individuals – were charged in a 389-count indictment charging, among other crimes, Enterprise Corruption under New York State’s Organized Crime Control Act. According to the charges, the defendants were members and associates of an organized criminal enterprise that systematically schemed to defraud scores of unsuspecting consumers as well as financial institutions and retailers. The 19 principal defendants were also variously charged – along with 11 other individuals – in a second 273-count identity theft indictment. Seven of the top members of the criminal enterprise were also sued civilly in a \$3.5 million civil forfeiture action to recoup their criminal profits.



The NYPD’s Identity Theft Squad commenced a joint investigation into the ring with QDA’s Economic Crimes Bureau in April 2015, involving physical surveillance, intelligence gathering, and court-authorized electronic eavesdropping on dozens of different telephones in which thousands of conversations were intercepted, which required them to be translated from Hindu, Punjabi, Urdu, and Spanish into English.

According to the charges, the organization stole thousands of customer identities, created fraudulent documents in a document “mill,” and took over the accounts of numerous credit card holders, often blocking the true holder from accessing his or her own account. “Shoppers” would use forged cards

to shop at high-end stores, and the merchandise was then sold to fences.

Pursuant to multiple search warrants, numerous items were recovered – including \$400,000 in cash, numerous gold coins and gold bars, personal information of hundreds of thousands of individuals, five vehicles, three firearms, skimmers, card readers, embossers, blank credit cards, fake identifications, and illegally purchased items, such as designer handbags and high-end electronics.

A number of the defendants have pleaded guilty to felony charges, including the underboss of the organized ring, who was sentenced to four to twelve years in prison and forfeited over \$100,000. The cases of the remaining defendants are pending.

### TWO MEN CHARGED WITH MURDER OF RAPPER

A Queens grand jury charged two men with the fatal shooting of a young, up-and-coming rapper and the wounding of his friend as they sat in the musician’s car in Briarwood.

According to the charges, Lionel Pickens, 31, who performed under the stage name “Chinx,” had been at a nightclub performance in Brooklyn with his friend Antar

Alziadi, 27, one night in May 2015. They were driving back to Queens in the early morning hours when the two defendants followed them. The defendants then shot at Pickens’s Porsche in the vicinity of Main Street and Queens Boulevard. Pickens and Alziadi were struck multiple times. The victims were transported to a local hospital, where Pickens was

pronounced dead, and Alziadi was treated for his injuries.

The defendants were both charged with second-degree murder, attempted second-degree murder, and related charges. If convicted, they each face up to 25 years to life in prison. The case is being prosecuted by QDA’s Homicide Trials and Homicide Investigations Bureaus.



### LIVERY CAB ROBBER SENTENCED TO 80 YEARS IN PRISON

A 24-year-old Queens Village man, who was convicted on eight counts of robbery following a jury trial, was sentenced to a total of 80 years in prison, in a case handled by QDA's Gang Violence and Hate Crimes Bureau.

According to the trial testimony, during a nine-day robbery spree in July 2014, Dayton Fernandez held up four livery drivers at gunpoint and took cash, jewelry, and cell phones belonging to them.

The spree began when Fernandez got into a livery cab, displayed a firearm, and told the driver, "Don't move or I'll shoot." Fernandez then punched the victim repeatedly in the head with his fists and choked the victim with the seatbelt before taking the driver's wallet, which contained about \$500 cash.

Two days later, Fernandez jumped into another livery cab and pulled a gun on the driver. He ordered the victim to "give me everything" and fled the vehicle with approximately \$70 in cash, a debit card, gold chain and the driver's wallet.

The following week, Fernandez robbed two separate livery drivers within



the span of an hour. During the first, Fernandez got into a livery cab, pushed a gun against the driver's side, and searched his pockets. He then fled with about \$300 in cash. An hour later, Fernandez got into a second livery cab and gave the

cabbie instructions on where to drive. He then pointed a gun at the driver's side and fled with roughly \$400 in cash.

A jury found Fernandez guilty of four counts of first-degree robbery and four counts of second-degree robbery.

### TWO MEN CONVICTED OF FORCING YOUNG GIRL INTO PROSTITUTION

Two Queens men were convicted of kidnapping, raping, and forcing a 14-year-old female runaway into prostitution.

Differson Legrand, 39, and Chilo Petit, 36, were convicted of second-degree kidnapping, second-degree rape, and third-degree promoting prostitution after a two-week jury trial. Legrand was sentenced to seven to 13 years in prison, and Petit was sentenced to 12 and a third to 17 years in prison.

According to trial testimony, the 14-year-old victim ran away from home and became involved in a sexual relationship with Petit. During this time, Petit took the victim to Legrand's residence, locked her in a room, and continued to have sex with her before having her engage in prostitution acts. When Petit refused to continue splitting the proceeds obtained by the victim through prostitution, she left the residence and returned to her home. A short while later, she ran into Legrand,

who took her back to his residence, had sex with her, and made her continue to engage in prostitution. When the victim later refused to "work," Legrand grabbed her by the neck, punched her in the face, and told her that she had no choice but to work and make him money. Later that day, the victim slipped out of Legrand's residence and eventually contacted her mother.

The case was prosecuted by QDA's Human Trafficking Unit.



### GOTTI GRANDSON GETS 8 YEARS IN PRISON FOR DEALING OPIOIDS

The grandson and namesake of the late Gambino Crime Family boss John Gotti was sentenced to eight years in prison after pleading guilty to selling oxycodone in Howard Beach and Ozone Park. John J. Gotti, 23, also agreed to forfeit over a quarter of a million dollars in seized drug proceeds.

The long-term investigation – which was spearheaded by the NYPD's Narcotics Borough Queens South and the QDA's Narcotics Investigations Bureau – focused on several subjects, and utilized various investigative techniques, including physical surveillance, undercover buy operations, and court-authorized monitoring of telephone conversations, as well as installation of a listening device on Gotti's Infiniti G35 sedan.

Authorities intercepted a conversation in which Gotti discussed his oxycodone trafficking business in detail, stating that he sold more than 4,200 pills every month, that he did approximately \$100,000 a month in

drug sales, and that he once calculated that his oxycodone trafficking business generated about \$1.6 million annually. Gotti also stated that he stored his drug trafficking records and \$200,000 of drug proceeds at an associate's residence to conceal it from seizure by law enforcement.

Gotti was the main seller within the organization and primarily sold oxycodone pills for between \$21 and \$30 per pill. During the course of the investigation, undercover officers purchased over \$46,000 worth of oxycodone from Gotti during eleven buys in 2016, ten of which were recorded on both video and audio.

In executing search warrants as part of the take-down of the long-term investigation, police found over \$50,000 in Gotti's bedroom, as well as about 480 oxycodone pills. Police also seized \$200,000 and the ledger that contained Gotti's drug records from a safe in an associate's apartment, just as Gotti had been intercepted discussing.



### MOTHER CHARGED WITH STRANGLING BABY TO DEATH



An Elmhurst woman who strangled her 15-month-old daughter to death was charged with murder in the second degree and related charges, and, if convicted, faces up to 25 years to life in prison.

According to the charges, the woman strangled the baby with a phone charger and a piece of fabric until the baby became unresponsive. The woman then waited five hours before calling 911. Preliminary autopsy findings revealed that the baby suffered a deep ligature furrow around the neck as well as widespread petechial hemorrhages of the eyes and face, which are consistent with homicide by ligature strangulation.

QDA's Child Fatality Unit assisted the NYPD in investigating the case, which is being prosecuted by QDA's Homicide Trials Bureau.



---

# WORKING WITH COMMUNITIES

---



## Working with Communities



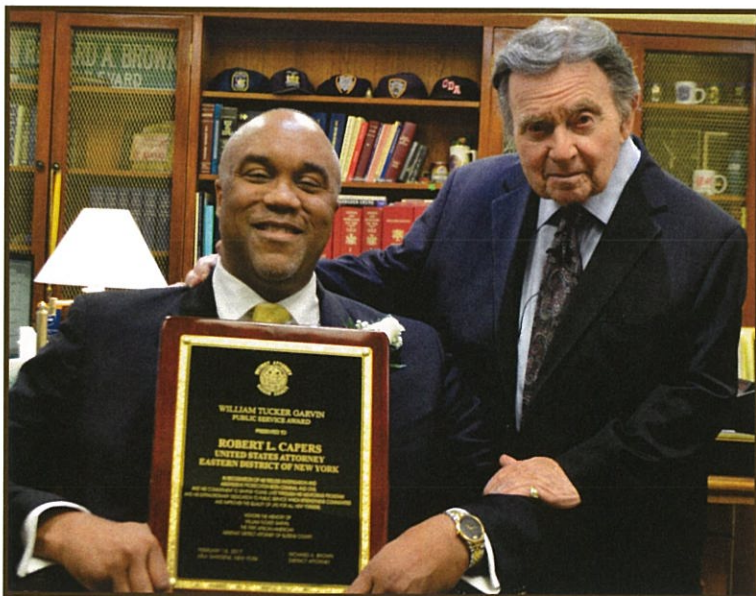
**PBA RECOGNIZES DA BROWN**

Patrick J. Lynch, President of the Patrolmen's Benevolent Association, presents DA Brown and his staff with a memorial statue in appreciation of QDA's dedicated service to New York City police officers and the community. The statue depicts a police officer watching over the child of a slain police officer. In 2017, QDA obtained a first-degree murder conviction in the killing of Police Officer Brian Moore, and the killer was sentenced to life in prison without the possibility of parole.



**HISPANIC HERITAGE AWARD**

DA Brown named Joe Torres, WABC-TV Eyewitness News reporter and anchor, as recipient of the 2017 QDA Hispanic Heritage Award for his dedication to enlightening and informing all New Yorkers. Joining them are Mariela Herring, Chief of QDA's Gang Violence and Hate Crimes Bureau; Jesse Sligh, Executive ADA for Special Prosecutions; and Carmencita Gutierrez, Director of QDA's Office of Immigrant Affairs.



**WILLIAM TUCKER GARVIN PUBLIC SERVICE AWARD**

DA Brown presented the 2017 William Tucker Garvin Public Service Award to Robert L. Capers, then the US Attorney for the Eastern District of New York, in celebration of Black History Month. The award honors the memory of William Tucker Garvin, the first African-American ADA in Queens County, who served from 1952 to 1966.

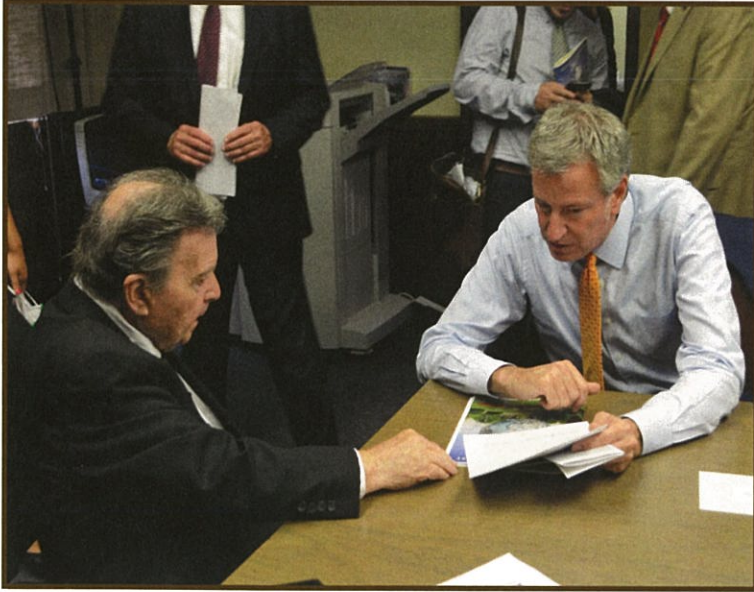


**ASIAN-AMERICAN PACIFIC ISLANDER AWARD**

In celebration of Asian-American Pacific Islander Heritage Month, DA Brown bestowed his office's second annual Asian-American Pacific Islander Award on Preet Bharara, former US Attorney for the Southern District of New York.



## Working with Communities



**MAYOR DE BLASIO MEETS WITH DA BROWN**

As part of his “City Hall in Your Borough” tour, Mayor Bill de Blasio and his staff set up office in Queens Borough Hall. The Mayor walked across the street to visit with his neighbor – DA Brown – and to discuss criminal justice issues.



**CORONA EMTS HONORED**

DA Brown presented a certificate honoring the Corona Community Ambulance Corps for their professionalism, and for their contributions to QDA’s STAR Track School Anti-Violence Program and its annual “Say Yes to Tennis, No to Violence” event.



**ANNUAL FLU VACCINATION**

DA Brown participates in the annual New York City Employee Free Flu Vaccination Campaign by getting his annual flu shot. He encourages all Queens residents and New Yorkers to stay healthy and get a flu shot if recommended by their doctor.



**DA BROWN GIVES NYPD \$20 MILLION**

DA Brown presented NYPD Commissioner James P. O’Neill with a check representing \$20,391,864 in asset forfeiture funds. The money will be used to enhance community-based police strategies in all 16 Queens police precincts.



## Working with Communities



**“ABOVE AND BEYOND” AND PATRIOT AWARDS**

The US Department of Defense’s Employer Support of the Guard and Reserve program awarded QDA its “Above and Beyond” Award, and awarded DA Brown and three QDA staffers individual Patriot Awards, for supporting QDA employees who serve in the National Guard and Reserve. Left to right: QDA Chief Investigator Franco Russo, Chief ADA Jack Ryan, DA Brown, ESGR Volunteer Gene Westmoreland, and QDA Human Resources Director Kerry Kolodziejski.



**ADAS HONORED FOR OUTSTANDING WORK**

DA Brown proudly announced that three ADAs were honored for their commitment and unique contributions to the pursuit of justice and improving the quality of life for all Queens residents. Joining DA Brown are (left to right) Senior ADA Rachel E. Buchter, recipient of the office’s Eugene J. Kelly Memorial Award; Deputy Chief Mary M. Lowenburg, recipient of the NYC Bar Association Thomas E. Dewey Medal; and ADA Christopher M. Antonino, recipient of the office’s Hal Miller Weinstein Award.



**VETERANS DAY CELEBRATION**

In celebration of Veterans Day, DA Brown honored QDA staffers who either have served or are active in the US military with certificates of recognition for their military service. Joining DA Brown at the ceremony was Congressman Gregory W. Meeks (front row, right), who presented each of the honorees with a Congressional Achievement Award.



**COMMUNITY AFFAIRS BREAKFAST**

DA Brown hosted a breakfast to welcome NYPD Community Affairs officers and to recognize their work in strengthening community relationships and trust. QDA works closely with Community Affairs officers, crime prevention officers, and youth officers, who are assigned to each police precinct, in order to stay connected with the diverse communities in Queens and help keep them safe.



### 2017 LEGISLATIVE BREAKFAST



Joining DA Brown at his 25th Annual Legislative Breakfast are former Councilman Archie Spigner, Councilman I. Daneek Miller, Councilwoman Karen Koslowitz, Assemblywoman Stacey Pheffer Amato, Councilman Rory Lancman, Councilman Peter Koo, Councilman Daniel Dromm, Assemblyman David Weprin, State Senator Michael Gianaris, Councilman Barry Grodenchik, State Senator Toby Ann Stavisky, State Senator Leroy Comrie, Queens Borough President Melinda Katz, Assemblyman Clyde Vanel, Councilman Paul Vallone, Assemblywoman Alicia Hyndman, and Queens County Clerk Audrey Pheffer.

### DA BROWN IS INAUGURAL RECIPIENT OF PACE LAW SCHOOL'S TUCKER PRIZE



DA Brown was honored to be the inaugural recipient of the Robert Tucker Prize for Prosecutorial Excellence. The presentation was held at Pace University's Elisabeth Haub School of Law, and the prize was bestowed on DA Brown in recognition of his outstanding contributions in the field of criminal justice and excellence in prosecutorial practice. Among those who attended the ceremony were, standing left to right, Pace University President Marvin Krislov, Nassau County District Attorney Madeline Singas, Bronx District Attorney Darcel Clark, Pace University School of Law Dean David Yassky, Kings County District Attorney Eric Gonzalez, and New York County District Attorney Cyrus Vance, Jr. Seated to the left of DA Brown is Pace Law alumnus and former Queens ADA Robert Tucker, chairman and CEO of T&M Protection Resources, who established the prize.



### “SAY YES TO TENNIS, NO TO VIOLENCE” DAY



DA Brown, together with the US Tennis Association and New York Junior Tennis & Learning, hosted more than 700 students from nine Far Rockaway schools at the 20th annual “Say Yes to Tennis - No to Violence” Day at the Billie Jean King National Tennis Center in May 2017. The event is the culmination of the students’ participation in QDA’s STAR Track (Straight Talk About Risks) school anti-violence program.

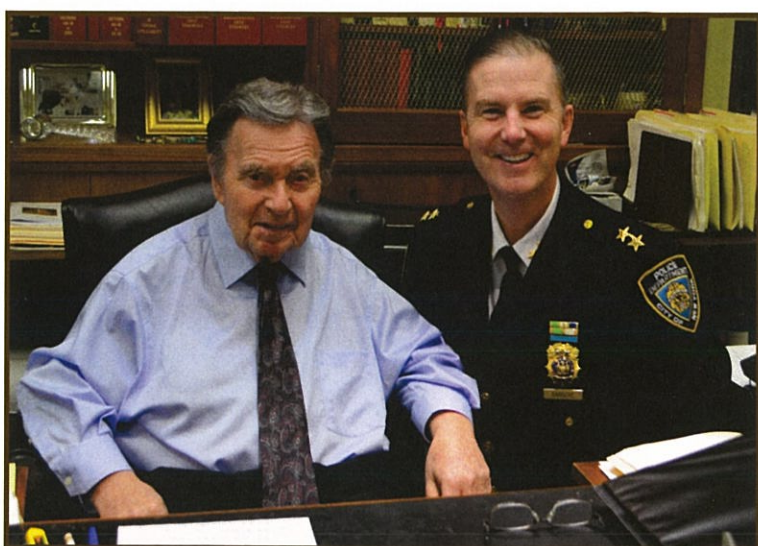
### NATIONAL CRIME VICTIMS’ RIGHTS WEEK



QDA’s Crime Victims Advocate Program hosted a National Crime Victims’ Rights Week ceremony to commemorate the loss of loved ones and to seek peace for victims, their families, and the community. ADA Carmencita Gutierrez, Director of QDA’s Office of Immigrant Affairs, and Queens Borough President Melinda Katz joined ADA Patricia Theodorou (center), Deputy Chief of QDA’s Criminal Court Bureau, who was honored with a plaque for convicting the killers of 14-year-old D’aja Naquai Robinson, who was shot to death on a city bus. The Middle Village Preparatory Academy’s Concert Choir performed at the ceremony.



## Working with Communities



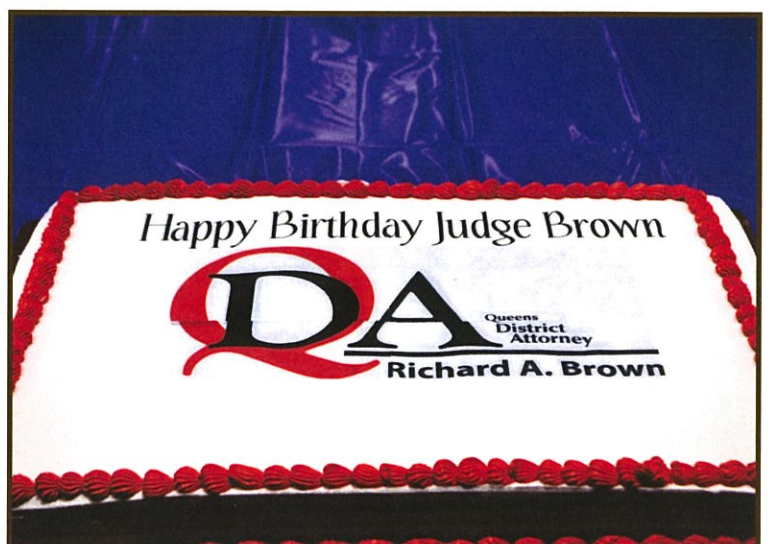


# Working with Communities





# Working with Communities





Testimony

of

Bridget G. Brennan  
Special Narcotics Prosecutor

Before

The New York City Council  
Committees on the Justice System, Public Safety & Finance

## **Fiscal Year 2019**

Executive Budget Hearings

May 14th, 2018  
Council Chambers  
City Hall

OFFICE OF THE SPECIAL NARCOTICS PROSECUTOR

# Fiscal Year 2019

---

As Special Narcotics Prosecutor for the City of New York, I am grateful for the support of the New York City Council's Committee on the Justice System under Chairperson Rory Lancman, the Public Safety Committee headed by Chairperson Donovan Richards and the Finance Committee led by Chairperson Daniel Dromm. I welcome the new vision, energy and leadership you bring to our efforts to protect city residents.

Over the past year, the Office of the Special Narcotics Prosecutor (SNP) has worked closely with the city's five District Attorneys in an effort to rein in the opioid crisis that is engulfing not only New York City, but all of New York State and the nation. Overdose deaths in the city reached a new record high in 2017.

I urge the City Council to support requests for funds to increase Assistant District Attorneys' salaries, which are set by the District Attorneys. Without higher salaries, it is hard to attract applicants and retain experienced attorneys. We are losing skilled staff at a time when our needs have never been greater.

In confronting the opioid epidemic, I advocate for a four-pronged approach: reduce supply, increase treatment, promote sensible harm reduction and expand prevention. Through collaboration with partners in

the health and law enforcement sectors, we seek to develop effective initiatives to save lives and to educate the public about the dangers of opioid drugs.

On the enforcement side, my office is supervising an increased number of wiretap investigations and seizing skyrocketing quantities of heroin and highly-potent fentanyl. I am appreciative of the \$200,000 in additional financial support we received from the Mayor's Office to hire four additional trial preparation assistants, who will provide support for attorneys in conducting investigations and meeting all of our disclosure obligations. Today, I renew my request for an additional \$75,000 not included in the Mayor's FY 2019 Executive Budget, which represents the salary of an information technology specialist.

While our investigations benefit greatly from all of the advanced technologies now at our disposal, these tools bring new responsibilities. An additional IT specialist would assist with retrieving and maintaining digital evidence, such as video from New York City Police Department (NYPD) body-worn cameras. We foresee that this technology will become increasingly relevant in our work over the next year.

*Bridget G. Brennan*  
Special Narcotics Prosecutor  
for the City of New York



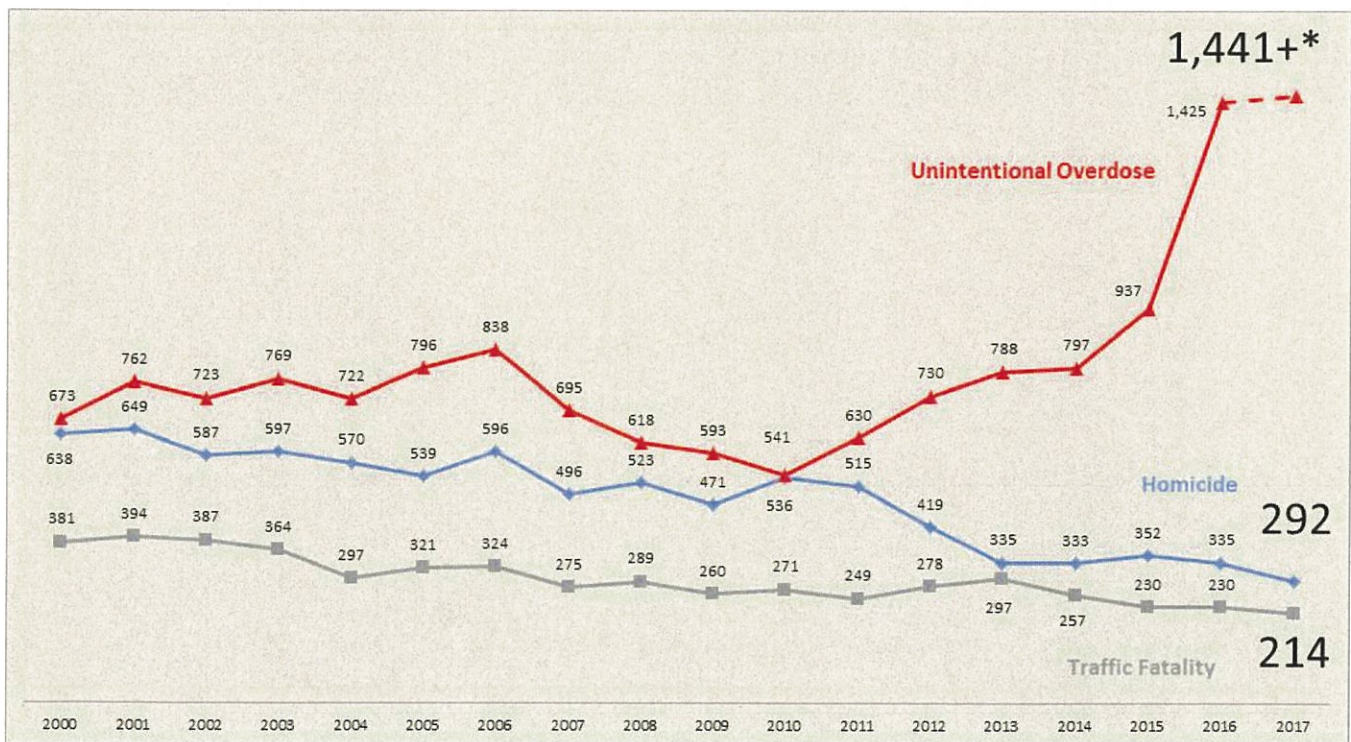
# Opioid Crisis

As highlighted in my testimony at the Preliminary Budget Hearing, overdose deaths in New York City are continuing to escalate, although at a far lower rate. In 2017, 1,441 people died from drug overdoses, according to provisional data from the New York City Department of Health and Mental Hygiene (DOHMH). This is a 5% increase over last year, but still far more than homicides and traffic fatalities combined. Opioids are responsible for 80% of these deaths, with the highly potent synthetic opioid fentanyl present in nearly half. While overdose death rates appear to have declined in Manhattan and Staten Island, deaths are going up in Brooklyn, the Bronx and Queens. As set forth in the Mayor's HealingNYC initiative, the city is seeking to reduce overdose deaths by 35% from 2016 levels by 2022, largely through harm reduction efforts. I would argue that this goal is far too modest, particularly given that overdose deaths rose by nearly 50% between 2015 and 2016. I believe with a more robust approach, New York City can achieve a much better result. My office advocates a four-pronged approach: reduce supply, increase treatment, promote sensible harm reduction and expand prevention efforts.

## Supply Reduction: Heroin and Fentanyl

Stemming the flow of deadly narcotics into New York City is the top priority for the Office of the Special Narcotics Prosecutor (SNP). Last year brought a startling increase in the amount of fentanyl recovered as a result of investigations by SNP, in coordination with the five District Attorneys and our local, state and federal partners. The increased presence of synthetic drugs such as fentanyl, fentanyl analogues and methamphetamine on the city's black market is cause for grave concern, as is the growing supply of heroin and cocaine. Seizures by SNP and our law enforcement partners reflect not only investigative expertise but the surging drug supply.

Large shipments of heroin and fentanyl are often smuggled across the Mexican border. Meanwhile, overseas manufacturers ship smaller packages of fentanyl and fentanyl analogues via parcel delivery services through New York City's airports. Fentanyl and fentanyl analogues are available through the dark web.



\*Numbers for 2017 are provisional.



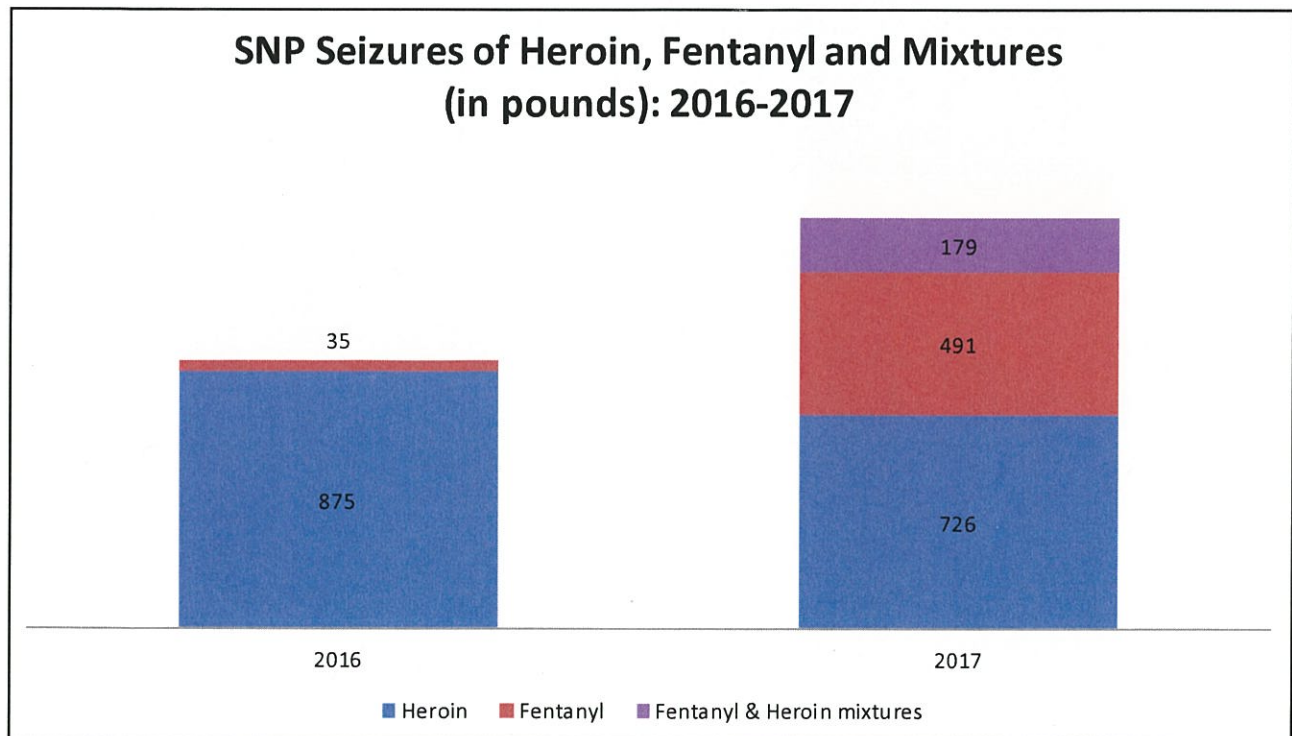
So far in 2018, my office participated in the seizure of an estimated 350 pounds of suspected heroin and fentanyl in New York City, Suffolk County, Westchester County, Boston and California (with laboratory analysis still pending on some seizures). The narcotics seized outside of the city were either intended for distribution here or sourced here.

Our largest fentanyl seizure in New York City since the beginning of 2018 involved 53 pounds of fentanyl, fentanyl mixtures and heroin recovered from a trafficking group based near Pelham Parkway in the Morris Park section of the Bronx. This case and many other recent large seizures of fentanyl demonstrate the continued flow of the deadly drug into the city. As we have observed with prescription painkiller addiction, supply leads to demand. We focus intently on intercepting large shipments of deadly fentanyl, which is mixed with heroin, cocaine and other synthetic opioids, such as tramadol. Fentanyl is also pressed into counterfeit pills sold as oxycodone and Xanax.

In April, information related to an SNP investigation led authorities in Suffolk County to recover approximately 75 pounds of suspected fentanyl and 30,000 counterfeit oxycodone pills containing fentanyl. This was the record largest seizure of fentanyl in Suffolk County.



Over 50 pounds of fentanyl and heroin was recovered from a car and an apartment in the Morris Park section of the Bronx.





## Supply Reduction: Cocaine

Cocaine use is becoming more prevalent across the U.S. and in New York City. Last year, DOHMH issued a public warning that the city's cocaine supply may be laced with fentanyl. Of the more than 1,400 fatal drug overdoses that occurred in 2016, 37% involved both cocaine and fentanyl (without the presence of heroin). SNP has observed a sharp increase in the amount of cocaine being recovered in investigations over the past two years. After dropping from over 1,000 pounds in 2010 to less than half that amount in 2015, SNP cocaine seizures have spiked back up to 782 pounds in 2017. So far in 2018, we have recovered over 230 pounds of suspected cocaine, including some mixed with heroin and fentanyl. In January, a large load of 40 pounds of suspected cocaine was recovered from a car on a tow truck in the Bronx. The investigation revealed that a local narcotics distribution group had purchased the cocaine from a source of supply in Mexico.

In March and April, my office charged members of a highly lucrative cocaine trafficking network centered in the Upper West Side of Manhattan, which supplied other groups in New York City, New Jersey and Pennsylvania. The ringleader inherited his mother's apartment at West 83rd Street and Columbus Avenue upon her death and transformed it into a narcotics distribution headquarters. The group is estimated to have sold more than \$1 million in cocaine per month. Kilograms of cocaine bore an imprint of a crown.

While I am confident that we can turn the tide on the epidemic, sometimes it feels as though we have one hand tied behind our back. In the midst of this epidemic, the number of Assistant District Attorneys assigned to SNP has declined. The District Attorneys' offices are struggling to recruit new attorneys due to difficulties competing with higher paying positions in both the private and public sectors. I depend upon the District Attorneys to assign attorneys to my office and if they are unable to staff their own offices, they are not going to staff mine. I also

need to retain experienced, talented attorneys who too often leave due to financial pressures.

Additionally, of the 11 fentanyl analogues (chemically similar variations) that Governor Andrew M. Cuomo proposed scheduling as controlled substances, only two have been approved by the state legislature. As a result, the remaining nine substances are not included on the list of controlled substances, even though they are of similar (or greater) potency to fentanyl and have been linked to overdoses. This significantly hampers our efforts, as we cannot write search warrants or initiate wiretap investigations when these substances are involved. If someone is arrested selling one of these substances, they cannot be charged.

New York Post, April 6, 2018



# BOTH RENT AND DRUG CONTROL

**CASH DRAWER:** Gerardo Gonzalez in court Thursday to face charges he ran a cocaine ring out of his rent-controlled pad, where cops say they found \$50,000.

## UWS apt.'s '\$1M/mo. in coke'

By SHAWN COHEN, LARRY CELONA and ELIZABETH ROSNER

Getting a rent-controlled apartment near the American Museum of Natural History wasn't enough of a windfall for one man — he also turned it into a base for a \$1.2 million-a-month drug operation, officials said.

Gerardo Gonzalez earned the title "Cocaine King of the Upper West Side" by peddling large amounts of powder from his late mom's rent-stabilized Columbus Avenue home, authorities said Thursday.

Gonzalez, 43, who took over the pad in August 2017 after the death of Minerva Martinez, moved as much as 10 kilos of coke per week at \$30,000 a kilo, according to city Special Narcotics Prosecutor Bridget Brennan. Prosecutors on Thursday re-

vealed the charges against Gonzalez and some alleged accomplices, including three dealers, a supplier, and a money launderer, ahead of Gonzalez's appearance in Manhattan Supreme Court.

"It breaks my heart because he is such a nice kid," said one neighbor, who called Gonzalez a doting son. "Gerry did everything for her up until the end."

Before taking over his mom's low-cost pad at Columbus Avenue and West 83rd Street, Gonzalez had been living in the Poconos in Pennsylvania. In addition to being close to major tourist attractions, the apartment was across the street from a public school.

Almost as quickly as he settled in, investigators from agencies including the DEA and State Police took notice of his activities and started keeping tabs on Gonzalez, whose record includes a 2001 coke-peddling bust in Virginia, sources said.

Agents witnessed multiple handoffs on the street corner and caught Gonzalez on wiretap bragging about clearing more than \$1 million in sales, prosecutors said.

Investigators watched as Gonzalez met alleged money launderer Xionghin Zhao, 24, outside a Brooklyn home on 76th Street in Dyker Heights to transfer a large sum of drug money — at least the second such meeting where \$350,000 changed hands, authorities said.

As Zhao drove away, investigators pulled him over and seized a duffel bag stuffed with \$180,000 in cash from the car.

A March 6 raid of the Columbus Avenue apartment revealed something closer to a scene from "Scarface" than a ritzy

Upper West Side flat.

Agents seized more than two kilos of coke — imprinted with a crown (above) — along with 30 grams of heroin cut with meth and horse tranquilizer, \$60,000 in cash and a money counter, it's alleged.

"As this case demonstrates, no neighborhood is too sedate for drug traffickers," said Brennan.

Gonzalez faces charges including conspiracy, criminal possession of a controlled substance and money laundering.

Additional reporting by Georgetown Roberts and Aaron Fets



# Citywide Strategic Plan

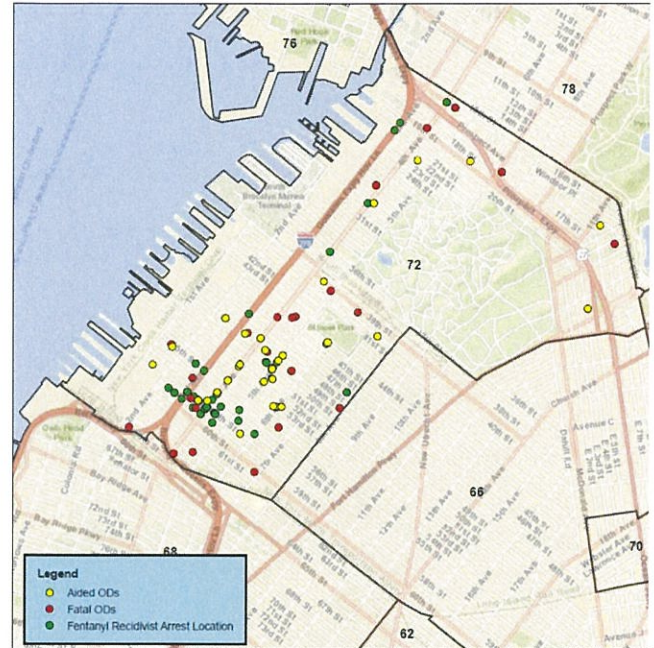
SNP and the NYPD are working together to examine narcotics data from a broad citywide perspective in order to identify patterns and larger trends. Information is gleaned from laboratory reports, overdose data, arrests, seizures and community complaints. A detailed understanding of citywide trends and patterns allows SNP to effectively synchronize its work with the five District Attorneys' offices and make the best use of available resources.

This analysis has led to the identification of high volume drug markets that attract a significant percentage of drug buyers from outside the borough where they are located. By identifying those citywide hubs, law enforcement gains a better understanding of how narcotics move across boroughs and how to focus resources on those drug markets with an outsized influence on the supply of narcotics throughout the city.

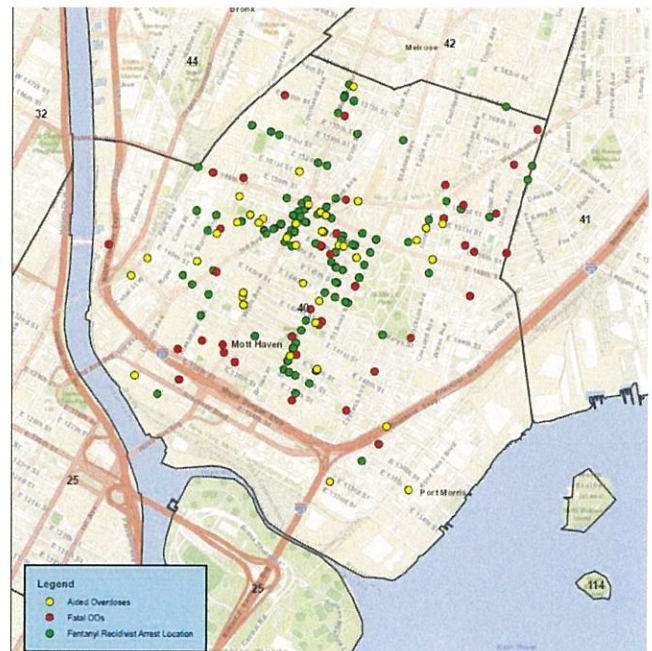
Similarly, this analysis sheds light on the presence of fentanyl "hot spots" or drug markets across the city where there appears to be a high incidence of fentanyl present in the drugs sold. By cross-referencing these locations with information about overdose deaths and non-fatal overdose reversals, we deepen our understanding of the impact these hot spots have on overdose rates.

SNP also facilitates early identification of emerging distribution points and focuses on those areas of the city with a high incidence of narcotics seizures of significant weight. By tracking and analyzing large seizures throughout the city on an ongoing basis, the office is able to quickly identify geographical areas which are emerging as significant distribution points.

*Fentanyl Hot Spots, Fatal Overdoses, and Aided Saves  
72nd Precinct, 2016 - 2017*



*Fentanyl Hot Spots, Fatal Overdoses, and Aided Saves  
40th Precinct, 2016 - 2017*





# Prevention and Public Awareness

---

Nationally and in New York State, successful initiatives to address the opioid epidemic rely on collaboration between entities from a variety of fields, such as law enforcement, public health, education and treatment. By examining a range of strategies implemented where overdose rates have retreated, we can identify approaches suitable to New York City. Consistent themes include education and prevention.

Recommendations published by the National Association of Counties and National League of Cities Opiate Epidemic Task Force highlight the importance of these approaches and advocate for increasing public awareness, reaching children early, offering opioid training as part of higher education and implementing data collection systems to assist communities in fine-tuning their responses to the crisis. Any efforts we make towards preventing new users from becoming addicted to heroin and fentanyl will undoubtedly pay off in the long run. I believe we need to do more to educate New Yorkers about the dangers of fentanyl and would encourage the City Council to allocate resources towards researching

effective prevention campaigns for the general public and age-appropriate educational materials for schools.

As a result of my office's reputation as a leader in efforts to address the opioid epidemic, I have had the honor of participating in numerous conferences over the past year, where innovative approaches to the crisis were debated and explored. I take every opportunity to forge partnerships, share ideas and sound the alarm about the volume of fentanyl we are seeing in New York City. Among the conferences where I presented were the City & State Healthy NY Summit, the New York City Department of Investigation (DOI) Conference at New York Law School, RxStat, the U.S. Customs and Border Protection Fentanyl Summit, the Symposium on Women in Law Enforcement co-sponsored by the Federal Bureau of Investigation (FBI), New York Office and John Jay College of Criminal Justice, the Citizens Crime Commission of New York City, the University of Baltimore and the Summer and Winter Conferences for the District Attorneys Association of the State of New York (DAASNY), among others.



*Manhattan DA Cyrus R. Vance, Jr. and Bridget G. Brennan participated in City & State's Healthy NY Summit, alongside members of the medical and treatment communities and City Councilmember Mark Levine.*



Over the past two years, Columbia University's School of International and Public Affairs (SIPA) undertook a pair of ground-breaking capstone research projects with SNP and the offices of Bronx District Attorney Darcel D. Clark and Richmond County District Attorney Michael E. McMahon serving as clients. The projects sought to identify gaps in opioid addiction treatment and care in the two boroughs and develop recommendations. Graduate students with diverse backgrounds as medical doctors, social workers, communications professionals and urban policy specialists collaborated under the supervision of experienced faculty advisers.

The Bronx capstone culminated in a report entitled, "Bronx Opioid Epidemic Needs Assessment," which was completed last week and sets forth a series of findings and recommendations related to treatment, continuum of care and prevention. With respect to preventions, the report concludes that there is insufficient public awareness about the dangers of opioids and no comprehensive drug and mental health curriculum in the K-12 education system. Last year, a report entitled, "Staten Island Needs Assessment: Opioid Addic-

tion Prevention and Treatment Systems of Care" was published following a capstone project initiated by my office and Richmond County District Attorney Michael E. McMahon.

SNP seeks to make a positive imprint on communities where major drug enforcement actions have occurred by partnering with the Police Athletic League (PAL) and the District Attorneys' offices to support youth programs. Last year, with financial support from SNP, PAL launched the After School Filmmaking Project at the PAL Wynn Center in Brooklyn. Through the project, youth learn about a wide range of topics related to filmmaking, including the fundamentals of film and video and the steps of narrative filmmaking from pre-production to post-production, culminating in an "Exploring Your World through Cinema" student film festival. The Filmmaking Project is the result of collaboration between SNP, the Brooklyn District Attorney's Office, PAL, the NYPD, NYCHA and Grand St. Settlement, a nonprofit organization that helps administer the Roosevelt Houses Community Center. Funding was derived from SNP's Safe Neighborhood Initiative.



A ribbon cutting ceremony kicked off the PAL Filmmaking Project at the Wynn Center in Brooklyn.



# Funding

## Overall Funding Outlook

For current fiscal year 2018, our grant funds have continued to decline. City funds allocated for this year have increased by \$258,093 to cover pay increases under various collective bargaining (CB) contracts. These contracts were settled between the City and the respective unions in prior years with CB funds allocated to agencies in its November 2014 and April 2016 financial plans.

In the City's executive plan for fiscal year 2019, a total of \$200,000 was proposed for our office to pay for salaries for four paralegals and support our efforts for enhanced early disclosure and expanded investigations.

Net of CB funds received, our current fiscal year 2018 total funding is \$236,728 lower than last fiscal year 2017. For fiscal 2019 and out years, including the \$200,000 proposed in the executive plan, the total funding expected for our office will be back to fiscal year 2017 level.

## City Funding Needs

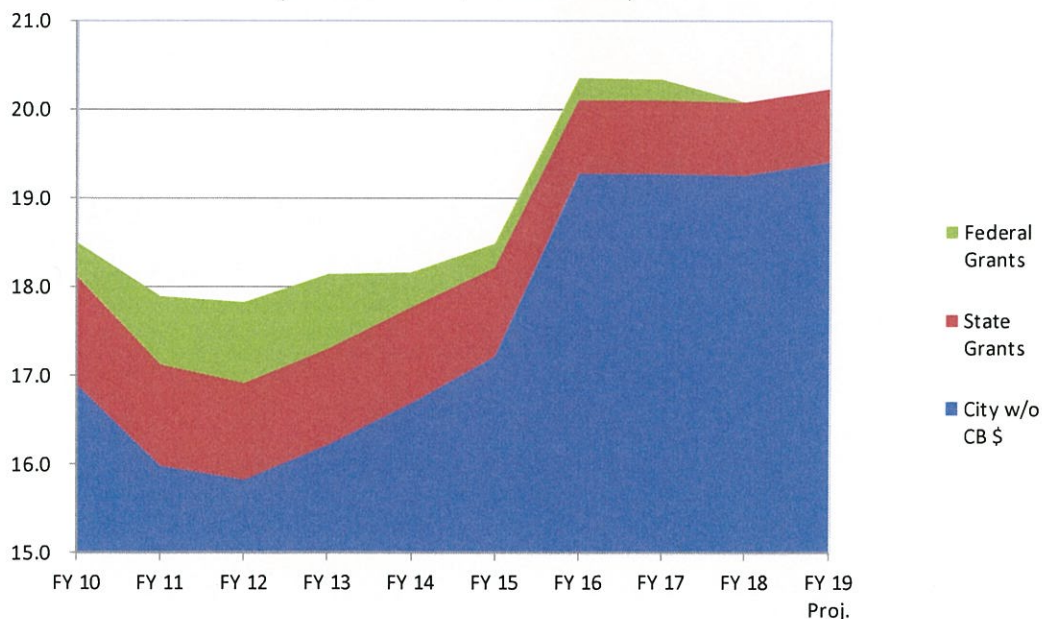
We are very grateful for the support we have received from the City Council over the past years. Thanks to your support, we expect to receive an additional \$200,000 in City funds to hire trial preparation assistants to support our efforts for enhanced early disclosure and expanded investigations in fiscal year 2019 and out years.

Unfortunately, a portion of our new needs request in the amount of \$75,000 for the salary of an IT specialist position was excluded from the plan. According to our follow up conversation with the Office of Management and Budget (OMB), our request for an additional IT position was not granted because the City limited its funding to crucial needs only in its executive plan.

As we have explained to OMB, this IT position is crucial to our operations given the increased workload in the area of digital forensics. In addition, we have begun

### Special Narcotics Prosecutor

*Fiscal 2010 Modified to Fiscal 2019 Projected  
(in millions - CB funds excluded)*



to see video evidence from the NYPD's body worn camera initiative appearing in some of our cases and we expect this to become increasingly common as the year progresses. Therefore, we will continue our discussions with OMB, provide them with additional and more detailed information as requested, and renew our \$75,000 request for reconsideration.

If funding is provided to the District Attorneys for increases in salaries for Assistant District Attorneys, my office's budget will need to be increased as well. While the District Attorneys set the salaries for Assistant District Attorneys assigned to my office, the salaries come from my office's budget.

## State Funding Reductions

In fiscal year 2016, two of our three state grant programs were ended by the Division of Criminal Justice Services (DCJS). The total loss in state funding that year alone was \$257,100 or 24%. We currently have one state grant left, which is our SNP Aid to Prosecution program. In fiscal year 2019, we are hopeful that state funding for this program remains the same as in the prior year. Over the past decade, funding for this longest running grant of ours has been reduced six times from \$1,425,000 in fiscal 2003 to a total of \$825,000 in fiscal 2018. The loss in this state grant alone amounted to a stunning \$600,000 or 42%.

## Loss in Federal Funds

Over the past six years, our federal funding has gone down drastically from \$843,059 in fiscal year 2013 to \$236,728 in fiscal year 2017. In current fiscal year 2018, we have received \$0 in federal funding due to our sanctuary city status. We currently do not have any information pertaining to the amount of funds we could expect for fiscal year 2019. Since there is no change expected in the near future with regard to our sanctuary city status, we expect the same funding restrictions to be repeated by the federal government in fiscal year 2019. Therefore our projected total federal allocation for next year remains at \$0.



# Office of the **Special Narcotics Prosecutor** for the **City of New York**



## 2017 Annual Report





---

# Message from the Special Narcotics Prosecutor

For the seventh consecutive year, the toll exacted by the epidemic of drug addiction in New York City set a tragic record. More New Yorkers died from overdosing on drugs last year than ever before. The lethal opioid fentanyl is the primary reason.

Fentanyl is a man-made drug 50 times as powerful as heroin. Because it costs a fraction of the price of heroin, street dealers mix it into more expensive narcotics to boost profits. In New York City, anyone looking to buy heroin, cocaine or illegal pills is at great risk of unknowingly purchasing fentanyl.

A dose of pure fentanyl the size of about four grains of salt is enough to kill an average adult, sometimes so quickly that there is no time to call for help or revive a victim with naloxone (Narcan), an antidote to overdose.

Manufactured in China, fentanyl is transported to the United States via Mexican cartels, Canadian distributors or Internet sales. Our Office has responded powerfully:

Our investigations took 491 pounds of pure fentanyl off the street, a 1300% increase over the prior year. The combined amount of heroin and fentanyl seized increased by 54%.

We are strategically targeting major narcotics distributors. As a result, the number of wiretaps we obtained in 2017 increased by 44%, as we used the most effective tools to trace the lethal drugs back to their source.

To warn the public of fentanyl's dangers and saturation in the city's street drug market, we developed and launched a campaign consisting of a professionally produced video and social media posts. The video appeared on television and in local movie theaters, as well as on digital



*Special Narcotics Prosecutor Bridget G. Brennan delivered the keynote for the U.S. Customs & Border Protection Fentanyl Summit.*

platforms. A series of animated social media posts further illustrated facts about fentanyl, a sampling of which appears on the cover of this report.

By partnering with rehabilitative treatment professionals and academic researchers, we have worked to increase the number of people accessing drug treatment and the availability of effective programs.

The loss of so many lives to addiction despite our best efforts has become unbearable. We will work tirelessly to cut off the supply of deadly drugs pouring into our city, which all agree is essential to reducing overdose deaths. And we continue to look for new approaches to turn the corner on this crisis.

*Bridget G. Brennan*

*Special Narcotics Prosecutor*

---

# Contents

About the Office . . . . .	2
New York City's District Attorneys . . . . .	3
What Is Fentanyl? . . . . .	4
Trends: Opioid Crisis: Four-Pronged Strategy . . . . .	6
Citywide Strategic Plan . . . . .	7
Supply Reduction . . . . .	8
Emerging Trend Analysis . . . . .	9
Overdose Death Investigations . . . . .	10
Prescription Opioids as Gateway. . . . .	11
Cocaine Surge . . . . .	12
Treatment and Prevention . . . . .	12
SNP Outreach . . . . .	14
Community Initiatives. . . . .	16
Investigation Division . . . . .	17
Investigators Unit. . . . .	19
Trial Division. . . . .	20
Case Highlights . . . . .	21
Alternative Sentencing Division . . . . .	33
Legal Training Unit . . . . .	34
NYPD Special Narcotics Prosecutor's Unit . . . . .	35
Support Services Units . . . . .	36
The People of SNP . . . . .	39
Executive & Legal Staff . . . . .	41
Managerial & Support Staff . . . . .	42



---

## Case Highlights:

### Fentanyl and Heroin in Record Amounts

Record Fentanyl Seizure in Queens . . . . .	21
Mexican Kingpin Supplied Fentanyl to NYC . . . . .	21
\$4 Million Cash, Heroin Seized From Storage Facility . . . . .	22
Large Load of Fentanyl and Heroin in Car . . . . .	22
Heroin Packaging Operation Near P.S. 115. . . . .	23
Heroin and Fentanyl Seized From Packaging Mill . . . . .	23
Heroin Supplier Sentenced in Record Seizure. . . . .	23
Major West Side Drug Operation . . . . .	24
“Supersized” Fentanyl Doses: Drug Delivery Service . . . . .	24
Washington Square Drug Probe . . . . .	25

### Overdose Death Investigations

Fourteen Arrested Following Fentanyl Fatality . . . . .	25
Staten Island Overdose Leads to Arrest . . . . .	25
“American Dream” Narcotics Lead to Deaths . . . . .	25
Bronx Open Air Drug Market Disrupted. . . . .	26

### Prescription Drug Trafficking

Rx Forgeries Net \$3 Million in Painkillers . . . . .	26
Brooklyn Clinics Pumped 6.3 Million Painkillers onto Black Market . . . . .	27
Staten Island to Brooklyn Rx Drug Ring . . . . .	28

### Cocaine and Crystal Meth in NYC

\$2 Million in Narcotics Disguised as Candy. . . . .	28
Diamond District Cocaine Cache . . . . .	28
Narcotics in U.S. Mail: 13 Arrests . . . . .	29
East Coast Cocaine Source . . . . .	29
Crystal Meth Smuggled on Car Carrier . . . . .	29
McDonald's Manager Serves up Cocaine . . . . .	30
Police Officer Charged with LIC Cocaine Sales . . . . .	30
Dealer Diversifies with Fake Sweepstakes. . . . .	30

### Drugs and Guns

Santino Boderick Sentenced for Role in “GS9” Gang Warfare. . . . .	31
Fugitive Hunt Leads to 40 Pounds of Narcotics . . . . .	31
11 Charged: Drug and Gun Conspiracies . . . . .	32
Auxiliary Police Officer Charged in Gun Sale . . . . .	32
NYC to Albany Supply Chain Disrupted . . . . .	32

---

---

# About the Office

A local prosecutors' office with citywide jurisdiction, the Office of the Special Narcotics Prosecutor (SNP) is responsible for felony narcotics investigations and prosecutions in the five boroughs of New York City. Founded in 1971, it is the only agency of its kind in the United States.

Created in response to a burgeoning heroin epidemic and spike in violent crime, SNP was granted broad authority under New York State Judiciary Laws to root out sophisticated narcotics trafficking organizations and track offenders across traditional jurisdictional boundaries. The Special Narcotics Prosecutor is appointed by the city's five District Attorneys, who also assign Assistant District Attorneys to serve in SNP. Since its inception, SNP has worked closely with local, state and federal law enforcement partners.

Renowned for its wiretap investigations, SNP is a leader in the use of cutting-edge electronic technology to identify and pursue members of criminal enterprises from street-level dealers to top suppliers. In recent years, SNP has applied its expertise to confronting

the explosion of heroin and fentanyl trafficking, prescription drug diversion and the prosecution of violent gangs. The office is also committed to reducing demand for narcotics by raising public awareness and facilitating treatment for addicted offenders.

The first Special Narcotics Prosecutor, Frank Rogers, was appointed in January 1972. He was succeeded by Hon. Sterling Johnson, Jr., who headed SNP for 16 years before becoming a federal judge in the Eastern District of New York. Robert H. Silbering was named the Special Narcotics Prosecutor in 1992.

On May 1, 1998, Bridget G. Brennan was appointed Special Narcotics Prosecutor by the city's five District Attorneys. Under her direction, the office has developed innovative strategies to stem the flow of drugs into the city and target emerging problems. Ms. Brennan established the Heroin Interdiction Team (HIT), the Digital Forensic Services Unit, the Prescription Drug Investigation Unit (PDIU), the Narcotics Gang Unit and the Money Laundering and Financial Investigation Unit.



*Located at 80 Centre Street in lower Manhattan, the Special Narcotics Prosecutor's Office brings cases in New York County Supreme Court.*

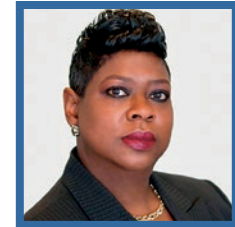


---

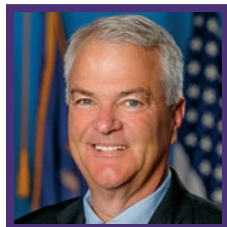
# New York City's District Attorneys

The five District Attorneys appoint the Special Narcotics Prosecutor, assign Assistant District Attorneys to the office and oversee the office's work. The only agency of its kind in the nation, SNP is a model of collaboration and effective partnerships. In the midst of the current heroin crisis, the District Attorneys formally reaffirmed their support for SNP in an agreement that recognizes the importance of the office's leadership in citywide narcotics prosecutions.

*The New York County  
District Attorney's Office*  
**District Attorney  
Cyrus R. Vance, Jr.**



*Office of the  
Bronx District Attorney*  
**District Attorney  
Darcel D. Clark**



*Office of the District  
Attorney Richmond County*  
**District Attorney  
Michael E. McMahon**



*The Brooklyn District  
Attorney's Office*  
**District Attorney  
Eric Gonzalez**



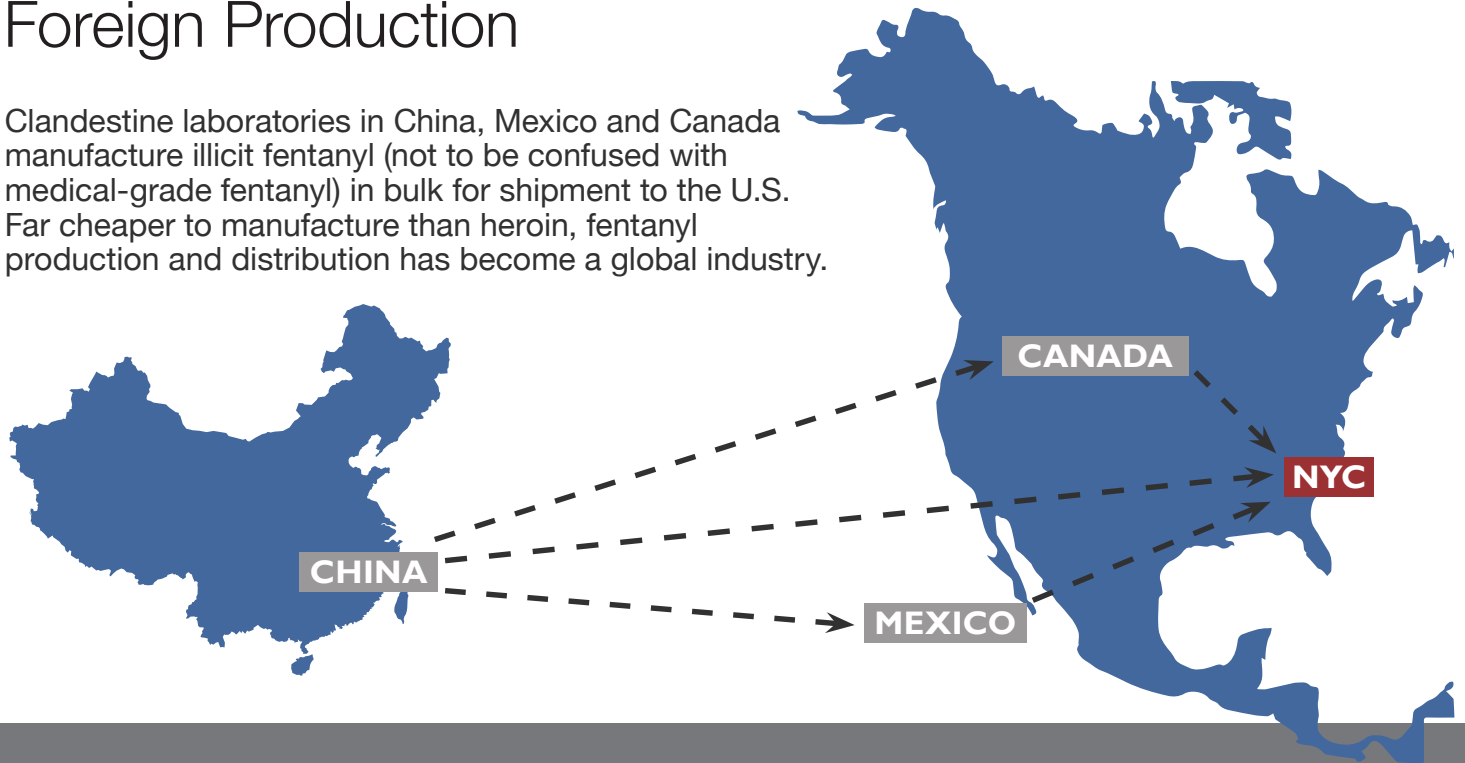
*Queens County District  
Attorney's Office*  
**District Attorney  
Richard A. Brown**

# WHAT IS FENTANYL?

A synthetic opioid, fentanyl is up to 50 times more potent than heroin and is saturating New York City's black market with deadly consequences. Illicit fentanyl is driving the record spike in overdose deaths.

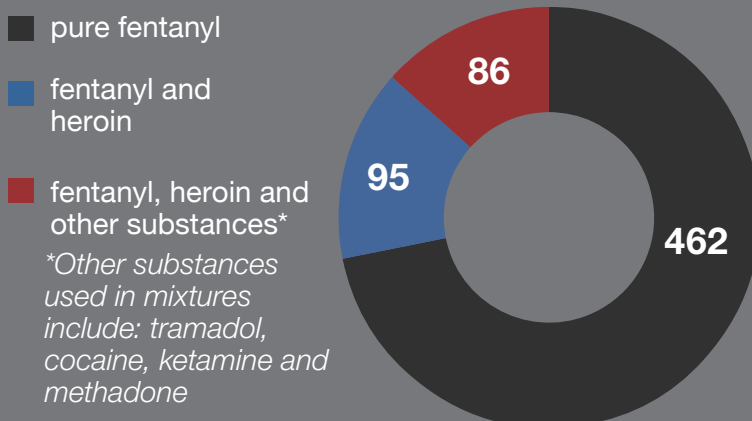
## Foreign Production

Clandestine laboratories in China, Mexico and Canada manufacture illicit fentanyl (not to be confused with medical-grade fentanyl) in bulk for shipment to the U.S. Far cheaper to manufacture than heroin, fentanyl production and distribution has become a global industry.



## WHY IT IS SOLD

SNP Fentanyl Seizures by Type in 2017  
(in pounds)



## Illicit Supply

To boost profits, narcotics suppliers commonly mix cheaply produced fentanyl with more expensive substances like heroin and cocaine, or other synthetic drugs. Counterfeit oxycodone and Xanax pills also frequently contain fentanyl. Street-level drug dealers may be unaware of what they are selling, and buyers may be unaware of what they are buying. The unpredictability of illicit street drugs increases risk factors and puts users in grave danger.



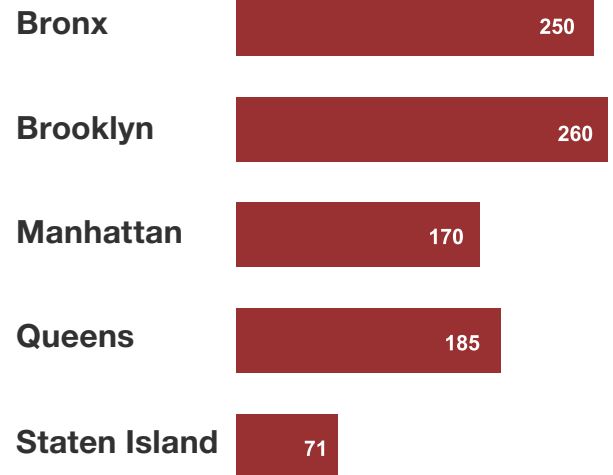
# WHY IT IS SO DEADLY

Every 7 hours someone in NYC fatally overdoses.

Fentanyl is involved in half of all fatal overdoses in New York City. A minuscule amount can cause an overdose. Once an overdose happens, the drug rapidly suppresses both breathing and heartbeat, leading to loss of consciousness, respiratory arrest and even death.

- Many users do not know they are taking fentanyl
- A dose the size of a few grains of salt can be lethal
- Fentanyl is fast-acting and quickly overcomes victims
- Overdose reversal drugs are less effective
- Brain damage can result from non-fatal overdoses

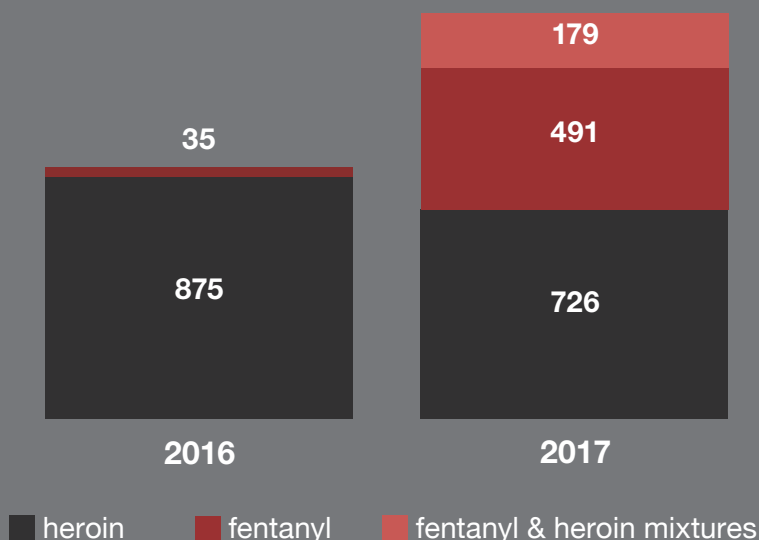
## 936 Confirmed Overdose Deaths in NYC January to September 2017\*



*\*by borough of residence*

# HOW WE CAN SUCCEED

## SNP Seizures of Fentanyl, Heroin and Mixtures (in pounds)



## Multi-Faceted Strategy

**Reduce Supply:** Improve law enforcement coordination and strategic targeting

**Treatment:** Broaden outreach by trained professionals to reach diverse demographics

**Harm Reduction:** Expand naloxone distribution and peer counseling programs

**Prevention:** Informational campaigns to reach potential users before substance abuse begins

# Trends

## Opioid Crisis: Four-Pronged Strategy

### An effective strategy must balance four key components

<b>Reduce Supply</b>	Improve law enforcement coordination and strategic targeting
<b>Treatment</b>	Broaden outreach by trained professionals to reach diverse demographics
<b>Harm Reduction</b>	Expand naloxone distribution and peer counseling programs
<b>Prevention</b>	Informational campaigns to reach potential users before substance abuse begins

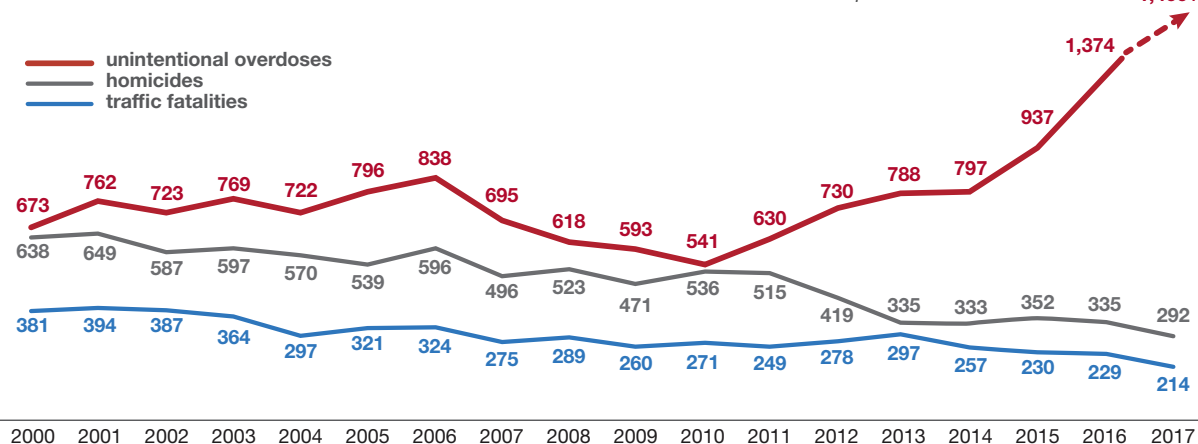
In New York City, fatal overdoses increased for a seventh consecutive year, from 541 in 2010 to a projected total of more than 1,400 in 2017. Thousands more have suffered non-fatal overdoses. While the sharp rate of increase seen in recent years appears to be leveling off, the city is still in the throes of an historic epidemic. Meanwhile, New York City's murder rate is on par with the 1950s and traffic fatalities are at their lowest level since data was first compiled. Nationally, over 64,000 people died from drug overdoses in 2016—more than the total number of Americans who died during the Vietnam War. And according to the U.S. Centers for Disease Control and Prevention

(CDC), emergency department visits due to suspected opioid overdoses climbed 30% between July of 2016 and September of 2017, to a new high of 142,557.

SNP is at the forefront of efforts to address this crisis in New York City and is committed to saving lives by developing innovative solutions in collaboration with partners in public safety, public health, the private sector and local communities.

As a prosecutorial agency, the core mission of SNP is prevention through supply reduction. Seismic shifts in the black market for narcotics in New York City have made street drugs more deadly and unpredictable than ever before due to the presence of illicit fentanyl, a synthetic opioid 50 times stronger than heroin, which is flooding into New York City. SNP's first priority is to prevent overdose and addiction by seeking to cut off the narcotics supply at the highest level possible and to disrupt street markets across the city. The office is also dedicated to enhancing the effectiveness of drug treatment and developing prevention campaigns targeting potential new users before addiction takes hold.

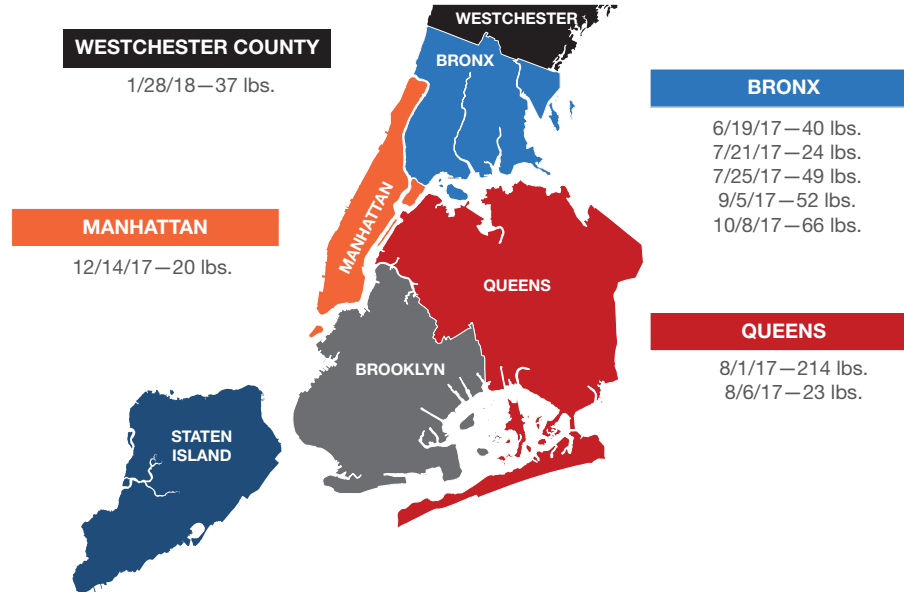
### Most Common Preventable Deaths: Overdose \*numbers for 2017 are provisional





# Citywide Strategic Plan

## Fentanyl Seizures Over 20 Pounds



A stunning 1300% more pure fentanyl was recovered in SNP investigations in 2017 than in 2016. Working with partners in the U.S. Drug Enforcement Administration (DEA) and the New York City Police Department (NYPD), SNP recovered over 223 kilograms or 491 pounds of pure fentanyl citywide in 2017 as compared to 16 kilograms or 35 pounds in 2016. This is in addition to 81 kilograms or 179 pounds of fentanyl mixed with heroin and/or other substances, for a total of 670 pounds of narcotics containing fentanyl seized as a result of SNP investigations.

Fentanyl is frequently mixed with other opioids, such as heroin and the synthetic drug tramadol. It is also mixed with non-opioids, such as cocaine and the tranquilizer ketamine, or pressed into counterfeit pills

that are marketed as oxycodone or Xanax (a benzodiazepine prescribed for treating anxiety). Fentanyl poses an even greater danger to those users who do not have a tolerance for opioids.

Law enforcement officers put themselves in harm's way when handling potentially lethal narcotics. The DEA and the NYPD no longer permit agents and officers to conduct field tests that could inadvertently lead to transdermal or airborne contact with fentanyl. As a result, it is necessary for prosecutors to wait for the results of laboratory analysis to confirm the type of substances seized. More often than not, analysis of SNP's major seizures reveals the presence of fentanyl.

## Supply Reduction

Recent wiretap investigations highlight the link between international traffickers and this surge in fentanyl. Capitalizing on the American appetite for opioids, groups in Mexico and China have ramped up production of illicit fentanyl. New York City serves as a regional hub of distribution and the city's narcotic supply reflects this trend. Illicit narcotics travel to the city over land, by air and by ship. Working with law enforcement partners, SNP identifies and prosecutes emissaries for international cartels who travel to the U.S. to oversee major drug and money laundering transactions. These investigations have led to record seizures of heroin and fentanyl.

### **Mexican Kingpin Indicted as Supplier of Fentanyl to NYC**

SNP brought the top narcotics charge of Operating as a Major Trafficker against an alleged heroin and fentanyl supplier linked to the Sinaloa Cartel in Mexico. Francisco Quiroz-Zamora is accused of orchestrating the delivery and sale of large shipments of fentanyl in New York City from his base in San José del Cabo, including a combined

20 kilograms of fentanyl (44 pounds) seized at a Central Park West apartment and the Umbrella Hotel in the Bronx. Quiroz-Zamora was arrested at Penn Station as he arrived in New York City to collect an alleged drug payment from an undercover officer with the DEA NY Division's Organized Crime Drug Enforcement Strike Force.

### **Record Fentanyl Seizure in Kew Gardens**

In a record large seizure, agents and officers with the DEA New Jersey Division and the NYPD recovered 97 kilograms of narcotics (over 210 pounds) from an apartment in Kew Gardens, Queens, including 64 kilograms of fentanyl, 22 kilograms of fentanyl mixed with other substances, and quantities of heroin and cocaine. Agents observed a suspected narcotics transaction at a New Jersey Walmart and tracked a couple involved in the alleged sale to Queens. The defendants proved to be married Mexican nationals and were temporarily staying in the apartment where the narcotics were seized. The street value was estimated at over \$30 million.



*Record seizure of fentanyl, as well as heroin and cocaine, from an apartment in Kew Gardens*



# Emerging Trend Analysis

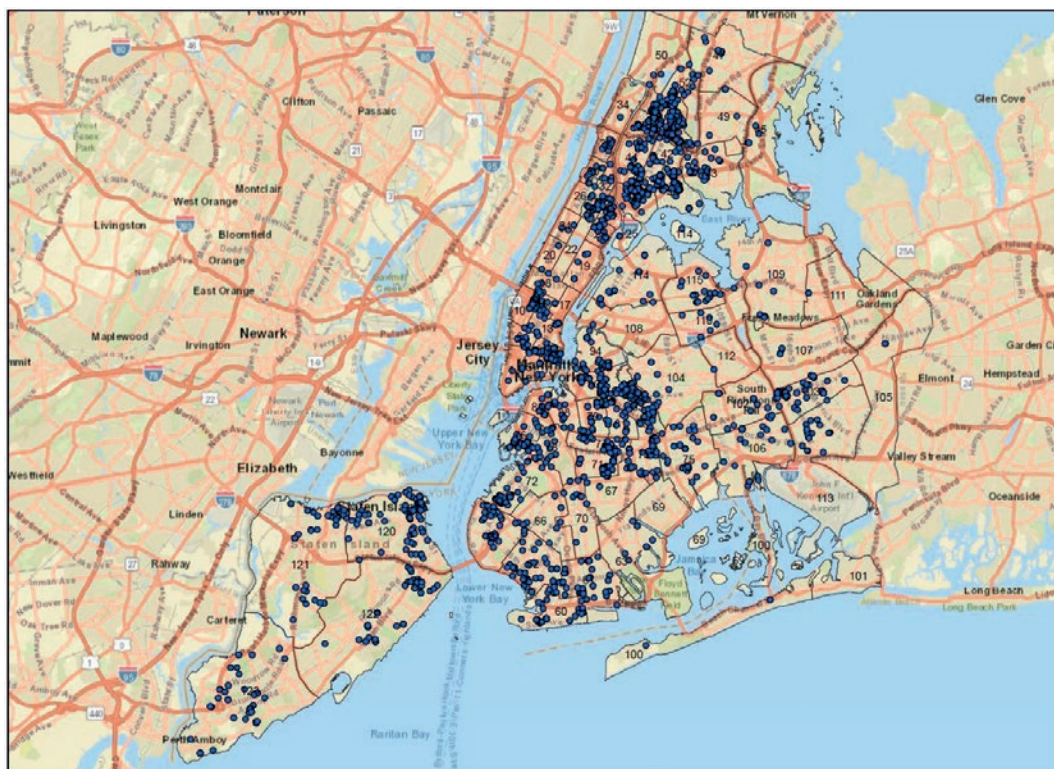
SNP and the NYPD are working together to examine narcotics data from a broad citywide perspective in order to identify patterns and larger trends. Information is gleaned from laboratory reports, overdose data, arrests, seizures and community complaints. A detailed understanding of citywide trends and patterns allows SNP to effectively synchronize its work with the five District Attorneys' offices and make the best use of available resources.

This analysis has led to the identification of several high volume drug markets that attract a significant percentage of drug buyers from outside the borough where they are located. By identifying those citywide hubs, law enforcement gains a better understanding of how narcotics move across boroughs and how to focus resources on those drug markets with an outsized influence on the supply of narcotics throughout the city.

Similarly, this analysis sheds light on the presence of fentanyl "hotspots" or drug markets across the city where there appears to be a high incidence of fentanyl present in the drugs sold. By identifying and focusing on these fentanyl hotspots, SNP is able to develop a better understanding of how fentanyl is being mixed, packaged, distributed and sold throughout the city and what impact those hotspots have on overdose rates.

SNP also facilitates early identification of emerging distribution points and focuses on those areas of the city with a high incidence of narcotics seizures of significant weight. By tracking and analyzing large seizures throughout the city on an ongoing basis, the office is able to quickly identify geographical areas which are emerging as significant distribution points.

## 2016–2017 Fentanyl Hot Spot Arrest Locations



Note: Data is based on arrests of defendants who have 2 + drug arrests involving fentanyl

## Overdose Death Investigations

In response to overdose deaths, SNP and law enforcement partners work to identify sources of supply through wiretaps, surveillance and other investigative tools. The primary goal of these investigations is to disrupt the supply of lethal narcotics.



Bridget G. Brennan discussed an investigation involving two overdose deaths during a televised interview.



A citywide narcotics supplier and 19 others were charged as a result of the investigation into fentanyl-related deaths.

Investigators also seek to determine whether or not an individual who sold a deadly dose was aware of the nature of the substance. Such knowledge can lead to manslaughter charges when appropriate.

If a source of supply is identified, but there is insufficient proof to charge manslaughter, drug dealers can still be prosecuted for the sale of narcotics. Fentanyl is so thoroughly mixed into the drug supply that dealers sometimes do not know what they are selling, leaving customers uninformed and at grave risk of death. Because fentanyl is approximately 50 times stronger than heroin—with just two to three milligrams comprising a lethal dose—using street drugs is akin to playing Russian roulette.

Sales of lethal fentanyl yield substantial profits for drug traffickers. In one recent case, police recovered over \$600,000 cash and a Lamborghini from the Long Island City home of a major narcotics supplier. The investigation involved two overdose deaths in Brooklyn and Queens.

The opioid epidemic cuts across all demographics. The Bronx continues to be the borough with the highest number of overdose deaths, followed by Brooklyn, Manhattan, Queens and Staten Island. Neighborhoods with the highest rate of overdose death are located in the Bronx and Staten Island.



# Prescription Opioids as Gateway

The majority of new heroin users report first developing an addiction to prescription opioid pills. Measurable progress has been made as a result of tighter controls on prescriptions through the implementation of I-STOP/PMP, New York State's Internet System for Tracking Over-Prescribing—Prescription Monitoring Program, as well as law enforcement initiatives and improved education for doctors and patients. Last year, New York City residents filled 7.5% fewer prescriptions for oxycodone, the prescription painkiller most commonly sold on the black market, the lowest number since 2010.

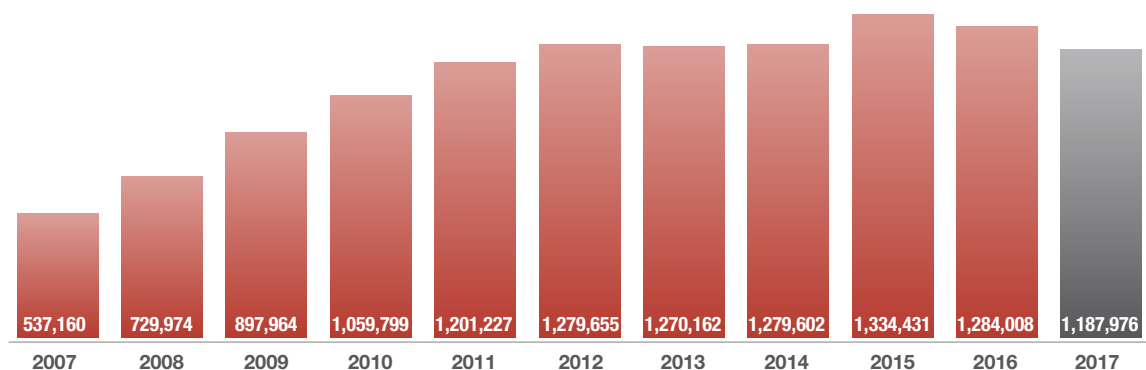
The flow of prescription drugs onto the black market is an important focus for SNP, which investigates and prosecutes trafficking rings and corrupt medical professionals who sell prescriptions for cash. In 2017, three Brooklyn pill mills were shuttered as a result of a long-term probe by SNP's Prescription Drug Investigation Unit, DEA, the city's Department of Investigation (DOI) and other partners. Indictments charged 13 individuals in schemes to defraud Medicaid and Medicare of millions of dollars, illegal sales of prescriptions for over 6.3 million opioid painkillers and money laundering. Accused mastermind Dr. Lazar Feygin was

one of the state's top Medicaid billers. The indictments allege that Feygin and another doctor orchestrated the lucrative scheme with assistance from medical practitioners, staff and a former New York State assemblyman employed at Quality Laboratory Services. Complicit doctors employed at the clinics allegedly prescribed oxycodone for no legitimate medical purposes. In exchange, patients underwent unnecessary medical tests and procedures that were billed to Medicare and Medicaid. At the height of the scheme, the clinics conducted more than 1,600 office visits per month.



Bridget G. Brennan announced a major pill mill investigation at a press conference at DEA New York Division Headquarters.

## Oxycodone Prescriptions Filled by NYC Residents: 2007–2017

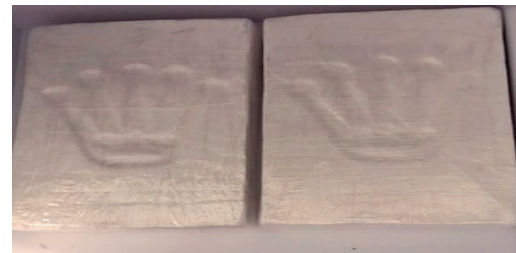


## Cocaine Surge

Cocaine use is becoming more prevalent across the U.S. and in New York City. In June of 2017, DOHMH issued a public warning that the city's cocaine supply may be laced with fentanyl. Of the more than 1,300 fatal drug overdoses that occurred in 2016, 37% involved both cocaine and fentanyl (without the presence of heroin).

Meanwhile, SNP has observed a sharp increase in the amount of cocaine being recovered in its investigations over the past two years. Seizures had plummeted from over 1,000 pounds in 2010 to 437 pounds—or less than half—in 2015. In 2016, the amount of cocaine seized in SNP cases spiked back up to 727—66% more—and last year SNP recovered 782 pounds. Kilogram quantities of cocaine are

increasingly being found alongside fentanyl, heroin and other synthetic opioids on the wholesale level. A recent investigation uncovered a multi-million dollar cocaine trafficking operation based at 83rd Street and Columbus Avenue in Manhattan's Upper West Side. Multiple kilograms of cocaine, marijuana and \$270,000 cash were seized.



*Cocaine marked with a crown seized from a supplier on the Upper West Side.*

## Treatment and Prevention

Various outreach efforts are underway in New York City to assist people with substance use disorders and save lives. The Mayor's Office and DOHMH embrace a multifaceted approach through the HealingNYC initiative.

Significant resources have been dedicated to harm reduction strategies, such as distribution of the overdose reversal drug naloxone. First responders with EMS and the NYPD administered thousands of doses.

However, the overall number of people entering drug treatment programs has declined during the opioid epidemic. The city's District Attorneys are implementing pre-arraignment diversion programs to connect eligible defendants to peer counselors and treatment services in lieu of facing prosecution.



*Manhattan DA Cyrus R. Vance, Jr. and Bridget G. Brennan participated in City & State's Healthy NY Summit.*

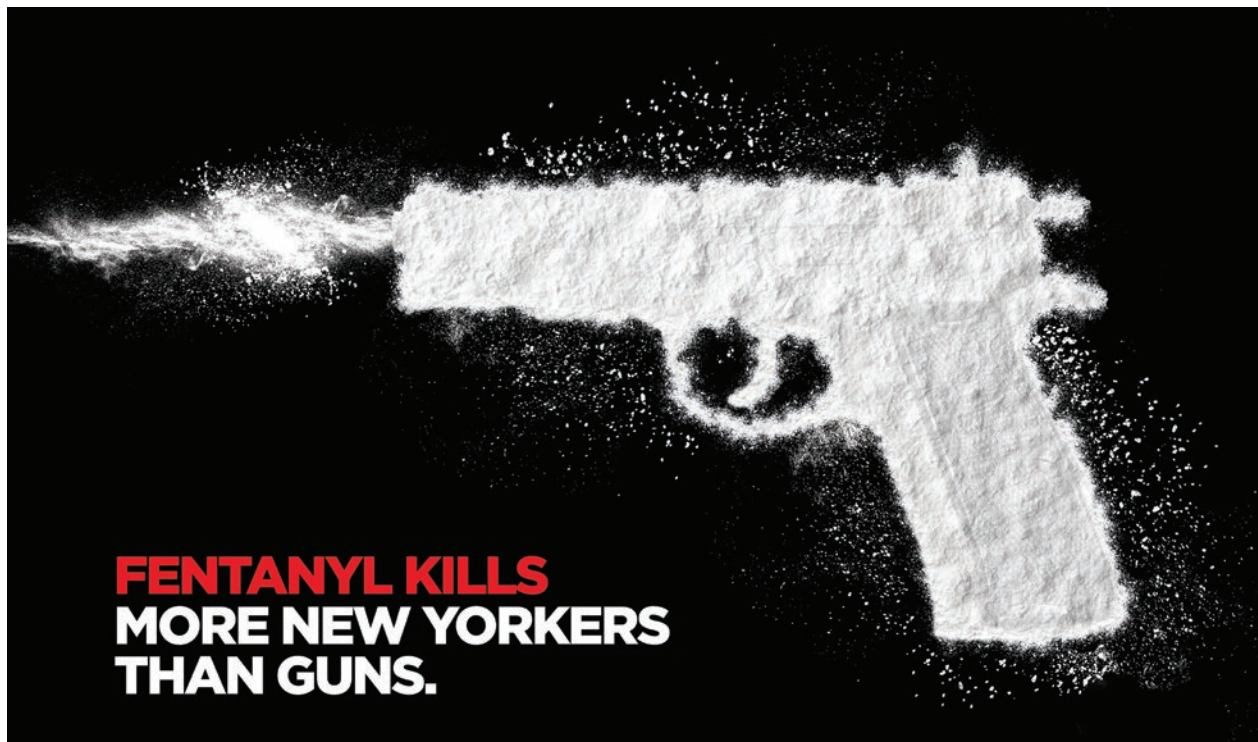


### **SNP Public Service Announcements**

SNP advocates for education and prevention efforts targeting potential drug users. In 2017, SNP developed a public service campaign to highlight the increased presence of fentanyl in the city's illicit drug market. With assistance from advertising industry professionals, the office released a video and two-dozen originally designed social media posts. The video depicts how fentanyl dealers sometimes wear masks to protect themselves, while unsuspecting overdose victims require an oxygen mask. It appeared on television, in movie theaters, and on social media platforms. For more information, visit [fentanylkills.nyc](http://fentanylkills.nyc).

### **Academic Studies**

SNP partnered with the District Attorneys for Staten Island and the Bronx to commission capstone studies by Columbia University's School of International and Public Affairs (SIPA) and Mailman School of Public Health. Dedicated teams of graduate students and seasoned faculty members examined the impact of the opioid epidemic on communities and assessed treatment options and prevention efforts. An academic report entitled "Staten Island Needs Assessment: Opioid Addiction Prevention and Treatment Systems of Care" was published in 2017. The Bronx capstone project is due for completion in 2018.



*An SNP social media campaign alerted the public to the dangers of fentanyl.*

# SNP Outreach

## Sharing Expertise with Local and International Partners



*A prosecutor representing the Ministry of Justice of Korea discussed legal policies and procedures with SNP staff.*



*Assistant District Attorney Andres Torres presented at an American Bar Association training in the District of Callao, Peru.*



*DEA New York Division hosted its annual Black History Month Program.*



*Bridget G. Brennan and other speakers with members of Manhattan Community Board 10's Senior Task Force.*



*SNP hosted a DAASNY Legislative Committee meeting.*



## Professional Recognition



*The New York County Lawyers Association celebrated Outstanding Women in the Legal Profession at its 103rd Annual Dinner.*



*Left: Bridget G. Brennan received a Lifetime Achievement award from the National Police Defense Foundation.*

*Bottom Left: The Federal Drug Agents' Foundation honored Chief Investigator William Cook (left) and SNP's Investigators Unit.*

*Below: Nigel I. Farinha, Co-Chief of SNP's Narcotics Gang Unit, received the Thomas E. Dewey Medal from the New York City Bar Association.*



---

# Community Initiatives

*Director of  
Community  
Outreach  
Calvin Solomon  
coordinates with  
law enforcement  
partners and  
community  
groups.*



SNP seeks to make a positive imprint on communities where major drug enforcement actions have occurred by partnering with the Police Athletic League (PAL) and the District Attorneys' offices to support youth programs. Last year, with financial support from SNP, PAL launched the After School Filmmaking Project at the PAL Wynn Center in Brooklyn. Through the project, youth learn about a wide range of topics related

to filmmaking, including the fundamentals of film and video and the steps of narrative filmmaking from pre-production to post-production, culminating in an "Exploring Your World through Cinema" student film festival. The Filmmaking Project is the result of collaboration between SNP, the Brooklyn District Attorney's Office, PAL, the NYPD, NYCHA and Grand St. Settlement, a nonprofit organization that helps administer the Roosevelt Houses Community Center. Funding was derived from SNP's Safe Neighborhood Initiative.

In March 2017, a long-term investigation into drug trafficking in the vicinity of the nearby Roosevelt Houses resulted in the indictment and arrest of 11 different individuals. In addition to drug trafficking, the defendants were charged in connection with four firearms and with plotting a home-invasion robbery in Rochester, NY.



*A ribbon cutting ceremony kicked off the PAL Filmmaking Project at the Wynn Center in Brooklyn.*



# Investigation Division

2017 SNP WIRETAP ACTIVITY	
Amendment	70
Extension	156
Original	188
<b>TOTAL</b>	<b>414</b>
INSTRUMENT TYPES	
Cellphone	186
Chat Accounts	0
BBM	2
Other	0
<b>TOTAL</b>	<b>188</b>
INVESTIGATION ACTIVITY	
Trial Division	153
Special Invest. Bureau	117
Prescription Drug	54
Narcotics Gang	3
<b>TOTAL</b>	<b>327</b>

## Special Investigations Bureau

The Special Investigations Bureau (SIB) targets major narcotics trafficking organizations, including those that import and distribute multi-kilogram quantities of cocaine and heroin. The activities of the criminal enterprises extend beyond

county, state and international borders. SIB prosecutors work with the U.S. Drug Enforcement Administration (DEA), the New York City Police Department (NYPD), the New York State Police, the New York Drug Enforcement Task Force (NYDETF), the New York Organized Crime Drug Enforcement Strike Force, U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI) and other local, state, federal and foreign law enforcement.

In 2017, SIB launched 117 investigations targeting a wide range of criminal activity including drug trafficking, robberies, weapons trafficking and money laundering. The bureau also commenced civil actions to forfeit narcotics proceeds. Senior staff supervised wiretap investigations involving 414 eavesdropping applications, including 188 originals, 156 extensions and 70 amendments. Narcotics investigations resulted in the seizure of approximately 560 pounds of heroin (including mixtures of heroin and fentanyl and/or other substances), 666 pounds of cocaine, 360 pounds of fentanyl, 15 pounds of marijuana and various other drugs.



*The Special Investigations Bureau targets major local and international narcotics trafficking organizations.*

### **Heroin Interdiction Team**

The resurgence of heroin throughout New York State drove SNP to create the Heroin Interdiction Team (HIT) in late 2014. HIT is tasked with combating the flow of heroin to the area surrounding New York City, particularly upstate counties. Working with a dedicated team of New York State Police troopers, DEA agents, NYPD officers and other law enforcement officials, HIT focuses on cooperating with local prosecutors and law enforcement to share intelligence and resources to take down the organizations responsible for spreading heroin from the mills in New York City to New York State as a whole.

### **Prescription Drug Investigation Unit**

Alarming rates of prescription drug abuse and related crime led SNP to form the Prescription Drug Investigation Unit (PDIU). The unit, created in 2011, is designed to combat the proliferation of prescription narcotics on the black market by investigating and prosecuting the criminal distribution of these drugs. Prosecutions target a range of subjects, from members of street level drug organizations to doctors and pharmacists engaged in the criminal sale of prescriptions or pills. Armed robberies of pharmacies, shootings, home



*The expertise and dedication of Assistant District Attorneys and Investigative Analysts has positioned PDIU as a leader in the field.*

invasions and other violent crimes are also associated with prescription drug diversion. The unit works closely with the New York State Health Department's Bureau of Narcotic Enforcement, the NYPD and the DEA, among other law enforcement agencies.

### **Narcotics Gang Unit**



*The Gang Unit prosecutes members of violent gangs for narcotics trafficking, shootings, robberies and other related crime.*

The Narcotics Gang Unit was established in 2002. It concentrates on violent neighborhood gangs, robbery crews and weapons traffickers committing drug-related criminal activity across the city. The unit works closely with detectives from the NYPD's Gun Violence Suppression Division, Narcotics and Gang Squads, and Precinct members. The unit has developed expertise in the use of new technologies and collecting evidence through social media, such as Instagram, Twitter, YouTube, and Facebook, and messaging applications. In addition to narcotics trafficking, the unit also prosecutes murder and murder conspiracy, assault, armed robbery, kidnapping, burglary, weapons possession and illegal firearms sales.



---

# Investigators Unit

## Money Laundering and Financial Investigations Unit

The Money Laundering and Financial Investigations Unit was initiated in 2001, and reconfigured in 2005 and 2008. It investigates narcotics-related money laundering and other financial criminal activity. Cases are generated from multiple sources, including intelligence developed during narcotics investigations. The unit aims to prevent foreign drug trafficking organizations from repatriating drug proceeds through smuggling, as well as the use of the financial system and international trade, and local drug organizations from benefiting from illicit profits.

## Forfeiture Investigations

Established more than 25 years ago, the Forfeiture Investigations Unit evaluates felony drug prosecutions for potential civil litigation to recover proceeds of narcotics crimes. The unit works closely with law enforcement on the federal, state and local levels to identify criminal assets and deprive narcotics traffickers and money-laundering groups of the profits of criminality. The unit has in place a comprehensive set of systems to track office participation in investigations resulting in forfeiture actions. In 2017, 179 federal forfeiture actions were initiated and 241 were completed. At the state level, 304 actions were initiated and 294 were completed.



*A safe containing hundreds of thousands of dollars was seized from a citywide narcotics supplier.*

SNP's Investigators Unit handles narcotics cases targeting local, national and international trafficking groups, as well as trafficking over the Internet. Teams within the unit have expertise in identifying and dismantling major heroin and fentanyl trafficking organizations within New York City and in investigating prescription drug diversion rings and corrupt medical practitioners. Investigators provide crucial leadership in collaborative efforts with law enforcement partners.

Created in 1992, the unit fulfills two primary areas of responsibility: investigations and enforcement support. The unit initiates cases independently and works jointly with federal, state and local law enforcement agencies throughout New York City and across the nation. During 2017, the unit opened 28 new investigations, resulting in 226 arrests. Of those, 192 individuals were charged with top felony narcotics counts and two with violations of money laundering laws. As a result of those arrests, 215 pounds of heroin, 172 pounds of fentanyl, and 165 pounds of cocaine were seized. Investigations by the unit and its DEA and U.S. Immigration and Customs Enforcement (ICE) partners yielded cash seizures totaling millions of dollars in narcotics trafficking proceeds.

Many investigators in the unit are law enforcement veterans who formerly served with the New York City Police Department's (NYPD) Narcotics Division and the U.S. Drug Enforcement Administration's New York Drug Enforcement Task Force (NYDETF). A Chief Investigator oversees the activities of the investigators and monitors all investigation-related expenditures.

# Trial Division

2017 SNP WORKLOAD	
Arrests	1,832
Indictments/SCI	1,219
Trials	28
<b>FELONY DISPOSITIONS</b>	
Convicted	1,234
Acquitted	8
Dismissed	50
Treatment Dismissals	61
<i>Does not include declinations to extradite fugitives due to age/viability of prosecutions.</i>	
<b>FELONY SENTENCES</b>	
State Prison	625
City Jail	200
Probation	228
City Jail & Probation	42
<b>SEIZURES</b>	
Cocaine	783 lbs.
Heroin	908 lbs.
Fentanyl	491 lbs.
Oxycodone	12,530 pills
Methamphetamine	50 lbs.
Marijuana	193 lbs.
Guns Seized	41

*Heroin total includes heroin mixed with fentanyl and/or other substances.*

Trial Division Assistant District Attorneys handle the bulk of the drug felony arrests referred to the office for prosecution. They are assigned to one of the two bureaus that comprise the Trial Division. Each bureau is headed by a Chief and Deputy Chief who supervise assistants as they provide legal advice and draw up court orders, including search and arrest warrants, on a 24-hour basis.

Assistants work closely with the NYPD's Narcotics Division, the New York Drug Enforcement Task Force, the Port Authority Police, the New York State Police, the New York State Health Department's Bureau of Narcotic Enforcement and the SNP Investigators Unit. In 2017, the Division launched 153 new investigations. A total of 1,832 complaints were referred to the office for prosecution during the year; 1,219 defendants were prosecuted by indictment or Supreme Court information (SCI). Total SNP search warrants drafted numbered 1,709.



*Trial Division Assistant District Attorneys handle the majority of arrests referred to SNP for prosecution.*



---

# Case Highlights

## Fentanyl and Heroin in Record Amounts

### Record Fentanyl Seizure in Queens

A record-breaking stash of 64 kilograms of fentanyl (over 140 pounds) was recovered from an apartment in Kew Gardens, Queens. In addition to the pure fentanyl, agents and detectives from New Jersey DEA and the NYPD's Queens Narcotics Major Case Squad recovered another 22 kilograms of fentanyl pre-mixed with other narcotics, five kilograms of heroin and six kilograms of cocaine, for a total of 97 kilograms of narcotics (213 pounds). A married couple from Mexico was stopped inside the parking garage of the Kew Gardens apartment building after agents and detectives tracked them from a Walmart parking lot in Manahawkin, N.J., where agents had observed an alleged drug transaction. Agents found the massive stash of drugs packed inside multiple suitcases as they conducted a court authorized search of an apartment where the couple was staying temporarily.



*Nation's largest seizure of fentanyl, plus heroin and cocaine, in Kew Gardens.*

### Mexican Kingpin Supplied Fentanyl to NYC

A Mexico-based narcotics supplier was indicted under New York State's drug kingpin statute for allegedly supplying large loads of fentanyl to New York City. As charged in the indictment, Francisco Quiroz-Zamora orchestrated the delivery and sale of at least 20 kilograms of fentanyl (44 pounds) by phone from San José del Cabo. Narcotics were seized at the Umbrella Hotel in the Bronx and an apartment on Central Park West after Quiroz-Zamora unwittingly connected his alleged associates in New York City with an undercover officer from



*Video within the Umbrella Hotel captured a suspected trafficker.*



*Duffel bag containing 17 kilograms of fentanyl found on a vending machine.*

the DEA's New York Organized Crime Drug Enforcement Strike Force, Financial Investigations Team (FIT). Quiroz-Zamora was arrested at Penn Station in November of 2017 as he arrived in the city to collect an alleged narcotics payment. Most of the fentanyl seized in the case was found in a duffel bag on top of a vending machine in a 7th floor hallway of the Umbrella Hotel, next to a room occupied by an alleged Quiroz-Zamora associate. Another drug crew with alleged ties to Quiroz-Zamora used an apartment located at upscale 448 Central Park West to store and package drugs, some of which were stamped with the brand name "Uber." An Uber driver was among six defendants charged in the case.

### **\$4 Million Cash, Heroin Seized From Storage Facility**

More than \$4 million in cash and three kilograms of heroin (over six pounds) were seized from an interstate trafficking group that transported drugs and money inside furniture outfitted with secret compartments. An investigation revealed alleged Bronx-based trafficker Jorge Pizarro leased a Secure Self Storage unit in his own name and moved furniture containing cash and drugs on a monthly basis between Texas, New York and Massachusetts. In March of 2017, federal agents observed Pizarro and two others loading furniture into a U-Haul



*\$4.1 million in cash was concealed in stored furniture.*

truck at the storage facility. The defendants were detained and drug-sniffing dog alerted positively to the presence of narcotics. A court authorized search uncovered \$3.4 million cash wrapped in dozens of packages inside pieces of furniture, as well as two wooden nightstands containing an additional \$750,000 cash and three kilograms of heroin. Pizarro was sentenced to 4 ½ years in prison following a guilty plea to drug possession charges.

### **Large Load of Fentanyl and Heroin in Car**

DEA agents and NYPD detectives arrested two men and recovered 25 kilograms of fentanyl and heroin (55 pounds) from a car near the Major Deegan Expressway after following them from a Home Depot parking lot in Woodbridge, N.J. Agents were conducting surveillance near the parking lot when they saw the two men carry a large duffel bag of suspected narcotics away from a tractor-trailer with California license plates and place the bag in their vehicle. Agents followed the suspects over the George Washington Bridge and stopped their car in the Bronx. After obtaining a court order



*55 pounds of fentanyl and heroin were found concealed in this bag.*



to search the bag, agents recovered 25 kilogram-sized packages inside. Laboratory analysis confirmed the presence of fentanyl and a fentanyl/heroin mixture.

## Heroin Packaging Operation Near P.S. 115

Just as a new school year got underway in September of 2017, investigators uncovered a heroin packaging operation across the street from an elementary school, P.S. 115 in Washington Heights. A court-authorized search of an apartment at 575 West 177th Street yielded approximately 5,000 individual dose glassine envelopes containing heroin laced with tramadol (a synthetic opioid) and quantities of loose powder. Stamps used to brand the narcotics included “Daily News,” “Spiderman” and “Showtime,” among others. Three defendants were charged.

## Heroin and Fentanyl Seized From Packaging Mill

Agents made 10 arrests and seized over two million dollars in heroin and fentanyl from an active drug packaging operation in the Morrisania neighborhood of the Bronx. Members of the New York Drug Enforcement Task Force were conducting surveillance as part of an investigation into narcotics trafficking in New York City and Long Island when they observed a suspect exit an a Bronx apartment building and load a suitcase into a black minivan. Agents stopped the



Over \$2 million in heroin and fentanyl were seized in the Bronx.

vehicle and found nearly 50,000 individual dose glassine envelopes of heroin stamped with brands “Magic City” and “Red Bull.” The investigation led agents to obtain a search warrant for an apartment believed to contain a heroin packaging mill. Upon entering, they saw nine individuals engaged in bagging up heroin. Several mill workers attempted to flee, but were apprehended. Agents recovered approximately a kilogram of powdered heroin (two pounds), 800 grams of fentanyl analogue and thousands of heroin-filled glassine envelopes.

## Heroin Supplier Sentenced in Record Seizure

A Manhattan Supreme Court judge sentenced a drug trafficker to 14 years in prison in connection with the record largest cache of heroin seized by DEA New York Division. Jose Mercedes, Sr. governed an expansive narcotics network that regularly

**New York**  
The New York Times

WEDNESDAY, MAY 20, 2015

**U.S. Says It Disrupted Major Heroin-Importing Operation in Bronx**

By AL BAKER

There were few outward signs of the thriving heroin cash house that federal officials say was being operated in a quiet block in the Bronx across from Joe Cardinal Park. No one seemed to be permanently living in the apartment, 314 at 28 West 134th Street, but the exclusive Fieldston neighborhood, officials said.

But as federal agents raided the hideout over the weekend, they spent what they described on Tuesday as an elaborate yearlong investigation, yielding 70 kilograms of heroin — or nearly 150 pounds — that investigators say came from Mexico and was sold in chunks in various dealers for distribution upstate and across the Northeast.

The seizure, had the drugs been kept in boxes in heroin suits and packaged into 100 envelopes, was enough “to supply a dose of heroin for each and every New York City resident, man, woman and child,” the city’s special narcotics prosecutor, Richard G. Brannen, said. He estimated the drugs’ street value at roughly \$10 million.

According to the federal Drug Enforcement Administration, it was the largest seizure of heroin by its agents in the city and the agency’s heroin largest haul nationwide. Officials said it represented a challenge that was “a real test” to the agency’s ability to respond to a “rapid and potentially new” threat.

But it was not the largest amount ever intercepted in the city. In the late 1970s and early 1980s, two shipments of more than 300 pounds each were seized from two shared passenger ships entering the city. In 1989, federal agents seized 150 pounds of heroin at Furlong, Queens, and in 1991, 1,600 pounds were found in Cuddihill, Calif.

An automobile was also the method of concealment in the western case, which comes amid a resurgence of heroin sales in New York City and elsewhere.

Investigators listening in on a meeting learned that the drug-importing organization was expecting delivery of an other large haul over the weekend and set up surveillance outside the apartment on West 134th Street, officials said.

Other documents gave this account. On Saturday, investigators followed an 1991 Ford Bronco, a 1991 Chevrolet Suburban sport utility vehicle from its parking spot in a lot behind the Bronx building to an industrial parking lot off Interstate 287 in Montville, N.J.

Tracing the Suburban to a Florida record were Jose A. Mercedes, 46, and an unidentified woman. After the vehicle stayed for about an hour in a lot used by the Bronx, it was towed back to the lot in the Bronx, and the two men followed.

After the Suburban returned to the Bronx and was parked behind the apartment building, a drug-smuggling operation was detected, officials said.

On Sunday morning, the agents moved in.

Mr. Mercedes showed up at the safe house around 10 a.m. in a car containing several large bags of heroin, officials said. Then, as Mr. Cruz Francisco left the safe house and got into the Suburban, he was stopped.

Inside the Suburban, 70 packages with the identifying name “John,” were discovered in a carbox built under the floor, officials said.

Investigators also confiscated \$2 million in cash under the footboards of the

apartment and a handgun from another location, Mr. Brannen said.

Agents arrested Mr. Mercedes, who is charged with running the operation and Mr. Francisco, who was charged with drug-trafficking offenses.

In November, they arrested Mr. Mercedes’ son, Jose Mercedes Jr., 28, and Juan Infante, 47, and charged them with several offenses, including criminal possession of a controlled substance, after seizing 10 kilograms of heroin that was hidden in a compartment inside a wall.

Patrick J. Brannan, a lawyer who represented Mr. Mercedes and his son and the previous private school Heron Adams and Manhattan College, was a “a regular” at the neighborhood’s local corner.

“They’re seemingly charged to the state, but when the evidence comes out, it will be a different story,” Mr. Brannan said. “They are not a very wide net.”

All but the older Mr. Mercedes are to be permanent residents of the United States, a law enforcement official said.

On Tuesday, on West 134th Street, one dozen said the area, though just north of the prestigious private school Heron Adams and Manhattan College, was a “a regular” at the neighborhood’s local corner.

“The outsiders here,” she said of the area, “are different.”

Jonathan Chicklevell, 46, who lives in an apartment unit in Apartment 3F, said that he had seen its occupants only when they went to the end of the street and that he never suspected that such an operation was being run out of his home. Yet he said it made sense.

“It’s like this: this is a ‘house’ to say. That’s the way they’re doing it. This, you stay away from where the law goes, and you go to a nice neighborhood and hide.”

Richard G. Brannen, New York City’s special narcotics prosecutor, held a news conference on Tuesday to announce the seizure by drug agents of 155 pounds of heroin and \$2 million in cash.

05/31/2017

New York Times, May 20, 2015

smuggled dozens of kilograms of heroin from Mexico to the New York City area. Members of the DEA's New York Drug Enforcement Task Force recovered 70 kilograms (over 150 pounds) of heroin from a parked vehicle in the Fieldston section of the Bronx. A search of a stash apartment yielded over \$2 million in cash found beneath the floorboards. The heroin from this seizure alone could have fetched over \$50 million on the black market. Prior to his arrest in 2015, Mercedes lived a lavish lifestyle in New York and employed many family members, some of whom he compelled to live with Mexican cartels as guarantors for drug transactions. Others were employed to transport narcotics across state lines and package narcotics for resale.

### **Major West Side Drug Operation**

Approximately 28 kilograms of heroin and cocaine (over 60 pounds) and over \$300,000 were recovered during an investigation into a drug ring operating on Cabrini Boulevard near Riverside Drive in Upper Manhattan. Agents and investigators with the New York Drug Enforcement Task Force and SNP also seized more than 9,000 counterfeit oxycodone pills made from illicit fentanyl. The total street value of the drugs

was estimated at more than \$10 million. Agents and investigators were conducting surveillance at 95 Cabrini Boulevard, when a suspect emerged carrying a full garbage bag and placed it into a BMW vehicle. Agents stopped the car and recovered over \$300,000 cash. The investigation led agents to identify and search a suspected drug stash location. They found dozens of brick-shaped packages of narcotics hidden inside furniture outfitted with hidden compartments, including some packages marked with the brand "Audi." Also in the apartment were thousands of pills that resembled oxycodone. Laboratory analysis showed the more than 9,000 pills were counterfeits made from illicit fentanyl.

### **"Supersized" Fentanyl Doses: Drug Delivery Service**



*Extra-large doses of fentanyl threatened several Brooklyn neighborhoods before law enforcement officials intervened.*

A drug delivery service sold extra-large doses of fentanyl, as well as crack-cocaine and heroin, in the Brooklyn neighborhoods of Bensonhurst, Borough Park and Sunset Park. During the investigation, one defendant sold over 1,300 "supersized" glassine envelopes of pure fentanyl for over \$34,000 in a dozen meetings with an undercover NYPD officer. A court authorized search of a Brooklyn residence associated with the delivery yielded quantities of fentanyl, cocaine, crack-cocaine, pills, marijuana and approximately \$2,500 cash.



*Hidden "trap" compartment concealed heroin, cocaine and illicit fentanyl pills.*



## Washington Square Drug Probe

An investigation into street-level drug dealing in Washington Square Park led to the indictment of major citywide narcotics suppliers and the seizure of a firearm. Three defendants were charged in May after an investigation by the NYPD, SNP and the Manhattan District Attorney's Office in which the defendants allegedly made 15 sales of cocaine, heroin and fentanyl to undercover officers for over \$20,000. The case began in Greenwich Village and expanded to locations throughout Manhattan and the Bronx. A court authorized search of a smoke shop at 59 West 8th Street led police to recover multiple kilo presses (used to process narcotics in bulk) and individual glassine envelopes commonly used in street sales. Police seized one firearm from a Bronx drug supplier's apartment.

## Overdose Death Investigations

### Fourteen Arrested Following Fentanyl Fatality

A woman's fatal overdose on a fentanyl/heroin mixture stamped with the brand "Scorpion" sparked an investigation by SNP, the NYPD and the Manhattan District Attorney's Office. Police arrested 14 defendants from two narcotic trafficking groups in Washington Heights after undercover officers made over 30 purchases of heroin, cocaine and a heroin/fentanyl mixture from the defendants, including one purchase of drugs stamped "Scorpion." Five firearms, three kilograms of cocaine (nearly seven pounds) and 60 pounds of marijuana were seized.



Tracking the "Passion" brand stamp was essential to the case.

### Staten Island Overdose Leads to Arrest

The fatal overdose of a 24-year-old Staten Island woman in her bedroom led police to initiate the investigation "Operation Smack Down." Police found empty envelopes marked with the brand name "Passion" at the scene of the death. A wiretap investigation by SNP, the NYPD and the Richmond County District Attorney's Office resulted in the indictment of eight alleged narcotics traffickers. Police identified Mack Patterson as the person believed to have sold the "Passion" stamped narcotics. Undercover NYPD officers purchased heroin and/or fentanyl from Patterson and his co-conspirators 10 times in six months.

### "American Dream" Narcotics Lead to Deaths

A long-term wiretap investigation uncovered links between narcotics stamped with the name "American Dream" and two overdose deaths in late 2016 and early 2017, including



Probe targeting "American Dream" heroin led to 20 arrests.

that of a woman who fatally overdosed on a New York City subway. Twenty defendants were charged as a result of the investigation by SNP, the NYPD and the Brooklyn District Attorney's Office. Initially, undercover officers made purchases from members of a Brooklyn-based drug organization allegedly headed by Akeem King. Police then identified defendant Robert Gonzalez as an alleged supplier of narcotics stamped with the name "American Dream" and a picture of the Statue of Liberty. Laboratory tests revealed that some of the heroin recovered during the investigation contained forms of fentanyl. Although King and Rodriguez are not charged in the drug deaths, both face the state's top narcotics charge of Operating as a Major Trafficker.

### **Bronx Open Air Drug Market Disrupted**

Police dismantled an open air market in the Fordham Manor section of the Bronx where an overdose was captured on video. Eight drug suppliers and street-level dealers were charged in sales of fentanyl and heroin following a six-month investigation by the NYPD and the New York Organized Crime

Drug Enforcement Strike Force Group. A brother and sister team ran a lucrative business allegedly supplying dealers at the open air market, where customers lined up near a bottle redemption location. Agents obtained video footage showing a defendant sell glassine envelopes to a customer, who began to overdose soon after consuming the narcotics. Emergency responders successfully revived the victim. The defendants also sold narcotics laced with fentanyl to undercover officers. A court authorized search of the male supplier's residence yielded over 600 glassines of heroin and fentanyl stamped with the brand name "Pray for Death" and approximately \$280,000 cash.

## **Prescription Drug Trafficking**

### **Rx Forgeries Net \$3 Million in Painkillers**

Seven alleged members of a prescription forgery ring were arrested for illegally obtaining more than 160,000 oxycodone pills worth \$3 million. Prescriptions were forged in the name of a pain management physician based in Astoria, Queens. Ring leaders hired family members and friends as runners to illegally fill over 930 prescriptions at pharmacies in Queens and Brooklyn. Initially, some runners filled up to eight oxycodone prescriptions in a single month. However, the investigation by SNP's Prescription Drug Investigation Unit, DEA New York Division and the New York City Human Resources Administration revealed that the pace of the criminal activity slowed with the implementation of New York State's I-STOP (Internet System for Tracking Over-Prescribing), which tightened restrictions on the prescribing of controlled substances.



*"Pray For Death" branded narcotics sold in the Bronx.*



## Brooklyn Clinics Pumped 6.3 Million Painkillers onto Black Market

### 13 Accused of Roles in a \$24 Million Brooklyn Pill Ring

By ELI ROSENBERG  
and NATE SCHWEBER

Officials in New York arrested 12 people on Friday in what was described as a conspiracy involving three Brooklyn medical clinics that helped flood the streets with prescription painkillers while defrauding Medicare and Medicaid out of millions of dollars.

After announcing the arrests — a 13th person, a former state assemblyman from Brooklyn, was also indicted in the case — prosecutors described the scope of the conspiracy, saying it put 6.3 million oxycodone pills on New York's black market and generated more than \$24 million for the three clinics.

Noting that the abuse of drugs like the painkiller oxycodone had helped fuel a national opioid epidemic, officials said the case combined a drug conspiracy and Medicaid fraud, in which the clinics also billed the government for expensive but unneeded tests.

"I have to say I've never really seen anything like it," Bridget G. Brennan, New York City's special narcotics prosecutor, said at a news conference on Friday.

Those charged in two indictments announced on Friday included three doctors, Michael Taitt, Paul McClung and Lazar Feygin, who was described as the "chief architect" of the scheme; medical office managers Pavel Krasnou, Vyacheslav Maksakov, Rachel Smolitsky and Konstantin Zeva; physician assistants Juan Cabezas, Marie Nazaire and Abdus Sattar; a nurse practitioner, Marjorie Louis-Jacques; and a physical therapist, Reynat Glaz. The former assemblyman, Alec Brook-Krasny, was out of the country, officials said.

The yearslong investigation that led to the charges began when federal agents and narcotics investigators found a group of "doctor shoppers," people seeking prescription pills even though they did not need them for medical reasons.

Officials said they learned in the course of the inquiry that two Brooklyn clinics owned by Dr. Feygin — Parkville Medical Health, in the Kensington neighborhood, and LF Medical Services of NY, in Clinton Hill — were selling large numbers of prescriptions for oxycodone.



DAVE SANDERS FOR THE NEW YORK TIMES

Thirteen people, including, from left, Dr. Lazar Feygin, Dr. Paul McClung and Juan Cabezas, are accused of taking part in a conspiracy to defraud the government and sell opioid prescriptions.

The investigators said Dr. Feygin began hiring medical staff members in 2012 in order to prescribe the oxycodone.

Some of the employees, including Dr. McClung and Mr. Cabezas, started another practice in 2013 and began engaging in similar criminal activity, the officials said.

Dr. Feygin and members of the

#### **Charges of flooding the streets with painkillers and bilking the government.**

staff at his two clinics prescribed more than 3.7 million pills from 2012 to 2017, and received more than \$16 million in reimbursements from Medicaid and Medicare, officials said; the third clinic was responsible for 2.6 million pills, and was reimbursed more than \$8 million.

The investigation was conducted in part by the federal Drug

Enforcement Administration, the New York City Investigation Department and special narcotics prosecutor's office, the State Department of Health, and the Brooklyn district attorney's office.

Mr. Brook-Krasny helped direct unnecessary laboratory testing of urine samples through his affiliation with Quality Laboratory Services in Sheepshead Bay, officials said. (His LinkedIn page describes him as the company's chief operating officer.) He also arranged to alter test results with conditions like the presence of alcohol that would have made opioids difficult to prescribe.

Frank V. Carone, Mr. Brook-Krasny's lawyer, said that his client would turn himself in when he returned from a family trip and that he was "simply a third-party service provider and nothing more."

"My client understands the seriousness of the charges, and of course opioid abuse, but as for the allegations that he is somehow culpable is an incredible injustice," Mr. Carone wrote in an email.

As he was led into a Manhattan courthouse at the head of a line of

suspects, Dr. Feygin denied that he or his co-defendants had ever fed anyone's addiction.

"We're not treating addicts; we're treating very, very sick people," he said. "We're primary-care physicians."

Judge Neil Ross of Manhattan Criminal Court ordered Dr. Feygin held without bail. Prosecutors noted that he had an apartment in Russia.

Arthur Gershfeld, a lawyer for Mr. Krasnou and Dr. McClung, said the large number of pills prescribed was proof of a great number of patients served, not of wrongdoing.

Dr. Feygin, a native of Belarus who moved to the United States more than 25 years ago, was featured in a 2013 New York Times video about style in Brighton Beach, a Russian-American enclave in Brooklyn. He talked about his personal shopper and pointed out his Ferragamo shoes.

"This style in Russia was almost impossible," he says in the video. "I didn't have enough money. I worked, and I still work very, very hard to have an opportunity to spend enough money to be stylish."

New York Times, April 8, 2017

Three Brooklyn pill mills were shuttered and 13 individuals charged in schemes to defraud Medicaid and Medicare of millions of dollars, to illegally sell prescriptions for over 6.3 million opioid painkillers and to commit money laundering and commercial bribery. Alleged mastermind Dr. Lazar Feygin, one of New York State's top Medicaid billers, and a second physician, Dr. Paul McClung, allegedly orchestrated the scheme with assistance from other doctors and medical

practitioners, office staff and a former New York State assemblyman employed at Quality Laboratory Services.

Doctors at the three clinics allegedly provided patients with prescriptions for oxycodone for no legitimate medical purposes. In exchange, patients were required to undergo unnecessary medical tests and procedures that were billed to Medicare and Medicaid. At the height of the conspiracies in 2016, the clinics conducted

more than 1,600 office visits per months. The defendants also engaged in laundering money to conceal illicit proceeds.

The clinics were shuttered in April of 2017 as a result of collaboration between SNP's Prescription Drug Investigation Unit, DEA New York Division, the Brooklyn District Attorney's Office, the Office of the Inspector General for the U.S. Department of Health and Human Services, the NYC Department of Investigation, the NYC Human Resources Administration and the New York State Health Department's Bureau of Narcotic Enforcement.

### **Staten Island to Brooklyn Rx Drug Ring**

Six defendants were indicted in a scheme to funnel addictive opioid painkillers onto the black market in Staten Island and Brooklyn. During the charged conspiracy, which ran from August 2016 to October 2016, the defendants allegedly filled prescriptions for over 2,800 oxycodone pills. Some of the defendants sold oxycodone to an undercover NYPD officer. Several sales took place at a Home Depot parking lot in Staten Island and near the Poly Prep Country Day School in Dyker Heights, Brooklyn. The long-term wiretap investigation was conducted by SNP, the Richmond County District Attorney's Office and the NYPD.

## **Cocaine and Crystal Meth in NYC**

### **\$2 Million in Narcotics Disguised as Candy**

Bags of individually wrapped "candies" that were expertly designed to conceal \$2 million in cocaine and heroin were recovered in Jackson Heights, Queens. Members of the New York Drug Enforcement Task Force tracked a suspect carrying a backpack from a residential building to a nearby gas station



*These bags helped conceal over \$2 million in cocaine and heroin from detection.*

and observed a drug transaction. Agents recovered two large, colorful plastic bags that were heat-sealed and contained what appeared to be individually wrapped candies. Laboratory analysis revealed the candy wrappers were filled with approximately two kilograms of heroin (over four pounds). Agents obtained a search warrant for the individual's residence at 3226 82nd Street and recovered another 1 ½ kilograms of cocaine and heroin (over three pounds), with some packaged like candy.

### **Diamond District Cocaine Cache**



*Law enforcement officials foiled a plan to distribute over 120 pounds of cocaine.*

A fictitious jewelry business in the Diamond District in Midtown, Manhattan served as a cover for a major drug importation and distribution scheme. Approximately 55 kilograms of cocaine (121 pounds) worth more than \$2 million were seized from offices at 43 West 47th Street during



an investigation by the New York Drug Enforcement Task Force. Prior to the search, agents established surveillance outside the location and saw delivery men carrying orange bags suspected to contain packages of narcotics enter the building and proceed to suite 503. After the delivery men departed, an individual associated with the location was arrested as he tried to leave the building.

### **Narcotics in U.S. Mail: 13 Arrests**

U.S. Mail packages containing exercise equipment and children's toys were used to smuggle narcotics from Puerto Rico. Over 21 kilograms of cocaine and heroin (46 pounds), with a combined street value of \$4.5 million, were seized by the DEA New York Organized Crime Drug Enforcement Strike Force and the U.S. Postal Inspection Service. Initially centered on a major Bronx-based trafficker, the investigation grew to encompass fellow distributors, kilogram-quantity customers and sources of supply in San Juan, P.R. Packages containing narcotics were delivered to addresses in New York and New Jersey. Investigators also recovered approximately \$150,000 in cash, \$70,000 in jewelry, a rifle and a stun gun. An indictment filed by SNP charged three defendants with Operating as a Major Trafficker. One of these three plead guilty to a top drug possession charge in exchange for a sentence of 8 ½ years in prison.

### **East Coast Cocaine Source**

A major narcotics supplier from Puerto Rico faces charges of conspiring to smuggle millions of dollars in cocaine to multiple states via the U.S. Postal Service. Six defendants were charged in connection with multi-kilogram packages shipped on a monthly basis to Rhode Island, Connecticut, Massachusetts, New York, New Jersey and Florida. Investigators seized 11 kilograms of cocaine (over 24 pounds) from the group. In order to avoid detection by postal

workers and would-be thieves, the Puerto Rican supplier allegedly packed drugs inside metal cosmetic boxes sealed with silicone. Packages were mailed to fictitious names at real addresses, where associates intercepted parcels upon delivery. During a 10-month period, approximately \$2 million in drug proceeds (equivalent to the price of 70 kilograms of cocaine) were transferred through an elaborate network of money brokers.

### **Crystal Meth Smuggled on Car Carrier**

Authorities thwarted a plot to smuggle eight kilograms of "crystal meth" (nearly 18 pounds) into New York City on a car carrier. A wiretap investigation revealed suspected traffickers had concealed drugs within a Nissan Altima that agents and detectives with the New York Drug Enforcement Strike Force learned was on a car carrier traveling on Interstate 95. Agents stopped the transport vehicle outside of Warwick, R.I. and located a Nissan Altima sedan with California license plates. A court authorized search uncovered a hidden "trap" compartment containing eight plastic-wrapped parcels, which DEA laboratory analysis confirmed contained eight kilograms of methamphetamine. After the



*18 pounds of crystal methamphetamine were hidden in a "trap compartment" in a car carrier.*

car's registered owner retrieved the vehicle from DEA offices, calls between her and another individual about the missing crystal meth led agents and officers to identify the intended recipient of the drug shipment. This individual was also implicated in sales of heroin to undercover officers.

### McDonald's Manager Serves up Cocaine

A McDonald's night shift manager was arrested following a four-month investigation into cocaine sales at the franchise he oversaw on Bruckner Boulevard in the Bronx. During the investigation dubbed "Operation off the Menu," the manager made eight cocaine sales to an undercover officer for nearly \$11,000. The manager brought the undercover officer inside the restaurant at times when only the drive-thru window was open. Two drug sales took place over the restaurant counter with other McDonald's employees nearby. Cocaine was concealed in a cookie bag and placed inside an order of two cheeseburgers, soda and fries. Another sale occurred in the public restroom, where cocaine was stashed in a soap dispenser.

A court authorized search of the manager's home yielded 200 grams of cocaine and approximately \$5,300 cash.

### Police Officer Charged with LIC Cocaine Sales

An NYPD officer was arrested on narcotics charges after two sales of cocaine to an undercover SNP investigator in the vicinity of 38th Avenue and 11th Street in Long Island City, Queens. A six-year NYPD veteran, Jose Sierra was assigned to Housing Bureau Patrol Service Area 7 in the Bronx. He was off-duty during the drug sales, which took place in his 2017 Honda Accord and involved a total of 22 packets of cocaine sold for \$360. Court-authorized searches of the car, a second individual involved in the drug sales and Sierra's home in Flushing, Queens yielded quantities of cocaine, a pistol registered to Sierra and drug paraphernalia. The investigation was conducted with assistance from the Internal Affairs Bureau (IAB) of the NYPD and ICE—Homeland Security Investigations (HSI).

### Dealer Diversifies with Fake Sweepstakes

The ringleader in parallel criminal schemes to traffic in narcotics and defraud elderly victims of hundreds of thousands of dollars was sentenced to 10 years in prison. Ricardo Castang and his co-conspirators coaxed checks totaling over \$300,000 from victims by convincing them they had won the Publishers Clearing House Sweepstakes. All that stood between the "winners" and their prizes was advance payment of fees and taxes. More than two dozen victims from 17 states mailed checks to Castang's home address in Crown Heights, Brooklyn, and a nearby post office. The scheme unraveled after Castang was arrested for importing cocaine from Costa Rica for sale in New York. The investigation revealed he and his codefendants had







*Cocaine seized from sweepstakes scammer.*

transferred over \$480,000 in illicit proceeds from both fraud and drug trafficking to Costa Rica over the course of 2 ½ years. The investigation was conducted by SNP and the DEA's New York Organized Crime Drug Enforcement Strike Force, with assistance from the Manhattan District Attorney's Office.

## Drugs and Guns

### Santino Boderick Sentenced for Role in "GS 9" Gang Warfare

Santino Boderick, a member of the violent Brooklyn street crew "GS 9," was sentenced to 117 ½ to 130 years in prison on 23 charges stemming from his role in gang warfare that roiled New York City and Miami, Fla. Manhattan jurors convicted Boderick of Attempted Murder, Criminal Use of a Firearm and Conspiracy, among other crimes. Members of the East Flatbush-based "GS 9" criminal gang also performed in a rap group known by same name. Rappers Ackquille Pollard, aka "Bobby Shmurda," and Chad Marshall, aka "Rowdy Rebel," were each sentenced to seven years in prison after admitting to their roles in the conspiracy. Members of "GS 9" engaged in wild shootouts with rival crews and endangered innocent bystanders. Attacks were plotted in recorded phone conversations with incarcerated gang members. The proceeds

of drug sales funded gun purchases. Evidence proved Boderick was present at four shootings, including three in which he was a shooter.

### Fugitive Hunt Leads to 40 Pounds of Narcotics

A hunt for a federal fugitive took an unexpected twist when U.S. Marshals Service deputies discovered they had entered the wrong apartment, but found a large stash of heroin, cocaine and fentanyl instead. As the deputies secured an apartment in the Pelham Bay neighborhood of the Bronx, they came across a bag containing more than 20 brick-shaped packages in a bedroom closet and more suspected drugs in the kitchen and a hall closet. Agents also found a loaded firearm and a bulletproof vest. Deputies alerted members of the DEA's New York Organized Crime Drug Enforcement Strike Force, who seized the suspected narcotics pursuant to a search warrant. Laboratory analysis determined the stash contained over 18 kilograms of heroin, cocaine and fentanyl (approximately 40 pounds), and a pound of marijuana. A man and a woman who



*Two "kilo presses" used to package narcotics found by U.S. Marshals Service deputies.*

were inside the apartment with their young child were placed under arrest. The fugitive was found in a different apartment on the same floor.

### **11 Charged: Drug and Gun Conspiracies**

Eleven defendants were charged in the wake of a wiretap investigation into drug trafficking at NYCHA's Eleanor Roosevelt Houses in Bedford-Stuyvesant, Brooklyn. Members of a drug ring headed by twin brothers allegedly made over two dozen sales of crack cocaine to undercover officers. The investigation by SNP, the NYPD and the Brooklyn District Attorney's Office also uncovered plans to carry out a home invasion robbery of a drug trafficker in Rochester, N.Y. and to steal firearms. Police recovered four firearms, approximately two kilograms of powder and crack cocaine (over four pounds), 500 grams of heroin (one pound) and 27 pounds of marijuana, as well as \$110,000 in cash and several luxury automobiles.



*Four firearms were seized, along with crack cocaine, heroin, marijuana and \$110,000 in cash.*

### **Auxiliary Police Officer Charged in Gun Sale**

An auxiliary police officer in the NYPD's 23rd Precinct in East Harlem was among six defendants indicted in sales of heroin, cocaine, anabolic steroids and a firearm. The defendants sold more than \$30,000 worth of drugs to undercover NYPD officers. An additional two kilograms of heroin (4 ½ pounds) worth more than \$500,000, approximately \$11,000 cash and a quantity of steroids were recovered during court-authorized searches. Auxiliary police officer Ramon Espinal allegedly set up a gun sale in texts with a co-defendant. Espinal allegedly wrote, "Have Smith and Wesson it is good quality" and included a photo of a Smith & Wesson 9mm firearm with a discernible serial number. Espinal and the co-defendant agreed to meet that same day. Three weeks later the co-defendant sold the firearm from the photo to an undercover officer.

### **NYC to Albany Supply Chain Disrupted**

Five alleged members of a Brooklyn criminal gang known as the "Outlaws" were arrested for trafficking large quantities of cocaine to Albany. Police seized six guns during the investigation, which began in April 2016 when police learned drug dealers in Albany and Schenectady were traveling to purchase cocaine and heroin from Brooklyn suppliers. The suppliers allegedly conspired to obtain multiple kilogram quantities of cocaine for resale each month, with a single kilogram carrying a price of approximately \$36,000 wholesale. Customers included street-level drug dealers in New York City and in upstate New York. The arrests are the result of a long-term wiretap investigation by the NYPD's Gun Violence Suppression Division, SNP, the Brooklyn District Attorney's Office, the Albany County District Attorney's Office and the New York State Police.



# Alternative Sentencing Division

For addicted criminal offenders, an effective drug treatment program can mean the difference between repeated terms of imprisonment and the ability to lead a productive, law-abiding life. Yet it is not enough to simply conquer addiction. To begin anew, recovering drug users require skills gained through academic and vocational training, along with supportive counseling. The Alternative Sentencing Division has successfully worked with thousands of addicted criminal defendants over the past two decades to provide them with the tools they need to permanently close the door on crime and dependence.

Through SNP's pioneering Drug Treatment Alternatives to Prison (DTAP) programs, highly experienced staff members evaluate offenders to identify those who are likely to reap the benefits of treatment. Eligible candidates are given the opportunity to enter an appropriate program, most often at a long-term residential facility, instead of going to prison. SNP also refers eligible offenders with co-occurring substance use and mental illness disorders to the Manhattan Mental Health Court to provide integrated substance use and mental health treatment.

Residential programs typically last for at least one year and are followed by an additional term of supervision. Offenders who are employed and have strong community ties may be placed into short-term residential programs or, in rare cases, directly into intensive outpatient treatment programs. When offenders enter treatment, their sentences are deferred. Upon successful completion, charges may be dismissed. However, failure to abide by the rules of a program can result in a sanction. If offenders commit a new crime, their original prison sentence may be imposed.

Since October 2009, judges are authorized to place defendants in a court sponsored diversion program. Although a judge determines which addicted felony offenders qualify for these programs, and court staff supervises them, SNP continues to offer its expertise in the screening and monitoring of diverted defendants.

Also in 2009, mandatory prison sentences were abolished or reduced for felony narcotics charges. Since 2011, a substantially lower number of offenders have applied for and been accepted into treatment.

SNP DEFENDANTS ENTERING TREATMENT 2005–2017													
	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
<b>DTAP</b>	169	137	90	114	91	36	7	5	6	1	5	3	2
<b>MTC</b>	156	101	81	76	33	17	6	0	0	0	0	0	0
<b>Diversion</b>					18	99	68	73	74	71	66	87	77
<b>Total Treatment</b>	325	238	171	190	142	152	81	78	80	72	71	90	79
<b>Indictments/SCI</b>	2,424	2,178	1,974	1,703	1,595	1,376	1,293	1,373	1,364	1,228	1,200	1,338	1,219
<b>% Indictments/SCI diverted</b>	13%	11%	9%	11%	9%	11%	6%	6%	6%	6%	6%	7%	6%

# Legal Training Unit

The Legal Training Unit develops and implements the professional training curriculum offered to Assistant District Attorneys. The unit selects speakers, lectures and workshops to address topics that include investigatory and prosecutorial techniques, legal procedures, changes in the law and effective approaches to the prosecution of felony narcotic and related crimes.

In 2017, the Legal Training Unit offered a professional development series and numerous lectures throughout the year to both experienced and new assistant district attorneys. Presentations included: *Blind/Blinded Photo Arrays & How You Litigate Them*; *The Art and Practice of Conducting Surety Exams*, *Video Surveillance: The Latest in Technology*, *Case Law*, and *Practical Use as Evidence*; and *Chain of Custody in Narcotics Cases*, among others.

The training curriculum complies with the regulations and guidelines of the New York State Continuing Legal Education Board. The office has been a New York State CLE Accredited Provider since 2000.

For over a decade, SNP has devoted a portion of its resources to training programs offered to hundreds of local and federal enforcement and criminal justice personnel in New York and other areas of the country. Senior staff members lecture on narcotics investigations and prosecutions at the New York State District Attorney's Association (DAASNY) Summer College, the DAASNY Winter Conference, the New York Prosecutors Training Institute (NYPTI), the New York Police Department's Police Academy, Organized Crime Control Division and Narcotics Division, the DEA's New York Drug Enforcement Task Force (DETF), and the New York/New Jersey High Intensity Drug Trafficking Area (HIDTA).



Director of Training Kathryn M. Spota and Legal Assistant Thomas J. Nugent.



Assistant District Attorneys attend a training on NYPD records searches.



Chief of Investigations Joseph J. Tesoriero leads a CLE entitled *Obtaining and Using FinCen Information*.



---

# NYPD Special Narcotics Prosecutor's Unit



The New York City Police Department (NYPD) has assigned a team of detectives to the office since 1972. The Special Narcotics Prosecutor's Unit, as it is known, is under the command of a senior NYPD lieutenant who serves as a liaison between SNP and the Detective Bureau's Criminal Enterprise Division.

Expert at tracking, safekeeping and presenting electronically recorded evidence, the detectives also provide support on search warrant investigations and maintain citywide repositories for electronically recorded evidence and SNP search warrants.

## Search Warrants

The unit prepares search warrants and affidavits and expedites requests through SNP. Detectives keep track of all confiscated evidence and maintain a database on arrests and seizures resulting from the execution of search warrants. The unit also educates new investigators on search warrant procedures. In 2017, the unit processed 1,709 search warrants.

## Digital Media Evidence

The unit tracks and controls "chain of custody" for electronic media evidence and makes certain that all audio/video evidence is secure. Additionally, the unit is responsible for the creation and testimony of grand jury/trial wiretap composite recordings and processes digital photographic evidence and data evidence.

In 2017, the unit registered 976 pieces of audio/video evidence, 1,291 pieces of wiretap media evidence and 295 pieces of data and photographic evidence. The unit also prepared, created and registered 3,655 duplicate copies of registered electronic media evidence. Editing of original video evidence to protect the identity of undercover officers and make compilations of original evidence was performed 98 times in 2017.



*Members of the NYPD Special Narcotics Prosecutor's Unit are assigned by the Detective Bureau's Criminal Enterprise Division.*

---

# Support Services Units

## Fiscal

All agency fiscal activities, including the production and submission of funding requests to federal, state and city funding agencies, and the monitoring of expenditures, fall under the responsibility of the Fiscal Unit. To that end, the unit assesses and approves purchases and payment vouchers, disbursement of funds, such as petty cash, and payroll coordination; enforces fiscal policy; conducts internal audits; and reviews and approves agency procurements.



*Members of the Fiscal Unit submit funding requests and oversee expenditures.*

## Human Resources

The Human Resources Unit oversees and implements procedures related to the assignment or transfer of Assistant District Attorneys from the offices of the five county District Attorneys and the recruitment of



*Human Resource professionals administer payroll and benefits for agency staff.*

managerial, administrative and clerical personnel. Unit staff participates in planning, developing and executing employee programs and policies for all staff. The unit disseminates information on mandatory programs and policies for all city agencies and monitors implementation of procedures; provides facts on citywide policies and labor relations issues; and maintains time and leave records for all staff. The unit is responsible for the bi-weekly distribution of paychecks and serves as liaison with the citywide payroll management system.

## Public Information

The Public Information Unit responds to inquiries from members of the media, government agencies, advocacy groups and individuals on the status of cases, legal decisions, legislative action, citywide drug trafficking trends and joint enforcement efforts. Press releases, reports and testimony are prepared and distributed through the unit. The agency's website and social media accounts are also maintained by the unit.

## Community Outreach

The Community Outreach Coordinator meets with community and religious leaders, block associations, the New York City Housing Authority and other groups to address local drug problems, while conferring regularly with NYPD officials to devise strategies to combat crime. Once an investigation is completed and a drug organization is removed from a building or neighborhood, resources are devoted toward providing community support services. Additionally, experienced prosecutors offer lectures to schools and youth groups, serve as mock trial coaches and speak at career days.



## Information Technologies (IT)

Information Technology develops, establishes and administers SNP's computer and telecommunication systems. The unit identifies needs and puts in place systems that effectively merge technology with office processes, and provides a variety of case-related services.

**Digital Forensics and Litigation Support:** provides pre-trial and in-court technology support, including recovery and examination of evidence from electronic devices, trial exhibit preparation and presentation.



*The Digital Forensics Unit assists in gathering evidence for investigators.*

**Application Development and Support:** develops, maintains and supports computer software.

**Technical Support:** supports staff in using electronic devices and addresses technical problems.



*IT professionals perform application development and provide infrastructure support.*

**Records Management:** files, registers and maintains a record of closed and bench warranted case files and processes parole requests.

**IT Infrastructure Support:** oversees servers, computers, networks, computer storage, email and data backup maintenance and support.

**Case Information:** captures and tracks data pertaining to all cases prosecuted by the office, from arrest to disposition. The unit prepares regular reports and ad hoc reports on narcotics activities, and statistical analyses. Unit staff is assigned to the Trial Division to coordinate data capture and provide additional support.

## Trial Preparation Assistants (TPAs)



*TPAs support the work of each legal division in the office.*

Trial Preparation Assistants (TPAs) are assigned to the Investigations Division, the Trial Division, Part N and the Alternative Sentencing Division. Investigation and Trial Division TPAs track cases, maintain case records and gather reports and legal papers required by Assistant District Attorneys. Additionally, they make arrangements for prisoners to be produced in court and help Assistants prepare for grand jury and trial presentations. Alternative Sentencing Bureau

TPAs interview defendants who are diverted to treatment and track their progress. Part N TPAs assist in tracking plea offers, grand jury actions and case dispositions that take place in the Part.

### **Criminal and Investigative Analysts**

Analysts are instrumental to all stages of investigation and prosecution, using the most current technology available to enhance a case from its inception through trial. Evidence from various sources is analyzed, including telephone communication carriers, social media sources, Treasury Department data and prescription drug-related data. Analysts prepare and process subpoenas, provide background searches using public records and law enforcement specific databases, prepare investigative reports and act as points of contact for law enforcement. During the presentation of a case, analysts prepare trial exhibits and testify in the grand jury and at trial.



*Analysts are instrumental to all stages of investigation and prosecution.*

### **Extraditions/Detainers**

The unit administers the return of fugitives apprehended or in custody in other jurisdictions and in foreign countries that have extradition treaties with the United States.

### **Grand Jury Reporters**

Grand Jury Reporters record, produce and maintain transcripts of confidential testimony presented before the grand juries.

### **Interpretation and Translation Services**

The unit interprets and translates for non-English speaking witnesses in debriefings with investigators and Assistant District Attorneys, and during testimony before the grand jury; provides written translation and transcription services for evidentiary consent and wiretap recordings that contain dialogue in a foreign language; and provides translation of foreign language documents.

### **Operations**

The Operations Unit is responsible for office maintenance, reproduction of documents, mail delivery, messenger services, housekeeping requests, office supply inventory and disbursement.



*The Operations Unit keeps the office running smoothly.*



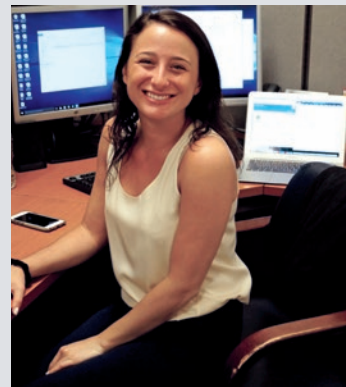
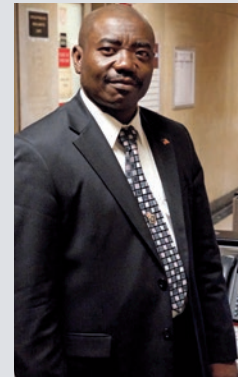
# The People of SNP

## Holiday Party 2017





## Around the Office





---

# Executive & Legal Staff

**Bridget G. Brennan**  
Special Narcotics Prosecutor

**Steven M. Goldstein**  
Chief Assistant District Attorney

**Joseph J. Tesoriero**  
Executive Assistant District Attorney  
Chief of Investigations

**Lisa DePasquale**  
Chief of the Trial Division  
Chief of Alternative Sentencing

**Peter M. Kougasian**  
Counsel to the  
Special Narcotics Prosecutor

**Thomas G. Van Noy**  
Administrative Assistant  
District Attorney

**Paul H. Harvey**  
Deputy Chief, Trial Division  
Deputy Bureau Chief, 40/50

**Rhonda Ferdinand**  
Special Assistant District Attorney  
for Drug Prevention and Policy

**Kathryn M. Spota**  
Director of Legal Training

**Steven R. Miller**  
Deputy Chief, Trial Division  
Deputy Bureau Chief, 40/50

**Edward Burns**  
Bureau Chief, 30/60

**Lisa M. Tompkins**  
Chief, Special Investigations Bureau

**Jeffrey Linehan**  
Chief, Prescription Drug  
Investigation Unit

**Jannine Rowser**  
Deputy Bureau Chief, 30/60

**Bernice Ordonez**  
Deputy Chief,  
Special Investigations Bureau

**Tess Cohen**  
Deputy Chief, Prescription Drug  
Investigation Unit

**Nigel I. Farinha**  
Co-Chief, Narcotics Gang Unit

**Eryck Kratville**  
Chief, Heroin Interdiction Team  
Senior Supervising Attorney

**Clark S. Abrams**  
Money Laundering and  
Financial Crimes Coordinator

**Susan N. Lanzatella**  
Co-Chief, Narcotics Gang Unit

**Andres Torres**  
Senior Supervising Attorney,  
Special Investigations Bureau

**Marcel J. Philippe**  
Chief, Forfeiture Unit

**Kathleen V. Doyle**  
Senior Supervising Attorney,  
Trial Division

**William Cook**  
Chief Investigator

**Kati Cornell**  
Public Information Director

**Calvin Solomon**  
Director of Community Outreach

## NEW YORK COUNTY

Clark S. Abrams  
Justin Ashenfelter  
Kristin Bailey  
Amy Boddorff  
Jakub Brodowski  
Edward Burns  
Gabriel Cohen  
Tess Cohen  
Lisa DePasquale  
Lauren Di Giovanni  
Michael Di Paolo  
Kathleen V. Doyle  
Christopher C. Edel  
Nigel I. Farinha  
Rhonda Ferdinand  
Nancy Frigo  
Steven M. Goldstein  
Katherine Gora  
Timothy J. Hiel  
Daniel P. Hughes

Imani Hutty  
Joseph T. Ippolito  
Zareen Iqbal  
Karolina Klyuchnikova  
Daniel J. Koevary  
Peter M. Kougasian  
Eryck Kratville  
Susan N. Lanzatella  
Christopher Lin  
Jeffrey Linehan  
Catherine Lloyd  
Lauren Manso  
Nicholas J. Mauro  
Scott Miller  
Stephanie Minogue  
Mark Mohr  
Angie Morelli  
Quentin J. Morgan  
Gregory D. Morril  
Brian T. Noel

Bernice Ordonez  
Jonny Peña Nuñez  
Hannah R. Perlman  
Marcel J. Philippe  
Matthew C. Reinhardt  
Jannine Rowser  
Kathryn M. Spota  
Lauren Stoia  
Jill Streja  
Joseph J. Tesoriero  
Kristen Tessmer  
Andres Torres  
Daniel J. Tyrrell  
Thomas G. Van Noy  
Thomas J. Wright  
Brandon Young  
Eric Yuen

## BRONX COUNTY

Erik J. Aho  
Kate Christobek  
Brian J. Rodriguez  
Lisa M. Tompkins

## KINGS COUNTY

Eric L. Kang  
Anju Malhotra  
Steven R. Miller  
Mary E. Monahan  
Leslie Ransdell  
Edward F. Treat

## QUEENS COUNTY

Paul H. Harvey

## RICHMOND COUNTY

Ann Heo  
Kirstin Krueger

---

# Managerial & Support Staff

## ADMINISTRATIVE MANAGEMENT AND SUPPORT

Stefany A. Brown-Paulino, *Manager*

### Grand Jury Reporters Unit

Biana Akselrod  
Jodi Arnold  
Carol Bach  
Susan Gieras  
Bonnie Greenstein  
Mireille Monestime  
Reva Palmer

### Interpretation and Translation Services

Lucia Falcon-Palomar  
Rosa Ruales  
Luis Vernon

### Operations

Brian Benning  
Albert Nichols

## ALTERNATIVE SENTENCING DIVISION

Rochelle Davis, *Supervising TPA*  
Akua Akoto  
Andrea Obregon

## COMMUNITY OUTREACH

Calvin Solomon, *Director*

## EXECUTIVE SUPPORT

Carla Jenkins  
Hysa Moultrie-Miller  
Ana Pichardo  
Sarah Glasser, *Legal Assistant*  
Thomas J. Nugent, *Legal Assistant*

## EXTRADITIONS/DETAINEES

Carla Jenkins, *Coordinator*  
Renee Williams

## FISCAL

Lei Yuan, *Chief Financial Officer*  
Krisna Ramkhelawan, *Deputy Director*  
Jacky Leung  
Ewelina Malysza  
Anastasia Sukhetskaya  
Shirley Tam  
Tania Zohora

## GRAND JURY WARDENS

SCO Christopher Stottmann  
CO Jason Guisao  
CO William Ruiz

## HUMAN RESOURCES

Beatrice Miller, *Director*  
Craig Jelen,  
*Deputy for Payroll Services*  
Lisa Thomas,  
*Deputy for NYCAPS/Compliance*  
Sylvia Fernandez  
Diane Johnson  
Henry Polanco

## INFORMATION TECHNOLOGY

Benjamin Azaraev,  
*Chief Information Officer*

### Digital Forensics and Litigation/Technical Support

Gregory L. Wilson,  
*Deputy in Charge*

### Digital Forensics and Litigation

Jeremy Horowitz  
Anthony Lin  
Victor Roman

### Technical Support

Joseph Cullen, *Supervisor*  
Asia Dinkins  
Anthony Lin

### IT Infrastructure/ Application Development and Support

Christopher Spies,  
*Deputy in Charge*

### Application Development and Support

Philip Imperiale  
Hanyu Xiong

### IT Infrastructure Support

Patrick Florestal

### Case Information

Michelle Myton, *Supervisor*  
Jocelyn Pilotin-Lazar,  
*Deputy Supervisor*  
Anne Roy, *180.80 Coordinator*  
Desiree Creary, *Part N*  
Debra Daniels  
Alisa Figueroa  
Regina Mavasheva  
Edward Montes  
Taurean Morrell  
Pilar Quinones  
Victor Rodriguez

## INVESTIGATIONS DIVISION

### Special Investigations Bureau

Diana Valentin

### Trial Preparation Assistants

Cindy Cintron, *Supervising TPA*  
Jenilee Briones  
Whitley Daniels  
Irina Diaz, *TPA/Junior Analyst*  
Sonia Hira  
Jessamyn Lockard  
Peter Plumey

### Investigative Analysts

Mariella D. Chilmaza, *Supervising Investigative Analyst*  
Christian Bermudez  
Leesa Boireau  
Andrew Cabrera  
Tatiana Choong  
Jonathan Courtney  
Jacquelyn MacMurray  
Sara Meziani  
Leonard Rizzo

### Forfeiture Investigations Unit

John Polizzotto, *Coordinator*

### Narcotics Gang Unit

Christopher Torres, *Senior TPA*

### Investigative and Trial Support Specialist

William Reeves

## INVESTIGATORS UNIT

William Cook, *Chief Investigator*

### Investigators Unit Support

Belinda McNeill

## NYPD SNP UNIT

Lt. Alfred Vitale  
Det. Todd Cracco  
Det. Christopher R. Henderson  
Det. Jeffrey Lehn

## PUBLIC INFORMATION

Kati Cornell, *Director*

## TRIAL DIVISION

### Trial Preparation Assistants

*Bureau 30/60*  
Philip Lambert, *Supervising TPA*  
Carolyn Amores  
Zoe Waldman  
*Bureau 40/50*  
Maddalena Coppola, *Supervising TPA*  
Chanmattie Panlall

### Bureau Coordinators

Karen Johnson  
Renee Williams



---

**Managing & Copy Editor:**

Kati Cornell

**Editors:**

Thomas J. Nugent

Thomas G. Van Noy

Craig Jelen

**Photography and Graphics:**

Thomas J. Nugent

Elliott Tran

Joseph J. Tesoriero

U.S. Drug Enforcement Administration, New York Division  
Office of the Special Narcotics Prosecutor, Investigators Unit  
New York City Police Department  
New York State Police

**Design:**

Vanguard





**RICK D. CHANDLER, P.E.  
COMMISSIONER  
NEW YORK CITY DEPARTMENT OF BUILDINGS**

**HEARING BEFORE THE NEW YORK CITY COUNCIL  
COMMITTEES ON HOUSING & BUILDINGS AND FINANCE  
ON THE FISCAL YEAR 2019 EXECUTIVE BUDGET**

**May 14, 2018**

---

Good afternoon, Chairs Cornegy and Dromm, and members of the Housing & Buildings and Finance Committees. I am Rick Chandler, Commissioner of the New York City Department of Buildings. I am joined by First Deputy Commissioner Thomas Fariello, Deputy Commissioner for Finance and Administration Sharon Neill, Assistant Commissioner for External Affairs Patrick Wehle and other members of my senior staff.

I am pleased to be here to discuss the Department's Executive Budget and the progress the Department has made on its plan for fundamental reform, *Building One City*, which includes numerous initiatives to enhance public and worksite safety, reduce wait times and delays, and modernize all aspects of the Department's operations. In the interest of time, I will primarily be sharing updates since the Preliminary Budget Hearing in March.

The Executive Budget allocates approximately \$203 million in expense funds to the Department. Of this, approximately \$149 million is for Personal Services ("PS"), funding 1,854 budgeted employees, and \$53 million is for Other Than Personal Services ("OTPS").

The Department is a revenue generating agency. The revenue forecast for the Department is approximately \$301 million, which does not include an estimated \$66 million in penalties collected resulting from Department-issued summonses adjudicated before the Office of Administrative Trials and Hearings ("OATH").

**A Faster, More Responsive and More Transparent Department**

The Department has made significant progress in improving service to its customers, all while facing a scale of construction unparalleled in the City's history.

In Fiscal Year 2017, the Department issued nearly 166,000 initial and renewal permits combined, a 3% increase from Fiscal Year 2016 and a 12% increase from Fiscal Year 2015. Of those permits, 109,724 were initial building permits, including 2,163 new building permits and 107,561 alteration permits. The remaining 56,183 were renewal permits. It should also be noted that the Department issued 2,030 demolition permits last year, which shows that construction activity throughout the City has shown little sign of abating.

Despite the uptick in construction activity, I am proud to report that our service levels continue to improve.

Our plan review times have decreased significantly across the board since Fiscal Year 2015 to Fiscal Year 2017:

- The average time to complete first plan reviews for New Building and Major Alteration applications decreased by more than 9 days, from 15 days to 6 days;
- The average time to complete first plan reviews for New Building applications filed through the Hub, which allows for the electronic filing of plans, decreased by 13 days, from 18 days to 5 days; and
- The average time to complete first plan reviews for Major Alteration applications filed through the Hub decreased from 16 days to 5 days.

The Department is also responding to complaints expeditiously. We received 16,591 Priority "A" complaints in Fiscal Year 2017. These complaints capture violating conditions that if occurring, present an immediate threat to the public and include unsafe demolition, building instability and improper egress. While our target to respond to these complaints is 24 hours, we currently respond within 8 hours of receipt and within two hours for the most serious cases.



We also received 74,240 Priority “B” complaints in Fiscal Year 2017. These complaints capture violating conditions that if occurring, while serious, do not present an immediate threat to the public. These include complaints of excessive construction debris, cracked retaining walls, and tampering with posted notices. While our target to respond to these complaints is 40 days, we currently respond within 9 days.

These tremendous gains are the result of the hard work and dedication of our inspectors and the use of data analytics to better target our resources, and DOB NOW Inspections, which is a platform that provides online scheduling for virtually all inspections, making it easier to schedule inspection appointments and improve inspection tracking and notifications.

One of the most important outcomes of the Mayor’s increased investment in the Department is the increased capacity to analyze and use data. The Department has always collected data, but now we are able to marshal this information to improve operations and better inform the public about our work.

In November 2017 we launched the New York City Construction Dashboard, which is a data-rich interactive quarterly report on construction and real estate development in every neighborhood in the City.

In addition to the Dashboard, our data analytics team is also providing the public with a series of topical subject area reports, including our Citywide Façade Safety & Sidewalk Shed Report, a real-time sidewalk shed map, and a recently released elevator report, which includes the current status and vital statistics of the city’s over 84,000 elevators.

Finally, to better serve the public, we recently announced the launch of a new webpage with current wait times at our public offices to enable our customers to plan ahead for their trips to the Department.

### **Construction Safety**

The Department is committed to promoting safe and compliant construction and improving quality of life for all New Yorkers. The Department engaged in a number of initiatives to promote safe construction during Construction Safety Week, which was last week. This included Department staff visiting construction sites to promote safety during our multi-lingual *Experience is Not Enough* campaign, which emphasizes the importance of safety and is intended to remind workers that they must use proper fall protection.

During Construction Safety Week, the Department also hosted its annual Build Safe | Live Safe Conference on May 10<sup>th</sup>. Hundreds of construction professionals attended Department-led seminars, where they learned about the latest accident trends and best practices for improving safety.

There were twelve fatalities on building construction sites last year, a number that has regrettably remained constant over the past three years. Injuries have increased by nearly 40%, from 472 in 2015 to 666 in 2017. There are several explanations for the increase in injuries, including increased construction activity, and required safety professionals on more construction sites reporting accidents that have previously gone unreported. However, a lack of safety training for construction workers could also be a cause of accidents.

The Department continues to work hard to implement the sixteen local laws passed last year that focus on improving construction safety, including Local Law 196.

Local Law 196, when fully phased-in, will require that workers at certain job sites receive 40 hours of safety training and that supervisors at certain job sites receive 62 hours of safety training. The Department issued a curriculum on the course topics that satisfy this training requirement last week. The course topics were decided upon after the Department received recommendations from a task force mandated by the law. The curriculum is being shared broadly so course providers can submit their curriculum to us for approval, and the important work of providing safety training for workers can continue.

#### **Vigorous Enforcement and Holding Bad Actors Accountable**



The Department received and responded to nearly 90,000 priority “A” and “B” complaints from the public in Fiscal Year 2017, and together with the 156,000 development inspections completed in that timeframe, the Department issued approximately 66,000 OATH/ECB summonses – an increase of almost 27% from Fiscal Year 2015, when the Department issued approximately 52,000 OATH/ECB summonses.

Behind these numbers is our commitment to all New Yorkers that we will vigorously discipline bad actors in the construction industry. Our enhanced information technology and data analytics capabilities have improved our ability to target resources where the greatest risk exists and to identify bad actors.

In February, the Department issued its first monthly Enforcement Action Report. This report, which has been well received, details the Department’s actions to sanction and deter bad actors in the construction industry through the enforcement of safety laws and codes of conduct for construction professionals.

The Department has also been quite active issuing more licenses to construction professionals representing the 25 trades we license or register. The Department issued 3,120 licenses in 2016 and 4,371 licenses in 2017. The increase can be attributed in part to an increase in Construction Superintendent and Journeyman Plumber licenses. We expect this number to continue to grow as we add three license types over 2018 and 2019. In an effort to improve the City’s collection of penalties associated with OATH/ECB summonses, the Department is requiring that all applicants for a license or license renewal pay any outstanding penalties before being issued a license. This effort has resulted in the collection of \$3.7 million over the last two years.

We are also regularly taking action to suspend and/or revoke the licenses, registrations, or filing privileges of professionals who work unsafely and put their lives and the lives of others at risk. Earlier this month, the Department announced the permanent revocation of the license of crane operator Kevin J. Reilly, whose actions led to the fatal crane collapse on Worth Street in Tribeca

in 2016. The Department also issued multiple summonses to Mr. Reilly as a result of the collapse, with a total of \$52,000 in penalties imposed.

The Department is also part of the City's Tenant Harassment Prevention Task Force, a partnership between multiple City and State agencies in which cellar-to-roof inspections are performed, investigations identify bad actors and the appropriate enforcement actions are taken. Separately, the Department also partners with the Department of Housing Preservation and Development in performing inspections. Over the past two years, over 1,800 inspections have been conducted, resulting in the issuance of 1,300 summonses, 47 partial or full stop work orders and 30 partial or full vacate orders.

The Department recently received \$5.2 million in funding to strengthen its ability to protect tenants from construction harassment. The additional 75 positions provided relating to tenant protection legislation include inspectorial, administrative and technical staff. This funding and these positions will help the Department implement the twelve local laws passed last session that seek to address the use of construction to harass tenants. We are actively advertising and recruiting to fill these lines.

### **Streamlining the Development Process**

I would now like to turn your attention to the Department's work in connection with the development process. There has been substantial improvement in wait times for development inspections despite increases in the number of inspection requests. In Fiscal Year 2017 the Department conducted 156,000 development inspections, up over 12% from 139,323 inspections in Fiscal Year 2015. The average wait time for a development inspection since Fiscal Year 2015 fell by a day from 4 days to 3 days.

The Department has deployed a number of strategies to further improve upon these plan review service levels, including increasing its plan examiner workforce. The Department also created a supervisory position, Assistant Chief Plan Examiner, to monitor productivity and the quality of plan reviews.



In addition to hiring more plan examiners, the Department has published on its website Project Guidelines. A common refrain from the industry has been that the plan examination process was too unpredictable, varying widely from borough to borough and project to project. In order to ensure our customers receive consistent answers, the Department developed and is publishing a series of plan-exam guidelines for a wide variety of projects. These guidelines, with specific versions for property owners and design professionals, detail the items that must be provided when submitting construction documents and filing for permits. We also use these same guidelines to train our staff, helping to ensure predictable and consistent reviews. The Department has also hired more Project Advocates to assist customers in navigating the project planning and construction processes, free of charge.

The multi-year replacement of the Department's core information system is progressing as we continue to shift additional filing types off the mainframe system that the Department has relied on for over thirty years to a new browser based system called DOB NOW. Upon completion, customers will be able to perform virtually all interactions with the Department online and the system will also result in increased transparency both externally and internally.

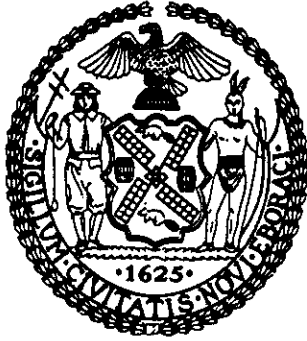
Concerning our Construction Codes, the Department is not only embarking on its periodic revision, which will involve the hard work of over 500 industry and agency participants, we are also moving forward with creating two entirely new codes.

Following the Mayor's direction to simplify the codes to make compliance easier, the Department has kicked off a research effort with the goal of developing recommendations for a code to specifically address work on existing buildings. Currently, when performing construction in an existing building, one or all of a myriad of local and State codes need to be adhered to. An Existing Building Code will improve ease of use by consolidating all the requirements in one place.

To address the need for regulation on waterfront properties, the Department is undertaking an effort to develop code requirements for waterfront structures. While current Construction Code

and national code requirements address building construction generally, current regulations do not specifically address design and construction requirements for waterfront structures such as piers, wharves, and sea walls, which can serve as the foundation for new building construction on water.

While we are proud of our progress thus far, there is more work still to be done. We thank the Council for its support and look forward to continuing our work together to improve the Department for the benefit of all New Yorkers.



**Testimony by  
Commissioner Maria Torres-Springer  
New York City Department of Housing Preservation and Development  
Before the New York City Council Committees on Housing & Buildings and on Finance**

**Fiscal Year 2019 Executive Budget Hearing**

**May 14, 2018**

Good morning, Chairman Cornegy, Chairman Dromm and members of the City Council Committees on Housing and Buildings and on Finance. My name is Maria Torres-Springer, and I am the Commissioner of the New York City Department of Housing Preservation and Development (HPD). I am joined by our Deputy Commissioner for Financial Management and Tenant Resources Eva Trimble, and our Assistant Commissioner for Government Affairs Francesc Martí, as well as several members of HPD's senior staff.

I want to thank both Chair Cornegy and Chair Dromm for your leadership, and in particular, I want to thank Chair Cornegy for his partnership to ensure New Yorkers receive the housing assistance they need. Just a few weeks ago, we held a Homeownership Resource Fair with Chair Cornegy in Bedford-Stuyvesant. We deployed our new HPD Outreach van and connected over 60 New Yorkers with information about HPD and the many programs and services available to existing and aspiring homeowners. For any members who might be interested, we will be launching the second year of *HPD in Your District*, where representatives from our Office of Enforcement & Neighborhood Services spend a Wednesday in Council Members' district offices, providing one-on-one education and assistance to tenants and owners. Members also have the option of mobilizing the HPD Outreach Van, our new mobile office, on the same day at a location of your choice. So I encourage you to reach out to our team if you haven't already to set up a day for HPD to be in your district this summer.

Thank you for the opportunity to testify on HPD's Fiscal Year 2019 Executive Budget and how this funding will help us to achieve our agency's goals. First, I will provide an overview of HPD's budget, covering some of the recent wins on the federal front, before describing the challenges that remain on the horizon and the agency's key priorities in the coming year. I am then happy to take time at the end to answer any questions you may have.



## **FY2019 Executive Budget Overview**

HPD's budget relies on significant investment from the City and Federal governments. HPD's Fiscal Year 2019 Executive Budget is approximately \$924 million. However, this includes about \$130 million in pass-through funding for NYCHA. So aside from this pass-through funding, HPD's true expense budget is about \$794 million for FY2019.

Of this \$794 million total, approximately \$120 million comes from City funds and about \$670 million comes from federal funds. That means 84% of HPD's expense budget is federally-funded. This huge proportion of federal versus City funding in the agency's budget is important because when we seek to save City tax dollars—as we are constantly trying to do—the amount we can save is limited because so many of our programs are restricted by federal requirements. City funding, especially City Tax Levy, is critical for strengthening areas not otherwise eligible for federal grant funding. We are thankful for the important role that City resources play in our expense budget, especially in light of the challenges that remain on the federal front.

### **Recent Victories & Ongoing Challenges on the Federal Front**

In February, when we presented our FY19 Preliminary budget to the Council, we highlighted the threat of cuts to critical federal funding and its potential impact on HPD. I'm glad to say that for the first time in decades, Congress has increased the federal resources available for affordable and public housing, recognizing the critical role that housing plays in our lives, our communities, and our economy. This funding package represents additional resources for the many programs—Community Development Block Grants (CDBG), the HOME Investment Partnership Program, Section 8, and the Low-Income Housing Tax Credit (LIHTC).

While we don't yet know what the specific impact will be for New York City and HPD in particular, for Fiscal Year 2018, CDBG is getting an 8% boost nationally. HPD uses CDBG dollars to fund our code enforcement efforts, which include housing inspections, litigation against bad actor landlords, and emergency shelter for people who have to leave their homes for safety reasons. CDBG is critical to helping us ensure a basic standard of living for New Yorkers. After years of cuts, HOME received a 43% boost in the FY18 spending bill. At HPD, we use HOME to help build special needs housing, fund rental assistance for homeless families, and offer first-time homebuyers down payment assistance. So, this will help a wide range of New Yorkers, from our most vulnerable neighbors to those seeking a pathway to homeownership and the wealth-building benefits that brings for families. And for the first time in a long time, the FY18 budget provides enough funding to fully fund all of our Section 8 vouchers, which as you know is an incredibly important tool that provides housing stability for some of the lowest-income New Yorkers.

This outcome would not have been possible without the fierce and steadfast advocacy of our partners across the country, including members of the Council. While this is good news to be sure, the fight is far from over. It seems that just as they give with one hand, they try to take with the other. While we will continue to focus on the ongoing risk of budget cuts, today, one of the biggest threats on the federal front is HUD's recently released proposal to dramatically deteriorate America's social safety net by raising rents on our lowest income families and

allowing Public Housing Authorities (PHAs) and landlords to impose work requirements. The Making Affordable Housing Work Act of 2018 would dramatically raise rents on some of the most vulnerable Americans living in public housing, 202 elderly properties, 811 properties for people with disabilities, Project Based Rental Assistance-supported properties and households with Section 8 rental assistance vouchers.

More than 300,000 households in New York City rely on the types of HUD programs impacted by this proposal. The majority of New Yorkers living in HUD-assisted housing are elderly, disabled, or very low-income families with children. Goals of economic mobility and self-sufficiency are important, and there are already HUD programs that help achieve these goals, including the Family Self-Sufficiency Program, ROSS, and Jobs Plus initiatives.

In addition to the catastrophic impacts to the 1 in 14 New Yorkers who live in public housing, more than 125,000 households in New York City use Section 8 rental assistance, including 39,000 households who receive assistance administered by HPD. The average income of these households is approximately \$17,000. Nearly half of these residents are either elderly or disabled. More than one-quarter are families with children. The average household that is not elderly or disabled would see an average rent increase of 18%, or nearly \$100 per month.

The proposal would eliminate deductions for child care expenses, medical expenses, and dependent care expenses for purposes of income calculation for recipients of HUD rental assistance, and then also raise the percentage of income paid for rent for all households who are not elderly or disabled from 30% to 35%. That translates to more than 22,000 senior households, some of whom are also disabled, losing their medical expense deduction. And 17,000 working families would lose their child care expense deduction, adding to rent burden and providing an obstacle to employment.

The bottom line is these reforms hurt the most vulnerable among us: the elderly, disabled, and working families. They are unacceptable, and we will be advocating with our partners, and all of you to fight these policy proposals.

### **Priorities in Fiscal Year 2019**

While we continue to be very focused on fighting to defend federal programs and policies that are critical to our work, we are also pushing forward on the broad goals of Housing New York with renewed energy. Four years into the plan, we had established a new baseline for how affordable housing can and should be built in New York City. Already, this administration has financed 87,775 affordable apartments, a third of which serve individuals making less than \$36,550 per year, or \$47,000 for a family of three.

Building on that momentum, in November 2017, we accelerated and expanded the plan to create and preserve 300,000 affordable homes by 2026—two years ahead of schedule and with 100,000 more homes than initially planned. To achieve that expanded goal, we released an update to the plan, *Housing New York 2.0* that offers a suite of new programs, partnerships, and strategies to help thousands more families and seniors afford their rent, buy a first home, and stay in the neighborhoods they love.

Since then, we've been hard at work to move those initiatives forward. In recent weeks, we launched a new 'Aging in Place' pilot program to make changes to both apartments and common areas in buildings HPD preserves that will prevent falls, increase visibility and security, and ease the lives of residents. Part of our broader Seniors First initiative, this program offers a holistic approach to allowing residents to age in place more comfortably and safely.

We continue to advance the City's Neighborhood Pillars Program, designed to help non-profit and community based organizations acquire rent stabilized buildings unregulated by the City in an effort to protect tenants and stabilize communities. We recently released a Request for Qualifications, which will create a pipeline of qualified buyers to be used by numerous HPD preservation programs, including Neighborhood Pillars. Qualified non-profit organizations will be eligible to receive additional financial and technical assistance.

And this fall, we are looking to roll out our new Partners in Preservation initiative to develop comprehensive anti-displacement strategies in changing neighborhoods. HPD will pair available data with the on-the-ground experience and work of community-based organizations to tailor strategies, including tools to address harassment and disrepair, anti-eviction legal services; homeowner assistance; etc. in neighborhoods identified as most risk of losing affordability. This program draws on an ever-expanding toolkit to fight displacement and tenant harassment, thanks to the leadership and collaborative efforts with the Council. The agency will be implementing both the Certification of No Harassment and Speculation Watch List in the coming year, tools that will be instrumental in protecting tenants from harassment and speculative behavior.

These are just a few of the HNY 2.0 initiatives that we will continue to advance in the coming fiscal year.

Another area of priority will be the implementation of *Where We Live NYC*, the City's comprehensive fair housing planning process. HPD is partnering with the New York City Housing Authority (NYCHA) to study, understand, and address patterns of residential segregation and how these patterns impact New Yorkers' access to opportunities – including jobs, education, safety, public transit, and positive health outcomes.

Despite the federal government's decision, earlier this year, to delay implementation of a requirement that cities, states, and public housing authorities perform an Assessment of Fair Housing or AFH if they want to receive federal funding, New York City is committed to pushing forward with a data-driven, collaborative fair housing planning process consistent with the original intent of the AFH. As part of this process, we will examine how residential living patterns relate to jobs, economic opportunity, education, safety, public transit, positive health outcomes, and other opportunities. We also seek to better understand the needs of specific groups of New Yorkers protected by fair housing law – including but not limited to immigrants, people with disabilities, seniors, LGBTQ individuals, and individuals with different racial, ethnic, and religious backgrounds – to determine how we can promote greater access to opportunity for all.



The process involves close coordination with a number of government partners to ensure this fair housing planning process meaningfully builds on existing City efforts and extends beyond housing to look at how residential living patterns relate to New Yorkers' access to opportunities. *Where We Live NYC* will culminate with the release of a public report that will be informed by extensive community participation as well as data and policy analysis. We'll be looking to community stakeholders and members of the Council for your local expertise to help us identify and prioritize the factors that contribute to segregation and disparities in access to opportunity, and provide input on goals and strategies the City can implement moving forward.

At the same time, we continue to work closely with DSS to advance the goals of NY15/15, the Mayor's commitment to create 15,000 supportive housing apartments over 15 years. We appreciate Speaker Johnson's support for these efforts. Supportive housing is a proven, effective model that saves public dollars while helping to fulfill the City's moral commitment to house New Yorkers in need. We are proud to say under HNY so far, we have financed over 3,000 supportive housing units, which include units funded under 15/15 and prior agreements, and have added a City rental assistance program so we can continue serving more New Yorkers.

These are just a few of the initiatives we will be pushing forward in the coming year; it is, of course, just the tip of the iceberg. There are many more efforts underway, and we are grateful for the resources and support we need to continue to pull every lever in our reach to tackle the affordability crisis that threatens the health and well-being of families and the competitiveness and equity of our city.

## **Conclusion**

As I've outlined, this important work reflects the urgency of the needs on the ground, and a vision for the kind of city we want to be. But it cannot be done alone. Although I've said this before, while there are many threats on the horizon, there are also opportunities. All of us need to work together if we are to be successful in fighting for the resources we need to ensure the affordability and equity of our city.

I want to thank the City Council for the leadership and collaboration that has allowed us to achieve the far-reaching policies and progress that we've secured to date. More can and must be done, and I hope we can continue to find ways to partner on critical legislative priorities and needed reforms; on affordable and supportive housing projects; on advocacy for stronger rent-stabilization laws; on a whole host of issues vital for the good of New Yorkers and for the future of our city.

Thank you again for the opportunity to discuss HPD's budget and our priorities in the coming year. This concludes my testimony and I am happy to answer any questions you may have.



# **Fiscal Year 2019 Executive Budget Hearing**

## **Department of Housing Preservation & Development**

Testimony by Commissioner Maria Torres-Springer  
May 14, 2018





# HPD Fiscal Year 2019 Executive Budget

FY2019 Executive Budget	+	\$	923,754,393
NYCHA Pass-Through	-		129,918,527
<hr/>			
<b>FY2019 HPD Total</b>	<b>=</b>	<b>\$</b>	<b>793,835,866</b>





## HPD Relies Heavily on Federal Funding

**FY2019 HPD Total**                      **+ \$**                      **793.84**   **Million**

City Funds                      -                      120.39                      15%

State & Other                      -                      3.11                      < 1%

---

**Federal Funding Sources**                      **= \$**                      **670.34**                      **84%**

---

Rental Assistance                      495.77                      62%

CDBG                      145.04                      18%

Disaster Recovery                      20.01                      3%

HOME                      7.80                      1%

Other Federal                      1.72                      < 1%



## Increase in Federal Funding in FY18 Omnibus

FEDERAL FUNDS	HUD FUNDING CHANGES	HPD SERVICES
Community Development Block Grants (CDBG)	Increase of 7.8%	<ul style="list-style-type: none"><li>• Code Inspection</li><li>• Emergency Repairs</li><li>• Anti-Harassment work</li></ul>
HOME Investment Partnership Program	Increase of 43.4%	<ul style="list-style-type: none"><li>• Special needs housing</li><li>• Rental assistance for homeless families</li><li>• Down payment assistance</li></ul>
Housing Choice Voucher	Increase of 8.5%	<ul style="list-style-type: none"><li>• 40,000 vouchers serving over 83,000 people</li></ul>





# HPD Continues to Face Federal Threats

The **Making Affordable Housing Work Act of 2018** would dramatically raise rents on more than **300,000 NYC households**:

## Section 8

More than **125,000 households** use Section 8 rental assistance. Their average income is \$17,000 & nearly half are either elderly or disabled.

**20%**  
**rent increase**

for non-disabled,  
non-elderly  
residents

- **22,000 senior and disabled households** would lose their medical deductions.
- **17,000 families** would lose their child care expense deductions, increasing rent burden & creating an obstacle to employment.

## HUD-Assisted Properties

In NYC, there are nearly **20,000 homes** in the 202 & 811 programs, many of which are occupied by people who are elderly and/or have disabilities. An additional **50,000 homes** have Project Based Rental Assistance.

**17%**  
**rent increase**

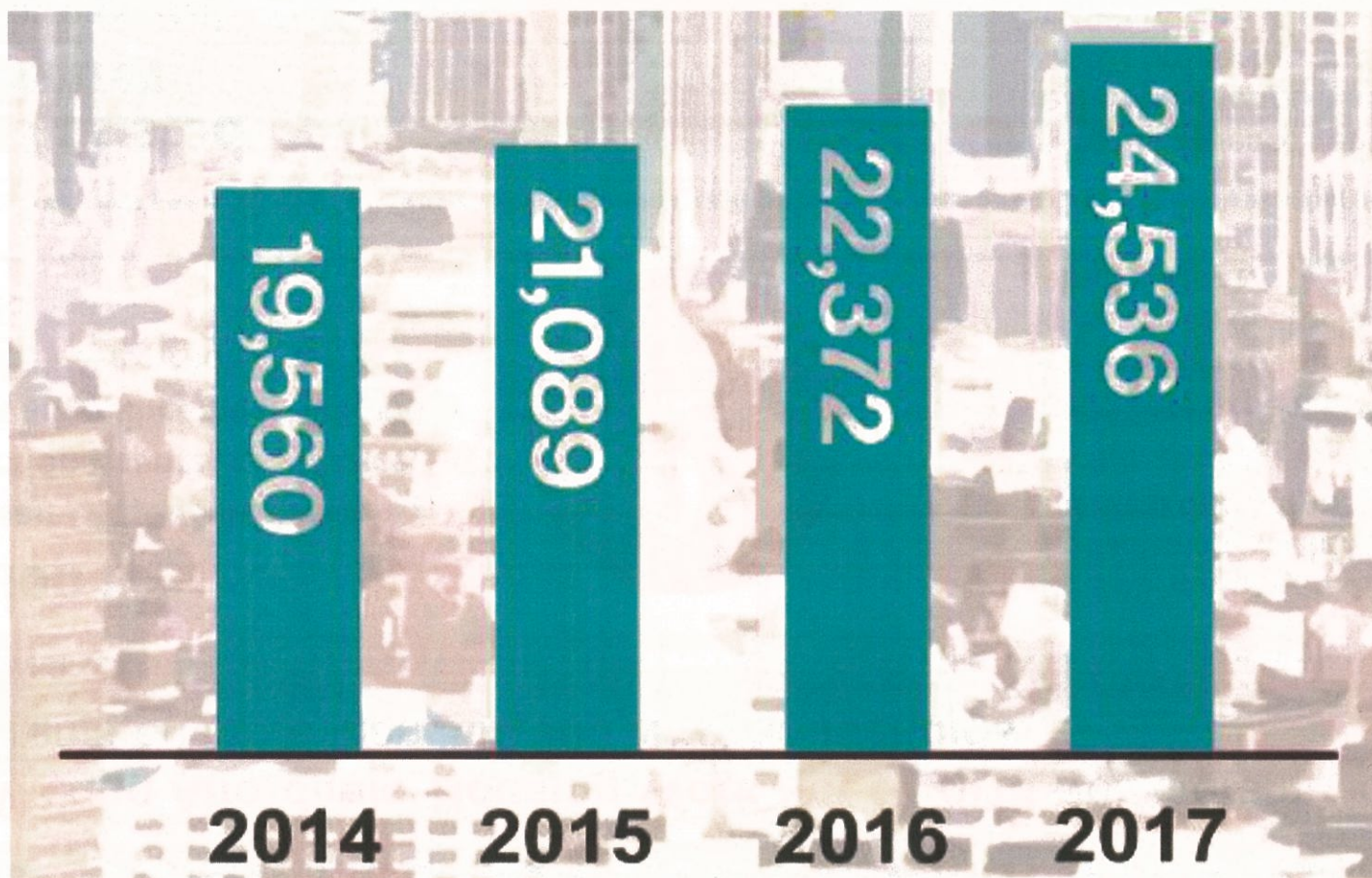
for non-disabled,  
non-elderly  
residents with  
PBRA

- Medical expense deduction eliminated for **senior residents** in 202 properties and **disabled residents** in 811 properties.
- Owners of properties with Project Based Rental Assistance could impose **new rent structures & work requirements** on residents, giving landlords unprecedented power.



# Housing New York Progress

**87,557 Homes financed to date**





# Housing New York 2.0

**Expanding goal of 200,000 homes by 2020 to 300,000 homes by 2026**

- **Seniors First:** a slate of initiatives that will double the seniors served from 15,000 to 30,000 seniors over the extended 12-year plan
- **Neighborhood Pillars:** a new fund to help non-profits purchase and protect rent-regulated and other buildings
- **Mitchell-Lama Reinvestment Program:** an effort to anchor affordability of the existing developments
- **Partners in Preservation:** an effort to develop comprehensive anti-displacement strategies in neighborhoods across the city





# Where We Live NYC

**Data-driven, collaborative fair housing planning process**

**LEARN**

**CREATE**

**FINALIZE**

*Spring &  
Summer 2018*

Review initial data  
& existing  
conditions &  
prioritize  
contributing factors

*Fall  
2018*

Surface policy ideas  
& solutions for  
priority contributing  
factors

*2019*

Provide feedback  
on how input was  
used and draft final  
suggestions

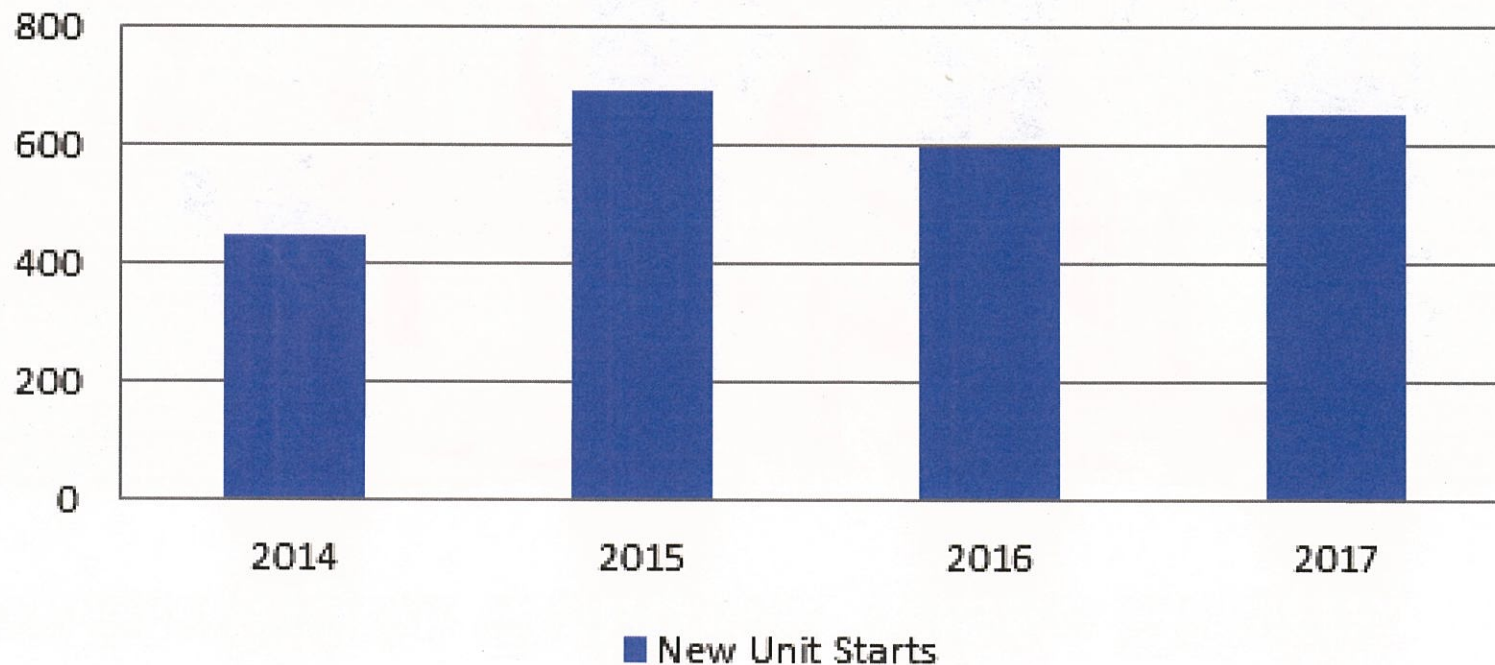




# Serving Special Populations

**Mayor's NY15/15 commitment will create 15,000 supportive housing apartments over the next 15 years**

**Supportive Housing Production  
(1/1/14 – 12/31/18)**







# Continuing to Build on These Efforts





# Questions?

For additional information,  
contact  
Assistant Commissioner for Government Affairs  
Francesc Marti at  
[martif@hpd.nyc.gov](mailto:martif@hpd.nyc.gov)



**Mayor's Office of Criminal Justice  
New York City Council  
Committee on the Justice System and Finance Committee  
May 14, 2018**

Good afternoon, Chairs Lancman and Dromm and members of the Justice System Committee and Committee on Finance. My name is Elizabeth Glazer and I am the Director of the Mayor's Office of Criminal Justice ("MOCJ"). Thank you for the opportunity to testify today. Osvaldo Cruz, Chief Financial Officer, Dana Kaplan, Deputy Director, and Eric Cumberbatch, Executive Director of the Office to Prevent Gun Violence, in my office are here with me to answer questions.

The Mayor's Office of Criminal Justice advises the Mayor on public safety strategy and, together with partners inside and outside of government, develops and implements policies that promote safety and fairness and reduce unnecessary incarceration.

In the last four years in New York City, we have seen an acceleration of the trends that have defined the public safety landscape in this city over the last three decades. New York City's jail population has fallen by half since 1990 and by 22 % in the last four years, giving us the lowest incarceration rate of any large city in the United States and the steepest four-year decline in the size of the jail population since 1998. This weekend, the jail population stood at under 8,500, the lowest it has been in 37 years. This follows four years of declines in almost every category of person held at Rikers, with the stark exception of State parole violators.

Although the fluctuation in arrests is not the sole driver of the jail population (very few people who are arrested are admitted to jail), it is an important piece of the future of New York's safety picture: at the same time that the size of the jail population has shrunk, crime and arrests have also fallen. There has been a gentling of New York City, reflected in the shrinking number of New Yorkers who commit crimes, the lightening of the enforcement touch by our police and an emerging and significant role that our neighborhoods are playing in driving this virtuous cycle of reducing crime, arrests and incarceration. Here the work of the Mayor's Action Plan for Neighborhood Safety as well as the Office to Prevent Gun Violence and the scores of neighborhood groups that make up our Crisis Management System (an idea born out of a Council task force) have been important forces in democratizing the responsibility for the safety of our city. New York City's experience is continued and unique proof that we can have both more safety and less incarceration.

My office's goal is to invest public resources to help create the safest possible New York City with the smallest and fairest justice system. As I testified on March 20<sup>th</sup>, we are pursuing an array of efforts to drive toward this goal and to reshape the way we deliver safety and fairness in this city. These strategies can be grouped as: (1) partnering with New Yorkers to co-produce public safety – it is here that we are centering the ideas and action of democratizing safety; (2) creating a smaller, safer, fairer justice system in New York City – an enormous piece of work

which is nothing less than justice reform, a joint effort embracing multiple entities, including every New Yorker; and (3) promoting fairness, a value that we aim to realize concretely and that animates our goals of promoting safety and justice.

Last year, the Mayor announced that the City would close Rikers Island and replace it with a smaller network of borough-based jails. This is now the everyday work of the government of New York City and the decision-makers responsible for moving with urgency toward a smaller, safer and fairer justice system. In the last year, we have made concrete progress, which I covered at our last budget hearing in March. The demonstrable progress is best illustrated by the successful efforts to further reduce our jail population, work that continues everyday as we understand better why people enter and how long they stay. Today our population is 8.7% below where it was last year and, while this number will go up and down day to day, the trajectory is trending downwards.

This did not happen by accident; it is the result of the intentional efforts by many to focus enforcement resources on public safety risks, operate alternatives to jail that earn the trust of judges and prosecutors and work with New Yorkers to keep crime low. In the last year, we have partnered with working groups of judges, prosecutors, defenders and non-profit program providers to launch several new programs to accelerate safe reductions in the jail population. In addition to the initiatives I covered at our preliminary budget hearing, these initiatives include new behavioral health services for defendants assigned to supervised release (a pretrial community-based alternative to jail program that has diverted over 8,000 people from jail since launching citywide in March 2016). To drive closer to a system that provides judges with more alternatives to setting bail, the Executive Plan also includes an additional investment of \$620,000 to expand supervised release in Manhattan and allocates an additional \$1 million to expand supervised release in the Bronx. We are grateful for the ongoing partnership with the courts, prosecutors and defenders that has contributed to the successful implementation of these diversion expansions.

While supervised release is an important driver of reducing the jail population – giving judges an option between release with no conditions and bail or remand – these ameliorate but do not eliminate the ills imposed by a cash bail system created by statute. The only way to fundamentally reform the system is to eliminate cash bail, something that the Mayor has called for and the Governor has tried to persuade the legislature to do.

For those instances where a judge still decides to set money bail, New York City is working to make that payment process easier, including the recent launch of an online bail system. This, together with a slew of other efforts – the citywide bail fund, the borough-based bail funds, Legal Aid's Decarceration Project, expanded numbers of bail expeditors – is focused on making the system we have easier to navigate. These efforts are happening against a background of reductions in key areas, driven by the dynamics I have already described. A few examples of the results:

- The number of people detained on misdemeanor charges is down 34% since 2013;
- The number of people detained on bail of \$2000 and less is down by 60% since 2013;

- The number of people in jail who are bailable is down by 33% from last year; and
- The number of people in custody with cases pending for longer than three years is down by 53% since April 2015, when the City, courts, DAs and defenders launched a joint initiative to reduce case processing delays.

Finally, I would like to provide a brief update to the Council on the City's efforts to implement Raise the Age, the state legislation to treat 16 and 17 year olds as juveniles within the criminal justice system, a change long sought and advocated for by the City. My office is leading a planning process with the participation of the relevant city agencies, the courts, DAs, defenders and non-profit providers. We are all planning for the significant increase of these young people into the family court system, the development of adolescent offender parts, a full continuum of diversion opportunities and community-based programs, and the identification and preparation of juvenile justice facilities to house this expanded population. As we have shared in the past, there is currently \$300 million in capital funding allocated to improve these sites, and work is well underway at Crossroads and Horizon, the City's two existing juvenile detention facilities. We continue to advocate aggressively to the State for the use of the New York State Office of Children and Family Services facility Ella McQueen, to have sufficient capacity to house safely all of the adolescents that are both in the current juvenile justice system and that are required to be off of Rikers Island by October 2018. Our jail population reduction efforts are also directed at the group of adolescents that need to be moved off Rikers. The number of 16 and 17 year olds on Rikers today is at 101. That number is down by 30 people from when I last testified in March and represents a 45% decline since 2016, when 183 16 and 17 year olds were in our jail.

As my office testified last April, at this juncture, we believe the City can still meet the ambitious deadline for moving juveniles off of Rikers Island, but meeting that deadline and the law's objectives will require that the commingling restrictions within housing, education, recreation and programming be determined by the City's classification system, rather than the adolescents' court status alone. Overly restrictive commingling restrictions, failing to provide the City the use of the virtually empty state facility Ella McQueen, and the delay in issuing regulations have all hindered the City's ability to implement Raise the Age in a manner that is safe and appropriate for juveniles. The funding reflected in this Executive Plan will enable the agencies to take on the elements of Raise the Age that will go into effect on October 1, 2018 only. Specifically, by October 1<sup>st</sup> of this year, newly arrested 16 year olds will be treated as juveniles and will no longer be prosecuted as adults as many, if not most, will go to family court and a relatively few will go to a newly created youth part in criminal court. Additionally, New York City must house all 16 and 17 year olds in a specialized juvenile detention facility that cannot be located on Rikers Island. We plan to learn from the first year of Raise the Age to assess an appropriate resource level for agencies, which will then better inform the additional resource needs to take on newly arrested 17 year olds being treated as juveniles and no longer being prosecuted as adults a year later (by October 1<sup>st</sup> 2019). The additional funding needs will be addressed in future financial plans.

I am grateful to the City Council and to all of our other partners who work with us in implementing this work, knowing that it is complicated and time-consuming. But with this



shared responsibility and shared effort, we have a rare and real opportunity to construct a smaller, safer and fairer justice system in New York City that will endure.

Thank you for the opportunity to testify here today. I would be happy to answer any questions.

**THE COUNCIL  
THE CITY OF NEW YORK**

**Appearance Card**

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 5/14/18

**(PLEASE PRINT)**

Name: Deputy Commissioner of Collaborative Policing Susan Herman

Address: \_\_\_\_\_

I represent: NYPD Legal

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

**Appearance Card**

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 5/14/18

**(PLEASE PRINT)**

Name: Asst. Commissioner Ann Perrotti

Address: \_\_\_\_\_

I represent: NYPD Legal

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

**Appearance Card**

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 5/14/18

**(PLEASE PRINT)**

Name: Chief John Dordane NYPD Chief of Strategic Initiative

Address: \_\_\_\_\_

I represent: NYPD

Address: \_\_\_\_\_

**Please complete this card and return to the Sergeant-at-Arms**

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 5/14/18

(PLEASE PRINT)

Name: Chief Dermot Sheehan - NYPD Chief of Detectives

Address: \_\_\_\_\_

I represent: ~~NYPD~~ ~~Det~~ ~~so~~ ~~NYPD~~ ~~Bureau~~

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 5/14/18

(PLEASE PRINT)

Name: Deputy Chief Sklar

Address: \_\_\_\_\_

I represent: NYPD - Personnel Bureau

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 5/14/18

(PLEASE PRINT)

Name: Chief Theresa Shortell

Address: \_\_\_\_\_

I represent: NYPD - Training Bureau

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms



**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 5/14/18

(PLEASE PRINT)

Name: Asst Chief Brian Conway

Address: \_\_\_\_\_

I represent: NYPD - School Safety Division

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 5/14/18

(PLEASE PRINT)

Name: Asst Chief John Cassidy

Address: \_\_\_\_\_

I represent: NYPD

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 5/14/18

(PLEASE PRINT)

Name: Chief of Patrol Rodney Harrison

Address: \_\_\_\_\_

I represent: NYPD

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 5/14/16

(PLEASE PRINT)

Name: Vincent Guppo, Deputy Commissioner, Management & Budget

Address: \_\_\_\_\_

I represent: NYPD

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 5/14/16

(PLEASE PRINT)

Name: Chief of Department Terence Monahan

Address: \_\_\_\_\_

I represent: NYPD

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 5/14/16

(PLEASE PRINT)

Name: Police Commissioner James P. O'Neill

Address: \_\_\_\_\_

I represent: NYPD

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms



**THE COUNCIL  
THE CITY OF NEW YORK**

*Appearance Card*

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 5/14/18

(PLEASE PRINT)

Name: Elizabeth Glazer

Address: 1 Centre Street

I represent: Mayor's Office of Criminal Justice

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

*Appearance Card*

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 5/14/18

(PLEASE PRINT)

Name: Oswaldo Cruz

Address: 1 Centre Street

I represent: Mayor's Office of Criminal Justice

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

*Appearance Card*

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 5/14/18

(PLEASE PRINT)

Name: Eric Cumberbatch

Address: 1 Centre Street

I represent: Mayor's Office of Criminal Justice

Address: \_\_\_\_\_



**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 5/14/18

(PLEASE PRINT)

Name: Dana Kaplan

Address: 1 Centre Street

I represent: Mayor's Office of Criminal Justice

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 5/14/18

(PLEASE PRINT)

Name: Karen Friedman Agnifilo

Address: 1 Hogan Pl

I represent: DANY

Address: 1 Hogan Pl

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 5/14/18

(PLEASE PRINT)

Name: Karen Sheehan

Address: 1 Hogan Pl

I represent: DANY

Address: 1 Hogan Pl

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_  
☐ in favor ☐ in opposition

Date: 5/14/18

(PLEASE PRINT)

Name: DA Michael McMahon (Staten Island)

Address: 130 Stuyvesant Pl Staten Isl 10301

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_  
☐ in favor ☐ in opposition

Date: 5/14/18

(PLEASE PRINT)

Name: Leroy Fryzer

Address: 350 Jay St

I represent: Brooklyn DA Office

Address: 350-Jay St.

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_  
☐ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: John M. Ryan

Address: 125-01 Queens Blvd Kew Gardens

I represent: Queens District Attorney

Address: 125-01 Queens Blvd.



**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Darcel D. Clark  
Address: 198 E. 161st Street Bx NY 10451  
I represent: Bronx County District Attorney  
Address: Same as above

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: May 14, 2018

(PLEASE PRINT)

Name: Bridget G. Brennan  
Address: 80 Centre St  
I represent: Office of the Special Narcotics  
Address: Prosecutor

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Thomas Farrello, First Deputy Commissioner  
Address: New York City Department of Social Services  
I represent: DOB  
Address: 555 Park Avenue, 15th Floor, New York, NY 10022



**THE COUNCIL  
THE CITY OF NEW YORK**

**Appearance Card**

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: \_\_\_\_\_

**(PLEASE PRINT)**

Name: SHARON NEIL, Deputy Commissioner

Address: \_\_\_\_\_

I represent: DOB

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

**Appearance Card**

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: \_\_\_\_\_

**(PLEASE PRINT)**

Name: Patrick Wehle, Assistant Commissioner

Address: \_\_\_\_\_

I represent: DOB

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

**Appearance Card**

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: \_\_\_\_\_

**(PLEASE PRINT)**

Name: Buck Chandler, Commissioner

Address: \_\_\_\_\_

I represent: DOB

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

**Appearance Card**

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 05/14/18

(PLEASE PRINT)

Name: Maria Torres-Springer

Address: \_\_\_\_\_

I represent: HPD

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

**Appearance Card**

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 05/14/18

(PLEASE PRINT)

Name: Francesca March

Address: \_\_\_\_\_

I represent: HPD

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

**Appearance Card**

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 05/14/18

(PLEASE PRINT)

Name: Eva Trimble

Address: \_\_\_\_\_

I represent: HPD

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms