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**TWO LONG ISLAND WOMEN CHARGED UNDER HATE CRIMES STATUTE FOR
ALLEGEDLY TARGETING 93-YEAR-OLD QUEENS MAN IN \$800,000 MORTGAGE
FRAUD SCHEME**

*Allegedly Forged Victim's Signature and Used "Straw Buyer" To Carry Out Scheme;
Face Enhanced Penalty of Up To 25 Years In Prison*

Queens District Attorney Richard A. Brown today announced that two Long Island women – one of whom has since relocated to Pennsylvania – have been charged under New York State's Hate Crime Law with stealing a total of \$800,000 from a 93-year-old Queens man suffering from Alzheimer's disease by fraudulently refinancing a property that he owned in Bayside to steal its equity and by using a "straw buyer" to steal his primary residence in Jamaica, Queens, out from under him. One of the women is also charged with stealing the elderly man's identity to apply for credit cards in his name.

District Attorney Brown said, "Under the provisions of New York State's Hate Crimes Act of 2000, enhanced charges can be filed when a defendant commits a larceny and selects his or her victim because of their age which is defined as being 60 years of age or older. In this particular case, the defendants are accused of befriending and taking advantage of the elderly, confused friend of one of their fathers to steal hundreds of thousands of dollars and ultimately cause him to lose the home in which he had lived for more than half a century. Crimes against the elderly – whether they involve physical or, in this case, financial harm – are despicable because the victims are often lonely and vulnerable. Fortunately, in this case, the victim's goddaughter became suspicious about certain activity and contacted this office."

The District Attorney identified the defendants as Alexandra Gilmore, 36, formerly of 14 East Grove Street in Massapequa and presently of 1550 Clark Street in Pittsburgh, Pennsylvania, and Rebecca Tharpe, 30, of 44 Third Street in Brentwood, Long Island. The two defendants are variously charged with multiple counts of second-degree grand larceny as a hate crime, second-degree grand larceny, second-degree criminal possession of stolen property, second-degree criminal possession of a forged instrument, first-degree falsifying business records, and first-degree and second-degree identity theft. The defendants each face up to twenty-five years in prison if convicted.

District Attorney Brown said that, according to the charges, between June 14, 2004, and April 10, 2006, Gilmore befriended Artee McKoy, 93, of 146-04 116th Avenue in Jamaica, a retired barber, who had been a good friend of her deceased father, and took advantage of McKoy's diminished mental capacity to twice refinance a property he owned at 209-47 45th Drive in Bayside and to sell his Jamaica, Queens, home.

The District Attorney said that it is alleged that the scheme began on July 6, 2004, when Gilmore refinanced the Bayside property with New Century Mortgage for \$150,000. Realizing how much more equity could be drained from the property, Gilmore allegedly orchestrated a second refinancing of the property – this time for \$420,000. In order to carry out her alleged scheme, Gilmore is accused of submitting a letter to New Century Mortgage, falsely claiming that she was McKoy's daughter and that he was refinancing the property in order to make cash gifts to his children.

Thereafter, it is alleged that Gilmore opened an account in her name and – unbeknownst to McKoy – in his name at Commerce Bank in Massapequa and directed that all account statements be sent to her house. A review of bank records by the District Attorney's Office allegedly revealed that Gilmore withdrew more than \$100,000 from the account on July 13, 2005, four days after an unendorsed check for \$129,268 had been deposited into the account and cleared and that, several months later, she withdrew additional funds from the account after a second check – this time for \$222,160 – had been deposited and cleared. Based on the timing of the two transactions, it is alleged that the account was opened for the sole purpose of depositing checks made payable to McKoy from the unauthorized refinancing transactions.

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It is further charged that Gilmore stole McKoy's Jamaica residence between August 12, 2005, and September 9, 2005, by soliciting an acquaintance, Rebecca Tharpe, as a "straw buyer" to purchase the property. McKoy's signature was allegedly forged on a contract of sale – between him as the seller and Tharpe as the buyer – that was then used, along with other false information, to obtain a mortgage on the property. The house was eventually sold for \$395,000, of which Tharpe allegedly received \$102,000 and Gilmore allegedly received more than \$200,000 in proceeds, including a \$97,000 check that had been made payable to McKoy and an additional \$130,000 which she secured by allegedly setting up a real estate company and falsely claiming to have been owed the money from a previous mortgage loan on the property.

District Attorney Brown said that, according to bank records, a few initial monthly mortgage payments were made on the property before payment ceased all together and the house went into foreclosure. A civil court case is presently pending before Supreme Court Justice Howard Lane. The Bayside property has also been forced into foreclosure proceedings.

The District Attorney said that in addition to the real estate fraud charges, Gilmore is charged with identity theft for allegedly applying for two credit cards in McKoy's name and then using them to make various purchases between August 2004 and April 2006 – including staying in an Alabama hotel, buying an airline ticket, renting cars in Florida, Alabama, and Virginia, sending holiday gift baskets, paying for her child's dental work, and buying items at Lerner's, Target and Circuit City.

Tharpe was arraigned on February 1, 2008, before Queens Supreme Court Justice James Griffin. She was ordered held on \$25,000 bail and to return to court on April 3, 2008. Gilmore is expected to be arraigned today before Justice Griffin.

The investigation was conducted by Detective Oniel Miller of the NYPD's Queens District Attorney's Squad under the supervision of Sergeant Frank Horvath and the overall supervision of Captain John M. Zanfardino. Former Detective Ketty Larco, of the District Attorney's Detective Squad, also assisted in the investigation, under the supervision of Sergeant John Kenna, Lieutenant Robert Burke and the overall supervision of Chief Lawrence J. Festa and Deputy Chief Albert D. Velardi.

Assistant District Attorney Allison P. Wright, of the District Attorney's Economic Crimes Bureau, is prosecuting the case under the supervision of Gregory Pavlides, Bureau Chief, and Christina Hanophy, Deputy Bureau Chief, Kristen Kane, Chief of the Elder Fraud Unit, and the overall supervision of Executive Assistant District Attorney Peter Crusco and Deputy Executive Assistant District Attorney Linda Cantoni of the Investigations Division.

It should be noted that an indictment is merely an accusation and that a defendant is presumed innocent until proven guilty.

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Note to Editors: Press release e-version posted on www.queensda.org