

BRAVE JUSTICE



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TABLE OF **CONTENTS**



03	MESSAGE FROM DISTRICT ATTORNEY MELINDA KATZ
05	SECTION I EXECUTIVE LEADERSHIP TEAM
09	SECTION II INITIATIVES: TURNING POLICY INTO PRACTICE
21	SECTION III CRIMINAL JUSTICE REFORM: THEN AND NOW
29	SECTION IV CASES OF INTEREST
43	SECTION V PROTECTING THE VULNERABLE
57	SECTION VI PROBLEM SOLVING COURTS AND DIVERSION PROGRAMS
68	SECTION VII IMPORTANT CONTACTS



A MESSAGE FROM DISTRICT ATTORNEY **MELINDA KATZ**

I am honored by the trust that the residents of Queens County have placed in me. It is a trust I do not take lightly as I humbly begin my mission to make this the safest, strongest and fairest borough in our city.

These are unprecedented times. With just three months in, we are navigating through uncharted waters, dealing with some unknowns. Being brave means setting a bold course, nonetheless, and not being afraid to take action and make positive changes. This is precisely what we have begun to do.

On day one, we ended two practices regarding plea bargaining negotiations- specifically, the requirement that defendants waive their right to a timely grand jury presentation if they want to initiate plea bargain negotiations and also the practice of refusing to consider plea bargains on anything less than the top count after an indictment. Defendants should not be forced to give up their rights in order to receive a just outcome. We created a Grand Jury Task Force to fulfill these new policies and promote the cause of justice.

We have begun reviewing cases in our new Conviction Integrity Unit, to restore justice to the innocent and restore trust between the criminal justice system and the communities we serve. Each wrongful conviction not only ruins the life of an innocent person and their family, it leaves a dangerous criminal on the street ready to commit more crimes.

We have created the Community Partnerships Division, working office-wide across bureaus to look for more opportunities to utilize alternatives to incarceration for defendants who will be better served and rehabilitated through non-incarceration services and treatment, job training or community service, giving defendants options to a life of crime and the ability to act on those options.

We are devoting more resources than ever before to reducing gang activity, gun violence and drug trafficking in our communities. We will help domestic violence survivors remove guns from their homes, and support anti-gun violence groups, who treat gun violence like a public health issue and use a Cure Violence model to reduce and eliminate it. We are organizing a specialized Criminal Enterprise Bureau which will focus investigations on getting gangs, guns, and drugs off our streets. Our work will protect the marginalized and most vulnerable residents, by aggressively pursuing and prosecuting human traffickers, child abusers, and those who prey on the elderly.

Accomplishing all that we hope for will not be easy, but I believe the residents of Queens knew I would bring a steady hand to the office as we move through these times of uncertainty together. This is just the beginning. With our partners in the community, in law enforcement and in government I know we can be brave together and accomplish anything. In the pages that follow, we offer you a glimpse into some of the policy we are turning into every day practice. Being brave is not always easy; bravery is showing up, step by step, boldly and thoughtfully moving forward toward fairness and equity for all while protecting the people of this great county.

SECTION I

EXECUTIVE LEADERSHIP TEAM



EXECUTIVE LEADERSHIP TEAM

In order to implement a new vision for the future, District Attorney Katz has begun to restructure the internal divisions of the Office to better meet progressive leadership goals, spark innovative thinking, and build an ethic of teamwork throughout the office. This new structure will ensure that all aspects of the criminal justice system get the attention they deserve in order to promote fairness for all of the participants.

One of the District Attorney's first priorities was to assemble a top-notch leadership team with the

unique kind of expertise and specialized skills to usher in a new era in Queens County. Adding experienced professionals with innovative ideas is essential to meet the challenges of the next decade. At the same time, the District Attorney has retained the most talented members of the existing staff to draw on their deep understanding of the needs of victims, witnesses, law enforcement and defendants in Queens County and in New York City to ensure the safety of all those who live, work, and visit here.



Jennifer Naiburg

Chief Executive Assistant District Attorney

A graduate of Brooklyn Law School, Ms. Naiburg is a 26-year-veteran of the Queens District Attorney's Office. She has held numerous positions within the office, including the Director of Special Projects and Major Case Advisor, Deputy Director of Trial Advocacy, and most recently was appointed the first Bureau Chief of the newly established Kew Gardens III felony trial bureau. Ms. Naiburg developed and implemented an office-wide system to assist prosecutors in fulfilling their legal and ethical obligations regarding disclosure of material that may adversely affect a police witness's credibility and she serves on a mayoral and other citywide groups preparing for the criminal justice reform that took affect January 1, 2020. Ms. Naiburg regularly lectures to a myriad of law enforcement communities on varied criminal justice topics. She has been a member of the adjunct faculty of Fordham Law School for the past 10 years.



Camille Chin-Kee-Fatt

Chief of Staff/Administration

As the Director of Administrative Services of the New York City Council, Ms. Chin-Kee-Fatt oversaw a budget of \$80 million and all aspects of Administrative Services, including HR, Diversity, Fiscal, Procurement/Contracts, IT, Facilities/Mail, Sergeant-At-Arms, Fleet and OTPS for a staff of over 900 employees with Council Member offices in all 5 boroughs of New York City. She worked closely with the Council's Chief of Staff to make sure everything was running optimally and worked in conjunction with the Office of General Counsel on employee policies, EEO issues and numerous other human resources matters. Ms. Chin-Kee-Fatt also served as the Senior Vice President of HR for the NYC Mission Society. At this Harlem-based non-profit, she oversaw all operations of its human resources department, worked as its EEO Officer, pension plan administrator, did training, recruitment and more. Ms. Chin-Kee-Fatt was also the Assistant Attorney General in Charge of Legal Recruitment for then-Attorney General Eliot Spitzer and has worked at Linklaters & Alliance, the New York City Law Department's Office of Corporation Counsel, Practicing Attorneys for Law Students Program Inc. (PALS) and Shearman & Sterling.



John Castellano

Counsel to the District Attorney

Mr. Castellano has been with the Queens District Attorney's Office for 36 years, most recently as the Deputy Executive Assistant District Attorney and Chief Appellate Counsel for the Legal Affairs Division. In those and other capacities, Mr. Castellano oversaw the Appeals Bureau for 23 years and handled cases at all levels of the state and federal court system. Mr. Castellano has argued cases before the Supreme Court of the United States and he has briefed, argued or edited over 100 cases in the New York Court of Appeals. He is a frequent lecturer at bar associations and other venues throughout the state on numerous topics related to criminal law.



Vincent Carroll

Counsel to the Chief Assistant District Attorney

A graduate from College of the Holy Cross and Fordham Law School, Mr. Carroll started in the Queens District Attorney's Office in 1976, working in various bureaus including Appeals, Criminal Court and Supreme Court Trials. In 1982, he left to become Deputy Chief of the Appellate Division Grievance Committee for the Second and Eleventh Judicial Districts for nine years. He returned to the Queens District Attorney's Office in 1991 as Chief of the Public Integrity Bureau. Mr. Carroll went on to become Deputy Executive for Legal Affairs and in 2002 became Counsel to the Chief Assistant District Attorney, responsible for legal recruitment and internship programs, career counselor and is the Office's Equal Employment Opportunity Officer. Mr. Carroll also lectures at the New York Prosecutor's Training Institute summer training program.



Johnnette Traill

Executive Assistant District Attorney of the Appeals and Special Litigation Division

A 27-year veteran prosecutor with the Queens District Attorney's Office, Ms. Traill has briefed, argued, edited and supervised more than 1,000 criminal appeals and federal habeas corpus as both appellant and respondent in the New York Court of Appeals, the United States Court of Appeals for the Second Circuit, the United States District Court for the Eastern District of New York and the Appellate Division, Second Department. She had been the Chief of the Appeals Bureau since 2014.



Angela Albertus

Executive Assistant District Attorney of the Criminal Practice and Policy Division

A graduate of Fordham University School of Law, Ms. Albertus has spent the last 14 years with the New York City Law Department. Most recently, she was the Chief of the Law Department's Family Court Division, where she handled more than 5,000 cases a year and oversaw the implementation of the historic Raise the Age Law. Ms. Albertus led the Division's initiatives from expanding diversion programs to increasing community outreach. Ms. Albertus has been an adjunct clinical professor at the Benjamin N. Cardozo School of Law. She was the Chief of Staff and Assistant General Counsel at the City's Administration for Children's Services, the Executive Director for the Mayor's Commission to Combat Family Violence and an Assistant District Attorney in the Manhattan District Attorney's Office.



Daniel Saunders

Executive Assistant District Attorney of the Major Crimes Division

Mr. Saunders attended Cornell University followed by Brooklyn Law School and has more than 38 years experience as a prosecutor. In 1981, he joined the Brooklyn District Attorney's Office and worked in its Criminal Court, Investigations, Grand Jury, Transit Crime and Major Offense Bureaus. He moved over to the Homicide Bureau and eventually became the Deputy Bureau Chief. In 1992, Mr. Saunders joined the Queens District Attorney's Office and has overseen the Major Crimes Division for the last 3 years. He has prosecuted some of the most tragic cases in Queens County, including the Wendy's Massacre in May of 2000 and more recently the prosecution of the defendant who shot and killed NYPD Police Officer Brian Moore.



Colleen Babb

Executive Assistant District Attorney for the Community Partnerships Division

Ms. Babb has more than 25 years of experience in criminal justice, particularly related to adolescents. As the Queens Borough Chief of the New York City Law Department-Office of Corporation Counsel, Ms. Babb was the legal, strategic and policy advisor for the office. She assisted in the development and implementation of the Raise the Age Law. She supervised the overall operations of the office, including managing attorneys, their cases and the disposition of those cases. In 1994, Ms. Babb became an assistant district attorney with the Brooklyn District Attorney's Office, where she tried more than 30 felony cases, including homicides and sex offenses. Ms. Babb's promotions included becoming the Deputy Bureau Chief of the Early Case Assessment Bureau, the Deputy Bureau Chief of Criminal Court, Grand Jury, the First Deputy Bureau Chief of Major Narcotics Investigations and ultimately the Executive Assistant District Attorney of the School Advocacy Bureau, where she was responsible for all prosecutions of school-related crimes and juvenile offenders cases in Kings County.



Pishoy Yacoub

Executive Assistant District Attorney of the Supreme Court Trial Division

A graduate of both St. John's University School of Law and Temple University School of Law, Mr. Yacoub has been a prosecutor for more than 14 years. Mr. Yacoub joined the Bronx District Attorney's Office in 2005 and has tried numerous cases ranging from murder to high-profile corruption cases in various bureaus, including Criminal Court, General Crimes Felony, Gang/Major Case and Public Integrity. He also successfully tried a case in Federal Court in the Southern District of New York. Mr. Yacoub also received an LL.M. in Trial Advocacy from Temple University School of Law. Since 2016, he has served as the Chief of Litigation Training, where he created training programs for all prosecutors in the office and teaches CLE courses all over New York State and beyond in ethics, case management, criminal law and procedure and more. Mr. Yacoub also teaches as an adjunct professor at St. John's University School of Law.



SECTION II

INITIATIVES: TURNING POLICY INTO PRACTICE

11

CONVICTION INTEGRITY UNIT

12

NEW POLICIES

13

BAIL REFORM

14

COMMUNITY PARTNERSHIPS DIVISION

16

CRIMINAL ENTERPRISE BUREAU

17

HOUSING AND WORKER PROTECTION BUREAU



CONVICTION INTEGRITY UNIT

On Day One, District Attorney Katz created the Conviction Integrity Unit, the first of its kind in Queens.

This new unit is vital not only for restoring justice to the innocent but for restoring trust between the criminal justice system and the communities we serve. This unit will be expanding throughout the year, and is dedicated to following best practices in the field. DA Katz selected Bryce Benjet, formerly of the Innocence Project, to head the Unit. Director Benjet has a long track record of identifying and proving cases of actual innocence, and the unit will be staffed by seasoned attorneys and investigators. The Conviction Integrity Unit will re-investigate and resolve credible claims of actual innocence or wrongful conviction. In addition to the hard work of traditional fact investigation, the unit will utilize cutting-edge DNA technology and other modern forensic techniques to ensure confidence in our office's past convictions.

Their work will also be informed by research on proven exonerations nationwide involving eyewitness misidentification, unreliable scientific evidence, and false confessions.

The Conviction Integrity Unit serves a vital law enforcement function. When the wrong person is convicted of a crime, the guilty party has evaded justice and is free to commit other crimes. Identifying wrongful convictions also allows District Attorney Katz to assess past mistakes and enact policies to increase the accuracy and integrity of prosecutions. And most important, the thorough reinvestigation of these claims—regardless of outcome—promotes vital public confidence in the work of our office.

In only the first few weeks of operations, our Conviction Integrity Unit has received over two dozen submissions.

Bryce Benjet

Director of the District Attorney's Conviction Integrity Unit



Mr. Benjet has spent most of his career fighting to free those believed to have been wrongfully convicted. As a Senior Staff Attorney with the Innocence Project for the last 7 years, he handled a national docket of 25-30 cases focusing on DNA testing and other forensic science evidence. Mr. Benjet has worked with a variety of Conviction Integrity Units around the country. At the Innocence Project, he trained other lawyers on issues related to forensic science and served as a clinical professor at the Benjamin N. Cardozo School of Law. Mr. Benjet began his career at the Texas Defender Service and subsequently served as a staff attorney at the Third District Court of Appeals in Austin, Texas. Before moving to New York to work with the Innocence Project, Mr. Benjet maintained a broad civil litigation practice at the law firm Hull Henricks, LLP, while also representing two imprisoned clients seeking to establish their innocence.

FAIR AND JUST PLEA OFFERS

Abandoning use of 180.80 waiver and top count plea policies

As one of her first initiatives, the District Attorney abandoned the prior administration's policy of requiring defendants to waive their rights prior to indictment in order to obtain a plea to a lesser charge. Under the prior policy, defendants who were incarcerated were required to waive their right to have a grand jury promptly hear their cases in order to obtain a fair plea. These defendants, and defendants who were released on bail, were also required to waive their rights to a speedy trial while plea negotiations took place. If they failed to give up these rights, the prior administration refused to negotiate any plea, other than one to the top charge in the indictment.

Effective January 1, 2020, the District Attorney repudiated this policy, implementing a new policy that permits defendants to obtain a fair plea offer without waiving their rights to have a grand jury expeditiously hear their cases and to have a speedy trial. Negotiations for fair and just plea offers can now take place at any point during the process. By putting this new policy in place, the District Attorney has put into practice her belief that defendants should not be forced to give up the rights they have been afforded by statute.

GRAND JURY TASK FORCE

Because the District Attorney now refuses to require waivers from defendants, their cases no longer languish in court for long periods of time and instead must be presented to the grand jury in a timely manner. Defendants who are incarcerated are entitled to Grand Jury presentments no later than six days after being taken into custody. To meet these requirements, District Attorney Katz has created an innovative task force designed to draw on experienced assistant district attorneys from throughout the office. These veteran ADAs assist in handling these cases to ensure that every felony matter can be put in front of a grand jury within the time limits the law prescribes.

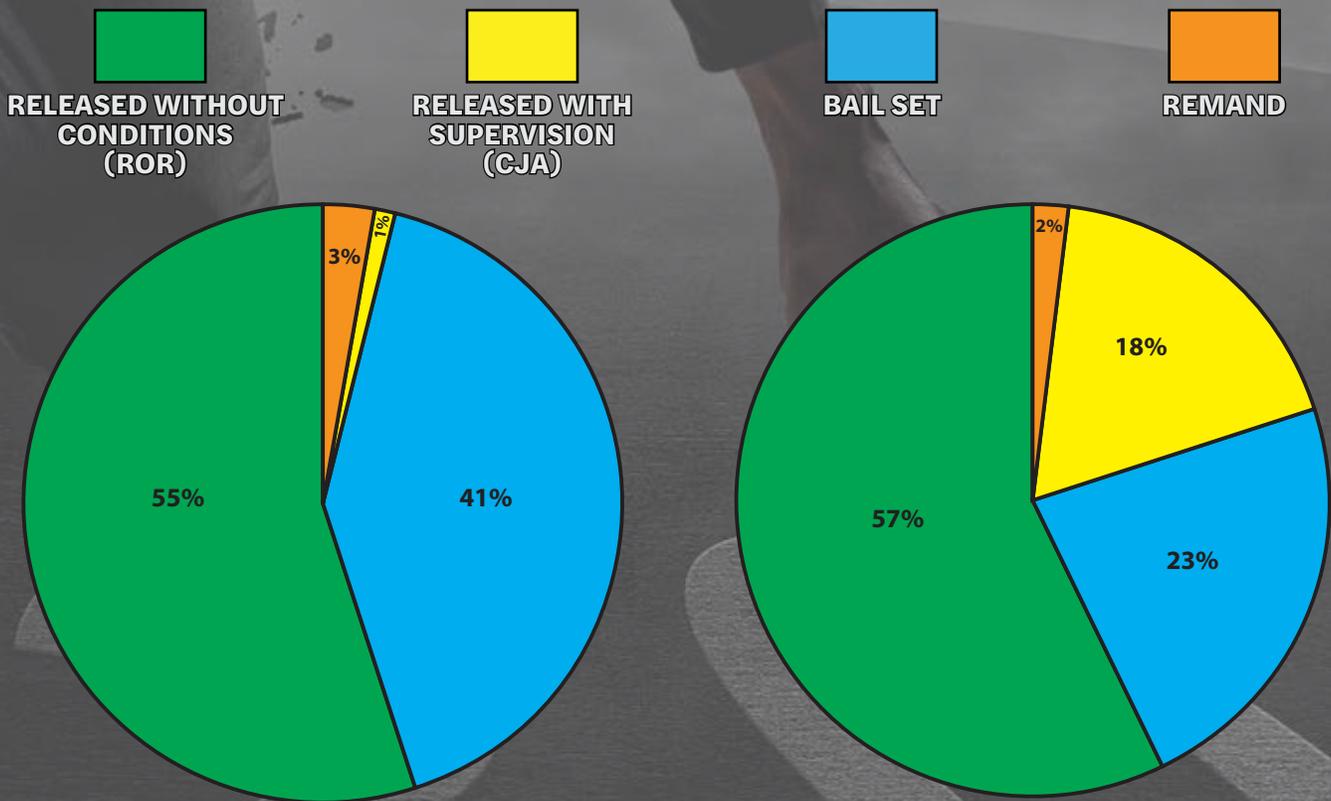
EQUITABLE PAROLE RECOMMENDATIONS

At the same time that DA Katz abandoned the prior administration's forced waiver policy, she also rejected its hardline policy on parole recommendations. While the prior administration routinely filed letters opposing release on parole, District Attorney Katz is currently reviewing and implementing a policy that takes into account not only the facts underlying the crime but the defendants' efforts at rehabilitation and the needs of their families. The District Attorney believes that the prior administration's one-size-fits-all policy did a disservice both to defendants who have demonstrated that they are good candidates for parole and to the public, who must otherwise pay the enormous daily costs of housing additional prisoners who are ready to reenter society under the supervision of parole.

BAIL REQUESTS

Whether a person has money or not should not be a factor in deciding whether they should be incarcerated pre-trial. District Attorney Katz is leading the Office in not only complying with the new bail reform law but also working towards her commitment to end cash bail entirely. Doing so, she is ever mindful that such a major policy shift needs to be done thoughtfully and in such a way that it does not lead to unintended consequences for the communities she was elected to keep safe. DA Katz and her senior staff are actively reviewing and evaluating systems and programs, working to ensure that robust supervised pre-trial release and monitoring programs are developed and implemented before we are in a completely cash free pre-trial system. Meanwhile, each and every case is carefully reviewed before a bail request is made, recognizing that the old way of doing business was often discriminatory and had a devastating effect on many families in Queens. Bail requests are being made through the realistic lens of what is needed to ensure the defendant return to court, making certain that defendants are treated fairly and in a non discriminatory way while protecting the people of Queens County.

BAIL QUALIFYING OFFENSES UNDER THE OLD LAW VS THE NEW LAW



Court Determinations under the old law
(1/1/2019-3/2/2019)
Average bail set = \$19,215

Court Determinations under the new law
(1/1/2020-3/2/2020)
Average bail set = \$14,330

COMMUNITY PARTNERSHIPS DIVISION

District Attorney Katz has created a Community Partnerships Division to work closely with our communities and work alongside the Office's other divisions, such as Major Crimes, Investigations, Criminal Practice & Policy and Trials, to keep Queens County safe. As our borough continues to address the ongoing effects of gun violence, DA Katz will be strongly proactive in fighting back. As she reminds us all, a gun can never be un-fired, a life taken can never be restored. The District Attorney will work tirelessly to get guns off the street, and the Community Partnerships Division will develop a gun buy-back initiative and put resources into treating gun violence as the public health crisis it is.

Under DA Katz, the Office will be using far more Alternatives to Incarceration programs, getting addicted defendants treatment instead of putting them in jail to suffer withdrawal, only to be released later still afflicted by ad-

diction to opiates or other substances and no closer to recovery. This division will work with other defendants to get them into job training and community service, giving them options to a life of crime and the ability to act on those options. They will work with faith leaders and houses of worship to address outstanding warrants for low-level offenses. In order to end the cycle of crime, District Attorney Katz recognizes that we must address the conditions under which someone entered a life of crime. It's not a get-out-of-jail-free card; programs must be completed which will give people the option to never come back to jail.

The Community Partnerships Division will also have a newly created Immigration Unit, which will work across other bureaus to protect immigrants who are victims of crimes, as well as protect the rights of all immigrants who enter our criminal justice system whether they are victims, witnesses or defendants.





CRIMINAL ENTERPRISE BUREAU

Targeting large-scale criminal enterprises, including traditional organized crime, large-scale smuggling, money laundering, gun trafficking, drugs and street gangs.



Since taking office, District Attorney Katz has been actively examining the inner workings of the Office and creating an organizational structure that makes sense - one in which we are best serving the needs of the people, best utilizing our resources, while creating a safer Queens County. As such, District Attorney Katz is creating a Criminal Enterprise Bureau, which will address gun violence and other criminal activity perpetrated by gangs and narcotics organizations operating in and around our communities. This bureau will work collaboratively and conduct long-term investigations of criminal enterprises in conjunction with federal, state, and local law enforcement. Under DA Katz's leader-

ship, this bureau will implement successful investigative strategies and develop how to best coordinate our intelligence, in order to make a more meaningful and lasting disruption of violent crime in our neighborhoods. The bureau will target large-scale criminal enterprises, including traditional organized crime, large-scale smuggling, money laundering, gun trafficking, drugs and street gangs. The focus will be the investigation and prosecution of known street-gang members who have committed serious offenses, including the possession and sale of firearms and other violent crimes and individuals involved in the trafficking of large quantities of drugs into our neighborhoods.

HOUSING AND WORKER PROTECTION BUREAU

Criminals who steal equity, real property, and wages from hard working Queens residents and construction companies that fail to keep workers safe will be held accountable.

Another area where District Attorney Katz will focus much needed attention, is in the creation of a Housing and Worker Protection Bureau. Creating a bureau that focuses on the ever growing problem of mortgage fraud and deed theft is a priority for DA Katz. All too often, we hear of homeowners, desperate to keep their home, falling prey to unscrupulous scam artists. Fraudsters claiming to have a way to help get them out from under a mortgage will trick unsuspecting victims into signing over the deed to their homes. These cases can be difficult to prosecute for a variety of reasons and typically involve complex schemes that require exhaustive examination and analysis of voluminous documents and financial records. Criminals who steal equity and real property from hard-working Queens residents will be investigated and prosecuted by this newly created bureau.

In addition, as a result of a lifetime living in Queens and a career advocating on behalf of all its residents, DA Katz knows better than anyone

the rich diversity of our great borough. She is also aware that employers can, unfortunately, take advantage of their workers by exploiting their immigration status, language barrier, or inexperience in order to pay less than a fair wage. Also, as Queens is developing at a rapid pace, we have seen how this enormous increase in development and construction may lead to dangerous working conditions. DA Katz will not tolerate a construction industry that fails to keep its workers safe and doesn't work to prevent needless tragedies.

DA Katz will appoint a construction task force within the newly created Housing and Worker Protection Bureau to coordinate and work closely with other city agencies such as the Department of Buildings and the Department of Investigation to hold companies accountable to follow building codes, create a safe work environment and pay the prevailing wage. It is imperative we work together to hold those in the construction industry accountable.









SECTION III

CRIMINAL JUSTICE REFORM: THEN AND NOW

23	DEMANDS OF DISCOVERY
24	IMPLICATIONS
25	WITNESS SAFETY
25	DROP IN JAIL POPULATION



MEETING THE DEMANDS OF DISCOVERY REFORM

All information concerning the case is expected to be turned over within 15 days from the time charges are brought.

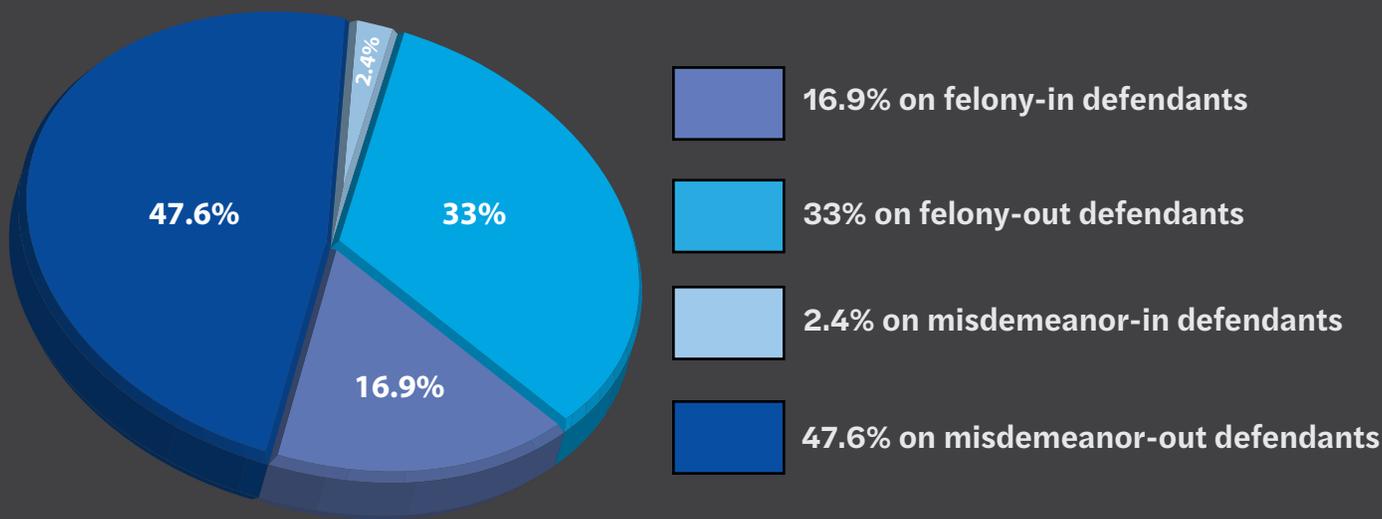
On the same day that the District Attorney took office, she was called upon to implement historic reforms regarding prosecutors' disclosure of information to the defense prior to trial. Where previously much information about the case against the defendant was withheld entirely or at least up until the time of trial, now all information concerning the case is expected to be turned over within 15 days from the time charges are brought. This placed an unprecedented burden on the resources of the office.

District Attorney Katz rallied her assistants to the task. By supporting these changes and encouraging a strong work ethic, she has inspired Assistant District Attorneys to contribute countless additional hours of work toward complying with these discovery demands. Under DA Katz's leadership, ADAs often work on disclosures late into the night or before going to court in the morning. The District Attorney has also put in place additional paralegals spe-

cifically dedicated to the fulfillment of the new discovery obligations. This new hiring has been supplemented by the internal development of new, unprecedented software to assist in the sharing of files between the police department, laboratories, the District Attorney's Office, and the defense bar.

This commitment to disclosure has been working: In January 2020 alone, the District Attorney's Office disclosed to defendants 168,356 documents. This included 7,662 Body Worn Camera videos averaging over 20 minutes each, or 2,643 hours of videos, all of which had to be reviewed and sometimes redacted for the safety of witnesses before being disclosed. While the production of these documents have strained the resources of the office, DA Katz has redoubled the efforts to comply with the new obligations because she believes that open disclosure of the prosecution's case to the defendant is an essential part of a fair trial process.

In the month of January, ADAs spent 3,578 hours preparing discovery on Body Worn Camera videos, 911 recordings, and radio runs.



80% of the ADAs' time was spent on out defendants.

IMPLICATIONS ON STAFFING, HOURS, COMPLIANCE RATES AND STATS

Overall, the newly enacted criminal justice reform legislation has significantly impacted the day-to-day operations of our Office and has placed increased demands on our staff to comply with discovery obligations within the mandated time frames. The impact has affected nearly all aspects of our Office -- from our Intake and Assessments Bureau, where cases are initially processed, to our felony and Appeals Bureaus, to the IT and administrative staff needed to implement the programs and processes necessary for compliance.

To date, we have hired 22 paralegals, 4 witness outreach assistants and eight assistant district attorney and we continue to fill positions on a rolling basis. Our ADA and paralegal

staff have been tasked with working longer hours to meet tighter deadlines. As a result, our overtime for paralegal staff has increased significantly. Specifically, there was a 45% increase in the number of paralegal overtime hours worked from November 2019 through January 2020, from the previous three months. In addition, our paralegal overtime costs increased by 63% when comparing the same time periods. We expect that these costs will continue to rise until additional staffing can be hired and trained. We also note that these costs do not take into account the additional overtime hours of clerical and other support staff, who have also worked additional hours relating to the reform.



45%

45% increase in the number of paralegal overtime hours worked from November 2019 through January 2020, from the previous three months.

63%

Our paralegal overtime costs increased by 63% from November 2019 through January 2020, from the previous three months.

WITNESS SAFETY

Protective Orders are sought to ensure victims are not re-victimized.

With early and open discovery comes increased risks to witnesses, whose personal information must be disclosed under the new statute. Over 73 percent of all cases involve civilian witnesses. Because pretrial harassment, intimidation, and even murder of witnesses is all too common to ignore, the District Attorney has sought, in appropriate cases, authorization from the courts to protect the personal identifying information of these witnesses prior to trial. Assistant District Attorneys have sought and received what is known as “protective orders” in many pending matters to ensure that victims are not re-victimized by their attackers and that good Samaritans and other eyewitnesses

do not suffer because they have agreed to cooperate with the court system.

The District Attorney’s commitment to witness safety has not stopped there. Where trial judges have denied the office’s requests for these orders, she has invoked a novel procedure in the statute allowing further review by appellate judges. These efforts to protect vulnerable victims and witnesses have succeeded: in one of the first cases the office brought to the appellate level, the appellate judge overturned the trial court’s ruling, granting a protective order to prevent personal identifying information from consciously or inadvertently getting into the wrong hands.

DROP IN JAIL POPULATION

Source: Department of Correction

Month	Total
1/01/2019	1,790
2/01/2019	1,824
3/01/2019	1,743
4/01/2019	1,737
5/01/2019	1,683
6/01/2019	1,596
7/01/2019	1,581
8/01/2019	1,584
9/01/2019	1,512
10/01/2019	1,591
11/01/2019	1,509
12/01/2019	1,374
1/01/2020	1,120
2/01/2020	897
2/24/2020	912







NEWS

TOP NEWS

ECONOMICS • SCIENCE • ENGINEERING • MEDICINE • INDUSTRY

QUEENS DISTRICT ATTORNEY'S OFFICE BRAVE JUSTICE

SECTION IV

CASES OF INTEREST*

- 31** QUEENS MAN PLEADS GUILTY TO SEX TRAFFICKING FOR FORCING 16-YEAR-OLD GIRL INTO PROSTITUTION
- 31** MAN SENTENCED TO 25 YEARS IN PRISON FOR SEXUAL CONTACT WITH 10-YEAR-OLD CHILD
- 32** LYFT DRIVER SENTENCED TO 10 YEARS IN PRISON FOR SEXUALLY ASSAULTING FEMALE PASSENGER
- 33** MAN SENTENCED TO PRISON FOR PROMOTING CHILD SEX ABUSE AND POSSESSING THOUSANDS OF IMAGES
- 34** GRAND JURY INDICTS RICHMOND HILL RESIDENT ON MURDER CHARGES IN DEATH OF 92-YEAR-OLD WOMAN
- 35** BOYFRIEND CHARGED WITH SLASHING WOMAN IN THE FACE AND ARM AS SHE SAT IN HOSPITAL BESIDE SICK BABY
- 36** GUN TRAFFICKER SENTENCED TO 12 YEARS IN PRISON FOR SELLING MORE THAN 25 FIREARMS AND AMMO
- 36** MAJOR GUN TRAFFICKER INDICTED
- 38** FAR ROCKAWAY RESIDENT INDICTED FOR MURDER IN SHOOTING DEATH OF QUEENS MAN
- 39** MAN SENTENCED TO PRISON FOR FATAL CRASH THAT KILLED 19-YEAR-OLD WOMAN AND INJURED 2 OTHERS

** The charge is merely an accusation and the defendant is presumed innocent until and unless proven guilty.*



QUEENS MAN PLEADS GUILTY TO SEX TRAFFICKING FOR FORCING 16-YEAR-OLD GIRL INTO PROSTITUTION

Defendant Faces Up to 9 Years in Prison at Sentencing

Queens District Attorney Melinda Katz announced that a 22-year-old Queens resident has pleaded guilty to sex trafficking for forcing a then-16-year-old girl into prostitution. In May and June of 2018, the defendant coerced the victim into having sex with strangers for money.

District Attorney Katz said, "The defendant used intimidation and manipulation to force this youngster into repeatedly having sex with various men for money. And then he lined his own pockets with the cash she made from the various Johns who paid for sex. Trafficking girls for sex is illegal and will not be tolerated in Queens County."

The defendant, a 22 year old Queens man, pleaded guilty to one-count of sex trafficking and his sentencing is scheduled for March 31, 2020, at which time the defendant faces 3 to 9 years in prison as a result of the enhanced penalties for sex trafficking

successfully enacted by the NYS legislature in 2016 and 2018.

District Attorney Katz said that, according to the charges, the victim met the defendant through a mutual friend when she was just 15 years old. Approximately a month later, after the teen had turned 16, she encountered the defendant again and the defendant began arranging prostitution meet ups for her. The girl was told to refer to the defendant as "Daddy" and coerced her into engaging in sexual intercourse and oral sex with men in exchange for cash. Additionally, the defendant verbally threatened her with harm if she didn't make enough money for him. She was told she needed to make at least \$500 every night.

The victim escaped from the defendant, according to court records, when she visited a friend's home and her friend's mother called the police.

"Trafficking girls for sex is illegal and will not be tolerated in Queens County."

-District Attorney Melinda Katz

FAR ROCKAWAY MAN SENTENCED TO 25 YEARS IN PRISON FOR SEXUAL CONTACT WITH 10-YEAR-OLD CHILD

For More Than 3 Months Defendant Kissed and Touched Girl's Private Areas

Queens District Attorney Melinda Katz announced that a 40-year-old Far Rockaway man has been sentenced to 25 years in prison after being convicted at trial for course of sexual conduct against a child in the first degree. This law was authored by then-Assemblywoman Melinda Katz in 1996, who wanted to make sure pedophiles were held accountable for crimes committed against children. The defendant in this case moved into his girlfriend's home and soon afterwards began to go into the child's room at night. The sexual contact occurred between October 2014 and January 2015.

District Attorney Katz said, "The guilty verdict handed down by the jury last month held this defendant responsible for violating this little girl, who was touched inappropriately by this defendant on multiple occasions. The child was just 10 years old when the abuse began. Today's sentencing punish-

es the defendant for his criminal actions."

The defendant, a 40 year old man of the Far Rockaway neighborhood of Queens, was convicted last month of course of sexual conduct against a child in the first degree and now defendant is sentenced to a determinate sentence of 25 years in prison, to be followed by 10 years' post release supervision. The defendant will also be required to register as a sex offender.

District Attorney Katz said, according to trial testimony, in August of 2014, the defendant moved into his girlfriend's apartment in Jamaica, Queens. In October of that same year, the defendant began to sneak into his girlfriend's daughter's bedroom at night. On various occasions for more than 3 months, the defendant touched the youngster's genitals and her chest area with both his hands and at times his mouth and had sexual contact with the girl.

LYFT DRIVER SENTENCED TO 10 YEARS IN PRISON FOR SEXUALLY ASSAULTING FEMALE PASSENGER

Queens District Attorney Melinda Katz announced that a Lyft driver has been sentenced to 10 years in prison for sexually assaulting a 28-year-old female passenger who had fallen asleep in the defendant's vehicle during a ride to her residence in January 2018.

District Attorney Katz said, "A woman who'd called for a car, thought she would safely make it to her home. Instead, the unsuspecting woman was violated by this defendant, who was found guilty by a jury of his peers."

The 31 year old Corona man was convicted at trial of Criminal Sexual Act in the first degree and Sexual Abuse in the first degree and was sentenced on January 21, 2020 to 10 years in prison, to be followed by 8 years' post release supervision. The defendant is also required to register as a sex offender.

According to trial testimony, the victim met

up with friends at a Flushing bar just after midnight on January 6, 2018. The young woman had worked a particularly long shift at her job and called for a Lyft to take her home. According to Lyft records, the defendant picked up the woman at approximately 4:50 a.m. at the bar and was to take her 4 miles to her home. During the ride the victim fell asleep and was awakened

by the defendant sexually assaulting her. The woman, whose pants and underwear had been pulled down, fled the vehicle and ran into her home. The following day, the police

were notified and the victim was treated at a local hospital where a sexual assault forensic examiner prepared a sexual assault evidence kit. Analysis of that kit later revealed that male DNA collected from the victim's body was consistent with the defendant's DNA.

"A woman who'd called for a car, thought she would safely make it to her home. Instead, the unsuspecting woman was violated by this defendant, who was found guilty by a jury of his peers."

-District Attorney Melinda Katz



QUEENS MAN SENTENCED TO PRISON AFTER GUILTY PLEA TO OVER 17,000 COUNTS RELATED TO PROMOTING CHILD SEX ABUSE AND POSSESSING THOUSANDS OF IMAGES

Queens District Attorney Melinda Katz announced that a 31-year-old Queens resident has been sentenced to prison for promoting child sexual abuse and possessing almost 6,000 images of children being molested. The defendant also pleaded guilty to charges that he had sex with a canine, an act which was recorded and found with his cache of vile images on his electronic devices. The defendant downloaded thousands of photos and videos of children - some as young as 6 months old being abused by adults, both men and women.

District Attorney Katz said, "This defendant has now been held accountable for possessing such a horrific collection of images of children - including babies - being defiled in the most horrific and sickening ways. I would like to make it clear to all that merely possessing images and/or videos involving children being sexually abused are crimes and will be vigorously prosecuted."

This defendant pleaded guilty in December, 2019 to a more than 17,000 counts indictment, which is believed to be the largest indictment for the possession of child sexual exploitation materials in Queens County history. Specifically, he pleaded guilty to almost 6,000 counts each of promoting a sexual performance by a child as a sexually-motivated felony, promoting a sexual performance by a child, possessing a sexual performance by a child and 15 counts of sexual misconduct.

According to the charges, a detective con-

ducting an online investigation in March of 2018, used an internet investigative tool to detect IP addresses that were sharing child sexual abuse images. This software identified the defendant's computer address as having downloaded 1,150 files containing images of children being sexually abused.

According to court records, police seized four computer laptops, four cell phones and five hard drives from the defendant's bedroom. A forensic analysis of the items seized showed thousands of images of children- from infants to 10 year olds. The forensic examination also found 16 video recordings showing the defendant having sexual intercourse with a dog.

The defendant was sentenced to a term of 2 years in prison to be followed by 3 years post release supervision. The defendant must also register under the Sex Offender Register Act.

DA Katz noted that at sentencing, dozens of statements written by the victims were read into the record which took over 2 hours to complete. Each letter explained the damage these pictures and videos have inflicted on their lives, and their hope that anyone downloading and trading these images would be held accountable. District Attorney Katz highlights this case as an example of the need for increased penalties for possessing and promoting child sex abuse images and offers her Office's assistance in working with the legislature on this important issue.



QUEENS GRAND JURY INDICTS RICHMOND HILL RESIDENT ON MURDER CHARGES IN DEATH OF 92-YEAR-OLD WOMAN



Queens District Attorney Melinda Katz announced that a 21-year-old Richmond Hill man has been indicted by a Queens County grand jury on murder and sexual abuse charges for the heinous attack of a 92-year-old woman, who was walking near her home in the early morning hours of January 6, 2020, when the defendant allegedly threw her to the ground, sexually assaulted her and sprinted from the scene.

District Attorney Katz said, “A grand jury has taken action indicting this defendant to hold him accountable for the horrible attack of an elderly woman, who was beloved in her neighborhood. The defendant is accused of pouncing on the 92-year-old woman from behind, throwing her to the ground and then sexually assaulting her before he ran from the scene. The victim was discovered hours later barely conscious, incoherent and naked from the waist down. The defendant has been apprehended and will be prosecuted for his alleged heinous actions.”

The indictment charges the 21 year old man of Richmond Hill with one count of murder in the second degree with depraved indifference,

two counts of felony murder in the second degree, one count of manslaughter in the first degree, one count of attempted rape in the first degree, one count of sexual abuse in the first degree and one count of tampering with physical evidence. If convicted, the defendant faces 25 years to life in prison.

According to the charges, said District Attorney Katz, the defendant was observed on video surveillance following the victim as she walked on 127th Avenue near her home. The defendant then allegedly attacked her from behind and knocked the 92-year-old onto the sidewalk. The defendant is alleged to have sexually assaulted her, according to the autopsy performed by the medical examiner. The defendant is then observed moments later on video surveillance running quickly away from the scene.

The victim was found by a passerby at approximately 2:14 a.m., who called 911, and the victim, barely conscious and incoherent, was transported to a local Queens hospital. The victim sustained a fractured spine in 2 places, 2 rib fractures, bruising to her neck and chest and other injuries and died as a result of the injuries.

“A grand jury has taken action indicting this defendant to hold him accountable for the horrible attack of an elderly woman, who was beloved in her neighborhood.”

-District Attorney Melinda Katz

BOYFRIEND CHARGED WITH SLASHING WOMAN IN THE FACE AND ARM AS SHE SAT IN HOSPITAL BESIDE SICK BABY

Victim Needed 120 Stitches to Close Deep Cuts to Her Face and Arm; Defendant Faces Up to 25 Years in Prison if Convicted

Queens District Attorney Melinda Katz announced that a Jamaica resident has been charged with assault for viciously slashing his girlfriend with a sharp object as she sat beside their sick baby. The unprovoked attack allegedly happened early Sunday morning at Jamaica Hospital.

District Attorney Katz said, “The victim in this case fell asleep while watching over her sick baby in the hospital. She was awakened by her boyfriend, who allegedly stood over her with a sharp instrument and then slashed her in both her arm and face requiring 120 stitches.”

The defendant, a 24 year old of Jamaica, Queens, is charged with first-degree assault, third-degree criminal possession of a weapon and endangering the welfare of a child. Defen-

dant was remanded and if convicted, the defendant faces up to 25 years in prison.

According to the charges, the victim was in a room with her 6-month-old daughter, who was admitted to Jamaica Hospital as a patient. The mother sat in a chair beside her daughter and fell asleep. Shortly after 1 a.m., she awoke to see her child’s father standing over her with a sharp instrument. The defendant allegedly said in sum and substance, I’m going to jail, and began slashing the woman with the sharp object. The 25-year-old victim sustained deep wounds to her left arm and her face, which extended from her ear to her nose. The victim required a total of approximately 120 stitches to close all the wounds.



GUN TRAFFICKER SENTENCED TO 12 YEARS IN PRISON FOR SELLING MORE THAN 25 FIREARMS AND AMMO

District Attorney Melinda Katz announced that a Queens resident has been sentenced to 12 years in prison after pleading guilty to charges of criminal sale of firearms. The defendant sold multiple firearms - ranging from pistols to assault rifles and ammunition - to buyers who unbeknown to the defendant were undercover New York City Police Department detectives. The gun buys were conducted between December 2017 through March 2019. The co-defendant in this case also pleaded guilty and is awaiting sentencing.

District Attorney Katz said, "Far too many people are senselessly killed by guns. This defendant is going to prison for selling illegal weapons in our neighborhoods. Those who deal guns in Queens County will be prosecuted."

The 34 year old defendant, of Jamaica, Queens, pleaded guilty last fall to first-degree criminal sale of firearms and yesterday was sentenced to 12 years in prison to be followed by 5 years post release supervision. A co-defendant, a 30 year old also of Jamaica, Queens, is awaiting sentencing after pleading guilty to second-degree criminal possession of

a weapon.

According to the charges, both defendants were gun traffickers operating in Queens County. Unbeknown to the traffickers, the buyers were detectives. Over the course of the long-term investigation, the first defendant sold undercover detectives 26 pistols, 2 revolvers, 2 assault rifles, a shotgun, an inoperable blank pistol and more than 400 rounds of ammunition. The purchasing price for this arsenal - \$26,000.

The District Attorney said, as outlined in the charges, between December 2017 and March 2019, this defendant on 9 separate occasions sold numerous firearms to a "buyer" in exchange for thousands of dollars in cash. On December 8, 2017, the undercover detective met with the defendant on Ferndale Avenue in Jamaica, Queens. The defendant sold a pistol, a magazine for that pistol and ammunition for \$600. Continuing, according to the charges, on September 6, 2018, the co-defendant sold 3 pistols and accompanying ammunition to a "buyer" for \$2,800.

MAJOR GUN TRAFFICKER INDICTED

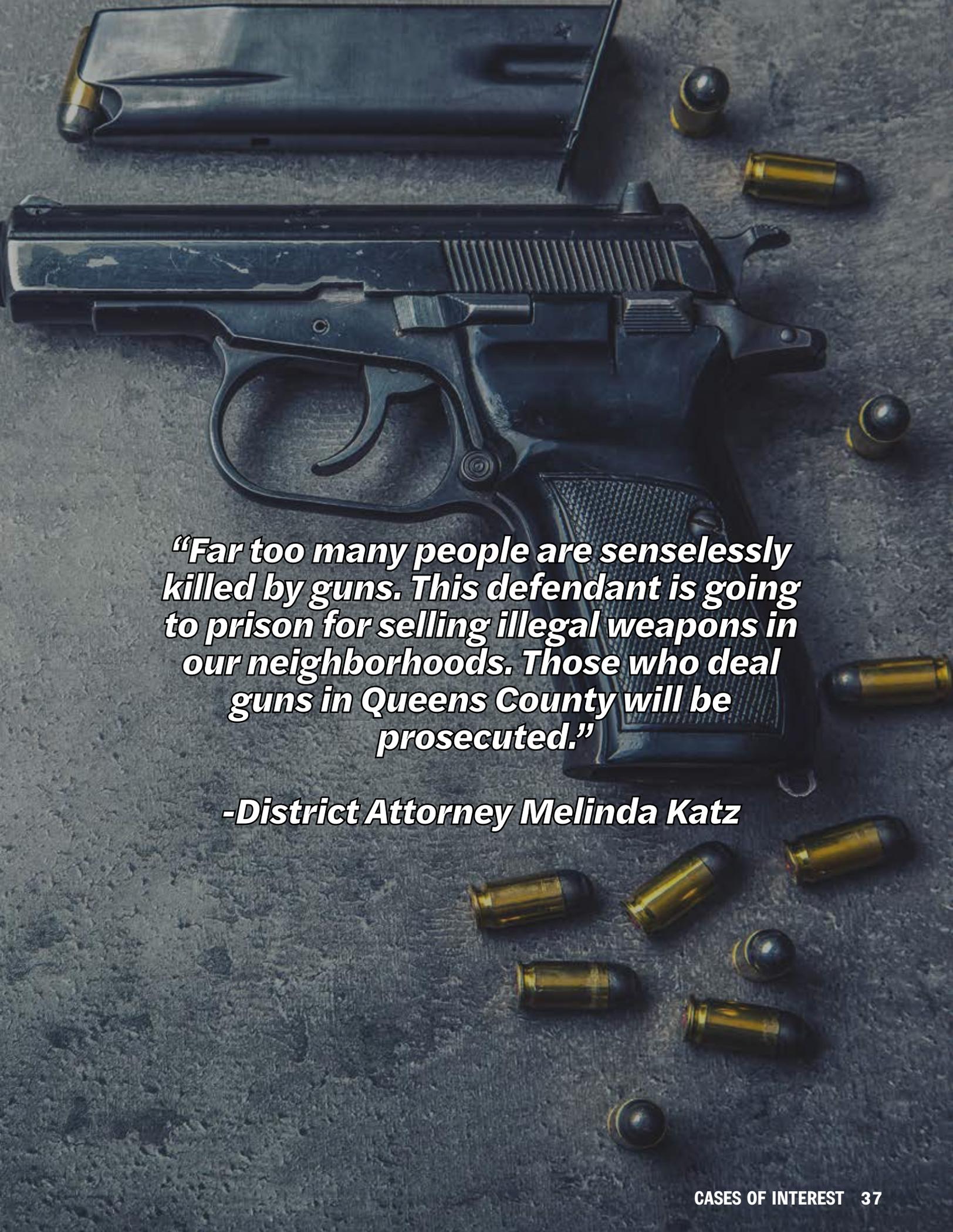
Under the leadership of Queens County District Attorney Melinda Katz, the first indictment of 2020 charges a gun smuggler with 94 counts of weapon related charges, including Criminal Sale of a Firearm in the First degree. The defendant is charged with multiple sales, between June through October 2018, of a total of 27 firearms - including 8 assault weapons and 16 loaded firearms.

The defendant charged in this case admitted to transporting the illegal weapons from Michigan and Georgia via bus and bringing them into Queens County. Many of the firearms had been modified to make them even deadlier.

Committed to stopping the trade of illegal weapons in our communities, The Queens District Attorney's Office continued to work closely with the New York City Police Department's Firearms Investigations Unit and the New York City Police Department's Intelligence Bureau, to keep these guns out of the hands of criminals and hold a major gun trafficker accountable for his crimes.

According to the charges, the defendant met with a gun buyer--who unbeknown to him was an undercover detective--- and sold that individual a total of 27 firearms. The first charged transaction occurred on June 14, 2018 at 168th Street in Jamaica, Queens. At that time, the defendant allegedly sold the "buyer" a Bushmaster XM-15, 5.56 caliber rifle, and an Iver Johnson .22 caliber revolver for \$2,600. The rifle was semi-automatic and had characteristics of an assault weapon.

On August 28, 2018, the defendant sold the "buyer" four pistols -- a Taurus .45 caliber handgun, a Smith and Wesson .45 caliber handgun, a Ruger .380 caliber gun and a Smith and Wesson 9mm pistol. The 9mm handgun had its serial number scratched. The final buy was on October 29, 2018, at which time the defendant is alleged to have sold three guns---- all Cobra .380 caliber pistols for \$1,800. All three handguns were defaced with the serial numbers scraped off.

A black handgun is the central focus, lying horizontally on a grey, textured surface. Above it, a magazine is visible. Several bullets are scattered around the handgun, some pointing towards the viewer and others away. The lighting is dramatic, highlighting the metallic and plastic textures of the firearm.

“Far too many people are senselessly killed by guns. This defendant is going to prison for selling illegal weapons in our neighborhoods. Those who deal guns in Queens County will be prosecuted.”

-District Attorney Melinda Katz

FAR ROCKAWAY RESIDENT INDICTED FOR MURDER IN SHOOTING DEATH OF QUEENS MAN

*The Victim Was Killed in December 2019 in Front of Deli;
Defendant Faces Up to 25 Years to Life in Prison if Convicted*

Queens District Attorney Melinda Katz announced that a Queens County grand jury has indicted a Far Rockaway man for murder in the shooting death of a 45-year-old Queens resident, a week before Christmas. The defendant is alleged to have shot the victim several times on December 18, 2019, shortly after 6 p.m. on Rockaway Beach Boulevard.

The defendant, 33 years old of Far Rockaway, Queens, was arraigned on a six count indictment charging him with second-degree murder, second degree criminal possession of a weapon and endangering the welfare of a child. Defendant was remanded and, if convicted, faces up to 25 years to life in prison.

According to the charges, said District Attorney Katz, shortly after 6 p.m. on December 18, 2019, the defendant was allegedly observed on video surveillance in front of a deli at 87-18 Rockaway Blvd. The victim was seen a short time later on the same video surveillance at the location and he and the defendant had a brief conversation. As the 45-year-old victim walked away, the defendant allegedly drew a handgun, cocked it and fired several times at the victim. The man was struck in his arm, chest and abdomen and died from those injuries. The defendant fired the weapon in front of a number of people, some of whom were children.



OZONE PARK MAN SENTENCED TO UP TO 6 YEARS IN PRISON FOR FATAL CRASH THAT KILLED 19-YEAR-OLD WOMAN AND INJURED 2 OTHERS



Queens District Attorney Melinda Katz announced that a 21-year-old Queens man has been sentenced to prison for 2 to 6 years after pleading guilty to manslaughter in the second degree for the May 2018 auto crash that killed a woman and injured 2 others in a Lyft share-ride vehicle at the intersection of Archer Avenue and Guy R. Brewer Boulevard in Jamaica, Queens.

Queens District Attorney Melinda Katz said, “This was a horrible collision that could have easily been prevented. The defendant in this case exceeded the speed limit and then continued through a solid red light. The car slammed into another vehicle - killing the passenger in that car and injuring the driver and another passenger.” The Ozone Park man pleaded guilty last month and was sentenced on January 21, 2020 to 2 to 6 years in prison.

District Attorney Katz said that, according to the charges, at approximately 11:05 p.m. on May 24, 2018, the defendant was operating a 2018 white Mercedes Benz northbound on Guy R. Brewer Boulevard going toward Archer Avenue at a high rate of speed when he drove

through a steady red light and struck the passenger side of a 2015 Hyundai that was traveling eastbound on Archer Avenue. Defendant left the scene of the incident without reporting the crash that led to another person’s death.

The rear passenger of the Hyundai, a 19 year old woman from Springfield Gardens, suffered head trauma as a result of the collision and was later pronounced dead at a local Queens hospital. The second passenger of the Hyundai was also taken to a nearby Queens hospital with possible spinal fractures. The driver of the Hyundai was treated for neck and back injuries. After the collision, defendant - the driver of the Mercedes - exited the vehicle, fled the scene and was apprehended shortly thereafter.

District Attorney Katz said that according to the complaint, at the time of arrest, the defendant admitted that he “was driving between 55 and 60 mph” that he “saw the light was yellow and then turned red and continued driving through the intersection.” The defendant stated in sum and substance that he “was scared and didn’t know what to do, so I took off running.”







SECTION V

PROTECTING THE VULNERABLE

45 QUEENS CHILD ADVOCACY CENTER

46 DOMESTIC VIOLENCE

47 HUMAN TRAFFICKING

48 THE OPIOID CRISIS

49 ELDER ABUSE

50 ANIMAL CRUELTY UNIT

51 HATE CRIMES

52 DRIVING WHILE INTOXICATED

53 VEHICULAR HOMICIDE UNIT



QUEENS CHILD ADVOCACY CENTER

Working holistically to minimize trauma while protecting our children

District Attorney Katz has spent her career fighting for the vulnerable of our community and children are at the heart of that cause. Recognizing that criminals who prey on children leave behind victims who need extra support, understanding and protection, DA Katz will focus on seeking justice for child victims and working with victim organizations to do more to protect our children. The Queens Child Advocacy Center (QCAC) is a child-friendly one-stop facility addressing the needs of abused children. The QCAC is staffed by professionals from the Queens District Attorney's Office, Cohen's Children's Hospital, NYPD, ACS, and Safe Horizon who all work together to streamline the investigative process and enhance delivery of services to victims and families affected by child abuse. The QCAC has a dedicated unit of prosecutors and support staff who investigate and prosecute these sensitive, complex matters involving the physical and sexual abuse of children under seventeen years old. ADAs at the QCAC are trained in child and trauma-in-

formed interviewing best practices designed to prevent re-traumatization. Under DA Katz, the QDA team coordinates with medical staff, child protective specialists, counselors, and the NYPD in order to holistically address the needs of victimized children, collect evidence, and build prosecutions where warranted, and to do so in a manner that minimizes trauma to and obtains justice for these young survivors of physical and sexual abuse.



DOMESTIC VIOLENCE

The risk of homicide in a domestic violence situation increases by 500% when a firearm is present in the home.

District Attorney Katz is dedicated to expanding our efforts to end domestic violence and to eliminate the stigma attached to being a domestic violence survivor. To achieve these goals, DA Katz will work toward strengthening our Office's partnerships, increasing community outreach, and changing abusive behavior through diversionary programs, education, and providing support for both victims and defendants.

The Domestic Violence Bureau will enhance its newest initiative- the Domestic Violence Strategic Threat Alert Team (DVSTAT.) This program attempts to identify and enhance the prosecution of high-risk domestic violence cases after a crime has occurred, but before the offender is apprehended. Nearly half of domestic abusers flee the scenes of their crimes before the police arrive. To help keep these victims safe, we employ a computer program that receives from the NYPD all open domestic violence complaint reports where defendants have not yet been arrested. The program searches those complaints for risk factors - including whether there has been an escalation of violence, a violation of an order of protection, or threats made. The Assistant District Attorney assigned can begin immediate outreach on the cases identified as the highest risk.

By proactively inviting these victims to the Queens Family Justice Center (QFJC), District Attorney Katz's Office ensures that victims are aware of the safety planning and counseling services that are available to them- even before an arrest is made. At the QFJC, victims are assigned case managers from Safe Horizon so

that, among other things, they can apply for family court orders of protection and seek shelter placement. DVSTAT ADAs can coordinate with responding officers, domestic violence officers, detectives, and field intelligence officers to make sure that crucial evidence, including surveillance video and electronic evidence, such as text messages, voicemails, and social media postings are preserved. Through this coordination with the NYPD, the DVSTAT program has successfully obtained search warrants which have led to the recovery of a variety of firearms and narcotics. The recovery of these weapons is one of the program's greatest successes - especially since the risk of homicide in a domestic violence situation increases by 500% when a firearm is present in the home.

Under the leadership of District Attorney Katz, the Domestic Violence Bureau will continue to partner with the Mayor's Office and the NYPD on the Coordinated Approach to Prevent Stalking (CAPS), a homicide prevention program that focuses on intervention before stalking behavior becomes violent. In addition, the Domestic Violence Bureau will increase participation in the Interim Probation Domestic Violence Team (QIPDVT.) This probation program seeks to change defendants' abusive behaviors by utilizing a trauma informed approach that combines accountability measures with support. Over 100 defendants have had their sentences deferred while they participated in the supervision program. We are confident that our continued investment in this program will create lasting change that will help break the cycle of abuse.

HUMAN TRAFFICKING

As Queens County's first female District Attorney, DA Katz brings a new perspective to the many crimes committed against our most vulnerable and the best means to reduce and eliminate them.

Under District Attorney Katz's administration, the Human Trafficking Unit focuses on prosecuting people who coerce and force women into prostitution - the traffickers, brothel operators and other criminal elements who prey upon people in dire situations. DA Katz is concentrating efforts that bring traffickers to justice while ensuring that victims of sex trafficking will receive the help and services they require, such as housing, work and guidance instead of incarceration.

The Human Trafficking Unit investigates and prosecutes all sex and labor trafficking cases. These cases often involve charges of kidnapping, rape, assault, criminal contempt, as well as all compelling, promoting and patronizing a person for prostitution crimes. The Human Trafficking Unit utilizes innovative approaches to investigate and prosecute both labor and sex traffickers, protecting women and underage children and the commercial exploitation of immigrant children and household workers.

DA Katz's Human Trafficking Unit investigates and prosecutes commercial establishments that profit from and facilitate sexual exploitation and human trafficking. The Unit collaborates with numerous city and state agencies to facilitate services for trafficking survivors and works routinely with community partners and organizations to promote preventative outreach for at risk youth and community members who are likely to be targeted as victims of these degrading and demoralizing crimes. Traffickers often instill fear in their victims that they will be criminally prosecuted and/or face immigration consequences if they seek help from law enforcement. To combat this, DA Katz and her staff reach out to the communities to raise awareness that no victim of trafficking will ever be prosecuted or penalized by reporting their victimization. Our outreach initiatives are based upon our understanding

that trafficking must be combated by taking the power away from traffickers through community awareness and that DA Katz's office is a safe haven for all victims of human trafficking regardless of their social, economic or immigration status.



THE OPIOID CRISIS

Source: NYPD and OCME data

According to data maintained by NYPD and the OCME, there has been an increase in suspected drug overdose deaths in 2020 compared to the same time frame in 2019. As of February 20, 2020, there have been 22 suspected overdose deaths in Queens County, up 314 percent from last year.

We are all painfully aware of the opioid epidemic facing our City. The opioid crisis knows no boundaries and does not discriminate.

District Attorney Katz is acutely aware of this public health risk and the increasing impact of fentanyl on our communities. Fentanyl analogs are deadly synthetic opioids that are causing increasing numbers of overdose deaths. In Queens County alone, there were

approximately 258 suspected fatal overdose deaths last year, and approximately half of those deaths are related to fentanyl or fentanyl analogs.

DA Katz is committed to addressing this mounting crisis and working with communities, law enforcement, and the legislature to combat illegal drug traffickers while getting substance abusers the help they need.

QUEENS OPIOID OVERDOSES

In Queens County alone, there were approximately 384 opioid overdoses last year



ELDER ABUSE

*When we work together in our commitment to the elderly,
we can get the best and broadest results.*

Throughout her career, District Attorney Katz has been a strong advocate for seniors. As District Attorney, her commitment to protecting our elderly continues. Our office works tirelessly, in a coordinated and comprehensive way, to ensure that seniors are living their golden years in a safe and secure environment.

Elder abuse affects the health, safety and quality of the lives of older adults. It is insidious, often hidden for long periods of time, and can be devastating. An assault committed on a frail older adult can have much more tragic consequences than similar injuries inflicted on a younger person. Financial exploitation can deprive older adults on fixed and limited incomes of their ability to live independently. The abuser may be a child, grandchild, or other relative or a trusted friend, fiduciary or caregiver. The abusers are also strangers, passing acquaintances, and scam artists.

Focused on innovation, collaboration, and prevention, we have a specialized and dedicated investigation and prosecution team that addresses the ever-growing crime of financial exploitation. The Elder Fraud Unit investigates and prosecutes a myriad of financial crimes and scams committed against seniors. They are instrumental in returning deeds back into the names of the rightful owners and ensuring seniors are able to stay in their own homes. They obtain restitution and crime victim compensation and have put thousands of dollars

back into the hands of elderly victims.

District Attorney Katz, a leader in working with communities and collaborating with other agencies, recognizes that elder abuse cases often require a broader and more comprehensive approach. As such, the District Attorney's Office is a core member of a multidisciplinary team of professionals and specialists from various agencies, which reviews complex elder abuse cases.

Prevention and outreach are also key components to our work. As the most ethnically diverse county in the nation, we are faced with the additional challenges associated with immigrant populations – language barriers, distrust of law enforcement based on negative experiences in their native countries, and the necessity to understand and be sensitive to special cultural or religious needs of the particular community. In addition, the community may be unaware of the latest scams and seniors may find themselves falling victim to con artists that prey upon seniors. In response, members of our staff reach out to all communities and update members of the public on crime prevention tips and the detection of elder abuse. We train professionals from other disciplines, such as financial advisors, social workers and caseworkers to help bring elder abuse cases to light. We regularly participate in community events to raise public awareness of elder abuse.

ANIMAL CRUELTY UNIT

200-300 monthly 911 & 311 animal cruelty reports

The Animal Cruelty Prosecutions Unit pursues allegations of animal cruelty for Queens County's voiceless and vulnerable animal victims. These innocent victims are members of our community and are deserving of protection from those who abuse and neglect them. Under District Attorney Katz, the Animal Cruelty Prosecutions Unit investigates and prosecutes all crimes against animals. These crimes range from neglect and abandonment of household pets to the intentional killing of animals or causing them serious physical injury. The unit also handles cases of organized dog fighting and gamecock fighting.

In Queens County alone, there are between 200 and 300 monthly 911 and 311 animal cruelty reports. The Unit participates in community prevention and education as well as training for investigating and prosecuting crimes against animals. The Animal Cruelty Prosecutions Unit works closely with the NYPD Animal Cruelty Investigation Squad of experienced detectives, the police precinct animal liaisons who investigate crimes against animals, and the ASPCA's team of forensic veterinarians, whose expertise is critical in determining the extent and cause of conditions, injuries, and death of animal victims.



HATE CRIMES

Within the very first few days in Office, District Attorney Katz took on hate crime head on. As anti-Semitic attacks were happening across the city and state, she quickly assembled a room full of leaders, from the community and the NYPD, to address the rise in hate crimes. Standing bravely at the helm, DA Katz focused on new ways to combat all crimes of hate. Recognizing our most effective tool against hate, as always, is building bridges and lines of communication across communities, DA Katz is devoting more resources to prevention and better education.

Hate crimes don't exist in a bubble. When words and actions of hate go unchecked, they grow. Under District Attorney Katz's strong

leadership, hate crimes will be prosecuted and those who commit these crimes will be held accountable.

We are equally outraged by the violence against our brothers and sisters in the Muslim community, the Jewish community, and the violence in African-American churches across our country. We will not tolerate attacks on the LGBT community and the many immigrants who call Queens County home. We cannot and will not accept those that denigrate immigrants and treat them as lesser members of our community. We all know how that ends. As District Attorney Katz reminds us all: we must stand together or they come for all of us.

"We must stand together or they come for all of us."

-District Attorney Melinda Katz



DRIVING WHILE INTOXICATED

Our statistics show, defendants who engaged in treatment oriented pleas had a recidivism rate of only 2%.

Utilizing a drug treatment court model, the Queens DWI Court (QDWI) offers defendants with their first felony Driving While Intoxicated (DWI) offense the opportunity to receive treatment under close court supervision for a minimum of one year as an alternative to incarceration and/or a felony conviction. If the defendant voluntarily agrees to enter the program, he or she must plead guilty to both the felony and a misdemeanor DWI charge, and sign a document agreeing to abide by the entire treatment plan and the rules of the program. Participation in the program requires the defendant to wear a SCRAM (Alcohol and Location Monitoring System) bracelet for 90 days, precludes him/her from driving while in the program and the defendant is on interim probation for the year. If the defendant successfully completes all mandates of the program, he or she has the felony charge dismissed and is sentenced on the misdemeanor count to three years' probation, a fine, revocation of their license for a minimum of one

year, mandatory installation of an ignition interlock device on all cars he or she owns or operates for one year and statutory surcharges. If the defendant leaves the program, either voluntarily or involuntarily, it is viewed as non-compliance and the defendant is sentenced to the mutually agreed upon sentence at the time of the plea— usually one year of jail, a fine of \$1,000, license revocation, three year conditional discharge, mandatory installation for the ignition interlock on all cars owned or operated for two years.

Under District Attorney Katz, typical first arrest felony DWI cases are handled with a focus on treatment if there is no associated physical injury. For misdemeanor DWI cases, defendants either plead to a misdemeanor or a Driving While Ability Impaired (DWAI) violation charge, and the dispositions also typically include completion of treatment. Our statistics show, defendants who engaged in treatment oriented pleas had a recidivism rate of only 2%.

VEHICULAR HOMICIDE UNIT

The investigation and prosecution of vehicular homicides is a high priority of District Attorney Katz. The Vehicular Homicide Unit (VHU) works within the Homicide Bureau and oversees the investigation and prosecution of all deaths, whether pedestrian, cyclist or motorist, where a person is killed or is medically diagnosed as “likely to die” as the result of contact with a motor vehicle. Under DA Katz’s leadership, we are notified immediately -a 24 hour hotline is maintained to receive notifications by the NYPD of all vehicular deaths, whether originally considered criminal or not. A notification is then forwarded to both a homicide riding ADA and the chief of the VHU. Each homicide investigation assistant has received specialized training in the investigation of vehicular crimes, including but not limited to the procurement of search warrants to obtain: “black boxes” of vehicles, hospital blood of suspects, DNA and forensic evidence in or on vehicles, cell phone call and text records, cellular GPS, video surveillance and telephonic VTL blood orders.

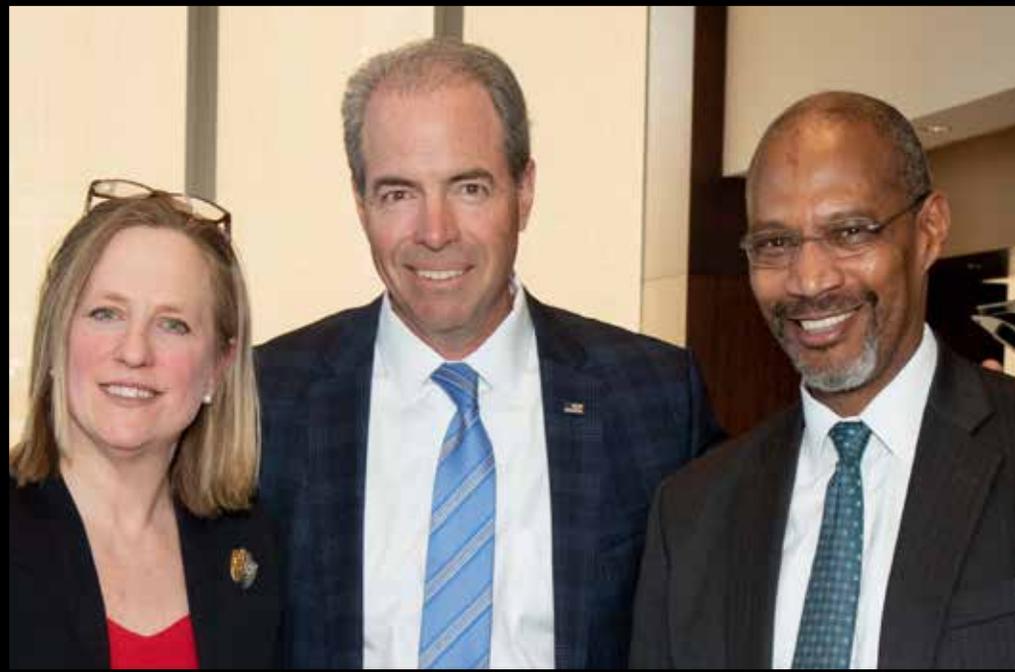
Upon notification by the hotline, the riding ADA responds to the scene of the incident and assists the NYPD with the investigation. The Homicide Bureau works in conjunction with the Collision Investigation

Squad (CIS) of the NYPD. The CIS detectives are specially trained in the investigation of vehicular crimes and are considered experts in the field of accident reconstruction by the courts. Upon the completion of the gathering of evidence, the case is evaluated as to whether the actions of the driver or drivers involved amount to criminal behavior. If criminal charges are appropriate under the law, charges will be brought. Arrests may be made at the scene of the incident if evidence supports that action, but may also be brought at the conclusion of the investigation which may occur months later. All prosecutions of vehicular homicides are then prosecuted by experienced trial attorneys within the Major Crimes Division and Trial Division under the supervision of the chief of the VHU.

Irrespective of whether criminal charges can be brought, District Attorney Katz and her staff may meet with the families and their representatives to discuss the results of the investigation, the applicable laws and how those laws are specifically applied in vehicular crimes, and to address any concerns that may arise. As an Office we continue to pursue the ability to enhance the prevention, investigation and prosecution of these cases with our work on the DWI taskforce and the Mayor’s Vision Zero Initiative.

Vehicular tragedies are occurring all too often across the City and here in Queens County. We have all heard the heart wrenching stories of lives taken in fatal and critical crashes.







SECTION VI

PROBLEM SOLVING COURTS AND DIVERSION PROGRAMS

59	COMBATING DRUNK DRIVING
60	VETERANS COURT
61	TREATMENT COURTS
63	DIVERSION PROGRAMS



USING TECHNOLOGY TO COMBAT DRUNK DRIVING SCRAM/REMOTE BREATH DEVICES

QDA's retention rate for defendants placed on a monitoring device has been 93% and the successful completion rate has been 91%.

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 Remote Breath 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.

Remote Breath is a portable breathalyzer that measures breath alcohol concentration (BAC). Several times over the course of the day, the offender is required to provide a breath sample. The offender looks into a camera and blows into the breathalyzer. The device then sends the blood alcohol level, the offender's photo instantly to a monitoring service, who in turns 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 93% and the successful completion rate has been 91%.



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 non-violent veteran offenders and provides outreach, specialized support services and treatment, of-

fers peer support to sustain engagement in services, and facilitates the exchange of information between legal, clinical and community resources. Since its creation, 106 otherwise jail-bound veterans have been diverted through the Queens Veterans Court (QVC). Those who successfully complete the year-long program have the charges against them dismissed or reduced.

In 2019, Queens County added to the success of QVC, by developing and implementing Queens Misdemeanor Veterans Treatment Court (QMVTC). Since its inception, QMVTC has assisted 153 participants, with 61 successful and one negative completion. QMVTC incorporates many of the same principles as QVC and maintains a continual relationship with the Veterans Administration.



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 1,218 defendants

have participated and more than 859 have successfully completed the program. Upon successful completion of treatment, the underlying felony charge is replaced by a misdemeanor disposition. The program's retention rate is 74%.

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 2,635

defendants have been placed with the court which has an 81% retention rate. Upon successful completion of the required minimum of one year substance abuse treatment, felony charges are dismissed and sealed.

QUEENS TREATMENT INTERVENTION PROGRAM (QTIP)

In response to the Opioid epidemic facing our County, we created and implemented the Queens Treatment Intervention Program (QTIP). Designed to assist addicted defendants charged with PL Section 220.03, who as part of their court obligations are directed to Samaritan Daytop Village, an Office of Alcoholism and Substance Abuse Services (OASAS) licensed

treatment provider, who conducts an evidence based assessment to determine if treatment is required. To date, we have assisted over 365 defendants, with 337 receiving an Adjournment in Contemplation of Dismissal (ACD) or Conditional Discharge (CD). 88% of the defendants assessed were recommended for treatment.



QUEENS MISDEMEANOR TREATMENT COURT

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 six months.

Instead of jail or probation, QMTC helps these offenders enter and stay in a drug or alcohol treatment program. The QMTC program includes regular court appearances and super-

vision by the QMTC judges.

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.”

Since QMTC began operations in January, 2002, over 1,400 individuals have been screened. Of these, more than 863 have successfully completed the program, and more than half of those who took pleas in 2019 remain in treatment.

QUEENS COURT ACADEMY

The Queens Court Academy, a NYC Department of Education alternative school, helps young offenders charged with non-violent crimes continue their education in a supervised and supportive environment. Operated from the District Attorney’s Office in Borough Hall,

this alternative high school is the only one of its kind overseen by, and operated in partnership with, a District Attorney’s office and the NYC Department of Education. Since 2011, 376 students have been enrolled and 52 have earned their High School Equivalency or diploma.

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 assessment and the treatment plans for participants. More than 432 offenders have been placed and 279 graduated to date.

QUEENS YOUTH PART (QYP)

Male and female defendants 18 years old and above 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. To date, we have processed 588 young people through QYP. Of these, 407 or 69% have graduated, 51 are still participating and 95 have received the alternative sentence. QYP maintains a retention rate of 78%.

PRE-ARRAIGNMENT DIVERSION

Prior to arraignment, selected first time offenders are contacted by District Attorney staff to schedule a clinical meeting for the purpose of determining if the traditional Appearance Ticket process can be avoided. If amenable, defendants meet with a district attorney clinician who conducts a proportional assessment

to determine if a referral to a community based treatment program is needed and coordinates participation in a restorative justice circle. Since the inception of the program, 1,608 individuals have been determined eligible and 82% of those who participated had their charges expunged prior to ever seeing a judge.

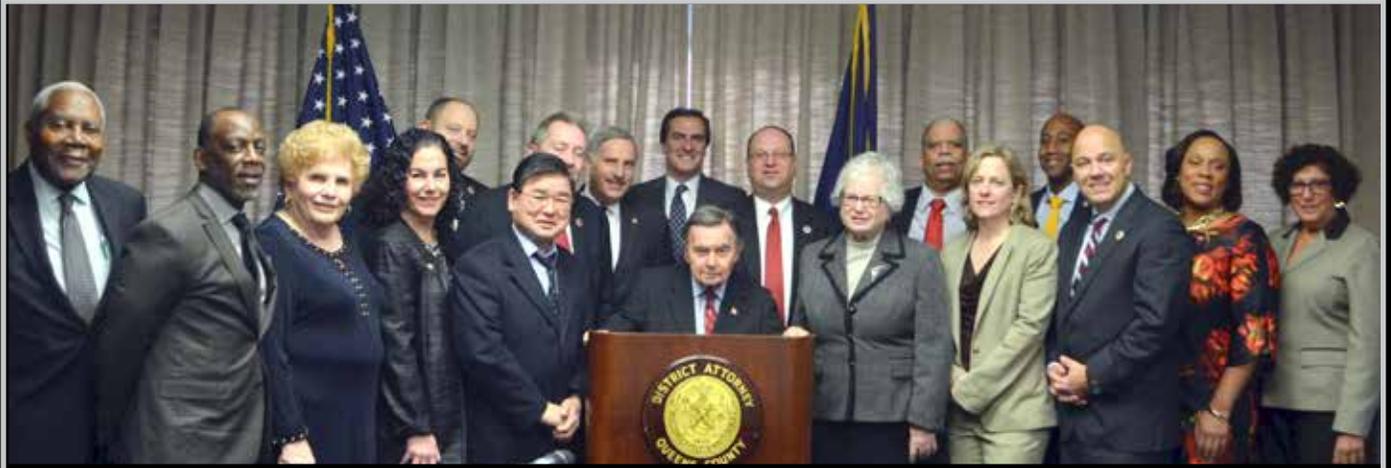


IN MEMORY OF
RICHARD A. BROWN









IMPORTANT CONTACTS

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Intergovernmental Affairs & Policy

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Crime Victims Advocate Program

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