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UPDATE FROM QUEENS DISTRICT ATTORNEY MELINDA KATZ
ON EXPEDITING DISPOSITIONS OF CRIMINAL CASES
TO AVOID KEEPING DEFENDANTS AT RIKERS ISLAND DURING PANDEMIC

The Queens District Attorney's Office had its first pre-indictment felony plea this week during this on-going health crisis. The Office has taken other felony pleas in Supreme Court, post-indictment during the current pandemic. However, this pre-indictment case was moved up from its scheduled June 4, 2020 court date and the defendant appeared virtually in Queens Criminal Court Monday where she pleaded guilty to a weapons charge. This case was expedited with special considerations made in regards to both the plea and the sentencing in order to resolve the case without keeping the defendant at Rikers Island during the coronavirus pandemic while still keeping public safety in mind.

"I have approved the release of dozens of inmates at Rikers Island – many of them with compromised health conditions – to protect them from the coronavirus," said District Attorney Melinda Katz. "We are now moving forward with the disposition of pending cases using virtual appearances before judges and modifying sentences in a way that would enable defendants to serve their sentences without physically being housed at the City's jails. We have a duty to protect the public as well as to keep those that come before us as defendants out of harm's way as best we can during this COVID-19 outbreak."

The District Attorney outlined the details of the first virtual pre-indictment felony plea that took place on Monday before Queens Criminal Court Judge Bruna DiBiase. The defendant, a woman who had been arrested last year, was charged with criminal possession of a weapon in the second-degree after police executed a court-authorized search warrant and found a gun in her residence. The defendant had a court date in January, but allegedly failed to appear and the Court issued a bench warrant. The defendant was returned involuntarily in March and was remanded.

Continuing, DA Katz conveyed the case moved forward with one of our assistant district attorney's evaluating the defendant with the possibility of resolving the case with the woman taking a conditional plea based on participating in an alternative sentencing program. Upon completion of that program, she will have her case vacated and therefore will no longer have a

felony conviction on her record.

Working with the defense attorney, members of the DA's Office's Alternative Sentencing Division and the ADA on the case the defendant was evaluated and a treatment plan developed with the Fortune Society.

The defendant's case was advanced to Monday's date and the defendant using Skype for Business appeared in Court, where she pleaded guilty to criminal possession of a firearm. The defendant was released and allowed to go home. The defendant will be required to participate in a Telehealth program 4 to 5 times a week through the Fortune Society, which supplied the woman with both a laptop and phone in order to meet the requirements of her sentencing. The defendant will also have to submit to random drug testing.

This is just one example of how the DA's Office is working with the defense bar and the Court to identify cases that can be quickly resolved.