

BRAVE JUSTICE


ANNUAL REPORT 2022




MELINDA KATZ
DISTRICT ATTORNEY

Queens District Attorney
125-01 Queens Boulevard
Kew Gardens, NY 11415

 www.queensda.org

 @QueensDAKatz

 QueensDAKatz


 @QueensDAKatz

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QUEENS DISTRICT ATTORNEY

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A MESSAGE FROM DISTRICT ATTORNEY **MELINDA KATZ**

During my three years as District Attorney, I have worked tirelessly to keep the people of this borough safe while implementing effective strategies to empower our communities. It takes courage to meet this challenge head on and continue to keep moving along the path. ***The Brave Justice Annual Report 2022*** highlights some of the many accomplishments and noteworthy operations of the office as we forge ahead on this journey.

Blazing the Trail – My team and I are blazing a new trail with policies and practices that will help create a more perfect system - one that is rooted in fairness and compassion while also delivering on community safety. As crime increased in our county overall, our staff worked countless hours to expedite cases through the system. This led to increased activity in most areas, including grand jury indictments and court appearances. We tripled the number of trials conducted in 2022 compared to the preceding year. The Conviction Integrity Unit, the first in Queens County, continued to make certain there is more reliability and fairness in past convictions. We closely evaluated all arrests, including cases involving juvenile and adolescent offenders. We carefully reviewed bail requests while monitoring cases involving incarcerated individuals. We worked to address increasing recidivism rates, particularly as it relates to the increase in illegal gun cases, and reviewed discovery documents in record numbers.

Lighting the Way – The trail we are forging will not be dark; we work each day to shine a light that will ensure transparency throughout the criminal justice system. We continue to perfect our structure in order to promote fairness for all participants in the criminal justice system. We have assembled a top-notch staff and enhanced our training to ensure all staff abide by the highest ethical and moral obligations. I am proud to say that we are frequently called upon to share our expertise with others across the state and the nation.

Leading with a Steady Hand – Throughout the journey, I provide a steady and consistent hand. My priority is to rid Queens County of dangerous and illegal weapons that wreak havoc and place countless lives at risk. We instill confidence in our system by utilizing our resources on the drivers of crime, ramping up efforts to seize illegal firearms and continuing to aggressively prosecute gun traffickers. We do this while focusing on ways to keep guns out of the hands of our young people.

Sharing the Journey – We expanded our efforts to engage the community, many of whom had been previously left out of the conversation. This is to ensure that the first contact an individual has with the office is not in the courtroom or in the face of tragedy. We provide numerous youth development and civic engagement opportunities and this year alone we have participated in over 2,000 public events.

Defining the Path – The path we create must restore equity to all; this year we have further bolstered our rehabilitation, crime prevention and alternative dispositions programming to better serve vulnerable populations while keeping community safety at the forefront.

We welcome a new year and will continue to blaze this new trail through the criminal justice landscape to create the safest and fairest borough in the city. Together, we can achieve ***Brave Justice***.

In friendship,



INTRODUCTION

The *Brave Justice Annual Report 2022* details the operations and accomplishments of the Queens County District Attorney's Office during District Attorney Melinda Katz's third year in office. Starting on day one of her administration, DA Katz bravely began a "journey of a thousand miles" and in 2022 she continued to take steps toward a more just system that protects all of us. As she blazes this new trail, she guides the office with a strong and steady hand and the courage to keep moving forward.

SECTION I

PAGE 14

BLAZING THE TRAIL: TURNING POLICY INTO PRACTICE

In 2022, we continued to be affected by the pandemic. Under DA Katz's leadership, we adopted practices and policies to keep cases moving along as expeditiously as possible. In 2022, much of our work, including court appearances, grand jury practice, and trials increased from the previous pandemic years and we:

- Processed an increased number of arrests and conducted more arraignments;
- Presented more cases to the Grand Jury for consideration;
- Increased court appearances in both Criminal and Supreme Court;
- Resolved over 30,000 cases;
- Tripled the number of trials conducted.

Assistant District Attorneys are assigned to riding programs and are available 24/7 to assist our law enforcement partners with investigative needs, to serve our communities, and to respond to thousands of notifications. This year, these requests included:

- 139 homicide crime scene visits;
- 71 responses to sexual assault, elder assault, and child abuse investigations;
- 760 search warrants and cell site warrants prepared (152 prepared on homicide-related cases).

The office makes itself accessible in a variety of ways. While the office has a 24-hour hotline, DA Katz established several helplines to keep an open line of communication between the office and victims or witnesses including:

- Hate Crimes Helpline to report bias-motivated crimes;
- Immigration Helpline to assist immigrants in navigating the criminal justice system;
- A 24/7 Domestic Violence Helpline to assist in connecting individuals to safety planning measures;
- Animal Cruelty Helpline to report concerns regarding animal welfare;
- Elder Fraud Helpline to report the financial exploitation of seniors;
- Housing and Worker Protection Helpline to report workplace safety, wage theft, predatory lending and crimes involving real estate.

District Attorney Katz established the Conviction Integrity Unit (CIU) on day one of her administration, the first in Queens County. The CIU reinvestigates and resolves credible claims of actual innocence, wrongful conviction, or other circumstances of a case which undermines confidence in a just outcome. Since its inception, the CIU has:

- Reversed and dismissed 9 cases based on innocence or other newly discovered evidence undermining confidence in the outcome;
- Reversed 4 cases based on unlawful systematic discrimination in jury selection;
- Dismissed 86 cases that were based on the police work of NYPD detectives who were later convicted of various crimes including perjury, falsifying evidence and other serious offenses.

DA Katz created the position of Director of Juvenile Prosecutions to serve as a resource for all the Adolescent Offender (“AO”) cases and oversee the prosecution of Juvenile Offender (“JO”) cases in the Supreme Court Youth Part.

Juvenile offenders are 14- to 15-year-olds charged with violent felonies and 13-year-olds charged with murder in the second degree. In 2022, we saw:

- A total of 47 juvenile offender arrests, and of these, 45 were charged and arraigned.
- 20 cases were removed to Family Court and the remaining 25 were prosecuted in the Youth Part.

Under New York’s Raise the Age law, adolescent offenders are 16- and 17-year-old defendants who have been charged with committing a felony. Most non-violent felony cases are removed to Family Court. As of December 15, 2022:

- There was a total of 394 Raise the Age arrests, a 13.87% increase from 2021.
- 313 cases were sent to arraignments and 81% of those cases were removed to Family Court.
- Queens has seen an uptick in violent felony and firearm cases committed by adolescent offenders.
- Compared to 2021, the number of firearm offenses committed by adolescent offenders increased by 12.24%.

Queens, like the rest of the city and much of the nation, experienced an increase in crime overall in 2022. According to December 18, 2022 NYPD statistics, the year-to-date comparisons of index crimes indicate:

- Approximately 20% overall increase within Queens South precincts;
- Over 30% increase within Queens North precincts;
- Murder rates declined;
- Rape and felonious assaults increased;
- Robberies and burglaries increased over 25%;
- Grand larceny and auto theft increased dramatically, with over 34% increase across the borough;
- Transit crime increased over 43%;
- Retail theft increased over 30%.

While there was an increase in city funding at the start of 2022 for each county District Attorney’s office, Queens County continues to receive the least amount of funding per resident and per arrest.

Under DA Katz's leadership, we continue to perfect our practice under the new discovery laws.

- We have reviewed approximately 1.7 million discovery files in 2022;
- We have reviewed over 81,000 body worn camera videos;
- Despite unprecedented file sharing, we have experienced an inordinate amount of delays and dismissals under the new discovery framework;
- Further amendments are crucial to keep the criminal justice system fully functioning.

In 2022, there was a reduction in caseloads and an increase in dismissals. As a rule, the speedy trial clock will not stop until we are in compliance with the new discovery requirements and a statement of readiness for trial is filed.

New York is the only state in the country that links discovery compliance with speedy trial. This linkage results in the dismissal of thousands of cases across the state, including sex crimes, assaults, driving while intoxicated offenses, thefts, and crimes of domestic violence, and continues to negatively impact cases across all New York criminal courts.

- Pre-trial dismissal percentage rate for misdemeanors more than tripled from 2019 to 2021 and more than doubled for felonies.
- In 2022, the dismissal rate on felony cases continued to rise and surpassed 2021 rates.
- Overall dismissals for all cases are much greater than existed before the unprecedented change in discovery laws.
- When thousands of criminal cases brought in our courts are not heard at all, and no adjudication of the merits takes place, we simply do not have a fully functioning justice system.

As part of DA Katz's commitment to the fair administration of justice, all arrests are closely evaluated to ensure appropriate charging decisions are made. In an effort to address racial disparities and systemic injustices, DA Katz declined to prosecute:

- About 14% of all violation arrests;
- 4% of misdemeanor arrests and 5% of felony arrests.

The approximate number of yearly dockets in Queens is still well below pre-pandemic years. However, the office processed more arrests and conducted more arraignments in 2022 than in 2021 or 2020.

As the arrests have increased, the time from arrest to arraignment has increased slightly in 2022. Nonetheless, the office continued to have the second lowest complaint sworn time and arrest to arraignment time in the city.

The District Attorney focused efforts to ensure that bail requests conformed with the new laws, but also to ensure that requests were consistent with her belief that a person's financial resources should not determine whether they remain in jail pending trial. The office continued to assess and review every bail qualifying offense as required under the current law.

From the period between January 1, 2022 and December 15, 2022, there were a total of 31,024 cases arraigned,

- Of which 6,903 were eligible for bail or remand.

The following indicates our requests and the court orders on these bail or remand eligible cases:

- We requested bail in over 50% of cases, and the court ordered bail in over 33% of cases.
- Supervised release was requested in approximately 24% of cases and was ordered by the court in over 29% of cases.
- The court ordered ROR in over 30% of cases, when we requested ROR in approximately 14% of cases.
- We requested remand in 9.5% of cases, while the court ordered remand in approximately 3.5% of cases.

While the new bail laws limit the instances when bail may be set, the use of supervised release increased from previous years and release without any conditions or supervision declined.

Certain individuals are drivers of crime and DA Katz's policies work to keep violent and repeat offenders off our streets. Assistant District Attorneys are directed to ask for remand instead of excessive amounts of cash bail because remand status is income neutral. Remand requests have increased each year since 2020 and now represent approximately 9.5% of cases.

DA Katz recognizes that if an individual is a threat to the safety of the community because there is a strong likelihood that they will commit new crimes while released on a pending case, then they should not be on our streets. Alternatively, if they are not, they should not have to sit in jail awaiting trial because they cannot afford the bail amount ordered.

In 2022, we experienced over 24% recidivism rate on those defendants that were out in the community on a pending non-bail eligible crime docket in Queens. Permitting judges to openly discuss a defendant's risk of reoffending and the safety of our communities will go a long way in preventing further crime. Community safety must be part of the conversation and judges should be permitted discretion to detain those small number of individuals who are a threat to the community, regardless of the crime charged.

Our data on recidivism indicates the rate at which defendants commit new crimes while out in the community on a non-bail or remand eligible case has increased from 2021.

When a defendant is out on a pending criminal possession of a weapon case, the rate at which the new arrest is for another firearms possession charge has tripled – from 6.3% in 2019 to 20.8% in 2022.

A close examination of repeat gun offenders arrested in Queens from January 1 through November 1, 2022, as indicated in data collected from the Gun Violence Strategies Partnership, reveals that:

- Over 170 defendants arrested with a gun have one or more open cases and nearly half of those defendants had more than one additional gun case pending; and
- Over 200 defendants arrested with guns have previously been convicted of a felony, with more than 60 having previously been convicted of possessing a gun or had another gun-related criminal conviction.

District Attorney Katz has implemented many policies designed to change the landscape of pretrial incarceration. On day one, DA Katz focused on reducing the jail population and breaking the cycle of crime by:

- Utilizing alternatives to incarceration;
- Making fair and just plea agreements;
- Providing more opportunities for rehabilitation and redemption from past violations;
- Declining to prosecute certain low-level violations.

As of December 13, 2022:

- 5,311 people were detained citywide;
- 690 individuals were held on a Queens case - 384 in on pre-trial bail and 306 in on remand status;
- Even though the county accounts for more than 27% of New York City's population, Queens detainees only accounted for less than 14%.
- 96% of the 384 held on pre-trial bail were charged with serious felony crimes.
- 97% of the 306 held on remand were held on a serious felony crime including homicide, assault, or a firearm possession charge.

SECTION II

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LIGHTING THE WAY: ENSURING TRANSPARENCY

DA Katz has assembled a top-notch staff throughout the office and ensures all staff abide by the highest ethical and moral obligations placed upon prosecutors. The District Attorney has enhanced the Litigation Training Department which is responsible for all tiered training of Assistant District Attorneys inclusive of the following:

- Monthly office-wide Continuing Legal Education (CLE) trainings that address issues specific to individual divisions and bureaus;
- Orientation Training;
- Felony Assistant and Grand Jury Training;
- Trial Advocacy Training.

A total of 55 new Assistant District Attorneys were appointed this year. DA Katz continues to focus on assembling one of the most talented and professional offices in the country. Our staff is often sought out for their expertise on the local, state, national, and international levels.

The third annual Brave Justice Internship Program took place in 2022 and was entirely in-person for the first time. Law and undergraduate students from 25 different law schools and 8 different colleges participated in the program.

The Queens District Attorney's Office was able to hold its seventh annual Mock Trial Competition, the first held under DA Katz. A total of 64 students from 16 law schools participated in the virtual competition and had the unique opportunity to receive practical experience under conditions that closely resembled an actual criminal trial.

SECTION III

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LEADING WITH A STEADY HAND: PROVIDING ACCOUNTABILITY AND CONSISTENCY

Limiting access to firearms saves lives, and District Attorney Katz has made her number one priority to rid Queens County of dangerous and illegal weapons that wreak havoc and place countless lives at risk.

In June, the United States Supreme Court invalidated a provision of New York's gun licensing statute that required a concealed carry license to be issued only when "proper cause" was shown. The Court held that this provision violated the Second Amendment's right to keep and bear arms in public for self-defense. As a result, an Extraordinary Session was convened in Albany and new gun legislation was passed, including additional crimes for possession of firearms in sensitive and restricted locations and amended rules relating to safe gun storage. New York's gun licensing requirements were amended to:

- Eliminate the "proper cause" requirement;
- Provide a definition of the "good moral character" requirement;
- Require four character references;
- Require disclosure of social media accounts;
- Extend licensing requirements to semi-automatic rifles;
- Add additional requirements for licensing.

DA Katz has instructed her staff to prioritize getting illegal firearms off Queens streets and aggressively prosecute gun traffickers. In 2022, we have seen the largest number of cases involving the crimes of criminal possession of a weapon since 2019; the case numbers have increased each year since that time.

The office continues to work with our law enforcement partners, legislative leaders, community members, faith-based institutions, violence interrupters, and youth development organizations on comprehensive solutions to end the epidemic of gun violence plaguing our communities.

The Crime Strategies Intelligence Unit, created in 2021, proactively reduces and prevents violent criminal offenses and gun trafficking. In a joint effort with the Violent Criminal Enterprises Bureau, CSIU has made breakthroughs in dismantling the "Polymer Pipeline" – the source of unregulated, untraceable, personally made firearms known as ghost guns.

Proactive and long-term investigations have yielded results: in 2022, Queens led the city in ghost gun recoveries for the second year in a row. In fact, we recovered a total of 173 ghost guns in 2022, a 101% increase from last year's recovery of 86 ghost guns. Investigations have resulted in the arrest of 22 alleged ghost gun manufacturers and the recovery of:

- 205 Total Firearms;
- 173 Ghost Guns (handguns, assault weapons, machine guns);
- 602 High-Capacity Magazines (over 10 round capacity);
- 178 Firearm Lower Receivers;
- 6 Rapid-Fire Modification Devices;
- 15 Silencers;
- 92,000 Rounds of Ammunition.

DA Katz is proud of our office's continued participation in the Gun Violence Strategies Partnership (GVSP) and the work it does to link the most prolific perpetrators of violence to other incidents that may have occurred in several different boroughs. The GVSP pools the resources of over 25 city, state and federal law enforcement agencies to focus on gun recidivists and drivers of violence across borough, city, and state lines.

Within the office, there are three bureaus that primarily handle gun cases:

- **Career Criminal and Major Crimes Bureau** – prosecutes recidivist violent felons who are subject to enhanced sentencing based on their extensive criminal histories. The crimes charged often include gun offenses, attempted murder, robbery, and burglary.
- **Supreme Court Trial Division** – prosecutes felony dockets from inception to disposition. The four Felony Trial Bureaus handle a broad spectrum of felony crimes, but the bulk of their cases in recent years have involved shootings and illegal gun possession. The Gun Violence Fast Track Initiative was created in 2021 to address the backlog of gun cases and in 2022 that backlog has decreased by 92%, largely due to the work of the Felony Trial Bureaus.
- **Violent Criminal Enterprises Bureau** – identifies and prosecutes drivers of violence engaged in organized crime, including members of street gangs and firearms dealers. VCE works closely with the Gun Violence Reduction Task Force, the Violent Crime Squads, and the relevant NYPD Precinct Detective Units.

Some additional bureaus and units highlighted in this report focus on protecting the most vulnerable members of our communities:

- **Hate Crimes Bureau** – combats hate-motivated offenses by actively engaging with the community to prevent these crimes and encourage reporting; they aggressively investigate and provide aid and support for the victims, devise innovative treatment and alternative sentencing programs for appropriate offenders, and rigorously prosecute hate crimes cases;
- **Domestic Violence Bureau** – builds partnerships through community outreach, provides support for survivors, and utilizes diversionary programs and education to change abusive behavior;
- **Animal Cruelty Unit** – investigates and prosecutes all misdemeanor and felony crimes against animals who are voiceless and vulnerable victims in our communities;
- **Special Victims Bureau** – investigates and prosecutes felony sex crimes, physical abuse of children, and violent crimes involving the elderly;
- **Major Economic Crimes Bureau** – focuses on large-scale financial crimes that are often the basis of criminal enterprises, including insurance fraud, illegal gambling, money laundering, extortion and loan sharking operations;
- **Cyber Crime Unit** – investigates and prosecutes cases involving cryptocurrency and non-fungible tokens, as well as account hacking, identity theft, inappropriate digital content, and online predatory behavior towards minors;

- **Frauds Bureau** – investigates and prosecutes crimes related to financial schemes, such as investment scams, trademark counterfeiting, financial exploitation of the elderly, and tax revenue collection;
- **Housing and Worker Protection Bureau** – investigates and prosecutes crimes related to fraudulent real estate schemes, deed and wage theft and unsafe workplace conditions;
- **Homicide Bureau** – divided into two groups, “riders” who are available 24 hours a day to respond to the scene of every Queens County death by homicide, deaths caused by vehicular collisions, or any other death in which criminal conduct may have played a role, and trial assistants who prosecute cases from grand jury presentment to trial;
- **Forensic Science Specialist** – supports the forensic investigation and litigation related to nearly all criminal prosecutions in the Queens District Attorney’s office;
- **The Cold Case Unit** – investigates Queens County’s oldest and most challenging unsolved homicide cases;
- **Public Corruption Bureau** – investigates and prosecutes crimes committed by public servants and other public officials and allegations against civilians who attempt to subvert the integrity of public servants by offering bribes.

District Attorney Katz has made vehicular crimes a priority since her tenure began and has tightened the guidelines on vehicular crime dispositions in an effort to keep dangerous, drugged, and drunk drivers off Queens streets.

For 2022, we’ve seen a 3.2% increase in total deaths caused by vehicular collision. As part of the overall push towards alternative sentencing, the Queens DWI Court offers defendants the opportunity to receive treatment under close court supervision for a minimum of one year instead of incarceration. Case statistics show that defendants who engaged in treatment-orientated pleas had a retention rate of 93% and a successful completion rate of 92%.

SECTION IV

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SHARING THE JOURNEY: ENGAGING PARTNERSHIPS

Throughout her administration, DA Katz has consistently sought to re-imagine the relationship between the Queens District Attorney's Office and the public. The first contact that an individual has with the office should not be in a courtroom or in the face of tragedy. Toward this goal, the Community Partnerships Division has been enhanced to take a multi-faceted approach, to provide opportunities for individuals to make a positive contribution to Queens County so that crime is not their only option.

The division is comprised of units that each focus on different areas of partnership to reduce crime and increase justice in Queens County.

- Community Engagement Unit – expands the reach, access, and exposure of the office to the community under DA Katz's leadership;
- Civic Awareness Unit – coordinates the District Attorney's Community Advisory Councils, oversees the Office of Immigrant Affairs, and operates all office-sponsored events, from criminal justice programs to cultural celebrations;
- Youth Empowerment Unit – teaches young people to think critically, communicate effectively and empowers them to make good decisions when faced with challenges and obstacles.

As we slowly emerged from the pandemic, the Community Partnerships Division remained as active as ever. They have:

- Participated in over 2,000 public events;
- Hosted Community Advisory Councils, covering 10 different groups, held quarterly meetings to keep the office abreast of neighborhood issues and concerns in real time;
- Impacted over 1,500 youth through youth programs, such as the Legal Explorers Program and the Hope and Leadership Academy;
- Held eight gun buy back programs and have taken over 400 guns off Queens streets.

DA Katz strongly believes that we cannot prosecute our way out of crime. As part of that belief, DA Katz has awarded approximately three million dollars in grant funding to twenty-eight community-based organizations which is being reinvested into the community. This funding is helping to promote community building, bringing equity and accountability to our most vulnerable communities, and fostering youth driven initiatives.

The COVID-19 pandemic brought on an increase in drug overdose deaths throughout our county, state, and country. Queens has seen a 50% uptick in fatal overdoses throughout the borough. In 2021, we exceeded the projected overdose totals and in 2022, fatal overdoses are expected to far exceed last year's number; virtually every Queens neighborhood has been affected by a fatal overdose.

The primary focus of the Human Trafficking Bureau is prosecuting traffickers and all felonies involving commercial sexual exploitation and buyers of sex. The bureau also does a significant amount of work within the community. Human trafficking is a crime that is often hidden in plain sight. The office's efforts are geared toward arming the community with the knowledge to identify trafficking. Also, the office empowers those who are vulnerable and at risk to trafficking to recognize the tactics used to recruit. At the same time, we provide victims with the information necessary to seek help from our office or others.

SECTION V

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DEFINING THE PATH: RESTORING EQUITY

The Appeals and Special Litigation Division is comprised of the Appeals Bureau, the FOIL and Civil Litigation Unit, and the Immigration Specialist, a position created by DA Katz in 2020.

- Appeals Bureau – handles all the office’s post-conviction litigation, which includes primarily responding to defendant’s briefs in the Appellate Division and post-conviction motions in the Supreme Court.
- FOIL and Civil Litigation Unit – handles requests under the Freedom of Information Law and responds to inter-agency and law enforcement requests for records on specific cases as well as subpoenas for records or testimony in civil litigation. In 2022, the unit responded to over 400 FOIL requests.
- Immigration Specialist – acts as the DA’s office-wide resource on immigration matters; provides specific case evaluations and plea alternatives; advises Assistant District Attorneys on immigration related post-conviction motions; reviews and certifies U- and T- visa requests for current and former cooperating victims of qualifying criminal activity.

The Rehabilitation Programs and Restorative Services Bureau is an integral part of DA Katz’s strategy to bolster alternative dispositions and paths of diversion from jail by implementing new programming to serve populations with myriad needs. The bureau consists of the Diversion and Alternative Sentencing Unit and the Crime Victims Advocate Program. The bureau is responsible for:

- Pre-Arrest Diversion Programs for misdemeanors - including Project Reset and the Far Rockaway Community Justice Center;
- Specialized Court Parts - such as Queens Treatment Court, Mental Health Court, and Veterans Court;
- Diversion programs - including the newly launched Gun Diversion Program;
- Crime Victims Advocate Program - which is solely focused on supporting victims and witnesses of crimes.



25
Queens
Blvd
LEFT LANE

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495



SECTION I

BLAZING THE TRAIL: TURNING POLICY INTO PRACTICE

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COURT ACTIVITY

In 2022, the court system continued to be affected by the pandemic. Pursuant to executive order, court appearances were conducted both virtually and in person. During the year, however, COVID-19 loosened its grip on our daily practice; pandemic restrictions eased and the court provided additional parts to expedite proceedings.

As we move forward in a post-pandemic world, the way courts operate will undoubtedly change. Under DA Katz's leadership, the office remains resilient and committed to moving cases along as expeditiously as possible, with a focus on cases involving incarcerated defendants.

District Attorney Katz has been appointed to sit on the **Pandemic Practices Working Group of the Commission to Reimagine the Future of New York's Courts**, established in 2022 to examine which pandemic policies and practices were effective and which should be retained going forward.

Public hearings and listening sessions were held across the state to engage all stakeholders. Discussions are continuing regarding the pros and cons of a permanent virtual option for certain court appearances. Certainly, remote appearances can improve efficiency and reduce travel time. However, virtual proceedings are not without concerns, including witness safety, protection of defendants' constitutional rights, and equal access to technology. While there are no clear answers, DA Katz remains committed to protecting the rights of all involved in the criminal justice process when making improvements that will create a fairer criminal justice system not only in Queens but across New York State.

As the Court Activity chart indicates, we have increased activity in most areas, including grand jury indictments and court appearances.

We more than tripled the number of trials conducted in 2022 from 2021.

(AS OF 12/15/22)

80

TRIALS CONDUCTED

1,521

GRAND JURY
INDICTMENTS

OF WHICH

41

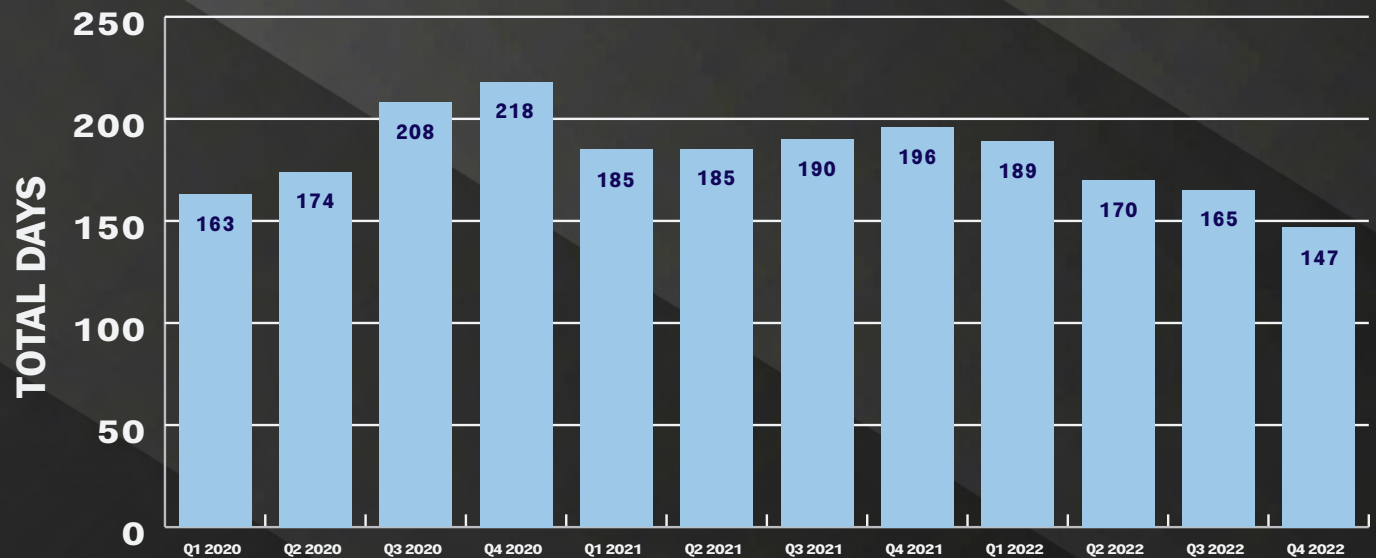
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RELATED INDICTMENTS

2020 - 2022 COURT ACTIVITY

	FULL CALENDAR YEAR		1/1/22 - 12/15/22
	2020	2021	2022
ARRESTS PROCESSED	28,925	31,859	36,550
CRIMINAL COURT ARRAIGNMENTS CONDUCTED	21,718	27,869	31,024
GRAND JURY INDICTMENTS	855	1,413	1,521
HOMICIDE RELATED INDICTMENTS	40	51	41
SUPERIOR COURT INFORMATIONS	374	392	363
DISCOVERY FILES REVIEWED	1,043,233	1,801,446	1,666,284
INDIVIDUALS OFFERED SERVICES FROM CRIME VICTIM ADVOCACY	4,073	3,564	2,637
COURT APPEARANCES			
CRIMINAL COURT	75,448	121,212	136,021
SUPREME COURT	24,092	25,592	32,867
TRIALS CONDUCTED	17	22	80
DISPOSITIONS	18,119	33,871	30,966

NOTE: THE CATEGORIES ABOVE ARE ASSOCIATED WITH DIFFERENT TIME PERIODS. FOR INSTANCE, THE ARREST YEAR, INDICTMENT YEAR, AND DISPOSITION YEAR ARE BASED ON THE DATES OF ARREST, INDICTMENT, OR DISPOSITION. SO, ONE SHOULD NOT INFER, FOR EXAMPLE, THAT THE 36,550 ARRESTS PROCESSED IN 2022 REPRESENT THE VERY SAME CASES THAT HAD INDICTMENTS OR DISPOSITIONS.

AVERAGE CASE AGE 2020 - 2022
(AS OF 12/15/22)



PRE-INDICTMENT NEGOTIATIONS AND DISPOSITIONS

The Felony Conferencing Bureau, created by DA Katz, oversees the coordination and facilitation of dispositions on unindicted felony dockets pending in the Supreme Court Trial Division prior to a grand jury presentment and vote. The bureau reviews and refers cases deemed appropriate for alternative sentencing including, but not limited to, conditional pleas involving substance use disorder and mental health treatment, restitution, community service, anger management and vocational and educational programs.

In 2022, the Felony Conferencing Bureau coordinated and facilitated over 5,000 felony docket dispositions to felony and misdemeanor convictions as well as non-criminal dispositions.

GRAND JURY PRESENTMENTS

Under the District Attorney’s leadership, the office has presented more felony cases for grand jury consideration this year than in 2020 or 2021.

INDICTMENTS	FULL CALENDAR YEAR		1/1/22 - 12/15/22
	2020	2021	2022
CASES	732	1,018	1,320
DEFENDANTS	848	1,403	1,521

RIDING STATS AND HELPLINES

The staff works tirelessly to keep our neighborhoods safe and respond swiftly to victims and witnesses in need. Assistant District Attorneys are on call 24/7 to promptly assist our law enforcement partners with investigative needs, such as search warrants, line-ups, and subpoenas, and to bring justice to those who put our communities at risk.

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HOMICIDE
CRIME SCENE
VISITS

71

RESPONSES RELATED
TO SEXUAL ASSAULT,
ELDER ASSAULT,
AND CHILD ABUSE

760

SEARCH WARRANTS
AND CELL SITE
WARRANTS PREPARED

OF WHICH

152

WERE FOR
HOMICIDE
RELATED CASES

In addition to our 24 hour Hotline, DA Katz has established a number of **helplines**, including:

- Hate Crimes Helpline to report hate and bias-motivated crimes;
- Immigration Helpline to assist immigrants in navigating the criminal justice system;
- 24/7 Domestic Violence Helpline to assist in connecting individuals to safety planning measures;
- Consumer Fraud Helpline to report on scams, fraud and economic crimes;
- Elder Fraud Helpline to report the financial exploitation of seniors;
- Animal Cruelty Helpline to voice concerns as to the welfare of an animal;
- Housing and Worker Protection Helpline to report workplace safety, wage theft, predatory lending and crimes involving real estate.

Telephone numbers can be found on page 96.

CONVICTION INTEGRITY UNIT

DA Katz established Queens' first Conviction Integrity Unit (CIU) in 2020. This significant step was one of the key reforms spearheaded by DA Katz to ensure that our criminal justice system is fairer and more responsive to the needs of our community. The CIU reinvestigates and resolves credible claims of actual innocence, wrongful conviction, or other circumstances of a case which undermines the District Attorney's confidence in a just outcome. This process is afforded to all convicted persons regardless of the nature of the offense, whether there was a trial or plea bargain, and whether they are represented by an attorney.

The work of the Conviction Integrity Unit also serves a vital law enforcement function for both victims and public safety, because if the wrong person is convicted, the actual perpetrator has not been brought to justice.

The CIU's investigations and decisions by the District Attorney on CIU matters are based only on an independent assessment of the facts and the law. A defendant's choice of counsel, media coverage, or political influence plays no role in the consideration of cases presented to the CIU.

The review process may be initiated through several methods, including a request from a convicted person or attorney, community member, or through our own initiative. Claims are investigated based on their factual merit, without regard to procedural barriers to legal review. CIU investigations consider evidence that was not part of the trial record. Where appropriate, the CIU will work collaboratively with defense counsel or the convicted person to conduct a thorough investigation and just resolution of the case.

In addition to individual exonerations, the CIU has addressed systemic problems that go to the reliability and fairness of convictions obtained by the office in the past. As part of an ongoing assessment, the CIU has reviewed convictions based on the police work of a group of New York Police Department detectives who were later convicted of various crimes including perjury, falsifying evidence and other serious offenses. Where the essential witness in a case is a law enforcement officer that has been convicted of crimes which irreparably impair their credibility, the office cannot stand behind a criminal conviction. Vacating and dismissing these cases is both constitutionally required and necessary to ensure public confidence in our justice system.

By identifying errors that lead to wrongful convictions, prosecutors and other law enforcement partners can adopt policies and conduct trainings that ensure greater accuracy and fairness in the criminal justice system.

Since January 2020:

200

Cases submitted
to the
Conviction Integrity Unit
for review

9

Cases reversed and dismissed
based on innocence or other newly
discovered evidence undermining
confidence in the outcome

4

Cases reversed based
on unlawful systematic
discrimination in jury
selection

37

Submissions reviewed
and closed by the
Conviction Integrity Unit

86

Cases dismissed that were based on the
police work of NYPD detectives who were
later convicted of various crimes

JUVENILE PROSECUTIONS

In 2022, District Attorney Katz created the position of Director of **Juvenile Prosecutions** to serve as a resource for all Adolescent Offender (“AO”) cases assigned to felony Assistant District Attorneys and to oversee the prosecution of Juvenile Offender (“JO”) cases in the designated Supreme Court Youth Part. In addition, the unit liaises with the New York City Law Department as well as Queens County Family Court.

Juvenile offenders are 14- to 15-year-olds charged with certain violent felonies and 13-year-olds charged with murder in the second degree. Juvenile offender cases are heard in the Supreme Court Youth Part unless they are removed to Family Court.

There was a total of 47 juvenile offender arrests, 45 of which were charged and arraigned. 20 of these cases were then removed to Family Court and we prosecuted the remaining 25 in the Youth Part. The crimes charged in these remaining 25 cases were criminal possession of a weapon, attempted murder, robbery and arson.

RAISE THE AGE AND ADOLESCENT OFFENDERS

Under **New York’s Raise the Age law**, adolescent offenders are 16- and 17-year-old defendants who have been charged with committing a felony. Misdemeanor cases are sent directly to Family Court and are not reviewed by our office. Most non-violent felony cases are removed to Family Court. Violent felony cases are reviewed by the Supreme Court Youth Part presiding judge. To retain a violent felony in the Supreme Court Youth Part, the judge must review the affidavits and determine if one of the factors in the 3-prong test is present. Generally, if none of the 3 factors is present, the violent felony case is removed to Family Court.

THE 3-PRONG TEST

During the course of the crime, the adolescent offender:

1. Caused significant injury to the complainant, or
2. Displayed a firearm, rifle, shotgun, or deadly weapon, or
3. Engaged in unlawful sexual intercourse, oral sexual conduct, anal sexual conduct, or sexual contact as defined in Penal Law section 130.00 with the victim.

If the Youth Judge determines the 3-prong test was not met, the District Attorney may file a motion to retain the violent felony based on ‘Extraordinary Circumstances’ within 30 days of the decision.

As of December 15, 2022, there was a total of 394 Raise the Age arrests in Queens County, a 13.87% increase from 2021. Of those arrests, 313 were sent to arraignments and 81% of those cases were then removed to Family Court.

Like other counties across New York, Queens has seen an uptick in violent felony and firearm cases committed by adolescent offenders. **Compared to 2021, the number of firearm offenses committed by adolescent offenders increased by 12.24%.**

ADOLESCENT OFFENDER CASES THAT WERE REMOVED TO FAMILY COURT

78%	90%	83%	81%
2019	2020	2021	2022

TRACKING CRIME

Queens, like the rest of the city and much of the nation, experienced an increase in crime overall in 2022 compared to 2021. According to December 18, 2022 NYPD statistics, the year-to-date comparisons of index crimes yield:

- Approximately 20% overall increase within Queens South precincts;
- Over 30% increase within Queens North precincts;
- While murder rates declined from last year, rape and felonious assaults have increased;
- Robberies and burglaries have also increased over 25% across Queens County;
- Grand larceny and auto theft increased dramatically, with over 34% increase across the borough;
- Transit crime has increased over 43% across Queens County;
- Retail theft, an increasing concern among Queens businesses, has increased over 30%.

BOROUGH BREAKDOWN OF ARRESTS, POPULATION AND FUNDS PER RESIDENT

WHILE THERE WAS AN INCREASE IN CITY FUNDING AT THE START OF 2022 TO EACH COUNTY DISTRICT ATTORNEY'S OFFICE, **QUEENS COUNTY CONTINUES TO RECEIVE THE LEAST AMOUNT OF CITY FUNDING PER RESIDENT AND PER ARREST.**

COUNTY	QUEENS COUNTY	KINGS COUNTY	NEW YORK COUNTY	BRONX COUNTY	RICHMOND COUNTY
2021 ARRESTS*	34,537	44,334	41,563	35,453	7,465
POPULATION* *	2,331,143	2,641,052	1,576,876	1,424,948	493,494
PS CITY FUNDS PER RESIDENT* * *	\$31	\$37	\$82	\$63	\$36
PS CITY FUNDS PER ARREST	\$2,092	\$2,204	\$3,111	\$2,532	\$2,379

*AS PER NYPD CRIMINAL JUSTICE BUREAU ARREST DATA AS OF DECEMBER 2021

* *AS PER US CENSUS BUREAU QUICKFACTS (POPULATION ESTIMATES, JULY 2021)

* * * FY23 ADOPTED PLAN

DISCOVERY

Early disclosure of evidence is an essential part of a fair system, and under DA Katz's leadership we continue to perfect our practice under the new discovery laws. While the initial reform that went into effect in January 2020 was long overdue, its practical implications necessitated amendments which were effectuated in July 2020 and again in May 2022.

We now have the experience and insight of the past three years to examine the efficacy of the new discovery laws. Our practice reveals that **further adjustments are crucial** to ensure the protection of rights for both defendants and victims. The present framework is resulting in several unintended and troublesome consequences, including **delays and dismissals**, that prevent the administration of fair and timely justice in our courts.

While the production of records, camera footage, and documents can be tremendously burdensome, both due to sheer volume and time constraints, we continue to share discovery files in record numbers. We prioritize felony cases and cases where defendants are held in jail pre-trial.

81,033

BODY WORN CAMERA VIDEOS REVIEWED

1.7 MILLION

DISCOVERY FILES REVIEWED

CERTIFICATE OF COMPLIANCE		FULL CALENDAR YEAR				1/1/22 - 12/15/22	
		2020		2021		2022	
		#	%	#	%	#	%
VIOLENT FELONY							
INDICTED	COC FILED	692	73.36%	816	76.69%	630	60.69%
	COC NOT FILED	250	26.54%	248	23.31%	408	39.31%
UNINDICTED	COC FILED	188	9.91%	82	3.83%	29	1.08%
	COC NOT FILED	1,710	90.09%	2,057	96.17%	2,665	98.92%
NON-VIOLENT FELONY							
INDICTED	COC FILED	168	43.19%	219	51.65%	209	51.48%
	COC NOT FILED	221	56.81%	205	48.35%	197	48.52%
UNINDICTED	COC FILED	180	7.01%	101	3.68%	43	1.36%
	COC NOT FILED	2,387	92.99%	2,646	96.32%	3,121	98.64%
MISDEMEANOR							
	COC FILED	1,047	6.79%	2,802	13.35%	3,252	14.11%
	COC NOT FILED	14,362	93.21%	18,183	86.65%	19,800	85.89%

The new discovery laws add **unprecedented burdens to the system** which result in a backlog of cases; many cases linger needlessly when they would otherwise be resolved, simply waiting to see if we are able to gather all discovery in a timely fashion. Cases are often not resolved until much time is spent gathering all the related materials. **The criminal justice system should never be about one-upmanship or gaming the system.**

CASELOADS, DISPOSITIONS AND DISMISSALS

Early in 2020 and at the start of the pandemic, the office experienced a gradual yet steady increase in pending cases. During this difficult time, the speedy trial clock was tolled on this rising number of cases by executive order. Once these orders were lifted in early 2021, the speedy trial clock began running on thousands of cases. As a result, dismissals of cases increased across the state.

The burden of producing all related material within a short period of time, as mandated by the new discovery statutes, is so great that cases are often dismissed as a result. While we work tirelessly to comply with the new discovery laws, there are occasions when certain material is unavailable. Even when such **unavailable material is inconsequential to the case**, when there is no prejudice suffered, when all other information has been turned over to the defense within applicable time frames, a case may be dismissed. Notably, no other state in the nation requires such **extensive disclosure of every related item** that New York law now mandates.

As a rule, the speedy trial clock will not stop until we are in compliance with the new rules and a statement of readiness for trial is filed. New York is the only state in the country that **links discovery compliance with speedy trial**. This linkage results in the **dismissal of thousands of cases across the state**, including sex crimes, assaults, driving while intoxicated offenses, thefts, and crimes of domestic violence, and continues to negatively impact cases across all New York criminal courts.

In many of these cases, the practical effect of the statutes is that no court ever reviews the merits of the charges. Not only are victims deprived of their day in court — or any measure of justice — but critical orders of protection in both family and non-family matters are dismissed, denying victims the protection that they need. Perhaps even more importantly, no one is held accountable in any of these countless matters.

The absence of any adjudication deprives those defendants in need of services from receiving the help that they need. Our daily experience tells us that defendants, **knowing that the prosecution cannot meet the often-unrealistic burdens of the statute**, find no incentive to participate in any program or seek any relief from what may be causing them to recidivate.

The pre-trial dismissal percentage rate for misdemeanors more than tripled from 2019 to 2021 and more than doubled for felonies.

In 2022, while there were less dismissals of misdemeanor cases than in 2021, the dismissal rate on felony cases continued to rise and surpassed 2021 rates. Overall dismissals for all cases remain much greater than existed before the unprecedented change in discovery laws.

When thousands of criminal cases brought in our courts are not heard at all, and no adjudication of the merits takes place, we simply do not have a fully functioning justice system.

DISPOSITION BREAKDOWN

MISDEMEANOR AND VIOLATION	FULL CALENDAR YEAR						1/1/22 - 12/15/22	
	2019		2020		2021		2022	
	#	%	#	%	#	%	#	%
PLEA TO MISDEMEANOR	2,768	8.40%	240	1.86%	348	1.34%	1,399	6.01%
PLEA TO VIOLATION	14,614	44.33%	3,631	28.19%	3,118	11.97%	4,498	19.33%
PLEA TO OTHER	31	0.09%	12	0.09%	25	0.09%	22	0.09%
ACD	7,729	23.45%	3,777	29.32%	3,854	14.79%	5,168	22.21%
DISMISSALS	7,774	23.49%	5,217	40.50%	18,701	71.79%	12,175	52.32%
TRIALS	80	0.24%	4	0.04%	5	0.02%	9	0.04%
TOTAL	32,966	100%	12,881	100%	26,051	100%	23,271	100%

NON-VIOLENT FELONY	FULL CALENDAR YEAR						1/1/22 - 12/15/22	
	2019		2020		2021		2022	
	#	%	#	%	#	%	#	%
PLEA TO NON-VIOLENT FELONY	919	19.37%	183	8.93%	284	7.37%	352	11.00%
PLEA TO MISDEMEANOR	1,618	34.10%	539	26.29%	821	21.30%	728	22.76%
PLEA TO VIOLATION	1,616	34.06%	882	43.02%	1,442	37.42%	888	27.76%
PLEA TO OTHER	1	0.02%	0	0.00%	1	0.03%	3	0.09%
ACD	255	5.37%	200	9.76%	564	14.63%	300	9.38%
DISMISSALS	304	6.41%	245	11.95%	742	19.25%	924	28.88%
TRIALS	32	0.67%	1	0.05%	0	0.00%	4	0.13%
TOTAL	4,745	100%	2,050	100%	3,854	100%	3,199	100%

VIOLENT FELONY	FULL CALENDAR YEAR						1/1/22 - 12/15/22	
	2019		2020		2021		2022	
	#	%	#	%	#	%	#	%
PLEA TO VIOLENT FELONY	895	28.30%	326	20.40%	571	18.18%	1,036	27.72%
PLEA TO NON-VIOLENT FELONY	0	0.00%	0	0.00%	0	0.00%	0	0.00%
PLEA TO MISDEMEANOR	637	20.15%	296	18.52%	501	15.96%	598	16.01%
PLEA TO VIOLATION	891	28.18%	545	34.11%	919	29.27%	647	17.31%
PLEA TO OTHER	0	0.00%	1	0.06%	2	0.06%	4	0.11%
ACD	196	6.20%	134	8.39%	340	10.83%	308	8.24%
DISMISSALS	406	12.84%	284	17.77%	790	25.16%	1,077	28.82%
TRIALS	137	4.33%	12	0.75%	17	0.54%	67	1.79%
TOTAL	3,162	100%	1,598	100%	3,140	100%	3,737	100%

ARRESTS AND ARRAIGNMENTS

As part of DA Katz's commitment to the fair administration of justice, all arrests are closely evaluated to ensure appropriate charging decisions are made.

During her third year in office, DA Katz continued to address racial disparities and systemic injustices and declined to prosecute about 14% of all violation arrests, 4% of misdemeanor arrests and 5% of felony arrests. These numbers reflect a similar trend from the preceding years and an increase in overall declinations from 2019.

As the arraignment data below indicates, as of December 15, 2022, the approximate number of yearly dockets in Queens is still well below pre-pandemic years. **However, we have processed more arrests and conducted more arraignments in 2022 than in 2021 or 2020.**

The office charged misdemeanor crimes in approximately 75% of cases and over 23% of cases involved felony charges.

DECLINE TO PROSECUTE	FULL CALENDAR YEAR									1/1/22 - 12/15/22		
	2019			2020			2021			2022		
	TOTAL	DECLINE TO PROSECUTE	%	TOTAL	DECLINE TO PROSECUTE	%	TOTAL	DECLINE TO PROSECUTE	%	TOTAL	DECLINE TO PROSECUTE	%
VIOLATIONS	445	36	8%	190	38	20%	161	25	16%	154	21	14%
MISDEMEANORS	26,507	851	3%	15,376	908	6%	17,422	982	6%	19,491	688	4%
FELONY	16,268	843	5%	13,493	935	7%	14,522	834	6%	16,905	787	5%
TOTAL	43,220	1730	4%	29,059	1,881	6%	32,105	1,841	6%	36,550	1,496	4%

ARRAIGNMENTS	FULL CALENDAR YEAR						1/1/22 - 12/15/22	
	2019		2020		2021		2022	
	#	%	#	%	#	%	#	%
VIOLATIONS	1,145	2.95%	474	2.20%	542	1.90%	676	2.18%
MISDEMEANORS	30,463	78.39%	15,446	71.10%	20,969	75.20%	23,049	74.29%
NON-VIOLENT FELONY	4,294	11%	2,959	13.60%	3,170	11.40%	3,569	11.50%
VIOLENT FELONY	2,961	7.61%	2,847	13.10%	3,200	11.50%	3,730	12.03%
TOTAL	38,863	100%	21,726	100%	27,881	100%	31,024	100%

TOP 5 COMPLAINT CHARGES:

- ASSAULT 3RD DEGREE
- PETIT LARCENY
- CRIMINAL POSSESSION OF A FORGED INSTRUMENT 3RD DEGREE
- CRIMINAL MISCHIEF 4TH DEGREE
- OPERATION WHILE LICENSE OR PRIVILEGE IS SUSPENDED OR REVOKED; AGGRAVATED UNLICENSED OPERATION

TOP 5 PRECINCTS FOR TOTAL ARRAIGNED CASES AS OF DECEMBER 15TH:

- 103RD PRECINCT
- 109TH PRECINCT
- 110TH PRECINCT
- 113TH PRECINCT
- 114TH PRECINCT

As the arrests have increased, the time from arrest to arraignment has increased slightly in 2022. Nonetheless, we continue to have the second lowest complaint sworn time and arrest to arraignment time in the city.

2022 COMPLAINT/ARRAIGNMENT TIME

(AS OF 11/30/22)

	CITYWIDE AVERAGE	QUEENS COUNTY	KINGS COUNTY	NEW YORK COUNTY	BRONX COUNTY	RICHMOND COUNTY
COMPLAINT SWORN TIME	12:37 HOURS	11:34 HOURS	13:39 HOURS	11:57 HOURS	14:20 HOURS	10:10 HOURS
ARREST TO ARRAIGNMENT	21:27 HOURS	20:21 HOURS	21:35 HOURS	22:34 HOURS	23:19 HOURS	15:46 HOURS

PERCENTAGE OF CASES ARRAIGNED WITHIN 24 HOURS

(AS OF 11/30/22)

	CITYWIDE AVERAGE	QUEENS COUNTY	KINGS COUNTY	NEW YORK COUNTY	BRONX COUNTY	RICHMOND COUNTY
2021	72.91%	86.30%	71.13%	63.26%	65.06%	86.69%
2022	71.24%	75.95%	74.23%	65.38%	59.75%	88.70%

BAIL

The very same day that District Attorney Katz took office on January 1, 2020, New York's bail reform took effect. The District Attorney immediately went to work, not only to ensure that bail requests conformed with the new laws, but to ensure that requests were consistent with her belief that a person's financial resources should not determine whether they remain in jail pending trial.

Under the new bail laws, most misdemeanors and non-violent felony charges are no longer bail eligible. Since its initial effective date, the laws were amended twice- in July 2020 and again in May 2022- to reflect growing concern for community safety. Notably, the number of bail eligible offenses was expanded, most recently to include certain gun offenses. Additionally, amid concern regarding repeat offenders arrested while they were released on a pending case, the circumstances in which bail may be set on otherwise non-bail eligible offenses were expanded.

While our new bail laws are certainly a step in the right direction, the experience and insight over the past three years confirm that **further amendments are required to ensure both fairness and safety of our communities**. District Attorney Katz recognizes that the only way to ensure that all defendants are treated fairly while also ensuring that our neighborhoods remain safe is to take finances out of the securing order equation and allow for the consideration of community safety.

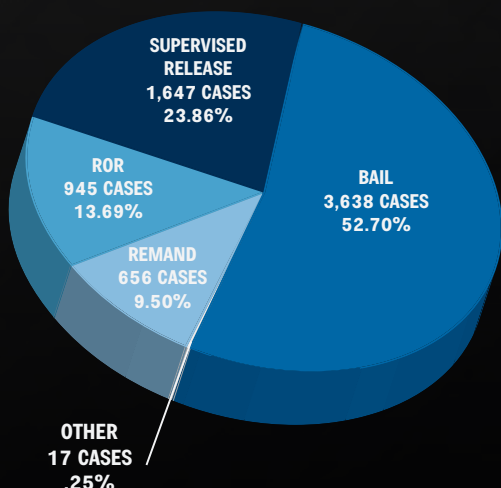
New York, unlike most states in the nation and the federal justice system, does not allow its judges to consider public safety when setting a securing order. **Judges should be permitted discretion to detain those small number of individuals who are a threat to the safety of our communities regardless of the crime charged.**

Under the District Attorney's guidance, we continue to assess and review every bail qualifying offense and as required under the current law, the office seeks out the least restrictive means to ensure the defendant's return to court. From the period between January 1 through December 15, 2022, 31,024 cases were arraigned, of which there were approximately 6,903 cases that were bail or remand eligible.

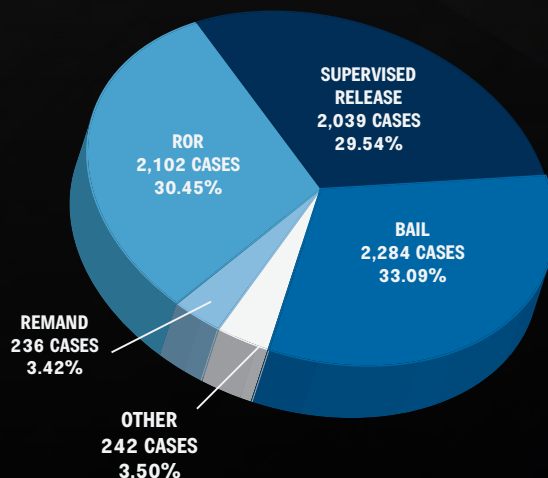
In those bail or remand eligible cases, the following represents our requests and the court orders:

2022 BAIL REQUESTS AND ORDERS

BAIL REQUESTS



COURT ORDERS



*OTHER INCLUDES ELECTRONIC MONITORING, ELECTRONIC MONITORING AS A CONDITION OF POSTING BAIL, CPL 730 MENTAL HEALTH EXAMINATIONS

DA Katz's vision is a criminal justice system where a person's financial situation does not determine whether they are held in jail on a pending case. To that end, the District Attorney is working towards an unbiased system that does not penalize the poor or favor the wealthy. Under DA Katz's leadership, all defendants are treated fairly and in a non-discriminatory way, while we are **ever mindful of protecting the communities we serve.**

While the new bail laws limit the instances when bail may be set, **the use of supervised release increased from previous years and release without any conditions or supervision declined.**

NON-MONETARY RELEASE	FULL CALENDAR YEAR				1/1/22 - 12/15/22	
	2020		2021		2022	
	#	%	#	%	#	%
SUPERVISED RELEASE	645	12.96%	1,394	25.47%	2,058	29.81%
ROR	1,844	37.06%	2,055	37.55%	2,103	30.47%

Certain individuals are drivers of crime and **DA Katz's policies work to keep violent and repeat offenders off our streets.** Assistant District Attorneys are directed to ask for remand instead of excessive amounts of cash bail because remand status is income neutral.

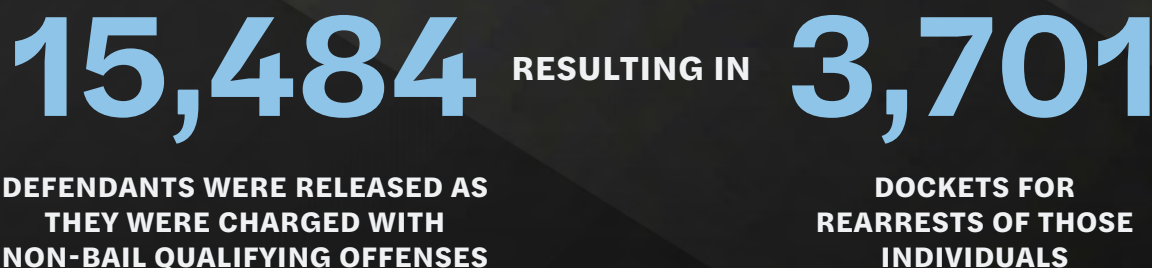
SECURING ORDERS ON BAIL QUALIFYING OFFENSES	FULL CALENDAR YEAR				1/1/22 - 12/15/22	
	2020		2021		2022	
	#	%	#	%	#	%
REMAND	94	1.89%	190	3.47%	236	3.42%
BAIL	1,268	25.48%	1,338	24.45%	2,284	33.09%
RELEASE	2,489	50.02%	3,449	63.03%	4,161	60.28%
OTHER	1,125	22.61%	495	9.05%	222	3.21%
TOTAL	4,976	100%	5,472	100%	6,903	100%

RECIDIVISM

DA Katz recognizes that if an individual is a threat to community safety because there is a strong likelihood that they will commit new crimes while they are released on a pending case, then they should not be on our streets; if they are not, they should not have to sit in jail awaiting trial because they cannot afford the bail amount ordered.

Community safety must be part of the conversation and judges should be permitted discretion to detain those small number of individuals who are a threat to community safety, regardless of the crime charged. If an individual is remanded, a detention or remand review should occur within a few days of such order to serve as an additional safeguard for fairness.

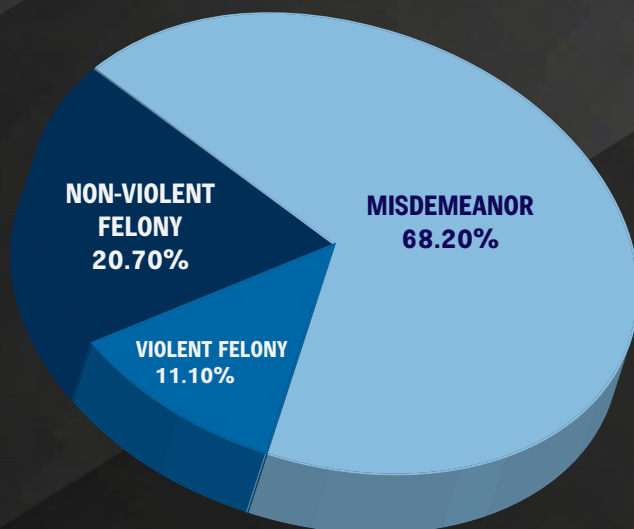
Permitting judges to openly discuss a defendant's risk of reoffending and the safety of our communities will go a long way in preventing further crime as we move forward. **There was an approximate 24% recidivism rate for individuals released on charges where judges were not able to set bail under the new bail laws.** An examination of rearrest data for 2022 reveals the following:



THIS IS A 24% RECIDIVISM RATE.

It is noteworthy that the recidivism data furnished in this report was drawn in circumstances where another case was pending; if an individual was convicted on the earlier case that case is no longer considered pending. Thus, even if such conviction occurs shortly before a new arrest, that would not be captured by the data. Also, the time frame to determine if the individual was rearrested was confined to a six-month period; extending the rearrest period beyond six months from an initial case would certainly increase recidivism rates. The recidivism data also does not capture instances where a crime was committed but no arrest was made. Lastly, this recidivism data only includes arrest and rearrest cases occurring in Queens County; if an individual was rearrested in any of the other four boroughs, or elsewhere in the state or country, that information is not captured in this data.

AN ANALYSIS OF THE 3,701 REARREST DOCKETS REVEALS



VIOLENT FELONY
11.10%
OF THE TOTAL
REARREST DOCKETS

NON VIOLENT FELONY
20.70%
OF THE TOTAL
REARREST DOCKETS

MISDEMEANOR
68.20%
OF THE TOTAL
REARREST DOCKETS

The recidivism data includes the following crimes which are, except under limited circumstances, no longer bail or remand eligible.

- Robbery 2nd Degree (aided)
- Robbery 3rd Degree
- Burglary 2nd Degree (not dwelling)
- Burglary 3rd Degree
- Assault 3rd Degree
- Stalking
- Menacing
- Criminal Mischief (all degrees)
- Arson 3rd Degree, 4th Degree, 5th Degree
- Grand Larceny 2nd Degree, 3rd Degree, 4th Degree
- Petit Larceny

BAIL AND GUN VIOLENCE

No one in a community can succeed if they are in fear of becoming the victim of a violent crime. District Attorney Katz is committed to fighting gun violence and holding shooters accountable.

COMPARING SECURING ORDERS ON CRIMINAL POSSESSION OF A WEAPON CASES SINCE DA KATZ TOOK OFFICE

ASK (CPW)	TOTAL		FULL CALENDAR YEAR				1/1/22 - 12/15/22	
			2020		2021		2022	
	#	%	#	%	#	%	#	%
REMAND	300	16.51%	45	8.50%	115	18.08%	140	21.50%
BAIL	1,368	75.29%	417	78.70%	481	75.64%	470	72.20%
SUPERVISED RELEASE	69	3.80%	17	3.20%	20	3.14%	32	4.90%
ROR	80	4.40%	51	9.60%	20	3.14%	9	1.40%
TOTAL	1,817	100%	530	100%	636	100%	651	100%

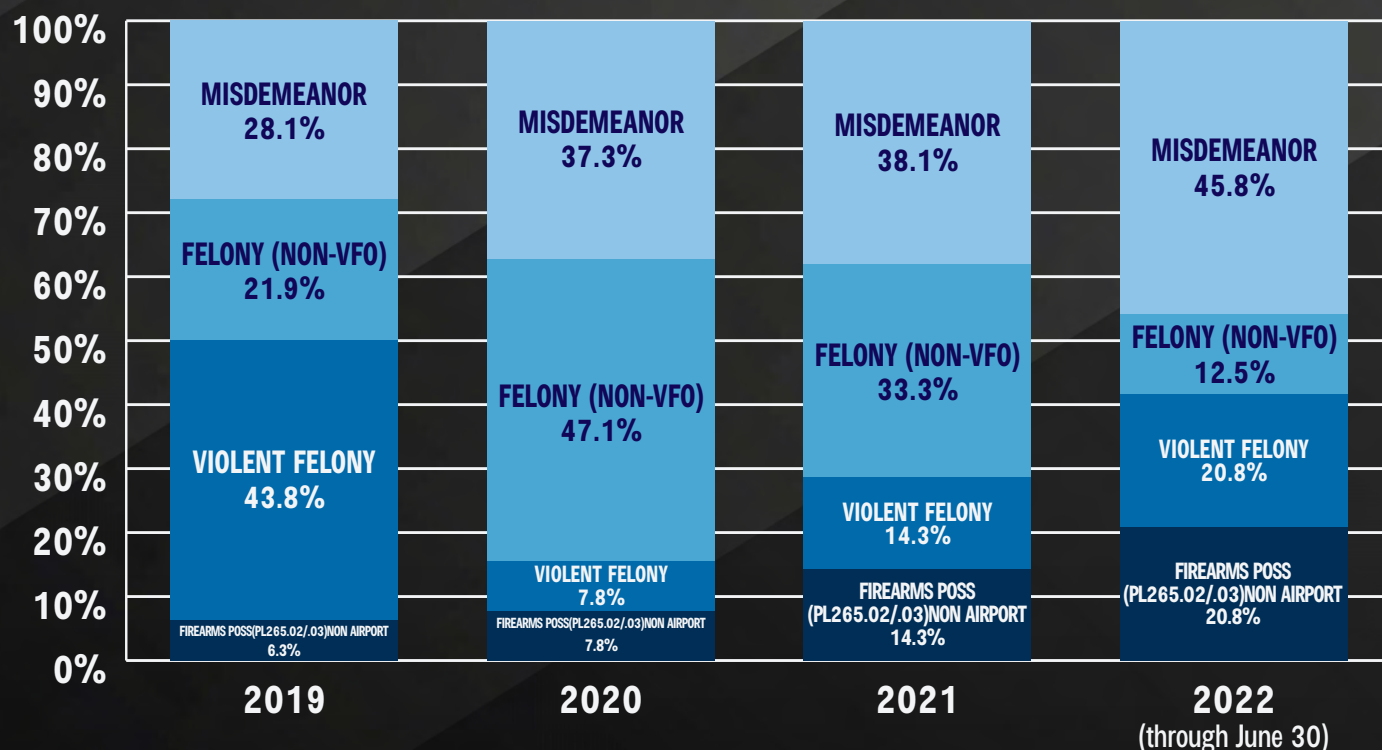
ORDER (CPW)	TOTAL		FULL CALENDAR YEAR						1/1/22 - 12/15/22	
			2019		2020		2021		2022	
	#	%	#	%	#	%	#	%	#	%
REMAND	98	4.59%	6	1.70%	14	2.70%	34	5.44%	44	6.96%
BAIL	1,350	63.23%	234	65.20%	302	58.20%	398	63.68%	416	65.82%
SUPERVISED RELEASE	246	11.52%	0	0.00%	48	9.20%	94	15.04%	104	16.46%
ROR	441	20.66%	119	33.10%	155	29.90%	99	15.84%	68	10.76%
TOTAL	2,135	100%	359	100%	519	100%	625	100%	632	100%

RECIDIVISM ON WEAPONS CASES

When a defendant is out on a pending criminal possession of a weapon case, the rate at which the new arrest is for another firearms possession charge has tripled – from 6.3% in 2019 to 20.8% in 2022.

RECIDIVISM BY ARRAIGNMENT YEAR

TOTAL RECIDIVISM RATE WITHIN A SIX MONTH PERIOD OF
NON-INCARCERATED DEFENDANTS



A close examination of repeat gun offenders arrested in Queens from January 1 through November 1, 2022 as indicated in data collected from the Gun Violence Strategies Partnership reveals that:

170

MORE THAN 170 DEFENDANTS
ARRESTED WITH A GUN ALSO HAD
ONE OR MORE OPEN CASES AND
NEARLY HALF HAD MORE THAN ONE
ADDITIONAL GUN CASE PENDING

200

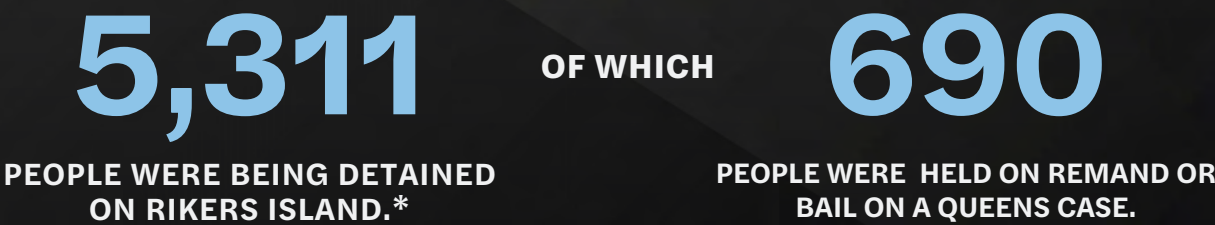
OVER 200 DEFENDANTS ARRESTED
WITH GUNS HAVE PREVIOUSLY BEEN
CONVICTED OF A FELONY WITH MORE
THAN 60 HAVING BEEN CONVICTED
OF POSSESSING A GUN OR ANOTHER
GUN-RELATED CRIMINAL CONVICTION

JAIL POPULATION

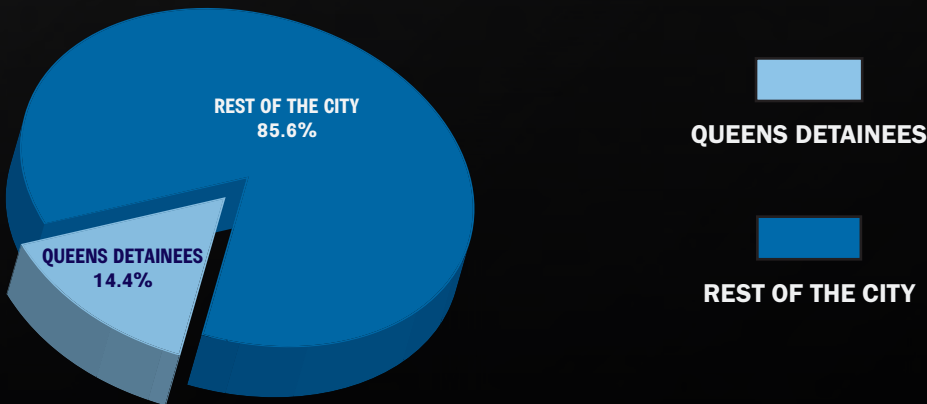
District Attorney Katz has implemented many policies designed to change the landscape of pretrial incarceration. On day one, DA Katz focused on reducing the jail population and breaking the cycle of crime by utilizing alternatives to incarceration, making fair and just plea agreements, and providing more opportunities for rehabilitation and redemption from past violations. As part of DA Katz’s mission to address racial disparities and systemic injustice, she has declined to prosecute certain low-level violations and other offenses, such as marijuana violations and loitering for the purpose of engaging in prostitution, even before the laws were changed in New York. Additionally, until the criminal justice system removes finances from the securing order equation entirely, the office will continue to painstakingly scrutinize every request for bail. Every case is carefully reviewed to determine if remedial action can be taken to effectuate a defendant’s release from Rikers Island without jeopardizing community safety. The office makes every effort to expedite incarcerated individuals’ cases in conjunction with the court and the defense bar.

The substantial majority of those being held pre-trial were arrested for serious violent felony cases and a court has determined that these individuals were at risk of not returning to court. The highest percentage of these individuals were awaiting trial for homicide, forcible sexual acts—including cases with child victims, possession of loaded operable guns, assault causing life threatening or other permanent injury, and fugitives from another state.

AS OF DECEMBER 13, 2022:



THUS, QUEENS DETAINEES ACCOUNTED FOR LESS THAN 14.4% OF THE TOTAL RIKERS ISLAND POPULATION, EVEN THOUGH THE COUNTY ACCOUNTS FOR MORE THAN 27% OF NEW YORK CITY’S POPULATION



**Includes incarcerated individuals within Rikers Island and other correctional facilities within NYC.*

TOTAL IN JAIL FOR QUEENS RELATED MATTERS

690 defendants continued to be held on a Queens case, with 384 held on pre-trial bail. 96% of those held on pre-trial bail were charged with felony crimes. The highest percentage of the individuals held on pre-trial bail on Queens cases are awaiting trial on **robbery, firearms, and assault offenses**.

As of December 13, 2022, 306 defendants were remanded, with 97% charged with a felony and more than half held on a homicide or firearm possession charge.

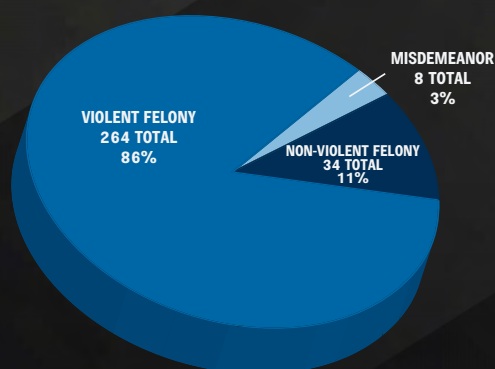
The charts below illustrate the classifications of the crimes with which the defendants held in on bail or remand are charged:

690

DEFENDANTS WERE
HELD ON A QUEENS CASE

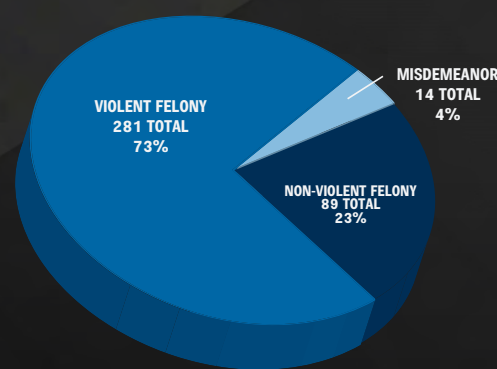
REMAND 306

DEFENDANTS WERE REMANDED
WITH 97% CHARGED WITH A FELONY



BAIL 384

DEFENDANTS WERE HELD ON PRE-TRIAL BAIL
WITH 96% CHARGED WITH A FELONY



TOP 8 COMPLAINT CHARGES (REMAND)

NUMBER

PERCENT

PL ARTICLE 125. HOMICIDE ETC.	120	39%
PL ARTICLE 265. FIREARMS/DANGEROUS WEAPONS	44	14%
PL ARTICLE 160. ROBBERY	34	11%
PL ARTICLE 140. BURGLARY ETC.	28	9%
PL ARTICLE 120. ASSAULT ETC.	23	8%
PL ARTICLE 130. SEX OFFENSES	12	4%
PL ARTICLE 220. CONTROLLED SUBSTANCES	8	3%
PL ARTICLE 135. KIDNAPPING ETC.	6	2%

TOP 8 COMPLAINT CHARGES (BAIL)

NUMBER

PERCENT

PL ARTICLE 160. ROBBERY	89	23%
PL ARTICLE 265. FIREARMS/DANGEROUS WEAPONS	67	17%
PL ARTICLE 120. ASSAULT ETC.	61	16%
PL ARTICLE 140. BURGLARY ETC.	53	14%
PL ARTICLE 125. HOMICIDE ETC.	37	10%
PL ARTICLE 220. CONTROLLED SUBSTANCES	22	6%
PL ARTICLE 155. LARCENY	13	3%
PL ARTICLE 130. SEX OFFENSES	11	3%





SECTION II

LIGHTING THE WAY: ENSURING TRANSPARENCY

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2022 EXECUTIVE LEADERSHIP



JENNIFER NAIBURG

CHIEF ASSISTANT DISTRICT ATTORNEY

Chief Assistant District Attorney Jennifer Naiburg has been a prosecutor for over 29 years. Prior to DA Katz's administration, Ms. Naiburg served the office in many capacities: as an accomplished trial lawyer, instructor, manager and innovator.

Since DA Katz took office in January of 2020, Ms. Naiburg has worked tirelessly to fulfill the District Attorney's mission of **Brave Justice** – keeping the communities of Queens safe while helping to implement fairness and equity within the criminal justice system. In addition to her leadership of DA Katz's executive team, Ms. Naiburg serves as an adjunct professor at Cardozo Law School after having taught at Fordham Law School for the preceding ten years.



CAMILLE CHIN-KEE-FATT

CHIEF OF STAFF/ADMINISTRATION

Ms. Chin-Kee-Fatt has served as Chief of Staff to the Queens District Attorney's Office since DA Katz took office. Just prior to her appointment, she worked as Director of Administrative Services for the NYC Council. In that role, she oversaw the Council's \$80M budget and all administrative divisions of the Council. Prior to her work at the Council, she was Senior VP of Human Resources and part of the executive leadership for the NYC Mission Society, a 200+ year-old non-profit based in Harlem.

Her extensive background includes positions held at New York Law School, Brooklyn Law School, the New York State Office of the Attorney General as well as non-profit organizations and international law firms.

2022 EXECUTIVE TEAM AND DIVISIONS

The Queens District Attorney's Office is organized by division with each Executive Assistant District Attorney managing particular bureaus and units as follows:

JOHN CASTELLANO

COUNSEL TO THE DISTRICT ATTORNEY

With 39 years of experience in the Queens District Attorney's Office, Mr. Castellano has handled cases at all levels of the state and federal court system. Most recently, he was the Deputy Executive Assistant District Attorney and Chief Appellate Counsel for the Legal Affairs Division.

VINCENT CARROLL

COUNSEL TO THE CHIEF ASSISTANT DISTRICT ATTORNEY

In 1976, Mr. Carroll joined the Queens DA's Office and worked in numerous bureaus until 1982, when he became Deputy Chief of the Appellate Division Grievance Committee for the Second and Eleventh Judicial Districts. In 1991, Mr. Carroll returned to the Queens DA's Office and became Counsel to the Chief Assistant in 2002.

APPEALS AND SPECIAL LITIGATION DIVISION

EXECUTIVE ASSISTANT DISTRICT ATTORNEY JOHNNETTE TRAILL

- Appeals Bureau
 - Freedom of Information (FOIL) and Civil Litigation Unit
 - Immigration Specialist

COMMUNITY PARTNERSHIPS DIVISION

EXECUTIVE ASSISTANT DISTRICT ATTORNEY COLLEEN BABB

- Civic Awareness Unit
 - Office of Immigrant Affairs
- Community Engagement Unit
- Youth Empowerment Unit

CRIMINAL PRACTICE AND POLICY DIVISION

EXECUTIVE ASSISTANT DISTRICT ATTORNEY THERESA SHANAHAN

- Criminal Court Bureau
- Intake and Assessments Bureau
- Rehabilitation Programs & Restorative Services Bureau
 - Crime Victims Advocate Program
 - Diversion and Alternative Sentencing Unit

INVESTIGATIONS DIVISION

EXECUTIVE ASSISTANT DISTRICT ATTORNEY GERARD BRAVE

- Crime Strategies and Intelligence Unit
- Frauds Bureau
 - Crimes Against Revenue Unit; Elder Fraud Unit
- Housing and Worker Protection Bureau
- Human Trafficking Bureau
- Major Economic Crimes Bureau
 - Cyber Crime Unit; Airport Investigations Unit; Auto Crime Unit
- Public Corruption Bureau
- Violent Criminal Enterprises Bureau

MAJOR CRIMES DIVISION

EXECUTIVE ASSISTANT DISTRICT ATTORNEY DANIEL SAUNDERS

- Career Criminal Major Crimes Bureau
- Domestic Violence Bureau
 - Animal Cruelty Prosecutions Unit
- Homicide Bureau
 - Cold Case Unit
- Special Victims Bureau
 - Child Advocacy Center, Elder Abuse Project Social Workers
- Forensic Science Specialist

SUPREME COURT TRIAL DIVISION

EXECUTIVE ASSISTANT DISTRICT ATTORNEY PISHOY YACIOUB

- Discovery and Compliance Unit
- Felony Conferencing Bureau
- Felony Trial Bureaus I, II, III, IV
- Juvenile Prosecutions
- Grand Jury Bureau
 - Extraditions, Renditions and Property Release Services
- Hate Crimes Bureau
- Litigation Training

DETECTIVE BUREAU

CHIEF THOMAS CONFORTI

TRAINING

Continuing in year three of her administration, **DA Katz has focused on ensuring all staff abide by the highest ethical and moral obligations placed upon prosecutors.** Since taking office, she has enhanced the Litigation Training Department, which is responsible for all tiered training of Assistant District Attorneys as well as the continuing legal education of the office's professional staff.

All newly hired Assistant District Attorneys participate in a four-week, intensive Incoming Orientation Training Program, which is an academic and practical introduction to the criminal justice system designed to prepare new hires to succeed. This training program implements a battery of lectures and interactive training sessions which are given on criminal law and procedure, ethics, and basic skills development.

Other career-oriented training programs include a Felony Assistant and Grand Jury Training Program for prosecutors who have progressed in their career, as well as trial advocacy training for both Criminal Court and Supreme Court assistants. In addition to the career programs, the Litigation Training Department administers monthly office-wide Continuing Legal Education in a variety of topics.



THE EMPIRE STATE PROSECUTOR FALL 2022 PUBLICATION

EADA Pishoy Yacoub wrote an article sharing why he is a prosecutor, and it serves as an example for why all our Queens ADAs do the work they do:

There are moments in every prosecutor's career where they realize the magnitude of the work they do. That the work is more than just "putting the bad guys behind bars", like the media often portrays. That there is an element of humanity in the work that we do that is far more rewarding than any other job in the field of law. We meet people at their most vulnerable: people who have been harmed deeply, unfairly and undeservedly. Their lives frequently shattered in an instant. They can't speak for themselves. They rely on us to carry their pain, their suffering, their hurt. They rely on us to walk into court, tell their story and ensure they get the justice they deserve. We become their voice.

Remember, our role as prosecutors is to seek justice. Period. We pursue it for victims, but it applies to the accused as well. In my over 17 years as a prosecutor, I have had many proud moments in my career. But the moments that rise above the rest, don't all involve convicting the guilty; they involve exonerating the innocent, as well.

The role of a prosecutor is an honorable one. But it's not for everyone. Justice looks different in every case. The role of a prosecutor is to seek that justice, to find it, to implement it, and to do so, impartially. Only those who are inspired to do the right thing in every case, qualify. We have the power to make decisions that can deprive a person of their liberty, destroy their reputation and in some jurisdictions, take their life. It is a profession that can only be served by those who have the moral compass to handle that responsibility with integrity. That is why I do what I do.

QDA EXPERTS LEADING THE NATION

The expertise of our staff is frequently sought on a variety of topics at the local, state, national, and international levels. ADAs also teach as adjunct professors at universities and law schools.

In 2022, some of the events at which we have participated include:

World Standards Week Legal Forum *(Washington, DC)*

Use of Forensic Science Standards in Criminal Prosecution ADA Valerio

New York City Administration for Children's Services

Law Enforcement's Responses to Child Trafficking ADA Melton

National Association of Extradition Officials *(Austin, Texas)*

Extraditions: Bail in Fugitive Cases and LGBTQ+ Issues in Extradition Cases ADA DeLuca-Farrugia

Temple Beth-El of Rockaway Park

Anti-Semitism in the Rockaways and Beyond ADA Brovner

St. John's University

Wrongful Convictions ADA Benjet

High-Intensity Drug Trafficking Area Task Force *(Rockland County Police Academy)*

Ghost Gun Introduction and Investigations. ADA LaCorte

New York City Police Department Detective Training

Financial Crimes Investigations. ADA Kim

New York State Bar Association

Diversity in District Attorney's Offices ADA Pooran

NYS Division of Criminal Justice Services *(Rochester, New York)*

Trauma Informed Interviewing Techniques. ADA Downing

Commonwealth's Attorneys' Association Conference *(Kentucky)*

Ethics in Forensic Science ADA Valerio

Department of Defense Advisory Committee on Sexual Assault in the Armed Forces

Best Practices in Sex Crimes Prosecutions and Case Assessment ADA Rosenbaum

New York City Police Department Special Victims Detective Training

Investigation of Acquaintance Sexual Assaults ADA Hughes

Rockland County Police Academy

Courtroom Protocols and Procedures CADA Naiburg

Caribbean Prosecutors Training *(Trinidad & Tobago)*

Fair & Just Plea Negotiations EADA Yacoub

New York Prosecutors Training Institute

Beyond Batson Counsel Castellano

ASSISTANT DISTRICT ATTORNEY CLASS OF 2022

During her third year in office, DA Katz appointed 6 new Assistant District Attorneys in the spring of 2022, and an additional 49 new Assistant District Attorneys in the fall of 2022. The new ADAs began their prosecutorial careers with an intensive, four-week-long training program, which included lectures, courtroom observation and interactive workshops. They received practical, hands-on experience by participating in a Ride-Along with members of the NYPD and visiting the NYPD Firearms Training Facility at Rodman's Neck. The class members were given a tour of the New York Police Department's 113th Precinct and Emergency Services Unit. They visited Rikers Island to view the conditions and understand the implications their work has on defendants. On their final day of training, the new prosecutors participated in a tour of Queens County where they stopped at significant sites such as the Unisphere in Flushing Meadows Corona Park and John F. Kennedy International Airport.



The 2022 Spring Class of Assistant District Attorneys were sworn in by DA Katz prior to the start of their training.



The Fall Class of 2022, consisting of forty-nine newly sworn Assistant District Attorneys, stand with DA Katz.

BRAVE JUSTICE SUMMER INTERNSHIP PROGRAM

The third annual *Brave Justice Summer Internship Program* welcomed 53 law students and 8 college students with a full-time, 8-week in-person schedule. This engaging program provided the opportunity for interns to develop professional skills in legal research and writing, motion and discovery practice, crime scene visits, civilian and police interviews and, in some cases, court appearances pursuant to the student practice order.

The interns represented 25 different law schools and 8 colleges. Many of them were bilingual, speaking a total of 10 languages – Arabic, Bengali, Greek, Haitian Creole, Mandarin, Persian, Polish, Russian, Spanish, and Visaya.

During the internship, the students took part in lectures from office staff on current topics, ethics, and how to conduct direct and cross examinations and hearings. Participants were given the opportunity to visit the NYPD's Police Academy to learn about the training recruits undergo prior to becoming an officer. Additionally, given the rise in hate crimes over the past few years, interns were able to visit the Kupferberg Holocaust Center at Queensborough Community College where they received a presentation about the importance of language access to counter hate crimes.



DA Katz speaks to college and law students of the Brave Justice Summer Internship Program during a softball game at Forest Park, Kew Gardens.

MOCK TRIAL COMPETITION

After a pandemic hiatus, the office hosted its 7th annual Mock Trial Competition, the first held under DA Katz, from March 3 – March 5, 2022. This competition offered participating law school students the unique opportunity to receive practical experience under conditions closely resembling an actual criminal trial. Given the COVID surge that New York City experienced during the winter, the competition was held virtually but was still an exciting experience for everyone involved. Sixty-four students from 16 law schools, from across the country, competed while sitting trial judges presided over several of the rounds. Management staff and experienced trial attorneys from the DA's office, as well as experienced criminal defense attorneys, served as evaluators. In the closing round of the competition, New York University Law School took home first place while the University of Houston Law Center was awarded second place.



PROFESSIONALISM RECOGNIZED



ROOKIE OF THE YEAR AWARD

DA Katz presents the annual Rookie of the Year award to the 2022 winner, Samuel A. Goodstein, for an auspicious start to his career as an Assistant District Attorney in Queens County.



THOMAS E. DEWEY AWARD

The New York City Bar Association awards the Thomas E. Dewey medal each year to an outstanding Assistant District Attorney in each of the District Attorney's offices in New York City and in the Office of the City's Special Narcotics Prosecutor. Recipients must have exhibited high ethical standards and have strong records of achievement. Counsel to the DA, John Castellano, was the Dewey Medal recipient for Queens this year.



MEMORIAL DAY AWARD

As part of the annual Memorial Day ceremony, DA Katz honored Weapons Specialist Bernard L. Thompson of the United States Air Force, who fought in the Vietnam War, Lieutenant Colonel Dennis Fink, who was with the Marine Corps during the Vietnam War and the United States Army Reserve during the Gulf War and War on Terrorism, and QDA's own Assistant District Attorney Captain Bryan Kotowski of the United States Army Reserve.



VETERANS DAY AWARD

DA Katz marked this year's Veterans Day Observance Ceremony by honoring four veterans from Queens including Assistant District Attorney and Staff Sergeant Eugene Dirks along with Corporal Mike Liquori, Staff Sergeant Robert Ruffin, Jr. and Staff Sergeant Carlos Cole.



ASIAN AMERICAN PACIFIC ISLANDER HERITAGE AWARD

DA Katz held her annual Asian American Pacific Islander Heritage Month celebration which recognizes the contributions of the AAPI community to the borough of Queens. The District Attorney presented high honors to QDA's own Assistant District Attorney Anna Diao and Detective Douglas Lee.



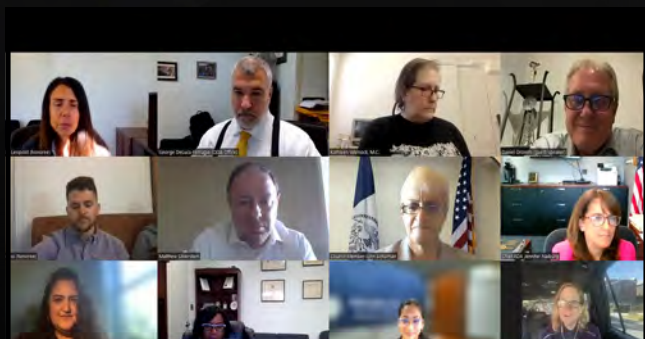
RICHARD A. BROWN PROSECUTOR OF THE YEAR AWARD

In its third year, this award was presented to Deputy Chief Christine McCoy. The award, named after former District Attorney Richard A. Brown, is given annually to an Assistant District Attorney who demonstrates distinguished professionalism, unwavering integrity, legal ingenuity and acumen, and a steadfast dedication to the pursuit of justice.



BLACK HISTORY MONTH AWARD

As part of Black History Month, Supervising Assistant District Attorney Allison Wright of the Major Economic Crimes Bureau was presented with a leadership award by DA Katz at an event that honored the central history and achievements of African Americans in this country. Also honored were Ralph McDaniels, Mr. Larry Love, BlaQue Resource Network; and Sharon Walker of Felony Trial Bureau II.



PRIDE AWARD

The second annual Pride celebration hosted by DA Katz, was held remotely and honored Robin Leopold, Bureau Chief of Felony Trial Bureau I and Ryan Lawless, Trial Preparation Assistant, for their outstanding service and their tireless advocacy.



HISPANIC HERITAGE AWARD

Hispanic Heritage Month serves as a celebration of independence and the achievements of those of Hispanic and Latin descent. DA Katz honored Assistant District Attorney Franchesca Basso and Crime Victims Program Advocate Maria Pinto. ADA Basso (center) is pictured with Camille Chin-Kee-Fatt, QDA Chief of Staff, and Executive ADA Colleen Babb.





SECTION III

LEADING WITH A STEADY HAND: PROVIDING ACCOUNTABILITY AND CONSISTENCY

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GUN VIOLENCE

In June of 2022, the Supreme Court of the United States decided *NYS Rifle & Pistol Assn. v. Bruen*. In this much anticipated decision, the Court invalidated a provision of the New York gun licensing statute that required a concealed carry license to be issued only when “proper cause” for the issuance of the license is shown. The Court found that the “proper cause” requirement violates the Second Amendment right to keep and bear arms in public for self-defense.

Bruen did not invalidate New York’s entire gun licensing statute – only the requirement that the applicant show “proper cause” for the issuance of the license. There are many other requirements (applicant must be 21, not have been convicted of a felony, and must not be the subject of an outstanding arrest warrant for a felony) that were not criticized and that remain part of New York’s gun licensing requirements.

After the *Bruen* decision, an Extraordinary Session was convened in Albany and new gun legislation was passed; it included additional crimes for possession of firearms in sensitive and restricted locations and amended rules relating to safe gun storage. Requirements for obtaining a gun license in New York were amended to:

- Eliminate the “proper cause” requirement;
- Provide a definition of the “good moral character” requirement;
- Require four character references;
- Require disclosure of social media accounts;
- Extend licensing requirements to semi-automatic rifles;
- Add other requirements for licensing.

Since the enactment of these new gun licensing requirements, there have been several legal challenges which are pending in courts around the state. Meanwhile, gun violence continues to affect communities across the city. In Queens, **District Attorney Katz remains steadfast in her efforts to seize illegal firearms and aggressively prosecute gun traffickers.**



IN 2022 WE PROSECUTED NEARLY
3,000
CRIMINAL WEAPON POSSESSION CASES

CASE TYPE (TOP COUNT ONLY)	FULL CALENDAR YEAR			1/1/22 - 12/15/22
	2019	2020	2021	2022
CRIMINAL POSSESSION OF A WEAPON (2ND AND 3RD DEGREES)	398	555	662	685
SHOOTINGS (NYPD DATA)	43	51	63	58

AGES OF DEFENDANTS CHARGED WITH CPW	FULL CALENDAR YEAR				1/1/22 - 12/15/22	
	2020		2021		2022	
	#	%	#	%	#	%
UNDER 18	28	5.05%	33	4.98%	33	4.80%
18-25	252	45.41%	285	43.05%	258	37.70%
26-35	151	27.21%	206	31.12%	229	33.40%
36-45	73	13.15%	95	14.35%	91	13.30%
46-55	30	5.40%	33	4.98%	49	7.20%
56-65	15	2.70%	8	1.21%	22	3.20%
OVER 65	6	1.08%	2	0.31%	3	0.40%
TOTAL	555	100%	662	100%	685	100%

Under DA Katz's leadership, the office continued to utilize all tools at our disposal to hold drivers of crime accountable and eradicate the deadly use of weapons from our streets. DA Katz remains fully committed to working with our law enforcement partners, legislative leaders, community members, faith-based institutions, violence interrupters, and youth development organizations on comprehensive solutions to end the epidemic of gun violence plaguing our communities.

CRIME STRATEGIES AND INTELLIGENCE UNIT

With a team of dedicated Assistant District Attorneys, intelligence analysts, detective Investigators and support staff, District Attorney Katz's Crime Strategies and Intelligence Unit (CSIU) proactively reduces and prevents violent criminal offenses and gun trafficking. Utilizing cutting edge technology and innovative law enforcement techniques, CSIU analyzes data and intelligence and supplies analytical context, evidence, and actionable intelligence on hundreds of cases throughout the office.

For the second year in a row, CSIU leads the city in ghost gun recoveries. In a joint effort with District Attorney Katz's Violent Criminal Enterprises Bureau, CSIU has made breakthroughs in dismantling the "Polymer Pipeline" – the source of unregulated, untraceable, personally made firearms known as ghost guns.

Proactive and long-term investigations have yielded results. We recovered a total of 173 ghost guns in 2022, a 101% increase from last year's recovery of 86 ghost guns. Investigations have resulted in the arrest of over 22 alleged ghost gun manufacturers and the recovery of:

- 205 Total Firearms;
- 173 Ghost Guns (handguns, assault weapons, machine guns);
- 602 High-Capacity Magazines (over 10 round capacity);
- 178 Firearm Lower Receivers;
- 6 Rapid-Fire Modification Devices;
- 15 Silencers;
- 92,000 Rounds of Ammunition.



FOUR QUEENS RESIDENTS CHARGED WITH POSSESSING ARSENALS OF ILLEGAL “GHOST” GUNS IN BAYSIDE AND FLUSHING HOMES

PRESS RELEASE - MARCH 3, 2022



DA Katz, joined by NYPD Chief of Intelligence Thomas Galati and Inspector Courtney Nilan, today announced that four Queens residents have been arrested stemming from the seizure of dozens of firearms, including 27 “ghost” guns, assault weapons, firearm accessories, thousands of rounds of ammunition and other items recovered during four early morning raids this week. The defendants are charged with criminal possession of a weapon, criminal sale of a firearm and other crimes after caches of illegal weapons were allegedly found in their homes.

The DA said, “We must get the guns off our streets. We must stop the illegal production of dangerous firearms that is happening in homes throughout our neighborhoods. Using myriad investigative tools and working closely with our law enforcement partners, we will continue to pursue those who bring these illegal, deadly weapons into our communities. I want to thank the NYPD’s Major Case Field Intelligence Team and the QDA Detective’s Bureau for their dedication in keeping the residents of Queens safe from gun violence.”

Police Commissioner Keechant L. Sewell said, “This case, and the dozens of guns, component parts, and ammunition seized as part of it, show once again that the proliferation of illegal ghost guns is not a passing fad but a continuing scourge against our citizens, our City, our way of life. These guns, often ordered online and shipped to New York City,

shoot real bullets that victimize New Yorkers. But our joint, intelligence-driven focus on interrupting the supply chains for these weapons, and keeping them from hitting the streets, is intensifying thanks to the strong partnership between the NYPD, our Major Case Field Intelligence Team, and the office of the Queens District Attorney Melinda Katz and her prosecutors who remain relentless in pursuing these important investigations and ensuring safety for all.”

“We must get the guns off our streets. We must stop the illegal production of dangerous firearms that is happening in homes throughout our neighborhoods.”

-District Attorney Melinda Katz

Following a long-term investigation that utilized various surveillance techniques and intelligence gathering and state-of-the-art data analytics, the NYPD’s Major Case

Field Intelligence Team along with members of the Queens District Attorney’s Detective Bureau executed Court-authorized search warrants on four residences early Tuesday morning. The investigation, led by DA Katz’s Crime Strategies and Intelligence Unit, focused on individuals who were purchasing polymer-based firearm components – parts that do not include any serial numbers – that can be easily assembled into operable firearms. The defendants were arraigned on Wednesday, March 2, 2022 on three separate complaints in Queens Criminal Court. If convicted, they face between 15 and 25 years. DA Katz said all four defendants do not have licenses to own or possess firearms in New York City.

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

MARYLAND RESIDENT CHARGED WITH 336 COUNTS OF CRIMINAL POSSESSION OF A WEAPON AND OTHER CRIMES IN LARGEST BUST OF “GHOST GUN” KITS IN NEW YORK STATE

PRESS RELEASE - MARCH 10, 2022

Queens District Attorney Melinda Katz announced that recovered were enough parts to build 74 ghost guns along with 129 high-capacity magazines and additional ghost gun components. District Attorney Katz said, “This is the largest seizure of illegal ghost gun kits in New York State to date. In addition to ‘the iron pipeline,’ we’re now

seeing a polymer pipeline of illegal, untraceable ghost guns and ghost gun parts from down south. These deadly weapons must be kept off our streets and my office will continue to work diligently to dismantle this new polymer pipeline.”

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



GUN VIOLENCE STRATEGIES PARTNERSHIP

District Attorney Katz is committed to making our communities safe from gun violence and in 2022 she continued our office’s participation in the **Gun Violence Strategies Partnership (GVSP)**. GVSP is comprised of representatives from over 25 city, state, and federal law enforcement agencies, including district attorney offices, the NYPD, State Police from New York, New Jersey and Connecticut, U.S. Drug Enforcement Administration, Bureau of Alcohol, Tobacco, Firearms & Explosives, the Federal Bureau of Investigation, Homeland Security, and Departments of Probation and Parole.

GVSP is designed to serve as a hub for city-wide crime strategies. Consistent with DA Katz’s policies, the partnership focuses on gun recidivists and drivers of violence, whose bullets travel across borough, city, and state boundaries. Significantly, 95% of the guns recovered in New York City come from another state. This initiative **pools the resources of city, state and federal law enforcement agencies to target the most prolific perpetrators of violence in our city**. Within the first 24 hours of an arrest of an offender, partners share information and advanced technology is utilized to link certain guns to multiple incidents that may have occurred in several different boroughs.

CAREER CRIMINALS AND MAJOR CRIMES

The Career Criminal Major Crimes Bureau is responsible for prosecuting recidivist violent felons who are subject to enhanced sentencing based on their extensive criminal histories. The crimes charged include gun offenses, attempted murder, robbery, burglary, assault, and kidnapping. The bureau is staffed by seasoned Assistant District Attorneys committed to the successful prosecution and enhanced sentencing of these offenders.

SUPREME COURT TRIAL DIVISION

The Supreme Court Trial Division contains four Felony Trial Bureaus that are responsible for the prosecution of much of the county's felony dockets from inception to disposition. Assistant District Attorneys investigate and present cases to the Grand Jury, negotiate pleas and sentences, and conduct suppression hearings and trials. They work very closely with felony problem solving courts, specifically, Queens Drug Court, Queens Mental Health Court, Queens DWI Court, Queens Veterans Court, and Queens Judicial Diversion Court in which defendants with mental illness or substance use illnesses can be placed in community-based treatment programs in lieu of incarceration.

While these bureaus handle a broad spectrum of felony crimes, the bulk of their cases in recent years have involved shootings and illegal gun possession. In August 2021, the courts launched the **Gun Violence Fast Track Initiative** to address the backlog in gun cases that existed. In large measure due to the work of the Felony Trial Bureaus, **in 2022 the backlog of gun cases decreased by 92 percent. In addition, Queens leads the city in the number of gun suppression hearings conducted as well as the number of pre-indictment dispositions on gun cases.**

In 2022, the courts expanded the gun initiative to similarly **fast-track cases involving robberies when the defendant is armed with a deadly weapon or displays a firearm.** These cases are assigned to a specific court part where they are intensively conferenced with the judge. The intended goal of this expanded initiative is to resolve more cases expeditiously and justly, moving cases to hearing and trial if they cannot be resolved. We are successfully working with the court to prioritize these cases of violence.



VIOLENT CRIMINAL ENTERPRISES

In 2022, DA Katz's Violent Criminal Enterprises Bureau (VCE) continued its progress of suppressing violent crime in Queens County by identifying and prosecuting drivers of violence engaged in organized crime, including members of street gangs and firearms dealers.

The fact remains that limiting access to firearms saves lives. DA Katz has made it her number one priority to rid Queens County of dangerous and illegal weapons that wreak havoc and place countless lives at risk. The Violent Criminal Enterprises Bureau's sole purpose is to suppress gang and gun activity in this borough.

During the summer, DA Katz, along with NYC Police Commissioner Keechant L. Sewell, announced the arrest of five individuals allegedly involved in a gun trafficking ring. VCE works closely with the Gun Violence Reduction Task Force, the Violent Crime Squads, and Precinct Detective Units of the NYPD to develop large scale investigations of violence in our communities. Several significant cases were developed in 2022.



GUN TRAFFICKING CREW DISMANTLED WITH 1,611-COUNT INDICTMENT OF TENNESSEE MAN AND FOUR NEW YORK CITY RESIDENTS FOLLOWING LONG-TERM INVESTIGATION

PRESS RELEASE - JULY 21, 2022

DA Katz, joined by New York City Police Commissioner Keechant L. Sewell, today announced a 1,611-count indictment and the arrests of five individuals allegedly involved in a gun trafficking ring using the notorious Iron Pipeline to smuggle guns purchased in Knoxville, Tennessee, which were then sold illegally in Queens County. Law enforcement officials removed more than 180 illegal weapons from our neighborhoods, along with 136 high-capacity magazines and hundreds of rounds of ammunition during the course of an 11-month-long investigation, titled Operation Hotcakes.

DA Katz said, "Illegal gun traffickers who flood our neighborhoods with dangerous firearms put every resident of our borough at grave risk. We have seen far too many instances of guns, purchased down South and trafficked into New York, that are then recovered at devastating crime scenes, leaving bloodshed and tragedy on our streets. Cutting off the notorious Iron Pipeline supply chain of these deadly weapons is a top priority for my administration. I want to thank the NYPD's Firearms Investigation Unit for working closely with my Office's Violent Criminal Enterprises Bureau in bringing these defendants to justice. We will continue our efforts against the proliferation of gun violence in this borough."

Police Commissioner Sewell said, "Building long-term investigations to stop accused gun traffickers from funneling illegal firearms up the Iron Pipeline is one layer of the NYPD's relentless work to eradicate gun violence in New York City. I commend our NYPD detectives and prosecutors in Queens for their sustained focus in this case to interdict guns before they hit our streets. This is the work we all must continue – and we will – because the lives of New Yorkers we serve depend on it."

The defendants were variously indicted by a Queens County grand jury on July 19, 2022 on charges of criminal sale of a firearm, criminal possession of a weapon and conspiracy. If convicted, they face various sentences between 20 and 50 years in prison.

The indictments allege that the ring operated with defendant A as the main dealer, defendant B



as the main supplier and defendant C, his nephew defendant D, and defendant E acting as the principal re-sellers and distributors of the weapons sold across Queens and Bronx Counties.

According to the charges, a total of 22 buys were allegedly completed between the undercover officer and defendant C between August 2021 and April 2022 in and around Jamaica and Springfield Gardens, yielding 145 firearms and 99 high-capacity ammunition feeding devices.

In January 2022, the court authorized electronic surveillance of defendant C, D, and A, which showed numerous trips taken by defendant A to the Knoxville, Tennessee area, especially during gun shows taking place in the area. Additional surveillance was authorized

by the court in March 2022 that uncovered defendant A allegedly traveling to the Knoxville area, specifically for the purpose of meeting with a gun supplier, later identified as defendant B, a Tennessee resident.

Furthermore, DA Katz said, laws regulating the sale and possession of firearms in Tennessee are much more lenient than New York and other states, deferring to federal law when regulating firearms dealers and private vendors. Federal law prohibits persons from engaging in the business of dealing in firearms without a license and requires that sellers run a National Crime Information Center background check on purchasers. According to the charges defendant B intentionally failed to abide by such regulations under the guise of a "private vendor," while dealing in a large quantity of firearms he knew would be smuggled to New York.

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

"Illegal gun traffickers who flood our neighborhoods with dangerous firearms put every resident of our borough at grave risk. We have seen far too many instances of guns, purchased down South and trafficked into New York, that are then recovered at devastating crime scenes, leaving bloodshed and tragedy on our streets."

-District Attorney Melinda Katz

HATE CRIMES

In 2020, DA Katz formed a dedicated Hate Crimes Bureau, becoming just one among a few offices in the nation to have a bureau exclusively dedicated to preventing, investigating, and prosecuting crimes motivated by bias against a person's race, national origin, religion, sexual orientation, or gender. Queens County is home to the most diverse population in the nation, so much so that it is often referred to as the 'World's Borough'. It is this amazing diversity that is our strength and makes our borough so vibrant. But because of this diversity, there are also some who will unfortunately seek to weaken and divide us by perpetrating cowardly bias crimes.

In 2022, the Hate Crimes Bureau caseload remained high. **The bureau secured 17 indictments against 18 defendants on hate crime charges.** During the same period, hate crimes citywide increased nearly 20 percent from the record high number in 2021. Fortunately, in Queens County, we have seen a slight decrease in the total number of hate crimes in 2022.

The bureau combats these hate-motivated offenses by actively engaging with the community to prevent these crimes and encourage reporting. Additionally, the bureau provides aid and support for the victims, devises innovative treatment and alternative sentencing programs for appropriate offenders, and rigorously investigates and prosecutes these cases.

In support of this effort, the office continues to operate a helpline for hate crime tips and encourages members of our community who are a victim of an incident or have watched one unfold to report it.

"When it happens to one of us, it happens to all of us."

-District Attorney Melinda Katz

NYPD STATS FOR QUEENS AS OF DECEMBER 4, 2022 BY MOTIVATION

MOTIVATION	2021	2022	PERCENT CHANGE
ASIAN	30	7	-77%
BLACK	7	10	43%
ETHNIC	2	0	-100%
GENDER	8	2	-75%
HISPANIC	2	5	150%
JEWISH	28	23	-18%
MUSLIM	6	7	17%
RELIGION	3	16	433%
SEXUAL ORIENTATION	14	16	14%
WHITE	8	2	-75%
TOTAL	108	88	-19%

VEHICULAR CRIMES

The investigation and prosecution of vehicular homicides is a high priority for DA Katz. The Vehicular Homicide Unit oversees the investigation of all deaths, whether pedestrian, cyclist, or motorist, where a person is killed as a result of contact with a motor vehicle. The office is on call 24 hours a day, through its hotline, to be notified by the NYPD of all vehicular deaths, whether considered criminal or not. Upon notification, the riding assistant district attorney responds to the scene and assists the NYPD with the investigation.

As an office, we continue to enhance the prevention, investigation, and prosecution of vehicular homicide cases with our work on the DWI Taskforce and the New York City Traffic Safety Board.



MANDATING VALID DRIVER'S LICENSES

Everyone on the road – drivers, pedestrians, bicyclists – deserve to reach their destination safely. Those individuals who choose to flout the laws by driving without a valid license endanger themselves and countless others they encounter.

In June, DA Katz authored an op-ed article for the *New York Daily News* on the importance of keeping our streets and highways safe by emphasizing the tried-and-true mantra: **driving is a privilege – not a right. Drivers should have valid licenses before getting behind the wheel of a car.**

The required testing and classes for new drivers are important. They teach motorists how to avoid collisions by knowing traffic laws, understanding signage and the importance of developing an awareness of others.

According to the National Highway Transportation Safety Administration, roughly 20 percent of all collisions are caused by unlicensed drivers. In Queens, there were 2,738 docketed cases by mid-2022 involving unlicensed drivers – a 28 percent increase from the first half of 2021. Last year alone, there were more than 1,300 vehicular crime cases in our borough.

Sadly, we have seen firsthand the damage and heartache that vehicular crashes have caused – with far too many at the fault of drivers who simply could not be bothered to acquire a valid license as well as those who had their privileges previously revoked due to reckless driving, speeding, driving under the influence of drugs or alcohol or other serious infractions.

Unfortunately, our laws have not kept pace with the surge of vehicular incidents. Under New York State's vehicular manslaughter statute, if a driver is drunk or high that individual is presumed to have operated the vehicle in such a manner as to have caused the death. However, the same does not hold true for unlicensed drivers or for someone who has had their license revoked or suspended. When there is damage and injury from a crash in which the driver did not obtain a license or has an invalid license, that driver should also be legally culpable.

DA Katz believes those drivers should be held accountable through stronger penalties, especially when the crash has caused very serious injuries or death. The requirement to have a valid license to drive is not a suggestion – it is the law.

QUEENS DWI COURT

Utilizing a drug treatment court model, the Queens DWI Court (QDWI) offers defendants the opportunity to receive treatment under close court supervision for a minimum of one year as an alternative to incarceration. Under DA 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. Case statistics show that defendants who engaged in treatment-oriented pleas had a retention rate of 93 percent and a successful completion rate of 92 percent.

SAFETY OF EVERYONE ON OUR SHARED ROADWAYS

Throughout the pandemic and beyond, the office has continually seen an increase of injuries and fatalities stemming from reckless driving offenses. Under DA Katz's administration, the office takes every step to seek justice on behalf of victims and hold reckless drivers accountable for their actions. A vehicle is capable of inflicting drastic damage and the safety of everyone on our shared roadways is a collective responsibility. Despite New York City's Vision Zero efforts and miles of dedicated bicycle lanes throughout the borough, countless individuals are still vulnerable to the threat of harm from reckless drivers. It is simply unacceptable for motorists to flout the rules of the road for their own selfish desires and our office will continue every effort to provide for the safety of every Queens resident.

DISTRICT ATTORNEY KATZ SECURES INDICTMENT OF UNLICENSED DRIVER IN DEADLY HIT-AND-RUN OF 5-YEAR-OLD BOY DEFENDANT FACES UP TO 7 YEARS IN PRISON IF CONVICTED

PRESS RELEASE - OCTOBER 20, 2022

DA Katz announced today that an unlicensed driver has been indicted by a Queens County grand jury and arraigned in Supreme Court on charges of criminally negligent homicide and other crimes. The defendant, who is not licensed to drive, is alleged to have been the driver of a 2018 Dodge RAM that fatally struck a five-year-old pedestrian on September 1 and to have fled the scene after the incident.

DA Katz said, "The defendant's alleged criminal negligence while behind the wheel has brought absolute devastation to a family that continues to mourn their young child. Driving is a privilege; it is not a right. To drive without a license is to place your own wishes over the needs of other people's safety, leading to heartbreaking results. My Office will hold accountable those who choose to disregard the rules of the road and license requirements. Our thoughts continue to go out to the family of this victim as the defendant faces justice in our courts."

The defendant, 40, of 33rd Street in Astoria, Queens, was arraigned today on a seven-count indictment. The judge ordered the defendant to

return to court on November 16. If convicted, he faces up to 7 years in prison.

According to the charges, on September 1, at approximately 5:28 p.m., the victim, 5, was walking on 100th Street in Astoria next to his father and siblings. As the family attempted to cross 100th Street towards McIntosh Street, the defendant, who was driving a white 2018 Dodge Ram traveling northbound on McIntosh Street, made a southbound turn onto 100th Street and struck the victim as he stood next to his father. After striking the victim, the defendant continued driving down 100th Street and did not stop.

The victim was immediately transported to a local Queens hospital where he was treated for severe head trauma and severe injuries to his torso. He was later pronounced deceased as a result of his injuries. According to the New York State motor vehicle database, the defendant does not possess a valid New York State driver's license, which was previously suspended, and that the RAM does not have valid registration.

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

TWO QUEENS RESIDENTS INDICTED ON MURDER CHARGES AND OTHER CRIMES FOR DRUNK DRIVING, DRAG RACING CRASH THAT KILLED HOSPITAL WORKER

DEFENDANTS FACE UP TO 25 YEARS-TO-LIFE IN PRISON IF CONVICTED

PRESS RELEASE - FEBRUARY 17, 2022

District Attorney Katz announced today that two defendants, both of Jamaica, Queens, have been indicted by a Queens County grand jury and arraigned in Supreme Court on murder, manslaughter and other charges.

DA Katz said, "You cannot use our city streets as if they were the Daytona Speedway or get behind the wheel of a car intoxicated. As alleged, the defendants were drag racing in Kew Gardens Hills early in the morning on November 20, 2020 when they crashed into and killed another driver who was on his way to work at a nearby hospital. One of the defendants was allegedly intoxicated as he drove. The defendants now face very serious charges and will be held to account for their alleged actions."

The two defendants, both 24 and residents of Jamaica, Queens, were arraigned today on a 20-count indictment. The defendants are charged with murder in the second degree, manslaughter in the second degree, criminally negligent homicide, assault in the second degree, reckless driving, participating in an unregulated speed contest or race and several traffic violations. Defendant A is additionally charged with vehicular manslaughter in the second degree and operating a motor vehicle while under the influence of alcohol. Defendant B is additionally charged with leaving the scene of an incident without reporting and tampering with physical evidence. The judge ordered the defendants to return to court on March 22, 2022. If convicted, the two defendants face up to 25 years-to-life in prison.

According to the charges, in the early morning

hours of November 20, 2020, both men attended a party in Brooklyn to celebrate defendant B's birthday. After the festivities, the pair went to a gas station on Main Street and Union Turnpike to fill up. Then, the two men are seen on video surveillance posting up side by side at a red light and when the signal switched to green, they allegedly accelerated quickly racing down Union Turnpike.

DA Katz continued that both men allegedly sped through two solid red lights. And just as the defendants were quickly approaching Parsons Boulevard, the victim was driving southbound on Parsons Boulevard heading to work at Queens General Hospital. Just as he entered the intersection, he was struck by both the silver Mercedes Benz defendant A was allegedly driving and the red Honda Accord defendant B allegedly drove.

According to the charges, the two cars - both going more than 90 mph - T-boned the victim's Toyota. The 52-year-old Jamaica, Queens resident suffered an internal decapitation and was rushed to the same hospital where he worked and was pronounced dead.

The DA said defendant A's vehicle was disabled in the crash and he was taken into custody by police at the scene. At that time, defendant A allegedly showed signs of intoxication and a test administered at the crash site allegedly showed his blood alcohol level was .094 - above the legal limit. Defendant B is accused of fleeing the scene.

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

"You cannot use our city streets as if they were the Daytona Speedway or get behind the wheel of a car intoxicated."

-District Attorney Melinda Katz



DOMESTIC VIOLENCE

District Attorney Katz continues to focus on expanding the office's efforts to end domestic violence and to eliminate the stigma attached to being a domestic violence survivor. To achieve these goals, DA Katz has continued to build partnerships, increase community outreach, provide support for survivors, and utilize diversionary programs and education to change abusive behavior.

The Domestic Violence Bureau works closely with our partners at the Queens Family Justice Center, including the Mayor's Office to End Domestic and Gender-Based Violence, and Safe Horizon. This one stop shop provides domestic violence survivors the ability to meet with Assistant District Attorneys, an NYPD Domestic Violence Prevention Officer, and access resources, including safety planning, counseling, legal assistance, housing, and financial assistance. To reinforce her message that domestic violence survivors are not alone, DA Katz hosted her annual Domestic Violence Resources Webinar in October 2022.

The bureau also places an emphasis on alternatives to incarceration, as another means to combat intimate partner violence, by partnering with the Department of Probation's Interim Probation Domestic Violence Team (QIPDVT). This program seeks to change defendants' abusive behaviors by utilizing a trauma informed approach that combines accountability measures with support. The office also continues to refer domestic violence defendants to the Fortune Society's Abusive Partner Intervention Program, which is the first free program offered in Queens County to address the dynamics and effects of domestic violence. Our office is confident that continued investment in these programs will create lasting change that will help break the cycle of abuse.

The office is equally committed to keeping families safe by holding violent offenders and recidivists accountable. To further DA Katz's goal of preventing domestic violence, the bureau uses a risk-based approach in the analysis of domestic violence cases. The bureau reviews each individual case for nationally recognized risk factors, including a history of strangulation, threats, and access to firearms. The bureau participates in various initiatives that address these high-risk cases.

For example, under the leadership of DA Katz, the Domestic Violence Bureau joined the Citywide Strangulation Response Roundtable which is developing best practices for a coordinated approach to handling strangulation cases. Along with the Queens Borough President's Office, Mount Sinai, New York City Health and Hospitals, FDNY, and NYPD, the office co-hosted a citywide training centered on handling non-fatal intimate partner strangulation cases.

DA Katz also revamped the Domestic Violence Beeper Program, ensuring that an Assistant District Attorney and supervisor from the bureau are on call twenty-four hours a day, seven days a week, to provide support and enhance the most dangerous domestic violence cases. **ADAs assigned to the program work closely with the NYPD and in 2022 they applied for over a dozen search warrants that resulted in the recovery of multiple firearms from homes plagued by domestic violence.** The bureau is particularly proud of this because the risk of a domestic violence homicide increases by 500% when a firearm is present in the home.



SPECIAL VICTIMS

The Special Victims Bureau is charged with the investigation and prosecution of felonies involving sex crimes against adults and children, physical abuse of children, and violence against the elderly. The bureau handled approximately 100 sex offender registration hearings on convicted sex offenders in 2022. Their staff is trained in trauma-informed interviewing and best practices in the forensic interviewing of children and in 2022 the bureau conducted over 350 child sexual assault forensic interviews.

The Queens Child Advocacy Center (QCAC) is a state-of-the-art child-focused place where all child sexual and physical abuse cases are handled. The QCAC provides, in a single location, a dedicated and multi-disciplinary team who specializes in working with children. This team includes child protective and social services provided through the NYC Administration for Children's Services and Safe Horizon, a pediatrician affiliated with Cohen Children's Hospital who has extensive training in providing care for abused children, and a squad of New York Police Department detectives whose sole focus is crimes against children. Working together, these multidisciplinary team members reduce the number of interviews a child must undergo and provide children with a path to healing and safety.

QUEENS MAN SENTENCED TO 15 YEARS IN PRISON FOLLOWING JURY CONVICTION FOR SEXUAL ABUSE OF YOUNG GIRL

PRESS RELEASE - AUGUST 5, 2022

DA Katz announced that a defendant has been sentenced to 15 years in prison for sexually abusing his former girlfriend's young daughter over a period of four years. The defendant was convicted last month of course of sexual conduct against a child, a penal law statute authored by DA Katz during her tenure in the State Assembly. The victim was five years old when the abuse began, shortly after the defendant moved in with the child's mother.

District Attorney Katz said, "The defendant used his access to this young victim to subject her to abhorrent sexual conduct. Protecting our children from predators is not just a priority for my administration but has remained a focal point during my entire career in public service. I commend the young victim on her bravery and strength in helping to hold her abuser fully accountable for his heinous actions. The defendant will now spend a lengthy prison term as punishment."

The defendant was convicted by a jury on July 21, 2022 after a week-long jury trial of course of sexual conduct against a child in the first degree.

On Thursday, August 4, 2022, the judge in the case imposed a sentence of 15 years in prison to be followed by 15 years post release supervision. The defendant will also be required to register as a sex offender.

Approximately between November 2011 and April 2015, the defendant repeatedly sexually abused the victim while he was living with the victim and her mother, his then girlfriend, inside their apartment in Queens. Shortly after the defendant moved in, when the complainant was five years old, the defendant started

sneaking into the child's bedroom in the evenings while her mother slept in the room next door. The defendant subjected the victim to sexual conduct on a repeated basis over the course of approximately four years, until she was nine years old, including instances of sexual intercourse and oral sexual conduct.

In April 2020, the child finally disclosed the history of abuse to her mother, who immediately reported the crime to the authorities.

"Protecting our children from predators is not just a priority for my administration but has remained a focal point during my entire career in public service."

-District Attorney Melinda Katz

ANIMAL CRUELTY

The Animal Cruelty Prosecutions Unit is responsible for the investigation and prosecution of all misdemeanor and felony crimes against animals who are voiceless and vulnerable victims in our communities. Ample research shows that there is a direct link between acts of cruelty to animals and violence toward humans, including family violence and other violent behavior. Notably, under District Attorney Katz, the Animal Cruelty Prosecutions Unit was integrated within the Domestic Violence Bureau as DA Katz recognizes the link between domestic violence and animal cruelty. Beloved pets are often used by intimate partner abusers as an effective tool of power and control over their partners and children in the household. In fact, studies show that approximately 70% of domestic violence survivors with pets reported that their abuser had killed, harmed, or threatened their pets and many felt that they could not leave the abusive relationship for fear that their pets would suffer dire consequences. Animal abuse that occurs in the presence of children in the household can also contribute to the cycle of abuse.

The Animal Cruelty Prosecutions Unit also investigates and prosecutes the gross neglect and abandonment of pets, the intentional abuse, injuring, torturing, and killing of wild and companion animals, and organized dogfighting and gamecock fighting. The unit works closely with the NYPD Animal Cruelty Investigation Detective Squad and the police precinct animal liaisons who investigate allegations of crimes against animals and the ASPCA's team of forensic veterinarians, whose expertise is critical in determining the extent and cause of conditions, injuries, or death of animal victims.

Following convictions for animal cruelty crimes, the unit refers offenders to the NYC Department of Health Animal Abuse Registry as those offenders are required to be listed on the registry for a five-year period. As part of the initiative to prevent and address crimes against animals, the unit also participates in public education and training for investigators and prosecutors and has worked to develop alternative sentencing programs geared specifically for animal abusers.

DA Katz has called for strengthening New York State's criminal statutes and authored the following opinion piece on the topic which appeared in the *New York Law Journal*.



THE IMPORTANCE OF STRENGTHENING NY'S ANIMAL CRUELTY LAWS

BY MELINDA KATZ

POSTED ON JULY 25, 2022

The time is ripe to better defend our society's most voiceless members by enforcing and strengthening New York State's animal cruelty laws.

In my time as district attorney for Queens County of New York, I have encountered countless cases involving cruel acts against innocent and defenseless animals. Unfortunately, New York's criminal statutes currently treat those who damage property more harshly than those who commit brutal acts of violence against these sentient beings who feel pain and suffer distress much in the same way as humans do.

It is time to correct this imbalance and hold those who abuse animals fully accountable for their heinous actions.

Polls reveal that almost 70% of U.S. households have a companion animal, and that most households with pets consider them to be family members. It is only fitting to allocate these cherished pets the same protections against negligence and abuse.

Addressing animal cruelty not only protects vulnerable animal victims, but also helps to prevent potential harm to humans as animal abusers are more likely to engage in interpersonal violence. Recent tragedies have reminded us of this fact: a number of accused mass shooters in this country allegedly engaged in acts of severe animal cruelty before carrying out crimes against people.

This correlation between animal abuse and violence toward humans, known as the "Link," is supported by decades of research and studies. The "Link" notes the co-occurrence of animal abuse with other violent behavior, including domestic violence, as well as child and elder abuse, and recognizes that animal abuse can be a concerning predictor of future crimes against people.

In fact, for these reasons, in 2016, the FBI began tracking animal cruelty crimes nationally and reclassified the crimes as top-tier Crimes Against Society in the same category as murder, rape and arson. Animal cruelty is simply not an isolated issue and investigating and prosecuting animal abuse is in the interest of protecting not only animals against future violent crimes, but people as well.

In my office, there is a dedicated animal cruelty investigations unit to investigate and prosecute animal cruelty cases. Prosecutors in that unit possess unique expertise to analyze a full spectrum of animal cruelty crimes. The unit also collaborates extensively on these matters with law enforcement, veterinarians and pathologists, animal welfare organizations, psychologists, and social workers as a comprehensive, multifaceted approach to combating animal abuse.

In Queens County, we have seen too many cases

of animal abuse in domestic violence situations as an effective weapon of retaliation, power, and control, which may also extend to child and elder abuse.

Many survivors of domestic violence report that their abusers had threatened or carried out harmful acts against a beloved companion animal; and survivors delay leaving the abuser for fear that harm would come to their animal. Many survivors also reported that the abuser had committed acts of cruelty against animals in the presence of a child, which serves to perpetuate the cycle of violence and desensitize our youth.

The state's Aggravated Cruelty to Animals statute, enacted in 1999, was intended to provide a felony for particularly egregious animal cruelty, but it only applies to companion animals, defined as a dog or a cat. The statute was dubbed "Buster's Law" for a cat who was doused with kerosene and set afire.

However, Buster's Law carries a maximum jail sentence of only two years. By contrast, the crimes of second- and third-degree criminal mischief for damaging property that is inanimate, such as cars, carry maximum prison terms of four and seven years, respectively, two and three times greater than the maximum sentence for torturing a living being.

Consecutive sentences are also unavailable for offenses under this law, which means that an abuser can kill or seriously injure many companion animals and receive the same sentence as for harming one. In addition, there is no independent penalty for threatening to kill a domestic partner's animal as a means of forcing compliance with an abuser's demands. What appears to weaken these laws even more is that the animal cruelty statute is housed in New York State's Agriculture and Markets Law, rather than the Penal Code, where it belongs.

New York has been a leader in protecting our vulnerable community members and was the first state in the nation to enact animal cruelty legislation. In each of these ways, our laws fail to protect one of the most vulnerable segments of our community, and these failures further demonstrate our indifference to violence toward animals, who desperately need our protection, just like any other facet of society.

The time has come to recognize the seriousness of animal cruelty crimes by allocating appropriate penalties for these violent acts and enact new stronger laws to protect these defenseless and voiceless victims. Doing so will not only protect our animals but will combat the oftentimes impending violence against humans as well. Violence should not be accepted in any form.

-Melinda Katz is the Queens County District Attorney.

FINANCIAL CRIMES

MAJOR ECONOMIC CRIMES BUREAU

DA Katz believes white-collar crime should be prosecuted as aggressively as street crime because theft is theft, no matter if it occurs on a subway platform or in a corporate office. The Major Economic Crimes Bureau focuses on large-scale financial crimes that are often the foundation of criminal enterprises that wreak havoc in our communities. The bureau handles a variety of economic crimes, including insurance fraud, illegal gambling, money laundering, and extortion and loan sharking operations.

CYBER CRIME UNIT

In recent years, criminal activity has moved from the streets to the digital realm and the Cyber Crime Unit was created by DA Katz in 2021 to handle this new computerized frontier. The unit investigates and prosecutes cases involving cryptocurrency and non-fungible tokens (NFTs) but also handles account hacking, identity theft, inappropriate digital content, and online predatory behavior towards minors.

FRAUDS BUREAU

The Frauds Bureau investigates and prosecutes crimes related to financial schemes, such as investment scams and trademark counterfeiting, and tax revenue collection. Within the bureau is the Elder Fraud Unit which prosecutes economic crimes committed against elder victims. In recent years, senior citizens have been targeted by a variety of scams including romance and lottery scams. The bureau also works to educate seniors and the entire Queens community by hosting virtual and in-person presentations which seek to share greater details on the types of scams and frauds being perpetrated in order to prevent any possible victimization.

HOUSING AND WORKER PROTECTION BUREAU

The Housing and Worker Protection Bureau (HWPB) was formed in January 2020 and investigates and prosecutes crimes related to fraudulent real estate schemes, deed and wage theft, unsafe workplace conditions and other forms of illegal exploitation. In 2022, HWPB conducted over a dozen major investigations into deed theft and fraud, resulting in arrests in five separate cases and over \$400,000 in recovered restitution for victims. The bureau has also recovered over \$24,000 in wages stolen from more than twenty employees of a defendant. Along with the investigation and prosecution aspect of the bureau, HWPB continues to work to keep the Queens community vigilant about recent housing and labor scams and educates community members on how to keep themselves safe.

FAMILY OF ALLEGED SCAM ARTISTS CHARGED WITH NUMEROUS CRIMES, INCLUDING GRAND LARCENY, IDENTITY THEFT, TAX FRAUD

PRESS RELEASE - MAY 4, 2022

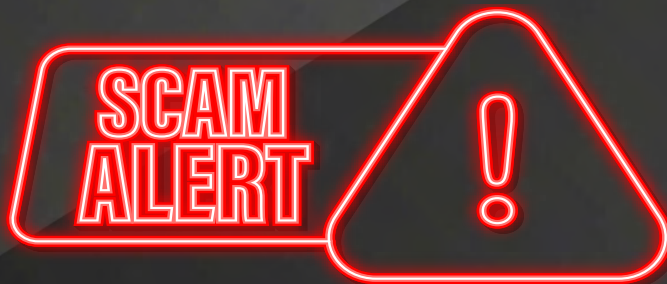
DA Katz today announced that three defendants have been charged with multiple crimes including grand larceny, forgery, perjury, identity theft, defrauding the government and official misconduct.

The District Attorney said, "As alleged, these defendants used virtually every trick in the book to pull off an assortment of illegal scams over more than a decade - including taking control of the \$700,000-plus home of a longtime Laurelton resident who died in 2010. They stole people's identities - including the identities of at least 20 children - to use in a large-scale tax fraud scheme, ripped off Section 8 and Covid relief funds, and filed \$200,000 worth of false unemployment insurance claims. These defendants will now be held to account for their one-family crime spree."

The defendants were arraigned on felony complaints charging them with multiple counts of grand larceny, offering false instruments for filing, forgery, making sworn false statements, perjury, identity theft, criminal impersonation, defrauding the government and official misconduct. If convicted, each faces up to 52 years in prison.

According to the complaint, the victim died in 2010, leaving personal documents inside his empty home at 137-47 225th Street, Laurelton. As alleged, defendant A moved their family into the deceased victim's home by 2014 and shortly thereafter, defendant B filed a fake will in Bronx Surrogates Court claiming they were the heir to the estate. They were granted ownership of his house in 2020 and promptly took out a \$200,000 mortgage. They also used the fake documents to obtain more than \$100,000 in unclaimed funds owed to the estate.

While defendant B was allegedly stealing the deceased's house, defendant A allegedly stole almost \$100k from the Housing Choice Voucher program commonly known as Section 8. According to the complaint, the defendant applied for housing assistance with New York State Homes and Community Renewal in September 2014 and included in their application a fake lease - listing a fictitious landlord - for the Laurelton house. The



Federal Government sent rent payments of almost \$90k to the fake landlord, which defendants B and C deposited into their own bank accounts.

Further, DA Katz said the defendants allegedly filed fake tax returns seeking refunds from the New York State Department of Taxation and Finance. More than 30 victims had their identities stolen in the defendants' scheme, and more remain under investigation. In twelve fake tax returns, the defendants attempted to steal more than \$52,000 from the NYS Tax Department and succeeded in stealing almost \$38,000.

According to the complaint, defendant C used her position as a Job Opportunity Specialist at the NYC Human Resources Administration to access HRA's electronic files. She allegedly accessed applicant files and stole the identities of more than 20 children for use as dependents in her family's fake tax return scheme. Defendants received tax refunds from the NYS Tax Department which they deposited in their bank accounts. And when Covid relief funds were sent to the addresses used by taxpayers in their tax returns, defendants allegedly deposited those funds into their bank accounts as well.

The defendants are also accused of attempting to steal more than \$200,000 in fake unemployment claims filed with the NYS Department of Labor. As alleged, they filed fraudulent unemployment insurance claims in the names of nine different people, received \$123,487 and attempted to steal an additional \$97,962.

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

"As alleged, these defendants used virtually every trick in the book to pull off an assortment of illegal scams over more than a decade."

-District Attorney Melinda Katz

HOMICIDE

The Homicide Bureau is responsible for investigating and prosecuting all homicide cases in Queens County. The bureau's assistant district attorneys are divided into two groups, "riders" and the trial assistants. Assistant District Attorneys assigned to the Homicide riding program are available 24 hours a day to respond to the scene of every Queens County death by homicide, deaths caused by vehicular collisions, or any other death in which criminal conduct may have played a role. The riders also assist the New York Police Department detectives in investigating each homicide by taking statements, interviewing witnesses, drafting search warrants and other court orders as needed. Each year, riders respond to thousands of notifications for assistance and inquiries on behalf of the office. The trial assistants work together with riders, after a homicide arrest is made, in presenting the case to the Grand Jury and if an indictment is handed down, the trial assistant takes the case from there and handles the trial. There are two specialized units within the Homicide Bureau: The Cold Case Unit and the Vehicular Homicide Unit.

67
**TOTAL QUEENS COUNTY
HOMICIDES**
(THROUGH 12/06/21)

**7.5%
INCREASE**

72
**TOTAL QUEENS COUNTY
HOMICIDES**
(THROUGH 12/06/22)

DEFENDANT SENTENCED TO PRISON FOR KILLING FOREST HILLS WOMAN WHOSE BODY WAS DISCOVERED IN DUFFEL BAG

PRESS RELEASE - NOVEMBER 16, 2022

DA Katz announced that the defendant in this case was sentenced today to 25 years in prison following a guilty plea to manslaughter for the brutal slaying of the victim, whose body was discovered in a sports duffel bag near Forest Park in April.

DA Katz said: "This was a brutal killing, and no amount of prison time can bring the victim back to her loved ones. Today's sentencing, however, provides a measure of justice and I hope the victim's family can rest easier knowing that the person responsible was held fully accountable."

The defendant, 44, of 114th Street in South Richmond Hill, Queens, pleaded guilty on November 2 to one count of manslaughter in the first degree. The judge today sentenced the defendant to 25 years in prison, to be followed by five years post-release supervision.

According to the charges, on April 16, at approximately 12:30 am, the defendant arrived at the victim's home. The victim had just returned to her home in Forest Hills from an evening out. The defendant and the victim, who were previously known to one another, began to argue. The verbal

fight quickly escalated to the defendant slashing the victim's throat and stabbing her more than 50 times with a knife.

At approximately 4:15 am, the defendant was captured on a nearby home's security video surveillance footage wheeling a hockey duffel bag belonging to one of the victim's sons. The bag, containing the victim's lifeless body, was found at about 8:00 am on Metropolitan Avenue, near Union Turnpike, in the vicinity of Forest Park.

Police were able to follow the trail of blood from the bag to the crime scene – the home where the victim resided with her husband and two sons. During the subsequent investigation, police recovered the murder weapon hidden in the victim's home and the defendant's jacket inside Forest Park.

Days later, the defendant offered to speak to police and during questioning made incriminating statements. He revealed that some time on Saturday he went to a hospital for a cut on his hand. He also stated in sum and substance that he and the victim argued and confessed to stabbing her and moving her body.

FORENSICS

DA Katz created the position of Forensic Science Specialist to support the forensic investigation and litigation related to nearly all criminal prosecutions at the office. The Forensic Science Specialist facilitates the presentation of forensic science evidence in the grand jury and at trial; conducts office-wide training regarding DNA, ballistic, and fingerprint evidence; closely collaborates with the Conviction Integrity Unit and the Cold Case Unit; handles all complex Frye litigation relating to reliability and relevancy of expert witnesses.

Additionally, the Forensic Science Specialist acts as liaison to the Office of Chief Medical Examiner (OCME) Forensic Biology & Toxicology Laboratories and the New York Police Department Laboratory for all ballistics, latent fingerprint, and trace analysis sections.

Forensic science standards have come under scrutiny. The Forensic Science Specialist has worked to shape best practices in various forensic science disciplines. Through participation in the American Academy of Forensic Sciences Standards Board for Friction Ridge and Firearm Toolmark Evidence, and the Organization of Scientific Area Committees Scientific Technical Review Panels, as well as the National Institute of Justice, National Center on Forensics, the Forensic Science Specialist has been an integral part of ensuring that prosecutors use reliable forensic science evidence.

In 2022, the Forensic Science Specialist facilitated the testing of over 400 firearms for DNA analysis and many of those firearms for microscopic ballistic analysis related to criminal possession of a weapon and shooting cases.



COLD CASE UNIT

The Cold Case Unit is the first unit ever in Queens County dedicated entirely to investigating and solving the borough's oldest and most challenging unsolved homicide cases. The unit uses groundbreaking forensic testing and cutting-edge investigative techniques to examine unsolved crimes to bring long-awaited justice to victims and their families.

This year the unit successfully prosecuted the first case in New York City which utilized forensic genetic genealogy to solve a 45-year-old unsolved homicide. In addition, the office was awarded a \$535,000 federal grant* which is currently being used to enhance cases and potentially resolve unsolved homicides where DNA of a suspect has been identified, thereby decreasing the number of cold cases awaiting prosecution.

**This project was supported by Grant No. 15PBJA-21-GG-04370-DNAX awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Department of Justice's Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the SMART Office. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.*



QUEENS MAN SENTENCED TO 20 YEARS IN PRISON FOR KILLING WORLD WAR I VET

PRESS RELEASE – NOVEMBER 7, 2022

Queens District Attorney Melinda Katz announced today that a defendant was sentenced to 20 years in prison for the 1976 killing of an 81-year-old World War I Veteran. The Queens District Attorney's Office Cold Case Unit solved the 46-year-old homicide case with the NYPD using forensic genetic genealogy for the first time in New York City.

District Attorney Katz said: "After 46 years, a veteran of the First World War gets justice. The successes of modern technology and forensics made it possible for us to not only identify the bones of the victim but also to help find any witnesses. When I became District Attorney, I created the Cold Case Unit for cases such as this where time seems to be the enemy. Time allowed forensic genetic genealogy and our investigators to catch up to this defendant."

The defendant was sentenced today to 20 years in prison. The defendant pleaded guilty to manslaughter in the first-degree last month.

District Attorney Katz said, the Office of the Chief Medical Examiner discovered human remains consisting of a pelvis and partial torso buried under a concrete slab in the backyard of 87-72 115th Street, Richmond Hill, Queens, on March 12, 2019. A DNA profile retrieved from the remains could not identify the deceased man at the time in local, state or national databases.

Continuing, the Queens District Attorney's Office and the NYPD sought the assistance of a private laboratory and the FBI to generate leads to the unknown victim's identity. In February 2021 a comprehensive genealogical profile was produced from the skeletal remains using advanced DNA testing. The genealogical profile was given to the FBI,

which then generated leads that were turned over to the Queens District Attorney's Office and the NYPD. Investigators began to contact potential family members of the victim and obtained DNA samples for comparison to the discovered remains.



Through these combined efforts, investigators were able to confirm that the remains found were those of the victim, an 81-year-old veteran of World War I. Further investigation revealed that the victim was last seen at approximately 10 a.m. on December 10, 1976, leaving his home in Jamaica, reportedly on his way to get a haircut at the defendant's barbershop. After an extensive investigation, information was obtained that identified the victim as a regular customer of the barbershop and linked the defendant to the victim's demise and its concealment.

An extensive investigation by the NYPD and the Queens DA's office included multiple interviews of witnesses and extensive records searches through five states and various agencies. Crucial evidence revealed the defendant fatally stabbed the victim in the head after robbing him of approximately \$7,000 to \$8,000 then dismembered and buried his body beneath concrete slabs in the Richmond Hill backyard where it was uncovered 43 years later.



**IF YOU HAVE ANY INFORMATION
PLEASE CALL 1-800-577-TIPS
VISIT: CRIMESTOPPERS.NYPDONLINE.ORG
DOWNLOAD AND USE THE CRIME STOPPERS APP: CS-NYC
TIPS ARE CONFIDENTIAL**



ROMEO EINSTEIN ACUNA
AGE 49

On September 24, 2002, at approximately 8:40 pm, Romeo Einstein Acuna was found stabbed to death inside his home at 78-11 35th Avenue, Jackson Heights, Queens.



CLEOPATRA BARLOW
AGE 47

On May 25, 1994, at approximately 10:30 pm, Cleopatra Barlow was shot and killed in the vicinity of 145-37 230th Place, Rosedale, Queens.



CHARISSE NELSON DAVENPORT
AGE 21

On September 9, 2003, at approximately 9:00 pm, four family members were brutally stabbed to death in their own home at 109-22 139th Street in Jamaica, Queens: Charisse Nelson Davenport, James Armstead (79), Robert Armstead (73) and Hattie Morris (81).



STEVIE BATES
AGE 19

On September 18, 2020, the remains of Stevie Bates were found buried in the vicinity of 80-97 Cypress Avenue in Ridgewood, Queens. Stevie was last seen on April 28, 2012, at approximately 8:50 am inside the Port Authority Bus Terminal.



CHRISTINE DIEFENBACH
AGE 14

On February 7, 1988, Christine Diefenbach was found bludgeoned to death near 89th Avenue and 121st Street in Richmond Hill, Queens.



HELEN BROCK
AGE 54

On Thursday, August 2, 1984, Helen Brock was the victim of a home invasion where she was shot and killed inside of 78-04 220th Street in Bayside, Queens.



MICHILENE DIGIROLOMO
AGE 20

On Saturday, August 13, 2011, at approximately 3:24 am, Michilene Digirolomo was shot and killed in the vicinity of 107-48 160th Street, Jamaica, Queens.



MARISHA CHEONG
AGE 24

On February 16, 2013, the body of Marisha Cheong washed up at the shoreline of Rockaway Boulevard and Bayside Avenue in Breezy Point with her hands bound behind her back. She had been reported missing on December 20, 2012.



ROSE GILBERT
AGE 56

On June 21, 2005, Rose Gilbert and John Dalton were found stabbed and bludgeoned to death inside of 42-09 47th Avenue in Sunnyside, Queens.



JOHN DALTON
AGE 56

On June 21, 2005, Rose Gilbert and John Dalton were found stabbed and bludgeoned to death inside of 42-09 47th Avenue in Sunnyside, Queens.



DANIEL GUNTHRIE
AGE 19

On June 1, 2010, at approximately 2:30 am, Daniel Gunthrie was shot and killed outside of 108-62 167th Street, Jamaica, Queens.



JERWAINE GORMAN
AGE 34

On April 29, 2015, at approximately 12:34 pm, Jerwaine Gorman was shot and killed inside his vehicle which was parked in front of 114-25 167th Street, Jamaica, Queens.



JAMES MINOR
AGE 35

On March 24, 2013, at approximately 9:30 am, James Minor was found shot to death inside of 119-30 146th Street, Jamaica, Queens.



NOEL HIDALGO
AGE 58

On December 4, 2013, at approximately 3:30 pm, the body of Noel Hidalgo was found beaten to death inside 108-08 Jamaica Avenue in Richmond Hill.



DEMIKA MOORE
AGE 25

On July 23, 2010, at approximately 10:30 pm, the body of Demika Moore was found in an alleyway near 178-11 Leslie Road, Jamaica, Queens.



ANTHONY HILTON
AGE 22

On May 19, 2011, at approximately 11:35 pm, Anthony Hilton AKA Billz was killed in a drive-by shooting at the intersection of 120th Road and Lucas Street in Jamaica, Queens.



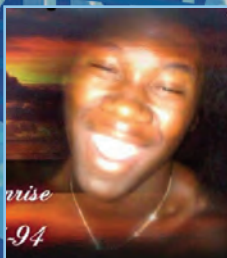
PRISCILLA PIMENTEL
AGE 24

On November 24, 2006, at approximately 1:30 pm, Priscilla Pimentel was found stabbed to death inside of a bathtub with her hands bound behind her back at 102-09 87th Avenue in Richmond Hill, Queens.



MAURICE JOHNSON
AGE 24

On March 8, 2012, at approximately 12:06 am, Maurice Johnson was found shot to death in the vicinity of 172-44 133rd Avenue in Rochdale, Queens.



SHAWN PLUMMER
AGE 18

On July 13, 2012, at approximately 2:45 pm, Shawn Plummer was shot and killed on Seagirt Boulevard between Beach 30th and Beach 28th Streets in Far Rockaway, Queens.



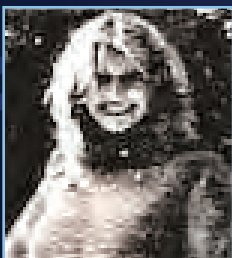
JAYME LODER
AGE 23

On July 12, 2000, Jayme Loder was assaulted and stabbed to death inside her apartment located at 82-09 135th Street in Briarwood, Queens.



NESHAWN PLUMMER
AGE 16

On August 30, 2015, at approximately 9:00 pm, Neshawn Plummer was shot and killed in the vicinity of 25-18 Seagirt Avenue in Far Rockaway, Queens.



BRIDGET MANDERSON
AGE 24

On June 4, 1979, aspiring model Bridget Manderson was struck in the head and killed by a cinder block thrown from the roof of 7-25 166th Street in Whitestone, Queens.



BRAHM RISHI PRASAD
AGE 26

On November 14, 2010, at approximately 4:00 am, Brahm Rishi Prasad was stabbed and killed outside Otro Rollo Tropical nightclub at 29-40 Northern Boulevard, Long Island City, Queens.



MANUEL MAYI
AGE 18

On March 29, 1991, Queens College honor student Manuel Mayi was attacked by a group who chased him through the streets of Corona, Queens and then mercilessly beat him to death with a baseball bat.



ROSARIO PRESTIGIACOMO
AGE 64

On February 10, 2009, at approximately 2:15 pm, Rosario Prestigiacomo was found stabbed to death inside his own home at 2031 Green Avenue in Ridgewood, Queens.

SECTION III: LEADING WITH A STEADY HAND

PROVIDING ACCOUNTABILITY AND CONSISTENCY



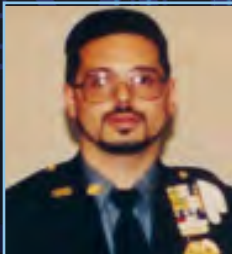
JUSTIN RIVERA
AGE 27

On May 26, 2009, at approximately 2:20 am, Justin Rivera was shot and killed in front of 94-32 86th Road in Woodhaven, Queens.



SOFIA VALE
AGE 34

On April 14, 1995, the body of Sofia Vale was found stuffed in the trunk of a stolen car which had been set on fire outside of 139-15 91st Avenue in Jamaica, Queens. Sofia was last seen being dropped off at her home on April 9, 1995, at 3:30 am in the vicinity of 2111 La Fontaine Avenue in the Bronx.



JAMES RODRIGUEZ
AGE 32

On March 26, 1992, at approximately 9:00 pm, New York City Hospital Police Captain James Rodriguez was shot and killed entering the lobby of 91-10 32nd Avenue, Jackson Heights, Queens.



EFRAIN VARGAS
AGE 24

On Sunday, January 29, 2017, at approximately 3:30 pm, Efrain Vargas was found stabbed to death inside his own apartment located at 89-29 91st Street in Queens.



DENISE SHEEHY
AGE 16

Denise Sheehy went missing from the vicinity of 48-16 46th Street in Woodside, Queens on July 7, 1970. She was last seen wearing blue shorts, a red & white top, and white clog sandals. At the time, she was 5'3" and weighed approximately 103 pounds.



IAN WELCH
AGE 19

On January 14, 1990, at approximately 2:20 am, Ian Welch was shot and killed while sitting inside his vehicle (1985 Cadillac) outside of 166-19 120th Avenue in Jamaica, Queens.



TIVELL SMALLING
AGE 26

On March 19, 2016, at approximately 1:50 am, Tivell Smalling was shot and killed inside the doorway of the basement apartment located at 120-82 131st Street, South Ozone Park, Queens.



LESLIE ZARET
AGE 17

In the early morning of August 17, 1974, the body of Leslie Zaret was found near Public School 203 in the vicinity of 53-11 Springfield Blvd in Bayside, Queens.



ANTONIA STASSI
AGE 29

On September 28, 1999, at approximately 11:54 am, Antonia Stassi was found stabbed to death at 48-04 Broadway, Astoria, Queens.



UNIDENTIFIED FEMALE REMAINS
AGE 16-19

On April 18, 1994, unidentified female remains were found at 130th Avenue and 176th Street, Queens. If you have any information as to the identity of the victim, please contact the 113th Pct. or Queens South Homicide Squad.



LEAH TAGLIAFERRI
AGE 32

On April 6, 2002, Leah Tagliaferri was found dead, strangled with a scarf tied tightly around her neck inside her own home at 61-20 43rd Avenue in Woodside, Queens.



UNIDENTIFIED MALE REMAINS
AGE 20-30

On April 12, 2014, unidentified male remains were found at 72-36 43rd Avenue, Queens. If you have any information as to the identity of the victim, please contact the 110th Pct. Squad.

PUBLIC CORRUPTION BUREAU

The Public Corruption Bureau investigates and prosecutes crimes committed by public servants and other public officials. It also investigates allegations against civilians who attempt to subvert the integrity of public servants by offering bribes.

In addition, the bureau investigates complaints from the public and works together with the New York City Police Department's Internal Affairs Bureau, the State Grievance Committees, Appellate Division, the City of New York Department of Investigation, the NY/NJ Port Authority Police and a host of other agencies on a state and federal level to safeguard the public from corruption. As an example, the Public Corruption Bureau investigates allegations of criminal acts committed by police officers and law enforcement; the use of excessive force by law enforcement; the wrongdoing by licensed, suspended, or disbarred attorneys; the unauthorized practice of law; the criminal impersonation of public officers; instances of election fraud; and perjury.

DISBARRED LAWYER SENTENCED TO PRISON FOR SWINDLING DOZENS OF CLIENTS OUT OF MORE THAN \$1.8 MILLION

PRESS RELEASE – APRIL 6, 2022

DA Katz announced today that a disbarred lawyer has been sentenced to prison for bilking more than 50 clients – whom he represented before and after he was barred from practicing law – out of nearly \$2 million in lawsuit settlement money.

DA Katz said, "This defendant took an oath to uphold the law. Unfortunately, he let his own interest guide him instead of his fiduciary duty to represent his clients. This disbarred lawyer pocketed more than \$1.8 million that should have been distributed to the victims, who had already suffered and were due a settlement for a personal injury claim."

The defendant operated a law office on Northern Boulevard in Flushing, Queens. He pleaded guilty to grand larceny in the second degree and was sentenced to serve 1 ½ to 4 ½ years in prison. In addition, the defendant signed 28 confessions of judgment which requires him to repay in excess of \$1.8 million to make his victims whole.

According to the charges, the defendant held bank accounts for his law practice at several financial institutions, including Chase, Capital One and HSBC. A forensic examination of these accounts showed dozens of deposits for lawsuit settlements on behalf of the defendant's clients.

DA Katz said, according to Court records, in November 2016 a woman the defendant represented in a personal injury lawsuit agreed to settle her case for \$52,500. The victim was entitled

to just over \$35,000, however, she never received any money from the settlement money that was deposited into the law firm's bank account.

Another female client of the defendant settled her lawsuit in May of 2018 for \$75,000. After the lawyer's fee and other expenses were deducted the victim should have received just over \$50,000. The defendant never turned over that money, despite the insurance company depositing a check totaling \$75,000 into his account.

Continuing, the DA said, a man who also hired the defendant to represent him in a personal injury case agreed to settle for \$45,000 and was entitled to receive \$30,150. The investigation showed that the defendant's bank account received a check from the insurance

company for \$45,000 on May 12, 2020. Three days later, though, that same escrow account balance totaled just \$423. The victim never received the money he was due.

According to the charges, the defendant repeated this scheme at least 50 times over the course of five years. Clients due varying sums of money – from as little as \$1,000 to more than \$50,000 – were left empty-handed. In all these instances, the defendant's business accounts show the checks were deposited – totaling more than \$1.8 million. The defendant's license to practice law was suspended in November 2017.

"This defendant took an oath to uphold the law. Unfortunately, he let his own interest guide him instead of his fiduciary duty to represent his clients."

-District Attorney Melinda Katz





SECTION IV

SHARING THE JOURNEY: ENGAGING PARTNERSHIPS

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COMMUNITY PARTNERSHIPS DIVISION

One of DA Katz's top priorities has been to re-imagine the relationship between the Queens District Attorney's Office and the public. The first contact that an individual has with this office should not be in a courtroom or in the face of tragedy. Toward this goal, the enhanced Community Partnerships Division takes a multi-faceted approach, to provide opportunities for individuals to make a positive contribution to Queens County so that crime is not their only option. This Division reaches out to civic and non-profit organizations, creates programs, sponsors events, and engages with every neighborhood throughout the borough of Queens, reducing crime and increasing justice for all.



Year to date, even with the pandemic, Community Partnerships participated in over

2,000 Public Events



COMMUNITY ENGAGEMENT UNIT

The Community Engagement team has expanded the reach, access, and exposure of the office to the community under DA Katz's leadership.

The unit's Community Response Team (CRT) coordinators divide the borough according to police precincts and community boards. The CRT coordinators attend and participate in all precinct community council, community board, and civic association meetings. In addition to attending these meetings, the CRT works closely with community stakeholders – including religious leaders, elected officials, violence interrupter organizations, civic leaders, all seventeen police precincts and precinct community councils, housing tenant association leaders, the Queens Chamber of Commerce, and the NYPD Community Affairs, among others.

Community members often convey to the CRT that the District Attorney's office is viewed as a partner and stakeholder in the community - something they never imagined and have never seen before.



CIVIC AWARENESS UNIT

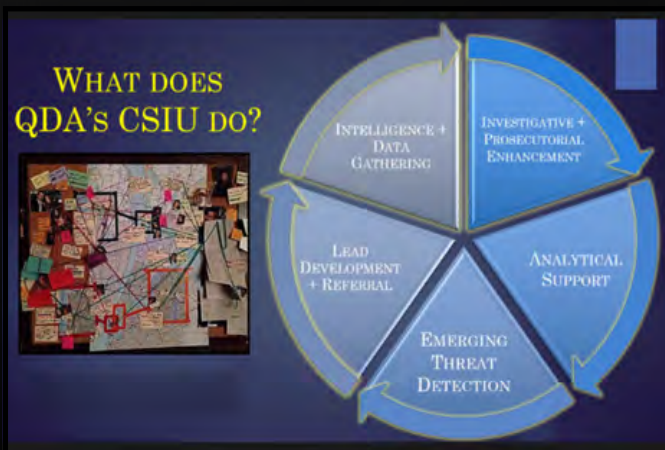
The Civic Awareness Unit coordinates the District Attorney's Community Advisory Councils, oversees the Office of Immigrant Affairs, and operates all office-sponsored events, from criminal justice programs to cultural celebrations. To cultivate new external partnerships, the unit strategically spearheaded several initiatives in 2022 including three gun buy back programs as well as community-based celebrations of Black History Month, Hispanic Heritage, Diwali, Juneteenth, LGBTQ+ Pride, Women's History Month, and informational webinars on human trafficking, consumer protection, victims advocacy and domestic violence. The unit additionally coordinated commemoration ceremonies in honor of Martin Luther King, Jr. Day, Veterans Day, Memorial Day, and National Day of Remembrance for Murder Victims in partnership with a series of community-based organizations and cure violence groups.

COMMUNITY ADVISORY COUNCILS

More than 610 residents, business owners and civic and religious leaders participate on the 10 Community Advisory Councils, helping the office keep abreast of neighborhood issues and concerns in real time. The Advisory Councils, which meet quarterly, receive presentations from subject matter experts within the office as well as special guest speakers, followed by questions and answers from the membership. Existing meetings have successfully led to a wider awareness of the work and resources available to the public from our office. The membership of each council varies from 40 to 90 individuals and we are constantly evolving to meet community needs.

THE CURRENT COUNCILS INCLUDE:

- African American Advisory Council (61 members)
- Asian American Pacific Islander Advisory Council (63 members)
- Clergy Advisory Council (54 members)
- Jewish Advisory Council (65 members)
- Labor Advisory Council – Building and Construction Trades (60 members)
- Labor Advisory Council – Social Services (58 members)
- Latino Advisory Council (60 members)
- LGBTQ+ Advisory Council (62 members)
- South Asian/Indo Caribbean Advisory Council (86 members)
- Veterans Advisory Council (40 members)



OFFICE OF IMMIGRANT AFFAIRS

The Office of Immigrant Affairs (OIA) assists immigrants whether they are victims of crimes or need assistance with other services such as housing, labor issues and civil matters. OIA helps bridge the connection to the New York Police Department (NYPD), to report crimes and navigate the criminal justice system. In 2022, OIA issued over 200 U-Visa certifications to eligible recipients.

OIA trains all new Assistant District Attorneys, newly hired NYPD officers assigned to Queens precincts, and provides direct community outreach by presenting at schools, faith-based institutions, Parent Teacher Association meetings, street festivals and fairs, college fairs, and other agency community events.

OIA also handles all U-Visa and T-Visa certification requests and information for the office.

U-Visa certification is a law enforcement certification that a person was a victim of one of the designated crimes on the USCIS I-918 U Non-immigrant, Supplemental B form and was fully cooperative with law enforcement on the prosecution of their matter regardless of the outcome.

T-Visa certification (I-914 Supplemental B, Declaration of Law Enforcement Officer for Victims of Trafficking in Persons) is a law enforcement certification that a person was a victim of either labor, human or sex trafficking and was fully cooperative with law enforcement in the investigation or prosecution of their matter regardless of the outcome.

OIA's message is simple and to the point: Know Your Rights. A victim of a crime is a victim regardless of immigration status, language spoken, gender identity or religious beliefs.

GUN BUY BACK PROGRAM

As part of our office's ongoing efforts to combat gun violence in Queens County, DA Katz, sponsored numerous gun buy back programs since 2020. In partnership with the New York Police Department, New York State Attorney General, local community groups and neighborhood churches, the District Attorney invited members of the community to surrender an operable firearm – with no questions asked. These initiatives are 100 percent anonymous and empower members of the community to help the office of the Queens District Attorney ensure community safety.

DA Katz frequently notes that every gun surrendered during a gun buy back program represents a potential tragedy averted, and a potential life saved. To date, there have **been eight gun buy back programs** and **over 400 guns** have been taken off the streets of Queens County.



YOUTH EMPOWERMENT UNIT

The Youth Empowerment Unit has **impacted over 1,500 youth throughout the Queens community** in 2022. The unit's programs are designed to teach young people to think critically, communicate effectively and empower them to make good decisions when faced with challenges and obstacles. Despite the continued presence of COVID-19, the Youth Empowerment Unit was able to deliver many of their signature youth programs in addition to a few new offerings, in-person and virtually.



LEGAL EXPLORERS

The Legal Explorers Program is intended to expose high school students to various careers within the legal profession such as prosecutors, defense attorneys, judges, police officers and other criminal justice professionals.

STUDENT ADVISORY COUNCIL

The Student Advisory Council is designed to help high school students discuss the law and current events as well as enhance their oral advocacy skills. This comprehensive program meets throughout the school year and the students in this program are specially selected by their school's faculty.

SUMMER YOUTH EMPLOYMENT PROGRAM (SYEP)

In the summer of 2022, our office hosted SYEP participants. This 6-week program funded by the Department of Youth and Community Development, allows young people between the ages of sixteen to twenty-four the opportunity to enhance their office skills while gaining exposure to the Criminal Justice System. These participants learned office etiquette, research and interpersonal skills, improving their marketability to secure jobs for the future.

QDA C.A.M.P. (COMMUNITY ACTION MENTORSHIP PROGRAM)

In the summer of 2022, the office launched the QDA Leadership Summer Internship Program. In accordance with DA Katz's vision, this 6-week internship was designed to allow Queens youth to learn about law enforcement, explore career pathways, and develop workplace skills. Participants created informative PSA's, went on educational field trips, viewed court proceedings, learned about civic organizations, and participated in seminars on financial literacy.

HOPE AND LEADERSHIP ACADEMY

In September, the office launched our new educational initiative, Hope and Leadership Academy. Through courtroom visits and classroom presentations, this program connects young people with members of law enforcement, teaches social responsibility, provides alternative paths to development, and encourages better life choices. With the support of the Department of Education, we utilize the expertise of our Assistant District Attorneys, the NYPD Options Program, and Credible Messengers, to provide beneficial strategies to help protect young people from harmful influences. Our lessons include topics such as, Building Healthy Relationships and Internet Safety, Hate Crimes and Gang Violence Prevention. The prosecutors from our office excel in speaking with students about the importance of being law-abiding citizens, and the effect of crime on individuals, families, and their communities.

SATURDAY NIGHT LIGHTS (SNL)

In partnership with the New York City Department of Youth and Community Development and the New York Police Department, the office supports this recreational programming for young people on Saturday evenings which focuses on youth development and violence prevention. The program is designed to provide a safe space for youth to enjoy athletics and keep them off the streets. Our staff actively engages with pre-teens and teenagers, which helps to improve relationships between our youth, law enforcement, and our communities. Currently, there are 26 SNL sites operating across the borough.

VIOLENCE PREVENTION AND YOUTH DEVELOPMENT GRANTS

The District Attorney strongly believes that we cannot prosecute our way out of crime. In order to ensure public safety, we must also continue to provide meaningful programs and services so that the youth can choose a path to education, employment, and success.

As part of that effort, DA Katz awarded approximately three million dollars in grant funding to twenty-eight community-based organizations which is being reinvested into the community. **This funding is helping to promote community building, bringing equity and accountability to our most vulnerable communities, and fostering youth driven initiatives.** Recipients such as the Rochdale Village Social Services Academic Success Tutoring Program, are dedicated to engaging and supporting Elementary, Middle and High School aged students by providing academic tutoring, homework aid, standardized test, and college SAT preparations. This program also gives students the opportunity to gain skills through STEM education (Science Technology Engineering and Math). The Rosedale Jets provides 155 youths in the community with leadership, mentorship, football, and cheerleading opportunities. The Queens Defenders program works to endorse positive social bonds while teaching self-confidence and discipline through academic support. These programs, along with many others, seek to address the chronic cycle of violence that plagues our communities.



Student Advisory Council members pose with Community Partnerships Division staff after another successful meeting.



Members of the Youth Empowerment Unit hand out resources at a Saturday Night Lights program location in coordination with the Department of Youth and Community Development's "Not One More Shot" campaign.

OPIOID CRISIS: COMMUNITIES IN NEED

The COVID-19 pandemic brought on an increase in drug overdose deaths throughout our county, state, and country. The combined factors of increased availability of fentanyl and other synthetic opioids as well as the social isolation and stress that came with pandemic lockdowns and decreased access to harm reduction treatments caused a perfect storm of overdose deaths. Queens has been hit especially hard with a **50% uptick** in fatal overdoses throughout the borough.

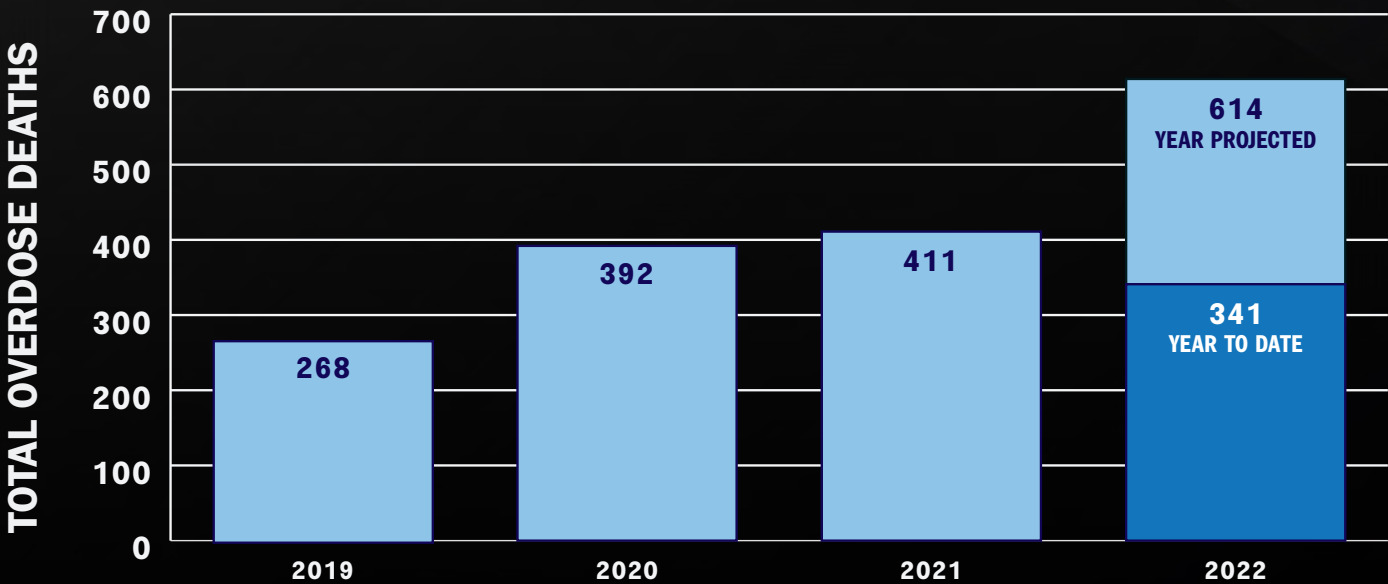
Year to-date numbers for 2022 indicate 341 fatal overdose cases across Queens County. Those numbers are projected to increase once again as the Office of the City Medical Examiner works through a backlog of toxicology reports. In 2021, we indicated at the time of publication that there were 265 suspected drug overdose deaths and the number was projected to hit 380. After final numbers were in, the total suspected overdose deaths in 2021 reached 411 - a much higher total than expected and a grim reminder of the impact opioids have on our residents.

The overwhelming majority of overdose deaths have been attributed to fentanyl – a dangerous, lethal drug that is often mixed with other drugs to increase its potency or sold as pills without the buyer’s knowledge. We have also seen an increase in “rainbow fentanyl”, fentanyl pills and powder that are available in bright colors and can easily be mistaken for candy. Of the 341 fatal overdose cases in Queens, **about 78% of those deaths involved fentanyl or fentanyl derivatives**. To counter these new variants, DA Katz has focused on building and maintaining positive relationships in the community and empowering Assistant District Attorneys to provide alternative sentencing through specialized treatment courts for those who are deemed eligible.

The opioid epidemic is one of the greatest public health challenges our office has faced in recent memory. Though opioid manufacturers and distributors are finally being held accountable for the harm they have caused in our communities, we cannot ignore the victims of the crisis – those who are held hostage by their addictions. DA Katz is committed to tackling the challenge head-on to ensure safety, fairness, and recovery.

TOTAL NUMBER OF SUSPECTED DRUG OVERDOSE DEATHS IN QUEENS COUNTY

SOURCE: NYPD AND OCME DATA



QUEENS FATAL OPIOID OVERDOSES

THROUGH DECEMBER 19, 2022 THERE ARE APPROXIMATELY 341 CONFIRMED FATAL OVERDOSES THROUGHOUT QUEENS COUNTY, AFFECTING VIRTUALLY EVERY NEIGHBORHOOD IN THE BOROUGH.



SOURCE: NYPD AND OCME DATA

DA KATZ SECURES INDICTMENT OF ALLEGED DRUG DEALER IN POSSESSION OF DEADLY FENTANYL

PRESS RELEASE - DECEMBER 12, 2022

DA Katz announced that a defendant was indicted by a grand jury and arraigned today on charges of criminal possession of a controlled substance. After U.S. Drug Enforcement Administration (DEA) agents stopped his car in Hollis on November 28, they found two kilos of fentanyl in the trunk. The defendant is accused of transporting the narcotics from Suffolk County to Queens for the purpose of selling the drugs for profit.

District Attorney Katz said: "Overdose fatalities are up more than 50 percent in Queens this year and three of every four of those deaths are attributed to fentanyl and fentanyl derivatives. That is why this case is important and why my office will continue to work relentlessly to get this poison and its merchants off of our streets. I am proud of the work of my Major Economic Crimes team in this case. And I would like to thank our partners at the DEA for their help, as well as their commitment to keeping our communities safe."

DEA Special Agent in Charge of the New York Division, Frank Tarentino, said: "Fentanyl is the most dangerous illicit drug on the street today and it presents the most serious threat to public health and safety in the United States. In 2021, 107,622 Americans died from drug poisonings and over 66 percent are directly related to synthetic opioids like fentanyl. Seizures like this demonstrate DEA's dedication and commitment to working with our law enforcement colleagues to bring to justice those who continue to flood our city streets with poison. I applaud the work of DEA New York Division Group D-41, with assistance provided by the NY/NJ Port Authority Police Department, the New York Strike Force Financial Investigation Team, along with our strong partnership with the Queens

District Attorney's Office."

The defendant, 31, of Evergreen Road in Flanders, Long Island, was arraigned today on a three-count indictment charging him with criminal possession of a controlled substance in the first degree and two counts of criminal possession of a controlled substance in the third degree. The judge ordered the defendant to return to court on January 10, 2023. He faces up to 30 years in prison if convicted.

The District Attorney's Major Narcotics Unit of the Major Economic Crimes Bureau, in conjunction with the DEA's New York Division, conducted an investigation utilizing court-authorized surveillance of the defendant's activities during the month of November.

Based on the intelligence gathered, DEA agents conducted a car stop at 188th Street in Hollis as the defendant was driving along Hillside Avenue on November 28 at approximately 3:30 p.m. A search of the vehicle turned up two plastic bags containing roughly 2 kilograms of fentanyl, with a street value of \$80,000, enough to produce approximately 20,000 counterfeit fentanyl pills. A recent bulletin from the DEA indicated that in 2022, six out of ten counterfeit pills contained a potentially lethal dose of fentanyl.

DA Katz said there have been 315 suspected fatal overdose cases across Queens County so far in 2022, an estimated 50% increase from the same time last year. An overwhelming majority of these deaths, approximately 76.3%, have been attributed to fentanyl.

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

PROFESSIONALS OUT IN THE COMMUNITY

Throughout 2022, staff presented at more than 100 public events bringing details of the resources available through the District Attorney's Office to every part of the borough. Assistant District Attorneys and support staff alike traversed the borough speaking with community groups from Flushing to Far Rockaway and many points in between. These presentations provided insight into avoiding scams, preventing victimization, identifying instances of trafficking, encouraging reporting and prosecuting cases.

DA Katz has made it a priority for Assistant District Attorneys to engage with members of the public on awareness and crime prevention campaigns as part of her vision of community-based prosecution. Staff have taken on the responsibility of sharing the vast knowledge of our office with the communities they serve and in the end everyone benefits. Just a small snapshot of the many in-person and virtual presentations appear in the details below.



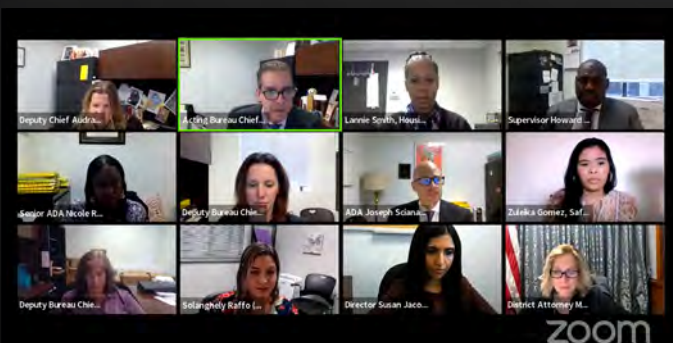
Frauds Bureau Chief Joseph Conley presented to members of the Queens community on a Consumer Protection and Scam Prevention Webinar.



Hate Crimes Bureau Chief Michael Brovner presented to members of India Home, a senior center in Flushing, about the rise in hate crimes and how the DA's office is encouraging reporting, aggressively investigating, and rigorously prosecuting these cases.



Human Trafficking Bureau Chief Jessica Melton spoke with the members of the Queens Village Civic Association about the work the DA's office is doing to prosecute traffickers and provide trafficking victims with meaningful support and services.



Members of the Domestic Violence Bureau, including Acting Bureau Chief Kenneth Appelbaum, Deputy Bureau Chiefs Mary Kate Quinn, Audra Beerman and Nicoletta Caferri presented on a webinar that discussed the ways the office assists domestic violence victims and conducts prosecutions of domestic violence offenders.



As part of Domestic Violence Awareness Month, in partnership with Senator Joseph Addabbo, Jr. and Assemblymember Jenifer Rajkumar, Deputy Bureau Chief Audra Beerman presented information on the prosecutorial and victim services provided by the office.



Staff from the Frauds Bureau presented during a Senior Scam Prevention Hybrid Workshop, co-sponsored by Council Member Sandra Ung and Council Member Linda Lee.

HUMAN TRAFFICKING

The Human Trafficking Bureau is exclusively dedicated to combating human trafficking in Queens County. The bureau combats sex and labor trafficking by aggressively prosecuting traffickers and all felonies involving commercial sexual exploitation and buyers of sex. The bureau implements a victim-centered and trauma informed approach while connecting survivors of trafficking with meaningful services to empower them to escape their exploitation. The bureau provides extensive community outreach, education and information aimed toward preventing and identifying trafficking in our communities.

In 2022, with additional staff assigned to the bureau, a total of 24 felony pleas were secured. 22 of the pleas were for sex trafficking and rape charges relating to the trafficking of women and underage children in Queens County. Of these dispositions, more than half were for the crime of Sex Trafficking of a Child.

When combating human trafficking, however, success is not measured by convictions alone. We also work to intervene and connect those who have been trafficked or sexually exploited to the opportunity to engage in services to enable them to escape and live a life free of exploitation. This year alone, we directly offered services to more than 35 adults and teenagers.

Additionally, since DA Katz created the bureau and focused additional resources aimed at combating trafficking, the office has greatly increased our outreach efforts aimed at the prevention and identification of trafficking. In 2022, the bureau attended more than 30 outreach events. The bureau also presented to the public and other government agencies to raise awareness for prevention of trafficking of our youth and to increase identification of trafficking by the public and law enforcement.

Human trafficking is a crime that is often hidden in plain sight. The office's efforts are geared toward arming the community with the knowledge to identify trafficking. Also, the office empowers those who are vulnerable and at risk to trafficking to recognize the tactics used to recruit. At the same time, we provide victims with the information necessary to seek help from our office or others.



QUEENS DA'S OFFICE SECURES GUILTY PLEA FOR TWO TRAFFICKERS; DEFENDANTS FORCED TEENAGE GIRLS INTO SEX INDUSTRY

PRESS RELEASE - NOVEMBER 23, 2022



DA Katz announced that two defendants each pleaded guilty to sex trafficking of a child and rape for forcing three underage victims into the sex industry in February 2021. One of the victims was also coerced into having intercourse with both defendants.

DA Katz said: "I created the Human Trafficking Bureau to remove the most unscrupulous and callous predators from our communities and we will continue to be relentless in this mission. In pleading guilty, these defendants admitted responsibility and now face serious prison time."

The 28-year-old defendant of East High Street in Coaldale, Penn., and the 29-year-old defendant, of Roscoe Street in Jamaica, Queens, each pleaded guilty yesterday to three counts of sex trafficking of a child and one count of rape in the first degree. The judge indicated that he will sentence both defendants on January 12 to 10 years in prison, to be followed by 10 years post release supervision. Both defendants will also be required to register as sex offenders upon release.

According to the charges, in February 2021, the defendants met two teenage victims, aged 13 and 14, at La Quinta Inn on Queens Boulevard. The defendants took nude photos of the youngsters

and posted the images online, stating that the girls were "for sale." One of the teenagers had sex with a stranger and the defendants kept every dollar from the exchange.

DA Katz said that same week, the defendants met a 15-year-old victim at the La Quinta Inn where she was told she would engage in sex for cash. The 28-year-old defendant took semi-nude photos of the child and posted them as online advertisements.

The victim was then forced to have sex with the 28-year-old defendant, followed by a string of strangers. Every dollar from those proceeds was pocketed by both defendants.

Afterwards, the victim was relocated to the JFK Inn, where she was forced to

have intercourse with the 29-year-old defendant, followed by another string of strangers. All the proceeds from the exchange with strangers were kept by the defendants.

The teenager was rescued when an undercover police officer responded to the online ad and met with the girl in person at one of the hotel rooms. The 29-year-old defendant was arrested after arriving in the room. The 28-year-old defendant was arrested after being found in the second hotel room across the hall.

-District Attorney Melinda Katz





SECTION V

DEFINING THE PATH: RESTORING EQUITY

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APPEALS AND SPECIAL LITIGATION DIVISION

The Appeals and Special Litigation Division is comprised of the Appeals Bureau, the FOIL and Civil Litigation Unit, and the Immigration Specialist, a position which District Attorney Katz created in 2020.

APPEALS BUREAU

The Appeals Bureau handles all the office's **post-conviction litigation**, which includes primarily responding to defendants' briefs in the Appellate Division and post-conviction motions in the Supreme Court.

Some of the significant convictions that the Appeals Bureau successfully defended in 2022 include:

- ***People v. Luis Rodriguez***, where the Court of Appeals affirmed the defendant's conviction for Attempted use of a Child in a Sexual Performance, Disseminating Indecent Material to Minors in the First Degree, and Endangering the Welfare of a Child. The charges stemmed from the defendant—a 43-year-old high school volleyball coach — sending numerous text messages containing sexual content to the 15-year-old victim, a player on his volleyball team.
- ***People v. Paul Williams***, where the appellate court affirmed the defendant's conviction of Murder in the Second Degree, Attempted Murder in the Second Degree, and Assault in the First Degree. In September 2009, the defendant fired multiple gunshots from an assault rifle into a crowd in Far Rockaway. One man was shot in his leg, which was ultimately amputated, and another man, who was repeatedly shot in his torso, died from his injuries.
- ***People v. Collin Lloyd-Douglas***, where the court affirmed the defendant's conviction of Assault in the First Degree and Criminal Possession of a Weapon in the Third Degree. During the crime, the defendant repeatedly hit his ex-girlfriend over the head with a hammer and left her on the floor for several hours without calling for aid as she drifted in and out of consciousness. Although she repeatedly asked for her cell phone so that she could call for help, the defendant departed the apartment with her cell phone.



SEALING CONVICTIONS

A significant function of the Appeals Bureau is to respond to motions to seal convictions pursuant to section 160.59 of the Criminal Procedure Law that allows for sealing of ten-year-old, non-violent convictions under certain circumstances. The public can find information on how to make an application to seal a case on the website of the Office of Court Administration.

In 2022, the courts sealed forty-three convictions with no objection from DA Katz, freeing those applicants of the encumbrance of decades-old, non-violent convictions.

FOIL AND CIVIL LITIGATION UNIT

The FOIL and Civil Litigation Unit handles requests under the Freedom of Information Law and responds to inter-agency and law enforcement requests for records on specific cases as well as subpoenas for records or testimony in civil litigation.

In 2022, the unit responded to over 400 FOIL requests, providing the public with access to thousands of pages of documents.

IMMIGRATION SPECIALIST

The Immigration Specialist is the District Attorney's office-wide resource on immigration matters. With the growing community of asylum seekers coming into New York City, the need for mindfulness of our immigrant community has never been more important. In 2022, the Immigration Specialist:

- Provided specified case evaluation and plea alternatives to Assistant District Attorneys with pending investigations and open court matters to ensure full awareness of the immigration impact of convictions and sentences;
- Reviewed and certified U and T non-immigrant visa requests made by current and former cooperating victims of qualifying criminal activity;
- Provided recommendations and evaluations of immigration-based clemency requests that were prosecuted by the Queens District Attorney's Office;
- Referred members of the community who were seeking general immigration assistance to relevant community-based non-profit organizations;
- Updated members of the Executive staff on changes in immigration policy and proposed legislation;
- Counseled all Appeals Assistant District Attorneys in reference to immigration related post-conviction motions on both oppositions and requests for discretion including but not limited to applications made pursuant to Criminal Procedure Law 440.10 (1)(k) for low-level marihuana offenses under the now defunct Article 221 of the New York State Penal Law.

In 2022, the office received dozens of pre-motion requests for exercise of discretion and requests made pursuant to filed post-conviction applications. All applications were reviewed on a case-by-case basis with the District Attorney and members of her Executive staff. Discretion was granted for numerous compelling applicants with minimal or no impact to their original conviction but a life changing impact on their ability to qualify for immigration relief, maintaining family unity, and avoiding destabilization of our communities.

REHABILITATION AND CRIME PREVENTION

Created by DA Katz in January 2021, the Rehabilitation Programs and Restorative Services Bureau consists of the Diversion and Alternative Sentencing Unit and the Crime Victims Advocate Program. The bureau is an integral part of DA Katz's strategy to bolster alternative dispositions and paths of diversion from jail and prison by implementing new programming to serve populations with myriad needs. During the past year, the bureau has collaborated with local community-based organizations and stakeholders to bring restorative programming opportunities to populations not previously served.

The Diversion and Alternative Sentencing Unit is dedicated to ensuring that individuals who have been arrested are offered opportunities for appropriate interventions and rehabilitative services. The unit offers pre- and post-arraignment diversion opportunities and provides one-time, short- and long- term interventions that can result in cases being sealed upon successful completion. The unit works with stakeholders to facilitate program dispositions for felony and misdemeanor cases, including cases involving violence.

The bureau is responsible for pre-arraignment diversion programs, ten specialized court parts and cases involving a program disposition in the felony all-purpose parts. The Queens County District Attorney's Office has diverted cases into programming since 1987, and formally entered into agreements with specialized court parts as they were created.

PRE-ARRAIGNMENT DIVERSION PROGRAMS - MISDEMEANORS

District Attorney Katz has implemented procedures to ensure that early screening and referral processes for programming are in place. The Diversion and Alternative Sentencing team works collaboratively to screen cases shortly after intake to offer programming opportunities prior to a person's arraignment in court. The office declines to prosecute the case if arrested persons are successful in completing their programs, effectively diverting people from the criminal legal system.



PROJECT RESET

In 2022, Project Reset, a citywide initiative and project of the Center for Court Innovation, was utilized to engage participants prior to arraignment. Clinically trained staff worked with participants to explore challenges that may have led to their arrest and discuss strategies to avoid future involvement with the system. Between January and November of 2022, the program received 58 new referrals and 33 individuals completed the program successfully.

FAR ROCKAWAY COMMUNITY JUSTICE PROGRAM

Arrested persons are also referred to the Far Rockaway Community Justice Center. The center provides restorative-justice-based solutions to local crime that positively addresses the justice needs of the victim, offender, and the Rockaways community. Community-led hearings allow people to repay their community, maintain their dignity, and learn new skills that can help them lead more successful lives. Since 2021, the office referred 13 cases to the program and more than 8 have completed programming.

SHOPLIFTING PREVENTION

The District Attorney's office utilizes three programs for our petit larceny cases – the National Association of Shoplifting Prevention, EAC Network's Stoplift, and the Anger Management & Shoplifting Remediation Services. Additionally, the Center for Court Innovation's Theft Accountability Program is also available. Between **January and August of 2022, 4 pre-arraignment cases and 45 post-arraignment cases** were referred to the programs.

SPECIALIZED COURT PARTS AND POST-ARRAIGNMENT DIVERSION PROGRAMS

QUEENS TREATMENT COURT PARTS

The Queens Treatment Court (QTC) and Queens Misdemeanor Treatment Court (QMTC) are two of the most effective treatment court parts in New York state. For more than two decades, the QTC has provided services to people with substance use disorders that are facing criminal charges. The court provides a chance to participate in treatment for one year and successful participants have their felony charges dismissed and sealed. Since January 2002, the QMTC has engaged defendant-participants by helping them to break the cycle of addiction.

Approximately 80 participants successfully graduated from the program between January 2020 and December 2022.

QMTC implemented and operates the Queens Connect program. Fatal overdoses across the borough increased by 50 percent year to date. The program provides participants with a variety of services, including an introduction to substance misuse and alcohol addiction treatment. When appropriate, rapid opioid interventions can be used as well. Eligible participants are referred for clinical assessment, where they receive recommendations for treatment options. Pursuant to this no-plea diversion program, a participant's completion of six sessions will result in a dismissal of the case.

The bureau is also working with the Office of Court Administration to implement Q-Set, a six-session program for people with behavioral health disorders, which would function as the mental health counterpart to the Queens Connect Program.

Additionally, the Drug Treatment Alternative to Prison (DTAP) program is geared toward participants that have a prior felony record. Participants engage in one year of treatment and upon successful completion, participants' felony charges are reduced to a misdemeanor disposition. And, on a case-by-case basis the office will request dismissal of all charges. Since the start of the program, more than 879 people have graduated from the DTAP program.

QUEENS MENTAL HEALTH COURT

Operating since 2005, the Queens Mental Health Court (QMHC) seeks to improve the wellbeing of justice-involved individuals living with mental and behavioral health issues by linking them with court-supervised, community-based treatment. Its goals include improving public safety and the quality of life for people living with mental illness. More than 340 people have successfully graduated from the program.

QUEENS CRIMINAL COURT DWI (QDWI)

Queens Criminal Court DWI 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, they must plead guilty to both the felony and a misdemeanor DWI charge and sign a document agreeing to abide by the treatment plan and the rules of the program.

Participation in the program requires the defendant to wear a Secure Continuous Remote Alcohol Monitor (SCRAM) bracelet for 90 days, refrain from driving, and abide by the conditions of interim probation for a year. If the defendant successfully completes the program the felony charge is dismissed and they are sentenced to the misdemeanor. Since 2010, the retention rate for defendants placed on a monitoring device through conditional disposition is 93%. The successful completion rate for those defendants who are placed on a monitoring device through conditional disposition is 92%. Since program inception, we have processed over 4,500 defendants.

QUEENS VETERANS COURT AND QUEENS MISDEMEANOR VETERANS COURT

The Queens Veterans Court and Queens Misdemeanor Veterans Court provides treatment opportunities to people that have served our country in the armed forces. Substance misuse and mental health problems may stem from service in combat zones and can be exacerbated as veterans return to civilian life. Both the felony and misdemeanor Veterans Courts offer a solution by connecting veterans to appropriate services with mandated court supervision. From January 2020 through December 2022, we have had approximately 30 successful graduates from the Queens Misdemeanor Veterans Court. During the same time period, 19 people graduated from the felony Veterans Treatment Court, inclusive of 8 people that completed their mandates successfully during the pandemic. Additionally, there are six felony cases pending.

QUEENS COMMUNITY JUSTICE CENTER

In 2021, the Queens Community Justice Center (QCJC), a project of the Center for Court Innovation, began offering services to reduce the use of incarceration and criminal convictions for people facing charges. The QCJC offers social services to address underlying issues, such as substance use disorders, mental and behavioral health issues, unemployment, and trauma. Participants may also be mandated to community service projects.

COMMUNITY SERVICE

Community Service is also an integral part of the District Attorney's commitment to alternative dispositions. In 2022, there were 620 defendants processed into community service and 299 successful completions of community service mandates. Currently, we have four sites available for in-person community service and one virtual option through the office's collaborative relationship with the Center for Court Innovation.

COLLABORATING WITH COMMUNITY-BASED ORGANIZATIONS

The bureau works with EAC Network's Treatment Alternatives for Safer Communities (TASC) to facilitate specialized programs for people with substance misuse and/or mental health needs. In 2022, the bureau facilitated more than 135 alternative dispositions with an additional, 79 dispositions to mental health treatment for a total of 214. Approximately, 94 treatment alternative participants graduated, and another 67 graduated from the mental health treatment program for a total of 161.

SUPREME COURT: DIVERSION AND ALTERNATIVE SENTENCING UNIT

The unit handles a revolving caseload of more than 500 felony cases for screening, assessment, and program placement. For example, in November 2022, Diversion and Alternative Sentencing staff were handling 679 cases, 380 were in the assessment phase and 299 case dispositions involved programming. Cases are referred from many bureaus throughout the office, including Felony Trials, Career Criminal and Major Crimes, Domestic Violence, Special Victims, and Violent Criminal Enterprises.

GUN DIVERSION PROGRAM

In March 2022, DA Katz launched the Gun Diversion program. To date, the office has reviewed 211 cases for eligibility and 24 participants are enrolled in the program; all participants are on interim probation and fully compliant. The bureau works closely with the Crime Strategies Intelligence Unit to vet candidates and assessments are coordinated with The Fortune Society. Regular case conference meetings are scheduled with The Fortune Society and the Department of Probation to foster good communication and manage expectations.

CRIME VICTIMS ADVOCATE PROGRAM

The Crime Victims Advocate Program is solely focused on supporting victims and witnesses of crime. From January 1, 2022 through December 15, 2022, crime victim advocates engaged 2,637 individuals. Additionally, in the same reporting period, the team provided more than 606 counseling sessions via phone and video conference. The office's advocates also supported nearly 70 families of homicide, with emotional support and connection to services. Examples of services provided to survivors of homicide include referrals to grief counseling, group counseling, NYCHA Emergency Transfer – Section 8, and assistance with emergency funeral expenses through the Office of Victim Services.

The following chart contains data points gathered on services provided to crime victims:

CRIME VICTIM ADVOCATES DATA	FULL CALENDAR YEAR		1/1/22 - 12/15/22
	2020	2021	2022
INDIVIDUALS OFFERED CVAP SERVICES	4,786	3,831	2,637
CONTACTS/FOLLOW-UPS MADE	9,696	9,536	9,433
PERSONAL ADVOCACY	1,818	2,410	3,374
NYCHA SECTION 8/EMERGENCY TRANSFER ASSISTANCE	55	402	208
COUNSELING SESSIONS	2,033	1,782	606
HOMICIDE FAMILIES SUPPORTED	135	98	70
WITNESS CONTACTS/PINS	24,757	24,633	22,157
CAB LINE DATA	1,955	2,621	3,948

OFFICE CONTACTS

CALL THE QUEENS DISTRICT ATTORNEY'S OFFICE

General Number	718.286.6000
24 Hour Hotline	718.286.6580
Animal Cruelty Helpline	718.286.6622
Case Information	718.286.6000
Community Partnerships	718.286.6400
Communications	718.286.6315
Consumer Fraud Helpline	718.286.6673
Cyber Crimes Unit	718.286.6673
Crime Victims Advocate Program	718.286.6812
Domestic Violence 24/7 Helpline	718.286.4410
Elder Abuse Project Social Worker	718.286.6562
Elder Fraud Helpline	718.286.6578
Gang Violence	718.286.7045
Hate Crimes Helpline	718.286.7010
Housing and Worker Protection Helpline	718.286.6673
Human Trafficking Bureau	718.286.6548
Immigration Helpline	718.286.6690
Intergovernmental Affairs & Policy	718.286.6506

The Queens District Attorney's Office does not report immigration status and we do not tolerate any actions intended to interfere with or retaliate against potential crime witnesses.

EMAIL THE QUEENS DISTRICT ATTORNEY'S OFFICE

General Information	Info@QueensDA.org
Conviction Integrity Unit	CIU@QueensDA.org
Elder Abuse	ElderAbuse@QueensDA.org
Elder Fraud	ElderFraud@QueensDA.org
Hate Crimes Bureau	HateCrimes@QueensDA.org
Office of Immigrant Affairs	OIA@QueensDA.org
Work at the Queens DA's Office	Career@QueensDA.org

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MELINDA KATZ
DISTRICT ATTORNEY