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DRIVER IN FATAL SHOOTING OF NYPD OFFICER INDICTED ON WEAPON CHARGES

Defendant Faces up to 30 Years in Prison if Convicted

Queens District Attorney Melinda Katz announced that Lindy Jones was arraigned on an indictment charging him with criminal possession of a weapon for a gun found in the car from which Jones' codefendant is accused of fatally shooting NYPD Detective Jonathan Diller on March 25 in Far Rockaway. Jones was the driver of the vehicle and a court-ordered search warrant revealed there was a 9 mm pistol in the car's glove compartment, which was in addition to the weapon used to shoot Detective Diller.

District Attorney Katz said: "There is no higher priority for my office than taking illegal guns off our streets to prevent the devastation they cause, whether it is the shooting of a child playing in a school yard or an NYPD officer doing his job to keep us safe. We remain steadfast in our commitment to achieve that goal and in to seek justice for Detective Diller and his loved ones."

Jones, 41, of Rockaway Beach Boulevard in Edgemere, was arraigned on an indictment charging him with two counts each of criminal possession of a weapon in the second and third degrees. Queens Supreme Court Justice Michael B. Aloise remanded Jones into custody and ordered the defendant to return to court on June 12.

Jones faces up to 15 years in prison if convicted on the current charges, in addition to 15 years on a separate open weapon charge from April 2023 with both terms to be served consecutively.

Jones' codefendant, Guy Rivera, 34, whose last known address is on Broadway in Woodside, has been indicted on charges of murder in the first and second degrees, attempted murder in the first and second degrees, four counts of criminal possession of a weapon in the second degree, and criminal possession of a weapon in the third degree for the homicide and attempted homicide of police officers.

Rivera faces up to life in prison without the possibility of parole if convicted. He is due back in court on May 7.

According to the charges and statements made in court:

- On March 25, at approximately 5:45 p.m., an officer on patrol in Far Rockaway saw Rivera with what looked like a gun in the front pocket of his sweatshirt, as he exited a store with Jones. Rivera and Jones then got into a 2016 Kia Soul parked in front of 19-19 Mott Avenue, with Jones in the driver's seat.
- Diller and other officers approached the car and repeatedly asked Rivera to roll down his window before they were able to open the car door. Rivera then removed a gun from his clothing and shot

Diller. The officer was struck in the stomach.

- After shooting the officer, Rivera aimed his gun at Sergeant Sasha Rosen, who was with Diller. Sergeant Rosen used his hand to direct the gun away from his body. Rivera's finger remained on the trigger as he tried to point the .380-caliber pistol back toward the sergeant.
- The gun was loaded but jammed following the initial shot and was unable to shoot additional rounds.
- Diller was taken to Jamaica Hospital Medical Center where he died from his injuries.
- On March 26, as part of an ongoing investigation, members of the Queens District Attorney's office and the 101st Police Precinct obtained a court-authorized search warrant for the vehicle.
- The execution of the warrant led to the discovery of a loaded 9 mm pistol inside the glove compartment. The firearm was found to be defaced, with the serial number scratched off.
- A review of Jones' arrest record indicated a prior attempted murder conviction in 2002, elevating one of the present charges against him to criminal possession of a weapon in the third degree, up from criminal possession of a weapon in the fourth degree.

Assistant District Attorney John Kosinski, Bureau Chief of the District Attorney's Homicide Bureau, Assistant District Attorney Gabriel J. Reale, of the District Attorney's Career Criminal Major Crimes Bureau, and Assistant District Attorney Kenneth Zawistowski, of the Homicide Bureau, are prosecuting the case, with the assistance of Assistant District Attorneys Kristin Papadopoulos and Jaggnor Lali, of the Homicide Bureau, under the overall supervision of Executive Assistant District Attorney for Major Crimes Shawn Clark.

Criminal complaints and indictments are accusations. A defendant is presumed innocent until proven guilty.

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