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INDICTMENT SECURED BY DA'S OFFICE IN POLICE OFFICER HOMICIDE

Defendants Guy Rivera and Lindy Jones are Named in 10-Count Indictment

Queens District Attorney Melinda Katz announced that Guy Rivera and Lindy Jones have been indicted on charges connected to the shooting death of NYPD Officer Jonathan Diller in Far Rockway last week. Rivera was indicted for first-degree murder for the homicide and first-degree attempted murder for attempting to fire his weapon at an NYPD sergeant at the scene. Both defendants were indicted on charges of criminal possession of a weapon for a second weapon found in the car.

Officer Diller was posthumously promoted to rank of Detective, First Grade.

District Attorney Katz said: "The killing of a New York City police officer strikes at the heart of this city and rattles any sense of security in a civilized society. The grand jury has returned several felony charges against these defendants in the death of Detective Jonathan Diller, a dedicated officer, father, husband, and son who lost his life while carrying out his duty to serve and protect the community. The defendants are alleged to have willfully ignored officers' repeated commands before Guy Rivera pulled out a gun and shot Detective Diller at almost point-blank range. The senseless gun violence not only took the detective's life but also endangered another member of the NYPD. We continue to stand united in seeking justice for the victims, the grieving families, and the entire NYPD community."

Rivera, 34, whose last known address is on Broadway in Woodside, was 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.

Jones, 41, of Rockaway Beach Boulevard in Edgemere, was indicted on two counts of criminal possession of a weapon in the second degree and two counts of criminal possession of a weapon in the third degree.

Supreme Court Justice Gia Morris ordered Jones to return to court on April 16. Rivera is due back in court on May 7.

Rivera faces up to life in prison without the possibility of parole if convicted. Jones faces up to 15 years in prison if convicted on the current charges, in addition to 15 years on a separate open weapons charge from April 2023.

According to the charges and statements made in court:

- On March 25, at approximately 5:40 p.m., an officer on patrol in Far Rockaway saw Rivera with what looked like a gun in the front pocket of his sweatshirt. 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 gun 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.
- 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.

The investigation was conducted by detectives from the 101st Police Precinct in partnership with the Queens District Attorney's office.

Assistant District Attorney John Kosinski, Bureau Chief of the District Attorney's Homicide Bureau, Assistant District Attorney Kenneth Zawistowski, of the Homicide Bureau, and Assistant District Attorney Gabriel J. Reale, of the District Attorney's Career Criminal Major Crimes 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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