

BRAVE JUSTICE

ANNUAL REPORT 2021

STRONG AND STEADY



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QUEENS DISTRICT ATTORNEY

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A MESSAGE FROM DISTRICT ATTORNEY **MELINDA KATZ**

Since I took office as Queens County District Attorney two years ago, my focus has been squarely on keeping the communities of Queens County safe while creating a more equitable criminal justice system. While the days of 2021 continued to bring challenges for us all, I am proud of the accomplishments we have made to achieve *brave justice*.

In the pages that follow, we take you through the journey toward the creation of a better system, one that is rooted in fairness, compassion, and safety.

SET A BOLD COURSE – by maintaining a bold and steady course under the guidance of top-notch executive leadership, our talented, trained, and professional staff worked tirelessly to reduce the unavoidable backlog and increased caseloads created by the pandemic, while abiding by the highest ethical and moral standards. We focused our resources on violent felony crimes, opened lines of communication with victims and witnesses, and provided 24/7 law enforcement support.

ADJUST THE SAILS – while we cannot guide the direction of the wind, we can adjust our sails as needed to create a safer community of people who have confidence in the system. We have closely monitored bail requests and pending cases involving incarcerated individuals. Public safety must be part of the conversation while we provide opportunities for rehabilitation and a better path.

STRONG AND STEADY HAND AT THE HELM - to ensure public safety during these difficult times, a strong and steady hand is a key component. We are confronting the gun violence epidemic through several successful initiatives, units, and policies that focus on the drivers of crime and work to keep guns out of the hands of our young people. In addition, we focus on the many crimes that prey upon the vulnerable among us and educate on crime detection and prevention.

HARNESS THE POWER OF PARTNERSHIPS - we continue to build meaningful relationships with the communities we serve, as the first time an individual has contact with the office should not be in a courtroom or in the face of tragedy. Despite the pandemic, over one thousand events and meetings were held, along with gun buy back programs and youth programs. We also awarded grant funding to a total of 34 community-based organizations that will implement holistic violence prevention initiatives.

NEVER LOSE SIGHT OF THE HORIZON - keeping our sights on the horizon, we are creating a more transparent office and restoring confidence in the criminal justice system, by sealing old convictions, responding to disclosure requests, holding public servants accountable, restoring justice to those wrongly convicted, and bringing long awaited justice in decades-old cases.

The *Brave Justice Annual Report 2021* highlights these accomplishments and other operations of the office. During difficult times, we must never lose sight of the horizon as we continue to advance the mission to create the safest and fairest borough in the city. We set a bold course and we must maintain a strong and steady hand at the helm, be willing to adjust to changing conditions and harness the power of community partnerships. Together, we can achieve *brave justice*.

In friendship,



INTRODUCTION

The *Brave Justice Annual Report 2021* details the operations and accomplishments of the Queens County District Attorney's Office under District Attorney Katz's second year of leadership. During difficult times, DA Katz never lost sight of the horizon as she continued to advance her mission to create the safest and fairest borough in the city. She set a bold course and maintained a strong and steady hand at the helm, by harnessing the power of community partnerships and adjusting the sails as needed.

SECTION I

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SET A BOLD COURSE: TURNING POLICY INTO PRACTICE

Challenging times persisted in 2021 as the pandemic continued to impact court proceedings. Under the guidance of top-notch executive leadership, the staff worked tirelessly to keep communities safe and to reduce the unavoidable backlog and increased caseloads that had begun building in the prior year. Maintaining a bold and steady course, our office:

- processed an increased number of arrests and conducted more arraignments;
- had the second lowest complaint sworn time and arrest to arraignment time citywide and arraigned 86.3% of cases within 24-hours;
- shared over 1.6 million discovery files;
- increased the number of cases presented to a grand jury and the number of dispositions;
- prioritized cases with the most significant public safety impact;
- focused time and resources on violent felony crimes.

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:

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

In addition to the office's 24-hour hotline, DA Katz established several helplines to keep an open line of communication between the office and victims or witnesses including:

- 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;
- Hate Crimes Helpline to report hate and bias-motivated crimes;
- Immigration Helpline to assist immigrants in navigating the criminal justice system;
- Housing and Worker Protection Helpline to report workplace safety, wage theft, predatory lending and crimes involving real estate.

Assembling one of the most talented and professional offices in the country, DA Katz appointed a total of 60 new Assistant District Attorneys this year. She leads a talented staff of professionals who are often sought out for their expertise at local, state, national, and international levels.

Since taking office, the District Attorney has made it a priority to ensure that all the Assistant District Attorneys abide by the highest ethical and moral obligations. She has enhanced the Legal Training Department to include:

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

The second annual *Brave Justice Summer Internship Program* took place in 2021; the office welcomed students from 26 different law schools, 10 different colleges, and many who were bilingual in a total of 19 languages.

SECTION II

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ADJUST THE SAILS: RESTORING FAIRNESS AND CONFIDENCE

In her second year in office, DA Katz continued to adjust the sails, by ensuring the fair administration of justice to create safer communities who have confidence in the system.

The District Attorney ensured that all bail requests are being made consistent with the notion that a person's financial resources should not determine whether they remain in jail pending trial.

- The number of defendants held pretrial on bail was reduced as the office requests remand when appropriate for violent felons, taking finances out of the equation.
- There were more low-level offenders released with non-monetary conditions rather than held in on nominal amounts of bail they simply cannot afford.
- There was an increase in the utilization of supervised release.

New York, unlike most of the states in the nation and the federal system, does not allow judges to consider public safety when setting a securing order. Presently, judges are only permitted to consider detention or set bail based on the crime charged, even if the risk of reoffending is extremely high.

- Public safety must be a part of the conversation and 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.
- In 2021, 3,148 rearrests were made of defendants while they 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 the communities will go a long way in preventing further crime.

As part of the commitment to address racial disparities and systemic injustice and reduce incarceration rates, all arrests are closely evaluated. Throughout the year, DA Katz declined to prosecute:

- 22% of all violation arrests;
- 6% of misdemeanor arrests and 7% of felony arrests.

In 2021, the District Attorney dismissed

- nearly 700 cases for loitering for the purpose of engaging in prostitution after the statute was repealed;
- 894 marijuana cases, convictions and warrants;
- 2,361 summonses for marijuana following cannabis recreational legalization.

We are a city that should have a way to detain individuals, when necessary, in a humane and just environment. Efforts to reduce the jail population and break the cycle of crime were made:

- increasing utilization of alternatives to incarceration;
- making fair and just plea agreements;
- providing more opportunities for rehabilitation from past violations;
- scrutinizing every request for bail that has held a defendant on Rikers Island.

As of December 28, 2021:

- 4,266 people were being detained on Rikers Island;
- 744 of these individuals were initially held on Queens cases;
- Thus, Queens detainees accounted for 17.6% of the total Rikers Island population, even though the county accounts for more than 27% of New York City's population.
- 565 of the 744 continued to be held on a Queens case.
- 51 were incarcerated due to a parole violation or a \$1 bail.
- Thus, 514 were held- with 304 on bail and 210 remanded.
- 97% of the 304 held on pre-trial bail were charged with serious felony crimes and a court had determined that they were at risk of flight.
- 99% of the 210 remanded were charged with serious felony crimes and more than half held on a homicide or firearm possession charge.

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 and has worked to bring restorative programming opportunities to populations not previously served. The bureau is responsible for:

- pre-arraignment diversion programs, such as Project Reset and the Far Rockaway Community Justice Program;
- specialized court parts;
- the Diversion and Alternative Sentencing Unit- which handles a revolving caseload of more than 500 felony cases;
- community service- more than 240 successful completions in 2021.

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.

- Nearly 83% of adolescent offender cases were removed to Family Court.
- Like in other counties across New York, 2021 brought an uptick in violent felony and firearm cases committed by adolescent offenders.
- Compared to 2020, the number of firearm offenses committed by adolescent offenders nearly doubled and violent felonies overall increased by 5.75%.

DA Katz joined current and former prosecutors and law enforcement leaders across the nation on vital issues affecting the fair operation of the criminal justice system, including:

- action to end the death penalty in the United States;
- changes to confront the growing and urgent crisis of gun violence in our jurisdictions;
- supporting New Jersey's statewide policy to fortify trust between immigrant communities and law enforcement by limiting local entanglement in federal immigration enforcement;
- protecting and expanding voting rights.

SECTION III

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STRONG AND STEADY HAND AT THE HELM: ENSURING PUBLIC SAFETY

2021 was marked by an increase in certain crimes, and District Attorney Katz kept a steady hand at the helm as she guided the office through the busy year.

Most notably, we experienced a spike in gun violence nationwide. Queens County was no different than many other counties, as we dealt with an increase in the number of shootings and gun arrests. The office processed more cases involving firearms and shootings than in preceding years.

DA Katz tackled the epidemic of gun violence during the year by participating in several worthwhile anti-gun violence initiatives:

- **Gun Violence Fast Track Initiative:** a multi-pronged initiative launched by the courts that fast tracks all gun possession cases and helps to reduce the backlog of unindicted gun cases;
- **Gun Violence Strategies Partnership:** a collaboration of 35 agencies who meet and share information and strategies to focus on the gun recidivists and drivers of violence;
- **Safe Summer NYC Plan:** a joint plan with the mayor to take a community-centered approach to reduce gun violence among the younger population.

In addition, the District Attorney created the Crime Strategies and Intelligence Unit (CSIU), which takes a proactive approach in preventing violent criminal activity and gun trafficking. In its first year, and in conjunction with the Violent Criminal Enterprises Bureau, the CSIU aided in dismantling the “Polymer Pipeline” and assisted in the prosecution of ghost gun manufacturers and traffickers. In 2021, their investigations resulted in the recovery of:

- 74 firearms including 51 “ghost” guns;
- 222 high-capacity magazines which each hold over 10 rounds;
- 91 firearm lower receivers.

DA Katz remains steadfast in efforts to investigate and prosecute those who bring guns into our city while working with our communities to keep guns out of the hands of our young people. In her inaugural year, the District Attorney created the Violent Criminal Enterprises Bureau to suppress violent crime by identifying and prosecuting drivers of violence. Several significant cases were developed in 2021. In August, alleged members of warring gangs within the Queensbridge and Ravenswood public housing developments were charged with murder, conspiracy to commit murder and possession of illegal firearms. For at least 60 days immediately following those arrests, the NYPD did not record a single incident of gun shots fired in these Queens public housing developments.

Comparing 2020 to 2021 securing orders on criminal possession of a weapon cases illustrates:

- requests for judges' remand of defendants more than doubled from 2020 to 2021;
- as more defendants were held pre-trial, recidivism rates decreased;
- electronic monitoring was utilized in about 12% of cases;
- the rate of rearrest for a subsequent weapons charge while out in the community pending a weapons charge increased in 2021.

Some additional bureaus highlighted in this report serve our communities by focusing on protecting the vulnerable. Many of these bureaus have experienced a rise in the number of cases they handled in 2021.

- Special Victims Bureau– investigates and prosecutes felonies involving sex crimes against adults and children, physical abuse of children, and violence against the elderly;
- Hate Crimes Bureau- which takes a multi-faceted approach to stopping hate crimes by working collaboratively to combat bias and develop meaningful programs to bring about positive change;
- Human Trafficking Bureau- combats sex and labor trafficking by aggressively prosecuting traffickers and implementing a victim-centered and trauma informed approach to connect survivors with meaningful services;
- Domestic Violence Bureau- is dedicated to expanding efforts to end domestic violence by putting an emphasis on diversionary programs and on ensuring that survivors have access to resources;
- Frauds Bureau- is committed to prosecuting criminals that line their pockets by preying on the vulnerable and developing meaningful programs that educate the community on how to avoid being victimized;
- Cyber Crime Unit within the Major Economic Crimes Bureau- delves into the virtual world and handles crimes related to cryptocurrency, including the tracing and forfeiture of digital assets;
- Career Criminal Major Crimes Bureau- which is responsible for the prosecution of violent recidivist criminals;
- Supreme Court Trial Division- handles a broad spectrum of felony cases and works closely with the felony problem solving courts;
- The Cold Case Unit– is dedicated entirely to investigating and solving the borough's oldest and most challenging unsolved homicide cases. This year, the unit used groundbreaking technology to successfully investigate and bring closure on two important homicide cases.

Since taking office, District Attorney Katz has made vehicular crimes a priority. Working to keep dangerous, drugged, and drunk drivers off the road, she has tightened the guidelines on all vehicular crime dispositions. For 2021, we have seen:

- a 22.5% decrease in vehicular fatalities;
- an 11% increase in collisions found to be criminal;
- over 1,300 prosecutions of cases charging vehicular crimes- including vehicular manslaughter, homicide, and DWI;
- recidivism rates on dangerous driving are less than 5%, with over 90% of defendants successfully completing treatment programs.

SECTION IV

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HARNESS THE POWER OF PARTNERSHIPS: BUILDING MEANINGFUL RELATIONSHIPS

DA Katz has re-imagined the relationship between the office and the communities we serve. The first time an individual has contact with the office should not be in a courtroom or in the face of tragedy. The District Attorney is determined to keep an “open door policy” with members of the public and has done so by enhancing the Community Partnerships Division.

This Division is comprised of three bureaus that each play a different role in building ties within Queens’ communities:

- **Community Engagement Bureau-** expands to populations that were not previously served and is a stakeholder in the community;
- **Civic Awareness Bureau-** coordinates the Community Advisory Councils and manages sponsored events; it is also home to the Office of Immigrant Affairs which works with every bureau and unit to assist immigrants and provide meaningful services;
- **Youth Empowerment Bureau-** teaches school aged children to think critically and empowers them to make good decisions when faced with a challenge.

Despite the restrictions that the pandemic posed in 2021, the Community Partnerships Division remained active in their mission to create meaningful relationships:

- they participated in over 1,000 public events;
- Community Advisory Council meetings were held to hear the real-time concerns and issues of Queens neighborhoods;
- they impacted over 1,500 youth through signature youth programs.

In 2021, DA Katz sponsored two gun buy back programs. This year, a total of 325 firearms were surrendered during gun buy back programs, each representing a potential tragedy averted and a potential life saved.

We cannot prosecute our way out of gun violence. To ensure public safety to our communities, we must also provide meaningful services and programs. DA Katz has awarded grant funding to a total of 34 community-based organizations that will implement holistic violence prevention initiatives.

- **Queens Community Violence Prevention Project.** Six separate community-based organizations were awarded a total of \$300,000 during the 2021 fiscal year.
- **Queens Youth Development and Crime Prevention Project** aims to provide youth activities and wrap around services to help keep young people out of the criminal justice system; funding was awarded to 28 community-based organizations at an anticipated total of \$2,750,000 over two years.

The COVID-19 pandemic fueled the nation’s drug abuse crisis and has contributed to a deadly wave of overdoses. Our office saw an alarming increase of 49% in overdose deaths during the pandemic year of 2020. For 2021, we are on track to reach similar overdose levels; fatal overdoses affect virtually every neighborhood in the county.

- In response, DA Katz continued to foster positive relationships in the community and provide avenues of support through specialized treatment courts.
- DA Katz joined fellow District Attorneys in the position that overdose prevention centers are an important tool to address the opioid epidemic.

SECTION V

NEVER LOSE SIGHT OF THE HORIZON: PROVIDING ACCOUNTABILITY AND TRANSPARENCY

Keeping her sights on the horizon, the District Attorney is committed to creating a more transparent office and restoring confidence, among members of the community, in the criminal justice system.

The Appeals and Special Litigation Division is comprised of:

- the Appeals Bureau, which is responsible for all the office's post-conviction litigation at both the state and federal level. In addition, this bureau:
 - responds to motions to seal ten-year old, non-violent convictions;
 - serves as a legal department and research center for all Assistant District Attorneys.
- the FOIL and Civil Litigation Unit, which handles requests under the Freedom of Information Law. In 2021, this unit:
 - responded to over 600 FOIL requests;
 - provided the public with access to thousands of pages of documents.
- the Law Enforcement Officer Witness (LEOW) Unit, which helps to fulfill the District Attorney's obligation to disclose evidence of alleged misconduct by members of law enforcement agencies who will become prosecution witnesses;
- the Immigration Specialist is utilized office wide and helps to navigate plea options; the specialist helps fashion dispositions that prevent unwanted immigration consequences. In 2021, they responded to over 100 inquires office wide. In addition, the District Attorney authorized 27 applications, involving convictions that had significant immigration consequences, to be replead.

DA Katz established the Conviction Integrity Unit (CIU) in her inaugural year. This unit has not only restored justice to those who were wrongfully convicted but has worked to restore confidence in our criminal justice system. Since establishing the CIU:

- 162 cases have been received;
- 7 cases were reversed and dismissed;
- An additional 60 cases that relied on work of three former NYPD detectives were dismissed after they were convicted of various crimes;
- 4 cases were reversed due to discrimination in jury selection.

The collaboration of units helps to ensure justice is restored to the communities that we serve. DA Katz created the position of Forensic Science Specialist in her first year in office. In 2021, the Forensic Science Specialist worked closely with the Cold Case Unit to help solve cold case homicides and sexual assaults. The Forensic Science Specialist also worked with the Conviction Integrity Unit to help resolve decades-old cases.

The Public Corruption Bureau is committed to holding all public servants and licensed attorneys accountable for their actions as public servants. In 2021, the bureau investigated and handled cases involving:

- criminal acts committed by law enforcement officers, including the arrests of 11;
- election fraud;
- criminal impersonation of public officers.





SECTION I

SET A BOLD COURSE: TURNING POLICY INTO PRACTICE

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EXECUTIVE LEADERSHIP



JENNIFER NAIBURG

CHIEF ASSISTANT DISTRICT ATTORNEY

A 28-year-veteran of the Queens District Attorney's Office, Ms. Naiburg has held many positions within the office, including the Director of Special Projects & Major Case Advisor, Bureau Chief of a felony trial bureau, and Deputy Director of Trial Advocacy. For ten years she served on the adjunct faculty of Fordham University School of Law and currently serves on the adjunct faculty of Cardozo School of Law.



CAMILLE CHIN-KEE-FATT

CHIEF OF STAFF/ADMINISTRATION

Most recently the Director of Administrative Services of the New York City Council, Ms. Chin-Kee-Fatt oversaw a city budget of \$80 million and all aspects of Administrative Services, including Human Resource, Diversity, Fiscal, Procurement/Contracts, IT, Facilities/Mail, Sergeant-At-Arms, Fleet and OTPS for a staff of over 900 employees.

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 38 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 Bureau
 - Office of Immigrant Affairs
- Community Engagement Bureau
- Youth Empowerment Bureau

CRIMINAL PRACTICE AND POLICY DIVISION

- Criminal Court Bureau
- Crime Victim Advocate Program
- Intake and Assessment Bureau
- Rehabilitation Programs & Restorative Services Bureau
 - 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
 - Law Enforcement Officer Witness (LEOW) Program
- Felony Conferencing Bureau
- Felony Trial Bureaus I, II, III, IV
- Grand Jury Bureau
 - Extraditions, Renditions and Property Release Services
- Hate Crimes Bureau
- Training

DETECTIVE BUREAU

ASSISTANT CHIEF DANIEL O'BRIEN

DEPUTY CHIEF JOHN PRATT

COURT ACTIVITY

The pandemic continued to impact court proceedings in 2021. We began the year with most proceedings conducted virtually. The first petit juries returned at the end of March. By mid-year, many proceedings, including arraignments, conferences and hearings that were held virtually returned to in-person.

In September, however, the Governor declared a state of emergency due to the crisis at Rikers Island. By Executive Order, the use of virtual court appearances in New York City was once again expanded. This order was continued through the new year.

By year's end, the court system and our office experienced an unprecedented rise in COVID-19 cases and exposures, requiring a return to intermittent remote working for some of our staff.

Despite ever changing requirements and protocols throughout her first two years at the helm, DA Katz remained steadfast in her commitment to keep our communities safe. The District Attorney made the adjustments necessary to ensure our essential work was performed and her staff remained resilient. The prosecution of cases, the outreach, the coordination and the investigations all continued to move along as expeditiously as possible. These efforts are evident in the numbers:

BOROUGH BREAKDOWN OF ARRESTS, POPULATION AND FUNDS PER RESIDENT

AT THE START OF 2021, QUEENS COUNTY RECEIVED THE LEAST AMOUNT OF CITY FUNDING PER RESIDENT.

COUNTY	NEW YORK COUNTY	KINGS COUNTY	BRONX COUNTY	QUEENS COUNTY	RICHMOND COUNTY
2020 ARRESTS*	34,139	40,374	33,868	31,534	6,378
POPULATION**	1,628,706	2,559,903	1,418,207	2,253,858	476,143
PS CITY FUNDS PER RESIDENT***	\$67	\$36	\$58	\$28	\$33

*AS PER NYPD CRIMINAL JUSTICE BUREAU ARREST DATA AS OF DECEMBER 2020.

**AS PER US CENSUS BUREAU QUICKFACTS (POPULATION ESTIMATES, 2019).

***FY22 PRELIMINARY PLAN

2020

MARCH 7, 2020:

Governor declared state of emergency due to public health threat from COVID-19.

MARCH 16 - 17, 2020:

Orders requiring administrative adjournments for all non-incarcerated defendants and suspending all non-essential court proceedings.

MARCH 20 - 21, 2020:

All CPL time limits suspended along with grand juries suspended until further order of the court.

MAY 7, 2020:

Executive Order 202.28 issued, extending tolling provisions to June 6, 2020. Also required a showing of good cause, within 144 hours, beginning May 8, 2020, for all incarcerated defendants awaiting trial. Executive Order 202.28 also lifted the ban on virtual preliminary hearings.

JULY 6, 2020:

Executive Order 202.48 issued, reinstating CPL 180.80 and 190.80 beginning one week after the empaneling of any grand jury, and otherwise extending suspension of time limits to August 5, 2020.

AUGUST 10, 2020:

First grand juries empaneled since March.

SEPTEMBER 15, 2020 - BEGINNING MARCH 15, 2020:

QDA received hundreds of habeas corpus petitions for the release of incarcerated individuals on Rikers Island. By these means and through the consent of the District Attorney in many cases, over 320 defendants were released from custody during that time.

OCTOBER 4, 2020:

Executive Order 202.67 issued, extending provisions of prior executive orders, except that suspension of 30.30 ended, except for New York City, continuing suspension in effect through October 19, 2020, or on arraignment on indictment, whichever is later.

NOVEMBER 3, 2020:

Executive Order 202.72 issued, ending suspensions of CPL as of November 18, 2020.

NOVEMBER 9, 2020:

Executive Order 202.76 issued, permitting virtual hearings on consent.

DECEMBER 30, 2020:

Executive Order 202.87 issued, extending suspensions of CPL timelines in Executive Order 202.79 until January 29, 2021. For felony complaints, CPL 30.30 and 190.80 suspended until arraignment on indictment.

2021

JANUARY 23, 2021 - MAY 23, 2021:

Executive Orders issued, extending all 202 Executive Orders until June 5, 2021, except that virtual proceedings are continued and suspensions of CPL 30.30 and 190.80 remain in effect until May 23, 2021.

MAY 25, 2021:

Executive Order 202.109 issued, extending all 202 Executive Orders, as modified, until June 24, 2021.

JUNE 24, 2021:

Executive Order 210 issued, ending statewide disaster emergency and reinstating all timelines.

SEPTEMBER 28, 2021:

Governor issued Executive Order 5, declaring disaster emergency regarding Rikers Island and allowing virtual proceedings in NYC for calendar calls and motions, for pleas and sentences on consent of the defendant, and hearings and bench trials on consent of the defendant and the prosecution.

OCTOBER 28, 2021 - DECEMBER 6, 2021:

Executive Orders issued, extending Executive Order 5 until January 6, 2022.

2020 - 2021 ACTIVITY

	2020	2021
ARRESTS PROCESSED	28,925	31,859
ARRAIGNMENTS CONDUCTED	21,718	27,869
GRAND JURY INDICTMENTS	855	1,413
HOMICIDE RELATED INDICTMENTS	40	51
SUPERIOR COURT INFORMATION	374	392
DISCOVERY FILES SHARED	917,693	1,643,374
INDIVIDUALS OFFERED SERVICES FROM CRIME VICTIM ADVOCACY	4,073	3,564
COURT APPEARANCES		
CRIMINAL COURT	75,448	121,212
SUPREME COURT	24,092	25,592
TRIALS CONDUCTED	17	25
DISPOSITIONS	18,119	33,871
<i>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 31,859 ARRESTS PROCESSED IN 2021 REPRESENT THE VERY SAME CASES THAT HAD INDICTMENTS OR DISPOSITIONS.</i>		

As the data shows, we have **processed more arrests and conducted more arraignments** this year than in the preceding year. We did this efficiently, with the average time between arrest and arraignment as 18.08 hours, which is the **second lowest complaint sworn time and arrest to arraignment time in the city.**

2021 COMPLAINT/ARRAIGNMENT TIME

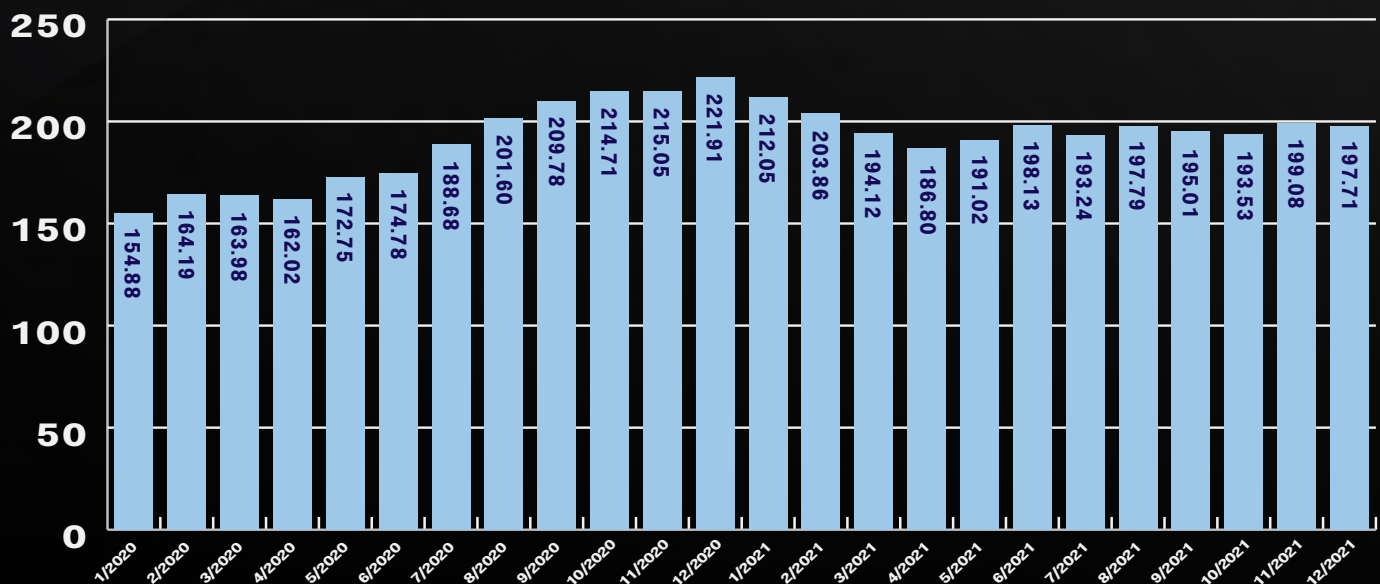
	CITYWIDE AVERAGE	QUEENS COUNTY	KINGS COUNTY	NEW YORK COUNTY	BRONX COUNTY	RICHMOND COUNTY
COMPLAINT SWORN TIME	12.31	10.27	14.07	12.10	13.52	10.01
ARREST TO ARRAIGNMENT	20.56	18.08	21.50	22.52	22.25	16.04

PERCENTAGE OF CASES ARRAIGNED WITHIN 24 HOURS

	CITYWIDE AVERAGE	QUEENS COUNTY	KINGS COUNTY	NEW YORK COUNTY	BRONX COUNTY	RICHMOND COUNTY
2020	65.89%	77.90%	59.68%	58.83%	62.27%	86.55%
2021	72.91%	86.30%	71.13%	63.26%	65.06%	86.89%

Despite the backlog created by the pandemic, we have **shortened the average length of time for a case to proceed from arraignment to disposition.** The effects of the pandemic initially caused an increase in the age of cases, but those numbers are now decreasing. 2020 ended with an average case age of 212 days, and by the end of 2021, our average case age has decreased to 198 days.

AVERAGE CASE AGE 2020-2021



DISCOVERY

We have turned over discovery materials at a pace never seen before. By the end of the year, we shared over **54,000 Body Worn Camera videos**, **1.6 million discovery files** and have filed certificates of compliance in a vast majority of cases.

54,000

BODY WORN CAMERA VIDEOS

1.6 MILLION

DISCOVERY FILES

DA Katz supports discovery reform as early disclosure of the evidence is an essential part of a fair system. While the production of these documents can be tremendously burdensome, both due to sheer volume and time constraints, we continue to perfect our practice under the new discovery laws.

Despite diligently working to comply with discovery, we have seen unintended consequences of these new rules. With early and open disclosure comes **increased risk to witnesses and victims**, whose identity and personal information, with certain limited exceptions, must now be disclosed. As a result, DA Katz seeks protective orders from the court to protect information of certain witnesses to ensure they are not further victimized. Additional legislative action must be taken to further protect the identity of a 911 caller, a victim or a witness; such protection can begin by simply adding additional crimes, such as homicide and weapons offenses, to the list of charges where information may be initially withheld.

Moreover, **if material, however inconsequential, is unavailable, this should not be an impediment** to turning over all other discovery materials, filing a certificate of compliance and a statement of readiness to proceed to trial. Any disputes should be resolved early in the discovery process so as to avoid any unnecessary judicial intervention or unwarranted dismissal of the case. The process should never be about one-upmanship and gaming of the criminal justice system. All challenges or disputes regarding discovery should be raised promptly to avoid undue delay in bringing a case to disposition.

PRE-INDICTMENT NEGOTIATIONS AND DISPOSITIONS

DA Katz previously created the Felony Conferencing Bureau that operates in designated felony parts. This bureau oversees the coordination and facilitation of dispositions on all unindicted felony dockets pending in the Supreme Court Trial Division prior to a grand jury presentment and vote. They review and **refer cases deemed appropriate for alternative sentencing and alternatives to incarceration** 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 2021, 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

DA Katz's staff has **presented more felony cases, including homicides, for grand jury consideration** this year than in 2020. This is due to several factors, including the shutdown of the grand jury from March to August 2020, a rise in processing of felony arrests in 2021, and a decrease in dispositions pre-indictment.

An equal comparison of grand jury presentments from year to year reflects a **54.07% increase in indictments in 2021**:

INDICTMENTS BETWEEN AUGUST 10 AND DECEMBER 31

INDICTMENTS	2020	2021
CASES	381	587
DEFENDANTS	440	712

RIDING STATS AND HELPLINES

Under DA Katz's leadership, the staff works tirelessly every day 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.

190

HOMICIDE
CRIME SCENE
VISITS

680

SEARCH WARRANTS
AND CELL SITE
WARRANTS PREPARED

OF WHICH

104

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

139

WERE FOR
HOMICIDE
RELATED CASES

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

- 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;
- Hate Crimes Helpline to report hate and bias-motivated crimes;
- Immigration Helpline to assist immigrants in navigating the criminal justice system;
- Housing and Worker Protection Helpline to report workplace safety, wage theft, predatory lending and crimes involving real estate.

CASELOADS AND DISPOSITIONS

At the start of 2021, we were faced with an **increased caseload and unprecedented backlog** in our work. The pandemic and the courts closure in 2020 had slowed our ability to move cases along to disposition. During this difficult time, the speedy trial clock was tolled on these cases by Executive Order of the Governor. Essentially, speedy trial means we must be ready for trial at or before a certain date or the case must be dismissed. The speedy trial clock, as a general rule, will not stop until a certificate indicating compliance with discovery and a statement of readiness for trial is filed with the court. District Attorney Katz knew that once the Executive Orders were lifted, **our time and resources had to be focused on those cases that put the community most at risk.**

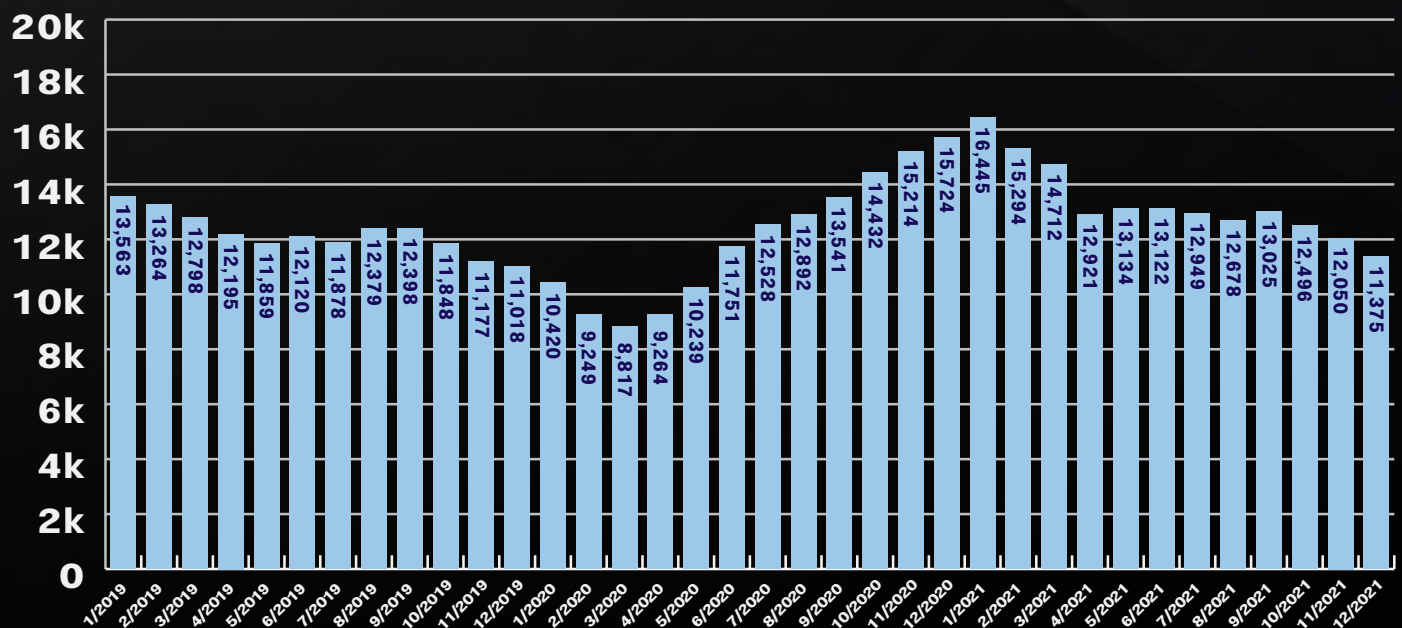
When the Governor's Executive Orders relating to speedy trial were lifted in early 2021, **the clock started running again on thousands of backlogged cases.** Within this '**perfect storm**', prosecutors were confronted with a daunting task. In a world and at a time where nothing was going to be perfect, District Attorney Katz ensured that **priority** for filing certificates of compliance and statements of readiness was **given to those cases with the most significant public safety impact**, such as violent crimes, sex crimes, and domestic violence cases. Office staff painstakingly reviewed every case to determine which could move forward and which should be resolved with a reasonable plea offer for disposition.

We were able to meet discovery and speedy trial deadlines on many cases but there were many others which were unavoidably dismissed in 2021, in large part based on speedy trial grounds and the inability to comply with the shortened disclosure time frames.

PENDING DISPOSITIONS

AT THE START OF 2021, THERE WAS A TOTAL OF
16,445 CASES PENDING DISPOSITION IN OUR COURT SYSTEM.

AT THE CLOSE OF 2021, WE HAD A TOTAL OF
11,375 CASES PENDING DISPOSITION, A 30.85% DECREASE FROM 2020.



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

The amount of trials conducted were also drastically reduced in the pandemic years of 2020 and 2021 as compared to 2019.

As the chart below indicates, **cases charging misdemeanors and violations had a more significant rate of dismissal than cases charging felony offenses.** Notably, this includes thousands of misdemeanor and violation dockets charging low-level marijuana offenses or loitering for the purpose of engaging in prostitution. DA Katz proactively motioned for these dismissals immediately following repeal of these statutes.

DISPOSITION BREAKDOWN

MISDEMEANOR AND VIOLATIONS	2019		2020		2021	
	#	%	#	%	#	%
DISPOSITIONS	25,132	76.26%	7,656	59.45%	7,275	28.05%
PRE-TRIAL DISMISSAL	7,744	23.50%	5,217	40.50%	18,663	71.90%
TRIALS	80	0.24%	4	0.03%	5	0.02%
TOTAL	32,956	100.00%	12,877	100.00%	25,943	100.00%

FELONY	2019		2020		2021	
	#	%	#	%	#	%
DISPOSITIONS	7,032	88.91%	3,109	85.18%	5,421	77.86%
PRE-TRIAL DISMISSAL	707	8.90%	528	14.50%	1,524	21.90%
TRIALS	170	2.15%	13	0.36%	17	0.24%
TOTAL	7,909	100.00%	3,650	100.00%	6,962	100.00%

TRAINING

For the past two years of her administration, DA Katz has focused on ensuring that all staff abide by the highest ethical and moral obligations placed upon prosecutors. Since taking office, she has enhanced the **Legal 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 Legal Training Department administers **monthly office wide Continuing Legal Education (CLE)** and **weekly CLEs designed to address issues specific to individual divisions and bureaus.**



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 2021, some of the events at which we have participated include:

10th Annual National Animal Cruelty Conference *(Baton Rouge, Louisiana)*

Dog Fighting Case Studies ADA Caferri

New York Law School

Criminal Prosecution Clinic Discussion on Experience of Minority Attorneys ADA Bettis

Bahai Civil Rights Interest Group *(Highland Park, Illinois)*

Wrongful Convictions ADA Benjet

National Hispanic Bar Association

Prosecution of Hate Crimes ADA Brovner

New York City Police Department

Homicide Investigators Course EADA Saunders

California District Attorneys Association *(Newport Beach, California)*

Forensic Science and DNA Symposium ADA Valerio

New York State Bar Association

COVID-19 Trials ADA Lasak

New York State Association of Treatment Court Professions

Problem Solving Courts Balanced with Public Safety. ADA Megias

Korean American Lawyers Association of Greater New York

Reporting Hate Crimes and the Prosecution Process. ADA Bae

New York Prosecutors Training Institute

Court of Appeals Roundup 2021. Counsel Castellano

Cohen Children's Medical Center

Investigating Physical Injuries in Children Less than One Year Old ADA Parson and ADA Kelly

Queens County Bar Association

Raise the Age Panel Discussion ADA Mullaney

Syracuse University

Conviction Integrity Units and Innocence Investigations ADA Benjet

New York City Police Department Academy Detective Training

Investigation of Acquaintance Sexual Assaults ADA Hughes

Queens Medical Society

Identifying and Responding to Human Trafficking for Medical Professionals. ADA Melton

ASSISTANT DISTRICT ATTORNEY CLASS OF 2021

During her second year in office, DA Katz appointed **12 new Assistant District Attorneys** in the spring of 2021, and **an additional 48 new Assistant District Attorneys** in the fall of 2021. 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 Ride-Alongs with members of the NYPD and visiting the NYPD Firearm's Training Facility. The class members were given a tour of the New York City Police Department's 113th Precinct and the Emergency Service Unit. They gleaned knowledge of alternative sentencing options from members of Samaritan Daytop Village, a community-based treatment program, and met with members from Queens Community Justice Center, a community-based youth outreach program.



DA Katz conducts the swearing in ceremony for 12 newly welcomed Assistant District Attorneys, representing the Spring Class of 2021.



DA Katz stands with 48 newly welcomed ADAs, representing the Fall Class of 2021, in front of the Queens Criminal Courthouse.

BRAVE JUSTICE SUMMER INTERNSHIP PROGRAM

The second annual *Brave Justice Summer Internship Program* welcomed 55 law students and 14 college students with a full-time, 8-week hybrid 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 students represented 26 different law schools and 10 colleges. Many of them were bilingual, speaking a total of 19 languages - Spanish, Hebrew, Korean, Arabic, Farsi, Mandarin, Punjabi, Hindi, Russian, Nigerian Pidgin, Filipino, French, Wolof, Urdu, Portuguese, Greek, Serbian, Macedonian and Turkish.



DA Katz speaks to participants of the *Brave Justice Internship Program* during a Summer softball game that was hosted by the Office for the interns at Overlook Park in Kew Gardens.

During the last week of the internship, participants were invited to an exclusive “coffee chat” between DA Katz and former AUSA Preet Bharara, where they spoke about the next generation of prosecutors.

NEW YORK LAW JOURNAL- VOLUME 265-NO. 111 FRIDAY, JUNE 11, 2021

Bharara Stresses Humanity in Prosecution During Talk With Queens DA's Office

BY JANE WESTER

FORMER U.S. Attorney for the Southern District of New York Preet Bharara on Wednesday joined a Zoom call with Queens District Attorney Melinda Katz and her staff to kick off the office's Brave Justice summer intern program, reflecting on his own path in the profession and the lessons he learned along the way.

After jokingly noting that Katz, as an elected official, cannot be fired as he was by former President Donald Trump, Bharara praised the moral responsibility prosecutors take on.

“Not to diminish any other kind of legal work that people do, whether it's transactional or defense work—I think once you're a lawyer, you're in a noble profession no matter what you practice, it depends on how you practice it—but uniquely, public prosecutors



Preet Bharara

who don't have individual clients ... should never have to stand up in court or write in a document something you don't believe to be right and true,” he said.

The opportunity to do what is right drew Bharara to the U.S.

attorney's office, he said.

“I remember thinking about what path I would choose, and it occurred to me: what could be better than being a lawyer who only makes arguments you believe in and only tries to do the right thing? If you don't think a case should be brought, you don't bring it. If you don't think a case that was brought was erroneously brought, you move to dismiss it,” he said.

Bharara said law practice, not law school, teaches key skills, including when and how to exercise prosecutorial discretion.

“The law may say there's all these sorts of things you can do, and they'd all be lawful and they'd all be constitutional. That doesn't mean every course of action is correct,” he said. “If [prosecutors] actually did prosecute to the fullest extent every single person that they could under the scope of the law, we would be living in a hellscap.”

» Page 7

PROFESSIONALISM RECOGNIZED



ROOKIE OF THE YEAR AWARD

Every year, DA Katz recognizes a freshman Assistant District Attorney on an auspicious start to their career in the Queens District Attorney's Office. This year's award was presented to Assistant District Attorney Richard Martin for going above and beyond in his professionalism and duties on behalf of this office.



THE THOMAS E. DEWEY MEDAL

The Thomas E. Dewey Medal is awarded each year by the Association of the Bar of the City of New York to an outstanding assistant district attorney in each of the City's five District Attorney's offices and in the Office of the City's Special Narcotics Prosecutor. Executive Assistant District Attorney of the Community Partnerships Division, Colleen Babb, was the recipient this year for her outstanding work with our community partners. EADA Babb is pictured alongside DA Katz, Chief of Staff Camille Chin-Kee-Fatt and Chief ADA Jennifer Naiburg.



MEMORIAL DAY AWARD

During the annual Memorial Day Observance Ceremony at the Vietnam Veterans Memorial in Elmhurst Park, DA Katz honored Assistant District Attorney Mariam Sanni-Adigun alongside two community leaders for their outstanding service in the armed forces. Queens Borough President Donovan Richards also presented Award Citations to the honorees.



VETERANS DAY AWARD

DA Katz and Queens Borough President Donovan Richards hosted a joint Veterans Day Observance Ceremony during which they honored Assistant District Attorney Suzanne Bettis and paralegal Daren Wilkes, in addition to other community leaders, for their outstanding service in the armed forces.



AIDS CENTER OF QUEENS COUNTY

DA Katz was recognized with a Community Leadership award by the AIDS Center of Queens County for her public service and long-term advocacy efforts on behalf of the members of the LGBTQ+ community.



BLACK HISTORY MONTH AWARD

As part of Black History Month, Assistant District Attorney Yvonne Francis was presented with a leadership award by DA Katz during a virtual event that honored the central history and achievements of African Americans in this country.



THE RICHARD A. BROWN PROSECUTOR OF THE YEAR AWARD

This award, established by DA Katz, is given each year to a prosecutor who demonstrates distinguished professionalism, unwavering integrity, legal ingenuity and acumen, and a steadfast dedication to the pursuit of justice. This year's award was presented to Senior Deputy Chief Assistant District Attorney John Kosinski.



PRIDE AWARD

During the first annual Pride celebration by the Queens DA's Office, DA Katz honored Detective Linda DenDekker and Assistant District Attorney Catherine Jahn with an award for their outstanding service and advocacy on behalf of the LGBTQ+ community.



HISPANIC HERITAGE AWARD

As part of Hispanic Heritage Month, DA Katz honored Assistant District Attorney Shanise O'Neill and paralegal Sophia Villacreses, alongside other community leaders, during an in-person event that honored notable people of Hispanic and Latin descent.





SECTION II

ADJUST THE SAILS: RESTORING FAIRNESS AND CONFIDENCE

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BAIL

Since taking office on January 1, 2020, District Attorney Katz has reviewed and amended the practices of the office regarding bail requests. The DA has conformed policies to the new bail laws while she continues to ensure that requests are being made consistent with the notion that **a person's financial resources should not determine whether they remain in jail pending trial**. The DA has guided the office to seek the least restrictive means to assure a defendant's return to court while **ever cognizant that those in our neighborhoods most affected by violence and crime must never be ignored in the criminal justice process**.

Well before the 2021 crisis at Rikers Island, DA Katz and the staff began the work of **reducing the population inside our city jails while keeping violent and repeat offenders off our streets**. Assistant District Attorneys are directed not to request high bail amounts to ensure that a defendant is held pending trial. Rather, where appropriate, such as in homicide, forcible rape and trafficking cases, ADAs are instructed to **ask for remand instead of excessive amounts of cash bail because remand status is income neutral**.



SECURING ORDERS ON BAIL QUALIFYING FELONY CASES LOWER LEVEL BAIL AND ROR/SUPERVISED RELEASE

The chart below illustrates DA Katz's commitment to remove economic injustice from within the criminal justice system, by shifting cases from bail to supervised release and release on their own recognizance.

	2019		2020		2021	
	#	%	#	%	#	%
BETWEEN \$100 AND \$10,001	1,081	34.7%	792	25.6%	533	15.5%
ROR/SUPERVISED RELEASE	1,380	44.3%	1,669	54.0%	2,003	58.1%

Meaningful pretrial services are imperative to further increase the number of defendants who may be suitable candidates for release into the community pending trial. These services must be able to hold a defendant accountable and ensure defendants comply with securing order conditions. If additional tools and alternatives are put in place, more opportunities for release pending trial will be available.

As to non-monetary conditions for release, DA Katz directs thoughtful consideration of bail alternatives, even on bail eligible offenses, where appropriate. This has resulted in a decrease in defendants' release on their own recognizance and an increase in the utilization of supervised release.

NON-MONETARY RELEASE

As the chart below shows, in 2021 we had an increase in the utilization of supervised release with a decrease in release without conditions.

	2019		2020		2021	
	#	%	#	%	#	%
SUPERVISED RELEASE	0	0.00%	699	14.20%	1,316	24.50%
ROR	3,140	58.90%	2,587	52.50%	2,315	43.10%
TOTAL	3,140		3,286		3,631	

RECIDIVISM

New York, unlike most states in the nation and the federal justice system, does not allow judges the discretion to consider public safety when setting a securing order. The present framework essentially only permits judges to consider detention or to set bail based on the crime charged, **even if the risk of reoffending is extremely high.**

DA Katz's policies recognize that the only way to ensure that all defendants are treated fairly while also keeping our communities safe is to take finances out of the securing order equation and allow for the consideration of community safety.

If someone is a threat to public safety because there is a likelihood that they will reoffend if they are released, then they should not be on the streets; if they are not, they should not have to sit in jail awaiting trial because they cannot afford the bail amount ordered.

Public 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 safety of our communities regardless of the crime charged.** If remanded, a detention or remand review should occur within a few days of the arraignment to serve as an additional safeguard for fairness.



The data is compelling: 3,148 rearrests were made of defendants while they 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 as we move forward.

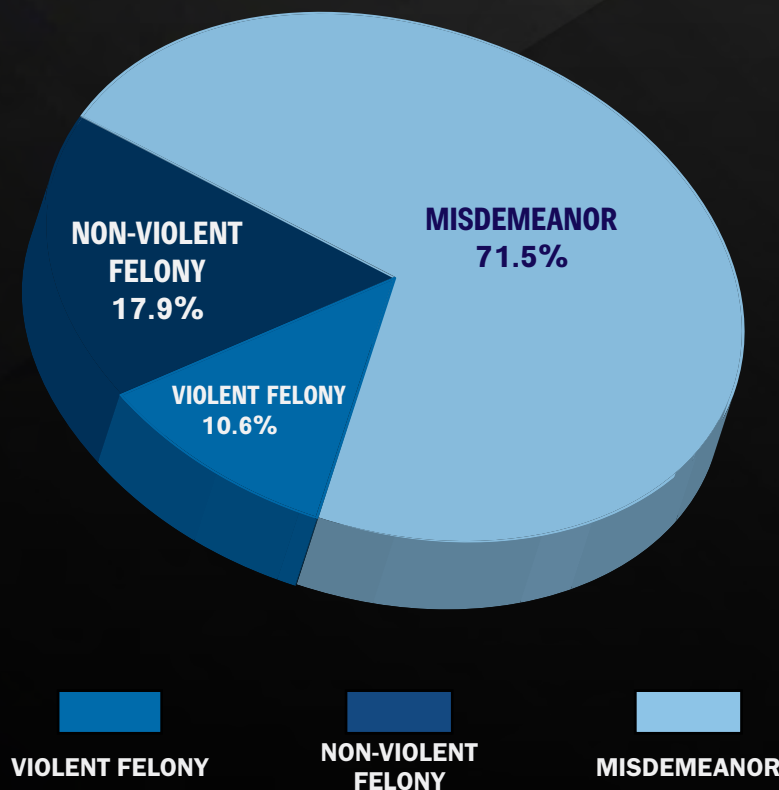
AN EXAMINATION OF OUR DATA FOR 2021 INDICATES THE FOLLOWING

17,203 RESULTING IN **3,148**

DEFENDANTS WERE RELEASED AS
THEY WERE CHARGED WITH
NON-BAIL QUALIFYING OFFENSES

DOCKETS FOR REARRESTS
OF THOSE INDIVIDUALS

AN ANALYSIS OF THE 3,148 REARREST DOCKETS REVEALS



VIOLENT FELONY
10.6%
OF THE TOTAL
REARREST DOCKETS

NON VIOLENT FELONY
17.9%
OF THE TOTAL
REARREST DOCKETS

MISDEMEANOR
71.5%
OF THE TOTAL
REARREST DOCKETS

LOWER-LEVEL OFFENSES

As part of DA Katz’s commitment to the fair administration of justice, lower-level offenses are closely evaluated and resolved whenever appropriate.

Looking at the data for the past three years, we see in 2021 a slight increase in arraignments for felonies, misdemeanors, and violations from 2020. Comparing 2021 to 2019, there is a 28.2% decrease overall and **arraignments on violations were cut by more than half.**

ARRAIGNMENTS

	2019		2020		2021	
	#	%	#	%	#	%
VIOLATION	1,145	2.90%	474	2.20%	542	1.90%
MISDEMEANOR	30,463	78.40%	15,446	71.10%	20,969	75.20%
NON-VIOLENT FELONY	4,294	11%	2,959	13.60%	3,170	11.40%
VIOLENT FELONY	2,961	7.60%	2,847	13.10%	3,200	11.50%
TOTAL	38,863	100.00%	21,726	100.00%	27,881	100.00%

DISMISSALS

Since taking office, and to better address disparities within the criminal justice system, DA Katz has largely **declined to prosecute individuals charged with loitering for the purpose of engaging in prostitution** and prostitution-related crimes. Historical data has shown that individuals charged under this law were, far too often, targeted based on their appearance.

District Attorney Katz long urged state lawmakers to repeal the prostitution-related loitering statute that discriminated based on appearance. And in early 2021, she successfully urged the District Attorneys Association of the State of New York (DAASNY) to similarly support the repeal. In February of 2021, the state legislature agreed and the **loitering for prostitution statute was repealed**. DA Katz swiftly petitioned the court to successfully **dismiss nearly 700 cases previously brought and pending** where people had been arrested and charged under this statute.

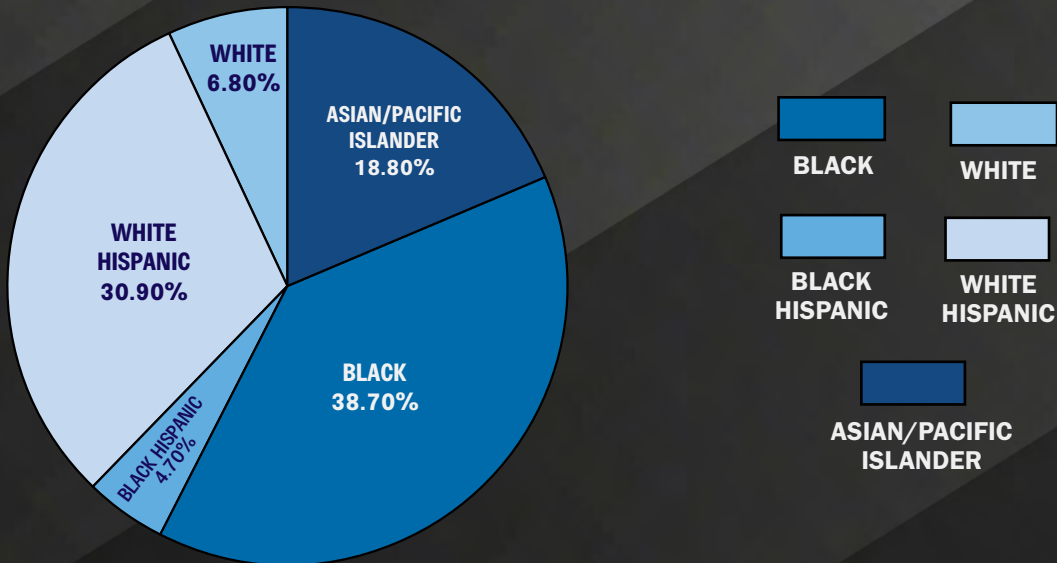
DA Katz has **similarly declined to prosecute low-level marijuana cases** for the significant reason that criminalization of marijuana had a disproportionate impact on communities of color. In fact, she has **advocated for the decriminalization of recreational marijuana use and other low-level marijuana-related offenses for many years** during her tenure in public service. In March 2021, recreational possession and consumption of small amounts of marijuana became legal in New York State. Shortly thereafter, DA Katz appeared virtually in Queens Criminal Court to request that **thousands of marijuana cases be dismissed and sealed, and all warrants vacated**, as follows:

- **894 cases involving defendants awaiting arraignment, had cases pending in Criminal Court, had previously pled guilty to marijuana charges, or had outstanding warrants for marijuana and marijuana-related offenses.**
- **2,361 cases where defendants were issued summonses for marijuana offenses and had outstanding warrants pending arraignment.**

2021 VIOLATION ARRESTS

RACE/ETHNICITY PERCENTAGES

THE BREAKDOWN BY RACE OF ALL DEFENDANTS CHARGED WITH VIOLATIONS IN QUEENS COUNTY IN 2021, ACCORDING TO AVAILABLE NYPD DATA



STEADY RATES OF DECLINING TO PROSECUTE VIOLATIONS

During her second year in office, DA Katz has **declined to prosecute 22% of all violation arrests**, 6% of misdemeanor arrests and 7% of felony arrests in an effort to reduce mass incarceration rates and **focus resources on violent felonies**.

These numbers reflect a similar trend from the preceding year and represent a **13% increase in violation declinations from 2019**.

INCREASE IN DECLINING TO PROSECUTE VIOLATIONS

	2019			2020			2021		
	TOTAL	DECLINE TO PROSECUTE	%	TOTAL	DECLINE TO PROSECUTE	%	TOTAL	DECLINE TO PROSECUTE	%
VIOLATIONS	392	37	9%	163	38	23%	115	25	22%
MISDEMEANORS	25,133	874	3%	14,397	939	7%	15,906	992	6%
FELONY	14,604	855	6%	11,823	937	8%	12,630	843	7%
TOTAL	40,129	1,766	4%	26,383	1,914	7%	28,651	1,860	6%

JAIL POPULATION

Since the beginning of her administration, District Attorney Katz has led her staff through long-awaited bail and discovery reform, and the amendments that followed, while implementing many policies designed to **change the landscape of pretrial incarceration**.

On day one, DA Katz began to **work to reduce the jail population and break the cycle of crime** by utilizing alternatives to incarceration more than ever before, 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. Moreover, until finances are removed from the securing order equation, **every request for bail is painstakingly scrutinized**.

"We are a city that should have a way to detain individuals when necessary, in a humane and just environment."

-District Attorney Melinda Katz

When the pandemic struck New York City in March 2020, District Attorney Katz and the staff immediately began a thorough review of every defendant's case then in custody on Rikers Island to determine whether detention was justified. The senior staff poured over hundreds of cases and examined not only the charged offenses and the defendant's criminal history, but also any established physical condition that would place that incarcerated individual at risk. These decisions, made on a case-by-case basis, ensured that the aims of the new bail laws and the need to ensure defendants' return to court were considered.

While District Attorney Katz is ever cognizant of the office's obligation to avoid delays and the need to dispose of cases as expeditiously as feasible, **the entire court system, like our entire nation, was affected by the COVID-19 pandemic**. During these initial phases of the pandemic, cases were routinely administratively adjourned for up to six months without our input or consent, slowing the resolution of cases to an effective halt. These court procedures, designed to cope with the pandemic, necessarily created a backlog of cases as the court system waited to be able to hear cases regularly and empanel grand juries once again.

Despite these difficulties, DA Katz works to ensure that all cases involving an incarcerated individual continue to be monitored and reviewed on a regular basis. Claims of defendants' **adverse health conditions** that could place them at risk are carefully reviewed and investigated. Reports from the agency serving the health needs of those on Rikers Island were considered to determine **what efforts are being made to contain the spread of COVID-19** and to monitor the health conditions inside the facility.

DA Katz has instructed her staff to advance cases in order that defendants could take pleas or be sentenced, thereby **effectuating their release or transfer to state prison**. This ensures that cases are proactively viewed with an eye toward **expediting swift and just resolutions, including -when appropriate- the on-going pursuit of alternatives to incarceration, while ever mindful of community safety**.

In the fall of 2021, we saw another surge of **COVID-19**; this resulted in the difficulty to produce individuals for their court dates, partly due to staffing shortages at Rikers Island. This necessitated yet another Executive Order to conduct proceedings virtually. While the process continues, it does so slowly, but the office nevertheless makes every effort to expedite incarcerated individuals' cases in conjunction with the courts 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 a risk of flight. The highest percentage of these individuals were awaiting trial for homicide, attempted murder, forcible sexual acts—including cases with child victims, domestic violence-related crimes, possession of loaded operable guns, assault causing life threatening or other permanent injury, and fugitives from another state.

AS OF DECEMBER 28, 2021:

4,266

PEOPLE WERE
BEING DETAINED ON
RIKERS ISLAND.

744

744 OF THESE INDIVIDUALS WERE BEING
HELD ON A QUEENS BOOK AND CASE
NUMBER.

565

*565 OF THE 744 HAVE A DOC SECURING
ORDER AND ARE HELD ON BAIL OR
REMAND PENDING THE DISPOSITION OF
AN ACTIVE QUEENS CASE

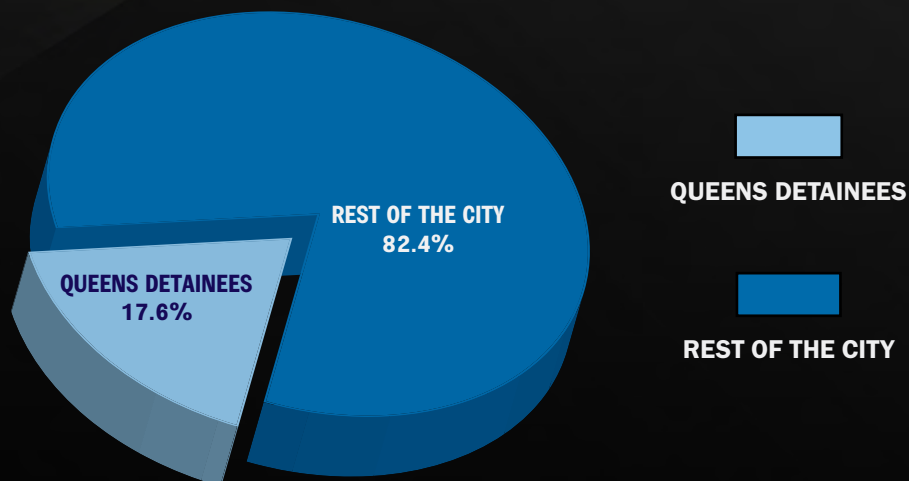
- 51

51 NO LONGER HELD ON A QUEENS
SECURING ORDER BUT REMAINED IN
CUSTODY DUE TO A PAROLE VIOLATION
OR \$1 BAIL.

514

LEAVING 514 HELD ON REMAND OR BAIL
ON A QUEENS CASE.

THUS, QUEENS DETAINEES ACCOUNTED FOR 17.6% OF THE
TOTAL RIKERS ISLAND POPULATION, EVEN THOUGH THE COUNTY ACCOUNTS FOR
MORE THAN 27% OF NEW YORK CITY'S POPULATION.



**Initially incarcerated from Queens court with current Queens DOC Securing Order, as of 12/28/21.*

TOTAL IN JAIL FOR QUEENS RELATED MATTERS

514 defendants continued to be held on a Queens case, with 304 held on pre-trial bail. 97% of those held on pre-trial bail were charged with serious felony crimes. The highest percentage of the detained individuals on Queens cases are awaiting trial for homicide, attempted murder, forcible sexual acts, domestic violence and for loaded weapon charges.

210 defendants were remanded, with 99% charged with a felony and more than half held on a homicide or firearm possession charge.

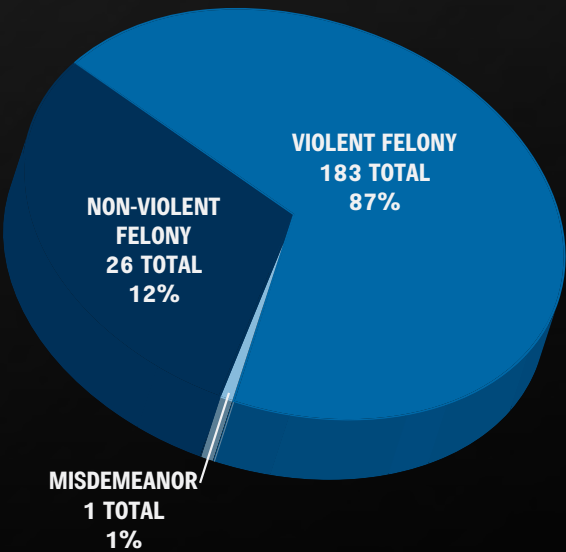
The charts below illustrate the classifications of the crimes with which the defendants held in on bail or remand are charged:

514

DEFENDANTS WERE
HELD ON A QUEENS CASE

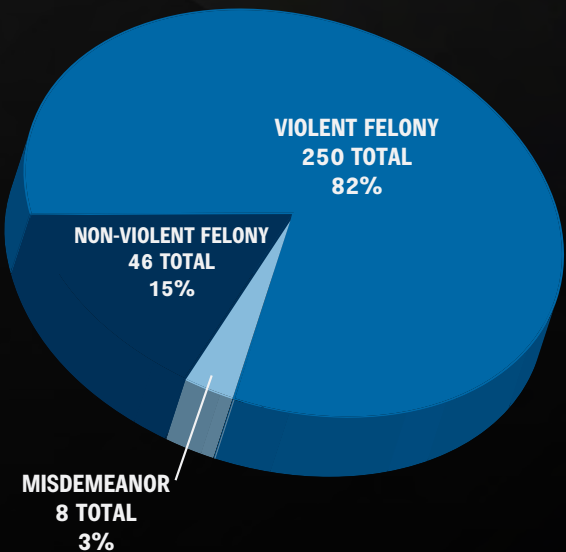
REMAND
210

DEFENDANTS WERE REMANDED
WITH 99% CHARGED
WITH A FELONY



BAIL
304

DEFENDANTS WERE HELD ON
PRE-TRIAL BAIL WITH 97% CHARGED
WITH A FELONY



TOP COMPLAINT CHARGES (REMAND)	Number	Percent
PL ARTICLE 125. HOMICIDE	100	48%
PL ARTICLE 265. FIREARMS AND OTHER DANGEROUS WEAPONS	31	15%
PL ARTICLE 160. ROBBERY	20	10%
PL ARTICLE 140. BURGLARY	16	8%
PL ARTICLE 120. ASSAULT	12	6%
PL ARTICLE 220. CONTROLLED SUBSTANCES	11	5%
PL ARTICLE 130. SEX OFFENSES	6	3%
PL ARTICLE 215. OTHER RELATING TO JUDICIAL PROCEEDINGS	4	2%
PL ARTICLE 155. LARCENY	2	1%
PL ARTICLE 165. OTHER OFFENSES RELATED TO THEFT	2	1%
PL ARTICLE 230. PROSTITUTION	2	1%
PL ARTICLE 121. STRANGULATION	2	1%
Total	210	100%

TOP COMPLAINT CHARGES (BAIL)	Number	Percent
PL ARTICLE 265. FIREARMS AND OTHER DANGEROUS WEAPONS	59	19%
PL ARTICLE 160. ROBBERY	57	19%
PL ARTICLE 120. ASSAULT	49	16%
PL ARTICLE 125. HOMICIDE	42	14%
PL ARTICLE 140. BURGLARY	32	11%
PL ARTICLE 220. CONTROLLED SUBSTANCES	15	5%
PL ARTICLE 130. SEX OFFENSES	13	4%
PL ARTICLE 155. LARCENY	9	3%
PL ARTICLE 215. OTHER RELATING TO JUDICIAL PROCEEDINGS	9	3%
PL ARTICLE 150. ARSON	4	1%
PL ARTICLE 121. STRANGULATION	3	1%
PL ARTICLE 135. KIDNAPPING	3	1%
PL ARTICLE 145. CRIMINAL MISCHIEF	2	1%
PL ARTICLE 230. PROSTITUTION	2	1%
Total	304	100%

REHABILITATION AND CRIME PREVENTION

Launched in January 2021, the **Rehabilitation Programs and Restorative Services Bureau** consists of the **Diversion and Alternative Sentencing Unit** and the **Crime Victim Advocate Program**. The bureau is an integral part of DA Katz's strategy to bolster alternative dispositions and paths of diversion from jail has worked on 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, eight 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 2021, 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. Since its relaunch in October 2021, the program has received 30 new referrals and has had 17 individuals complete 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. In 2021, the office referred 15 cases to the program.

In 2021, more than 110 people successfully completed one of the available pre-arraignment diversion 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.

More than 1,500 individuals have been screened for programming and more than 950 people, including 53 in 2021, have successfully graduated.

To stem the increase in fatal overdoses, which increased 45.5 percent over 2019, the QMTC implemented and operates the Queens Connect program. 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 participant's case. The office has identified more than 250 defendants for participation. Thus far, 13 participants have graduated from the 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 1993, more than 875 people have graduated from the DTAP program.

SECTION II: ADJUST THE SAILS

RESTORING FAIRNESS AND CONFIDENCE

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 325 people have successfully graduated from programming.**

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 SCRAM (Alcohol and Location Monitoring System) bracelet for 90 days, refrain from driving, and be on interim probation for the year. If the defendant successfully completes the program the felony charged is dismissed and they are sentenced to the misdemeanor. Since 2010, the retention rate for defendants placed on a monitoring device through conditional dispositions is 92%. The successful completion rate for those defendants who are placed on a monitoring device through conditional disposition is also 92%.

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. These courts have engaged more than 300 veterans and have successfully graduated around 225 people.

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 2021, there were more than 240 successful completions of community service mandates. Due to the pandemic, the office collaborated with four sites for in-person services and engaged the QCJC for virtual opportunities.

COLLABORATING WITH COMMUNITY-BASED ORGANIZATIONS

The bureau works with EAC Network's Treatment Alternatives for Safer Communities (TASC) to facilitate specialized programming for people with substance misuse or mental health needs. In 2021, the bureau facilitated more than 130 dispositions to programming involving treatment for addiction to substances, which is inclusive of 66 dispositions to mental health treatment. Approximately 119 graduations from programming occurred, which includes 45 graduations from mental health programming.

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 2021, Diversion and Alternative Sentencing staff were handling 576 cases, 366 cases were in the assessment phase and 210 case dispositions involving programming. Cases are referred from many bureaus throughout the office, including the Felony Trial, Career Criminal and Major Crimes, Domestic Violence, Special Victims, and the Violent Criminal Enterprises Bureaus.

In 2021, the unit facilitated more than 190 programming dispositions. Additionally, more than 130 people graduated from programming.

QUEENS COURT ACADEMY

The Queens Court Academy (QCA) is a Department of Education Re-Start alternative school located in Borough Hall. The school offers criminal justice involved students between the ages of 16-21, a High School Equivalency (HSE) and standard high school track. QCA students receive daily instruction from two Department of Education licensed teachers. The most recent academic year concluded in spring 2021. The program is currently suspended due to COVID-19. The Academy has had 370 participants since 2011, and 59 students have passed their High School Equivalency.

CRIME VICTIM ADVOCATE PROGRAM

The Crime Victim Advocate Program is solely focused on supporting victims and witnesses of crime. From January 1, 2021 through December 31, 2021, crime victim advocates engaged 3,831 individuals. Additionally, in the same reporting period, the team provided more than 1,750 counseling sessions via phone and video conference. The office's advocates also supported nearly 100 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.

Data points comparing 2021 to 2020 for Crime Victim Services below:

CRIME VICTIM ADVOCATES DATA

	2020	2021
INDIVIDUALS OFFERED CVAP SERVICES	4,786	3,831
CONTACTS/FOLLOW-UPS MADE	9,696	9,536
PERSONAL ADVOCACY	1,818	2,410
NYCHA SECTION 8/EMERGENCY TRANSFER ASSISTANCE	55	402
COUNSELING SESSIONS	2,033	1,782
HOMICIDE FAMILIES SUPPORTED	135	98
WITNESS CONTACTS/PINS	24,757	24,633

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 the 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 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 are 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.

In 2021, there was a total of 346 Raise the Age arrests, a 24.78% decrease from 2020. Of those arrests, 238 cases were sent to arraignments and nearly 83% of those cases were removed to Family Court. Under DA Katz's leadership a significant number of cases have been removed to Family Court but compared to 2020 there was a 7% decrease in cases being removed.

Like other counties across New York, the office has seen an uptick in violent felony and firearm cases committed by adolescent offenders. **Compared to 2020, the number of firearm offenses committed by adolescent offenders nearly doubled and violent felonies increased by 5.75%.**

78%

In 2019, 78% of all adolescent offender cases were removed to Family Court

90%

In 2020, 90% of all adolescent offender cases were removed to Family Court

83%

In 2021, nearly 83% of all adolescent offender cases were removed to Family Court

PROGRESSIVE PROSECUTORS

Fair and Just Prosecution (FJP) is a national organization that brings together elected local prosecutors committed to promoting a justice system grounded in fairness, equity, and compassion. FJP focuses on finding ways to move beyond traditional incarceration-driven approaches by developing policies that promote a more equitable justice system and safer communities.

DA Katz continues to lend her support and has joined current and former prosecutors and law enforcement leaders across the nation on crucial issues affecting the fair operation of our criminal justice system.

JANUARY 2021

Along with a bipartisan group of nearly 100 criminal justice leaders, DA Katz signed onto a letter to **President Biden and Vice President Harris** urging them to take all actions within their power to **end the death penalty in the United States**. The letter urged the new administration to take lasting steps that cannot be readily undone like commuting the sentences of those on federal death row and supporting legislation to end the federal death penalty.

JANUARY 2021

DA Katz signed onto a letter authored by the co-chairs of **Prosecutors Against Gun Violence (PAGV)**, a non-partisan coalition of 46 prosecutors serving over 60 million Americans in 24 states, to President Biden and Vice President Harris to **recommend changes to confront the growing and urgent crisis of gun violence in our jurisdictions**.

FEBRUARY 2021

Local involvement in immigration enforcement exacerbates fear within immigrant communities, making them less likely to report crimes and cooperate with officials, which threatens public safety. For this reason, **DA Katz joined an amicus brief** in the Third Circuit Court of Appeals supporting New Jersey's landmark Immigrant Trust Directive, a statewide policy that aims to **fortify trust between immigrant communities and law enforcement by limiting local entanglement in federal immigration enforcement**.

JUNE 2021

A joint statement was released, with 94 other elected prosecutors and law enforcement leaders, to condemn efforts by state legislatures, from across the country, to limit and criminalize voting. The statement calls on local and federal policymakers to **protect and expand voting rights**, by among other things, passing the For the People Act and the John Lewis Act.

AUGUST 2021

A letter was sent to President Biden urging him to establish a **Presidential Task Force on 21st Century Prosecution** that would build on the work of the **reform-minded prosecutor** movement, catalyze innovation in the criminal legal system nationwide and chart a path to **greater justice and equity in all communities**.

SEPTEMBER 2021

Overdose Prevention facilities are proven harm reduction tools that save lives and help alleviate the adverse impact of substance use disorder and the ongoing overdose epidemic that is devastating many communities. Accordingly, DA Katz joined current and former elected prosecutors and law enforcement leaders in **filing an amicus brief** in the United States Supreme Court in *United States v. Safehouse*, **supporting efforts to open the nation's first overdose prevention site**.

OCTOBER 2021

The District Attorney **joined an amicus brief** urging the United States Supreme Court to **halt Texas' six-week abortion ban while the courts review its constitutionality**. This law clearly disregards well-settled judicial precedent, erodes trust in the criminal legal system and rule of law, and undermines public safety.





SECTION III

STRONG AND STEADY HAND AT THE HELM: ENSURING PUBLIC SAFETY

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GUNS, GANGS, AND VIOLENCE

INCREASE IN SHOOTINGS AND GUN VIOLENCE

2021 was marked by a surge in gun violence across New York City and other major cities nationwide. In July 2021, New York declared a **statewide disaster emergency due to gun violence**.

Over the last three years, our office has substantially **increased its processing of cases involving loaded firearms**.

CASE TYPE	2019	2020	2021
CRIMINAL POSSESSION OF A WEAPON (2ND AND 3RD DEGREES)	398	555	662
SHOOTINGS	43	51	63

The **median age of defendants** charged with Criminal Possession of a Weapon is **26 years old**, with over 43% of cases charging defendants between the ages of **18 and 25 years old**.

	TOTAL		2020		2021	
	#	%	#	%	#	%
UNDER 18	61	5.00%	28	5.00%	33	5.00%
18-25	537	44.10%	252	45.40%	285	43.10%
26-35	357	29.30%	151	27.20%	206	31.10%
36-45	168	13.80%	73	13.20%	95	14.40%
46-55	63	5.20%	30	5.40%	33	5.00%
56-65	23	1.90%	15	2.70%	8	1.20%
Over 65	8	0.70%	6	1.10%	2	0.30%

In response to the **increase in shootings and gun arrests in Queens**, District Attorney Katz has made her office's participation in **anti-gun violence initiatives** a priority:

GUN VIOLENCE FAST TRACK INITIATIVE

In August of 2021, the courts launched a multi-pronged initiative that expedites the handling of felony gun cases in the criminal courts of each borough. Through this initiative, gun possession cases that were already indicted are **fast tracked** by the judges assigned to the case and the number of grand juries were increased to move cases along. Teams of judges work together to expedite pretrial hearings and preside over pleas and trials, and in cases where pleas are not obtained, trials are given priority status.

This initiative was created to lower the backlog on all cases in which the top charge is a loaded and operable firearm, and as a result we were able to **reduce our unindicted gun case backlog by over 50%**.

Through a thorough and expedient evaluation and presentment of each of these cases, **we successfully reduced the number of pending unindicted gun cases from 384 to 186**.

GUN VIOLENCE STRATEGIES PARTNERSHIP

District Attorney Katz, **committed to tackling the epidemic of gun violence that has gripped the city**, has joined the NYPD and other law enforcement partners in the **Gun Violence Strategies Partnership (GVSP)**. The program, also launched in August 2021, is comprised of an impressive array of law enforcement agencies, including NYC District Attorneys, New York Police Department, U.S. Drug Enforcement Administration, Bureau of Alcohol, Tobacco, Firearms & Explosives, NY State Police, Federal Bureau of Investigation, Homeland Security, Departments of Probation and Parole.

The program is designed to serve as a hub for city-wide crime strategies in light of the recent uptick in shootings. Consistent with DA Katz's policies, they **focus 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.

Every day, representatives from as many as 35 agencies meet to share information and strategies regarding gun offenders to enhance communications between our various jurisdictions. Members of the partnership share information about the history of the offenders and the weapons that were recovered or used in acts of violence on our city streets.

Data shared amongst the agencies enhances our cases and investigations. While the office takes pride in maintaining cooperative relationships with our law enforcement partners, this shared space and resources along with daily communication, has served to **strengthen our capacity to work together effectively**.

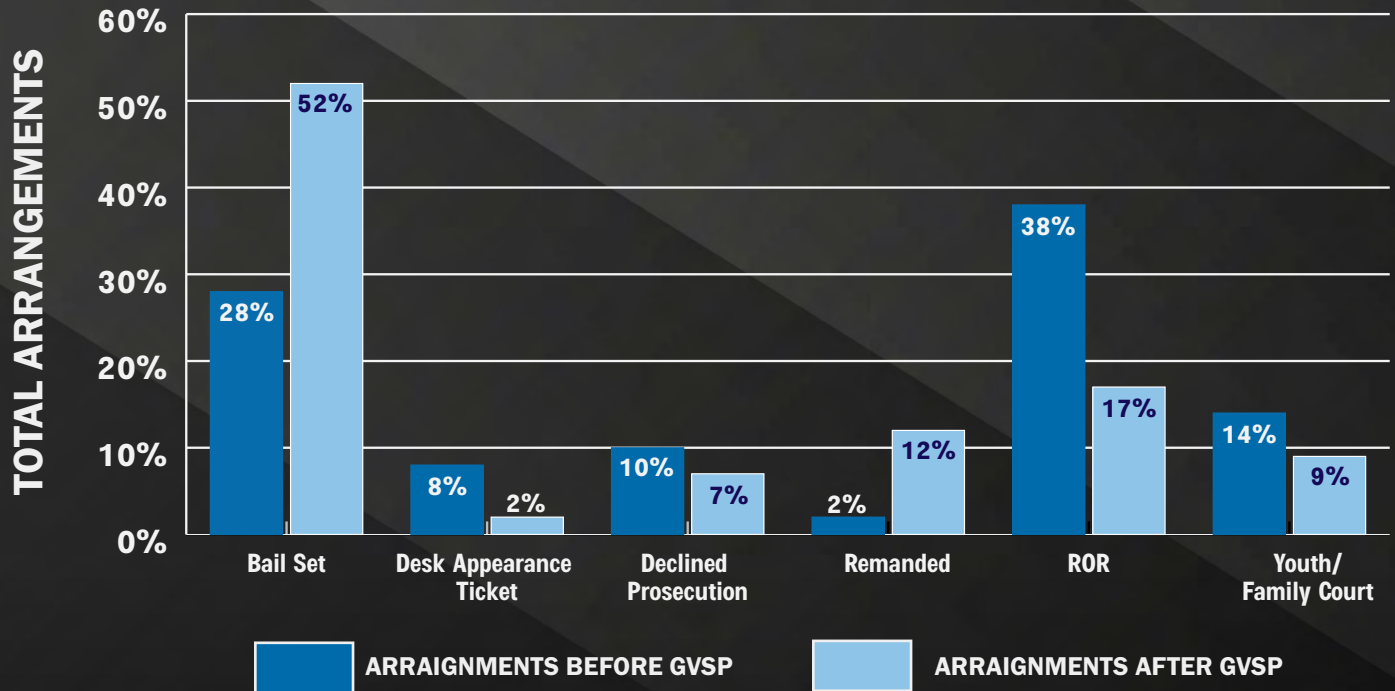
The GVSP assists with:

1. Identifying drivers of violence for enhanced targeted investigation;
2. Identifying existing gun and shooting cases where other agencies can provide assistance with investigative and analytic resources;
3. Harvesting intelligence and evidence relevant to pending investigations and cases.

The work of the GVSP has helped **ensure that our most dangerous offenders stay off our streets**. Since the program's inception, there has been an increased probability of bail being set citywide by 24%, and an increased number of our city's most violent offenders being remanded without bail.

2021 ARRAIGNMENT OUTCOMES FOR SUBJECTS DISCUSSED AT GVSP DAILY MEETING

CITY WIDE ARRAIGNMENT DATA



GVSP began daily meetings on August 16, 2021. Since then:

- **52% of subjects discussed by GVSP have had bail set.** Prior to GVSP, bail was set in 28% of arraigned cases for the same subjects.
- **12% of subjects discussed by GVSP have been remanded to custody.** Prior to GVSP, only 2% of arraigned cases were remanded for the same subjects.
- **17% of subjects discussed by GVSP have been ROR.** Prior to GVSP, 38% of arraigned cases were ROR for the same subjects.
- **7% of subjects discussed by GVSP have been Declined Prosecution.** Prior to GVSP, 10% of arraigned cases were declined prosecution for the same subjects.

In Queens, **more than 70% of our gun offenders were either remanded or had bail set.** In line with DA Katz's policy of using cash bail only when necessary and at reasonable amounts, more than 57% of defendants were able to post bail. However, **over 60% of gun offenders with prior felony convictions are held in custody and kept off of our streets.** We have ensured that when defendants are on probation or parole, we work closely with these supervising agencies to see that the defendants are held accountable for violating the conditions of their programs.

Gun violence has been most prevalent in our minority communities. DA Katz knows that no one in a community can succeed if they are constantly in fear of getting shot. No one should feel that a person can get away with shooting at another human being. The District Attorney is committed to **fight gun violence, hold shooters accountable, and provide our young people with a safe environment.**

SAFE SUMMER NYC PLAN

In the summer of 2021, District Attorney Katz joined the Mayor in the **Safe Summer NYC Plan**. This plan put forth a comprehensive, community-centered approach for a safe summer - and beyond - in Queens and throughout the city.

District Attorney Katz recognizes the need to be vigilant in our pursuit of the shooters and the drivers of gun violence and at the same time **keep guns out of the hands of our young people**. DA Katz knows we cannot prosecute our way out of this problem. Effective strategies for protecting our communities must be multi-faceted. This plan called for investing in our communities and our young people with Cure Violence and other programs that have proven to be effective in reducing crime and violence. The safest borough is one where **we work with our young people to make sure they never become part of the criminal justice system**.



CRIME STRATEGIES AND INTELLIGENCE UNIT

In May 2021, District Attorney Katz announced the **creation of a new Crime Strategies and Intelligence Unit (CSIU) to proactively reduce and prevent violent criminal activity and gun trafficking**.

CSIU analyzes data and intelligence from within the office, as well as from other law enforcement agencies and community partners. This information helps to inform prosecutorial decisions such as the appropriate sentencing. It also helps focus law enforcement resources on drivers of violent crime. CSIU has aided numerous prosecutions and investigations throughout the office by supplying analytical context, evidence, and actionable intelligence.

In its inaugural year, CSIU was successful in the proactive investigation and prosecution of numerous **“ghost” gun manufacturers and traffickers**. Utilizing traditional investigative techniques coupled with timely and accurate intelligence gathering and analysis, and in a **joint effort with District Attorney Katz’s Violent Criminal Enterprises Bureau**, CSIU made strides in dismantling the **“Polymer Pipeline”** – the source of unregulated firearms that has become an emerging threat to public safety.

In 2021, CSIU investigations lead to multiple arrests and the recovery of

- 74 firearms including 51 “ghost” guns (assault rifles, machine guns, and pistols);
- 222 high-capacity magazines which hold over 10 rounds each;
- 91 firearm lower receivers;
- 4 rapid-fire modification devices;
- tens of thousands of rounds of ammunition;
- dozens of additional firearm components seized before they could be manufactured into fully functioning lethal guns.

BAIL AND GUN VIOLENCE

District Attorney Katz's vision is a criminal justice system where a person's financial situation does not determine whether they are held in jail pending trial. Under DA Katz's leadership, the office makes certain that **all defendants are treated fairly while making sure we protect the communities we serve.**

Individuals who are drivers of crime in our neighborhoods should remain in jail pending the serious charges they are facing. Where appropriate, DA Katz requests those individuals be remanded to custody – thereby taking finances out of the equation while considering community safety.

Comparing securing orders between 2020 and 2021 on Criminal Possession of a Weapon cases illustrates:

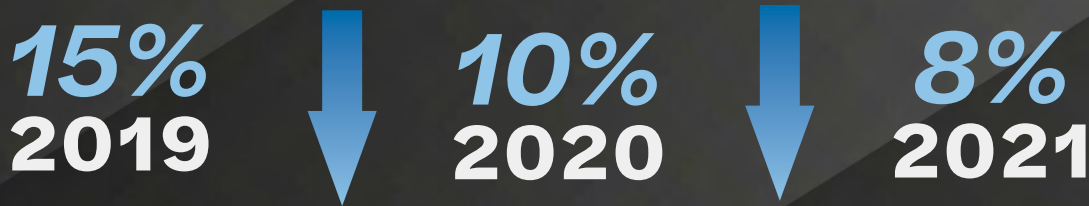
- Requests for remand of defendants more than doubled from 2020 to 2021, while bail requests decreased.
- Judges' remand orders doubled from 2020 to 2021.
- Both our requests and the judges' orders for defendant's release on their own recognizance decreased from 2020 to 2021.
- Electronic monitoring was utilized in about 12% of cases.

ASK (CPW)	TOTAL		2020		2021	
	#	%	#	%	#	%
REMAND	160	14%	45	8.50%	115	17.80%
BAIL	898	76%	417	78.50%	481	74.60%
SUPERVISED RELEASE	37	3%	17	3.20%	20	3.10%
ROR	71	6%	51	9.60%	20	3.10%
TOTAL	1,166		530		636	

ORDER (CPW)	TOTAL		2019		2020		2021	
	#	%	#	%	#	%	#	%
REMAND	54	4%	6	1.70%	14	2.70%	34	5.40%
BAIL	934	62%	234	65.20%	302	58.20%	398	63.70%
SUPERVISED RELEASE	142	9%	0	0.00%	48	9.20%	94	15.00%
ROR	373	25%	119	33.10%	155	29.90%	99	15.80%
TOTAL	1,503		359		519		625	

RECIDIVISM ON WEAPONS CASES

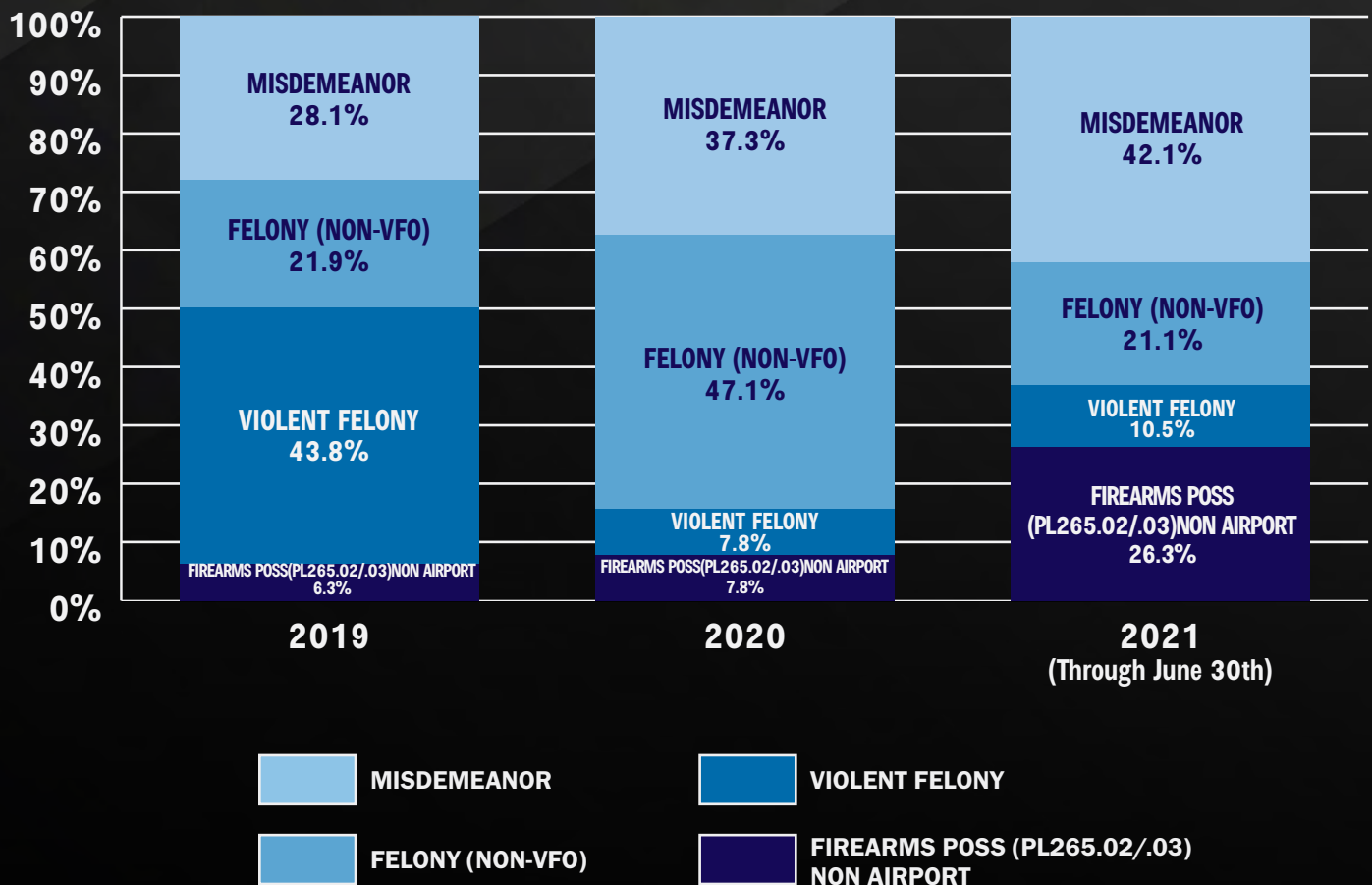
As the chart below indicates, recidivism rates for those charged with Criminal Possession of a Weapon decreased overall during the past three years:



However, in 2021 we see that of those who were rearrested, the rate of **rearrest for another weapons charge more that tripled in the first half of 2021** as compared to 2019 and 2020.

RECIDIVISM BY ARRAIGNMENT YEAR

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



VIOLENT CRIMINAL ENTERPRISES

In 2020, District Attorney Katz re-organized the office to better serve the needs of the communities she was elected to protect. Through her thoughtful redesign, collaboration was born, and **divisions and bureaus now work in partnership to dismantle criminal organizations operating in Queens County**. The Violent Criminal Enterprises Bureau merges the office's former Narcotics Investigations and Gang Violence Bureaus.

The Violent Criminal Enterprises Bureau works to suppress violent crime by identifying and prosecuting drivers of violence including members of street gangs, narcotics distribution operations, and firearms dealers. This reconfigured bureau uses every resource available to ensure criminal networks, gang activity and other organized operations run by drivers of crime are dismantled and that the drugs and weapons they peddle are taken off our streets.

Several significant cases have been developed this year. In August 2021, alleged members of warring gangs within the Queensbridge and Ravenswood public housing developments were charged with murder, conspiracy to commit murder and possession of illegal firearms. **For at least 60 days immediately following those arrests, the NYPD did not record a single incident of gun shots fired in these Queens public housing developments.**

MORE THAN TWO DOZEN REPUTED GANG MEMBERS CHARGED IN INDICTMENT

PRESS RELEASE - AUGUST 5, 2021

DA Katz, joined by NYPD Chief of Detectives James Essig, announced that 28 individuals were indicted by a Queens County grand jury. The defendants, alleged members of warring gang factions within the Queensbridge and Ravenswood public housing developments, are variously charged with murder, attempted murder, attempted assault, and criminal possession of a weapon. They are all charged with conspiracy to commit murder and possession of illegal firearms.

DA Katz said, "Gang warfare will not become the norm in Queens County. My Office is committed to working with our law enforcement partners to make certain no community should live and be terrorized by violent gang members who demonstrate a complete lack of regard for human life. As alleged, these defendants have been drivers of gun violence, sometimes in broad daylight, and often with innocent bystanders nearby, in Long Island City and Astoria over the past few years. The indictment announced today covers multiple conspiracies, 20 acts of violence and related

weapons possession incidents. The violence, motivated by a desire for geographical supremacy by gang members, created a climate of fear in Queensbridge and Ravenswood."

The 28 defendants are charged in a 141-count indictment. Two of the defendants are accused of carrying out the brazen, broad daylight killing of a schoolteacher. The 53-year-old victim was walking his dog near the Queensbridge Houses when he was

struck by a stray bullet after two alleged gang members from the Ravenswood Houses shot at and missed a Queensbridge foe on July 25, 2020. The victim died just over a month later from the fatal gunshot wound. Seven other people were also shot in and around these public

houses and recovered from the injuries.

The indictment includes the murder in the second-degree charge, three conspiracies to commit murder each with a conspiracy to possess illegal guns and one count of assault in the first degree.

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

QUEENS MAN CHARGED WITH POSSESSING ARSENAL OF ILLEGAL “GHOST” GUNS

PRESS RELEASE - DECEMBER 9, 2021

District Attorney Melinda Katz, joined by NYPD Chief of Intelligence Thomas Galati, announced that a defendant, age 20, has been charged with multiple counts of criminal possession of a weapon, criminal sale of a firearm and numerous other charges for allegedly having a stockpile of illegal weapons – including “ghost” guns, large capacity magazines and ammunition – in his home.

DA Katz said, “This is the fifth seizure of “ghost” guns in Queens since August – and we will not stop. Using traditional investigative techniques, accurate intelligence gathering and analysis, we are continuing a relentless pursuit of those who think they can get away with bringing gun parts into our borough, assembling them and selling them here. Working in partnership with the NYPD, we are going to dismantle the ‘polymer pipeline’ – ‘polymer,’ because a crucial component of these “ghost” guns is made of a durable polymer plastic – and get these tools of death off our streets.”

The defendant, of Fresh Meadows, was arraigned and is charged in a 125-count criminal complaint with criminal possession of a weapon in the first, second and third degree; criminal sale of a firearm in the third degree; criminal possession of a firearm; manufacture of weapons and dangerous instruments; unlawful possession of pistol or revolver ammunition; and other charges. The judge ordered the defendant to return to Court on December 13, 2021. If convicted, he faces up to 25 years in prison.



Investigators were conducting on-going surveillance of the defendant who has allegedly been buying firearm parts online. They executed a search warrant early in the morning of Wednesday, December 8th, wherein the following items were recovered: 25 “ghost” guns, 31 large capacity magazines, four additional complete polymer-based lower receivers, approximately 670 rounds of ammunition, several firearm-related components, parts, and equipment for assembling and manufacturing “ghost” guns and approximately two 10-ounce bars of silver and fifteen 1-ounce silver coins. DA Katz said the defendant does not have a license to possess or own firearms in New York City.

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



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. Their staff is trained in trauma-informed interviewing and best practices in the forensic interviewing of children.

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.

The Special Victims Bureau **prosecuted a record high number of cases in 2021**. The number of new cases for which there was an arrest exceeded the number of new cases coming into the bureau for any year since 2012.

Special Victims prosecutors conducted and participated in **390 forensic interviews of children** at the Queens Child Advocacy Center which represents more than a 40% increase over historical averages.

Elder physical abuse arrests were up 100% in 2021 when compared to historical averages. Many of these cases involved **random acts of violence** in public by assailants who were strangers to the victims.

QUEENS MOTHER INDICTED ON MANSLAUGHTER CHARGES FOR STARVING HER 7-MONTH-OLD BABY TO DEATH

PRESS RELEASE - JUNE 17, 2021

District Attorney Katz announced today that a 28-year-old female, has been indicted by a Queens County grand jury and arraigned in Supreme Court on manslaughter and other crimes for allegedly starving her infant child to death. The baby boy died on October 30, 2020, as a result of severe malnutrition and medical neglect.

District Attorney Katz said, "This baby was delivered at full term and born healthy. Tragically, during seven short months of life he suffered with too little food and barely any medical care. He died underweight with loss of muscle, bone, and other maladies. As alleged, this defendant – the infant's mother – was the sole caregiver who neglected medical attention and failed to provide basic sustenance for life to this helpless victim."

The defendant was arraigned on a three-count indictment and is charged with manslaughter in the second degree and endangering the welfare of a child. The defendant was remanded and ordered to return to Court on August 2, 2021. The defendant faces up to 25 years in prison if convicted.

DA Katz said, according to the charges, the baby boy was born in March of 2020 and weighed 5 pounds and 11 ounces. Living in Florida, at five and six weeks old, the newborn was treated twice at a hospital in Broward County. At the last visit, he weighed 7 pounds and 4 ounces and was thriving. However, at two months, the defendant is alleged to have switched the baby's diet from breast milk and formula to blended fruits, vegetables, and nuts.

According to the charges, the mother and child moved to Queens in early October of 2020, and between 2 and 6 months of age the baby had only gained 2 pounds. On October 30, 2020 emergency medical technicians and police responded to a 911 call and found the baby unresponsive and without a pulse. He was transported to a nearby hospital and pronounced dead. At that time, he weighed just 9 pounds and 5 ounces. A typical weight for a 7 to 8-month-old is 17 to 22 pounds.

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

QUEENS MAN INDICTED FOR ATTEMPTED KIDNAPPING OF 5-YEAR-OLD BOY SNATCHED FROM SIDEWALK WITHIN FEET OF MOTHER

PRESS RELEASE - JULY 23, 2021

District Attorney Katz today announced that a 24-year-old male, has been indicted by a Queens Grand Jury and arraigned in Supreme Court on charges of attempted kidnapping and other crimes for allegedly grabbing a 5-year-old boy off the sidewalk as he walked with his family on July 15, 2021.

DA Katz said, "In a brazen fashion, the defendant grabbed the little boy, who was just a few steps from his mother, and allegedly tried to kidnap him. This is a parent's worst fear. This mother fought to save her son. Never underestimate the strength of a mom. Thankfully he has been apprehended and will face justice."

The defendant was arraigned on a two-count indictment charging him with attempted kidnapping in the second degree and endangering the welfare of a child. The judge ordered the defendant to return to Court on September 8, 2021. The defendant faces up to 15 years in prison if convicted.

According to the charges, said DA Katz, at approximately 8 p.m. on July 17, 2021, in front of 117-07 Hillside Ave., the defendant, was observed on video surveillance exit a red vehicle that had

been parked on the street. The defendant allegedly charged at the 5-year-old victim, picked him up and tossed him into the back seat of the red car. The victim's mother ran to the vehicle, reached inside the opened rear window, grabbed her son, and attempted to pull him out of the car. The defendant allegedly clutched the child's legs from the opposite side of the car and attempted to pull him back into the vehicle.

Continuing, DA Katz said, during the struggle, a male passenger who had been seated in the vehicle was heard asking the defendant "What are you doing?" The defendant allegedly responded in sum and substance, "We are taking the kid." The boy's mother was able to pull her son through the window and out of the car. Seconds later the defendant sped off.

The defendant was apprehended on July 16, 2021, at approximately 12:26 a.m., after being observed by police officers inside a Brooklyn hospital being treated for facial injuries.

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

"This is a parent's worst fear. This mother fought to save her son. Never underestimate the strength of a mom. Thankfully he has been apprehended and will face justice."

-District Attorney Melinda Katz

POLICE LINE DO NOT CROSS

HATE CRIMES

When DA Katz's first took office, she formed a **dedicated Hate Crimes Bureau** within the reorganized Supreme Court Trial Division. The Queens District Attorney's Office is one of the few offices in the nation that has 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 and is often known as the 'World's Borough.' The residents of this borough represent more than 120 countries and speak over 135 languages which allow borough residents and visitors to experience many different culinary, cultural, and retail attractions.

In 2021, the caseload within the Hate Crimes Bureau drastically increased. There has been a **100% increase in hate crime related incidents in 2021 in Queens County**. **Citywide there was a 337% increase in anti-Asian hate crimes and a 233% increase in anti-Muslim hate crimes**. In 2021, the Hate Crimes Bureau also initiated the **first annual New York City District Attorney's Hate Crime Symposium**. Several hundred attorneys and law enforcement members attended this daylong event where they learned the best practices for preventing, investigating, and prosecuting these complex crimes motivated by hate.

In June of 2020, **DA Katz launched 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.

NYPD STATS AS OF OCT. 18, 2021 BY MOTIVATION

PATROL BOROUGH	MOTIVATION	2021	2020	DIFFERENCE	% CHANGE
PATROL BOROUGH QUEENS NORTH (PBQN)	ASIAN	18	3	15	500%
	BLACK	4	5	-1	-20%
	ETHNIC	1	0	1	***.*
	GENDER	4	1	3	300%
	HISPANIC	1	0	1	***.*
	JEWISH	21	6	15	250%
	MUSLIM	2	2	0	0%
	OTHER	0	1	-1	-100%
	RELIGION	2	2	0	0%
	SEXUAL ORIENTATION	9	2	7	350%
	WHITE	1	0	1	***.*
PBQN TOTAL		63	22	41	186%
PATROL BOROUGH QUEENS SOUTH (PBQS)	ASIAN	5	0	5	***.*
	BLACK	2	5	-3	-60%
	ETHNIC	1	0	1	***.*
	JEWISH	4	9	-5	-56%
	MUSLIM	4	0	4	***.*
	RELIGION	1	1	0	0%
	SEXUAL ORIENTATION	3	5	-2	-40%
	WHITE	2	0	2	***.*
PBQS TOTAL		22	20	2	10%
GRAND TOTAL		85	42	43	102%

QUEENS GRAND JURY INDICTS MAN FOR RANDOM ATTACKS ON MUSLIMS; DEFENDANT CHARGED WITH ROBBERY AND ASSAULT AS A HATE CRIME

PRESS RELEASE - OCTOBER 22, 2021

DA Katz announced today that a defendant has been indicted by a Queens County grand jury and arraigned in Supreme Court on robbery, assault as a hate crime and other charges. In three separate incidents, the defendant allegedly pursued people on the street he believed were Muslim, struck them and yelled anti-Muslim views in June and July 2021.

DA Katz said, "As alleged, the defendant was motivated by his own biases and prejudice when he followed and struck four different victims whom he believed were Muslim. This kind of hateful behavior will not be tolerated in Queens – the most diverse county in the country. The defendant now faces justice in our Courts for his alleged actions."

The defendant of Jamaica was arraigned today on an eight-count indictment. The defendant is charged with robbery in the second degree as a hate crime, assault in the third degree as a hate crime, aggravated harassment in the second degree, criminal possession of a weapon in the third degree and menacing in the second degree as a hate crime. If convicted, the defendant faces up to eight years in prison.

On June 20th, at approximately 9:15 p.m., the defendant encountered a man and woman walking

near Liberty Avenue and Lefferts Boulevard. The defendant approached a man and allegedly struck him without provocation and continued his attack by pulling on a woman's hijab. During this attack, the defendant allegedly yelled anti-Muslim slurs, saying in sum and substance "Mohammad was a liar."

About an hour later, said DA Katz, the defendant encountered another couple walking on Inwood Street in Jamaica, Queens. The defendant began to follow them. Again, without cause, the defendant allegedly began to yell anti-Muslim sentiments, including saying in sum and substance "Mohammad was a liar." Then the defendant allegedly punched the female victim in the face and head.

On Sunday, July 25th, according to the charges, the defendant was in front of 94-06 Sutphin Blvd., at approximately 6:30 p.m., when he allegedly bumped a woman into the street. The victim was wearing traditional Muslim clothing. The defendant allegedly yelled at her that "Mohammad was a liar" and "Jesus tells the truth." When the woman tried to call 911 on her cell phone, the defendant alleged to have pulled out a knife and pointed it at the woman in a threatening manner before fleeing the scene.

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

BRONX MAN INDICTED BY GRAND JURY ON HATE CRIME CHARGES FOR SLASHING MAN AFTER HURLING HOMOPHOBIC AND RACIAL SLURS

PRESS RELEASE - AUGUST 24, 2021

DA Katz announced today that a defendant has been indicted by a Queens grand jury and arraigned in Supreme Court on hate crime charges for allegedly slashing a man in the face after using racial and homophobic slurs near a subway station in Flushing, Queens on July 6, 2021.

DA Katz said, "In Queens, we value our diversity. Attacking others because of their ethnicity or who they love is never acceptable. It will not be tolerated here. We will now seek to bring this defendant to justice for his alleged hate crimes."

The defendant of the Bronx was arraigned this afternoon before Queens Supreme on a seven-count indictment charging him with assault in the first and second degree as a hate crime, assault in the first and second degree, criminal possession of a weapon in the third degree, aggravated harassment

in the second degree and criminal possession of a controlled substance in the seventh degree. If convicted, the defendant faces up to 15 years in prison.

DA Katz said that, at approximately 3 a.m. on July 6, 2021, the defendant allegedly yelled "I hate Latinos and f---t people" at a man who was standing near a subway station at the intersection of 77th Street and Roosevelt Avenue. The defendant allegedly attacked the victim, cutting the victim on the left cheek with a sharp object. Following the unprovoked attack, the defendant ran from the scene.

The victim was taken to a local hospital, where numerous stitches were required to close a wound on his face.

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

HUMAN TRAFFICKING

The **Human Trafficking 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 community outreach, education and information** aimed toward preventing and identifying trafficking in our communities. When combating human trafficking, success is not measured by convictions and indictments alone but also in intervening and connecting those who have been trafficked and or sexually exploited to the opportunity to engage in services to enable them to escape and live a life free of exploitation.

Since its formation in 2020, the bureau directly offered **33 individuals actively working in the sex trade access to services**.

SEX TRAFFICKER SENTENCED TO UP TO NINE YEARS IN PRISON AFTER PLEADING GUILTY TO FORCING TEEN INTO PROSTITUTION

PRESS RELEASE - DECEMBER 13, 2021

District Attorney Katz announced today that a defendant has been sentenced to up to nine years in prison after pleading guilty to sex trafficking a then-16-year-old girl. The victim was forced into having sex with strangers for money in May and June of 2018. "The defendant used both intimidation and manipulation to force a teenage girl into prostitution. He used this victim to line his own pockets with the cash she made selling sex to strangers," said District Attorney Katz. "Sex trafficking is a brutal and degrading enterprise. My Office will continue to work tirelessly to free those trapped in the sex trade industry." The 24-year-old defendant of 156th Street in Queens, pleaded guilty in January 2020 to

sex trafficking and was given a sentence of three to nine years in prison.

According to the charges, the victim met the defendant through a mutual friend when she was just 15 years old. Approximately a month later, after the teen had turned 16, she encountered the defendant again and at that time he coerced her into having sexual intercourse and oral sex with men in exchange for cash. The defendant verbally threatened the teen with harm if she didn't make enough money. She was told that she must make a minimum of \$500 every night. The youngster escaped from the defendant, according to Court records, when she visited a friend's home and the friend's mother called the police.

"Sex trafficking is a brutal and degrading enterprise. My Office will continue to work tirelessly to free those trapped in the sex trade industry."

-District Attorney Melinda Katz

TWO MEN INDICTED ON SEX TRAFFICKING CHARGES FOR FORCING TEENAGE GIRLS INTO SEX INDUSTRY

PRESS RELEASE - APRIL 28, 2021

DA Katz announced today that two defendants have been indicted twice by a Queens County grand jury and arraigned in Supreme Court on kidnapping, sex trafficking, rape and other charges. The defendants allegedly coerced a 15-year-old girl to trade sex for cash for three days in February 2021 in two hotels in Queens in one case. In the second case, the defendants are accused of trafficking two other teens 13, and 14, and posting nude images of the victims online and stating that they were “for sale.”

District Attorney Katz said, “This case is the latest example of why I established the Human Trafficking Bureau when I became DA. These three teenage victims were allegedly forced to trade sex for cash with strangers and the 14-year-old was coerced into having intercourse with both defendants.”

The two defendants were arraigned on a 28-count indictment. The two men are charged with kidnapping in the first and second degree, sex trafficking of a child, sex trafficking, compelling prostitution, rape in the first and third degree and other crimes. If convicted, the defendants each face up to life in prison.

Both defendants were also arraigned today on a 13-count indictment. This indictment charges the two men with sex trafficking of a child, sex trafficking, promoting prostitution in the first, second and third degree, endangering the welfare of a child, attempted sex trafficking of a child and attempted promoting prostitution in the first and

second degree. If convicted on these charges, the defendants face up to 25 years in prison.

According to first indictment, in February 2021, the 15-year-old victim met the defendants at the La Quinta Inn on Queens Boulevard where she was told she would engage in sex for cash. The first defendant paid for two rooms at the hotel and took semi-nude photos of the child and posted online advertisements. Both defendant’s cell phone numbers were used with the ads.

After February 17, 2021, as outlined in the charges, the defendant relocated the victim to the JFK Inn. At this new spot, the defendant joined his co-defendant and the victim was again forced to have sex with strangers for cash.

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. One defendant was arrested

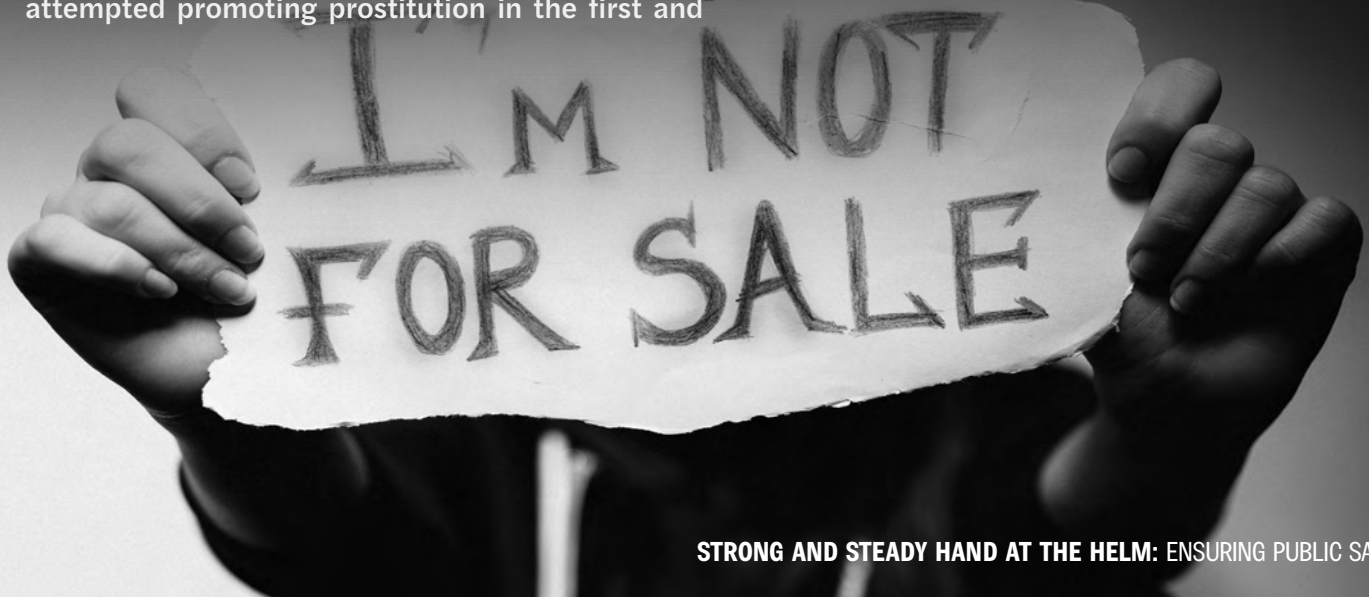
after arriving in the room. The second defendant was arrested after being found in the second hotel room across the hall.

In the second case, the two teens met one of the defendants at the La Quinta Inn where the defendant allegedly took nude photos of the youngsters. When the defendant posted the images online, he stated aloud that the girls were “for sale.” One of the teenagers had sex with a stranger and the defendants again kept every dollar from the exchange.

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

“This case is the latest example of why I established the Human Trafficking Bureau when I became DA. These three teenage victims were allegedly forced to trade sex for cash with strangers”

-District Attorney Melinda Katz



DOMESTIC VIOLENCE

District Attorney Katz remains dedicated to **expanding our efforts to end domestic violence** and to eliminate the stigma attached to being a domestic violence survivor. To achieve these goals, DA Katz has worked to **strengthen our office's partnerships, increasing community outreach, and changing abusive behavior** through diversionary programs, education, and providing support for both victims and defendants.

The Domestic Violence Bureau continues to work 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. Together, we have ensured that **throughout the pandemic, domestic violence survivors have access to resources**, including safety planning, counseling, legal assistance, housing and financial assistance even when they are unable to leave their homes. In 2021, DA Katz held the office's first ever **Domestic Violence Resources Webinar**, where her message that domestic violence survivors are not alone was reinforced.

In an effort to combat intimate partner violence, the Domestic Violence Bureau places an emphasis on **alternatives to incarceration**. They partner with the Department of Probation's Interim Probation Domestic Violence Team (QIPDVT), which seeks to change defendants' abusive behaviors by utilizing a **trauma informed approach that combines accountability measures with support**.

In addition, last year, through partnership with the Mayor's Office of Criminal Justice and the Fortune Society, the bureau began referring domestic violence defendants to the Fortune Society's Abusive Partner Intervention Program. This program 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**.

At the same time, the office is committed to holding accountable violent offenders and recidivists. 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 and also participates in programs that address particular risks.

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.

The Domestic Violence Bureau continues to partner with the Mayor's Office and the NYPD on the **Coordinated Approach to Prevent Stalking (CAPS)**, a homicide prevention program that focuses on intervention before stalking behavior becomes violent. DA Katz also revamped the **Domestic Violence Beeper Program**, ensuring that a domestic violence Assistant District Attorney (ADA) and supervisor 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 NYPD and have successfully applied for search warrants that have resulted in the recovery of multiple firearms.



SEPTUAGENARIAN WOMAN CHARGED WITH ATTEMPTED ASSAULT FOR REPEATED POISONING OF HUSBAND

PRESS RELEASE - JANUARY 16, 2021

Queens District Attorney Melinda Katz announced today that a 70-year-old, has been charged with attempted assault and other crimes for allegedly poisoning her husband with an ant and roach killer on more than one occasion inside the couple's Oakland Gardens home.

District Attorney Katz said, "Domestic violence is not limited to mental and physical abuse. The defendant in this case allegedly used deception to sicken her spouse. The victim did become sick, but thankfully did not die. The defendant now faces serious charges for her alleged actions."

The defendant was arraigned on a complaint charging the defendant with attempted assault in the second degree, reckless endangerment in the second degree and criminal possession of a weapon in the fourth degree. The Judge ordered the defendant to return to court on March 10, 2021.

If convicted, the defendant faces up to 4 years in prison.

DA Katz said that, according to the charges, on January 12, 2021, the defendant was observed on video surveillance squeezing a white powdery substance from a bottle with a red cap and yellow label. The defendant retrieved the bottle from the cabinet under the sink and allegedly spiked her husband's coffee on two or three occasions.

On January 14, 2021 at approximately 10:40 p.m., DA Katz added, detectives recovered a bottle with a red cap and yellow label from the spot under the sink. The label indicated that the contents was 100 percent boric acid and is used to kill ants and roaches.

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

DEFENDANT SENTENCED TO 18 YEARS IN PRISON AFTER PLEADING GUILTY TO SHOOTING GIRLFRIEND

DEFENDANT SHOT VICTIM TWICE AS SHE LAID IN BED IN SOUTH OZONE PARK APARTMENT

PRESS RELEASE - JANUARY 20, 2022

District Attorney Katz announced today that a defendant, 44 years-of-age, has been sentenced to 18 years in prison after pleading guilty to attempted murder. The defendant shot the victim in her home in January 2019.

DA Katz said, "This defendant was sentenced for using a deadly firearm to twice shoot his then-girlfriend in the chest while she was helpless in bed. Luckily, she survived but continues to deal with the burden of her physical and psychological injuries."

The defendant, of Seagirt Boulevard in Far Rockaway, Queens, pleaded guilty on November 9, 2021, to attempted murder in Queens Supreme Court. Yesterday, the judge sentenced the defendant

to 18 years in prison, to be followed by five years' post release supervision.

District Attorney Katz said, according to the Court records, shortly after 2 a.m. on January 19, 2019, the defendant entered the 117th Street apartment of the 48-year-old victim, shot her twice while she was in bed, and fled the scene. The woman was able to call 911 and report that she had been shot by her boyfriend. The defendant was apprehended three days later.

Continuing, the DA said, the victim required surgery to treat her injuries, which included a lacerated liver. A bullet remains lodged near her spine.

FRAUDS AND SCAMS

The **Frauds Bureau's** goal is to focus on catching criminals who **prey on the vulnerable**, line their pockets with tax revenue collected on behalf of the City and State and anyone else who uses **financial schemes to victimize the innocent**. In the middle of the pandemic, the bureau successfully investigated and recovered over **1.7 million counterfeit N95 masks**.

ELDER FRAUD UNIT

The **Elder Fraud Unit** investigates and prosecutes **financial crimes and schemes involving theft of property or savings from senior citizens**. The unit has been instrumental in returning deeds to exploited homeowners and securing restitution. Additionally, the unit focuses on prevention through community outreach with events aimed at educating seniors and the entire community on how to avoid being victimized by scammers.

Recent efforts have focused on the **proliferation of scams targeting elder victims** into believing a **grandchild has recently been or is about to be arrested**. In 2021, the unit investigated and prosecuted over **100 of these schemes**.



QUEENS DISTRICT ATTORNEY'S OFFICE SEIZES 1.7 MILLION PIECES OF COUNTERFEIT PERSONAL PROTECTION EQUIPMENT FROM WAREHOUSE; BROOKLYN MAN CHARGED WITH FELONY FOR POSSESSING BOGUS PPE

PRESS RELEASE - FEBRUARY 11, 2021

DA Katz announced today that an investigation by the Office's Frauds Bureau resulted in the seizure of 1.7 million counterfeit 3M N95 respirator masks from a Long Island City warehouse before they could be distributed to the public.

Detectives from the Queens District Attorney's Office arrested the defendant, age 33, of Dyker Heights, Brooklyn. The defendant has been charged with trademark counterfeiting, a C felony, for possessing and selling the fake 3M labeled medical masks.

Queens District Attorney Katz said, "We are living in a horrible pandemic with more than 450,000 Americans dead from Covid-19. This defendant allegedly sold false hope and security and was set to sell more of these counterfeit masks to whomever would pay his price. Masks are life-saving equipment for our medical professionals. Every day these essential workers are putting their lives – and their family's lives – at risk providing healthcare to those affected by this heartless disease. We have confiscated the bogus merchandise and none of these unsafe masks will be distributed to the public or healthcare workers going forward."

The Special Agent in Charge of Homeland Security Investigations (HSI) New York, said "Since the pandemic began, HSI New York's partnership with the Queens DA has yielded multiple criminal arrests of those who import and distribute counterfeit PPE or choose to hoard and price gouge legitimate products. The public's safety, especially that of our healthcare workers, is a priority, and we



will continue to work with our partners to ensure that each mask that is worn by our first responders is the real deal."

The Defendant was arraigned on a complaint charging him with one count of trademark counterfeiting in the first degree. The defendant was ordered to return to Court on April 27, 2021. If convicted, he faces up to 15 years in prison.

According to the charges, the defendant is the warehouse manager and was present in the 51st Avenue warehouse when law enforcement raided the facility and discovered pallets piled high with boxes of 3M-labeled N95 masks – model No. 1860. The building had two floors, roughly 2,000 square feet per floor, and both levels contained stacks and stacks of these boxes.

A total of 1,788,340 masks were seized. Hundreds of thousands of pieces of other types of PPE – including brand-name hand sanitizers and disinfecting wipes, children's masks, construction masks, and gowns – were also found in the warehouse.

Investigators have identified a healthcare system in the southern United States that bought 200,000 of these same masks from the same warehouse for more than \$700,000. The DA's Frauds Bureau has reached out to our law enforcement partners to determine if any other medical facilities were conned into buying these unsafe masks.

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



CYBER CRIMES

Within the **Major Economic Crimes Bureau**, District Attorney Katz created the **Cyber Crime Unit** to handle cases involving cryptocurrency, non-fungible tokens (NFT), and digital transactions. This unit investigates and prosecutes crimes related to **cryptocurrency** and assists with investigations and cases throughout the office on cryptocurrency related issues, including the tracing, seizure, and forfeiture of digital assets.

Experienced prosecutors use all the digital and traditional tools at their disposal to **delve into the virtual world** to ensure justice for all victims of crime. The Cyber Crime Unit has numerous active investigations into crimes such as romance scams and elder fraud, identity theft account take-overs, business email compromise, predatory behavior towards minors, inappropriate digital content, money laundering, investment fraud, and “rugging”- where developers of digital assets or other NFTs steal the proceeds of their employers’ enterprises.

QUEENS WEBSITE CONSULTANT CHARGED WITH LARCENY FOR SWIPING ABOUT \$233,000 IN CRYPTOCURRENCY

PRESS RELEASE - DECEMBER 20, 2021

Queens District Attorney Melinda Katz announced today that a 28-year-old defendant has been charged with grand larceny for stealing the proceeds of an online sale of more than 3,000 non-fungible tokens. The defendant set up an online sale of digital artwork for his two clients and then allegedly diverted nearly \$233,000 in SOL cryptocurrency to his personal cryptocurrency wallets. This case is the first prosecution for the Cyber Crime Unit of the DA’s Major Economic Crimes Bureau.

DA Katz said, “Cryptocurrency, NFTs and blockchain may seem difficult to understand but the alleged wrongdoing in this case is simple: stealing money is a crime. The victims wanted to sell their digital artwork as non-fungible tokens with the defendant’s technical help. Instead, this website wiz allegedly helped himself to the sellers’ \$233,000 in cryptocurrency profits. My office created the Cyber Crime Unit to handle these unique cases that delve into the virtual world we live in today to ensure justice for all victims of crime.”

The defendant, of Hillside Avenue in Queens Village was arraigned on a two-count complaint including grand larceny in the second degree and unlawful possession of personal identification in the third degree. If convicted, the defendant faces up to 15 years in prison. According to the charges,

last month the defendant was hired as a software consultant. He was tasked with setting up an online sale for two men who wanted to sell uniquely coded digital artwork, known as non-fungible tokens, on the Solana network. The defendant was contracted to help develop more than 3,000 digital images of crocodiles collectively known as the Solana Swamp and prepare them for an online sale where the NFTs could be purchased using the cryptocurrency SOL.

The defendant set up an online wallet to receive the payments and was paid a consultant fee of \$5,400 worth of cryptocurrency. Continuing, the DA said, when the sale took place on December 1, 2021, the artwork sold for about \$233,000 worth of SOL cryptocurrency. The victims then noticed that the cryptocurrency funds which are traceable through a public transaction ledger called blockchain were transferred from their own digital wallet into other digital wallets without their permission. When the victims contacted the defendant, he allegedly ignored their attempts to reach him and did not return their calls or respond to messages. District Attorney Katz said investigators tracked the cryptocurrency transactions to digital wallets used by the defendant.

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

“My office created the Cyber Crime Unit to handle these unique cases that delve into the virtual world we live in today to ensure justice for all victims of crime.”

-District Attorney Melinda Katz

FELONY PROSECUTIONS

The **Career Criminal Major Crimes Bureau** is responsible for prosecuting recidivist violent felons who are subject to enhanced sentencing. Repeat offenders are charged with crimes such as attempted murder, robbery, burglary, assault, and kidnapping.

Violent recidivist criminals are responsible for a **large percentage of the violent crime** that is committed in Queens. DA Katz has ensured that seasoned trial prosecutors are assigned and committed to the successful prosecution and enhanced sentencing of these offenders.

The **Supreme Court Trial Division** is comprised of four Felony Trial Bureaus, the Hate Crimes Bureau, Felony Operations and Legal Training. Together these bureaus handle the **bulk of felony prosecutions** in the county and are a key component in helping to reduce crime throughout Queens.

The staff are tasked with further investigating the cases, presenting cases to the grand jury, negotiating pleas and sentences, and conducting suppression hearings and trials. Although these bureaus handle a **broad spectrum of cases**, they are all **very serious in nature**. These include attempted murders, felony assault and strangulations, gun cases, burglaries, robberies, illegal drug sales, and arson.

The staff members of these bureaus **receive ongoing training** on how to handle all aspects of felony prosecution, including grand jury practice, motion practice, and litigation for hearings and trials. Since DA Katz took office, the **Legal Training** department created **six new training programs**- for a total of 80 more lectures and 18 more workshops than previously given in any year.

Members of these bureaus also **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. **As of mid-year, these bureaus had successfully negotiated far more felony dispositions than any other county in the city.**



VEHICULAR CRIMES

Keeping the streets of Queens County **safe from impaired, dangerous, and reckless drivers** is a **top priority** for the District Attorney. In 2021, we saw a 22.5% decrease in vehicular fatalities. However, **more collisions in Queens County were found to be criminal in nature – an increase of 11% from 2020.**

Rules of the road are not mere suggestions but laws with direct consequences that impact the lives of motorists, cyclists and pedestrians. The District Attorney holds a steadfast belief that few choices are more selfish than driving while under the influence of alcohol or drugs. Drunk or drugged drivers not only place their own lives at risk but also the lives of everyone else on the road.

That is why the District Attorney has tightened the guidelines of this office on all vehicular crimes, working within the framework of the laws available. Since the beginning of her administration, DA Katz has lowered the blood alcohol levels acceptable for plea offers and seeks stronger sanctions in aggravated circumstances. While each case continues to be examined on its own merits, **many DWI cases are not eligible for reduced pleas as they had been in the past.**

These guidelines have resulted in the prosecution of more than **1,300 cases of vehicular crimes in 2021**, including charges of vehicular manslaughter, homicide and DWI.

At the same time, we also work to identify cases where additional meaningful treatment programs can improve driving behavior and reduce recidivism. Our recidivism rate for defendants placed on rigorous monitoring is less than five percent, with the proportion of **defendants who successfully complete the 12-month program at over 90 percent.**

The policies and accountability measures spearheaded by DA Katz have strengthened our ability to prevent further harm and save lives.

QUEENS DRIVER SENTENCED TO PRISON FOR KILLING PEDESTRIAN

PRESS RELEASE - OCTOBER 5, 2021

District Attorney Melinda Katz announced that a Queens man has been sentenced to up to 15 years in prison after pleading guilty to aggravated vehicular homicide. The defendant caused the death of a pedestrian in December 2019 during a string of car crashes in Woodside, Queens.

DA Katz said, “The sentence imposed yesterday by the Court punishes the defendant for taking a life after getting behind the wheel of a car while drunk. No one has the right to be this reckless.”

The defendant pleaded guilty last August to aggravated vehicular homicide in Queens Supreme Court. The defendant was sentenced to 5 to 15 years in prison.

DA Katz said that on December 11, 2019, around 8 p.m. the defendant was driving near Broadway and 55th Street, behind the wheel of a Honda Odyssey minivan. He rear-ended a red Infiniti as that driver was approaching a red light. The motorist inside the Infiniti exited his vehicle to survey the damage and asked the defendant if he was ok. Without saying

anything, the defendant fled the scene.

Continuing, the DA said, the defendant drove erratically on Broadway toward 60th Street, where he ran a red light and struck a pedestrian, the victim, 47, who was in the crosswalk. The defendant continued driving away from the area.

According to Court records, at 61st Street the defendant veered into oncoming traffic in an effort to avoid hitting a car stopped at a red light. The minivan the defendant was driving struck a taxi head on with so much force it caused a chain reaction of crashes. The taxi was pushed backwards and struck a Toyota Sienna, which in turn collided into a Jeep Grand Cherokee.

The victim was taken to a nearby hospital with irreversible brain damage. He later died from the injuries. The DA said when police responded to the scene, they found the defendant exhibiting signs of intoxication. The defendant was taken to a nearby police precinct where a test showed he had a blood alcohol level of .187. The legal limit is .08.

LONG ISLAND WOMAN CHARGED WITH KILLING NYPD POLICE OFFICER IN FATAL HIT AND RUN CRASH

PRESS RELEASE - APRIL 27, 2021

District Attorney Melinda Katz announced that a Long Island woman has been charged with aggravated manslaughter, vehicular manslaughter and other crimes for allegedly driving while intoxicated and striking a New York City Highway Police Officer on the Long Island Expressway in the early morning hours of Tuesday, April 27, 2021.

DA Katz said, "As alleged, the defendant, whose license had been suspended, got behind the wheel of a vehicle while intoxicated, and a dedicated police officer is dead. His two young children are left without a father; his wife is now a widow and the entire community is in mourning. The officer was on the highway, assisting in the investigation of a fatal crash, when he was tragically struck and killed. The defendant allegedly hit and ran and had to be pursued."

"The loss of life of a police officer who was out there on that highway and whose mission, in the purest sense, was keeping people safe is a profound tragedy. The fact that life was taken by a driver whose license had been suspended, and who was intoxicated, is nothing short of criminal and should be treated that way," said Police Commissioner Dermot Shea.

The defendant was being held pending arraignment in Queens Criminal Court on a 13-count complaint charging her with manslaughter in the second degree, aggravated manslaughter in the second degree, vehicular manslaughter in the second degree, leaving the scene of an incident without reporting/death, unlawful fleeing a police officer in a motor vehicle in the second and third degree, operating a motor vehicle while under influence of alcohol or drugs, as a felony, aggravated unlicensed operation of a motor vehicle in the first degree, operating a motor vehicle while under the influence of alcohol or drugs, operating motor vehicle while under influence of alcohol, reckless driving, operating vehicle approaching parked, stopped, standing authorized emergency vehicle. If convicted, the accused faces up to 15 years in prison.

District Attorney Katz said that at approximately 12:30 a.m. on April 27, 2021, police responded to the scene of a car crash on the Long Island Expressway ramp to the Clearview Expressway. A driver, who was going eastbound on the LIE, lost control of the vehicle and slammed into a concrete wall while attempting to exit the expressway. The automobile burst into flames. The driver and two passengers were removed from the vehicle and rushed to a nearby hospital. A third passenger died at the scene.

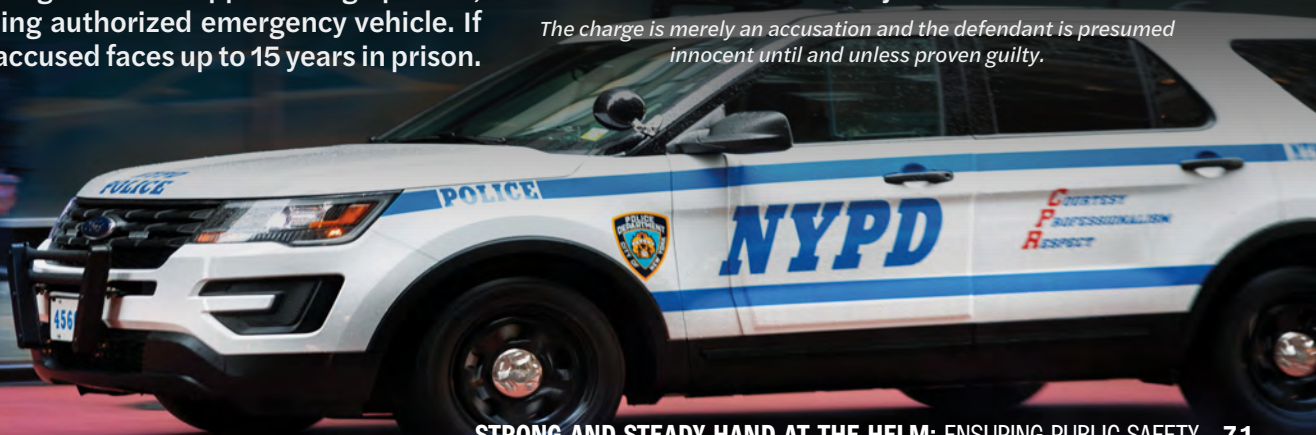
Continuing, the DA said, NYPD officers who responded to the scene of the crash, began to investigate with Police Officer Anastasios Tsakos assisting with traffic control. The defendant, who was driving a 2013 Volkswagen Passat, was going eastbound on the LIE at that time. The defendant was allegedly driving at a high rate of speed as she approached Officer Tsakos.

According to the charges, the defendant allegedly struck Officer Tsakos, who was thrown in the air and landed in a nearby patch of grass. She did not stop or slow down and traveled several exits before exiting onto the Horace Harding Expressway where her car jumped the curb and mounted the sidewalk in front of 221-22 Horace Harding Expressway, where police surrounded the defendant in the vehicle. The accused then allegedly attempted to flee the scene by placing her car in reverse and ramming the police vehicle behind her twice before coming to a full stop. She was immediately apprehended by members of the NYPD.

According to the charges, DA Katz said, the defendant was removed to the 112th Police Precinct where she submitted to an intoxilyzer test, which was administered over 2 hours after the fatal crash. The results of the test showed the defendant allegedly had a blood alcohol content of .15 – which is above the legal limit of .08 in New York City.

Officer Tsakos was rushed to a nearby hospital but died as a result of the injuries.

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



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. The unit successfully investigated and brought closure and justice on two important homicide cases from many years ago.

QUEENS MAN INDICTED ON MURDER CHARGES IN KILLING OF WWI VETERAN MISSING SINCE 1976

PRESS RELEASE - NOVEMBER 3, 2021

DA Katz and NYPD Commissioner Shea announced today that a 74-year-old man, has been indicted by a Queens grand jury and arraigned in Supreme Court, charging him with murder in the second degree for the 1976 killing of an 81-year-old World War I Veteran.



DA Katz said, "After 45 years, the alleged killer of a WWI Veteran is being held accountable and brought to justice. We hope the identification of the remains and the indictment in this case will begin to bring peace and closure to his loved ones. This indictment serves as an example of how police and prosecutors work together to bring individuals alleged to have committed crimes to justice, regardless of how much time passes or how many obstacles are placed in our path."

The defendant, of Jamaica, New York, was arraigned today charging him with murder in the second degree. The defendant was ordered to be returned to Court on November 5, 2021. If convicted, he faces up to 25 years-to-life in prison.

According to the charges, on March 12, 2019, human remains consisting of a pelvis and partial torso were discovered buried under concrete in the backyard of 87-72 115th Street, Richmond Hill, Queens. The body had been dismembered at the neck, shoulders, and hips.

The remains enabled the Office of the Chief Medical Examiner to determine a DNA profile, in the hopes of identifying a family member. That profile was searched within local, state, and national databases with negative results.

Earlier this year, the Queens District Attorney's Office and the NYPD sought the assistance of a private laboratory and the FBI to help generate leads to the unknown victim's identity. In February 2021, the laboratory, Othram Laboratories, used advanced DNA testing to produce a comprehensive genealogical profile from the skeletal remains. 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 a veteran of World War I. Further investigation revealed that the victim, then 81-years-old, went missing at approximately 10 a.m. on December 10, 1976. He was last seen leaving his home in Jamaica, reportedly on his way to get a haircut.

After a painstaking investigation led by the NYPD and the Queens DA's office, crucial evidence was uncovered that allegedly links the defendant to the crime. The investigation included multiple interviews of witnesses and extensive searches of records through various agencies that spanned five states.

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



LONG ISLAND MAN INDICTED FOR COLD CASE MURDER IN SHOOTING DEATH OF 34-YEAR-OLD FATHER

PRESS RELEASE -OCTOBER 8, 2021

Queens District Attorney Melinda Katz announced today that a defendant has been indicted by a Queens grand jury, charging him with murder and other crimes in the fatal shooting of a 34-year-old man. The defendant allegedly shot the victim from a passing vehicle in St. Albans in September 2018.

District Attorney Katz said, "Securing this indictment demonstrates exactly why I formed the QDA Cold Case Unit. We will work tirelessly to bring closure to grieving families and assure them they are not forgotten. Justice will be pursued and sought in a court of law regardless of how much time passes. The defendant tried to elude identification and responsibility for his alleged crimes but he will now stand in court to answer for this shooting."

"We will work tirelessly to bring closure to grieving families and assure them they are not forgotten. Justice will be pursued and sought in a court of law regardless of how much time passes."

-District Attorney Melinda Katz

The defendant of Franklin Square, Long Island, NY was held on a 3-count indictment warrant charging him with murder in the second degree and criminal possession of a weapon in the second degree. The defendant was ordered to return to court to be arraigned on October 13, 2021. If convicted, the defendant faces up to 25 years-to-life in prison.

According to the charges, at approximately 9:30 p.m. on September 25, 2018, the victim was standing near his work van in the vicinity of 118th Road and Farmers Boulevard in St. Albans, Queens when he was struck in the torso by a gunshot fired from a silver four-door sedan traveling southbound on Farmers Boulevard. The victim died of his injuries at a local hospital.

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

**IF YOU HAVE ANY INFORMATION
PLEASE CALL 1-800-577-TIPS
VISIT: [CRIMESTOPPERS.NYPDONLINE.ORG](https://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 145-37 230 Place, Rosedale, Queens.



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.

SECTION III: STRONG AND STEADY HAND AT THE HELM

ENSURING PUBLIC SAFETY



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 78-04 220 Street in Bayside, 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.



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.



MAURICE JOHNSON
AGE 24

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



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.



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.



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 7-25 166 Street in Whitestone, 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.



MANUEL MAYI
AGE 18

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



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.



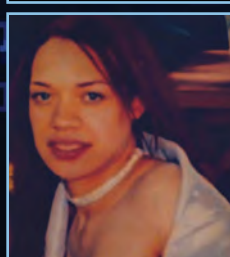
JAMES MINOR
AGE 35

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.



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.



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.



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.



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.



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.



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.



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.



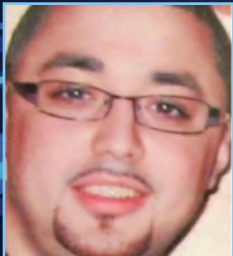
ROSARIO PRESTIGIACOMO
AGE 64

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.



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.



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.



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.



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.



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.



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 120-82 131 Street, South Ozone Park, 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 110 Squad or Crimestoppers.





SECTION IV

HARNESS THE POWER OF PARTNERSHIPS: BUILDING MEANINGFUL RELATIONSHIPS

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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

1,000 *public events*



COMMUNITY ENGAGEMENT BUREAU

The Community Engagement team **has expanded the reach, access, and exposure of the office under DA Katz's leadership, to populations not previously served.**

The bureau's Community Response Team (CRT) coordinators divide the borough according to police precincts and community boards. The CRT coordinators attend all Precinct Community Council, Community Board, Civic Association meetings, and participate with these groups when they have special events. In addition to attending these meetings, the CRT works closely with community stakeholders – including clergy, elected officials, violence interrupter organizations, civic leaders, all 17 Precincts and precinct Community Council leaders, 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.



SECTION IV: HARNESS THE POWER OF PARTNERSHIPS

BUILDING MEANINGFUL RELATIONSHIPS

CIVIC AWARENESS BUREAU

The Civic Awareness Bureau coordinates the Community Advisory Councils to the District Attorney, houses the Office of Immigrant Affairs, and operates all office-sponsored events, from criminal justice programs to cultural celebrations. Among the events organized in 2021 were two gun buy back events as well as the celebrations of Black History Month, Hispanic Heritage, Diwali, Women's History Month, LGBTQ+ Pride, and informational webinars on human trafficking, consumer protection, victims advocacy and domestic violence. The bureau also coordinated commemoration ceremonies in honor of Martin Luther King, Jr. Day, World AIDS Day, Veterans Day, and Memorial Day.

COMMUNITY ADVISORY COUNCILS

More than 600 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 the office of the District Attorney. The membership of each council varies from 40 to 90 individuals and are constantly evolving to meet community needs.

THE CURRENT COUNCILS INCLUDE:

- African American Advisory Council (62 members)
- Asian American Pacific Islander Advisory Council (63 members)
- Clergy Advisory Council (59 members)
- Jewish Advisory Council (65 members)
- Labor Advisory Council – Building and Construction Trades (61 members)
- Labor Advisory Council – Social Services (61 members)
- Latino Advisory Council (61 members)
- LGBTQ+ Advisory Council (64 members)
- South Asian/Indo Caribbean Advisory Council (85 members)
- Veterans Advisory Council (41 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.

OIA trains all the new Assistant District Attorneys, newly hired NYPD officers assigned to Queens precincts, as well as 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 **two gun buy back programs in 2021**. 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 public 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, five gun buy back programs sponsored by this office have **taken 325 guns off the streets** of Queens County.



YOUTH EMPOWERMENT BUREAU

The Youth Empowerment Bureau has impacted over 1,500 youth throughout the Queens community in 2021. The programs of the bureau are designed to teach school-aged children 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 Bureau was able to deliver many of their signature youth programs in addition to a few new offerings to continue to support youth 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 lawyers, judges, police officers and other criminal justice professionals.

STUDENT ADVISORY COUNCIL

The Student Advisory Council is designed to help high school students discuss the topics of law and current events as well as enhance their oral advocacy skills.

NeON SUMMER PHOTOGRAPHY PROGRAM

This program is a paid opportunity offered through the Neighborhood Opportunity Network that prepares participants to work as photographers.

BREAKING THE CYCLE

This is a small program that engages at-risk youth in Queens County and teaches them social responsibility, provides alternatives to drugs and crime, and encourages better decision-making.

PATHWAYS TO KNOWLEDGE PROGRAM

The Pathways to Knowledge Program has expanded the office's Star Track Program, which originally focused on the Far Rockaway community, to other targeted schools throughout Queens. This program works to connect young people with members of law enforcement, teaches social responsibility, provides alternative paths to development, and encourages better life choices.

SATURDAY NIGHT LIGHTS

In partnership with the New York City Department of Youth and Community Development and the New York Police Department, the office supports newly offered recreational programming for young people on Saturday evenings that is focused on youth development and violence prevention. The program is designed to not only provide a safe space for youth but to also improve the relationship between young people and law enforcement.

VIOLENCE PREVENTION AND YOUTH DEVELOPMENT GRANTS

The District Attorney strongly believes that **we cannot prosecute our way out of gun violence**. In order to ensure public safety, we must also continue to **provide meaningful programs and services** so that our youth can choose a path to education, employment, and success. As part of that effort, **DA Katz awarded grant funding to a total of 34 community-based organizations for the implementation of holistic violence prevention initiatives**.

QUEENS COMMUNITY VIOLENCE PREVENTION PROJECT

This initiative seeks to improve public safety and promote the fair administration of justice through the implementation of community-based violence prevention strategies. The goals of the project include increasing community engagement in anti-gun violence activities, strengthening community-led responses to violent incidents, developing better connections to support services, and enhancing positive relations with the police in order to reduce violent crime. The grants, totaling \$300,000, were awarded to six separate community-based organizations for the duration of the 2021 Fiscal Year which runs July 1, 2021 through June 30, 2022.

QUEENS YOUTH DEVELOPMENT AND CRIME PREVENTION PROJECT

This initiative aims to provide youth activities and wrap around services to help prevent crime and keep young people out of the criminal justice system. The goals of the program are to facilitate a collaborative and community-driven approach that will foster positive relationships between the community and law enforcement, reduce youth crime, improve self-confidence among young people, increase exposure to positive adult role models, as well as improve academic performance and school attendance. The total funding for the program, awarded to 28 separate community-based organizations, is anticipated to total \$2,750,000 over two years.



DA Katz joins the NYPD, city DAs, and elected officials to announce the expansion of the Saturday Night Lights program, which will operate at 17 additional locations in Queens County.



Members of the Youth Empowerment Bureau engage in games with young participants during a School Backpack Giveaway event.

OPIOID CRISIS: COMMUNITIES IN NEED

The District Attorney is keenly aware that the COVID-19 pandemic, which fueled a national drug abuse crisis, has hit us hard in the borough of Queens. In the summer of 2021, DA Katz issued a report that demonstrated **a staggering 49% increase in overdose deaths during the pandemic year of 2020 – data that echoes national trends for the same time period.**

Year to-date numbers for 2021 indicate **265** fatal overdose cases across Queens County. Those numbers are projected to increase as the Office of the City Medical Examiner works through a backlog of toxicology reports, and rise closer to 2020 levels.

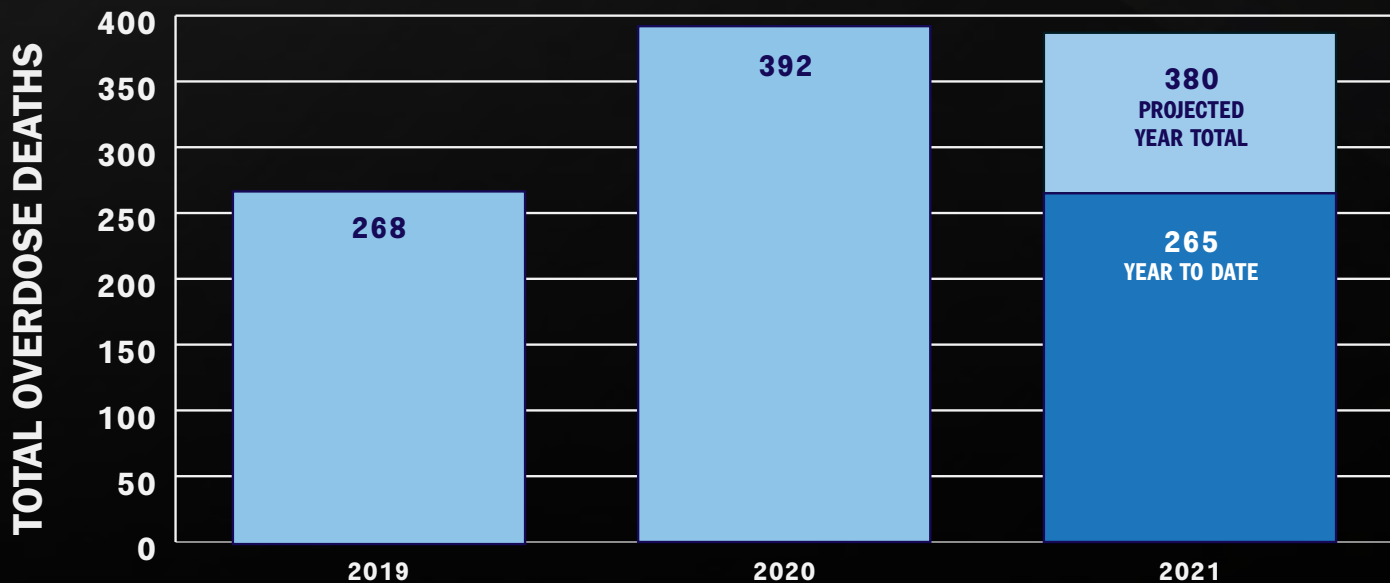
The overwhelming majority were attributed to **fentanyl - a dangerous, lethal drug** that is often mixed with other drugs or sold as pills without the knowledge of the buyer. To combat this dangerous trend, DA Katz continues to foster positive relationships in the community and has empowered Assistant District Attorneys to **provide avenues of support through specialized treatment courts.**

The office refers eligible participants for clinical assessment, where they receive recommendations for diverse treatment options that include educational, vocational, and home health services. Additionally, the office works closely with our community-based service providers including Samaritan Daytop Village, Elmcour Youth & Adult Activities, Inc., and the Cornerstone Treatment Facilities Network as well as others to offer expanded services that build on traditional prevention, treatment, and recovery programs.

Addressing this epidemic remains one of the greatest public health challenges facing current and future generations of Queens residents. DA Katz has committed to tackling this challenge head-on to ensure safety, fairness and most importantly – recovery – for those held hostage by their addictions.

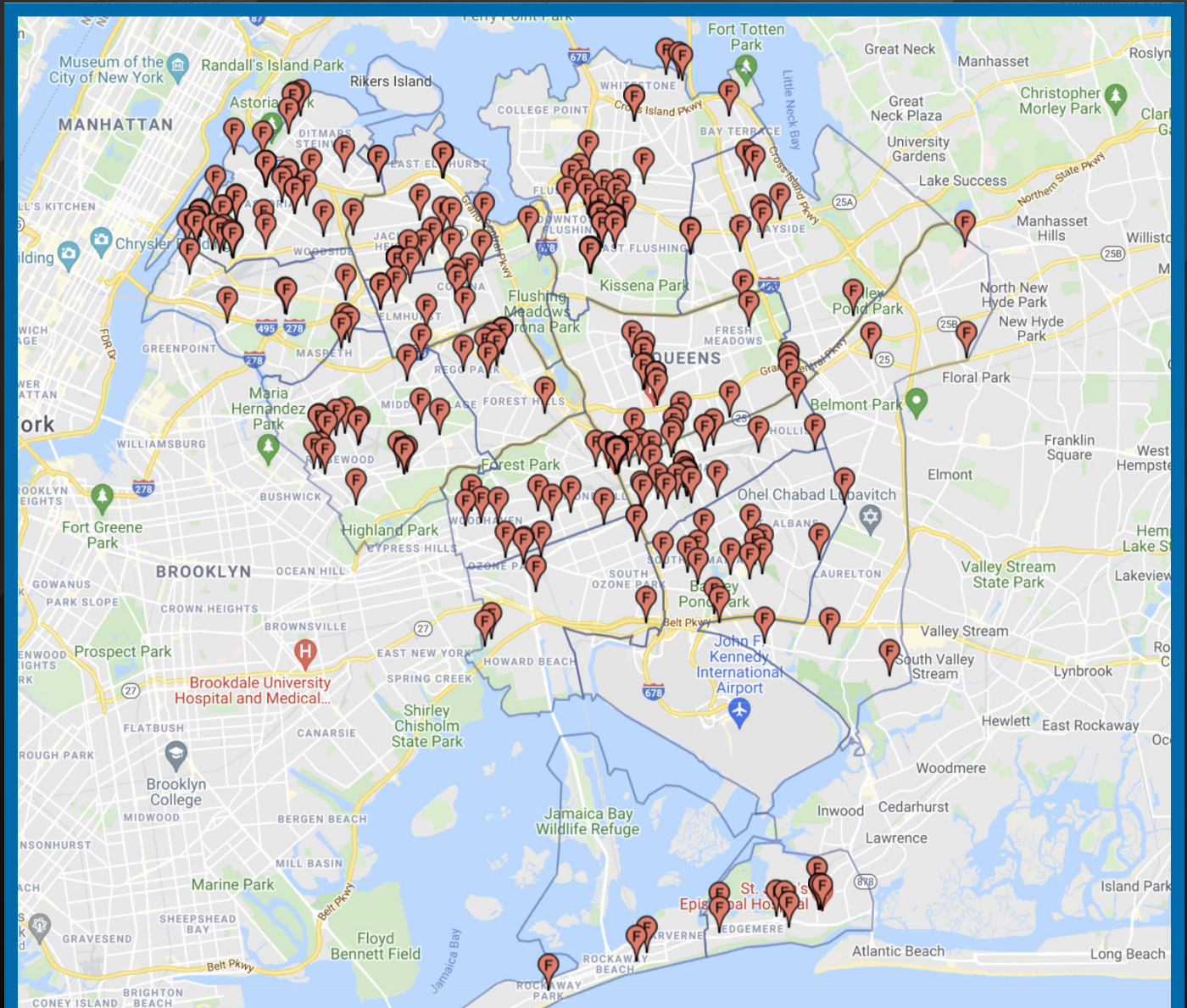
TOTAL NUMBER OF SUSPECTED DRUG OVERDOSE DEATHS IN QUEENS COUNTY

SOURCE: NYPD AND OCME DATA



QUEENS FATAL OPIOID OVERDOSES

THUS FAR, THERE ARE APPROXIMATELY 265 CONFIRMED FATAL OVERDOSES
THROUGHOUT QUEENS COUNTY,
AFFECTING VIRTUALLY EVERY NEIGHBORHOOD IN THE BOROUGH.



SOURCE: NYPD AND OCME DATA

In 2021 the District Attorney joined fellow District Attorneys and the city's health commissioner on an opinion piece that takes the position that **overdose prevention centers are an important tool the city of New York needs to continue to address the opioid epidemic**. DA Katz and the co-authors believe that the overdose prevention centers in New York City have already saved lives and will become a model for other cities to follow. The text of this opinion piece appears on the next page.

In just the first three weeks of operation these new centers have **averted at least 59 overdoses and prevented injury and death**. During the same time period these centers were utilized more than 2,000 times.

NEW YORK CITY'S NEW OVERDOSE PREVENTION CENTERS HAVE ALREADY SAVED LIVES. THE BIDEN ADMINISTRATION SHOULD GET ON BOARD.

WE ARE NEW YORK DISTRICT ATTORNEYS AND HEALTH OFFICIALS. HERE'S WHY NEW YORK CITY IS OPENING SITES FOR PEOPLE TO SAFELY USE DRUGS.

BY DARCEL CLARK, CY VANCE, ERIC GONZALEZ, DAVE A. CHOKSHI, MELINDA KATZ

POSTED ON DECEMBER 15, 2021

Two weeks ago, New York City became the first city in the nation to open two overdose prevention centers, located in Manhattan. Already, 25 overdoses have been averted — 25 people who are alive today thanks to these centers. Now we are calling on the Biden administration to formally authorize overdose prevention centers in the US.

Overdose prevention centers are supervised, hygienic spaces for people who use drugs to do so safely, while also providing harm reduction, physical health, and behavioral health services.

Every neighborhood in every community has experienced the tragedy of the overdose epidemic. Nationally, over 100,000 Americans died of an overdose between April 2020 to April 2021. In New York City, 2,062 people died of an overdose in 2020, the highest number of deaths since reporting began 20 years ago. The spread of fentanyl — a dangerous, synthetic opioid 80 to 100 times stronger than morphine and the primary driver of the rise in overdoses — exponentially increases the need for even more overdose prevention innovation.

Thirty years of research conducted across 100 sites on three continents has demonstrated the efficacy of overdose prevention centers. There has never been a single overdose death at any site. Participants are provided with basic human needs day after day: a smile, a sandwich, or a shower. Over time, trust is built between participants and clinical staff, which leads to participants beginning substance use disorder treatment and referrals to healthcare and other social services.

In addition, research shows overdose prevention centers reduce public drug use, syringe litter, and drug-related crime in surrounding neighborhoods. They can also function as safe havens for women who use drugs, reducing violence against women associated with street-based substance use.

We believe the overdose prevention centers in New York City will be a model for other cities to follow.

Biden recently embraced harm reduction, becoming the first president to include it in his drug policy priorities.

In another first, Congress appropriated \$30

million in the American Rescue Plan to be provided to state, local, and tribal governments and organizations for overdose prevention and harm reduction services.

State governments are also supporting the approach, with Rhode Island legalizing a two-year pilot of overdose prevention centers and other states introducing bills supporting the operation.

This is not enough. Significant legal obstacles to widespread operation of overdose prevention centers remain, and the Biden administration has the power to remove them.

Currently, a federal law, the Controlled Substances Act, states that it is illegal to operate, own, or rent a location for the purpose of using illegal substances. In April, New York joined San Francisco, Oakland, Philadelphia, Pittsburgh, and Somerville, Massachusetts, in a letter to Attorney General Merrick Garland requesting he deprioritize enforcement of the Controlled Substances Act against overdose prevention centers. But so far, no action has been taken.

The Department of Justice can also issue a memorandum to federal law enforcement to not prosecute the operators of overdose prevention centers in states and localities that have authorized or supported them.

Last year, an average of 275 Americans died of a drug overdose every day. It is time to embrace bold strategies in the face of public health crises, even if they may seem radical at first. Thirty years ago, in the midst of the HIV/AIDS epidemic, New York City activists started one of the first syringe service programs in the country and, as a result, reduced HIV transmission among people who inject drugs, averting countless deaths.

We urge the Biden administration to endorse overdose prevention centers, empowering state, and local jurisdictions to fully leverage their resources and authority to build healthier and safer cities, towns, and communities.

Dr. Dave A. Chokshi is the Health Commissioner of New York City. Darcel Clark is the Bronx District Attorney, Eric Gonzalez is the Brooklyn District Attorney, Melinda Katz is the Queens District Attorney, and Cy Vance is the Manhattan District Attorney.

PROFESSIONALS OUT IN THE COMMUNITY

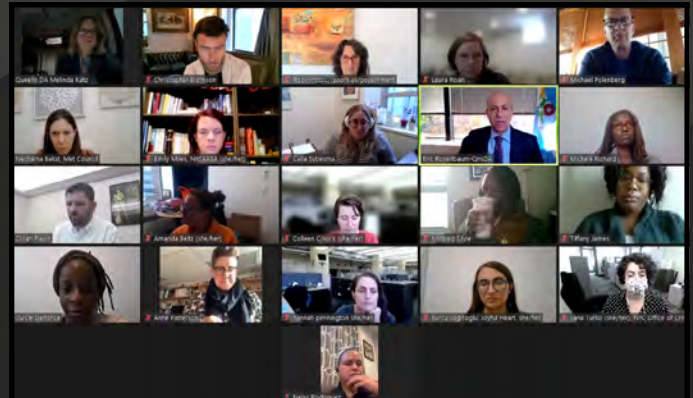
Assistant District Attorneys have made it a priority to emphasize **DA Katz's vision of community-based prosecution by engaging with members of the public** on awareness campaigns, fraud prevention town halls and crime victim advocacy programs. These outreach efforts are an integral part of the District Attorney's overall focus on raising awareness and educating the public so that they can avoid being the victim.

In 2021, staff **presented at more than 50 public events** on the resources available through this office, to avoid scams and frauds and for accessing services offered to victims of crime.

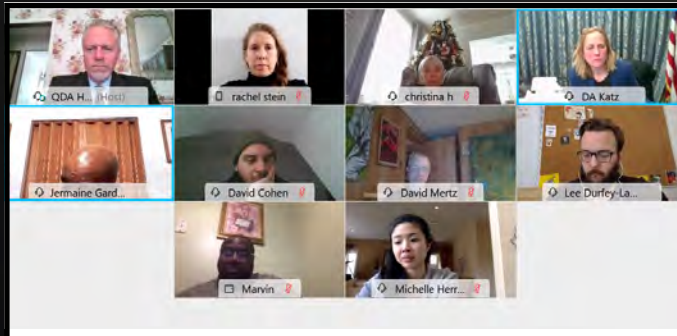
Prosecutors have embraced the mission and delivered vital information to the community as seen in the following:



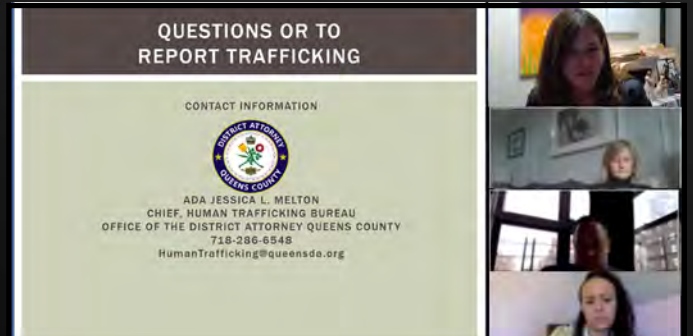
Elder Fraud Section Chief Christine Burke presented on scams targeting senior citizens during a public forum organized by the Visiting Nurse Service of New York, the NYPD, and the NYC Commission on Human Rights.



Special Victims Bureau Chief Eric Rosenbaum presented to the Downstate Coalition of Crime Victims on the trauma-informed interviewing techniques prosecutors utilize to engage with victims of sexual assault.



Housing and Worker Protection Bureau Chief William Jorgenson presented to members of the DA's Labor Advisory Council on the types of crimes we investigate related to workplace safety violations and real estate scams.



Human Trafficking Bureau Chief Jessica Melton presented on this office's victim-centered approach to human trafficking prosecutions as part of the 2021 NYC Child Sex Trafficking Conference.



Hate Crimes Bureau Chief Michael Brovner participated in a seminar on Combatting Anti-Asian Hate Crimes, co-sponsored by Congresswoman Grace Meng, Senator John Liu, and Council Member Peter Koo.



Frauds Bureau Chief Joe Conley and DA Katz joined with the Hillcrest Jewish Center and spoke to members about how to avoid being victimized by trending scams and schemes.





SECTION V

NEVER LOSE SIGHT OF THE HORIZON: PROVIDING ACCOUNTABILITY AND TRANSPARENCY

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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, the LEOW 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 this past year include:

- In ***People v. Jason Bohn***, a Columbia Law School graduate who was convicted of first-degree murder and other related charges and sentenced to life without parole after he beat, tortured, and strangled his girlfriend to death in their apartment in Astoria.
- In ***People v. Rafael Rodriguez***, the defendant was convicted of first-degree manslaughter, bail jumping, and other offenses after he killed his girlfriend, disposed of her body, which was never found, and fled the country. He was extradited years later.
- In ***People v. Elizabeth Grant***, the defendant was convicted of 54 counts of animal torture and failing to provide food for an animal after the police removed 60 animals from her home that were living in filth and in various stages of ill-health.

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 2021, the courts sealed thirty-six 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 2021, the unit responded to over 600 FOIL requests, providing the public with access to thousands of pages of documents.

POLICE DISCIPLINARY RECORDS: THE LEOW UNIT

The Law Enforcement Officer Witness Unit (known as the LEOW Unit) is devoted to complying with the District Attorney's obligation to disclose evidence of alleged misconduct by members of law enforcement agencies who will become prosecution witnesses. The District Attorney has a legal and ethical obligation to inform the lawyer for the accused of any misconduct our witnesses may have committed in the past that could have an impact on the credibility of the witness's testimony.

The LEOW Unit gathers information from various sources, such as the NYPD Internal Affairs Division and the Civilian Complaint Review Board, compiles the relevant information into a disclosure letter, and provides it to the prosecutor assigned for disclosure to the defense.

The LEOW Unit is supervised by experienced prosecutors who also provide legal advice and guidance to the office's trial prosecutors in **meeting their disclosure obligations** and preparing such matters for litigation.

IMMIGRATION SPECIALIST

For 2021, the Immigration Specialist fielded over 100 inquiries office wide that included advising ADAs about:

- the immigration impact of potential offers available during the plea bargain process;
- correspondence with Immigration and Customs Enforcement (ICE);
- policy inquiries;
- documentation submitted by immigration defense attorneys regarding pending applications in immigration court or before U.S. Citizenship and Immigration Services (USCIS);
- providing research on immigration matters;
- changing immigration laws and policies;
- U and T non-immigrant visas;
- issues surrounding clemency and pardons.

In 2021, the District Attorney has authorized twenty-seven applications to replead involving convictions that have significant immigration consequences.

The applications presented to the District Attorney include 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 personally with the District Attorney.

Some highlights include individuals with violations or infractions who were in danger of losing or had lost their status as **Deferred Action for Childhood Arrivals (DACA) recipients** and individuals who committed marijuana-related offenses in the 1980s and early 1990s. However, the **life changing impact** of the District Attorney's discretionary action cannot be overstated—in all cases defendants were either able to avoid removal by immigration authorities, provided with an opportunity to qualify for a green card, or an opportunity to apply for relief in immigration court.

CONVICTION INTEGRITY UNIT

Establishing **Queens' first Conviction Integrity Unit (CIU)** is 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 work of the CIU in 2021 has led to the dismissal of 60 cases in which the convictions against the defendants were based on the police work of three former New York Police Department (NYPD) detectives who were later convicted of various crimes. This motion was filed jointly with defense attorneys who earlier last year raised questions about the reliability of such convictions in a letter to all New York City District Attorneys. The office could not stand behind a criminal conviction where the essential law enforcement witness has been convicted of crimes which irreparably impair their credibility. Vacating and dismissing these cases is both constitutionally required and necessary to ensure public confidence in our justice system.

*"When we find miscarriages of justice,
we do everything in our power to correct them quickly."*

- District Attorney Melinda Katz

162

Cases submitted
to the
Conviction Integrity Unit
for review

7

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

21

Submissions reviewed
and closed by the
Conviction Integrity Unit

60

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

QUEENS DISTRICT ATTORNEY FILES JOINT MOTION WITH DEFENSE TO VACATE CONVICTION IN MURDER & ATTEMPTED MURDER CASE AND RELEASES A MAN INCARCERATED FOR 32 YEARS

PRESS RELEASE-AUGUST 9, 2021

The District Attorney filed a joint motion with the defense to vacate the conviction of a man who has been incarcerated for 32 years for the murder of Lloyd Witter and attempted murder of Jomo Kenyatta. This motion is based on newly discovered witnesses and evidence which contradict significant aspects of the trial testimony used to convict the defendant.

DA Katz said, "I am committed to the fair administration of justice. In that pursuit, my office seeks to ensure that those who are guilty face appropriate consequences and those who have been wrongfully convicted are exonerated. Vacating this conviction emphasizes the fact that although these cases are difficult and strenuous to investigate, my Conviction Integrity Unit will do everything it takes to ensure that the right and just result is reached."

According to court records, on March 16, 1989, Lloyd Witter and Jomo Kenyatta were shot multiple times at a home in Jamaica, Queens resulting in Witter's death and Kenyatta's permanent confinement to a wheelchair. Paul Anderson lived at the house and was found by the police outside, bound with telephone wire and handcuffed, and in close proximity to Witter's body.

Anderson and Kenyatta identified the defendant, a close friend of Witter's, as one of the shooters and the ringleader of the group.

After his arrest, police found no forensic or ballistic evidence linking the defendant, whose alibi was corroborated by his girlfriend, to the shooting. There was also no DNA or fingerprint evidence linking the defendant to the shooting.

The defendant was tried, convicted and sentenced to 43 and 1/3 years for the crime based solely on the testimony of those two witnesses.

The defendant, at the time a recent college graduate and honors student with no criminal record, testified at trial that he was not involved with the shooting.

He submitted his case for re-investigation to the Queens County District Attorney's Office in 2013 and 2018, but the convictions were left unchanged.

DA Katz's Conviction Integrity Unit (CIU) began its investigation in April 2020.

According to the motion to be filed in Court,



CIU's investigation uncovered new evidence that would have changed the outcome of the trial.

DA Katz said, "During the Conviction Integrity Unit's investigation, prosecutors and seasoned homicide detectives personally interviewed over thirty witnesses in different states and countries, painstakingly reviewed countless files, and conducted a thorough re-examination of the crime scene. This case, and the dedication of the CIU and the expeditiousness with which they conducted this investigation, exemplify that we are not so arrogant to think that the system doesn't make mistakes. When we find miscarriages of justice, we do everything in our power to correct them quickly."

Under the standard articulated in C.P.L. § 440.10 (1) (g), the new evidence requires that this conviction be vacated. DA Katz stated, because the evidence no longer supports a credible case against the defendant, we will dismiss the indictment in the interests of justice.

FORENSIC SCIENCE SPECIALIST

In 2020, DA Katz created the position of Forensic Science Specialist to support the forensic investigation and litigation related to nearly all criminal prosecutions at the Queens District Attorney's 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;
- collaborates with the Conviction Integrity Unit and the Cold Case Unit;
- handles all complex Frye litigation relating to reliability and relevancy of expert witnesses.

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.

In 2021, the Cold Case Unit collaborated with the Forensic Science Specialist to submit New York State Familial DNA and investigative genetic genealogy applications to solve cold case homicides and sexual assaults.

Additionally, for Conviction Integrity Unit reviews, the Forensic Science Specialist has facilitated the testing, and re-testing, of DNA and latent fingerprints, to help resolve decades-old cases.



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 Investigations, the New York Port Authority Police, and other agencies on a state and federal level to safeguard the public from corruption.

In 2021, the Public Corruption Bureau investigated allegations of:

- criminal acts committed by police officers and law enforcement, and handled 11 arrests of law enforcement officers, including for the use of excessive force;
- wrongdoing by licensed, suspended, or disbarred attorneys, unauthorized practice of law;
- criminal impersonation of public officers;
- election fraud;
- perjury.



OFFICE CONTACTS

CALL THE QUEENS DISTRICT ATTORNEY'S OFFICE

General Number	718.286.6000
24 hour Hotline	718.286.6580
Case Information	718.286.6000
Community Partnerships	718.286.6400
Communications	718.286.6315
Consumer Fraud Helpline	718.286.6673
Computer Crimes Unit	718.286.6590
Crime Victim Advocate Program	718.286.6812
24/7 Domestic Violence 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
Work at the Queens DA's Office	Career@queensda.org

Visit our website at www.queensda.org



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