



JUSTICE NEWS

THE BROOKLYN DISTRICT ATTORNEY'S OFFICE NEWSLETTER

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Landlords Charged for Harassment of Tenants



DA Thompson stands with families that were allegedly harassed by their landlords in Bushwick

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Brooklyn's booming real estate market has brought prosperity and prestige to the borough in recent years – but also attracted unscrupulous landlords and con artists who try to make a buck by committing crimes against renters and homeowners. Under District Attorney Ken Thompson, such illegal activity will not be tolerated and these acts will be the target of criminal investigations, even if they were previously the subject of civil proceedings.

On April 16, 2015, two landlords were indicted for unlawful eviction, burglary and other crimes for allegedly trying to harass and intimidate residents out of their rent-stabilized apartments by making the units unlivable – a rare and groundbreaking prosecution that is being applauded by housing advocates and elected officials.

The accused owners – brothers Joel and Aaron Israel – allegedly went to shocking lengths in working to empty homes in Bushwick, Greenpoint and Williamsburg so they could charge much higher market-rate prices. Tenants of 98 Linden Street, according to the indictment, were forced to live without a kitchen or bathroom for 18 months after the walls and floors were destroyed in the guise of making renovations.

A tenant of another building, at 324 Central Avenue, returned home from a doctor's appointment in February 2014 to find part of her home demolished and a New York City Marshal blocking the entrance. It is alleged the defendants filed work permits with the Department of Buildings falsely claiming the building would be unoccupied at the time of the construction project.

In other instances, the Israel brothers allegedly used other unsavory tactics, like hiring a so-called security guard who intimidated residents or leaving holes in apartment walls, exposing tenants to rats and other critters inside their homes. Many of the complaints about the 10 buildings the defendants own have been litigated civilly, resulting in some relief – but little justice – for the victims.

"It is time for law enforcement to step up," DA Thompson said during a press conference announcing the arrests. "We can no longer let these matters linger in Housing Court."

One of the tenants, Noelia Calero, told the New York Times, "We're overwhelmed with joy that finally they are going to get what they deserve."

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A Message From Brooklyn DA Ken Thompson



It is my privilege to welcome you to the summer edition of the Brooklyn District Attorney's Office newsletter, *Justice News*. Here you will find articles about just some of this office's achievements over these past few months. From obtaining convictions and lengthy prison sentences against defendants who attacked police officers to combating fraud committed by criminal landlords and health care workers, my staff has remained vigilant in its mission to keep the people of Brooklyn safe from that which threatens them most.

My office's principal priority remains the prevention and aggressive prosecution of violent crime. Sadly, too many of our children are still falling prey to acts of indiscriminate bloodshed. Too many of our communities are still hostage to the acts of a small group of criminals and gang members. In this edition of *Justice News*, you will find an article that highlights my office's successful prosecutions of one man for a quadruple shooting during a basketball tournament in Bedford-Stuyvesant, which left one 18-year-old boy dead and another 13-year-old paralyzed, and of another man for the shooting death of a 15-year-old boy in a Flatlands school yard. In both instances, it was an inter-gang and inter-crew rivalry that played a part in stoking the flames of violence and ultimately murder.

Senseless and devastating acts like these have led me to reshape how the Brooklyn District Attorney's Office fights gang related violence. First, I established a Violent Criminal Enterprises Bureau (VCE). Second, I created a Crime Strategies Unit (CSU) – an innovative department that uses advanced intelligence gathering techniques to identify and target Brooklyn's most dangerous repeat violent offenders.

When I assumed office as your Brooklyn DA, I inherited a Major Narcotics Investigations Bureau and a Gangs Bureau, each often working in silos and targeting the same violent criminal networks. I eliminated this inefficiency and merged these two units to establish VCE. In less than a year, VCE has done some outstanding work. For one, through two long-term investigations conducted with the NYPD, it has seized over 300 weapons trafficked from out of state. VCE has also been instrumental in over 70 arrests of major gang members, many of whom were responsible for serious acts of violence and drug trafficking. Lastly, VCE has been responsible for takedowns of the Gates Avenue Mafia, the Latin Kings, and a cocaine delivery ring that was operating in Downtown Brooklyn.

The Crime Strategies Unit, alongside VCE, has also done significant work since its establishment last year. Many people do not realize that acts of violence in Brooklyn, especially gun violence, are perpetrated by a very small group of people. These individuals, known as drivers of crime, repeatedly cycle through the criminal justice system for a myriad of offenses. The Crime Strategies Unit has developed an arrest alert system that notifies the Brooklyn DA's Office whenever one of these individuals is arrested or comes into contact with the police. This provides my office with the opportunity to question these individuals, and, when appropriate, prosecute them to the fullest extent of the law. We must never forget that a very small subset of our population is responsible for violent crime, not entire communities. I intend to continue my office's effort to take these violent recidivist criminals off Brooklyn's streets without alienating the majority of Brooklyn's residents who are law-abiding citizens just trying to go about their day.

Together, VCE and CSU represent a way in which we can fight violent crime in an efficient, strong and just manner. My staff and I remain committed—now more than ever—to continuing this effort. In the case of the guns smuggled into our neighborhoods, we will not stop at Brooklyn's borders in our fight to bring weapons traffickers to justice. In addition, we will continue to aggressively seek to identify and prosecute violent criminals.

With the summer months upon us, as our children play in the streets and our loved ones congregate outside, these programs to fight violent crime become even more important. I urge every Brooklyn resident to remain vigilant and to report any crime or knowledge of any gang activity to either the NYPD or the DA's Action Center.

Thank you again for giving me and my staff this opportunity to serve you. We wish you a safe and rejuvenating summer.

Zero Tolerance in Dealing with Violence Against Police Officers

Under DA Thompson, violent attacks against police officers will not be tolerated, with offenders getting prosecuted to the fullest extent of the law and receiving lengthy prison sentences upon conviction.

The dangers faced by city cops have come into sharp and tragic focus with the deaths of three NYPD officers over the past months – Officers Wenjian Liu and Rafael Ramos in December 2014 and Officer Brian Moore in May 2015. These wanton and senseless killings highlight the importance of an unwavering commitment to protect those who risk their lives when protecting the public.

A zero tolerance approach in prosecuting assaults against police personnel manifested itself in a number of recent cases.

A man who fired at five police officers from the Emergency Service Unit, wounding three of them, was sentenced on May 22, 2015 to 110 years to life in prison. The cops responded to the scene on Easter Sunday of 2012 after Nakwon Foxworth, 36, barricaded himself inside a Sheepshead Bay apartment with his girlfriend and their 10-month-old son. Text messages he sent during the standoff showed he was unwilling to go back to prison. Homicide Bureau Chief Kenneth Taub pointed to that evidence when arguing for a lengthy term of imprisonment that will ensure the defendant “will never be out, free with civilized people, and never have that choice whether to submit to authority.”

A desire to avoid returning to jail come hell or high water – to the point of shooting at police – was a central motive for Jerry Benoit, 33, who was sentenced on January 16, 2015 to the maximum allowable sentence of 40 years in prison for two separate assaults

on police officers. In September 2011, he was stopped for acting suspiciously, opened fire at two cops, then led the authorities on a chase that ended with a gun battle with another group of officers. “This case underscores the dangers our police officers face every day during the course of their shift,” DA Thompson said after the trial.



Courtesy of John Taggart

City cops face peril even when off duty and the DA’s Office is also seeking justice for them. In March 2015, four 17-year-old teens were indicted for allegedly attacking two police officers outside their Bensonhurst home, simply because the cops asked them to stop making a racket late at night. After the officers identified themselves, defendant Joseph Nacmias allegedly responded by saying, “I’ll kill a cop. A cop is going to die tonight,” according to the indictment. Also arrested in the case and charged with assault were Jason Chalhoun, Vito Morgera and Michael Peterson.

Cracking Down on Medicaid Fraud

“Sneakers, Shoes or Boots! Sneakers, Shoes or Boots, today!” bellowed Bernard Rorie, the accused chief recruiter in a nearly \$7 million alleged Medicaid mill that was taken down on March 31, 2015 after a two-year investigation. Rorie and 22 other defendants – including nine doctors – were busted on a 199-count indictment for preying on low-income and homeless people by offering them free footwear in exchange for unnecessary medical tests and treatments that were fraudulently billed to insurance companies.

“These defendants allegedly exploited the most vulnerable members of our society and raked in millions of dollars by doing so,” DA Thompson said when announcing the arrests. “The many poor people who were allegedly targeted at homeless shelters, welfare offices and soup kitchens and referred to as ‘guinea pigs’ by the defendants were exploited for hours, if not days, just because they needed a pair of shoes.”

The investigation began in July 2012 after a Brooklyn resident reported her concerns to the DA’s Action Center. She said she was approached by recruiters and taken to one of the clinics, where she met with a podiatrist and was given a knee brace and sneakers. When she said she did not need the knee brace, she was told she had to take it to get the sneakers.



DA Thompson and law enforcement personnel announce the arrest of 23 defendants

The mastermind of the alleged scheme, Eric Vainer, 43, and his mother who was second-in-command, Polina, 66, hired recruiters to scout victims in the Bronx, Brooklyn, Manhattan and Queens and send them to podiatrists for the free footwear – if they had Medicaid, Medicare or a Medicaid-managed health care organization carrier.

The doctors arrested allegedly performed unnecessary exams on the unsuspecting patients and billed the medical providers.

Securing Long Prison Sentences for Gun Violence



"Shooting and killing people on the streets of Brooklyn will not be tolerated," says DA Thompson

Combating gun violence remains DA Thompson's top priority with this pervasive problem being fought on several fronts. Proactively, the Crime Strategies Unit works to identify and specifically target individuals who are responsible for many

of the shootings in Brooklyn, while the Investigations Division continues to go after illegal firearm smugglers and sellers.

When someone does fire a gun and kills, maims or wounds others, the DA's Violent Criminal Enterprises Bureau makes sure that that person is dealt with harshly and spends many years behind bars, far away from the streets of Brooklyn.

On March 18, 2015, Brandon Reese, 21, was sentenced to 47 years to life in prison for shooting up a basketball tournament in Bedford-Stuyvesant's Marcy Houses to settle a dispute between gang members. The July 2013 gun fire killed 18-year-old Mario Lopez

and wounded two 13-year-old boys and a 15-year-old. The lengthy punishment "should serve as a warning that shooting and killing people on the streets of Brooklyn will not be tolerated," DA Thompson said after the sentence was imposed following a jury trial.

A basketball court was the scene of another tragic and senseless shooting, this one in July 2011. Again, the motive was score-settling between rival gangs and, again, a young teen lost his life. On March 11, 2015, Vincent Adeyeye, 20, was sent to prison for 40 years to life for that crime, which killed Dequan Mercurius, 15, as he was playing hoops in a Flatlands schoolyard. The shooting also wounded a 13-year-old boy.

Robbery was behind a May 2013 incident that left a hard-working father paralyzed from the waist down – and led its perpetrator to be sent to prison for 25 years. Patrick Day, 25, was sentenced on January 18, 2015 for an armed home invasion at the Tompkins Houses in Bedford-Stuyvesant during which he fired at Giovanni Baptiste, 26, five times.

Those who commit acts of violence in Brooklyn, especially using guns, should expect to spend much of the remainder of their lives locked up in a cell. DA Thompson remains committed to eradicating violent gangs, drug dealers and organized criminal groups from our streets to keep our communities safe.

Gun-Running Investigation Prompts Security Improvements by the TSA

A gun smuggling investigation by the Brooklyn DA's Office that revealed stunning breaches in airport security has led to enhanced safety procedures throughout the nation's airports. On April 20, 2015, Homeland Security Secretary Jeh Johnson announced that the Transportation Security Administration (TSA) will tighten its rules following an indictment that revealed how 153 firearms were shipped from Georgia to Brooklyn aboard 17 Delta flights.

After a 90-day review, requested by United States Senator Chuck Schumer, who appeared in a joint press conference with DA Thompson on Capitol Hill in January, the TSA implemented a number of immediate actions. The agency established "real time" background checks on all aviation workers, relying on finger print-based criminal history; it required airline and airport employees traveling as passengers to go through TSA security; it reduced the number of access points to secured areas; and it increased randomized screenings of employees.

The need of these measures became glaringly obvious after five men were charged with a conspiracy to sell weapons. The accused gun runner allegedly received the firearms inside passenger terminals from a Delta employee who was able to bypass TSA checkpoints. The suspect then allegedly traveled with the dangerous weaponry, including AR-15 and AK-47 assault rifles, inside his carry-on luggage onboard commercial airplanes, back to

Brooklyn. The scheme ran from May to December 2014, according to the indictment.

DA Thompson praised Secretary Johnson's decision to add security enhancements and said, "His swift action to address the problems found at various airports as a result of a gun-trafficking investigation by my office is necessary to ensure the safety of passengers, flight crews and employees."

Senator Schumer called the TSA's response "a significant first step to closing the gaping loopholes in airport security."

The case is a shining example of how a local law enforcement objective – in this case ending gun violence in Brooklyn by stopping illegal smugglers – can have policy ramifications that improve the safety of all Americans.



Investigation by DA Thompson's Office found 153 firearms that were smuggled aboard Delta flights



Reclaim

Traffic Justice

Brooklyn District Attorney Kenneth P. Thompson

As Brooklyn District Attorney, Ken Thompson is determined to make New York City's streets safe and just. Reclaim sat down to discuss how he thinks that change is going to happen, what inspired him to get involved and where the fight for livable streets is going.

What put this issue on your radar?

I'll tell you what put it on my radar. There was an incident in November of 2013 in my neighborhood. It involved a young child named Lucian Merryweather. He was only nine. It was November. It was a Saturday. It was a clear day. It was a beautiful day. He was walking down the street with his mother and his five-year-old brother. They were on the sidewalk near DeKalb Avenue. A man named Anthony Byrd ran him over and killed him.

I have a daughter who is ten and a son who is eight. I felt for the parents of Lucian Merryweather. And so I believe that we can do better as a borough and a city in making our streets safer.

I met with Lucian Merryweather's parents after I took office. It might have been January of 2014. It was shortly after I took office. No matter what I said to them, they were inconsolable. I will never forget that meeting—just like when I met with the father of Mohammed Uddin, the 14-year-old brilliant young boy from Brooklyn Tech, who was killed in November of 2014.

I believe there's a greater role for district attorneys to play in keeping our streets safe. I think that, in the past, some have argued that when these incidents happen, they're an accident. Quite often, the victim is blamed for the incident without a real full-blown investigation. I think we need to change that. That is what motivated me as a father, as a concerned citizen and as the D.A. That is what prompted me to act.

And then I had Council Member Brad Lander, who I have great respect for, reach out to me. He brought Mohammed Uddin's father to see me. Mr. Uddin cried through that whole meeting. Brad and I had some follow up conversations about what we could do. The takeaway was that we should bring folks together—safety advocates, members of the NYPD, members of my office and others—to see if we could do better in Brooklyn. That's what we're trying to do with the Driver Accountability Taskforce we created.



Could you tell us a bit more about the Taskforce?

We had a preliminary meeting at the end of last year—a small meeting with Council Member Lander and just a few folks. Families for Safe Streets and Transportation Alternatives were there. At that meeting, I suggested we have a sort of summit; that we should have more people around the table. I said let's plan it, let's do it, let's bring the stakeholders together. We had our first meeting about a month ago. It was well attended. We had people from probation. Judge Calabrese from Red Hook was there. We had so many folks at the table and some of my top executives were there—Eric Gonzalez, my second in command. The goal is to see how we can come together to prevent these tragedies from happening, and to figure out how we, and the court system, can prosecute these cases and work on restorative justice models. In the Lucian Merryweather case, no matter what sentence the defendant got, that family will never be the same. I do think that we can do better as prosecutors in terms of helping families of victims heal. A sentence is not solely the answer. Quite often they want to know why. They want people to know what the defendant's actions meant; how they impacted a family. We're having those discussions.

To read the full profile of DA Thompson, log on to BrooklynDA.org.

Brooklyn DA Announces Promotions to Top Positions

DA Thompson elevated two veteran prosecutors to important supervisory positions in recent months: Trish McNeill became Deputy Chief of the Investigations Division and Kin Ng was promoted to Chief of the Immigrant Fraud Unit.



ADA Trish McNeil

Ms. McNeill brings with her two decades of investigative and prosecutorial experience at the Office, from homicides to larceny schemes. She twice worked with federal authorities on high-profile mob investigations, bringing down members of the Lucchese crime family for murders, loansharking, and gambling and also securing RICO convictions against leaders of the Cuban

Mafia. She successfully prosecuted the infamous “Bones Case,” which involved illegal harvesting of diseased parts from hundreds of cadavers for transplants into human beings. The case led to changes in regulations governing tissue harvesting, transplants, and the funeral industry.

Together with Chief William Schaeffer, she is now leading one of the premier investigations divisions in the country, which has brought indictments against alleged gun traffickers, doctors charged with running a Medicaid scam and landlords who allegedly tried to illegally evict tenants, among others cases.



ADA Kin Ng

Mr. Ng joined the DA’s Office in 1991 and has since acquired extensive experience as Domestic Violence Bureau Chief, Director of Training for the Office’s 500-plus Assistant District Attorneys and, most recently, as Deputy Chief for Felony Trials at the Orange Trial Zone.

A Hong Kong native, who immigrated to New York as a child, Mr. Ng has first-hand knowledge of the challenges in adapting to a new country. He has maintained strong connections to the Asian American community and is very active on numerous national and local prosecutors’ associations.

This background makes him an excellent fit to helm the Immigrant Fraud Unit, which was created in 2014 to focus on underreported and difficult to prosecute crimes that mostly target undocumented individuals. Under his leadership, an alleged fake lawyer was indicted in early June for immigration assistance services fraud – the first time a prosecutor’s office utilized this new criminal statute, which went into effect only four months earlier.

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Public Advocate Tish James noted that the accused defendants are not alone and that “this kind of disgusting behavior is happening more and more.”

Advocates praised the DA for taking a strong action against those who are often dubbed “slumlords.” “To those landlords, breaking the law is just the cost of doing business,” said Adam Meyers of Brooklyn Legal Services Corp.

With these indictments, that potential cost has become exponentially higher and the charges sent a message to other landlords that they will not get away with illegally driving their tenants out of rent-protected apartments to make a profit.

They also affirmed the DA’s determination to prevent any unlawful abuse of Brooklyn’s lucrative real estate market.



DA Thompson announces the arrest of dishonest landlords in Bushwick

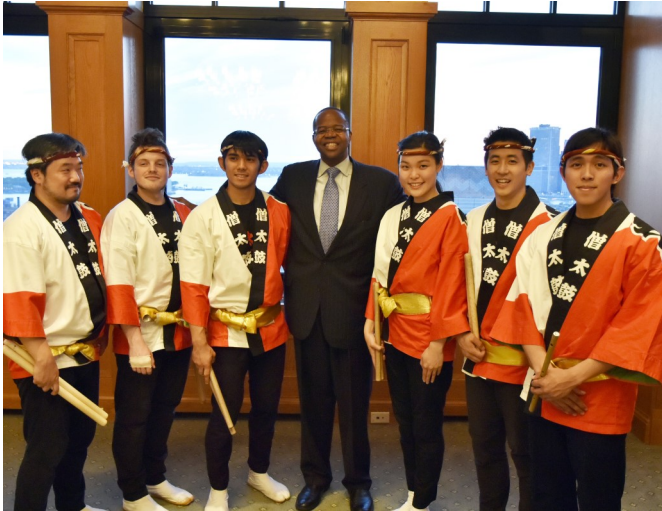
Charges against two Long Island men in connection with stealing nine homes by illegally transferring titles serves as another example of that commitment.

Danny Noble, 45, who was assisted by Romelo Grey, 37, allegedly honed in properties in Brooklyn and Queens which owners rarely visited. After transferring the deeds, they ran various scams to cash in on them, according to the indictment, renting some homes and selling others.

“The houses targeted in this fraud are worth millions of dollars,” DA Thompson noted.

With such housing prices, the incentive for scammers is written on the wall and so the DA’s Office will remain aggressive in investigating and prosecuting those who criminally take advantage of the housing market and victimize Brooklyn residents.

Community Engagement



DA Thompson with the Soh Daiko Japanese Drummers



DA Thompson supports a women's empowerment initiative in Downtown Brooklyn



DA Thompson visits a bakery in Williamsburg that makes hand-made matzoh for Passover according to the Hasidic tradition



DA Thompson with the talented cast and members of Moving Mountains Inc. at Uncommon Charter High School in North Crown Heights



DA Thompson and Chief ADA Eric Gonzalez enjoy a cultural dance performance during the Office's Hispanic Heritage Month celebration

USEFUL NUMBERS

In Case of Emergency—Call 911

Main Number for NYC: 311 or (212) NEW-YORK

DA's Action Center Hotline: (718) 250-2340

Red Hook Community Justice Center: (718) 923-8200

Domestic Violence Bureau: (718) 250-3300

Elder Abuse Unit: (718) 250-3309

Human Trafficking Bureau: (718) 250-2770

Immigrant Fraud Hotline: (718) 250-3333

Labor Frauds Unit Hotline: (718) 250-3770

Public Integrity Unit: (718) 250-2747

Teen Dating Violence: (718) 250-2463

New York City Family Justice Center — Brooklyn: (718) 250-5111

Victim Services Unit: (718) 250-3820



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