



JUSTICE NEWS

THE BROOKLYN DISTRICT ATTORNEY'S OFFICE NEWSLETTER

SPRING 2017

Fighting to Stem the Opioid Epidemic



Acting DA Eric Gonzalez announces charges for narcotics distribution ring

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The opioid epidemic is shaping up to be the biggest healthcare and law enforcement challenge of our time. Prescription painkillers, heroin and, most recently, fentanyl and its derivatives, are ravaging communities with addiction and overdoses. Halting this scourge requires a multi-pronged approach, including enforcement, legislation, treatment and education.

Acting Brooklyn District Attorney Eric Gonzalez is tackling this problem head-on.

In late March, the District Attorney's Office announced the arrests of 34 people for allegedly operating a sprawling narcotics distribution ring that sold heroin and cocaine in Brooklyn and beyond. The case also involved alleged sales of furanyl fentanyl, a relatively new and potent synthetic opiate

that is not yet classified as a controlled substance under New York State laws.

"Those who push these deadly poisons on our streets, concerned only with lining their pockets, devastate the communities where they operate and feed the disease of addiction, which ultimately touches all of us," DA Gonzalez said when announcing the 357-count indictment that includes charges of conspiracy and criminal sale of a controlled substance.

Much of the drugs used by the indicted redistributors were mailed from Arizona. Another supply chain relied on shipments of furanyl fentanyl from China, according to the investigation. This narcotic – an analog of the powerful and deadly fentanyl – does not have any medical purpose and, while

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A Message From Acting Brooklyn DA Eric Gonzalez



Thank you for reading the Spring 2017 edition of Justice News, the Brooklyn District Attorney's Office quarterly newsletter. The beginning of this year was particularly busy for us at the DA's Office, with several successful takedowns of criminal operations, notable convictions and numerous new initiatives. The following pages will offer a snapshot of some of these accomplishments, including the biggest gun trafficking case in Brooklyn's history, the dismantling of a sprawling narcotics distribution ring and the exposure of a unique shadow utility scheme that installed gas meters in buildings without proper inspections. You will also find descriptions of our ongoing efforts to clear summons warrants and the recent launch of youth outreach programs.

Another topic that has been on our minds since the start of the year has been the waves of uncertainty and fear gripping our immigrant communities since the new administration in Washington, D.C. came into office.

One of Brooklyn's strengths is its diversity. About a third of those who live in this great borough came here from another country, and a language other than English is spoken in nearly half the households. As the Brooklyn DA, I am committed to protecting all residents, regardless of their national origin or immigration status.

The apparent federal crackdown on immigrants can have a detrimental effect on public safety. If members of our immigrant communities are afraid to report crimes and come forward as witnesses, our work as prosecutors becomes that much harder, which makes all of us less safe. Let me be crystal clear: my Office does not act as an agent of the immigration authorities; we do not ask victims or witnesses for their immigration status; and we treat everyone equitably and fairly. I have conveyed this message when meeting residents throughout Brooklyn and when speaking at monthly Immigration Forums.

But we, at the DA's Office, are going further than that to ensure that we are fair and just to all. We have hired two immigration attorneys to be on staff and advise all prosecutors on collateral consequences of the plea deals that we offer. Now more than ever, the threat of deportation can result from a guilty plea – a draconian outcome when the plea is for a low-level crime. That is clearly unfair and we are taking proactive steps to minimize such a scenario. A new policy now followed by all of my prosecutors instructs them to be alert to the possibility of noncitizen defendants facing possible immigration consequences and flag any such issues. Whenever a plea offer or sentence recommendation can be made that neither jeopardizes public safety nor leads to removal or other disproportionate collateral consequences—we will make that offer or recommendation.

We will also enhance our Immigrant Fraud Unit, building upon our existing Immigration Forums and other services, to offer more resources to vulnerable members of our communities and to make sure they know that my Office is here to help everyone.

We must all work together to continue making Brooklyn safer than ever. And I pledge to keep doing my part to see that every Brooklyn resident is protected and that our justice system is fair for all.

Thank you for supporting our work and I wish you a healthy and rejuvenating spring season.

A handwritten signature in black ink that reads "Eric Gonzalez". The signature is written in a cursive, flowing style.

Prosecuting the Biggest Gun Trafficking Case in Brooklyn History

The Brooklyn DA's Office has been setting the standard for the fight to eliminate illegal firearms trafficking, often going beyond Brooklyn's borders to arrest those from out-of-state who flood our streets with weapons by taking advantage of lax gun laws down South.

In March, DA Gonzalez, standing together with New York City Police Commissioner James O'Neill, announced the indictment of 24 individuals – 22 of them Virginia residents – for allegedly engaging in interstate trafficking that brought 217 weapons to Brooklyn, including 41 assault rifles.

"In this unique case, we charged more defendants and recovered more firearms than in any other gun trafficking case in Brooklyn's history," DA Gonzalez said of the 627-count indictment. "We will go wherever we must, including other states, to rid ourselves of the scourge of firearms trafficking. We will not rest until every individual allegedly importing illegal guns into our borough – and with them death and violence – has seen their names on an indictment like this one."

According to the investigation, between June 2016 and February 2017, the defendants – many of whom are gang members – allegedly conspired to buy guns in Virginia and bring them to Brooklyn, where they were sold to an undercover police officer at various locations, including in Bedford-Stuyvesant, Fort Greene, Sunset Park and Boerum Hill.



DA Gonzalez holding the 627-count indictment

Many of the firearms were assault weapons such as AK-47s, AR-15s, Mossberg 715Ts, MAC-10s and even a Thompson Industries submachine gun (a.k.a. Tommy gun). The recovered arsenal also included a wide array of handguns and pistols. They were sold at a significant profit and the defendants allegedly used proceeds from the sales to fund a lavish lifestyle, purchasing drugs, jewelry, clothing and sneakers, in addition to sending money to jailed associates.

Intercepted communications showed that some members of the ring openly mocked the weak gun laws in their home state, and the case has prompted calls by Virginia Governor Terry McAuliffe and other officials to close legal loopholes, like capping the number of guns a person can purchase to one per month (current Virginia laws do not stipulate any limit).

Since 2014, when the Brooklyn DA's Office established the Violent Criminal Enterprises Bureau that has been working with the NYPD on trafficking investigations, about 1,000 illegal guns have been taken off Brooklyn's streets.



Some of the 217 firearms recovered in the investigation

Hundreds More Warrants Cleared at Begin Again

The Brooklyn District Attorney's *Begin Again* initiative returned in April to give New Yorkers the opportunity to address their open summons matters and clear the staggering backlog of warrants in the New York City summons court system.

This most recent *Begin Again* event – the first of 2017 and the fifth overall – was held over two days, from April 14 to 15, at Mt. Pisgah Baptist Church in Bedford-Stuyvesant. Over 650 people attended, with over 400 summons warrants cleared, bringing the total for *Begin Again* to over 3,000 people served and over 2,000 warrants dismissed since the initiative began in 2015.

Individuals appearing at *Begin Again* first consulted with on-site attorneys from the Legal Aid Society to make sure only eligible summons cases were heard. Participants then entered a makeshift courtroom, where a judge was on hand to dismiss the outstanding warrants.



DA Gonzalez greeting Begin Again volunteers

These warrants – of which there are approximately 1.5 million citywide – result from the failure to respond to summonses for a multitude of low-level infractions, such as walking a dog without a leash, being in a park after closing, littering and more. When left unresolved, summons warrants subject those who have them to an automatic arrest when questioned by police on the street or during a traffic stop. They also carry a number of negative consequences, including impeding one's ability to apply for citizenship, secure employment or obtain public housing.

The event also included a community resource fair, with partner agencies offering information on a range of topics for members of the community.

"I am committed to giving the people of Brooklyn a new start by helping them remove the threat of an arrest and other negative consequences associated with an open summons warrant," said DA Gonzalez.

Prosecuting Cases of Domestic Violence

The Brooklyn District Attorney's Domestic Violence Bureau investigates and prosecutes over 10,000 cases of intimate partner violence each year. That staggering number, while unfortunate, is testament to the Office's commitment to protecting Brooklyn residents from those who have taken ruthless advantage of intimate and familial relationships to cause harm.

Several recent cases highlight the tragic nature of domestic violence and the need to stay vigilant in prosecuting those who commit such crimes.



A DV survivor at the DA's Crime Victims' Rights event

In February, DA Gonzalez announced charges against 35-year-old Keon Richmond for allegedly murdering his ex-girlfriend, a NY State Corrections Officer, shooting her five times while she sat in her car in Bergen Beach last

December. Further, the defendant's then-current girlfriend allegedly helped him flee and was charged with hindering prosecution.

The DV Bureau also secured indictments in two cases that show the most grisly face of domestic violence. In February, 40-year-old Somorie Moses of East Flatbush was charged with allegedly murdering and dismembering his girlfriend, whose remains were found both in his freezer and at a waste station in the Bronx. Then in March, 42-year-old Phillip Martin of Prospect-Lefferts Gardens was charged with allegedly murdering and dismembering his wife, whose remains have not been found. Martin allegedly admitted to killing his wife, dismembering her body with a saw and dumping her remains in trash cans on the street. Each defendant faces up to 25-years-to-life in prison if convicted.

Most recently, the Bureau prosecuted a case that shows the devastating impact domestic violence can have not only on the victim, but on an entire family. In April, 30-year-old Tristan Anderson of East New York was convicted for the 2014 murder of his ex-girlfriend following an argument over child support for their two children, now ages three and eight and growing up without either parent.

Dismantling Corruption in a Public Utility

Attempts to illegally capitalize on Brooklyn's booming real estate market have resulted in a wide array of crimes, from deed fraud to illegal eviction. But none were as unique or potentially dangerous as the shadow utility scheme that was exposed and dismantled by the Brooklyn DA's Office in January.

A long-term investigation revealed that a former National Grid worker infiltrated the public utility and, with the help of corrupted employees, ran an operation that installed gas meters across Brooklyn in violation of New York City Department of Buildings' and National Grid's regulations and procedures. Seven defendants were charged with enterprise corruption and other counts and 30 additional people, including landlords, were charged with commercial bribing and related offenses.

When a landlord or property owner with a new or renovated apartment wanted to avoid the expense of required tests or the delay associated with compliance, they would contact the mastermind of the scheme who once worked for the utility

giant. He, in turn, contacted an accomplice who worked as a customer service representative in National Grid. She would open or modify an account and dispatch particular technicians to install the meters. The landlords typically paid \$1,500, and gas service was initiated without any inspection, bypassing existing protocols.

"We simply will not allow the lucrative real estate market in Brooklyn to feed criminal activity and potentially endanger lives," DA Gonzalez said. "These defendants showed contempt for rules and regulations specifically put into place to protect public safety. And they did this with callous disregard on a regular basis. We will continue to protect Brooklyn residents by pursuing criminal prosecutions of landlords and others who put profits ahead of safeguards."

In the course of the investigation, the Department of Buildings and National Grid inspected every property identified in connection with the scheme and ensured that there was no risk to public safety.



DA Gonzalez and DOI Commissioner Mark Peters announce indictments in a shadow utility scheme

Expanding Opportunities for Brooklyn's Youth

With a constant eye toward keeping Brooklyn's youth engaged, educated and on productive paths in life, the Brooklyn DA's Bureau of Youth Diversion and Initiatives recently launched two new programs for teens and young adults.

Expanding on the existing summer high school internship program, the Bureau hosted the inaugural classes of its new mid-winter and spring high school internship programs. The week-long internships – in February and again in April – gave two groups of Brooklyn high school juniors and seniors a behind-the-scenes look at the Brooklyn DA's Office and the criminal justice system.

Participants in the new internships were assigned to a Unit in the DA's Office and worked with Assistant District Attorneys and other staff members. Participants helped with legal research and analysis, case preparation and discovery, took part in a range of workshops and field trips, and observed criminal proceedings including trials, pleas and sentencings.

In March, further bolstering the slate of youth programs, DA Gonzalez launched a new career exploration and mentoring initiative with the Boy Scouts of America. The Brooklyn DA's Explorers Post program is hosting approximately 25 young men and women, ages 14 to 20, in five evening sessions over the course of three months. Guided by Assistant District Attorneys, the students are receiving an overview of the criminal justice system and are being exposed to various phases of a criminal case from investigation to sentencing. Additionally, Explorers Post participants are learning about the many law enforcement and legal careers in the Brooklyn DA's Office and the criminal justice system in general.



DA Gonzalez with the first class of mid-winter high school interns

Explorers Post and the new internships build on the Office's ongoing crime prevention and educational initiatives, including the Friday Night Lights youth basketball program in Red Hook and an after-school chess program in Bedford-Stuyvesant and East New York.

DA Staffers in Leadership Positions



ADA Gough

These two seasoned law enforcement professionals were recently appointed to key leadership positions in our Office.

In March, ADA Timothy Gough was named Chief of the Office's Homicide Bureau, replacing Homicide Bureau Chief Kenneth Taub, who retired after 36 years of extraordinary public service at the Brooklyn DA's Office, 28 of those in the Homicide Bureau. ADA Gough was most

recently the Bureau Chief of the

Grey Zone Trial Bureau, one of the five Trial Bureaus in the Office that together handle the bulk of felony and misdemeanor cases in the borough. Since joining the DA's Office in 1997, he has tried about 100 cases to verdict, most of them homicide cases. ADA Gough started his career in 1990 at the Manhattan DA's Office,



ADA Eaddy

where he was a trial and appellate prosecutor.

Stepping in for ADA Gough, ADA Danielle Eaddy was recently hired as the Grey Zone Trial Bureau Chief. She originally joined the Office in 1994 and, during a 12-year tenure, gained a reputation as a highly skilled trial attorney, held numerous managerial positions, including Grey Zone Bureau Chief. She left in 2006 to launch a criminal defense and civil rights practice, litigating state and federal

cases that included many sensitive and high-profile trials. A Fordham University School of Law graduate and Bedford-Stuyvesant resident, ADA Eaddy is excited to return to the Office where she had started her legal career.

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outlawed by the federal government at the end of 2016, it is still considered legal in New York State.

At a press conference, DA Gonzalez announced a comprehensive plan to combat the proliferation of opioids and treat addiction: continue to investigate and prosecute suppliers and dealers, work with lawmakers to make sure our statutes remain up-to-date and launch a new method for dealing with those dependent on opiates.

Using \$1 million in funding from the City Council, the Brooklyn DA's Office will soon allow certain people arrested for drug possession to get a chance to enter a rehab facility before they are arraigned in court. If they participate meaningfully in treatment, their case will not move forward. If they don't, the case will be prosecuted.



DA Gonzalez announcing an indictment at DEA headquarters

"In order to really solve this problem, we need to not only arrest and prosecute the drug dealers, but also find a better way to treat addiction," the DA said.

About a week after this announcement, DA Gonzalez stood together with Special Narcotics Prosecutor Bridget Brennan and a host of other officials at the headquarters of the federal Drug Enforcement Administration to announce the indictment of 13 individuals, including some doctors, for allegedly pumping over six million prescription pills into the black market.

Physicians at three Brooklyn medical clinics stand accused of defrauding Medicare and Medicaid by ordering unnecessary medical tests as a condition for giving away the drugs, according to the indictment. The Brooklyn DA's Office assisted in the fraud aspect of the wide-

ranging investigation and the DA signed applications authorizing the interception of electronic communications, which provided key evidence in the case.

The DA's Office in the Community



DA Gonzalez with participants of the DA's Office's 'Friday Night Lights' program in Red Hook



Distributing food for Passover in Boro Park



At a Chinese New Year parade in Sunset Park



With Lu-Shawn Thompson (right) and dancers at the DA's Office's Black History Month event



At the 'Kings Who Cook' event with Delta Sigma Theta Sorority



At the DA's Office's Women's History Month event with participants and honorees

IMPORTANT NUMBERS

In Case of Emergency—Call 911

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

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

Victim Services Unit: (718) 250-3820

Public Integrity Unit: (718) 250-2747

Domestic Violence Bureau: (718) 250-3300

Brooklyn Family Justice Center: (718) 250-5111

Elder Abuse Unit: (718) 250-5299

Immigrant Fraud Hotline: (718) 250-3333

Labor Fraud Unit Hotline: (718) 250-3770

Human Trafficking Bureau: (718) 250-2770

Teen Dating Violence: (718) 250-3321

Hate Crimes Helpline: (718) 250-4949

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



“Unwavering in our commitment to keep the people of Brooklyn safe and continue the legacy of fairness and equal justice for all.”

Eric Gonzalez

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