



JUSTICE NEWS

THE BROOKLYN DISTRICT ATTORNEY'S OFFICE NEWSLETTER

WINTER 2019

Justice 2020 Marks a New Era of Reform in Brooklyn

INSIDE THIS ISSUE

Justice 2020	1
Message From the DA	2
Prosecuting Hate Crimes	3
Addressing Allegations of Police Misconduct	3
Project Reset	4
Protecting Homeowners from Fraud	4
Justice 2020 (Continued)	5
Staffers in Leadership Positions	6
Data-Driven Reform	6
In the Community	7
Important Numbers	8

Printed November 2019

2020 Justice

Brooklyn District Attorney

With the public release of District Attorney Eric Gonzalez's Justice 2020 Action Plan – a groundbreaking initiative to keep Brooklyn safe and strengthen community trust in the criminal justice system – the Brooklyn DA's Office is well on its way to creating a model for a modern prosecutor's office in the 21st century. The Office has been working hard to implement the program – the first in the nation to take a truly comprehensive and holistic approach to progressive prosecution.

Justice 2020 will direct the Office's efforts towards preventative and accountability solutions with track records of success, and away from over-reliance on criminal convictions and incarceration. This blueprint was created after months of consultation with dedicated committees of reform experts, defense attorneys, service providers, law enforcement, formerly incarcerated people, clergy and others, who identified 17 specific recommendations that were divided into four pillars.

The first pillar of Justice 2020 is to make jail the "alternative" by considering, at every juncture of a case, resolutions that do not lead to criminal convictions or

Continues on Page 5

A Message From DA Eric Gonzalez

Welcome to the Winter 2019 edition of Justice News, the Brooklyn District Attorney's Office's newsletter. It has been a very busy year for us and, in this issue, you will be able to read about some of the reforms and initiatives that we have been implementing.

Chief among them is Justice 2020, a transformative plan of action that will guide every aspect of our work and will make us a model of what a progressive and modern prosecutor's office can look like. An overview of this blueprint is described at the start of this newsletter and several related accomplishments – the creation of a Hate Crimes Bureau and a Law Enforcement Accountability Bureau, a Data and Transparency Project we are undertaking, and numerous new diversion opportunities – are discussed inside its pages.

This is a time when criminal justice reform is moving from talk into action. In our state, the Legislature and Governor passed a criminal justice reform bill that will dramatically reshape the way the system operates to make it more fair and just. New provisions mean information will be shared earlier between prosecutors and the defense and fewer defendants will be held in jail while their cases are being resolved. In Brooklyn, we largely operate within the contours of the new law already and I am confident that we can help make it a success.

Nationally, a slate of progressive-minded prosecutors are winning elections, signaling the public's desire for a more compassionate administration of justice. I am proud that many of our policies in Brooklyn – like our protections of immigrants and our program to erase old marijuana possession convictions – are being replicated in other cities. I also hope that our Justice 2020 plan can serve as a template for reform in other parts of the country.

There is more to be done and we are working on additional initiatives, including a new Post Conviction Justice Bureau that will confront the issue of mass incarceration at the end, not just the start, of the legal process. To do that, we are changing the way we handle parole. Instead of the traditional, blanket opposition to early release, like our Office and most other prosecutors have done in the past, we are taking a more thoughtful approach. We consider recommending parole in many cases, work with prisons to receive an accurate assessment of individuals' rehabilitation and increase our efforts to ensure that those who return to our neighborhoods from prison have the tools they need to get their lives back on track.

The idea of post-conviction justice is in its infancy, but in Brooklyn we are already leading the way with our nationally-recognized Conviction Review Unit, which this year exonerated the 27th person since it was established in 2014. We will build on this success to give more second chances to those who earn them and to allow individuals burdened by criminal records opportunities to expunge those records when appropriate.

We will do all of that while never losing the focus of our central mission: keeping the people of Brooklyn safe. We will continue to target gun runners and drug traffickers, violent offenders and those who harm our communities. We are ending 2019 with decreases in murders, shootings and other major crimes, improving upon last year's record lows and maintaining the tremendous gains in public safety we have experienced in recent years. And we are doing that while also strengthening community trust.

Thank you for taking the time to read about these important efforts. I wish you a joyful, peaceful and healthy holiday season and new year.



Eric Gonzalez

Prosecuting Hate Crimes and Fighting Against Intolerance

In recent years, our country and city have experienced an increase in bias-motivated crimes. Even Brooklyn, a beacon of multiculturalism and tolerance, has not been immune to this hatred, and the alarming rise in intolerance demands that law enforcement devote all the necessary resources to thoroughly investigate and prosecute hate crimes. No one in Brooklyn should live in fear simply because of who they are, who they love, how they look or how they worship.

To address this worrisome trend and to fulfill the Justice 2020 recommendation to “create a single point of contact for hate crime charges,” DA Gonzalez established a dedicated Hate Crimes Bureau, led by Chief Kelli Muse. The Bureau, working closely with the NYPD’s Hate Crimes Task Force, leads investigations of suspected hate crimes from the outset and enhances charges when appropriate, while also communicating with affected communities and engaging in outreach and educational efforts.

“Protecting everyone in Brooklyn is my highest priority and it is simply unacceptable that members of certain protected groups are fearful to walk the streets of our borough,” DA Gonzalez said. “The creation of a dedicated Bureau with more resources and experienced prosecutors will help my Office to offer the most effective response to the growing problem of bias-motivated crimes.”

The experienced, multi-lingual group of prosecutors assigned to the Bureau reflect the diversity of Brooklyn, where 38% of residents were born in another country and

47% speak a language other than English at home. Through a series of town halls and meetings, these prosecutors have already started to embark on outreach to vulnerable communities to educate members about their rights and how to protect themselves from bias-motivated attacks.

Over the course of this year, the Bureau secured a 21-count indictment, including six hate crime charges, in connection with a horrific hammer attack that killed three Asian employees of a Sheepshead Bay restaurant. The Bureau also indicted a 26-year-old man on arson and burglary charges as hate crimes for allegedly starting a fire inside a Williamsburg Yeshiva and vandalizing the walls of a Prospect Heights Synagogue.



Members of the Hate Crimes Bureau at a visit to The Museum of Jewish Heritage

Addressing Misconduct Allegations Against Law Enforcement

Strengthening community faith in law enforcement is central to DA Gonzalez’s efforts to strengthening trust in the criminal justice system. Our neighborhoods are less safe when residents don’t trust the police officers who have a duty to protect them and treat them with fairness and respect. Therefore, instances of police misconduct are taken seriously in Brooklyn and handled transparently. No one is above the law.

To that end, DA Gonzalez created a Law Enforcement Accountability Bureau that will ensure that there is one standard of justice for law enforcement and civilians, and will help to fulfill one of the Justice 2020 recommendations: developing new protocols for charges resulting from police misconduct to improve accountability and transparency.

The Bureau is led by Patrick O’Connor, a veteran homicide prosecutor with more than 23 years of experience. ADA O’Connor is well-respected by the law enforcement community and the defense bar for his unwavering integrity and commitment to justice. He will follow the evidence wherever it leads and inspire confidence in the communities

that the Office serves by ensuring transparency at every stage of the process and enforcing the law justly.

In October, the Bureau secured a guilty plea from a former New York City Police Sergeant who admitted to tampering with evidence when he planted a knife at the scene of an August 2018 off-duty shooting he was involved in. The NYPD fired the officer soon after the shooting and he was sentenced to five years probation. The Bureau also indicted two officers for perjury. In one case, the officer allegedly falsely claimed a burglary suspect tried to strike him and his partner with a vehicle during an arrest. The Bureau secured a guilty plea from the other officer in connection with a case in which he provided false information when making a search warrant application.

The Bureau is also tasked with making sure that any credibility issues involving police witnesses are fully disclosed to defense lawyers and the court. To further increase transparency, the DA’s Office released to the public a list of officers who are subject to adverse credibility findings.

Project Reset Promotes Accountability While Avoiding Court

Over the spring and summer, DA Gonzalez launched Project Reset, a diversion program that holds people accountable for minor offenses in more meaningful ways than traditional penalties and leads to dismissals of their cases without them ever having to appear in court.

Conducted in partnership with the Center for Court Innovation, the Brooklyn Museum, The Legal Aid Society and Brooklyn Defender Services, Project Reset allows those charged with low-level misdemeanors who receive a desk appearance ticket to resolve their cases by completing a diversionary program, including a first-of-its-kind educational course at the Brooklyn Museum.

Project Reset launched in 10 precincts in May and expanded borough-wide in August. It is estimated that thousands of cases will be eligible for the program each year, allowing the DA's Office to more efficiently and equitably handle misdemeanor cases while reducing the footprint of the criminal justice system.

The collaboration with the Brooklyn Museum provides immersive, arts-based education courses in which young people and adults view, analyze and discuss a work of art from the Museum's collection in a group setting. Participants then work independently to create their own artwork in response to the discussion, learning to accept responsibility and change their personal narrative while



A Project Reset class in the Brooklyn Museum

being exposed to the art and cultural offerings within their community.

“Involving our local communities and Brooklyn’s incredible cultural institutions as partners in justice is one of my goals as we strive to strengthen fairness and trust,” the DA said.

Another offering is Tools for New Thinking, which provides space for adult participants to reflect on situations that may have escalated unnecessarily and resulted in regrettable outcomes. These discussions help participants realize how their values and thoughts can lead to better outcomes.

Protecting Homeowners and Others From Fraud

The rapid growth of Brooklyn’s real estate market and the lucrative opportunities it presents creates fertile ground for scammers who are willing to break the law at the expense of homeowners and tenants. DA Gonzalez is committed to protecting all residents from corrupt individuals who commit theft and fraud in an attempt to take advantage of soaring housing prices.

Since 2016, the DA’s Real Estate Fraud Unit, which works to protect homeowners from scams and other crimes, has commenced prosecution of 22 cases of deed fraud, 14 of which have resulted in convictions with eight others still pending. Those cases include the indictment of a Long Island man who attempted to steal the vacant property of an 80-year-old Bedford-Stuyvesant woman and the sentencing of a 37-year-old East Flatbush man who forged a deed and other documents to transfer ownership of a \$445,000 home owned by his 84-year-old next-door neighbor.

All homeowners are encouraged to protect themselves by registering with the Automated City Register Information

System (ACRIS) so that they are automatically informed of changes made to documents associated with their property.

The DA’s Frauds Bureau also recently secured a 78-count indictment against three Luna Park Housing Corporation officials who allegedly accepted around \$874,000 in bribes to give affordable housing units to ineligible applicants who were allowed to bypass the waiting list and get much-coveted apartments.

To bolster the Office’s white-collar crime practice, which includes these type of frauds, the DA appointed Matthew Fishbein as Executive ADA for the Investigations Division and promoted Trish McNeill to Chief of the Investigations Division. Together, they will ensure that the Office will be fully prepared to protect Brooklyn’s flourishing financial sector. Fishbein brings a wealth of experience as a former federal prosecutor and McNeill has served as Deputy Chief of the Investigations Division for the previous four years and has led it in several successful takedowns and complex investigations of fraudulent schemes.

Justice 2020 (Continued from Page 1)

incarceration. Oftentimes, a criminal conviction and incarceration can cause harm rather than prevent it. One of our goals is to minimize criminal justice intervention whenever possible. This approach will require us to change the way we do business and evaluate our success: We must pursue outcomes that are fair and just, not just convictions. We want to make incarceration and criminal convictions options of last resort and minimize disruption of communities and families at every opportunity.

The recent opening of a Post-Conviction Justice Bureau will ensure that the impacts of reform extend to people who are currently incarcerated. The Bureau will continue the nationally-recognized work of the DA's Conviction Review Unit, which this year exonerated the 27th person since its work began in 2014, and expand our efforts with the creation of Parole and Clemency Units dedicated to implementing new parole policies for those ready for a second chance.

Engaging communities as partners in justice is the second major pillar of Justice 2020. Our decision-making will be based on what communities say they want for their safety and what a criminal justice system that they can trust looks like. We will listen to all voices – including those of victims – when evaluating cases. Our office will collaborate with neighborhood leaders and expand community-based justice options to provide more diversion opportunities, including pre-trial release instead of confinement, pre-charge and pre-plea alternatives to drug charges and reduced prosecution of school-based offenses.

These two interconnected pillars also call for prosecutors to consider recommending parole after the minimum sentence is complete and developing new protocols for investigating and prosecuting police misconduct. Together, they represent a seismic shift in how a prosecutor's office operates.

The third and fourth pillars of Justice 2020 call for focusing resources on drivers of crime and investing in people and data to drive innovation and reform. We will explore early interventions to deter violent crime, enhance prosecution of gender-based violence, establish a data analysis team, create an office of professional responsibility, train all staff in cultural competency and streamline cases with electronic discovery. These changes will make us a true 21st Century office that operates effectively with the ability to measure

progress as well as areas that require attention.

In the past, while guided by good intentions and a commitment to public safety, prosecutors contributed to mass incarceration, which disproportionately affected people of color and destabilized communities. Justice 2020 is about using our tremendous power as prosecutors in a more thoughtful, appropriate way.

“Justice 2020 will reshape the Brooklyn District Attorney's office into a model of progressive prosecution that keeps the public safe and strengthens community trust by ensuring fairness and equal justice for all,” DA Gonzalez said when announcing the plan. “We will move away from over-reliance on incarceration, engage all stakeholders as partners in justice, focus resources on those who do the most harm and make my Office more strategic.”

This is a plan for Brooklyn, but the DA hopes that many of the recommendations of Justice 2020 will be adopted as a national model for prosecutors everywhere.

Brooklyn has experienced tremendous gains in public safety over the past several years, ending 2018 with the lowest number of homicides since record-keeping began. This is a strong foundation to build off and the DA's Office is determined to continue this trend while reducing incarceration, increasing trust and strengthening relationships with all Brooklynites.

The complete Justice 2020 report and more information is available online at BrooklynDA.org/Justice2020.



DA Gonzalez announces Justice 2020 with Launch Committee Co-Chairs Dr. Rudy Crew and Judge Jonathan Lippman

DA Staffers in Leadership Positions



Renee Gregory

These two highly-accomplished attorneys have assumed key leadership roles in the DA's Office: Chief of Diversity and Inclusion and Chief of Social Justice.

Renee Gregory was appointed to the executive position of Chief of Diversity and Inclusion. She began her career in public service with the NYC Board of Education as a public-school teacher in the Bedford-Stuyvesant and East New York communities.

After 18 years of service as an educator, she went on to obtain her law degree at Brooklyn Law School. ADA Gregory has practiced law for the past 21 years at the Brooklyn DA's Office where she held numerous positions, including Chief of the School Advocacy Bureau, Chief of the Red Zone Trial Bureau and First Assistant District Attorney, supervising diversion and alternative programs.

Public service is her passion and Gregory works tirelessly to empower the Brooklyn community on various issues that impact educational and economic opportunities. In her new role as Chief Diversity and Inclusion Officer, she will use her leadership abilities and extensive supervisory experience to design and implement diversity initiatives that maintain a diverse and inclusive work force.



Meg Reiss

Meg Reiss joined the Office's Executive Team as Chief of Social Justice. In this role, she will make sure the DA's Office is pursuing non-jail dispositions in as many cases as possible. She will design and coordinate a ground-breaking Community Justice Initiative in which the Office will work with community-based organizations and service providers to expand community justice options that

reduce incarceration and criminal convictions. She will also develop a Community Safety Partnership to see that cases are resolved in ways that meet our communities' needs, a crucial component of Justice 2020.

Reiss is a graduate of Brooklyn Law School who began her legal career as a prosecutor in the Brooklyn DA's Office and later served as Chief Assistant in the Nassau County DA's Office, where she worked to broaden that office's role to include crime prevention and criminal justice reform. She also served as a deputy monitor on a team that supervised the Los Angeles Police Department's compliance with a federal consent decree. Her most recent position was the Executive Director at the Institute for Innovation in Prosecution at John Jay College of Criminal Justice.

A Data-Driven, Transparent Roadmap to Reform

The District Attorney's Data and Transparency Initiative, a data-driven, reform-minded partnership with the CUNY Institute for State and Local Governance (ISLG), will improve the Brooklyn DA's Office's ability to collect and analyze data, allow for better evaluation of prosecutors' decision-making, enhance transparency and increase the Office's ability to assess the effects of its policies.

Said DA Gonzalez, "A twenty-first century prosecutor's office must be guided by data which informs policies and allows for greater accountability and transparency. This unique collaboration will make my Office smarter, more focused, more mission-driven and will put us in the best position to gauge the effectiveness of our Justice 2020 initiatives.



We intend to share what we learn with other prosecutorial agencies, researchers and the public."

ISLG is currently helping the DA's Office with a one-year capacity building project to improve the Office's ability to monitor and evaluate its data. The ISLG will also provide an analysis of prosecutorial decision making focused on five key decision points: case acceptance, charging, pretrial release, disposition and plea bargaining.

Ultimately, this work will help the DA's Office evaluate the effectiveness of Justice 2020 reforms, provide information to collaborate with other prosecutorial offices, researchers and the broader community, and set an example for how data can help ensure both public safety and fairness.

The DA's Office in the Community



Celebrating the opening of the Kenneth P. Thompson Boutique that provides business attire to those released from prison, in partnership with 100 Suits for 100 Men



Marching in the 2019 Puerto Rican Day Parade in Sunset Park



At the DA's Office's back-to-school supplies giveaway



Calling for fair labor practices with union members and fellow district attorneys



Helping to distribute food with Chasdei Lev before the Jewish holidays



Members of the Hate Crimes Unit march with the DA at the Brooklyn Pride parade in Park Slope

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

Special Victims Bureau: (718) 250-3170

Brooklyn Family Justice Center: (718) 250-5111

Elder Abuse Unit: (718) 250-5299

Immigrant Affairs Helpline: (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



“Keeping Brooklyn safe and strengthening community trust by ensuring fairness and equal justice for all.”

Eric Gonzalez

www.brooklynda.org

Facebook: BrooklynDA Twitter: @BrooklynDA Instagram: BrooklynDAOffice