



JUSTICE NEWS

THE BROOKLYN DISTRICT ATTORNEY'S OFFICE NEWSLETTER

WINTER 2016

Bringing Gun Runners to Justice

INSIDE THIS ISSUE

Bringing Gun Runners to Justice	1
Message from the DA	2
Prosecuting Hate Crimes	3
Correcting Wrongful Convictions	3
Getting Justice in Brooklyn and Around the World	4
Citizens' Safety Day	4
Fighting Domestic Violence and Sexual Assaults	5
Going after Polluters	5
Featured Prosecutors	6
In the Community	7
Important Numbers	8



DA Thompson announces recovery of 112 guns from a firearms trafficking ring

"I'm selling them the right way and the wrong way," an accused out-of-state gun trafficker was allegedly caught saying in a recorded wiretap while walking the streets of Manhattan with a bagful of smuggled firearms. "When I'm out of state, like in Atlanta and Georgia and all that, it's all legal, but New York it's completely illegal."

His words – which serve as one piece of evidence supporting a 541-count gun trafficking indictment against eight defendants that was unsealed in October – reveal how firearms traffickers are exploiting lax gun laws in states down South to flood Brooklyn with illegal guns. In fact, criminals are well aware that New York's tough gun laws can be easily circumvented by bringing in firearms from other states, mostly up route I-95, known as

the "Iron Pipeline."

A year-long investigation by the Brooklyn District Attorney's Office and the NYPD shut down this alleged trafficking ring, which sold 112 firearms, including 20 assault weapons, to an undercover officer. It revealed that the ringleader, Michael Bassier, allegedly took cheap Chinatown buses to the Atlanta, Georgia area, where alleged accomplices acted as straw purchasers to obtain guns that he then brought back to the city. He's also accused of making car trips to Pittsburgh, Pennsylvania, where he also obtained guns from stores, pawn shops and websites. Three of the defendants who were charged with conspiracy and other counts were arrested in Georgia and two others in

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Continues on Page 6

A Message From Brooklyn DA Ken Thompson



It is my privilege to welcome you to the Winter 2016 edition of the Brooklyn District Attorney's Office newsletter, *Justice News*. The past year was extremely busy and successful at the DA's Office, with investigations that dismantled gun trafficking rings and drug distribution operations, the commencement of a new community-based program that allows residents get rid of old warrants and the continued efforts to correct wrongful convictions, among many other achievements. This issue highlights some of these successes as well as other accomplishments, including prosecutions of companies that deliberately pollute our waterways, innovative methods to combat domestic violence and instances where we held violent criminals accountable, even in far-off countries like Russia. My dedicated staff and I continue to make strides in our mission to uphold equal justice and to keep our Brooklyn communities safe.

In recent months, the national conversation has again focused on how to address the gun violence that all too often plagues our cities. Battling gun crime in Brooklyn has taught us that a pipeline of illegal firearms is feeding the bloodshed by supplying weapons to gangs and street criminals. Almost 90 percent of the guns used to commit crimes in New York City come from outside the city, predominately from Southern states with weak gun laws. Since 1996, seven NYPD cops have been killed by illegal guns that were smuggled from Georgia and South Carolina, making their way up Interstate 95, known as the "Iron Pipeline."

As the chief law enforcement officer in Brooklyn, I believe that it is my duty to go beyond the borders of the borough and hold gun traffickers accountable for the deadly and illegal weapons that are sold on Brooklyn's streets for high profit. The prosecutors and investigators of my Violent Criminal Enterprises Bureau are doing just that. In partnership with the NYPD and its brave undercover officers, we have shut down three separate trafficking rings that brought firearms to the city by car, on buses and even on board passenger airplanes. Our successful investigations convinced me that prosecuting these merchants of deaths, even going far beyond Brooklyn, is not enough. We must wake up as a country and take a stand against the scourge of guns that are easily available in so many states. This problem does not impact New York alone, but also other states with strong gun laws: Illinois sees firearms being brought from neighboring Indiana and California is flooded with guns from Texas and Arizona. It is past time for the federal government to take action and enact common sense proposals that would help stem the problem while protecting the rights of law-abiding gun owners.

Those proposals include mandatory background checks, making the trafficking of illegal guns a federal crime, mandating that all lost or stolen weapons be reported and cracking down on straw purchasers, who knowingly buy firearms to supply smugglers and others who are not authorized to obtain them. These are important ideas, and so, I traveled twice to Capitol Hill in recent months to urge lawmakers to pass some of these measures. This is an uphill battle. Even proposed bills that are supported by a large majority of Americans get bogged down in Congress. But that does not mean the fight is lost and I am determined to continue speaking up about the need to address the unfettered access to guns in many parts of America.

I will also continue to do my part as the Brooklyn DA to fight gun violence wherever our investigations take us and to use a wide array of strategies to make sure our streets are safe. My Office will continue to build on our successes in 2015 as we begin a new year with renewed focus and commitment. I wish you and your family a very happy and healthy 2016.

Prosecuting Hate Crimes

In September, 2014, DA Thompson established the Hate Crimes Unit, a specialized unit within the Civil Rights Bureau, to focus on bias-motivated crimes, committed because of a perception of the victim’s race, ethnicity, religion, age or sexual orientation.

This past December, the unit secured its first conviction at trial when a 26-year-old man was found guilty of first-degree assault as a hate crime for a vicious attack on a transgendered woman in Bushwick just over a year earlier. A jury found that Mashawn Sondos was with a group of friends who hurled anti-gay epithets at the victim as she walked in the street with a gay male friend. The defendant then threw a piece of plexiglass at the victim, striking her in the head and causing a traumatic brain injury that required surgery to her skull. The defendant is facing a maximum sentence of up to 25

years in prison.

“This was a cowardly, unprovoked and brutal attack on a person who was targeted merely because of her appearance,” DA Thompson said. “Hate crimes are an attack against all of us no matter who we are.”

Unfortunately, the experience of the victim in this case is not uncommon. Of the 30-plus active cases handled by the Hate Crimes Unit, nearly half involve incidents wherein a member of the LGBTQ community has been targeted. Other prosecutions include anti-Jewish, anti-Muslim, anti-Arab attacks as well as crimes against other ethnicities.

We have a diverse and vibrant borough and the DA’s Office is committed to protecting the people of Brooklyn from all aspects of hate and violence.

Leading the Nation in Correcting Wrongful Convictions

One of the first things DA Thompson did after taking office in 2014 was to create perhaps the largest Conviction Review Unit (CRU) in the country, which is tasked with looking into old, questionable convictions. The structure and unprecedented work of the unit – which upheld most cases but concluded that 17 men had to be exonerated – is now considered a national model.

The CRU’s work received further attention in December, when three men, who were found guilty of starting a blaze that killed a mother and her five children in 1980 inside a Park Slope brownstone, were exonerated. A thorough CRU investigation concluded that the single eyewitness who connected them to the crime was a habitual liar who recanted on her death bed, and the fire science that was used to determine the fatal fire was arson has evolved and experts concluded that the cause of the blaze may well have been accidental. The defendants, two of whom served over 30 years each in prison for the murder conviction, with the third dying behind bars, had their names cleared in an emotional court hearing.

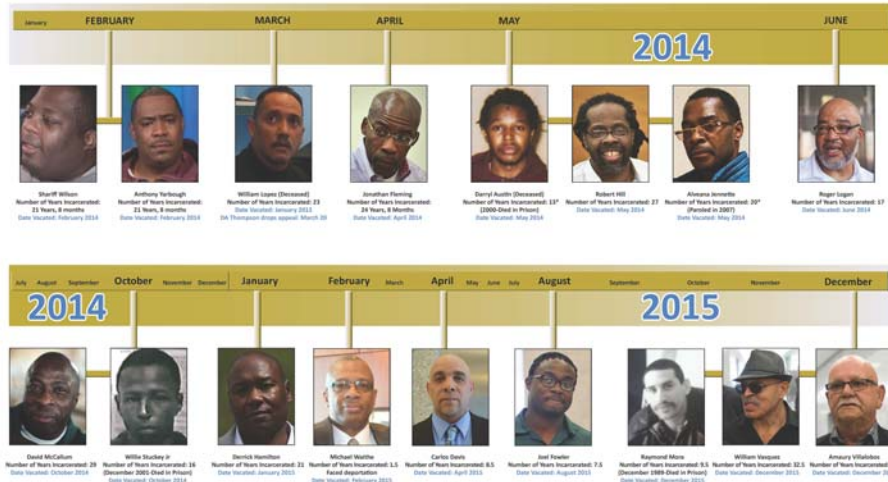
In October, the DA’s Office hosted a Summit on Wrongful Convictions, titled: “Justice Continued: Prosecutors and Conviction Review.”

Prosecutors from all over the country, including California, Ohio and Texas, as well as defense lawyers and innocence advocates, gathered in Brooklyn Law School for two days to share ideas, methods and concerns about this crucially important, but still developing, field.

Wrongful convictions do not only affect those who spend time in prison for a crime they did not commit, “they undermine the integrity of our criminal justice system,” DA Thompson said when kicking off the summit – the first such event organized by a prosecutor’s office.

In the following two days, discussions revolved around the mechanics of conviction review units, the challenges of setting them up and ways to create checks and balances, like the Independent Review Panel that was established in Brooklyn, consisting of three outside lawyers who issue recommendations based on the CRU’s findings.

“Ken Thompson really started a national movement,” said Ronald Sullivan, the Harvard Law professor who was brought in as Special Counsel to the Brooklyn CRU. “These review units started popping up all over the country and the number of exonerations has risen exponentially.”



The 17 who were men exonerated by the Brooklyn CRU to date

Getting Justice in Brooklyn and Around the World

The District Attorney's Office is committed to getting justice for victims no matter how challenging a case may be. In November, a man who killed his wife and her daughter in Brooklyn and then fled to Russia before the bodies were discovered was convicted by a Russian court and received a 19-year sentence thanks in large part to the efforts of Brooklyn prosecutors.

When Tatyana and Larissa Prikhodko were found fatally stabbed in a Sheepshead Bay apartment in 2011, Nikolai Rakossi quickly became the prime suspect. But by then, he was already on a plane back to his native country. The DA's Office still built a case, obtained an indictment and, when the defendant was arrested in Russia in 2013, a prosecutor was ready to help.



Tatyana and Larissa Prikhodko

Because there is no extradition treaty between Russia and the United States, the case had to be tried in the Tula region of Russia. Russian investigators traveled to Brooklyn in early 2014 to learn more about the case first

hand. Other legal hurdles had to be cleared, but, with the continued help of the DA's Office, Rakossi stood trial this fall and was found guilty of the two murders. It was only the second time that a person was convicted in Russia for a crime that took place in the U.S.

"We highly value the professionalism of our American colleagues and look forward to working with you in the future," stated a letter from the Russian Federation to the United States Attorney General.

Just a month before justice was served in that case, homicide prosecutors in Brooklyn secured a life sentence in a case where a body was never found. Luis Perez was convicted of killing his landlord back in 2006 when he was confronted about stealing money from the victim's account. There was no body or murder weapon, but prosecutors did come up with a key piece of evidence: a secret recording in which the defendant told his daughter about choking and then dismembering the victim.

"It's not about committing the perfect crime, it's just about how well you clean it up," he boasted on the audiotape. His own words were used to send him upstate for 25 years to life and ensure that loved-ones of the man he killed get a measure of justice.

Citizens' Safety Day Helps Get Rid of Guns and Warrants

December 5th — Citizens' Safety Day — was a hugely successful day in Brooklyn as the Brooklyn DA hosted dual events in two different churches to help residents get rid of guns they might have in their home and also get rid of summons warrants that can hold them back and make them subject to arrest. It was a rare opportunity to enhance public safety and peace of mind.

A Gun Buyback, held in partnership with the NYPD at Lenox Road Baptist Church in East Flatbush, resulted in 60 guns being turned in. Nearly all of them were the types used to commit crimes – revolvers, semi-automatic pistols and even homemade zip guns. Participants received \$200 for each operable gun, no questions asked. Some of them volunteered that shootings and gun violence in their neighborhood and across the nation prompted them to attend



Addressing Begin Again participants inside the church

and bring weapons that could have been stolen, end up with criminals or used by children.

At the same time, the third Begin Again event to clear summons warrants was held in Mount Lebanon Baptist Church in Bedford-Stuyvesant.

This successful initiative is aimed at addressing the crisis of over a million outstanding summons warrants in the city, warrants that subject those who have them to an arrest at any time. The warrants are generated when

someone fails to answer a citation for a low-level offense like riding a bike on the sidewalk. Some 575 people attended that event and 336 warrants were cleared.

This was the first Gun Buyback event under DA Thompson. In three Begin Again events during 2015, a total of 2,400 people were helped and over 1,600 warrants were vacated. More of these important community-based programs are planned for this year.



Some of the guns that were turned in at Buyback event

Combatting Domestic Violence and Sexual Assaults

To mark the beginning of Domestic Violence Awareness Month in October, the District Attorney's Office hosted a conference titled, "Addressing Violence Against Women – Collaborative Approaches in the 21st Century," which discussed methods of prosecuting these difficult cases, which often involve victims who remain emotionally attached to their abusers or bound to them by family, finances and other factors. The well-attended event also explored how global campaigns play a role in changing perceptions on this issue.

Speakers included a senior advisor for Vice President Biden, who is the co-architect of the *Man Up* campaign, and a representative from the Clinton Foundation's *No Ceilings: The Full Participation Project*. The conference included explanations of the Integrated Domestic Violence Court part, where one judge makes decisions for impacted families on a variety of issues, thereby sparing victims additional trips to Family and Civil Courts. There were also presentations on national and global campaigns to end violence against women.

The Domestic Violence Bureau is doing a lot more than discussing these issues. In recent months, it has successfully prosecuted a number of defendants who committed horrific attacks on women. A 34-year-old man was sentenced to 25 years to life in prison in December for the month-long torture he had inflicted on his ex-girlfriend in 2012, imprisoning her in his Bedford-Stuyvesant apartment, beating her repeatedly and burning her with an iron and a heated screwdriver. Another 2012 assault, in which a 31-year-old man held

his former girlfriend captive and hogtied for three days, raped and assaulted her, resulted in another conviction and a sentence of 75 years' to life imprisonment.

All types of violence against women are taken seriously by the DA's Office and are vigorously prosecuted. In November, a serial rapist who raped four women, including a 15-year-old girl, in the span of a week, was sentenced to 100 years to life in prison.

Because of the outstanding work of dedicated sex crimes prosecutors, this violent and dangerous sexual predator is now off the streets forever.



DA Thompson addressing the Domestic Violence Conference

Going After Those who Pollute our Environment

Under DA Thompson, the District Attorney's Office has focused new attention on protecting the environment and prosecuting those who pollute or violate environmental regulations. Working with New York City Department of Environmental Protection and New York State Department of Environmental Conservation, the DA's Office is now spending resources to investigate these crimes.

In September, a Bedford-Stuyvesant company and its manager pleaded guilty to rigging an underground bypass line to secretly dump industrial waste into the sewer system that leads to the highly-polluted Newtown Creek in Greenpoint. Employees at Control Electropolishing Corp., a firm that provides metal cleaning services to a wide array of industries, disposed of unprocessed and un-neutralized hazardous waste and sludge in violation of DEP permits.



When inspectors showed up, the defendant instructed workers to insert a plug in order to conceal the illegal pipe, which bypassed a tank that was supposed to treat the wastewater. The company pleaded guilty to endangering public health, safety or the environment and to disposal of hazardous waste without authorization and agreed to pay a \$110,000 fine.

Less than two weeks earlier, another company was held accountable for similarly violating environmental laws by failing to monitor its discharge into Brooklyn's sewer system. Red Hook-based Dell's Maraschino Cherries pleaded guilty after a long-term investigation found that the company dumped acidic wastewater that was not properly treated as required.

Brooklyn residents are entitled to live in clean and safe surroundings, and so, investigations into environmental crimes in the borough will continue.

Prosecutors in Leadership Positions

The two seasoned prosecutors below hold important leadership positions at the District Attorney's Office and help guide its efforts to combat gang-fueled crimes and domestic violence.



ADA Mark Feldman

Mark E. Feldman, Senior Executive for Crime Strategies and Investigations, was a recipient of this year's prestigious Thomas E. Dewey Medal that is presented annually by the New York City Bar Association to a prosecutor from each DA's Office in the city.

Mr. Feldman started his legal career in the Brooklyn DA's Office in 1976, where he served for 14 years in the Homicide and Rackets Bureaus. He then moved to the United States Attorney's Office in Brooklyn to prosecute federal cases, and served as Chief of the Organized Crime and Racketeering Section in the Eastern District of New York, among other positions. He rejoined the Office in 2014 and is now in charge of the Crime Strategies Unit, which primarily monitors gangs

in an effort to proactively address street crime. His wealth of trial, investigative and supervisory experience is invaluable.



ADA Michelle Kaminsky

Assistant District Attorney Michelle L. Kaminsky was promoted last year to Chief of the Domestic Violence Bureau, where she has served since 1997. She tried mostly homicide cases and once successfully moved into evidence a computer-generated animation that reconstructed a shooting, thereby creating a precedent that allowed other ADAs to use new

technologies in trials.

Ms. Kaminsky joined the Office in 1992 and held positions in the Appeals, Grand Jury, Investigations and Civil Rights Bureaus. Her current responsibilities also include assisting in training new ADAs and serving as an Equal Employment Opportunity counselor. She has authored a book about domestic violence, and her knowledge in this sensitive area has resulted in many successful prosecutions over the years.

Continued from Page 1: Bringing Gun Runners to Justice

Pennsylvania.

"These defendants conspired to use the lax gun laws down south and elsewhere to flood the streets of our city with assault weapons and other guns, which, in the wrong hands, could have caused mayhem and massive bloodshed in our communities," said District Attorney Ken Thompson. "We will now hold these merchants of death accountable no matter where they live."

Bassier allegedly paid between \$150 and \$300 per gun, and paid the straw purchasers a fee of \$50 per gun. The undercover cop – conducting almost all the buys in a parking lot of a Walgreens pharmacy in Canarsie – paid on average \$800 to \$1,200 per gun, and between \$2,000 and \$2,500 per assault weapon. These figures demonstrate how lucrative the illegal gun trade is.



DA Thompson displaying an assault rifle that was purchased by the undercover officer

The long-term undercover operation is the third such successful investigation since DA Thompson took office in 2014. Over 300 firearms were recovered in the previous two, which involved guns transported from Georgia by car and on passenger airplanes. The Brooklyn DA's Office is the only local authority in recent memory to apprehend out-of-state defendants who smuggle illegal guns into our city.

Furthermore, the DA's Violent Criminal Enterprises Bureau, working with detectives from the NYPD's Firearms Investigations Unit, have taken a total of over 550 guns off the streets of Brooklyn.

As this latest case shows, the DA's Office goes far beyond Brooklyn's borders to keep our communities safe from gun violence.

The DA's Office in the Community



The Moroccan-American House Association honored DA Thompson for his leadership



KCDA staffers enjoying the Office's holiday party



DA Thompson joined activists and elected officials on the steps of City Hall to call for tougher gun laws



Senior Intergovernmental Affairs Advisor Wayne Williams at an announcement of new law that protects EMTs from assaults



Dancers entertain the crowd at the Brooklyn DA's Office celebration of Hispanic Heritage Month



DA Thompson joined his wife and friends for a Toy Drive at a Bushwick homeless shelter

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) 250-3309

Immigrant Fraud Hotline: (718) 250-3333

Labor Fraud Unit Hotline: (718) 250-3770

Human Trafficking Bureau: (718) 250-2770

Teen Dating Violence: (718) 250-2463

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

**KENNETH P. THOMPSON
DISTRICT ATTORNEY**



*"With an unwavering commitment to serve the people of Brooklyn,
honorably and fairly and to ensure equal justice for all."*


Ken Thompson

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