

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

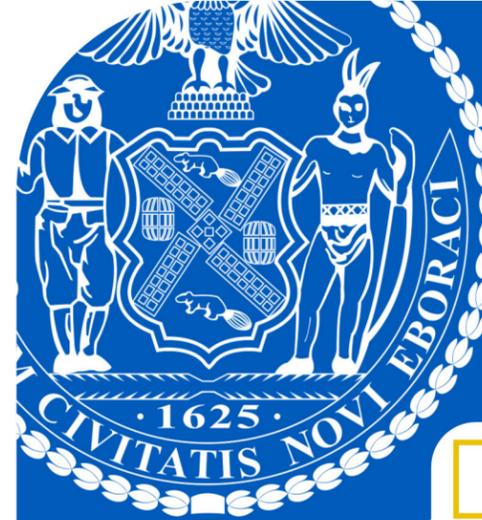


"Keeping Brooklyn safe and strengthening community trust in our criminal justice system by ensuring fairness and equal justice for all."

Eric Gonzalez

www.brooklynda.org

www.facebook.com/BrooklynDA [Twitter:@BrooklynDA](https://twitter.com/BrooklynDA)



JUSTICE NEWS

THE BROOKLYN DISTRICT ATTORNEY'S OFFICE NEWSLETTER

FALL 2018

A New Approach to Handling Drug Possession Cases



DA Gonzalez announced the creation of Project Brooklyn CLEAR

INSIDE THIS ISSUE

New Approach to Drug Possession Cases	1
Message From the DA	2
Immigration Scams	3
Justice 2020 Initiative	3
Protecting Young Sex Trafficking Victims	4
Fighting for Safe Streets	4
DA Staffers in Leadership Positions	6
Implementing Raise the Age Law	6
In the Community	7
Important Numbers	8

Under the leadership of District Attorney Eric Gonzalez, the Brooklyn District Attorney's Office is taking a fresh approach to how it handles low-level drug possession cases. New policies emerged from the realization that conventional approaches did little to stem drug use or increase public safety, and perpetuated inequities in enforcement.

With a new diversion program that allows drug users to avoid ever coming to court if they agree to receive needed services, the Office is offering these individuals a path toward a healthier life. Additionally, the Office has expanded its policy of non-prosecution of low-level marijuana cases so that fewer people will be needlessly caught up in the criminal justice system. Finally, DA Gonzalez launched a first-of-its-kind program to erase past convictions for marijuana possession, relieving the burden of a criminal record for those who were convicted for conduct that the Office no longer prosecutes.

Project Brooklyn CLEAR (Collaborative Legal Engagement Assistance Response), which started as a pilot in February, expanded this fall to the entire borough. Under this groundbreaking initiative, low-level drug offenders are given a chance to receive treatment and other community-based services before their initial court appearance. At the police precinct, eligible offenders meet with a

Continues on Page 5

Printed November 2018

A Message From DA Eric Gonzalez

Welcome to the Fall 2018 edition of Justice News, the newsletter of the Brooklyn District Attorney's Office. This year has been a busy one. I have been working hard to put together an outstanding executive team and establish programs and initiatives that will help fulfill my commitment to keep Brooklyn safe and strengthen community trust in the criminal justice system.

In this issue, you can read all about it: our new pre-arraignment diversion program called Brooklyn CLEAR; our success in dramatically reducing the number of marijuana prosecutions in the borough; our work protecting young sex trafficking victims; our efforts to ensure safety for pedestrians and cyclists who use Brooklyn's roads; and our prosecutions of scammers who target immigrants. You will also meet two of my executives who have taken top leadership positions in the Office.

This issue features an update on my Justice 2020 Initiative, a groundbreaking blueprint, developed by over 70 experts and stakeholders, that will transform my Office into a national model of a modern, progressive prosecutorial agency. The 17 recommendations of the Justice 2020 Launch Committee will form the foundation of many innovative programs I plan to introduce and implement in the coming months and years.

These include neighborhood safety partnerships that will have an active role in determining how our Office can best promote safe and healthy communities; a plan to erase old marijuana possession convictions; enhanced collaboration with service providers; and much more. These are exciting times here at the DA's Office as we work together to make these ambitious reforms a reality. We can't do it without the support of our entire dedicated staff and members of the communities we serve.

As we embark on these changes, we never lose sight of our primary mission: keeping the people of Brooklyn safe. And I am happy to report that the incredible gains in public safety, achieved over the past several years, have continued in 2018. Homicides, which dropped to record lows in 2017, remain on the decline. Overall crime and arrests are also decreasing. Working with the NYPD, my Office has taken down a number of violent gangs and narcotics trafficking rings. My prosecutors have obtained convictions against dangerous individuals, including shooters, killers and sexual offenders.

We will continue to inform the public about the progress we are making as we strive to enhance transparency and accountability. The United States is in the midst of a national movement to elect progressive, reform-minded prosecutors and the Brooklyn DA's Office is determined to remain a leader in this historic moment. Especially now, as the federal government promotes regressive and oppressive policies, it is up to us on the local level to stand up, push back and do what's right for the hard-working people of this great borough, city and country.

Thank you for taking the time to read and learn about the important work that we do in the Brooklyn DA's Office. I wish you a safe and joyful fall and holiday season.



Eric Gonzalez

The DA's Office in the Community



Marching with DA's Office staff at the Brooklyn Pride Parade in Park Slope



At the Potho Mela Street Festival with Council Member Brad Lander and members of the Bangladeshi community



Discussing drug policy at a live panel on BRIC-TV



Attending ribbon cutting ceremony of the Prince Joshua Community Center in Brownsville



At The Global Citizen Festival in Central Park, with DAs from San Joaquin, Calif., and Orlando, Fla., pledging to end the criminalization of poverty



With children and community members during National Night Out Against Crime

DA Staffers in Leadership Positions



Nancy Hoppock

These two highly-accomplished attorneys have recently assumed key executive positions in the DA's Office: Chief Assistant and Chief of Staff.

Nancy Hoppock joined the Office as Chief Assistant District Attorney and supervises all trials, investigations, crime strategies and case resolutions. Prior to joining the DA's office, she spent several years developing policy and implementing reforms as Assistant Deputy Commissioner with the New York City Police Department's Risk Management Bureau.

Prior to that, Hoppock was the Executive Director of the New York University Center on the Administration of Criminal Law where, in addition to directing research and technical support on best practices in the criminal justice system, she established and ran a federal clemency project. A 1994 graduate of Seton Hall Law School, she started her career at the Manhattan District Attorney's Office and later held various roles with the criminal divisions at the United States Attorney's Office for the District of New Jersey and at the New York State Attorney General's Office. Her extensive experience across state and federal agencies will make her a great asset to the Office.



Maritza Mejia-Ming

Maritza Ming has been promoted from Counsel to the District Attorney to Chief of Staff. In this position, she serves as a key adviser to the DA and manages all day-to-day operations of the agency, including hiring, communications, diversity, human resources, staffing assignments and detective investigators.

Ming joined the Office in 1997 and made valuable contributions to several Bureaus, including Domestic Violence and the Early Case Assessment Bureau, where she served as First Deputy Chief. In 2014, she was tapped to create the Immigrant Affairs Unit, which investigates and prosecutes those who prey on vulnerable members of immigrant communities. Herself an immigrant from the Dominican Republic, she helped build a successful Unit that has been emulated by other prosecutors' offices. At the end of 2014, Ming was promoted to Counsel and helped put in place DA Ken Thompson's reforms. When DA Gonzalez assumed his position, she was instrumental in ensuring a smooth transition and in creating important programs, such as Cultural Competency Training and a Campus Sexual Assault Response Initiative.

Together, Hoppock and Ming will help drive DA Gonzalez's vision of reform and his Justice 2020 Initiative.

Implementing Raise the Age Law to Better Serve Young People

In October, New York's Raise the Age Law went into effect. The DA's Office—already at the forefront of introducing better approaches to handling young offenders—is making changes to ensure this population is treated fairly and receives services that will help them make better choices in the future.

The legislation moves most 16- and 17-year-olds from the criminal justice system to Family Court. A small category of particularly serious cases will remain in Supreme Court and be heard in a new Youth Part. That part is modeled after Brooklyn's Young Adult Court, which was established in 2016 and handles misdemeanor cases against defendants ages 16 to 24 with a focus on assessment and services tailored to this at-risk group of offenders. This court, which will continue to serve defendants 18 and older, is staffed by prosecutors from the Young Adult



ADA Low

Bureau, headed by Assistant District Attorney Natasha Low. She was recently promoted from her position as Deputy Bureau Chief of the Early Case Assessment Bureau.



ADA Macajoux

Her position was previously held by Assistant District Attorney Johanne Macajoux, Chief of the School Advocacy Bureau, which handles school-related crimes and juvenile offenders. The Bureau also focuses on crime prevention, education and advocacy. It will continue to prosecute serious crimes that are exempt under the Raise the Age legislation.

With these personnel changes, newly-retrained ADAs and a commitment to divert young offenders whenever possible, the Brooklyn DA's Office is ready to make the new law a success.

Prosecuting Immigration Scams

Immigrants from every corner of the world call Brooklyn home, with approximately half the households speaking another language other than English. This tremendous diversity is part of our strength – but the large number of immigrants also creates a fertile ground for scammers who seek to take advantage of vulnerable individuals who are vying for legal status.

That's why the Office created the Immigrant Affairs Unit, which is tasked with protecting those who may be targeted by fraudsters because of their vulnerability, whether due to a language barrier, discomfort about asking for help or lack of knowledge of the United States' immigration system.

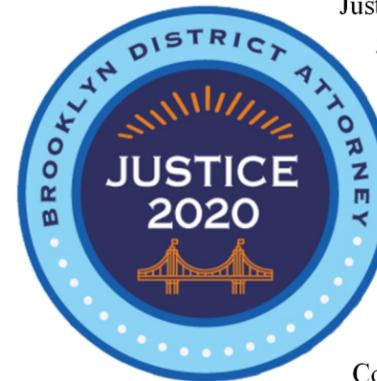
“As the federal government puts in place unprecedented hurdles on immigrants and asylum seekers, it is more important than ever to make sure that con men don't take advantage of the desperation and fear,” DA Gonzalez noted.

In August, his Office charged a Coney Island man with filing

at least 35 asylum applications between 2014 and 2017, which were flagged as fraudulent by the authorities. These applications produced no benefits for victims, who had paid between \$1,000 and \$3,000 for the allegedly bogus services. The defendant in that case, who falsely presented himself as an Immigrant Assistance Service Provider, according to the indictment, targeted immigrants from Eastern Europe and advertised in local papers and websites.

Protecting immigrants from scams is only one aspect of the Immigrant Affairs Unit's work. Its prosecutors also make sure that those accused of crimes are treated fairly and don't face disproportionate immigration consequences, like deportation. DA Gonzalez is committed to protecting non-citizens from draconian immigration outcomes stemming from criminal cases, particularly misdemeanors and low-level offenses, and has implemented a groundbreaking policy to ensure that.

Implementing the Justice 2020 Initiative



Justice 2020 is DA Gonzalez's groundbreaking initiative aimed at *keeping Brooklyn safe and strengthening community trust in the criminal justice system by ensuring fairness and equal justice for all.*

Shortly after taking office, the DA assembled a Launch Committee consisting of criminal justice reform experts, defense groups, service providers, law enforcement personnel, formerly incarcerated individuals, clergy and community leaders. The 70-member panel was broken into different sub-committees, which came up with over 40 recommendations. Those have been consolidated into a list of 17 initiatives that establish a blueprint for the reforms that the DA plans to implement by the year 2020.

The recommendations aim to achieve these four pillars: reduce incarceration – make jail the “alternative”; engage communities as partners in justice; focus resources on the drivers of crime; and make the DA's Office more strategic and mission-driven. The complete Justice 2020 report will be made public by the end of this year.

Taken together, the recommendations will transform the Brooklyn DA's Office into a model of what a modern, progressive prosecutorial agency should be. It will make the Brooklyn community an active participant and true stakeholder in the justice system, build on and enhance the public safety gains of the last several years and ensure greater fairness and equity.

As the Justice 2020 plan goes into effect, the DA's Office will continue to inform the public about these goals and will be held accountable for achieving them. This new vision will guide all decisions and practices going forward.



Justice 2020 Director Jill Harris leading a discussion with the Launch Committee and the DA's Executives

Protecting Young Victims of Sex Trafficking

The trafficking of individuals, even children, for the purpose of sex work is a largely-hidden but very real problem, including here in Brooklyn. The DA’s Human Trafficking Unit works vigorously to secure justice for victims of sex trafficking – both in the courtroom and with lawmakers.

In August, Governor Cuomo signed new legislation, which will aid in prosecuting sex traffickers who mercilessly exploit children. The law, which the Brooklyn DA’s Office helped write, removes the requirement for victims under 18 to testify in court to prove force, fraud or coercion in trafficking cases. Though federal law concedes that minors can’t consent to sexual activity, earlier New York law required proof that the young victims were forced, defrauded or coerced into prostitution against their will. Building a successful case against sexual predators often required that many of these child victims appear in court to testify about a horrific experience.

“We know that victims of sex trafficking are often traumatized and afraid to testify against their abusers,” said

DA Gonzalez. “This law will allow us to hold more offenders accountable.”

Even before the law was enacted, the DA’s Office had been successfully obtaining indictments and convictions against sexual predators who preyed on vulnerable young girls in Brooklyn. In July, a 28-year-old East New York man was indicted for allegedly forcing a 14-year-old girl to have sex with men for money and then turn over that money to him. In a separate case a month earlier, another East New York man was sentenced to up to 16 years in prison following his guilty plea to promoting prostitution and offering two 14-year-old girls to men who paid to have sex with them. That same month, another man was sentenced to up to 10 years in prison for profiting from the prostitution of three underage girls.

With the changes to New York law and an ongoing commitment to justice, the Office hopes to hold more traffickers accountable for their predatory behavior while helping to reduce human trafficking, which is, sadly, the world’s fastest growing crime.

Fighting for Safe Streets

Ensuring the safety of everyone who uses Brooklyn’s streets and roadways – pedestrians, cyclists and motorists alike – is one of DA Gonzalez’s highest priorities. The District Attorney’s Office continues to investigate and prosecute drivers who disobey traffic laws, drive under the influence of alcohol and drugs, or put lives at risk by taking the wheel despite known debilitating medical conditions.

In May, a 44-year-old woman from Staten Island was indicted for reckless manslaughter and other charges in connection with the heartbreaking loss of two young children, ages 1 and 4, who were killed while crossing a Park Slope intersection with their mothers in early March. A thorough investigation revealed that the driver – who suffered a stroke at the time of the fatal crash – had previous medical issues and was told by her doctor she could not drive. Her choice to allegedly ignore these instructions led to avoidable injuries and death, according to the charges.

The DA’s Office also successfully prosecuted a 40-year-old drunk driver

who killed a cyclist during the Citywide Bike Tour in 2017 and injured several others. Earlier in 2018, another driver received a similar sentence of up to 15 years in prison for causing a horrific collision with a parked car that catapulted a woman from an elevated highway in Greenpoint.

While deaths from motor vehicle collisions have been declining this year in Brooklyn and throughout the city, one fatality is one too many. And, unfortunately, the DA’s Office typically gets involved only after a life has been lost or a person has been wounded. To strengthen prevention efforts, DA Gonzalez has been vocal in his support of the School Speed Cameras Program, which has been credited with reducing speeding near schools and enhancing road safety. After politicians allowed the life-saving program to lapse this summer, the DA advocated and attended events with Transportation Alternatives, Families for Safe Streets and other groups to call for the restoration and expansion of this important safety tool, which was eventually renewed.



Press Conference with Fellow DAs, calling for expansion of speed cameras program

Handling Drug Possession Cases (Continued from Page 1)

peer counselor – who is not a member of law enforcement – and are given the opportunity to enroll in CLEAR within seven days. If they agree and meaningfully engage in the services offered to them for 30 days, the DA’s Office won’t prosecute their cases and they never have to show up in court. If they decline the CLEAR offer, their cases proceed under a traditional prosecution model.

Brooklyn CLEAR is part of the Office’s effort to stem opioid dependency and other types of drug misuse in Brooklyn. In its first six months, 65% of eligible individuals have opted to participate in the program. Of those, 85% engaged meaningfully, so the DA’s Office dismissed their cases.

The DA’s Office has also taken concrete steps to decrease prosecution of marijuana cases. Low-level possession cases were already being dismissed under an existing policy, but – in the face of intractable racial disparities in enforcement – DA Gonzalez instructed that cases involving smoking in public, which made up nearly all of the remaining cases, should not be prosecuted either.

The result was a staggering drop in the number of marijuana cases prosecuted in Brooklyn: low-level misdemeanor cases declined by nearly 92% in the first half of 2018, from 349 in January to 29 in June. This decline was the product of a 70% increase in declination by the DA’s Office, which corresponded with a 60% decrease in arrests by the NYPD.

“Aggressive enforcement and prosecution of personal possession and use of marijuana does not keep us safer, and the glaring racial disparities in who is and is not arrested have contributed to a sense among many in our communities that the system is unfair. This in turn contributes to a lack of trust in law enforcement, which makes us all less safe,” DA Gonzalez stated.

Given the success of the pilot policy, the DA’s Office will continue to decline to prosecute all but small categories of low-level marijuana offenses, such as when an individual poses a threat to public safety,



DA Gonzalez speaking to a participant during a Begin Again event at Lenox Road Baptist Church

creates a genuine nuisance, or is involved in violent criminal activity.

As the Office moves away from prosecuting low-level marijuana offenses, DA Gonzalez also announced a program to erase old convictions for these misdemeanors. Under this visionary initiative, the first of its kind in the state, people with a past conviction for marijuana possession are invited to meet with a public defender for free and fill out a motion asking to vacate that conviction. After review, the

DA’s Office will consent to the vast majority of requests and ask a judge to erase these past convictions.

“As we move away from criminalizing low-level possession and use of marijuana, we cannot forget those who carry a conviction for conduct that is no longer being prosecuted,” the DA said.

During a Begin Again event in September, over 50 motions asking to erase a past conviction were received. In addition, DA Gonzalez moved to vacate 3,146 summons warrants stemming from a marijuana-related infraction—warrants that subjected individuals to an automatic arrest.

Taken together, the DA’s Office’s new approaches to dealing with drug use and misuse have the potential to help more people find a better path in life, reduce racial inequities and enhance fairness and trust in the criminal justice system.

