



NEW YORK COUNTY
DISTRICT ATTORNEY'S OFFICE

ANNUAL REPORT

HIGHLIGHTS FROM 2012

A MESSAGE FROM
THE NEW YORK COUNTY
DISTRICT ATTORNEY



The principles that guide me as District Attorney today are the same as those that I followed working as a young prosecutor in this Office more than 30 years ago: a prosecutor's job is to seek not just convictions, but justice. And that obligates us to do what we believe is right in every case, every day, without fear or favor. I am guided by those same values today, as we strive not just to make the city safe, but also ensure fairness in our justice system.

In 2012, three years after taking office, I appreciate more than ever the challenges of balancing the need for public safety with fairness. The threats we face today are in many ways more daunting, and the stakes ever higher, than the threats of the past. In just the past decade, we have seen our nation mobilize in an unprecedented way against the threat of domestic terrorism. We saw Ponzi schemes the size of great corporations and small economies. But at the same time in this new world, we saw new opportunities: modern technologies and new approaches that enhance our ability to detect the guilty and exonerate the innocent. We've also seen a continuing evolution in the role of the prosecutor, one in which he or she has increasingly become a community partner. We strive to build trust within communities and let them know that the DA's Office is a safe place to report crime.

As crime continues to drop to historic lows, New York remains the safest big city in the country. Shooting incidents were down 14% in 2012, a year in which Manhattan saw a 10% decrease in murders, along with fewer rapes, robberies and vehicle thefts. There is no doubt that working with communities and our partners at the New York City Police Department has been critical to law enforcement's successes. Moving forward in 2013, I hope to build on these successes and make our city an even safer place for all New Yorkers.

CYRUS R. VANCE, JR.



CYRUS R. VANCE, JR.
DISTRICT ATTORNEY

ABOUT THE OFFICE

With a long history of excellence, the Manhattan District Attorney's Office is unlike any other prosecutor's office in the country in terms of the breadth, variety, complexity, and scope of cases.

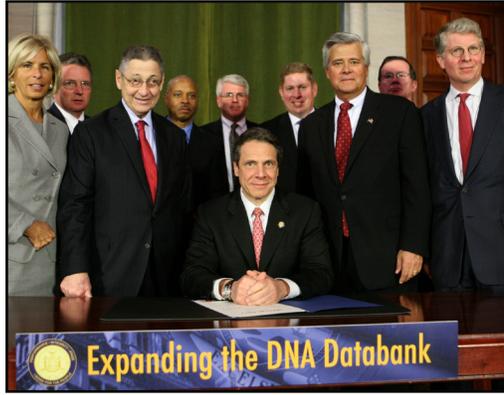
The Office, which employs more than 500 Assistant District Attorneys, handles approximately 100,000 criminal cases each year. Traditional street crimes like murder, robbery and gang violence, which confront any urban prosecutor's office, comprise a substantial part of our docket.

And because Manhattan serves as the financial capital of the world, the Office also is well positioned to prosecute a wide range of sophisticated white-collar crimes, including international money laundering and securities fraud, as well as 21st century threats like terrorism and cybercrime.

This Annual Report highlights some of the Office's work in 2012, including notable prosecutions, crime prevention initiatives, community partnerships, and legislative and victims' rights advocacy.



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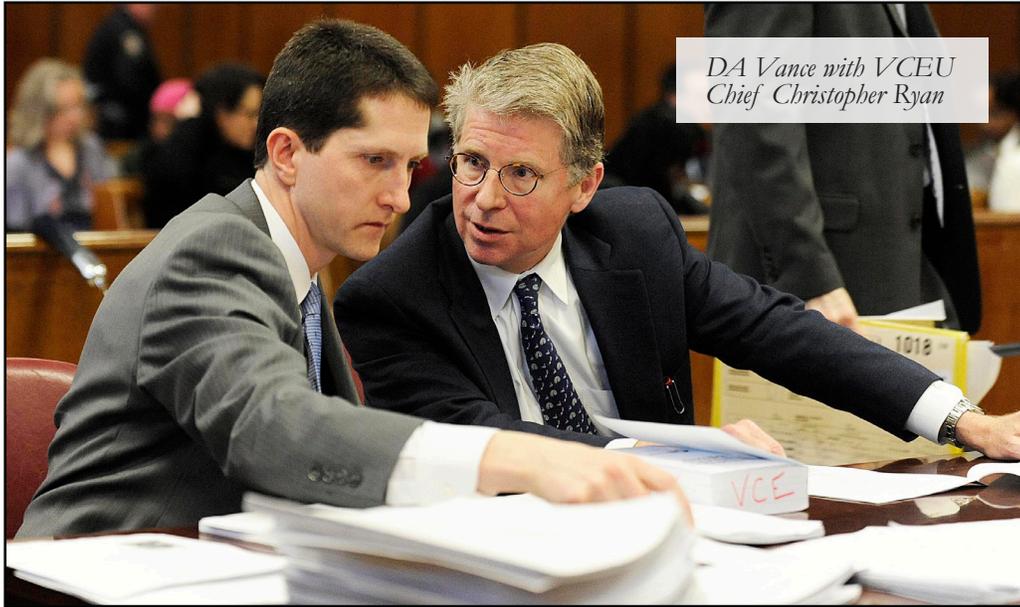
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*DA Vance with VCEU
Chief Christopher Ryan*

VIOLENT CRIME

Organized Street Violence: GANGS, GUNS, AND DRUGS

While New York remains safer than any other big city in the country, many Manhattan neighborhoods are still terrorized by violent gang activity. For decades, these communities have suffered from crime and decay brought by drug dealers and gun traffickers to their playgrounds, courtyards, sidewalks, and apartment buildings.

In June 2010, District Attorney Vance established the Violent Criminal Enterprises Unit (VCEU) to prosecute violent organized crime. As the Office took a close look at what was occurring in Manhattan and beyond, studying crime statistics block-by-block, building-by-building, one thing was clear: gang violence has turned certain communities into war zones. The members are younger, and better armed, than ever before. Many times, these gangs create violence for the sake of violence, as petty turf disputes turn deadly.

Shortly after the VCEU's creation, the Unit successfully prosecuted a young gun and drug crew that operated around 137th Street in Harlem, as well as 11 members of a drug crew that sold marijuana out of a fake Harlem furniture store. In 2012, VCEU continued its work to make the city safer by dismantling several criminal organizations from top to bottom.

Violent Criminal Enterprises Unit

Gun Trafficking

Any crime prevention effort must include taking illegal guns off the streets. Over the past few years, more homicides have been committed with guns than any other type of weapon. In 2012, there were 177 victims of gun shootings in Manhattan, 22 of whom died.

New York has some of the strongest and most carefully drawn gun laws in the country, and there is no doubt that these laws play a critical role in our law enforcement successes. Despite the state's strong gun laws, our ability to keep illegal firearms out of the hands of criminals is hampered by individuals buying guns in other states with weaker laws, and trafficking them into New York.

Working with NYPD and community partners, the Office is aggressively prosecuting gun traffickers. Since its formation in June 2010, the Violent Criminal Enterprises Unit has brought 15 indictments against gun traffickers, seized nearly \$2 million of criminal proceeds, and taken more than 500 illegal guns off the streets.

In October 2012, the Office announced indictments against 16 gun traffickers from two separate gun trafficking networks. These two cases, through one single undercover officer, took more than 110 illegal guns off the streets, including assault rifles banned in New York. The cases represent the most significant gun trafficking investigation in Manhattan in recent history, both in terms of the number of the traffickers taken into custody and the number of guns removed from the streets.

One month later, Nicholas Mina, a former police officer, was sentenced to 15-and-a-half-years in prison for stealing police-issued firearms out of his own colleagues' lockers at the 9th Precinct and selling them on the underground market.



OTHER NOTABLE CONVICTIONS IN 2012

- Thirteen members of a violent Central Harlem street gang, which terrorized the neighborhood surrounding West 129th Street between Lenox and Fifth Avenues, pleaded guilty to importing, possessing, and using firearms. Many of these firearms—including semiautomatic pistols, revolvers, rifles and assault weapons, as well as ammunition—were used in shootings in Central Harlem between 2007 and 2011.
- **Travis Matthews** and **Albert Streigel** were convicted for transporting firearms from Western Pennsylvania and selling them in Manhattan. Matthews pleaded guilty to selling 13 guns to an undercover police detective, and was sentenced to 16 years in state prison. Streigel pleaded guilty to selling 6 firearms to an undercover police detective, and was sentenced to 9 years in state prison.
- **Jose Alvarez** pleaded guilty to selling 32 firearms to an undercover police detective and was sentenced to 22 years in prison. His co-defendant, James Carter, pleaded guilty to selling 13 firearms to an undercover detective and was sentenced to 16 years in prison.

An additional 139 guns were turned in on a single day last fall at a "Cash for Guns" buyback event sponsored by the Manhattan DA's Office and the NYPD. At the request of community members, the DA's Office also sponsored a gun buyback on the Lower East Side in October 2012, which took 50 guns off the streets. Numerous weapons also are removed from circulation each year in routine criminal prosecutions.

Violent Criminal Enterprises Unit

Drug Trafficking

The Office's successful prosecutions of drug trafficking crews demonstrate the importance of partnership between law enforcement and communities.

In January 2012, the Office announced the indictment of a major East Harlem PCP drug ring that sold large quantities of PCP and other drugs through street-level distributors. The investigation into this case started with an anonymous letter that concerned residents wrote to the police about drug dealing and violence.

The defendants had made the Milbank-Frawley Houses their place of business, operating in the courtyard, the playground, and the hallways of that community. They brought drug users into the building, forcing residents to walk past or around users and dealers while they tried to go to school or work, or come home at the end of the day. Residents said they feared for their safety and implored law enforcement to bring an end to the drug dealing so that families could go about their daily lives without living in fear.

After a 15-month investigation, the residents were able to take back their community from drug traffickers. The VCEU's case against this East Harlem PCP ring dismantled the organization from the ringleaders down to the street sellers.



After eliminating this drug ring, the DA's Office and the NYPD worked with residents of the Milbank-Frawley Houses to rebuild their neighborhood.

In June 2012, DA Vance joined residents at "Summerfest," where they planted a garden in the same courtyard that drug dealers had controlled just several months prior.

In November, the PCP drug ring's kingpin, Bernard Moultrie, was sentenced to 35 years in state prison after he pleaded guilty to Operating as a Major Trafficker and other serious charges. The remaining defendants also pleaded guilty and were sentenced to a range of up to 35 years in prison, depending on their role in the organization.

Violent Criminal Enterprises Unit

Drug Trafficking



DA Vance announced the indictment of drug kingpin Ceferino Perez and 22 members of a major cocaine trafficking enterprise

In addition to the PCP ring, the VCEU obtained New York City's first conviction under the state's "Drug Kingpin" statute against Ceferino Perez, one of the principal dealers of powder cocaine in the city for more than 25 years, who pleaded guilty in February 2012. He was sentenced to 20-years-to-life in prison.

Perez's East Harlem narcotics trafficking organization had generated approximately \$1.8 million worth of cocaine sales each year. The investigation uncovered and eliminated the entire organization—its suppliers, major dealers, and workers—and seized cocaine, firearms, and more than \$1 million in narcotics proceeds. Twenty-one other members of this drug ring pleaded guilty and were sentenced to significant prison terms.

"The significance of our cases against drug trafficking operations is not taking a few drug dealers off the streets. We are not satisfied tackling the problem street dealer by street dealer. When we put one dealer in prison, another quickly takes his place. In order to make real progress in our fight against drugs in our communities, we must focus on the bosses of these crime syndicates and use all tools available to us to put them in jail."

CYRUS R. VANCE, JR.

In August, the Office announced the indictment of 19 members of two separate gangs—"20 BLOCC" and "Flow Boyz"—for possessing and selling crack cocaine and related crimes in the vicinity of the Wagner Houses, a public housing facility, and the Taino Towers, both in East Harlem. These defendants are accused of selling crack cocaine on sidewalks, playgrounds, residential buildings, stairwells, lobbies, and in front of community centers.

Homicide & Assault

As in other areas of violent crime, the homicide rate in Manhattan continued to drop in 2012. There were 63 murders in 2012 in Manhattan, a 10 percent decrease from 2011. Six of the homicides were gang-related, while two of the victims were less than 18-years-old.

In May 2012, Daniel Everret was sentenced to 32-years-to-life in prison for shooting and killing a 13-year-old boy, Scotty Scott, during an argument in Northern Manhattan between members of two of Manhattan's violent criminal street gangs – the Lenox Boys and 2MF. The argument escalated into a fight between the rival gang members. Everett, a member of 2MF, retrieved the gang's 9-millimeter semi-automatic weapon, and fired seven shots in the direction of approximately 15-20 Lenox Boys, 2MF members, and their young followers and associates, who had gathered to watch or take part in the fight. Two bullets pierced Scott's heart, lungs, liver, and leg; he died at the scene.

A second victim, who was 18 years old at the time of the shooting, was struck in his knee, which fractured his leg. A bullet fired by Everett also grazed the head of a third victim, who was 16 years old at the time of the shooting, causing bleeding to his brain. He survived.

NOTABLE MURDER CONVICTIONS

- In November, **Bakary Camara** was sentenced to 25-years-to-life in prison after pleading guilty to raping and murdering Rita Morelli, a college student from Italy, in her East Harlem apartment.
- In July, **Boris Brown** was sentenced to 32-years-to-life after being convicted by a trial jury for murdering 17-year-old Cheyenne Baez on October 3, 2010. The victim, an innocent bystander, was shot to death while she was talking to friends in the courtyard of her home in East Harlem. Brown's co-defendant, Devon Coughman, was sentenced to 10 years in prison for acting in concert with Brown to possess the illegal, loaded firearm.
- In June, **Joseph Pabon** was sentenced to 25-years-to-life for murdering Eridania Rodriguez in a Lower Manhattan office building, where the defendant and victim worked. Pabon had attacked the victim and suffocated her with industrial tape, and hid her body in an air duct, where it was discovered four days later.
- In June, **Alujah Cutts** was sentenced to 25-years-to-life for robbing and murdering a 90-year old Holocaust survivor in the victim's apartment on the Upper East Side.

NOTABLE ASSAULT CONVICTIONS

- In November, **Godfrey Molemohi** was sentenced to 15 years in prison for attacking three innocent bystanders in the F subway station at Second Avenue and East Houston Street. One of the victims was a Good Samaritan who tried to help another victim.
- In June, **Edwin Santiago** was sentenced to 21 years in prison for attacking a young woman with a box cutter inside the Chambers Street Station. The victim required 50 stitches to close deep cuts on her face, scalp, and left hand, as well as reconstructive surgery on her thumb.
- In March, **Jose Rojas** was sentenced to 15 years in prison after being convicted by a jury trial for pushing a woman into a subway train as it was pulling into the station at 28th Street and Broadway. The victim suffered extensive injuries to her face, ribs, and shoulders, as well as nerve and spinal damage.



Forensic Sciences / Cold Case Unit

Crime victims and their families deserve justice, no matter how much time has passed. Recognizing that “cold cases” are not forgotten cases, DA Vance created the Forensic Sciences/Cold Case Unit in April 2010, committing significant resources and the expertise of some of the finest attorneys in the country to do a systematic review of more than 3,000 unsolved case files dating back to the 1970s. The Unit, with the help of the NYPD, is re-examining physical evidence in homicide and rape cases using new forensic techniques, as well as re-interviewing witnesses.

In July, the Unit secured its first homicide conviction based on DNA evidence in its systematic cold case review: Steven Carter was sentenced to 25-years-to-life after being convicted by a jury for the rape and murder of Antoinette Bennett in 1986. The victim’s body was found by park workers in a playground area in St. Nicholas Park in the early morning hours of November 10, 1986. Investigators from the New York City Office of the Chief Medical Examiner (OCME) had collected physical evidence, but no further testing could be done at the time, and the case remained unsolved for 26 years. In 2010, the Unit reopened the case and re-examined evidence, including physical evidence held by OCME, and created a DNA profile that led to the defendant.

In October, the Unit secured another “cold case” conviction, when Lerio Guerrero was sentenced to 15 years in prison after pleading guilty to the rape and burglary of a 28 year-old woman on the Lower East Side in 1998. The defendant was not apprehended immediately after the assault, but DNA from the attack was recovered and entered into a national database by OCME. The Manhattan DA’s Office obtained a “John Doe” indictment in 2005, listing the perpetrator by his DNA profile. In 2011, the defendant’s DNA was found to match the DNA profile from the attack on the Lower East Side.

And in December, notorious “Dating Game” serial killer Rodney Alcala pleaded guilty to two previously unsolved murders from the 1980s. He admitted to raping and strangling Cornelia Crilley, a 23-year-old TWA flight attendant, inside her Upper East Side apartment in 1971. He also admitted to murdering Ellen Hover, who was also 23 and living in Manhattan, in 1977. Decades after these crimes occurred, the Unit re-examined the evidence and worked with the NYPD to interview more than 100 witnesses. In January 2011, the DA’s Office obtained an indictment against Alcala and worked with the State of California to extradite him from the state, where he was serving a life sentence for separate murders. In June 2012, Alcala was transported to New York by U.S. Marshals and turned over to the custody of the NYPD.



Terrorism

In today's fight against a local, unaffiliated radicalized threat, intelligence and pre-emption are key. Working in tandem with federal and local law enforcement, we must use all tools at our disposal to neutralize this threat before local terrorists have the opportunity to act.

In the case against Ahmed Ferhani, the Manhattan District Attorney's Office used New York state law to pre-empt and remove a developing terrorist threat before harm could be done. This case demonstrates the Office's commitment to support the fight against terrorism in the most effective way possible.

In December, Ferhani pleaded guilty to terror-related charges in connection with a plot targeting New York synagogues and churches. The guilty plea marks the first time a terrorist has been convicted on state terror charges since the New York Anti-Terror Laws were passed shortly after September 11, 2001.

Ferhani's conviction confirms what we in local law enforcement already knew – we are prepared and equipped to root out and prosecute would-be terrorists living among us. Ferhani, an Islamic extremist, conspired and took concrete steps to blow up synagogues and churches to advance his ideological goals, and to possess illegal firearms and explosives – grenades – to achieve them. He did it for something he referred to simply as “the cause,” which meant the violent and armed fight against Israel, Jews, other non-Muslims, and the West.

This is a case that would not have come about without the diligent work of the NYPD. Though the fight against terror has typically been the purview of federal officials, the NYPD is the most likely law enforcement agency to whom the average New Yorker will report suspicious activity and its officers serve as our eyes and ears on every street and in every neighborhood. In this case, the NYPD focused on an individual about whom they had evidence of a violent jihadist ideology. Together, the NYPD and the Manhattan DA's Office were there to stop Ahmed Ferhani before he had the chance to kill.

“For the Manhattan District Attorney’s Office, the job of keeping citizens safe must include a commitment to and expertise in addressing terrorist threats both abroad and at home. We have learned through tragedy that New York’s preeminence—all of those things that make the City a source of leadership and aspiration throughout the world—also makes it a prime target for terrorists. But that same preeminence gives us the tools, and the responsibility, to take a leadership role in the fight against terrorism.”

CYRUS R. VANCE, JR.

Terrorist Financing

Transactions that take place on foreign shores often leave an electronic footprint in Manhattan. In addition to policing local markets, the Manhattan District Attorney's Office is well positioned to prevent terrorist organizations and rogue states from obtaining the money they need to operate.

In 2012, the DA's Office, working with federal partners, entered into separate Deferred Prosecution Agreements (DPAs) with HSBC Bank, Standard Chartered Bank, and ING Bank for moving money and processing wire transfers through the New York banking system on behalf of sanctioned countries, including Iran, Libya, Sudan, Myanmar, and Cuba. These banks removed—or “stripped”—information that otherwise would have alerted federal regulators to the identity of the sanctioned clients.

“For sanctions to be effective, they must be enforced, and they must be respected. These cases put teeth into sanctions enforcement, send a strong message about the need for transparency in international banking, and make it more difficult for rogue regimes, narcotics traffickers, and the financiers of terrorism to access the global financial markets. This makes all of us safer, especially those of us residing, working, and playing in Manhattan, which has been, and undoubtedly will continue to be, the focus of radical violent ideologues throughout the world.”

CYRUS R. VANCE, JR.

Since 2009, the Manhattan DA's Office also has entered into DPAs with three other banks for similar illegal conduct: Barclays, Credit Suisse, and Lloyd TSB Bank. In total, the six banks have forfeited in settlements approximately \$2.4 billion, with approximately half of the funds being paid to the City and State of New York.

DPAs have given law enforcement an important new tool which provides a means—in the right cases—of holding a company accountable with fines and significant policy changes without necessarily putting the company out of business to the detriment of the employees and shareholders.

Under the DPAs, the banks agree to cooperate with law enforcement, adhere to best practices for international banking transparency, implement procedures and training designed to ensure U.S. sanctions compliance, and pay millions of dollars in penalties and forfeiture.

Investigations of financial institutions, businesses, and individuals who violate U.S. sanctions by misusing banks in New York are vitally important to national security and the integrity of our banking system.

SPECIAL VICTIMS BUREAU

Sex Crimes

Regardless of whether sexual assaults take place inside the home or in a public space, and whether the defendant is a stranger or is known to the victim, these crimes are taken extremely seriously by the criminal justice system. Convicted defendants receive some of the most significant sentences, including a prison sentence of 75 years-to-life secured by the DA's Office against Michael Peña in May 2012. Pena, an off-duty NYPD officer, was convicted at trial of sexually assaulting a young school teacher at gunpoint in Inwood while threatening her with his police-issued firearm.

The DA's Office sought and successfully secured significant prison sentences for a number of defendants convicted of sexual assault
INCLUDING:

- In October, **Nathaniel Jackson** was sentenced to 40 years in prison for repeatedly raping and assaulting a 16-year-old girl in his Harlem apartment, and then obstructing justice in connection with his prosecution.
- In September, **Marquis Phillips** was sentenced to 78 years-to-life in prison after being convicted by a jury of robbing a woman in an elevator, dragging her into stairwells within her East Harlem apartment building, and sexually assaulting her.
- Also in September, **Jason Quinones** was sentenced to 20 years in prison after pleading guilty to Rape and Sexual Abuse in the First Degree for two separate crimes. Quinones crawled into one victim's ground-floor window while she slept. He took her cell phone to prevent her from calling for help before raping her. In a separate incident, Quinones followed a different victim into her apartment, despite her refusal to let him enter. He then pushed her onto a couch and sexually abused her.
- In August, **Greg Poirier** was sentenced to 25 years in prison after being convicted by a jury of a sexually motivated attack on a 28-year-old woman as she entered her East Village apartment.
- In June, **Mustapha Ouanes** was sentenced to 10 years in prison after being convicted by a jury for raping a sleeping woman in his hotel room at the Plaza.
- In March, **Kentrel Whitaker** was sentenced to 22 years in prison after being convicted by a trial jury of attempting to rape a 73-year-old woman as she was walking down the East River promenade near 111th Street.

SPECIAL VICTIMS BUREAU

Human Trafficking

In March 2012, DA Vance created the Human Trafficking Program within the Office's Special Victims Bureau to employ all of the Office's resources in a coordinated effort against sex and labor trafficking.

Human trafficking is a crime that has a devastating impact on its victims and preys upon some of the most vulnerable members of our society. Because of the deep physical and psychological scars left upon victims of human trafficking, many of these victims do not report their abuse and remain hidden in the shadows. It is only through the coordinated efforts of partners in law enforcement, service providers, and advocates that will bring this problem into the light and get justice for victims.

The mandates of the Human Trafficking Program are to: (i) better identify trafficking victims, (ii) provide greater support for victims and their families in partnership with those in the victims' advocate community, and (iii) educate law enforcement and the public about trafficking and related issues. The Program draws on the expertise of all areas of the Office, including Cybercrime, Major Economic Crimes, Asset Forfeiture, and Witness Aid Services. This approach allows the Office to better identify trafficking victims and investigate and prosecute sex traffickers.

In April, the DA announced charges in a domestic sex trafficking operation in a landmark takedown that charged the alleged pimps, drivers, and "johns." The case accuses the defendants with sex trafficking, money laundering, and promoting prostitution. The indictment also charges six livery cab drivers with promoting prostitution, for their role in the schemes, and 14 other individuals with patronizing prostituted women.



This case represents a top-to-bottom dismantling of a sex trafficking operation, from the traffickers at the very top, to the drivers who drum up business for them, to the "johns" themselves. With these indictments, the DA's Office is taking a new approach to addressing the modern day realities of sex trafficking, in part by going after everything that allows sex trafficking to thrive, including the demand side.

NOTABLE HUMAN TRAFFICKING CONVICTIONS IN 2012

- In October, **Donnell Baines**, was convicted by a jury for operating a sex trafficking ring out of his Upper East Side apartment and raping the women he employed, using physical force, coercion, and threats of violence to compel women to continue to engage in prostitution. Baines forced the victims to stay with him by taking their identifications, threatening to expose private information, and threatening to harm the victims' families in order to prevent them from leaving him.
- In August, **Lamont Brunson** was sentenced to 3-to-9 years in prison after pleading guilty to running a prostitution and sex trafficking operation. As is common in domestic sex trafficking cases, Brunson required the victim, a 17-year-old woman, to turn over all profits made through prostitution, and instituted a quota of money that she was required to earn each night. When the victim failed to meet her quota or violated one of the defendant's rules, she was beaten. Brunson further intimidated the victim by making her sign a purported contract stating that she would stay with him "until death do us part." These violent and coercive tactics left the victim essentially helpless and financially dependent on the defendant.



SPECIAL VICTIMS BUREAU

Domestic Violence

The District Attorney's Office's Special Victims Bureau handles cases involving some of Manhattan's most vulnerable victims, including victims of domestic violence, child abuse, sex crimes, sex trafficking, and elder abuse.

The Bureau's investigators and prosecutors, working with the Office's Witness Aid Services Unit, are specially trained to not only bring justice to the victims in court, but also to help them to recover from trauma, return to a place of safety, and move forward with their lives.

Domestic violence is not just a criminal justice crisis—it is a national public health crisis that affects all neighborhoods and communities, and threatens our most vulnerable family members, particularly women and children. Last year, NYPD responded to more than 263,000 domestic violence incidents--that's more than 720 incidents each day.

The devastating effects of domestic violence became clear to all who listened to a father testify in court in October about his 23-year-old daughter's murder at the hands of her boyfriend. The defendant, Raul Barrera, pleaded guilty to fatally stabbing this innocent young woman 30 times in her apartment because she wanted to break up with him. The victim knew her boyfriend was unstable, but did not believe she could get out of a relationship that was physically and emotionally abusive. As Assistant District Attorney Matthew Bogdanos said at the defendant's sentencing hearing, "It was not a question of if he was going to kill her, but when." Barrera was sentenced to 25-years-to-life.

Although society has come a long way in its perception of domestic violence, it is still a vastly underreported crime. The conservative estimate is that only one-quarter to one-half of domestic violence is ever reported to the police.

Raising awareness about this public health crisis is critical, as early intervention can mean the difference between life and death. Members of the DA's Community Affairs Unit, together with Assistant District Attorneys, regularly travel throughout Manhattan giving presentations on domestic violence prevention. The goal of these presentations is to raise awareness, help families understand what signs to look for, and what resources are available to victims.

OTHER NOTABLE DOMESTIC VIOLENCE CONVICTIONS

- In December, **Renato Seabra**, a Portuguese model, was sentenced to 25-years-to-life after being convicted by a trial jury of bludgeoning, choking, and mutilating his lover before murdering him in a Times Square hotel room.
- In May, **Francisco Martinez**, a corrections officer, was convicted by a trial jury for physically, sexually, and psychologically abusing a victim multiple times over a three-year period.
- In February, **Ramon Lalondriz-Castillo** was sentenced to 15 years in prison after pleading guilty for shooting his ex-girlfriend. Lalondriz-Castillo followed the victim, who was 21 at the time, as she left the store where she was employed on the Upper East Side. The defendant rushed toward the victim from behind, pushed her to the ground, pointed a handgun in her direction, and fired several gunshots before fleeing the scene. The victim was shot twice, once in the base of her skull and once in her right forearm. She was treated at a hospital for her injuries, and made a full recovery.

THE FAMILY JUSTICE CENTER

Combating domestic violence requires our consistent, concerted efforts to identify victims, prosecute offenders, and get victims the help they need to find a place of safety.

As part of these efforts, we need to make it less difficult for victims to break out of the cycle of violence and to access counseling and social services.

In October DA Vance, along with the Mayor's Office and the Manhattan Borough President, announced the official start of construction of the Manhattan Family Justice Center. Housed under the same roof as the Special Victim's Bureau, the Center is designed to bring comprehensive services for victims in one centralized place.

The Center will offer counseling, safety planning, medical referrals, assistance with accessing shelter and applying for housing, and assistance with family court matters. And it will be staffed by experts in every discipline, committed to looking at all angles of domestic violence cases. The Center is expected to open in Fall 2013.



DA Vance joined Mayor Michael Bloomberg, Manhattan Borough President Scott Stringer (not pictured), City Council Speaker Christine Quinn, and advocates to announce the construction of the Manhattan Family Justice Center.

DOMESTIC VIOLENCE BY THE NUMBERS

- 38% of battered women will be victimized again within six months.
- In 2012, the NYPD responded to an average of more than 720 domestic violence incidents each day.
- There were 69 family-related homicides in Manhattan in 2012 alone.
- Speedy dismissals of domestic violence cases are down 40% from 2009 - 2012.
- The Manhattan DA's Office screened more than 5,600 domestic violence cases in 2012.

Sources: NYC Mayor's Office to Combat Domestic Violence, Manhattan DA's Office

Domestic Violence Legislation



DA Vance stood with City Council Speaker Christine Quinn, Manhattan Borough President Scott Stringer, New York State Senator Daniel Squadron, and victims' advocates to urge lawmakers to pass the Aggravated Domestic Violence bill.

District Attorney Vance strongly advocated for the 2012 Aggravated Domestic Violence legislation that addresses one of the underlying problems of domestic violence – the ability of offenders to abuse their victims again and again without serious consequences. The law created a class E felony for an abuser who commits two or more misdemeanor domestic violence offenses within five years, including those involving intimate partners, non-traditional familial relationships, and adult children abusing parents.

Defendants may now be placed under probation supervision for five years, and in more serious cases, could be sent to state prison for up to four years. This law also extends the period of time for orders of protection, because felony orders cover periods almost twice as long as those in misdemeanor cases.

All Crimes DNA Legislation

DNA collection is one of the most reliable and cost-effective tools that we have in law enforcement. Since New York State's DNA Databank was created, this accurate technology has solved thousands of rapes, murders, robberies, and burglaries, and prevented countless more crimes. Crucially, DNA evidence does more than put criminals away; it also exonerates the innocent.

In 2012, in conjunction with other law enforcement agencies and victim advocacy groups, the Office fought for and won passage of the All Crimes DNA legislation, an expansion of the state's DNA databank to include collection of DNA upon all criminal convictions.

Governor Cuomo signed the All-Crimes-DNA bill into law in March 2012, making New York the first state to expand its DNA databank to include anyone convicted of a penal law crime, with the exception of minor marijuana offenses. This expanded database will help convict the guilty, exonerate the innocent, and bring closure for thousands of victims.



DA Vance joined victims and advocates in Albany to push for passage of the All Crimes DNA bill.

By the Numbers

SUCCESSFUL PROSECUTIONS

- In 2012, 88% of gun possession indictments resulted in convictions.
- In 2009, 57% of child abuse trials resulted in convictions. In 2012, that percentage climbed to 86%.
- In 2009, 83% of sex assault indictments resulted in convictions. In 2012, 90% of sex assault cases resulted in convictions, the highest rate in recent years.

Source: Manhattan District Attorney's Office

SPEEDY TRIAL DISMISSAL RATES

- Dismissals of DWI cases for violation of speedy trial rules have fallen by 92% since 2009. In 2009, 421 DWI cases were dismissed under speedy trial rules. In 2012, that number dropped to 35 .
- Speedy trial dismissals in cases of sexual assault fell by approximately 61% from 2009 to 2012.
- Speedy trial dismissals in cases of domestic violence fell by approximately 40% since 2009.

CRIME INDEX RATE

- Homicides decreased by 10% from 2011-2012.
- Shootings decreased by 14% from 2011-2012.

Vehicular Crimes

Far too many cyclists and pedestrians are killed in crashes with motorists each year, in every borough of New York. Often times these deaths are not crimes, but they are of grave concern to law enforcement. The District Attorney's Office investigates and files charges where the evidence supports them, and advocates for best standards and practices to investigate and prosecute vehicular crimes.

As part of an ongoing effort to educate prosecutors from throughout the region, the Office's Vehicular Crimes Unit has been hosting specialized training programs for law enforcement on vehicular crimes and investigations.

In October 2012, more than 60 prosecutors from around the region attended the week-long "2012 Crash Investigation and Reconstruction for Prosecutors" course at the Manhattan District Attorney's Office, during which they received training from experts in vehicular crash scene reconstruction, evidence collection, pedestrian and cyclist strike collisions, and vehicular crime trial strategies and techniques.

NOTABLE VEHICULAR CONVICTIONS IN 2012 INCLUDE

- **Dyson Williams** was sentenced to 17 years-to-life in prison after pleading guilty to driving a car that killed a nun and injured four people in Harlem following an early-morning robbery spree. His co-defendant, William Robbins, was sentenced to 15 years after pleading guilty. In the early morning hours of June 22, 2010, the defendants executed several armed robberies in Northern Manhattan. Police officers pulled over the defendants in their car, and ordered Robbins, who was in the driver seat, to exit the car. After Robbins exited the car, Williams moved to the driver's seat and drove away. Minutes later, the car struck another vehicle and a group of pedestrians, injuring four people and killing Sister Mary Celine Graham of the Franciscan Handmaids of Mary religious order.
- **Lynette Caban** was convicted by a trial jury for a vehicular homicide in East Harlem. She backed up into an intersection and fatally struck Francesca Maytin, an 82-year-old woman who was crossing the intersection with the light. The force of the impact caused the victim to fly through the air and strike her head on the pavement on the middle of the intersection.

On June 21, 2012, DA Vance announced the sentencing of 16 members of "S3"; a Brooklyn-based gang that used stolen bank information and forged credit cards to resell fraudulently acquired Apple products for profit.



Cybercrime & Identity Theft

As the high-tech and digital world becomes more sophisticated, so do the criminals who use computers and new technology to take advantage of unsuspecting victims. Ranging from simple identity theft from individuals to large-scale financial fraud against multi-billion dollar businesses, cybercrime has become the fastest growing crime in New York and around the country. Some Manhattan police precincts report that identity theft is their most frequently reported complaint, and national statistics mirror this upward trend in cyber-related offenses.

“Every day, hardworking New Yorkers find themselves the victims of cybercrime and identity theft - their financial information stolen from ATMs, from internet transactions, from financial institutions and from retailers. Cybercrime is the new face of organized crime, and we will continue to fight it with every tool we have.”

CYRUS R. VANCE, JR.

In some cases, we are finding a direct link between traditional street gangs and cybercrime and identity theft. Rather than engaging in traditional street crime, these criminal organizations recruit insiders at organizations to steal personal identification information, and use the internet to trade such information and commit financial crime. The information is used in various sophisticated ways, including the manufacturing of counterfeit checks or counterfeit credit cards.

But while advances in technology have changed the way criminals conduct their business, it also has enhanced how we fight crime. Recognizing the need to prosecute this growing area of crime, District Attorney Vance created the Cybercrime and Identity Theft Bureau (CITB) upon taking office.

The significant prison sentences that the Office has secured for the top defendants in these cases reflect the seriousness of cybercrime and identity theft.

Additionally, the CITB does not only handle cases involving cybercrime and identity theft. Nearly every case prosecuted by the Manhattan District Attorney’s Office—from domestic violence to domestic terrorism—relies upon the resources and expertise of this Bureau and its computer forensics laboratory. Every case involving a cell phone, a smart phone, or a computer depends upon the CITB to process what can be truly vast amounts of evidence -- from the subway rider who takes photos up women’s skirts, to the murderer whose whereabouts can be tracked using cell phone signals.

Cybercrime & Identity Theft

State-of-the-Art Cybercrime Lab

In order to effectively prosecute these crimes, a state of the art forensic laboratory is crucial. In August 2012, District Attorney Vance and City Council Speaker Christine Quinn announced funding for a state-of-the-art cybercrime lab. The City Council has provided \$4.2 million for construction of an expanded High Technology Analysis Unit lab.

This lab already performs forensic analysis of digital media—including cell phones, smart phones, computers, and other electronic storage devices, as well as cell site mapping, but will now be able to do so more efficiently and on a larger scale.

This redesign and expansion will also allow the DA's Cybercrime prosecutors, personnel, investigators, analysts and examiners to be co-located within a single facility. With the number of electronic devices on the rise, an enhanced cybercrime lab in Manhattan is expected to ease the strain on forensic data examiners citywide.

by THE NUMBERS

The Manhattan DA's Office investigates approximately 200 to 300 new cases of ID theft each month.

The number of computers analyzed by the Office's Cybercrime & Identity Theft Unit skyrocketed last year - up 195% from 2010 to 2011.

NOTABLE CONVICTIONS IN 2012

- In October, **Tracey Nelson** was sentenced to 6-to-18 years in prison for her role in an organized identity theft and financial crime ring that relied on corrupt employees at banks, businesses, and a non-profit organization to steal clients' and donors' information. They sold that information to co-defendants, who used that stolen information to steal money from the victims' bank and credit card accounts.
- In September, **Sam Yin**, a disgruntled former network engineer for Gucci America, was sentenced to 2-to-6 years in prison after pleading guilty to hacking into the company's computer system. This cyber intrusion led to the functional shut down of all computers in Gucci's New York office. Yin used an account he secretly created during his tenure at Gucci to access and control the company's computer system, shutting down its servers and networks, and deleting data from others. As a result, Gucci lost access to documents and e-mail for nearly 24 hours, while other documents and emails were deleted permanently.
- In September, **Joel Luciano**, the ringleader of a well-organized check fraud ring, was sentenced to 3-to-9 years in prison after pleading guilty to the top charge of the indictment. This crime ring was responsible for stealing at least \$450,000 from more than 90 accounts at TD Bank. Luciano enlisted individuals to open personal savings and checking accounts at various TD Bank locations. Upon opening the accounts, the new account holders received Visa credit/ATM cards associated with the accounts, and then deposited bad checks drawn either from closed bank accounts or from accounts with insufficient funds, from banks other than TD Bank, into their newly-opened savings accounts at TD Bank. The criminal organization opened more than 90 bank accounts at TD Bank to deposit fraudulent checks, and then used special cash access locations to withdraw money from those accounts.
- In June, leaders of a large-scale identity theft ring were sentenced for compromising hundreds of bank accounts and fraudulently purchasing Apple products from stores around the country to resell for profit. Ringleaders **Shaheed Bilal** was sentenced to 4 ½-to 9 years in prison; **Rahim Bilal** to 2-to-6 years; and Ali Bilal to 1-to-3 years. The defendants, who called themselves "S3," illegally obtained personal identifying information, such as the names and credit card account numbers of identity theft victims. They purchased the stolen information from online data traffickers via web-based portals, stored the credit card information in shared email accounts, and used that information to create counterfeit credit cards. The defendants then recruited individuals to act as "shoppers," who used these fake cards to purchase electronic goods from Apple stores. They then sold those products for cash at below retail cost to several different individuals in Brooklyn acting as "fences." In turn, the fences would then resell the illegally obtained goods at a profit.
- In June, **Nikolai Ivanov** and **Dimitar Stamatov**, both Canadian nationals were sentenced to 3-9 years in prison for planting illegal "skimming" devices on ATM machines in Manhattan to steal the debit card numbers of nearly 1,500 individuals, and then exploiting the stolen debit card numbers to make more than \$285,000 in fraudulent transactions.

Major Economic Crimes Business and Investor Fraud

White collar crime weakens the stability of our financial markets and imposes staggering costs on the law-abiding public. Continuing the Office's long history of leadership in the battle against white collar crime, the Major Economic Crimes Bureau is aggressively prosecuting cases ranging from terrorist financing, Ponzi schemes that shake investors' faith in the integrity of the financial system, and swindlers who steal from small businesses and consumers.

Financial markets are governed by rules that keep investors safe and the marketplace stable. The Major Economic Crimes Bureau is continuing to root out and prosecute individuals who steal from investors and businesses, and who create mistrust and instability in our financial markets.



NOTABLE CONVICTIONS IN 2012

- **Joseph Greenblatt** was sentenced to 6-to-18 years in prison for stealing more than \$31 million from investors by operating a Ponzi scheme through his real estate company. Greenblatt told his victims, many of whom were retirees living in Florida, that he would use their funds to invest in real properties. However, these investments were wholly unsecured and left the investors without any apparent claim to the value of the property. Greenblatt used these investment funds for his personal use and to make several million dollars in restitution payments owed under a separate criminal investigation against him in Brooklyn Supreme Court.
- **Douglas Arntsen** was sentenced to 4-to-12 years in prison after pleading guilty to embezzling more than \$10 million dollars from two clients of the law firm Crowell & Moring LLP, where he was employed as an attorney. Although Arntsen was originally scheduled to fly to Hong Kong out of New York, in order to evade arrest he drove to Philadelphia that evening and flew to Hong Kong, where he was later arrested and extradited to the U.S.
- **Jeffrey Bernstein** was sentenced to 3 1/3-to-10 years in prison after pleading guilty to stealing more than \$2.5 million from the Albert Ellis Institute, a non-profit psychotherapy institute. While serving as the director of administration, Bernstein made nearly 80 unauthorized wire transfers from the institute to three business accounts that he controlled.
- Four defendants were convicted by a trial jury for defrauding Columbia University out of approximately \$5.7 million and transferring the funds into accounts for their own use. One of the defendants, **Joseph Pineras**, a Columbia University accounts payable clerk, fraudulently redirected payments from Columbia, payable to New York Presbyterian Hospital, into a bank account held by Pineras's co-defendants, **George Castro**, **Walter Stephens**, and **Jeremy Dieudonne**. Castro and Dieudonne were each sentenced to 7-to-21 years in prison.

Grand Jury Property Tax Report

In addition to numerous prosecutions of tax fraud, in August 2012, the DA's Office released a report by a New York State Supreme Court Grand Jury examining the filing of false documents and information with New York City in connection with the computation of real property tax liability. The Grand Jury Report found that current laws, regulations, and systems are not adequate to prevent and deter costly false filings, which occur with unacceptable frequency.

The Grand Jury called for legislative, executive, and administrative reforms to protect the integrity of the tax system and maximize tax receipts lawfully due to the City. The Report stemmed from investigations by the DA's Office's Money Laundering and Tax Crimes Unit into false filings submitted to the NYC Department of Finance in connection with assessing the value of real property, as well as to the NYC Tax Commission in connection with taxpayers seeking a reduction of that assessment.

Public Corruption and Construction Safety

The Office's Rackets Bureau conducts long-term investigations into the corrupt activities of criminal enterprises, including matters involving construction fraud and labor investigations; public corruption; organized crime; and terrorist activities. In 2012, the Office's Rackets Bureau continued its long-term investigations into criminal activities in the construction industry, prosecuting companies who put profit before public safety. The Rackets Bureau also secured convictions against public officials who exploited their positions for personal gain.

NOTABLE CONVICTIONS IN 2012

- **American Standard Testing** and Consulting Laboratories and several of its executives and employees pleaded guilty to corruption and related charges for falsifying concrete testing and inspection reports, which jeopardized the public's safety. ASTC was hired by contractors, engineers, architects, and others to perform tests and inspections relating to the strength and quality of concrete, as mandated by the New York City Building Code. For more than 10 years, the defendants submitted thousands of false test reports, regularly skipping vital safety tests and creating false reports to create the impression that the tests were performed.
- Ten subway maintenance supervisors and signal maintainers from the New York City Transit Authority were indicted for falsifying MTA records to reflect inspections of equipment that were never actually completed. All of the defendants have pleaded guilty.
- **Edward Marquette**, a former inspector at the NYC Department of Buildings Division of Cranes and Derricks, was convicted after a bench trial for falsifying inspection sheets on two separate dates. He claimed to have inspected cranes, which he was found not to have done.
- **Patrick Alcindor** was sentenced to 6 ½-to-13 years in prison after being convicted by a trial jury for defrauding Medicaid. While working as a pharmacist in Manhattan, he acted as a signatory on the pharmacy's bank account. He purchased prescriptions from Medicaid clients for cash and then billed Medicaid as if the prescriptions had been filled and the medications actually dispensed to the clients. In fact, the pharmacy never had the medications in stock. The Office of the Medicaid Inspector General has alleged that the defendant's fraud caused the government more than \$1.8 million in losses.

Elder Abuse

Elder Abuse includes both the physical abuse and financial exploitation of older victims by family members, companions, caretakers, con artists, accountants, bankers, and others. The Office's Elder Abuse Unit investigates and prosecutes approximately 700 elder abuse cases each year. But like other forms of domestic violence and sex crimes, cases of elder abuse often go unreported because many victims feel shame, embarrassment, and guilt. The DA's Office is working to raise awareness about elder abuse and encourage victims to come forward. The Office co-founded New York City's first Elder Fatality Review Team with other city agencies to evaluate elder deaths in which abuse or neglect may have played a role. The Office also conducts trainings for various professionals who regularly enter seniors' homes to detect, prevent, and report cases of elder abuse.

In many cases, victims of elder abuse are victimized by someone they know. For example, in June, Larry Brown was sentenced to 22 years in prison for assaulting and robbing his step-aunt and step-uncle in their home. Brown told the elderly couple that he was going to stop by their home to pick up clothing for his sister, and entered their home with a knife, a billy club, and twine. He stabbed his step-aunt multiple times, and when his step-uncle entered the room, Brown held a knife to his step-aunt and threatened to kill her if his step-uncle did not give him money. He then tied up his step-aunt with twine, followed his step-uncle upstairs while brandishing the knife and billy club, and took \$1,000. His step-aunt was able to escape to call for help.

Elder abuse can also come in the form of financial exploitation. Philip Leopold pleaded guilty to stealing money from an 85-year-old woman who had entrusted him with her finances. Leopold first met the victim, who is nearly blind, hearing impaired, and has other health issues, about 40 years ago, and helped her with her finances. Taking advantage of the victim's trust, Leopold stole more than \$1.6 million from her by withdrawing money from her bank and trust accounts without her authorization.

Immigrant Affairs Program



One of New York City's great sources of strength and pride is our diversity. But we know that immigrants are especially vulnerable to unscrupulous people who take advantage of those who are new to this country, not fluent in the language, and struggling to navigate a complex legal and social services system.

The DA's Immigrant Affairs Program investigates and prosecutes fraud committed against immigrants, and to educate the public about immigration fraud through prevention workshops and seminars. Since its creation, the Program has fielded more than 2,664 complaints in three languages – Spanish, Cantonese, and Mandarin – and is staffed with experts who are specially-trained to handle fraud that targets immigrants.

Those in immigrant communities should know that the Manhattan DA's Office is a safe place to report crime – regardless of immigration status.

In addition to prosecuting cases, the District Attorney's Office also regularly hosts fraud prevention seminars, where Assistant District Attorneys join members of the Community Affairs Office to provide immigrant communities with information about immigrants' rights and how to detect and prevent fraud.

The most common scams against immigrants are committed by individuals who pretend to be licensed attorneys, Immigration and Customs Enforcement officials, or other government employees.

These scammers file false or erroneous documents or nothing at all, but only after stealing hundreds, and sometimes thousands, of dollars from their victims. Even when the monetary sums are low, for victims that can often be their life's savings.

NOTABLE CONVICTIONS IN 2012

- **Hit Shrestha** pleaded guilty to defrauding Nepalese nationals of thousands of dollars. Shrestha convinced multiple victims to pay between \$3,000 to \$7,000 in exchange for arranging air travel, travel documents, and immigration forms for her victims' relatives to immigrate to the U.S.
- **Francisco Alberto Gautreaux Calcano** pleaded guilty to defrauding victims in NYC and the Dominican Republic. He falsely told victims he was an employee of the Embassy of the Dominican Republic and was collecting funds to transport donated utility and emergency vehicles to municipalities and charitable organizations in the Dominican Republic.
- **Jennifer Lam** pleaded guilty to defrauding a Chinese national seeking permanent residency in the U.S. By falsely representing herself as an immigration attorney, Lam stole more than \$14,000 from the victim.

Environmental Crimes

The underground economy in Manhattan is thriving, as criminals sell illegal goods to eager buyers. Often, we are here talking about drugs and guns. But in New York City, nearly anything and everything is for sale on the black market: there is a market for stolen electronics, stolen art, stolen identities and, as described below, even a market for ivory harvested from endangered and threatened elephants.

2011 was the worst year in elephant killings in more than two decades, according to a recent report. More than 2,500 elephants were killed that year for their tusks. The global demand for elephant ivory jewelry, carvings, and other products has resulted in a significant reduction in African elephants, which have been classified as threatened since 1978, and the Asian elephant species, which has been classified as endangered since 1976. Despite international efforts to stop poaching, the black market for ivory is booming and pushing both species of elephants to the brink of extinction.

In July 2012, two defendants and their companies pleaded guilty to selling and offering for sale items made from ivory that was harvested from endangered and threatened elephants. From this investigation, the Manhattan District Attorney's Office recovered more than two million dollars worth – and close to one ton – of illegal ivory. Each of the defendants is charged with Illegal Commercialization of Wildlife, an E felony under the New York State Environmental Conservation Law.

As a result of their guilty pleas, the defendants forfeited elephant ivory articles and items valued at nearly \$2 million. The forfeited ivory will be used for educational and training purposes, such as training new wildlife investigators to identify ivory products. The defendants also paid nearly \$200,000 to be distributed to the Wildlife Conservation Society.

“Poachers should not have a market in Manhattan. It is unacceptable that tusks from elephants wind up being sold as mass-produced jewelry and unremarkable decorative items in this city. Despite efforts to protect populations of endangered and threatened species, poachers are pushing them to the brink of extinction. This is an international problem that requires local solutions. In order to curb the poaching of elephants in Africa and Asia, we need to curb the demand side of the illegal ivory trade right here at home. These cases are a small, but important, step in protecting endangered and threatened elephant species. This investigation is part of an ongoing and focused effort by my Office, working with federal and state partners, to combat environmental crimes and clamp down on the illegal ivory underground marketplace, which fuels the international poaching crisis.”

CYRUS R. VANCE, JR.

Appeals Bureau

The DA's Appeals Bureau handles cases in the state's appellate courts, as well as all federal courts, to ensure that properly-obtained convictions are upheld, and that defects in trial proceedings do not unduly affect either the public or the defendant.

In 2012, the Appeals Bureau was responsible for upholding numerous convictions obtained against defendants who preyed upon vulnerable victims. For example, in ***People v. Moronta***, the defendant, who was already the subject of an order of protection issued in favor of his ex-girlfriend, stabbed her to death while in a jealous rage because she was socializing with other men. The appellate court upheld the defendant's prison sentence of 25-years-to-life and rejected his claim that the jury should have been given the option of convicting him of a lesser crime because he was acting under an extreme emotional disturbance.

In ***People v. Cajigas***, New York's highest court held that a defendant has committed a burglary when he unlawfully enters an apartment with the intent to commit an act prohibited by an order of protection against him, even if that act would not otherwise have been illegal. The court recognized that "perpetrators of these offenses frequently engage in persistent and often escalating courses of conduct that cause victims to be emotionally terrorized – if not worse."

The Appeals Bureau also helped shape important legal principles. Of particular note is ***Corby v. Artus***, in which the Appeals Bureau persuaded a federal appellate court to reinstate a conviction for felony murder and first-degree robbery. The court agreed that the trial judge's ruling prohibiting the defendant from cross-examining the main witness about the defendant's own out-of-court claim that the witness was responsible for the murder did not violate the defendant's constitutional right to confront the witnesses against him.

Asset Forfeiture Unit

The DA's Office's Asset Forfeiture Unit works to disgorge illegally-obtained criminal proceeds from criminal defendants and non-criminal defendants who hold criminal proceeds. Any funds recovered by the Unit are distributed first to the victims of the defendants' crimes. If no victims exist, the funds are divided according to law, with a large percentage going to the New York State Offices of Alcohol and Substance Abuse Services.

At the end of Fiscal Year 2012, the Unit forfeited nearly \$25 million in criminal proceeds – up from \$7 million in 2009. The forfeited assets came from a wide range of cases, including violent gangs who traffic in drugs and guns, human traffickers, and white collar and cyberfraud criminals.

In addition to cash, the Office forfeited defendants' right, title, and interest in valuable property, including nearly a ton of illegal elephant ivory and dozens of antique coins. The forfeitures also included luxury vehicles, electronics, more than \$600,000 in jewelry, Louis Vuitton and Gucci bags, Rolex and other high-end watches, foreign currency, and even Foxwoods casino chips, all of which were converted into cash and distributed according to law.

Criminal Court Reform

Approximately 100,000 cases come to the Manhattan DA's Office every year – 80,000 of which are misdemeanors or violations. The Office continues to reduce the significant backlog of cases in the Manhattan Criminal Court through more efficient, effective prosecution and the use of creative dispositions in cases where public safety is not compromised. Shortly after taking Office, DA Vance, working with the Office of Court Administration, implemented various reform measures to make the criminal justice system more efficient for everyone who comes before it.

In addition to the overall reduction in speedy dismissals, the reforms have resulted in reduction of speedy trial dismissals in Driving under the Influence cases. Since 2009, DWI speedy trial dismissals have declined 92 percent, from 421 speedy trial dismissals in 2009, to only 35 in 2012.

In coordination with the Office of Court Administration, District Attorney Vance created the Quality of Life Initiative, a single, specialized court part designed to address misdemeanors and violations for non-violent and non-repeat offenders. Enforcing quality of life laws are crucial to the continued success of our city. But when those thousands and thousands of low-level arrests arrive in the criminal justice system, they overwhelm the capacity of the courts, and pull resources from more serious misdemeanors like domestic violence assault and DUI cases.

The quality of life cases adjourned to this specialized court part are low-level cases such as trespassing in a public park, marijuana possession, public consumption of alcohol, making graffiti and other administrative code violations. In its first year of operation, more than 4,000 cases were diverted to the Quality of Life Part, and that went a long way to making a real dent in the backlog of pending cases elsewhere in criminal court. Removing such cases from the regular criminal court calendar and rotating ADAs through the quality of life part has led to a 55 percent reduction in speedy trial dismissals since 2009 and reduced the average caseload for second year ADAs by 29 percent.

In October 2012, DA Vance announced a new clinical program with New York Law School to give students hands-on experience in the Quality of Life court part. The students will work alongside assistant district attorneys to prepare and try cases in criminal court. Expected to start in the fall of 2013, the clinic will give students real-world legal experience, and the criminal justice system the benefit of New York Law School's best and brightest students to help reduce the backlog of misdemeanor and violation cases in Criminal Court.

Alternatives to Sentencing

Sandy Relief Effort

Working with non-profit organizations and city agencies, the Manhattan District Attorney's Office strives to tailor dispositions, and in particular community service options, to best fit defendants' crimes while best serving the residents of New York City.

In December, the District Attorney's Office worked with the Center for Court Innovation and the Mayor's Office of the Criminal Justice Coordinator on an initiative to aid the hundreds of New York City residents still reeling from trash and debris left by Hurricane Sandy.

Approximately 70 defendants sentenced to community service in Manhattan Criminal Court traveled to Mermaid and Surf Avenues between 25th and 37th St. in Coney Island, Brooklyn. They removed hundreds of bags of garbage, leaves, debris, and mud from the streets and sidewalks. In total, defendants provided 732 hours of work and collected approximately 1,000 bags of trash and debris from the streets of this neighborhood, which was among the hardest-hit by Hurricane Sandy. The defendants were transported from 100 Centre St. to Coney Island in vans provided by the Center for Court Innovation, and worked in supervised groups throughout the week.

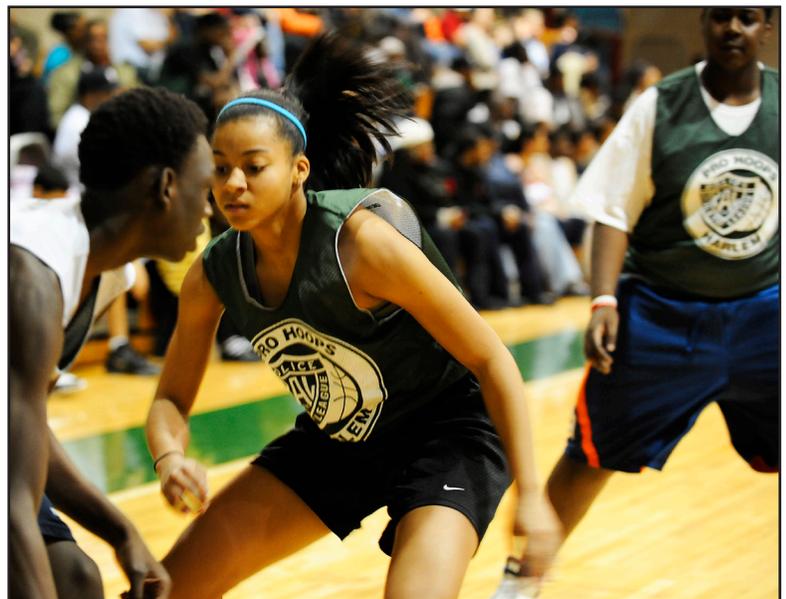
Community Partnerships

A critical component of our crime prevention initiatives is youth outreach. What we've seen in prosecutions against gangs and gun and drug traffickers is that both the perpetrators and victims of violence are getting younger. Of the 184 defendants indicted in Manhattan in 2012 for carrying loaded weapons, nearly 18 percent of those defendants were 18 years or younger. Additionally, 16 percent of all shooting victims were 18 years old or younger. Our children deserve so much better.

To keep our young people safe and away from gangs, guns, and street violence, we are working with community and law enforcement partners to provide young people with greater opportunities. The fall of 2012 marked the start of our second year of the PAL/ Pro Hoops basketball training camp. Teaming up with the Police Athletic League, Pro Hoops, Inc., NYPD, and the Drug Enforcement Administration, the DA's Office opened gyms throughout Manhattan, on Friday and Saturday nights, so that young people have a safe place for positive activities during peak crime hours, when they are most at risk from being victimized or getting into trouble themselves.

"My Office continues to work aggressively for the safety and protection of all Manhattan communities by not only prosecuting crime, but seeking ways to prevent it. But we can't do it alone. To effectively root out violence, we have to partner with communities to better understand the crime trends and needs of each neighborhood, and to build trust with residents."

CYRUS R. VANCE, JR.



Funded by the DA's Office and the DEA through asset forfeiture money from anti-drug cases, these free basketball training programs are run by world-class professional trainers who also train NBA and college-level players. The program allows young people to interact in a positive setting with prosecutors and police officers, who serve as guest assistant coaches during the training sessions and as the kids' teammates during tournaments.

What started as a youth basketball program for boys on Saturday nights in Central Harlem in the fall of 2011 has now evolved into a multi-sport program offered in four locations throughout Manhattan for boys and girls ages 12 to 18 on Fridays and Saturday nights. In 2012, the program served almost 2,000 children and will continue to expand in 2013.

Community Partnerships

In addition to free sports programs, for the second summer in a row, the Manhattan District Attorney's Office hosted a youth internship program for at-risk middle and high school students in conjunction with the City Council and Brotherhood/Sister Sol. The internship exposes its young participants to some of the best that New York has to offer through workshops and educational field trips. The program was the result of conversations between community leaders, elected officials in Harlem, and members of the DA's Office's Community Affairs Unit on how to engage youth in order to provide educational and cultural experiences they would not otherwise receive.



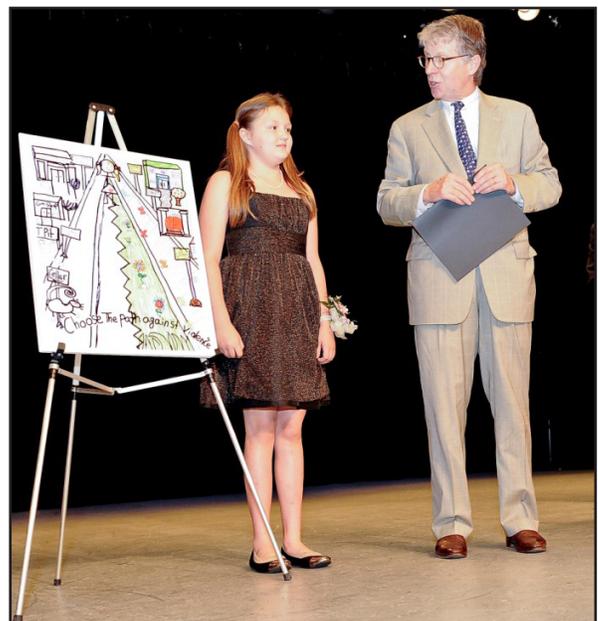
*Left: DA Vance at a crime prevention seminar for the African community.
Above: DA Vance at the 2012 Gay Pride Parade.*

The DA's Office's initiatives extend far beyond youth outreach. Since DA Vance took office in January 2010, the Office's lawyers, Community Affairs representatives, and Victims Aid workers have participated in more than 2,000 neighborhood meetings and community events, talking to New Yorkers from all walks of life -- in their neighborhoods, senior centers, churches and town halls -- about issues ranging from domestic violence and elder abuse, to fraud against immigrants and cyberbullying. These events have been critical to our understanding the needs of our residents, and invaluable to our goal of keeping New Yorkers safe.

Kids Against Violence

In the spring of 2012, the Manhattan DA's Office held the first-annual "Kids Against Violence" poster contest. The goal of the contest was to encourage school-age children to play a proactive role in preventing the spread of violence among youth.

The DA's Office received dozens of entries from Manhattan public elementary schools, and a panel of judges named Alice Rojas from P.S. 75 Emily Dickinson the winner of the contest. District Attorney Vance presented Miss Rojas with her award certificate at her fifth-grade graduation at Symphony Space, a performing arts center, on the Upper West Side.



Victim Assistance

The Manhattan District Attorney's Office is a safe place to report crime, and victims are strongly encouraged to contact the Office's specialized units for assistance.

Special Victims Unit	212-335-4308
<i>Investigates and prosecutes crimes concerning domestic violence, child abuse, and family violence</i>	
Sex Crimes	212-335-9373
<i>Investigates and prosecutes all acts of sexual assault (rape, sexual abuse, and other criminal sexual acts)</i>	
Immigration Affairs Program	212-335-3600
<i>Focuses on fraud schemes targeting the immigrant community</i>	
Elder Abuse	212-335-9007
<i>Investigates financial crimes committed against senior citizens</i>	
Hate Crimes	212-335-3100
<i>Investigates and prosecutes crimes that target victims for their color, race, religion, gender, sex, etc.</i>	
Cybercrime and Identity Theft	212-335-9600
<i>Investigates and prosecutes identity theft and high technology crimes committed in New York County; including cyber-stalking and cyber-bullying</i>	
Public Integrity / Public Corruption	212-335-8987
<i>Investigates and prosecutes crimes such as bribery and bribe receiving, larceny, false filings with government agencies, Election Law crimes, campaign finance crimes, and criminal violations of various ethics laws, such as the New York State Public Officers Law.</i>	
Special Prosecutions Complaint Hotline.	212-335-8900
<i>Investigates and prosecutes a wide variety of financial crimes such as employee embezzlement, fraudulent documents, insurance fraud, arson, unauthorized practice of law, thefts committed by attorneys and other professionals, bank fraud, offenses related to real estate and housing, computer offenses, and all kinds of schemes to defraud the public</i>	
Conviction Integrity Program	212-335-4016
<i>In order for the Conviction Integrity Program to carry out a preliminary review of a conviction, the following prerequisites must be met:</i>	
<ul style="list-style-type: none">• <i>The conviction must have been in New York County.</i>• <i>There must be a claim of actual innocence; the Conviction Integrity Program does not review non-innocence related claims, such as those concerning procedural errors at trial.</i>	