



JUSTICE NEWS

THE BROOKLYN DISTRICT ATTORNEY'S OFFICE NEWSLETTER

WINTER 2017

Targeting Gang-Related Financial Fraud



Acting DA Eric Gonzalez announces charges against 35 gang members in December

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In December, Acting Brooklyn DA Eric Gonzalez stood with Police Commissioner James O'Neill to announce the indictments of 35 alleged gang members and their associates, charged with having been involved in a complex web of criminal activity that illustrated the growing ties between violent and financial crimes in our city. The indictments included multiple counts of financial fraud and identity theft, burglaries, weapons possession and drug dealing, the culmination of a year-long investigation by the Brooklyn DA's Office and New York City Police Department.

"It is no longer enough to target the perpetrators of violent acts; public safety also requires us to pursue the criminals whose fraudulent financial schemes support violent gangs and their members," said Acting DA

Gonzalez. "Our strategic approach will continue until we have incapacitated the drivers of violence in our communities and financial schemers who make everyone a victim."

The investigation started in the fall of 2015 and relied primarily on electronic surveillance, including monitoring of Facebook conversations and cell phone communications to focus on gang-related gun violence, narcotics sales, robberies and other criminal activities in and around Brownsville. The subjects were individuals associated with the Hoodstarz street gang and affiliated crews, including Folk Nation and the 823 Crips.

The investigation revealed a multitude of troubling crimes: Five defendants are accused

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A Message From Acting Brooklyn DA Eric Gonzalez



Welcome to the Winter 2017 issue of *Justice News*, the Brooklyn District Attorney's Office newsletter. It is my hope that you had a joyful and rejuvenating holiday season. These past few months have been challenging for us at the DA's Office, as we mourned the passing of the late DA Ken Thompson. But his dedication and work ethic inspire us every day and drive us to continue the important work of keeping Brooklyn safe. Inside these pages, you can read about our many recent accomplishments, including criminal cases against alleged gang members who engage in fraud and violent crimes, gun runners who bring firearms to our borough from other states and those who steal homes and other properties. This issue also describes breakthroughs in two cold case murder investigations, a testament to the unrelenting work of our Forensic Science Unit, which relies on DNA to see that justice is served even when it has been delayed.

As a new District Attorney, I have made it a priority to go out into all of Brooklyn's diverse communities to meet residents, introduce myself and offer assurances that the work of the Office continues apace. I am committed to ensuring that my staff and I are fully engaged with those we serve and that Brooklynites don't only meet prosecutors after a crime has occurred.

At the DA's Office, we already venture outside the walls of the courthouse to provide community members with opportunities to improve their lives, to protect themselves against crime and to gain paths to a better future. Our four Begin Again events were aimed at allowing those with open summons warrants, stemming from low-level infractions, to clear those warrants and move on with their lives. Since we launched this initiative 18 months ago, nearly 2,600 New Yorkers have received free legal assistance and over 1,700 outstanding warrants have been cleared. This successful program has proven invaluable in strengthening relations and creating good will between law enforcement and the communities we serve and was emulated by other DA's Offices in the city. The next Begin Again event is planned for the spring.

Our periodic Brooklyn Immigration Forums, the most recent of which was held in December in Crown Heights, offer advice to immigrants, both documented and undocumented, on how to avoid common immigration and real estate scams. The presentations and panel discussions, by my Office and other nonprofit and government agencies, serve as important resources for a vulnerable population that can become the target of fraud.

This past fall, in partnership with the Police Athletic League, we launched an after-school chess program in East New York and Bedford-Stuyvesant as a way to allow youths to get acquainted with this wonderful game and to learn how to plan their next move on the chess board and in life. The program, run by renowned Grandmaster Maurice Ashley, comes on the heels of a basketball program we already run in Red Hook. We are also starting tutoring programs in the Office, have expanded our internship offerings and are in the process of creating additional programs to engage with the community.

All of these efforts go well beyond our central task of prosecuting criminal cases, but they are integral to our overall goal of doing justice and enhancing the safety of all Brooklyn residents. They demonstrate that we are part of this borough and depend on the Brooklyn community for our continued success. My Office is always open to respond to residents' concerns – a list of useful numbers, including the newly-established Hate Crimes Helpline, can be found in the back of this newsletter – and to partner with community groups for the betterment of all.

Thank you for allowing us to work together and I wish you a safe winter season.

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

Solving Cold Case Murders

In recent months, two cold case murders of promising young women have been solved thanks to the perseverance of the Brooklyn District Attorney's Forensic Science Unit.

The unsolved 2004 murder of Sharabia Thomas, a 17-year-old Bushwick high-school student who was beaten, strangled and left in an alleyway, had long tormented her family.

This past fall, more than 12 years after Sharabia's death, Acting DA Gonzalez was able to deliver the first measure of justice to her loved-ones — a suspect has been charged in the cold case homicide. On November 17, 38-year-old Kwauhuru Govan, formerly of Bushwick, was arraigned in Brooklyn Supreme Court for the alleged murder and kidnapping of Sharabia.

In June 2016, with a renewed focus on the case, the Brooklyn DA's Forensic Science Unit and the NYPD's Cold Case Squad requested DNA testing of Sharabia's fingernails, which had not been tested during the original investigation. Results from the new test were sent to the FBI's DNA database and matched the defendant, who was serving time in a Florida prison for a 2014 armed robbery—a crime that led to his DNA being entered into the national database.

Upon his scheduled release, he was brought back to Brooklyn on the new murder and kidnapping charges.

"It is my hope that solving this terrible crime will offer a small measure of comfort to Sharabia's family, who suffered such an unspeakable loss," said the Acting DA. "I am determined to continue the important work of our Forensic Science Unit to ensure that even if justice is delayed, it is not denied."

The breakthrough in Sharabia's case came a few months after an eerily similar murder that had haunted the Brooklyn community was solved. In one of his last press conferences, the late DA Ken Thompson announced the indictment of a suspect in the 2006 killing of 16-year-old Chanel Petro-Nixon, a Bedford-Stuyvesant honor student, who had been left, strangled to death, on a Brooklyn street.

Chanel was last seen alive on Father's Day, June 18, 2006, when she left her parents' home to visit with a friend. Chanel said that she would be meeting the defendant, Veron Primus. The next day, she was reported missing after she still had not returned home.

In 2015, the defendant was deported to the Caribbean island of St. Vincent and the Grenadines by the United States Immigration and Customs Enforcement.

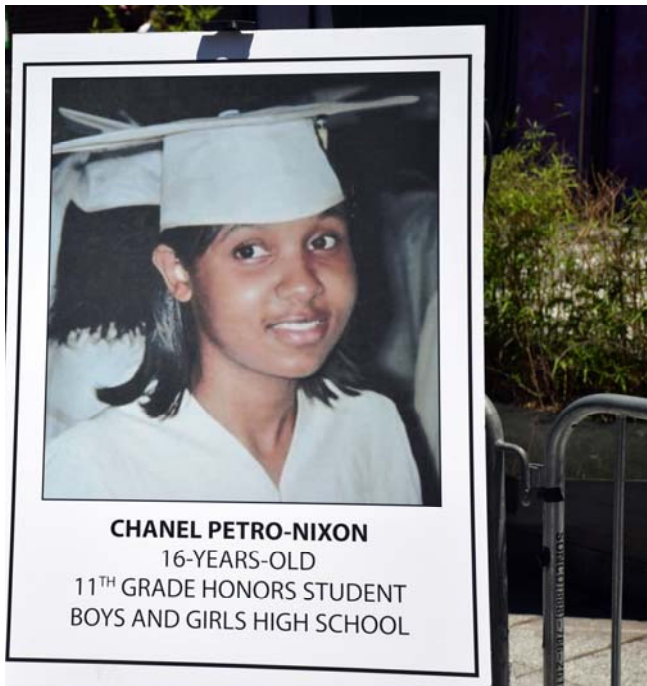
The District Attorney's Homicide Bureau, working with the Department of Justice's Office of International Affairs, is seeking extradition for Primus's return to Brooklyn. He is presently detained at a St. Vincent correctional facility, charged with an unrelated homicide.

At the June press conference in Bedford-Stuyvesant's Restoration Plaza, DA Thompson was joined by Chanel's family, local clergy members, elected officials, police detectives and investigators from the DA's Office who worked tirelessly to keep the investigation alive.

The defendants in both cases face up to 25 years to life in prison if convicted.



Sharabia Thomas



A memorial at the June 2016 press conference announcing the indictment in the murder of Chanel Petro-Nixon

Protecting against Hate Crimes and Immigrant-Related Scams

With a national surge in bias-related crimes, the Brooklyn DA's Immigrant Fraud Unit and Hate Crimes Unit are keeping a watchful eye on cases in which individuals are targeted because of their race, ethnicity, sex, sexual orientation, religion or age.

In the summer of 2016, the Brooklyn DA's Office launched a hate crimes helpline (718-250-4949) and over the past few months, staffers have been reaching out to communities, listening to concerns, offering advice on how to identify and protect against bias-related attacks or those targeting immigrants, and educating people on the services the DA's Office provides.

In December, the Office held its second Brooklyn Immigration Forum of the year, giving immigrants — regardless of their



Acting DA Gonzalez at the Brooklyn Immigration Forum in December

status — access to a wealth of information from our staff and other immigration service agencies.

“Amid a rise in reported hate crimes across New York City, it is important that Brooklyn’s more vulnerable communities feel protected against those that target victims based on hate or seek to exploit these populations for profit,” said Acting DA Gonzalez.

One common scam has been highlighted by two recent cases prosecuted by the DA's Immigrant Fraud Unit. In both cases, involving a so-called “Chinese Blessing Scam” and targeting members of the Chinese community, the defendants posed as clairvoyants and convinced older residents that they had become cursed. To rid themselves of the curse, the scammers allegedly claimed, the victims had to gather large sums of money to give to the fraudsters as a “blessing” to “remove the evil spirits from their family.” The money was allegedly to be returned after the blessing had been bestowed, but in both cases, it was not.

The defendant in the most recent of these cases, a 44-year-old woman, has been charged with a hate crime and is currently awaiting trial for allegedly stealing \$160,000 in cash and jewelry from two women in Bensonhurst.

Prosecuting Gun Traffickers to the Fullest Extent of the Law

In an ongoing effort to stem the flow of illegal guns to Brooklyn, Acting DA Gonzalez, together with Police Commissioner James O’Neill, announced in October the indictments of 19 defendants charged with gun trafficking, bank larceny and weapons possession for allegedly selling trafficked firearms, attempting to steal about \$60,000 from bank accounts and possessing two illegal guns.

The long-term investigation continued the late DA Thompson’s focus on out-of-state gun traffickers, whom he aptly referred to as “merchants of death.” This case focused on Colin (“Rum”) Toney, of South Carolina, who, between June 2015 and September 2016, allegedly sold a total of 40 guns that were purchased in his home state to an undercover NYPD detective in Brooklyn and Manhattan. The investigation also revealed a link between Toney’s operation and a complex scheme of bank-related financial fraud run by gang members in Brooklyn.



Acting DA Gonzalez announces gun trafficking indictments in October

“Gun runners and those who aid them should be on notice that they are not safe from prosecution just because they live out of state – we will arrest them and bring them to Brooklyn to face justice,” Acting DA Gonzalez said.

The October charges were the latest in the Office’s ongoing efforts to stop the flow of guns into New York City. In February 2015, charges were upgraded against a smuggling ring accused of brazenly transporting 153 weapons from Georgia to Brooklyn aboard commercial airplanes.

A new indictment against five defendants charged three of them with aggravated enterprise corruption, a felony punishable by up to life in prison. This is the very first time this statute has ever been used in New York State and it

reflects the seriousness with which such smuggling operations are being treated in Brooklyn.

These efforts to stop illegal guns from reaching our streets – which have already resulted in the confiscation of about 600 firearms since 2014 – are ongoing.

Offering Young Offenders Alternatives to Incarceration

For young offenders, a jail or prison sentence can derail a future in devastating ways – causing problems securing education, employment and housing as they start their adult life. And research has shown that young brains are not fully developed, leading to less impulse control and more risky behavior.

Recognizing this problem—and the fact that young offenders are in need of more specialized services—the Brooklyn DA’s Office created the Brooklyn Young Adult Court Bureau, a bureau dedicated to handling misdemeanor cases involving defendants between the ages of 16 and 24. It operates in the newly-established Brooklyn Young Adult Court, designed to offer young offenders alternatives to incarceration that are tailored to their unique needs.

Created through a Justice Department grant in partnership with the Office of Court Administration and the Center for Court Innovation, the Brooklyn Young Adult Court is the first such court in New York State and only the second in the country. It offers services based on the specific requirements of the age group:



risk-needs assessments, counseling and programs to help with substance abuse, mental health and anger management, as well as GED, vocational and internship programs. Through September 2016 — its first six months of operation — the court had adjudicated nearly 1,900 cases.

Studies show that while 18- to 24-year-olds comprise just 10% of the U.S. population, they account for almost 30% of criminal arrests. Young adults are more likely to be sent to prison for violent and property crimes and have the highest propensity for recidivism.

The court operates in a dedicated courtroom in Brooklyn Criminal Court and is presided over by Judge Craig S. Walker. Bureau Chief Johanne Macajoux heads the Young Adult Court Bureau, comprised of assistant district attorneys and other staff. The prosecution unit works closely with a cross-agency team of defense attorneys and law enforcement personnel, with the goal of setting young offenders on the right path for a better future and, by doing so, enhancing public safety.

Prosecuting Fraud and Larceny in the Real Estate Industry

The continuous rise in real estate value in Brooklyn brings an unfortunate side effect: new motivation and opportunity for property fraud and theft. A number of recent cases prosecuted by the Brooklyn DA’s Office shine a light on those trying to illegally cash in, and on the serious consequences they face.

In November, Acting DA Gonzalez announced that two Brooklyn landlords pleaded guilty to a scheme to force rent-stabilized tenants out of their homes to collect significantly higher market-rate rents. The defendants, brothers Joel and Amrom Israel, owners of several residential buildings in rapidly gentrifying neighborhoods in North Brooklyn, admitted to harassing tenants, evicting tenants and denying them their property rights. The defendants, the first ones in Brooklyn to face criminal charges for this type of conduct, are making \$250,000 restitution to the harassed tenants and are taking measures to ensure that their companies comply with all rent laws going forward.

In May, the DA’s Office secured the indictment of an attorney from Queens who allegedly stole nearly \$600,000 from the estate of deceased NYC Civil Court Judge John Phillips, Jr., which included the sale of the historic Slave Theater in Bedford-Stuyvesant.

Two other instances show the lengths scammers will go to: In June, a fake attorney named Carl Smith was sentenced to nine to 18 years in prison for forging deeds and unlawfully selling – or attempting to sell – multiple properties in Fort Greene and Bedford-Stuyvesant, taking in over \$43,000. The judge nullified the fraudulent deeds, returning the properties to their lawful owners. And in November, Joseph McCray, of Niagara Falls, was sentenced to seven-and-a-half to 15 years in prison for stealing a brownstone in Bedford-Stuyvesant by forging a judge’s signature and using it to claim possession of the building, which he then sold. The defendant had falsely asserted ownership of the home for more than a decade and taken in nearly \$250,000 from the unlawful sale.

“These significant prison sentences should serve as a warning to anyone who tries to take advantage of Brooklyn’s booming real estate market by conducting criminal schemes, like the brazen forgeries and thefts in these cases,” said Acting DA Gonzalez. “Our Real Estate Fraud Unit is here to protect homeowners from scammers and I am committed to aggressively investigating and prosecuting these crimes.”

DA Staffers in Leadership Positions

These two seasoned law enforcement professionals bring years of experience to their leadership positions.



Mr. Thomas

Gregory Thomas is the Senior Executive for Law Enforcement Operations in the District Attorney's Office. As such, he serves as the principal liaison to the New York City Police Department and other law enforcement agencies in relation to investigations and operational matters. He also plays a senior role in the Crime Strategies Unit, tasked with reducing violent crime by focusing on individuals who drive up the violence in Brooklyn.

Mr. Thomas has over 30 years of executive experience. He was Executive Director of the Education Department's Office of School Safety and Planning during the September 11 attacks, was later Deputy Director of Planning and Response at the Columbia University National Center for Disaster Preparedness, and also served as an Assistant Commissioner at the New York City Fire Department and as senior investigator with the mayoral Mollen

Commission, which investigated allegations of police corruption.



ADA Gleeson

Assistant District Attorney Janet Gleeson was promoted last year to Bureau Chief of Trial Bureau, Orange Zone, which prosecutes crimes in Park Slope, Prospect Heights, Crown Heights, Brownsville, Bensonhurst, Bath Beach and a number of other neighborhoods.

She possesses a wealth of experience, acquired in her 24 years at the DA's Office, which she joined after graduating from St. John's University Law School.

ADA Gleeson has held supervisory positions in trial bureaus, the Gangs Unit and the School Advocacy Bureau, trying over 90 cases of violent crimes including 25 homicides. She secured a conviction of a gang member who fired into a summer crowd on the Brighton Beach boardwalk, killing a 16-year-old girl, and handled the prosecution of a teacher at Brooklyn Technical High School, who pleaded guilty to kidnapping, official misconduct, disseminating indecent material to a minor and endangering the welfare of a child.

Continued from Page 1: Targeting Gang-Related Financial Fraud

of violently invading a home in Prospect Heights, making off with cash, cell phones and electronics. Four others allegedly sold cocaine on the streets of Brownsville, using cryptic and coded communication to evade law enforcement. One defendant was charged with criminal possession of a weapon after his 8-year-old relative showed up at school with the defendant's gun in his backpack. Two defendants, a father and son, allegedly forged over 700 credit, debit and gift cards, using a forged driver's license, other documents and stolen financial information. Other defendants were found to have allegedly bankrolled their lifestyle using stolen credit card information, buying everything from cab rides to concert tickets to American Girl dolls.

The Acting DA's announcement in December came less than two months after he announced the indictments of 19 defendants charged with gun trafficking, larceny and weapons possession for allegedly selling 40 trafficked firearms, attempting to steal about \$60,000 from bank accounts and

possessing two illegal guns. The charges, again, stemmed from a long-term investigation that relied on electronic surveillance and revealed interconnected schemes and alliances between alleged gang members and their associates. The investigation revealed a scheme involving the deposit of fraudulent checks and wire transfers into bank accounts and the swift withdrawal of those funds before banks could discover the illegal transactions.

The operation used accounts at Wells Fargo, Bank of America, JP Morgan Chase, Capital One and TD Bank in four states, with the defendants allegedly stealing at least \$37,000 from the banks.

A reliance on financial fraud by purported gang members is "a new frontier" in their activity, the Acting DA pointed out, and the investigatory focus on this unlawful activity will continue.



The late DA Thompson announces the takedown of another drug distribution ring in 2015

The DA's Office in the Community



DA Gonzalez with elected officials and Boy Scouts at the 81st Precinct Community Council Thanksgiving Lunch



Speaking at an anti-hate rally in Adam Yauch Park (Photo courtesy Sen. Daniel Squadron's office)



Joining the Chinese Promise Baptist Church for its Christmas Music Worship Meeting



As Padrino of the Brooklyn Three Kings Day Parade



Celebrating at the 47th Annual Gala of OHEL, an organization that provides family services and support



With Grandmaster Maurice Ashley at launch of a chess program for students with the Police Athletic League

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) 250-2463

Hate Crimes Helpline: (718) 250-4949

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



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

Eric Gonzalez

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