



Ken Thompson
District Attorney

**DISTRICT ATTORNEY
KINGS COUNTY**
350 JAY STREET
BROOKLYN, NY 11201-2908
(718) 250-2000
WWW.BROOKLYNDA.ORG

Press Office
718-250-2300

FOR IMMEDIATE RELEASE

Tuesday, October 28, 2014

**Bushwick Man Who Fired Shots at Gay Men After Taunting Them
With Homophobic Slurs Indicted For Attempted Murder as a Hate Crime**
Two Co-Defendants Charged With Menacing and Aggravated Harassment as Hate Crimes

Brooklyn District Attorney Ken Thompson today said that a Bushwick man has been charged in a 13-count indictment with second-degree attempted murder as a hate crime and other charges stemming from an incident last month in which he and two others taunted three men with anti-gay slurs before the defendant allegedly fired six shots at the trio, striking one of the men in the buttocks.

District Attorney Ken Thompson said, “In Brooklyn, everyone, regardless of their race, ethnicity, gender, religion, sexual orientation or sexual identity, must be treated with dignity and respect. The victims in this case were minding their own business and had every right to believe they could safely walk the streets. This indictment reflects our determination to protect all of the people of Brooklyn.

“I wanted to personally visit Bushwick today because in addition to being distressed about this attack, just two weeks later, on October 13, 2014, there was another hate crime perpetrated against a member of the LGBTQ community. In that exceptionally vicious attack, a 28-year-old transgender woman, who was walking on Bushwick Avenue near Halsey Street with a gay male friend, was punched and kicked and then struck in the head by a piece of plexiglass one of the suspects threw at her. In that case, four men took part in the attack while also yelling homophobic slurs. The victim sustained a traumatic brain injury and remains in critical condition. Anyone with information is urged to call 718-250-2963.”

The District Attorney identified the defendant in the shooting incident as Matthew Smith, 20, of 1114 Putnam Avenue. He is expected to be arraigned on Thursday, October 30, 2014 in Brooklyn Supreme Court on a 13-count indictment in which he is charged with three counts of second-degree attempted murder as a hate crime, three counts of second-degree attempted murder, one count of first-degree assault as a hate crime, one count of first-degree assault, two counts of attempted first-degree assault as a hate crime, two counts of first-degree attempted assault, and one count of second-degree criminal possession of a weapon. If convicted of the top count, he faces up to 25 years in prison. Smith is presently being held without bail as was ordered at his Criminal Court arraignment on September 28, 2014.

The District Attorney said that, according to the investigation, at approximately 7 a.m., on September 27, 2014, in the vicinity of Putnam and Bushwick Avenues, three gay men, who were dressed in women's clothing, were walking on the street when the defendant, Matthew Smith, and his two co-defendants, Tavon Johnson and Cody Sigue, who were standing on a corner across the street, allegedly began shouting taunts at them, including: "Y'all faggots, trannies, men dressed like women, drag queens."

The victims began walking away from the area, according to the investigation, and the defendants followed them for a block. At that point, the victims started walking rapidly to get away from the defendants, but were allegedly followed even after they rounded a corner. It is alleged that Smith then took out a handgun and fired six shots at the trio, striking one man in the buttocks. Johnson and Sigue were arrested shortly thereafter and Smith was arrested later that day.

Johnson, 17, of 113 Tompkins Avenue and Sigue, 22, of 1180 Putnam Avenue are charged in a criminal complaint with third-degree menacing as a hate crime, second-degree aggravated harassment, third-degree menacing and second-degree harassment. They were arraigned on September 28, 2014, and released without bail. Their next court date is November 19, 2014. If convicted on the top count, they face up to one year in prison.

The case was investigated by Detective Eric Sanchez of the Hate Crimes Task Force, of the New York City Police Department, under the supervision of Captain Mark Magrone.

The case is being prosecuted by Assistant District Attorney Marc Fliedner, Chief of the District Attorney's Civil Rights Bureau, under the supervision of William E. Schaeffer, Chief of the District Attorney's Investigations Division.

#