



# JUSTICE NEWS

THE BROOKLYN DISTRICT ATTORNEY'S OFFICE NEWSLETTER

JANUARY - MARCH 2015

## Brooklyn DA's Office Shuts Down Dangerous Airplane Gun Smuggling Ring



*DA Ken Thompson showing surveillance of former Delta Airlines employee allegedly smuggling guns onto a plane from Georgia to New York*

### INSIDE THIS ISSUE:

Airport Gun Bust	1
Message from the DA	2
New York Times' "Gun-Running in the Jet Age"	3
Violent Criminal Enterprises Bureau	4
Conviction Review Unit	4
Domestic Violence Initiative	5
Immigrant Fraud Unit	5
Civil Rights Bureau Chief Appointment	5
Two Top Attorneys	6
Photo Gallery	7

District Attorney Ken Thompson has pledged that when it comes to gun violence on Brooklyn's streets his office will follow the trail of gun traffickers wherever it leads. In line with this promise, on December 23, 2014 District Attorney Thompson and NYPD Commissioner William Bratton announced the results of a significant investigation into the illegal sale of firearms in Brooklyn conducted by the District Attorney's Violent Criminal Enterprises Bureau. Five men have been charged with conspiring to sell 153 firearms—almost all of which were purchased in Georgia and destined for Brooklyn. What made this announcement all the more stunning was that these weapons were allegedly transported in carry-on luggage on Delta Airlines flights.

This astounding breach of airport security occurred because a Delta Airlines employee allegedly was able to bypass Transportation Security Administration (TSA) checkpoints and bring bags of weapons directly into passenger terminals. The

Delta employee then allegedly handed the weapons to an accomplice, who put them into his backpack flew to New York and brought them to Brooklyn. According to the investigation, the suspect who got on the planes with the guns had purchased the weapons online in Georgia and then illegally transported them on up to 17 Delta Airlines flights from Atlanta to New York between May and December 2014.

In his announcement of this dangerous gun smuggling ring, District Attorney Thompson noted that "in this age of terrorism, it is simply unthinkable that anyone would breach the security of our nation's airports to smuggle guns and ammunition." Since these guns could have been used to commit violence against our police officers and Brooklyn residents alike, "the full weight of the law must now come down on these defendants," District Attorney Thompson said. Alongside the Brooklyn District Attorney's Office, the FBI and the TSA continue to play a pivotal role in this ongoing investigation.

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*Continued on Page 3*

## A Message From Brooklyn DA Ken Thompson



**I**t is my honor to introduce you to the Brooklyn District Attorney's Office quarterly newsletter, *Justice News*. We will use these pages to keep you informed of some of the latest news from our office. My staff and I are continually working to develop new innovative measures and programs to address violence in our streets, correct miscarriages of justice and create new opportunities for some of Brooklyn's most disadvantaged and victimized residents. This newsletter is just one of the ways that my office will keep you aware of these reforms.

The Brooklyn District Attorney's Office is the foremost law enforcement agency for the people of Brooklyn. The office has over 1000 employees, including more than 500 Assistant District Attorneys. We handle over 100,000 cases a year, making us one of the busiest prosecutorial offices in the country. In fact, this is the 3<sup>rd</sup> largest District Attorney's Office in the United States, behind Los Angeles and Chicago.

My office's top priority is the prevention and aggressive prosecution of violent crime. The safety of our children and families depends on this. I go to work every day not only as Brooklyn's top law enforcement official, but also as a husband and a father of two young children. I have the same concerns about the safety of our streets and the security of my family that you do. I am also the son of a New York City police officer who was among the first women to patrol New York City's streets back in the early 1970's. My mother, Clara Thompson, put the principles of fairness and justice in my heart as a child and inspired me to go into law enforcement. And so, as I enter my second year as your District Attorney, I remain steadfast in my commitment to provide the people of Brooklyn with a District Attorney's Office that is not only among the strongest in the nation, but is also fully committed to pursuing equal justice for all.

Pursuing justice requires collaboration. Whether it is domestic abuse, fraud or gang violence, the Brooklyn District Attorney's Office has a wealth of resources available. You can report crimes to our DA's Action Center or to one of our specialized hotlines. Our Victim Services Unit has a dedicated, multi-lingual staff of experienced counselors ready to help those who have, unfortunately, experienced the trauma of crime. With respect to domestic violence, you can also seek counsel and legal assistance from the Brooklyn Family Justice Center. In addition, my office is always available to assist you in finding the exact State, City or Federal entity that can best aid you. My office welcomes input from the community. This newsletter will keep you updated on exactly whom you should contact and what you should do in the event that you are a victim of, or witness to, a crime.

I am extremely proud of the tremendous work done by my dedicated and outstanding staff. We have established units focused on Forensic Science, Hate Crimes, Labor Fraud, Conviction Review, Immigrant Fraud, Cyber Crimes, and Crime Strategies. These innovative units have set the standard for law enforcement agencies throughout the country. We have also merged our Major Narcotics Investigations Bureau and our Gangs Bureau to create a Violent Criminal Enterprises Bureau. With these innovations, along with a significant push to target the criminal networks that terrorize our communities, this office has doubled down on its efforts to bring criminal gangs, weapons smugglers, drug traffickers, and violent criminals to justice. All the while, I have made it a top priority to ensure that the leaders in this office are not only the best and the brightest, but also representative of the rich diversity that makes Brooklyn what it is today. In these pages, you will find just some of these milestones and accomplishments highlighted.

The people of Brooklyn must be able to trust that their criminal justice system is of the highest integrity. As your District Attorney, I promise you that no one in my office will ever forget this ideal. I look forward to visiting you in your neighborhoods, hearing your concerns and working with you to preserve Brooklyn as the best place to live in the world. Thank you for giving me and my staff this opportunity to serve you.



U.S. Senator Charles Schumer (left) with DA Ken Thompson (middle) in Washington D.C. (Photo Credit : Senator Schumer's Office)

This case has brought national attention to this gaping hole in our country's airport security. Presently, airport employees, such as baggage handlers and ramp workers, are not required to go through TSA checkpoints when moving in and out of the airport. Following the announcement of the Brooklyn District Attorney's airport gun trafficking investigation, tremendous headway has been made in correcting this security deficiency.

On January 7, 2015, United States Senator Chuck Schumer, with District Attorney Thompson, held a press conference on Capitol Hill and called on the TSA to implement a nation-wide requirement for all airports to screen their entire workforce. In addition, the Secretary of the Department of Homeland Security (DHS) announced that the DHS is conducting a comprehensive review of airport security nationwide so as to correct any potential vulnerabilities and to protect the American public.

"All the News  
That's Fit to Print"

The New York Times

**Late Edition**  
 Today, Morning snow showers, clouds and sun, breezy, not as cold, high 33. Tonight, partly cloudy, cold, low 15. Tomorrow, sunny, high 22. Weather map is on Page B12.

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## Gun-Running in the Jet Age

By **THE EDITORIAL BOARD** JAN. 8, 2015

Anyone who has spent time waiting shoeless on an airport check-in line — in fact, anyone who flies — should pay serious attention to the recent revelation that an airline baggage handler was allegedly able to smuggle 153 firearms in an accomplice's carry-on bag on 17 Delta flights from Atlanta to New York during a seven-month period. The reason, shocking in its simplicity, is that most back-room airport workers are not required to pass through metal detectors on the way to the job.

As Brooklyn's district attorney, Kenneth Thompson, discovered in arresting five men for gun smuggling last month, this turns out to be a security defect at most airports in the nation. Senator Charles Schumer is now sensibly calling on the Transportation Security Administration to mandate physical screening for all airport workers. Agency officials responded that they would look into whether new safeguards were needed. Now, each airport works out separate security requirements; very few, if any, require physical screening of the full array of workers like airplane cleaners, mechanics and baggage handlers, according to Mr. Schumer. The Atlanta scheme is particularly alarming because it operated

for an estimated five years in various airports. "They could have easily put a bomb on one of those planes," Mr. Thompson noted.

The district attorney described how Georgia's "lax gun laws" allowed the baggage handler to buy weapons online without a background check. The handler carried the guns into work, free from any detector, and used his airport ID to take them through an employee entrance into the secure passenger area. There he would meet his accomplice in a men's room and exchange guns for cash. The accomplice, previously cleared through check-in, would load up his carry-on and take weapons aboard, even as the pilots and flight crews had to go through detectors.

T.S.A. officials conducted a special inspection this week in Atlanta. But in the past they have said that cost and potential disruption of airline operations have argued against the use of metal detectors for all workers. The agency insisted it was alert to insiders' threats and required regular background and criminal checks on employees. This hardly seemed enough after the backdoor path blazed by the Atlanta gun runners.

## Combating Gun Violence, Street Gangs & Drug Trafficking

DA Thompson is committed to ending gun violence and eradicating violent gangs, drug dealers and other organized criminal groups from the streets of Brooklyn. This focus is critical to keeping Brooklyn communities safe. Towards that end, members of the Violent Criminal Enterprises Unit (formerly the Gang and Major Narcotics Bureaus) have initiated prosecutions against alleged gangs, including the Gates Avenue Mafia and Latin Kings, as well as against alleged drug dealers in various housing developments, including the Samuel J. Tilden Houses, the Lafayette Gardens Housing Development and the Roosevelt Houses.

The charges brought against the Gates Avenue Mafia and Latin Kings were both the result of year-long investigations conducted by the DA's Office and the NYPD. The Gates Avenue Mafia shook the Brooklyn community on May 31, 2013, when Taylonni Mazyck, age 11, was struck by one of 10 bullets allegedly fired at members of the Gates Avenue Mafia, leaving her paralyzed. This incident spurred an increase in community complaints about drug trafficking and gang related violence in and around the area. An investigation was subsequently initiated that included undercover purchases and surveillance.

As a result of these efforts, District Attorney Thompson and NYPD Commissioner Bratton announced on November 13, 2014 that 32 defendants, including 12 reputed members of the Gates Avenue Mafia, had been charged with conspiracy to sell narcotics and firearms. Over the course of the investigation and arrests, detectives recovered 29 guns, quantities of narcotics and \$24,000 cash from this criminal network.

The Latin Kings exhibited their own brazen form of violence on September 27, 2013, when members of a Latin Kings tribe, the Outlaws (based in Bushwick and East New York), allegedly assaulted four gang members in Park Slope, Brooklyn. Of the four assault victims, one was stabbed in his back and chest and also nearly scalped. This incident initiated an investigation that led to 14 Brooklyn based members of the Latin Kings tribe being indicted on conspiracy and other charges on November 6, 2014. In regards to these charges, DA Thompson said, "the streets of Brooklyn do not belong to the Latin Kings, but to the people of Brooklyn, and our streets are now safer as a result of these arrests."

In addition to this aggressive prosecution of gangs, the DA's office has also targeted narcotics trafficking conducted in Brooklyn housing



*Guns recovered from another VCE investigation*

developments, especially those within close proximity of public schools. In conjunction with the NYPD, anti-drug initiatives and undercover investigations have led to the June 2014 indictment of 22 alleged drug dealers at the Eleanor Roosevelt Houses in Bedford-Stuyvesant, the June 2014 indictment of eight alleged drug dealers at the Lafayette Gardens housing development in Clinton Hill, and the October 2014 indictment of 12 alleged drug dealers at the Tilden Houses in Brownsville. Depending on the housing development, undercover officers allegedly made between 90 and 200 purchases of crack cocaine, heroin or marijuana, before the arrests were made.

This string of indictments, alongside two long-term undercover firearms investigations conducted with the NYPD, demonstrates the Brooklyn DA's strong front against violent criminal organizations. Over the course of eight months, these investigations resulted in more than 300 guns seized, including assault weapons, and 10 alleged gun traffickers arrested. These efforts sent the resounding message to criminals that there will be no safe haven for drug and gun trafficking in Brooklyn. Accordingly, the DA said in his announcement of the crack-down at Tilden Houses, "we will simply not tolerate drug dealing anywhere in our communities, especially around our schools."

## Correcting Miscarriages Of Justice



*DA Thompson shakes David McCallum's hand moments before he was exonerated*

When District Attorney Thompson took office last year, he immediately took action to create the Conviction Review Unit (CRU), which is tasked with conducting thorough and fair investigations of cases of potentially wrongful convictions.

What was previously a small unit with only two attorneys, has quickly transformed into an innovative unit that is staffed by 10 Assistant District Attorneys and three investigators. The unit is jointly led by the esteemed Harvard Law Professor Ronald S. Sullivan, and Assistant District Attorney Mark Hale, a 30-year prosecutor with experience in over 200 jury trials.

The Brooklyn DA's CRU has emerged as a model for the country. The Unit's reinvestigations, 32 to date, have led the District Attorney to move to vacate the convictions or support the dismissal of charges against 12 men who had been unjustly imprisoned as the result of wrongful convictions. Among these men are David McCallum, who was falsely imprisoned since the 1980's, and Michael Waithe, who was wrongfully convicted

*Continued on Page 6*

## Brooklyn Receives \$650,000 Domestic Homicide Prevention Grant

The Brooklyn District Attorney's Office has been selected by the United States Justice Department's Office of Violence Against Women to participate in phase two of its Domestic Violence Homicide Prevention (DVHP) Initiative.

While 12 jurisdictions were selected last year for the Justice Department's phase one program, Brooklyn was one of only four jurisdictions selected this year for phase two, and it also received a \$650,000 Domestic Violence Homicide Prevention grant. In partnership with other City agencies, such as the NYPD, the Department of Probation, the Criminal Justice Agency, and the Brooklyn Borough President's Office, this Initiative will enable the District Attorney's Office to work in an unprecedented fashion to reduce domestic violence homicides by identifying potential victims and monitoring high-risk offenders.



Under phase two of the DVHP Initiative, the District Attorney's Office will work to refine and improve its assessment tool for identifying women in potentially fatal abusive relationships before it is too late.

In addition, the Initiative's Brooklyn partners will form a multidisciplinary team designed to prevent domestic violence homicides by supporting victims and containing prior offenders.

In his announcement of this important new initiative, Brooklyn District Attorney Thompson proudly declared this grant to be "a testament to our deep commitment to protect women in Brooklyn from domestic violence, especially women in high-risk relationships."

## New Unit Protects Immigrants from Fraud



*On August 11, 2014, DA Thompson's Immigrant Fraud Unit returned over \$25,000 in restitution to Sunset Park families who were duped by a couple running three English language schools*

When DA Thompson established the Immigrant Fraud Unit in 2014, it was with an eye towards delivering equal justice to Brooklyn residents who have long felt that the justice system did not apply to, or protect them. Immigrants, particularly those who are undocumented, are vulnerable to criminal schemes that purportedly offer employment training, investment opportunities, housing, or visa sponsorship assistance, all in exchange for a fee. Brooklyn immigrants can also find

themselves at the whim of fake "attorneys" who falsely promise to process immigration paperwork, or confer legal advice, also in exchange for money. The Immigrant Fraud Unit, now headed by ADA Kin Ng, stands as the principal entity to target and prosecute these scam artists taking advantage of Brooklyn's immigrant communities. The Immigrant Fraud Unit has already had a profound impact.

On August 11, 2014, DA Thompson proudly distributed more than \$25,000 in restitution checks to Chinese families and teachers defrauded by a Brooklyn couple who ran three English language schools in Sunset Park. The case began when the school was unexpectedly shuttered with three weeks left in the summer semester, and many tuition checks for the following year already paid. The owners of the school were arrested in Syracuse, NY by investigators from the DA's office two weeks later. The owners agreed to pay full restitution to parents, students and teachers in exchange for resolving their criminal charges. Ultimately, families of the 130 students received just over \$25,000 and 35 teachers received just over \$26,000 in restitution.

On December 18, 2014, DA Thompson announced that a Brooklyn woman had been charged with allegedly stealing approximately \$12,000 from five undocumented immigrants. Allegedly, the defendant had falsely promised the victims green cards and work permits in exchange for their fees. The victims, who were originally from Ghana, Liberia, Guyana, and Jamaica, contacted the DA's Action Center after they paid the defendant, and then were unable to contact her for a month. The DA's Action Center promptly put them in touch with the Immigrant Fraud Unit, leading to an initiation of the investigation and the subsequent indictment. The defendant was caught after an undercover detective posed as an undocumented immigrant in exchange for a green card. The Immigrant Fraud Unit continues to stay vigilant in its prosecution of existing charges, as well as its investigation of potential cases involving defrauded immigrants throughout Brooklyn.

## Civil Rights Bureau Chief Appointed & Creation of New Hate Crimes Unit

On September 2, 2014, District Attorney Thompson announced the creation of a Hate Crimes Unit to be headed by veteran Assistant District Attorney (ADA) Marc Flidner, the newly appointed Chief of the Civil Rights Bureau.

Speaking at Mr. Flidner's appointment ceremony, District Attorney Thompson said that "the Hate Crimes Unit will proactively investigate and prosecute crimes committed based on a belief or perception about a victim's race, ethnicity, gender, religion, age, disability, or sexual orientation." "Brooklyn is a great and diverse place where the civil rights of all must be respected," said District Attorney Thompson.

Notably since this announcement, the Hate Crimes Unit has brought charges relating to a host of hate crimes, including those committed against people of the Jewish and Muslims faiths, transgenders, and others.



*Chief of Civil Rights Bureau Marc Flidner (left) and DA Thompson*

## Two Long-Time Prosecutors Promoted to Important Top Positions



*Counsel to the District Attorney Martiza Mejia-Ming*



*Chief Assistant District Attorney Eric Gonzalez*

District Attorney Thompson has proudly elevated two long-time Assistant District Attorney's to two of the most important positions in his administration. He has appointed Assistant District Attorney Maritza Mejia-Ming to the position of Counsel to the District Attorney, the first Latina to hold this position. Assistant District Attorney Eric Gonzalez has been promoted to Chief Assistant District Attorney, the first Latino to hold that spot.

The Counsel to the District Attorney serves as the District Attorney's senior advisor on all

legal matters. The Chief Assistant District Attorney position is commonly referred to as the District Attorney's "second in command," and is tasked with assisting the District Attorney with handling the operations of the office. Both Ms. Mejia-Ming and Mr. Gonzalez have been with the District Attorney's office for over 15 years in multiple positions of leadership. Speaking at the District Attorney Office's first National Hispanic Heritage Month Celebration on October 9, 2014, District Attorney Thompson proudly cited Eric Gonzalez's tenure as a "dedicated, talented, and hardworking prosecutor."

In his announcement of Counsel Mejia-Ming's appointment in December, District Attorney Thompson highlighted her prior work as the Chief of the Immigrant Fraud Unit. "Herself an immigrant from the Dominican Republic, she has brought to her duties a keen sensitivity to the challenges that these victims face and to the harms they suffer," District Attorney Thompson noted. Chief Assistant District Attorney Gonzalez and Counsel Mejia-Ming both officially assumed their new duties in December.

*Continued from Page 4*

of burglary in 1987 and faces deportation. The details of their cases illustrate the significant miscarriages of justice that the Conviction Review Unit is continuously seeking to reverse.

David McCallum was just 16 years old when he confessed to the kidnapping and subsequent murder of Nathan Blenner in South Ozone Park, Queens — a confession that he quickly recanted. The subsequent verdict against him was based entirely on this confession, and McCallum was sentenced to 25 years-to-life in prison, where he remained until 2014. The subsequent CRU investigation and independent panel review concluded that the confessions by McCallum and his co-defendant Willie Stuckey were false. No physical, testimonial, DNA or fingerprint evidence linked McCallum to the crime. Accordingly, District Attorney Thompson asked the court on October 15, 2014 to vacate the murder convictions of both McCallum and Stuckey in the interest of justice, and McCallum was released from prison that day.

Michael Waithe was arrested in Brooklyn in 1986 at the age of 23 for burglary after arriving in the United States as an immigrant from Barbados. Waithe steadfastly maintained his innocence, was convicted at trial and received an 18-month prison sentence. In October 2014, Waithe wrote a letter to District Attorney Thompson because



*Assistant District Attorney Mark Hale (left), DA Thompson (middle) and Professor Ron Sullivan (right) announce David McCallum's exoneration*

he was facing deportation based on his conviction from more than 30 years ago. Mr. Waithe maintained his innocence and sought the DA's assistance.

Members of the District Attorney's CRU thereafter investigated Waithe's case and

travelled to Georgia to interview the sole eyewitness who testified against him at trial. Based on the investigation, the CRU concluded that Waithe was framed for a crime that never happened, wrongfully convicted and unjustly imprisoned.

On January 29, 2015, District Attorney Thompson moved to vacate Waithe's conviction in the interest of justice. Waithe, who is 54-years-old with four children and a granddaughter, should now be allowed to avoid deportation and remain in New York, with his family, where he has lived a law-abiding life.

To date, Brooklyn leads the country with exonerations in 2014. District Attorney Thompson is committed to the exhaustive completion of the CRU's investigations. As prosecutors, it is our job "to protect the public and do justice," the District Attorney noted in a speech on these exonerations at New York University Law School.

## Community Engagement



*District Attorney Ken Thompson addresses residents at the Coney Island Town Hall Summit on October 23, 2014*



*DA Thompson lights a menorah in December 2014 at the Office's Jewish Heritage Month event at Long Island University*



*DA Thompson greeting Brownsville residents during "Old Timers' Day"*



*DA Thompson greeting residents of Canarsie during the 69th Precinct's National Night Out Against Crime event on August 5, 2014*

# USEFUL NUMBERS

In Case of Emergency—Call 911

Main Number for NYC: 311 or (212) NEW-YORK

DA's Action Center Hotline: (718) 250-2340

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

Domestic Violence Bureau: (718) 250-3300

Elder Abuse Unit: (718) 250-3309

Human Trafficking Bureau: (718) 250-2770

Immigrant Fraud Hotline: (718) 250-3333

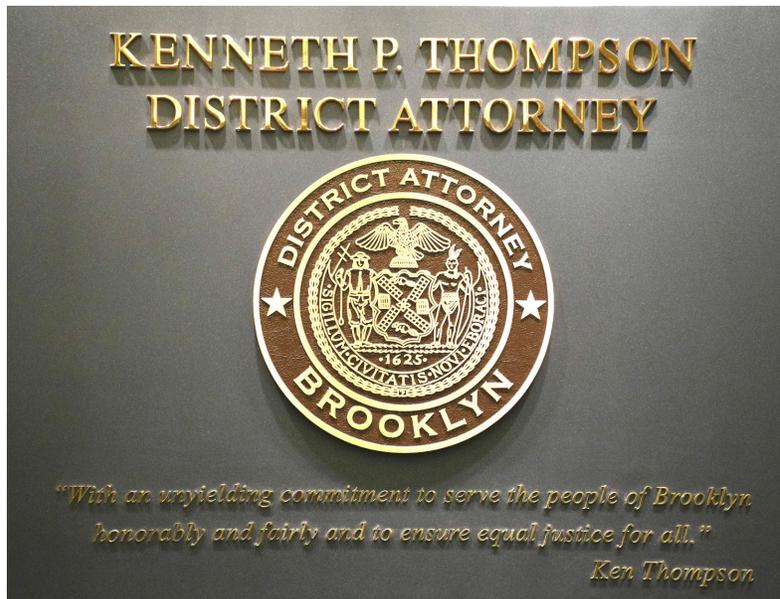
Labor Frauds Unit Hotline: (718) 250-3770

Public Integrity Unit: (718) 250-2747

Teen Dating Violence: (718) 250-2463

New York City Family Justice Center — Brooklyn: (718) 250-5111

Victim Services Unit: (718) 250-3820



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