

JUSTICE NEWS

THE BROOKLYN DISTRICT ATTORNEY'S OFFICE NEWSLETTER

WINTER 2018

A Message from District Attorney Eric Gonzalez



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To the People of Brooklyn:

I was recently sworn in as the 33rd Brooklyn District Attorney. I am humbled and honored beyond my ability to express that the people of this great borough have put their faith in me as their next DA. I was born here, grew up here and am raising my family here. I love Brooklyn!

It has been an immense privilege to visit every neighborhood of this diverse borough. To worship in Brooklyn's churches, mosques and synagogues. To visit with folks at block parties, markets and street fairs. To meet people of every race and background, every identity, young and old, and to realize that everyone wants the same thing: to continue to feel safe, and for the justice system to be equitable and fair for everyone.

That is what I plan to work for every single day as your District Attorney, together with my committed staff, and in collaboration with the communities we serve. We will focus our resources on those who do the most harm to others, find new ways to hold accountable those who can be safely diverted from the criminal justice system, and work in creative and transparent ways to enhance public safety while reducing reliance on incarceration. We will build on our past achievements, but step up our game to continue making the Brooklyn DA's Office a national model of what a progressive prosecutor's office can be.

Together, we will continue to make Brooklyn proud.

Eric Gonzalez

The Inaugural Address of DA Eric Gonzalez

I am so thrilled and honored to be standing here today. Growing up, my dream was to serve as an assistant district attorney in the Brooklyn DA's office. That's it. Never in my wildest dreams did I imagine that one day I would be sworn in as *the District Attorney*. I am humbled and honored beyond my ability to express.

I want to thank you all for being here today to share this special moment. I believe, and I know that all of you in this room believe, that we can keep our communities safe while treating people who come into contact with the system – victims, witnesses and people accused of crimes – with fairness and respect. During my campaign for DA, I saw that the clear majority of Brooklynites share this belief.

I want to thank the staff of the Brooklyn District Attorney's Office. I am so proud of the commitment of every person in the office, to keeping Brooklyn safe and to promoting a fairer system of justice. It is an honor to be your leader, and I look forward to the great things we are going to accomplish together.

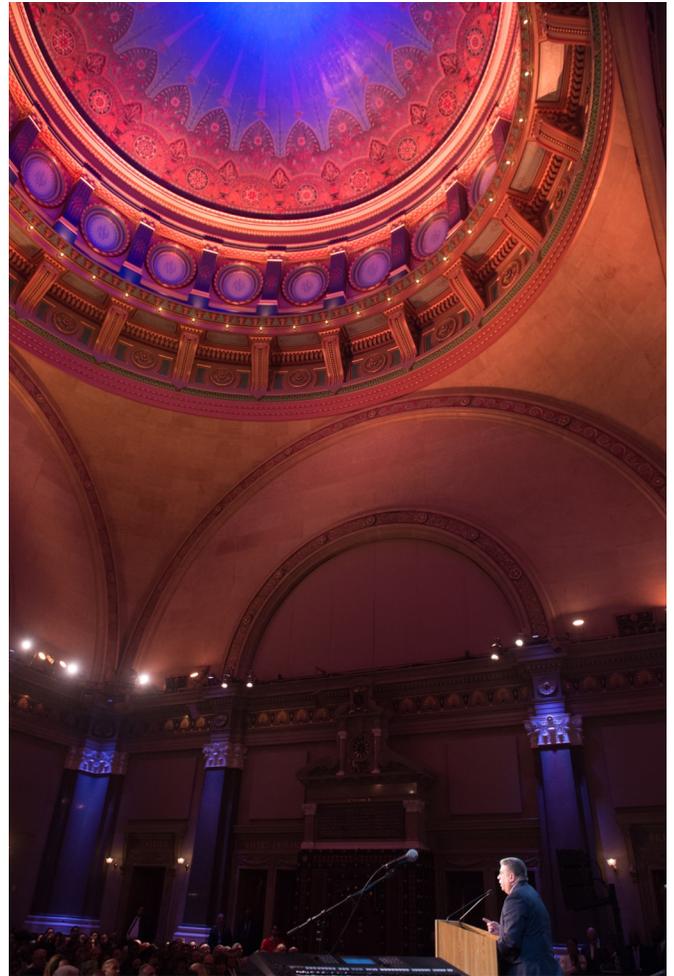
To my incredible wife Dagmar, our boys Evan, Dean and Cole, my mother and my mother-in law, both named Carmen! and all of my family – thanks for your endless patience, for keeping me grounded and real. I know that without you and your love and support, I would not be standing here today. Mom – thanks for always believing in me and loving me.

I also want to acknowledge, and to remember, one towering figure who isn't with us today. And that is my friend and mentor, the late great Ken Thompson. We all imagined that today would be Ken's day, his second inauguration, and that we would be looking back on his accomplishments, and looking forward to the future. So this is a bittersweet moment for me, and for many of us.

I know that Ken would be so proud of where the Office stands today, of how the staff held together to carry on his legacy of reform. We stand tall today on Ken's shoulders, and we look forward to a bright future because of the groundwork he laid in the far too short time he held the office of Brooklyn District Attorney.

I was proud to work with Ken on the reforms for which the Brooklyn DA's office continues to be known around the country:

Our Conviction Review Unit, with 24 wrongful convictions vacated thus far, is the national model.



DA Gonzalez delivers his Inaugural Address at the Weylin in Williamsburg

Our Begin Again program, in which we vacated in a single day nearly 150,000 warrants in Brooklyn, has contributed significantly to reducing the enormous backlog of warrants that have prevented thousands of our fellow New Yorkers from moving forward with their lives.

Our Young Adult Court is one of the most innovative in the country, helping young people get the services they need to avoid further criminal justice involvement.

We have pursued all these reforms *while keeping Brooklyn safe*. We closed out 2017 as the safest year in my lifetime, and very possibly in yours: shootings and homicides hit record lows. Assaults, robberies, larcenies were all down.

As we consider this tremendous increase in public safety, we must acknowledge the extraordinary work of our partners in law enforcement, the New York City Police Department. The NYPD has shown a willingness and ability to adjust to

January 21, 2018 at the Weylin in Williamsburg

changing times—all while developing and employing new strategies to reduce crime in our city. Stop and frisks are down, arrests are down, police use of weapons is down, and yet in 2018 we are safer than ever.

I want to thank the great men and women of the NYPD for their dedication and their hard work.

Even with all these tremendous accomplishments, there is more work to be done. I know we can move beyond what we have already achieved and make the Brooklyn DA's Office the national model of what a progressive prosecutor's office can be.

That's why, today, I'm announcing the Brooklyn DA's Justice 2020 Initiative, which is aimed at *keeping Brooklyn safe and strengthening community trust in our criminal justice system by ensuring fairness and equal justice for all.*

I intend to make significant progress toward this vision by the end of the year 2020, and this is how I'll do it:

My office will promote a justice system predicated on fairness, equity, compassion and fiscal responsibility;

We will double down on our obligation, as prosecutors, to do justice, not just seek convictions;

We will work toward outcomes that restore and heal victims and communities, and we will work to reduce racial disparities in our system;

We will continue to identify and focus on those who do the most harm; the drivers of violent crime, those dangerous individuals will face the full force of the law. We will get them off the streets, and our streets will continue to be safer for it.

In Brooklyn, what we won't do, however, is be passive in the face of cruel and misguided policies handed down from Washington DC, especially on immigration. Our recently-formed Immigration Unit is being adopted by prosecutors across the country and rightly so – it helps our friends and neighbors in immigrant communities avoid unjust deportation and sends a message to the rest of the country that when it comes to our immigrant communities, doing what's right and fair doesn't conflict with our commitment to public safety. Rather, it enhances it! It makes us safer!

We also won't criminalize poverty by keeping people in jail just because they can't afford to pay bail. In keeping with my support for, and commitment to, closing Rikers, we are leading the city in reducing reliance on cash bail.

We will continue to find new alternatives to incarceration for

people whose issues can be addressed in better ways. We will reduce our reliance on jails and put an end to mass incarceration!

We will treat drug addiction as a health issue and not a crime.

We want to be able to measure the results of what we do, so we can hold ourselves accountable and continue to improve and to achieve our goals. So we will make better use of data to support and guide innovation in our approach to community safety and alternatives to prosecution. We will do this in collaboration with stakeholders and community partners.

I am so excited to begin this part of my journey, and the journey of the office I am honored to now lead.

While it feels like a time of incredible peril for our country, it is also a time of enormous promise. Even as we all share deep concerns about what is happening in Washington and the impact it is having on the most vulnerable among us, we also have, here in Brooklyn, a chance to be a national model of a criminal justice system that keeps us safe, is fair, and earns the respect and the trust of the community we serve. It is my great privilege to be leading this effort, but I cannot do it without all of you. Brooklyn, thank you so much for putting your trust in me. Thank you for your support, now and in the future. Thank you for having my back and for lifting me up.

Thank you for joining me on this journey toward Justice 2020. I will not let you down!



DA Gonzalez, with his wife and three sons, being sworn in by New York Chief Judge Janet DiFiore

Justice 2020 Initiative

Setting a vision for his administration, DA Eric Gonzalez announced a groundbreaking initiative aimed at *keeping Brooklyn safe and strengthening community trust in the criminal justice system by ensuring fairness and equal justice for all.*

Justice 2020 will rely initially on a Launch Committee consisting of criminal justice reform experts, public defenders, service providers, members of law enforcement, formerly incarcerated individuals, clergy and community leaders. The committee – co-chaired by Medgar Evers College President Rudy Crew and former New York Chief Judge Jonathan Lippman – will meet in subcommittees that will present recommendations to the DA in the spring. These recommendations will be integrated into a plan that will be shared with the public as a set of goals aimed at achieving this vision of reform by the year 2020.

“We have a historic opportunity in Brooklyn to create a national model of what a truly progressive prosecutor’s office can be. I plan to achieve that goal by consulting a committee of experts and creating a set of guidelines that will focus on those who do the most harm, while reducing incarceration and finding new ways to hold accountable those who can safely be diverted from the criminal justice system,” said DA Gonzalez.

Dr. Crew said that the committee “is well positioned to develop the kind of transformational ideas that emerge when we look at issues in a more holistic and integrated way. Until we understand the web of mutuality that exists between the courts, schools, police and our communities, we will continue to falter when it comes to justice.”

Judge Lippman noted that “criminal justice reform is not for the short-winded. I have every confidence that DA Gonzalez has the vision and the determination to make the Justice 2020 Initiative a shining model for the country in progressive criminal justice reform.”

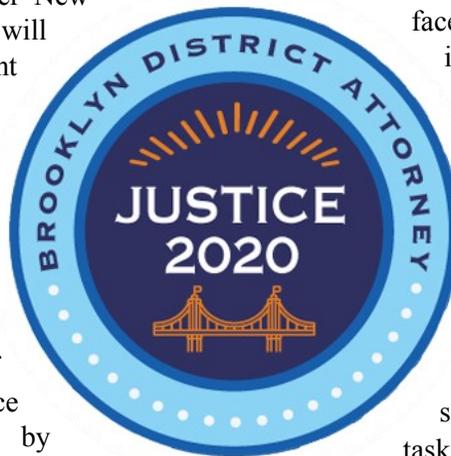
Brooklyn is uniquely positioned to take on this endeavor as a true partnership with community organizations and leaders – and serve as a blueprint for reform that can be emulated across the country. The borough is safer than it’s ever been and the DA’s Office under late DA Ken Thompson and DA Gonzalez have put in place notable reform-minded programs, such as a bail policy that decreased reliance on cash bail, an immigration policy aimed at minimizing

collateral consequences of criminal convictions, and a Conviction Review Unit that’s considered a national model.

Justice 2020 will build on these strong foundations, representing the first time that the people of Brooklyn are asked to actively participate in reforming their criminal justice system. Importantly, any reforms implemented as part of the initiative will not compromise public safety, which remains the DA’s highest priority.

The Launch Committee, which has over 60 members, is divided into subcommittees that focus on different facets of the justice system in Brooklyn, including: alternatives to prosecution and restorative justice; mental health; case handling reforms; violence prevention; civil rights and policing; data and transparency; professional responsibility and conviction integrity; among others. The Committee’s purpose is to provide fresh, outside perspectives and ideas to help the DA advance his vision and reform agenda. Each member brings significant expertise and experience to the task; many are nationally recognized experts in their fields.

The Committee includes the following members, among others: Carol Fisler, director of mental health court at the Center for Court Innovation; Kassandra Frederique, NYS Director of the Drug Police Alliance; Nick Turner, director of the Vera Institute of Justice; Rev. Vivian Nixon, executive director of College and Community Fellowship; Chiraaq Bains, senior fellow at Harvard Law School and Open Society Foundations; Murad Awawdeh of the NY Immigration Coalition; Debo Adegbile, partner at WilmerHale; Michael Jacobson, executive director of the CUNY Institute for State and Local Governance; Jane Manning, director of advocacy at NOW-NYC; Richard Aborn, President of the Citizens Crime Commission; Jennifer Jones Austin, CEO of the Federation of Protestant Welfare Agencies; Dawn Ryan, Attorney-in-Charge at the Legal Aid Society; Mishi Faruquee, national field director of the Youth First Initiative; Alyssa Aguilera, political director of VOCAL-NY; Ana Bermudez, Commissioner of the NYC Department of Probation; Khalil Cumberbatch, Associate VP for policy at the Fortune Society; Rebecca Fischer, executive director of New Yorkers Against Gun Violence; and Meg Reiss, executive director of the Institute for Innovation in Prosecution. [For a full list of members and much more, visit BrooklynDA.org.]



2017 Ended as the Safest Year in Brooklyn's History

Continuing a trend of unprecedented gains in public safety, 2017 ended as the safest year in Brooklyn's recorded history. According to statistics compiled by the New York City Police Department, the borough experienced the fewest number of homicides, shootings and shooting victims since record-keeping began, improving on a historic decline in crime over the past several years and particularly in 2016.

A total of 110 murders were recorded in Brooklyn in 2017, down 18 murders (14.1%) compared to the previous year, which had the third-fewest homicides ever recorded. That figure eclipsed the former record low of 2014, when 122 murders were recorded, and includes nine homicides that were reclassified from previous years—meaning the count of actual homicides that took place last year stood at 101.

The reductions in shootings and shooting victims, coming on the heels of approximately 13% drops in 2016, were even more astounding. By the end of 2017, there were 118 fewer shooting incidents compared to the same period in 2016 (a total of 287, down 29%) and 149 fewer shooting victims (a total of 341, down 30.4%). The percent decreases in these three categories outpaced impressive citywide declines during 2017.

While decreases in murders and shootings took place in most Brooklyn neighborhoods, certain precincts experienced particularly noteworthy declines. The number of homicides in East New York dropped from 23 to 11 (down 52.2%) with a 35.7% decrease in shootings, and in Crown Heights, murders were cut by 40%, from 10 to 6, with a 57% nosedive in shootings. In Brownsville, homicides were down 35.7% and shootings were down 32.6%.

In addition, the Total Index Crime in Brooklyn (representing the seven major felony crimes) was down 5% in 2017 compared to the year before, with decreases in all categories except for reported rapes (19 additional incidents). The number of arrests in the borough was down by over 7,200 (an 8.4% drop) for a total of less than 80,000.



With NYS Attorney General Eric Schneiderman

“The historic declines in crime that we are experiencing in Brooklyn can be described as nothing short of a miracle. But they were not achieved by chance – they are a testament to the dedicated work and smart-on-crime strategies of the NYPD, my prosecutors and our other partners in law enforcement and in the community,” said DA Gonzalez. “I pledge to continue the focus on enhancing safety while putting forth an ambitious reform agenda that will identify new opportunities for diversion, reduce reliance on incarceration and promote a fair system of justice that strengthens communities’ trust and engagement.”

Besides mere statistics, the Brooklyn DA's Office has accomplished numerous important milestones and successes in 2017. Those include:

- The biggest gun trafficking case in Brooklyn history, with 217 firearms recovered and 24 defendants, mostly from Virginia, indicted;
- A takedown of the largest healthcare fraud scheme in the history of the DA's Office, involving at least \$146 million in illegal proceeds;



DA Gonzalez and other officials show some of the ill-gotten gains of a healthcare fraud ring

- The dismantling of major drug distribution rings that peddled synthetic fentanyl and heroin;
- The creation of the Cold Case Unit that led to indictments for two murders from over a decade ago;
- Successful investigations and prosecutions of public corruption, from allegedly corrupt public utility employees to a construction company owner who was awarded public work projects and shortchanged laborers.

In addition, DA Gonzalez spearheaded transformational reforms and initiatives to enhance fairness throughout the criminal justice system. In the spring of 2017, he instituted a groundbreaking immigration policy to protect non-citizen defendants charged with low-level offenses from unintended immigration consequences, and also joined New York State Attorney General Eric Schneiderman in calling on the federal authorities to stop conducting immigration raids in courthouses.

Around the same time, DA Gonzalez put a new bail policy into place, requiring prosecutors to consent to release in most misdemeanor cases and leading to a 90% release rate at arraignment. In August, he led an effort, together with District Attorneys in Manhattan, Queens and the Bronx, to dismiss about 650,000 summons warrants 10 years or older, which stemmed from unpaid fines and that could have led to mandatory arrests; over 143,500 outstanding warrants were dismissed in Brooklyn alone. Furthermore, the nationally-recognized work of Brooklyn's Conviction Review Unit continued, with three exonerations of unjustly convicted individuals, bringing the total to 24 since its creation in 2014.

DA Staffers in Leadership Positions



Jill Harris

These two seasoned professionals hold key leadership positions in our Office.

Jill Harris joined the Office last year as Policy and Strategy Counsel to help DA Gonzalez implement his progressive vision.

With over 30 years' experience in criminal justice reform, she is the Director of the Justice 2020 Initiative and is spearheading

other policy initiatives.

Harris served as the Managing Director of Policy and Strategic Initiatives at the Drug Policy Alliance and, prior to that, was the Deputy Director of the ACLU's Campaign for Smart Justice, where she focused on state-level reforms.

A graduate of Harvard University and NYU School of Law, Harris started her legal career in 1985 as a trial attorney at the Legal Aid Society, Criminal Defense Division, where she served as Attorney-in-Charge at the Manhattan Office. This is her first position at a prosecutor's office.



Nicole Chavis

Assistant District Attorney Nicole Chavis is the Chief of the Violent Criminal Enterprises Bureau (VCE), where she oversees investigations and prosecutions of gangs, narcotics rings, firearm trafficking operations and other serious crimes.

Born and raised in Brooklyn, she joined the Office in 2005 after graduating from John Marshall

Law School and working in Essex County, NJ. ADA Chavis moved up the ranks to become Chief of the Gangs Bureau. In 2014, that bureau was consolidated with the Major Narcotics Bureau and she was appointed Chief of VCE.

She successfully tried the fatal shooting of an 18-year-old, in which three other teens were shot and wounded during a basketball tournament in Bed-Stuy; and also secured the conviction of a young gang member who fired at rivals inside a city bus, killing an innocent working father who was riding the bus. ADA Chavis is also involved in community outreach and has mentored many young prosecutors.

Preventing Sexual Assaults on College Campuses

As accounts of sexual assault and harassment dominate headlines and the national conversation, the Brooklyn DA's Office is taking proactive action on college campuses to enhance reporting and investigation while ensuring an appropriate, comprehensive response. The Office has partnered with 14 higher education institutions and has formed a Task Force to connect every campus survivor to the Office's Victim Services Unit, even in cases that don't result in a criminal prosecution.

As part of the initiative, DA Gonzalez hosted a day-long event at Brooklyn College last fall, headlined by Bea Hanson, former Deputy Director of the U.S. Justice Department's Office on Violence Against Women and current Director of the NYC Domestic Violence Task Force.

Those in attendance were able to participate in an informational resource fair, while members of the Brooklyn Sexual Assault Task Force hosted breakout workshop sessions on the role of medical professionals, barriers to reporting sexual violence, working with LGBTQ survivors, nonconsensual pornography and technology abuse, and bystander engagement skills, among other topics.



DA Gonzalez addressing the campus symposium

"Now more than ever, it is critical for us to confront the plague of sexual violence and discuss ways to uproot it from society," said DA Gonzalez. "And for those who unfortunately and through no fault of their own find themselves victims of sexual assault, we have to ensure that they get justice and that they are not ashamed to report their attack and receive the help they need to rebuild their lives."

The event was the first in an ongoing series planned for different college campuses in Brooklyn. The initiative aims to make reporting of sexual assault more accurate, and to encourage victims to report all assaults.

According to the National Sexual Violence resource center, more than 90% of sexual assault victims on college campuses do not report the assault, and one in five women, and one in 16 men, are sexually assaulted while in college.

The DA's message was clear: His office will not judge survivors but will do all it can to assist and connect them with services, regardless of whether they wish to proceed with a criminal prosecution or not.

The DA's Office in the Community



DA Gonzalez with children who received supplies as part of the Office's Back to School drive



Speaking at an Immigration Forum at Bet El-Maqdis Islamic Center of Bay Ridge



Presenting a restitution check to tenants whose landlords tried to illegally evict them



With members of Alpha Phi Alpha Fraternity at their Day of Service during Martin Luther King Day



Marching with Public Advocate Tish James and others at the Brooklyn Puerto Rican Day Parade



With police officers during National Night Out Against Crime

IMPORTANT NUMBERS

In Case of Emergency—Call 911

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

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

Victim Services Unit: (718) 250-3820

Public Integrity Unit: (718) 250-2747

Domestic Violence Bureau: (718) 250-3300

Brooklyn Family Justice Center: (718) 250-5111

Elder Abuse Unit: (718) 250-5299

Immigrant Fraud Hotline: (718) 250-3333

Labor Fraud Unit Hotline: (718) 250-3770

Human Trafficking Bureau: (718) 250-2770

Teen Dating Violence: (718) 250-3321

Hate Crimes Helpline: (718) 250-4949

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



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

Eric Gonzalez

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