



# JUSTICE NEWS

THE BROOKLYN DISTRICT ATTORNEY'S OFFICE NEWSLETTER

SPRING 2016

## Going after Gang Members and Drivers of Crime

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*DA Thompson announces indictment of alleged members of Folk Nation - No Love City*

Targeting gang members who are responsible for the majority of shootings and mayhem in Brooklyn is a high priority of the District Attorney's Office. In recent months, a sharp focus on the drivers of crime led to the takedown of a dangerous street gang, as well as to the convictions of multiple defendants, who had shot, injured and taken the lives of innocent bystanders.

In early February, District Attorney Ken Thompson announced that 18 accused members of No Love City, a subset of the violent street gang Folk Nation, were indicted for a string of 10 separate shooting incidents, in which they allegedly hunted for rivals all over Brooklyn. The escalated violence in 2014 and 2015 occurred in various parts of the borough, particularly Flatlands, Canarsie and DUMBO.

In May 2014, one of the defendants, Kenny Dorcean, allegedly fired at a rival, but instead struck 60-year-old Deleta Crawford,

who was grocery shopping on Flatbush Avenue, leaving her paralyzed from the waist down. In July 2015, another defendant, Corey Roberts, is charged with entering a courtyard at 866 Coney Island Avenue and spraying bullets, even as young children played with scooters and bikes nearby, wounding two innocent people, including a 50-year-old man who was shot in his heart. The disturbing attack was caught on video surveillance. And in October 2015, a number of the reputed gang members engaged in a gun battle outside Gleason's Gym in DUMBO, where a music video was being filmed. A black Cadillac was then seen speeding away through Carroll Gardens and was later found abandoned in Park Slope, near Prospect Park, with multiple bullet holes. Two guns were discarded along its path.

"We must never allow violent street gangs to

*Continues on Page 6*

## A Message From Brooklyn DA Ken Thompson



I am delighted to welcome you to the Spring 2016 edition of the Brooklyn District Attorney's Office newsletter, *Justice News*. The beginning of this year has been marked by many successes, relating to new indictments and investigations, as well as by the resolution of various long-standing and important cases. Many of them are featured in this issue.

The close working relationships between my Crime Strategies Unit, which collects and analyzes data on gang members and other drivers of crime, and the Violent Criminal Enterprises Bureau, which handles major drugs and gangs cases, bore significant fruit with the indictment of 18 alleged gang members who were charged with terrorizing the streets of Brooklyn, from Flatbush to DUMBO. We boosted our ongoing fight against illegal guns by forming a new Firearms Prosecution Unit, and by upgrading charges against a gun smuggling ring. We also successfully prosecuted cases involving wage theft and financial fraud.

As we investigate and prosecute crimes daily, the principal of doing justice is always in the forefront of every decision we make. For each defendant, the appropriate charges, plea conditions and punishments are always evaluated. Making these judgements is, without a doubt, one of the greatest challenges of serving as a District Attorney. Some decisions are easier than others: a serial killer who shot dead three shopkeepers in cold blood more than deserves the life sentence that he received. But many other choices are tougher to make and require careful consideration.

When allegations that a young woman was raped by five teenagers in a Brownsville playground rocked the city this past January, dedicated prosecutors from my Special Victims Bureau took up the case and conducted a thorough investigation. After the young woman recanted her allegations, they found that there was no evidence that proved beyond a reasonable doubt that a crime had been committed. Not proceeding with the high-profile case may not have been the easiest route – but it was the fair and just decision.

A very different high-profile case involved the tragic death of Akai Gurley, a 28-year-old father who was killed when rookie Police Officer Peter Liang recklessly fired his gun while on patrol in a darkened staircase in East New York and the bullet ricocheted off a wall and struck Mr. Gurley. After the shooting in November 2014, my prosecutors carefully investigated and evaluated the particular facts in this case – and only this case – and concluded that seeking an indictment for reckless manslaughter was justified. At trial, we argued that while the police officer did not intend to shoot Mr. Gurley, his actions were nevertheless criminally reckless. The jury agreed and returned a guilty verdict. When the time came to recommend a sentence, I considered all the relevant facts: the unique circumstances of this particular case, the defendant's character, whether his incarceration was necessary to protect public safety and sentences that were handed down in similar cases. Guided by the principals of fairness and justice, I asked for a period of five years' probation, six months of house arrest and 500 hours of community service for that defendant. See Page 5 for an op-ed I wrote that appeared in the *New York Daily News* for more information on my recommended sentence.

I would like to thank you for giving me the opportunity to serve as the District Attorney of this great borough and I wish you and your family a wonderful spring season.



## New Firearms Prosecution Unit to Handle Gun Cases in Brooklyn

DA Thompson's comprehensive and multi-faceted approach to fighting gun violence received an added boost in January with the creation of a Firearms Prosecution Unit, which will operate in a newly-established Expedited Firearms Court. The dedicated court and unit will help to swiftly resolve weapon possession cases.

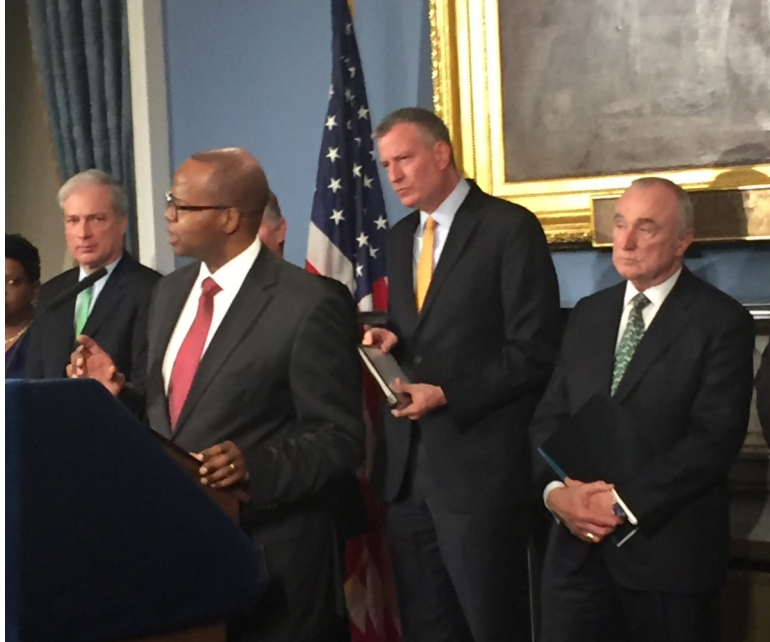
The initiative, part of New York City's Project Fast Track, "will help us prosecute gun cases faster and more efficiently in Brooklyn," DA Thompson said when the program was unveiled during a City Hall press conference with Mayor de Blasio, Commissioner Bratton, the city's District Attorneys and other officials.

"This is another tool for

us in our commitment to fight gun violence and I'm confident that these important additional resources will help keep the public safe," the DA added.

The new firearms courts are planned for all boroughs, with the first one launched in Brooklyn, where two judges now hear gun cases in an effort to reduce delays and achieve more uniformity in evidentiary rulings and dispositions.

The goal of this initiative, which builds on the success of a similar effort from over a decade ago, is to see that those who carry guns in our streets receive speedy and fair justice. With the creation of the Firearms Unit, the clear message to be sent is that gun cases will not linger, but will be dealt with quickly and decisively.

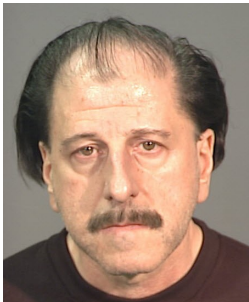


*DA Thompson announces new Firearms Prosecution Unit at City Hall*

## Recent Convictions of a Serial Killer and Other Dangerous Criminals

Securing justice for victims of crime is one of the most important responsibilities of a District Attorney's Office. In recent months, prosecutors in Brooklyn secured convictions and lengthy prison sentences for some of the most vile and heinous crimes committed in the borough.

In March, serial killer Salvatore Perrone, 67, was sentenced to the maximum of 75 years to life in prison for murdering three Brooklyn shopkeepers—Mohamed Gebeli, 65, Isaac Kadare, 59 and Rahmatollah Vahidipour, 78—in the summer and fall of 2012. He used the same sawed-off .22-caliber rifle in each of the three murders and was connected to them by a mountain of evidence, including DNA, fingerprints and surveillance footage. Despite that, the case dragged on for a long period of time, adding to the grieving families' heartache.



*Salvatore Perrone*

"It's hard to think of anyone who deserves to spend the rest of his life in prison more than this cold-blooded and unrepentant serial killer," DA Thompson

said after the sentence was imposed. "He murdered three innocent, honest and hard-working business owners and then spent years acting up in court to delay the fate he received today."

The maximum sentence was also imposed on a 35-year-old man who brutally assaulted his pregnant ex-girlfriend to cause the death of her unborn baby. Torey Branch was convicted at trial and sentenced to up to 32 years in prison for the shocking assault that was caught on tape.

The defendant, who was angry when the victim decided to follow through with her pregnancy, conducted dozens of incriminating online searches, including "can being hit in the stomach cause a miscarriage," the investigation revealed. Wearing masks, he and another assailant later punched the woman about 22 times, mostly in her stomach, resulting in severe injuries. The judge commented that he had never seen such a cold-hearted crime, and the DA called the attack "cowardly, brutal and simply inhumane."

A third defendant was sentenced to 18 years to life in prison in February after pleading guilty to murder for choking a woman in 2014, mutilating her body and throwing the remains off the Canarsie Pier. Charles Wright, 35, then used banking cards that belonged to victim Shaniqua Davis to get cash and food.

## Protecting the Public from Bank Fraud and Identity Theft

The banking industry offers many opportunities for theft – both by employees and by purported customers – and the District Attorney's Office is determined to make sure that residents of Brooklyn have secure bank accounts.

In a headline-making case, two former personal bankers, who worked for J.P. Morgan Chase, were indicted in late December, along with two alleged accomplices, on charges that they stole about \$400,000 from 15 accounts belonging to elderly or deceased customers. The personal bankers are accused of using their access to electronic accounts to identify those that were dormant, except for regular deposits of Social Security checks. Without permission, they then allegedly issued ATM cards that their co-defendants used to withdraw funds from the accounts between August 2012 and October 2013.

The indictment underscored the need for financial

institutions to better secure their operations as to prevent employees from taking advantage of their access to people's money.

In a different, but somewhat-related case, a Brooklyn man was convicted at trial for using a fraudulent driver's license to withdraw nearly \$35,000 from two CitiBank accounts belonging to a stranger. Barrington Folkes, 31, was found guilty of grand larceny and identity theft for making 11 illegal withdrawals in June 2013 by showing tellers a doctored driver's license bearing his photo and the victim's name.

The accounts holder finally realized that a large sum of money was missing. He contacted the bank, filled in the necessary paperwork and, the next day, when the defendant returned to a CitiBank branch on Flatbush Avenue – he was flagged by employees and arrested by police.

## Exemplary Record in Correcting Miscarriages of Justice

A newly-released report by the National Registry of Exonerations at the University of Michigan Law School found that 149 people had their convictions vacated in 2015 across the U.S. – a single-year record. The report singled out the Brooklyn DA's Conviction Review Unit (CRU) for praise as a national leader in this field. Since the report came out in early February, the CRU moved to vacate three additional convictions, bringing the number of exonerees since DA Thompson took office in 2014 to 20.

"We need to acknowledge that wrongful convictions destroy the lives of those wrongfully convicted and their families," the DA said. "They also undermine the integrity of the criminal justice system."

Two judgments that were recently vacated highlight some of the systemic issues that can lead to a wrongful conviction: a

false confession, failure to disclose important evidence and ineffective assistance of counsel.

In February, the first woman was exonerated thanks to a CRU investigation. Vanessa Gathers, 58, spent 10 years in prison for a 1991 home invasion that caused the elderly victim's death. Her 1997 confession to then-Det. Louis Scarcella, whose

tactics have since come under scrutiny, was found to be riddled with problems. She never provided a coherent narrative of the crime, did not articulate her role and gave erroneous details, claiming, for instance, that the victim was in a wheelchair even though he did not use one. The issues with her account undermined the conviction to such a degree that DA Thompson moved, in the interest of justice, to vacate Ms. Gathers's conviction.

In March, Andre Hatchett, 49, was released from prison after 25 years because the CRU discovered serious problems with his conviction for the 1991 murder of a 38-year-old woman whose badly beaten body was found in a Bedford-Stuyvesant park. The sole eyewitness against him had initially identified another suspect and admitted to using crack the night of the incident – crucial pieces of information that were never turned over to the defense. Hatchett's lawyer also failed to bring up the defendant's frail medical condition at the time of the crime, which would have likely prevented him from beating and dragging the victim as the evidence suggested the perpetrator did.

The CRU has affirmed nearly 40 convictions so far and has approximately 100 additional cases that are subject to review.



*DA Thompson and Vanessa Gathers*



*DA Thompson and Andre Hatchett*

# DAILY NEWS

Wednesday, April 20, 2016

DAILY NEWS NYDailyNews.com

In the wake of the sentencing of Peter Liang, there has been criticism in some quarters of my decision not to recommend jail time for the defendant. Given the strong emotions aroused by the senseless death of Akai Gurley, as well as the outrage stirred by the recent instances across the country of police officers who killed unarmed people of color, I understand the anger and confusion expressed by those who opposed my recommended sentence.

## As DA, I must aim for fairness



**KENNETH THOMPSON**

killed an innocent man.

On Nov. 20, 2014, Peter Liang, a rookie police officer on patrol in the Louis H. Pink Houses in Brooklyn, ignored his firearms training, fired a shot in a darkened stairwell that ricocheted off a wall and struck Akai Gurley, and failed to promptly render him aid as he lay dying.

My office vigorously prosecuted this case because the evidence, as we saw it, established that Liang's conduct was criminal. The rule of law demanded that he be held accountable for his actions in recklessly taking Gurley's life. The jury, the voice of Brooklyn's community, agreed and returned the verdict of guilty.

But my office's pursuit of justice could not, and did not, end there. We had an obligation to recommend a sentence that, while recognizing the gravity of the crime and its tragic conse-

Nevertheless, I stand by my decision. While a private citizen is free to conflate justice and vengeance, I cannot and will not do so.

As Brooklyn's district attorney, it is my sworn duty to enforce the laws to protect the lives and well-being of every member of our community. I do not discharge this duty in the pursuit of revenge, but rather in the pursuit of justice and with an unyielding commitment to fairness - whether that means freeing wrongfully convicted people from prison, providing relief from outstanding warrants, refusing to saddle young people with criminal records for possessing small amounts of marijuana or deciding the right sentence for a young police officer who recklessly

quences, also took into account whether the defendant's incarceration was necessary to ensure public safety.

Any claim that this recommendation, or Liang's prosecution for that matter, was influenced by outside pressure is utterly baseless.

Liang's criminally reckless actions took the life of a young father and robbed a family and community of their loved one. However, no evidence suggested that Liang, who had an unblemished record as an officer, intended to kill or even hurt Gurley or anyone else that night.

The truth is that a number of other factors also played a role in this tragedy, including the pairing of two rookie cops and the broken lights in that dark stairwell. Liang, now a convicted felon, has forfeited his career as a police officer and must live the rest of his life with the fact that Gurley died because of his crime.

Justice encompasses punishment, but justice is not only punishment and, certainly, not only incarceration. Justice is also due process; it is the fair and equitable administration of our laws. In this case, the law was fairly applied; a just verdict was rendered; and fairness dictated our sentencing request of house confinement, lengthy probation, and substantial community service.

While Justice Danny Chun reduced the top count to criminally negligent homicide - a decision with which we disagree and will appeal - he imposed a sentence similar to my recommendation.

I recognize that Akai Gurley's tragic death has contributed to the nation's urgent conversation about the fairness of our criminal justice system, especially towards people of color, and I embrace this long overdue conversation.

After decades of injustice, our country is finally seriously considering critical reforms to all aspects of our criminal justice system. We must continue to explore opportunities to repair and strengthen police-community relations.

We also need to examine how offenders are brought into the system; whether everyone who comes into the system belongs in it; and how people are ultimately treated within the system. And, if the criminal justice reforms we seek are to bring about real positive change, we must always aim to balance our duty to keep the public safe with the community's right to fair treatment under the law.

I am committed to improving the criminal justice system to ensure that all who come in contact with it are treated equally and fairly. I support systemic change, but also must evaluate each case on its individual merits. Every day, I will strive to do what is fair, what is right and what is just - because that is what I must do as district attorney.



## Prosecutors in Leadership Positions

These two prosecutors bring a wealth of trial and managerial experience to their leadership positions.



ADA Turner

Assistant District Attorney Karen Turner was appointed in February to Chief of the Animal Abuse Unit, which prosecutes attacks on defenseless animals. She works with the ASPCA and other agencies to handle often-disturbing animal cruelty cases, which sometimes also involve domestic violence allegations and require specialized evidence collection and knowledge of unique provisions that can be imposed on offenders. Her

current case load includes a defendant accused of slamming a cat against the wall and a woman charged with keeping three malnourished dogs in a basement without food and water.

ADA Turner joined the Brooklyn DA's Office in 1999 and worked in the Domestic Violence Bureau, in the Green Trial Zone and, most recently, in the Frauds Bureau. She

investigated and tried gambling, real estate and murder cases and spearheaded indictments involving ATM scams, trademark counterfeit operations and financial exploitation of elderly victims.



ADA Alexis

Assistant District Attorney Joseph Alexis is the Bureau Chief for Red Trial Zone, whose prosecutors are assigned to crimes that take place in East New York, Canarsie, Flatlands, Marine Park, Fort Greene and Clinton Hill.

ADA Alexis began his legal career in the DA's Office in 1991 and has been assigned to the Rackets Division and other Bureaus, including Domestic Violence, Homicide, Gangs, Major Narcotics and Special Prosecutions. His trial skills benefit the Red Zone daily and were put on full display during the recent manslaughter case against Police Officer Peter Liang, which Mr. Alexis co-tried and obtained a conviction on the top charge.

### *Continued from Page 1: Going after Gang Members and Drivers of Crime*

take over and terrorize our communities by going on hunting expeditions and roaming our streets shooting and killing people at will," DA Thompson said when the successful takedown was announced together with Police Commissioner William Bratton.

The evidence that was gathered during the investigation – which combined intelligence procured by the DA's Office's Crime Strategies Unit and further investigation and prosecution by its Violent Criminal Enterprises Bureau – included DNA from recovered guns, surveillance and Facebook conversations, in which some of the defendants allegedly planned shootings and later took credit for the bloodshed. In one, defendant Jerome Myrie allegedly said, "We gotta make sure somebody get touched tonight" just hours before a shooting at a barbecue party in Canarsie.

The indictment crippled this Folk Nation crew, but, sadly, other gangs still operate in our streets and their brutality and total disregard for human life have been shown in other cases.

As members of No Love City were rounded up, a teenaged gang member was convicted after trial for firing at rivals inside a B15 bus in Bedford-Stuyvesant during rush hour,

striking instead hard-working father Angel Rojas, who died in the 2014 shooting. Kahton Anderson, who belonged to the Stack Money Goons gang and was only 14 at the time, was found guilty of murder.

In late January, Breeze King, 22, was convicted of killing 79-year-old Andrew Burke, who was simply standing outside a barbershop when the defendant fired at two rivals in 2011. The defendant was sentenced to 30 years to life in prison.

In another case involving senseless act of violence, Victorious Kingsberry, 20, was sentenced in March to 23 years to life for shooting and killing 57-year-old Gilbert Kelley, a beloved homeless man in Clinton Hill.

Protecting the safety of Brooklyn residents is the top priority of DA Thompson, and targeting gang members who are responsible for the vast majority of shootings in the city is the key approach for achieving that goal. Creating the Crime Strategies Unit and the Violent Criminal Enterprises Bureau – which were instrumental in the No Love City takedown and many other cases – was one of the first steps he took upon taking office. These efforts will continue to prevent other innocent people from falling victim to senseless gang violence.



DA Thompson shows video of courtyard shooting at a press conference regarding Folk Nation - No Love City takedown



# The DA's Office in the Community



DA Thompson is presented with an honorary degree of Doctor from St. Francis College



DA Thompson receives the "Pursuit of Justice" Award from the Crown Heights Jewish Community Council.



DA Thompson on a panel discussing gun violence at the 2016 American Justice Summit at John Jay College



DA Thompson delivers a speech to mark Rev. Dr. Martin Luther King, Jr. Day at the Brooklyn Academy of Music



Chief of Staff Leroy Frazer honors playwright Sarah Jones at a Human Trafficking awareness event



# 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) 250-3309

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

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

## KENNETH P. THOMPSON DISTRICT ATTORNEY



*"With an unwavering commitment to serve the people of Brooklyn  
honorably and fairly and to ensure equal justice for all."*


*Ken Thompson*

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