



NEW YORK CITY LAW DEPARTMENT
OFFICE OF THE CORPORATION COUNSEL

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Press Release

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For Immediate Release

**NYPD WINS LAWSUIT BROUGHT BY BURGLAR
WHO POSED AS A CITY INSPECTOR**

***JUDGE RULES THAT THE PLAINTIFF'S CASE HAS NO MERIT;
LOCAL PATROL GROUP ALSO CREDITED BY THE CITY
FOR HELPING THE 66TH PRECINCT
CATCH THE SERIAL BURGLAR AND HIS ACCOMPLICE***

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New York, March 14, 2007 – The NYPD won a lawsuit late yesterday brought by a convicted burglar who alleged excessive force for injuries he sustained during his arrest. Federal Judge Shira Scheindlin of the Southern District granted the City a “directed” verdict, meaning that the judge, having heard the plaintiff’s case, determined that no reasonable jury would have found in the plaintiff’s favor – and immediately granted the City’s request to dismiss the matter. This is the third verdict decided in the Police Department’s favor by a Manhattan federal court in the last month.

A Borough Park, Brooklyn, community watch group, the Brooklyn South Safety Patrol, also assisted police with the arrest. The group – like the local police – had been on the lookout for the robber and his accomplice after a failed robbery attempt.

The matter involved Michael Julia and his then-girlfriend. By posing as City inspectors, Julia and his girlfriend gained entry into his victims’ apartments. Once inside, Julia would distract the victim, while his girlfriend stole items. On Jan. 15, 2004, the Brooklyn South Safety Patrol, also called the “Borough Park Shomrim Patrol,” accosted the pair and called police while detaining them. Julia and his girlfriend pled guilty to Burglary in the 2nd Degree.

However, Julia later alleged that he was assaulted by police officers on the Anti-Crime Team who responded to the scene, and that he developed vertigo and depression as resulting from his arrest.

The City was prepared to call two Shomrim Patrol witnesses, who would have testified that they cornered and detained Julia and his girlfriend until police arrived. One of the witnesses would also have testified that Julia fell and hit the back of his head trying to escape before police arrived, and that no excessive force was used.

“We are very pleased that the judge recognized the complete lack of evidence of any wrongdoing by these police officers. The police performed their duties professionally, and should have been rewarded rather than sued,” said Caryn Rosencrantz, a Senior Counsel in the Law Department’s Special Federal Litigation Division, who supervised the City’s legal team. Other members of the legal team included Assistant Corporation Counsel Prathi Reddy; Assistant Corporation Counsel Anna Nguyen; and Paralegal Zuli Nauzo.

Simcha Bernath, coordinator and police liaison for the Shomrim Patrol, said: “We are able to help

apprehend perpetrators like this, because of the great relationship we have with the NYPD – and particularly Brooklyn South and the 66th Precinct.”

The Law Department’s Special Federal Litigation Division has prevailed in three police cases in the last month, including one in which a man trespassing in a park sued police after he fell and broke his leg while fleeing. The third case involved a man who was arrested at Union Square after an antiwar demonstration; the jury found that the plaintiff was not maliciously prosecuted, and no excessive force was used. (Press releases on these matters are available at: nyc.gov/law.)

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The Shomrim Patrol is a 70-member group of community volunteers who make regular safety patrols in their neighborhood. Based in Borough Park, the Patrol works primarily with the 66th Precinct in Brooklyn. Shomrim, Hebrew for “guardian,” encompasses the idea of promoting the general welfare of communities.

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