

Office of the  
Special Narcotics Prosecutor  
for the  
City of New York



2006

Annual Report



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# Message from the Special Narcotics Prosecutor

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*Special Narcotics Prosecutor  
Bridget G. Brennan receives  
the 2006 Person of the Year  
Award from ASIS NYC Chap-  
ter.*

This year's cover features our largest narcotics seizure in 2006 – over a thousand pounds of cocaine with a street value of 42 million dollars. It was recovered in New Jersey in December, concealed in a sophisticated trap in the base of an 18 wheeler tractor trailer. Much of it was destined for New York City.

That seizure demonstrates what the Office of the Special Narcotics Prosecutor is best known for — complex investigations and successful collaborations with the Drug Enforcement Administration, New York City Police Department, New York State Police and other agencies. Yet, while investigations and large narcotics seizures are important, they represent only one aspect of our mission.

This year's annual report highlights another critical focus: addressing the demand for narcotics through treatment. For the past two decades, Special Narcotics has been a leader in designing effective treatment programs for defendants selling drugs to support their addiction. Hundreds of defendants, facing incarceration for narcotics crimes, have turned their lives around when faced with only two options: going to prison or becoming drug-free.

Most of the defendants we prosecute are not addicts. The majority are criminal entrepreneurs, motivated by the huge profit in trafficking narcotics. Critically important to the integrity of our alternative programs is identifying defendants whose crimes are triggered by their addiction and not by a desire to make easy money.

Usually, the defendants in our programs have used drugs and committed crimes for many years. For this reason, our selection process places strong emphasis on public safety. Not only do we review the criminal records of program applicants, but investigators perform thorough background checks to assure that no treatment placements will jeopardize a community. We also closely monitor those in treatment to ensure enforcement of program standards.

For those who choose treatment, there are no shortcuts. On the average, it takes defendants two years or more to graduate from a program. Successful participants earn a dismissal of charges by refraining from drug use, and by obtaining education, job training and legal employment – tools which will help them live a law abiding life. The road to rehabilitation is not easy, but the rewards for society are beyond measure.

*Bridget G. Brennan*

Special Narcotics Prosecutor

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# About the Office

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The Office of the New York City Special Narcotics Prosecutor (OSNP) was created in 1971. OSNP is the only prosecutorial agency in the United States devoted solely to the investigation and prosecution of narcotics felonies. Now entering its 35<sup>th</sup> year, Special Narcotics has worked with city, state, and federal law enforcement to implement effective strategies against narcotics trafficking and related crime. For more than three decades, investigations have dismantled international narcotics networks and targeted entrenched local drug activity and violence in many neighborhoods of the city.

Assistant district attorneys assigned to OSNP by New York City's five District Attorneys are placed in the Investigation Division, the Trial Division or the Alternative Sentencing Division. Investigation Division assistants oversee complex, long-term investigations, most involving sophisticated wiretap operations that target large-scale trafficking organizations. The Trial Division processes thousands of narcotics arrests made by the New York City Police Department and oversees short term investigations. The Alternative Sentencing Division diverts addicted defendants into treatment programs.

The first Special Narcotics Prosecutor, Frank Rogers, was appointed in January 1972. He was succeeded by Judge Sterling Johnson, who headed OSNP for 16 years. Robert H. Silbering became the Special Narcotics Prosecutor in 1992.

On May 1, 1998, Bridget G. Brennan was appointed Special Narcotics Prosecutor for the City of New York by the five District Attorneys. Ms. Brennan established the Narcotics Gang Unit and the Money Laundering and Financial Investigations Unit, re-organized the Alternative Sentencing Division, and expanded the Special Investigations Bureau. She has enhanced efforts targeting violent drug gangs, trafficking in public housing and narcotics sales over the Internet.



*Special Narcotics Prosecutor Brennan joins Mayor Michael R. Bloomberg and District Attorneys Robert T. Johnson, Charles J. Hynes, Richard A. Brown, Robert M. Morgenthau and Daniel M. Donovan at a press conference calling for DNA testing for all convicted criminals.*





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# Update on Drug Law Reform

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The Drug Law Reform Acts of 2004 and 2005 eliminated the “Rockefeller Drug Laws” - life sentences for top charges. It also reduced penalties for almost all drug crimes. In addition, sentenced prisoners convicted of top narcotics charges were permitted to apply to be resentenced to reduced prison terms.

Historically, OSNP has prosecuted more top narcotics traffickers than any other prosecutor’s office in New York State. Consequently, we responded to more motions for resentence than any other office. In July 2006, OSNP released a report entitled “The Law of Unintended Consequences” which examined the effect of the recent drug law revisions. The report reviewed the 84 motions for resentencing received by OSNP.

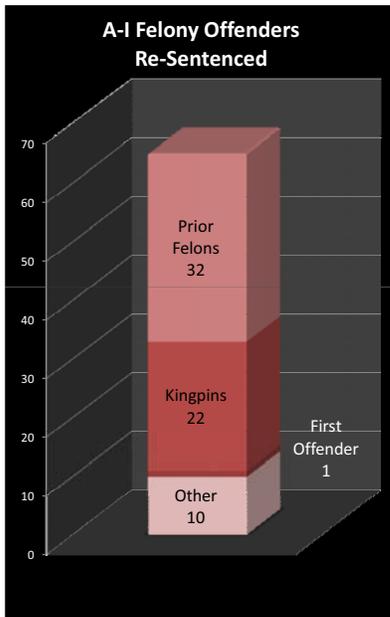
As of June 15, 2006, a total of 65 A-1 felony offenders were granted sentence reductions:

- One third were major narcotics traffickers or involved in violence.
- Half (48%) of those receiving reduced sentences had a previous felony conviction. Of those predicate felons, 45% had been convicted of selling enough drugs to supply several hundred individual users.
- Drug kingpins saw the largest reductions — up to 11 years off sentences and the elimination of lifetime supervision.
- Many judges applied the reforms inconsistently with the stated goals of the new laws. Legislators said the new laws aimed to help first time, low level offenders who were convicted of top narcotics charges. Only one prisoner convicted by OSNP of top charges fit that description.

The report also provided a preliminary analysis of sentence reductions for the next most serious narcotics offenses (A-II felonies) showing that:

- A-II resentencing benefits were reserved for high level traffickers serving the longest sentences. Nearly all were originally charged with more serious crimes and had already received substantially reduced sentences.

Since June 15, 2006, OSNP has received additional motions for resentencing. As of December 31, 2006, we have responded to 94 A-I resentencing applications and over 200 A-II resentencing applications. In total, 76 A-I felony offenders have been resentenced, and 46 of those offenders have been released from New York State prison. Seventy-four A-II prisoners have been resentenced, and 37 have been released.



# OSNP Outreach

*The French Criminal Justice Group, including members of Parliament and the judiciary, convene with high level OSNP staff to discuss mutual cooperation.*



*The Chiefs of Narcotics from the five District Attorney's offices and OSNP senior staff meet on enforcement and prosecution strategies.*



*The New York City Urban Park Rangers receive training on courtroom procedures.*



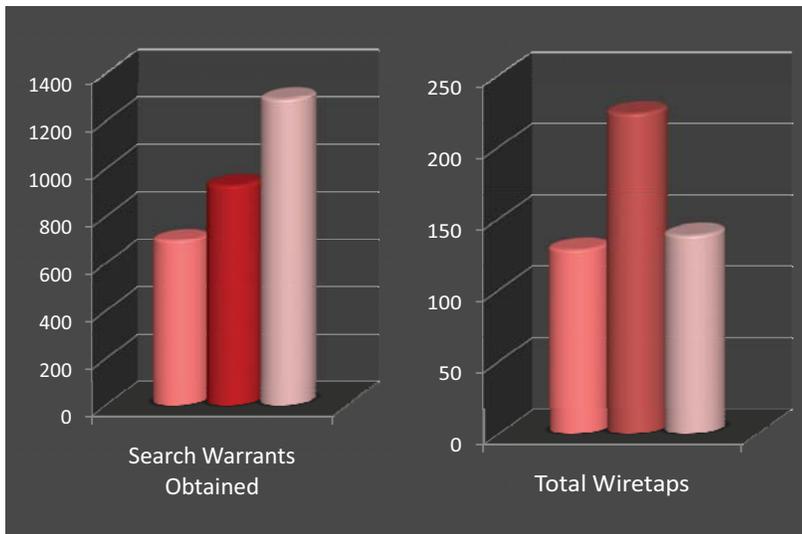
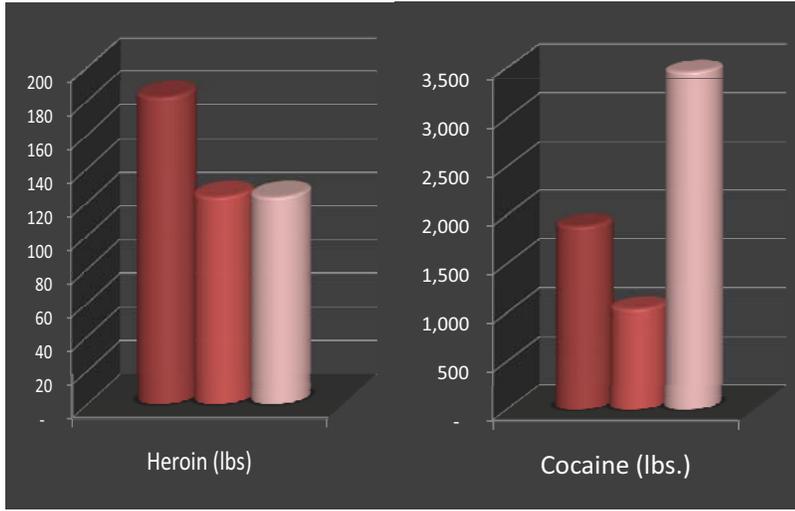
*OSNP senior attorneys conduct workshops at the International Symposium on Financial Crime at Cambridge University.*



*Special Narcotics Prosecutor Brennan and senior staff outline trends in money laundering methods for the New York External Fraud Committee.*



# Investigative Workload



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# Investigation Division

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The Investigation Division is composed of the Special Investigations Bureau, the Narcotics Gang Unit and the Money Laundering and Financial Investigations Unit.

## *THE SPECIAL INVESTIGATIONS BUREAU (SIB)*

SIB specializes in multi-jurisdictional investigations targeting organizations that control the flow of illegal drugs in New York City. In calendar year 2006, SIB prosecutors worked with the New York City Police Department, the New York State Police, the Drug Enforcement Administration, the New York Drug Enforcement Task Force (NYDETF) and other local, state, federal and foreign law enforcement entities. Investigations crossed county, state and international borders extending to Florida, Pennsylvania, Texas, California, Massachusetts, New Jersey, Illinois, and Puerto Rico. SIB also worked with law enforcement from the Dominican Republic, Colombia, Mexico, Panama, Venezuela, England and Canada. Joint efforts led to the recovery of over 3,100 pounds of cocaine, 88 pounds of heroin and millions of dollars in narcotics proceeds.

The 197 investigations initiated in calendar year 2006 targeted major narcotics traffickers, drug gangs, street-level operations, Internet dealing and money laundering. SIB's senior staff supervised 139 office-wide wiretap orders last year which included 87 originals, 48 extensions and 4 amendments.

## *NARCOTICS GANG UNIT (NGU)*

The Narcotics Gang Unit works with NYPD Narcotics Division detectives and members of the NYDETF's REDRUM Unit in investigations that target drug gangs and robbery crews committing violent, drug-related criminal activity across the city. In 2006, the unit filed 74 indictments charging crimes that included homicide, armed robbery, kidnapping, burglary, weapons possession and narcotics trafficking.

## *MONEY LAUNDERING AND FINANCIAL INVESTIGATIONS UNIT*

The Money Laundering and Financial Investigations Unit was established in early 2001 to initiate and direct investigations into narcotics-related money laundering activity. The unit targets drug organizations that have been identified in narcotics investigations, preventing foreign narcotics manufacturers from gaining access to illicit drug proceeds. In 2006, the unit initiated 14 investigations.

<b>Wiretaps</b>	
Total Intercept Orders	139
Originals	87
Extensions	48
Amendments	4
<b>Breakdown</b>	
Cell phones	120
Landlines	13
Beepers	1
Video Surveillance	4
E- Mail Accounts	1

## 2006 MAJOR INVESTIGATIONS



*\$42 million worth of cocaine hidden in underside of truck trailer.*

### LARGEST SEIZURE IN 2006: 1,045 POUNDS OF COCAINE

In December, an investigation netted 1,045 pounds of cocaine worth more than \$42 million. Six individuals, five from Texas and one from New York, were indicted on Criminal Possession of a Controlled Substance in the 1<sup>st</sup> Degree. The cocaine was recovered from a trap at the base of the tractor trailer that transported the shipment to a warehouse in Hackensack, New Jersey. SIB prosecutors and OSNP investigators worked jointly with the NYDETF in the investigation. The Bergen County Prosecutor's Office and the Hackensack Sheriff's Department assisted in the case.

### OPERATION UNTOUCHABLES

Seventeen individuals involved in kidnappings, robberies and burglaries in Manhattan, Brooklyn, the Bronx, and Queens were indicted in May on top felony charges at the end of "Operation Untouchables." The Special Narcotics indictment charged nine armed, push-in robberies from March to August, 2005. Defendants are charged with holding victims, including children as young as three, at gunpoint and ransacking apartments looking for drugs and money. The case is scheduled for trial in 2007.

*Armed robbers ransacked apartments.*

### DOT WORKER SELLS \$57,000 WORTH OF HEROIN WHILE ON THE JOB

A New York City Department of Transportation (DOT) employee negotiated the sale of a kilogram of heroin while at work and utilized a DOT truck to pick up drug proceeds. He was sentenced on December 21, 2006 to six to 18 years in prison. Ricardo Calderon was one of a group of 11 sent to prison after an investigation with the NYDETF. Others included a heroin distributor to Bronx, Queens and Westchester dealers. In total, 11 pounds of heroin, \$57,000, a loaded .38 revolver and a 9mm pistol were recovered. The case led to an international investigation ending in 89 arrests, seizures of 121 pounds of heroin, 382 pounds of cocaine, 12 vehicles, 9 weapons and \$260,000.



*Agents recovered \$57,000 when Calderon was arrested.*

### THREE WHO STOLE 400 POUNDS OF COCAINE CONVICTED

A two-week trial resulted in convictions for the three remaining members of a ring involved in armed robberies. When arrested on September 1, 2005, the defendants were in the midst of stealing over 400 pounds of cocaine in the Hunts Point section of the Bronx. They were armed with an

M16 assault rifle, a .380 automatic handgun, 30 rounds of ammunition, handcuffs and binoculars.

### QUEENS MONEY LAUNDERER GOES TO PRISON

A wiretap operation into a money transmitter in Queens yielded approximately \$200,000 in narcotics proceeds. The investigation with the NYDETF revealed that cash delivered to Sending Enterprises Inc, a money remitter agent in Jackson Heights, was laundered in a series of cross border wire transfers. Both Sending Enterprises and its principal, Fanny Rodriguez, pleaded guilty to money laundering charges. The corporation was shut down. Rodriguez was sentenced to state prison and barred from ownership interest or participation in any money remitter business.



*Sending Enterprises closed down for money laundering.*

### DOMINICAN CAMPAIGN AIDE GUILTY OF TRAFFICKING

A former campaign aide to the President of the Dominican Republic pleaded guilty on August 21, 2006 to possessing four kilograms of liquefied cocaine at JFK Airport in 2002. David Gabriel conspired with a military captain assigned to the duty-free store at the Las Americas Airport in Santo Domingo to smuggle bottles of liquefied cocaine disguised as rum. The bottles were to be delivered to couriers on flights to the United States.

### EIGHTY-EIGHT POUNDS OF MARIJUANA ON ICE

In May, 2006 an investigation with the New York Organized Crime Drug Enforcement Strike Force led to the indictment for Criminal Possession of Marijuana in the First Degree of 55-year-old Peter D'Agostino. Hidden inside refrigerators in his apartment at 43 East 20<sup>th</sup> Street, agents recovered 88 pounds of marijuana, wrapped in plastic, along with \$60,000. An additional \$5,000 was seized from a safety deposit box and bank accounts totaling \$325,000 were frozen pending investigation.



*Marijuana in refrigerators.*

### COCAINE RING STAMPED OUT

Special Narcotics collaborated with the U.S. Postal Inspectors, the Drug Enforcement Administration and the NYPD Brooklyn North Narcotics Major Case Unit on an investigation into cocaine sent via express mail to Brooklyn, Queens and the Bronx. In 2006, nearly 77 pounds of cocaine, a loaded weapon and \$25,000 in cash were recovered. Seventeen people have been arrested on narcotics trafficking charges.



*Cocaine express mailed via U.S. Post Office.*



*A .357 Magnum found hidden inside tiger hand puppet.*

### POUNDS OF COCAINE AND A GUN IN PUPPET

A search warrant operation at 160 Wadsworth Avenue in Manhattan yielded 45 pounds of cocaine and a .357 Magnum inside a child's hand puppet hidden in a bedroom closet. In the kitchen, agents recovered paraphernalia used to cut and repackage narcotics including scales, presses and cutting agents. Radhames Mojica-Sanchez and Santiago Nunez Ventura were arrested inside the apartment where Mojica-Sanchez's 13-year old son and an infant were present. Both defendants were indicted on top narcotics charges; Mojica-Sanchez was also charged with Endangering the Welfare of a Child.



*Forty-five pounds of cocaine also recovered.*

### HEROIN IN LUGGAGE

An investigation into a Bronx narcotics organization importing and distributing heroin led to the arrest of three individuals and the seizure of nearly 18 pounds of heroin. The joint effort with the NYDETF and NYPD's Organized Crime Investigation Division focused on heroin delivered in suitcases to the Bronx where it was re-cut and repackaged for distribution. Heroin seized had been already re-packaged and bundled for street level distribution.



*Car trap used to hide bricks of cocaine.*

### MASSACHUSETTS DEALER ARRESTED

A wholesale narcotics distributor selling kilograms of cocaine out of a garage and a multi-service store in the Bronx was the target of an investigation with the NYDETF. In May, a buyer from Massachusetts purchased 11 pounds of cocaine from the narcotics distributor. He was arrested after he crossed back into Massachusetts, the cocaine and a gun were recovered from the car. Subsequently, approximately half-a-million dollars in narcotics proceeds were also recovered.

### 750 POUNDS OF COCAINE IN BRONX WAREHOUSE

Miguel Guerra and Concepcion Hernandez were arrested in a warehouse in the Hunts Point section of the Bronx. Prior to the arrest, members of the NYDETF and the Special Narcotics Investigators Unit recovered 340 kilograms of cocaine valued at nearly 30 million dollars from the location. The defendants were subsequently indicted on top narcotics offenses.



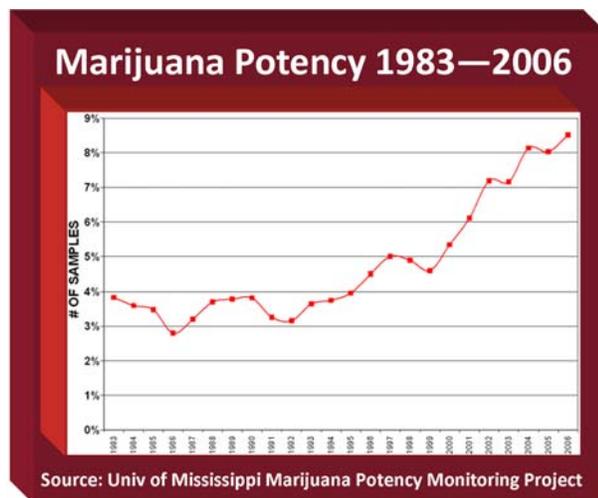
*Cocaine seized in Hunts Point.*

# Trends

## High Potency Marijuana

Experts report that marijuana sold across the United States is stronger than ever – double the THC (primary intoxicant) content of marijuana tested twenty years ago. Open markets flourish in some neighborhoods, featuring potent “haze” marijuana selling for up to \$450 per ounce. The visibility of dealers and large amounts of cash have led to shootings, robberies and escalating violence. Young people arrested for selling cocaine or heroin and applying for treatment programs say they are addicted to marijuana. Marijuana sales proliferate over the Internet, attracted by the uninhibited nature of communication and ability to protect identity.

**OSNP's Response:** New York State's marijuana laws were drafted thirty years ago, when potency rates were low. All marijuana crimes are still treated with relative lenience. OSNP is advocating the enhancement of penalties for: selling marijuana near a school yard; using children to sell marijuana; and possessing a gun while committing a marijuana crime. Equally important, current law should change to allow us to recover marijuana profits in money laundering prosecutions. OSNP prosecutes Internet drug trafficking, and consistently monitors public websites for evidence of drug dealing.



## Prescription Drug Diversion and Abuse

The National Institute of Drug Abuse reports that abuse of OxyContin and Vicodin by children, first measured in 2002, continued at levels that raise concern. Nationally, despite a drop in abuse of OxyContin among 12th-graders in 2006, abuse among 8th-graders has nearly doubled since 2002. In New York City, seizures of illegally obtained prescription drugs such as OxyContin have soared during the past year. Sophisticated drug rings obtain prescription drugs, often through tax payer funded programs, and resell them at a huge profit. The most common methods of diversion are forged prescriptions, thefts from pharmacies and doctor shopping.

**OSNP's Response:** OSNP has increased resources devoted to illegal prescription drug investigations. On the enforcement end, we continue to work with the NYPD and DEA, and have increased work with the Bureau of Narcotics Enforcement (New York State Department of Health). We are expanding investigations into the diversion of prescription drugs paid for with Medicaid funds, in cooperation with the New York City Human Resources Administration and the New York State Attorney General.



*Pharmaceuticals seized during a single investigation.*

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# Trial Division

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The three bureaus of the Trial Division are each headed by a Chief and a Deputy Chief. Trial Division assistants handle most felony narcotic complaints referred to the office for prosecution. They oversee mid-level investigations which, in 2006, included initiatives targeting drug activity in city nightclubs and public housing complexes.

Assistants assigned to the division work closely with NYPD's Narcotics Division, New York Drug Enforcement Task Force, Port Authority Police, New York State Police, and the office's Investigators Unit. They are on 24-hour call to provide legal advice and draft requests for court orders including search and arrest warrants.

During the past year, most of the 3,372 arrests referred to Special Narcotics were handled by Trial Division assistants. The office processed 2,533 felony complaints, 3,239 defendants were charged in the 2,176 indictments and Superior Court Informations filed. A total of 1,300 search warrants were drafted—over 350 more than the previous year. Total convictions numbered 1,896, which reflects an 83 percent conviction rate. A total of 334 addicted predicate and first time offenders were diverted to treatment, either through OSNP's Alternative Sentencing Programs, Manhattan Treatment Court or Interim Probation Supervision.

## 2006 SIGNIFICANT TRIAL DIVISION CASES

### COCAINE SOLD AT THE PARK LANE HOTEL

Three people, including the night manager of the Park Lane Hotel and a room service worker, were indicted on top narcotics offenses at the end of an investigation with NYPD's Manhattan South Narcotics Division Major Case Unit at the Central Park South hotel. Undercover officers posing as tourists bought cocaine on several occasions from Diogenes Pena, the night manager. Luis Quinones, a room service worker, pled guilty to Criminal Sale of a Controlled Substance in the Third Degree and was sentenced to three years in state prison.

### DYCKMAN STREET MARINA ARRESTS

On December 13, 2006, nine people involved in drug trafficking at the Dyckman Street Boat and Marina in Upper Manhattan were indicted on narcotics charges, including Jerome O'Rourke. O'Rourke is a retired police officer whose family managed the marina for many years. Four dozen undercover buys resulted in over \$150,000 worth of cocaine, heroin, crack, ecstasy and marijuana — 21 of the transactions took place on marina grounds. Also charged with top narcotics crimes were two brothers who ran a crack/cocaine and heroin operation and two suppliers of cocaine to dealers throughout the city. Search warrants yielded cocaine, marijuana, and over two ounces of heroin. The investigation was conducted with the NYPD Manhattan North Narcotics Division Major Case Unit.

*Drug transactions took place at the Dyckman Street Marina.*



## PURPLE HAZE NETWORK UNRAVELED

In December, nine members of an operation that monthly brought 100 pounds of purple haze marijuana from a Florida hothouse to upper Manhattan were indicted. The group paid \$5,200 a pound in Miami for the potent strain of marijuana and re-sold it for \$5,800 - \$6,000 a pound in New York. The operation arranged for cross-country truck drivers hauling legitimate shipments to transport the marijuana into New York City. On November 13, 2006, Orlando Torres, Kenny Ortiz, Reggie Linares and Antonio Edison were arrested in the Bronx when they came to claim 40 pounds of marijuana. They and five other defendants were indicted in December on conspiracy and criminal sale and possession of marijuana. The investigation was conducted with the New York Police Department Manhattan North Narcotics, the Drug Enforcement Administration Miami Field Office, the Southern Florida U.S. Attorney's Office and local police departments in Florida.



*Hot houses in Florida cultivated purple haze.*

## 10 KILOGRAMS OF COCAINE FOR \$160,000

An investigation by the Special Narcotics Investigators Unit and Trial Division assistants linked drug transactions in Homestead, Florida to Bushwick, Brooklyn. Francisco Fortuna of Brooklyn was arrested in June after he attempted to buy 10 kilograms of cocaine for \$160,000. At the time of his arrest, the defendant was in the process of bagging heroin in his daughter's bedroom. He was indicted on A-I and A-II narcotics offenses. In addition to narcotics, over \$82,000 and a loaded 9 mm handgun were recovered. In October, Fortuna pleaded guilty and was sentenced to 3½ years in state prison.



*When arrested, Fortuna was bagging heroin in daughter's bedroom.*

## 15 POUNDS OF HEROIN SEIZED AT BRUCKNER MALL

In January 2006, Elisael Sanchez was arrested in the parking lot of the Bruckner Mall in the Bronx and 15 pounds of heroin were seized by NYPD Narcotics Manhattan North Major Case detectives. The heroin, with a street value of four million dollars, was found in the back seat of a parked car. The heroin was compressed in the cylinder shape of the containers probably used to smuggle it into the country. Sanchez was indicted on Criminal Possession of a Controlled Substance in the First and Third Degrees.

## NABBED WITH \$9 MILLION IN COCAINE, GETS 25-TO-LIFE

In November, Eddie Badia was sentenced to 25 years to life by Judge Edwin Torres. Badia, who was convicted by a jury of top narcotics crimes on May 16, 2006, smuggled, along with associates Joselin Perez and Juan Carlos Aleman, 842 pounds of cocaine into the city in 2003. During the arrest, police recovered 16 suitcases stuffed with cocaine and \$562,000 from



*Compressed heroin.*

inside a van and a tractor-trailer parked in a garage at 886 East 149th Street in the Hunts Point Section of the Bronx.



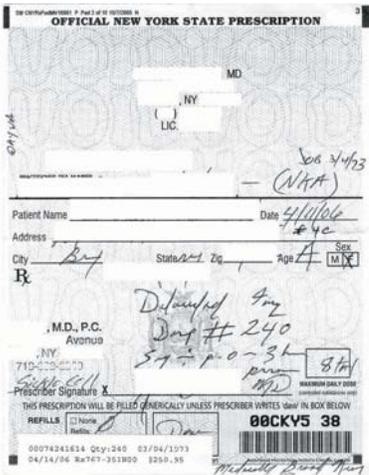
### COCAINE SALES SHUT DOWN ON PITKIN AVENUE

A two-month investigation targeting cocaine sales at a bar/restaurant and a social club at 2347 and 2354 Pitkin Avenue in Brooklyn ended in prison sentences for five individuals who pleaded guilty to narcotics crimes. The investigation with NYPD's Brooklyn North Narcotics recorded ten sales of cocaine, including two A-1 weight transactions. Two loaded 9 mm handguns, over one-and-a-half pounds of cocaine, marijuana, drug paraphernalia and \$10,000 in cash were seized.

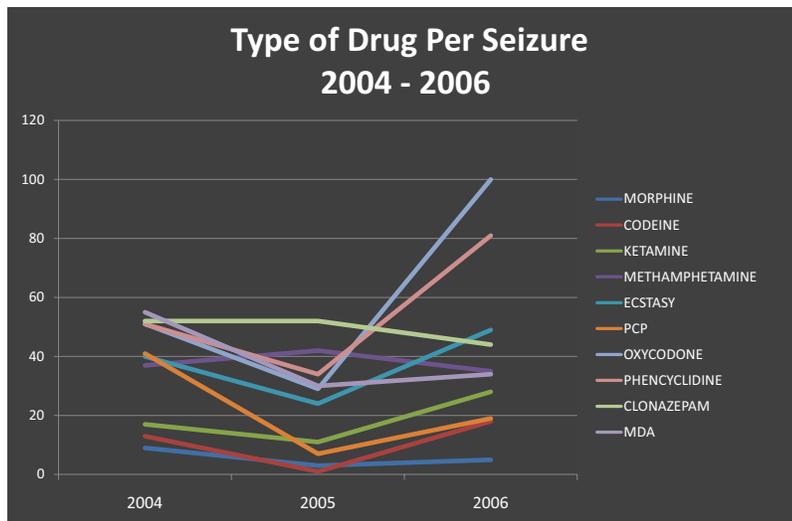
*Drugs and guns seized at Brooklyn restaurant.*

### PRESCRIPTION DRUG RING EXPOSED

On April 17, 2006, a highly-profitable prescription drug enterprise was dismantled after an investigation uncovered a ring that sold illegally purchased medicines to buyers in Alabama. The New York group used forged prescriptions to purchase Dilaudid, a narcotic hydromorphone painkiller often called "drug store heroin" on the streets. Immediately before his arrest, the main target in the investigation had another defendant purchase a filled prescription of 240 Dilaudid pills for \$250 which the ring planned to resell in Alabama for \$20 a pill grossing \$4,800. The New York side of the ring had an estimated bi-weekly take of \$40,000.



*Illegally obtained prescription pads.*



*Morphine based drug seizures rise sharply.*

## HOUSING INITIATIVES

### RANDOLPH HOUSES

Twelve individuals were indicted for narcotics sales at the Randolph Houses, a city-owned housing complex. The investigation with NYPD's Manhattan North Narcotics began in February 2006, and ended on December 15, 2006. Video surveillance exposed high-volume, blatant narcotics sales and helped identify crack dealers. Sellers worked in small clusters, each group collaborating with the other. Undercover officers bought crack in amounts ranging from 3 to 140 loose pieces on 38 different occasions both in and around the buildings on West 114th Street.



*The Randolph Houses, a city-owned housing complex on 114th Street, is home to 377 people.*

### RICHMAN PLAZA

A long-term operation at the Richman Plaza housing complex in the Bronx recorded 40 cocaine, crack and heroin sales ranging from \$20 to \$600. Seven defendants — three females and four males — were indicted prior to arrest by Trial Division assistants. The defendants sold narcotics in apartments within the complex, by a public school near the Richman Plaza and inside the C-Town grocery store next to the buildings. On August 8, 2006, four search warrants resulted in cocaine, crack/cocaine and heroin seizures.

## CLUB INVESTIGATIONS

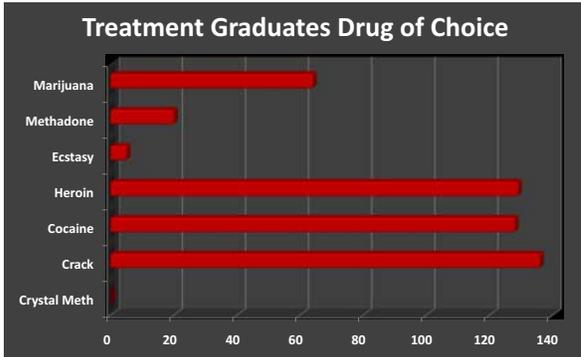
### CLUB DRUG SALES TARGETED

In April, seven individuals were indicted for ecstasy and cocaine sales at clubs Deep, View, Splash, Spirit and Avalon — all located in the West Side section of Manhattan. A five-month undercover initiative recorded purchases of cocaine and ecstasy on 34 different occasions at the clubs. The investigation ended on Friday, March 31, 2006 when the Police Department padlocked all the clubs under the nuisance abatement law. Cases against six of the defendants had reached final disposition by year end.



*View and Avalon were padlocked.*

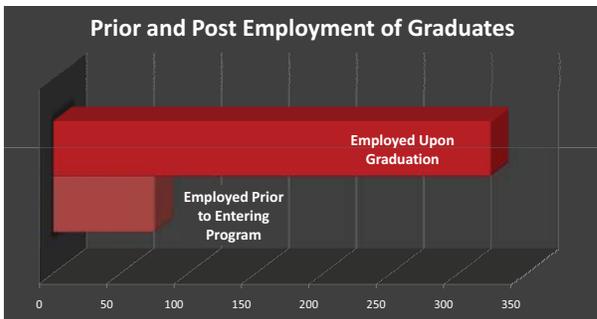
# Alternative Sentencing Division



*Crack, cocaine, and heroin are the top drugs previously used by treatment graduates.*

In 1987, when the popularity of crack-cocaine was reaching its peak, Mayor Edward Koch declared illegal drugs the top problem for New York City. The Police Department recorded 69,203 drug arrests — nearly half felony narcotic charges. Crack was identified as the number one factor driving escalating crime in the city. Despite an all out effort by the criminal justice system, the crack epidemic continued unabated. The crack population surged and addicted women gave birth to scores of drug exposed newborns.

A trial bureau chief at OSNP, Rhonda Ferdinand, was among the first prosecutors in New York State to explore diverting drug addicted felons to treatment in lieu of incarceration. With one paralegal and two attorneys, OSNP began to divert pregnant addicted defendants into treatment programs that included pre-and post natal care, in addition to drug addiction.



*Graduates are five times more likely to be employed than those entering the program.*

Two decades later, the Alternative to Incarceration Division oversees Drug Treatment Alternative to Prison (D-TAP); Pregnant Addicted-mothers Intervention & Rehabilitation (PAIR); Alternative Sentencing Pre-indictment Intervention & Rehabilitation Effort (ASPIRE); Adolescent +Treatment Education Evaluation Now (A-TEEN); Alternatives to Incarceration (ATI); and TRAIN, a program that provides training, education and intervention for young offenders at risk.

The division, along with the Office of Court Administration and the New York City Department of Probation, collaborate on the Manhattan Treatment Court Program (MTC) and Interim Probation Supervision (IPS).

*Widely recognized experts, Ms. Ferdinand and the staff of the Alternative Sentencing Division have seen thousands of defendants through treatment.*



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# Investigators Unit

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Fifteen years ago, the Office of the Special Narcotics Prosecutor created the Investigators Unit to aggressively follow up on intelligence from the Investigation and Trial Divisions, and to develop cases from its own network of sources. Since its inception, the unit has played a pivotal role in joint investigative efforts with federal, state and local law enforcement agencies in the city and across the country.

The Chief and the Deputy Chief Investigators oversee the activities of unit investigators as they conduct undercover duties, surveillance operations and search warrant executions. Investigators provide support to the Alternative Sentencing Division in pre-placement and post-treatment investigations of defendants scheduled for diversion. They also locate defendants who abscond from treatment. They assist the Extraditions/ Detainer Unit by overseeing the transportation of prisoners.

The Chief Investigator monitors all investigative-related expenditures such as buy money, payments to confidential informants, and other expenses incurred during the course of investigations and acts as liaison with the squad of Police Department detectives assigned to the office.

Staffed with law enforcement professionals, in 2006 the unit initiated 41 investigations; 27 of which resulted in kilo+ seizures of narcotics. Efforts to target drug dealing over the Internet resulted in 15 felony narcotic arrests.

## Investigators Unit Activities in 2006

New Investigations	41
Arrests	141
A- Felony Arrests	76
Drug Seizures	Cocaine 2,360 pounds Heroin 46 pounds
Weapons Seized	121
Search Warrants	32

### 2006 INVESTIGATIONS AND MAJOR CASES

#### QUARTER MILLION DRUG DEAL ON BROOKLYN CORNER

An investigation involving Trial Division assistants, the Investigators Unit and the Drug Enforcement Administration ended on May 8, 2006 when 24 pounds of cocaine encased in plastic and hidden inside a duffle bag were recovered from a Ford Expedition parked at Howard Avenue and Macon Street in Brooklyn.



*4½ kilograms of cocaine, a gun and U.S. currency in Brooklyn.*



*Hollowed spray cans were used to hide narcotics.*

### COCAINE HIDDEN IN SPRAY CANS

In November, the subject of an Internet investigation, Christian Ramery, who negotiated the sale of cocaine with an undercover investigator, pleaded guilty and was sentenced to state prison. Six months earlier, on March 22, 2006, Ramery met with the undercover officer on East 12<sup>th</sup> Street and Second Avenue in Manhattan. During the exchange, Ramery pulled out a can from under the driver's seat of the 2005 Hummer he was driving, unscrewed it, and gave the undercover six small plastic boxes containing cocaine. The defendant pleaded guilty and was sentenced to state prison.

### LOADED GUN AND TEN POUNDS OF COCAINE SEIZED

The Investigation Division, the Investigators Unit and the Drug Enforcement Administration participated in the October 3, 2006 arrest of four individuals on Whyte Street in Brooklyn and the seizure of nearly ten pounds of cocaine, a loaded weapon and \$22,040. At year end, Paciano Pineda, Elvis Tavarez, Edwin Espinal and Alex Espinal had been indicted on top narcotics and weapons possession charges.



### DRUG SUPERMARKET IN A BRIEFCASE

A short term investigation culminated on March 30, 2006 with the arrest of Jesus Melendez. Special Narcotics investigators recovered eight ounces of cocaine the defendant was carrying in his possession. A subsequent search warrant at the defendant's home in Queens led to the recovery of crack/cocaine, cocaine and marijuana. Melendez pleaded guilty and was sentenced to state prison.

*A search warrant yielded a variety of drugs neatly packed in a briefcase.*

### MONEY LAUNDERING INVESTIGATIONS

On June 24, 2006, unit investigators stopped a vehicle on the Major Deegan Expressway in the Bronx and arrested a courier who was transporting \$200,000 for a New York drug organization. The organization was subsequently dismantled and seven individuals were indicted on felony narcotics, money laundering, and conspiracy charges. Five weeks later, another courier was arrested in his room at the New Yorker Hotel in Manhattan. At the time of his arrest, he had \$600,000 in cash and ledgers showing that he had transported more than a million dollars and cocaine during the preceding month.



*Money laundering organizations use professional couriers to transport large amounts cash.*

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# Legal Training Unit

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The Legal Training Unit directs the agency's professional development program and offers an extensive curriculum to all assistant district attorneys.

Through legal training, experienced assistants assigned to the Investigation Division participate in advanced training workshops including: Money Laundering and Financial Investigations, Jurisdiction, Conspiracy, and other topics. For newly-assigned assistants, the professional development program provides an introductory lecture series.

All programs comply with the regulations and guidelines of the New York State Mandatory Continuing Legal Education program and are open to prosecutors from the city's District Attorney Offices and other offices in the state. OSNP has been an accredited provider of the Continuing Legal Education Program since 2000.

As a leading expert in narcotics investigations and prosecutions, OSNP is a training resource for local and federal enforcement and criminal justice personnel in New York and other areas of the country. Senior staff lectures regularly at the New York Prosecutors Training Institute (NYPTI), NYPD's Patrol Division and Narcotics Division and the High Intensity Drug Trafficking Area Task Force (HIDTA).



*The Director of Legal Training and members of the High Intensity Drug Trafficking Area Task Force (HIDTA).*

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# NYPD Special Narcotics Team

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Since 1972, a team of detectives from the Narcotics Division of the NYPD's Organized Crime Control Bureau has been assigned to OSNP. The team, known within the Narcotics Division as the Special Projects Unit, is led by a senior lieutenant, who also serves as a liaison between both agencies. The detectives assigned are experts in the tracking, control and presentation of electronically recorded evidence. They also provide support by verifying details of search warrant investigations and assisting in the extradition of interstate fugitives. In addition to their other duties, the team's members maintain citywide evidence repositories for electronically recorded evidence and OSNP search warrants. Within OSNP, the team's detectives are assigned to either the Search Warrant Unit or the Technical Unit as described below:

## **SEARCH WARRANT UNIT**

The Search Warrant Unit pre-screens requests for search warrant orders, debriefs affiants, prepares the paperwork and expedites requests through the court. The detectives keep track of all confiscated evidence and maintain a database on arrests and seizures resulting from the execution of search warrants. In 2006, the unit processed 1,300 search warrants.

## **TECHNICAL UNIT**

The Technical Unit tracks and controls "chain of custody" for electronically recorded evidence, and ensures the security of audio/video evidence. The Unit processes transactions involving issuance, post-investigative receipt, maintenance, duplication, and pre-trial release procedures of various types of analog and digitally recorded evidence.

*NYPD detectives assigned to OSNP pre-screened 1,300 search warrants last year.*



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# Support Services Units

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## FORFEITURE

Following the enactment of statutes allowing for the forfeiture of illegal narcotics proceeds, in 1985 Special Narcotics established the Forfeiture Unit to participate, monitor and follow-up on civil forfeiture actions. The unit's expertise in asset identification has been pivotal to the ongoing success of joint efforts by office staff and law enforcement personnel to identify the assets of narcotics and other criminal enterprises and targeting these funds for forfeiture proceedings. These initiatives are critical in efforts against narcotics organizations and money laundering groups. The unit has in place a comprehensive set of systems to ensure proper reimbursement to the office for its participation in investigations resulting in forfeiture actions. In 2006, 190 federal forfeiture actions were entered and 177 completed. At the state level, 391 actions were initiated and 437 were completed.

## PUBLIC INFORMATION

The Public Information Unit disseminates information about the office. The unit responds to inquiries from members of the media, government agencies, advocacy groups, and individuals on issues that include the status of cases, legal decisions, legislative action, citywide drug trafficking trends and the results of joint enforcement efforts.

## TRIAL PREPARATION ASSISTANTS (TPAS)

TPAs are assigned to the Investigations Division, the Trial Division, Part N, and the Alternative Sentencing Division. Those who work in the Trial Division and Investigations Division track cases, maintain case records, gather reports and legal papers required by assistant district attorneys, handle arrangements when prisoners have to be produced in court, and help assistants prepare for grand jury and trial presentations. Alternative Sentencing Bureau TPAs interview defendants who are diverted to treatment and track their progress. Part N TPAs assist in tracking plea offers, grand jury action and case dispositions that take place in the Part.



*TPA's support the work of each legal division in the office.*

## EXTRADITIONS/DETAINER

The unit administers the return of fugitives apprehended or in custody in other jurisdictions and in foreign countries that have extradition treaties with the United States.

## GRAND JURY REPORTERS

The Grand Jury Reporters Unit records, produces and maintains transcripts of confidential testimony presented before the grand juries.

## INTERPRETATION AND TRANSLATION SERVICES

The unit interprets and translates for non-English speaking witnesses in discussions with investigators and assistant district attorneys and during testimony before the grand jury; provides written translation and transcription services for evidentiary consent and wiretap recordings that contain dialogue in a foreign language; and translation of foreign language documents.

## FISCAL

The Fiscal Unit has oversight responsibility for the office's fiscal activities including production and submission of funding requests to Federal, State and City agencies and monitoring of agency expenditures. Fiscal reviews and approves purchases and payment vouchers, disbursement of funds including petty cash and payroll coordination; enforces fiscal policy; conducts internal audits; and reviews and approves agency procurements.

## PERSONNEL

The Personnel Unit oversees and implements procedures involving the assignment or transfer of assistant district attorneys and the recruitment of managerial, administrative and clerical staff. Unit staff participates in planning, developing and executing employee programs, policies and procedures that are applicable to all staff. The unit disseminates information on and monitors the implementation of mandatory programs and procedures for all city agencies; provides facts on citywide policies and labor relations issues and maintains time and leave records for all staff. The unit is in charge of the bi-weekly distribution of paychecks and serves as liaison with the citywide payroll management system.

## INFORMATION TECHNOLOGY

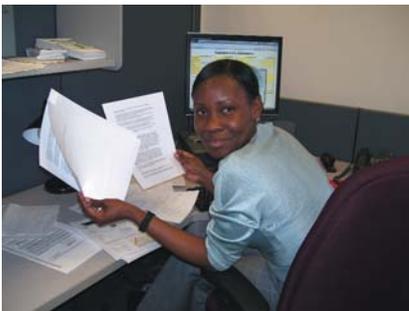
IT develops implements and administers agency computer and telephone communications systems. The unit identifies communications needs, puts in place programs to expedite the integration of office procedures into emerging technology, inputs all case related data, and produces statistical reports on indictments, dispositions, drug seizures and trafficking trends. The unit includes PC/Communications Support, Case Information Management, Records Management and Personnel Support Services.

**PC/Telecommunications** provides technical and maintenance support of all equipment, and oversees the provision of training programs on new applications and systems offered to legal, managerial and support computer users.

**Case Information** inputs, updates and tracks data pertaining to complaints, arrests, defendants, charges, indictments and dispositions of cases



*Human resource professionals administer payroll and benefits of agency staff.*



*IT provides investigative analyses support to the Trial Division.*

prosecuted by the office. The section prepares weekly, monthly and quarterly reports that track caseloads and dispositions. Case Information also and provides *ad hoc* reports on narcotics activities, trends, and statistical analyses.

**Records Management** files and registers closed and bench warranted case files and processes parole requests.

**Prosecution Support Services** staff handles two main areas of responsibility. They expedite and coordinate the receipt, inventory and distribution of Police Department laboratory reports on confiscated drugs, and input and disseminate data regarding court related case activities. Unit's staff works as bureau coordinators in the Trial Division preparing indictments and motions for assistants and providing telephone support to Trial Division assistants and Executive Office personnel.



*The Operations Unit provides critical office support.*

## OPERATIONS

The Operations Unit is responsible for office maintenance, reproduction of documents, mail delivery, messenger services, handling housekeeping requests, and office supply inventory and disbursement.

2006 Workload	
Arrests	3,385
Indictments & Superior Court Informations	2,176
Trials Completed	101
Dispositions	2,289
Convictions	1,892
Overall Conviction Rate	83%
Felony Sentences	
State Prison	1,121
Jail	421
Jail & Probation	134
Probation	233
Seizures	
Cocaine	3,459 pounds
Heroin	124 pounds
Weapons Seized	121

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# Around the Office...

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# Executive & Legal Staff

**Bridget G. Brennan**

Special Narcotics Prosecutor

**Steven M. Goldstein**

Chief Assistant District Attorney

**Arlette Hernes**

Executive Assistant District Attorney

**Rhonda Ferdinand**

Deputy Chief Assistant  
Chief of Alternative Sentencing

**Joseph J. Tesoriero**

Executive Assistant District Attorney  
Chief of Investigations

**Robert B. Re**

Senior Supervising Attorney

**Thomas G. Van Noy**

Deputy Administrative Assistant  
District Attorney

**Catherine A. Christian**

Director of Legal Training

**Jane E. Tully**

Chief  
Bureau 30/60

**Lisa DePasquale**

Chief  
Bureau 40/50

**Peter M. Kougasian**

Chief  
Bureau 70/80

**Jodie E. Kane**

Deputy Bureau Chief SIB

**Gilbert C. Hong**

Deputy Bureau Chief

**Marcel J. Philippe**

Deputy Bureau Chief

**Paul H. Harvey**

Deputy Bureau Chief

**Susan Krischel**

Deputy Bureau Chief SIB

**Susan N. Lanzatella**

Chief  
Narcotics Gang Unit

**Lisa M. Tompkins**

Narcotics Financial Crimes  
Coordinator

**Meggan K. Dodd**

Counsel to  
Special Investigations Bureau

**Leon Schwartzman**

Chief Investigator

**Magda Gandasegui**

Public Information Director

## ASSISTANT DISTRICT ATTORNEYS

### NEW YORK COUNTY

Clark S. Abrams\*  
Craig A. Ascher  
Edward Burns  
Benjamin Cheeks  
Catherine A. Christian  
Patrick C. Daly  
Lisa DePasquale  
Meggan K. Dodd  
Eva Dowdell  
Kathleen V. Doyle  
Christopher C. Edel  
Nigel I. Farinha\*\*  
Rhonda Ferdinand  
Kelly A. Frawley  
Margaret Gandy  
Abraham M. George  
Steven M. Goldstein  
Nancy R. Greenberg  
Arlette Hernes  
Joy Marie Hohenthaler

Gilbert C. Hong  
Joseph T. Ippolito  
Maurice A. Johnson  
Jodie E. Kane  
Christine M. Kelly  
Eli R. Koppel  
Peter M. Kougasian  
Susan Krischel  
Susan N. Lanzatella  
Abigail S. Margulies  
Nicholas J. Mauro  
Jessica Medoff  
James Meadows  
Michael G. Mosier  
Terence J. O'Leary  
Luis F. Peral  
Marcel J. Philippe  
Sean Phippen  
Serina Quinones  
Robert B. Re  
Kaitrin Roberts

Marisel Rodriguez  
Aaron Rubin  
Matthew C. Singer  
David Sobotkin  
Michael Sofia  
Shelley Solomon  
John R. Spagna  
Sean Sullivan  
Ann Ternes  
Joseph J. Tesoriero  
Jane Tully  
Thomas G. Van Noy  
Richard Washington  
Justin Wechsler  
Rosemary Yu  
Daniel A. Zambrano

### KINGS COUNTY

Frederick S. Hartwell  
Ingrid Macdonald  
Anju Malhotra  
John McNiff  
Steven R. Miller\*\*  
Ayodele A. Olosunde  
Ari M. Rottenberg

### QUEENS COUNTY

Paul H. Harvey

### RICHMOND COUNTY

Ryan Sakacs

### BRONX COUNTY

Brian N. Dobbins  
Robert Georges  
Maria C. Mostajo  
Lisa M. Tompkins

# Managerial & Support Staff

## **ADMINISTRATION/PERSONNEL**

Beatrice Miller, Director  
Mary Davis, Deputy Director  
Leslie Cheung  
Marlene Cole-Jeffrey  
Diane Johnson

## **FISCAL**

Lei Yuan, Director  
Regina Mavasheva  
Krisna Ramkhelawan

## **PUBLIC INFORMATION**

Magda Gandásegui, Director

## **INVESTIGATORS**

Leon Schwartzman, Chief Investigator

## **INFORMATION TECHNOLOGY**

William Power, Director  
Chanyute Oottamakorn  
Deputy Director

### **Management Information Systems**

Joseph Cullen  
Alysha Plaskett  
Christopher Spies  
Arnaldo Vega  
Gregory Wilson

### **Case Information**

Belinda Berry  
Debra Danielson  
Lucille Martin  
Pilar Quinones  
Sylvia Rhodes  
Anne Roy

### **Prosecution Support Services**

Jocelyn Pilotin-Lazar  
Stephanie Andrews  
Jocelyn Daniel  
Karen Johnson  
Marsha Ledford  
Edward Montes  
Victor Rodriguez  
Renee Williams

## **FORFEITURE UNIT**

John Polizzotto, Coordinator

## **EXECUTIVE/ADMINISTRATIVE MANAGEMENT**

Joan Maloney, Supervisor

### **Grand Jury Reporters Unit**

Gladys Ayan  
Carol Bach  
Bonnie Greenstein  
Mirelle Monestime  
Reva Palmer

### **Interpretation and Translation**

#### **Services**

Rosa Ruales

#### **Operations**

Gregory Duncan  
Harry Reyes

## **EXECUTIVE SUPPORT**

Hysa Moultrie-Miller  
Carla Jenkins  
Alisa Figueroa

## **TRIAL PREPARATION ASSISTANTS**

### **Alternative Sentencing Division**

Rochelle Davis, Supervising TPA  
Akua Akoto  
Floyd Campbell  
Karen Collo  
Sandra Davermann  
Andrea Obregon  
Okeya Odisina

### **Bureau 30/60**

Philip Lambert, Supervising TPA  
Jessica Wolff

### **Bureau 40/50**

Michelle Myton, Supervising TPA  
Chanmattie Panlall

### **Bureau 70/80**

William Reeves, Supervising TPA  
Maddalena Coppola

## **Extraditions**

Carla Jenkins, Coordinator

## **Part N**

Desiree Creary

## **Special Investigations Bureau**

Linda O'Leary  
Supervising TPA  
Luisa Boireau  
Justin Piccione  
Regan Serlin  
Erin Collins

## **Narcotics Gang Unit**

Scott Diamond  
Christopher Torres

## **INVESTIGATIONS DIVISION SUPPORT**

### **Special Investigations Bureau**

Beliza Miranda,  
Investigative Analyst  
Diana Valentin

### **Investigators Unit Support**

Belinda McNeill

### **Alternative Sentencing Division Support**

Berneatha Champagne

## **NYPD TEAM**

Lt. John McNulty  
Det. Marc Conelli  
Det. Brenda Jordan  
Det. Edward Rendos

## **GRAND JURY WARDENS**

John Gillespie, Sergeant  
Dennis Creegan  
Kim Foster  
John Roam

# Credits

## Editors

Steven M. Goldstein  
Joseph J. Tesoriero  
Lisa DePasquale  
Thomas G. Van Noy

## Managing and Copy Editor

Maggie Gandasegui

## Design & Layout

William Power

## Photography

Special Agent Deborah Foreman,  
Drug Enforcement Administration NY Field Division  
Detective Edward Rendos  
Chanyute Oottamakorn  
Craig Ascher  
New York City Police Department  
Drug Enforcement Administration  
Information Technologies  
Mayor's Press Office, Photography Unit  
Don Blauweiss Advertising & Design  
Mehgan O'Neil  
Columbia University  
Graduate School of Arts and Sciences  
Contributed statistical information on ATI participants

