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GRAND JURY INDICTS ONE INMATE AND TWO NEW YORK CITY CORRECTION OFFICERS IN CONNECTION WITH TWO SEPARATE ASSAULTS AND AN ATTEMPTED COVER UP AT A CORRECTIONAL FACILITY ON RIKERS ISLAND

Public Information
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Bronx District Attorney Robert T. Johnson announced today that a grand jury has handed up indictments against an inmate on Rikers Island and two New York City Correction Officers in connection with two separate assaults and an attempted cover up at the Anna M. Kross Center last October. The charges stem from a disturbance on October 5, 2005 and are the result of a continuing joint investigation by the Bronx District Attorney's Office and the New York City Department of Investigation.

Robert T. Johnson
District Attorney

Kenneth Robinson, 27, of Halleck St., the Bronx, has been indicted on one count of Aggravated assault upon a peace officer, a Class B felony offense punishable by a maximum sentence of up to 25 years in prison. Robinson is accused of slashing Correction Officer Alan Gold across the cheek and jaw with a sharpened piece of metal. The incident occurred on October 5, 2005 in the bathroom of a housing unit at the Anna M. Kross Center. Robinson is scheduled to be arraigned on this indictment on Tuesday, April 11, 2006 in State Supreme Court Part A. Robinson is currently incarcerated at a New York State Correctional Facility for an unrelated offense.

The grand jury also voted to indict Correction Officers Nicholas Zito, 33, of Staten Island and Joseph Collins, 42, of Flatbush, Brooklyn, on one count each of Official misconduct, a Class A Misdemeanor offense punishable by a maximum sentence of up to one year in jail. Collins also has been charged with two other misdemeanor offenses, Assault in the 3rd degree, and Falsifying business records in the 2nd degree as well as two Class E felony offenses; Offering a false instrument for filing in the 1st degree, and Falsifying business records in the 1st degree. Collins is facing a maximum sentence of up to 4 years imprisonment if convicted of the more serious felony offenses.

It is alleged that during the response to the initial attack on Correction Officer Gold, Collins, without provocation, punched an inmate who was not involved in the slashing incident. Collins allegedly filed a "Use of Force Report" which included a written statement that the inmate had threatened him physically. Investigators found that videotaped surveillance of the unit failed to substantiate the report filed by Collins. The sole charge of Official misconduct that was filed against Correction Officer Nicholas Zito stems from his alleged act of turning off a Digital Video Recorder and surveillance camera during the disturbance.

A third officer, Captain Anastasia Henderson, 36, of Rockaway Beach, Queens, was charged earlier this year in connection with this incident. Henderson is facing a maximum sentence of up to one year in jail if convicted of Falsifying business records in the 2nd degree. It is alleged that Henderson's report on the disturbance made no mention of the punching incident even though she witnessed it while standing next to Collins when he threw the punch.

The case is being prosecuted by Assistant District Attorney Rachel Singer of the Investigations Division's Rackets Bureau.

[Back](#)