

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



**2012 Annual Report**

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# Message from the Special Narcotics Prosecutor

This year, we celebrate the 40th Anniversary of the Office of the Special Narcotics Prosecutor for the City of New York. At the beginning, in 1972, a heroin epidemic overwhelmed New York City. Borough boundaries and conflicting policies fractured effective narcotics prosecutions. The legislature established the Office of Special Narcotics and directed it to lead citywide narcotics prosecutions. Thanks to excellent investigative work, targeted prosecutions, and wiretaps on notorious gangsters, the heroin epidemic was reined in.

Today, as the front cover suggests, guns, violence and greed still fuel the New York City drug trade. However, the targets of 21st century investigations use digital tools to communicate, boldly trumpeting the destruction they cause on YouTube, Facebook, Instagram and other social media sites.

In 2012, we focused significant resources on narcotics gangs that spike violent crimes in distressed neighborhoods. These groups are typically composed of teenagers, with leaders in their early 20s. Drug dealing brings in cash used to finance gun purchases and gang-promoting video productions.

These gangs often leave a rich trail of evidence for information specialists, analysts, prosecutors and law enforcement officers. Technical experts can download information



from personal devices seized in search warrants or after arrests. Trained analysts connect the dots, relating evidence collected to shootings, robberies, assaults and other crimes. Experienced attorneys ensure that constitutional requirements are met whenever evidence is seized, and assemble it

into a form admissible in court and understandable to juries. The elements of a digital investigation are outlined in this year's report.

The report also describes prosecutions of medical professionals and pill distribution rings. It reminds us that the epidemic of prescription drug abuse continues in our city and chronicles our efforts to contain it. Highlights of investigations conducted in 2012 range from wiretap probes targeting international traffickers to arrests of local drug dealers responsible for community violence.

The Office of the Special Narcotics Prosecutor is proud to have contributed to making New York City a far safer place than it was 40 years ago. We honor our collaborators, the thousands of dedicated public servants who have worked side by side with us and accomplished so much. We look forward to improving the quality of life for all New York City residents.

***Bridget G. Brennan***  
*Special Narcotics Prosecutor*



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# About the Office

An independent prosecutors' office with citywide jurisdiction, the Office of the Special Narcotics Prosecutor (SNP) is responsible for felony narcotics investigations and prosecutions in the five boroughs of New York City. Founded in 1971, it is the only agency of its kind in the United States.

Created in response to a burgeoning heroin epidemic and a related spike in violent crime, SNP was granted broad authority under New York State Judiciary Laws to root out sophisticated narcotics trafficking organizations and track offenders across traditional jurisdictional boundaries. Since its inception, SNP has worked closely with local, state and federal law enforcement partners to dismantle drug networks, money laundering enterprises and entrenched local gangs in neighborhoods across the city and beyond.

Renowned for its wiretap investigations, SNP is a leader in the use of cutting-edge electronic technology to identify and pursue members of criminal enterprises from street-level dealers to top suppliers. In recent years, SNP has applied its technological expertise to confronting the explosion of prescription drug abuse and diversion, and the prosecution of violent gangs. The office is also committed to reducing demand for narcotics by raising public awareness and facilitating treatment for addicted offenders.

Assistant District Attorneys are assigned to the office by the city's five District Attorneys and placed into one of three divisions: the Investigation Division, the Trial Division or the Alternative Sentencing Division.

The first Special Narcotics Prosecutor, Frank Rogers, was appointed in January 1972. He was succeeded by Hon. Sterling Johnson, Jr., who headed SNP for 16

years before becoming a federal judge in the Eastern District of New York. Robert H. Silbering was named the Special Narcotics Prosecutor in 1992 and served for six years.

On May 1, 1998, Bridget G. Brennan was appointed Special Narcotics Prosecutor by the city's five District Attorneys. Under her direction, the office has developed innovative strategies to stem the flow of drugs into the city and target emerging problems, such as prescription drug diversion and the use of social media by violent gangs. In 2011, Ms. Brennan established the Prescription Drug Investigation Unit. Ms. Brennan previously launched the Narcotics Gang Unit and the Money Laundering and Financial Investigations Unit.



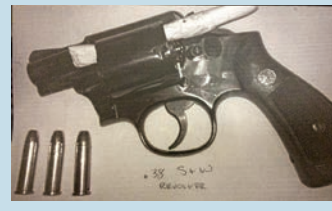
*Bridget G. Brennan celebrates the Office of the Special Narcotics Prosecutor's 40th Anniversary at the Harmonie Club, joined by (left to right) former Special Narcotics Prosecutors, Robert H. Silbering and Hon. Sterling Johnson, Jr., and R. Gil Kerlikowske, Director of the White House's Office of National Drug Control Policy.*

# How Gangs Use Social Media to Fuel Gang Activity

Social media postings, photos and videos promote gang violence and instigate rivalries. Below, private security cameras capture WTG gang members in shootout on busy stretch of 171st Street and Jerome Avenue.



Firearm used to retaliate against rival gangs. Photos depict three of 16 guns recovered from WTG and Dub City. Facebook post by 15-year-old WTG recruit: "im ready for war."



Youths view social media postings and seek to join gang. Main recruiter for WTG produced YouTube videos touting gang lifestyle, as shown here.



Recruit:

I'm from Queens but I watch all ya videos n shyt Imma trying to be down with tha WTG Move. Make real ca\$\$h.



Recruits must provide firearm or money for firearm to join gang. Messages show recruiter instructing would-be WTG member to pay initiation fee.

Recruit:

Yeoo I want you 2 put me down with WTG; My brother DubTGee but I know you a top boss; What to I have to do to be WTG?


WTG Member:

You gotta bring me n only me a glock or money 4 it

Recruit:

If I bring you a .22 that's gucci great?

Narcotics sold to finance gun purchases and gang activities. Wide variety of drugs seized in the WTG/Dub City investigations.

 <b>NYPDPETS</b> PROPERTY and EVIDENCE TRACKING SYSTEM Property Clerk Invoice PD 521-141 (11/-9)	
Invoicing Command 44th PCT.	Invoice Status OPEN
Property Type CONTROLLED SUBSTANCE	Property Category ARREST EVIDENCE
Article(s)	
COCAINE CRACK PCP MDMA MARIJUANA	

# Trends

## Digital Forensics and Narcotics Gangs



*Phone seized from defendant charged with drug trafficking. Smartphones often contain valuable evidence used in criminal prosecutions.*

Today's violent narcotic gang members are often armed, young and lacking maturity and judgment. They coordinate criminal activity on Facebook, YouTube, Twitter and Instagram, and are branching into Internet-based texting and voice services such as Skype and Cloud services. Gang members communicate with the touch of a keystroke. Digital messages order shootings, pinpoint locations of enemies, and direct the movement of weapons and drugs.

Technological advances allow gang members to respond quickly to law enforcement and rival gangs, and provide a wider audience for recruitment. But the Internet, smartphones and other technology are also sources of detailed leads and credible evidence that have become critical to SNP's investigations and prosecutions.

Databases, blogs, sites with background information, and other sources offer invaluable information for law enforcement. Analysts and Information Technology



*The Facebook page of a gang member provides a window into criminal activities and practices of his gang.*

Specialists trained to find relevant information are the super sleuths of the 21st Century.

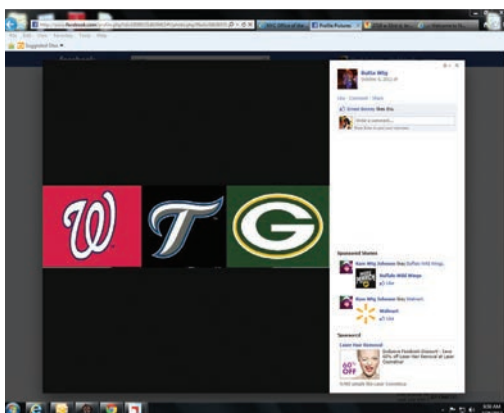
### Case Study: "Dub City" and "WTG"

In 2012, the Narcotics Gang Prosecution Unit conducted gang investigations in partnership with the New York City Police Department's 44th Precinct Field Intelligence officers and the Bronx District Attorney's Office. Members of the violent gangs "Dub City" and "WTG" had terrorized their community for years with a prolonged and violent turf battle.



*Bridget G. Brennan and representatives of SNP's Narcotics Gang Prosecution Unit sponsor a Community Gang Forum in Harlem with clergy members and community leaders from around the city.*





Facebook was a primary means of communication for the Dub City and WTG gangs.

Analyzing gang members' social media messages, texts and other communications about criminal activity enhanced traditional investigative techniques. SNP indicted more than two-dozen, including leaders of Dub City and WTG, on charges ranging from murder conspiracy to possession and sales of weapons and narcotics.

The feud was triggered by the shooting death of a Dub City member in April 2011. Bronx neighborhoods witnessed at least two-dozen retaliatory shootings, including a near-fatal shooting of a Dub City member in September 2011 in the early evening on a busy street. It was captured on multiple private security cameras.

NYPD officers, prosecutors and analysts in the Narcotics Gang Unit reviewed thousands of messages and photographs on Facebook and Instagram, as well as text messages. When placed in the context of reported shootings and other crimes, these messages provided evidence for conspiracy charges and a window into the structure and methods of the gangs.

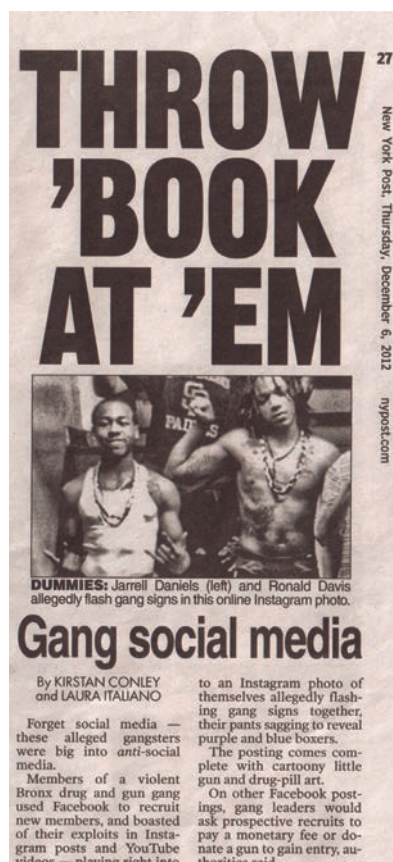
### Texts Track Communal Firearms

While members of the gangs seemed to open fire with little provocation, the leaders were keenly aware of the penalties for being caught with a gun and implemented the practice of maintaining communal firearms. Leaders use coded language in texts and

social media messages to order shootings and pass along the location of these weapons. Under the communal firearm system, guns are owned by the gang and leaders make guns available to a wide circle of members for use in crimes. Weapons are moved from place to place, and the task of hiding or carrying firearms often falls to the more juvenile members.

### Facebook, YouTube Score Recruits

WTG maintained a strict two-tiered hierarchy that included the "Top Five," five original founders; followed by the "Big Homies," the second-tier leadership. Facebook posts and commercially produced videos on YouTube recruited new members. The price of gaining entry to the gang was a firearm or cash to buy one. These new recruits were often juveniles. Narcotics sales, burglaries and robberies also funded gun purchases.



New York Post, Dec. 6, 2012



## Impact on Crime Rates

In the Bronx, the NYPD believes gang prosecutions have contributed to a decline in homicides and shootings for the borough as a whole. This trend is reflected in crime statistics for areas of the Bronx impacted by SNP gang investigations. Homicides and

shootings across the Bronx reached historic lows in 2012. There were 114 murders in the Bronx in 2012, or 34 fewer than in 2011. Shootings in the Bronx decreased from 431 to 402 during the same period.



Violence dips after gang prosecutions. Daily News, Jan. 4, 2013

## Trends Prescription Drug Epidemic

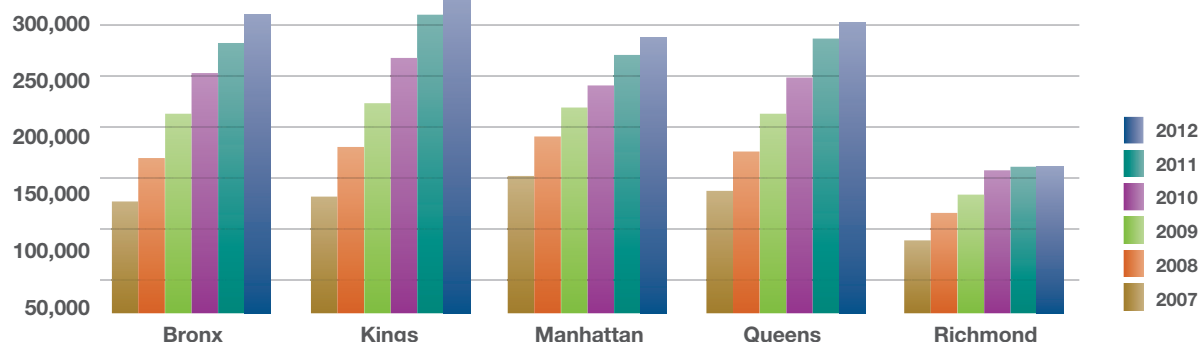
The number of prescriptions for narcotic painkillers continues to grow at an alarming rate. Since 2007, prescriptions for oxycodone have increased year after year. In 2012, there were 1,279,655 prescriptions for oxycodone filled citywide – a 7% increase over 2011. The borough with the largest relative increase was the Bronx, which saw a 10% increase in oxycodone prescriptions in 2012, followed by Brooklyn (7%), Manhattan and Queens (both 6%) and Staten Island (1%). Overall, the number of oxycodone prescriptions filled in New York City has increased by 138% from 2007 to 2012.

### A Coordinated Approach

Despite the still spiking epidemic of prescription drug abuse in New York City, a thoughtful approach to harness the problem has developed. Public awareness has increased. Local, state and federal agencies, in both the health and law enforcement sectors, are working together.

New York City is in the forefront of efforts to curb the availability of narcotic pain drugs. In January, Mayor Michael Bloomberg and the City Health Commissioner announced new voluntary emergency room guidelines for the prescription of opioid painkillers at

Prescriptions Filled by Residents for Oxycodone By County 2007-2012



Overall, the number of oxycodone prescriptions filled in New York City has increased by 138% from 2007 to 2012.

Source: NYC Office of the Chief Medical Examiner & New York City Department of Health and Mental Hygiene 2005-2010

New York City’s 11 public hospitals. The guidelines were detailed in a report issued by the Mayor’s Task Force on Prescription Painkiller Abuse, of which Bridget G. Brennan is a part. The Mayor’s Task force also created NYC RxStat, which combines relevant public health and public safety data. Soon afterwards, Brooklyn District Attorney Charles J. Hynes announced the formation of a Healthcare Fraud Division in his office to prosecute doctors, pharmacists and patients who steal city, state and federal healthcare funds.



Brooklyn DA Charles J. Hynes announces the formation of a Healthcare Fraud Division.

Enforcement Efforts

The Special Narcotics Prosecutor has led city enforcement efforts with investigations of pill mills and distribution rings. SNP’s Prescription Drug Investigations Unit, now in its second year, attempts to shut off the supply of illicit pill distribution at the highest level. Since inception, the unit has handled approximately 115 investigations, which consume an enormous amount of time and resources. Over the past year, the unit prosecuted pharmacy employees, physicians’ assistants, dentists and doctors, as well as major prescription drug traffickers who collected pills and sold them in bulk quantities in New York, New England and beyond.



Bridget G. Brennan at public policy forum on “Prescription Drug Misuse” sponsored by the New York Society of Addiction Medicine.

# SNP Outreach

## Sharing Expertise with International Partners



*ABOVE: Narcotics investigators from the Supreme Prosecutors' Office, Republic of Korea, meet with SNP staff.*



*TOP RIGHT: Serbian prosecutors and police participate in the Department of State's International Visitor Leadership Program.*



*BOTTOM RIGHT: Thai Senators visit SNP.*

## Professional Recognition



*Kristine Hamann, Executive ADA, named Outstanding Prosecutor of the year by the New York State Bar Association.*



*Jodie Kane, Chief of the Special Investigations Bureau, receives the Thomas E. Dewey Medal from New York City Bar Association.*



*Chief Investigator Leon Schwartzman gets a Lifetime Achievement Award from Detective Investigators Association.*



*Federal Drug Agents Foundation honors ADA Justin Wechsler and New York Drug Enforcement Task Force, Group T-33.*



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# Neighborhood Initiatives

The Special Narcotics Prosecutor's Office (SNP) sponsors Police Athletic League (PAL) Play Streets in locations previously dominated by drug networks. With the coordination of PAL, the prosecutors' offices and the New York City Housing Authority join in a cooperative effort to maintain the gains achieved when drug organizations are removed from a community, and to improve relationships between young people and law enforcement.

## Play Street Sites

Special Narcotics, the Manhattan District Attorney's Office and PAL announced the opening of two PAL Summer Play Streets at 3333 Broadway and the Douglass Houses, a New York City Housing Authority complex, in July 2012. The programs provided a safe haven for youth in the Upper West Side and Harlem following law enforcement operations in those areas.

As a result of an investigation by SNP and the NYPD's Manhattan North Narcotics, four members of a major Chicago to New York narcotics trafficking organization were arrested at 3333 Broadway in March 2012. The defendants were charged in connection with over \$19,000 in sales of drugs and guns, as well as heroin and cocaine possession. Two of those arrested were also charged with selling six firearms to undercover officers.

In response to widespread drug dealing and violence in the Douglass Houses, SNP and the NYPD's Manhattan North Narcotics arrested 29 narcotics traffickers. The arrests followed a yearlong investigation involving over 40 sales of crack-cocaine. During one arrest, police seized a firearm and ammunition from an apartment where two young children were present. The Manhattan District Attorney's Office assisted with the prosecutions.



*A ribbon-cutting ceremony for the PAL Summer Play Street at the Douglass Houses featured (left to right) Manhattan DA Cyrus R. Vance, Jr., Bridget G. Brennan, PAL participants, NYCHA Chairman John B. Rhea and PAL Executive Director Alana Sweeney.*



*Explorers from the NYPD's 30th Precinct kick off a PAL Summer Play Street at I.S. 195, Roberto Clemente School, to serve youth from 3333 Broadway.*

The office also extended support of a PAL Play Street at I.S. 229 in the Bronx, which first opened in July 2011.

## Gang Forum

Another SNP community outreach program led to a series of Community Narcotic Gang Forums to address the growing problem of gang violence. Bridget G. Brennan hosted meetings attended by clergy members and community leaders from across the city.

An Assistant District Attorney from the Narcotics Gang Prosecution Unit presented an overview of violent narcotic gangs in New York City and highlighted emerging trends, such as the use of communal firearms, and the role of new technologies and social media in coordinating criminal activity and gang recruitment.

# Investigation Division

SNP WIRETAP ACTIVITY	
<b>ORDERS</b>	<b>189</b>
<b>Originals</b>	<b>117</b>
<b>Extensions</b>	<b>67</b>
<b>Amendments</b>	<b>5</b>
<b>Cell Phone</b>	<b>177</b>
<b>Email</b>	<b>2</b>
<b>Landline</b>	<b>7</b>
SNP INVESTIGATION ACTIVITY	
<b>INVESTIGATIONS OPENED</b>	<b>278</b>
<b>Investigation Division</b>	<b>160</b>
<b>Trial Division</b>	<b>118</b>



*Analysts are the detectives of the 21st Century, mining electronic databases and other Internet resources for valuable information.*

## Special Investigations Bureau

The Special Investigations Bureau, (SIB) targets major narcotics trafficking organizations importing and distributing multi-kilogram quantities of cocaine and heroin. The activities of the criminal enterprises extend beyond county, state, and international borders. In 2012, SIB prosecutors worked with the Drug Enforcement Administration (DEA), the New York City Police Department (NYPD), the New York State Police, the New York Drug Enforcement Task Force (NYDETF), U.S. Immigration and Customs Enforcement (ICE), the New York Organized Crime Drug Enforcement Strike Force and other local, state, federal and foreign law enforcement. The division launched 104 investigations targeting a wide range of criminal activity including drug trafficking, robberies, weapons trafficking, and money laundering. SIB

also commenced civil actions to forfeit narcotics proceeds.

In 2012, senior staff supervised 23 wiretap investigations, including 113 original eavesdropping applications. Narcotics investigations resulted in the seizure of approximately 552 pounds of cocaine, 85 pounds of heroin, 250 pounds of marijuana, 4,500 oxycodone pills, and various other drugs.

## Prescription Drug Investigation Unit

Alarming rates of prescription drug abuse and related crime led SNP to form the Prescription Drug Investigation Unit. The unit, created in 2011, is designed to combat the proliferation of prescription narcotics on the black market by investigating and prosecuting the criminal distribution of these drugs. Prosecutions target a range of subjects, from members of street level drug organizations to doctors and pharmacists engaged in the criminal sale of prescriptions or pills. Armed robberies of pharmacies, shootings, home invasions and other violent crimes are also associated with prescription drug diversion. The Unit works closely with the New York State Health Department's Bureau of Narcotic Enforcement, the NYPD, and the DEA, among other law enforcement agencies.

## Narcotics Gang Unit

The Narcotics Gang Unit was established in 2002. It concentrates on violent neighborhood groups, robbery crews, and weapons traffickers committing drug-related criminal activity across the city. The unit works closely with detectives from the NYPD's Narcotics Division and members of the New York Drug Enforcement Task Force's REDRUM Unit. In 2012, the unit conducted major investigations that examined the use of new technologies and social media, such as



*Members of the Narcotics Gang Unit are expert at developing evidence from smartphones, social media and other digital sources.*

Facebook, YouTube, Twitter, and Instagram, by violent warring gangs. In addition to narcotics trafficking, the unit also prosecuted murder conspiracy, assault, armed robbery, kidnapping, burglary, weapons possession, and illegal firearms sales.

### **Money Laundering and Financial Investigations Unit**

The Money Laundering and Financial Investigations Unit was initiated in 2001, and reconfigured in 2005 and 2008. It investigates narcotics-related money laundering and other financial criminal activity. Cases are generated from multiple sources, including intelligence developed during narcotics investigations. The unit aims to prevent foreign drug trafficking organizations from repatriating drug proceeds through smuggling, as well as the use of the financial system and international trade; and to prevent local drug organizations benefiting from illicit profits.

### **Forfeiture Investigations Unit**

Established more than 25 years ago, the Forfeiture Investigations Unit evaluates felony drug prosecutions for potential civil litigation to recover proceeds of narcotics crimes. The unit works closely with law enforcement on the federal, state and local levels in identifying criminal assets to deprive narcotics traffickers and money laundering groups of the profits of criminality. The unit has in place a comprehensive set of systems to track

office participation in investigations resulting in forfeiture actions. In 2012, 255 federal forfeiture actions were entered and 195 were completed. At the state level, 405 actions were initiated and 395 were completed.

## **Case Highlights**

### **17 Members of “Dub City” Gang Arrested: 10 Guns Seized**



*Police seized 10 guns from the “Dub City” gang in the Bronx.*

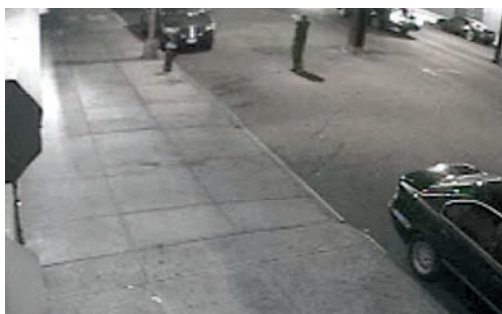
Seventeen members of the criminal gang “Dub City” were indicted in connection with a violent turf battle between two rival groups in the Bronx. The feud was triggered by the fatal shooting of Dub City member Dontae Murray, aka “Tay,” in April 2011. Members of Dub City, which operates between East 175th Street and East 177th Street from Walton Avenue to Jerome Avenue, engaged in at least 14 retaliatory shootings, two slashings and a baseball bat beating. Shootings, assaults, robberies, and drug and gun sales were the subject of four conspiracy charges in the indictment, unsealed in August. Gang members also faced 31 substantive charges for possessing and selling narcotics and weapons.

Dub City members made extensive use of social media, such as Facebook and YouTube, to coordinate criminal activity and to recruit new members to the gang, including minors. The Special Narcotics Gang Prosecution Unit and the NYPD’s 44th Precinct, with assistance from the Bronx District Attorney’s Office, reviewed thousands



of text messages in which Dub City members used coded language to communicate about shootings, gun and drug sales, and plots against members of enemy gangs “280” and “WTG.” Communal firearms were stored in various Dub City members’ homes and kept readily available for retaliatory shootings. One leader’s family home served as a headquarters and stash house. Minors were also often used to hide weapons. The gang sold narcotics and committed robberies in order to make money to purchase firearms, jewelry and other goods.

### **10 Leaders of “WTG” Gang Indicted: Murder Conspiracy Charged**



*Private security cameras captured members of the “WTG” gang in a shootout on a busy stretch of 171st Street and Jerome Avenue.*

Ten leaders of a violent Bronx street gang “WTG” were indicted on six conspiracy charges for murder, assault, weapons possession and sales, narcotics possession, and 35 related substantive counts in December. Police seized six firearms during the investigation. The indictment includes Murder Conspiracy and Attempted Murder in connection with a near-fatal shooting of a member of rival gang “Dub City” on Sept. 21, 2011. The shootout was captured on private security cameras on a busy block.

Seven shootings took place during the course of the conspiracy, which ran from January 2011 to November 2012.



*Firearm seized during WTG investigation.*

The Special Narcotics Gang Prosecution Unit and the NYPD’s 44th Precinct’s Field Intelligence Sergeant conducted the investigation with assistance from the Bronx District Attorney’s Office.

WTG operated under a structured hierarchy, with the “Top Five” at WTG’s uppermost level of leadership and the “Big Homies” as a second tier of leadership. The gang made extensive use of social media and developed a distinctive “lingo,” or system of code words and phrases, to communicate with one another about their criminal activity in thousands of exchanges on Facebook and Instagram.

Facebook messages and videos posted on YouTube served as a primary means of gang recruitment targeting minors. WTG leadership required prospective gang members to provide money for the purchase of communal firearms, or to provide an actual firearm, in order to gain admission to the gang. New gang members were then placed “under” a leader, to whom they answered. WTG maintained readily available, loaded communal firearms for use by members. Gang leaders directed minors aged 14 and 15 to possess, transport and store the guns in order to avoid the arrest or detection of adult gang members.

## **Doctor Faces Homicide Charges for Overdose Deaths**

A physician who operated a pain management clinic in Flushing, Queens was arrested on a 219-count superseding indictment charging homicide and illegal sales of prescriptions for controlled substances to 20 patients. The indictment followed a two-year investigation by the Special Narcotics Prosecutor's Prescription Drug Investigation Unit, which presented evidence to a special grand jury over a six-month term.

Stan Xuhui Li faces two counts of Manslaughter in the 2nd degree for recklessly causing the overdose deaths of two patients of his Flushing, Queens pain management clinic: Joseph Haeg, 37, and Nicholas Rappold, 21. Both died within days of receiving prescriptions for controlled substances from the doctor. Li failed to perform adequate examinations or verify patients' reports of chronic pain, and ignored repeated warning signs of addiction.

Haeg's body was found in his bedroom in East Moriches, Suffolk County on Dec. 29, 2009 after receiving 15 prescriptions for controlled substances from Li over the course of three months. Rappold was found dead in his parked car in Queens on Sept. 14, 2010. The car's console contained a bottle of Xanax that identified Li as the prescriber. During the five weeks leading to Rappold's death, Li saw him three times and wrote prescriptions for more than 500 pills of controlled substances, including opioids and Xanax, a potentially high-risk combination.

A licensed physician certified in anesthesiology and pain management, Li maintained a full-time practice as an anesthesiologist at a hospital in New Jersey. Meanwhile, Li spent Saturdays operating Medical Pain Management in Flushing, where patients lined up on the sidewalk in the early morning and waited hours to see him.

The indictment also charges Li with three counts of Reckless Endangerment in the 1st degree for demonstrating depraved indifference to human life in connection with his treatment of three patients, and four counts of Reckless Endangerment in the 2nd degree for recklessly creating a substantial risk of serious physical injury to another four patients. Two of these seven patients suffered fatal overdoses, although Li is not charged in these deaths.

Additionally, Li is charged with selling prescriptions other than in good faith in the course of his professional practice to 20 patients. At least eight non-fatal overdoses occurred among this group of 20 during the time they were seeing Li. A total of seven of the 20 patients ultimately died of prescription drug overdoses between January 2009 and December 2011, although the Manslaughter charges relate only to Haeg and Rappold.



*Pain management doctor charged with manslaughter in overdose deaths of two patients of his Flushing, Queens clinic and illegal sales of prescriptions to 20 patients.*

## **Harlem Pharmacy Manager Arrested for Illegal Rx Sales**

A manager of Broadway Pharmacy in Harlem was arrested for making backdoor buys of narcotic pain relievers and prescriptions in a health care fraud scheme. During the six-month investigation, Antonio Tavarez bought seven prescriptions for HIV/AIDS medications and drugs used for treating herpes and heartburn, from an undercover officer with New York City's Human Resources Administration. The majority of these prescriptions carried three refills. During each sale, the undercover officer supplied Tavarez with a Medicaid benefits card. Tavarez did not dispense any medication during these transactions, which took place inside the pharmacy, yet the pharmacy billed Medicaid

as if the prescriptions had been filled. On the day of his arrest in May, Tavarez purchased 360 pills of Percocet, an opioid painkiller, from the undercover. He paid \$100, with a promise of more money at a later date.

### **Chinatown Buses Used in Narcotics Trafficking Scheme**



*Chinatown bus passengers transported 42 pounds of cocaine and half a pound of methamphetamine to New York.*

Three drug traffickers were arrested for transporting 19 kilos of cocaine and half a pound of methamphetamine in a bus operated by Golden Horse Tours in April. The bus had travelled from Houston to New York via

Atlanta. DEA agents seized two suitcases and a purse containing cocaine and crystal meth from a couple seated in the passenger area. An additional bag containing cocaine and belonging to a third defendant had been stowed in a luggage compartment under the bus. These arrests were the third drug seizure in a year involving buses operated by Golden Horse.

### **Major NYC Trafficker Tapped New England Demand for Illicit Rx Drugs**



*A New York City drug trafficker transported between 2,000 and 5,000 pills of narcotic painkillers to New England each week.*

Jose Garcia Acosta was indicted for his role in a multi-million dollar scheme to transport large quantities of narcotic painkillers from New York City for sale in New England. A long-term investigation by Special Narcotics and the Drug Enforcement Task Force revealed that Acosta made

two to three trips to New England each week to deliver shipments of anywhere from 2,000 to 5,000 pills of oxycodone and oxymorphone.

Acosta obtained the pills from “bundlers,” who operate in open-air markets on certain blocks in Upper Manhattan and the Bronx, paying approximately \$16 each for pills that he would resell for twice that price in New England. New York State Police Troopers stopped Acosta’s vehicle on the Hutchinson River Parkway in Westchester in May as he headed north to deliver a shipment. A search of a trap hidden in the rear seat of the vehicle yielded over 3,100 prescription pills, including 2,725 tablets of oxycodone, worth more than \$110,000. Agents suspect the scheme netted Acosta millions of dollars each year.

This investigation relates to a case being prosecuted by the U.S. Attorney for the Southern District of New York, in which 14 individuals were arrested for the illegal distribution of more than 10,000 prescription pills per week in Upper Manhattan. The defendants engaged in hand-to-hand sales of prescription painkillers, including oxycodone and oxymorphone, at open-air drug markets. Many of these pills were bound for New England.

### **Lost Luggage Handler Snuck Drug-Filled Foods through JFK, Looted Baggage**

Lost luggage handler Jose Guerrero was one of six individuals arrested in August for importing narcotics from Ecuador through privately-owned parcel delivery companies. A long-term wiretap investigation by Special Narcotics and Homeland Security Investigations revealed that kilograms of cocaine and heroin were concealed in empanadas, chocolate bars, cookies and other foods, and soaked into scuba diving diplomas. The packages of drug-filled foods and goods were transported to JFK International Airport on cargo planes and distributed to private parcel delivery companies across the Tri-state area. Guerrero or another member of the trafficking ring





*Kilograms of cocaine and heroin were smuggled through JFK Airport concealed in empanadas, chocolate bars, cookies and other foods, and soaked into scuba diving diplomas.*

would then pick up the packages from the parcel delivery companies. Beyond the drug scheme, Guerrero was also charged in a grand larceny conspiracy for using his position as a lost luggage delivery driver to steal designer clothing and handbags, jewelry, laptops, iPads and other valuables from airline passengers' bags. Passengers are estimated to have lost thousands of dollars in goods as a result of Guerrero's scheme.

### **Doctor Wrote Rx's to Phantom Patient: \$150,000 in Cash and Gold Seized**

A physician was indicted for selling prescriptions for thousands of pills of oxycodone from a family medical practice he operated in Sunset Park, Brooklyn. The majority of the charges in the 41-count indictment relate to prescriptions Shaikh Monirul Hasan wrote in the name of a woman who never visited the doctor, and who was unaware that prescriptions for a highly addictive narcotic painkiller were being filled in her name. Searches of Hasan's office, a safe deposit box and his home in

Woodmere, New York at the time of his arrest in June yielded approximately \$150,000 in cash and gold ingots. Data shows that Hasan prescribed a high volume of highly addictive opioid painkillers, in some cases writing up to 100 prescriptions for controlled substances in a single day.

During the investigation, investigators learned that Hasan had written 32 prescriptions for 3,840 oxycodone pills in the name of the woman. An undercover NYPD detective observed Hasan provide one of these prescriptions to a male patient and receive cash in exchange. Police determined that the woman had lost a college identification card in 2009, and that her name had been misspelled on the card. This misspelling was repeated on all the prescriptions that Hasan wrote in the woman's name.

### **Manhattan Physician's Assistant and Attorney in Rx Drug Scheme**

Eric Schein, a physician's assistant, and Perri Weissman, an attorney, were arrested in June for scheming to fill fraudulent prescriptions for Percocet, a narcotic painkiller. The two, who were engaged to be married at the time of their arrests, filled 163 prescriptions for Percocet from September 2010 to December 2011. At least 25 of these prescriptions were fraudulently presented to pharmacies. Schein worked at Mount Sinai Medical School in Manhattan, and later at a family practitioner's office. Weissman, an attorney, was a Subpoena Compliance Officer for Duane Reade/Walgreens. The investigation



*Gold ingots seized a physician's home in Woodmere, NY.*

revealed that Schein stole prescription pads from his places of employment and wrote out prescriptions to himself and to Weissman. The scheme unraveled when a staff at an Upper East Side pharmacy grew suspicious upon receiving one of Schein's prescriptions and contacted the family practitioner whose name appeared on the prescription.

### **Correction Officer, Jailhouse Barber and Inmate Plot Armed Robbery**

An inmate and a barber on Rikers Island teamed up with a New York State correction officer to plot an armed robbery of a drug stash house in June. The month-long investigation began when inmate Fabian Faulkner was recorded telling a former inmate about his involvement in a robbery crew that targeted drug dealers. The discussion took place on a Rikers Island phone and law enforcement officials soon became aware of it. Faulkner was tipped off to a drug stash house in the Inwood section of Manhattan that would be a good robbery target. Faulkner passed this information along to Melbourne Rowe, the Rikers Island barber, who in turn told Kirk Francis, the New York State correction officer. Unbeknownst to the trio, this stash house did not exist. Francis and Rowe were arrested when they met near the location of the supposed stash house intending to rob it. Members of the New York Drug Enforcement Task Force's REDRUM Group seized two firearms. Agents learned that prior to working for the New York State Department of Corrections, Francis had been assigned to Rikers Island as a New York City corrections officer and that is how he'd met Rowe and Faulkner.

### **Two Multi-Million Dollar Heroin Mills Raided in the Bronx**

Investigators arrested 11 heroin mill workers at two related drug packaging locations

in the Bronx in September. The lucrative narcotics operation netted up to \$1.5 million per week. Approximately 24,000 glassine envelopes of heroin stamped with various brand names, such as Hot Sauce, Cartier and Cristal, were seized from two apartments on Selwyn Avenue and Loring Place North. Several mill workers tried to launch themselves out the windows in unsuccessful escape attempts and one defendant hid under the bed during the raids. The investigation revealed that the same drug trafficking ring used both locations and pumped out approximately three kilos of heroin per week.



*Heroin seized from two packaging mills in the Bronx had been marketed under a variety of brand names.*



*Apartment at 2287 Loring Place North housed heroin mill.*

# Trial Division

Trial Division Assistant District Attorneys handle most of the drug felony arrests referred to the office for prosecution. They are assigned to one of two bureaus that comprise the Trial Division. Each bureau is headed by a Chief and Deputy Chief who supervise assistants as they provide legal advice and draw up court orders, including search and arrest warrants, on a 24-hour basis.

Assistants work closely with the NYPD's Narcotics Division, the New York Drug Enforcement Task Force, the Port Authority Police, the New York State Police, the New York State Health Department's Bureau of Narcotic Enforcement and the SNP Investigators Unit. In 2012, the Division launched 118 new investigations. A total of 1,719 complaints were referred to the Trial Division for prosecution during the year; 1,047 defendants were indicted. Trial Division search warrants drafted numbered 582.

## Case Highlights

### Three Guns Seized in Police Crack-Down on Brownsville Drug Dealers



*Guns and marijuana sealed inside Sour Patch candy wrapping seized from apartments at 1800 Pitkin Avenue in Brownsville, Brooklyn.*

The NYPD rounded up 14 loosely-affiliated drug traffickers for selling crack-cocaine in Brownsville, Brooklyn in February. In court authorized searches of two apartments

at 1800 Pitkin Avenue, police seized three loaded handguns – a 9mm, a .380 caliber and a .40 caliber with a high capacity magazine – as well as approximately 200 zips of crack, \$300 cash and marijuana sealed inside Sour Patch candy wrapping. These items were hidden in a safe inside an oven. The building at 1800 Pitkin gained notoriety in October 2011, when a gunman fired a hail of bullets from the roof and tragically killed a 34-year-old woman as she picked up her child after school. The woman was killed by a stray bullet. The 14 arrests were the culmination of a nine-month investigation, in which undercover officers made 69 purchases of crack-cocaine. The majority of the dealers were in their teens and early 20s.

### Chicago to New York Drug Trafficking Ring: Five Firearms Sold

Four members of an interstate drug trafficking ring were indicted on charges related to a scheme to transport large quantities of heroin and cocaine from Chicago to New York City. NYPD detectives arrested the defendants in an apartment at 3333 Broadway in Harlem during a dramatic raid in April. As detectives worked to open the door of the apartment, a Chicago supplier who had travelled to New York just days earlier tossed a kilogram of heroin from a 13th floor window. There were also signs that cocaine had been flushed down a sink

2012 SNP WORKLOAD	
Arrests	2085
Indictments/SCI	1363
Trials	47
FELONY DISPOSITIONS	
Convicted	1229
Acquitted	16
Dismissed	107
Treatment Dismissals	89
FELONY SENTENCES	
State Prison	573
City Jail	294
Probation	194
City Jail & Probation	68
SEIZURES	
Cocaine	919 lbs.
Heroin	140 lbs.
Oxycodone	13,422 pills
Marijuana	1,292 lbs.
Firearms	80





*Two members of an intersate drug trafficking ring sold five firearms to an undercover NYPD dectective.*

and toilet. Twenty grams of cocaine were recovered from the apartment, as well as the kilogram of heroin, which police retrieved from the ground below the window. During the three-month NYPD investigation, an undercover officer bought cocaine and five firearms for a total of more than \$19,000 from two New York defendants, Juan Honorio and Rafael Oliveras, during meetings inside the apartment.

### **Over 100 Pounds of Cocaine Seized Near Times Square**



*New York State Police investigators picked off a group of drug traffickers one by one as they carted suitcases of cocaine out of a Times Square hotel.*



Six drug traffickers were indicted in the seizure of 48 kilograms of cocaine in Midtown Manhattan in October. Three suitcases of drugs were intercepted at a concourse area inside the Crowne Plaza Hotel in Times Square and in two vehicles that had departed from the hotel. Members of the New York State Police Special Investigations Unit observed two defendants load suitcases into a silver BMW and a livery cab in front of the Crowne Plaza. Searches of the vehicles yielded approximately 18 kilos (nearly 40

lbs.) of cocaine. The third suitcase, which was seized from an individual in a concourse area at the hotel, contained approximately 30 kilos (66 lbs.) of cocaine. Inside the hotel, investigators searched a room used by the drug ring and seized plane tickets, cell phones and drug packaging materials. An additional suspect escaped after leading investigators on a foot-chase through the Theater District. The livery cab driver was released without bail and fled to the Dominican Republic. He was subsequently found dead in an apparent homicide.

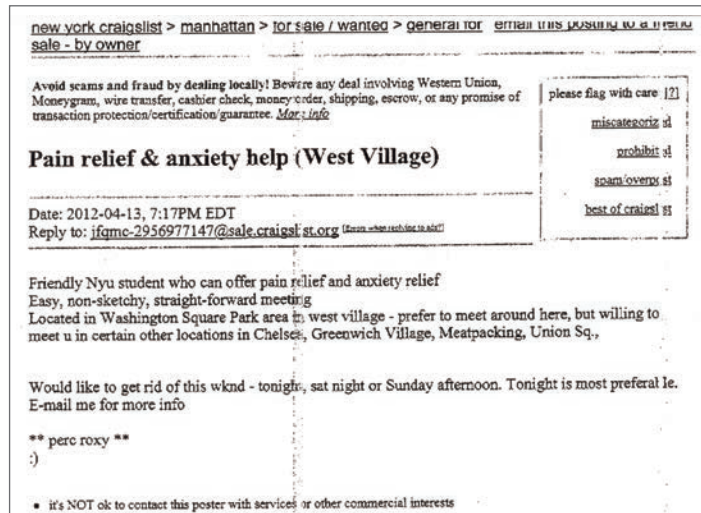
### **Bronx Couple Use Children in Heroin Sales**

A husband and wife drug-dealing team who brought their kids along on heroin sales was arrested in the Bronx. Yvette Gonzalez, husband Richard Cedeno and three other men sold 1,120 glassine envelopes of heroin to an undercover NYPD officer with Manhattan North Narcotics during four transactions in a month for \$6,400. Three of the four drug sales involved the couple's children. During the first sale in late September, the undercover officer was waiting for Gonzalez at a pre-arranged meeting place when the 11-year-old boy rode up on his bicycle and waved to his mother down the street. Gonzalez approached with two young girls, ages 4 and 6, in tow and handed the undercover officer 20 glassines of heroin. During the final sale, Cedeno met with the undercover and brought along the boy and one of the young girls. Police arrested the couple at their apartment on East 134th Street and seized 130 glassines of heroin and \$1,000 cash.

### **“Operation Dot Com” Targets Drug Sales on Craigslist**

Advertisements for prescription drugs and illicit narcotics on the website Craigslist led the NYPD to arrest 21 defendants. Undercover police officers made 60

drug purchases for \$30,000, including approximately \$19,000 in pills and \$10,400 in cocaine. The defendants sold more than 1,000 prescription pills, including painkillers, amphetamines, sleep aids, anti-anxiety medication and drugs used in the treatment of opioid addiction. The officers also purchased heroin and ecstasy. Sales took place across Manhattan, including locations near Union Square and Washington Square Park. The defendants range in age from 22 to 62 and represent a broad spectrum of occupations, from student, teacher's aide and human resource professional to dot com entrepreneur and celebrity photographer.



One Craigslist posting advertised "Pain relief and anxiety help" from a "Friendly Nyu student."

### Eight Kilos of Cocaine Seized from Queens Stash House



Members of a drug crew in Jackson Heights, Queens stashed drugs and money inside an oven, a shoe holder and a dresser with a false back.

Two drug traffickers were charged with the possessing over eight kilos (18 lbs.) of cocaine, \$70,000 in cash and drug packaging material in June. Investigators with the New York State Police (NYSP) Special Investigations Unit observed one defendant haul a large plastic garbage bag from a Queens building and place it in a Chevy Envoy. Investigators stopped the vehicle and discovered tire tread, towels and plastic ties used to conceal kilos of drugs inside the plastic bag. A stop of a second individual yielded a small quantity of cocaine and keys to a ground-level apartment inside the house. Over six kilos (13.5 lbs.) of cocaine were found inside a hidden trap in a dresser with a false back.

Another two kilos (4.5 lbs.) turned up in an oven and \$68,000 cash in a bedroom. A second search of the Chevy Envoy yielded another half a pound of cocaine.

### Tire Shop Drug Hub in Canarsie

Eight drug traffickers were arrested for selling illegal narcotics and prescription drugs in Canarsie, Brooklyn. Sales took place in and around a tire shop, Pito's Flat Fix, located near the Breukelen Houses, a New York City Housing Authority complex. One defendant is also charged with selling a firearm. The NYPD launched the investigation in response to complaints about an open-air drug market in the area. Hand-to-hand pill sales were so common a Google Street View image of



*Pills were sold from the counter of a tire shop near the Breukelen Houses in Canarsie, Brooklyn.*

the spot appears to show a drug transaction taking place in broad daylight. During the nine-month probe, the defendants made 45 sales of cocaine, heroin and prescription drugs for roughly \$32,000. Multiple sales took place

inside the tire shop, where Henry Caceres and Thomas Venetar sold prescription drugs from behind the counter. Lobbies in two apartment buildings in the Breukelen Houses were also the scene of multiple drug sales.

### **Over \$20 Million in Heroin Seized from Queens Mill**



*DEA agents and NYPD detectives seized 86 pounds of heroin from a Queens mill where workers processed and packaged the drug for distribution.*

In one of the largest single heroin seizures in NYC in recent years, DEA agents and NYPD detectives with the Drug Enforcement Strike Force seized a load of 39 kilos (86 lbs.) of heroin worth over \$20 million from a ground-floor apartment in Richmond Hill, Queens. The apartment served as a heroin mill, where the drug is processed and packaged for retail

distribution. One member of the heroin trafficking organization, Jose Sandiago Diaz, was arrested. Agents found packages of heroin on the floor and inside a duffel bag. Buckets of loose heroin also sat on a table, along with equipment for a makeshift assembly line, such as kilo presses, grinders and sifters. Prior to the September search, members of the Strike Force had spent several weeks conducting surveillance at the location. On

the day of the seizure, agents observed an individual wearing latex gloves open a window and detected a strong odor of heroin emanating from the apartment. Diaz exited the apartment and drove off in a vehicle, at which point agents stopped and questioned Diaz, and seized his key to the apartment. Diaz, an illegal alien who had previously been deported to the Dominican Republic, was detained. A K-9 dog confirmed the presence of heroin at the apartment prior to the search.

### **Rice Krispie Treats Deliver More than Sugar High in East Village**

NYPD detectives arrested two men in January in connection with a sale of marijuana-laced Rice Krispie's Treats on East 14th Street. Detectives with Manhattan South Narcotics observed Ariel Herrera make an exchange with customer Logan Delfugeo in the back seat of Herrera's 2011 Honda Accord. Delfugeo was arrested on the spot with the sweets inside his jacket.



*The key ingredient in these Rice Krispie's Treats is the organic green butter.*



## Housing Development Cases

### 23 Drug Dealers Arrested in Upper West Side: Firearm Seized

Police arrested 23 drug traffickers in June after a yearlong investigation into crack-cocaine trafficking at the Douglass Houses, a New York City Housing Authority complex on Manhattan's Upper West Side. The NYPD launched the probe in response to community complaints about widespread drug dealing and related shootings and robberies. Drug sales took place inside halls, apartments and courtyards. One defendant, Steven Smith, was arrested in May and charged with Endangering the Welfare of a Child and Unlawful Dealing with a Child in addition to drug crimes. Inside his apartment, detectives saw Smith crouched beside a bed where a five-month-old baby boy was laying



*A drug trafficker was charged with endangering the welfare of his child after police seized a .45 caliber gun from between a bed frame and mattress where the baby was laying.*

and seized a loaded .45 caliber gun hidden between the bed frame and the mattress, as well as crack and marijuana. A second child was also in the apartment.

### 32 Arrested at Cypress Hills Houses

Police arrested 32 individuals following an eight-month investigation into cocaine and heroin trafficking at the Cypress Hills Houses, a New York City Housing Authority residential complex in East New York, Brooklyn. The investigation came in response to community complaints and escalating gang violence in a dispute between Blood and Crip-related crews. NYPD officers purchased narcotics on 27 occasions inside the lobbies, hallways, stairwells and elevators of the Cypress Hills Houses. The majority of the arrests took place in August, while one defendant, David Vasquez, was arrested a month earlier in connection with the July 2nd shooting of an innocent bystander. Vasquez was engaged in a shoot-out with a rival when two bullets he fired strayed and hit a woman in the leg and toe. That attempted murder case is being prosecuted by the Kings County District Attorney's Office.

### Coney Island Arrests

Nine narcotics traffickers were charged with selling crack-cocaine, oxycodone, marijuana and morphine at the Coney Island Houses, a New York City Housing Authority residential complex, in April. The arrests came after a rash of fatal shootings in the area. The defendants belonged to two loosely organized crews that operated in close proximity to one another. The NYPD's Brooklyn South Narcotics Major Case Unit made 48 undercover purchases of drugs over the course of 10 months. Many sales took place near a playground.

# Alternative Sentencing Division



*Alternative Sentencing Division staff evaluates and monitors candidates for drug treatment.*

For addicted criminal offenders, an effective drug treatment program can mean the difference between repeated terms of imprisonment and the ability to lead a productive, law-abiding life. Yet it is not enough to simply conquer addiction. To begin anew, recovering drug users require skills gained through academic and vocational training, along with supportive counseling. The Alternative Sentencing Division has successfully worked with thousands of addicted criminal defendants over the past 20 years to provide them with the tools they need to permanently close the door on crime and dependence.

Through SNP's pioneering Drug Treatment Alternatives to Prison programs,

highly experienced staff members evaluate offenders to identify those who are likely to reap the benefits of treatment. Eligible candidates are given the opportunity to enter an appropriate program, most often at a long-term residential facility, instead of going to prison.

Residential programs typically last for at least one year and are followed by an additional term of supervision. Offenders who are employed and have strong community ties may be placed into short-term residential programs or, in rare cases, directly into intensive outpatient treatment programs. When offenders enter treatment, their sentences are deferred. Upon successful completion, charges may be dismissed. However, failure to abide by the rules of a program can result in a sanction. If offenders commit a new crime, their original prison sentence may be imposed.

Since October 2009, judges are authorized to place defendants in court-sponsored diversion programs. Although a judge determines which addicted felony offenders qualify for these programs, and court staff supervises them, SNP continues to offer its expertise in the screening and monitoring of diverted defendants.

SNP DEFENDANTS ENTERING TREATMENT 2005-2012								
	2005	2006	2007	2008	2009	2010	2011	2012
<b>DTAP</b>	169	137	90	114	91	36	7	5
<b>MTC</b>	156	101	81	76	33	17	6	0
<b>Diversion</b>					18	99	68	73
<b>Total Treatment</b>	325	238	171	190	142	152	81	78
<b>% Indictments/SCI diverted</b>	13%	11%	9%	11%	9%	11%	6%	6%

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# Investigators Unit

The Special Narcotics Investigators Unit works with federal and state law enforcement agencies throughout the five boroughs of New York City. During 2012, the unit opened 44 new investigations, resulting in arrests of 121 offenders. Sixty-seven were charged with top felony narcotics counts, 17 were charged with violations of money laundering laws and 14 with prescription drug-related crimes. Additionally, the unit and its DEA and NYPD partners were involved in 40 investigations that yielded cash seizures totaling millions of dollars in narcotics trafficking proceeds.

Created in 1992, the unit fulfills two primary areas of responsibility: investigations and enforcement support. The majority of the investigators are law enforcement veterans from the NYPD's Narcotics Division and the New York Drug Enforcement Task Force. They develop their own cases or work jointly with law enforcement agencies in large-scale narcotics and money laundering investigations. With the emergence of narcotics trafficking over the Internet, select investigators have specialized in this area.

The Investigators Unit handles a wide variety of narcotics cases targeting local, national and international trafficking groups. In recent years, the unit has developed a unique expertise in prescription drug-related investigations.

A Chief Investigator oversees activities of the investigators, monitors all investigation-related expenditures and acts as liaison with the squad of NYPD detectives assigned to SNP.

## Prescription Drug Investigations

SNP's investigators work closely with the office's Prescription Drug Investigations Unit, the NYPD, DEA agents, investigators from the New York State Department of Health's Bureau of Narcotic Enforcement, the New

York State Office of the Medicaid Inspector General and New York City's Human Resources Administration's Bureau of Fraud Investigation, and other law enforcement agencies, to combat the widespread epidemic of pharmaceutical drug abuse and diversion.

The investigators' expertise in this area, combined with their decades of experience in narcotics enforcement, has enabled the office to successfully investigate and prosecute corrupt medical professionals, including doctors, pharmacists and physicians assistants.

## Manhattan Doctor Illegally Sold Painkiller Rxs to Drug Trafficker

A probe by SNP investigators targeted Dr. Robert S. Gibbs, a licensed internal medicine physician. Gibbs was arrested at his Harlem office for allegedly writing dozens of oxycodone prescriptions for individuals not under his care in exchange for cash



*Investigators found cash all over the doctor's office, some of it in paper bags from Louis Vuitton and McDonald's.*





*Gibbs practiced medicine in a ground floor office at Lenox Terrace, 10 W. 135th St. in Harlem.*

payments. An indictment charges Gibbs with 42 counts of Criminal Sale of Prescription for a Controlled Substance, in addition to other crimes.

These illicit prescriptions were collected by Ronald Vaughan, the leader of a drug trafficking ring, who was also arrested. Vaughan supplied Gibbs with numerous individuals' personal information, including names and dates of birth, to be used on prescriptions. Many of these individuals had been recruited as "runners" to fill prescriptions in the pyramid-style scheme. Vaughan also filled prescriptions under his own name and an alias. The organization then distributed the oxycodone pills on the black market.

The Investigators Unit conducted the 18-month investigation with attorneys and analysts from SNP's Prescription Drug Investigations Unit, intelligence officers with

the NYPD's 19th Precinct, and their local, state and federal partners.

Since January 2008, Gibbs wrote prescriptions for more than a million pills of oxycodone. During a court authorized search, investigators seized over \$45,000 in cash that was stashed in various places around the doctor's office at 10 West 135th Street, Suite 1P. Gibbs voluntarily agreed to surrender his DEA license to prescribe controlled substances.

### **Investigation Ends With Homicide Charges**

A two-year investigation of a physician who illegally sold prescriptions from his pain management clinic in Flushing, Queens culminated in a 219-count indictment charging the doctor with homicide. Stan Xuhui Li was arrested in November 2011. However, unlike most narcotics investigations, that was only the beginning of the complex probe. Throughout 2012, SNP investigators diligently interviewed hundreds of witnesses, followed up on countless leads and poured through mountains of medical records. A special grand jury returned the homicide charges in late 2012. This case demonstrates how challenging prescription drug investigations can be, and how they require experienced prosecutors and dedicated, trained investigators.

#### **Li Case: Building a Prescription Drug Prosecution**

- ▶ Over 200 witnesses interviewed, including the fatal overdose victims' family members, patients and their relatives, neighbors, pharmacists, physicians, law enforcement officers and medical examiners.
- ▶ Thousands of names of overdose victims in Medical Examiner records compared to Li's patient lists.
- ▶ Sixteen fatal overdoses identified among Li's former patients. After reviewing evidence, the grand jury charged Li with Manslaughter in the 2nd degree for two of those deaths.
- ▶ Over 200 subpoenas were issued for prescriptions, prescribing histories, medical records, medical examiner case files and death records, bank accounts and civil court files.
- ▶ Nearly 1,300 medical files examined, including more than 10,000 pages of documents.

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# Legal Training Unit

The Legal Training Unit develops and implements the professional training curriculum offered to Assistant District Attorneys. The unit selects speakers, lectures and workshops to address topics that include investigatory and prosecutorial techniques, legal procedures, changes in the law, and effective approaches in the prosecution of felony narcotic and related crimes.

In 2012, the Legal Training Unit offered a professional development series and numerous workshops and lectures throughout the year to both experienced and new Assistant District Attorneys. Presentations included: *Forgery and Forged Prescription Investigations*, *Electronic Surveillance Law Update*, *Developing a Gang Investigation*, *Prosecuting Gun Cases*, *Conspiracy Law and Practice*, *Discovery and Ethical Obligations*, and *Drug Treatment as an Alternative to Incarceration*.

The training curriculum complies with the regulations and guidelines of the New York State Mandatory Continuing Legal Education program and all courses are open to prosecutors from the city's District Attorneys' Offices and other offices in the state. The office has been an accredited provider of the State's Continuing Legal Education Program since 2000.

For over a decade, SNP has devoted a portion of its resources to training programs offered to hundreds of local and federal enforcement and criminal justice personnel in New York and other areas of the country.



*Narcotics Chiefs from the five District Attorneys' Offices discuss citywide law enforcement strategies with SNP staff.*

During the year, senior staff lectured on narcotics investigations and prosecutions at the New York State District Attorney's Association Summer College, the New York Prosecutors Training Institute (NYPTI), New York Police Department's Police Academy, Organized Crime Control Division and Narcotics Division, and the High Intensity Drug Trafficking Area Task Force (HIDTA).



*Law students recognized by Bridget G. Brennan and Catherine A. Christian, Director of Legal Training, upon completion of summer internships.*

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# NYPD Special Narcotics Team

The New York City Police Department has assigned a team of detectives to the office from the Narcotics Division's Organized Crime Control Bureau since 1972. The Special Projects Unit, as it is known, is under the command of a senior lieutenant who serves as a liaison between both agencies. Within SNP, the team's detectives are assigned to either the Search Warrant Unit or the Technical Unit.

Expert at tracking, safekeeping and presentation of electronically recorded evidence, the detectives also provide support on search warrant investigations and maintain citywide repositories for electronically recorded evidence and SNP search warrants.

Beginning in 2009, the unit assumed the responsibility of tracking all seized illegal narcotics and marijuana shipped to New York City via the United States Postal Service and common carrier services such as UPS and FEDEX. In 2012, the NYPD seized 95 packages containing a total of nearly 2,150 pounds of marijuana, at least 11 kilograms

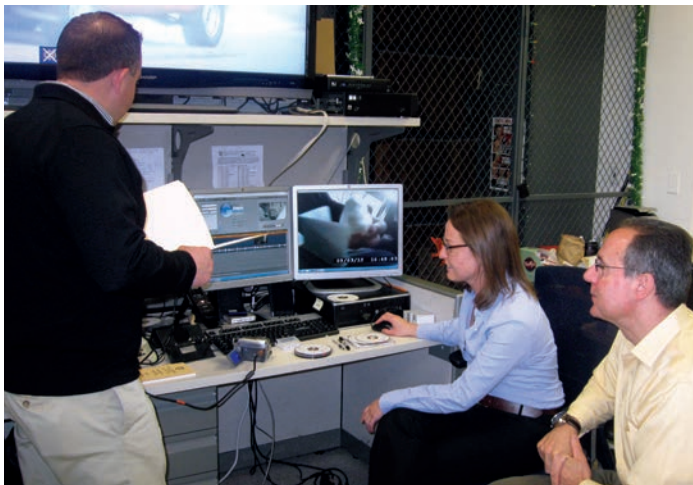
(24 lbs.) of cocaine and 30 kilograms (66 lbs.) of heroin, as well as quantities of ketamine. The tracking of this information is used for prosecutions and to assist common carriers in the prevention of the shipment of contraband.

## Search Warrant Unit

The Search Warrant Unit prepares search warrants and affidavits and expedites requests through the SNP. The detectives keep track of all confiscated evidence and maintain a database on arrests and seizures resulting from the execution of search warrants. The unit also educates new investigators on search warrants procedures. In 2012, the unit processed 1,040 search warrants.

## Technical Unit

The Technical Unit tracks and controls "chain of custody" for electronically recorded evidence and makes certain that all audio/video evidence is secure. The unit is responsible for the creation of grand jury/trial wiretap composite recordings and processes digital photographic evidence as well as data evidence.



*The NYPD Special Narcotics Team processes, secures and tracks electronically recorded evidence.*



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# Support Services Units

## Fiscal

All agency fiscal activities, including the production and submission of funding requests to federal, state and city funding agencies, as well as the monitoring of expenditures, fall under the responsibility of the Fiscal Unit. To that end, the unit assesses and approves purchases and payment vouchers, disbursement of funds, such as petty cash, and payroll coordination; enforces fiscal policy; conducts internal audits; and reviews and approves agency procurements.

## Personnel



*Human Resource professionals administer payroll and benefits for agency staff.*

The Personnel Unit oversees and implements procedures related to the assignment or transfer of Assistant District Attorneys from the offices of the five county District Attorneys and the recruitment of managerial, administrative and clerical personnel. Unit staff participates in planning, developing and executing employee programs and policies for all staff. The unit disseminates information on mandatory programs and policies for all city agencies and monitors implementation of procedures; provides facts on citywide policies and labor relations issues; and maintains time and leave records for all staff. The unit is responsible for the bi-weekly distribution of paychecks and serves as liaison with the citywide payroll management system.

## Public Information

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

## Community Outreach

The Community Outreach Coordinator meets with community and religious leaders, block associations, the New York City Housing Authority, and other groups to address local drug problems, while conferring regularly with NYPD officials to devise strategies to combat crime. Once an investigation is completed and a drug organization is removed from a building or neighborhood, resources are devoted toward providing community support services. Additionally, experienced prosecutors offer lectures to schools and youth groups on topics ranging from drug laws and gang activity to alternatives to incarceration.

## Information Technologies (IT)



*IT staff provide technical support and assist in gathering digital evidence for investigations.*

Information Technologies develops, establishes and administers SNP's computer and telecommunication systems. The unit identifies needs and puts in place systems that effectively merge technology with office

processes. IT also provides a variety of case-related services, including:

**Case Information:** captures and tracks data pertaining to all cases prosecuted by the office, from arrest to disposition. The section prepares regular reports and ad hoc reports on narcotics activities, trends, and statistical analyses. Unit staff is assigned to the Trial Division to coordinate data capture and provide additional support.

**Litigation Support:** provides pre-trial and in-court technology support, including exhibit preparation and presentation.

**Analyst Services:** prepares and processes subpoenas, analyzes phone records and provides background searches using public records and law enforcement specific databases.

**Records Management:** files, registers and maintains a record of closed and bench warranted case files and processes parole requests.

### Trial Preparation Assistants (TPAS)

Trial Preparation Assistants (TPAs) are assigned to the Investigations Division, the Trial Division, Part N, and the Alternative Sentencing Division. Investigations and Trial Division TPAs track cases, maintain case records, and gather reports and legal papers required by Assistant District Attorneys. Additionally, they make arrangements for prisoners 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 actions and case dispositions that take place in the Part.

### Extraditions/Detainers

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



*Grand jury reporters transcribe and preserve confidential testimony in grand jury proceedings.*

Grand Jury Reporters record, produce and maintain transcripts of confidential testimony presented before the grand juries.

### Interpretation and Translation Services

The unit interprets and translates for non-English speaking witnesses in debriefings 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 provides translation of foreign language documents.

### Operations

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



*The Operations Unit keeps the office running smoothly.*

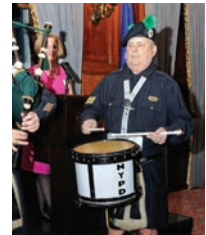


# The People of SNP



## 40th Anniversary

The Office of the Special Narcotics Prosecutor for the City of New York celebrated its 40th Anniversary at the Harmonie Club in Manhattan. Joining Bridget G. Brennan at the event was Daniel M. Donovan, Jr., Richmond County District Attorney and a former Special Narcotics Deputy Bureau Chief.





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# Executive & Legal Staff

**Bridget G. Brennan**  
Special Narcotics Prosecutor

**Steven M. Goldstein**  
Chief Assistant District Attorney

**Kristine Hamann**  
Executive Assistant  
District Attorney

**Joseph J. Tesoriero**  
Executive Assistant  
District Attorney  
Chief of Investigations

**Lisa DePasquale**  
Chief of the Trial Division  
Bureau Chief, 40/50

**Thomas G. Van Noy**  
Deputy Administrative Assistant  
District Attorney

**Catherine A. Christian**  
Counsel for the Trial Division  
Chief of Alternative Sentencing

**Meggan K. Dodd**  
Counsel to the Special Narcotics  
Prosecutor

**Peter M. Kougasian**  
Special Assistant

**Rhonda Ferdinand**  
Special Assistant District Attorney  
for Drug Prevention and Policy

**Nicholas Mauro**  
Bureau Chief, 30/60

**Jodie E. Kane**  
Chief, Special Investigations Bureau

**Susan N. Lanzatella**  
Co-Chief, Narcotics Gang Unit

**Edward Burns**  
Deputy Bureau Chief, 30/60

**Susan Krischel**  
Co-Chief, Special Investigations Bureau

**Nigel I. Farinha**  
Co-Chief, Narcotics Gang Unit

**Paul H. Harvey**  
Deputy Bureau Chief, 40/50

**Bernice Ordonez**  
Deputy Bureau Chief,  
Special Investigations Bureau

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Money Laundering and  
Financial Crimes Coordinator

**Steven R. Miller**  
Deputy Bureau Chief, 40/50

**Lisa M. Tompkins**  
Deputy Bureau Chief,  
Special Investigations Bureau

**Marcel J. Philippe**  
Chief, Forfeiture Unit

**Leon Schwartzman**  
Chief Investigator

**Ryan Sakacs**  
Chief, Prescription Drug Investigation Unit

**Kati Cornell**  
Public Information Director

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Rhonda Ferdinand  
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Oren Gleich  
Steven M. Goldstein  
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Nowles Heinrich  
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Alona Katz  
Bradley King  
Peter M. Kougasian  
Eryck Kratville  
Susan Krischel  
Susan N. Lanzatella  
David Lauscher  
Jeffrey Linehan  
Catherine Lloyd  
Michael Lui  
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Patrick Scruggs  
Bryan Serino  
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Jonathan Shih  
Daniel Shin  
Kathryn Spota  
H. Adeniyi Taiwo  
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Andres Torres  
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Justin K. Wechsler

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Jonathan Ruti  
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Grace Jean  
Anju Malhotra  
Steven R. Miller  
Kelli Muse  
Ari M. Rottenberg

## QUEENS COUNTY

Paul H. Harvey

## RICHMOND COUNTY

Ryan Sakacs  
Alexander Shapiro

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# Managerial & Support Staff

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*Supervisor*

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Carol Bach  
Dana Cogliano  
Bonnie Greenstein  
Rivka Kaplan  
Nancy McEnroe  
Mireille Monestime  
Reva Palmer

### Interpretation and Translation Services

Rosa Ruales

### Operations

Alberto Laguer  
Albert Nichols

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Hysa Moultrie-Miller  
David Rosenberg

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*Director*  
Jenny Lai  
Ewelina Malysza  
Krisna Ramkhelawan

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SCO George Vassall

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*Chief Investigator*

## PERSONNEL

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*Director*  
Darlene Cole-Jeffrey  
Sylvia Fernandez  
Craig Jelen  
Diane Johnson  
Lisa Thomas

## PUBLIC INFORMATION

Kati Cornell  
*Director*

## COMMUNITY OUTREACH

Calvin Solomon  
*Coordinator*

## INFORMATION TECHNOLOGY

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Chanyute Oottamakorn  
*Deputy Director*

## Management Information Systems

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Regina Mavasheva  
Edward Montes  
Jocelyn Pilotin-Lazar  
Pilar Quinones  
Harry Reyes  
Victor Rodriguez  
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Debra Danielson  
Karen Johnson  
Renee Williams

## NYPD TEAM

Lt. Alfred Vitale  
Det. Christopher R. Henderson  
Det. Karyn Keenan  
Det. Eli Slavkin

## INVESTIGATIONS DIVISION

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*Support Administrator, Supervising TPA*  
Linda O'Leary  
*Supervising TPA*  
Cindy Cintron  
Demond Cook  
Jonathan Courtney  
Irina Diaz  
Diana Valentin

### Investigative Analysts

Christian Bermudez  
Luisa Boireau  
Caitlin Brown  
Mariella Chilmaza  
Siobhan Fisher  
Stefani Miotto

### Forfeiture Investigations Unit

John Polizzotto  
*Coordinator*

### Prescription Drug Investigation Unit

William Reeves  
*Investigative Analyst*

### Narcotics Gang Unit

Christopher Torres

### Investigators Unit Support

Belinda McNeill

## ALTERNATIVE SENTENCING DIVISION SUPPORT

Berneatha Champagne

## TRIAL PREPARATION ASSISTANTS

### Alternative Sentencing Division

Rochelle Davis  
*Supervising TPA*  
Akua Akoto  
Tammy O'Hara  
Andrea Obregon

### Trial Division

*Bureau 30/60*  
Philip Lambert  
*Supervising TPA*  
Mireilly Meiss  
*Bureau 40/50*  
Michelle Myton  
*Supervising TPA*  
Maddalena Coppola  
Chanmattie Panlall

### Extraditions

Carla Jenkins  
*Coordinator*

### Part N

Desiree Creary

