

2021

ANNUAL REPORT



FROM THE OFFICE OF
ORANGE COUNTY DISTRICT ATTORNEY
DAVID M. HOOVLER

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MESSAGE FROM DISTRICT ATTORNEY DAVID M. HOOVLER



District Attorney Hoovler receiving Prosecutor of the Year Award at Statewide District Attorney's Conference on June 26, 2021.

In 2021 the Orange County District Attorney's Office (OCDA) again commenced trying cases in front of juries, even as the challenges of the COVID-19 pandemic continued. Assistant District Attorneys were confronted with new challenges, such as conducting proceedings while everyone in the courtroom, including defendants who had to be identified by witnesses, were fully masked. Together with court staffs, we worked out procedures to ensure that proceedings were conducted in a manner which did not endanger anyone's health. Litigating cases is always challenging. Working within the new COVID protocols only added to the inherent difficulties which prosecutors must anticipate and overcome at trial. I am proud to report that since September 2021, when we began again trying felony cases, we were able to obtain top-count convictions on each of the three felony cases that we tried in 2021. These included a murder case, a felony

domestic violence case, and a narcotics case. Our Office's immediate goal is to clear the backlog of cases occasioned by the COVID-19 pandemic, and its associated court closures, and continue our Office's successes by focusing on reducing gun and narcotics crimes while continuing to promote public safety collaborations with local law enforcement partners and community groups.

On June 26, 2021, I was honored to receive a 2021 New York Prosecutors Training Institute (NYPTI) Prosecutor of the Year Award. NYPTI was created by the District Attorneys Association State of New York, (DAASNY), itself an organization of New York State prosecutors founded in 1909. I was deeply honored to receive this award from my fellow prosecutors. The award was a testament to the hard work and dedication of my staff. I am proud of the work done by my Office, and prosecutors throughout the state as they adjusted to new criminal procedure laws, even as they were forced to react to the COVID-19 pandemic.

As is outlined in this report, notwithstanding the pandemic, in 2021 we continued to prosecute murder cases, other violent crimes, domestic violence cases, arson cases, crimes related to driving while intoxicated, and formulated plans to combat gun violence, particularly within the City of Newburgh, even without access to previously available funds.

One of the most important accomplishments of the Office was to continue to our emphasis on prosecuting narcotics dealers during the pandemic. The opioid crisis continued in New York State and Orange County. Fatal overdose numbers remained appallingly high in 2021. My office follows the same investigative protocols in overdose fatalities as we do in homicides. While we continue to advocate for treatment courts for some offenders with addiction issues, higher level dealers

must be incarcerated if we are going to rein in the devastation that these lethal substances continue to cause in our communities.

In addition to merely prosecuting narcotics offenders, my Office has worked to educate the public and dissuade younger residents from getting involved with narcotics. Assistant District Attorneys have spoken at school events about the dangers of fentanyl and other drugs. We continue to use public service announcements, appropriately paid for from monies forfeited from drug dealers, to alert the public about just how lethal those substances can be. We continued our commitment to using drug treatment courts for appropriate offenders. One of the consequences of the new bail laws is that, since most of our drug treatment interventions are centralized in the jail, it has become harder to get offenders into the drug treatment programs that so many of them desperately need.



District Attorney Hoovler being administered the oath of office by Orange County Clerk Kelly Eskew, as he commences his third four-year term as District Attorney.

The “bail reform” statutes enacted in the last couple of years have undoubtedly made it easier for some offenders to continue to commit crimes even after they have been arrested, and my Office has continued to do everything we can do within the law to ensure that offenders are held accountable for their actions. In 2021, this included us trying a defendant who had failed to come back to court *in absentia*, that is, without the defendant being present at the trial. In addition to this defendant being convicted of the top count of Criminal Possession of a Weapon in the Second Degree, we also obtained an Indictment charging him with Bail Jumping for failing to return to court.

In 2022, as I commenced my third four-year term as Orange County’s District Attorney, I look forward to building on our successes and aggressively litigating the cases that the pandemic made it impossible for us to try in 2021. We will also do all in our power to keep Orange County safe from repeat offenders who remain on our streets due to recent changes in the law.

Thank you for allowing me the privilege of being Orange County’s District Attorney.

DAVID M. HOOVLER

VIOLENT CRIMES

Although the COVID-19 outbreak prevented felony trials from occurring prior to September 2021, throughout the year the OCDA continued to aid in the investigation of, and prosecuted, violent felony offenses, including homicides. Although most violent crimes are assigned to Assistant District Attorneys within the felony bureau structure, our most-experienced Assistant District Attorneys are assigned on a rotating "homicide call" schedule, generally for a week at a time, and aid the police in the investigation of homicides and other major crimes that occur while they are on call. Those Assistant District Attorneys handle the cases that result from investigations that they assisted on through all phases of litigation.



Senior Assistant District Attorney Matthew Healy wearing Personal Protective Equipment in County Court.

Protecting victims and witnesses from harm has become even more important after recent laws increased the amount of discovery material that must be provided to defendants, including information about how to contact victims and witnesses. Where possible and appropriate, the Office makes applications for protective orders to shield sensitive witness information from violent offenders. In 2021, the Office handled many significant violent crime cases, some of which are mentioned below.

One of the foundations of our criminal justice system is the presumption of innocence. A criminal charge is merely an allegation that a defendant has committed a violation of the criminal law, and it is not evidence of guilt. All defendants, including the ones referenced in this report, are presumed innocent and entitled to a fair trial, during which it will be the State of New York's burden to prove guilt beyond a reasonable doubt.

Significant Violent Crimes Cases

People v. Luis Rondon - On December 15, 2021, Luis Rondon, 50, of New Windsor, was sentenced to twenty-five years to life in state prison in connection with the October 2019, bludgeoning death of a woman inside her South Gate Village apartment, in New Windsor. On October 7, 2021, Rondon was convicted by a jury in Orange County Court of Murder in the Second Degree and Criminal Possession of a Weapon in the Fourth Degree. Rondon was a peace officer and sergeant with the Triborough Bridge and Tunnel Authority at the time of the murder. The sentence of twenty-five years to life is the highest authorized sentence under the law for Murder in the Second Degree. At the trial, prosecutors argued that Rondon had killed the victim by striking her repeatedly on the head with a recently purchased framing hammer, and then flew to California. Prosecutors argued that Rondon's motive for killing the victim was that she had threatened to tell his wife about their relationship and that he feared losing his wife, his house and his pension from Triborough Bridge and Tunnel Authority. Executive Assistant District Attorney Michael Milza and Assistant District Attorney Alexis Gregory prosecuted the case.

People v. Leticia Bravo and Arturo Caucaus - On Friday, October 8, 2021, Leticia Bravo, 39, of Newburgh, was arraigned in Orange County Court on an Indictment charging her with crimes including Murder in the Second Degree, in connection with the starvation death of a seven-year-old boy, Peter Cuacuas, who prosecutors alleged she kept secreted inside of her City of Newburgh Apartment, while he starved to death. On February 10, 2021, Bravo brought Peter Cuacuas' lifeless body to St. Luke's Hospital in Newburgh. He was pronounced dead shortly thereafter. An investigation conducted by the City of Newburgh Police Department, aided by the New York State Police and the Orange County District Attorney's Office, revealed that during the school year that commenced in September of 2020, Bravo became the primary caretaker of Peter Cuacuas. Bravo



District Attorney Hoovler and Chief Trial Assistant District Attorney Richard Moran listening to City of Newburgh Police Commissioner Jose A. Gomez announce charges in child's starvation death.

is believed to be the girlfriend of Peter Cuacuas' father, Arturo Cuacuas. An autopsy conducted by the Orange County Medical Examiner concluded that that Peter, who weighed just 37 pounds, had died because of malnutrition. It is alleged that Bravo kept Peter locked and secreted in a bedroom behind a door that locked from the outside. Since January of 2021, Peter never logged on for virtual schooling, despite numerous conversations between Bravo and Peter's teachers and other school representatives. Arturo Caucaus was charged on October 7, 2021, with Criminally Negligent Homicide for his role in Peter's death, and on February 4, 2022, pled guilty to that charge pursuant to an agreement that he will serve the maximum legally permissible state prison sentence, and will cooperate and testify in the case against Leticia Bravo. On March 16, 2022,

Bravo pled guilty to Manslaughter in the First Degree. At her sentencing, scheduled for June 21, 2022, OCDA will recommend she be sentenced to 15 years in state prison followed by five years of post-release supervision. The case is being prosecuted by Chief Trial Assistant District Attorney Richard Moran and Assistant District Attorney Alexis Gregory.

People v. Joshua Williams - On June 10, 2021, Joshua Williams, 31, of Newburgh, was indicted by an Orange County Grand Jury for crimes including Murder in the Second Degree, in connection with the fatal shooting of a man on Liberty Street in the City of Newburgh on September 19, 2020. The indictment charged Williams with Murder in the Second Degree, Manslaughter in the First Degree, three counts of Criminal Possession of a Weapon in the Second and Third Degree, and Reckless Endangerment in the First Degree. The indictment alleged that Williams intentionally caused the death of a man by shooting him using a loaded firearm. Witnesses reported that the man had been threatening Williams with a gun before he was shot. The charges were filed after an eight-month long investigation conducted by the City of Newburgh Police Department, who were assisted by the New York State Police, Troop F, Major Crimes Unit; the Town of Newburgh Police Department; the Town of New Windsor Police Department; and the Village of Walden Police Department. On March 28, 2022, Williams was pleaded guilty to Criminal Possession of a Weapon in the Second Degree. The District Attorney's Office will be recommending that Williams be sentenced to ten years in state prison and five years post-release supervision. The case is being

prosecuted by Chief Trial Assistant District Attorney Richard Moran and Assistant District Attorney Matthew Bennett.

People v. Jamaad Murphy - On December 20, 2021, Jamaad Murphy, age 28, of Wallkill, was sentenced in connection with his conviction for Murder in the Second Degree, arising from his having fatally shot a man outside of a Town of Wallkill nightclub. Murphy was sentenced to an indeterminate prison term of twenty years to life. When he pled guilty, Murphy admitted that on November 3, 2019, at approximately 2:15 AM, he fatally shot a man outside of the Made in Puerto Rico Latin Cuisine and Sports Bar, located at 505 Schutt Road Extension, in the Town of Wallkill. Following the crime, Murphy was the subject of a fourteen-month multi-state manhunt, before he was arrested in Rockland County in January 2021. The case was prosecuted by Senior Assistant District Attorney Ryan Greenbaum and Assistant District Attorney Nicholas Mangold.

People v. Ryan Veloce - On December 17, 2021, an Orange County Grand Jury charged Ryan Veloce, 32, of Montgomery, with crimes including Murder in the First Degree and Arson in the First Degree in connection with the death of a man who died of smoke inhalation after he had been rescued from a fire at his Montgomery residence in June 2021. It is alleged that after Veloce had slept overnight at the deceased victim's residence located on Barron Road, in the Town of Montgomery, from the evening of June 9, 2021, into the morning of June 10, 2021, he intentionally killed the victim by setting fire to the residence while the victim and two other occupants slept. It is alleged that Veloce set fire to the house by igniting a flammable liquid that Veloce had poured on the floor of the bedroom where he had been sleeping. It is also alleged that Veloce left the house after setting it on fire, knowing that three people were still sleeping in the house, unaware of the fire. The case is being prosecuted by Chief Assistant District Attorney Christopher P. Borek and Assistant District Attorney Michael Roche.

People v. Matthew Mercado – On December 21, 2021, hearings were held in the case against Matthew Mercado, 37, of Newburgh, who was arraigned on November 6, 2020, on charges including Murder in the Second Degree, in connection with the death of 36-year old woman who was last seen on November 3, 2019, at the Windsor Motel in New Windsor. The case marks only the second time in Orange County history where a defendant was indicted for murder without the body of the victim having been recovered. Mercado was also indicted on charges including Burglary in the Second Degree for breaking into a room at the same motel on November 3, 2019 and stealing two bags from the three young woman who had been sleeping in the room at the time. The grand jury indicted Mercado for Murder in the Second Degree for intentionally killing Jessica Lopez in Room 33 of the motel as Ms. Lopez was attempting to leave the motel at approximately 5:00 AM on November 3, 2019. The grand jury also indicted Mercado for a separate count of Murder in the Second Degree for having killed Ms. Lopez during the commission of a robbery and the kidnapping of her. The case is being prosecuted by Chief Assistant District Attorney Christopher P. Borek and Senior Assistant District Attorney Jeanine Kovacs.



District Attorney Hoovler with New Windsor Police at press conference announcing indictment against Matthew Mercado.

People v. Williams, Williams and Wakely - On October 19, 2021, Dominique Williams, 25, of Newburgh, pled guilty to Manslaughter in the First Degree for the November 3, 2018 slaying of a Newburgh man at the corner of Liberty and Clinton Streets in the City of Newburgh. Dominique Williams' twin brother, Devin Williams, 25, and Antwan Wakely, 29, who were charged in the same indictment, each pled guilty to felony charges of Conspiracy in the Fourth Degree and



District Attorney Hoovler at a community event in the City of Newburgh with a representative of the anti-gun violence community group SNUG ("guns" spelled backwards).

admitted engaging in a conspiracy to commit robberies and share and possess firearms in the City of Newburgh. On November 1, 2018, the City of Newburgh Police Department responded to reports of a shot fired on Liberty Street. During the investigation of that incident, police and Orange County District Attorney's Office investigators recovered digital video evidence showing what appeared to be a robbery at that location. Dominique Williams, Devin Williams, and Antwan Wakely were subsequently charged by an Orange County Grand Jury with being complicit in that robbery. On November 3, 2018, Dominique Williams, and another man who had accompanied Dominique Williams, Devin Williams and Antwan Wakely at the time of the November 1, 2018 incident, walked to the intersection of Clinton and Liberty Street and confronted a man to rob him. During the confrontation unknown persons began firing at least two handguns in the general area of the alleged robbery. Dominique Williams then fired a .32 caliber Walther semiautomatic handgun, fatally striking the robbery victim in the head. When Dominique Williams, and the man who had been with him at the November 1, 2018 incident on Liberty Street ran away, they were both shot. Dominique Williams was shot in the arm and the other man died. On December 21, 2021, Dominique Williams was sentenced to 11 years in state prison and five years post-release supervision. The other two defendants were also sentenced to state prison. The case was prosecuted by Chief Assistant District Attorney Christopher P. Borek and Senior Assistant District Attorney Matthew Healy.

People v. Hector Luna (and Eric Rivera) - On Monday, May 24, 2021, Hector Luna, Jr., 27, of Wallkill, was arraigned on an indictment charging him with Attempted Murder in the Second Degree, Assault in the First Degree and Criminal Possession Weapon in the Second Degree. It is alleged that Luna shot a man outside of the You-You Asian Restaurant and Bar, located at 465 Route 211, in the Town of Wallkill on April 14, 2021, at approximately 9:15 PM. The victim of the shooting had been dining in the restaurant just prior to the shooting. Emergency medical personnel and the Town of Wallkill Police Department responded to the location. The injured man was transported to the hospital for treatment. Luna was taken into custody at the Hampton Inn hotel located in Pike County, Pennsylvania, and waived extradition to face the charges in New York. Luna faces 25 years in prison on the charge of Attempted Murder in the Second Degree. On October 25, 2021, Eric Rivera, Age 30, of Middletown, who had been in the restaurant with Luna and was an eyewitness in the shooting, pled guilty to the felony of Perjury in the First Degree, in connection with the grand jury's investigation of Luna. At the time that he pled guilty,

Rivera admitted that he had lied in the grand jury when he testified that he had not seen Luna shoot the man outside of the restaurant. The cases against Luna and Rivera are being prosecuted by Senior Assistant District Attorney Kelle Grimmer.

People v. Robert Haskell, Timothy Smith, Courtney Clemenza, and Seth Pelsang – On June 4, 2021, Robert Haskell, 55, Timothy Smith, 37, both of Goshen, pled guilty to Manslaughter charges in connection with the December 18, 2019, death of a man beaten and bound on Kipp Road in the Town of Goshen. Haskell pled guilty to Manslaughter in the First Degree. Smith pled guilty to Manslaughter in the Second Degree. Two other defendants had previously admitted their involvement in the homicide. On September 4, 2020, Pelsang, 31, of Goshen, pled guilty to Manslaughter in the First Degree. On March 24, 2021, Courtney Clemenza 33, of Chester, pled guilty to Manslaughter in the Second Degree. During court appearances, prosecutors argued that on December 18, 2019, the deceased man went to the house where Haskell, Pelsang, and Smith lived, armed with a shotgun. After the man was disarmed by the residents and restrained, Haskell



Executive ADA Leah Canton, DA GVI Program Manager Isabel Rojas, ADA Darlene DeJesus and Attorney General James in Newburgh.

then beat him with a baseball bat. Prosecutors argued that all the defendants helped tie up the injured man. The man was placed inside Clemenza’s car and was driven to another area in the Village of Chester, where he was left on the side of the road, bound, and wounded. After about twenty minutes, a motorist noticed the motionless, bound man. He was transported to the hospital and pronounced dead. The case was prosecuted by Senior Assistant District Attorney Julie Mohl.

People v. Desean J. Owens – On December 7, 2021, hearings were conducted in County Court on the case against Desean J. Owens, 29, of the Bronx, who is charged with attempting to murder a City of Middletown police officer.

Owens is charged with Attempted Murder in the First Degree, Aggravated Assault Upon a Police Officer, Criminal Possession of a Weapon in the Second Degree, Reckless Endangerment in the First Degree, and Criminal Trespass in the First Degree. related to the August 29, 2020 shooting of a Middletown police officer. The indictment alleges that on August 29, 2020, on Myrtle Avenue in Middletown, Owens attempted to kill a Middletown police officer by shooting him with a 9mm pistol. The police officer was struck in the arm. The police officer shot back at Owens, wounding him. The charge of Reckless Endangerment in the First Degree pertains to allegations that Owens fired his pistol not only in the direction of the police officer, but also at civilians, including several children, who were in a car near where the officer was standing. The charge of Criminal Trespass in the First Degree pertains to allegations that Owens knowingly entered and remained unlawfully in a residence on Myrtle Avenue armed with the 9mm pistol and had refused several orders by the resident to leave the house. The maximum sentence for Attempted Murder in the First Degree is 40 years to life in prison. The case is being prosecuted by Chief Assistant District Attorney Christopher Borek and Assistant District Attorney Peter Fernandez.

People v. Tavares Stackhouse – On September 7, 2021, Tavares Stackhouse, 38, of the City of Newburgh, was sentenced in County Court to twenty-one years in state prison related to the

June 27, 2020 fatal stabbing of a man near the intersection of Route 9W and Washington Street, in the City of Newburgh. On June 29, 2021, Stackhouse had pled guilty to Manslaughter in the First Degree. Prosecutors argued that Stackhouse saw a man in an argument with two people who Stackhouse knew. After the man walked away from the argument, Stackhouse rode on a bicycle after the man. The man attempted to run away from Stackhouse, who caught him and stabbed him more than fifteen times. A passing motorist witnessed the attack, got out of her vehicle, and yelled at Stackhouse, who fled. Another passerby, who was a medical professional, tried to render medical aid to the victim, who later died of his injuries. The case was prosecuted by Chief Trial Assistant District Attorney Richard Moran.

People v. Luis Colon – On October 18, 2021, Luis Colon, 27, of Newark, pled guilty to Manslaughter in the Second Degree, in connection with a death that occurred on December 6, 2020, at approximately 1:34 AM, at the intersection of South Robinson Avenue and South Williams Street in the City of Newburgh. Colon admitted driving a van at a high rate of speed, ignoring lane markings and traffic devices, in an attempt to flee pursuing Town of Newburgh Police Officers, when he crashed the van, killing one of his passengers and injuring himself and a second passenger. On December 6, 2020, at approximately 1:20 a.m., Town of Newburgh police officers were dispatched to a call of a burglary in progress at “Big Boyz Toys,” a dealership on Route 9W in the Town of Newburgh, which sells ATVs, dirt bikes, and other motorsports vehicles. When police tried to block an Econoline van from leaving the parking lot of Big Boyz Toys, the van evaded the police, who pursued the vehicle into the City of Newburgh. It was alleged that Colon was driving the Econoline van at speeds that exceeded ninety miles per hour, and that Colon disobeyed traffic control devices, including a red traffic light at the intersection of South Robinson Avenue and South William Street in the City of Newburgh. While going through that intersection the van struck another vehicle, then struck several parked vehicles and a utility pole, causing Colon’s vehicle to roll. One occupant of the van died in the collision, and another was injured and transported to a hospital. During the course of the police chase on State Route 9W, a passenger in the van opened the back door of the van and threw stolen dirt bikes and other vehicles out of the van, in an apparent attempt to evade the pursuing police cars. On December 22, 2021, Colon was sentenced to 6 ½ to 13 years in state prison. The case was prosecuted by Assistant District Attorney Nicholas Mangold.



DA Hoovler speaking at a Law Enforcement Memorial Week event in May 2021.

People v. Ariana Sanchez – On December 14, 2021, Ariana Sanchez, 22, of Newburgh, pled guilty to Assault in the First Degree in connection with stabbing of a woman in the City of Newburgh. Sanchez admitted that on June 19, 2021, at approximately 1:45 PM, she repeatedly stabbed another woman multiple times, including in the chest, back and leg. The confrontation between Sanchez and the victim occurred in the vicinity of Lake Street, in the City of Newburgh. Following the attack, the victim was admitted to St. Luke’s hospital. The case was prosecuted by Assistant District Attorney Christine Maggiore.

People v. Lavelle Stackhouse and Joshua Hendrick - On December 7, 2021, Lavelle Stackhouse, 24, of Newburgh, was arraigned on an indictment charging him with crimes including Attempted Murder in the Second Degree. The indictment was in connection with a shooting of a man in the middle of the day on Williams Street, in the City of Newburgh, on September 8, 2021. The man that Stackhouse was shooting at, Joshua Hendrick, 21, of Newburgh, was arraigned on October 21, 2021, on an indictment charging him with crimes including Attempted Murder in the Second Degree. The indictments charge both Stackhouse and Hendrick with Attempted Murder in the Second Degree, Criminal Possession of a Weapon in the Second Degree, Criminal Possession of a Weapon in the Third Degree and Reckless Endangerment in the First Degree. Stackhouse was also charged with Assault in the Second Degree. It is alleged that Stackhouse approached Hendrick on the street, pulled out a firearm and fired at Hendrick, striking Hendrick in the torso and leg. Hendrick pulled out a firearm and returned fire at Stackhouse as Stackhouse ran down the street. Another individual was shot in the shoulder during this incident. The entire shooting was captured on video. Stackhouse fled the scene and was apprehended with the assistance of the United States Marshall Fugitive Taskforce. The City of Newburgh Police Department were assisted in the investigation by Orange County Sheriff's Office, New York State Police, the FBI Safe Streets Taskforce, United States Marshall Fugitive Taskforce, and the Orange County District Attorney's Office. Stackhouse is being prosecuted by Executive Assistant District Attorney Leah Canton. Hendrick is being prosecuted by Assistant District Attorney Nicholas Mangold.



DA Hoovler and a veteran at a 2021 Memorial Day Event.

People v. Miles Peterson - On December 15, 2021, Miles Peterson, 25, of Newburgh, pled guilty to Assault in the First Degree in connection with the stabbing of a woman on Travis Lane in the Town of Newburgh on June 21, 2021. At the time that he pled guilty, Peterson admitted to stabbing the woman on Travis Lane multiple times, causing the victim to suffer serious physical injuries. On March 16, 2022 Peterson was sentenced to nine years in state prison and five years post-release supervision when he was sentenced on February 8, 2022. The case was prosecuted by Executive Assistant District Attorney Michael Milza.



DA Hoovler speaking to 250 Orange County High School Football players.

People v. Mario Mateos – On June 21, 2021, Mario Mateos, age 22, of Middletown was sentenced to thirteen years in state prison and five years post-release supervision in connection with a September 21, 2020, Port Jervis shooting incident, which left two people wounded, one significantly. On April 15, 2021, Mateos pled guilty

to one count of Assault in the First Degree and one count of Attempted Assault in the First Degree. On September 21, 2020, Port Jervis police officers responded to the intersection of Barcelow Street and Seward Avenue in Port Jervis for a report of shots fired and victims suffering from gunshot wounds. Upon their arrival, officers learned that two sixteen-year-old boys were shot and wounded at that intersection. One victim suffered a serious gunshot wound to the lower back, requiring emergency surgery at Bon Secours Hospital. The other suffered a gunshot wound to the arm. An investigation conducted by members of the Port Jervis Police Department, with the assistance of the New York State Police, the Town of Deerpark Police, the Orange County District Attorney's Office, and the Hudson Valley Crime Analysis Center, resulted in Mateos's arrest. A search warrant later executed at Mateos's residence recovered a firearm from inside the residence. The District Attorney's Office had recommended that Mateos be sentenced to fifteen years in state prison. Senior Assistant District Attorney Ryan Greenbaum prosecuted the case.

People v. Chelsea Johnson - On March 29, 2021, Chelsea Johnson, 20, of Middletown, was sentenced to eighteen years in state prison, and three years post-release supervision, in connection with the fatal stabbing of a seventeen-year-old man outside of Johnson's Middletown residence. On November 16, 2020, Johnson pled guilty in Orange County Court to Manslaughter in the First Degree. The District Attorney's Office had recommended a sentence of twenty-two years in state prison. On January 21, 2020, the victim accompanied Johnson's former boyfriend to her residence on Orchard Street in Middletown, where they had gone to retrieve some of the former boyfriend's belongings. Johnson got involved in an argument with the victim and with Johnson's former boyfriend. During the argument, Johnson stabbed the unarmed victim with a kitchen knife that she had placed in her pocket when she left the house to confront her former boyfriend and the victim. The victim died in the vicinity of the incident, of a single stab wound to the neck. Senior Assistant District Attorney David Byrne prosecuted of the case.

People v. Justina Ferguson – On November 24, 2021, Justina Ferguson, 46, of Middletown, pled guilty in Orange County Court to Assault in the Second Degree in connection with an assault on her former boyfriend and a woman in a Walkkill hotel room. Prosecutors alleged that on August 15, 2020, at about 1:00 a.m., the defendant, who was accompanied by others, tricked hotel staff into giving her room information and a key to the room where her former boyfriend was staying. An Orange County Grand Jury had charged Ferguson with assaulting her former boyfriend, as well as a woman who was sleeping in the room. At the time that Ferguson pled guilty, she admitted entering her former boyfriend's room and assaulting the woman with a weapon consisting of a knotted rope containing a weight. The assault was recorded by one of the individuals who had accompanied Ferguson to the room. The weapon, which is commonly called a "monkey-fist," is designed to be used as a flail. The woman suffered a serious headwound as a result of the attack. On February 17, 2022, Ferguson was sentenced to nine years in state prison and three years post-release supervision. Chief Assistant District Attorney Richard Moran prosecuted the case.

People v. Tishawn C. Woods - On April 9, 2021, Audrey Strauss, the United States Attorney for the Southern District of New York, David M. Hoovler, Orange County District Attorney, and William F. Sweeney Jr., Assistant Director-in-Charge, New York Division, Federal Bureau of Investigation ("FBI"), announced that Tishawn C. Woods, 20, of Newburgh, was arrested for his participation in a string of armed home invasion and gas station robberies in and around Newburgh, New York. Woods was apprehended in Orange, New Jersey and is being prosecuted in Federal court. At the time U.S. Attorney Audrey Strauss said, "As alleged, Tishawn Woods and

an accomplice committed a series of robberies during which they discharged firearms, shooting and seriously wounding one of their victims. We thank the FBI and the Orange County District Attorney's Office for their efforts to bring Woods to justice and keep the public safe." District Attorney David M. Hoovler noted that, "It takes the combined cooperative efforts of different law enforcement officials to stop organized violent criminal activity, particularly where it crosses over into different jurisdictions. I am grateful for the cooperation and work of the City of Newburgh Police Department, the Town of Newburgh Police Department, the Town of New Windsor Police Department, and the FBI's Safe Streets Task Force in this case. I am proud of the work of my office's investigators and assistant district attorneys in this matter, particularly in obtaining some of the video evidence. Very often digital recordings possessed by private citizens provide crucial evidence in solving violent crimes, which is why in 2016 we created the Video Camera Community Partnership Program. I thank United States Attorney Audrey Strauss for the professionalism, diligence, and courtesy shown by her staff and look forward to working with the United States Attorney's Office of the Southern District of New York on this and other matters." Ms. Strauss praised the outstanding work of the FBI, the Orange County District Attorney's Office, the Orange County Crime Analysis Center, the City of Newburgh Police Department, the Town of Newburgh Police Department, and the Town of New Windsor Police Department.

BURGLARY CASES

Prosecuting residential burglaries remains one of the top priorities of the District Attorney's Office. Violence committed by breaking into one's home is every homeowner's nightmare and acts of violence like those deserve a strong commitment from law enforcement. DNA technology has evolved to the point where we can often solve burglary cases based on some bit of biological material that a perpetrator left behind at the crime scene. Technology, coupled with good police work backing it up, can bring many perpetrators to justice, and can bring relief to many victims and many communities. Some of the burglary cases prosecuted by the OCDA in 2021 included:

People v. Oscar Castillo – On July 7, 2021, District Attorney David M. Hoovler and Village of Washingtonville Police Chief Brian Zaccaro, announced the arrest of Oscar Castillo, age 33, of Monroe, in connection with a November 18, 2017, home invasion. Before being arrested, Castillo had been indicted by an Orange County grand jury and had been charged two counts of Burglary in the First Degree and one count of Assault in the Third Degree. Castillo was arraigned on July 2, 2021 and was ordered to be held in Orange County Jail in lieu of bail. On November 18, 2017, at about 8:00 p.m., two men forced entry into the rear door of a home on Cardinal Drive in the Village of Washingtonville. The homeowner confronted the perpetrators inside his home, and told police that they wore masks, carried a shotgun, and yelled "FBI" to him. The homeowner got into a physical altercation with the perpetrators and was injured during the burglary. Washingtonville Police processed the crime



DA Hoovler, Senior ADA Matthew Healy and County Clerk Kelly Eskew at a National Night Out event.

scene and collected evidence, which was submitted to the New York State Police Forensic Investigation Center for analysis. DNA found on some of that evidence was then entered into the Combined DNA Index System, where it was matched to Castillo, who had previously been required to submit a DNA sample to the New York State DNA Databank. Washingtonville Police arrested Castillo on Friday, July 2, 2021, in Westchester County, with the assistance of New York State Parole. On January 5, 2022, Castillo pled guilty to Burglary in the First Degree. The case is being prosecuted by Assistant District Attorney Christine Maggiore.

People v. Jamel McCaskill - On April 20, 2021, Orange County District Attorney David M. Hoovler and Washingtonville Police Chief Brian Zaccaro announced that Jamel McCaskill, 44, of New York City, was charged in connection with a January 30, 2021, Washingtonville home invasion and stabbing incident. An Orange County Grand Jury had charged McCaskill with crimes including Burglary in the First Degree and Assault in the Second Degree. It is alleged that, on January 30, 2021, Jamel McCaskill, of New York City, unlawfully entered a residence in the Village occupied by a former girlfriend and used a large kitchen knife to stab an individual inside the residence. McCaskill fled the scene and was at large. McCaskill was arrested on April 16, 2021, in Hasbrouck Heights, New Jersey, on charges of aggravated assault on a police officer and weapons charges, for an unrelated incident. Extradition proceedings were commenced by the District Attorney's Office and McCaskill was returned to Orange County to answer the charges in the indictment. The Orange County District Attorney's Office, the Orange County Sheriff's Office, the New York City Police Department, and the United States Marshalls Office Fugitive Task Force assisted the Village of Washingtonville Police in their search for the defendant. "Every member of our community deserves to feel safe in their homes," said District Attorney Hoovler, "and those individuals alleged to be responsible for violent crimes inside of people's homes deserve to be held responsible and punished. My Office will see to it that those responsible for violent crimes are brought to justice, so that they can receive the appropriate punishment, and so that victims of those crimes can obtain closure." The case is being prosecuted by Senior Assistant District Attorney Ryan Greenbaum and Assistant District Attorney Darlene DeJesus-Rosenwasser.

ARSON CASES

In 2021 the Office handled a larger number of significant arson cases than in previous years. The motives for these intentionally set fires varied. In *People v. Ryan Veloce*, which is discussed above, it is alleged that the defendant set the fire to kill a resident. In other cases, such as in *People v. Nicholas Fontaine and Emmanuel Watson*, the motive was tied to revenge against past intimate partners. Arson places not only its intended victims at risk, but also those who occupy nearby residences, as well as the brave first responders who regularly risk their lives to protect our lives and property. In *People v. Larry Hickmon*, the intentionally set fire caused numerous people to lose their residences. In *People v. Zef Gjurashaj and Marina Gjurashaj* the motive is alleged to involve obtaining



Sheriff Carl DuBois, County Clerk Kelly Eskew and DA Hoovler with firefighters at the 9-11 FDNY Ceremony.

insurance money. District Attorney Hoovler, who had previously been honored as "Arson Prosecutor of the Year" has emphasized placing increased resources in arson investigations since 2014, when he first took office. This commitment included not only enhanced training for staff but expending monies to make sure that police agencies have access to canines to detect accelerants commonly used in arsons. In both the *Veloce* and *Gjurashaj* cases the defendants were charged with Arson in the First Degree, which is one of the more rarely charged crimes in this state due to the complexity of proof and other legal issues. These are some of the arson cases the Office handled in 2021:

People v. Nicholas Fontaine and Emmanuel Watson - On October 26, 2021, Nicholas Fontaine, 23, of Monroe pled guilty in Orange County Court to Arson in the Second Degree, in connection with a house-fire which occurred in the early morning hours of May 5, 2021, on Juniper Drive, in Monroe. The defendant's former girlfriend and her family were in the house at the time the fire erupted, damaging the outside of the residence and destroying a car in the driveway of the residence. On January 24, 2022, Fontaine was sentenced to nine years in state prison and five years post-release supervision. Prosecutors had argued that at about 1:40 AM on May 5, 2021, Fontaine and another had repeatedly poured gasoline over a 2018 Hyundai Elantra automobile belonging to Fontaine's former girlfriend which was parked next to her residence. Ring camera recordings showed the car being set ablaze and the fire quickly spreading to the siding of the residence, which became engulfed in flames. Fontaine admitted that he had reason to believe that the residence was occupied at the time the fire was started. Fortunately no one was injured in the incident. On October 28, 2021, Emanuel Watson, 24, of Monroe, admitted acting in concert with Fontaine in setting the fire. On December 14, 2021, Watson was sentenced to five years in state prison, and five years post-release supervision, in connection with his actions in helping Fontaine set the fire. The case was prosecuted by Assistant District Attorney Tanja Beemer.

People v. Larry Hickmon - On June 11, 2021, Larry Hickmon, 30, of Middletown, appeared in County Court after being indicted by an Orange County Grand Jury on charges including Arson in the Second Degree in connection with a fire at an apartment complex located on Concord Lane in Middletown, on May 17, 2021. On January 27, 2022, Hickmon pled guilty to Arson in the Second Degree. It was alleged that on May 17, 2021, Hickmon assaulted his girlfriend inside their apartment at an apartment complex on Concord Lane, in the City of Middletown. After the woman fled from the apartment, Hickmon started a fire in the apartment, knowing that there were other residents in the apartment complex, including a number of children. No one was injured as a result of the fire, however multiple families had their residences destroyed. At the time that he pled guilty, Hickmon admitted setting the fire, and knowing at the time that he set the fire that there were other residents were in the apartment complex. On March 24, 2022, Hickmon was sentenced to 18 years in state prison. The case was prosecuted by Executive Assistant District Attorney Michael Milza.

People v. Zef Gjurashaj and Marina Gjurashaj – On December 8, 2021, Zef Gjurashaj, 59, of Newburgh, and his nephew’s wife, Marina Gjurashaj, 37, of Yonkers, were indicted by the Orange County Grand Jury and charged with crimes including Arson in the First Degree, Conspiracy in the Second Degree, Insurance Fraud in the Second Degree, Tax Fraud in the Fifth Degree and related offenses. The indictment alleges that the defendants conspired with each other to intentionally burn down the Andiamo’s Restaurant, which was located at 5025 Route 9W, in the Town of Newburgh, Orange County, New York in September of 2017. It is alleged that Zef Gjurashaj, who operated the restaurant business in the fall of 2017, knew that the business



Firefighters extinguishing fire alleged to have been intentionally set at the Andiamo’s Restaurant in the Town of Newburgh on September 6, 2017.

was in a steep financial decline and decided to burn the business for insurance purposes. Approximately three weeks before the fire, Zef Gjurashaj hired his niece, Marina Gjurashaj to work at Andiamo’s Restaurant. The investigation into the fire revealed that on September 6, 2017, Marina Gjurashaj intentionally set fire to the building for the financial benefit of her “uncle”. Thereafter, beginning in December 2017, Zef Gjurashaj presented to his insurance company a fraudulent Proof of Loss seeking payment for damage caused by the fire. In support of the fraudulent Proof of Loss, Zef Gjurashaj submitted further fraudulent documents to the insurance company through 2018. It is alleged that on two occasions in 2018, Zef Gjurashaj testified falsely during an Examination Under Oath (EUO) conducted by the insurance company regarding observations of the scene of the fire. The Town of Newburgh Police were assisted in the investigation of the fire by the Bureau of Alcohol, Tobacco, Firearms and Explosives, New York State Department of Financial Services, New York State Department of Taxation and Finance and the Orange County District Attorney’s Office. The defendants were arrested on November 27, 2021 and remain incarcerated in the Orange County Jail. Both defendants face 25 years to life in prison on the top charge of Arson in the First Degree. The case is being prosecuted by Special Counsel to the District Attorney Stewart Rosenwasser.

GUN CASES

Combatting gun violence, particularly in the City of Newburgh, remained one of the Office’s chief priorities in 2021. The success the Office had with our law enforcement partners implementing the Gun-Involved Violence Elimination (GIVE) initiative was recognized by the New York State Division of Criminal Justice Services, and our staff has been asked to train other law enforcement officials state-wide. The Office worked closely with the City of Newburgh Police Department, the New York State Police, the Orange County Sheriff’s Office, the FBI’s Safe Streets Taskforce and ATF in their “Precision Policing” initiative to get illegal handguns off the streets.

On January 12, 2021, District Attorney Hoovler, Newburgh Mayor Torrance Harvey, and then City



Lt. Burns, Jonathon Jacobson, District Attorney Hoovler, and DA Criminal Investigator Micheal Grasso at a June 2021, City of Newburgh "Gun Buy Back" event.

of Newburgh Police Chief Arnold Amthor, held a press conference to discuss gun violence in the City of Newburgh, as well as initiatives to address that violence. Also attending the event were Brian DiGirolamo, Resident Agent in Charge for the Hudson Valley Field Office of the United States Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF); Newburgh City Manager Joseph Donat; Charles Quinn, Chief Executive Officer, and Michelle McKeon, Chief Operating Officer, from the Regional Economic Community Action Program (RECAP). In recent years, progress has been made in reducing the amount of gun violence in the City of Newburgh. Data released on January 8, 2021, by the New York State Division of Criminal Justice Services (DCJS) compared rates of gun violence between 2019 and 2020 in the twenty jurisdictions in New York State, including Newburgh, that

account for the most gun violence outside New York City. In those jurisdictions, in total, the number of shooting victims and the number of shooting homicides both skyrocketed 82% between 2019 and 2020. In the City of Newburgh, however, over that same period, the number of shooting victims decreased 13%, and the number of shooting homicides declined 66%. That progress has been attributed, in part, to various initiatives, including: The Gun-Involved Violence Elimination initiative, funded by DCJS, which uses several strategies to address violence in the City of Newburgh; a Non-Fatal Shootings initiative, which was initially funded by DCJS, which provided enhanced resources to investigate non-fatal shootings with uncooperative victims, and which resulted in a 26% increase in the number of non-fatal shootings solved. (Although funding for that program has run out, the City has formed the Multi-Agency Strategic Response Team to replace the function with local resources.)

The District Attorney has joined the New York State Police and City of Newburgh Police Department in sponsoring gun buy-back programs. In the past, gun buy-back programs have been effective in removing some firearms from circulation. These are some of the gun possession cases that the Office handled in 2021:

People v. Kaeshawn Kerr - On September 15, 2021, a trial jury in Orange County Court found Kaeshawn Kerr, 27, of Brooklyn, guilty of Criminal Possession of a Weapon in the Second Degree and Criminal Possession of a Forged Instrument in the Second Degree. Kerr had been at liberty after posting bail, failed to appear in court as directed, and was not present in court at any time during the trial. New York State law allows courts to try and sentence defendants "in absentia" if they voluntarily and willfully refuse to come to court. During the trial prosecutors argued that on January 1, 2021, Kerr had been driving a car on Harriman Drive, in the Town of Goshen, when he was stopped by a New York State Trooper for speeding. After giving the Trooper a false name, Kerr fled in the vehicle to a Lowe's home improvement store in Chester. Troopers waited outside of the store and when Kerr emerged they called to Kerr, who attempted to flee on foot. During the chase Kerr threw away a loaded 9 mm Smith and Wesson semi-automatic handgun and a

forged Connecticut driver's license on his person in the name of "Dennis Charette". Kerr was arrested again on January 11, 2022, by an Orange County Sheriff's Investigator assigned to the United States Marshal's Service Fugitive Task Force. In addition to the weapons and forged instrument charges, Kerr was charged by an Orange County Grand Jury in a separate indictment with Bail Jumping in the Second Degree. On March 3, 2022, Kerr was sentenced to twelve years in state prison and five years post-release supervision for the case that went to trial in his absence. Kerr faces an additional two to four years in state prison on the Bail Jumping charge. The case was prosecuted by Assistant District Attorney Nicholas Mangold.

People v. Aaron Stone - On July 21, 2021, Aaron Stone, 34, of Middletown, pled guilty in Orange County Court to Criminal Possession of a Weapon in the Second Degree. The plea was in connection with his possession of a loaded handgun on January 28, 2020, in the City of Newburgh. Stone was sentenced to ten years in state prison and five years post-release supervision on September 1, 2021. On January 28, 2020, at approximately 6:00 pm, City of Newburgh Police Officers were notified that there had been multiple shots fired in the vicinity of Benkard Avenue. When the police arrived, they found numerous spent bullet casings. Two individuals who had been in the area, including Stone, were treated for gunshot wounds at St. Luke's Hospital. Police located two semiautomatic handguns in the vicinity of where the shootings had been reported. At the time that he pled guilty, Stone admitted that he had possessed one of the loaded firearms. As this case demonstrates, those who engage in illegal weapons possession risk not only lengthy incarceration but being subjected to life-threatening violence themselves. The case was prosecuted by Senior Assistant District Attorney Janine Kovacs.

People v. Steven Velez - On June 8, 2021, Port Jervis City Police and the Orange County Sheriff's Office Special Operations Group executed two search warrants at apartments located within the Port Jervis Townhouses in the City's 3rd Ward. Steven Velez, a/k/a "Shooter," age 30, of Port Jervis, New York, was arrested and charged with Criminal Possession of a Weapon in the Second Degree, for possession of a loaded firearm; Criminal Possession of a Weapon in the Third Degree, for possession of an assault rifle; Criminal Possession of a Weapon in the Third Degree, for possession of a large-capacity ammunition-feeding device; and Criminal Possession of a Controlled Substance in the Third Degree, for possession of heroin with intent to sell it, all felonies; and with two counts of Criminally Using Drug Paraphernalia in the Second Degree, misdemeanors. Police recovered a loaded .40 caliber semi-automatic pistol, an assault rifle, ammunition, and a quantity of heroin and packaging materials. The case was subsequently indicted by an Orange County Grand Jury which also charged Velez with Criminal Sale of a Controlled Substance in the Third Degree. The Orange County District Attorney's Office and the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) assisted with the investigation. The case is being prosecuted by Assistant District Attorney Neal Eriksen.

People v. Gregg Marinelli - On April 21, 2021, Gregg Marinelli, 39, of Plattekill, New York, a former Sergeant with the New York City Department of Environmental Protection Police, was sentenced in Orange County Court to a total of ten years in state prison in connection with having sold a "ghost" gun with no serial numbers on it to an outlaw motorcycle club member, who was also a Lieutenant with the City of Middletown Fire Department, and later alerting him that he was the target of a police investigation. On December 2, 2019, Marinelli had pled guilty to Criminal Possession of a Weapon in the Second Degree and Hindering Prosecution in the Second Degree.

At the time that he pled guilty, Marinelli admitted that sometime between June 15, 2018 and September 30, 2018, he sold a pistol, which resembled a semi-automatic Glock pistol, to Paul Smith, who was then a City of Middletown Fire Department Lieutenant. Smith had been a central figure in a New York State Police enforcement operation dubbed "Operation Bread, White and Blues" which concentrated on members and associates of self-professed "outlaw" motorcycle clubs trafficking cocaine and others who were selling pills. That gun, and many of the weapons alleged to have been sold by Marinelli, were "ghost" guns, meaning that he manufactured them without serial numbers, or in some instances were defaced weapons which had their serial numbers removed. "Ghost" guns are difficult to trace and are, therefore, often sought after by those planning to use the guns illegally. Assistant District Attorney Neal Eriksen and Senior Assistant District Attorney David Byrne prosecuted the case.



Weapons recovered from Marinelli's Residence

People v. Sebastian Robinson - On March 24, 2021, Port Jervis City Police arrested Sebastian Robinson, age 25, of Sparrowbush, New York, and charged him with four counts of the felony of Reckless Endangerment in the First Degree.



DA Hoovler and County Clerk Kelly Eskew with Greenwood Lake Saint Patrick's Day Parade aides.

Robinson's arrest is the result of an investigation by City Police into a report of a gunshot being fired the previous evening, March 23, 2021, inside Silk Mill Condos, located at 39 Church Street, in Port Jervis, where detectives determined that a bullet was discharged from a pistol and traveled through the walls of an adjoining apartment, nearly striking two adults and two children who were inside the apartment. On December 9, 2021, Robinson pled guilty to the felony of Reckless Endangerment in the First Degree. The case was prosecuted by Senior Assistant District Attorney Ryan Greenbaum.

Summer Gun Buy Back Program - On Saturday, July 10, 2021, the City of Newburgh Police Department and District Attorney's Office sponsored a gun-buy-back program at the City of Newburgh Community Center. The event resulted in fourteen handguns and five long guns being turned into the police. The program was designed to allow people to safely surrender guns and to receive Walmart gift cards valued at up to \$150.00, depending on the type of gun surrendered. Those surrendering operable assault weapons would have received gift cards totaling \$150.00. Those surrendering operable handguns, or modified rifles or shotguns, received gift cards totaling \$100.00. Those surrendering rifles or shotguns, or antique or non-working firearms received gift

cards totaling \$25.00. There was no limit to the number of weapons that could be surrendered. Active or retired law enforcement officers and licensed gun dealers were not eligible to participate in the program. No identification was required to surrender any weapon, and no questions were asked of the people dropping off the firearms. Under the New York State Penal Law, a person who voluntarily surrenders a weapon to the police, in accordance with the conditions prescribed by the police for such a surrender, receives immunity from prosecution for the unlawful possession of the weapon, but not for other crimes that the person may have committed using the weapon.

DOMESTIC VIOLENCE CASES

Prosecuting cases where the defendant and the victim either are, or were formerly, intimate partners remained a high priority for OCDA in 2021. The Office continued its relationship with "Fearless! Hudson Valley, Inc.," formerly known as "Safe Homes of Orange County," a not-for-profit organization that is dedicated to helping victims of domestic abuse and that has supplied victim-advocate services to OCDA for many years. Most notably, those services include making a victim's advocate available to speak with victims of domestic violence as they go through the criminal justice system. At least one of those advocates is embedded in OCDA. Those advocates work closely with the victims and assistant district attorneys, particularly when the victims must testify in a grand jury. Victims of intimate partner violence frequently are hesitant to report crimes and to follow through on prosecutions. Victims' degree of trust and cooperation has grown due to the close interaction between OCDA and Fearless!, resulting in a working relationship where victims are more likely to receive appropriate services and report instances of domestic violence, which greatly lessens the chance that they will be victimized in the future. The OCDA does everything in its power to protect the privacy of victims. However, in one notable case, a domestic abuse survivor, who is also a well know television news reporter, wanted others to know about her experiences in the hopes that it would encourage others who might be suffering from intimate partner violence to seek help. These are some of the domestic violent cases that the Office handled in 2021:

People v. Anthony Mahabir - On May 25, 2021, Anthony Mahabir, 39, of the City of Newburgh, was sentenced in Orange County Court to a total of seventeen years in prison, in connection with the March 26, 2020 stabbing of a woman whom Mahabir was arrested for having assaulted on March 24, 2020. Mahabir intentionally burned the multiple family residence where the victim lived and assaulted another inmate in the Orange County Jail. On October 21, 2020, Mahabir pled guilty to Assault in the First Degree, Arson in the Second Degree, and Criminal Contempt in the First Degree. At the time of his plea, Mahabir admitted that on March 26, 2020, he stabbed a woman that he had been arrested for having assaulted on March 24, 2020, and that he then set a fire in the multiple family residence where the victim lived on DuBois Street, in the City of Newburgh. Mahabir had been released without any bail being set after he was arraigned in the City of Newburgh Court on March 24, 2020, on charges of Assault in the Third Degree for having assaulted the woman. Due to the then recently enacted bail reform laws, the City of Newburgh judge had no choice but to release Mahabir without bail. The Court did issue an order of protection, which commanded Mahabir to stay away from the victim. Although there have been some amendments to the "bail reform" laws since this incident occurred, even under current law bail cannot be set on a defendant charged with Assault in the Third Degree under these circumstances.

Mahabir was sentenced to fifteen years in prison and five years of post-release supervision on both the charges of Assault in the First Degree and Arson in the Second Degree, and one and

one third to four years in prison on the charge of Criminal Contempt in the First Degree. Those sentences were ordered to run concurrently. Mahabir had also pled guilty on April 13, 2021, to Assault in the Second Degree. At that time, he admitted having assaulted another inmate in the Orange County Jail on December 1, 2020. Mahabir was sentenced to two years in prison and three years post-release supervision on the jail assault charge. That sentence was ordered to run consecutively to the other sentences, and Mahabir received sentences totaling seventeen years in prison. The case was prosecuted by Senior Assistant District Attorney Julie Mohl.

People v. Sean Doyle - On November 16, 2021, Sean Doyle, 38, of Cornwall, was sentenced in Orange County Court to up to ten years in prison in connection with crimes related to domestic violence. On May 10, 2021, Doyle pled guilty to the crimes of Coercion in the First Degree, Criminal Obstruction of Breathing or Blood Circulation, and three counts of Endangering the Welfare of a Child. Doyle had been arrested on March 18, 2019, after his wife, News 12 reporter Blaise Gomez, called police to their Town of Cornwall residence stating that Doyle had assaulted her and placed his hands around her neck. The charge of Coercion in the First Degree was in connection with Doyle having threatened and physically restrained his wife to prevent her from leaving the premises. The three counts of Endangering the Welfare of a Child were in connection with Doyle's conduct toward three separate children. On November 16, 2021, Doyle pled guilty to an additional charge of Forgery in the Second Degree for having submitted a forged letter to the judge in an attempt to have his case adjourned. The forged letter, which looked like it had been signed by a doctor, stated that Doyle was suffering from COVID-19 and could not come to court. In reality Doyle had gone to an amusement park in Florida on the date that he was to have appeared in court and used the forged letter in an attempt to have the judge excuse his absence. Doyle was sentenced to one and two-thirds to five years in State Prison on the charge of Coercion in the First Degree, and a consecutive sentence of one and two-thirds to five years in State Prison on the charge of Forgery in the Second Degree, and one year in jail on each of the other crimes to which he had pled guilty. Orders of protection were issued on behalf of each of the victims in the case, including children, as well as for a witness. The orders of protection are binding on the defendant for eighteen years. At the sentencing Ms. Gomez told the judge that the defendant was a danger to reoffend and had engaged in a pattern of blaming his victims. Although the OCDA normally does not identify victims by name in public statements, Ms. Gomez believed that it is important for those who are subjected to domestic abuse to know about the help that is available for them. Ms. Gomez' actions in bravely coming forward in this case will hopefully inspire others who are similarly being victimized to do the same. In this case, as in far too many others, children are victims. Executive Assistant District Attorney Michael Milza and Assistant District Attorney Christine Maggiore prosecuted the case.

SEXUAL ABUSE CASES

Cases involving sexual abuse require the full attention of compassionate and experienced prosecutors. In 2021 the OCDA continued our commitment to handle these most serious of cases with all the resources at our disposal. The courage and determination that survivors of sexual abuse demonstrate when they aid in the prosecution of their offenders is worthy of everyone's admiration and respect. Testifying publicly, and particularly being subjected to cross-examination in these circumstances, is never easy, but it is the only way that those who commit these types of crimes can be brought to justice. The OCDA will continue to recommend that those who subject

others to sexual abuse receive meaningful prison sentences. One notable case that went to trial in 2021 was:

People v. Ryan Nagle - On October 18, 2021, Ryan Nagle, 28, of Middletown, was sentenced in Orange County Court five years in state prison for having forcibly subjected a woman to sexual contact. On July 22, 2021, a jury in Orange County Court convicted Nagle of Sexual Abuse in the First Degree, Forcible Touching and Criminal Trespass in the Second Degree. During the trial, the prosecutor argued that on January 27, 2020, Nagle had subjected the woman to sexual contact by forcible compulsion when they were in her home, and that Nagle had intentionally, and for no legitimate purpose, forcibly touched the sexual or intimate parts of the victim for the purpose of degrading or abusing her and to satisfy his own sexual desire. It was also argued that Nagle knowingly and unlawfully remained inside the home during the attack. The trial was the first felony jury trial conducted in Orange County since the Courts had stopped in-court proceedings due to the COVID-19 pandemic. At the commencement of the jury trial, all parties in the courtroom had to wear masks, although later those who had been fully vaccinated were allowed to remove their masks. The proceedings were conducted in the Ceremonial Courtroom, which is larger than most courtrooms, to maintain social distancing. Jurors deliberated inside the large courtroom, rather than in a more confined jury-room. Nagle was sentenced to five years in prison and five years post-release supervision for the charge of Sexual Abuse in the First Degree, and one year in jail for each crime of Forcible Touching and Criminal Trespass in the Second Degree. By operation of law the sentences merge so that Nagle will serve a total of five years in prison and five years post-release supervision. Prosecutors had recommended that the Court sentence Nagle to seven years, the maximum authorized sentence. Executive Assistant District Attorney Michael Milza prosecuted the case.

PROSECUTING CRIMES AGAINST CHILDREN

In 2021 the OCDA prosecuted an alarming number of crimes where children were the victims. These crimes ranged from homicides, to assaults and sexual abuse. Children are the most innocent of victims and it is hard to comprehend how someone could even think of hurting or sexually abusing a child for sexual gratification or entertainment, let alone actually commit those heinous acts. In 2021, the OCDA worked with numerous law enforcement agencies including the New York State Police and the Orange County Child Abuse Task Force to prosecute those who victimized children. The resources of a newly created Orange County Child Advocacy Center also aid the OCDA in its mission to protect children and seek severe punishment for all who commit violent crimes against children.

Opening of the Orange County Child Advocacy Center (OCCAC)

On April 23, 2021, Orange County celebrated the opening of its Child Advocacy Center. Child advocacy centers bring child protective services, law enforcement, medical providers, advocacy, and therapeutic resources together when allegations of child abuse or maltreatment are made to make the investigation process less traumatic for children. At the time of the opening District Attorney Hoovler noted that, "There is no more important work than protecting and helping children who have been the victims of crime. The best way to do that is through the type of coordinated multidisciplinary approach that this Child Advocacy Center is designed to provide. I am proud to join with our law enforcement and treatment partners in ensuring that child victims are supported and protected. Those who harm children deserve severe punishment and this Center will provide additional tools to bring those who prey upon children to justice."

The mission of the OCCAC is to provide a safe venue for child victims and their families, where they can receive an array of services during the investigative phase of a sexual and/or physical abuse allegations, and to minimize trauma to child victims and their non-offending caregivers by conducting trauma informed forensic interviews and providing advocacy and referrals to needed services. OCCAC staff will also help victims to develop an action plan to keep children safe from their alleged abuser and help gather sufficient, legally sound evidence to successfully adjudicate and prosecute perpetrators. Child Advocacy Centers serve more than 24,000 children each year in the State, providing critical access to services and support in response to traumatic events for children and their families, such as physical and sexual abuse.

Cases which the OCDA prosecuted in 2021 where children were victims:

People v. Nicole H. Layman - On December 10, 2021, Nicole H. Layman, 23, of Port Jervis, pled guilty in Orange County Court to Manslaughter in the Second Degree, in connection with the death of a newborn infant found in a vacant lot in Port Jervis in November 2019. On March 28, 2022, Layman was sentenced to four to fifteen years in state prison. On the night of November 12, 2019, City of Port Jervis Police Officers responded to a report of a deceased infant found in a vacant lot adjacent to Hornbeck Avenue, in the City of Port Jervis. Upon their arrival police officers observed the body of a newborn baby. Subsequent investigation revealed that the baby girl had been born that night and had died of exposure to the elements. An investigation was conducted by the City of Port Jervis Police Department, who were aided by the New York State Police, the Orange County Medical Examiner's Office, and the Orange County District Attorney's Office. The investigation included executing a search warrant at Layman's residence, conducting an autopsy on the deceased infant, and obtaining laboratory analysis of tissue samples obtained during the autopsy. At the time that Layman pled guilty, she admitted that she had just given birth to the infant and had left the newborn exposed to the elements, without notifying anyone. The case was prosecuted by Senior Assistant District Attorney Julie Mohl and Senior Assistant District Attorney Christopher Kelly.

People v. Kimberly Bennett - On October 27, 2021, Kimberly Bennett, 45, of Middletown, pled guilty in Orange County Court to Assault in the First Degree, in connection with an assault on Bennett's seven-month-old granddaughter, for whom Bennett was the primary caregiver. The assault, which occurred on February 22, 2020, at Bennett's home on Bedford Avenue, in the City of Middletown, resulted in the child suffering serious physical injury including damage to her brain and eyes, and rendered the child blind. On February 22, 2020, City of Middletown Police Officers and ambulance personnel responded to Bennett's residence and found the seven-month-old baby unresponsive and exhibiting facial bruising. A joint investigation was conducted by the City of Middletown Police Department and the Orange County District Attorney's Office, with assistance from the New York State Police. The results were presented to an Orange County Grand Jury which indicted Bennett on charges including Assault in the First Degree. Bennett was arrested by the City of Middletown Police Department. District Attorney Hoovler thanked the City of Middletown Police Department for their investigation and the arrest of Bennett, as well as the New York State Police, who assisted in the investigation. The case is being prosecuted by Senior Assistant District Attorney Janine Kovacs and Assistant District Attorney Neal Eriksen.

People v. Robert Youngs - On December 16, 2021, Robert Youngs, age 36, of Circleville, was sentenced in Orange County Court to fifteen years to life in state prison in connection with sex crimes he committed against a child. On July 15, 2021, Youngs pled guilty to Predatory Sexual

Assault Against a Child, Use of a Child in a Sexual Performance, Promoting a Sexual Performance by a Child, and Possessing a Sexual Performance of a Child. At the time that Youngs pled guilty, he admitted that between June 1, 2014, and April 11, 2015, he engaged in two or more acts of sexual contact with a child less than thirteen years old. He also admitted possessing a computer file of a child of less than sixteen years of age engaging in a sexual performance, directing, or promoting a performance of a child less than seventeen years of age that included sexual contact, and inducing a child less than seventeen years of age to engage in a sexual performance, which he photographed. The case was prosecuted by Senior Assistant District Attorney Jessica Dovico and Assistant District Attorney Alexis Gregory.

People v. Edwin Rodriguez-On March 18, 2021, Edwin Rodriguez, age 66, of New Port Richey, Florida, was sentenced in Orange County Court to a determinate term of twelve years in prison, and ten years of post-release supervision. Rodriguez pled guilty to one count of Attempted Course of Sexual Conduct Against a Child in the First Degree. At the time of Rodriguez's plea he admitted that he had sexual contact with a child in the Town of Woodbury. Prosecutors argued that this occurred over the course of approximately six months, from March 2014 through August 2014, and that Rodriguez engaged in multiple acts of sexual conduct with a ten-year-old girl, including at least one act of sexual intercourse. District Attorney Hoover thanked the Orange County Child Abuse Investigative Unit for their investigation of the case. In addition, District Attorney Hoover thanked the Police Department of New Port Richey, Florida, for their assistance in the investigation. The case was prosecuted by Assistant District Attorney Eliza Filipowski.

NARCOTICS ENFORCEMENT

The narcotics epidemic effects every community in the State without regard to socioeconomic status, and the connection between violent crime and narcotics is undeniable. In 2021, OCDA continued to respond to the spike in fatal overdoses in Orange County, which mirrors similar spikes in overdoses throughout New York State. Total overdose deaths in Orange County totaled 140 of which 131 were opioid related. On April 10, 2021, a suspected fatal overdose occurred in the Village of Monroe. Responding police officers from the Village of Monroe Police Department found two unconscious individuals, a male, and a female, and administered Narcan. The Narcan administered by those first responders was able to revive the male patient, however, proved unsuccessful on the female patient. The Village of Monroe Police Department notified the Orange County District Attorney's Office and contacted the OCDTF for assistance. A few days later the female patient apparently succumbed to the effects of the overdose and was determined by medical staff to have no brain activity. An autopsy was performed by the Orange County Medical Examiner's Office. Subsequent investigation revealed that the narcotics that were consumed by the male and female had been purchased in the City of Newburgh.

Although the COVID-19 emergency temporarily hampered the Office's ability to conduct the same types of narcotics enforcement actions that are usually used to drive down the availability of those highly addictive and often-lethal substances, the increase in fatal overdoses shows just how necessary those enforcement actions are. There are few residents who do not know someone whose life has been devastated by narcotics. In addition to punishing offenders, the District Attorney's Office regularly attempts to get appropriate defendants into drug treatment courts and has sponsored public service announcements and educational materials to dissuade young residents from using illicit drugs.

The Orange County Drug Task Force

In 2015, OCDA, the Orange County Sheriff's Office, and the Police Chiefs' Association of Orange County created the Orange County Drug Task Force (OCDTF). The Task Force is run under the supervision of a Senior Criminal Investigator from OCDA and a Senior Investigator from the Orange County Sheriff's Office. In addition to personnel from those agencies, the Drug Task Force is composed of police officers from other Orange County police departments. Currently the Town of Montgomery Police Department, the Wallkill Police Department, and the Highlands Police Department have committed to assigning police officers to work on the Task Force. The Drug Task Force assists other agencies in conducting narcotics investigations, including under-cover investigations, throughout the County. Some of the agencies that assisted in the enforcement actions conducted by the Task Force include the Orange County Sheriff's Office, the City of Newburgh Police Department, the Town of Newburgh Police Department, the Town of Montgomery Police Department, the Town of New Windsor Police Department, the Town of Wallkill Police Department, the Town Warwick Police Department, the Village of Monroe Police Department, the Village Walden Police Department, the U.S. Marshalls Fugitive Task Force, and the Hudson Valley Crime Analysis Center.

OCDTF 2021 Summer Enforcement Action – On June 3, 2021, District Attorney Hoovler and Orange County Sheriff DuBois announced that seventeen defendants were charged with crimes pertaining to the trafficking of cocaine, heroin, fentanyl, and prescription medications throughout Orange County. The charges were the result of an enforcement action conducted by the OCDTF. Most of the drug purchases, and many of the arrests, were performed by the OCDTF. Some of the agencies that participated included the Orange County Sheriff's Office, the City of Newburgh Police Department, the Town of Newburgh Police Department, the Town of Montgomery Police Department, the Town of New Windsor Police Department, the Town of Wallkill Police Department, the Town of Warwick Police Department, the Village of Monroe Police Department, the Village of Walden Police Department, the U.S. Marshalls Fugitive Task Force, and the Hudson Valley Crime Analysis Center. The enforcement action primarily used undercover police officers to purchase narcotics and prescription medications. The countywide enforcement action, one of many since District Attorney Hoovler took office, was designed to help clean up neighborhoods in cities within Orange County, by targeting individuals trafficking narcotics. Eleven of the defendants were arrested and charged with crimes including Criminal Sale of a Controlled Substance in the Third Degree and Criminal Possession of a Controlled Substance in the Third Degree, for selling narcotics, including cocaine, heroin, and fentanyl to undercover police officers. All those defendants were released without bail being due to the recent bail reform statutes. One defendant was arrested and charged with Criminal Sale of a Controlled Substance in the Fifth Degree for selling the prescription medication Adderall to an undercover police officer. That defendant was similarly released without bail being set because of the new statutes. In 2019, legislation was enacted that severely limits the courts' ability to set bail for offenses involving narcotics sales. In previous narcotics sweeps



Sheriff DuBois and DA Hoovler at "Community Coffee" event where they make themselves available to members of the public in an informal setting.

in Orange County some bail was set by the court for almost all defendants charged with selling narcotics. Although the District Attorney's Office had requested bail in every bail-eligible case, bail was not set for any of the defendants that were arrested in connection with this enforcement action. The cases from the enforcement action are being prosecuted by Assistant District Attorneys Neal Eriksen, Tanja Beemer, Alexis Gregory, Nicholas Mangold, and Eric Valentin.

Significant Narcotics Cases

People v. Marius Schwerberg and Nancy Schwerberg – On July 26, 2021, Marius Schwerberg, 66, and his wife, Nancy Schwerberg, 44, both of Montgomery, pled guilty in Orange County Court in connection with a drug-trafficking scheme that was, in part, operated out of their Montgomery home. Marius Schwerberg pled guilty to Attempted Operating as a Major Trafficker, and was sentenced to five years in prison, to be followed by two years of post-release supervision. Nancy Schwerberg pled guilty to Criminal Possession of a Controlled Substance in the Third Degree and was sentenced to six months in the Orange County Jail, concurrent to five years of probation. The Schwerbergs also forfeited over \$1.1 million in cash that was recovered from their home in October 2020. The charges were the result of a joint investigation between the New Jersey State Police and the New York State Police, aided by the Orange County District Attorney's Office, relating to the trafficking of large amounts of cocaine in Morris County, New Jersey. As part of the investigation, on October 21, 2020, a search warrant was executed at the Schwerbergs' Loch Lane residence in Montgomery, resulting in the seizure of 1,485 grams of cocaine and 17 pounds of marijuana, which, collectively, had a street value of over \$180,000. In addition, items used for the cutting, weighing, and repackaging of cocaine; a loaded handgun; and over \$1.1 million in cash were recovered during the execution of the warrant. The money represents the largest amount of cash recovered in Orange County history during the execution of a narcotics search warrant. The case was prosecuted by District Attorney Hoovler and Assistant District Attorney Neal Eriksen.

People v. Richard McInturff - On March 31, 2021, Richard McInturff, Age 30, of Port Jervis, was arraigned in Orange County Court on an indictment charging him with the crimes of Operating as a Major Drug Trafficker, Criminal Possession of a Controlled Substance in the First Degree, Criminal Possession of a Controlled Substance in the Second Degree, Criminal Possession of a Controlled Substance in the Third Degree, and Criminal Use of Drug Paraphernalia in the Second Degree. On March 18, 2021, members of the Port Jervis City Police Department and the Orange County Sheriff's Office Special Operations Group executed a search warrant at McInturff's residence located in the City of Port Jervis. The search warrant, which was drafted with the aid of the Orange County District Attorney's Office, was part of an investigation into the illicit sales of the narcotic drug heroin in the City of Port Jervis. Detectives recovered 7,658 packets of suspected heroin and a scale of the type commonly used to weigh narcotics when they are being packaged for sale. McInturff was charged in the indictment with the class A-1 Felony of Operating as Major Trafficker. It is alleged that McInturff acted as the "director" of a "controlled substance organization," which between March 18, 2020 and March 18, 2021, sold controlled substances, including heroin and fentanyl, and that the sales from those controlled substances were in excess of \$75,000 in that one-year period. It is alleged that McInturff directed the actions of others involved in the controlled substance organization. In 2009, New York enacted the crime of Operating as a Major Trafficker to penalize more severely what the Legislature referred to at the time as "drug kingpins." McInturff faces up to 25 years to Life in prison if convicted. The case is

being prosecuted by Assistant District Attorney Alexis Gregory and Senior Assistant District Attorney Matthew Healy.

People v. Sheldon Cooper - On July 14, 2021, Sheldon Cooper, age 35, of Port Jervis, was arrested on charges including Criminal Possession of a Controlled Substance in the Third Degree and Endangering the Welfare of a Child, following the execution of a search warrant at the Hampton Inn hotel located in Town of Wallkill. The Orange County Sheriff's Office Special Operations Group aided in the execution of the search warrant at the hotel. The seizure and arrest were the result of an investigation conducted by the City of Port Jervis Police Department, who were assisted by the Orange County Drug Taskforce, the City of Middletown Police Department, and the Town of Wallkill Police Department. Among the items seized during the execution of the search warrant were approximately 46 grams of suspected fentanyl, approximately 10.7 grams of cocaine, sixteen suboxone strips, a digital scale, packaging materials commonly used for narcotics sales, \$4,621.00 and approximately 34.5 grams of a substance commonly used as cutting agent by those involved in narcotics sales. The charge of Endangering the Welfare of a Child stem from allegations that the defendant had a two and a half-year-old child in the room with the suspected narcotics. The search warrant, which was drafted with the aid of the Orange County District Attorney's Office, was part of an investigation into the illicit narcotics sales in the City of Port Jervis. Another person in the hotel room was wanted by Pennsylvania authorities for failing to appear in court. Cooper was indicted by an Orange County Grand Jury on charges including Criminal Possession of a Controlled Substance in the Third Degree and Endangering the Welfare of a Child. The case is being prosecuted by Senior Assistant District Attorney Janine Kovacs.



Weapons seized during "Operation Off-the-Brick" Search Warrant executions.

People v. Glenn Bradshaw – On November 5, 2021, Glenn Bradshaw, 30, of Middletown, was convicted by a jury in the Orange County Court of three counts of Criminal Sale of a Controlled Substance in the Third Degree and three counts of Criminal Possession of a Controlled Substance in the Third Degree. During the trial, prosecutors argued that Bradshaw had sold cocaine to an undercover police officer of the City of Middletown Police Department on July 15, 2019, July 23, 2019, and August 15, 2019, and that those sales had been captured by digital recordings. As a result of bail reform legislation, Bradshaw had been released with no monetary bail being set during the pendency of the case, including during the trial. Bradshaw was remanded to the Orange County Jail without bail following the verdict. On January 20, 2022, Bradshaw was sentenced to a total of fourteen years in state prison, and three years post-release supervision, related to his trial conviction and a violation of probation. District Attorney Hoover thanked the City of Middletown Police Department for their investigation and the arrest of the defendant. Assistant District Attorney Tanja Beemer and Assistant District Attorney Alexis Gregory prosecuted the case.

People v Antonio Perez-Molina, et al., and "Operation Off the Brick" - On August 18, 2021, the New York State Police Violent Gang and Narcotics Enforcement Team (VGNET), in conjunction with the Connecticut State Police, the Connecticut State's Attorney Office, and the

Orange County District Attorney's Office, conducted an enforcement action, dubbed "Operation Off-the-Brick," involving the trafficking of cocaine in Orange County and Connecticut. Search warrants were executed at several locations: the Village of Otisville, the City of Middletown, the Town of Blooming Grove, and the Ulster County Hamlet of Kerhonksen. In addition, the Connecticut State Police executed search warrants on August 5, 2021, and August 18, 2021.

Antonio Perez-Molina, 39, of Otisville, was arrested and later indicted by an Orange County Grand Jury on charges including the Class A-I felonies of Operating as a Major Trafficker and Criminal Sale of a Controlled Substance in the First Degree, and the Class B felonies of Conspiracy in the Second Degree and Criminal Possession of a Weapon in the Second Degree. Lourdes Lopez, 38, of Otisville, was charged with crimes including Criminal Sale of a Controlled substance in the Second Degree and Conspiracy in the Second Degree. Juan Mejia, 51, of the Town of Blooming Grove, was charged with Conspiracy in the Second Degree, Criminal Possession of a Controlled Substance in the Third Degree, and Criminally Using Drug Paraphernalia in the Second Degree. Derrick Anthony White, 50, of Middletown, and Jenah Vega, 22, of Kerhonksen, were charged with Conspiracy in the Second Degree.

Two others faced felony charges in Connecticut District Court. Kevin Torres, 27, of Waterbury, Connecticut, was charged with Possession of a Controlled Substance with Intent to Sell (Cocaine) Greater Than One-Half of an Ounce; and Jose Garcia, 49, of Waterbury, Connecticut, was charged with Possession of a Controlled Substance with Intent to Sell (Cocaine) Greater Than One-Half Ounce, Possession of a Controlled Substance (Marijuana) with Intent to Sell, Possession of a Controlled Substance with Intent to Sell within 1500 Feet of a School Zone, Operating a Drug Factory, and Illegal Transfer of a Firearm.



Money and contraband seized in Connecticut as part of "Operation Off-the-Brick".

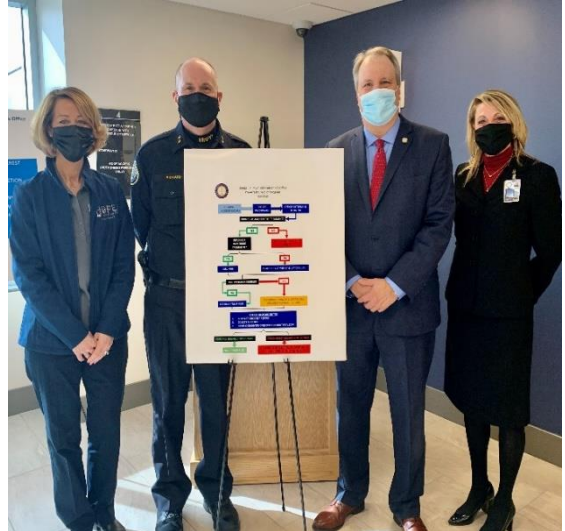
During the execution of the search warrants, police seized over 1,100 grams of cocaine, three loaded handguns, one shotgun, and approximately \$70,000 in United States currency. The cases are being prosecuted by Assistant District Attorneys Alexis Gregory and Neal Eriksen and Chief Trial Assistant District Attorney Richard Moran.

People v. Cory Williams - On Monday, December 6, 2021, Cory Williams, 46, of Middletown, was convicted following a jury trial in the Orange County Court of Criminal Possession of a Controlled Substance in the Third Degree. Williams was sentenced to 13 years in state prison followed by five years of post-release supervision in Orange County Court on March 18, 2022. By law, Williams must be sentenced to at least six years in state prison. Williams was remanded to the Orange County Jail without bail following the jury's verdict. On December 18, 2019, the City of Middletown Police Department, aided by the Orange County Sheriff's Special Operations Group and the New York State Police, executed a search warrant at Williams' residence on Little Monhagen Road, in the City of Middletown. The police also had a warrant to search the defendant's vehicle as well as the defendant's person. Williams was apprehended in the car at approximately 6:11 AM. A total of 19 individually packaged bags of cocaine were recovered from the defendant's groin area and from between the defendant's buttocks. District Attorney Hoover thanked the City of Middletown Police Department for their investigation and the arrest of the defendant, as well as the Sheriff's Special Operations Group and New York State Police for their assistance in executing the search warrants. District Attorney Hoover highly commended

Assistant District Attorney Tanja Beemer and Assistant District Attorney Alexis Gregory who prosecuted the case.

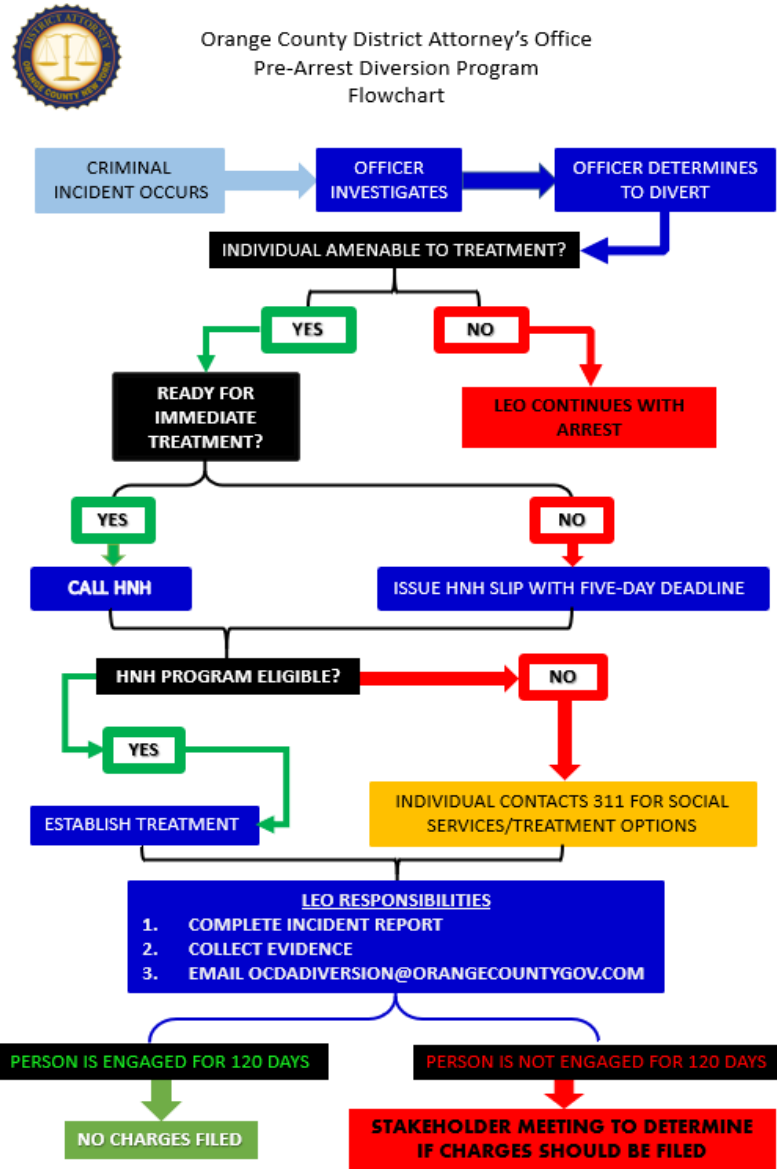
Pre-Arrest Diversion Program

On January 25, 2021, District Attorney Hoover and five local police chiefs and representatives of other agencies, announced the launch of the Orange County Pre-Arrest Diversion Program. District Attorney Hoover was joined by Darcie Miller, Commissioner of the Orange County Department of Mental Health and Department Social Services; Annette Kahrs, President of the Tri-County Community Partnership in Pine Bush and Executive Director of Hope Not Handcuffs-Hudson Valley (HNH); Paul Rickard, Chief of the Mount Hope Police Department and President of the Police Chiefs' Association of Orange County; John Ewanciw, Chief of the Middletown Police Department; William Worden, Chief of the Port Jervis Police Department; Dominick Blasko, Chief of the Crawford Police Department; and Francis Pierri, Chief of the Highlands Police Department.



From left: Annette Kahrs, Chief Paul Rickard, District Attorney David Hoover and Commissioner Darcie Miller in front of Pre-Arrest Diversion Flow chart.

The Pre-Arrest Diversion Program is designed to refer to drug treatment, if appropriate, those accused of some drug crimes, rather than filing charges against them in court. After investigating a case, if an officer believes that a subject would benefit from drug treatment, and the individual is interested in treatment, the officer, instead of charging the subject with a crime, can refer the subject for assistance from HNH. HNH employs volunteers to assist those in need of drug treatment to find appropriate services. If, for whatever reason, HNH cannot assist the person, the officer can refer the person to Orange County's Crisis Help Line at 311, and the Help Line might be able to assist the person. If the individual is successful in treatment, no charges will be filed. If the individual is unsuccessful, the District Attorney's Office and other stakeholders will discuss whether to file charges at that point.



Those looking for more information about the Orange County Pre-Arrest Diversion Program can contact Executive Assistant District Attorney Leah Canton at (845) 291-2050, or by email to ocdadiversion@orangecountygov.com.

CASES INVOLVING ANIMALS

In 2021, the OCDA continued its commitment to hold those who abuse animals accountable. In addition to working with local humane societies, the Hudson Valley Society for the Prevention of Cruelty to Animals, and local law enforcement agencies on animal abuse cases, the OCDA also works with the New York State Department of Environmental Conservation Police in enforcing laws prohibiting the sale of wild animals. For example, one defendant was prosecuted for the Sale of Wild Animals in violation of the Environmental Conservation Law for selling juvenile alligators, which were being sold as “dwarf alligators”. The alligators were American alligators which can grow up to 15 feet long and weigh up to 1,000 pounds, although they normally grow to less than eleven feet and weigh less than 700 pounds. A permit is required in New York State to sell or possess alligators. Not only is it important that the public not be defrauded when they purchase an animal, but some species can be dangerous to the owner as well as to the environment. The sale of alligators is regulated in New York State because of the size and strength of these animals, as well as the fact that in the wild they would be considered an invasive species which could disrupt New York’s natural species



Two of the baby alligators seized by the NYS Department of Environmental Conservation Police which were being sold in violation of New York State Law.

PUBLIC CORRUPTION CASES

Public service is a sacred trust and those who abuse their positions to enrich themselves must be held accountable. Conflict of interest and embezzlement cases, particularly those involving tampering with records, are always challenging to investigate. In 2021, the OCDA worked with the New York State Comptroller’s Office in investigating a major case involving the Orange County Industrial Development Agency (IDA), and also served as Special Prosecutor in a case involving a public official in Sullivan County. The seriousness with which the OCDA treats these matters is reflected by the staff that is assigned to these challenging prosecutions. Special Counsel to the District Attorney Stewart Rosenwasser, a former Orange County Court Judge, and Chief Assistant District Attorney Christopher Borek, prosecuted the IDA case. District Attorney Hoovler personally conducted the prosecution of a Town of Bethel Tax Collector who had engaged in misconduct.



Chief ADA Christopher Borek, DA Hoovler, NYS Comptroller Thomas P. DiNapoli, and Special Counsel to the DA Stewart Rosenwasser

People v. Vincent Cozzolino, Laurie Villasuso and Edward Diana / The Orange County Industrial Development Agency - On

June 21, 2021, District Attorney Hoovler and New York State Comptroller Thomas P. DiNapoli announced that three former officials of the Orange County Industrial Development Agency (IDA) each pled guilty that day to felonies in connection with engaging in, and concealing, prohibited conflicts of interests. Former IDA Managing Director Vincent Cozzolino, 62, of Gardiner, pled guilty to Corrupting the Government in the Third Degree. The IDA's former Chief Executive Officer, Laurie Villasuso, 41, of Newburgh, pled guilty to Corrupting the Government in the Fourth Degree. Edward Diana, 72, of Wallkill, a former member of the IDA's Board of Directors, and a former County Executive of Orange County, pled guilty to Offering a False Instrument for Filing

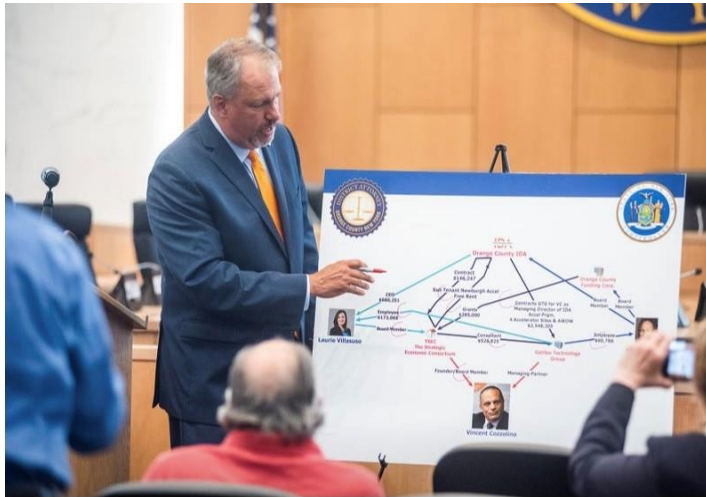


DA Hoovler and New York State Comptroller Thomas P. DiNapoli on June 21, 2021, at a press conference regarding their offices' joint investigation into the Orange County IDA.

in the First Degree and Committing a Prohibited Conflict of Interest. Cozzolino and Villasuso admitted that they had acted in concert with each other in a scheme to defraud the IDA through payments that the IDA made to Cozzolino's company, Galileo Technologies Group, Inc. (GTG). Villasuso admitted that she had been employed by both the IDA and GTG even as she signed contracts on behalf of the IDA with that corporation. Diana admitted being employed by GTG while he was an IDA Board Member and filing a false document to conceal that employment. As a member of the IDA's Board of Directors, Diana voted on the contracts that the IDA had with GTG and chaired the committee which dealt most directly with that company. Collectively, the three defendants paid more than one million two hundred thousand dollars to the IDA as part of their plea agreements.

The investigation into the Orange County IDA was conducted jointly by the Orange County District Attorney's Office, the New York State Comptroller's Office, and the Town of New Windsor Police Department. While the investigation did not reveal evidence that there had been direct theft of IDA monies, it did reveal a pattern of conflicts of interest, one-sided contracts, and negligent oversight that resulted in GTG having virtually unfettered discretion to bill the IDA hundreds of thousands of dollars for services that were only vaguely described and overlapped with services they were required to provide under other existing contracts.

On September 10, 2021, Cozzolino paid \$1 million in restitution. Villasuso paid \$175,000 in restitution. Diana was sentenced upon his conviction of two counts of Offering a False Instrument for Filing in the Second Degree and one count of Engaging Prohibited Conflict of Interest, both class A misdemeanors. The former county executive paid restitution of \$90,000 (the amount of money he had received from GTG). The District Attorney's Office and New York State Comptroller's Office issued a joint report examining corruption and negligence at the IDA. The case was prosecuted by Special Counsel to the District Attorney Stewart Rosenwasser and Chief Assistant District Attorney Christopher Borek.



DA Hoovler explaining conflicts of interest at the Orange County Industrial Development Agency.

People v. Debra Gabriel – On November 14, 2021 District Attorney Hoovler and State Comptroller Thomas P. DiNapoli announced that former Town of Bethel Tax Collector Debra Gabriel, pled guilty to Offering a False Instrument for Filing in the Second Degree, in connection with a scheme to defraud the New York State and Local Retirement System. Gabriel, 62, had resigned from her public office and retired in August 2020. At the time that she pled guilty, Gabriel admitted to having submitted for filing with the State Comptroller, a false Record of Activity with the Town of Bethel. Records of Activity are documents in which certain appointed or elected officials must record a daily detail of their hours worked and duties and certify their accuracy. The information is used to calculate their service time for retirement benefits. An investigation of Gabriel's Records of Activity conducted by the New York State Comptroller's Office and the New York State Police revealed that from April 1, 2009 to August 31, 2019, she falsely claimed credit for full-time work for the Town of Bethel when her actual hours were far less. For example, in 2018 and 2019, she had a full-time job with a private healthcare company, while claiming to also have worked full-time as a Tax Collector for Bethel. Her false claims increased her service credit toward retirement by more than seven years, according to Comptroller DiNapoli. Gabriel turned over a certified check in the amount of \$6,377.46 to prosecutors from the Orange County District Attorney's Office as restitution to the State of New York for the amount of pension benefits that she was overpaid. Although the crime occurred in Sullivan County, the OCDA was appointed as a Special Prosecutor. The case was prosecuted by District Attorney David Hoovler and Assistant District Attorneys Peter Fernandez, Matthew Healy, and Pakiza Sajid.

DRIVING WHILE INTOXICATED

Prosecuting drunk drivers continues to be a high priority for the OCDA. The OCDA works closely with groups such as Mothers Against Drunk Driving (MADD) and STOP-DWI, not only to prosecute drunk drivers, but also to educate the public on the dangers of such actions. The District Attorney has a strict policy in dealing with first offenders, as well as repeat offenders. As part of the District Attorney's policies, first-time offenders are mandated to be evaluated by an OASAS certified alcohol and substance-abuse provider to determine if the offender has alcohol or other substance abuse issues and, where the assessment indicates that the offender would

benefit from a treatment program, to successfully complete an alcohol or substance-abuse treatment program. Offenders are also mandated to complete the Drinking Driver Program and to attend the Victim Impact Panel.

DWI Victim Impact Panel - All individuals convicted of DWI or DWAI are mandated to attend a session of the Victim Impact Panel. Sponsored by the STOP-DWI Program and MADD, attendees hear from panelists who have had family members killed or injured by drunk drivers, or drivers themselves who have killed or injured others by driving while intoxicated. On average, over one thousand offenders are ordered to attend the Victim Impact Panel every year.



DA Hoovler with Assemblyman Karl Brabenec, Matthew Ross of Carpenters Local 279, and "Sisters in Brotherhood" at opening of Carpenter Training Center in October 2021.

People v. Kevin Turnier - On September 7, 2021, Kevin Turnier, 28, of Stony Point, was found guilty of two felony counts of Operating a Motor Vehicle while under the Influence of Alcohol. The top-count convictions were rendered following a bench trial, which was the second felony trial conducted in Orange County since the Courts had stopped in-court proceedings due to the COVID-19 pandemic. During the trial, prosecutors argued that on February 10, 2020, Turnier had driven a 2016 Jeep Wrangler automobile on Route 9W in the Town of Highlands, while he was intoxicated and had a blood level alcohol content of .12 per centum by weight. Prosecutors also proved that Turnier had previously been convicted of Operating a Motor Vehicle While Under the Influence of Alcohol in April 2013, in the Town of Ramapo. The previous conviction rendered Turnier's subsequent convictions for driving while

intoxicated on February 10, 2020, felonies. Assistant District Attorney Christine Maggiore prosecuted the case.

EMBEZZLEMENT

Embezzlement by its nature involves the abuse of a position of trust, and as such deserves to be treated seriously. Operating a business is difficult enough in the best of circumstances. An embezzler's thefts not only hurt the employer but could endanger the livelihood of co-workers and therefore must be dealt with seriously.

People v. Veronica Crance – On March 24, 2021, Veronica Crance, 49, of Pond Eddy, was sentenced by Orange County Court Judge Craig Stephen Brown to two to six years in state prison in connection with an embezzlement from a Middletown engineering firm. On March 5, 2019, Crance had pled guilty to Grand Larceny in the Third Degree. At the time that she pled guilty, Crance admitted that she had worked as the payroll manager for Fellenzer Engineering, in the City of Middletown, and that between July 31, 2013 and July 31, 2018 she had manipulated payroll records to obtain payments for which she was not entitled. An audit of the company discovered over \$152,000 in missing funds over which the defendant had control. In addition to being sentenced to state prison, a judgement was entered directing Crance to pay restitution to her former employer in the amount of \$152,363.92. District Attorney Hoovler thanked the City of

Middletown Police Department for their work on the case and their arrest of Crance. The case was prosecuted by Executive Assistant District Attorney Leah Canton.

CRIMES INVOLVING LABOR

Each year tax fraud in the construction industry alone costs Americans \$8.4 billion. Much of this fraud occurs through paying employees “off-the-books,” misclassification of workers, and improperly treating employees as independent contractors when they are in fact employees who are entitled to all the benefits and protections that New York State law affords. Additionally, unscrupulous contractors who cheat have a competitive benefit over honest contractors who play by the rules. Employees who are paid off the books suffer from not being able to obtain overtime and other benefits and must often pay additional taxes which should be borne by the employers. In short, construction tax fraud hurts everyone. The OCDA has a zero-tolerance policy for any business that exploits workers and steals wages from employees and is regularly honored by the New York State Department of Labor for recoveries in unemployment insurance fraud cases.



DA Hoovler, flanked by Assemblymen Karl Brabenec and Colin Schmitt, speaking at a Carpenter's Union event about preventing, reporting, and prosecuting Labor Crimes.

All employees, whether they work on public projects or private contracts, are entitled to receive their proper wages, and New York law provides criminal sanctions for employers who fail to pay, or steal, employees' wages. Fraud involving Workers Compensation Insurance and Unemployment Insurance costs the state, private companies, and local governments huge sums of money every year. District Attorney Hoovler has repeatedly stressed his commitment to see that any allegations that workers' safety or consumers' safety has been recklessly compromised by construction companies looking to cut corners will be fully investigated, and if appropriate, aggressively prosecuted. Under New York State law, workers on all public works projects are entitled to receive the “prevailing wage” for the type of work that they perform. The prevailing wage is the minimum an employee can be paid on a public works project.

Labor Tip Line - Since March 2015, the Orange County District Attorney's Office has operated a Labor Crime Tip Line dedicated to receiving reports of crimes involving the workplace, particularly crimes involving failure to pay proper wages, unsafe working conditions, prevailing wage violations, workers compensation fraud, and other crimes where either employees or the government have been victimized. On the tip line, callers may leave information anonymously, or if they wish to be contacted by a District Attorney's Office criminal investigator, they may leave their contact information. The telephone number for the Labor Crimes Tip Line is (845) 291-2107.

Unemployment Scams during COVID - On February 26, 2021, the OCDA issued a warning to Orange County residents about fraudulent claims for unemployment benefits, claims made by fraudsters using other people's social security numbers. Orange County has recently been seeing an uptick in that type of fraudulent claim. Frequently, scammers come into possession of other's

social security numbers, and use those numbers to file claims for unemployment benefits, among other things. As a result, aside from fraudulent unemployment claims, scammers often have fraudulent credit cards issued to them in the victims' names, scammers can raid victims bank accounts, victims can receive bills for goods and services that they did not purchase, and a whole host of other financial consequences may occur to victims. If you believe that a scammer has fraudulently filed for unemployment benefits in your name, notify your employer, and notify the New York State Department of Labor Fraud Unit online at <https://webapps.labor.ny.gov/dews/ui/fraud/report-fraud.shtm> . In addition, if you believe that you are a victim of identity theft, you can report that to the Federal Trade Commission online at <https://identitytheft.gov>.

THE APPEALS BUREAU

The Appeals Bureau handles all matters pending in the New York State appellate courts, including the New York Court of Appeals; the Supreme Court, Appellate Division, Second Department; and the Supreme Court, Appellate Term for the Ninth and Tenth Judicial Districts. The Appeals Bureau responds to federal habeas corpus challenges filed in the United States District Court for the Southern District of New York that involve cases prosecuted by OCDA, as well as related appeals to the United States Court of Appeals for the Second Circuit and the United States Supreme Court. The Appeals Bureau Chief is designated as the OCDA's Records Access Officer, and, together with other attorneys from the Appeals Bureau and other bureaus, is responsible for responses to Freedom of Information Law (FOIL) requests.

In 2021, New York State appellate courts issued 53 decisions involving appeals handled by the OCDA. The OCDA was victorious in 43 of the 48 cases decided by the Appellate Division, Second Department, with one case remitted to the County Court for a hearing; and in three of the five cases decided by the Appellate Term for the Ninth and Tenth Judicial Districts, including two successful People's appeals. In addition, the United States District Court for the Southern District of New York denied petitions for writs of habeas corpus in three cases where defendants, following the conclusion of their direct appeals in the state appellate courts, challenged state court convictions in cases that were prosecuted by OCDA. Significant appellate cases in 2021 included:

People v. Tyahjaji Legette – Defendant pled guilty to Attempted Murder in the Second Degree stemming from the July 21, 2010 shooting that occurred in the City of Newburgh. Defendant fired four shots at his intended target, with one shot hitting the victim in the face. Defendant was sentenced to a fifteen-year term of imprisonment, along with a five-year period of post-release supervision. The Appellate Division rejected defendant's challenge to the voluntariness of his guilty plea and affirmed his conviction and sentence.

People v. Christopher Smith – Defendant was charged in connection with the fatal stabbing of William McMahon in the Town of Newburgh following an investigation of a missing persons report by members of the New York State Police. Defendant buried the body on the property, and initially denied seeing the victim. Defendant pled guilty to Manslaughter in the First Degree and was sentenced to a twelve-year term of imprisonment. The Appellate Division affirmed defendant's conviction and sentence.

People v. Marquise Gamble – Defendant was arrested on February 5, 2019 in connection with a six-month investigation into a large-scale conspiracy that was responsible for the distribution and sale of hundreds of thousands of dollars of cocaine in Orange County. Defendant pled guilty

to Conspiracy in the Second Degree, Attempted Operating as a Major Trafficker, and Criminal Sale of a Controlled Substance in the First Degree and was sentenced to concurrent terms of imprisonment of seven and a half to fifteen years and ten years respectively. The Appellate Division affirmed defendant's conviction and sentence.

People v. Jesus Rottela – Defendant was convicted after a non-jury trial of eight counts of Possessing a Sexual Performance of a Child. Defendant was charged after members of the New York State Police executed a search warrant on January 31, 2018 at the residence where defendant was living and discovered multiple files that contained child pornography on a laptop computer and a desktop computer that were used by defendant. Defendant was sentenced to a ten-year period of probation and a six-month term of incarceration. The Appellate Division affirmed defendant's conviction and sentence.

People v. Randall Driver – Defendant was convicted after a non-jury trial of Criminal Obstruction of Breathing or Blood Circulation, Assault in the Third Degree, Sexual Misconduct, and Harassment in the Second Degree and was sentenced to a conditional discharge. The charges against defendant stem from an incident that occurred in the City of Newburgh, New York on September 14, 2016 during which defendant accused his girlfriend of cheating on him and then choked and assaulted her and had vaginal and oral sex without her consent. The Appellate Term affirmed defendant's conviction and sentence.

People v. Patrick Bowie – Following a jury trial, defendant was convicted of Murder in the First Degree, Robbery in the First Degree, Criminal Possession of a Weapon in the Second Degree, and Conspiracy in the Second Degree and is serving a sentence of life without parole and significant state prison sentences on the remaining charges. On December 30, 2006, as part of a murder-for-hire scheme, co-defendant Melvin Green, staged an armed robbery at a hair salon in the City of Middletown and intentionally shot and killed Patrick Bowie's estranged girlfriend, Fermina Nunez. Melvin Green was also convicted and sentenced to life without parole. In 2011, the Appellate Division affirmed defendant's conviction and sentence. The United States District Court denied defendant's petition for a writ of habeas corpus in which he sought to attack his conviction on federal constitutional grounds.

People v. Wayne Steinhilber – Following a non-jury trial, defendant was convicted of two counts of Burglary in the First Degree, Attempted Robbery in the First Degree, Assault in the Second Degree, Menacing in the Second Degree, and Criminal Possession of a Weapon in the Third Degree. Defendant was sentenced to an aggregate concurrent sentence of fifteen years imprisonment. The charges against defendant stem from a burglary that occurred in the Town of Crawford, New York on July 7, 2011. During the burglary, defendant stabbed the victim with a knife after he demanded money from the victim. The Appellate Division affirmed defendant's conviction and sentence in 2015. The United States District Court denied defendant's petition for a writ of habeas corpus in which he sought to attack his conviction on federal constitutional grounds.

THE COMMUNITY AFFAIRS UNIT

Since 2014, the OCDA has adopted the nationally recognized best practice of “community prosecution,” in which prosecutorial responses are tailored to the needs of each specific community. Reaching out to community members to find out how the District Attorney’s Office can be more responsive to their needs has been an important initiative of the OCDA since 2014 when District Attorney Hoovler created the Community Affairs Unit. One of the hallmarks of the OCDA’s community prosecution model is to prevent crime, in addition to prosecuting it. In 2021, the Unit continued to build upon community relations, in person, and virtually, by making appearances at meetings, schools, and community events, including presentations to educate the community regarding the office’s events and new initiatives.



ADA Darlene DeJesus of the Community Affairs Unit with volunteers at “Seniors Day” in September 2021.

Additionally, the Unit continued to participate in career days in schools throughout the County, to serve as guest speakers at events, and to table at various community events, including at the Mount Saint Mary College Criminology Club, the Crime Victim’s Vigil, the Montgomery Opioid Task Force, and at the What’s Happening?, Newburgh panel for TEAM Newburgh. In 2020, the OCDA started sending Assistant District Attorneys to the County’s premier leadership training program, established to identify and cultivate the next generation of leaders in Orange County. Executive Assistant District Attorney Leah Canton and Senior Assistant District Attorney Janine Kovacs were chosen to join Leadership Orange’s Class of 2021 Orientation. District Attorney Hoovler is a Leadership Orange graduate and a member of the Leadership Orange Hall of Fame. In 2021, Unit members participated in the following events:

“Rebound Program” to Assist People in Getting Criminal Convictions Sealed from Public Scrutiny - In February 2021, the District Attorney announced the launch of the Rebound Program, a program designed to assist people with old criminal convictions to get those convictions sealed from public scrutiny. Under the program, the District Attorney’s Staff assists people in obtaining and filing in court the appropriate forms to apply for the sealing of certain old convictions. Criminal convictions can affect people’s lives for a long time, even long after they have turned their lives around. A conviction can prevent a person from getting a job, or from otherwise succeeding in life. The hope is that the program will allow people to move forward with their lives, free from some of the obstacles that a criminal conviction can raise.

Orange County District Attorney's Office Youth Fishing Derby, "Get Hooked on Fishing, Not Drugs"

In March 2021, the District Attorney announced the launch of the first District Attorney's Office Youth Fishing Derby. The Derby was open to children between the ages of five and eighteen who are children or grandchildren of Orange County residents. Unfortunately, most youth sports and activities have been cancelled or are in limbo due to COVID-19. Participation in fishing has skyrocketed with New Yorkers during the COVID-19 crisis, because that activity can be enjoyed at almost any age, in the outdoors with friends and family, while social distancing. The Fishing Derby encouraged the youth of Orange County to participate in an exciting outdoor sport that can be enjoyed for a lifetime.



DA Hoovler helping the Orange County Federation of Sportsmen stock trout.

Summer Youth Gym Program - In July 2021, the District Attorney announced that the District Attorney's Office will be hosting a summer youth gym program. The program was run by Rick Scarpulla, a former coach at West Point, who has extensive experience working with professional and Olympic level athletes, and with youth. The program is designed to give high-school-age teenagers an alternative to spending their summer on the streets, and most sessions will include nutritional, motivational, and anti-drug messaging. The program will provide youth, particularly disadvantaged youth, with alternatives to engaging in criminal activity, as well as life skills and a compelling anti-drug message.

Orange County Veteran's Suicide Prevention Coalition - In November 2021, the District Attorney announced the Formation of Orange County Veteran's Suicide Prevention Coalition. The District Attorney's Office joined with the VA Hudson Valley Healthcare System to create a coalition to prevent veterans from committing suicide. Suicide numbers in Orange County are alarmingly high. Nationwide, about seventeen veterans succumb to suicide every day. Veteran suicide rates are fifty percent higher than non-veteran suicide rates. The VA Hudson Valley Healthcare System's efforts in this new coalition are being led by Carl LoFaro, a veteran himself, who is the Community Engagement and Partnership Coordinator with the VA. The Coalition has also met with several law enforcement agencies, all which have expressed a desire to help in spreading the anti-suicide message to our Orange County Communities. In addition, the Coalition knowing that many outdoors people are also veterans, reached out to the Black Rock Fish and Game Club of Cornwall and the Orange County Federation of Sportsmen. The Coalition has posted Veterans Crisis Line posters at local businesses, town halls and establishments across the county to make people aware of how to contact crisis resources. The Coalition will speak about suicide prevention and



DA Hoovler, Carl LoFaro of the VA Hudson Valley Healthcare System, and Senior ADA Matthew Healy announcing formation of Orange County Veteran's Suicide Prevention Coalition.

the opioid crisis resources to any organization that makes a request, since the goal is to educate the community on these subjects to prevent as many suicides and overdoses as possible.

Anti-Human-Trafficking Initiative- In 2021, the OCDA, in collaboration with “Fearless!,” formerly known as “Safe Homes of Orange County” continued to take part in an anti-human-trafficking initiative. The need is great. In 2018, nearly 500 cases of human trafficking were reported in New York State alone. The Anti-Trafficking Initiative, originally launched in 2020, is designed to inform the public about human trafficking, so that Orange County residents have the tools to recognize trafficking when they see it, can report it, and can possibly save trafficking victims from the traumatic nightmare that they’ve been forced into. With trafficking information that the public provides, law enforcement might be able to rescue victims of trafficking and catch and punish offenders. The campaign includes an eight-page brochure, a rack card, and a poster, designed to illustrate the scope of the human-trafficking problem. The materials point out the signs of human trafficking and dispel many myths about trafficking.

Hosting the Hunter Safety Program - The Hunter Safety Program is a ten-hour course designed to encourage interaction between law enforcement and the youth of Orange County, and to stress the importance of gun safety. The course is taught by Detective Michael Decker of the Port Jervis Police Department and Sergeant Ray Cirulli of the Deerpark Police Department, with assistance from assistant district attorneys. To date, over 300 Orange County citizens have participated in the program.

Assisting Orange County’s Immigrants in Dealing with the Criminal Justice System - As a member of the New York State District Attorney’s League of Immigrant Affairs (DALIA), OCDA continues to attend meetings with representatives from New York State district attorney’s offices in Queens, Manhattan, Brooklyn, Bronx, Nassau, Westchester, Rockland, and Richmond Counties. The Bureau participated in a league-wide public service announcement (PSA), in honor of Immigrant Heritage Month. The PSA explained to immigrant communities the services provided by the offices, how to reach them, and DALIA’s mission to combat the underreporting of crimes that target immigrant communities. The PSA also explained that DALIA’s mission is to facilitate cooperation and consistency between the agencies that prosecute those crimes and collaborate in assisting New York State’s immigrant victims and witnesses to navigate the criminal justice system. In addition, OCDA has continued its membership in the Protecting Immigrant New Yorkers (PINY) Task Force, a coalition of state, local, and federal agencies working together to protect immigrants from being defrauded. Under the OCDA’s Immigrant Affairs Initiative, immigrants who are victimized have a single point-of-contact, the Immigrant Affairs Coordinator, for assistance and information about their cases. In 2021, a Bureau member attended a training for Immigration 101, hosted by Catholic Charities. The Unit continues to process the certification of U-visa applications.

Hate Crimes Awareness Initiative - The Initiative is designed to raise awareness about the prevalence of hate crimes in our communities and to enhance the investigation and prosecution



2021 Leadership Orange inductees: Executive ADA Leah Canton (L), and Senior ADA Janine Kovacs (R).

of hate crimes. The Initiative is, in part, the result of investigations into several hate crimes committed in Orange County in recent years. As part of the Initiative, the OCDA, with funding from the Jewish Federation of Greater Orange County, has developed an informational brochure, *Speak Up to Stand Up Against Hate*, and a related poster, both of which are available for public distribution. The OCDA conducted a training seminar for law enforcement officers and school officials, to provide them with information about how to recognize and investigate hate crimes, so that the perpetrators of those crimes may be successfully prosecuted. The OCDA has established a Hate Crimes Hotline, (800) 378-1411, that people can use to report hate crime incidents, and District

Attorney Hoovler has assigned a senior prosecutor to coordinate efforts to investigate and prosecute hate crimes.

"Connect 2 Disconnect" Heroin and Opioid Awareness Campaign - District Attorney Hoovler designed the "Connect 2 Disconnect" program to provide education to the public to keep young people away from prescription drugs and heroin. "Connect 2 Disconnect" is designed to educate parents and peers about how they can "connect" with their children and contemporaries to "disconnect" them from prescription drugs and heroin. The campaign features posters, written materials, and a powerful public service announcement intended to drive home the severity of prescription opiate abuse, and its link to later addiction to heroin and other opiates.

Anti-Drug Coalitions - The Community Affairs Unit actively partners with the eight anti-drug coalitions in the County – TEAM Newburgh, the Middletown Cares Coalition, Operation PJ PRIDE, the Greenwood Lake Coalition, the Warwick Valley Coalition, the Tri-County Community Partnership, the Crusader Community Coalition, and the Town of Highlands Community Coalition – as well as the Wallkill Police Community Council. The Community Affairs Unit attends virtual and in-person monthly meetings for each coalition, where it provides the community with office updates, listens to community issues, and addresses community concerns related to crime.

Red Ribbon Week - The District Attorney appeared as a guest speaker at the kick-off ceremony for the anti-drug Red Ribbon Week held at the County Government Center, speaking about ways to remain drug and alcohol-free. Red Ribbon Week is an ideal way for people and communities to unite and take a visible stand against drugs. The Red Ribbon Week Campaign was started when drug traffickers in Guadalajara, Mexico, murdered DEA agent Enrique "Kiki" Camarena in 1985. That crime began the continuing tradition of displaying red ribbons as a symbol of intolerance towards the use of drugs. The



DA Hoovler and State Senator Michael Martucci at Red Ribbon anti-drug event.

mission of the Red Ribbon Campaign is to present a unified and visible commitment towards the creation of a drug-free America.

SUPPORTING LAW ENFORCEMENT PARTNERS

In 2021, the OCDA continued its commitment to work with and support our law enforcement partners. This included prosecuting cases where they were victimized while attempting to perform their jobs, and providing equipment such as body worn cameras, which are designed to keep law enforcement officers safe, and the public confident that police officers are accountable. Examples include:

People v. Anthony Wilmot-Francis – On July 14, 2021, Anthony Wilmot-Francis, age 26, of New Windsor, was sentenced five years in state prison in connection with having assaulted an Orange County Corrections Officer in the Orange County Jail. Wilmot-Francis was also sentenced to state prison on two other felony charges. On September 27, 2019, Wilmot-Francis was arrested by the Town of Newburgh Police Department upon allegations that he had hit a car with a shopping cart and when the driver of that car called the police, that he illegally entered a car dealership, stole a car, and drove off almost hitting a school bus containing children before crashing into a telephone pole. On December 23, 2019, Wilmot-Francis pled guilty to Reckless Endangerment in the First Degree. On January 27, 2020, Wilmot-Francis was arrested by the Town of Wallkill Police Department for Criminal Mischief in the Second Degree for having damaged walls, cameras, phones, and alarms while he was being treated at Orange Regional Medical Center. On March 11, 2020, while Wilmot-Francis was an inmate in the Orange County Jail, he assaulted an Orange County Sheriff’s Office corrections officer by striking the officer in the face multiple times and throwing chairs at the officer. On April 20, 2021, Wilmot-Francis pled guilty to Criminal Mischief in the Second Degree, in connection with the damaging of property at Orange Regional Medical Center, and Assault in the Second Degree for having assaulted the corrections officer. On July 14, 2021, Wilmot-Francis was sentenced to five years in state prison and three years’ post-release supervision on the charge of Assault in the Second Degree. He was also sentenced to one to three years in state prison for Criminal Mischief, and two to six years in state prison for Reckless Endangerment in the First Degree. The sentences were ordered to run concurrently. Assistant District Attorney Christine Maggiore prosecuted the cases.

Providing Body-Worn Cameras – On April 16, 2021, District Attorney David M. Hoover announced that his Office has provided funding to the Village of Tuxedo Park for the purchase of body-worn cameras for officers serving the Village. The funds will be taken from forfeiture proceeds that the District Attorney’s Office received from 2019’s *Operation Bread, White, and Blues* narcotics investigation, and are part of District Attorney Hoover’s continuing program of providing funding for body-worn cameras to Orange County’s police agencies. “Body-worn cameras are among the latest tools available to help ensure police accountability and transparency,” said District Attorney Hoover, “and can also provide valuable evidence for use in some criminal investigations and prosecutions.



DA Hoover at the Fraternal Order of Police Lodge 957 Annual Wreath Laying. (Since becoming District Attorney, David Hoover has not missed this annual memorial to police officers who died in the line of duty.)