



RICHARD A. BROWN
DISTRICT ATTORNEY

**DISTRICT ATTORNEY
QUEENS COUNTY
125-01 QUEENS BOULEVARD
KEW GARDENS, NEW YORK 11415-1568
718-286-6000**

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CONTACT: KEVIN RYAN (QDA)
MERIS CAMPBELL
(718) 286-6315

ELIZABETH KALTMAN (MPAA)
(818) 450-7590

THREE CHARGED IN DVD PIRACY SCHEME

Dogs Used for the First Time In United States To Assist Law Enforcement In Sniffing Out DVDs

Queens District Attorney Richard A. Brown, joined by the Motion Picture Association of America's (MPAA) Executive Vice President and Director of Worldwide Anti-Piracy Operations John G. Malcolm, today announced the seizure of thousands of counterfeit DVDs from three retail outlets located in the Jamaica section of Queens and the arrest of the individuals operating those outlets.

District Attorney Brown said, "For the first time in the United States, specially trained DVD-sniffing dogs have actively participated in a criminal investigation aimed at combating DVD piracy. The dogs passed with flying colors by successfully ferreting out hidden contraband at a number of locations. Man's best friend has become a DVD counterfeiter's worst nightmare as we now welcome this latest weapon into our law enforcement anti-piracy arsenal."

"The MPAA has a multi-pronged approach to fighting piracy, including public outreach and enforcement. And since last year we've added two more very talented crime fighters to our arsenal, Lucky and Flo, the world's first DVD-sniffing canines," said John Malcolm, Executive VP and Director of Worldwide Anti-Piracy Operations for the MPAA.

"Lucky and Flo are in New York to help raise awareness about the pervasiveness of film theft and about the dangerous nature of many of the criminal syndicates that engage it," continued Mr. Malcolm. "I commend the Queens District Attorney for his efforts to fight film piracy in his jurisdiction and for utilizing these amazing pups in yesterday's raid. We are pleased and proud to assist him in his ongoing efforts to combat this pernicious crime that puts money into the hands of serious criminals and deprives creative artists of their right to make an honest living creating works of movie magic that we all enjoy."

The disc-sniffing dogs are two black Labrador Retrievers named Lucky and Flo, who are the first animals trained to detect the scent of polycarbonate and other chemicals used in optical discs. They are sponsored by the MPAA as part of an initiative to combat copyright infringement relating to motion pictures and DVD discs. For the last six months, Lucky and Flo have been on assignment in Malaysia where, as part of "Operation Double Trouble," they accompanied Malaysian and Filipino law enforcement officers on 35 raids, leading to the arrest of 26 people on copyright violations. As part of the raids, nearly 1.9 million pirated discs with an estimated street value of more than \$3.5 million were seized, as well as 97 burner towers used to produce the pirated discs and three replicating lines from a pirate plant valued at approximately \$2 million that were used to produce high quality pirated products.

District Attorney Brown added, "Here in New York we are all too familiar with the ubiquitous pirated DVDs and CDs that are being sold all over the City – in neighborhood retail stores, at flea markets and by street corner vendors. These counterfeit discs – which are clearly of inferior quality – are sold for between \$5 and \$10 each, well below the price of the legitimate product, which usually runs around \$20. Those involved in the manufacture, distribution and sale of these bogus discs fleece the motion picture industry of billions of dollars in worldwide revenue, cheat companies and artists out of substantial sums in lost royalties and rip off honest consumers who are forced to pay higher prices for their theatrical and DVD entertainment. In addition, such piracy deprives the City and State of much needed tax revenue. My office will continue to work with the motion picture industry to close down these illegal operations and vigorously prosecute those involved."

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The defendants are identified as Ibrahima Diallo, 19, of 82-79 167th Street in Queens, Mohamed Sene, 20, of 1223 Wheeler Avenue in the Bronx, and Michael Williams, 20, of 109-25 Merrick Boulevard in Queens. The defendants, who are being held pending arraignment in Queens County Criminal Court, have been charged with second-degree trademark counterfeiting and first-degree failure to disclose the origins of a recording. If convicted, the defendants each face up to four years in prison.

The District Attorney said that, according to the criminal charges, court-authorized search warrants were executed yesterday by detectives assigned to the District Attorney's Detective Bureau on Electronic Electroshack, located at 89-27 165th Street, Leather Wholesale, a variety store selling clothing luggage and DVDs and CDs at 89-64 165th Street, and 165 Flava, located at 165-01 Jamaica Avenue.

According to the District Attorney, detectives conducted a search of the stores and recovered counterfeit DVD movies of recent theatrical releases which are not available on DVD, such as "The Simpsons Movie," "Knocked Up," "The Bourne Ultimatum," "Rush Hour 3," "The Invasion," "Illegal Tender," "Underdog," and others.

The investigation was conducted by Detectives Richard A. Lewis, Patrick Dolan and other members of the District Attorney's Detective Bureau, under the supervision of Lieutenant Robert J. Burke and Sergeant John W. Kenna and the overall supervision of Lawrence J. Festa, Chief Investigator, and Albert D. Velardi, Deputy Chief Investigator. Assisting in the investigation were Investigators John Segovia and Christopher Kirkland from The Motion Pictures Association of America under the supervision of Staff Supervisor Peter English and the overall supervision of William Shannon, Deputy Director of U.S. Operations.

District Attorney Brown expressed his appreciation for the cooperation and support from the Motion Picture Association of America and the Recording Industry Association of America, both located in Yonkers, New York.

The case is being prosecuted by Assistant District Attorney Jonathan D. Scharf, of the District Attorney's Economic Crimes Bureau, under the supervision of Assistant District Attorneys Gregory C. Pavlides, Bureau Chief, and Christina Hanophy, Deputy Bureau Chief, and the overall supervision of Executive District Attorney for Investigations Peter A. Crusco and Deputy Executive Assistant District Attorney for Investigations Linda M. Cantoni.

It should be noted that criminal charges are merely an accusation and that defendants are presumed innocent until proven guilty.

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Note to Editors: Press release e-version posted at www.queensda.org.