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**D.A. BROWN: ALLEGED BAT-WIELDING MAN CHARGED
WITH ATTEMPTED MURDER AND ROBBERY OF UNIFORMED POLICE OFFICER**

*Allegedly Struck On-Duty Police Officer In Head With Baseball Bat and Stole His Gun and Handcuffs;
Faces Up to Life in Prison*

Queens District Attorney Richard A. Brown announced today that a 21-year-old man has been charged with attempted murder of an on-duty New York City police officer – who was on uniform foot patrol in Jackson Heights – by ambushing him and brutally beating him with a baseball bat before robbing him of his gun and handcuffs.

District Attorney Brown said, “The defendant is charged with having engaged in a vicious, brutal and premeditated attack on a uniformed New York City police officer for the apparent purpose of stealing his weapon so that he might use it to commit future armed robberies. It is a miracle that the officer survived. This case underscores yet again the dangers faced by New York City police officers in the performance of their duty.”

The District Attorney identified the defendant as Danny Fernandez, 21, of 78-18 162nd Street in Flushing. The defendant is charged with first-degree attempted murder, aggravated assault upon a police officer, first-degree assault, two counts of first-degree robbery, second and fourth-degree criminal possession of a weapon and fourth and fifth-degree criminal possession of stolen property. If convicted, he faces up to 25 years to life in prison.

District Attorney Brown said that, according to the charges, at approximately 1:30 a.m. this morning, February 5, 2007, the defendant approached uniformed Police Officer Joseph Cho, 30, at the intersection of 39th Avenue and 102nd Street in Jackson Heights and struck him once from behind with a baseball bat, knocking him to the ground. Seeing that Officer Cho was still moving, it is alleged that the defendant struck the officer once more in the head before removing his gun and handcuffs and fleeing on foot.

District Attorney Brown said it is further alleged that Police Officer Patrick Lynch, 22, who is assigned to the NYPD’s Field Training Unit, was on foot patrol and, having observed defendant Fernandez stealing Officer Cho’s weapon and handcuffs, chased the fleeing defendant and apprehended him. The defendant was allegedly still in possession of Officer Cho’s items and the bat was recovered at the scene of the assault. It is further alleged that Fernandez claimed to be \$16,000 in debt, which he hoped to pay off by committing robberies with the police officer’s gun and cuffs. Fernandez allegedly admitted that he began looking for a police officer who was alone at approximately 9:30 p.m. last night and encountered Officer Cho sometime after 1:00 a.m. He then allegedly followed the officer around, waiting for an opportunity to attack him.

Officer Cho, who is also assigned to the NYPD’s Field Training Unit, was transported to a local Queens hospital, where he is being treated for a fractured skull and concussion and listed in serious condition.

District Attorney Brown said that the defendant is currently being held pending arraignment later today in Queens Criminal Court in Kew Gardens.

District Attorney Brown said, “I commend the arresting officer, Police Officer Lynch, who is only out of the police academy two months, and who acted quickly and professionally in removing from our streets the defendant – an allegedly dangerous predator who was intent upon committing additional robberies across our City.”

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The investigation was conducted by Detectives Kevin Vega and Richard Pimental of the New York City Police Department's 115th Precinct Detective Squad under the overall supervision of Captain Anthony Motola, Commanding Officer.

Assistant District Attorney Jeneen M. Wunder of the District Attorney's Homicide Investigations Bureau is prosecuting the case under the supervision of Assistant District Attorneys Peter T. Reese, Bureau Chief, Peter J. McCormack III, Deputy Bureau Chief, and Richard B. Schaeffer, Senior Trial Attorney, and the overall supervision of Executive Assistant District Attorney for Major Crimes Charles A. Testagrossa and Deputy Executive Assistant District Attorney for Major Crimes Daniel A. Saunders.

It should be noted that criminal charges are merely accusations and that a defendant is presumed innocent until proven guilty.

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Note to Editors: E-version of this press release posted at www.queensda.org