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**RIKERS ISLAND INMATE AND QUEENS MAN CHARGED
IN MURDER-FOR-HIRE PLOT TO KILL POLICE OFFICER**

Defendants Face Up To 25 Years in Prison

Queens District Attorney Richard A. Brown, joined by New York City Police Commissioner Raymond W. Kelly, announced today that a Rikers Island inmate has been charged with orchestrating a jailhouse plot to hire a “hit man” to kill a New York City police officer in order to prevent him from testifying at his upcoming trial. A second man has also been charged for his alleged participation in the conspiracy.

District Attorney Brown said, “Justice may be blind, but it’s not deaf. When prosecutors were told of the murder-for-hire plot the defendants were allegedly hatching, the response by police and prosecutors was swift and effective. The cooperation of victims and witnesses is critical to our crime-fighting efforts and we will do everything within our power to ensure their safety. Clearly, the conduct underlying these charges is extremely serious and the dangerous weapons recovered show that the defendants had the intent and means to carry out their deadly plans. Having failed in their efforts, however, they now face strong laws and tough penalties.”

Commissioner Kelly said, “A police officer represents all of society in the enforcement of the law. If we let a threat against a police officer stand, we are abetting the ultimate undoing of civilized society. I want to thank District Attorney Brown and his staff for their important work in this case.”

District Attorney Brown identified the defendants as Andrew J. Spencer, 23, of 115-36 159th Street in Jamaica, and Kiyee Kye, 23, of 157-14 115th Road, also in Jamaica. Spencer, who has been held at Rikers Island in lieu of \$750,000 bail since August 2006, and Kye have each been charged with Conspiracy in the Second Degree (to Commit Murder), Criminal Facilitation in the Second Degree, Criminal Solicitation in the Second Degree and Criminal Possession of a Weapon in the Second Degree. If convicted, they each face up to 25 years in prison.

In the underlying case, Spencer was arrested on August 16, 2006, when an off-duty police officer (whose name is being withheld) witnessed a violent confrontation in front of his house between the defendant Spencer and another man. When the police officer attempted to intercede, Spencer allegedly punched him in the face and pointed a loaded .40-caliber semi-automatic handgun at him. The police officer responded by pulling out his own weapon, identifying himself as a police officer at least three times and ordering Spencer to drop his gun. After doing as instructed, Spencer allegedly took out money and offered it to the officer, stating, “I’ll give you money. I can’t get locked up. I’m on parole.” At the time of the alleged incident, two young female children were present at the scene – the officer’s 15-month-old niece and a three-year-old child.

Spencer was charged in that case with second- and third-degree criminal possession of a weapon, third-degree assault, second-degree menacing, endangering the welfare of a child and second-degree harassment. Spencer, who faces up to 15 years in prison if convicted, is awaiting trial on that crime in Queens Supreme Court in Kew Gardens.

According to the latest charges, Spencer is alleged to have said in a recorded conversation on April 21st that he was seeking to find a hit man to murder the police officer in exchange for \$1,000 in cash and two automobiles – a Lexus and a Jeep – and that the defendant Kye would supply the weapons to commit the crime. Later that day, an undercover officer met with Kye at his house and allegedly was provided with a bulletproof vest at Spencer's request. In other recorded conversations that day and on April 26th, the defendants allegedly provided details regarding the identity of the police officer, the address where he lived, the possibility of using an automatic rifle or handgun to commit the murder and the manner in which the defendants wanted the police officer killed.

A week ago last Tuesday, on May 1, 2007, a search warrant was executed on Kye's house at 157-14 115th Road in Jamaica and among the items recovered were a loaded .9mm Smith and Wesson handgun and a loaded semi-automatic assault rifle with a bayonet mount and a flash suppressor.

Spencer and Kye were arraigned before Queens Criminal Court Judge Ira Margolis on May 3, 2007. Both defendants were remanded and ordered to return to court on May 17, 2007.

The investigations were conducted by Detectives Dominick DiGennaro and David Gilbert, of the Queens District Attorney's NYPD Detective Squad, under the supervision of Captain John M. Zanfardino and Sergeant Frank Horvath, and the overall supervision of Chief of Detectives George F. Brown.

Assistant District Attorney Rosemary Chao is prosecuting the earlier assault case against Spencer and Senior Assistant District Attorney Maryam A. Lipkansky is prosecuting the murder-for-hire case against Spencer and Kye, under the supervision of Assistant District Attorney James W. Evangelou, Bureau Chief of the District Attorney's Career Criminal Major Crimes Bureau, and the overall supervision of Executive Assistant District Attorney for Trial James C. Quinn and Deputy Executive Assistant District Attorney for Trials John H. Larsen.

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

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