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RIKERS ISLAND INMATE SENTENCED
IN "MURDER-FOR-HIRE" PLOT TO KILL POLICE OFFICER

Queens District Attorney Richard A. Brown announced today that a Rikers Island inmate who pleaded guilty in connection to 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 the defendant's trial was sentenced today to five years in prison. The sentence is to run consecutive to the 15 years he is serving on the underlying crime. A second man who pleaded guilty for his participation in the conspiracy was sentenced to an indeterminate term of 4 ½ to 9 years in prison.

District Attorney Brown said, "These defendants committed a serious crime that strikes at the heart of our justice system. Police officers represent society's first line of defense in the enforcement of our laws. Individuals such as these defendants who would threaten the lives of police officers carrying out their sworn duty must be dealt with severely."

District Attorney Brown identified the defendants as Andrew J. Spencer, 25, of 115-36 159th Street in Jamaica, and Kiyee Kye, 25, of 157-14 115th Road, also in Jamaica. Queens Supreme Court Justice Darrell Gavrin today sentenced Spencer to a determinate term of five years following his guilty plea last month to second-degree attempted criminal possession of weapon. The sentence is to run consecutive to the 15 years he was sentenced to on December 10, 2007, following his second-degree criminal possession of a weapon conviction at trial. Kye, who last month pleaded guilty to second-degree conspiracy, was sentenced today to an indeterminate term of 4 ½ to 9 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 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 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 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. He was convicted on November 2, 2007 following a jury trial.

In connection with the murder-for-hire case, Spencer said in a recorded conversation on April

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21, 2007, 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 was provided with a bulletproof vest at Spencer's request. In other recorded conversations that day and on April 26th, the defendants 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.

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.

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 then Chief of Detectives George F. Brown.

Assistant District Attorney Maryam A. Lipkansky, Supervisor in the District Attorney's Career Criminal Major Crimes Bureau, prosecuted the murder-for-hire case against Spencer and Kye, under the supervision of Assistant District Attorney James W. Evangelou, Bureau Chief, and the overall supervision of Executive Assistant District Attorney for Trials James C. Quinn and Deputy Executive Assistant District Attorney for Trials John H. Larsen.

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