



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: PRESS OFFICE
(718) 286-6315

QUEENS MAN CONVICTED OF HOME INVASION RAPE

DNA "Cold Hit" Led To Capture Of Defendant Who Now Faces Life In Prison

Queens District Attorney Richard A. Brown announced today that a Queens man has been convicted of the 2006 knife-point rape of a 37-year-old woman who was spending the night at a friend's Richmond Hill home. The defendant, who identified himself as a police officer during the assault, was linked to the crime as a result of a DNA "cold hit" in which DNA crime evidence was matched to his DNA profile in the national DNA database system.

District Attorney Brown said, "This case underscores yet again the crucial importance of DNA evidence. A drop of blood found at the crime scene was key to identifying the defendant and bringing him to justice. The maximum penalty is warranted for this defendant who is a violent predicate felon with prior convictions for both burglary and sexual assault."

The District Attorney identified the defendant as Antonio Ortiz, 42, of 8502 Rockaway Boulevard in Far Rockaway. Ortiz has been convicted of two counts of predatory sexual assault, one count of first-degree rape, one count of first-degree criminal sexual act, one count of first-degree burglary and one count of first-degree attempted rape following a three-week jury trial. He faces three consecutive sentences of 25 years to life in prison when he is sentenced on March 5, 2009, by Queens Supreme Court Justice Ronald Hollie.

District Attorney Brown said that, according to the testimony, at approximately 3:30 a.m. on August 24, 2006, the victim was sleeping in a second-floor bedroom at her friend's Richmond Hill home when she awoke to see the defendant – who had gained entry through a kitchen window on the first floor – holding a knife and purporting to be a police officer. When she tried to flee, the defendant pushed her back on the bed and forcibly raped her. He then robbed her and the homeowner of money, gold jewelry and other personal effects before fleeing.

A drop of blood recovered from a kitchen window ledge where the defendant entered the home matched the defendant's DNA profile which had previously been entered into the National DNA database known as CODIS (Combined DNA Index System) following his conviction in a Brooklyn burglary.

District Attorney Brown added that this is the first conviction in Queens County under the newly enacted predatory sexual assault statute which enhances penalties for offenders who commit a violent sex crime while armed with a dangerous weapon.

The investigation was conducted by Detective Jon Hafner of the New York City Police Department's Queens Special Victims Squad under the command of Lieutenant Arthur Hall. Assisting in the investigation was the NYPD's 102nd Precinct.

The case was prosecuted by Assistant District Attorney Karen B. Migdal, a supervisor in the District Attorney's Special Victims Bureau, under the supervision of Assistant District Attorney Marjory D. Fisher, Bureau Chief and Assistant District Attorneys Kenneth M. Appelbaum and Lucinda C. Suarez, Deputy Bureau Chiefs, and under 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.

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