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FAR ROCKAWAY MAN CHARGED FOLLOWING DNA HIT
AS SEXUAL PREDATOR IN GUNPOINT RAPE OF TWO WOMEN

Faces Up To 50 Years To Life In Prison If Convicted

Queens District Attorney Richard A. Brown announced today that a 23-year-old Far Rockaway resident has been charged with the rape and robbery of two women who were accosted at gunpoint in separate incidents last week after DNA evidence at one crime scene matched his DNA profile.

“DNA evidence is the equivalent of a criminal leaving his wallet containing his name and address at a crime scene,” said District Attorney Brown. “DNA has become one of law enforcement’s most important tools. It is to criminal investigations today what fingerprints have been in the past – only better. It is virtually foolproof. It identifies the guilty and excludes the innocent.”

The District Attorney continued, “The offenses of which the defendant has been charged are crimes of violence that pose a serious threat to public safety and which warrant vigorous prosecution.”

The District Attorney identified the defendant as Malcolm Johnson, 23, of 146 Beach 59 Street in the Arverne section of Far Rockaway. Johnson, who is being held pending arraignment in Queens Criminal Court, is charged with four counts of predatory sexual assault, two counts of first-degree rape, two counts of first-degree robbery, two counts of first-degree unlawful imprisonment and two counts each of second- and third-degree criminal possession of a weapon. If convicted, he faces up to 50 years to life in prison.

District Attorney Brown said that, according to the criminal charges, Johnson approached a 25-year-old woman from behind as she was walking along the street at approximately 3:10 a.m. on the morning of October 27, 2009, and then jumped in front of her, pointing a handgun at her and telling her that she would not be hurt if she cooperated with him. He then allegedly dragged her to the rear of a nearby church parking lot at 330 Beach 67th Street and demanded her money and cell phone. It is alleged that when she stated that she did not have a cell phone, Johnson took \$15 from her and then demanded that she take off her clothes. He then allegedly donned latex gloves and a condom before raping her.

It is further alleged that Johnson approached a 21-year-old woman at approximately 5:15 a.m. the following morning and grabbed her arm and pointed a handgun at her. He then allegedly led her at gunpoint to 364 Beach 56th Street, where he took her up in the elevator to the sixth floor before

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entering the stairway and leading her up to the roof landing. Once there, it is alleged, he instructed her to remove her pants and donned latex gloves and raped her. Afterwards, he allegedly grabbed the woman's pocketbook, containing cash, a bank card and personal papers, before fleeing.

District Attorney Brown said that it is further alleged that a condom was discovered a block away from the October 27th crime scene and allegedly contained DNA evidence belonging to both the defendant and the victim.

On November 3, 2009, a court-authorized search warrant was executed at Johnson's residence and, it is alleged, two illegal handguns – a .32 caliber semi-automatic pistol and a .357 caliber revolver – and assorted rounds of ammunition were seized.

The investigation was conducted by the New York City Police Department's Queens Special Victims Squad. Assisting in the investigation were the NYPD's 100 and 101 Precinct Detective Squads and the Crime Scene Unit.

The case is being prosecuted by Assistant District Attorney Frank DeGaetano, Supervisor in the District Attorney's Special Victims Bureau, which is 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.

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

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