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FOR IMMEDIATE RELEASE
FRIDAY, OCTOBER 30, 2009

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DNA "COLD HIT" TRIAL FINDS PRISON INMATE GUILTY OF TWO RAPES

Jury Returns Verdict In Less Than Twenty Minutes; Finds Defendant Guilty Of Raping Woman in 1996 and 12-year-Old Girl in 2004; Faces Up to 75 Years In Prison

Queens District Attorney Richard A. Brown announced today that a former Far Rockaway resident who is presently serving a three-year sentence for grand larceny has been convicted on charges of rape and robbery stemming from incidents that occurred in 1996 and 2004.

In 2006, the victim in the earlier incident traveled to Albany and successfully urged the State Legislature to expand the state's DNA database to include all felonies and not just serious, violent crimes. As a result, in part because of her efforts, the defendant was ordered to submit a DNA sample after his 2006 grand larceny conviction, which was then positively matched to the rape kits taken at the time of each incident through the national database known as CODIS (Combined DNA Index System).

District Attorney Brown said, "DNA evidence that was collected from the rape victims at the time of the incidents and stored in a database was able to convict this defendant, thanks in part to a law for which the adult victim lobbied in this case to have passed. This case underscores the crucial importance of DNA evidence which is irrefutable proof of guilt or innocence. Jurors returned a swift and decisive verdict and the defendant now faces a considerable amount of time in prison."

The District Attorney identified the defendant as Richard Thomas, 43, formerly of 2234 New Haven Avenue, Far Rockaway, Queens. Following a four-day trial, the jury deliberated for 19 minutes before finding Thomas guilty of two counts of first-degree rape, three counts of first-degree robbery, one count of first-degree criminal possession of a weapon, three counts of first-degree unlawful imprisonment and one count of endangering the welfare of a child. Queens Supreme Court Justice Ronald D. Hollie set sentencing for November 17, 2009, at which time Thomas faces up to 75 years in prison.

District Attorney Brown said that, according to trial testimony, Thomas approached a couple who were seated in their vehicle and stopped at an intersection on August 17, 1996, and, at gunpoint, ordered them out of the car. Thomas then robbed the male victim at gunpoint before locking him in the trunk of the vehicle. Thomas then raped and robbed the female victim in a nearby vacant lot before also locking her in the trunk. In the second incident, Thomas attacked a 12-year-old girl in a driveway on Bay 27th Street on February 20, 2004, as she walked to the school bus and raped and robbed her.

The District Attorney said that the 1996 sexual assault evidence kit was tested as part of the City's Backlog Project and linked to the 2004 sexual assault. The Backlog project is an initiative that reopens sexual assault cases in which perpetrators have been identified using DNA from rape kits that are matched with convicted felony offender DNA profiles on file with New York and national DNA databanks.

The investigation was conducted by Detectives Sal Molino and James O'Boyle of the New York City Police Department's Queens Special Victims Squad under the supervision of Lieutenant Arthur Hall, Commanding Officer.

Assistant District Attorney Eric C. Rosenbaum, Chief of the District Attorney's DNA Prosecutions Unit, prosecuted the case under the supervision of Assistant District Attorneys Marjory D. Fisher, the Bureau Chief of the District Attorney's Special Victims Bureau, and the overall supervision of Executive Assistant District Attorney for Major Crimes Charles A. Testagrossa and Deputy Assistant District Attorney Daniel A. Saunders.

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