



**RICHARD A. BROWN**  
DISTRICT ATTORNEY

**DISTRICT ATTORNEY  
QUEENS COUNTY**  
125-01 QUEENS BOULEVARD  
KEW GARDENS, NEW YORK 11415-1568  
718-286-6000

Release # 189-2018  
[www.queensda.org](http://www.queensda.org)  
twitter@QueensDABrown

**FOR IMMEDIATE RELEASE**  
MONDAY, DECEMBER 31, 2018

**CONTACT: PRESS OFFICE**  
(718) 286-6315  
QDACommunications@queensda.org

**PLUMBING-SKILLED SUSPECT CAUGHT IN SERIES OF TOILET THEFTS;**  
**ALLEGEDLY HIT FAST FOOD SPOTS FOR PRICEY FLUSH FIXTURES**

*Defendant Charged With Burglary and Other Crimes*

Queens District Attorney Richard A. Brown today announced that a 44-year-old Congers, New York man has been charged with burglary and other crimes for a series of thefts within the restrooms of eight fast food and fast casual restaurants throughout Queens between November 23, 2018 and December 28, 2018.

District Attorney Brown said, “The defendant in this case stopped into various restaurants in Queens County - not for food, but for toilet flush fixtures. Bypassing the counter to order a quick meal, the defendant allegedly made a bee-line for the restrooms and exited minutes later with toilet flush fixtures stuffed in a bag. Some restaurants were allegedly hit twice by the plumbing plunderer. The defendant will now face the legal consequences for these alleged acts.”

The District Attorney identified the defendant as Richard Mirabile, 44, of Conger, in upstate New York. The defendant was arraigned Friday, December 28, 2018, before Queens Criminal Court Judge Toni M. Cimino on a complaint charging him with third-degree burglary, third- and fourth-degree criminal mischief, petit larceny and attempted petit larceny. Judge Cimino set bail at \$25,000 and ordered the defendant to returned to court on January 9, 2019.

According to the charges, said District Attorney Brown, on eight separate occasions in November through the end of December 2018, the defendant was seen either by an individual or on video surveillance drive into a restaurant’s parking lot, go inside the building’s restroom and exit with bag. Restaurant employees noticed after the defendant left the eatery, the toilets’ flushing mechanisms were missing.

The District Attorney said, according to the charges, at approximately 12:53 p.m. on November 23, 2018, the defendant was seen on surveillance video entering a Wendy’s restaurant at 61-11 Fresh Pond Road, in Ridgewood, Queens. With a bag in hand, the defendant went toward the men’s restroom, where he remained out of camera view for a few minutes. Shortly afterward the defendant exited the restaurant’s bathroom and the store’s manager entered the bathroom and noticed that the automatic flushing fixtures on both the men’s toilet and the urinal were missing. This Wendy’s was allegedly hit a second time by the same defendant a few days later on November 26, 2018.

The District Attorney continued that, according to the charges, on December 7, 2018 at roughly 4 p.m. the defendant was seen entering the restroom of a Burger King at 33-10 Astoria Boulevard, in Astoria, Queens, carrying a shoulder bag. Spending no more than 10 minutes in the restroom, the defendant is seen leaving the location with a bag, containing the flushing fixtures for both the men’s toilet and the urinal. The defendant allegedly repeated the theft at the same Burger King on December 28, 2018.

Furthermore, said the District Attorney, On December 10 and 11, 2018, the defendant continued the same alleged pattern of stealing flushing fixtures at several other establishments. Surveillance cameras inside an Arby’s and a Wendy’s, both on Metropolitan Avenue in Middle Village, allegedly show the defendant entering and exiting the restaurant’s unisex restroom’s and leaving shortly afterwards and the flush fixtures gone.

(MORE)

District Attorney Brown said, the defendant allegedly stole flushing mechanisms from two other eateries - the Bean N Bean coffee shop in Flushing and another Arby's in Fresh Meadows - on December 26, 2018. Toilet flush fixtures are valued at approximately \$250 each.

The investigation was conducted by Detective John Riccardello, of the Grand Larceny Unit of the New York City Police Department, under the supervision of Lieutenant Robert Rattigan.

Assistant District Attorney Kiranjot Gill, of the District Attorney's Special Proceedings Bureau, is prosecuting the case, under the supervision of Assistant District Attorneys Anthony M. Communiello, Bureau Chief, Oscar W. Ruiz and Nicoletta J. Caferri, Deputy Bureau Chiefs, Neil F. Gitin, Supervisor, and under the overall supervision of Executive Assistant District Attorney of Investigations Peter A. Crusco and Deputy Executive Assistant District Attorney of Investigations Wilbert J. LeMelle.

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

#

**Note to Editors: An e-version of this press release is posted on the QDA website at [www.queensda.org](http://www.queensda.org).**