



Opening Argument



Richard A. Brown

REMARKS OF QUEENS DISTRICT ATTORNEY RICHARD A. BROWN 2012 LEGISLATIVE BREAKFAST

This is the twentieth year that we've had these breakfast meetings. They give me the opportunity to provide you with an overview of some of the things that we have accomplished over the past year – as well as to discuss with you what the future holds in store.

Last year was another eventful and exciting year for us. It was a year in which we prosecuted many high profile cases, completed many significant long term investigations and handled our cases -- I believe most people would agree -- fairly, efficiently and professionally.

Personal Milestone

Last year, as you know, was also an election year and I was elected to a sixth term as District Attorney making me undeniably the longest serving District Attorney in the history of Queens County.

Then and Now

Our office has changed dramatically since I was first appointed by Governor Cuomo, the First, over 20 years ago. We had 361 homicides during my first year – last year we had 82. During my first year as District Attorney we had some 52,000 cars reported stolen in Queens County – last year we had just over 3,100. Violent crime is down by more than 80 percent.

While the New York City Police Department is entitled to the lion's share of the credit for this remarkable reduction in crime, I like to think that we, as prosecutors, are entitled to share in that credit.

When we took over this office on June 1, 1991, we were still very much in the dark ages. Our assistants in most cases saw the case file for the first time when they were about to pick a jury. They rarely showed up at crime scenes. They had no computers – nor had they heard of Blackberries, emails or voicemails. We had no training component. Our assistants literally prosecuted their cases by the seat of their pants.

Dramatic Changes

All of that has changed.

We now have approximately 300 ADAs – 57 percent of whom are women. We have an NYPD Detective Squad, a seven member State Police Unit and some fifty detectives of our own. With our secretaries, paralegals and other support staff, we today number more than 600 employees who together are representative of the extraordinary diversity of our county.

We are an office that is completely computerized and linked together by a modern voicemail and Blackberry system -- and by our 24 hour, 7 day a week NYPD manned Command Center that keeps us apprised of everything that is happening in our county at all hours of the day and night – and dispatches our assistants to crime scenes or makes them available to answer questions or to assist in case processing.

In The Wake of 9/11

We are an office that works closely with our federal, state and local law enforcement partners – sharing information and jointly investigating criminal activity.

In view of the fact that our county is home to two of our nation's busiest airports, we maintain an Airport Investigations Unit which investigates and prosecutes criminal activity at JFK and LaGuardia. Following the tragic events of September 11, 2001, we added a Counter Terrorism Unit which, among other things, shares on a daily basis vital information with our law enforcement colleagues and lends support in coordinating our efforts.

In addition, we have a permanent seat on the Joint Terrorist Task Force and assist in gathering intelligence by conducting debriefings of arrestees from countries that sponsor terrorism.

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We give particular attention to investigating and prosecuting specific precursor crimes to terrorism, including identity theft, money laundering, counterfeit trademarking and the forgery or illegal procurement of identification documents. As a result, we have been able to provide valuable information to both the NYPD's Intelligence Division and to the Joint Terrorist Task Force and to work with them on significant classified investigations.

ADAs Involved In Cases From the Get Go

We make a concerted effort to get involved in our cases as early in the process as possible.

We have in place, for example, an extensive "riding" program which puts our assistants at all sorts of crime scenes at all hours of the day and night to work alongside of our police officers. In addition, we are in the police precincts and the hospitals and in the homes of victims at all hours of the day and night.

Our plea policy – which severely limits post indictment plea bargaining – has significantly reduced case backlogs in the Supreme Court and has allowed us to engage in meaningful plea discussions with the defense bar early on.

And our Central Booking Interview Program – which takes videotaped statements from individuals awaiting arraignment on felony charges -- has proven to be a great success. We began the program in July of 2007 and have done approximately 9,200 interviews to date. It, among other things, helps us to make certain that those whom we accuse are being properly charged. As a result, in some instances, the program has led to a reduction of the charges filed by the police and in others to the outright dismissal of the charges and the release of individuals who have been mistakenly arrested. In others, it has helped to build stronger cases.

Search Warrants And Wiretaps

Last year our office drafted close to 1,000 search warrants and our assistants attended and supervised some 357 lineups in police precincts across the county. We are the only office that has an assistant present at every lineup to make sure that we get it right.

At least three mornings a week we have regularly scheduled 8:30 a.m. meetings in this room at which time our executive staff and I go over pending cases with our bureau chiefs and their assistants and discuss legal issues and administrative matters.

We have the lowest felony complaint dismissal rate and the lowest indictment dismissal rate in the City. We have the highest felony conviction rate in the City.

We continue to be a national leader in the number of court-authorized wiretaps that we do. Last year we did close to 13 percent of the non-federal wires in the entire country – more than any other jurisdiction. And, significantly, in my almost twenty-one years as District Attorney, with one exception which is now under appeal, we've never had any of our wires controverted.

Special Prosecutions Division

Our Special Prosecutions Division runs a host of crime prevention, school-based and community outreach programs. It attends our precinct council and community board meetings and provides me with a set of minutes so that I personally know what is going on across the county. It provides speakers for schools, community groups and town hall meetings, and it coordinates the activities of our many advisory councils.

Best Arrest To Arraignment Time

Last year we handled some 73,500 arrest cases – up more than 73 percent since 1993. And we take particular pride in the expeditious fashion in which we process those cases.

We have, for example, the best arrest to arraignment time in the City – and the highest percentage of cases arraigned within 24 hours.

D.A.'s Office - Presence In Community

We are housed at four locations here in Kew Gardens. In addition to the DA's wing here in the Courthouse, we have a floor in the Courthouse Annex, Grand Jury and Intake space in Borough Hall and four floors in 80-02 Kew Gardens Road. In total, we occupy some 130,000 square feet of space.

Beyond that, we have a Child Advocacy Center in the old Medical Society building on Queens Boulevard and a Family Justice Center located adjacent to the courthouse here in Kew Gardens.

Our Domestic Violence Bureau – which is located within the Family Justice Center – has the highest domestic violence conviction rate in the City and the lowest dismissal rate – and it takes more pre-

indictment domestic violence pleas than the rest of the City combined.

Investigations Division

Over the past year our Investigations Division has conducted many significant long term investigations into criminal enterprises throughout our County – criminal enterprises that prey upon our local neighborhoods. They have brought major cases dismantling violent gun and drug gangs and rescuing young women from underage prostitution and sex trafficking rings. And they have successfully taken down white collar enterprises involved in identity theft, credit card fraud, mortgage fraud, auto theft and insurance fraud and illegal gambling, among others.

Our Appeals Bureau has successfully defended our convictions on direct appeal and from collateral attack in state and federal court and works closely with our assistants as they litigate important new legal issues.

Alternative Sentencing Programs

We have a broad array of alternative sentencing programs such as, for example, our felony and misdemeanor Drug Treatment Courts, our DWI Treatment Court, our Mental Health Court – and a Court which responds to the needs of our returning veterans.

In addition, we have established both a Supreme Court Youth Part and a Youth Diversion Program that specifically target young people who get themselves into trouble and which provides alternatives to incarceration in appropriate felony cases and which supplements our Second Chance Program for first time misdemeanor offenders.

Training

And to make certain that we keep ourselves current with respect to the many legal issues that we face each day, we offer a wide range of continuing legal education programs for our attorneys.

We have a full time Director of Training and a Deputy Director, as well. Assistants receive intensive and repeated instruction throughout their careers on both substantive and procedural law and on their ethical responsibilities.

The training that we provide in-house – much of it mandatory – is supplemented by regional and statewide training programs, including programs offered by the Albany based New York Prosecutors Training Institute – of which I am the Chair.

Our attorneys also have available through the computers on their desks a wealth of legal memoranda and briefs and online training programs. And, of course, they can – and do – consult with our Appeals Bureau on a regular basis.

We also send our assistants to lecture and attend other training programs across the country.

Committed To Professionalism

In short, we are a busy metropolitan prosecutor's office committed to the highest level of professionalism. We are an office that I believe is among the best in the State -- indeed the best in the country -- an office that I think it fair to say has the respect of our law enforcement colleagues and the confidence of the 2.3 million residents of Queens County whom we represent.