



**NEW YORK  
STATE POLICE**

**2009 ANNUAL REPORT**

# Introduction to the New York State Police

One of the ten largest law enforcement agencies in the nation, the Division of State Police is unique as the only full-service police department in New York with statewide jurisdiction; its only specific statutory restriction is that its members may not “exercise their powers within the limit of any city to suppress rioting or disorder except by direction of the Governor or upon the request of the mayor of the city with approval of the Governor.”

In many rural areas the New York State Police is today, as it was at the time of its establishment in 1917, the principal — sometimes the only — department providing police services to the public. In other areas it shares jurisdiction and works cooperatively with local agencies. This is accomplished by making available to local departments the full range of State Police specialized units, scientific and criminal investigative services, and other resources smaller departments typically cannot sustain themselves.

Wherever it operates, the State Police follows a simple philosophy: to provide whatever level of service or assistance is necessary, and to complement or supplement, as appropriate, the efforts of local law enforcement agencies.

## Structure and function

The NYSP is divided into two branches, the Uniform Force and the Bureau of Criminal Investigation (BCI), under the direct operational supervision of the Deputy Superintendent – Field Command.

While each branch has its own specific law

# NYSP 2009 Annual Report

## Introduction to the New York State Police

### Executive-level Support

Office of Counsel ... Planning and Research ... Member and Civilian Safety

enforcement responsibilities, each supports and cooperates with the other, and with other law enforcement agencies.

The **Uniform Force** conducts active patrols of specific geographic regions and is the first responder to most calls for police services. In areas where Uniform Troopers are the primary providers of police services, they perform routine patrols and initially respond to all types of calls for service, including burglaries, missing children, assaults, robberies and homicides.

Even in areas that have their own local village and town police departments, Uniform Troopers provide essential support. Frequently, they are the only law enforcement officers available around the clock.

Cases requiring extensive investigation or involving felonies are referred to the Division’s primary investigative arm, the **Bureau of Criminal Investigation**.

In addition to conducting investigations initiated by the State Police, BCI Investigators regularly assist county and municipal law enforcement agencies that lack the personnel, expertise or materiel needed for major crime investigations.

Specialists within the BCI deal with cases related to narcotics, violent and serial crimes,

child abuse and sexual exploitation, computer and technology-related crimes, bias-related crimes, auto theft, illegal gun trafficking, consumer product tampering and organized crime.

Also falling under the rubric of Field Command is the **Office of Counter Terrorism (OCT)**, which is staffed with personnel from both the Uniform Force and the BCI.

OCT is responsible for overseeing and coordinating all activities related to preventing, investigating and responding to terrorist-related matters. It interacts with the BCI and the Uniform Force to ensure that information is appropriately shared and that all terrorism-related issues are brought to the forefront for investigative and notification purposes.

It also is responsible for maintaining liaison with the state’s Office of Homeland Security, the State Emergency Management Office (SEMO), the New York City Police Department (NYPD), local law enforcement, the FBI and other relevant federal, state and local agencies associated with investigating, preventing and responding to terrorism.

All NYSP troops and details are responsible for directly notifying OCT of all incidents, responses and investigations related to, or

suspected to be related to, terrorism.

## Troop Structure

The New York State Police is organized into a Division Headquarters (Albany) and 11 separate troops:

- Troop A, headquartered in Batavia (Genesee County),
- B in Ray Brook (Essex County),
- C in Sidney (Delaware County),
- D in Oneida (Madison County),
- E in Canandaigua (Ontario County),
- F in Middletown (Orange County),
- G in Loudonville (Albany County),
- K in Poughkeepsie (Dutchess County) and
- L in Farmingdale (Long Island).

These nine geographically based troops provide primary police and investigative services across the state.

- Troop NYC provides specialized investigative and support services in the five boroughs of New York City, and
- Troop T patrols the roads and canals managed by the New York State Thruway Authority.

Except for Troop NYC, each troop is divided into two or more zones, each of which incorporates a number of stations. In some locations, individual stations direct the activities of smaller satellite offices.

## Administrative Structure

Division Headquarters provides administrative and support services to all troops. It also oversees a number of technical and support services available to county, local and other state agencies, as well as to members of the

State Police.

These include operation of the Division's regional Crime Laboratories and Albany-based Forensic Investigation Center. Division Headquarters also serves as the base of operations for the agency's five primary sections:

- ▶ **Field Command** directs all activities of the Uniform Force, the Bureau of Criminal Investigation (BCI) and the Office of Counter-Terrorism (OCT).

**Uniform Force** operations include:

- Patrol and general law enforcement,
- Highway safety and traffic enforcement,
- Hazardous materials inspection and enforcement, and
- Such specialized units and services as: State Police boats, K-9s, bomb disposal, SCUBA divers and Special Operations Response Teams (the Division's equivalent of S.W.A.T.) and the School Resource Officers Program.

**BCI** units and services include:

- Those devoted to combating: auto theft, computer crime and cigarette smuggling,
- Gaming Unit,
- Electronics Unit,
- Narcotics enforcement (including the regionally operated Community Narcotics Enforcement Teams),
- Gun Unit,
- Violent Felony Warrant Squad and
- Medico-legal Investigations Unit

The **OCT** is responsible for:

- Managing terrorism-related prevention,
- Training and response activities,
- The Special Investigations Unit,
- The Criminal Intelligence Section, and
- Other multi-faceted investigative functions.

- ▶ **Administration** oversees the Division's fiscal operations:

- Central Records Section (including the State's Pistol Permit Registry),
- Crime Laboratory System,
- Public Information Office,
- Asset Seizure Program,
- Quartermaster Section,
- Aviation Unit and
- Fleet Operations.

- ▶ **Technology & Planning** coordinates the activities of the Communications and Information Services units.

- ▶ **Employee Relations** conducts labor negotiations and oversees:

- The New York State Police Academy
- Human Resources and
- Staff development and career guidance.

**Human Resources** operates the Division's personnel and employee staffing sections, and such functions as recruitment, equal employment opportunity and the Employee Assistance Program.

- ▶ **Internal Affairs Bureau**, consisting of separate Audit and Investigation units, is responsible for ensuring the integrity, efficiency and quality of State Police operations.

## **Executive-level Support**

### **Office of Counsel**

Attorneys assigned to the Office of Counsel are sworn State Police members who provide the necessary legal assistance in connection with a broad range of State Police operations.

The Litigation Unit oversees the defense of lawsuits brought against the agency and its employees, and provides legal and technical assistance to the State Attorney General's Office.

Attorneys assigned to Counsel's Office work closely with district attorneys across the state in criminal investigations and prosecutions, and also provide assistance to prosecutors dealing with challenges to scientific evidence and other technical issues.

Members assigned to Counsel's Office teach a variety of courses to recruits, current members and employees, as well as to outside personnel at the State Police Academy and various locations across the state.

They also participate as instructors for the New York Prosecutors Training Institute.

The State Police Chief Counsel serves as the agency's ethics officer. He and other office members advise the Division and its employees regarding the requirements of ethics laws concerning reporting requirements, gifts and other matters.

The office reviews changes in state and federal law and makes recommendations for related changes in Division operations.

It prepares legal service bulletins to help

keep police officers and prosecutors aware of changes in the law.

Office members also work with field personnel to assist in decisions concerning asset forfeiture and Freedom of Information Law requests. They draft and review leases and contracts, and prepare and review legislative proposals.

Division attorneys respond to phone calls, faxes and emails requesting legal advice and assistance on a daily basis.

Counsel's Office also coordinates the Division's response to subpoenas for personnel and records, and oppose subpoenas that are overbroad or seek disclosure of privileged material.

Finally, the office oversees the prosecution of employee misconduct matters.

### **Planning and Research**

The Planning and Research (P & R) Section supports all NYSP operations by:

- Conducting analyses to identify new, more responsive, efficient and effective ways to operate,
- Investigating applications for new technology
- Pursuing grants to fund new and ongoing initiatives,
- Producing professional-quality reports and documents for internal and external distribution,
- Updating the agency's policy and operations manuals, and
- Developing new policies to ensure the efficient and effective functioning of the State Police.

In addition, staff

- Supports Field Command, by researching, testing, evaluating, comparing and making recommendations for or against products being considered for adoption or deployment to the field.
- Supports Division executives and field personnel with comprehensive briefings, statistical analyses, research and position papers, and reports on law enforcement-related topics.
- Provides oversight of the State Police Intranet, producing, editing and approving content.
- Manages the Division's Employee Suggestion Program and coordinates the agency's participation in the New York State Employee Suggestion Program.
- Produces the Division's annual report to the governor and the legislature.
- Responds to requests for information and policies received from other criminal justice, governmental agencies, and the public.

### **Accreditation**

P & R manages the Division's program to achieve and maintain accreditation through the New York State Law Enforcement Accreditation Council.

2009 marked the end of the 5 year accreditation cycle with the P & R staff preparing for a full review of all accreditation standards in January 2010.

### **Uniform Crime Reporting (UCR)**

P & R oversees the Division's Uniform Crime Report (UCR) submissions to the FBI through the New York State Division of Criminal

Justice Services.

In conjunction with Field Command and Information Services, staff designed a replacement for the BCI File 20 Case Adoption program, which, in turn, created an electronic process for reporting both BCI and Uniform crimes to DCJS and the FBI's UCR program.

Using improved case management tools available on the Division Intranet, members and supervisors can keep track of the cases and ensure that basic elements of the crimes being investigated are properly documented.

## Product testing & evaluation

During 2009, P & R contributed its research and analytical skills to supporting the Division's program of pursuing initiatives that improve safety for field personnel.

- Chief among its contributions in this area was the section's work related to the subject of patrol rifles. Staff:
  - Performed exhaustive research into the many types and models of patrol rifles available to law enforcement agencies,
  - Surveyed Division sworn personnel regarding their perceived needs and preferences in such weapons, and
  - Assisted in the purchasing of the selected weapon that was deployed to field personnel in 2009.
- P & R performed a similar process in evaluating the use of Taser devices and the selection of new soft body armor to meet the revised NIJ manufacturer's standards.

## Manual revision

Throughout 2009, staff continued the

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painstaking process of rewriting and updating the Division's Members Manual, a task last conducted in 1994.

The new manual will replace the antiquated and readily overloaded loose-leaf binder publication with a policy-based electronic format in which the user can navigate successive hypertext links to access the material most appropriate to his/her needs.

Electronic links similarly will be made to appendices, endnotes or other reference materials, eliminating the need to repeat information in multiple locations throughout the document.

This will dramatically reduce the amount of printed material produced by the Division for everyday use, and facilitate keeping the manual's content continuously up-to-date and accurate.

## Member & Civilian Safety

The executive-level Division Safety Committee reviews agency policy, procedures, equipment and training to improve safety throughout the agency.

Several safety-related training courses were implemented during the 2009:

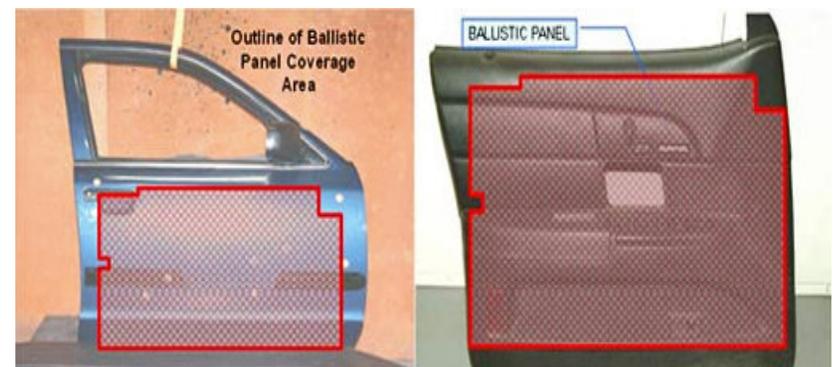
- AED and CPR Recertification
- Defensive Driving Course for members and civilians
- Blood Borne Pathogens Refresher
- Defensive Tactics Refresher
- Active Shooter Refresher
- Plain Clothes Encounter

Course

- In-Service Tactical Firearms Training Program
- Patrol Rifle Initial Training and Deployment
- Building Entry Training
- Precision Immobilization Technique (PIT) Driving Course for ESD

Other issues addressed by the committee included:

- 2009 Ford Crown Victoria and Chevrolet Tahoe Ballistic Doors Panels
- Trauma kits for BCI vehicles
- Automatic Vehicle Location Program
- Replacement body armor
- Patrol rifles
- Firearms cameras
- Patrol vehicle video cameras
- Electronic Control Devices
- Firearm Loading/Unloading Stations



**Division Safety Committee selects Ballistic Door Panels:** After extensive research and testing, the Division Safety Committee selected ballistic door panels to be installed in all new 2009 Ford Crown Victoria and Chevrolet Tahoe patrol vehicles. Now all new NYSP patrol vehicles are so equipped.

## Organizational Structure

# Awards and Honors

## 33<sup>rd</sup> Annual New York State Police Annual Awards Day Ceremony

A total of 22 sworn and non-sworn members of the New York State Police received awards for bravery, investigative persistence, education, traffic safety and community service at the 33<sup>rd</sup> annual New York State Police Awards Day Ceremony, held May 11 at the Division's Academy in Albany.

The following awards were presented:

A total of 22 sworn and non-sworn members of the New York State Police received awards for bravery, investigative persistence, education, traffic safety and community service at the 33<sup>rd</sup> annual New York State Police Awards Day Ceremony, held May 11 at the Division's Academy in Albany

The following awards were presented:

### Superintendent's Commendation Awards

Recipients of the Superintendent's Commendation Awards were selected from among the many members who received Superintendent's Letters of Commendation during this prior year.

Their awards are presented in recognition of extraordinary performance of duty or exceptional contributions to the New York State Police.

#### ► Tpr. Kevin J. Wozniak

Dispatched to the town of Poland (Chautauqua County), Dec. 23, 2008, for a report of a vehicle in a creek, Tpr. Wozniak (A-Jamestown) arrived to find the vehicle slowly sinking.

No could tell him for certain if anyone was inside the vehicle.

### Brummer Award 2009

*The Brummer Award, established in 1968 by Wall Street financier and philanthropist Bertram F. Brummer, is given annually for valor, heroism or outstanding performance of duty. It has been awarded 89 times, including 13 times posthumously*

#### Trooper Joseph E. Decker (F-Roscoe)

During heavy rains and flash flooding in Sullivan County, July 23, 2008, Tprs. Decker and Stephen K. Johnstone were notified by a fireman of a family trapped in their house by rapidly rising floodwaters.

The troopers arrived to find a woman and a 12-year-old child clinging to their front porch. With the help of two firemen, they secured a 150-foot rope to a guide rail and instructed the woman to tie it to the porch.

Tpr. Decker then tied himself to the rope with a rescue harness and, despite great risk, plunged into the water without hesitation and swam 30 yards through the torrent to the house.

Then, one at a time, he carried the child and her mother to safety.

Just after the rescue was completed, floodwaters ripped the porch from the house and washed it away downstream.



Despite the 15-degree temperatures, Tpr. Wozniak, entered the water, reached the vehicle and quickly determined a woman was trapped in the backseat, almost completely submerged and breathing from a small air pocket by the rear deck window.

Using a rescue tool, Tpr. Wozniak broke a rear window and pulled the 66-year-old victim out and assisted her to safety on the creek bank.

► **Sr. Inv. Richard J. Landahl** (two-time award recipient)

On Jan. 5, 1971, a man was found in the town of Arkwright (Chautauqua County), dead from multiple stab wounds.

It was not until December 1971 that a prime suspect in the case emerged. He was then serving overseas in the U.S. Army. He was interviewed upon discharge, but no additional information was acquired, and he subsequently relocated to Texas.

In 2003, Sr. Inv. Richard J. Landahl began working on the case. Over the next five years he led an effort which involved the complete review of all case evidence, the re-interview of original witnesses, and the development of new ones, and the use of a wiretaps and extensive interaction with police in Texas.

He also established a liaison with the Chautauqua County District Attorney's Office and assisted prosecutors in preparing and presenting the case to a grand jury.

On Aug. 27, 2008, the grand jury handed up an indictment for 2<sup>nd</sup> Degree Murder, and the following day the prime suspect was arrested for murder in his suburban

Austin, Texas home.

► **Tpr. Dustin E. Fleishman**  
**Tpr. George M. Stannard**

On August 27, 2008, a multi-agency search began for a subject who had called Franklin County 911 and had made suicidal threats.

Emergency responders had traced his location through his cell phone and spotted him in a canoe on the Racquette River, threatening suicide with a muzzle-loading rifle.

Boarding a small boat with a state forest ranger, Tprs. Fleishman and Stannard navigated out to the subject, approximately 500 feet from shore, and engaged him in conversation for more than an hour, gradually moving closer until they were almost alongside.

At that point a struggle ensued and Tpr. Stannard was shot through the hand. Tpr. Fleishman and the subject fell into the water where the struggle continued, while the ranger, seeing the seriousness of Tpr. Stannard's injury, rowed him to shore for medical assistance.

Meanwhile, Tpr. Fleishman subdued the subject, placed him in the ranger's boat and transported him to shore.

The subject was charged with 2<sup>nd</sup> Degree Assault and committed to the Franklin County jail.

(Note: State Forest Ranger Julie A. Harjung, DEC, received a Certificate of Appreciation from the State Police in recognition of her assistance in this incident.)

► **Tpr. Matthew J. Gombosi**

Tpr. Gombosi (C-Stamford) was involved in the capture of a Delaware County man who had shot his estranged girlfriend in the stomach, April 17, 2008, then fled to a mobile home park in Stamford, pursued by Tpr. David Morgan and a New York City Environmental Police officer.

As they took up a tactical position on one side of the man's trailer, Tpr. Gombosi arrived and positioned himself on the other side.

The gunman, armed with a .44-Magnum handgun, turned and confronted Tpr. Gombosi, who shot the suspect in the leg.

The gunman then turned his handgun on himself, taking his own life.

► **Tpr. Michael J. Woytach**

Responding to help local police investigate a report of a man with a gun in front of a bar in the village of Endicott (Broome County), July 19, 2008, Tpr. Woytach (C-Endwell) located and attempted to interview the suspect, but the man fled the scene on a bicycle.

Tpr. Woytach pursued him through the village, providing updates to other responding patrols.

The suspect eventually drove his bike into the side of Tpr. Woytach's troop car and fled on foot.

Tpr. Woytach pursued him into a dark driveway continually ordering the man to stop. The suspect then turned and pointed a handgun at Tpr. Woytach, who drew his sidearm and wounded the subject.

► **Tpr. Terry M. Duerr**

Called to the scene of a violent domestic dispute in the town of Deruyter (Onondaga County), May 26, 2008, Tpr. Duerr (D-Morrisville) approaching the home and through a screen door saw a man holding a 13-inch knife.

Tpr. Duerr drew his weapon and entered the house, directing the man to drop the knife. The man refused to comply, and from a distance of 15 feet, advanced on the trooper.

Tpr. Duerr again ordered him to drop the weapon, and when the man closed in on him, fired, fatally wounding the subject.

Subsequent investigation revealed the man had a history of domestic violence for which he had served time in prison, and had previously assaulted a police officer.

► **Tpr. Nicholas D. Morgia**

**Tpr. Larry L. Pacola**

Tprs. Morgia and Pacola (D-Carthage) responded to a domestic violence report in the town of Champion (Jefferson County), Dec. 12, 2008, involving a knife-wielding man threatening to kill his girlfriend and any police officers who came near.

At the house they found a man holding a large knife in each hand, and a woman seated on a couch about eight feet away.

The man was highly agitated, yelling that he would kill the troopers if they tried to enter the building. Tpr. Pacola directed the man to drop the knives and come outside, and then had Tpr. Morgia crack the door open just enough so he could direct a burst of pepper spray at the subject.

When Tpr. Morgia opened the door, the man lunged at them and attempted to stab Tpr. Pacola.

As the pepper spray began to take effect, the troopers kicked in the door and entered, only to be confronted again by the knife-wielding subject.

The troopers struck the man with their batons, causing him to drop the knives and enabling them to subdue him.

► **Tpr. Robert G. Miller**

While investigating a fatal crash on Route 370 in the town of Cato (Cayuga county), Jan. 26, 2008, Accident Reconstructionist Tpr. Miller (E-Canandaigua) observed the car's front air bag had failed to deploy, a condition which could have contributed to injury and death to the occupants.

He undertook an investigation into the cause of this apparent malfunction, eventually enlisting the help of federal investigators. After extensive research, Tpr. Miller determined there had in fact been other accidents involving similar cars — Hyundai Elantras — where the airbags had not deployed.

Detailed examination of the original vehicle revealed its air bag control module had become damaged when spilled liquids seeped through an opening in the center console cup holder and short-circuited the system's electrical connection.

As a result of Tpr. Miller's investigation, the Hyundai Motor Company issued a nationwide recall of 150,000 2001 Elantras to correct this safety equipment design flaw.

► **Inv. Peter B. Healey**

In the spring of 2007, Inv. Healey (CNET- Hudson Valley) was assigned to a multi-agency task force working to eliminate brazen drug dealing in the city of Newburgh (Orange County).

Despite the dangerous environment, Inv. Healey was able to secure felony indictments against 80 drug dealers.

Several also had felony assault charges pending and in one case, information developed by Inv. Healey resulted in the identification of an eyewitness to a 2007 homicide.

A second phase of this operation, targeting drug sales in school zones, was undertaken in March 2008.

Through the use of confidential informants and good police work, Inv. Healey assisted in the arrests of 91 persons for felony drug sales in school zones.

► **Inv. Mary A. Barrette**

When the National Center for Missing and Exploited Children notified the New York State Internet Crimes Against Children Task Force that a subject was distributing child pornography over the internet, March 6, 2008, Inv. Barrette (H-Computer Crimes) was able to identify the subject as a former assemblyman and current member of the New York State Parole Board.

Then, posing online as the mother of two young daughters, she arranged a meeting with the subject, who had expressed a desire for sexual contact with the children.

Arrangements were made for the

meeting via webcam broadcast, with two undercover troopers posing as the girls.

The subject then arranged to meet them in person at a hotel room, where Tpr. Barrette and the troopers arrested him for internet crimes against children.

## Supervisor Recognition Awards

These awards acknowledge the outstanding work sworn and non-sworn (civilian) supervisors in various units throughout the State Police.

### ► **Sr. Inv. Terrence F. Mullen**, Troop F-FIU, CRU

As member-in-charge of the Troop F Forensic Identification Unit and Collision Reconstruction Unit, Sr. Inv. Mullen's expertise and professional ability is sought by district attorneys and local police agencies on major cases.

Under his direction in 2008, members of the Troop Forensic Identification Unit were involved in the investigation of 25 death cases, including murder or attempted murder investigations.

As the head of the Collision Reconstruction Unit, he personally supervises operations at accident scenes.

He is a 30-year veteran of the State Police who exemplifies what it means to be both a State Trooper and a supervisor.

### ► **Natalie M. Cole** (H-Information Services)

As Manager of Information Technology Services since October 2002, Ms. Cole has led, managed and worked on high-profile technology projects, including the Criminal Intelligence and Analysis

System (CAIS) and the Traffic and Criminal Software (TraCS) ticket system. She established the NYSP Information Services Section Project Management Office, which is dedicated to improving the information delivery process.

She has earned a reputation as an outstanding communicator and enthusiastic supervisor who regularly builds productive coalitions among her coworkers and subordinates to accomplish goals and meet deadlines.

## Civilian Employee Recognition Award

This award is presented annually to the civilian employee or employees who make a significant contribution to the Division of State Police.

### ► **James R. Miller**, Communications Specialist Troop A

While working at the Erie County Fair State Police exhibit, Aug. 16, 2008, Comm. Spec. Miller and Tpr. Ross Riley (H-Emergency Management) were called to assist a State Lottery Division employee who suffered an apparent heart attack.

Tpr. Riley, a member of the Mobile Response Team (now Special Operations Response Team) and a paramedic, and Comm. Spec. Miller responded with a State Police automated external defibrillator (AED) unit.

Two persons were administering CPR when they arrived; Tpr. Riley took over the CPR while Comm. Spec. Miller applied the AED device and administered a shock to the victim, who

immediately displayed renewed vital signs and regained consciousness.

Emergency medical responders arrived shortly thereafter and transported the victim to Buffalo Mercy Hospital for treatment.

## Superintendent's Traffic Safety Award

Presented annually in recognition of a member's commitment to saving lives and reducing accidents through public education and enforcement, this award is made possible with the help of the New York State Trooper Foundation.

### ► **Tpr. Ryan C. Burns** (A-Niagara) **Tpr. William L. Persinger** (A-Niagara)

Throughout 2008, Tprs. Burns and Persinger displayed outstanding dedication to traffic safety.

During December alone they made 131 DWI arrests and wrote a combined total of 973 Uniform Traffic Tickets.

These arrests included subjects with prior DWI offenses and many whose blood alcohol content exceeded .18.

Their efforts and dedication made the roadways of Niagara County a safer place.

## George M. Searle Memorial Award

Established in honor the late Deputy Superintendent George M. Searle, this award is presented annually to individuals who distinguish themselves in training and

education.

**T/Lt. Fabio R. Auffant II** (H-Computer Crimes)

During 2008, T/Lt. Auffant developed and delivered training to personnel from the Computer Crimes Unit to support cyber crime investigations and digital evidence forensic examinations.

He also developed and used proficiency testing for all unit personnel, and developed and taught a course at the State Police Academy on cyber crime for 120 Uniform and BCI personnel, crime scene technicians, School Resource Officers, Hate-Bias Crime investigators, recruits and New York State Police supervisors.

He also has developed and delivered training for outside agencies, the Regional Law Enforcement Academy, the New Prosecutors Institute and probation officers.

These efforts have helped the NYS Police maintain a national leading role in the investigation of cyber crime.

## **Superintendent's Unit Citation**

### **Computer Crime Unit (CCU)**

The Division's Computer Crime Unit's sworn and non-sworn personnel provide a swift and efficient response to cyber crime and the need for digital evidence investigation skills statewide.

The unit provides expert forensic assistance to outside agencies as well as the State Police.

During 2008, unit members handled 3,513 cases, including high-profile crimes against children and traditional crimes involving

the internet, networks and computers. They executed more than 150 search warrants, served more than 500 subpoenas against perpetrators and performed more than 500 field and laboratory evidence examinations.

Many of its investigations resulted in the arrest and conviction of dangerous criminals who sought to victimize children by means of the Internet.

## **Tpr. William V. McDonagh Community Service Award**

Tpr. McDonagh, killed in the line of duty, Dec. 14, 1975, was noted for his enthusiastic and active participation in community events. This award honors his memory by recognizing State Police members who display special devotion to community service.

### **Capt. Steven A. Nigrelli** (Troop A)

Capt. Nigrelli is a tireless community service volunteer and advocate for worthy causes and benefits. These include the Special Olympics and the Law Enforcement Torch Run, for which he serves on the state committee.

He has represented the committee and the state at International Special Olympic conferences the last two years and has helped organize events to raise awareness and funds for the cause of Special Olympics. His efforts assisted the committee in raising more than \$60,000 during 2008.

For more than 10 years, Capt. Nigrelli has been a youth baseball coach for the South Buffalo Baseball Association.

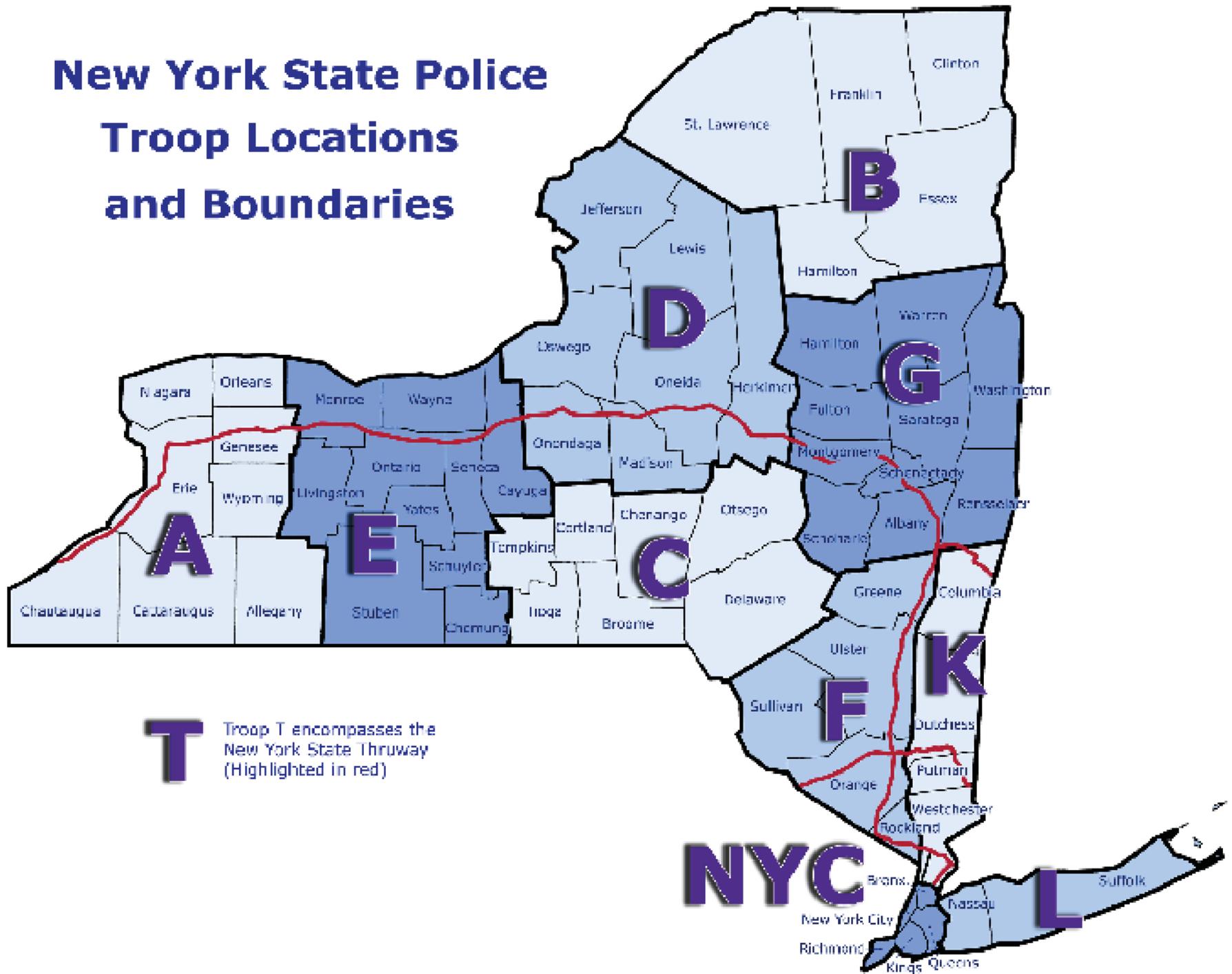
He also coordinates State Police participation in the Chase Corporate Challenge, an annual race in the City of Buffalo which raises money

for local charities.

He and his wife, Lenore, serve as area sponsors and coordinators for the Buffalo City Mission, which collects food and clothing for persons in need.

His generosity, devoting hours of his time to the community, embodies the ideal of selfless service to others for which the Tpr. William V. McDonagh Award is given.

# New York State Police Troop Locations and Boundaries



**T** Troop T encompasses the New York State Thruway (Highlighted in red)

**NYC**  
New York City

From the thunder of Niagara Falls to the tranquility of the region's many vineyards, Troop A exhibits a breadth of diversity unsurpassed anywhere in New York State — and all the policing challenges that go with it.

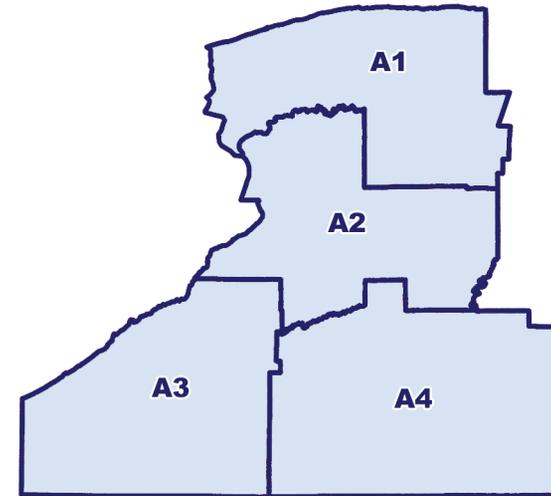
The eight counties comprising this westernmost troop are home to 22 State Police stations. From them, Uniform and BCI personnel serve the residents of 11 cities, 162 towns and 65 villages. Troopers and investigators throughout the region maintain regular patrols, assist motorists, investigate crimes and crashes, and provide around the clock emergency and disaster relief services as needed.

Because many Troop A stations are located near large metropolitan areas, such as Buffalo, the state's second largest city, members participate in numerous urban details, recruitment efforts, community speaking engagements and crime prevention programs.

One of four original State Police troops established in 1917, Troop A's four border crossings bring streams of tourists to and from Canada, and the heavily traveled web of highways connecting its population centers makes activity continuous for the troop's various highway safety details.

Troop A also is home to five Native American reservations: the Allegany, the Tuscarora, Tonawanda, Cattaraugus and Oil Springs.

# Troop A



**Population:** 1.6 million (approx.)      **Service Territory:** 6,455 square miles

**Counties Served:** Allegany, Cattaraugus, Chatauqua, Erie, Genesee, Niagara, Orleans & Wyoming

**Headquarters:** Batavia (Genesee County)

**Zone 1:** Albion, Grand Island, LeRoy, Lockport, Niagara

**Zone 2:** Alden, Boston, Clarence, Elma, Holland, Newstead, Warsaw

**Zone 3:** Collins, Fredonia, Jamestown, Sherman

**Zone 4:** Alfreud-Almond, Amity, Ellicottville, Fillmore, Machais, Olean

## 2009 Selected Statistics

**Calls for Service: 41,290**

### Vehicle and Traffic Law Enforcement

DWI Arrests: 1,492

Speed: 31,293

Safety Restraints: 12,786

Total V & T: 101,015

### Index Crimes

#### Violent

Murder/Neg. Manslaughter: 0/5

Rape: 72

Robbery: 21

Assault: 112

#### Property

Burglary: 434

Larceny: 1,092

Motor Vehicle Theft: 45

Part II Offenses: 6,440

# Troop A - 2009 Interesting Cases

## Fire from the sky hits Clarence Center

Around 10:20 p.m., Feb. 12, Tpr. **John K. Manthey** and **Communications Specialist Helen M. Conway** began receiving numerous phone calls at SP Clarence saying an airplane had crashed on a residential street in Clarence Center (Erie County).

Clarence Tprs. **Richard J. Kasperek**, **Keith N. Wesolek**, **Troy A. Bullard**, **David A. Ziemba Jr.**, and **Ryan E. Hadsall** were



**Continental Connection Crash:** Tpr. Troy Ford (A-FIU), left, and Inv. Glenn Walsh (A-FIU) utilize the Electronic Total Workstation (ETWS) to assist accident investigators at the site of the Continental Flight 3407 airline accident in Clarence Center, NY.

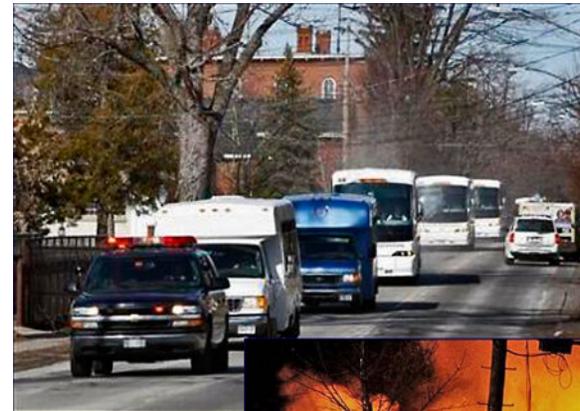
immediately dispatched to the area. They found that a commuter plane, Continental Flight 3407, had crashed into a house. Off-duty **Tech. Sgt. Andrew E. Flynn** (TIM Team), who heard the crash from his home nearby, also responded and assumed command at the scene.

After searching vainly for survivors from the plane, Troop A personnel began establishing inner and outer perimeter posts to allow emergency service providers access to the site. Meanwhile, State Police members began helping evacuate neighborhood residents, as the fire and likelihood of explosion increased.

Tpr. Ziemba located two occupants of the house struck by the plane, and did his best to comfort them as they explained that their husband and father was unaccounted for and feared dead.

In all, the crash of Flight 3407 from Newark, NY, to Buffalo resulted in the deaths of 50 persons - 45 passengers, four flight crew and the occupant resident of the home that was struck.

Over the next 11 days, more than 100 State Police personnel under the direction of **Maj. Christopher L. Cummings**, and **Cpts. George**



State Police escort family members of Continental Connection Flight 3407 victims through Clarence Center, NY, after visiting the site of the plane crash.

**Continental Connection Flight 3407 Crash:** At right, Capt. Steven (A-Clarence) and other officers at the scene of the crash.

Photos courtesy WBEN



**B. Brown** (BCI) and **Steven A. Nigrelli** (Zone II Commander) were assigned to the crash detail.

More than 1,180 first responders and investigative personnel worked the crash site. Troop A BCI and Division FIU personnel, along with members of the NTSB, FBI, and county medical examiner's office, assisted with processing the scene.

Troop A Uniform members provided scene and perimeter security, traffic and detour control, along with escorting the victims' families into the site to pay their last respects at a makeshift memorial.

## Deli disturbance

While off duty, Feb. 9, **Tpr. Brooke M. Duerr** (A-Machias) stopped at a local deli.

She saw a 24-year-old man sitting on the curb, clutching his side. When asked about his condition, he said he had just been stabbed. Tpr. Duerr immediately contacted emergency medical services and on-duty members at SP Machias.

The victim told her the assailant was still inside the deli. When he exited the store, she confronted him, secured his weapon, and kept him at the scene until **Tpr. Kenneth A. Filipski** (A-Machias) arrived to assist.

The suspect was charged with Assault 2nd Degree and Criminal Possession of a Weapon and committed to the Cattaraugus County Jail in lieu of \$15,000 cash bail.

The victim, suffering from a punctured lung, was airlifted to the Erie County Medical Center, where he was expected to make a full recovery.

## Rapid response saves life

Responding to a reported suicide attempt at a home in Niagara, May 7, Tprs. **Robert E. Marren** (A-Grand Isle) and **Bradley A. Gulczewski** (A-Niagara) arrived simultaneously with a county sheriff's deputy to find a 53-year-old man hanging from a rope tied to a kitchen light fixture.

Tpr. Marren lifted the subject to relieve pressure on his neck while Tpr. Gulczewski cut him down with a pocketknife. When they saw he was not breathing, Tpr. Marren retrieved the Automated External Defibrillator (AED) from his troop car and deployed it to the victim; it indicated "no shock." The subject

then began to breathe on his own and a pulse was detected.

An ambulance transported him to Niagara Falls Memorial Hospital, where he was expected to make a full recovery.

## Bank robbers rounded up

**Sgt. SIC Corey S. Harmon** (A-Batavia) responded to a Genesee County 911 Dispatch report of an armed robbery at the M&T Bank in the village of Elba, June 18. A witness reported that three men had fled south on State Route 98 in a dark SUV.

While en route from the SP Batavia barracks, Sgt. Harmon saw the suspect vehicle speed past in the opposite direction. He quickly turned and gave pursuit, alerting all responding patrols via radio.

The driver of the getaway vehicle turned west onto Batavia-Elba Town Line, where two accomplices jumped out. The driver then continued south on Route 63 and abandoned his SUV in a field a short distance away.

While en route to the scene from SP Batavia, a witness flagged down **Invs. Andre R. Dunlap** and **Scott M. Mills** (A-Batavia) at the intersection of State Route 63 and Town Line Road, telling them one of the subjects had run into a barn on her property.

A search of the barn turned up clothing thought to have belonged to one of the suspects. The investigators were joined by **Tprs. Frank C. Velletta** (A-Batavia) and **John H. Szymkowiak** (A-LeRoy).

Tpr. Velletta located footprints outside the barn, and all four members followed them through a field. Inv. Dunlap and Tpr. Szymkowiak ran ahead into the wood line, where they found and arrested one of the

suspects.

Meanwhile, a perimeter was established around the area and a massive search detail was thrown into the hunt.

The second suspect eventually was apprehended by Genesee County sheriff's deputies.

The third remained at large in a nearby wooded area until mid-afternoon, when he surrendered to **Inv. Richard V. Qualey** (GIU/CNET Western) and **Maj. Scott Ritchie** of the New York State Parks Police.

Further investigation resulted in the recovery of the stolen money and the gun used in the crime. All three defendants were charged with First Degree Robbery and Criminal Possession of a Weapon and remanded to the Genesee County Jail without bail.

## Making an IMPACT on illegal guns, drugs

**Tprs. Ronald W. Wilson** and **David J. Gandy** (A-Collins), assigned to an Operation IMPACT detail in Buffalo, July 7, arrested a parolee during a traffic stop for possession of an ounce of cocaine and a small amount of marijuana. Information was developed that resulted in probable cause and an application for four search warrants.

Three were executed by Buffalo police, July 21, yielding a loaded .357 Magnum revolver with two boxes of ammunition, 2.1 ounces of crack cocaine, packaged in 117 small plastic bags, 13.8 ounces of marijuana, and assorted drug paraphernalia.

Although the targeted suspect, a parolee, was not home at the time of the raid, he surrendered six days later and was charged

with a variety of weapons possession and illegal drug offenses.

Three days later, **Tprs. Ronald W. Wilson** (A-Machias) and **David J. Gandy** (A-Collins) stopped a vehicle for a seatbelt violation in the city and detected a strong odor of marijuana emanating from within. The driver produced three small plastic bags of marijuana.

Then Tpr. Gandy detected the barrel of a .38G-cal. pistol protruding from under the leg of the front-seat passenger. He quickly gained control of the handgun and subdued and handcuffed the passenger after a brief struggle. The pistol was unloaded and its serial number had been defaced.

Meanwhile, Tpr. Wilson noticed a rear seat passenger reaching into his pants pocket and sprang into action, quickly removing the subject from the vehicle. A frisk showed him to be in possession of a loaded .25-cal. pistol.

A thorough search of the vehicle then turned up a third weapon - a loaded .22-cal. pistol - a black mask and a pair of binoculars.

Investigation determined the four occupants were members of the "Fruit Belt Taliban" street gang. They had been en route to a meeting to purchase another gun, but had steered clear of that location when they noticed State Police IMPACT patrols in the area.

The driver was charged with Criminal Possession of a Weapon and Unlawful Possession of Marijuana. His three passengers were charged with various counts of criminal weapons possession and resisting arrest.

## Memorial Day Ceremony

Right, T/Sgt. Mark Stryker (H-Aviation Batavia) flies over at the Troop A Memorial Day Ceremony in helicopter 1H11.



### Memorial Wreath:

Tprs. Art Pittman (A-Niagara), left, and Michael Niezgoda (A-Clarence) salute after the Troop A Memorial wreath was presented by Mrs. Melody Kwilos and Tpr. Randy Kubaskiak, (G-Northway Satellite) with K-9 Sarge. Mrs. Kwilos was the wife and Tpr. Kubaskiak is the son of slain Tpr. Gary Kubasiak, who was killed in the line of duty on August 30, 1982.

### Ground Breaking

**Ceremony:** On April 23, 2009, Troop A broke ground for a new station in Boston, NY.

Present were, from left: State Senator Dale Volker, Boston Councilwoman Cathy Maghran; Diane Reynolds, representing Erie Co. Legislator Robert Reynolds; Boston Councilwoman Cathleen Dobson; Boston Councilman Richard Hawkins; Town Supervisor William Eagan;

Tim Kirst of Kirst Construction, general contractor; Major Christopher Cummings; Boston Councilman James Pluta, and NYSP Capt. Steven Nigrelli; Tpr. Jack Moretti and Sgt. S/C Kevin Streety



## Burglary bombs out

Pembroke Central School contacted SP Batavia, July 29, to report at the high school, in which several doors, a surveillance camera and vending machines had been damaged. Despite the damage, the school had video footage of two subjects wearing masks committing the burglary.

**Tpr. Brian C. Pritchett** responded for the preliminary investigation and notified **Inv. Robert H. Edwards III** and Pembroke School Resource Officer (SRO) **Tpr. Jeffrey A. Bebak** of the incident.

Tpr. Bebak's knowledge of the school and its students enabled him to identify one of the suspects immediately. The main suspect was interviewed and gave a full confession, along with consent to search his vehicle and the identity of the second suspect.

The vehicle search uncovered the burglary proceeds, which including several boxes of chemicals.

**Tprs. James C. Jackson III** (A-Batavia) and **Brian M. Pazderski** (A-Niagara), K-9 teams, the Bomb Disposal Unit and CCSERT then were called in to identify and secure the unknown chemicals, which proved to precursors in the manufacture of improvised explosive devices.

The second suspect was also taken into custody as a result of the investigation. Both were charged with Burglary 3rd Degree.

## Trespassing teens

**SRO Tpr. Christopher J. Pyc** (A-Grand Island) received a phone call from the principal of the Kaegebein Elementary School, Oct. 26, stating that three teenagers

had been seen trespassing on school property with what appeared to be long guns.

As Tpr. Pyc responded to the school, he monitored an Erie County Sheriff's Office radio call regarding disorderly youths in the area of the school. **Tpr. Robert E. Marren** (A-Grand Island) also responded to the school.

As the troopers approached the school building they saw several local residents pointing in the direction the youths had fled. They found two of them hiding under a pool deck in the backyard of a nearby house.

When directed to come out, they fled and jumped a fence. A foot pursuit ensued, and the subjects were apprehended near the Niagara River.

At this point, no weapons had been located, but a stash of jewelry was found in the backyard where the foot chase had begun.

Tpr. Pyc advised the principal to initiate a "lock-out" of the school until the third suspect and the weapons could be found. In the meantime, a teacher from the school positively identified the two subjects, adamantly maintaining they had been carrying guns.

A subsequent interview of homeowners near where the two youths had been hiding provided information on the missing third subject. This information was shared with the Erie County Sheriff's Office, which had personnel in the area investigating a residential burglary.

The identity of the third subject was quickly established, and he was apprehended a short time later. The third youth then led patrols to the location of the three shotguns, hidden in separate locations near the school.

All three subjects — two 15-year-olds and an 18-year-old — were charged with Burglary 2nd Degree, Grand Larceny 4th Degree, and Criminal Possession of a Weapon 4th Degree.

## 1992 murder solved

On June 6, 1992, John S. Rutledge was found, shot to death, in a ditch on Sawyer Road in the town of Carlton (Orleans County). Other than the body, little physical evidence was found at the scene.

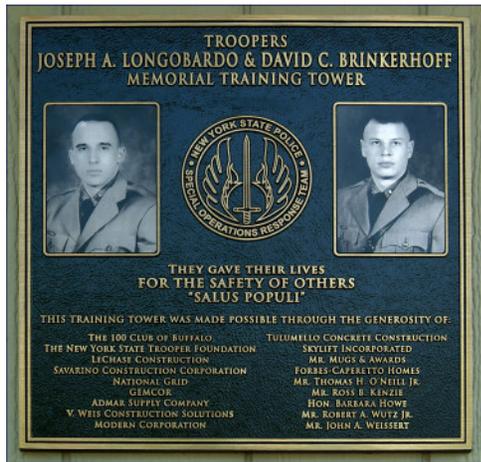
The New York State Police conducted an extensive investigation, and although a suspect was identified and the murder weapon found, the case eventually went cold due to a lack of substantive leads or physical evidence.

In August 2003, **Inv. Darryl D. O'Shei** (A-VCIT) was assigned to continue the investigation. For more than six years he spearheaded efforts to solve the crime. Unlike many cold cases, this one did not involve DNA.

Instead, Inv. O'Shei re-interviewed all principals in the case and developed and interviewed new witnesses. His diligent pursuit of every possible lead and avenue led to the development of new evidentiary information, implicating two individuals.

This information was presented to an Orleans County Grand Jury and led to the indictment of two for Murder 2nd Degree.

They were arraigned in Orleans County Court, Dec. 20, and returned to the New York State Department of Correctional Services facilities where they had been incarcerated on unrelated charges.



Dedication Plaque honoring Tprs. Joseph A. Longobardo and David C. Brinkerhoff

## New Rappelling Tower Dedicated in Honor of Two Fallen NYSP Troopers

On August 12, 2009, a new 55 foot high rappelling tower was officially dedicated and named the Joseph A. Longobardo and David C. Brinkerhoff Memorial Training Tower at a formal dedication ceremony at the Erie County Fair grounds.

The tower was constructed for the Erie County Fair in conjunction with the 100 Club of Buffalo and the New York State Trooper Foundation. The Tower will be used for conducting training and holding public demonstrations that illustrate the rappelling techniques used by the NYSP Special Operations Response Team (SORT)—demonstrations that will include “high angle rescue” and “tactical rappelling.”

Members of the Brinkerhoff family participated in the ribbon cutting which preceded the SORT’S inaugural demonstration, which coincided with the opening day at the Erie County Fair. Special acknowledgement was also given to Inv. Richard Qualey (CNET West) who was instrumental in the construction of the tower.

The SORT Team members ent on to complete three rappelling shows daily during the duration of the Erie County Fair, which is one of largest county fairs in the nation, attracts almost 1 million visitors during the 12 –day event.



**Ribbon Cutting:** left to right, Rev. Kenyetta Cobb, Daniel Brinkerhoff, Michael Brinkerhoff, Tom O’Neill (“100” Club of Buffalo), Karen Howard (mother of David Brinkerhoff), Col. Pedro Perez, Roy Brinkerhoff, Wayne LeChase (LeChase Construction) and Bruce Stouffer (Trooper Foundation).



Above, members of the SORT West Team prepare to rappell off the new 55-foot tower; at right, SORT members rappell down the face of the tower. Members, left to right, are Tprs. Thomas Anticola, Richard Kyser and Brian



SORT Members (L to R) Sgt. S/C Shad Crowe, Tprs. Steven Doyon, Thomas Anticola, Tim Reaska, Brian Stone, Richard Kyser; Sgt. Michael Wolniewicz and Tpr. Daniel Brown.

# Troop B

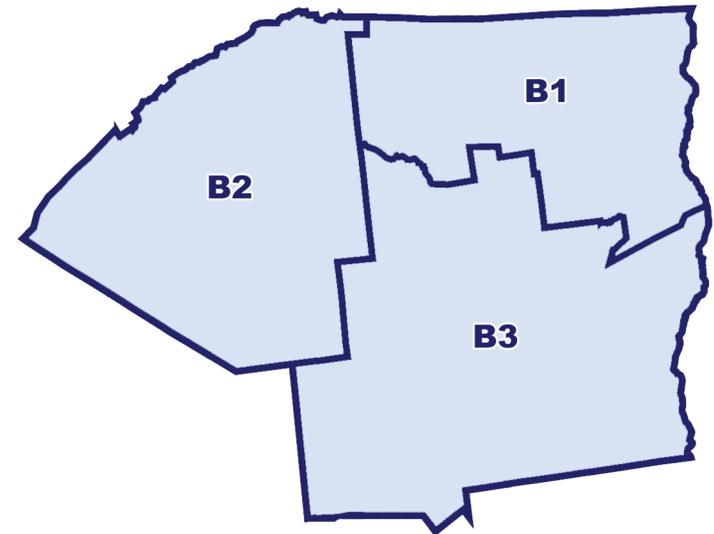
Established in 1921, Troop B is distinguished by its extremes.

The northernmost troop, and the biggest geographically, its five counties are the largest, most sparsely populated in New York State. It is a predominantly rural area of great distances, "forever wild" forests, the Adirondack Mountains, long winters and great natural beauty.

To the north lie the St. Lawrence Seaway and Canada; to the east, Lake Champlain and Vermont; to the west and south lie boundaries with Troops D and G, respectively. This vast region is serviced by 22 strategically located stations, from which troopers patrol 8,091 square miles — an area larger than the Commonwealth of Massachusetts — and provide police services to 79 towns and 27 villages.

Patrolling the North Country fosters a special brand of self reliance, and B troopers are renowned for their ability to handle any situation with minimal assistance.

In addition to such typical tasks as investigating accidents and crimes, interstate patrol and special border details, they often find themselves called on to search for lost hikers, evacuate injured campers, rescue storm stranded travelers, investigate Fish and Wildlife Law violations and respond to domestic disputes and criminal complaints in remote locations.



**Population:** 287,000 (approx.)      **Service Territory:** 8,091 square miles

**Counties Served:** Clinton, Essex, Franklin, Hamilton, St. Lawrence

**Headquarters:** Ray Brook (Essex County)

**Zone 1:** Chazy, Dannemora, Ellenburg, Keesville, Malone, Plattsburgh, Valcour

**Zone 2:** Canton, Gouverneur, Massena, Norfolk, Ogdensburg, Star Lake, Winthrop

**Zone 3:** Lewis, Blue Ridge/High Peaks, Crown Point, Indian Lake, Schroon Lake, Tupper Lake, Wilmington

## 2009 Selected Statistics

**Calls for Service: 36,943**

### Vehicle and Traffic Law Enforcement

DWI Arrests: 1,053	Speed: 24,337
Safety Restraints: 5,496	Total V & T: 79,963

### Index Crimes

#### Violent

Murder/Neg. Manslaughter: 1/8  
Rape: 48  
Robbery: 8  
Assault: 202

#### Property

Burglary: 762  
Larceny: 1,259  
Motor Vehicle Theft: 59  
Part II Offenses: 7,928

# Troop B - 2009 Interesting Cases

## Untaxed tobacco seized

**Tpr. Gary B. Bolis** (B-CVEU) was performing a Level 2 inspection of a truck in Gouverneur (St. Lawrence County) during an assigned B-Tour, March 17, when a check of the operator's documents revealed he was transporting 33,600 pounds of finished cut tobacco without the necessary taxation documents.

A handwritten note with a phone number on the paperwork read: "Call this man at 8 p.m. tonight."

Tpr. Bolis contacted SIU-Syracuse and Immigration and Customs Enforcement. The driver was handed over to BATF agents and the trailer was seized pending federal charges.

Arrangements were made to store the seized trailer until consignment with a U.S. government contractor.

## School's out!

SP Ray Brook received a telephone call, June 8, from an employee of the Mountain Lake Academy — a non-secure detention facility for troubled youths — reporting five boys had barricaded themselves in a school building and were refusing to leave. Initial reports suggested they had weapons, including boards, rocks, and various sharp objects.

A Uniform Detail comprised of **Z/Sgt. James A. Parker** (B-Lewis) and **Tprs. Francis W. Whitelaw, Wendy J. Law, Erik P. Mendelsohn** (B-Ray Brook) and **Brandon M. McCormick** (B-Wilmington) responded to the facility.

When ordered out of the building, the students complied and surrendered without any attempt at defiance. They were transported to SP Ray Brook for interview and processing.

The cost of repairing damage to the building was later estimated at \$2,244. Investigation showed the youths had stored a supply of food in areas in the schoolhouse, indicating they had planned to occupy it for a lengthy period of time. Also found within was an assortment of improvised weapons.

A voluntary statement from one of the suspects revealed a meticulously crafted plan to take over the school and admissions to other crimes committed in the process.

All were charged with Criminal Mischief 3<sup>rd</sup> Degree, Conspiracy, and Riot. One suspect was additionally charged with Attempted Assault and Criminal Possession of a Weapon.

They were all remanded to the Essex County Jail in lieu of bail to re-appear in North Elba town court at a later date.

## Juvenile firebugs extinguished

**Tpr. Sean R. Finn** (B-Plattsburgh) interviewed a Clinton County fire investigator who wanted to report a suspicious fire in Morrisonville, June 3. Although the fire had been extinguished without any damage or injuries, the man was concerned that the Morrisonville Fire District had experienced more than 20 field fires recently.

Tpr. Finn conducted several area interviews

and was able to locate one person who said she had seen her paperboy and another teenager riding their bikes from the scene of the fire.

The second assistant chief of the Morrisonville Fire Department told him he had spotted one of the department's "junior firefighters" and a companion bicycling from the fire scene as he was arriving with the fire truck.

The junior firefighter had then returned to the scene minutes later on a fire truck. Forest/wild fires are the only calls that junior firefighters are allowed to respond to, he said.

On June 8, Tpr. Finn contacted the Clinton County fire Inv., who told him there had been no further suspicious fires since **Sr. Inv. Patrick M. Mitchell** (B-Plattsburgh) had interviewed the junior firefighter earlier that week. Tpr. Finn developed information regarding the second subject.

Sr. Inv. Mitchell and Tpr. Finn interviewed a 15-year-old boy in the presence of his mother, June 28. The boy admitted to causing the rash of forest fires in and around Morrisonville, June 28, and, provided information implicating his friend, the junior firefighter.

He was charged with Juvenile Delinquency/Arson 5<sup>th</sup> Degree and released on an Appearance Ticket returnable in Family Court.

Later that day, Tpr. Finn arrested the 17-year-old junior firefighter at his home. He was processed for Arson 5<sup>th</sup> Degree and issued an Appearance Ticket returnable in Schuyler Falls Town Court.

## Dangerous discovery

The reported discovery of razor blades on a playground brought **Tprs. Mark D. Shellenberger** and **Jeremiah Strickland** (B-Ogdensburg) to Morristown Central School (St. Lawrence County), July 23.

There they found razor/scalpel-type blades on the slide, steps and benches throughout the playground, apparently positioned in a deliberate attempt to injure to anyone playing in the area. One local youth had already sustained multiple lacerations of the foot from a blade. **Tpr. Michael D. McCarthy** (B-Norfolk), the troop evidence technician, processed the playground as a crime scene.

The area was ultimately cordoned off until all hazards could be located and removed. **Tpr. Craig S. Thornhill** (B-Ogdensburg) assisted in the investigation and conducted several neighborhood interviews which developed numerous leads.

The collective investigation efforts of the troopers led to the arrest of one juvenile for Assault 2<sup>nd</sup> Degree, Criminal Nuisance 2<sup>na</sup> Degree and Endangering the Welfare of a Child.

An accomplice was charged with Endangering the Welfare of a Child.

## Burglary ring dismantled

In May, SP Plattsburgh BCI reported an increase in daytime residential burglaries. The trend continued into June and July, with the burglars becoming progressively more brazen. Several area residents reported that they had returned home to find suspects at or in their homes.

Although no violent incidents resulted, it was apparent these burglars posed a significant threat to public safety.

**Inv. Richard S. Norcross** (B-NEU) developed a possible suspect through a confidential informant and passed the information on to the SP Plattsburgh BCI.

On July 24, an interagency blanket patrol located the suspect. **Sr. Inv. Patrick M. Mitchell** (B-Plattsburgh) interviewed him, resulting in the arrest of three persons, ages 19, 22 and 27, for 18 burglaries and the recovery of numerous items.

The suspects were charged with Burglary in the 2<sup>nd</sup> Degree and remanded to the Clinton County Jail in lieu of bail.

## Betrayed by a butt

A complaint of a burglary brought **Tprs. Patrick E. Loveland** and **Steven R. Bos** (B-Gouverneur) to a nearby garage, Nov. 4, 2008. Investigation revealed no latent prints but did turn up a cigarette butt near the rear door. The complainant advised that no one in his household smoked that brand of cigarettes.

It was secured for DNA testing. **Inv. Brian J. Langtry** (B—Gouverneur) and Uniform patrols continued the investigation throughout the winter and into the summer with negative results.

In July 2009, Inv. Langtry received a report from the Forensic Investigation Center that the DNA recovered at the scene belonged to a 25-year-old man arrested for other crimes in the area. Inv. Langtry consulted with the St. Lawrence County District Attorney's office.

Although it took a little time to locate and arrest the suspect, he was eventually remanded to the St. Lawrence County Jail on \$10,000 cash bail.

## Cruelty to animals

A farmer in the town of Ellenburg (Clinton County) called SP Plattsburgh to report finding one of his cows shot to death, Aug. 14.

**Tpr. Joshua D. Leonard** (B-Chazy) interviewed the complainant. **Tpr. Ian D. Paine** (B-Ellenburg), assisting with the initial investigation, discovered two .30-30-cal. shell casings beside the road near the dead cow. Tpr. Leonard conducted numerous area interviews and learned that gunshots had been heard throughout the night.

On Aug. 19, **Tprs. Brent T. Langlois** and **Alan C. Barnaby** (B-Chazy) arrested a 25-year-old man as a result of a domestic incident. During processing, **Sr. Inv. Kurt D. Taylor** (B-NEU) advised he had information that the man also was suspected in the animal cruelty investigation. Tpr. Barnaby questioned the man, and he made a full confession to the shooting.

That same day **Tpr. Angela M. Toohill** (B-Malone) interviewed and obtained a full confession from a 16-year-old suspect in the case.

**Tprs. Richard A. Gilmore** (B-Chazy) and **Anthony M. Bissonette** (B-Chazy) subsequently interviewed and obtained full confessions from two other suspects regarding their involvement in the incident.

It was determined that the four suspects had been driving around the area with a .30-30 rifle in their vehicle, drinking alcohol provided by the

25-year-old.

At various times and locations, they stopped to take “target practice” at cattle, sheep, llamas, deer and skunks, killing several. They even went as far as bringing two dead sheep and a lamb back to one of their residences. There they killed the lamb and cooked one of the dead sheep over an open fire.

All four were charged with Cruelty to Animals. The 25-year-old was additionally charged with Unlawful Dealing with a Minor, Endangering the Welfare of a Child and Criminal Mischief 3<sup>rd</sup> Degree.

## Homicide cover-up plot foiled

On August 20, the New York State Police received a report of an apparent suicide in Churubusco (Clinton County), where a 51-year-old man was found dead in his home by his father. **Sr. Inv. Patrick M. Mitchell** (B-Plattsburgh) and **Inv. Suzanne M. Ewing** (BNEU) noted several inconsistencies at the scene.

Investigation established that although the incident appeared to be a suicide, there were definite indications that a homicide had occurred. A coordinated investigation ensued, led by the Troop B VCIT with assistance by the troop NEU, GIU, CTIU, FIU and back room personnel from SP Malone, SP Plattsburgh, SP Ray Brook and SP Massena. The NYSP Computer Crimes Unit also assisted.

Investigation focused on a 33-year-old female acquaintance of the victim as prime suspect in this case. **Invs. William J. Bronner** and **Randy G. Thayer** (B-NEU) provided guidance and assistance in the preparation of electronic surveillance.

**Sr. Inv. Charles E. Bishop** (B-Malone)

**Interesting Cases 2009**

and **Inv. Scott T. Weightman** (B-VCIT) conducted two interviews, each over six hours duration, which ultimately resulted in the suspect providing a full confession and statement.

She was arrested for Murder 2<sup>nd</sup> Degree, Oct. 27.

## Escape from Lyon Mountain

Lyon Mountain is a rural Adirondack community in Clinton County, where numerous hunting camps and summer homes make weapons and vehicles readily available.

Responders moved quickly, therefore, when a 23-year-old inmate walked away from the State Department of Correctional Services (DOCS) Lyon Mountain minimum-security facility, Aug. 24.

**Sgt./SC Charles A. Dutko** (B-Chazy) and **Sgt. John R. Coryea** (B-Plattsburgh) immediately implemented the prison escape plan and directed available patrols from Troop B to pre-determined roadblocks. A command post was established in the basement of the prison administration building.

Next morning, **Capt. Robert S. LaFountain** (B-Ray Brook), Zone 1 Commander **Capt. Brent B. Gillam** and **Z/Sgt. David A. Devoe** (B-Plattsburgh) coordinated with troopers and investigators, and personnel from DOCS, the Department of Environmental Conservation (DEC), the State Inspector General's Office, the Clinton County Sheriff's Office and other emergency services to search the area near the prison and the abandoned Republic Steel mining buildings in the vicinity.

At approximately 10:40 that morning, **Sgt./SC Fred R. Atkinson Jr.** (B-Plattsburgh), who had grown up in the Lyon Mountain

area, briefed the crew of Division helicopter 1 H9 on possible avenues of escape and the current situation on the ground. Shortly thereafter, the command post received word of a possible sighting of the escapee near Chazy Lake Road.

Law enforcement personnel swarmed to the scene of the sighting, and **Tpr. Andrew J. Cornell** (B-Plattsburgh) and a corrections officer assigned to a roadblock were the first to arrive.

Sgt. Atkinson arrived at the scene, secured the Division shotgun and directed **Tpr. Ian D. Paine** (B-Ellenburg) to follow him on foot to a location approximately one-tenth of a mile east of the sighting in an effort to flank the inmate. As the members entered the woods there, they saw the inmate, dressed in an oversized brown hooded sweatshirt, emerge from a dense field of goldenrod. They shouted for him to stop, but instead he ducked into the woods and ran.

After a distance he stopped and took cover behind a tree. Sgt. Atkinson ordered him to show his hands numerous times, but the escapee kept them buried in the pockets of his sweatshirt.

Sgt. Atkinson fired one round of 00 buckshot at the inmate from approximately 25 yards. The inmate fell to the ground, then jumped up and began running again.

Tpr. Paine informed the command post that shots had been fired, as both members resumed the pursuit.

The inmate took cover behind another tree and again refused to remove his hands from his jacket after being ordered to do so. Sgt. Atkinson accordingly fired another round of “double-ought” buckshot from about 25 yards.

The inmate fell to the ground, jumped up, placed his hands in the air and surrendered.

Tpr. Paine secured him with handcuffs as other law enforcement personnel arrived at the scene and rendered first aid to him for a gunshot wound to his right forearm. No one else was injured during the incident.

The inmate was treated at the Champlain Valley Physicians Hospital-ER and returned to DOCS custody. He was transported to the maximum-security Clinton Correctional Facility in Dannemora and charged with Escape 1<sup>st</sup> Degree.

Though originally he had been up for parole consideration in 2011, his ill-considered escape attempt potentially could add another seven years to his sentence.

## Hey dude, where were we?

**Tpr. Connor G. Sutton** (B–Canton) stopped a speeding car in the town of Madrid (St. Lawrence County), Aug. 25, and while interviewing the driver and passenger detected the odor of marijuana.

Neither the driver nor the passenger could remember where they had been. The operator consented to a search of the vehicle, during which Tpr. Sutton discovered a duffel bag containing approximately seven pounds of marijuana and \$30,000 in cash.

Both subjects were arrested for Criminal Possession of Marijuana 2 Degree arraigned before Madrid Town Court and remanded to the St. Lawrence County Jail in lieu of \$25,000 cash bail.

## Church burglary

Receiving a complaint of a possible larceny from the St. Patrick's Church in Brasher Falls (St. Lawrence County), Sept. 1, **Tpr. Arno Lippassaar** (B–Winthrop Satellite) interviewed the pastor, who said he believed someone was stealing money from the donation box between 7 a.m. and 10 a.m. The pastor felt the thefts had been occurring for a month. An inspection of the donation box showed two screws were missing from the hinges.

Tpr. Lippassaar placed a marked \$10 bill in the donation box and began conducting surveillance from the choir loft. At approximately 7:30 a.m., a man entered the church and immediately approached the donation box.

Tpr. Lippassaar began videotaping the incident and observed the subject trying to view the contents of the box. The subject left for a short time, returned and began removing the hinge screws from the donation box. Tpr. Lippassaar watched him take money from the box, place it in his right front pocket, then replace the screws and exit the church.

Tpr. Lippassaar quickly located the man outside and arrested him for Petit Larceny.

A search of his person revealed the marked \$10 bill, \$34 in assorted cash, a pipe containing marijuana residue and a baggie containing approximately 3.8 grams of marijuana. The man identified himself as the assistant parish groundskeeper. He admitted to the crime and also to stealing money on four to five previous occasions.

He was additionally charged with Possession of Burglar's Tools and Unlawful Possession

of Marijuana, and released on an appearance ticket.

## Newcomb plane crash kills two

**Sr. Inv. Timothy J. Cowper**, (H-Information Security) contacted SP Ray Brook regarding an overdue aircraft, Nov. 16. He said an acquaintance of his, who was a pilot, had taken off the day before from Saratoga Airport in a single-engine Piper Cherokee en route to Malone, but apparently had never arrived.

**Inv. Rebecca J. Finn** (B-Malone) directed members to check the Malone Airport and the pilot's residence while she conducted an interview with a friend of the pilot.

She confirmed that the pilot had missed a few appointments and that two vehicles — belonging to the pilot and the passenger — had been found at the airport.

Inv. Finn then notified the Federal Aviation Administration, which began checking radar screen records from the day in question. FAA officials said they had been tracking an aircraft at approximately 4,200 feet in the Adirondacks, approaching terrain of approximately 4,600 feet, when it disappeared from radar. They provided GPS coordinates for the plane's last-known location, which proved to be the vicinity of Santanoni Mountain.

**Pilot Patrick R. Hogan** and **T/Sgt. Gregory F. Gantter** (H-Division Aviation) flew to the location Division helicopter 1 H12, but had to suspend their search owing to darkness.

The crash site was approximately six miles from the nearest road and could only be reached by an eight-hour hike involving a climb of 4,200 feet.

Accordingly, **T/Sgt. John J. Heverly** (H-Aviation) returned next morning with DEC Rangers Kevin Burns and Joseph Lapierre in Division helicopter 1 H9 and located a downed aircraft.

Ranger Lapierre was lowered onto the mountain by hoist, hiked to the crash site and found the bodies of the pilot and passenger in the wreckage.

**Pilot William M. Wadsworth** and **S/Sgt. Richard J. Wagner** (H-Division Aviation) subsequently airlifted **Tpr. Richard A. Hoff**, (B-CRU), SORT members **T/Sgt. Michael Etherton** and **Tprs. William A. Maverick, Michael A. Phelps** (H-Field Command), and DEC Ranger John Chambers to the mountain in helicopter 1H19 to process the crash scene and remove the bodies.

## Not just gardening

**Tprs. James T. Egan** and **Troy J. Nelson** (B-Malone) were working an assigned 2-shift, Dec. 18, when a rural newspaper deliveryman reported suspicious activity at a lumber yard in the town of Bangor (Franklin County). The deliveryman reported seeing a door at the store open, and a man running to the rear of the building. He described the suspect's clothing and a vehicle in the otherwise empty parking lot.

En route to the lumber yard, Tprs. Egan and Nelson spotted and stopped a vehicle matching description provided. In the vehicle were two local men, one age 31, the other 19 years old. One man's clothing matched the deliveryman's description.

Tprs. Egan and Nelson were familiar with the subjects, as Tpr. Egan had arrested them a year earlier after a high speed pursuit and

found them in possession of a large quantity of marijuana and cash. The outcome of that case was still pending.

Tprs. Egan and Nelson saw the back seat of the suspect's car was completely filled with assorted fertilizers, tools and gardening supplies, stolen, as it proved, from the lumber yard, a local nursery and a garden center.

The subjects were transported to SP Malone and interviewed regarding a string of daytime burglaries from one end of Franklin County to the other.

The interviews resulted in the successful closure of nine other burglary investigations and the recovery of thousand of dollars worth of property.

## Going in harm's way

**Tpr. Francis W. Whitelaw** (B-Ray Brook) was patrolling through Saranac Lake, Dec. 21, when he saw a car nearly strike one vehicle, drive onto a sidewalk and veer back toward him in his lane of travel.

The woman at the wheel appeared to be slumped over, unconscious.

Tpr. Whitelaw steered his troop car into her path in an attempt to stop

her vehicle and managed to bring it to a halt barely 25 feet short of a busy intersection.

He called for medical support and assessed the woman's condition, deciding to use his AED.

When the device indicated no shock was advised, Tpr. Whitelaw noted the woman was not breathing and he performed rescue breathing until the rescue squad arrived and took over.

The 88-year-old victim was transported to Adirondack Medical Center for treatment, where medical personnel were able to stabilize her.

The female was later diagnosed with a brain bleed which caused her to fall unconscious.

Tpr. Whitelaw received a Franklin County Traffic Safety Board Award for his efforts.



**Franklin County Traffic Safety Board Award:** Troop B members, left to right: T/Sgt. Kevin A. Mulverhill, Traffic; Capt. John H. Tibbitts, Jr., Zone 3 Commander; Maj. Richard C. Smith Jr., Troop Commander and award recipient Tpr. Francis W. Whitelaw, B-Ray Brook are joined by sons of the deceased Jules and Leonard Callaghan.

# Troop C

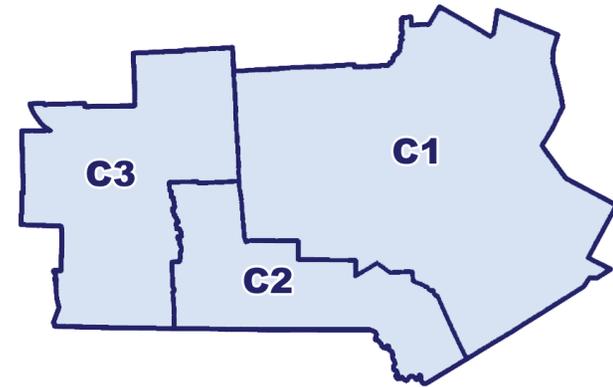
Created in 1921, Troop C operates from 17 State Police facilities across the Southern Tier. The members of Troop C provide essential police services throughout a sprawling seven-county area.

In addition to patrolling the 112 townships in the region, C Troopers provide the only police protection available to many of the area's 44 incorporated villages and work closely with police departments in five cities.

Troop C's topography is varied, ranging from the rolling fields of Cortland County to the rugged mountains of Delaware County, itself equal in size to the state of Rhode Island.

Typical duties include rural patrol and investigative work, policing numerous fairs, agricultural festivals and parades, and providing a security detail for the annual National Baseball Hall of Fame weekend in Cooperstown (Otsego County).

Additionally, the troop is transected by three major highways, which require regular patrol and occasional emergency response.



**Population:** 558,000 (approx.)      **Service Territory:** 5,587 square miles

**Counties Served:** Broome, Chenango, Cortland, Delaware, Otsego, Tioga, Tompkins

**Headquarters:** Sidney (Delaware County)

**Zone 1:** Oneonta, Green, Margaretville, Norwich, Richfield Springs, Stamford

**Zone 2:** Binghamton, Deposit, Endwell, Whitney Point, Gateway (I-81 Welcome Center)

**Zone 3:** Ithaca, Berkshire, Homer, Marathon, Newfield, Owego

## 2009 Selected Statistics

**Calls for Service: 41,366**

### Vehicle and Traffic Law Enforcement

DWI Arrests: 1,137	Speed: 35,246
Safety Restraints: 10,718	Total V & T: 85,755

### Index Crimes

#### Violent

Murder/Neg. Manslaughter: 2/2
Rape: 39
Robbery: 21
Assault: 131

#### Property

Burglary: 470
Larceny: 1,404
Motor Vehicle Theft: 40
Part II Offenses: 8,964

# Troop C - 2009 Interesting Cases

## Two couples, one incident, three shot

The Broome County 911 Center dispatched Zone 2 patrols to a home in Windsor, Jan. 17, where a caller reported someone had just entered his house, shot him in the back, then shot and killed his girlfriend.

The caller said he had wrestled the gun away from the attacker and had shot the man. The wounded attacker could be heard screaming in pain in the background throughout the 911 call.

**Z/Sgts. John C. Lynch** and **Daniel C. Guilfoyle**, and **Tprs. Travis A. Webster, Michael S. Boburka, Timothy D. Mones** and **James J. Carlson** (C-Binghamton) arrived at the scene shortly thereafter.

Tprs. Webster and Boburka left to look for an accomplice who reportedly had fled in an automobile, while Z/Sgt. Lynch secured the wounded caller and the murder weapon, a .357-cal. Magnum revolver.

**Tpr. Daniel J. Buchy** (SP Gateway Satellite) gathered additional information from the complainant en route to the hospital.

Z/Sgt. Guilfoyle and Tpr. Mones searched the residence, located the dead woman and the critically injured shooter. Tpr. Webster rode with the wounded suspect in the ambulance on the way to the hospital and obtained numerous admissions from him.

SP Binghamton personnel quickly developed information regarding the accomplice, who was the shooter's 20-year-old wife.

**BCI Lt. James M. Land** (C-Sidney), **Inv.**

**William Dengler** (C-Binghamton) and **Tprs. Mark J. Searles** (C-Endwell Satellite), **Christopher J. Condon** (C-Deposit) and Boburka arrested her at another location without incident.

**Inv. Michael A. Tullo** of the Troop C VCIT and Inv. Dengler interviewed her and eventually learned the couple had gone to the house to murder the two occupants and steal a large quantity of the painkiller Vicodin.

She was charged with one count of Murder 2<sup>nd</sup> Degree and transported to the Broome County Jail without bail. Her husband underwent emergency surgery at Wilson Regional Medical Center in Johnson City and was admitted to the Intensive Care Unit in critical condition.

SP Binghamton members guarded him until he regained consciousness five days after the shooting.

A Johnson City Judge arraigned him in the ICU on one count of Murder, and he was turned over to the custody of the Broome County Sheriff's Office.

## Snatched from a sound sleep — and a fire

Dispatched by the Broome County 911 Center to a house in the town of Union, Feb. 24, **Tpr. David A. Kemp** (C-Endwell Satellite) arrived on-scene within minutes to find flames shooting through the roof of the house.

A neighbor alerted him that an elderly woman might have been asleep inside, so Tpr. Kemp found an unlocked door and

entered the smoke-filled house.

He found the 80-year-old resident asleep in a first floor bedroom, woke her up, helped her from the house and placed her in his troop car to keep her warm until an ambulance arrived.

Four local fire departments brought the fire under control within 20 minutes, though flames remained visible for almost an hour.

Fire investigators later determined the cause was an electrical problem. An Assistant Fire Chief at the scene credited Tpr. Kemp with saving the woman's life. In a newspaper article, her son thanked everyone involved for their quick response.

Of Tpr. Kemp he said, 'The guy's a hero — no doubt about it. He saved my mother's life.'

## Rendering support in a tragedy

One of the "mission priorities" of the New York State Police is to provide high-quality support to other law enforcement agencies.

On the morning of April 3, the Broome County 911 Center dispatched the Binghamton Police Department to a reported shooting at the American Civic Center in the city. The caller said that a man had walked in and started shooting people. She and many other people inside the two-story structure had been hit, and the gunman was still in the building with about 100 people.

**Z/Sgt. Steven E. Meyer** (C-Binghamton) was nearby and responded, arriving only minutes

after the call and just after the first Binghamton police.

SP Endwell Satellite **Tprs. Glen E. Woods, Timothy N. Reese** and **Scott A. Cicirello** arrived moments later, along with SP Binghamton **Tprs. Wendy K. Hoffmaster, Michael S. Boburka** and **Kevin R. Culver**. By then the firing inside the building had ceased. Witnesses reported no one had left the building.

Over the next several hours, State Police Uniform and BCI supervisory personnel from Division Headquarters, Troop C Headquarters and Zone Two headquarters assisted the Binghamton Police Department at the scene, offering all available State Police services.

Division Aviation flew members of the Special Operations Response Team (SORT) to the scene to back up local SWAT personnel.

Bomb Disposal Unit members helped the Endicott PD Bomb Squad search the building with a robot, and with clearing the suspect's vehicle, which contained a suspicious backpack.

Zone Two BCI members, the Troop Major Crimes Unit, and Binghamton Special Investigations Unit (SIU) members helped interview survivors and witnesses, applied for a search warrant for the suspect's residence, and secured and helped search the suspect's residence.

A member of the Troop Counter-Terrorist Investigation Unit (CTIU) worked with the New York State Intelligence Center (NYSIC) to support the Binghamton PD's investigative efforts. A CNET-Southern Tier member assisted as a translator.

Elsewhere, troopers evacuated neighboring

homes and businesses, helped escort survivors from the building, answered police calls in the city throughout the day, provided traffic control, scene security, and security at the suspect's residence overnight.

The Troop Collision Reconstruction Unit (CRU) mapped the scene, and the Troop Forensic Identification Unit (FIU) helped process the interior of the building.

When the building was finally cleared by local SWAT personnel, the extent of the tragedy became clear: The shooter had killed 13 persons and wounded four before killing himself.

Thirty-seven other people in the building survived, including 26 who barricaded themselves inside the basement furnace room.

### **A crash, a shock and a life saved**

A pickup truck, southbound on State Route 11 in Kirkwood (Broome County), May 6, suddenly veered off the road, sheared off a utility pole, struck the stump of an old railroad telegraph pole, went through a ditch and came to rest on a some railroad tracks.

**Capt. James E. Barnes** (C-BCI) witnessed the accident and immediately notified the SP Binghamton desk. **Tprs. Daniel J. Buchy** (C-Gateway) **Lisa M. Vosbury** and **Timothy J. Tuttle** (C-Binghamton) arrived almost immediately.

Despite the danger of electrical wires dangling from the damaged pole, and possibility that a train might bear down on them at any time, Tpr. Buchy and a passing **EMT** examined the 42-year-old driver and found him to be without a pulse.

They removed him from the truck, and Tprs. Tuttle and Vosbury retrieved emergency equipment from their troop cars.

Tpr. Tuttle and the **EMT** began CPR. Tpr. Buchy applied the Automated External Defibrillator (AED), which immediately administered two shocks. The driver began moaning. As he was being loaded into an ambulance, the AED administered another shock. He was transported to Wilson Hospital in Johnson City, in critical but stable condition.

### **DNA puts him in the “can”**

**Tpr. John J. Cornell** (C-Sidney) interviewed the manager of a convenience store in Bainbridge (Chenango County) regarding a larceny complaint, June 23.

A donation can containing approximately \$50 was missing from the store. Security tapes showed a man removing the can while purchasing beer.

Tpr. Cornell identified and arrested the subject for Petit Larceny. It was determined that he owed the state a DNA sample in conjunction with a 2005 conviction for Criminal Trespass 2<sup>nd</sup> Degree. The defendant initially refused to provide the sample, but the persistence of investigating personnel ultimately prevailed and **Sgt./SC Joseph P. Auberger Jr.** (C-Sidney) secured the sample.

On Sept. 27, Nassau County police contacted **Inv. Jamie T. Bell** (C-Sidney) to report a “hit” on the DNA sample submitted by Tpr. Cornell.

The resulting match helped resolve a 20-year-old rape/homicide investigation. The subject was re-arrested at SP Sidney on Sept. 29 and taken back to Long Island for prosecution.

## A short track to life

**Tpr. Bruce C. Shive II** (C-Marathon) and his canine partner “**Lock**” were assigned to assist the Broome County Sheriff’s Office in searching for a 41-year-old suicidal man, July 16.

Investigation revealed he had swallowed an unknown quantity of prescription medication. Tpr. Shive and Lock began a track that led from the open back door of the subject’s house to a location approximately 75 yards into the woods, where they found him, unconscious beneath a brush pile and a blanket.

At the hospital, medical personnel remarked that his timely arrival was instrumental in helping save his life.

## Nuts to this load...

While inspecting a tractor trailer during a Commercial Vehicle Safety Road Check on I88 in Sidney (C-Delaware Count), July 29, **Tprs. George F. Hafele** and **Charlene C. Daniels** noted several indications of possible narcotics trafficking.

Tpr. Hafele secured a consent search of the vehicle, which was hauling a palletized load of pistachio nuts. Tpr. Hafele noted other cargo that was inconsistent with the documented load the vehicle was supposed to be carrying. Upon examining the other cargo, he located a large number of packages suspected to be marijuana.

The vehicle and operator were taken to Troop C Headquarters, a search warrant was obtained and the pistachios unloaded, revealing approximately 385 pounds of marijuana in bundles.

## Interesting Cases 2009

The operator, vehicle and marijuana were turned over to Drug Enforcement Administration personnel for continued investigation.

## A cup of java...and the unexpected...

When **Forensic Imaging Specialist Herbert W. Buckley** (Forensic Investigation Support Services) stopped at a convenience store in the village of Hancock (Delaware County) to get a cup of coffee on the morning of Sept. 11, he noticed a disturbance taking place at a motel across the street and walked over to see if he could help.

A screaming man suddenly lunged at him, put a knife to his throat and threatened to kill him. Mr. Buckley shoved the man away, took refuge inside his car and called for help.

Tprs. Christopher J. Condon and Patrick G. Arrigan (C-Deposit) responded to the scene, interviewed Mr. Buckley and an employee of the inn, who said the man had also held him at knifepoint while demanding unspecified “information.”

During this interview, the knife-wielding man reappeared and ran directly at the troopers, brandishing the blade in his right hand. The troopers repeatedly ordered him at gunpoint to stop and drop the knife. The man stopped, but held onto the knife and made repeated threats to kill the troopers or to have them kill him.

After several minutes, the troopers persuaded the man to drop the knife and surrender. They took him into custody without further incident.

He was transported to Binghamton General Hospital as a Mentally Ill Person, and later

released to the custody of **Tprs. Nathaniel E. Phelps** (C-Deposit) and **Todd C. Rosenkrans** (C-Binghamton) for processing and booking. Charged with Menacing 1<sup>st</sup> Degree, Menacing a Police Officer and Unlawful Imprisonment 1<sup>st</sup> Degree, he was remanded to the Delaware County Jail without bail.

## The gang that couldn’t shoot straight...

A report of gunshots fired on a residential cul-de-sac in the town of Union (Broome County) and with two suspects fleeing in a black Chevrolet Caprice brought **Tpr. Mark J. Searles** (C-Endwell Satellite) to the scene within a minute, Sept. 14.

A woman there told him she had heard gunshots in front of her home, and several bullets had struck the house.

Subsequent interviews established that two males wearing “hoodies” had approached the residence, where a third subject confronted them in the driveway. Both had traded shots with each other, then fled the scene.

**Sgt. Terry L. Ginyard** and **Tpr. Scott A. Cicirello** (C-Endwell Satellite) arrived to assist and transported the homeowner and a neighbor to the Endwell Satellite for questioning, while Tpr. Searles parked in front of the house to secure the scene.

At 1:25 a.m., Tpr. Searles observed a dark-colored sedan with darkly tinted windows enter the development, then drive away without stopping at the stop sign. He stopped the vehicle, interviewed the three uncooperative occupants and immediately noted two of them matched descriptions of the gunmen.

Tpr. Searles requested assistance, and Sgt. Ginyard and Tpr. Cicirello returned.

**Inv. William Dengler** (C-Binghamton) also responded. As the members removed the occupants of the vehicle, they noticed a handgun between the front seats. It proved to be a fully loaded .38-cal. pistol reported stolen in a local burglary. A loaded rifle was found on the rear floor, covered by a blanket.

Investigation by **Sr. Inv. Susan A. Mulvey** (C-Owego) and **Inv. Michael M. Young** (C-Endwell Satellite) established that two men had gone to the residence of a third to exact revenge for an incident that had occurred earlier in Binghamton. A gunfight ensued, and although no injuries were sustained on either side, two homes and at least one car were hit by the gunfire.

The assailants had decided to return to the scene to try again, and enlisted a driver to assist them, because "it would be stupid" to return to the scene in the same car. They had not count on Tpr. Searles's presence or powers of observation.

The two original assailants were charged Criminal Possession of a Weapon 2<sup>nd</sup> Degree and Attempted Assault 1<sup>st</sup> Degree.

Their driver was charged with Criminal Possession of a Weapon 2<sup>nd</sup> Degree and numerous V&T violations. All three were sent to the Broome County Jail.

At last report, their intended target was still being sought.

## Standoff ends peacefully

A Chenango County 911 caller reported a woman had been assaulted by a man in the Village of Bainbridge, Dec. 10.

## Interesting Cases 2009

The caller said the assailant was armed with firearms and would not permit the woman to leave the residence.

Uniform and BCI members responded from SP Sidney, SP Oneonta, SP Norwich, the TIMS and CVEU details, setting up a secure perimeter under the direction of BCI **Capt. James Barnes, Lts. William McEvoy** (C-Sidney) and **Stephen Farago** (C-Oneonta), **Sr. Inv. Lori Hochdanner** (C-Sidney), **Sgt./SC Brian Weidman** (C-Oneonta), and **Sgts. Todd Phillips** (C-Sidney) and **David Segit** (C-Oneonta).

The scene was further secured by .308 rifleman **Sgt. James Bullis** (C-Sidney) along with several troopers trained in the Division's new patrol rifle.

An adjacent residence was evacuated and the NYSP Crisis Intervention Team, consisting of **Sr. Invs. Susan Mulvey** (C-Owego) and **Lori Hochdanner** (C-Sidney), and **Invs. Michael Franz** (C-Sidney) and **William Hannigan** (C-Deposit) soon arrived to deal with the subject, who surrendered three hours later.

The 33-year-old man was arrested for Assault 2<sup>nd</sup> Degree and remanded to the Chenango County jail in lieu of \$50,000 bail.

## Holiday hangover

On Christmas morning, Tioga County 911 received a call from a woman who said she had run her vehicle off the road the night before and was still trapped inside it. She was injured, she said, lying in water somewhere near Day Hollow Road in the town of Owego.

**Tprs. Kevin M. Backer** and **Brad A. Boyer**, SP Owego, immediately responded with the

assistance from members of the Tioga County Sheriff's Office.

Tpr. Backer located the SUV in a creek at the bottom of an embankment and was able to crawl in through the sunroof. The vehicle was so badly damaged that the Jaws of Life had to be used to extricate the victim.

She was treated for hypothermia, neck pain and possible fractures of the ankle, pelvis and collarbone.

She also was charged with Driving While Intoxicated.

## Icy rescue

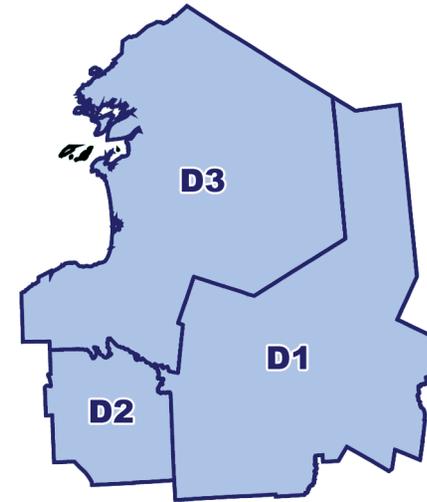
Two days after Christmas, **Tpr. Samuel J. Lizzio** (C-Oneonta) responded to an Otsego County 911 call about a man falling through the ice in the town of Milford while attempting to rescue his dog.

Tpr. Lizzio found the 53-year-old man approximately 50 feet from shore in a swamped canoe, submerged up to his chest. A neighbor had attempted several times to throw him a long extension cord, without result.

Tpr. Lizzio tied a brick to the end of the cord and was able to slide it across the ice to the man, who held on until the Milford Fire Department arrived with their Hovercraft.

Man and dog were rescued and brought to shore, after which the master was transported to Bassett Hospital in Cooperstown for treatment of hypothermia.

# Troop D



Geographically and demographically, the words best used to describe Troop D are "big" and "diverse". Its seven-county area is larger than the states of Connecticut and Delaware combined. It features densely wooded parts of the Tug Hill Plateau and southern Adirondacks, hundreds of miles of shoreline along Lake Ontario and the St. Lawrence Seaway, urban centers and scores of rural communities, lakes, rivers and wetlands. It holds the sprawling Fort Drum military complex, an International Point of Entry, the Oneida and Onondaga Indian Reservations and the bustling Turning Stone Resort and Casino in Verona.

For 12 days each year, it hosts the New York State Fair, which draws hundreds of thousands to Syracuse from throughout the northeastern United States and Canada. Its forests and waterways are renowned among hunters, fishermen, campers and vacationers, and winter enthusiasts flock to its thousands of miles of ski and snowmobile trails. The task of providing police services throughout this region is borne by Troop D. Operating from 27 facilities, the men and women of Troop D provide service to 167 towns, 89 villages and five cities. Their daily tasks incorporate a high degree of "custom-tailoring" to satisfy local community needs or special demands presented by the region's geography, climate and ever shifting demographics. Troop D is one of four original State Police troops established in 1917.

**Population:** 1.1 million (approx.)      **Service Territory:** 7,587 square miles

**Counties Served:** Herkimer, Jefferson, Lewis, Madison, Oneida, Onondaga, Oswego

**Headquarters:** Oneida (Madison County)

**Zone 1:** Herkimer, Lee (Rome), Marcy, Morrisville, New Woodstock, Old Forge, Poland, Remsen, Sullivan, Sylvan Beach, Waterville, West Winfield

**Zone 2:** Elbridge, Lafayette, Lysander, North Syracuse

**Zone 3:** Adams, Alexandria Bay, Carthage, Fulton, Grasspoint, Hastings, Lowville, Philadelphia, Pulaski, Orleans, Watertown

## 2009 Selected Statistics

**Calls for Service: 64,468**

### Vehicle and Traffic Law Enforcement

DWI Arrests: 1,573

Speed: 29,813

Safety Restraints: 13,904

Total V & T: 109,778

### Index Crimes

#### Violent

Murder/Neg. Manslaughter: 5/8

Rape: 61

Robbery: 17

Assault: 175

#### Property

Burglary: 1,005

Larceny: 2,390

Motor Vehicle Theft: 73

Part II Offenses: 11,906

# Troop D - 2009 Interesting Cases

## Oh, those purple cars!

During November-December 2008, Oneida, Herkimer and Madison counties experienced a rash of daytime burglaries.

Homes were broken into and ransacked, personal property stolen and extensive damage done. A total of \$30,000 in merchandise was stolen over the course of their crime spree. The thieves even stole wrapped Christmas presents.

By early January 2009, a total of 12 burglaries had been reported to the State Police, Oneida County Sheriff's Department and several town and village police departments.

**Invs. Thomas E. Fort** and **Allen V. Svitak** (D-Marcy) were assigned to investigate several of these cases. During their investigation, they collected information from **Tprs. Theodore C. Kubinski, John J. Lafayette** and **Thomas E. Smoulcey** (D-Marcy) about a distinctive vehicle seen in the vicinity of one of the burglaries — a purple SUV — and similar boot prints found at several of the crime scenes.

After meeting with investigators from SP Herkimer and SP Oneida, and personnel from other law enforcement agencies, they were certain the same persons had been involved in all the burglaries. Area interviews resulted in a partial description a man and woman seen in the purple SUV.

On Jan.13, Inv. Fort received a call from **Tpr. Brett J. Vanderlan** (D-Waterville), who advised him that while at the Waterville Satellite — which is located in the same building as the Oneida County Sheriff's Department Field Office — a woman matching the suspect's

description was seen in the parking lot, driving a purple SUV.

The Oneida County Department of Probation meets monthly with local probationers at the Waterville Field Office, and on this particular day the woman had driven her boyfriend to his monthly meeting. Tpr. Vanderlan obtained a registration number and relayed the information to Inv. Fort.

**Tpr. Michael S. Slade** (D-Waterville) obtained additional information regarding the suspects, and an interview of the female suspect was arranged.

On Jan. 21, Invs. Fort and **Chad Tangorra** (D-Herkimer) visited the registered owner of the purple SUV in Oneida, where it became evident that the SUV in question was indeed the suspect vehicle, and that the owner her boyfriend were involved.

Invs. Fort and Tangorra located the boyfriend and interviewed him at length, after which he admitted to participating in the burglaries and implicated two accomplices.

This information enabled police to recover the stolen property or establish where the burglars had sold it. In all, a total of 11 burglaries were solved. The defendants were charged with Burglary 2<sup>nd</sup> Degree.

## A bit over-tired

While patrolling Route 11, Feb.13, **Tpr. John J. Poggi** (D-Alexandria Bay) observed a vehicle make an unsafe lane change and initiated a Vehicle and Traffic Law stop at the Watertown city limits.

Advised of her offense, the driver said she had been on her way to go shopping in Syracuse and had gotten lost and confused.

Tpr. Poggi noticed she was more nervous and shaken than usual for a routine traffic stop. He also observed a truck tire in the rear of her minivan, which did not match the vehicle she was operating. He told the woman he was a K-9 handler and that he was going to have his K-9 partner "**Ram**" conduct a free-air sniff around the vehicle.

Ram indicated a positive alert for drugs by scratching vigorously at the seam of the vehicle's tailgate. Tpr. Poggi secured the dog, advised the driver of the results and asked for permission to search the vehicle. The driver assented.

As soon as Tpr. Poggi opened the tailgate of the minivan, he smelled the odor of fresh marijuana. The outsized spare tire felt heavier than it should have, and when Tpr. Poggi bounced it on the ground it failed to rebound as it should.

A closer inspection showed it was stuffed with 24<sup>1/2</sup> pounds of marijuana in plastic baggies. The driver was arrested and charged with Criminal Possession of Marijuana 1<sup>st</sup> Degree.

## Location by nose and ear

A missing child complaint brought **Tpr. Matthew P. Burnash** (D-Watertown) to a residence in the town of Le Ray (Jefferson County), July 15.

An eight-year-old boy had been missing for about an hour and had last been seen walking into the woods behind his



**Eight-year-old Rescued:** Trooper Kristy L. Wilson, SP Watertown, and Deputy Jeffrey Froelich of the Jefferson County Sheriff's Department comfort an 8-year-old who had run into the woods and become stuck in a swampy area.

grandparents' house. An organized search was initiated immediately.

Division Aviation dispatched helicopter 1H16 to the scene and conducted a search of the general area with negative results. K-9 units and personnel from the State Police and the Jefferson County Sheriff's Department also responded.

**Tpr. Stacy L. Bauter** (D-Watertown IP) and his canine partner "CJ," entered the woods behind the house and began a track that led northeast from the residence.

**Tpr. Kristy L. Wilson** (D-Watertown) and a sheriff's deputy accompanied Tpr. Bauter into the woods. The track ran approximately a half-mile from the residence. At that point, Tpr. Wilson called out for the child and heard what sounded like a faint cry.

They called out again and were able to "zero-in" on the direction of the sound. Eventually they found the boy clinging to a tree branch, stuck up to his waist in mud.

They extricated and carried him to the nearest road, where he was reunited with his grandparents, unharmed and suffering only minor scratches.

### **(Step)family matters...**

Responding to a child sexual abuse complaint in the town of Clay (Onondaga County) March 24, **Tpr. Jeffrey M. Cicora** (D-Lysander) interviewed the child's mother, who stated that she had just learned of the abuse, which had apparently occurred while she was on active military service in Afghanistan.

The child's stepfather, an over-the-road truck driver and former army sniper, was due home shortly from the Buffalo, so Tpr. Cicora advised the woman to pack up her two children and make arrangements with an aunt to take them for the night. The mother then went to SP Lysander to continue the investigation.

When the stepfather returned home shortly thereafter and discovered his family gone, he became enraged, sent threatening text

messages to several family members, including the child's mother and the aunt where the children were staying.

Less than an hour later, the aunt advised Tpr. Cicora that she had just received a text message from the distraught stepfather, threatening suicide. Tprs. Cicora and **Deiter O. Hunt** (D-Lysander) responded to the residence.

Once inside, they found that the suspect had consumed three bottles of prescription medication. They took him into custody and transported him to St. Joseph's Hospital in Syracuse, where he was treated for a drug overdose.

On March 26, the suspect was released from the hospital, picked up and interviewed. He gave a full confession, was charged with Sex Abuse 1<sup>st</sup> Degree and Endangering the Welfare of a Child, and ordered held in the Onondaga County Justice Center with no bail.

### **Saving man's best friend/partner**

While running stationary radar in LeRay (Jefferson County), May 5, Tpr. George C. Baker III (D-Watertown) overheard broken radio transmissions from a Jefferson County sheriff's deputy to the 911 Center requesting an ambulance. Tpr. Baker could hear the deputy's siren over the radio and made out the words, "Watertown Animal Hospital".

Shortly thereafter he saw the deputy's K-9 vehicle speeding south on Route 11 with its emergency lighting activated. He called the 911 Center and was told the deputy had reported an emergency involving his K-9 partner, Nitro, and had requested an ambulance to meet him on his direct route to the Watertown Animal Hospital.

Tpr. Baker followed the deputy, who eventually pulled over in the town of Pamela to meet with a paramedic. In the back of the deputy's car he saw the dog and a large volume of blood.

While struggling desperately to keep the dog's airway open with his hand, the deputy told him the animal was barely breathing due to a severe allergic reaction, its throat apparently blocked by the tongue.

Tpr. Baker called the animal hospital and was told an exact dosage of Epinephrine and Benadryl should be administered immediately to the animal.

He relayed this information to the paramedic, who injected the dog with the specified dosage, and in less than a minute, K-9 Nitro was out of respiratory distress.

The deputy was able to transport him to the animal hospital for further treatment.

Tpr. Baker later learned that K-9 Nitro had become ill at a detail at a local school, possibly the result of a bee sting.

The bleeding had been caused by the dog biting its tongue.

## Armed and dangerous

An Annsville (Oneida County) domestic dispute complainant told **Tpr. Thomas D. Dienhoffer** (D-Lee) June 21 that her brother had menaced her several times with a rifle and demanded money. She also said her brother had secret rooms and compartments throughout the house.

Two days later, **Tpr. Jamie P. Gallagher** (D-Lee) was called to a reported verbal dispute at the same residence.

The young man there denied menacing his sister and gave consent for the State Police to search his house.

The subject was arrested for Menacing 2<sup>nd</sup> Degree and detained.

**Sr. Inv. Timothy E. Blaise** and **Invs. Christopher J. Altimonda** (D-Oneida) and **Elliot T. Boyce** (GIU-Central) helped search the house, where they discovered several hidden rooms and compartments that contained:

- hydroponic growing equipment
- seven assault rifles
- a rifle, two shotguns
- small amounts of marijuana
- 19 glass pipes with marijuana residue
- a bulletproof vest
- a set of camouflaged body

armor

- 7 boxes of ammunition
- a switchblade knife
- a lock-pick set
- a smoke grenade
- an IED consisting of a fused CO<sub>2</sub> canister with nails taped to it.

The NYSP Bomb Disposal Unit, led by **Chief T/Sgt. Timothy L. Fischer**, responded to the scene and disarmed the bomb.



### Domestic Abuse Complaints lead to the Discovery of an Arsenal and Ammunition:

An investigation into several domestic disputes at a residence in Oneida County led to the discovery of the weapons arsenal, above, in a hidden room in the residence and the cache of ammunition in the metal boxes, left.

**T/Sgt. Miles J. West** (D-COBIS) June 21, assisted in determining which weapons were illegal and their origin.

At the time of his arrest, the young man was out on bail for leading police on a vehicle pursuit, during which he wore a bulletproof vest and possessed a handgun.

He was eventually convicted of Criminal Possession of a Weapon 3<sup>rd</sup> Degree and sent to state prison.

## Working with young people

### NYSP Junior Police Academy

The first New York State Police Junior Police Academy was held at a local high school in Syracuse during July.

Initiated by **Maj. Donald L.X. DePass** and led by **Tpr. Sobrina Vazquez** (D-Oneida) the program's goals were to provide students with leadership skills, build character and enhance integrity, and open up the State Police to diverse groups of young people who previously had had little or no positive interaction with law enforcement.

Troopers assigned to the program worked to create an atmosphere that also would serve as a long-range recruitment tool.

Even for youngsters who choose not to pursue a career in law enforcement, the Junior Academy offered valuable lessons in leadership, responsibility and other tools needed to become successful in life.

Special emphasis was put on

reaching out to disadvantaged youths from around the troop. Despite initial resistance, Tpr. Vazquez was able to set up two two-week sessions for about 20 students per session.

The recruits came from all over Central New York. They had to be students between 9th grade and graduation, with a minimum C average and a good attendance record, and they were required to submit an essay with two references from a person in the community.

Several SROs tailored their vacation time so that they could participate. Camp was set in a paramilitary environment.

During the sessions, students participated

in a leadership course, studied first aid and CPR, attended State Police K-9 and SORT demonstrations, observed basic arrest and defense techniques, visited the coroner's office, and trained in basic response to crimes in progress practices. The recruits also participated in physical training every day. Each session held a graduation at the end of two weeks.

### STARS Program

Building on the success of the Junior Police Academy, Tpr. Vazquez quickly developed another program known as STARS (Self-esteem Teamwork Advancement Respect Self-Motivation).

The STARS program has the same goals as the NYSP Junior Police Academy, but is offered on a part-time basis throughout the school year.

Tpr. Vazquez meets with STARS students at least once a week for three to four hours. The first hour of the meeting is spent on homework, the next lecturing on community or group issues, and the last hour on physical activity.

### Deadly physical force

Around 11 p.m., Aug. 21, the Oswego County 911 Center began receiving calls about a man jumping into the path of oncoming vehicles along Route 69 in the town of Mexico and climbing a cell phone tower.

**Tpr. Paul O. Darmody-Latham** (D-Hastings) responded to investigate and interviewed a citizen who reported seeing the man walk down



**NYSP Junior Police Academy:** Participants in the New York State Police Junior Police Academy in Syracuse pose with a Division Helicopter during a field trip. State Police members pictured are: L-R Row 1: T/Sgt. Kathy D. Sweeney, Aviation – Albany and Tpr. Lynda J. Smalley, SP Elbridge. Row 2: Tpr. Timothy A. Tyler, SP Herkimer SRO; Tpr. Sobrina Vazquez, Troop D Recruitment; Tpr. Ralph W. Potasiewicz, SP Herkimer SRO, and Tpr. William M. Petersen, SP Watertown SRO.

an access road to the cell phone tower.

Tpr. Darmody-Latham drove toward the tower, where he saw three persons on the side of the road, two of whom were on bicycles.

The man on foot immediately approached the troop car, waving his arms and yelling, "You want to start with me?" In his right hand was a knife.

Tpr. Darmody-Latham got out and drew his pistol, yelling commands for the man to "get back," but the subject came on, approaching to within a few feet of the troop car. Tpr. Darmody-Latham then fired three times, killing him.

Subsequent investigation revealed the man had mental health issues from abusing over-the-counter medication and had been walking down the middle of the road, challenging vehicles.

## Armed resistance

**Tprs. Mark A. Bender** (D-North Syracuse) and **James R. Siddall** (D-Elbridge), assigned to work an Operation IMPACT detail in Syracuse, Aug. 22, were checking the area of McKinley Park for a suspect on a "shots fired" complaint.

About two blocks from the park they saw a person on a bicycle who matched the suspect's description and they attempted to interview him. The suspect refused to stop.

Tpr. Bender exited his vehicle and confronted him, but the suspect resisted and a struggle ensued. Tpr. Siddall tried to assist.

The suspect then grabbed Tpr. Bender's sidearm, although he could not pull it from the holster. Even a burst of pepper spray failed to

bring him down, and it wasn't until a Syracuse police officer joined in that the suspect finally yielded. A search of his clothing turned up a fully-loaded .32-cal. revolver and a knife.

The man was lodged in the Onondaga County Justice Center on charges of Criminal Possession of a Weapon 4th Degree, Attempted Criminal Possession of a Weapon 2nd Degree and Resisting Arrest.

## Mad money

**Inv. Patrick A. Hathaway** (D-Border Intelligence Unit) and **Michael J. Marvin** and **Tpr. Stacy L. Bauter** (D-Watertown) were assigned to a stationary road check in Alexandria (Jefferson County) as part of a multi-agency detail called "Operation Joint Accord," Sept. 21, when two men approached their position in a pickup truck.

Asked for identification, the men could only produce a learner's permit between them. The vehicle was directed to the side of the road and Tpr. Bauter proceeded to make inquiries via TraCS while Inv. Marvin interviewed the occupants, finding inconsistencies throughout their stories.

A sheriff's department K-9 team searched the vehicle, and the dog alerted to a location behind the driver's seat. The deputy and Inv. Hathaway located a shoebox containing approximately \$96,000 in cash.

The suspects were transported to SP Alexandria Bay, where during interviews the passenger admitted the money was product of marijuana trafficking between the U.S. and Canada. He subsequently admitted transporting large amounts of money on four other occasions.

Both men were charged with Money Laundering 2nd Degree, and the driver was charged with Unlawful Possession of Marijuana. They were remanded to the

Troop D Troopers Conduct Demonstrations at the NYS Fair: Using the Convincer, at right, Tpr. James F. Simpson demonstrates how wearing seat-belts can save your life. Below, Tpr. Jesse L. Davis plays the "bad guy" during a Canine demonstration.



**NEW  
YORK  
STATE  
FAIR  
2009**

Jefferson County Jail.

## Tense standoff

**Tprs. Carl W. Parow** and **Salvatore F. DiMartin Jr.** (D-Herkimer) were working a scheduled 2-shift and responded to the town of Danube (Herkimer Count), Sept. 28, for a report of a suicidal man with a shotgun.

At the man's residence they found him standing in his garage with the overhead door open, holding the shotgun and pacing back and forth. Tpr. DiMartin informed **Sgt. Jeffery A. Williams** (D-Morrisville) by radio and the troopers took cover behind their troop car.

From Herkimer 911 Tpr. DiMartin learned the man's wife and two children were still inside the house. The subject refused directions to lay down his weapon and surrender, as Tpr. DiMartin advised Herkimer 911 to contact the family and tell them to take cover in the room farthest from the garage and lock the door.

Tpr. Parow began conversing with the man and discovered that he was upset over a DWI arrest earlier in the evening, and appeared to be still intoxicated. Several times he pointed the muzzle of the shotgun at his own abdomen, but fortunately he was so inebriated that he had lost the coordination to pull the trigger.

Finally, after about 40 minutes, Tpr. Parow succeeded in encouraging him to surrender. Inside the garage troopers found a suicide note to the man's wife.

The subject was arrested under the Mental Health Law and transported to St. Elizabeth's Hospital in Utica for evaluation.



**Better Buckle-up!** Tpr. Joseph M. Weidner, SP Elbridge, and Sgt. James D. Moynihan, SP North Syracuse, look for violations during the May 2009 Buckle Up New York Campaign.

# Troop E

Like Troop A, its neighbor to the west, Troop E covers a sprawling region bordered by Lake Ontario to the north and Pennsylvania to the south.

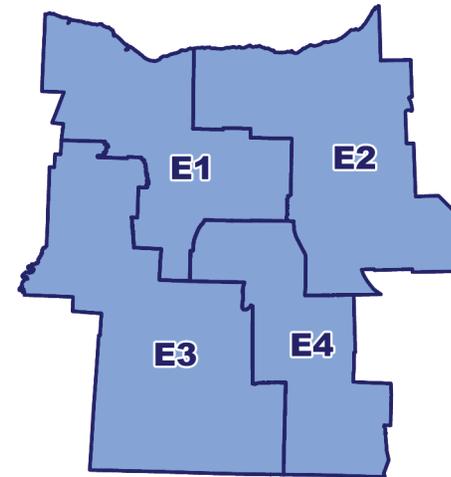
The ten counties served by the "Finger Lakes Troop," as Troop E is known, encompass some of the most picturesque agricultural and recreational areas of New York State.

The region is overspread with farms, vineyards and orchards; its gentle, rolling hills attract hunters, skiers and other winter enthusiasts, and the five Finger Lakes are a world-famous aquatic playground.

There are seven cities, 160 towns and 79 villages throughout the area. All these assets contribute to making the Troop E area a predominantly rural region with a vigorous economy, substantial population and plenty of highway travel. This is reflected in the troop's operation.

From 23 stations throughout the region, Troop E's Uniform personnel patrol 18,457 miles of rural and interstate roadways every day, and its BCI investigative specialists deal with criminal matters of every type and variety.

Troop E was created in 1967 from portions of Troops A, C and D.



**Population:** 1.3 million (approx.)      **Service Territory:** 6,042 square miles

**Counties Served:** Cayuga, Chemung, Livingston, Monroe, Ontario, Schuyler, Seneca, Steuben, Wayne, Yates

**Headquarters:** Canandaigua (Ontario County)

**Zone 1:** Canandaigua, Churchville, Penfield, Naples, Rochester

**Zone 2:** Auburn, Lyons, Moravia, Romulus, Walworth, Waterloo, Williamson, Wolcott

**Zone 3:** Bath, Canisteo, Geneseo, Lima, Painted Post, Wayland

**Zone 4:** Dundee, Big Flats, Horseheads, Montour Falls, Wellsburg

## 2009 Selected Statistics

**Calls for Service: 56,447**

### Vehicle and Traffic Law Enforcement

DWI Arrests: 1,328

Speed: 30,875

Safety Restraints: 11,020

Total V & T: 110,658

### Index Crimes

#### Violent

Murder/Neg. Manslaughter: 1/5

Rape: 57

Robbery: 20

Assault: 157

#### Property

Burglary: 478

Larceny: 1,270

Motor Vehicle Theft: 37

Part II Offenses: 8,850

# Troop E - 2009 Interesting Cases

## Answering the call

On Jan. 3, **Tpr. Donald M. Will** (E-Dundee) responded to a call from a person who said he had heard someone calling for help from the woods near his home.

He immediately began a search of the area and soon discovered a 77-year-old Yates County man whose car had slid off the road and become stuck. The man had walked about a quarter-mile to find help, but had fallen numerous times and suffered an obvious head injury.

It was unclear how long he had been out of his car in the sub-freezing weather. When found, he had no gloves, only one shoe, was disoriented and suffering from hypothermia and frostbite.

Tpr. Will contacted EMS and the man was airlifted to Strong Memorial Hospital in Rochester, where he was admitted for treatment.

## The spark of life

Summoned to the Gananda School District's Richard Mann Elementary School by a report of a man down in the gymnasium, March 2, **Tpr. Christopher B. Braun** (E-Lyons) arrived to find a crowd around a 41-year-old man lying on the gym floor, apparently unresponsive.

According to witnesses, the victim had collapsed while playing basketball, and had stopped breathing altogether while someone was calling 911 for help.

Some fellow players located an Automatic

External Defibrillator (AED) unit prior to Tpr. Braun's arrival, but were reluctant to try operating it. Tpr. Braun stepped up, assessed the victim's condition, and began to deploy the apparatus.

**Tpr. John W. Morgan** (E-Walworth) arrived just as the first shock was administered. It produced no result. The troopers then conducted CPR, with Tpr. Braun administering chest compressions as Tpr. Morgan conducted rescue breathing.

EMS personnel arrived at the school as a second shock was being administered by the AED, this time successfully restoring the victim's heartbeat and breathing.

He was transported by volunteer ambulance to Strong Memorial Hospital in Rochester, where he was reported to be alert and breathing on his own.

## Purse-snatching goes wrong

**Tprs. David A. Ceretto** and **Adam C. Halstead** were working an Operation IMPACT detail in Rochester, March 28, when they observed what appeared to be a fight between three people.

As they approached on foot, they saw a man strike a woman. Tpr. Halstead identified himself just as the man knocked the woman to the ground and ran. As Tpr. Halstead began to run after him, the woman yelled that he had a gun.

Tpr. Halstead pursued him down a side street, while Tpr. Ceretto caught up to them in their troop car. The suspect fell in the middle of the street, and a handgun that he

had with him tumbled out and landed next to him. It turned out to be a realistic-looking BB gun.

The suspect had approached the woman and her friend and had tried to rob them of a purse. When the owner refused the suspect began striking her in the face with the gun, at which point the troopers intervened. The woman refused medical treatment.

The suspect was charged with Robbery 2<sup>nd</sup> Degree, Assault 2<sup>nd</sup> Degree, two counts of Menacing 2<sup>nd</sup> Degree and Resisting Arrest.

## No hands, no license...

A report of a hit-and-run accident involving two pedestrians brought **Tpr. Jason M. Haag** (E-Canandaigua), to a street in the Ontario County village of Victor, Aug. 30.

The victims had been standing on the sidewalk when they were struck by a dark-colored SUV, which left a 200-foot trail of debris in the road.

An emergency MEDEVAC helicopter flew the victims to Strong Hospital in Rochester. One suffered numerous abrasions and lacerations and a pair of bruised kidneys, the other a broken right femur. Owing to their injuries, neither could provide any investigative leads.

Tpr. Haag helped secure the accident scene and advised **Sgt. Brent W. Bowman**, (E-Canandaigua) of the incident, who then responded to assist.

During Tpr. Haag's investigation, he learned the suspect and his SUV were a few blocks

away. He patrolled to that location and located the operator, upon whose breath he smelled the odor of alcohol. After performing Standardized Field Sobriety Tests, he arrested the man for DWI.

The driver was additionally charged with Vehicular Assault, Aggravated Felony DWI, Leaving the Scene of a PIAA, Aggravated Unlicensed Operation, an Open Container, and No Hands on a Steering Wheel.

He was arraigned before the Town of Farmington Court and remanded to the Ontario County Jail in lieu of \$2,500 cash bail.

## Inappropriate contact

Two local parents told SP Horseheads **Invs. Chad J. Deweese** and **Mark E. Procopio**, Sept. 16, that their 11-year-old daughter had received dozens of text messages on her cell phone from a 43-year-old man.

A preliminary interview revealed the man sending the messages was the father of a schoolmate, and that he had been having regular phone and text conversations with the girl for months. She also told of incidents in which the subject had hugged her at his home, picked her up in his car alone and touched her leg inappropriately while driving.

Following the interview, the investigators monitored a conversation between the 11-year-old had with the suspect. The man made references to sexual activity and he advised the girl that he would pick her up in his vehicle after obtaining condoms.

Inv. Procopio, along with **Tprs. Kenneth E. Elston III** and **Jeffrey M. Grebleski**, (E-Horseheads), observed the suspect purchase

condoms at the store, and took him into custody before he could return to his vehicle. Ultimately, he admitted to the acts and conversations described by the young girl, and was sent to the Chemung County Jail.

Subsequent to his arrest, **Inv. Patrick J. Englishby** (E-VCIT) obtained subpoenas and search warrants for phone records text messages and photographs on the suspect's cellular phone.

Ten additional youths, ranging in age from 7 to 15 years, were interviewed, and the suspect was charged with felony counts of Disseminating Indecent Material to a Minor and Sexual Abuse, as well as misdemeanor counts of Endangering the Welfare of a Child and Unlawful Imprisonment.

## Attempted suicide

While working a 1-shift, Sept. 19, **Tprs. John F. Allen, David J. Flanigen** and **Michael C. Mault**, (E-Canandaigua), along with members from SP Williamson and SP Lyons, were advised that a potentially suicidal woman armed with a .380-cal. pistol might be en route to one of two cemeteries in eastern Wayne County.

**Tprs. Brian W. Gamache** and **Eric K Fuenfstueck** (E-Williamson), along with **Tpr. John C. Ninfo** (E-Lyons), checked numerous cemeteries and roadways in Wayne County with negative results.

**Inv. Andrew J. Jasie** (E-Williamson) directed that a File 25 message be sent out to Ontario and Monroe County.

Almost immediately, Ontario County 911 advised that a vehicle matching the description of the one in the Teletype message

had been located in the town of Farmington; inside it was the woman, suffering from a gunshot wound to the head.

**Tprs. Allen, Flanigen, and Mault** converged on the location, secured the scene and began treating the victim. **Tpr. Flanigen** worked to stop the bleeding from her neck while **Tpr. Allen** held her jaw in place until EMS personnel, **Inv. Jasie** and **Tpr. Fuenfstueck** arrived on the scene.

Investigation revealed that the woman had been involved in an argument with her grandson and had left their residence in Macedon with the intention of shooting herself.

MEDEVACed to Strong Memorial Hospital In Rochester, the victim was listed in stable condition and was expected to survive.

## Tracks, glove lead to three arrests

Dispatched to a reported burglary in the town of Tyre (Seneca County), Dec. 21, **Tpr. Steven M. Kelley** (E-Waterloo) determined that an ATV had been stolen from a garage adjacent to a residence. The vehicle belonged to an elderly woman whose husband who had recently passed away.

**Tpr. Kelley** contacted **Tpr. Richard A. Canino** (E-Auburn) for crime scene processing. Together they located a set of ATV tracks, and beside them a blue-and-black snowmobile glove.

**Tpr. Kelley**, accompanied by and **Tprs. Canino** and **Robert R. Lerch** (E-Waterloo), followed the tracks for three miles, through a field and woodlots to a house.

There, he interviewed the occupants. The homeowner led him to a back garage, where

Tpr. Kelley advised the homeowner that a snowmobile glove had been found near the tracks. The homeowner stated that he owned gloves matching the trooper's description of the one found, and showed one to the trooper.

Tpr. Kelley then interviewed the man's son, who admitted to having been involved in the theft. The son led Tprs. Kelley, Lerch, **Kimberly M. Colton** and **Jason A. Sears** (E-Waterloo) to a spot in the woods where the stolen ATV had been hidden.

The son then provided names of two accomplices one of whom subsequently turned out to have been uninvolved. That interview, however, led to the identification of a juvenile who had been involved in the theft.

The juvenile was charged with Burglary <sup>3rd</sup> Degree and released to his mother with an appearance ticket returnable to Seneca County Probation.

The other two subjects were arraigned and remanded to the Seneca County Jail in lieu of \$5,000 cash bail/\$10,000 bond.

The ATV was returned, undamaged, to its rightful owner.

# Troop F

Created from portions of Troops C, G and K in 1968, Troop F services the State's heavily traveled Mid Hudson region.

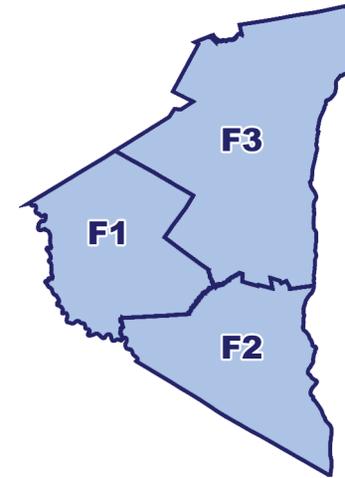
Working from 22 stations, Troop F personnel provide the full spectrum of State Police services to residents, commuters and travelers in and around the region's 75 towns and 50 villages.

Though its resident population is modest by Empire State standards, the area's many Catskill Mountain vacation homes and resorts, along with its proximity to New York City, make it a busy place to live, work and visit.

The region encompasses five major ski centers, untold hundreds of camps and campgrounds, and the world famous festival sites of Woodstock and Bethel, both of which draw thousands of faithful music aficionados every August.

Commercially, Stewart International Airport in Newburgh, possessor of the sixth longest runway in the world, is becoming a major player in the air travel market and is the preferred alternative to the hectic airports of New York City.

Troop F has sole responsibility for providing security to the entire airport.



**Population:** 928,000 (approx.)      **Service Territory:** 3,756 square miles

**Counties Served:** Greene, Orange, Rockland, Sullivan, Ulster

**Headquarters:** Middletown (Orange County)

**Zone 1:** Liberty, Narrowsburg, Roscoe, Wurtsboro

**Zone 2:** Deer Park, Florida, Greenville, Hamptonburgh, Haverstraw, Monroe, Newburgh, Pine Bush

**Zone 3:** Catskill, Coxsackie, Ellenville, Gardiner, Greenville, Highland, Hunter, Kingston, Shokan

## 2009 Selected Statistics

**Calls for Service: 59,040**

### Vehicle and Traffic Law Enforcement

DWI Arrests: 2,522

Speed: 34,338

Safety Restraints: 14,648

Total V & T: 116,033

### Index Crimes

#### Violent

Murder/Neg. Manslaughter: 4/5

Rape: 39

Robbery: 19

Assault: 252

#### Property

Burglary: 511

Larceny: 1,407

Motor Vehicle Theft: 59

Part II Offenses: 7,968

# Troop F - 2009 Interesting Cases

## Cold case solved

Since July of 2008, investigators from SP Catskill had been trying to solve the case of a Greene County woman reported missing by her son.

An exhaustive investigation, which included a wide canvas of the Greene County, interviews with neighbors, friends, co-workers and community figures, eventually led to the Greene County Jail, where a key player, already incarcerated on probation charges, was identified.

Investigators soon discovered the suspect, arrested in Rome, NY, weeks earlier, had been in possession of the missing woman's vehicle, credit cards and cell phone.

Several days later they unearthed her body, buried on her property. Her remains had been concealed beneath the buried carcass of her dead pet dog.

The suspect eventually received a sentence of 31-years-to-life for his crimes.

## Restoring order

Troop F personnel responded to assist local police deal with a mass disturbance at a bar in the village of Chester (Orange County), Feb. 28.

They arrived to find a crowd of bar patrons milling around in front of the tavern, where an unruly patron, after being asked to leave, had driven his SUV into the crowd, hitting several people and the front of the building.

The subject was then shot to death by an off-duty Orange County sheriff's deputy.

## Interesting Cases 2009

Troopers helped calm the panicked crowd, located and segregated a number of witnesses inside the bar, and secured written depositions from patrons who had observed the disturbance inside the bar, the subsequent crash and the shooting of the driver.

Order was quickly restored.

## Bravery all around

**Tprs. Matthew Schaffer** and **Joseph P. Sinagra Jr.** (F-Highland) were at the Mid-Hudson Bridge toll plaza, March 24, when they received a report of a disabled vehicle on the bridge, followed by a second call of a man threatening to jump off the span.

They arrived seconds later to find two vehicles stopped mid-span and a woman standing in the middle of the roadway. On the side of the bridge, across the safety barriers, they saw another woman apparently trying to prevent a man back from jumping over the final barrier.

Tpr. Schaffer was able to get behind the man while he was distracted and blocked his direct path to the railing. Tpr. Sinagra then seized the man, and together the troopers hauled him back over the barriers to safety.

It was later determined that the women also had risked their lives to prevent the suicide.

They had been immediately behind the man's vehicle when he abruptly stopped, jumped out of his car and vaulted across two of the three safety barriers.

One woman had followed him over the barriers and attempted to grab him while her sister called 911.

## Attempt to locate...

While working the desk at SP Kingston, April 7, **Tpr. Jeffrey T. Hirsch** received a phone call from the medical center in Sharon, Connecticut, that a woman somewhere in his area had threatened to shoot herself.

Tpr. Hirsch got as much information about the subject as the caller was able to provide, then he and **Tpr. Tricia Angelini** (F-Kingston) began contacting members via telephone to obtain the woman's address.

Tprs. Angelini and **Andrew Kothe** (F-Kingston) checked the subject's residence with negative results. Meanwhile, Tpr. Hirsch learned the woman had had an appointment earlier in the day with her lawyer in Goshen (Orange County).

He contacted the lawyer, who confirmed that she had been visibly distraught over an ongoing family estate dispute. Utilizing NYSPIN, Tpr. Hirsch located the woman's vehicle and registration.

When the 2-shift arrived, **Tprs. Joshua J. Taylor** and **Matthew P. Bresnahan** (F-Kingston) continued the investigation. Tpr. Taylor had the telephone company "ping" the subject's cell phone, which disclosed that she was driving on Sunrise Highway in Long Island. Tpr. Taylor called her cell phone and maintained a 90-minute dialogue with her.

Using GPS coordinates provided by the phone company and cross-referencing them with an internet mapping service, he was able to track her movements.

Tpr. Bresnahan identified a previous address

for the woman on Long Island, called the South Hampton PD and asked them to check there for the subject.

Within minutes of their arrival there, the woman drove in and was taken into custody under the Mental Health Law without further difficulty.

## **Justice done, after 19 years**

The exceptionally brutal murder of a 53-year-old woman in her mobile home stunned residents of an Orange County trailer park, back in April 1990, and despite all investigative efforts, the case remained unsolved for the next 19 years. The cold case was reviewed periodically, and evidence was resubmitted for analysis.

Then in early 2009 a new suspect was developed, based on a match between the case's DNA profile into CODIS and a newly submitted sample from a convicted offender.

After several weeks of investigation and surveillance, the suspect was brought to SP Middletown for an interview.

Nineteen years to the day after the victim's death, he was charged with her murder.

## **Killers tracked down**

A shooting at an apartment complex in the Village of Monticello (Sullivan County) left one victim dead from a gunshot to the head, June 23. The village police chief requested State Police assistance.

The ensuing criminal investigation, jointly conducted by the village police and investigators from SP Liberty, the Troop F Major Crimes unit, and the Sullivan County District Attorney's Office, learned the victim had been lured to the scene by his attackers under

the pretext of a drug transaction.

Detectives and investigators developed a suspect, a known associate of the dead man, who had had several telephone conversations with the victim just before the shooting. It also was determined that the suspect had been involved in a robbery hours before the homicide and had since fled to Florida.

Investigators secured a warrant of arrest for the robbery, traveled to Florida, and returned with the suspect in custody.

The suspect denied participating in a drug deal with the victim, but disclosed that two of his associates had done so. He further advised that both subjects had disclosed to him that they robbed the victim of personal property and committed the murder. The killers subsequently fled the area.

Over the course of six months, investigative activity spanned the eastern Seaboard from Long Island to Florida.

On Dec.9, investigators identified the sister of one suspect, who ultimately disclosed that her brother had admitted robbing and shooting the victim. The two men were located and interviewed at SP Liberty, eventually admitting their participation in the crimes.

They were arrested for Murder 2<sup>nd</sup> Degree, Robbery 1<sup>st</sup> Degree, and Criminal Possession of a Weapon Degree.

The suspect who had been extradited from Florida also was charged with 2<sup>nd</sup> Degree Murder.

## **Some package!**

SP Montgomery were called to a freight facility

in Montgomery (Orange County) to investigate a report of a suspicious package, Aug. 12.

Interviews revealed a town resident was receiving goods shipped regularly from California. Employees began to suspect the shipments contained contraband.

On Aug. 13, a detail was organized at the facility to watch for the subject picking up the package. When two subjects arrived to do so, members moved in.

Two hundred twenty-eight pounds of marijuana were seized and the two subjects arrested.

## **I have no name...But I DO have a record...**

**Tpr. Michael M. Pappas** (F-Liberty) stopped a car for speeding on State Route 17, Aug. 26, and found the driver's license had been suspended. He had the vehicle towed and transported the driver and his passenger to SP Liberty.

During the trip, the passenger identified himself by a different name than the one he had provided at the scene. He claimed to have been off his medication, seemed agitated and stated that he wanted to hurt himself.

At Liberty, Tpr. Pappas placed the passenger under Mental Health Law arrest and told him that before he could be taken to the hospital for evaluation he was going to be fingerprinted to ascertain his true identity.

Upon hearing this, the man, who was shackled to a bench in the patrol room, became violent, defecated in his pants, smeared his feces on himself and shouted that he was going to fight the police and not let them fingerprint him.

**Tpr. Matthew C. Johnstone** and **Inv. Daniel Quinones** made numerous attempts to convince the man to allow the troopers to clean him up or learn his identity, without result.

Finally, **Tprs. Pappas, Jason R. Cole** and **Craig A. Vedder** (F-Wurtsboro), wearing Tyvek suits to prevent contamination, secured the subject and transported him by ambulance to a decontamination center at Catskill Regional Medical Center.

After he was cleaned up, **Tpr. Jesse M. Buzzard, Jr.** (T-Junius Ponds) was able to secure the man's fingerprints. From these, the Division of Criminal Justice identified him as a convicted felon, released on parole in August, who had never reported to Parole.

He was released from the hospital later that night and remanded to the Sullivan County Jail.

## Combating gang warfare

A 911 report of shots fired brought **Tpr. Matthew C. Johnstone** (F-Liberty) to the village of Monticello (Sullivan County ), Sept. 15.

Village police interviewed a witness who identified the shooter. A foot pursuit followed shortly thereafter, but the Monticello police lost sight of the subject and Tpr. Johnstone and his K-9 partner "JT" began a track where the subject was last seen.

**Lt. Erik J. Dauber** and **Tprs. Michael M. Pappas** (F-Liberty), **Elizabeth M. Schock** and **Nathanael J. Schock** (F-Wurtsboro) responded to the scene, where Tpr. Johnstone's track led to a garage on Broadway.

While interviewing two subjects inside the garage, Tpr. Johnstone spotted an attic, where

he found a man hiding. Taken into custody, he was identified as the person involved in the shooting.

Further investigation revealed the suspect was a member of the notorious Crips gang, and had been shooting in response to a running battle with the rival Bloods.

He was arrested for Reckless Endangerment and Criminal Possession of a Weapon 2<sup>nd</sup> Degree.

The men interviewed inside the garage also were arrested for Obstructing Governmental Administration, and one was additionally charged on an outstanding warrant from the Sullivan County Sheriff's Department.

## False report leads to arrest

A man reported his 7-month-old daughter had been taken from her stroller at a store in Thompson (Sullivan County), July 4, when he left her outside the men's room and went inside to change his other child's diaper.

Responding Troop F members locked the busy store down and established a command post. A search of immediate area initially proved negative, but revealed inconsistencies and conflicts.

Investigation revealed he had been in the area of an abandoned bungalow colony prior to reporting his daughter missing. A search of that area found the infant lying face-down in the mud along side a derelict building.

She was transported to Sullivan Regional Hospital, where a medical exam revealed she had been sexually abused.

Troopers arrested the father for Attempted Murder, Endangering the Welfare of a Child and Falsely Reporting an Incident.

A grand jury later added indictments for Criminal Sexual Act, Reckless Endangerment and Abandonment of a Child.

## Missing

A woman called SP Middletown during the night of Nov. 23, to report her father and brother were somewhere on the road, and long overdue.

A missing person investigation was begun, and soon found the father's car hidden in woods behind the house.

Members next located the son, interviewed him, and immediately became concerned for the welfare of the father.

A search of the home's basement found him, dead, his body hidden under a pile of debris.

The son eventually provided a complete confession to the murder by means of manual strangulation.

### Crash Kills State Trooper David J. Lane (F-Catskill)

New York State Trooper David J. Lane (F-Catskill), 30, who served with the U.S. Army in Iraq and Afghanistan died Nov. 4, 2009, when his patrol car struck a telephone pole. Tpr. Lane, northbound on state Route 32 tried to pass another northbound vehicle and the two vehicles "made contact," resulting in Lane's vehicle going off the road and striking a telephone pole. Tpr. Lane, who had been with Division for four years, died at the scene.



# Troop G

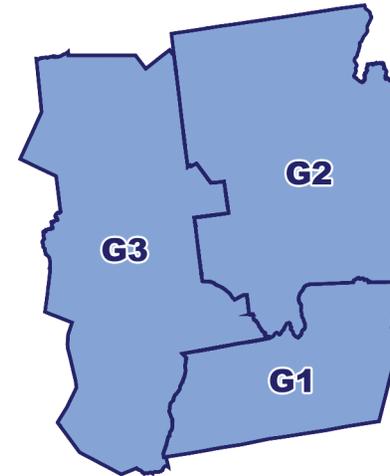
One of four original troops created in 1917, Troop G lies at the crossroads of New York State.

Intersected by the primary arteries of upstate transportation and surrounded by densely populated commuter suburbs, tourist centers and rural districts, Troop G features some of the most heavily traveled highways in New York State.

Both I 87 (the Adirondack Northway) and East/West I 90 transect the region, bringing motorists and commercial haulers through in large numbers. With Buffalo, Boston, New York City and Montreal all within an afternoon's drive of Albany, troopers assigned to Interstate Highway Patrol are busy around the clock.

The region's sprawling suburbs, rural communities, seasonal vacation centers and tourist attractions also benefit from Troop G services. Members of Troop G are a familiar presence throughout the southern Adirondacks, along the state's inland waterways, and on the busy roads leading to such attractions as the Saratoga Race Track and Performing Arts Center, Lake George and the region's many colleges and universities.

Working from 24 stations across 10 counties, the men and women of Troop G service the public safety needs of more than a million people a day in 118 towns, 49 villages and 12 cities.



**Population:** 1.06 million (approx.)      **Service Territory:** 6,534 square miles

**Counties Served:** Albany, Fulton, Hamilton, Montgomery, Rensselaer, Saratoga, Schenectady, Schoharie, Warren, Washington

**Headquarters:** Loudonville (Albany County)

**Zone 1:** Brunswick, Guilderland, New Scotland, Sand Lake, Schodack, Westerlo

**Zone 2:** Bolton Landing, Charlton, Chestertown, Clifton Park, Granville, Greenwich, Hadley, Queensbury, Saratoga, Schuylerville, Northway, Wilton

**Zone 3:** Cobleskill, Fonda, Mayfield, Princetown, Wells

## 2009 Selected Statistics

**Calls for Service: 61,744**

### Vehicle and Traffic Law Enforcement

DWI Arrests: 1,700

Speed: 35,202

Safety Restraints: 11,369

Total V & T: 102,026

### Index Crimes

#### Violent

Murder/Neg. Manslaughter: 3/2

Rape: 29

Robbery: 27

Assault: 148

#### Property

Burglary: 395

Larceny: 1,389

Motor Vehicle Theft: 36

Part II Offenses: 9,308

# Troop G - 2009 Interesting Cases

## Calling card left at a burglary

Off-duty **Tpr. Michael J. Painter** (G-Brunswick) was leaving his home, Jan. 6, when he spotted a white four-door sedan that matched the description of a vehicle reported in conjunction with several burglaries in the SP Brunswick patrol area.

Tpr. Painter followed it, noting three occupants in the car and the rear license plate bent upward, making it difficult to read. At one point the vehicle slowed, and Tpr. Painter saw the driver point at a house.

When the car stopped at a traffic light, Tpr. Painter positioned his car close enough to read the plate. He contacted SP Brunswick, but was advised the DMV system was down, so he followed the vehicle into East Poestenkill (Rensselaer County), where he lost cell phone service and discontinued his surveillance.

The next day, Tpr. Painter returned to duty and contacted SP Schodack. He learned that two burglaries had occurred in the town of Poestenkill the previous day. A business card from a Rensselaer County probation officer with an appointment date on it was found in the driveway of one of the residences.

The officer identified the person to whom the card had been issued. Meanwhile, a check of the suspicious vehicle's plate showed it belonged to a woman in the nearby town of Hoosick Falls.

Tpr. Painter patrolled there and found the vehicle at the owner's residence. The owner said she allowed her son and his girlfriend to use it.

The girlfriend turned out to be the person named by the probation officer. SP Brunswick BCI then obtained a search warrant for the vehicle and the residence.

Numerous items from several burglaries were discovered, some dating back to August 2008, from locations in Rensselaer, Washington and Saratoga counties.

The son, his girlfriend and cousin were arrested and admitted to committing at least 30 burglaries in the area. All three were arraigned in the Town of Hoosick Court and committed to the Rensselaer County Jail.

## Shootout on I-90

**Tpr. Ian Henry** (G-Loudonville) was patrolling 1-90 westbound in the town of East Greenbush (Rensselaer County), Jan. 10, when he stopped a Yellow Cab with Connecticut plates for doing 84 mph in a 65-mph zone.

As he approached the vehicle, Tpr. Henry noticed the rear seat passenger was acting suspiciously. When he began speaking to the subject, the man drew an AK-47 assault rifle from a duffle bag. Tpr. Henry immediately retreated to his vehicle as the suspect opened fire.

Pointing his sidearm in the direction of the suspect, Tpr. Henry tried to flag down the oncoming traffic on the highway with the other. Just then the driver jumped out of the cab and started running toward Tpr. Henry, shouting "I'm not with him!"

Tpr. Henry handcuffed the cab driver and placed him in his troop car for protection.

Meanwhile, **Inv. Rodney Livolsi** (NYSIC), off-duty and traveling in his personal car, happened upon the gun battle in progress.

He stopped his vehicle on the roadway and yelled to Tpr. Henry, offering his assistance. Tpr. Henry moved the cab driver into the rear of Inv. Livolsi's vehicle, and the three of them were able to back down the interstate and put a little distance between themselves and the gunman.

**Lt. John Agresta** (G-BCI) and **Tpr. Jeffrey Devine** (G-Loudonville), who heard the trooper's call, responded, and blocked off traffic on the eastbound side of 1-90. In doing so, however, they drew the gunman's fire down on themselves and were compelled to return fire.

**Inv. Timothy Northrup** and **Tprs. Fred Scarano** and **Michael Keefe** (G-Schodack) responded to the westbound side of 1-90 and immediately were drawn into the shootout.

The firefight continued for 40 minutes, during which more responding State Police members and local police assisted civilian motorists to safety. Members of the Rensselaer County Emergency Response Team also engaged the suspect.

Finally, **Tpr. Steven Borbee**, a Division .308 rifleman from SP Princetown, put an end to the rampage with a well-placed bullet. The suspect was taken to a local hospital where he later died.

Investigation revealed he was a Bloods gang member and a suspect in a carjacking and a serious assault in Hartford, CT.

It remains unknown where in the Capital District he had been headed.

## 40-year-old homicide case closed

Troy Police contacted **Sr. Inv. David Madden** (G-Major Crimes Unit), April 2, 2008, with information received from a clergyman in North Carolina.

The pastor reported a woman had told him her brother had killed a man in the Troy area years earlier in an argument over a woman named Mary. Investigators from SP Brunswick, SP Saratoga, the Troop G Major Crimes Unit and several local PDs began conducting background investigations into the subjects and reviewing unsolved homicides.

The identity of the woman named Mary was established, and **Inv. Gloria Coppola** (G-Major Crimes) interviewed her at her home in Schaghticoke (Rensselaer County).

Mary said her fiancé had been reported missing by his mother, April 16, 1969. His Ford Mustang had been found parked on New Turnpike Road in Troy, unlocked, keys inside, and his lunch pail was behind the driver's seat, untouched. He not been heard from or seen since then.

Additional investigation identified a man named Nelson Costello who had worked as a part-time town constable for the Waterford PD in nearby Saratoga County. Costello also had worked on along the inland and coastal waterway system from Albany to Florida during 1968-69, and was currently living in Prescott, Arizona.

Interview teams were sent out to interview all persons identified in the case simultaneously.

**Sr. Invs. Brendan Moran** (G-Saratoga) and **Steven Wetmore** (G-Loudonville) re-

interviewed Mary, who told them that while her fiancé had been in the service in Vietnam, she had developed a friendship with Costello.

When the fiancé returned, she became engaged to marry him. Costello had objected angrily. He had talked to her of marriage, having children, and a life together. Mary said she had told him she couldn't see him anymore.

Meanwhile, **Sr. Inv. Michael Cuomo** (G-Saratoga) and **Inv. Michael Student** (G-Loudonville) interviewed a Ballston Spa man identified in the preliminary investigation as a longtime friend of the Waterford man. He said his friend had admitted to killing a man years ago and that another friend known as "Mac" knew where the body might be buried.

**Sr. Invs. Christopher M. O'Brien** (G-Brunswick) and **John E. Camp Jr.** (G-Loudonville) interviewed a subject who had been identified in the preliminary investigation as being a long-time friend of Costello who stated that Costello had admitted killing a man and that he had been a police officer.

Sr. Inv. Madden, **Inv. John J. Ogden Jr.** (G-Brunswick) and **Inv. Henry J. Abeel Sr.** (G-Major Crimes) Loudonville interviewed Costello, who confirmed some of the story developed during the preliminary investigation and disclosed information important to the other interview teams.

As a result, Sr. Invs. Cuomo, Wetmore and Camp and Inv. Student traveled to Lynchburg, VA, to interview "Mac," who disclosed that during a visit in 1969, Costello admitting killing a man over a woman. He said Costello had showed him a body in the trunk of a rental car, gave a detailed description of how Costello

described the killing, and where the body may have been buried along nearby railroad tracks.

**Invs. Drew McDonald** and **Daniel Stevens** (G-FIU) were transported by Division Aviation to the area Mac had identified where, with the assistance of local police and county sheriffs deputies, they dug an approximate 35-X-75-foot trench, six feet deep, between the railroad tracks and the James River without result.

After conferring with Saratoga County District Attorney James Murphy, troopers arrested Costello for Murder, Jan. 9, 2009. He was indicted by a Saratoga County Grand Jury for Murder and two counts of Tampering with a Witness in the 4<sup>th</sup> Degree.

He finally pleaded guilty to Manslaughter 1<sup>st</sup> Degree, Oct. 23, admitting that he killed the missing man April 10, 1969, in the town of Waterford.

On Jan. 15, 2010, he was sentenced to 5 $\frac{2}{3}$ -to-17 years in State Prison.

## Thinking — and moving — fast

The Warren County 911 Dispatch Center directed **Tpr. Joshua S. Logan**, working a scheduled 2-tour out of SP Chestertown, to a bar in Warrensburg, May 10, to check out a report of one vehicle ramming another in the parking lot.

Before he could get there, however, the dispatch center advised him the suspect pickup truck had left the scene, headed east.

Using his extensive knowledge of his patrol area, Tpr. Logan was able to locate the vehicle and attempted to conduct a traffic stop, but the vehicle turned away and continued on until coming to a stop in a residential driveway.

When Tpr. Logan approached the vehicle, he saw the driver's door was ajar. Moving closer, he saw a shotgun lying across the man's lap.

Tpr. Logan drew his pistol and ordered the driver not to move. Then, with a quick move, he reached into the vehicle, grabbed the shotgun and secured it.

The man was processed without incident at SP Queensbury and arrested for two counts for having a loaded firearm in a motor vehicle, DWI, Criminal Mischief and numerous VTL violations.

He was arraigned and remanded to the Warren County Jail in lieu of \$5,000 cash/\$10,000 bond.

## Suicidal call

Fort Edward Dispatch received a cell phone call from a woman who said she had swallowed a large number of pills in a deliberate effort to kill herself, June 8. She said she would only talk to **Tpr. Michael Galcik** (G-Schuylerville).

Fort Edward quickly convened a conference call with Tpr. Galcik and the woman, who said she was at a residence in the town of Easton (Washington County). Fort Edward dispatched **Tpr. John Peck** (G-Greenwich).

**Sgt./SC Charles Salaway** and **Tpr. Kevin Saunders** (G-Greenwich) also responded to assist. Meanwhile, the woman left the residence prior to Tpr. Peck's arrival. No one there knew where she had gone.

Fort Edward dispatch advised they had the woman on the phone again, along with Tpr. Galcik. The last location she gave was on Route 40 in the town of Easton.

After further conversation, the woman said she

was in a field where she could not be seen from the road and where she would not be found. Tpr. Galcik continued talking to her, but was unable to get any further information.

Members began an extensive search of the Easton area. Fort Edward disconnected the call and contacted the woman's cell phone provider and asked it to "ping" her location.

The woman's location was pinged near County Route 64, in the town of Jackson. All units responded to the area and the woman was located in a field, parked under a tree.

Her vehicle was invisible from the road and could not have been seen from a helicopter. EMS responded to the scene and transported the woman to hospital, where she made a full recovery.

## Timely intervention

**Tpr. Dave Ennist** (G-Clifton Park), working a 2-shift, June 9, received a complaint of a domestic dispute in the town of Halfmoon (Saratoga County).

As he approached the residence, Tpr. Ennist heard a woman yelling for help. A neighbor approached him and told him he thought the man involved was trying to kill his girlfriend.

Tpr. Ennist entered the house, where he saw a man on top of a woman. Tpr. Ennist ordered the man to stand up. He refused. Tpr. Ennist repeated the command, at which time he did, enabling the woman to get up and run outside.

The man was covered in blood and began to walk toward Tpr. Ennist. Tpr. Ennist was able to bring him to the ground and place him under arrest.

The victim told Tpr. Ennist she believed

she would have been killed, but for his intervention. The suspect had repeatedly beaten and assaulted her, and had struck her in the head with a chair.

Further investigation resulted in the seizure of numerous illegal narcotics from the house, including heroin, morphine and marijuana, along with a number of rifles and black powder pistols.

The suspect was charged and arraigned for Assault 2<sup>nd</sup> Degree, then remanded to the Saratoga County Jail in lieu of \$40,000 cash, \$80,000 bond.

He was additionally charged with felonies and misdemeanors for the drugs and weapons.

## Don't feed him, and he'll go away

An animal complaint brought **Tpr. John F. Montesano Jr.** (G-Schodack) to a residence in Sand Lake (Rensselaer County), July 15.

Walking around the rear of the house, he was greeted by a black bear, which rose up on its hind legs and glared at him menacingly. Tpr. Montesano beat a hasty retreat to his vehicle, from where he directed the residents back into their house.

He radioed DEC for assistance, and when the conservation officer arrived, the two men began searching for the bear. They found it several hundred yards away, up a tree.

Tpr. Montesano then returned to the residence, where he found the object of the bruin's curiosity — a trash can filled with birdseed.

Tpr. Montesano advised the residents to relocate the birdseed safely elsewhere to discourage the bear's return.

## Sketch helps nail sketchy kidnapper

A 24-year-old Saratoga Springs woman was struck on the head and pushed into a minivan by an unknown man who forced her to strip naked at gunpoint and told her he was going to rape and kill her, July 23.

He then drove her around Saratoga County and into the town of Greenfield, where he was momentarily distracted by another vehicle, affording the victim a chance to jump into the front seat and then out the door of the moving vehicle.

She ran naked to the nearest residence for help.

Saratoga Springs PD flashed a description of the suspect and his vehicle to all law enforcement agencies in the region.

**Inv. Kelly Strack** (G-FIU) made up a composite sketch of the suspect, which also was distributed.

On the morning of July 26, **Tpr. Richard E. Billings** (G-Hadley) was manning a stationary post along Route 9N in the town of Corinth when he spotted the suspect's blue van.

Tpr. Billings initiated a V&T stop and interviewed the operator, who closely resembled Inv. Strack's sketch.

Tpr. Billings took the man into custody and turned him over to the Saratoga Springs PD, where he confessed to abducting the woman three days before.

He was charged with 2<sup>nd</sup> Degree Kidnapping and 1<sup>st</sup> Degree Robbery after a search of his apartment turned up the victim's clothes, wallet, credit cards and cash.

## Modern technology aids a rescue

A woman in the town of Malta called the Saratoga County Sheriff's Office, Oct. 31, to report her husband had gone hunting in the Luther Forest behind their house, and had called her by cell phone to say he was experiencing terrible chest pain and was lying beside a fence, about a mile back in the woods.

**Tpr. Matthew J. McLoughlin** (G-Saratoga) responded and attempted to re-contact the cell phone numerous times without result. He relayed this information to county dispatch and to **Tpr. Richard Mancini** (G-Saratoga), then set out on foot for a mile-long trek through the woods.

Tpr. Mancini and responding EMS personnel were able to drive into the Luther Forest AMD Tech Park, where Tpr. Mancini used his AVL map to estimate the subject's possible location by triangulation, using Tpr. McLoughlin's patrol vehicle and the fence the subject had mentioned as datum points.

Tpr. Mancini advised EMS and fire personnel to head north along the fenceline while he laid out a MEDEVAC landing zone. Riding through the woods on an ATV, they soon found the man lying face-down and semi-conscious.

Tpr. McLoughlin arrived on foot to assist.

Transported out of the woods by ATV, the hunter was MEDEVACed to Saratoga Hospital for treatment.

## Swift response solves homicide

An acquaintance called **Tpr. Alexander B. Johnstone** (G-Cobleskill) at his home, Nov. 16, saying he had been asked to check on the welfare of a man in Sharon (Schoharie County) and arrived to find the man lying

unconscious on the floor in a pool of blood.

Tpr. Johnstone alerted emergency medical services, then personally responded to the scene.

He found the victim dead, secured the scene and awaited the arrival of on-duty personnel.

**Inv. Paul K. Cituk** (G-Princeton), and **Tprs. Jared C. Rowling** and **Jeffery P. O'Rourke** (G-Cobleskill) arrived soon and began neighborhood interviews. The information the obtained led to the identification of the dead man's son as a murder suspect.

The investigation continued throughout the night, with members from SP Princeton, the Fonda BCI, the Troop G Violent Crime Investigation Team and Forensic Identification Unit contributing.

Crucial evidence that had been hidden in a wooded area was recovered, and it was determined that the suspect's girlfriend and her mother had fled the state with him.

Their descriptions were broadcast nationwide, and by midmorning they had been picked up by Connecticut State Police.

A detail of investigators from SP Loudonville flew there and obtained confessions from all three.

The son was charged with 2<sup>nd</sup> Degree Murder, the girlfriend with Tampering with Physical Evidence, 1<sup>st</sup> Degree Hindering Prosecution, Conspiracy and Endangering the Welfare of a Child.

The mother was charged with Hindering Prosecution.

## Tracked down

An elderly woman was alone in her basement, tending to her woodstove, Dec. 7, when she heard someone above on the main floor. Returning to her living room, she discovered that someone had stolen the 32" LCD TV.

**Tprs. Kyle Nutter, Anthony Santoro** (G-Wilton), **Cecile Lebarron** (G-Queensbury), and **Michael Koerner** (G-Wilton IHP) responded to the scene, as did **Invs. Robert Stampfli** and **David Peichar** (G-Wilton).

Tpr. Flutter found footprints in the snow behind a rear door and began following them to a motel. Responding troopers stopped two individuals who were attempting to leave the motel and detained them for questioning.

A new set of tracks then was found behind the motel. Tpr. Santoro and Inv. Stampfli doggedly followed them across roads, through parking lots and woods until they terminated at the feet of a 37-year-old man hiding in the woods. Soaked in sweat, he claimed to be "out for a smoke".

The tread of his sneakers matched the footprints at the crime scene. The two individuals detained at the motel proved to be his friends and, after initially giving conflicting statements, cooperated and consented to a search of their motel room, where the television and other stolen property were located.

## Winter tragedy

Responding to a report of someone falling through the ice on a pond in the town of Seward (Schoharie County), Dec. 22, **Tprs. George S. Sommers** and **Kristopher Kinnear** (G-Cobleskill) arrived on-scene to find two men in trouble, one lying flat on the

ice and clinging grimly to the other, whose head and arm alone were above water.

With the aid of a rope, the troopers formed a human chain, Tpr. Kinnear holding onto the man's legs and Tpr. Sommers holding onto Tpr. Kinnear.

As they were getting into position, however, the man in the water stunned the troopers by telling them he himself was holding onto his wife, who was completely submerged.

Working together, they pulled the man and woman out of the water and onto the ice, where Tprs. Kinnear and Sommers administered first aid to the man and performed CPR on the woman until EMS personnel arrived and transported them to the hospital.

Subsequent interviews revealed the man had come home from shopping that morning to find his wife unconscious in the pond. When he attempted to pull her out, he slipped and fell in himself.

A neighbor came to his aid, and tried to reach him with an electrical cord he ripped off the house, but the man by then was unable to grasp it.

Doctors later pronounced the unfortunate woman dead. The husband was treated for hypothermia and released.

# Troop K

One of the original 1917-era troops, Troop K services the region bounded by the Hudson River and the Connecticut border, from the Rensselaer Columbia county line to the New York City limit.

From 18 stations, its members provide service to nine cities, 37 villages and 62 towns in this 2,100 square mile area. Among the characteristics distinguishing this region are its population density, which varies from more than 2,000 persons per square mile in Westchester County to about 100 per square mile in Columbia County.

Even in its most densely populated areas, however, the geography of Troop K is picturesque, consisting of gentle hills, valleys and prime farmland.

Some of the state's most wealthy and influential residents live in this area, and the region's proximity to New York City makes it a heavy commuter corridor. The combination of heavily traveled roads, variegated geography and a highly diverse population presents members assigned to Troop K with a demanding law enforcement experience.

Members in Troop K regularly encounter people at totally opposite ends of the spectrum from one complaint to the next. For these reasons, troopers assigned to the region develop and demonstrate outstanding communication and cultural sensitivity skills.



**Population:** 1.36 million (approx.)      **Service Territory:** 2,111 square miles

**Counties Served:** Columbia, Dutchess, Putnam, Westchester

**Headquarters:** Poughkeepsie (Dutchess County)

**Zone 1:** Kinderhook, Livingston, New Lebanon, Pine Plains, Rhinebeck

**Zone 2:** Brewster, Dover Plains, LaGrangeville, Stormville, Wappinger

**Zone 3:** Cortlandt, Hawthorne, Lewisboro, Mohegan Lake, Pound Ridge, Somers

## 2009 Selected Statistics

**Calls for Service: 57,509**

### Vehicle and Traffic Law Enforcement

DWI Arrests: 1,851

Speed: 36,288

Safety Restraints: 13,667

Total V & T: 102,919

### Index Crimes

#### Violent

Murder/Neg. Manslaughter: 1/2

Rape: 27

Robbery: 23

Assault: 154

#### Property

Burglary: 402

Larceny: 1,380

Motor Vehicle Theft: 45

Part II Offenses: 8,890

# Troop K - 2009 Interesting Cases

## Slamming the lid on the box

Dutchess County 911 reported a robbery at a gas station in Lagrange (Dutchess County), Jan. 19.

Initial reports said a masked suspect had not displayed a weapon, but had taken the cash register drawer from the station and driven away in a car with handicapped license plates. An off-duty fireman had followed him but eventually lost contact in the town of Pleasant Valley.

Realizing the suspect was heading in their general direction, **Sgt. Gerard T. Salmon** and **Tprs. Kent T. Smith** and **Ronald S. Cardis Jr.** (K-Poughkeepsie) set up a stationary post and roving patrols along Route 44.

Tpr. Cardis spotted the suspect vehicle in Pleasant Valley and radioed its location to Sgt. Salmon, who waited for it to pass and then swung in behind it to conduct a high-risk vehicle stop.

Tpr. Smith then pulled in front of the suspect vehicle and boxed the suspect in. Seeing there was no escape, the suspect surrendered peacefully.

He was found to be armed with a knife. He was identified and turned over to the Dutchess County Sheriff's Office.

## Crisis negotiation

The Hudson Valley Traffic Management Center contacted **Sgt./SC Joseph J. Crispino** (K-Cortlandt), April 21, to advise that State Park Police were requesting assistance with a suicidal woman on the Bear Mountain

Bridge.

Sgt./SC Crispino responded to the bridge, along with **Tprs. Kevin T. Quintero**, **Jonathan P. Brody** and **Gregory B. Szulis** (K-Cortlandt), where they observed two Park Police officers speaking with a woman lying on the outer service railing on the bridge's north side.

A Park Police lieutenant at the scene asked Sgt. Crispin, a crisis negotiator, to engage the woman in conversation while other Park Police personnel were outfitted with rigging gear.

Sgt. Crispino did so, and in the process learned the woman was intoxicated and depressed over financial and family problems. After a while he persuaded her to stand up on the service railing, at which time he grabbed her from behind and, with assistance from Park Police members, pulled her back onto the bridge walkway and safety.

## Suicide averted

On patrol in the town of Amenia (Dutchess County), May 29, **Tpr. Michael A. Bianco** (K-Dover Plains) observed a car in a residential driveway with a hose running from its exhaust pipe into the rear passenger-side window.

He went to the vehicle, discovered it was running, and found an 18-year-old man in the back seat. Tpr. Bianco asked him to open the door, and the young man complied. Tpr. Bianco placed him in the back seat of his troop car and contacted Dutchess County 911 for an ambulance.

The young man told Tpr. Bianco he had wanted "to end it all." He was taken to Sharon Hospital in Connecticut for treatment of carbon monoxide poisoning and later transferred to St. Francis Hospital in Poughkeepsie for psychiatric evaluation.

## Swift waters run deep, too...

A Columbia County 911 call reported two women stuck in the rapids of Kinderhook Creek approximately 300 feet north of the falls in the town of Stuyvesant (Columbia County), June 25.

Arriving on the scene, **Tpr. Timothy K. Jackson** (K-Kinderhook), located the women, grabbed the rope from his troop car and asked a volunteer firefighter to assist him with a rescue attempt.

They quickly found their 50-foot rope was too short. Without hesitation, they leaped into the rapids and worked their way towards the victims. The local fire chief joined them, and together they fought their way to the victims and brought them safely back to shore.

The women turned out to be a mother and daughter, ages 39 and 12, who had waded out into the rapids without knowing the depth of the water or the strength of the current. Though shaken, neither required medical attention.

## Manhunt

SP Livingston received a report, Aug. 23, that a woman had been abducted and raped in the town of Stuyvesant (Columbia County).

**Tprs. Dustin R. Gardinier** and **Chad M.**

**Drozd** (K-Kinderhook) responded and conducted a brief interview of the victim, who told them she had been walking along the road near where she lives when she was approached by an unknown man who seized her and held her against her will for almost two hours while he sexually assaulted her.

Preliminary investigation revealed the perpetrator had fled on foot. The victim provided members with a detailed physical description of the assailant.

A track involving **Tpr. Douglas J. Colwell** (K-Livingston) and canine partner “**AJ**”, and Troop K assistant bloodhound handler **Tpr. Matthew J. Taney** (K-Poughkeepsie) with “**Suzie**” was begun and culminated at a nearby trailer where several migrant workers resided.

The workers bore a superficial resemblance to the description provided by the victim, necessitating several hours work to confirm their alibis. After this the search was expanded to nearby farms.

Numerous area interviews were conducted, and it was learned that an individual matching the suspect’s description had attended a party the prior evening at a farm near the crime scene.

The investigation took a positive turn when a farm foreman advised members where they could find a subject associated with an individual who fit the description of the perpetrator. From here, however, the investigation became more difficult, as some of the subjects who needed to be interviewed spoke only Spanish.

Nevertheless, 13 hours after the complainant’s call, members located a subject who had attended the party and was familiar with the

suspect.

Although he claimed not to know the suspect, questioning and area interviews revealed he was in fact the suspect’s brother and had driven him to a local taxi company just two hours earlier. The local cab company reported they had dropped the suspect at the Albany bus terminal. It was then learned that the subject was en route to his native Guatemala via New York City.

Troopers were dispatched to the bus depot and the Port Authority bus terminal in New York City. All possible buses on which the subject could have been traveling were located and stopped, but the subject was not found.

Finally, when all attempts to locate the suspect had been exhausted, a telephone call was made to the man’s cellular phone. Surprisingly, the subject answered and was persuaded to get off of his bus and meet troopers in White Plains, for an interview.

Once he was in State Police custody, it was plain that not only did he match the description provided by the victim, he also had obvious injuries indicating he had been involved in an altercation.

The suspect ultimately confessed to the crime. In his possession was an airline ticket for Guatemala.

## Keep ‘em talking

While working the desk at SP Poughkeepsie Communications, Sept. 4, **Tpr. Thomas R. Gaughan** answered a call from a 14-year-old California girl who said her 14-year-old online friend was going to kill herself. The girl said she thought her internet friend lived in

Dover Plains and gave Tpr. Gaughan the girl’s cell phone number.

After calling the number and receiving no answer, Tpr. Gaughan set to work trying to determine the phone’s carrier and account information, while **Tpr. James A. Buchtman**, also working desk, checked with Dutchess County 911 for all residences listed in the town of Dover with the friend’s last name.

Tpr. Gaughan tried the cell phone number a second time and was able to make contact with the girl, who told him she wanted to die. Tpr. Gaughan kept her talking and managed to learn her home address.

Knowing that SP Dover Plains patrols had been assigned to other calls and were not in the area, Tpr. Buchtman re-contacted Dutchess County 911 and requested a poll for the closest unit to respond to the residence.

Tpr. Gaughan kept the girl on the phone and focused for the nearly 10 minutes it took Dutchess County deputies to reach her residence and take her into custody.

## One complaint leads to two predators

Hyde Park town police called SP Rhinebeck, Sept. 11, to advise that a 15-year-old girl was missing, possibly headed to Indiana with a man she had met online via a neighbor’s computer.

Interviews of her friends determined she had in fact been picked up by the man in question, subsequently identified by experts at the New York State Intelligence Center (NYSIC) as a 41 year-old Angola, Indiana, parolee.

NYSIC provided investigators his address, cell phone number and carrier. Contact was made

with Verizon, which, after being briefed on the exigent circumstances, agreed to triangulate the location of the subject's cell phone. With this information, Indiana State Police were able to locate the victim at the suspect's house and take both persons into custody.

During a subsequent interview, the victim told Indiana State Police she had been raped repeatedly over the past three years by her mother's boyfriend in New York.

**Invs. James J. Montross and Michael J. Hoyt** (K-Rhinebeck) interviewed the boyfriend, who confessed. He was charged with numerous counts of Rape and other sex-related offenses; the Indiana man was arrested for Kidnapping.

## Follow her nose!

Assigned a missing person complaint from the hamlet of Rhinecliff (Dutchess County), Oct. 6, SP Rhinebeck **Tprs. Albert L. Miano Jr., Jereme J. Mergendahl and Christopher M. Kyle** worked into the night attempting to develop leads and locate an elderly woman with advanced Alzheimer's disease.

Deteriorating weather forced suspension of the search until next morning, when a detail of Uniform and BCI members began distributing fliers throughout the surrounding area and conducting neighborhood interviews.

Division Aviation out of Newburgh also joined the search, as did **Tpr. Steven T. Hobson** and his bloodhound "**Suzie**."

A tip from a neighbor led them to the abandoned Holy Cross school campus, an area approximately three miles from where the missing woman was last seen, and a spot where she and her husband had gone

for walks. Tpr. Hobson and "Suzie" picked up a scent trail about 45 minutes into the search and followed it roughly 100 yards into a thicket, where they found the woman, hung up in a tangle of briar.

Hypothermic and suffering from exposure, she was led out of the woods and transported to a local hospital for overnight observation.

## Assistance above and beyond

SP Poughkeepsie personnel responded to the scene of a reported domestic incident in the town of Stanford (Dutchess County), Oct. 14, where the victim had been physically assaulted by her husband.

The assailant was arrested and an order of protection was issued by the town of Stanford Court.

The victim had severe mobility issues and physical restrictions resulting from muscular dystrophy, and members were concerned for her welfare.

Troop K **Crime Victim Specialist Rochelle L. McDonough** was contacted and helped the woman contact various county agencies capable of providing assistance to her. Not satisfied with the results, CVS McDonough and the members of SP Poughkeepsie continued to monitor the victim's situation closely for the next two weeks, contacting her several times during each tour. Whenever she failed to answer the telephone, troopers would patrol to her home and make sure she was safe.



**Fatal Crash leads to "Leandra's Law":** Troopers, investigators and emergency services personnel examine the scene of the worst motor vehicle accident in Westchester County since a 1934. The crash occurred July 26, when a woman driving a minivan in the wrong direction on the Taconic State Parkway while under the influence of alcohol and marijuana, collided head-on with an SUV. Eight people, including six young children, died in the fiery collision. The crash received nationwide attention and helped lead to passage and enactment of "Leandra's Law," which makes it a felony to drive drunk with a child in the car, later in the year.

The victim owned two horses and several chickens, and because her physical restrictions made caring for them all but impossible, the members also took it upon themselves to ensure the livestock were adequately fed and watered. CVS McDonough assisted by contacting the SPCA, 4-H, and other organizations for help.

At one point, telephone service to the victim's residence was shut off and CVS McDonough contacted the repair company and made arrangements for service restoration. In the meantime, troopers continued to patrol to her residence several times a day to check on her welfare and render general assistance. On one occasion, they found that she had fallen beside her bed and had been unable to get

up.

Ultimately, family members in Connecticut were reached and care arrangements made for the woman and her animals.

## Bloodless siege at school

Troopers and Dutchess County sheriff's deputies responded to a 911 report that a man subject with a long gun was inside the Stissing Mountain Middle School in Pine Plains, Nov. 10.

Finding the school in "lockdown" mode with no access readily available, **Tpr. Brian K. Engel** (K-Pine Plains Satellite) searched the building's exterior until he found a janitor stationed beside a window. The custodian let him in and explained that a man with a gun was in the principal's office.

Armed with a shotgun, Tpr. Engel, took a position outside of the office. Soon he was joined by **Tpr. Jeffrey L. Galm** (K-Poughkeepsie), who had been off-duty but nearby when he heard the radio report of trouble at the school. Together, they kept the gunman contained and awaited support.

Uniform and BCI personnel continued to arrive on-scene, blocking off the school grounds and establishing a perimeter.

Then **T/Sgt. Michael A. Piasecki** (K-Livingston) directed a contact team of **Sgt./SC Mark W. Breen** (K-Rhinebeck), **Inv. Joachim A. Fiebich** (K-Stormville), **Tprs. Kurt T. Strassberger** (K-Rhinebeck) and **Ronald I. Potter Jr.** (SORT-South), and two Dutchess County sheriff's deputies into the building to assess the situation with Tprs. Galm and Engel. Together, they laid plans to protect

students and staff members from the gunman.

Troop K Commander **Maj. William T. Carey** and Zone 1 Commander **Capt. Scott L. Brown** assembled a joint command post with the Dutchess County Sheriff's Office. SORT members entered the school, relieved the contact team, and coordinated evacuation of areas adjacent to the office where the gunman was located.

At one point during the standoff, the suspect made a phone call which was routed to **Sgt./SC Joseph R. Lutz** (K-Poughkeepsie). Sgt. Lutz kept the man calm until **Sr. Inv. Gary J. Mazzacano** (K-Livingston) could assume command as lead negotiator.

The suspect — a man with a lengthy criminal record, said he was upset over the government's treatment of U.S. military personnel, including his son. After some discussion, Sr. Inv. Mazzacano talked the suspect into dismantling his weapon, whereupon SORT personnel and a Dutchess County tactical team took him into custody without incident.

Although the standoff had ended, members still had to evacuate students and staff to a staging area, so a tactical team and BDU members could sweep the school. Other members helped keep concerned parents calm and orderly in a separate staging area until they could be reunited with their children.

The suspect was charged with 1<sup>st</sup> Degree Kidnapping, Criminal Possession of a Weapon and Criminal Trespass 1<sup>st</sup> Degree, and remanded to Dutchess County Jail.

## Observation and vigilance lead to arrests

Three robbers beat a man outside the South Hills Mall, Nov. 16, stole \$1,100 and his Blackberry Smartphone, then fled in a car driven by a fourth man. Poughkeepsie police asked all Dutchess County law enforcement agencies to help search for the suspects.

A witness provided a license plate number, which was broadcast to police units throughout Troop K.

Poughkeepsie police also requested the 911 center to implement the Dutchess County Fixed Observation Post protocol, a procedure in which police units from different agencies respond to prearranged posts in the immediate aftermath of a violent crime, especially if there is reason to believe a suspect might try to flee the area.

As a result, troopers from all Zone 2 stations responded to observation posts in their patrol areas.

**Tpr. Robert J. Stanton** (K-Brewster) fed the plate number provided by DC911 into his troop car's License Plate Reader (LPR), which informed him the suspect vehicle had been observed in the Brewster area a few weeks earlier.

A photograph of the vehicle as observed by the LPR revealed it to have a distinct wing-type spoiler on its rear end. Tpr. Stanton advised Troop K Communications of the information he had obtained, which put patrols on added alert.

That afternoon, **Tpr. Joseph W. Mandile** (K-Brewster) was parked and observing traffic along I84 when he saw the suspect vehicle headed east into Putnam County. He followed it at a distance, calling in the location to Troop K Communications as the suspects exited onto State Route 311 in the

town of Kent.

The suspects, apparently unaware they were being followed, stopped at a store off Rte. 311. One of the suspects went inside. When he returned, Tprs. Mandile and Stanton, and a town of Kent police officer blocked the vehicle's path.

**Tprs. Steven J. Gill** (K-Stormville) and **Tpr. Damian C. Lampman** (K-TIMS), and a Putnam County sheriff's deputy, arrived at the scene shortly afterward and helped take all four suspects into custody without resistance.

They were eventually turned over to Poughkeepsie detectives and charged variously with Robbery and Assault.

# Troop L

Long Island's Nassau and Suffolk counties are distinguished by two outstanding characteristics: the surrounding Atlantic Ocean and Long Island Sound and the heavily traveled highways that connect them to each other and to metropolitan New York City.

An estimated 2.7 million commuters travel Long Island's parkways each day, as do thousands of vacationers seeking the Island's seaside vistas, recreational parks, and aquatic playgrounds. Most of these travelers at some point pass through the jurisdiction of State Police Troop L, headquartered in Farmingdale.

While the State Police on Long Island are most visible in their role as highway safety, patrol, and traffic control professionals; the Uniform Troopers and BCI Investigators assigned to Troop L, in fact, provide a full range of police services.

It is not known when the first troopers began to patrol on Long Island, but the first official detail — known as the "Sunrise Trail Detachment" — was established in 1925 and operated out of Bay Shore (Suffolk County).

Originally a part of Troop K, the detail was reorganized in 1928 as the Long Island State Park Detail and moved to Babylon (Suffolk County), from where it policed parks, parkways and athletic events, conducted investigations, supervised lifeguards and regulated traffic. In time, detail members adopted the unofficial sobriquet, "Troop L".

In 1946, the detail was disbanded, although troopers under the direction of Troop K continued to patrol Suffolk County and assist law enforcement agencies across Long Island with large-scale investigations, such as those involving gambling and prostitution. In 1959, the State Police discontinued teletype operations at all Long Island points and State Police operations were shifted to Riverhead, from where troopers patrolled only the five eastern townships of Suffolk County.

On Jan. 1, 1980, legislation merged the State Parkway Police into the State Police and formally established Troop L.



**Population:** 2.75 million (approx.)      **Service Territory:** 1,199 square miles

**Counties Served:** Nassau, Suffolk

**Headquarters:** Farmingdale (Nassau County)

**Zone 1:** Lake Success, Valley Stream

**Zone 2:** Brentwood, Fishers Island, Riverside

## 2009 Selected Statistics

**Calls for Service: 15,140**

### Vehicle and Traffic Law Enforcement

DWI Arrests: 933	Speed: 20,743
Safety Restraints: 5,823	Total V & T: 67,885

### Index Crimes

#### Violent

Murder/Neg. Manslaughter: 0/5  
Rape: 5  
Robbery: 4  
Assault: 18

#### Property

Burglary: 7  
Larceny: 83  
Motor Vehicle Theft: 1  
Part II Offenses: 1,084

# Troop L - 2009 Interesting Cases

## Traffic stop results in arrest of sexual predator

When **Tpr. Randy O. Smith** (L-Brentwood) stopped a car for speeding and erratic operation on the Southern State Parkway in Suffolk County, Dec. 28, 2008, he found the driver, a 36-year-old Nassau County man, had a 16-year-old male passenger.

Roadside interviews and investigation revealed the driver was a Level Three Sex Offender. Tpr. Smith also determined the subject was having sex with the boy, despite being HIV-Positive and afflicted with full-blown AIDS.

Tpr. Smith arrested the man for Reckless Endangerment 1<sup>st</sup> Degree, Criminal Sex Act 3<sup>rd</sup> Degree, and Endangering the Welfare of a Child.

A seven-week investigation by the Troop L Major Crimes Unit into the suspect's activities revealed that he was having sexual relations with eight additional males between the ages of 16 and 20, all the while knowing he was HIV-positive.

On Feb. 25, 2009, the man was indicted and arraigned in Suffolk County Court on 15 Counts of Reckless Endangerment 1<sup>st</sup> Degree, seven Counts of Criminal Sex Act 3<sup>rd</sup> Degree, and two counts of Endangering the Welfare of a Child.

## Splashdown and rescue

Responding to a call, May 5, regarding a person walking on the Robert Moses Causeway Bridge in the town of Islip (Suffolk

County) — where pedestrian traffic is prohibited — Tpr. Robert F. Orth (L-Brentwood) was told by witnesses at the scene that the subject had jumped.

The spot from which he had leaped was approximately 1,000 feet from land and 20 feet above the Great South Bay.

After approximately 15 minutes of searching by troopers and Park Police, a 39-year-old man was discovered clinging to a bridge piling about 50 feet from shore. The man refused requests to come to shore, so Tpr. Orth and Park Police officers waded into the 46-degree water to get him.

But upon seeing the officers enter the water, the emotionally disturbed and highly intoxicated subject paddled further out into the bay. Tpr. Orth and the Park Police caught up with him about 100 feet from shore, and despite resistance, dragged him to safety.

He was transported to Good Samaritan Hospital in West Islip for treatment and observation.

## 2009 U.S. Open Golf Championship

From June 15-22, Troop L handled the task of coordinating law enforcement activity at the 2009 U.S. Open Golf Championship, held on the Black Course of the Bethpage State Park in Farmingdale.

For more than 18 months, the troop's



**2009 U.S. Open Golf Championship** held in Bethpage State Park in Farmingdale took 18 months of planning and the cooperative patrol of 500 law enforcement personnel successfully orchestrate the secure and safe movement participants and 250,000 spectators.

planning team had planned and orchestrated measures to ensure site security, dignitary protection, traffic management, communications, emergency/specialized services, and counter-terrorism strategies.

Despite severe weather conditions that extended the event for an additional day, the detail was a complete success.

State Police personnel from all troops were assigned to various duties at the tournament, often working long hours in heat and heavy rain.

The event drew nearly 250,000 spectators and involved approximately 500 law enforcement personnel from the New York State Police, the State Park Police,

the Farmingdale State College Police, the Nassau County Police, the Metropolitan Transportation Authority Police, and several federal agencies.

## Historic heroin seizure

Members of the Troop L Narcotics Enforcement Unit under the direction of **Acting Sr. Inv. Peter McArdle** (L-NEU) were conducting surveillance in a multi-jurisdictional drug investigation, July 25, when they observed a vehicle with two suspects leave a target address in Fords, New Jersey.

When they arrived at a Suffolk County hotel, investigators saw them in possession of two plastic bags and a cardboard box. The members quickly moved in and arrested both subjects, illegal aliens as it turned out, and charged them with one count each of Criminal Possession of a Controlled Substance 1<sup>st</sup> Degree.

In the process, they seized 17 pounds of heroin and \$100,000 in cash.

It was the largest single heroin seizure in Suffolk County history, removing more than \$3 million worth of Mexican heroin — disguised as shoe insoles — from the streets of metropolitan New York.

## Intoxicated wrong-way driver

**Tpr. Joseph W. Kolm** (L-Brentwood) was off-duty and driving his personal vehicle on State Route 231 in the town of Babylon (Suffolk County), Aug. 1, when he spotted a car heading south on the northbound side of the heavily traveled, four-lane highway.

He followed the vehicle until it stopped at an intersection, then quickly approached it

and identified himself as a New York State Trooper. The 49-year-old woman behind the wheel highly intoxicated.

Tpr. Kolm called “911” on his cell phone and held the woman until Suffolk County police arrived on the scene and took her into custody.

Investigation revealed she had driven the wrong way for at least two miles before being involved in a collision with another car and fleeing the scene of the accident.

## Deadly struggle on the highway

**Tpr. Robert F. Orth** (L-Brentwood) was parked in the center median of the Robert Moses Causeway in the town of Islip (Suffolk County), Sept. 13, when he observed a driver commit two traffic infractions in the median, then continue south.

Tpr. Orth attempted to stop the vehicle, but the driver accelerated and sped away at more than 100 mph. Tpr. Orth pursued him for approximately 3.25 miles, until the other car attempted to cross over the center median and reverse direction, but became entangled in heavy brush and trees.

The driver then “bailed out” and fled north on foot, with Tpr. Orth right behind him. After a brief foot pursuit, the subject stopped, faced off with Tpr. Orth, and said, “Now I’m going to kill you!”

A violent struggle ensued, progressing from the east shoulder of the roadway across the northbound lanes to the center median. Tpr. Orth struck the subject at least twice with his expandable baton, to no noticeable effect.

The subject then wrested the baton away from him and repeatedly struck the trooper

with it on the head and face, knocking him to the ground. He then leaped atop the trooper and continued to pummel him with the baton.

Tpr. Orth managed to draw his sidearm and fire one round, which struck the attacker. The man then attempted to flee across the roadway again, only to be tackled by two motorists who had witnessed the struggle. The man died at the scene moments later.

Tpr. Orth was transported by police helicopter to Stony Brook University Hospital, where he was treated for a laceration to the back of the head and numerous contusions to his face and head.

## DWI arrest nabs wanted killer

**Tprs. Matthew W. Stumpf and Andrew Gargiulo** (L-Riverside) pulled over a motorist for a traffic violation in the town of Southampton (Suffolk County), Oct. 12, and arrested the driver, a man who initially identified himself 22-year-old Hampton Bays resident, for Driving While Intoxicated.

During the Livescan fingerprint processing, an NCIC hit disclosed that an associated 25-year-old man with another name was wanted for the 2001 stabbing death of a 15-year-old boy in Daly City, California. The match was based on the 25-year-old’s unlawful border crossing arrest by the U.S. Immigration and Naturalization Service in Arizona in 2000.

The troopers contacted DCJS for a fuller comparison of the Livescan prints, but were unable to obtain it because DCJS does not have fingerprints cards on federal offenders.

They then faxed a copy of the suspect’s fingerprints to the FBI’s Special Operations Office, which confirmed that the man they had

in custody was in fact, the 25-year-old man arrested for illegal entry.

Tpr. Stumpf and **Inv. Steven J. Collins** (SP Riverside) next contacted the Daly City police to verify that the active warrant for the 25-year-old was the same person who had been arrested by INS.

Daly City detectives then flew to New York to interview the subject. In their possession they had a “trophy photo,” discovered during their investigation, which showed the subject kneeling over the body of his victim in the 2001 homicide.

The suspect eventually made incriminating admissions, and California authorities commenced extradition proceedings.

The man had fled California immediately after the 2001 killing, it was learned, and had spent the last four years living and working in Suffolk County, where he had kept his identity a secret, despite being featured in a September 2008 episode of *America's Most Wanted*.

## **Stabbing suspect apprehended**

Suffolk County Police notified Troop L, Oct. 27, that a 37-year-old man had stabbed his estranged girlfriend and her 70-year-old mother in the town of Islip, (Suffolk County), then fled the scene westbound on the Southern State Parkway toward New York City.

**Tprs. William J. Knapp** and **Linda J. Holmes** (L-Farmingdale) had established a stationary post on the parkway at the Seaford-Oyster Bay Expressway (ST-135) exit when they observed a vehicle matching the suspect's.

They stopped it on the northbound Wantagh State Parkway in the town of Hempstead (Nassau County). The operator tried to flee on foot was immediately handcuffed and secured without incident.

He had blood on his hands and legs and several lacerations to his hands, scalp, chest and upper lip. He was turned over to Suffolk County police.

## **Traffic stop sends parolee back to prison**

Pulled over for a traffic violation on the Northern State Parkway in North Hempstead (Nassau County), Dec. 6, a driver could only provide **Tpr. Jose A. Vargas** (L-Lake Success) with a NYS Learner's Permit and a NYS Benefit Identification Card.

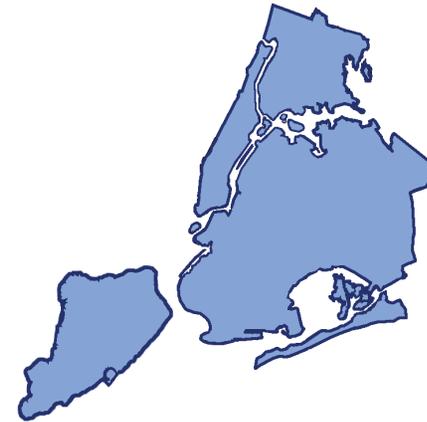
The operator's face didn't match the picture on either card and he was placed under arrest for Criminal Impersonation.

Further investigation revealed that the vehicle was an active File 1 out of the New York City. A search of the vehicle yielded approximately 1.35 grams of crack cocaine.

The defendant was transported to SP Valley Stream for processing, where an E-Justice inquiry revealed his true identity: a 49-year-old parolee from Brooklyn.

He was charged with Criminal Possession Stolen Property, Criminal Possession Controlled Substance, Criminal Impersonation and Violation of Parole.

# Troop NYC



Troop NYC, which services the five boroughs of metropolitan New York City, has no patrol function but conducts and contributes to a variety of investigations throughout the city.

It traces its origin to the early 1950s when, at the state attorney general's request, several BCI members were temporarily assigned to investigate organized crime on the New York waterfront.

The temporary detail gradually expanded, became permanent in 1961, and was re-named SP Manhattan in 1973. It was designated an independent troop in 1992.

From its headquarters on Wards Island, Troop NYC is the operational hub of numerous specialized units and details.

- Drug Enforcement Task Force
- Confidential Squad
- Special Narcotics Task Force
- Jacob K. Javits Convention Center Detail
- District Attorney's Squads
- U.S. Marshals Regional Fugitive Task Force
- Attorney General's Squad
- U.S. Secret Service Electronic Crimes Task Force
- FBI's Joint Terrorism Task Force
- Criminal Investigations Unit

**Population:** 8 million    **Service Territory:** 301 square miles

**Counties Served:** Bronx, Brooklyn, Manhattan, Queens, Staten Island

**Headquarters:** Manhattan (Wards Island)

**Drug Enforcement Task Force (DETF)** (the largest of these) works in conjunction with the U.S. Drug Enforcement Administration (DEA) and the New York City Police Department (NYPD). State Police members assigned to it conduct major narcotics investigations that originate within the City of New York. DETF is the premier agency in seizing drug related cash, narcotics and property.

**Special Narcotics Unit**, assigned to the U.S. Customs and Border Protection service's El Dorado Task Force, focuses on money-laundering organizations and conspirators.

**District Attorney's Squads** have investigators attached to the Manhattan and Queens DA's offices to work on long term investigations directed by the borough district attorney.

**Attorney General's Squad** cooperates with the State Attorney General's Criminal Investigations Bureau in investigating violations of selected laws of the State of New York.

**FBI's Joint Terrorism Task Force**, in Manhattan, has Troop NYC personnel dedicated to it and is responsible for New York City and the counties of Nassau, Suffolk, Westchester, Rockland, Orange, Sullivan, Putnam and Dutchess. State Police personnel assigned have "top secret" security clearances and are sworn special deputy marshals. They focus on international and domestic terrorism and intelligence functions

**Criminal Investigations Unit** provides investigative, warrant and lead assistance in the city for upstate troops and out of state police agencies.

**Confidential Squad** conducts background investigations on trooper applicants, political appointees and out of state police applicants. It also provides security assistance when necessary

**Jacob K. Javits Convention Center Detail** consists of Uniform and BCI personnel who are responsible for the safety and well being of all convention center visitors and vendors.

Other Troop NYC personnel work with:

- **U.S. Marshals Regional Fugitive Task Force** targeting violent felons and
- **U.S. Secret Service Electronic Crimes Task Force** combating technology-based crimes associated with credit card fraud, identity theft, money laundering and crimes against children

# Troop NYC - 2009 Interesting Cases

## Manhattan District Attorney's Squad

In February, the Manhattan District Attorney's Squad investigated the theft of a Blackberry cellular phone from the New York State Executive Chamber Offices in Manhattan.

The cellular phone was used to make numerous phone calls to the Dominican Republic and various locations in New York, resulting in a phone bill in excess of \$18,000.

During the course of the investigation, Troop NYC personnel conducted more than 40 interviews, including some in the Dominican Republic. A suspect was eventually identified and confessed to making the phone calls and indicated he had purchased the phone for \$50 from a friend.

Members located the second suspect who was employed at a Manhattan car dealership. The second suspect admitted he had removed the Blackberry from the backseat of a vehicle that had been brought in for service.

Both subjects were arrested and charged with Grand Larceny 3<sup>rd</sup> Degree and Petit Larceny.

## Gun Investigation Unit / ATF Brooklyn

The Brooklyn/ATF Firearm's Task Force Group IV concluded a two-month undercover investigation, Dec. 7, with the seizure of 29 guns and the arrest of three persons who sold said firearms to undercover officers.

BATF/GIU Task Force members, which includes ATF agents, NYSP investigators and

NYCPD detectives, used creative undercover and tactical investigative measures which prevented the guns from going into circulation in the New York area.

This investigation also shut down a lucrative firearms pipeline from the southern United States into the New York City area.

## US Secret Service Electronic Crimes Task Force

During August, the U.S. Secret Service Electronic Crimes Task Force completed a four-year fraud investigation into a scheme that targeted AT&T wireless services.

The investigation revealed that several persons, along with employees from Federal Express courier services, had compromised dealer access codes to obtain customer account information and redirect the deliveries of cell phones.

To date, this fraud ring has caused a reported loss of more than \$20 million to AT&T and its partners.

In all, 24 persons were arrested and charged with federal wire fraud, mail fraud, conspiracy and identity theft.

This case is being prosecuted in U.S. Federal Court, Eastern District of New York.

## Queens District Attorney's Squad

Members of the Queens D.A. Squad, assisted by the Queens DA Detective Squad, concluded an enterprise corruption—illegal gambling investigation with the arrest of 11 persons, the execution of three residential

search warrants, four safe deposit box search warrants and the seizure of \$1,631,801 in funds and four vehicles.

The Queens DA's Office also prepared a Civil Asset Forfeiture affidavit which was served by members of the SP Queens DA Squad on financial and investment firms that may have had funds, investments or accounts in the names of the defendants.

As a result, an additional \$233,732.47 was identified and seized from the defendants participating in the enterprise.

Liens were also placed on real property owned by the defendants.

## Special Narcotics Prosecutor's Squad

An ongoing, covert, money-laundering investigation conducted by members of the Special Narcotics Prosecutors Squad consisting of State Police members assigned to the El Dorado Task Force under the Department of Homeland Security-Immigration and Customs Enforcement developed information that a group of individuals was involved in money laundering activities in the Queens and Nassau County areas.

On May 13, they initiated surveillance at a residence known to be used to store currency derived from the illicit narcotics trade.

Task force officers observed a target individual arrive at the residence and enter with a cardboard box. A second target arrived, retrieve the same box and departed. Task force officers followed and stopped him in Queens.

A search of the vehicle resulted in the discovery of \$400,000 in bundled U.S. currency in the cardboard box, and another \$21,000 in cash and a loaded .380-cal. handgun in a knapsack.

The target of the investigation was arrested and charged with federal money-laundering violations.

## Federal Task Force Squad

The FBI Major Theft Squad consists of members of the FBI, NYSP and the Port Authority Police Department.

A company conducting business on the grounds of JFK International Airport complained to the squad during 2009 that it had had valuable airplane parts stolen from its warehouses, resulting in a loss of approximately \$5 million.

Numerous interviews and surveillance resulted in the identification of two suspects. When approached and interviewed, these suspects agreed to cooperate with the investigation.

They subsequently assisted in conducting numerous controlled buys and calls which helped identify the persons responsible for removing the stolen parts. Ultimately, three persons were arrested for Interstate Transport of Stolen Items.

After a concerted effort by investigators, nearly all of the stolen aircraft parts were recovered and returned to the JFK enterprise.

## NYDETF

The New York Drug Enforcement Task Force (NYDETF) is the oldest task force of its kind in the nation. It works in conjunction with the Drug

Enforcement Administration and the New York City Police Department.

- ▶ Personnel from DETF Group T-21 and the Office of Special Narcotics (SNC) initiated "Operation Dogs of War" following a seizure of 18 pounds of heroin in July 2008.

This multi-jurisdictional investigation involved DEA offices in Mexico City, Guadalajara, Bogota, Santo Domingo, Houston, McAllen, Laredo, Brownsville, Chicago, Miami, Los Angeles, San Diego, Phoenix and New Jersey.

During 2009, members of Group T-21 seized approximately 135 kilograms of cocaine, \$3.6 million and arrested 18 persons.

To date, members of Group T-21 have seized approximately 135 kilograms of cocaine, nine kilograms of heroin and \$5.3 million and made 22 arrests.

- ▶ In early 2009, members DETF Group T-42, investigators from Special Narcotics and the Passaic County, NJ, Prosecutor's Office initiated an investigation into a heroin trafficking organization in Paterson, NJ, and the Bronx.

The heroin was being "milled" and packaged in apartments in the Bronx, then distributed to Paterson and Newark, New Jersey, and transported in "Build a Bear" dolls.

During the course of this investigation, 17 persons were arrested and 40 kilograms of heroin were seized along with 17 defendants and \$200,000 in cash.

- ▶ During the fall of 2009, pursuant to an ongoing money-laundering investigation,

DETF Group T-13 arrested one person, seized approximately \$1,263,420 in cash, \$94,740 in jewelry, a handgun and two automobiles.

Group T-13 learned the target of the investigation was shipping money in vehicles to the Dominican Republic from the port of Bayonne, New Jersey.

Search warrants for two vehicles, resulting in the seizure of approximately \$110,040 in cash located in hidden compartments in the vehicles' floor panels.

- ▶ Group T-13 also obtained search warrants for two storage units in the Bronx.

The search resulted in the seizure of \$1,153,380 in cash, assorted jewelry, one gun, two sets of handcuffs, a police badge, numerous laptop computers and drug paraphernalia.

Members of NYDETF Group T-41 conducted a multi-jurisdictional investigation involving DEA offices in Mazatlan, Mexico, Panama City, Panama, London, Valle de Cauca, Colombia, DEA Air wing, DEA Special Operations Division, DEA Headquarters, Bogota Colombia, the United States Attorney's office (SDNY) and the U.S. Coast Guard, leading to the arrest of Colombian national Mauricio Lopez-Cardona in June 2009.

In March of 2003, Group T-41 began monitoring the narcotics trafficking/ moneylaundering activities of the Auto Defensas Unidas de Colombia (AUC).

During the course of this investigation, intelligence revealed that Diego Bejarano was the leader of the "Oficina de Envigado" for the AUC. The "Oficina de

Envigado” is the debt collection agency for the AUC and utilizes extortion, executions, kidnappings and torture to collect debts.

During the course of this investigation the following items were seized:

- approximately 10 kilograms of cocaine,
- 450 kilograms of cocaine hydrochloride,
- 97 AK 47 assault rifles,
- 59 assorted grenades,
- one 40-mm mortar grenade launcher,
- ammunition,
- six camouflage uniforms,
- 103 Norinco 7.62-cal. rifles,
- 194 magazines for 7.62-cal. rifles,
- 30 IM-26 fragmentation grenades,
- 33 40-mm grenades for MGL,
- 4,830 rounds of 5.56-cal. ammunition,
- 950 rounds of 7.62-cal. ammunition,
- \$330,000 in cash.

A total of 42 persons were arrested.

- ▶ Members of NYDETF Group T-33 initiated "Operation Brick Layer," a multi-jurisdictional investigation with DEA offices in New Jersey, Pennsylvania, Florida, Mexico and Colombia.

During the course of this investigation, T-33 members initiated nine wiretaps, seized approximately 33 kilograms of heroin, \$220,000 in cash, two vehicles, and arrested 15 individuals.

The investigation is ongoing and additional arrests and seizures are anticipated.

# Troop T

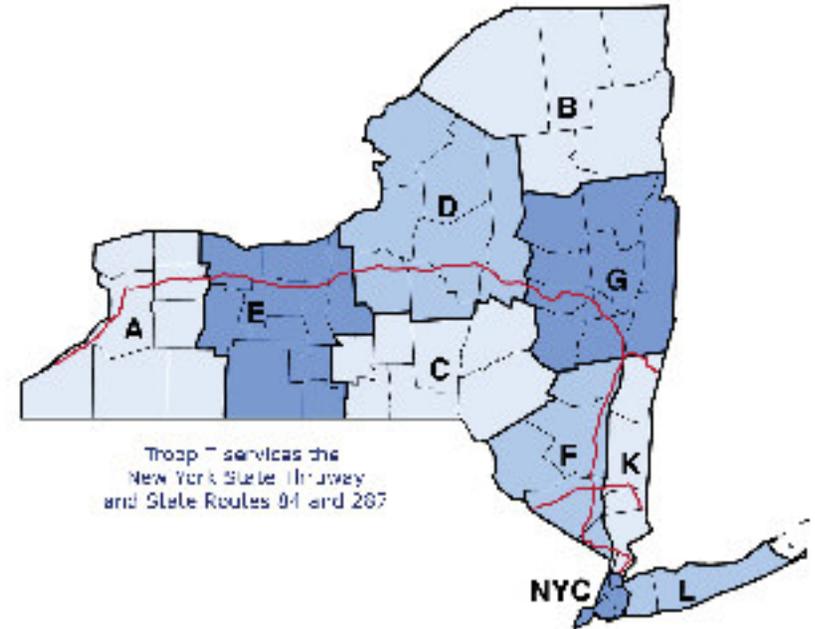
Troop T, which services the New York State Thruway, originally was established as the State Police Thruway Detail in 1954. It attained independent troop status in 1961.

Today it is the sole remaining troop with exclusive policing authority within its service area. It also shares a close relationship with the NYS Thruway Authority in the daily administration and operation of a network of interstate highways that includes I 95, I 84 and I 287. Troop T's 14 stations service 641 miles of roadways in five separate zones.

In 1994 the Thruway Authority absorbed the State Canal System, and Troop T became responsible for policing 524 miles of inland waterways.

The Canal Detail, which operates May through October, is supplemented with personnel from adjoining troops and staffs four regularly scheduled patrols: one each in the Buffalo and Albany areas, and two in the Syracuse area. The detail provides security coverage at regattas, races, canal festivals and other water related special events.

In 1997, Troop T initiated bicycle patrols along the canal's adjacent paths and trails, complemented by the inauguration of wintertime patrols on snowmobiles during 1999.



**Service Territory:** New York State Thruway, State Routes 84 and 287 (641 linear miles)

**Headquarters:** Albany (Albany County)

**Zone 1:** Tarrytown, New Rochelle

**Zone 2:** Albany, Fultonville, Kingston

**Zone 3:** Junius Ponds, Schuyler, Syracuse

**Zone 4:** Buffalo, Dunkirk, Henrietta

**Zone 5:** East Fishkill, Newburgh, New Hampton

## 2009 Selected Statistics

**Calls for Service: 25,774**

### Vehicle and Traffic Law Enforcement

DWI Arrests: 1,167

Speed: 85,672

Safety Restraints: 18,768

Total V & T: 195,278

# Troop T - 2009 Interesting Cases

## Not diabetic, just drunk...

While operating stationary radar in the town of Fishkill (Dutchess County), Feb. 20, **Tpr. Michael A. Bayer** (T-East Fishkill) monitored a Thruway Communications advisory about a driver traveling east in the westbound lane, just east of his location.

Tpr. Bayer immediately headed east and located the errant vehicle, continued to a U-turn, stopped all westbound traffic, and positioned his patrol vehicle with all emergency lights activated toward the oncoming wrong-way driver.

He was able to get the vehicle stopped without contact and ordered the operator out of the car. The driver refused to comply, however, and Tpr. Bayer was compelled to remove him forcibly from his car with the assistance of an off-duty Fishkill police officer.

The driver claimed he was going into diabetic shock and an ambulance was summoned. Transported to Putnam County Hospital, he was treated and released.

He was subsequently arrested for DWI-Refusal and numerous other Vehicle and Traffic offenses.

## Tragic end to a troubled life

A gas station attendant at the Thruway Pattersonville service area in Florida (Montgomery County) reported a woman had robbed him at gunpoint of \$160 cash and \$28.98 in gas, April 15, then fled westbound on the Thruway in a white SUV.

The service area manager and off-duty **Tpr. Christopher L. Smith** (K-Poughkeepsie) followed her in their personal vehicles while keeping responding patrols apprised of her location.

**Tpr. David W. Cunniff** (T-Fultonville) spotted the vehicle six miles west of the service area. Soon he was joined by **Tprs. Timothy J. Cronin** (T-Fultonville), **David J. Vigliotti** and **Rosalie M. Clark** (G-Fonda).

In addition, Troop T, Zone 3 patrols were advised and **Tpr. Anthony J. Riley** (T-Syracuse) deployed a Stinger device at Milepost 206, which successfully deflated both driver's-side tires on the suspect vehicle. The suspect continued for about a mile before pulling to the shoulder near Exit 29A (Little Falls) in Herkimer County.

The driver failed to respond to commands by the troopers, however, and when troopers approached the vehicle they found her alone in her locked vehicle, dead from a self-inflicted gunshot wound to the head.

A.38-cal. Smith & Wesson revolver with one spent round was found in her lap. The dead woman was identified as a 59-year-old Bryan, Texas, resident and former lawyer who had been struggling with mental illness.

She had not been in contact with her relatives for more than a year.

## Apply electricity and — presto!

**Tpr. Gabriel T. Ryan** (T-Albany) stopped a westbound vehicle for speeding on the Thruway in the town of Rotterdam

(Schenectady County), May 26, and found the operator, a 43-year-old Amherst (Erie County) woman, had a suspended license.

A subsequent vehicle inventory also her found to be in possession of marijuana. While inventorying the vehicle prior to having it towed, Tpr. Ryan observed what appeared to be a cover to a hidden compartment in the trunk.

He radioed for the services of a drug-sniffing dog, and an Amsterdam city police officer responded.

His K-9 partner immediately alerted on the trunk area, but as the cover could not be manually removed at the scene, the vehicle was towed to SP Albany for further investigation. **Invs. Jonathan E. Kelly** (T-Albany) and **Richard F. Anguish** (G-New Scotland) obtained a search warrant.

Wires were detected running under the vehicle from below the compartment, through the floor in the driver's-side area to an access point near the center console.

When a 12-volt charge was applied to the wires, a piston-controlled latch was actuated, revealing 220 grams of pure heroin with an approximate street value of \$300,000. CNET-Capital was notified.

The woman was arrested for Criminal Possession of a Controlled Substance 2<sup>nd</sup> Degree, Unlawful Possession of Marijuana, and the original Vehicle and Traffic charges.

She was arraigned in the Town of Rotterdam and remanded to Schenectady County Jail.

## Taking them off the road and out of circulation

**Tpr. Timothy Cronin** (T-Fultonville) pulled over a speeding motorist in Canajoharie (Montgomery County), June 22, and upon interviewing the driver, detected the smell of burnt marijuana.

The driver, a 21-year-old Rochester man admitted that his two passengers, also from Rochester, had smoked marijuana earlier in the day. A probable cause search led to the seizure of a .25-cal. and a .32-cal. pistol, and a 12-gauge shotgun in the spare tire compartment.

**Inv. Darryl Bazan** (G-Fonda) conducted the continuing investigation, which revealed that all three men were all associated with the E-Block gang, which had been responsible for several shootings in Rochester.

Two were charged with two counts each of Criminal Possession of a Weapon 4<sup>th</sup> Degree, the third man with two counts of Criminal Possession of a Weapon 3<sup>rd</sup> Degree, due to a prior criminal conviction.

They were arraigned in Canajoharie town court and committed to the Montgomery County Jail in lieu of \$10,000 bail each.

## Caught in a lie

**Tpr. Miguel Berberena** (T-Tarrytown) was patrolling 1-87, Aug. 11, when he received a stolen vehicle hit on his LO-Jack device.

Tpr. Berberena quickly located the vehicle, abandoned in an hotel parking lot, and confirmed it had been reported as stolen a day earlier. It had heavy front-end damage consistent with an accident, which led Tpr.

Berberena to consult with **Tpr. Miguel Osoria** (T-Tarrytown), who was investigating a hit-and-run property damage accident the previous day involving a similar vehicle which had fled the scene.

When interviewed, the registered owner said he had parked his car at the train station in Mamaroneck that morning and had returned from work to find it gone.

A review of hotel security camera video clearly showed the vehicle being driven into the parking lot by a woman who afterward had left in a taxi. Tpr. Berberena confirmed this with the taxi company and confirmed that they picked up a white female from the Best Western Hotel lobby and said the woman had used the cabbie's cell phone to contact various tow companies in the area.

On Aug. 15, Tpr. Berberena re-interviewed the vehicle's owner, who provided a written statement that he had not given anyone permission to use the car, and that it had been stolen without the keys.

Finally, Tpr. Berberena interviewed the owner's wife — who fit the description of the woman in the surveillance video. Confronted with all the information gathered during the investigation, she admitted to having been involved in the hit-and-run accident with her husband's car, that her license had been revoked for several DWI conviction, and that she had told her husband about her actions prior to arriving at the station to be interviewed.

The husband was charged with Providing a False Written Statement and his wife was issued UTTs for Leaving the Scene of a Property Damage Accident, Aggravated Unlicensed Operation, Following Too Closely and Abandoning a Vehicle.

## Feeding an addiction

While patrolling the designated detour for construction on 1-190, Sept. 26, **Tpr. Matthew Stegner** (T-Buffalo) noticed a young man in a heavy winter jacket on a bicycle. He was concealing something large under his coat, so Tpr. Stegner stopped him and inquired about his actions.

The suspect revealed he was carrying a brand-new automobile battery booster, still in its box, but could not provide a receipt for it and made inconsistent statements regarding how he came to be in possession of it.

Confronted with these contradictions, he admitted to stealing the charger so that he could purchase two bags of heroin.

Tpr. Stegner made contact with a nearby auto parts store, where the manager told him the item had indeed been stolen, and an employee identified the suspect as having been in the store, acting suspiciously, about 15 minutes earlier.

The suspect was charged with Criminal Possession of Stolen Property and Petit Larceny, and after a search incidental to the arrest revealed a metal spoon with heroin residue and a hypodermic needle, he was additionally charged with Criminal Possession of Controlled Substance and Possession of a Hypodermic Instrument.

Topping it all off, a special file check revealed he was on parole for burglary.

## Box 'em in and round 'ern up...

**Tpr. Aaren Butler** (T-Albany) was monitoring traffic at a Thruway work zone near Kingston, Oct. 8, when the Ulster County 911 center broadcast a "be on the lookout" order for a

red Camaro thought to have been involved in a residential burglary in Saugerties. Shortly thereafter he observed a car matching that description.

Tpr. Butler followed and soon was joined by **Sgt. Stephen Hummel** (T-CVEU), who began to coordinate a felony stop.

**Tprs. Jeffrey Landi** (TCVEU) and **Jose Flores** (T-Newburgh) and **Inv. Yan Salomon** (F-Highland) also responded and positioned themselves in a U-turn just north of the New Paltz interchange to await the suspect vehicle.

When it approached the U-turn, Sgt. Hummel and Tpr. Butler closed in on it from the rear. The suspect vehicle then began to speed up and moved toward the passing lane, but was quickly blocked by Tpr. Flores.

The three patrols then surrounded it and forced it to stop on the right shoulder. The vehicle's two occupants were quickly taken into custody, along with the proceeds of the burglary.

They were charged with Burglary 2<sup>nd</sup> Degree and Criminal Possession of Stolen Property.

One was found to be wanted in New Jersey for two counts of Burglary and in Pennsylvania for Armed Robbery.

## Two of the first

- ▶ On Dec. 20 — the first weekend after the state's new "Leandra's Law" went into effect — **Tpr. David Worden** (T-Syracuse) stopped a vehicle for swerving in and out of the driving lane.

The driver, a 33-year-old Canastota (Madison County) woman traveling with her 9-year-old daughter, failed all the

Standardized Field Sobriety Tests (SFSTs) and was taken into custody.

At SP Syracuse, the child was turned over to her grandmother and the defendant submitted to a breath test that revealed her BAC to be a whopping .20%.

In addition to the new charge under "Leandra's Law" — 1192 (2-a)(b), Felony Aggravated DWI/Child in Vehicle — she was also charged with Endangering the Welfare of a Child.

She was arraigned in Marcy town court and remanded to Oneida County Jail in lieu of \$5,000 bail.

- ▶ **Tpr. Nicholas Keil** (T-Buffalo) was assigned to investigate a property damage accident Christmas Day in which a vehicle entering the Thruway had struck the toll booth.

At the scene, Tpr. Keil observed that in addition to the driver, there were three toddlers and a year-old infant in the car. The toddlers were the operator's adopted children, the infant a foster child in her care.

When interviewed, the driver said she believed she had been in Rochester visiting a family member at Strong Memorial Hospital, and that she was attempting to drive back to Utica.

A breath test revealed her BAC to be .19%.

She was charged with Felony DWI under "Leandra's Law," four counts of Endangering the Welfare of a Child and Leaving the Scene of a Property Damage Accident, and remanded to the custody of Erie County Holding Center in lieu of bail.

# Emergency Management

## Preparedness

The Emergency Management section includes members who oversee the Division's planning, preparedness and response to natural disasters and serious emergencies, including criminal acts involving chemical, biological, radiological and nuclear (CBRN) hazards.

Tasks and activities performed by these members **during 2009** included:

- Participating in the development of state emergency response plans;
- Coordinating the activities of the Emergency Management NCOs;
- Serving as the Division liaison to the Strategic National Stockpile (SNS) program, the state's WMD task force, CBRN task force, the Disaster Preparedness Commission (DPC), the State Radiological Workgroup and State Emergency Response Commission (SERC);
- Liaison and training with specialized response entities, such as the National Guard Civil Support Team (CST), Office of Fire Prevention and Control (OFPC) and Federal Bureau of Investigation (FBI);
- Reviewing statewide threat and vulnerability assessments;
- Providing guidance to public and private entities on emergency planning and security procedures;
- Participating in nuclear response and natural disaster drills sponsored by the State Emergency Management Office

# Uniform Special Services

## Emergency Management Unit

## School and Community Outreach Unit

### Specialized Operations

Bomb Disposal Unit SCUBA

Marine Unit

Snowmobile Unit

Canine Unit

Special Ops. Response Team

Mountain Bicycle Patrol

All-terrain Vehicle Patrol

(SEMO);

- Maintaining the Police Resource Information System (PRIS);
- Arranging, tracking and updating presentations provided to the emergency response community and other special groups on clandestine drug laboratory awareness;
- Participating in the Homeland Security Strategy Working Group (HSSWG), and
- Serving on the State Preparedness Training Center (SPTC) Working Group.

**During 2009**, the following emergencies, events and exercises required personnel from the NYSP Emergency Management and Traffic Services sections to staff emergency operations centers (EOCs):

- January 15 - US Airways Flight 1549 emergency landing on the Hudson River;
- February 12 - Continental Airlines Flight 3407 crash in Buffalo;
- March 9 - Flooding in western NY;
- March 24 - State Evaluation Exercise for the Ginna Nuclear Power Plant;
- April 3 - Binghamton mass shooting;
- July 25 — Tornado in Western NY;
- August 10 - Flooding in Western NY;
- August 29 - Tropical Storm Danny;

- September 22 — Exercise at 9 Mile Point Nuclear Power Plant;
- October 9 — Champlain Bridge Closure.

EMNCO activities included design, implementation and participation in:

- US Open Golf Championship, Long Island;
- Annual Baseball Hall of Fame induction weekend;
- Watkins Glen–NASCAR event — Perimeter security and traffic control;
- Lake Placid Iron Man event;
- New York State Fair;
- Fort Drum Air Show;
- Strategic Police Intelligence-Driven Enforcement Response (SPIDER) Border Enforcement details,
- Buffer Zone Protection Plan (BZPP) surveys and distribution of equipment;
- Strategic National Stockpile (SNS) tabletop exercises and security assessments;
- Numerous tabletop and functional exercises;
- Incident Command System (ICS) training for county and local first response agencies and NYSP Academy recruit and

- supervisors schools;
- FEMA-observed Reception Center Exercise;
- Numerous school presentations involving tabletop and functional drills;
- County "Operation Safe-guard" training at Local Emergency Planning Committees, and
- ICS for Schools presentations.

The section undertook a number of special projects during 2009, including:

- Site review planning for 2009 Buffer Zone Protection Plan (BZPP) grant cycle;
- Distribution of \$440,000 in BZPP Grant equipment purchases;
- "Upstate New York School District Agro-Terrorism Tabletop Exercise," April 23 — a multi-agency exercise simulating response to an intentionally adulterated food product being supplied to a large youth facility;
- Nationwide distribution of antiviral medication in response to the H1 N1 Outbreak;
- Annual Technical Assistance Review, with the Department of Health, of the CDC Strategic National Stockpile (SNS). New York State received its first perfect score this year.

The Preparedness Section also plans, develops and carries out homeland security exercises designed to test the Division's ability to prevent and respond to acts of terrorism, weapons of mass destruction, and large-scale natural disasters.

Additionally, the unit serves as the Division representative in the planning of State-level, multi-agency exercises.

**During 2009** the unit was involved in the design and execution of two major exercises:

- "Operation Urgent Action III" was held in Rochester, May 20-21. This was a full-scale exercise designed to test the ability of law enforcement to detect and interdict illicit radioactive materials hidden by a terrorist in one of nine area private self-storage facilities.

There were 39 participants from the FBI, NYSP, Monroe County Sheriff's and Emergency Management offices, and the Rochester Police Department.

Ultimately, all objectives were achieved, with the illicit radiological materials being successfully detected and recovered before they could be used in a weapon of mass destruction.

- "Empire 2009" was held in Albany, June 1-5. This full-scale consequence management exercise simulated a response to the detonation of a radiological dispersion device (RDD) or "dirty-bomb" in the city of Albany.

It incorporated several hundred federal, state and local agency participants.

The NYSP participated in multiple activities during the exercise, which included evacuation planning, incident command, hazard mitigation and recovery. T

he size and complexity of this exercise required more than a year's planning.

The Preparedness Section also administers grant funds provided through the Office of Homeland Security to support anti-terrorism programs and equipment.

In many cases, purchased items have significantly improved Division operations.

Among the many purchased items which have significantly improved Division operations are:

- Side scan sonar;
- GPS/RADAR navigation system for the sonar boat;
- LOGOS digital X-Ray imagery;
- Remotely Operated Vehicle (ROV) for underwater searches;
- Tactical remote-controlled robots;
- Pole cameras and
- Concealed video surveillance equipment.

## Contaminated Crime Scene Emergency Response Team

CCSERT's mission is to provide a state-level response to actual, suspected or perceived crime scenes in which chemical, biological, explosive (or incendiary), radiological, or nuclear (CBERN) contamination or components may be present.

Its hazardous materials technicians can provide emergency response capability to support law enforcement agencies when responding to contaminated crime scenes or hazardous conditions.

The CCSERT responded to 13 clandestine drug laboratories and one potential WMD incident in 2009.

## 2009 Responses and training

- ▶ The majority of CCSERT responses in 2009 were for clandestine drug labs. The increased occurrence of the "one pot method" is an alarming trend, as this type lab is particularly hazardous.

- ▶ WMD Incident, June 12 — The FBI received information about a potential WMD incident in the city of Schenectady involving smallpox and anthrax.

The subsequent response to this incident demonstrated excellent working relationships between members of the CCSERT, the FBI and local authorities.

- ▶ The U.S. Open detail, June 15-21 in Bethpage, Long Island, included CCSERT and NYSP members with radiological interdiction equipment working in conjunction with the FBI and the Civil Support Team.
- ▶ A Clandestine Drug Lab Symposium in October was jointly conducted with the Federal Drug Enforcement Administration (DEA).

More than 130 law enforcement officers received training in the latest trends in clandestine drug identification and manufacturing.

## **Radiation Interdiction and Detection Program**

The Radiation Interdiction and Detection Program was started in 2007 through the efforts of the New York State Office of Homeland Security, in conjunction with the United States Department of Homeland Security.

The program features highly sensitive radiation detection equipment, consisting of pagers, survey meters, backpacks and mobile systems, used to detect illicit radioactive material.

Initial rollout consisted of equipment and training provided to the NYSP Commercial Vehicle Enforcement Unit (CVEU) and

Bomb Disposal Unit (BDU), and the state Department of Environmental Conservation, Division of Military and Naval Affairs, Civil Support Team and Department of Health.

Since then, all K-9 teams and select members of the Contaminated Crime Scene Emergency Response Team (CCSERT) have been equipped with radiation detection pagers. More than 500 pagers have been deployed to the field, along with more than 35 radioactive isotopic identification detectors.

### **In 2009,**

- More than 325 pager hits were recorded. Of these, two incidents involved transportation violations regarding radioactive material in transit.
- The program has coordinated radiation checkpoints for three separate large-scale gatherings:
  - the 2009 U.S. Open golf tournament on Long Island,
  - the State Fair in Syracuse and
  - New Year's Eve.

At each checkpoint, members from the CVEU, CCSERT, BDU and Emergency Management used radiation pagers and backpack-style radiation detectors to scan vehicles and pedestrians.

No sources of illicit radiation were found at any of the checkpoints.

The Radiation Interdiction and Detection program also has been actively involved in a pilot program entitled "Secure the Cities", in which the Department of Homeland Security has invested more than \$90 million to secure the city of New York against a terrorist attack involving radiological material.

## **School and Community Outreach Unit (SCOU)**

The importance of school safety, security and preparedness was highlighted once again when a gunman took over the Pine Plains Middle/High School in Dutchess County, Nov. 10.

It can be said that the ensuing confusion was tempered in part by training conceptualized, developed, and administered by the NYSP's School and Community Outreach Unit during the previous year.

Events such as the Pine Plains incident remind school officials, law enforcement personnel and communities of the importance of school safety and preparedness.

They also remain the impetus for initiatives such as the School and Community Outreach Unit's awareness training at the Basic Leadership School, pilot drills and school-related in-service trainings.

These efforts by the unit's 91 SROs who maintain a dedicated presence in 117 partner school districts, and its eight School and Community

Outreach Coordinators (SCOC) who provide services to any school district or community group that makes such a request, demonstrate the Division's dedication to community policing.

Through statewide dissemination of information, reporting of activity, interagency cooperation, open channels of communication and a formal program evaluation, SCOU has established itself as a valuable resource to its communities and partner agencies.

## School safety and security familiarization

Because SP personnel can best be prepared for a school crisis if they first understand how schools themselves will respond, the SCOU proposed and developed *School Safety and Security Familiarization* training **during 2009**.

This two-hour block of instruction was conducted by Division's SCOCs throughout the state as part of the Division's In-Service Training program.

The instruction highlighted school districts' likely response to various crises, including armed intruders, bomb threats and other threats.

## Active shooter training

The unit's most significant undertaking **during 2009** involved the conceptualization, development, application for funds, and administration of pilot drills



conducted in local schools.

The *Active Shooter/ Educational Setting* drills were facilitated by a partnership with Troop firearms instructors during the winter and early spring in one zone of Troops F, G, and K, and were designed to simulate the response by area patrols to an active shooter in a school setting.

In-service trainees were directed to an area school where they exchanged their firearms for "red" (safe) guns and were presented with a scenario involving an active-shooter.



Participants then formed teams to respond to the attack. Noisemaker-firearms simulators directed their movement, speed and choice of strategies, and offered a realistic and dynamic environment in which to test their training.

Each drill was recorded on video for review and critiqued immediately afterward.

In all, 234 troopers, sergeants, investigators and police officers participated in the exercise.

In addition to the benefits of practicing response techniques, those who participated experienced the opportunity to physically navigate an unfamiliar school building with personnel from other potential responding agencies.

Remaining program funds were used to purchase eight complete drill kits. These kits will be provided to troop senior firearms Instructors for use in drills in their respective troops.

## "See something, say something"

In furtherance of supporting the violence prevention strategies of the New York State School Safety Guide and through its long standing partnership with Utica National Insurance Group, the SCOU presented a series of statewide seminars to more 1,400 school leaders **during 2009**.

During the company's Fall 2009 Affinity Group Meetings, **T/Sgts. Renise B. Holohan** and **George N. Marshall** (H-Uniform) premiered an early version of the "See Something, Say Something" student video at seven seminars across the state.

The seminars, which addressed threat assessment in schools, provided school administrators, faculty and staff with information about early warning signs, strategies and best

practices in addressing students who exhibit troubling behavior.

Incorporating information gleaned from the Division's own SRO program, the FBI and joint U.S. Secret Service/Department of Education studies on threat assessment and school attacks, the seminars provided attendees information on current trends and conducted practical exercises to help them adopt a threat assessment mindset.

### **Basic SRO School**

Responding to attrition, promotions and retirements, a Basic SRO School was administered during August.

The 40-hour course was designed to help road troopers make the switch from traditional law enforcement duties to those involved in the less familiar academic environment.

Presentations included sessions by a school administrator, a special education professional, an area gang expert, an expert in child development, the Division's Computer Crimes Unit, and Division Counsel. Personnel from three outside agencies also participated.

### **Exchange**

During the spring of 2009 at the Superintendents request, two officers from the South Wales Police Department, Wales, UK, participated in an exchange program with T/Sgts. Holohan and Marshall.

The Welsh officers were offered the opportunity to shadow any police agency in the world. Having selected the NYSP, they sought insight into American law enforcement operations and resources.

For four weeks in June and August, T/Sgts. Holohan and Marshall played host to them,

exposing them to all facets of NYSP operations.

Upon their return, a comprehensive review was prepared for their agency leaders, and communication with them relative to universal law enforcement issues continues.

### **2009 Cases**

- ▶ With the assistance of the BCI Computer Crimes Unit, a Troop B SRO arrested a 17-year-old student for Falsely Reporting an Incident 3<sup>rd</sup> Degree.

The student had sent an after-hours email to his principal stating that he and another student were "bringing guns to school and were going to go crazy".

Investigators were able to identify the e-mail's IP address and connect it to a street address.

The student was located, interviewed and eventually confessed to the SRO. He was suspended from the district for the remainder of the school year.

- ▶ A Troop A SRO successfully intervened when a 15-year-old girl climbed out a second-story window and threatened to jump.

The girl was quickly restrained by two other students, who pulled her back inside, and the SRO transported her to an area hospital for mental health evaluation.

NYSP SROs conducted 20 suicide counseling sessions during January 2009 alone, with several leading to immediate evaluations.

- ▶ A Troop A SRO and BCI investigators arrested a man who had sought employment in three area school districts

as a substitute teacher when not only did he fail to report on his applications that he had been arrested, but that he even served time for a Manslaughter 2<sup>nd</sup> Degree conviction.

- ▶ A Troop D SRO was approached by a concerned parent who stated that while reviewing images on her son's cell phone, she had seen some inappropriate photos from his girlfriend.

Although she had already deleted the images, she was concerned the girl was sending them to others as well, and thought the girl and her parents should be counseled. The girl's foster-mother was contacted and assured the SRO that she would speak to her foster-child.

The SRO subsequently interviewed the girl who stated that this was the first time she had sent such pictures.

She also said that the experience had helped her more clearly understand the dangers of sending photos via cell phone and computer. She assured the SRO that it would never happen again.

Follow-up discussion with the BCI affirmed that no criminal charges were warranted.

- ▶ A Troop G patrol received a complaint from a 17 year-old student that an unknown male had forcibly touched her and then exposed himself to her.

The SRO worked with school security to review video from the schools on campus and located a young man that fit the attacker's description. Another school employee recognized the suspect as someone who had been hanging around a soccer practice.

The coach went back to his team and asked if anyone knew the spectator. The suspect, a 14 year-old boy, was subsequently identified, interviewed by the BCI and subsequently admitted to the attack.

He was arrested for Forcible Touching and Public Lewdness and directed to Family Court.

- ▶ A Troop C SRO was approached by a middle school guidance counselor who reported concern over one of her students.

The student was reportedly living with her brother, who was believed to be a “past” registered sex offender.

The counselor asked that the SRO look into the situation. The SRO’s investigation revealed the brother was still a registered sex offender and currently was on parole.

The investigation also revealed the parolee’s girlfriend and her three young children also were residing with him. The SRO passed this information on to Child Protective Services and State Division of Parole, which paid an unannounced visit to the residence.

They found the registered sex offender in the residence shared with three children, despite having previously advised Parole his girlfriend had no children.

The parolee was immediately arrested and returned to prison for the balance of his 12-to-18-month sentence.

<b>School and Community Outreach Unit Activity - School year 2008-2009</b>			
Criminal Calls	2,276	Total Firearms Confiscation	7
Non-Criminal Calls	7,566	Total Other Weapons Confiscation	38
Sexual Offense Cases	119	Domestic Incident Reports	43
Felony Arrests	104	Student / Faculty / Parent Presentations	3,529
Felony Arrests involving Weapons	1	Student Counseling Sessions	15,091
Felony Arrests involving Drugs	58	Suicide Counseling Sessions	149
Misdemeanor Arrests	624	Parent Counseling Sessions	3,920
Misdemeanor Arrests involving Weapons	29	Faculty/Staff Counseling Sessions	2,787
Misdemeanor Arrests involving Drugs	104	Value of Reported Property Stolen	\$121,278
Violation Arrests	33	Value of Recovered Property Stolen	\$ 38,796
Violation Arrests involving Drugs	125		

- ▶ A concerned high school counselor told a Troop C SRO a female student had said her parents were growing “hydro”, and that they were upset with her for taking and selling two bags of marijuana at a below-market price.

When the parents noticed the missing inventory, they went to the school and signed out the student under the pretense of a “family emergency”. As a result, the student felt compelled to approach her counselor regarding the incident, in turn prompting the counselor to contact the SRO.

The SRO in turn contacted the BCI.

CNET investigators located and questioned the student’s mother, who agreed to turn over all the marijuana in return for an agreement with the local

assistant district attorney to charge her only with the lesser offense of Unlicensed Growing.

As a result, one 12-inch tall marijuana plant with a grow light, approximately four pounds of harvested marijuana, six Percocet pills and four long guns were seized from the residence. The two bags the girl had sold at school also were recovered.

The mother was charged with Unlicensed Growing, Endangering the Welfare of a Child, and Criminal Possession of a Controlled Substance 7<sup>th</sup> Degree.

Additionally, a hotline call to Child Protective Services was made based on the unsanitary living conditions and the actions of the parents.

- ▶ A Troop F SRO was urgently requested by school administration when an

apparently disgruntled community member arrived at the member's high school subsequent to morning arrival.

It was alleged by the 68 year old citizen that high school students repeatedly speed by his house on their way to and from school. Such was the case this morning, prompting the citizen's response to the high school to demand a meeting with the speeding students.

The citizen was directed to the main office for a meeting with the High School Principal. During the meeting, the citizen divulged to the principal that he was in possession of a handgun.

In a daring move, the administrator requested the citizen unload the weapon and turn it over to him. The citizen complied and the administrator took possession of the .380 caliber handgun as he summoned the SRO.

The SRO in turn requested assistance from local SP Patrols and directed the school to go into "lockdown".

The citizen was arrested without incident for Criminal Possession of a Weapon 4<sup>th</sup> degree for unlawfully possessing a firearm on school grounds.

- ▶ A Troop E School Resource Officer was instrumental in helping a school obtain grant funding from the U.S. Department of Justice for an advanced web-based security system that requires all visitors to present a valid state photo ID which is scanned into the system.

The system then cross-references the national Sex Offender Registry and other databases selected by the district, such

as local orders of protection.

Only after these administrative inquiries are conducted is a time-stamped, destination-labeled ID tag printed for the visitor.

Any alerts produced by this process are sent discreetly to each building administrator and the SRO.

The system also has proven effective in holding students accountable for their schedules and attendance, thereby reducing truancy and tardiness.

## Specialized Operations Bomb Disposal Unit

The Division's Bomb Disposal Unit responds to service calls involving improvised explosive devices, recovered military ordnance, commercial explosives and fireworks throughout most of upstate New York.

It also is responsible for the controlled destruction of explosives, such as old dynamite, detonators and illegal fireworks.

Its 12 members also are HAZMAT trained and provide service to areas of the state lacking hazardous materials experts trained and equipped to respond to chemical and biological incidents.

All bomb squad technicians maintain certification through the FBI Hazardous Devices School in Huntsville, Alabama, and are required to attend recertification every three years.

In 2009, the Division saw the retirement of two bomb technicians and the addition of

three new technician graduates from the Hazardous Devices School.

The Bomb Disposal Unit maintains four facilities located in Albany, Newburgh, Watertown and Batavia. Each is equipped with disposal trailers, robots and hazardous materials suits.

All bomb technicians carry critical first responder equipment, including X-ray machines and bomb suits.

Several new state-of-the-art LOGOS X-ray developing systems entered service in 2009.

Division Bomb Technicians handled 217 incidents during 2009. These include:

- 17 commercial explosive and 39 military ordnance recovery and destruction operations, and 75 fireworks seizure/destructions.
- Responded to 19 calls for homemade or improvised explosive devices, recovering 155 actual bombs.

### 2009 Cases

- ▶ April 3 - Bomb Disposal Unit technicians responded to a mass shooting in Binghamton and were tasked with clearing several suspicious packages from the suspect's vehicle.
- ▶ May 9 — BDU technicians responded when a subject shot his wife and barricaded himself. The unit's robot found the subject lying unconscious in a hallway.
- ▶ May 20 — Bomb techs assisted the FBI and ATF with search warrants after several terror suspects were arrested in a plot to shoot down a military aircraft in Newburgh.
- ▶ June 30 — A Troop G trooper developed

information that a subject was selling illegal fireworks; investigation resulted in the seizure of two trailers filled with fireworks.

- ▶ July 4 — Hudson Falls Police requested bomb technicians after a suspect with a live bomb in a backpack threatened to blow up a school.
- ▶ August 10 —Troopers investigating an accidental shooting in Troop B located stolen property at the victim's residence, including a pipe bomb with fragmentation material attached to it.
- ▶ Sept. 18 — Three men were arrested for possessing several live pipe bombs after they were found in possession of a home-made film in which they killed a turtle by placing a pipe bomb on its back.
- ▶ Sept.25 – An elderly suspect was arrested after neighbors complained of his propensity for exploding bombs and shooting guns in his back yard. An undercover member purchased homemade bombs from the suspect. A search warrant resulted in the recovery of dozens of explosive devices.
- ▶ Dec. 30 – Information developed by the Otsego County Sheriff's Department resulted in a search warrant for a home in Burlington Flats where a suspect had 11 pipe bombs and 258 live fireworks mortar shells hidden in his attic.

## Canine Unit

The Division Canine Unit entered its 34<sup>th</sup> year of service in 2009.

The Division's 62 K-9 teams are assigned to stations throughout the state and perform patrol duties when not involved in or assigned

to a canine-related incident or detail.

They detect explosives and drugs, track and search for lost or missing persons, find bodies, search buildings, provide site/venue security and help protect dignitaries.

The Division presently has 31 explosives detection dogs with 12 handlers assigned to the Division Bomb Disposal Unit, 31 narcotics detection teams, of which 15 are cross-trained for cadaver detection, and four bloodhounds.

The Division bloodhounds are utilized solely for tracking persons who have been lost or missing for an extended period of time.

All basic training occurs at the Division Canine Training Facility in Cooperstown (Otsego County).

In 2009, the Training Facility conducted a Basic Handlers School which trained 10 new handlers for the United Nations Security Force, two handlers for the City of Schenectady Police Department, a handler for the Village of Newark Police Department, a handler for the Saratoga County Sheriff's Department and a handler for the Village of Monticello Police Department.

Four replacement canines also were trained for the Division. Canine re-certification sessions were conducted for all Division canine teams. Additionally, a new team was trained to replace a retired bloodhound.

Division canine teams responded to 4,449 calls for service in 2009, an increase of 3% over 2008.

- The explosives detection canine teams responded to 642 calls, including:
  - 40 bomb threats or sweeps and
  - 602 additional explosives searches

throughout the state.

Explosives and or weapons were recovered in 22 cases.

- Narcotics/cadaver detection teams responded to 1,816 calls for service, including:
  - 1,696 drug sweeps of buildings, schools, vehicles and outdoor venues, and
  - 120 cadaver searches.
- Narcotics were located in 605 searches and there were three cadaver recoveries.
- Division canine teams additionally:
  - Provide security at 720 venues,
  - Conduct 421 public demonstrations and presentations,
  - 396 tracks for fugitives and or lost/missing persons,
  - 104 building searches, and
  - 350 other canine-related calls/incidents.
- The canine teams successfully tracked:
  - 57 fugitives,
  - 19 lost or missing persons, and
  - Located 10 subjects in building searches.

## 2009 Cases

- ▶ Feb. 25 — After **Tpr. Muharem Hasan** and **K-9 partner "Marty"** (F-Haverstraw) stopped a vehicle for speeding on 1-87 in Rockland County, "Marty" alerted to the trunk of the vehicle. A search of the trunk led to the discovery of 700 decks of heroin in a bag of rice.
- ▶ During May, **Tpr. Jason B. Cresanti** and **K-9 "Garro"** (A-Jamestown) responded to numerous calls for service throughout Chautauqua County.

First, they successfully tracked and apprehended two larceny suspects for police in the town of Carroll **PD**.

Next, they helped state parole personnel and Jamestown police with a successful narcotics search of a residence in the city of Jamestown.

After that, the busy K-9 team successfully tracked down an armed, suicidal subject in the village of Frewsburg and located a pound of marijuana in a vehicle search for CNET-West investigators.

- ▶ June 4 — **Tpr. Christopher J. Neidert** and **K-9 “Speer”** (E-Rochester IHP) assisted CNET and ICE with a narcotics investigation, conducting searches at two target locations and discovering approximately 80 pounds of hidden marijuana.
- ▶ Aug. 24 — **Tpr. James D. Leeder** and **K-9 partner “Robbie”** (T-Tarrytown) responded to assist an SP Tarrytown patrol subsequent to a V&T stop on 1-87. A canine sniff of the vehicle produced a positive alert on the seam of the hood and front passenger-side fender.  
  
A search of the engine compartment revealed 3.5 ounces of crack cocaine, 1.5 ounces of powder cocaine and 15 grams of marijuana secreted in a felt bag under the air filter.
- ▶ Oct. 7 — **Tpr. Steven T. Hobson** and **bloodhound “Susie”** (K-Poughkeepsie) responded to a private residence in Rhinecliff (Dutchess County) to assist with the search for a missing Alzheimer’s patient.

Tpr. Hobson interviewed the family and

secured scent material. Then he and “Susie” began tracking, and located the woman within an hour.

- ▶ Nov. 6 — **Tpr. Stacy L. Bauter** and **K-9 “C.J.”** (D-Watertown) responded to assist local patrols and DEC officers in the investigation an accidental shooting/hunting accident in the town of Adams (Jefferson County).

After numerous attempts by officers on-scene were unsuccessful, Tpr. Bauter and “C.J.” conducted an open area search for the discharged shell casing, located it and secured it as evidence.

## SCUBA

The State Police has operated its own underwater diving detail since 1934. Today it has SCUBA teams on call 24 hours a day in all troops except L, T and NYC.

These teams regularly provide their specialized services to communities and law enforcement agencies across the state.

When not assigned to a dive detail, NYSP divers perform regular patrol and administrative duties.

**During 2009**, members of the NYSP SCUBA Unit:

- Responded to 178 details,
- Conducted 980 dives,
- Recovering 19 victims and 15 significant pieces of evidence, including four weapons, six vehicles and one airplane.

The aggregate value of recovered property was approximately \$89,240.

## 2009 Cases

- ▶ June 14 — A single engine airplane with three persons on board stalled on takeoff from a small airstrip in the town of Glenville (Schenectady County), crashed into the Mohawk River and sank.

All three persons trapped inside went down with the aircraft.

Troop G divers responded immediately, located the plane and removed two of the victims, including the student-pilot’s 11-year-old son.

Though resuscitative efforts initially produced vital signs from the child, he did not survive.

Divers searched for the third victim until darkness forced suspension of diving operations for the day.

On the following morning, NYSP divers attached harnesses to the aircraft, and with the help of a Thruway barge-crane, lifted it from the river.

The final victim was found in the farthest recess of the tail section.

- ▶ July 17 — Troop D divers required an unusual mode of conveyance to conduct a search of Middle Settlement Lake in Herkimer County.

A young man had drowned while swimming across the lake during a camping trip. With no road access and no safe landing area for helicopters, divers had to be flown in by seaplane.

The trip in was harrowing enough, as the small lake required a steep approach and a fast, short landing. Getting out of the area afterward was even more difficult.



**State Police Divers search Delaware River:** With a search helicopter buzzing overhead, state police and other authorities combed the riverbanks of the Delaware River as dive teams, assisted by the NYSP Airboat, looked for a Staten Island woman who was last seen on Oct. 28 around 10 p.m..

Gail Greico-Weishoff, 36, a mother of three, was reported missing by relatives she was visiting. The relatives lived in a short distance from where Greico-Weishoff's purse was found near a park bench on Second Avenue overlooking the river in Narrowsburg.

The seaplane pilots could only manage take-offs with greatly a reduced payload. The divers and their gear had to be staged to a larger lake nearby, then re-loaded and flown out again.

The actual recovery dive at Middle Settlement Lake was simple by comparison: Divers located the victim within 10 minutes.

- ▶ July 26 proved to be a deadly day in the Finger Lakes. Two men drowned within minutes of one another: one in Keuka Lake, the other in Owasco Lake.

Both victims went down in deep water and witness accounts were sketchy.

The Keuka Lake victim was located after three days of searching with side-scan sonar. Because of the depth

involved, divers used the Division's newly acquired Remote Operated Vehicle (ROV) to examine "targets" identified by the sonar system.

The resulting video feed showed they had in fact located the victim. The ROV remained in position thereafter, enabling divers to follow its umbilical cord directly to the victim.

The Owasco Lake victim proved more difficult to find and it wasn't until late August that sonar developed a promising target.

On Sept. 1, divers deployed the ROV to a depth of 160 feet and located the victim. Owing to the great depth, it was decided to attempt a recovery without deploying divers.

The ROV's retractable mechanical gripper was used to fasten a connection to the victim, after which divers on the surface were able to pull both the ROV and victim to the surface by means of the umbilical.

This was significant operation, because with the ROV's ability to operate at depths up to 500 feet, Division divers have shown they can attempt recoveries from depths far beyond the limits of their SCUBA equipment.

- ▶ In early November, the U.S. Coast Guard requested NYSP assistance in searching a merchant ship as it navigated through the St. Lawrence Seaway.

Divers were tasked with searching the underside of the vessel for "parasitic" containers and contraband concealed within hull cavities.

The original plan called for the vessel to be moored to a pier, which would have permitted shore-based operations. That proved impossible, however and the ship was ordered to anchor in the middle of the river.

To make matters worse, the search did not get underway until well after dark.

Faced with a six-knot current, divers again turned to the newly acquired ROV. After some modification to the tethering system, they were able to perform a successful search of the ship's bottom, and the vessel was cleared to proceed in less than two hours.

## Special Operations Response Team (SORT)

Originally known as the Mobile Response Team (MRT), SORT was created in 1980 to provide a tactical response element for the Winter Olympics in Lake Placid.

In early 2009 it was renamed and restructured from a part-time tactical detail to a full-time team.

Its authorized strength of 40 members operate in four regional team: North, South, West and Central.

They train and respond daily, providing specialized services to communities and law enforcement agencies across the state.

**During 2009**, SORT conducted 196 operations, including responses to barricaded subjects, narcotics raids, search and rescue operations, dignitary protection, crowd control, clandestine surveillances and assistance to numerous outside agencies.

## 2009 Cases

- ▶ Feb. 9 — SORT was called to conduct a search for three suspects involved in a home invasion in the town of Leeds (Greene County).

The suspects tied up a woman in the house and were in the process of dragging a man out of the building when a local deputy sheriff arrived at the scene.

The suspects immediately fled on foot into the woods. SORT members assisted with a search of surrounding area.

All three suspects were eventually apprehended and taken into custody.

- ▶ March 11 — SORT members assisted Mt. Vernon police with the execution of several search warrants involving 14 different target locations.



**Motorcycle Unit at Bruno Stadium:** Members of the NYSP Motorcycle Unit take part in a welcoming ceremony by parading around the bases at the Joseph L. Bruno Stadium, home of the Tri-City Valley Cats baseball team—an affiliated baseball team.

SORT handled three of the locations in this multi-agency operation. The investigation was developed from several months of undercover narcotics purchases and a wire tap on a street gang affiliated with the “Bloods”.

Several handguns and narcotics were located in the target locations.

The operation also resulted in 30 subjects being taken into custody.

- ▶ April 2 — SORT assisted the DEA with the execution of a search warrant at a residence in Ogdensburg.

The primary suspect was taken into custody while standing on the sidewalk in front of his residence. A search of the suspect revealed he was wearing body armor.

SORT found numerous gas masks, food and body armor strategically placed throughout the house, along with 185 loaded long guns and assault weapons, 60 loaded handguns and a loaded Barrett .50 cal. sniper rifle.

May 20 — SORT personnel assisted the FBI and NYSP JTTF with the takedown of a four-person terrorist cell in Newburgh.

Members of the alleged terrorist cell planned to place C4 explosives outside three synagogues in the Bronx, then travel to Stewart Airport and shoot down a Military C-5 transport aircraft with what they believed to be a functioning Stinger missile.

Tactical operations plans changed

and evolved several times along with intelligence and surveillance.

The operation culminated in the four suspects being placed into custody in the Bronx after attempting to place dummy explosives.

SORT personnel and FBI tactical teams then raided the suspects’ Newburgh-area homes.

- ▶ July 6 — SORT personnel arrested one of four federally indicted co-conspirators in conjunction with a 2007 SIU Rochester-FBI Office investigation into the criminal activities of the Rochester chapter of the Hell’s Angels Motorcycle Club and its associates.

Resulting seizures included approximately 1,300 grams of marijuana, three kilograms of cocaine, one handgun, 18 long guns and more than \$13,000 cash.

Four additional co-conspirators were indicted in 2009 and arrest warrants issued.

SORT’s assigned target was a long-time known associate of the Hell’s Angels and Iron Horsemen Motorcycle Clubs with an extensive violent criminal history and a penchant for possessing firearms.

He was taken into custody without incident.

- ▶ Aug. 28 — SORT members were inserted into woods in the town of Hammond (St. Lawrence County) to conduct surveillance of an active marijuana growing operation that contained 428 plants.

During the surveillance, a subject entered the grow site and began tending to the plants.

SORT personnel immediately apprehended and turned him over to CNET investigators.

- ▶ Sept. 24 — SORT assisted SP Cortlandt (Troop K) with a search warrant in the town of Greenburgh (Westchester County) in an investigation involving a larceny and burglary case that spanned 24 jurisdictions in New York and Connecticut.

Two suspects lived in separate residences adjacent to each other. SORT personnel and Westchester County tactical teams conducted simultaneous warrant service on the houses.

During the search, proceeds from the larcenies, including a handgun stolen from the vehicle of an off-duty police officer, were recovered.

The suspects admitted to more than 200 larcenies and burglaries.

- ▶ Oct. 4 — New York State Park Police called in SORT to help hoist an injured hiker who had fallen down a cliff at Minnewaska State Park.

State Police Aviation and a SORT member located the victim, secured in a Stokes basket and airlifted him to awaiting medical personnel.

- ▶ Dec. 12 — SORT responded to assist Jefferson County sheriff's deputies with a barricaded subject in the town of Alexandria who had shot his wife three times.

SORT and NYSP hostage negotiators utilized the Bearcat armored personnel carrier to reach and converse with the subject in front of the house.

He eventually turned himself in.

## Marine Patrols

The State Police maintains boat patrols in Troops B, D, F, G, K, L and T.

Troopers are assigned to marine duties patrol waterways throughout the state from early spring to late fall, enforcing the Navigation Law, Canal Rules & Regulations and Environmental Conservation Laws.

Marine patrols assist boaters in distress, and provide search and rescue services and water security at regattas, hydroplane races and other water-related events.

**During the 2009** boating season,

- Troop B patrolled the St. Lawrence River, Lake Champlain and smaller lakes in the Adirondacks
- Troop D provided patrols on the St. Lawrence River in Alexandria Bay, a heavily used recreational and commercial waterway
- Troops B and D enhanced security on the state's border by providing additional patrols on the St. Lawrence, working closely with the United States Coast Guard, Border Patrol and Customs officials
- Troops F and K covered the Hudson River
- Troop G deployed boats on Lake George
- Troop L patrolled areas of Long Island Sound around Fishers Island
- Troop T deployed four boats along the 525-mile state Canal System that includes the Mohawk, Hudson, Oswego, Seneca, Genesee and Niagara Rivers, as well as Oneida, Onondaga, Cross, Seneca and Cayuga Lakes

Troop T continued to utilize personal watercraft (PWCs), popularly known as jet skis, for specialized and general patrol duties, and for specialized education and enforcement efforts.

**In 2009**, Division boat patrols:

- Made 1,136 total arrests
- Logged nearly 7,000 patrol hours
- Issued 345 uniform tickets for Boating While Intoxicated (BWI), Speeding, Reckless Operation and safety violations
- Made 739 arrests under the state's Penal, Environmental Conservation and Vehicle & Traffic Laws
- Issued 508 warnings for minor violations
- Conducted 746 vessel safety inspections
- Investigated seven boating accidents
- Rendered 58 assists to boaters
- Provided roughly 2,500 hours of patrol services at 37 water-related special events

Division marine patrol members continued the Division's commitment to boating safety education during the 2009 navigation season.

Marine Patrol personnel assisted the NYS Office of Parks, Recreation and Historic Preservation by providing volunteer boating safety instructors to teach the mandatory training classes for personal watercraft operators across the state.

## Mountain Bicycle Patrol

The Division's Mountain Bicycle patrol program has grown steadily since it began in 1997.

Originally, Troop T provided bike patrols along

the New York State Canal Trail System. Each year the State Canal Corporation works with municipalities across the state to open additional sections of trail with the ultimate goal of having a trail system connecting the state from Albany to Buffalo.

That same year, Troop D, with financial assistance from local businesses, began providing bike patrols in the Sylvan Beach area and the New York State Fairgrounds.

The Executive Services Detail also provides bicycle patrols at the Empire State Plaza complex in Albany.

Additional mountain bicycle patrols have been added in Troops A, B, E, F and L, with Troop E offering an annual Mountain Bicycle Patrol Training course to officers across the state.

## **Snowmobile Patrol**

**In 2009**, Troop T continued its efforts in snowmobile enforcement and education.

Members assigned to the detail are certified instructors for the New York State Snowmobile Safety Program, and assist with the instruction of these courses across the state.

Troop T members also provide instructors for the annual Basic and Advanced Law Enforcement Snowmobile Operators course sponsored by the NYS Office of Parks, Recreation and Historic Preservation, conducted in Cobleskill.

**During the 2009** snowmobile season, Troop T members logged more than 1,000 hours of snowmobile patrol, covering more than 2,500 miles of trails.

Detail members issued 461 tickets for various snowmobile violations, including Snowmobiling

While Intoxicated, Unsafe Speed, Reckless Operation, and registration/insurance.

## Traffic Services

Ensuring traffic safety is a fundamental and essential function of every trooper on patrol.

Whether investigating crashes, issuing traffic tickets, arresting drunken drivers, or assisting disabled vehicles and stranded motorists, the New York State Trooper remains the guardian of New York's roads and highways.

In recent years, troopers have performed these functions with unprecedented effectiveness.

### In 2009,

- Troopers issued 1,074,647 total traffic tickets, another record enforcement effort. Total vehicle and traffic law enforcement has increased more than 5% in the past three years, and 22% over the past decade. More importantly, as a result of these efforts, traffic fatalities have been reduced to a record low.
- Troopers investigated 71,995 crashes, of which 270 involved a fatality. This represented a 5% reduction in crashes over the same three-year span, with nearly 3,000 fewer crashes investigated than in 2008.

The NYSP employs a multi-faceted and interdisciplinary approach to traffic safety, combining basic and targeted Vehicle and Traffic Law enforcement with crash investigation and collision reconstruction, commercial vehicle enforcement, traffic incident management, and public awareness and education.

These efforts are designed to mitigate all traffic safety threats, including speeding,

### Annual Report 2009

# Traffic Services

## Highway Safety and Traffic Enforcement

Speed Enforcement

Impaired Driving Enforcement

Traffic Incident Management Detail

Commercial Vehicle Enforcement Unit

Collision Reconstruction Unit

Occupant Protection

Traffic and Criminal Software (TraCS)

impaired driving, failure to use safety restraints, and commercial vehicle equipment deficiencies.

Each troop is tasked with analyzing local traffic conditions and developing zone- and troop-specific plans to address potential hazards.

Effective and innovative traffic safety strategies are shared among troops to replicate successes.

The Division received significant recognition for its highway safety successes in 2009:

- In August, the American Association of Motor Vehicle Safety Administrators recognized the New York State Police with the Martha Irwin Distinguished Service Award, given annually to an agency or individual making significant contributions to improving traffic safety. It was the first time the Division had been so honored by AAMVA, which is composed of motor vehicle commissioners and administrators from the U.S. and Canada.
- In October, the International Association of Chiefs of Police (IACP) named the New York State Police a first-place winner among state police and highway patrols in its Law Enforcement Challenge

Awards, which recognizes significant achievements in traffic safety.

- In addition, the IACP presented the Division with the Clayton J. Hall Memorial Award, given annually to the agency, regardless of jurisdiction or size, with the best comprehensive traffic safety program in North America.

According to the IACP, the award represents "the best of the best" in traffic safety.

These awards and recognition testify to the efforts and dedication of troopers on patrol, who continue to do their duty with honor and distinction around-the-clock.

### Speed enforcement

Unsafe speed is the most common contributing factor in highway fatalities, accounting for approximately one-third of all fatal crashes in New York State.

As a result, the Division continues to make speed enforcement a priority for every trooper on patrol.

To supplement those efforts, the Division has secured grant funding for an additional 9,000 hours of overtime for speed enforcement, bringing to nearly 23,000 the total hours earmarked specifically for traffic enforcement.

To improve the capability of our troopers during those hours, an additional 94 Direction Sensing Radar (DSR) units and 47 laser units were added to the speed enforcement arsenal in 2009.

The NYSP's dedicated Interstate Highway Patrols (IHPs) enforce speed limits on New York's high-speed interstate system.

Off the interstates, however, speed-related crashes on non-interstate roads remain a problem, and in 2009, the Division stepped up its speed enforcement efforts in this area with Sustained Zone Enforcement Details to complement regular day-to-day speed enforcement by post patrols in high-crash areas.

Troopers also participated in the following statewide initiatives:

- **Traffic Safety Corridor Program** — targeting aggressive driving on identified high-crash corridors in each regional troop;
- **Operation Safe Stop** — targeting violators of school bus protection laws, and
- **Operation Brake Program** — targeting speeders during high travel times in work zones in Troop T.

## Motorcycle Enforcement and Education Program

The popularity of motorcycles has exploded in recent years. Unfortunately, with this growth has come an attendant surge in the number of motorcycle injuries and fatalities, and a proliferation in the availability and use of illegal motorcycle equipment.

In the past five years, motorcycle fatalities have increased 47% in the U.S., prompting the NYSP

to implement a new Motorcycle Enforcement and Education strategy.

The program utilizes scheduled Motorcycle Safety Checkpoints in conjunction with motorcycle events and rallies.

At these mandatory checkpoints, motorcycles are inspected for equipment infractions, motorcyclists are inspected for proper licensure and regulation helmets, and riders are provided with a variety of safety information.

**In 2009**, the Division conducted 33 such details throughout the state. More than 24,000 motorcycles passed through these checkpoints and troopers issued nearly 1,700 tickets, mostly for equipment and helmet violations, and made three DWI and 26 Penal Law arrests.

In addition to the enforcement effort, in 2009 the Division bolstered its efforts to educate law enforcement professionals and motorcyclists through a variety of public training events.

These included:

- A motorcycle enforcement guide posted on the Division's Intranet (Traffic Corner);
- A motorcycle intentionally outfitted and fitted with various equipment violations, for use in training and public displays;
- Motorcycle enforcement training for local agencies, including a session at the annual Empire State Law Enforcement Traffic Safety Conference in Syracuse;
- Presentation on the NYSP checkpoint strategy at several national conferences, and
- Rider demonstrations performed by the NYSP Motorcycle Unit members at motorcycle rallies, such as the annual



**In Appreciation:** Eileen I. Langer-Smith, DCJS Program Specialist, presented Sgt. Randy A. Morehouse, Field Command Technology Unit, with an appreciation award for his efforts in developing License Plate Reader (LPR) protocol in New York State as well as his efforts in assisting DCJS with the training of municipal agencies across the state.

TIM troopers are specially trained to manage major traffic incidents and provide quick clearance of such incidents in order to avoid congestion and secondary collisions that often result.

**During 2009**, TIM Detail members issued a total of 58,576 citations for violations in and around work zone areas, a 15% increase from the year before and a 35% increase over 2007.

In addition, each Detail member was trained as a Level III Commercial Vehicle Inspector during 2009.

## Collision Reconstruction Unit

Crash scenes, like crime scenes, are often more complicated than they appear to the untrained eye, and the proper investigation of them requires skill and experience.

The CRU investigates potential crime scenes on and off the State's roadways.

Armed with their electronic total work stations (ETWSs), brake testing computers, crash data retrieval systems and calculators, CRU specialists responded to 367 serious incidents, with approximately 25% of their annual caseload being assistance to other agencies.

The unit is comprised of 17 full- and 55 part-time uniform and BCI members statewide, supervised by the Troop Forensic Identification Units (FIU).

These technicians are uniquely experienced and adept at the forensic mapping of roadway crashes and crime scenes. The forensic maps they produce can establish relative evidence positions to illustrate reports or support courtroom presentations, interpreting causation and/or determining contributory factors.

The CRU works diligently to determine criminality and exonerate the innocent. It is heavily relied upon to determine and provide facts in civil litigation.

The highly accurate and credible work of CRU members has saved over \$139 million in frivolous and unfounded civil lawsuits since 1995.

### In 2009,

- CRU Members received 10,072 hours of new and updated training.
- The Division received a grant from the

Governor's Traffic Safety Committee to identify crash causation factors and resume normal traffic flow sooner, without compromising the presence of physical evidence.

The grant focused on upgrading investigation and training efforts by improving data collection and more accurately identifying causative factors in reconstructed collisions.

This marked the first time since 1997 federal funds administered through GTSC were acquired to pursue these goals.

In addition to training, the CRU continually evaluates and acquires the latest technology for improving accuracy and efficiency.

In 2009, equipment purchases included handheld data collectors, crash data retrieval upgrades, Autostat updates, illuminated prism backers, forensic mapping licenses, new brake testing computers and portable weather stations.

Initial steps were made toward the acquisition/transition to new electronic total work stations, planned for 2010-2011.

## Impaired driving enforcement

Division efforts to combat impaired driving involve training in the detection and apprehension of violators, and public education and awareness.

All recruit troopers receive extensive training in the detection and testing of impaired drivers, and are expected to enforce the state's impaired driving laws assiduously.

They employ a variety of strategies to this end, including fixed sobriety checkpoints and roving saturation patrols, which focus

the efforts of numerous troopers in a targeted area.

In addition to seven scheduled DWI Sobriety Checkpoints, each Troop is required to conduct a minimum of one fixed sobriety checkpoint, one saturation patrol and one Underage Drinker Identification (UDI) detail each month.

**Fixed sobriety checkpoints** provide the highest degree of public visibility and deterrence.

The 200 fixed sobriety checkpoints conducted during 2009 resulted in:

- 448 arrests for Driving While Intoxicated (DWI)
- 39 arrests for Driving While Ability Impaired (DWAI)
- 19 Drug Recognition Expert (DRE) evaluations and
- 2,988 other arrests.

Meanwhile, troopers conducted 215 roving saturation patrol details, accounting for 270 DWI and seven DWAI arrests, two DRE evaluations and 3,576 other arrests.

**Technology development** continued to play a central strategic role in impaired driving enforcement efforts during 2009.

The Division's Draeger Alcotest 7110 breath testing instruments were phased out and replaced by the Draeger Alcotest 9510.

These new instruments retain the same dual analytical components as their predecessor, but utilize a dry gas reference standard rather than a wet bath reference standard. They are linked directly to the Division's information network, providing a streamlined paperwork flow and better data collection.

In addition, **during 2009**, 150 Preliminary Breath Test (PBTs) instruments (commonly called Alcosensors) were purchased and distributed to the field, continuing toward the Division's goal of having a PBT in each marked patrol vehicle.

PBTs are useful in identifying impaired drivers, and have been shown to increase arrest and conviction rates.

**Public information and education**, combined with high visibility enforcement efforts, have proven to be a strong deterrent to impaired driving.

Sadly, however, far too many young people continue to drive while impaired.

In an effort to save lives and reduce underage impaired driving crashes, the Division has established a strong working relationship with the New York State Office of Alcohol and Substance Abuse Services (OASAS).

During Academy training, OASAS instructors work to increase troopers' awareness of the prominence of alcohol in society and other issues associated with underage alcohol consumption.

OASAS funding is used to develop, print and distribute brochures and information cards to parents and underage drivers on the risks and dangers of underage drinking and impaired driving.

It also pays for the Underage Drinking Hotline (1-866 UNDER-21), which is monitored around-the-clock and continues to provide information for targeted enforcement details.

The **Underage Drinking Identification (UDI) program** is an enforcement program designed to reduce the availability of alcohol

to underage drivers.

The Division conducted 114 UDI details **during 2009**, checking Alcohol Beverage Control (ABC) law compliance at 289 bars and 1,104 retail establishments.

As a result of these efforts, 397 arrests were made for violations of the ABC law and 222 arrests for Penal Law violations.

Public tips also led to investigations at seven house parties.

## **Commercial Vehicle Enforcement Unit**

Commercial vehicle safety is an integral component of the Division's traffic safety mission.

Its Commercial Vehicle Enforcement Unit is composed of 105 highly trained men and women who specialize in motor carrier safety, hazardous materials safety regulations and size and weight enforcement.

### **During 2009:**

- The CVEU inspected more than 72,000 commercial motor vehicles and weighed more than 100,000 others, detecting approximately 121,000 violations, many for serious safety deficiencies.
- Each CVEU member averaged approximately 1,640 weighs and inspections, and on average detected 1,150 violations, many of which required the carrier to be placed out of service.

This high level of dedication and expertise is critical to improving the safety of New York's roads, highways and communities.

In the past three years, fatalities involving large trucks have decreased nearly 35% in

New York State.

CVEU members conducted numerous specialized details at New York's international border crossings during 2009 to ensure commercial motor carriers entering the United States were in compliance with federal and state regulations and laws.

As law enforcement agents, members of the Commercial Vehicle Enforcement Unit are responsible for deterring and detecting any criminal element which might be inclined to use commercial trucks in conjunction with illegal activity, including drug trafficking and acts of terrorism.

CVEU members therefore are an integral part of the State's radiological monitoring program, safeguarding major cities and the roads that service them from radiological contamination or attack.

Each CVEU member is equipped with a radiological monitor that alerts him/her to the presence of radiological materials during the course of their inspections or driver contacts.

Throughout the year, members of the CVEU addressed numerous public interest groups, educational institutions and industry associations on the subject of commercial vehicle safety.

CVEU members also provided training to other Uniform Troopers and police officers across the state to improve their competency in dealing with commercial operators.

In 2009, members of the CVEU were instrumental in providing training and guidance to the nearly 100 Traffic Incident Management (TIM) Detail members, enabling them to obtain certification as North American Standard Truck Level III Inspectors.

This training greatly expanded the pool of certified truck inspectors on the state's highways.

## Occupant protection

Seatbelt compliance surveys conducted by troopers in association with the 2009 **Buckle Up New York, Click It or Ticket**, campaign indicated 94.4% of motorists were buckled up following the enforcement effort, a record high.

The campaign is a statewide, zero-tolerance enforcement effort designed to increase restraint use and save lives.

Since its establishment in 1999, unrestrained road deaths in New York State have declined by nearly 70%.

Troopers conducted two Buckle Up New York enforcement waves during 2009, one in May marking the start of the summer travel season, the other in November, at the start of the holiday travel season.

- During the May wave, troopers issued 22,179 safety restraint citations.
- The November wave resulted in another 17,219 violations and 461 child restraint violations.

This level of commitment to occupant protection is consistent with efforts annually, which show that troopers account for 55% to 60% of all safety restraint efforts in the state.

Throughout 2009, the New York State Police conducted 597 roving or fixed safety restraint details and issued a total of 118,489 occupant restraint tickets.

To reiterate and reinforce the Buckle Up message, uniformed members also conducted public safety restraint education details utilizing the Division's seat belt Convincers and

Rollover Simulators.

These specially designed units demonstrate the vehicle and occupant dynamics of crashes, and have been a staple of the Division's educational efforts for many years.

Although New Yorkers continue to buckle up at a record rate, research shows compliance still lags among young drivers and those traveling at night. This contributes to higher rates of serious injury and death among these groups.

In 2008, the NYSP began focused occupant protection campaigns targeting nighttime and teen/younger drivers.

**During 2009**, Nighttime and Teen Safety Restraint Enforcement Details were held in troops statewide while various public information and education efforts were directed toward both at risk populations.

The **Nighttime Seatbelt Initiative** consists of at least three seatbelt check events per Troop during the late night and early morning hours, and included more than 1,360 man hours of enforcement during 32 checkpoint details in 2009.

These details resulted in:

- more than 950 vehicle and traffic law tickets, including 323 for seatbelt use and 54 for child restraint violations.  
Checkpoints were conducted in a variety of demographic and geographic areas, ranging from urban cities to rural villages.
- In addition to traffic violations, a total of 47 DWI and 80 criminal arrests were made during these details.

The **Teen Seatbelt Initiative** is a special

effort to reach young drivers and passengers, initiated during 2008.

NYSP School Resource Officers (SROs) administer the campaign in selected school districts. This concentrated awareness campaign includes such in-school components as impromptu educational seatbelt checks, brief PA announcements, educational programs dedicated to seatbelt awareness, and visual aids, such as videos, brochures and posters.

An ancillary benefit of this initiative is the personal interaction between trooper/SROs and students, which extends beyond the subject of seatbelt usage into all aspects of public and personal safety.

SROs report positive feedback from school administrators, parents and the students regarding the initiative.

In addition to the numerous accolades, the seatbelt surveys conducted around participating schools showed marked improvement, from a pre-event compliance rate of 92% to a post-event compliance rate of 96%.

National data consistently indicates that parents and caregivers still misuse or improperly install child restraint systems.

Therefore, **Child Passenger Safety** (CPS) features prominently in the Division's Occupant Protection Program.

The CPS program encompasses areas of enforcement, training and education. It is designed to reduce crash-related deaths and injuries to children from birth to age 10 from the non-use or incorrect use of child restraint devices and vehicle occupant protection systems.

The program uses 144 troopers certified as

Child Passenger Safety Technicians and six as CPS Instructors to assist parents and caregivers with child restraint installations.

CPS Technicians and Instructors put their knowledge to work through a variety of activities, including checks organized to provide parents and caregivers with education and hands-on assistance regarding the proper selection and use of child restraint systems and safety belts.

This includes monthly fitting stations available to caregivers at 21 NYSP facilities across the state.

Troopers at State Police fitting stations aided parents and caregivers with the installation of 2,737 child restraint devices during 2009.

Through the support of a grant from the Governor's Traffic Safety Committee, Troopers distributed 408 child safety seats free of charge to clients with an immediate need.

Technicians and instructors also participated in numerous educational events at hospitals, schools, day care facilities, and community firehouses.

Child passenger safety efforts were bolstered in 2009 during **Child Passenger Safety Week** (Sept. 12-19), when troopers conducted fixed safety restraint enforcement and safety restraint educational details across the state.

Troopers issued a total of 2,101 citations for safety restraint violations, including 174 for child restraint infractions.

During the multi-agency **National Seat Check Saturday**, State Police CPS technicians checked 981 seats, of which, 96% were found to have been installed incorrectly.

A total of 388 seats were provided to seat check attendees in need.

## Traffic and Criminal Software (TraCS)

What began as an electronic ticketing and accident reporting system for troopers has become the standard method of doing business for police officers throughout much of the Empire State.

Today, police officers across New York State write tickets and accident reports on a computer in their patrol car, print copies for the involved motorists and electronically transmit the data to courts and relevant state agencies.

Officers can also complete a multitude of law enforcement forms from their patrol vehicle and import case data directly into their records management systems.

The New York State Police has taken the lead in the **Traffic and Criminal Software** (TraCS) program and had deployed TraCS to more than 1,400 vehicles.

Currently, 356 agencies are using TraCS and transmitting data electronically.

**In 2009**, TraCS transmitted more than 1,968,000 traffic citations and 197,000 accident reports.

Electronic transmissions of tickets and accident reports continues to grow, breaking all previous records. Meanwhile, the TraCS team continues to add forms and functionality to the program.

The implementation of new forms and the distribution of new technology have not only increased productivity and enforcement, but have also made our roadways safer for

everyone who lives and travels throughout New York State.

Also, TraCS now supports the Division's new Draeger breathalyzer instruments, which communicate over the NYSP network, allowing for remote diagnostics and troubleshooting.

The 5th Annual TraCS Statewide Steering Committee meeting was held in Syracuse during June, with more than 100 participants representing 60 agencies from 56 counties.

These lead agencies met with representatives from the TraCS team and other state agencies with a common interest in developing and expanding TraCS.

Cases requiring extensive investigation or involving felonies are referred to the Division's primary investigative arm, the Bureau of Criminal Investigation.

In addition to conducting investigations initiated by the State Police, BCI Investigators regularly assist county and municipal law enforcement agencies that lack the personnel, expertise or materiel needed for major crime investigations.

Specialists within the BCI deal with cases related to narcotics, violent and serial crimes, child abuse and sexual exploitation, computer and technology-related crimes, bias-related crimes, auto theft, illegal gun trafficking, consumer product tampering and organized crime.

## Gaming Detail

The NYSP Gaming Detail, established in 1993 with the advent of casino gaming in New York State, consists of discrete units at four Native American-owned and operated gambling casinos around the state:

- Turning Stone Resort & Casino operated by the Oneida Indian Nation in Verona (Oneida County),
- Akwesasne Mohawk Casino, operated by the St. Regis Mohawk Tribe in Hogansburg (Franklin County),
- Seneca Niagara Hotel & Resort, operated by the Seneca Nation of Indians in Niagara Falls, (Niagara County)
- Seneca Allegany Hotel & Resort, also operated by the Seneca Nation in Salamanca (Cattaraugus County).
- The Seneca Nation opened a third casino, the Seneca Buffalo Creek Casino, in the City of Buffalo (Erie County) in 2007.

## Annual Report 2009

# BCI Details, Units, Services

Gaming Detail  
Narcotics Enforcement

Computer Crime Unit  
Violent Felony Warrant Squad  
Central Narcotics Enforcement Teams / Gun Investigative Unit  
Forensic Investigation Support Services

At present, the State Police Gaming Detail is providing a presence there with personnel assigned to the other Seneca facilities, while negotiation between the State and Seneca Nation are ongoing.

Each Gaming Detail unit maintains an around-the-clock on-site presence during all operating hours at its respective casino.

Assigned investigators perform law enforcement and public safety services on the casino gaming floor areas, and conduct criminal and non-criminal investigations, although the majority of the case load involves background investigations required by the Nation-State compacts for all employees and vendors conducting business at the gaming facilities.

These background investigations are conducted at the request of the New York State Racing and Wagering Board, which is the designated regulatory authority.

## 2009 Cases

### From the "skimmer" to the "slammer"

**Inv. Patrick J. Kinane** received a telephone call, April 7, from a Millsboro, Delaware, man whose bank had informed him of two attempts to withdraw a total of \$3,600 from his account

at the Turning Stone Casino two days earlier. From casino surveillance video, Inv. Kinane identified a suspect utilizing the Global Cash Phones to obtain credit card cash advances.

Further investigation showed the suspect had obtained more than \$9,000 in cash advances from two separate victims on April 7.

Two days later, Turning Stone cashiers recognized the suspect from disseminated photos and prevented him from obtaining an additional \$3,000 in fraudulent transactions.

The suspect was able to flee the casino before State Police personnel could arrest him, however.

Inv. Kinane then began canvassing Oneida Nation Police, U.S. Secret Service agents in Delaware and Syracuse, and gaming enforcement officials in Pennsylvania, West Virginia, Mississippi, and Missouri, uncovering a wide-ranging criminal network of credit card "skimmers" and counterfeiters.

Credit card "skimming" is a technique whereby a criminal who has possession of a customer's credit card at a restaurant, gas station or other retail outlet, runs the card through a small electronic device that reads and stores the information from the card's magnetic strip.

That data is then sold to a contact or to other criminals over the Internet who use the data to manufacture counterfeit credit cards.

From his inquiries, Inv. Kinane learned the suspect was wanted in Pennsylvania for fraudulently obtaining \$9,000 by means of the same technique, April 8.

He tracked the fraudulent credit card account numbers and identified Bank of America, Citizens Bank, Wachovia Bank and Citibank as victims.

Citibank investigators advised that their account had first been "skimmed" at a restaurant in Middleford, Delaware. Unable to locate the suspect at past residences in Maryland and New York City, Inv. Kinane requested the aid of the U.S. Secret Service, which located the suspect in a federal law enforcement database and discovered he was scheduled to appear at an immigration hearing in New York City Sept. 2 for the purpose of becoming a permanent resident.

Inv. Kinane obtained an arrest warrant for the suspect for Criminal Possession of a Forged Instrument 2<sup>nd</sup> Degree.

Coordinating with officers from the Department of Homeland Security and Immigration and Customs Enforcement, Invs. Kinane and **Michael R. Tinkler** arrested the suspect.

### Love-line fraud

A member of Turning Stone Resort and Casino Accounting Department alerted the **Oneida Casino Unit** to suspicious activity, Oct. 14, after noting an abnormally large number of \$500 gift cards had been purchased there during a fairly short span of time.

Closer inspection revealed all the cards were being bought by men from out-of-state and mailed to an address in Gloversville (Fulton County).

Inv. Tinkler obtained documentation from the casino containing the possible victims.

Each was interviewed and all related a similar series of events:



- They had met a woman through an online dating site for senior citizens.
- This led to a chat room conversation, followed by an exchange of photographs, typically involving a picture of an attractive woman, after which the suspect would note that she wanted to talk to the victim, but was low on cell phone minutes.
- She then asked the victim to purchase minutes for her and provide a telephone



**Love-line Fraud:** Above, An aerial photograph of the Turning Stone Resort and Casino property where the senior citizens online dating identity theft occurred. Left, Inv. Thomas Malone logs in evidence relative to case.

number to contact.

- When the victim called the number, he would be greeted by one of the suspect's family members posing as a cell phone company representative, who would obtain credit card and personal information from the victim, sometimes claiming the first card had been declined and obtaining a second number.
- Upon receiving the credit card information, the suspect would purchase gift cards from the Turning Stone Resort and Casino in \$500 denominations, ultimately amassing gift cards in excess of \$10,000.
  - The suspect also purchased merchandise from retail stores utilizing the stolen credit card data.

On Dec. 16, a search warrant was executed at the suspect's Gloversville residence with the assistance of the Troop G Computer Crime Unit and the C/Gloversville Police Department.

Numerous items with evidentiary value were secured, including several computers, documents used in the scheme and property illegally obtained through credit card fraud.

The suspect was charged with three counts of Identity Theft 1<sup>st</sup> Degree, one count of Identity Theft 2<sup>nd</sup> Degree, and one count of Identity Theft 3<sup>rd</sup> Degree.



**Christmas Toys and Food for the Less Fortunate:** Members of the Mohawk Casino Gaming Unit, from left, Invs. Mark K. Klosowski, Leslie A. Loran, Terry L. Covey and Jay W. Taylor assist the distribution of Christmas gifts and food boxes at St. Vincent DePaul Catholic Church, in Massena.

## Cheaters flees, but leaves his “cheating device” behind

Responding to a call for service on the Akwesasne Mohawk Casino floor, Dec. 27, Invs. Mark K. Klosowski and Jay W. Taylor found that a casino patron had attached a length of monofilament fishing line to a \$1 bill

before inserting it into the bill validator of one of the video gaming machines.

The player's intent was to retrieve his money after receiving credit on the machine. In this case, the bill validator authenticated the currency and credited the player with a dollar's worth of casino play.

When the patron attempted to retrieve the dollar bill, the validator's security features recognized the attempted theft and placed the machine into a tilt or default mode, which trapped the currency and prevented any further play on the machine.

Unfortunately, the machine was located at the far edge of the surveillance camera's view, and suspect's identity could not be established.

The investigation is continuing, and security personnel have been tipped off to yet another unsuccessful method unscrupulous gamblers can use to try to beat the odds.

## Identity theft ring rounded up

Inv. Alan J. Harshany received a complaint from the Seneca Niagara Casino Security Department, Dec. 6, that two individuals had reported multiple unauthorized \$2,000 debit transactions on their bank accounts at Niagara Falls casino.

Invs. Harshany and David Dierzba obtained a list of the transactions involving four individuals with different, but similar name variations who made numerous large debit transaction from the casino cage.

While canvassing the Niagara Falls area, Inv. Lawrence B. Colucci and Salvatore F. Caterina located two hotel rooms where the suspects had stayed. From the hotel registry records they obtained a vehicle registration.

The following day, Sr. Inv. Joseph M. Commisso and Inv. Colucci returned to check the rooms where the suspects had stayed and found that, owing to a plumbing problem, one of the rooms had not been cleaned after the suspects checked out.

With the assistance of Lt. James M. Hall, Inv. Paul Sortisio, and Troop A Crime Scene Technician Tpr. Joseph A. Raimondi (A-Niagara), investigation revealed the suspects had left numerous unauthorized cash advance receipts in the hotel room garbage can, along with other pieces of crucial evidence consistent with credit card identity theft.

The size and volume of these crimes led to the establishment of a joint task force involving the NYSP Gaming Detail (Niagara & Allegany), SIU-Buffalo and the United States Secret Service. Working in concert with casino surveillance and cage personnel, one of the suspects was located making transactions at the cage in the Seneca Niagara Casino on Dec. 11 and as a result, was arrested.

Invs. Heather E. Jackson and Michael J. Omilian of the Seneca Allegany Casino Gaming Unit were keeping watch on the casino parking lot and local motels in the city of Salamanca (Cattaraugus County), Dec. 12, for a tan van that was supposed to be carrying several subjects involved in the fraud at both Seneca Casinos.

Invs. Jackson and Omilian spotted the van at a local motel and contacted their supervisors.

Lt. Eric J. Balon, Sr. Invs. David P. Kennedy, and Todd G. Anderson responded to the scene, and along with Invs. Vincent T. Lightcap and Robert N. Anderson

Jr., began surveillance of the subjects as they traveled from the motel to the Seneca Allegany Casino and the Seneca Bingo Hall.

An inquiry to the hotel staff revealed the suspect and numerous accomplices had rented three rooms. Based on the evidence recovered previously at the hotel, federally authorized search warrants were obtained and executed on the premises and the suspects' vehicle.

Items recovered from their hotel room included an embossing machine, a card reader, several computers, a tipping machine, numerous blank credit cards, hundreds of counterfeit credit cards in various stages of production and numerous receipts.

The seven subjects were arrested and charged in federal court with production, use and trafficking in counterfeit devices, device-making equipment, and scheming and artifice to defraud a financial institution.

The defendants were found to have used counterfeit credit cards at ATM machines in the Niagara Falls and Salamanca casinos, with transactions totaling approximately \$198,700.

Additionally, on Dec. 23, during a court proceeding, Inv. Colucci recognized another of the persons involved and arrested him for the aforementioned crimes.



## Cash, Embossing Machine and Credit Card Blanks



After executing a search warrant in an identity theft investigation, investigators found cash on suspects, top left, an embossing machine used to code credit cards with raised letters and numbers, above, and numerous credit cards blanks, left. At time of arrest, the counterfeit credit cards had been used to acquire about \$198,700 from ATM machines.

and it is customary for employees to accumulate these chips for a period before cashing them in. She reported the theft to the casino and Niagara Falls Police.

Invs. Blersch and Sortisio reviewed surveillance tapes and advised cash cage employees to contact State Police personnel regarding any suspicious transactions.

A man subsequently attempted to cash in poker room and gaming floor chips at the cashier cage. His shifty demeanor and unfamiliarity with the cash cage location and procedures immediately aroused the cage employee's suspicions.

Invs. Blersch and Sortisio responded to the gaming floor and arrested the suspect. Niagara Falls police charged him with Burglary and Criminal Possession of Stolen Property.

## Let the chips fall...

A Niagara Falls detective contacted Invs. **Mark B. Blersch** and **Paul Sortisio** Oct. 7 for assistance with an case in which a female beverage server employed at the casino woke up to discover approximately \$600 in **Seneca Niagara Casino** chips were missing from her residence.

The chips had been given to her as tips,

## Narcotics Enforcement

The Division currently has more than 200 sworn members dedicated to narcotics enforcement duties statewide.

These include members assigned to:

- The five regional Community Narcotics Enforcement Teams (CNET)

- Troop Narcotics Enforcement Units (NEU) in Troops B and L,
- Five Drug Enforcement Task Forces (DETF) and specialized details throughout the state.

Their efforts annually result in the identification of money-laundering operations at home and abroad, confiscation of thousands of pounds of illegal drugs, numerous arrests and the seizure of millions of dollars of drug-tainted property and cash.

In 2009, the BCI units and DETF investigated 6,794 drug cases, including 2,955 investigations involving the sale of controlled substances.

These cases resulted in the:

- Arrests of 2,945 persons for various drug offenses and
- Seizure of:
  - 10,140 pounds of powder cocaine
  - 9,372 pounds of marijuana
  - 403 pounds of heroin and
  - 12 pounds of crack cocaine
- Seizure of:
  - \$47,438,766 in cash
  - 186 vehicles
  - 661 handguns
  - 767 long guns
  - property valued at \$3,040,728

## CNET/GIU

### Community Narcotics Enforcement Teams / Gun Investigative Unit

The New York State Police have five regional Community Narcotics Enforcement Teams (CNET) deployed across the state to help local police deal with areas blighted by drug

trafficking and related street crimes.

Through CNET, specially trained State Police undercover narcotics enforcement personnel are available upon request to assist any police agency north of New York City. CNET personnel fill a critical void for many rural, suburban and small city police departments, which typically lack the personnel or resources to maintain their own trained undercover narcotics units.

During 2009, CNET personnel:

- Made 1,317 undercover purchases
- Arrested 828 persons for narcotics and firearms offenses
- Closed 1,434 cases by arrest
- Seized \$8,843,876 in illegal drugs,
- 75 guns and 33 vehicles with a total value of \$3, 211,138.

### Gun Investigative Unit (GIU)

To help stem the trade in illegal firearms, the Division operates a statewide Gun Investigative Unit (GIU) through CNET regional offices and units in Troops B, L and NYC.

In 2009, GIU personnel:

- Seized 666 weapons
- Purchased 77 weapons
- Arrested 547 persons for narcotics and firearms offenses
- Made 529 narcotics purchases
- Seized two vehicles valued at \$47,500, along with
  - \$1, 209,968 in illegal drugs and
  - \$793,585 in cash.

## CNET/GIU-Western

CNET-Western is responsible for investigating narcotics-related crimes and assisting local police agencies in a 13-county area encompassing all of Troop A and five counties in the northeastern part of Troop E.

It works closely with these troops and DEA personnel to develop information regarding drug trafficking and initiate investigations of mid-to-upper level narcotics organizations.

### 2009 Cases

- ▶ In November 2007, a Troop E investigator contacted CNET/GIU-Western with information on narcotics and firearms crimes. CNET-Western immediately began investigating Ecstasy sales in Rochester, and eventually determined that the primary target of the investigation was receiving his product from Canada.

From there the investigation developed into a Federal Title III Electronic Eavesdropping Investigation in conjunction with the ICE, DEA, ATF, and the Rochester PD.

Ultimately, a federal grand jury returned indictments against 25 defendants for narcotics and immigration offenses.

On June 4, 2009, federal, state and local police officers from the U.S. and Canada executed the warrants, arresting 25 persons, and seizing 2,000 Ecstasy pills, 70 pounds of marijuana, two handguns and two illegal long guns.

- ▶ CNET-Western personnel and members of the State Attorney General's Office Organized Crime Task Force (OCTF)

concluded a 19-month investigation, April 30, into narcotics trafficking which began as a result of a routine traffic stop two years earlier.

Investigation led to the indictment of and arrest of 25 individuals, including the California-based ringleader, for Narcotics Conspiracy, Possession and Sale.

The leader had been arranging weekly shipments of cocaine from California to Buffalo through the U.S. Postal Service and FedEx.

- ▶ During May, CNET–Western, in conjunction with the DEA and Buffalo city police, completed a roundup on the city’s west side, arresting 22 persons for narcotics-related crimes.

Seized in the roundup were six vehicles, two firearms, \$12,000 in cash and a small amount of cocaine.

- ▶ CNET–Western concluded an investigation, Dec. 9, with the arrest of two Buffalo men for importing marijuana from Arizona and distributing it in the Buffalo area.

Working with the town of Cheektowaga Narcotics Enforcement Unit and the Niagara Frontier Transportation Police, investigators executed a search warrant at a Buffalo residence, charging the two with possessing more than 20 pounds of marijuana (Criminal Possession of marijuana 1st Degree).

## CNET/GIU-Central

CNET Central covers a 10-county region that encompasses the seven counties of Troop D, Cayuga and Seneca counties in Troop E and St. Lawrence County in Troop B.

## Annual Report 2009

- ▶ In March, CNET-Central conducted a controlled purchase of cocaine from a target in Syracuse.

A CNET Central-GIU member working undercover elsewhere subsequently observed the target in possession of approximately another 13 ounces of cocaine.

CNET members stopped the man’s car in Syracuse and seized the drugs. Investigation led to the additional arrests and seizures totaling \$112,000.

- ▶ Aug. 6 — CNET-Central members executed a search warrant in the town of Clay (Onondaga County), where they seized 8.5 pounds of processed marijuana and a growing operation in the basement consisting of 63 marijuana plants up to 6.5 feet tall.

Additional seizures included five grams of hashish and approximately \$8,500 in cash.

The husband and wife team there had three children under age 7 living at the residence.

They were arrested for Criminal Possession of Marijuana 1st Degree, Endangering the Welfare of a Child and Unlawful Growing of Marijuana.

The defendants subsequently bailed each other out using \$20,000 in cash. Investigation showed they had purchased a 2009 Lincoln Towne Car a month earlier with cash. Through asset forfeiture, the Lincoln and bail money also were seized.

Neither defendant was employed, their sole source of income being the sale of

marijuana and hashish.

- ▶ Personnel assigned to CNET–Central worked the annual Moe.Down Concert in the town of Turin (Lewis County), during September.

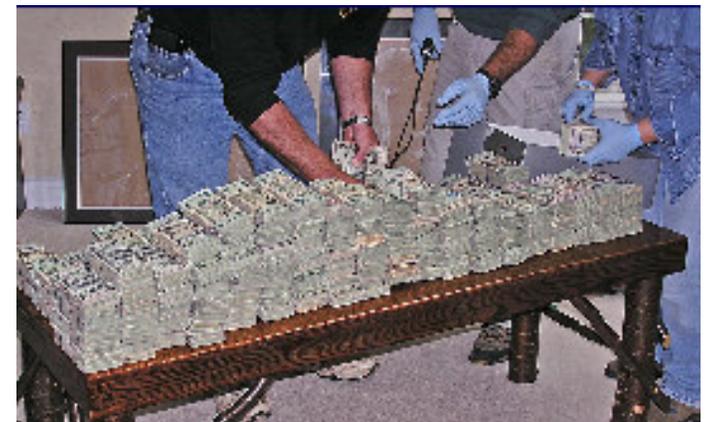
Some 8,000-10,000 people attended the event, many camping on site for the weekend.

CNET members made a total of 12 undercover buys for cocaine, marijuana, LSD, mushrooms and Ecstasy.

Seizures included:

- 15 grams of cocaine
- 150 grams of marijuana
- 52 grams of hashish
- 315 hits of LSD
- 115 grams of mushrooms
- 150 Ecstasy (MDMA) pills
- one gram of Ketamine
- 18 Nitrous Oxide tanks
- Approximately \$6,000 in cash

The detail made a total of 16 criminal and two DWI arrests.



**\$450,000 in Cash Seized:** Members of CNET-Capital and the Amsterdam and Albany city police count cash seized at the conclusion of a six-month investigation.

## CNET/GIU-Capital

CNET-Capital is responsible for investigating narcotics-related crimes and assisting local police agencies within a 15-county region encompassing all of Troop G and portions of Troops B, F and K.

- ▶ CNET-Capital personnel, along with Amsterdam and Albany city police concluded a six-month investigation into cocaine distribution in Albany, April 15, with the execution of two search warrants and the seizure of:

- \$450,000 in cash
- Half a kilogram of cocaine
- A pistol grip-equipped shotgun
- Two vehicles

One subject was arrested for 3rd Degree Criminal Sale of a Controlled Substance and 2nd Degree Criminal Possession of a Controlled Substance.

- ▶ CNET—Capital personnel arrested two subjects for Criminal Possession of a Controlled Substance 3rd Degree, May 21.

The subjects, arrested in the city of Albany, were in possession of 2,000 bags of heroin at the time of arrest, worth an estimated \$40,000 on the street.

- ▶ During June, the CNET-Capital members working with the Capital District DETF (housed at the DEA- Albany office) assisted Illinois State Police and the DEA Task Force in Illinois with a controlled delivery of 334 pounds of marijuana.

As a result, members were able to arrest three persons on federal drug conspiracy and possession charges.

Members also seized:

- Approximately 400 pounds of high-grade marijuana
- Two vehicles, including a box trailer
- \$1,473,543 in cash from a residence in the town of Wilton (Saratoga County)
- \$154,283 from the bank account of one of the defendants.

CNET also provided the DEA in San Francisco with information leading to the seizure of an additional \$610,000 in cash from a defendant's residence in California.

- ▶ CNET-Capital concluded a six-month wiretap investigation into marijuana and cocaine distribution in Schenectady County, Aug. 6, with the arrest of three persons in Schenectady and Rotterdam, resulting in the seizure of:

- \$65,000 in cash
- 10 pounds of marijuana
- Two handguns
- Three stun guns
- A large amount of construction materiel stolen from several locations in Saratoga County.

- ▶ In October, CNET-Capital and the Albany Safe Streets Task Force headed by the FBI concluded a lengthy investigation with the unsealing of 25 federal Indictments charging members of the "Original Gansta Killers" (OGK) street gang with RICO Conspiracy, Drug Possession with Intent to Sell, Drug Conspiracy and street gang enhancement.

This multi-agency investigation was a spin-off from the "Cocaine Cowboys"



**Multi-agency Investigation Succeeds:** Members of CNET-Capital assigned to the Capital District DETF and Illinois State Police and DEA Taskforce worked together to seize over 400 pounds of marijuana and one million dollars in cash.

investigation of 2007.

Many of the defendants in this case are suspected of being involved in shootings and acts of violence in and around the city of Albany.

## CNET/GIU-Hudson Valley

The CNET-Hudson Valley Office and CNET-Campbell Hall (formerly known as the Mid-Hudson Drug Enforcement Task Force) investigates narcotics-related crimes and assists local police agencies in a seven-county area that includes Troop K and three counties in Troop F.

- ▶ On May 12, CNET/GIU-Hudson Valley, working in conjunction with the Westchester DEA Task Force, seized 9.5 pounds of crystal methamphetamine on 1-84 in the town of Montgomery (Orange County).

The GIU and the Westchester DEA

office had received information that four subjects from Arkansas were attempting to distribute the drugs in the Middletown/Walkill area.

The four suspects were arrested for Conspiracy to Distribute Methamphetamine and turned over to the DEA office in White Plains for arraignment in the Southern District of New York in Manhattan, then remanded to jail without bail.

- ▶ CNET-Hudson Valley developed an informant who could purchase crack and powder cocaine from multiple sources in the town of Pleasant Valley and the city of Poughkeepsie (Dutchess County).

During Phase I of this investigation, three undercover purchases were made, resulting in the arrest of the supplier, seizure of his pickup truck and \$10,654 in cash and a quantity of crack cocaine.

The defendant was charged with Criminal sale of a Controlled Substance 3<sup>rd</sup> Degree and received a four-year prison sentence.

Phase II of the investigation focused on a subject identified as a courier for a major drug dealer — one of the 10 most sought-after criminals in Dutchess County, and a mid-to upper-level heroin dealer who also was selling stolen property, possibly including guns.

A CNET-Hudson Valley investigator led a multi-agency investigation in this person's organization, resulting in eight undercover controlled purchases of heroin.

On Feb. 11, two search warrants were executed and three defendants were arrested, including the courier.

Associated seizures included:

- 1,710 decks of heroin (1.38 pounds)
- 16 grams of marijuana
- Numerous pistols, shotguns and rifles
- \$3,505 in cash
- \$866 in counterfeit money
- Assorted ammunition
- Two vehicles

The supplier was arrested in San Diego by a local sheriff's fugitive warrant task force and extradited back to Dutchess County.

On June 30 he was sentenced to nine years in state prison.

## CNET/GIU-Southern Tier

CNET-Southern Tier handles undercover narcotics investigations in a 10-county area along the northern border of Pennsylvania.

- ▶ A CNET-Southern Tier investigation involving a Buffalo narcotics peddler led to an offer by the subject during August to cooperate as an informant in the search for a man wanted for murder in Buffalo and a stabbing in Rochester.

The suspect was known to have fled from Rochester to Puerto Rico.

The informant made multiple controlled calls to, and ultimately met with, the suspect's sister in Buffalo, and subsequently agreed to wire money to the him.

As a result, on Aug. 22, members of Troop A VFW, the Buffalo PD and the Marshals Service arrested the wanted subject in Puerto Rico.

- ▶ In August 2009, members of CNET Southern Tier received information

regarding several subjects involved in the manufacture and distribution of large quantities of methamphetamine in the Broome County area.

Combining information from several sources with physical and aerial surveillance, investigators obtained search warrants and on Sept. 9 CNET-Southern Tier, along with the NYSP SORT/CCSERT and Endicott police, raided two locations in Broome County, seizing:

- More than two ounces of processed methamphetamine
- Approximately three gallons of ethamphetamine oil
- Numerous components used to manufacture methamphetamine
- Drug paraphernalia,
- Surveillance cameras
- A stun gun
- Approximately \$8,200 in cash.

Two suspects were arrested and charged with Criminal Possession of a Controlled Substance 2<sup>nd</sup> Degree, one with three counts of Criminal Possession of a Weapon 2<sup>nd</sup> Degree, and one with Criminal Possession of a Controlled Substance 7<sup>th</sup> Degree.

- ▶ In October 2008, CNET-Southern Tier and Elmira police Department began investigating the "Down South Boys" — a group of violent men from South Carolina and Florida who were importing and distributing cocaine in the Elmira area.

During the investigation, members of the "Down South Boys" got into a confrontation with a group of local toughs, resulting in exchanges of gunfire that killed

an innocent resident of a local housing complex.

The persons responsible for the killing were arrested after an investigation by the Elmira PD and NYSP Troop E Major Crimes Unit.

The year-long investigation ultimately climaxed in December 2009 with multiple raids and arrests in the city of Elmira, resulting in six arrests and the seizure of large quantities of cocaine and marijuana, an assault-style rifle, large quantities of ammunition, a bullet-proof vest, cash and vehicles.

## Computer Crime Unit

Criminal investigation and police technology must change continually to meet the relentless demands imposed by today's technically sophisticated criminals.

Today, every law enforcement officer must be aware of information that can be stored on computers, or found on the Internet and in mobile computing devices, and must have ready access to the investigative resources needed to identify and preserve it.

The NYSP Computer Crime Unit (CCU) was founded in 1992 to address this need.

Headquartered at the NYSP Forensic Investigation Center (FIC) in Albany, it is today a statewide detail dedicated to providing expert support in all criminal investigations involving technology, from the use of

computers by pornographers and predatory pedophiles, to cyber-crime in all its forms, including consumer/credit card fraud, theft of funds by electronic transfer and money laundering.

CCU members are recognized leaders in advancing computer investigative and forensic procedures, and continue to develop and deliver training programs for the law enforcement community and the public.

CCU investigators are deployed regionally to enhance the investigation of traditional crimes that increasingly involve the use of the Internet and computing devices.

Detail members target increasingly sophisticated cyber criminals who are perpetrating crimes against citizens, such as online fraud and ID theft, and respond to and investigate cyber attacks on the critical infrastructure of New York State.

CCU personnel also are dedicated to the Internet Crimes Against Children Task

Force (ICAC), and coordinate statewide investigations involving the online exploitation of children.

The detail's state-of-the-art mobile laboratory also enables the CCU to deploy its resources swiftly anywhere in the state to support any law enforcement agency.

**In 2009**, the Computer Crime Unit received the Superintendent's Unit Citation Award in recognition of its efforts and achievements.

### Protecting our children

The Internet Crimes Against Children (ICAC) Task Force coordinates statewide investigations into predators who seek to exploit and victimize children through the use of computers and the Internet. ICAC investigative staff conduct proactive investigative activities on the Internet, locating and identifying criminals who are becoming increasingly sophisticated about hiding their activities.

New York State has one of the most successful Internet Crimes Against Children Task Forces in the country, ranked in the top three nationally with more than 1,000 referrals from the National Center for Missing and Exploited Children.

**During 2009**, the Task Force and its affiliates arrested 207 individuals for felonies involving the online sexual exploitation of children.

ICAC members also deliver education and training activities to students, teachers, and parents. These activities build a



**Superintendent's Unit Citation Award:** Supt. Harry J. Corbitt (retired) poses with CCU Detail Commander Capt. Frank Pace (seated second from left) and members of the Computer Crime Unit after CCU received the 2009 Superintendents Unit Citation Award.

rapport with the schools that lead to earlier detection of child predators in support of ICAC investigations and provide faster response to threats of violent activities in our schools.

**During 2009**, the task force and its affiliates conducted 188 such presentations to more than 22,500 students, parents and teachers.

### **Forensics and digital evidence**

Digital evidence is being used with increasing success in criminal prosecutions.

The CCU's Computer Forensic Laboratory is developing the capacity for increased casework involving drug trafficking, illegal firearms, identity theft and Internet fraud. It also continues to develop digital evidence into an accredited discipline in New York State.

Elsewhere, the ever-increasing presence of cellular telephones and personal digital devices in society has inevitably led to their integral involvement in major crimes.

The CCU's specialized personnel and expertise provide a ready forensic resource to investigators who encounter such devices in the course of probing these crimes.

### **Cybercrime and infrastructure response**

Identity theft and fraud affect the financial security and privacy of citizens and businesses. Proactive investigative activity on the Internet targets organized criminals involved in these activities.

CCU investigators are partnering with federal agencies in initiatives like the Internet Crime Complaint Center, which work to identify and arrest high-tech criminals.

Another high-priority area of CCU involvement

is investigation of, and response to, incidents where organized criminals or terrorists seek to disrupt our computer systems and networks, steal intellectual property or compromise the private information of our government and citizens.

In cases involving threats to domestic security, CCU investigators work closely with the NYSP Office of Counter-Terrorism, the NYSP Counter Terrorism Intelligence Unit, and the New York State Intelligence Center (NYSIC), as well as the NYS Office of Cyber Security and Critical Infrastructure Coordination, to provide an effective statewide



**Computer Forensic Network SANS:** Inv. Barry Friedman (CCU/CFL) configures the forensic network computer of the CCU Computer Forensic Laboratory.

response.

CCU investigators also are in demand for training and outreach activities, lectures and interviews within the State Police, to other law enforcement agencies, and to the news media.

## **2009 Cases**

### **Computer Forensic Laboratory**

- ▶ In September, Computer Forensic Lab analysts working on a child pornography investigation identified backup files for an iPhone on the hard drive of one of the items in evidence.

The analyst methodically recovered text messages between the defendants — a husband and wife — detailing how they were sexually abusing their children, including evidence they used medication and alcohol to drug the children prior to performing the acts.

The husband pleaded guilty to federal charges and faces life in prison. The wife's case is pending.

- ▶ During October, Computer Crimes Unit (CCU) analysts began examining a case involving digital media seized in Troop D.

The defendant had provided a statement confirming his involvement with the possession of child pornography, but maintained none would be found on his computer owing to the thoroughness of utilities he had used to eradicate it after viewing.

CCU analysts utilized forensic software to carve through unallocated areas of the media and managed to locate more than 40 child pornography videos and several

images.

The analysts located additional information about files that had been stored on the system that coincided with other reports, thereby demonstrating the videos and images of known child pornography had been on the system.

### **ICAC Task Force**

- ▶ Investigators assigned to the Internet Crimes Against Children (ICAC) Unit received a tip that a man had traded online child pornography.

A search warrant was executed at a location in Yonkers, May 6, during which computers, hard drives and external media were seized.

Forensic preview of one of the computers revealed numerous videos containing child pornography.

A Yonkers man was arrested and charged with Possession of an Obscene Sexual Performance of a Child and remanded to Westchester County Jail.

- ▶ The ICAC Unit began an undercover investigation of a man who expressed a desire to engage in sex with a 13-year-old girl.

An investigator posing as a 13-year-old girl engaged the suspect in conversations which, over time, became progressively sexually explicit.

The suspect, identified as an Ohio lawyer and high school girls basketball coach, asked for sexually explicit images of the "girl" and stated that he had had sex with a student.

The FBI and U.S. Attorneys Office in

Ohio were notified and a search warrant obtained.

The suspect was arrested in Ohio and charged with Possession of Child Pornography and production of Child Pornography.

Investigation revealed he had tried to entice several other teenage girls around the country into meeting him for sexual contact.

- ▶ July 20 — The ICAC Task Force in Albany concluded a three-month investigation with the U.S. Attorney's Office, Northern District of New York, into the distribution and possession of child pornography.

Investigators executed a total of 18 federal search warrants across Troops G, K, F, C and D, arresting 21 subjects with the assistance of federal, state and local police.

In addition to child pornography, investigators also seized weapons and drugs, and initiated a sexual abuse case which previously had been unreported to law enforcement.

- ▶ July 15 — Concluding a case in which a State Police investigator posed as a 13-year-old Albany girl, investigators from the ICAC Task Force concluded a seven-month online chat-room undercover investigation with the arrest of a Nassau County man who had sent pornographic pictures to what he thought was a young girl and requested that she meet him at a train station to engage in sex.
- ▶ In August, investigators from Troop E arrested an 18-year-old man subsequent to an investigation initiated by CCU into

a "peer-to-peer" file-sharing arrangement involving child pornography.

The suspect was employed by the Corning YMCA in its Child Watch Center, a short-term child care program used by YMCA members.

He was charged with Criminal Sexual Act 1<sup>st</sup> Degree after investigators discovered video and photographic evidence that he had sexually abused infants and children he was supervising in the center.

The Corning YMCA assisted in identifying possible victims.

The Steuben County District Attorney and the FBI are reviewing the case for further criminal prosecution.

- ▶ In September, an investigator from SP Elbridge in Troop D informed ICAC he had been contacted by a mother who reported her 15-year-old daughter had engaged in sexual conversations online and exchanged explicit photos with a 24-year-old man from Long Island.

Posing as the 15-year-old, ICAC contacted the man, engaged in similar conversations and agreed to meet him at a train station in Syracuse so they could go to a motel together.

When the suspect arrived at the station, SP Elbridge and ICAC personnel arrested him. He was committed to the Onondaga County Jail.

### **Critical infrastructure response**

- ▶ In March, members of the Cybercrime and Infrastructure Response Section received a complaint from the State Office of Cyber Security regarding a "phishing"

attack against SUNY-Albany students and faculty members.

Harvested user credentials were used to access victims' systems and use them to distribute spam e-mail.

Victims were directed to a fake U-Albany webmail update site where they were instructed to enter their username and password.

The Internet Protocol (IP) address of the spoofed site resolved to an Internet Service Provider (ISP) in Arizona, and the remote log-ins appeared to originate from an ISP in Texas.

Investigation by CCU members identified the IP addresses were from compromised computers, and e-mail correspondence was located that showed the user credentials ultimately were transmitted to Eastern Europe.

CCU is working with federal agency partners to improve the investigation of complaints such as this, which link to multiple foreign countries.

## CCU-Central

- ▶ The Onondaga County Sheriffs Department Abused Persons Unit (APU) contacted CCU-Central during August regarding an investigation into a Madison County man, alleged by a 14-year-old boy to have viewed child pornography on a computer in his residence.

CCU prepared and executed a search warrant which resulted in the seizure of multiple items of digital media. The suspect denied all allegations against him. He was released, and CCU began the process of

analyzing the evidence.

It subsequently discovered photos of the man engaged in sexual conduct with what appeared to be an underage male.

It was determined that the suspect had sexually assaulted numerous children under the age of 16 over the previous 10 years.

He later admitted to producing pornographic images with one of his victims.

CCU members arrested him Sept. 18 on federal charges of producing child pornography and turned him over to the United States Marshals.

- ▶ Nov. 24 — CCU-Central members accompanied by personnel from SP Watertown (Troop D), executed a search warrant in the town of Evans Mills based on an undercover investigation initiated by a NYSP ICAC Task Force member into the trading of child pornography via peer-to-peer networks.

During that probe, the investigator observed an internet protocol address registered to the suspect advertising files containing child pornography for download.

A search warrant for the residence was prepared and executed, resulting in the seizure of two computers, two digital cameras, two external hard drives, and assorted digital media.

A forensic preview of one hard drive disclosed numerous files containing child pornography.

The suspect admitted using a website to download child pornography, was arrested

for two counts of Promoting a Sexual Performance by a child, arraigned in the Town of Le Ray Court and remanded to the Jefferson County Jail in lieu of \$50,000 cash/bail.

- ▶ During December, CCU-Central members executed a search warrant in the town of Russia (Herkimer County) stemming from an online undercover investigation into an IP address advertising child pornography files on a peer-to-peer network.

A search of the residence resulted in the seizure of a computer, brass knuckles, marijuana plants and assorted drug paraphernalia.

Investigators obtained a written statement from the suspect indicating he regularly used file-sharing software to download and view child pornography.



**Critical Incident Response Vehicle:** Inv. Ryan Kubasiak (CCU/CFL) conducts analysis within the CCU Mobile Response Vehicle.

He was charged with:

- Promoting a Sexual Performance by a Child,
- Criminal Possession of a Weapon
- Unlawful Possession of Marijuana
- Unlawful Growing of Cannabis

He was committed to Herkimer County jail on \$5,000 bail, \$10,000 bond.

- ▶ CCU-Central analysts received a complaint in December that a computer donated to a local church contained images of child pornography.

A forensic preview of the machine was inconclusive, and arrangements were made to interview the donor, an over-the-road truck driver. At his house, investigators noted a second computer.

Although a consent preview of that device yielded no contraband, the suspect made admissions regarding sexual encounters with juveniles while on the road, and with an underage relative between 2002 to 2006.

He was charged with Course of Sexual Conduct 2nd Degree and committed to the Tompkins County Jail in lieu of \$10,000 cash.

### **CCU-Western**

CCU – Western received a request for assistance from the Schuyler County Sheriffs Office regarding an assault/robbery investigation.

The sheriff's office asked for information regarding any online presence by the suspect.

Images of the suspect found on a social networking website revealed him wearing distinctive eyeglasses that matched ones

recovered at the crime scene.

Screen captures of the images observed in the suspect's web page were secured, and the lead results were turned over to the Schuyler County Sheriffs Office for further review and investigation.

### **CCU-Southern**

CCU-Southern conducted a preview exam in April on a laptop computer obtained from a residence in the Bronx by the Special Investigations Unit (SIU) in a money laundering investigation.

The exam not only located scanned images of deposit slips from banks in the New York City area, but deleted files found to contain names and bank account numbers.

This information was reported to SIU on April 10, and by April 13 investigators had seized more than \$600,000, with the potential of more than \$3 million in drug money to be seized in the future, based upon data recovered from the computer.

### **CCU-Northern**

CCU–Northern and Troopers from SP Guilderland (Troop G) culminated a yearlong investigation into an online stalking and harassment case with the execution of search warrants at a Guilderland (Albany County) residence.

A resident there was using AIM in the harassment and stalking of a woman. The defendant admitted to sending the messages.

Several items of digital evidence seized at his residence showed he had used over 75 different screen names to send thousands of harassing messages to the victim and other unidentified individuals.

He was charged with Stalking 3<sup>rd</sup> Degree and Aggravated Harassment 2<sup>nd</sup> Degree and remanded to jail in lieu of bail.

## **Violent Felony Warrant Squad**

Established in 1979, the Division's regionally based Violent Felony Warrant (VFW) Squads are responsible for apprehending violent criminals who flee prosecution or evade arrest.

They assist local police departments lacking the resources or staff to conduct their own warrant enforcement efforts, and will pursue any violent felony warrant anywhere in the state, if requested.

VFW coordinates reciprocal warrant enforcement efforts with law enforcement agencies across the country, an important element for investigators seeking fugitives in today's highly mobile society.

On any given day in New York State, there are more than 250,00 active warrants outstanding, of which more than 80,000 are for "violent felonies."

The VFW Squad:

- Accepts all cases defined as violent felony offenses under New York's crime classification system:
  - Homicide
  - Sexual assault
  - Felony narcotics
  - The most serious degrees of assault, robbery, burglary, arson and kidnapping
- Pursues prison escapees, felony parole violators and "major offenders" — persons

whose individual offenses may not be violent, but whose collective criminal histories warrant special attention.

- Assists federal, state, local and out-of-state agencies in their investigations and arrests of wanted subjects.

VFW members, cross-designated “special deputy United States marshals,” are active participants in the New York/New Jersey Regional Fugitive Task Force’s three Federal Judicial District Divisions encompassing the state of New York.

This gives the VFW access to the vast technological and financial investigative resources of the federal government.

The VFW Squad is dedicated to, and continues to participate in, statewide Operation IMPACT initiatives, Operation Rolling Thunder, “Crime Stoppers” and other national/local criminal apprehension efforts.

**During 2009**, the VFW Squad served a total of 2,335 violent felony warrants statewide, including 133 from out-of-state and 1,715 issued by local law enforcement agencies.

## 2009 Cases

### VFW-Buffalo

- ▶ On June 15, VFW-Buffalo investigators met with representatives from the Amherst PD, who requested assistance locating and apprehending a 24-year-old man responsible for the shooting death of a 21-year-old Buffalo man, May 25.

With the assistance of U.S. Marshals, two court-ordered pen registers were obtained and numerous leads pursued.

On June 26, VFW members and a

contingent of Amherst and Buffalo police officers moved in on the suspect’s hideout and took him into custody without a struggle.

The Buffalo PD Homicide Squad contacted VFW-Buffalo, Aug. 7, for help locating and arresting a 35-year-old man wanted for the execution-style murder of a 23-year-old man in Buffalo, July 31.

The suspect also was identified as the perpetrator in a stabbing in Rochester, Aug. 2.

VFW-Buffalo developed information, confirmed by an informant working with CNET—Western, that the suspect was in Puerto Rico.

On Aug. 20, VFW members working with the U.S. Marshals Regional Fugitive Task Force flew to Puerto Rico where, after an intense manhunt, they took the suspect into custody without incident.

- ▶ VFW-Buffalo joined members of the U.S. Marshals Service’s Regional Fugitive Task Force in responding to a “Crime Stoppers” tip during October.

A 27-year-old man wanted by Buffalo police for Robbery, Criminal Possession of a Weapon, Assault and Criminal Possession of a Controlled Substance was believed to be staying at his brother’s home in Buffalo.

This information proved incorrect, but the brother’s voluntary consent to search the residence resulted in the seizure of:

- A loaded AK-47 assault rifle
- A loaded .22-cal. rifle
- A small quantity of cocaine
- Packaging materials

- Three scales
- Crack pipes and spoons with drug residue.

Subsequent information placed the fugitive at the home of another brother, where he was located, but refused to come out.

A perimeter was established, and when officers threatened to make a forced entry, the fugitive began throwing incriminating evidence out the windows, including:

- Bags of cocaine (more than nine ounces)
- A .22-cal. Carbine with a pistol grip
- A banana clip loaded with 27 rounds of ammunition.

Forced entry was effected and the fugitive, along with five other subjects, was taken into custody.

Additional charges of Criminal Possession of a Weapon, Criminal Possession of a Controlled Substance, Reckless Endangerment and Obstructing Governmental Administration were lodged.

The fugitive has two prior convictions for violent felony offenses.

- ▶ During November, a 61-year-old Buffalo resident sitting on his front porch was struck in the eye and killed by a stray .45-cal. bullet.

Buffalo police developed information that a 22-year-old Buffalo man, involved in a shooting nearby, had fired the fatal shot. Investigators from VFW-Buffalo arrested the shooter.

Buffalo detectives learned the shooter’s car had been damaged in the incident and was being repaired. They seized the

vehicle and interviewed the repairman, a friend of the victim.

The repairman was murdered four days later and burned in his vehicle.

Investigators were able to get the suspect to confess to the original shooting, but he denied guilt in the other case and has not yet been charged with that homicide.

The case is ongoing.

### **VFW- Binghamton**

- ▶ **Invs. Robert Delgiorno and Mark Cave** (VFW-Binghamton) were en route to the U.S. Marshals Office in Binghamton, April 3, when they monitored Broome County 911 dispatching all available units to a mass shooting at the American Civic Center. Approximately 100 persons were in the building at the time.

Invs. Cave and Delgiorno responded to the call for help and assisted in the evacuation of approximately 30 persons from three buildings north of Civic Association building.

Then they joined other police officers in manning a perimeter position as local SWAT teams entered the building to search for the shooter and assist any victims inside.

- ▶ Members of the VFW-Binghamton assisted state parole officers and uniformed members from the Vestal PD, Sept. 16, in locating and arresting a member of the "Bloods" street gang, wanted for Assault 1<sup>st</sup> Degree in conjunction with a shooting following a dispute over drugs and money in Riverhead (Suffolk County).

At the time of arrest, the gunman was in possession of crack/cocaine and Ecstasy pills.

### **VFW-Syracuse**

- ▶ **Invs. Mark Dembrow and William Kiernan** (VFW-Syracuse) assisted members of the NY/NJ Regional Fugitive Task Force, Dec, 30, in arresting a Utica man wanted for 2<sup>nd</sup> Degree Murder in conjunction with a November 2007 shootout between two gangs over an attempted drug ripoff.

Two persons died in the firefight and several others were wounded.

The fugitive had initially been treated as a victim when he was interviewed initially at the hospital, and was later indicted by a grand jury after it was learned he was in fact one of the persons involved in the Attempted Robbery that precipitated the shootout.

He was taken into custody without incident at his girlfriend's residence in Utica.

- ▶ VFW-Syracuse and NY/NJ Regional Fugitive Task Force personnel arrested a Philadelphia man, Jan. 26, wanted by Philadelphia police for 1<sup>st</sup> Degree Murder in a case featured on the Fox Network television program "Americas Most Wanted."

The case involved an argument that escalated into a shooting death outside a Philadelphia restaurant, April 8, 2007.

After an all-day surveillance at several locations in the Watertown area by the task force, the fugitive was seen leaving

a residence in Adams (Jefferson County) and was taken into custody in the driveway without incident.

He was arraigned as a Fugitive from Justice in Jefferson County Court and jailed pending extradition to Pennsylvania. Investigation revealed he had been living in this upstate New York community for approximately eight months.

- ▶ On May 29, personnel assigned to VFW-Syracuse assisted the Utica and New York City offices in apprehending a 53-year-old man wanted by U.S. Immigration and Customs Enforcement for Illegal Entry after Deportation.

The subject also was wanted by authorities in Colorado for being part of a criminal organization operating illegal brothels in the Denver area.

Investigative personnel tracked him to a residence in Utica where, after a brief struggle, he was arrested and transported to Manhattan for arraignment.

### **VFW-Rochester**

- ▶ Rochester police requested VFW assistance, Jan. 5, in locating and apprehending a suspect in a triple murder eight days earlier.

After two days of surveillance, investigators spotted the man leaving his mother's home in a van with two other subjects. Rochester police stopped the van, and a tactical unit and members of the VFW took him into custody.

In his possession was a stolen, loaded .357-cal. revolver. The fugitive confessed to a total of four murders, including that of a

man on Christmas Eve, 2008.

He was indicted by a grand jury and remanded to the Monroe County Jail.

- ▶ Rochester police asked VFW-Rochester for help with surveillance at two locations, May 18, in the search for a 17-year-old wanted for shooting to death a 22-year-old woman, Dec. 26, 2007.

VFW members teamed up with Rochester police for surveillance on the city's northeast side.

The suspect was observed exiting a residence on Avenue D and taken into custody without incident.

- ▶ During June, VFW-Rochester assisted U.S. Marshals with "Operation Falcon IV," a multi-agency warrant detail consisting of the Rochester PD, the Monroe County Sheriff's Office, the NYSP, New York State Division of Parole, and the Monroe County Probation Department.

The detail commenced June 22 and lasted five days.

During the week, team members arrested 104 wanted persons, closing out 72 felony arrests, 69 misdemeanor warrants and four violations.

A similar detail was run in the Capital District, resulting in the arrests of 86 wanted persons.

- ▶ July 29 — The VFW Squad assisted the Monroe County Sheriff's Department with the execution of a sealed indictment arrest warrant for a 26-year-old man wanted for 2<sup>nd</sup> Degree Murder in the shooting a 23-year-old Rochester man.

He was taken into custody at a residence

in the town of Gates without incident and remanded to jail without bail.

- ▶ On July 1, Rochester police once again requested the assistance of the VFW squad, this time with the surveillance of a man wanted for the Sept. 13, 2008, murder of a 21-year-old Rochester woman.

Members established surveillance on a residence in the city's west side. The suspect was spotted, tailed and eventually taken into custody without incident after a traffic stop.

The case was featured on the cable television program, *Crime 36*.

### **VFW-New Hampton**

- ▶ VFW- Brentwood (Troop L) contacted VFW-New Hampton for assistance in locating and apprehending a man wanted for 1<sup>st</sup> Degree Assault in a shooting case. Investigation revealed he had fled Long Island.

With the assistance of the U.S. Marshals Service Technical Surveillance Unit, investigators traced the man's cell phone to an apartment in town of New Windsor.

He was found hiding in a hallway closet.

- ▶ A lone gunman robbed the Bank of America branch in Pine Island (Orange County), Oct. 15, and escaped with more than \$18,000 in cash.

The following week, the Warwick Police Department requested assistance from VFW-New Hampton.

Information was developed that a 27-year-old man was involved in the robbery. VFW members located his vehicle while

checking motel parking lots in Wallkill, Oct. 28, and took the man and his girlfriend into custody without incident.

He confessed to the holdup and said he and his girlfriend had spent almost half the proceeds on a five-day spree in Hawaii immediately after the robbery.

The remainder of the cash was recovered at the time of arrest.

### **VFW-Loudonville**

- ▶ Working with the NY/NJ Regional Fugitive Task Force, VFW-Loudonville assisted the New York City Police Department's Violent Felony Warrant squad with two separate murder arrests in Albany, Jan. 28.

First, investigators cooperated with the U.S. Marshals Service Electronics Unit to track a 22-year-old man wanted by the NYPD for shooting a 14-year-old boy in Brooklyn.

He was located and taken into custody without incident.

Later, they located a 21-year-old man wanted by the NYPD 83rd Precinct Detective squad for two counts of one count each of 1st Degree Murder, 1st Degree Assault, Assault 2nd Degree and 1st Degree Robbery.

Investigators found him hiding in an Albany motel room.

- ▶ On Christmas day, VFW-Loudonville investigators, working in conjunction with the NY/NJ Regional Fugitive Task Force, located and arrested a 24-year-old male wanted by New York City Police for Attempted Murder 2<sup>nd</sup> Degree.

The subject was taken into custody in Troy

and returned to New York City pending further adjudication.

### **VFW-Brentwood**

- ▶ Members of the NY/NJ Regional Fugitive Task Force, Brooklyn Office, contacted VFW-Brentwood, March 16, for help in locating Texas man wanted for murder.

The fugitive an “18th Street” gang member, had met with the victim, an “MS-13” gang member, at a Houston restaurant for the purpose of purchasing cocaine and later stabbed the man to death and dumped his body in a wooded area.

The killer and two associates subsequently were arrested and charged with Murder, but he fled the state of Texas after posting \$50,000 bail.

Information developed revealed he was in Brooklyn, possibly operating a vehicle registered to a Hempstead, Long Island, woman.

Investigators staked out the woman’s house and checked area parking lots for the vehicle. They found it at an apartment complex lot and established surveillance.

Several hours later they saw the fugitive approach, and took him into custody without incident.

He was turned over to the U.S. Marshals Service for processing and extradition to Texas.

- ▶ Task Force officials requested VFW assistance again, Aug. 26, this time in the case of a Naples, Florida, man wanted for Attempted Murder 1<sup>st</sup> Degree in a 2001 stabbing incident.

Based on information from Florida, investigators set up surveillance in Queens, where they spotted several people loitering in a garage.

Members entered the garage, identified the fugitive and took him into custody without incident. He was turned over to NYPD.

### **VFW-Montrose**

- ▶ On July 13 in the city of Poughkeepsie, a man known as "Murder 1" went on a one-man crime spree, committing two gunpoint robberies, in which he stole money and drugs from the victims, and later shooting the occupant of a parked car three times through the driver’s side window. The victim died at the scene.

Poughkeepsie police contacted the VFW for help in locating and apprehending the killer.

The Technical Surveillance Unit of the U.S. Marshals Service tracked him to a residence in the city of Poughkeepsie, where members of the VFW, Poughkeepsie PD and the Marshals Fugitive Task Force arrested him, July 20.

Additional arrests were made at the residence of other subjects wanted on local warrants.

- ▶ VFW members and U.S. Marshals from the Regional Fugitive Task Force arrested a Bronx man, Aug. 18, wanted by the NYPD for Assault and Violation of Parole in conjunction with an incident in which an innocent bystander had been shot.

The intended target was unharmed.

The fugitive had been on parole for Robbery and Rape at the time of the shooting. Investigators located and the

man and took him into custody without incident.

## **Forensic Investigation Support Services**

The State Police has developed an array of specialized investigative services to meet the challenges posed by today’s highly mobile and technically sophisticated criminals.

These Forensic Investigative Support Services, based in Albany, provide the state’s entire law enforcement community with a multifaceted resource for criminal evidence examination, analysis and cold case review, and have facilitated the resolution of some crimes which have gone unsolved for many years.

### **Forensic Imaging Unit**

The Forensic Imaging Section provides the Division a battery of highly specialized skills for enhancing images used in conjunction with investigations, such as creating age progressions on photographs of missing or wanted individuals, or updating their hairstyles, clothing, and cosmetic features such as eyeglasses and facial hair.

It also assists the Medico-Legal Investigations unit by using computers to enhance and clarify photographs of abuse victims, corpses, bruises, bite marks and other crime scene visual/photographic evidence.

The physiognomic reconstruction of unidentified skulls is a unit specialty, where facial features are created over the top of a skulls landmark features resulting in a facial likeness of photographic quality.

To further the identification process, once a missing subject is identified as a possible match, the technique of superimposing a photographic image of the missing person over the unidentified skull is utilized to suggest a probable match for the police investigation.

**During 2009, Director of Forensic Imaging Herbert W. Buckley** was asked to present a lecture on forensic imaging to the annual conclave of the New York State Technical Educational Association of Criminal Justice Instructors, whose membership is comprised of those who teach courses in Criminal Justice.

Mr. Buckley:

- Created the theme poster artwork for the national Annual Conference on Leadership and Workplace Issues for Women in Law Enforcement, held in Saratoga Springs.
- Assisted several outside law enforcement agencies throughout the year, including the Rochester PD, creating a drawing of the suspect in a serial rapist case from a victim's description.

## **Medico-Legal Investigations Unit**

The Medico-Legal Investigations Unit (MIU) supports field investigations by supplying forensic expertise to all law enforcement agencies investigating homicides, suspicious deaths, skeletal remains and assaults, along with interviews of living victims, such as battered children and sexual assault victims. MIU members also render testimony in court trials and administrative hearings.

The unit also has a significant training role in conjunction with the annual Colonel Henry F.

Williams Homicide Seminar, which celebrated its 22nd anniversary this year.

The seminar is an important instrument for training the national and international law enforcement community in forensic sciences technology.

Presenters include unit members and their professional colleagues from throughout the world who share their expertise and significant case studies.

This elite group of homicide investigators, known as Williams Associates, increased its membership to 3,586 members during 2009, including attendees from throughout the United States, Bermuda, Lithuania, Estonia, Russia, Canada, Latvia, Germany, and the U.S. Virgin Islands.

MIU directors and consultants also review equivocal or unusual death cases and work closely with the Division's Cold Case Unit to interpret old autopsy reports and other hospital/medical records. These reviews have led to a number of old cases being resolved.

- ▶ On Oct. 26, human remains were discovered in a wooded area in the town of Greenfield (Saratoga County). What was originally thought to be an 8-to 14-year-old girl turned out to be an 18-year-old woman reported missing in the area in 2003.

Dr. Lowell Levine confirmed the victim's identity using digital radiography equipment at the Forensic Investigation Center. Six weeks later this identification was confirmed by DNA analysis.

The Saratoga County Sheriff's Department is pursuing the investigation as a homicide.

- ▶ On Nov. 22, a 28-year-old woman died in what was originally reported as an ATV accident in Steuben County. '-

An autopsy performed by the Monroe County Medical Examiner's Office raised the possibility that the cause of death might have been something else.

At the request of Troop E BCI, Dr. Michael Baden performed a second autopsy with the medical examiner's staff.

The cause of death was then determined to have been blunt force trauma; determination of the manner in which death occurred remains pending further investigation.

Troop E BCI is continuing the investigation as a homicide.

## **Special Victims Unit (SVU)**

Formerly known as the Child Abuse and Exploitation Unit, the SVU provides investigative support, training and resources to State Police personnel and other law enforcement/social service agencies seeking to prevent, investigate and prosecute crimes against children, and all victims of sexual or domestic violence. Investigative support provided by the SVU includes referrals to medical experts and reviewing cases, at times in conjunction with the Medico-Legal Investigation Unit.

**During 2009**, members of the SVU continued working in the area of elder abuse, and to increase efforts involving victims with disabilities.

The SVU also:

- Plans and administers the Division's annual Sex Offense Seminar. This

40-hour seminar features instruction in victimology, forensics, technology, interview techniques, offender typology, legal issues and other topics in the investigation of sexual offenses.

This year the seminar included a new training module pertaining to child abuse in schools.

The 2009 seminar, held at the New York State Police Academy, May 19-22, attracted 200 representatives from more than 90 agencies.

- Plans and administers the Division's annual Child Physical Abuse and Neglect Seminar.

This 25-hour seminar features nationally renowned speakers presenting instruction in the investigation and prosecution of child physical abuse, infant homicides, and cultural considerations in abuse cases.

This year the seminar included a new training module pertaining to victims with disabilities.

The 2009 seminar, held at the New York State Police Academy, Nov. 17-20, attracted 180 representatives from 82 agencies across the state.

- Serves as statewide coordinator for the NYS AMBER Alert Program, a collaborative effort with the:
  - NYS Broadcasters Association
  - National Center for Missing and Exploited Children
  - NYS Emergency Management Office,
  - Division of Criminal Justice Services (DCJS)
  - NYS Thruway Authority, Department of

Transportation (DOT)

- Association of Police Chiefs
- Sheriffs Association.

Unit members are involved in all aspects of development, training and implementation of this program, which provides every law enforcement agency in the state access to radio and television airwaves, transportation signs, NYS Lottery machine screens and website information to publicize details of child abductions.

Since the program's inception in 2002, there have been 26 AMBER Alert activations. In each case, the child or children were recovered safely.

There were three AMBER Alert activations issued during 2009.

2009 was marked by significant technological advances in the AMBER Alert Program.

In collaboration with other AMBER partners, a new resource involving taxicabs was developed and implemented in the NYC region.

During AMBER Alert activations in NYC, abduction details are now sent to 13,000 cabs and displayed on the dashboard for drivers.

The details are also aired on TV screens in the back passenger compartment of taxis for passengers to see.

This resource is the first of its kind nationwide.

Other resources developed and implemented this past year included the addition of an audio message of

abduction details on NYS Department of Transportation's 511 system during an AMBER Alert activation.

Digital billboards displaying the abduction details also have been incorporated in the AMBER Alert Program as a result of the unit's efforts with NYS DOT and the billboard industry.

- Maintains and coordinates the Law Enforcement Referral Database, which contains more than 37,640 Child Abuse Hotline reports of alleged child abuse. The database can be used to determine if a person has ever been reported as a victim or perpetrator of child abuse, exploitation or domestic violence.

Suspect and victim names are checked daily against the entire database to provide investigative personnel with potential leads in the event of a positive match.

There were 417 such matches made and provided to various agencies as lead information during 2009.

- Provides training for State Police in-service personnel, School Resource Officers, Basic School BCI, and Basic School recruits on the topics of Child Abuse and Neglect, Sex Crimes and the NYS AMBER Alert Program.

Unit personnel provided training to the Bureau of Municipal Police's Zone Academy and the NYS Park Police. During 2009, unit members participated in an Elder Abuse Conference, presenting a module on "Law Enforcement and Elder Abuse Investigations".

The conference was attended by

300 social service workers and law enforcement personnel.

- Participated in three training sessions statewide for law enforcement personnel, prosecutors and child protective service agencies in the use of the Forensic Interviewing Best Practices Guide, developed in conjunction with the New York State Children's Justice Task Force and child abuse investigation professionals.

The training consists of two days of classroom instruction, and a third day of 50-minute taped mock interviews utilizing actors and attendees.

SVU participated in three such training sessions across the state in 2009.

- Participates in multidisciplinary child abuse and sexual offense efforts, including the Capital District Center for Sex Offender Management, the NYS Children's Justice Task Force, and the NYS Child Fatality Protocol Review Committee.

In 2009, the SVU continued to participate as a member of the NYS Coalition on Elder Abuse Advisory Board.

The mission of the coalition is to raise awareness and create solutions for elder abuse prevention and intervention.

As a result of the unit's participation on the Board, SVU assisted agencies in the field of elder abuse with several cases involving financial exploitation and physical abuse.

## **Violent Crime Analysis Program (NYS ViCAP)**

The New York State Violent Crime Analysis Program was launched in 1987 in support of the FBI's Violent Criminal Apprehension Program.

Specifically designed to assist law enforcement agencies with identifying, tracking and apprehending serial offenders, NYS ViCAP maintains a confidential database of homicides, unidentified human remains cases, missing persons cases and sexual assaults.

NYS ViCAP's goal is to help police identify, link or track cases involving offenders who commit serial crimes.

It does this by bringing together agencies that are investigating violent crimes which might be related.

NYS ViCAP puts the managing agencies or investigators in touch with each other so they can exchange information and, if desired, coordinate their investigations.

Program services are available to any criminal justice agency wishing to participate.

The program provides information management assistance and case-specific analysis to law enforcement personnel specializing in investigations relating to homicides, missing persons where foul play is suspected, unidentified persons, living and dead, and sexual assaults.

In 2009, NYS ViCAP provided substantive leads to numerous agencies.

These included case linkages, missing and unidentified person match possibilities and possible attempted abduction case matches

in Troops B, G, F, K and L.

In addition, NYS ViCAP maintains the File 11a — Abduction/Attempted Abduction/Sexual Molestation Database, which tracks and identifies similarities in child abductions and attempted abductions, as well as such public nuisance crimes as public lewdness and voyeurism.

This information is made available to investigating agencies in other jurisdictions.

## New York State Intelligence Center (NYSIC)

All NYSP counter-terrorism prevention and intelligence activities are concentrated at the state's fusion center, the New York State Intelligence Center (NYSIC).

At the NYSIC, 19 partnering government agencies work in collaboration to coordinate statewide intelligence activities, providing the resources, expertise, and information needed to detect, prevent and support the investigation of and response to criminal and terrorist activity.

In 2009, the NYSIC serviced 8,802 requests for information submitted to it by law enforcement agencies.

Agencies represented at the NYSIC include the:

- Albany, NY, PD
- Federal Bureau of Investigation
- Metropolitan Transportation Authority
- NY City Department of Environmental Protection
- NY Army National Guard
- NY Metropolitan Transportation Authority
- NY State Police
- NYS Department of Correctional Services
- NYS Department of Motor Vehicles
- NYS Division of Parole
- NYS Office of Homeland Security
- NYS Office of Fire Prevention and Control Schenectady County Probation Department
- Schenectady County Probation

# Office of Counter-Terrorism

NYS Intelligence Center

Criminal Intelligence Unit

Gang Intelligence Unit

Border Intelligence Unit

Counter Terrorism Center

Narcotics Intelligence Unit

CALEA Intercept Unit

Electronic Surveillance Unit

Source Development Unit

Criminal Gun Clearinghouse

Financial Crimes Unit

Special Investigation Unit

Department

- Social Security Administration
- U.S. Attorney's Office
- U.S. Border Patrol
- U.S. Coast Guard
- U.S. Department of Homeland Security
- U.S. Immigration and Customs Enforcement

In addition, liaison positions with the New York/New Jersey High Intensity Drug Trafficking Area Regional Intelligence Center (NY/NJ HIDTA-RIC) and the New York State Office of Homeland Security (OHS) assist with the NYSIC's criminal intelligence and counter terrorism mission.

A secure law enforcement e-Justice web portal enables the NYSIC and OHS to provide law enforcement personnel access to valuable information, intelligence and links to related websites. It also facilitates the submission of terrorism tips and requests for information (RFI) to the NYSIC.

NYSIC personnel participated in several national initiatives during 2009, including the Department of Homeland Security-led Homeland Security-State and Local Intelligence Community of Interest.

This committee of fusion center representatives focuses on improving

information sharing across the nation through the Homeland Security Information Network.

Thirty federal agencies and 47 states plus the District of Columbia are participating.

NYSIC representatives also participate in the following initiatives:

- **Secure the Cities** - a Domestic Nuclear Detection Office (DNDO)-funded program to protect New York City against radiological attack.
- **Critical Infrastructure – Suspicious Activity Reporting Project** – a joint initiative between the OHS and the state Office of Cyber Security and Critical Infrastructure Coordination to analyze and compare suspicious activity against critical infrastructure in New York State..
- **National Institute of Justice Technical Working Group** – a group of homeland security experts who provide guidance to the National Institute of Justice on technological advances.
- **National SAR Initiative** (NSI) — a federal initiative aimed at encouraging federal, state, local and tribal law enforcement organizations to participate in a standardized, integrated approach to gathering, documenting, analyzing and sharing terrorism-related suspicious

activity.

- **Northeast Counterdrug Training Center (NCTC)** – a Pennsylvania-based center that provides free homeland security and law enforcement training. A NYSIC member sits on the Homeland Security Working Group, providing guidance and recommendations on current and future classes.
- **HS-SLIC Advisory Board** – a group of NYSIC representatives who provide advice and recommendations to the Department of Homeland Security Undersecretary for Intelligence and Analysis.
- **Joint DHS/DOJ Fusion Center Management Group** — a collaborative federal effort to establish an office responsible for helping fusion centers meet baseline capabilities.
- **Domestic Highway Enforcement** — an initiative focusing on highway interdiction, followup investigation, and intelligence exchange.

The backbone of the program is the 48 state police agencies that work with each other and several federal agencies to coordinate enforcement details, conduct controlled deliveries, complete followup investigations, and ensure information and intelligence sharing between agencies and jurisdictions.

## NYSIC as a National Model

The NYSIC has been considered by many at the federal, state and local level as a national model for fusion centers.

In 2009, it was the subject of two DHS Fusion Center Spotlights:

- **CrossFIRE** (intelligence for first responders) and the integration of a fire services representative were reviewed as a best practice for outreach to the first responder community, as was its work with the NYS Office of Homeland Security in support of Operation SAFEGUARD, a public/private outreach program to specific business sectors regarding indicators and warnings of suspicious activity that could support terrorism.
- Because of its excellent reputation nationally and the counter terrorism processes put in place in NYS, the NYSIC was selected to participate in a National Suspicious Activity Reporting Initiative (NSI) along with the states of Florida and Virginia, as well as several major urban locales throughout the country. The NSI establishes a unified approach at all levels of government to gather, document, process, analyze, and share information about terrorism-related suspicious activities.

On Jan. 12, the NYSIC hosted DHS Principal Deputy Undersecretary for Intelligence & Analysis Roger Mackin.

Owing to its reputation as a leading fusion center in the country, Mr. Mackin was interested in visiting the NYSIC, meeting its personnel, and viewing the work being done there.

He was impressed with the NYSIC and pledged the assistance of DHS Intelligence and Analysis to further its work.

## Border Intelligence Unit

The NYSIC Border Intelligence Unit (BIU) works hand-in-hand with field personnel in

Troops A, B and D to identify and combat cross-border criminal activity.

This is accomplished by maintaining strong professional relationships with federal, state, local and tribal law enforcement agencies here and in Canada.

The BIU maintains several databases on criminal activity with a cross-border nexus to Canada. The data are compiled from contributing field agencies and personnel.

This information is constantly checked and vetted, and has identified several criminal connections which otherwise might have gone undetected.

This successful sharing of information assisted numerous smuggling investigations during 2009, and contributed to significant seizures of cash and contraband.

During 2009, the BIU developed and distributed six Target Intelligence Packets and 25 Intelligence Support Packets to law enforcement agencies to support major smuggling investigations.

## Operation S.P.I.D.E.R.

The Strategic Police Intelligence-Driven Enforcement Response (Operation S.P.I.D.E.R.) is an initiative providing focused supplemental funding from the OHS to improve border security and fosters multi-agency operational efficiency to counter the threat of terrorism along the state's 402 miles of international border with Canada.

The NYSIC Border Intelligence Unit (BIU) is responsible for the coordination and vetting of all information and intelligence gathered in S.P.I.D.E.R. operations.

Submitted information is checked against

NYSIC's databases, recorded and when appropriate returned to the submitting agency with value added.

Information gathered during these details has proven beneficial to several high-level on-going investigations of cross-border drug trafficking organizations.

**During 2009**, NYSIC and Troop BIU personnel were instrumental in orchestrating eight separate multi-agency S.P.I.D.E.R. operations across New York State, resulting in:

- Eight felony
- 31 misdemeanor arrests
- Five DWI arrests
- Seizure of 129 pounds of marijuana and \$283,639 in cash.

## **CALEA Intercept Unit**

The Communications Assistance for Law Enforcement Act (CALEA) Intercept Unit provides law enforcement agencies the equipment, personnel and expertise to implement court-ordered intercepts for various types of communications, utilizing a network of strategically located, fixed "wire rooms" throughout the state.

The unit also has the ability to deploy remote wire room access to law enforcement agencies and task forces and provide a remote intercept location when traveling to a fixed wire room is geographically impracticable.

Sworn members assigned to the CALEA Intercept Unit are available to assist local law enforcement agencies with lawfully authorized electronic communication intercepts and

provide expert technical advice and call data interpretation.

**During 2009**, the CALEA Intercept Unit responded to approximately 600 requests for service or assistance from law enforcement agencies throughout New York State.

Of particular note was the unit's assistance to the Albany PD in a 2008 investigation of a 10-year-old girl killed by a stray bullet.

Albany PD requested the CALEA Intercept Unit's support in providing surveillance on several subjects.

The murderer was apprehended, along with several co-conspirators.

## **Criminal Gun Clearinghouse**

The Criminal Gun Clearinghouse is a statewide investigative resource for federal, state and local law enforcement agencies working to reduce gun-related violence.

To exchange information and stay abreast of current firearms related issues, unit members maintain regular liaison with the:

- NYSP Pistol Permit Section,
- NYSP Firearms Identification Section
- NYSP Gun Investigation Unit,
- Bureau of Alcohol, Tobacco, Firearms
- Explosives-Regional Crime Gun Center

**During 2009**, Criminal Gun Clearinghouse personnel continued to work closely with the Division of Criminal Justice Services (DCJS) to fully integrate the unit's services into the successful statewide Operation IMPACT program.

## **Criminal Intelligence Unit**

Criminal Intelligence Unit (CIU) analysts and investigators perform a variety of services to aid law enforcement agencies.

They handle local, state, national and international requests for information, review and respond to "Crime Watch" tips submitted via the New York State Police website, and produce and disseminate publications on various law enforcement cases and officer safety topics.

CIU also provides liaison to a variety of national and international law enforcement resources, including the:

- Mid-Atlantic Great Lakes Organized Crime Law Enforcement Network (MAGLOCLN)
- New England State Police Administrators Conference (NESPAC)
- Northeast Regional Intelligence Group (NRIG)
- US National Central Bureau-INTERPOL.

CIU personnel are a source of information and a point of contact for other law enforcement concerns, including burglary trends and patterns, gangs, money laundering, organized crime, and schemes to defraud.

They also maintain contact with experts throughout the country on topics of current interest.

Law enforcement agencies from within and outside New York State can submit requests for information to the NYSIC to enhance information they gather in their own criminal investigations.

Upon request, NYSIC personnel can also

provide link analyses, commodity and flow charting, timelines and telephone toll analyses to support an agency's criminal investigation.

Law enforcement agencies submitted more than 8,800 requests for information to the NYSIC during the past year.

### **Intern program**

As part of the Criminal Intelligence Section's Advanced Intelligence Analysis Internship Program, more than a dozen interns learned the basics of developing and producing intelligence during the past year.

On-the-job training provides each intern with exposure to the depth and breadth of an intelligence analyst's work.

To complete the internship, interns must demonstrate they have reflected upon and analyzed problems, culminating in a prosecutable intelligence product.

Relevant intelligence assignments might include a literature review, a series of intelligence bulletins, an in-depth evaluation of a program of special interest or a threat assessment.

The intern receives valuable education, on-the-job training and mentoring, and the Division in turn cultivates prospective intelligence analysts.

### **NYSIC Publications**

#### **The WIRE**

**During 2009**, the NYSIC continued to disseminate its Weekly Information Report and Exchange (WIRE).

Introduced in October 2008, the goal of this publication is to provide law enforcement

officers in the field with timely case leads and information relevant to their jurisdictions. Since its inaugural release in October 2008, the WIRE has connected criminal cases across jurisdictional boundaries and received acclaim from law enforcement officers across the state.

An article in the April 23, 2009, edition included surveillance photos of a scam artist.

Based upon the original request to identify the perpetrator, law enforcement from Batavia, Albany and Schenectady were able to identify and arrest the suspect for grand larceny and robbery.

#### **Cold Case I.G.N.I.T.E.**

In April 2009, the NYSIC introduced the Cold Case IGNITE (Initiative to Gather New Information, Tips, and Evidence) publication for distribution exclusively to law enforcement agencies.

This periodic brief provides law enforcement personnel a means to share case information and develop new leads for cold case investigations.

### **Counter Terrorism Center**

The Counter Terrorism Center (CTC) is comprised of representatives from the

- FBI,
- U.S. Department of Homeland Security
- OHS
- New York State Metropolitan Transportation Authority (MTA)
- New York State Police

CTC provides law enforcement agencies throughout New York State timely intelligence to detect, prevent and deter terrorist acts.

It is a centralized contact point for citizens and law enforcement personnel to report suspicious activity and handles all tips received through the 24/7 toll-free New York State Terrorism Tip Line (1-866-SAFE NYS).

All leads from these calls are investigated by either the FBI Joint Terrorism Task Force or state and local law enforcement agencies.

### **In 2009, the CTC:**

- Handled more than 450 Terrorism Tips Hotline calls. Since its inception in September 2002, it has received and investigated more than 6,500 tip calls;
- Posted 28 Homeland Security Advisories to the secure web portal for law enforcement and homeland security personnel in New York State;
- Provided assistance and support to the NY FBI Joint Terrorism Task Force with two major terrorism investigations:
  - In May, four individuals were arrested for conspiring to bomb two synagogues in the Riverdale section of Bronx and simultaneously shoot down military aircraft at the Stewart Air National Guard Base in Newburgh, NY
  - In September, Najibullah Zazi was arrested and charged with conspiracy to use weapons of mass destruction in connection with his bomb-making activities in a potential terrorist plot to attack New York commuter trains;
- Continued to play an integral role in the development and expansion of the Information Sharing Environment—Suspicious Activity Reporting (ISE-SAR) federal initiative.

This national information exchange model ultimately will provide law enforcement agencies across the nation the ability to share and view each other's suspicious activity reports.

## Electronic Surveillance Unit

The Electronic Surveillance Unit (ESU) provides technical assistance in the installation and maintenance of video surveillance, vehicle tracking and covert transmitting and recording equipment.

Its inventory makes available a wide range of technical surveillance options to assist law enforcement agencies throughout New York State.

In 2009, the ESU received 374 requests for service, including technical assistance or providing equipment to New York State Police troops, specialized units and outside agencies across the state.

Of particular note was the assistance ESU provided to ESD Capital, the NYS Inspector General and the New York State Attorney General's Office.

In April, ESU members were tasked with assisting an investigation that resulted in two arrests and a 22-count indictment, including defrauding the government, grand larceny, official misconduct, criminal nuisance, cocaine and marijuana possession.

Both subjects eventually pleaded guilty.

## Financial Crimes Unit

The Financial Crimes Unit coordinates investigations into money-laundering and other financial crimes throughout the state.

It assists field personnel with investigations and in identifying assets for criminal forfeiture.

The FCU also actively searches for individuals or businesses involved in laundering illicit funds.

### During 2009 the FCU:

- Assisted field personnel with 149 financial investigations associated with criminal cases.

The alleged crimes included larcenies and embezzlements, mortgage and securities frauds, money laundering and homicides.

- Assisted outside agencies with 97 investigations.
- Reviewed 12,376 Suspicious Activity Reports to identify possible money-laundering and other criminal activities. 15 cases were referred to the field for further investigation.
- FCU also continued training NYSP members and personnel from law enforcement and regulatory agencies, prosecuting attorneys and the private sector in financial crimes investigation.

### FCU 2009 Cases:

- ▶ Through research of Bank Secrecy Act data, FCU assisted with the identification of \$3.2 million bank fraud scheme. The investigation revealed money had been stolen from a bank in New York City and the proceeds laundered through a religious charity in upstate New York. Three persons were indicted in the scheme and are awaiting trial.
- ▶ Assisted in identifying the theft of more than \$3 million through a mortgage fraud

scheme involving 14 properties.

Multiple mortgages had been obtained for each property, with closings occurring on the same day.

Because the closings occurred simultaneously, none of the banks was aware of the other loans.

Three persons were indicted and are awaiting trial.

## Gang Intelligence Unit

The Gang Intelligence Unit (GIU):

- Collects, analyzes and disseminates intelligence on street, prison and outlaw motorcycle gangs and extremist/hate/transient criminal groups.

In March 2009, the GIU organized and hosted the Annual Capital District Gang Conference at the New York State Police Academy.

Law enforcement agencies from throughout the northeast United States and Canada attended, sharing information on identifying gang members, new trends in gang violence, and street gang criminality.

- Collects, records and disseminates gang information received from the public and law enforcement officers from around the nation. Dissemination is done through such intelligence products as the Gang Intelligence Newsletter (GIN), Threat Assessments, Gang Intelligence Bulletins, and Officer Safety Bulletins.
- Implements the Statewide Gang Reporting Intelligence Program (GRIP), categorizing gang members identified

by law enforcement and entering the resulting information into the GRIP database at the NYSIC and the NCIC's Violent Gang and Terrorist Organization File (VGTOF).

The VGTOF notifies law enforcement officers of a gang member's affiliation when they come into contact with identified gang members when running license checks, vehicle data, etc.

This enhances officer safety and provides a mechanism for further gang-related intelligence collection and dissemination.

### **During 2009, the GIU:**

- Uploaded approximately 1,200 gang member records into GRIP and VGTOF.
- As a result, the GIU was able to document approximately 2,000 post-submission law enforcement contacts ("hits") with gang members.

This information enables the GIU to analyze travel patterns, migration and criminal activity among gang members.

## **Narcotics Intelligence Unit**

The NYSIC Narcotics Intelligence Unit (NIU) was formed to assist field personnel from local, state and federal law enforcement agencies within and outside New York.

NIU staff regularly provide assistance to these agencies through the collection, analysis and dissemination of information involving narcotics and their distribution throughout the state.

Related intelligence is made available through briefs, bulletins and the completion of law enforcement information requests.

### **Annual Report 2009**

### **During 2009, the NIU:**

- Received and prepared 160 narcotics-related leads and provided the information to law enforcement agencies throughout New York State for follow-up.
- The unit also received information and completed 16 leads for out-of-state agencies.
- The NIU disseminated 8 bulletins concerning immediate officer safety issues, concealment methods, and emerging narcotics information.
- Published more than 10 intelligence briefs regarding narcotics trafficking trends and patterns.
- Identified 50 persons suspected of participating in narcotics trafficking.
- Published monthly target packages alerting police officers to their activities and possible involvement in criminal enterprises.
- Produced a **Concealment Smartbook** to help raise law enforcement's situational awareness of concealment methods.

The majority of information contained in it is gleaned from vehicle traffic stops and search warrants conducted by federal, state, and local law enforcement agencies, submitted to the NYSIC.

The Smartbook promotes officer safety, assists with focusing officers' searches, identifies concealment patterns and trends, and assists in criminal investigations

## **NY/NJ HIDTA Liaison**

New York/New Jersey High-Intensity Drug Trafficking Area Regional Intelligence Center

(NY/NJ HIDTA-RIC) has representatives from the:

- NYSP, NYPD,
- U.S. Customs,
- NY/NJ Port Authority Police,
- MTA Police,
- NYC DEP,
- U.S. Marshals, and
- Military personnel working together in a task force setting.

NYSIC members assigned to NY/NY HIDTA-RIC

- Are the first contact between the New York State Police and the New York City Police Department's Intelligence Division and Counter Terrorism Bureau.
  - Are a point of contact and source of information for federal, state and local department personnel assigned to the Intelligence Center who need to access information or make contact with the New York State Police and/or other state agencies.
  - Collect, analyze and share tactical and strategic intelligence received from a variety of sources.
  - Participate in intelligence-sharing programs involving gangs, financial crimes, port security, events and demonstrations, and prisons.
- Intelligence is passed along to the NYSIC, where it is reviewed and disseminated.
- Interact daily with liaison officers from foreign countries assigned to the NY/NJ HIDTA-RIC who look to share intelligence regarding criminal activity that may begin or end in their countries and have a connection to New York State.

During 2009, members assigned to the NY/ NJ HIDTA assisted members of more than 25 different agencies with investigations.

## Operation IMPACT Unit

The Operation IMPACT Unit at the NYSIC was established in March 2007 to offer special intelligence and investigative support to the 17 identified IMPACT counties outside the boundaries of New York City.

The unit's goal is to work in conjunction with these high crime areas to achieve a long-term, substantial reduction in Part I crimes.

The IMPACT Unit has expanded the "10 Most Wanted" poster program from Buffalo to Schenectady and Albany.

To date, the IMPACT Unit has created 28 posters for the three counties, cycling 171 persons with active felony warrants have through the poster program, enabling agencies to bring several individuals to justice.

## Source Development Unit

The Source Development Unit (SDU) was established during 2008 to enhance the NYSP's identification, cultivation and management of Confidential Informants and Community Sources.

Members of the SDU help troops and special details (e.g., CNET, SIU, GIU) find and document sources to assist them in criminal investigations, and coordinate the use of existing sources between members for investigative purposes.

In 2009, members of the SDU cultivated and/or documented more than 350 human sources of information for law enforcement purposes.

## Annual Report 2009

## 2009 Cases

### ► Troop A

In October, while interviewing a Community Source (CS) about a possible dog-fighting ring, SDU **Inv. Shawn Dibble** uncovered information about a possible methamphetamine lab operating in the town of Sardinia (Erie County).

Followup investigation revealed the subjects residing at the location had previous arrests for manufacturing methamphetamine in California, Arkansas and Missouri.

In late December, after several undercover purchases, members of Troop A, CNET-Western, SORT, CCERT and the DEA raided the location, discovering a dismantled methamphetamine lab and a marijuana growing operation.

Two subjects are being prosecuted federally owing to previous involvement with methamphetamine production.

### ► Troop G

On Oct. 3, **Tpr. John M. Knoetgen** (T-Albany) made a V&T stop on a vehicle and identified the passenger as a parolee and a member of the Bloods gang.

Tpr. Knoetgen submitted the information via a TraCS Field Interview Card (FIC) for intelligence purposes.

Based on the information from this stop and SDU **Inv. Jennifer Connolly's** subsequent investigation, the State Division of Parole violated the subject for curfew restrictions, being out of his assigned area, failure to report police contact, and associating with a known

felon.

## Special Investigations Unit

The Special Investigations Unit (SIU) is the investigative arm of the Division of State Police's Office of Counter Terrorism (OCT).

SIU is specifically designed to conduct multi-faceted, covert investigations, which often cross jurisdictional boundaries, requiring special technical expertise and a long-term commitment of experienced personnel and equipment.

Its primary mission in the post-9/11 era is to investigate terrorism-related crimes in New York State and provide investigative support to the FBI Joint Terrorism Task Forces (JTTF) in Buffalo, Rochester, Syracuse, Albany, Binghamton and New York City.

Its enforcement initiatives focus on crimes which at times have been known to be associated with terrorism-related activity — money laundering, identity theft, cigarette smuggling and document fraud.

However, SIU still pursues its original mandate for the pro-active, covert investigation of ongoing criminal enterprises, traditional and non-traditional organized crime, including outlaw motorcycle gangs, industry corruption, fraud and racketeering.

The Special Investigations Unit continually evaluates its mission and objectives and modifies assignments accordingly.

In recent years it has taken a lead role in combating human trafficking, with most of its investigators receiving specialized training in that area.

SIU members are assigned to assist other

agencies targeting specific criminal activity. Members work closely with the:

- FBI – targeting organized street gangs, public corruption, money laundering and terrorism;
- Bureau of Immigration and Customs Enforcement (ICE) – targeting alien smuggling and other issues regarding illegal immigration, including the investigation of businesses utilizing undocumented immigrants;
- Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) – targeting cigarette and tobacco smuggling, and firearms issues related to traditional SIU investigations;
- New York State Attorney General’s Office Organized Crime Task Force (OCTF) – targeting organized criminal groups involved in gambling, narcotics and tax evasion, and
- New York State Office of Taxation and Finance – targeting tax evasion and cigarette smuggling.

SIU is a permanent partner in the NYS Fraudulent Identification Task Force (FITF), tasked with investigating individuals and organized groups possessing, using and producing bogus government identification documents.

A number of FITF initiatives have been conducted in the Metro New York area involving SIU, DMV, the NYPD, the Office of Public Security (OPS), the Social Security Administration and local district attorneys’ offices.

These incorporate enforcement operations within DMV offices and investigation of historical document fraud cases.

## During 2008, the SIU

- Operated a total of 166 electronic surveillance installations in conjunction with investigations, incorporating 13,526 hours of technical surveillance.
- As an investigative resource, SIU personnel executed 62 search warrants.
- In total, SIU case investigations resulted in:
  - 862 felony and 108 misdemeanor arrests.
  - Approximately \$6.8 million,
  - Seizure of 25 vehicles and 15 firearms,
  - Recovery of \$3,263,357 worth of stolen property including recoveries made by the Auto Theft Unit.

Also under the aegis of the SIU is the Division’s **Auto Theft Unit (ATU)**, a statewide initiative that helps local law enforcement agencies target auto theft rings, chop shops, exporters of stolen vehicles and automobile insurance-related crimes.

The ATU’s complement of BCI investigators is deployed to six Auto Theft and Fraud offices throughout the state.

**During 2009**, the ATU recovered 125 vehicles. Utilizing license plate readers (LPR), the unit read 15,264 vehicle plates, resulting in the identification of 97 registrations that were suspended or revoked and recovered two stolen vehicles.

## 2009 Cases

### SIU-Albany

- ▶ During April 2007, Rotterdam (Schenectady County) police contacted

**Inv. Peter Minahan** (SIU-Albany) for help in investigating a subject employed as the facilities director for an area city school district.

The subject was also the elected CSEA unit president for county schools.

He was suspected of intimidating members of the school district and CSEA union through acts of criminal mischief, often with the use of explosive devices.

Inv. Minahan learned that in one incident, an M-100 explosive device had been attached to the front door of a residence with a lit cigarette for an ignition device; it failed to go off.

DNA was discovered on the cigarette, but there was no match in the DNA database.

After learning about this evidence, Inv. Minahan conducted physical surveillance of the subject and secured a fork used by him at a local diner. The fork was submitted to the NYSP FIC, resulting in a match to the DNA discovered in the cigarette.

Undercover operations were conducted through February 2009, and numerous admissions were obtained.

During this time the subject showed a confidential informant an explosive device he had in his office at the school.

As a result, an explosive device was discovered and safely removed from a Schenectady city school by **Chief T/Sgt. Timothy Fisher** (H-Emergency Management), and the subject was arrested.

Several people subsequently came

forward with information and previously unreported incidents regarding the subject which they had been afraid to discuss with authorities prior to his arrest.

The investigation continued an additional nine weeks and resulted in a 26-count felony indictment including charges of:

- Terrorism,
- Arson,
- Attempted Coercion,
- Criminal Possession of a Weapon
- Falsifying Business Records
- Conspiracy
- Criminal Possession of Stolen Property
- Criminal Mischief for crimes committed in Schenectady, Saratoga, Rensselaer and Albany counties dating back to April 10, 1993.

- ▶ In July 2007, SIU-Albany received information from Immigration Customs Enforcement (ICE)–Albany that a man working at a nail salon in Wilton (Saratoga County) was looking for a “marriage of convenience” to secure his “green card”.

An undercover member from SIU-Albany met with the target and another man acting as his “broker” and agreed on a price of \$12,000. A \$1,500 down payment for a “marriage of convenience” was secured.

The SIU undercover obtained a fictitious marriage certificate and the target was later “married” to a NYSP undercover investigator in a local hotel room, with 10% of the commission paid to the “broker”.

The case then began to expand as two more “marriage brokers” from the New

York City contacted the SIU undercover.

An undercover ICE agent was introduced as a corrupt ICE agent and worked with the SIU undercover to sell green cards through the “brokers” to the clients for \$40,000 each.

The “marriage brokers” would e-mail a client’s “pedigree” information to an undercover account to start the process.

They would then transport the clients — illegal immigrants and illegal aliens — to the Albany area, where they would meet the undercover investigators to complete paperwork and be fingerprinted, as part of the purported illicit green card process.

On April 4, 2009, the two New York City “brokers” were arrested for three counts each of Bribing a Federal Officer to facilitate the purchase of illegally obtained green cards.

Both have since pleaded guilty to all charges and at last report were awaiting sentencing by a federal magistrate in Albany.

The third “broker” was arrested Nov. 24 for one count of Bribing a Federal Officer and is awaiting an appearance in federal court in Albany.

More than \$240,000 in cash was seized during this investigation.

### **SIU-Auto Theft Unit (ATU)**

- ▶ The Nassau County PD Homicide Division was investigating a deliberately set fire in a multi-family dwelling where three persons died.

The suspect’s image had been caught on

a video recording from a nearby business as he drove away from the fire.

SIU-ATU **Sr. Inv. Peter Kontos** and **Invs. Marcelo Guevara** and **Daniel Green** viewed the recording, and after some discussion, ATU members were able to give the detectives the make, model and year of the vehicle, using the Digital Automotive Image System (DAIS) to confirm their conclusion.

- ▶ In March 2009 SIU-ATU-White Plains was notified of a group of West Africans, operating in the Melrose section of the Bronx, were loading stolen vehicles into shipping containers and transporting them overseas.

With the assistance of U.S. Customs, several such containers were identified and were stopped either at the docks or at sea turned around and brought back for examination.

Acting Sr. Inv. Phil Wolfburg and Inv. Green met up with several other law enforcement personnel to open and examine the targeted containers.

They found and seized a total of 12 stolen vehicles as evidence.

- ▶ SIU-ATU-Long Island investigated a scheme in which several dealerships in Suffolk, Nassau, Queens and Bronx counties were defrauded.

Between August and November, **Invs. Rodney Polite** and **Robert Holman** identified a wholesale dealer who used bad checks to purchase vehicles from several dealerships, then sold the vehicles to other dealers without securing legitimate ownership.

The targeted wholesaler had no legal ability to transfer titled ownership to anyone until he received the paperwork from the original dealerships.

In this case, the wholesale dealer went ahead with the transfer transactions, reselling the vehicles to unsuspecting second-party dealers, and was paid for them in advance with the promise that he would receive the necessary paperwork and titles:

- Two dealers in Suffolk County were defrauded of more than \$440,000
- Five dealers in Nassau County were defrauded of more than \$500,000
- One dealer in Queens was defrauded of more \$100,000,
- One dealer in the Bronx was defrauded of \$45,000.

On Dec.24, the targeted wholesale dealer was arrested and charged in Suffolk County with two counts of Grand Larceny 2nd Degree, six counts of Grand Larceny 3rd Degree and 1st Degree Scheme to Defraud.

Charges in the other noted counties are pending.

### SIU-Binghamton

- ▶ SIU Binghamton entered into a joint investigation with the Broome County Task Force during April to probe the suspicious real estate acquisitions of a 29-year old Binghamton resident.

It was soon learned that the target had purchased 18 properties with a combined purchase price exceeding \$1 million over a 29-month period.

Investigators suspected he was involved in narcotics trafficking and laundering drug proceeds through his real estate transactions.

The investigation soon led to extensive electronic and physical surveillances, which eventually identified additional targets involved in a lucrative multi-kilo powder-cocaine distribution ring.

The source of supply in New Jersey was wanted there on a parole warrant. He was believed to be distributing approximately two kilos of powder cocaine to Binghamton on a monthly basis.

After a five-month investigation, SIU-Binghamton and Broome County Task Force (BCTF) personnel executed search warrants at six locations.

A separate detail comprised of SIU-Binghamton, SIU-White Plains, BCTF and New Jersey State Parole Joint Task Force personnel located and apprehended the source wanted on parole in New Jersey and participated in a search of his apartment.

Searches at all locations resulted in the seizure of:

- Approximately six kilos of powder cocaine
- One kilo of Ketamine
- Two pounds of marijuana
- More than \$52,000 in cash
- Eight long guns.

It was the largest drug seizure in 10 years in Broome County.

In total, seven people were arrested on assorted narcotics charges.

Prosecution was turned over to the U.S. Attorney's Office, Northern District.

### SIU-Buffalo

- ▶ In late July 2008, SIU-Buffalo, along with the FBI and Western New York area law enforcement agencies, became aware of increasing hostilities between the Chosen Few Motorcycle Club (CFMC) and the Kingsmen Motorcycle Club (KMC) involving assaults on rival members and damage to property, which included the CFMC clubhouse being shot at from a passing vehicle on two occasions.

In September 2008 **Tpr. Brian Pazderski** (A-Niagara) stopped a vehicle in the Erie County town of Lancaster and found the operator in possession of 33 improvised explosive devices and arrested him for Criminal Possession of a Weapon.

An inventory of the subject's vehicle resulted in the recovery of a sheet of paper featuring photocopied photographs of two KMC members. Further investigation revealed the operator was a member of the CFMC.

Covert investigation led to an electronic eavesdropping investigation of the CFMC clubhouse in the Erie County village of Depew.

In May 2009, SIU-Buffalo members and FBI agents, assisted by numerous other police agencies, executed four federal search and 20 arrest warrants.

Seventeen members and three former members of the CFMC were arrested on federal racketeering charges involving various acts of extortion, robbery, arson,

conspiracy and weapons possession.

Information developed during the investigation also resulted in the arrest of a detective from a local police department who had been providing confidential police information to a member of the CFMC.

The detective pleaded guilty to a misdemeanor charge in federal court and was sentenced to four months in federal prison for illegally using information from a police computer.

### **SIU-Labor Racketeering**

- ▶ Members of the SIU-White Plains Labor Racketeering Unit assisted the Manhattan District Attorney's Office and the MTA Inspector General's Office with an investigation into a general contracting company specializing in large public works contracts.

The firm performed large rehabilitation projects on 11 different subway stations throughout New York City.

As provided in the New York State Labor Law, and under the terms of these contracts, the contractor was required to pay all employees engaged in working on these contracts the prevailing wage and supplemental benefit rate.

In late 2008, the MTA Inspector General's Office approached the Manhattan District Attorney's Office and the NYSP with allegations that the contractor had underpaid its workers in excess of \$600,000.

Investigation revealed the contractor used many methods to hide the

underpayments, including falsifying payroll reports and payment reports to the MTA.

It also paid a number of shop stewards to exclude overtime and weekend hours worked by the employees and ignore complaints.

Additionally, the contractor offered a cash bribe to a witness to induce him not to cooperate with the investigation and to return any documents and records he had in his possession.

Labor Racketeering Unit members assisted MTA and the Manhattan DA's investigators with interviews, recording cooperating witnesses and securing proper documentation, resulting in the arrest of the firm's owner and two vice presidents for charges ranging from Grand Larceny, Offering a False Instrument for Filing, Falsifying Business Records and Bribing a Labor Official to Bribing a Witness.

Additionally, three union shop stewards were arrested for Falsifying Business Records and Bribe Receiving by a Labor Official.

- ▶ In April, members of the SIU-White Plains Labor Racketeering Unit concluded an investigation into bid-rigging on construction projects for the New York State Department of Mental Health (OMH).

NYSP members arrested a maintenance supervisor for OHM and his sister for Bribe Receiving 3rd Degree.

Investigation revealed they had received cash from a contractor in return for rigging bids on construction contracts at the

Manhattan Psychiatric Center on Wards Island.

The maintenance supervisor manipulated the award of the contracts while his sister, a general mechanic at the psychiatric center, functioned as an administrator in the business office and assisted her brother in the scheme.

### **SIU-Rochester**

- ▶ Elmira police requested investigative assistance from SIU Rochester, June 8, regarding a local gang identified as the "South Carolina Crew".

The gang was composed primarily of family members originally from Sumter, SC, who had moved to the Elmira area to sell narcotics.

In addition to narcotics trafficking, the gang is suspected of committing numerous violent acts in Elmira, including the shooting death of an innocent bystander.

Over the next five months, SIU-Rochester, in conjunction with the Elmira PD and CNET-Southern, conducted numerous surveillances that resulted in the identification of the gang's leaders, members and associates.

Several controlled drug purchases were conducted and grand jury testimony resulted in the indictment of eight gang members on Criminal Sale and Possession of Controlled Substance charges.

On Dec.16, members from SIU-Rochester, CNET-Southern, SP Horseheads (Troop E), Elmira police and

the Chemung County Sheriff's Office concluded a six-month investigation with the arrest of eight persons and the seizure of:

- Approximately 16 ounces of cocaine
- Five ounces of marijuana
- Two handguns
- A bulletproof vest and one vehicle.

The arrests effectively dismantled the "South Carolina Crew's" narcotics trafficking operation and put an end to its criminal activity.

### SIU-Syracuse

- ▶ Information obtained from the Asset Protection Unit for Wal-Mart stores led to the identification of a group of subjects who were perpetrating a larceny scheme at various Wal-Mart stores throughout New York, Pennsylvania and Ohio.

The group had been removing UPC code stickers from blue-ray DVD players with a price tag of \$550 and replacing them with sticker for inexpensive DVD players costing approximately \$40 and buying the more expensive items at the lower price.

Later, they would return the expensive players to Wal-Mart for gift cards, which they would then use to make subsequent fraudulent purchases.

Wal-Mart stores provided video footage of the suspects engaged in this illegal activity in their stores.

As this investigation progressed, Home Depot stores security personnel identified similar subjects performing the same sticker switching on such items such as welders and combo tool packs.

SIU interviewed a subject who said they were selling the merchandise on e-Bay.

A review of data received from e-Bay revealed the user had sold approximately \$110,000 in welders, blue-ray DVD players and combo tool packs in this manner. The account holder was interviewed and admitted he had learned the scheme from two subjects in Liverpool (Onondaga County).

Another subject, engaged in the same scam and arrested by sheriff's deputies at a Wal-Mart in Queensbury (Warren County), named the same two men from Liverpool as his mentors. SIU members developed information that additional items were being stored in his apartment at the request of one suspect.

A consent search of the apartment revealed a large quantity of expensive electronics equipment with switched UPC codes taped on the box.

Two suspects were arrested and charged with Grand Larceny 4th Degree and Scheme to Defraud 1st Degree.

In April, both defendants were sentenced to terms in state prison.

### SIU-Utica

- ▶ In July 2007, **Inv. Scott Rachon** (SIU-Utica) received information that a Utica man was a suspect in the attempted burglary of a mansion in Saratoga Springs.

Inv. Rachon conducted historical research of SIU files and discovered the subject was a 66-year-old, lifelong professional burglar with known ties to organized crime

in the Utica area during the 1970s.

He had once been arrested as a member of "The Barge Canal Gang," renowned for its many bank safe burglaries from Virginia to Maine.

Inv. Rachon identified numerous unsolved high-end burglaries throughout New York State which fit the subject's modus operandi, which included:

- Conducting extensive research of potential targets
- Dry-runs to test police response
- Using police scanners
- Perimeter lookouts with two-way radios
- Bypassing alarm systems
- Breaching safes.

Through electronic and physical surveillance, Inv. Rachon identified a potential 56-year old accomplice in New Hampshire, also a professional burglar.

After nearly two years of intelligence gathering, surveillance and analysis of an overwhelming amount of data and information, Inv. Rachon was able to project with confidence that the suspects would attempt to burglarize a residence in a New Hartford development on Memorial Day Weekend, 2009.

An SIU surveillance detail was organized for the holiday weekend, utilizing personnel from Troop D and the New Hartford PD.

As a result, the suspects, ages 68 and 58, were spotted in the act of burglarizing a residence in the identified neighborhood and arrested without incident as they attempted to leave the scene.

They subsequently were convicted and sentenced to five-year prison terms.

### SIU-White Plains

- For four years, SIU-White Plains and the Mid-Hudson DETF had been accumulating and developing information from local PDs, informants and defendants arrested for dealing significant amounts of drugs in the Hudson Valley. The results pointed to a rogue group from Newburgh responsible for importing and distributing prescription drugs, ecstasy, high-grade hydroponic marijuana and cocaine for more than a decade. The group had gradually evolved from a close-knit group of friends to a formidable organized gang with ties to groups in Canada and New York City. Its influence and reputation — along with its propensity for violence and an ability to detect conventional law enforcement efforts — had flourished in the area. Information developed from an associate of the group, arrested crossing the US/ Canadian border to facilitate an “ecstasy” deal, prompted a series of wiretaps. These in turn led to the identification of Canadian hydroponics and cocaine suppliers from NYC, information on burglaries, felony assaults and money laundering over a 10-month period. In addition to providing intelligence and leads still being pursued, the investigation produced the indictment and arrest of 44 persons and one grand juror who passed details of the grand jury proceedings to a member of the group.

- ▶ During February and March, SIU-White Plains monitored the activities of a Bronx group involved in laundering the hefty profits of a large-scale heroin operation.

The group was found to be highly skilled in counter-surveillance techniques and especially vigilant when moving drugs or money. However, one afternoon a surveillance team managed to follow one of the targets unobserved when he left home with his wife and child.

The surveillance team watched the target enter a supermarket, where he was approached by a second person. Fifteen minutes later both parties left the market and walked into a crowded parking lot where an exchange took place.

SIU members swooped in and interdicted the exchange, seizing two kilos of heroin.

Three subjects were arrested and charged with Criminal Sale of a Controlled Substance

1st Degree, Criminal Possession of a Controlled Substance 1st Degree and Endangering the Welfare of a Child.

- ▶ In April SIU-White Plains targeted a money-laundering operation in Flushing, Queens.

After conducting weeks of surveillance, attention focused on the activities of a particular individual.



**Members of the NY FBI Joint Terrorism Task Force Honored:** Joint Terrorism Task Force members were honored May 22, 2009, for their efforts in successful arrest of four individuals who conspired to bomb two synagogues in the Riverdale section of Bronx and simultaneously shoot down military aircraft at the Stewart Air National Guard Base in Newburgh, NY. In the photo, left to right:

Front row: Sgt./SC Ronald Pastino (SORT), Sr./Inv. Thomas Boylan (SIU-JTTF), Governor David Paterson, Sr./Inv. Lennie Daniels and Inv. L. Oscar Santiago (both SIU-JTTF).

Next row: Inv. Stephen Hoffman, Inv. John Maldonado, Inv. Darren Daughtry and Capt. Robert Gregory (all SIU-JTTF); Detective Daniel Breen (New Windsor PD); Maj. Matthew Renneman (SIU - Detail Commander); Sgt. George Meyers (New Windsor PD.), and Sr./Inv. Ernesto Pizarro (SIU-JTTF now SIU-NYC).

One afternoon as he was being followed, he pulled into the reception area of a busy Queens hotel where he met a woman. An exchange involving a bag took place.

SIU personnel subsequently approached the woman, who consented to a search of the bag, which was found to contain \$300,000 in cash.

Other members of the surveillance team followed the man to his apartment, where another consent search yielded:

- A suitcase and duffel bag containing more than \$300,000 in packaged cash
- A money counter
- Hundreds of bank deposit slips indicating deposits amounting to over \$1 million dollars.

The subject was arrested and charged with Money Laundering 1st Degree.

- ▶ During November, the SIU Money Laundering Unit was investigating a Brooklyn-based operation responsible for laundering the profits of a large-scale cocaine distribution network.

After weeks of physical surveillance, a member of the group identified as a courier was seen carrying and delivering boxes to other members of the network.

On the evening of Nov. 18, he was stopped for V&T violations in Manhattan and was found to be in possession of 10 kilos of cocaine.

SIU personnel kept the Brooklyn residence from which he had departed under surveillance until a search warrant could be obtained, after which a search uncovered:

- An additional 18 kilos of cocaine concealed under a slate bench inside a sauna
- Seven boxes containing \$1,047,890 in cash
- A money counter.

All defendants were arrested and arraigned in Manhattan Criminal Court on charges of Criminal Possession of a Controlled Substance 1st Degree and Money Laundering, 1st Degree, and remanded to the NYC Correctional Facility without bail.

## Aviation Unit

Since its formal establishment more than 40 years ago, the New York State Police Aviation Unit has continued to evolve into a diverse, multi-purpose, organization capable of providing essential aerial support to law enforcement and emergency service agencies throughout the state.

The unit conducts operations from five locations throughout the state: Albany, Newburgh, Saranac Lake, Syracuse and Batavia.

From these bases, 13 helicopters, six airplanes 39 pilots, 10 mechanics and six dispatch/support staff respond to requests for its four core missions.

- **Law enforcement** missions support police agencies across New York and contiguous states.  
NYS P aircrews:
  - Conduct aerial surveillance, photography and searches for wanted subjects
  - Extradite prisoners
  - Transport key State Police personnel and Special Operations Response Team members to critical events
  - Respond to prison escapes and disaster
  - Conduct drug detection flights
- **The MEDEVAC** program, called Lifeguard, established in the early 1970s, combines State Police aircraft and pilots with volunteer and private sector paramedics.
  - The Albany-based program combines State Police air crews with the town of Colonie EMS paramedics.

# Administration - Fiscal

Aviation Unit

Central Records

Communications/Tech Support

Fiscal Management

Fleet Management

NYS P Crime Lab System

Public Information Office

Seized Assets Unit

- At Stewart International Airport in Newburgh, the State Police works in association with Mobile Life Support, a private ambulance company, and services the Lower Hudson Valley.
- In Central New York, flight medics from the North Area Volunteer Ambulance Corps (NAVAC) help staff the helicopter based at Hancock International Airport in Syracuse.
- In the North Country, State Police aircraft based in Saranac Lake operate a joint venture with North Country Life Flight.
- In Western New York, Aviation-Batavia is teamed with Mercy Flight Buffalo.
- **Environmental conservation support** duties include a variety of missions:
  - Wildlife surveys
  - Aerial fish stocking
  - Aerial firefighting
  - Sling-load operations into remote locations
  - Pollution and illegal dumping detection
  - Photographic documentation of environmental issues

Specialized equipment employed includes aircraft-mounted, gyro-stabilized cameras, cargo hooks, wildlife tracking antennae and digital mapping systems.

- **Transport missions** convey personnel from the state's Executive Branch, State Police personnel, and organ transplant recipients or medical teams that need to reach a medical facility under emergency conditions.

## Safety

Safety is the cornerstone of the State Police Aviation.

In 2009, Division air crews flew a total of 2,254 hours in a demanding environment that ranges from densely populated coastal areas with large volumes of air traffic to high elevation mountain wilderness areas with elevations to 5,600 feet.

Training for these missions is constant and demanding.

Crews rely on their experiences gained through extensive training and the intimate knowledge of the local terrain and local weather conditions to maintain a safe work environment.

## 2009 Cases

### ► Two assists in one mission

**T/Sgts. William T. Accuosti** and **Phillip J. Napolitano** (Aviation-Albany) flew helicopter 1H19 to Camp Smith to support Special Operation Response Team

(SORT) personnel in a fast-rope exercise.

Upon successful mission completion, the alert crew monitored a motorcycle pursuit on state frequency in the vicinity of 1-87, Exit 16, and proceeded to that location.

When the motorcyclist saw the helicopter following him he surrendered to pursuing ground units.

The crew then maintained aerial surveillance while ground units from Troop K, F and the Thruway took him into custody.

► **Organ transplant**

**T/Sgt. Dowling** and civilian **Pilot Patrick R. Hogan** (Aviation-Albany) responded to Burlington, VT, to transport a surgeon to Albany Medical Center for an organ harvest.

The surgeon was returned to Burlington with life-saving organs after the successful operation.

► **Training mission turns real**

**T/Sgts. Accuosti** and **Napolitano** departed Albany Airport in 19SP for Night Range Mission Support training for the SORT.

Following the training mission, radio silence was called in Zone 2 to facilitate the pursuit of a vehicle involved in an armed robbery.

The pilots responded to the town of Glenville, where they followed the suspect vehicle and provided air support and illumination during the apprehension of the subjects.

## Rescues

► **Two rescues, one flight**

**T/Sgt. John J. Heverly** (Aviation-Saranac Lake) flew helicopter 1 H9 to Cascade Mountain in the town of Keene in response to a report of a 17-year-old girl with a broken ankle.

T/Sgt. Heverly and a hoist operator lifted the victim into 1 H9 and were on their way to Adirondack Medical Center in Lake Placid when DEC Ray Brook dispatch informed them of another injured hiker on the mountain, this time a 41-year-old woman who needed to be hoisted, owing to the severity of her injury.

With both hikers secured on board, the transported to AMC-Lake Placid was completed.

► **Mountaintop rescue**

**T/Sgt. Patrick I. Converse** (Aviation-Saranac Lake) responded to St. Regis Mountain to assist DEC Forest Rangers in rescuing a 42-year-old woman suffering from a heart attack.

T/Sgt. Converse landed his helicopter on a rock ledge near the summit to extract the victim, then transported her to Adirondack Medical Center in Saranac Lake.

## Searches

► **Search for injured motorcyclist**

**T/Sgt. Heverly** assisted in the search for motorcycle rider in the town of Malone who had called 911 on his cell phone to report he had sustained a head injury.

He was unsure of his location, but did remember two roads he had traveled just prior to the accident.

The subject was located 30-40 yards off the road and transported by ground ambulance to a medical facility.

## Marajuana

► **Search results in unexpected find**

**T/Sgts. Thomas Dowling** and **David L. Bowden**, along with civilian **Pilot Bruce A. Mesh** (Aviation-Albany) departed Albany International Airport in helicopter 1 H74 for Washington County to search for a missing hiker on Mt. Marcy.

Ground searchers located the hiker after a brief search.

On the return flight to the airport, the observant crew spotted several plots of marijuana in Essex County.

They contacted CNET and transitioned immediately to one of the larger harvesting missions of the year:

Approximately 1,327 plants were recovered from 25 separate plots.

The next day the same crew searched Rensselaer County, where they located an additional 210 plants while working with CNET.

► **Marijuana harvest**

While participating in a joint task force marijuana eradication detail, **T/Sgt. Heverly** and civilian **Pilot Scott D. Kotronis** (Aviation-Saranac Lake) located two plots with a total of 76 marijuana plants along Baldface Mountain in the town of Duane.

Ground crews moved in and finished the job.

## ► Marijuana find

**T/Sgt. William J. Bendo** (Aviation-Syracuse) assisted personnel from SP Lyons in a search for marijuana in the town of Ontario (Wayne County).

A trooper had located an unoccupied truck parked off a dirt road adjacent to a power line; the vehicle contained growing tools and fertilizer.

An aerial search resulted in the discovery of a plot containing numerous marijuana plants, which were secured by SP Lyons for further investigation.

## Hoist rescues

A 13-year-old boy fell off a trail into a gorge in the vicinity of Onesquethaw Creek in the town of New Scotland (Albany County).

His hiking companions notified local authorities, who ultimately decided it was too risky to carry the patient out on foot. The Aviation Unit in Albany was notified.

Civilian **Pilot Michael C. Collins** (Aviation-Albany) responded in 1H12 with town of Colonie medics onboard.

Mr. Collins expertly descended into the narrow gorge, where the medics first loaded the victim from a steep ledge into a litter basket, then hoisted him to safety inside helicopter.

The hiker was then transported to the staging area, and driven by ambulance to Albany Medical Center.

## Central Records

The Central Records Section secures and maintains all agency records and is responsible for providing records and

### Annual Report 2009

information to the public, the criminal justice community and government agencies, in timely fashion, and in compliance with laws and policies which ensure officer safety, maintain the integrity of current investigations, and protect the privacy of all citizens.

It is composed of three distinct units.

#### • **Criminal Records Section**

This section is the central repository for all Division investigative reports, daily correspondence and other written material the superintendent deems necessary.

It receives, answers and maintains all general records inquiries.

#### • **Freedom of Information Law (FOIL) Unit**

This unit receives, answers and maintains all requests made to the State Police pursuant to Article 6 of the Public Officers Law.

#### • **Pistol Permit Bureau**

The bureau is the repository for all records concerning various classes of firearms and licenses in New York State.

### During 2009:

- Processed and filed 54,480 investigative, arrest and case reports, as well as 18,761 supplemental criminal reports;
- Received and filed 11,268 administrative documents and items of correspondence;
- Processed 725 requests for written verification of claims from crime victims who suffered financial losses;
- Prepared and provided written verification to the State Crime Victims Board regarding 474 criminal incidents that resulted in claims of injury, death, or loss

of personal property;

- Received and responded to 2,161 Freedom of Information Law requests;
- Received and processed 8,873 sealing orders for records compiled in criminal cases in which the arrestee was acquitted or convicted of a non-criminal offense, and
- Maintained files containing 1,245,189 pistol licenses issued in New York State since 1936 including 18,577 received during 2009.

### Pistol Permit Bureau

Although it is not required by law to do so, the Police Pistol Permit Section often provides assistance and guidance to persons charged with the responsibility of issuing firearms licenses.

Applicants seeking licenses and those possessing pistol/revolver licenses and dealer/gunsmith licenses often consult with section personnel.

Issuing authorities have found the section to be a ready source of assistance in the proper processing of pistol/revolver licenses, amendments and dealer/gunsmith licenses.

### During 2009:

- The Division received:
  - 93,028 firearms license amendments
  - 4,817 cancellations or revocations
  - 70 new firearms dealer
  - 47 gunsmith licenses
- 588 firearms dealer and gunsmith licenses were renewed.
- Retail firearms dealers reported 118,314 transactions.
- Division destroyed 560 of the 7,110

“nuisance firearms” that were destroyed in New York State, as mandated by law.

## **Communications and Technology Support**

The NYSP Communications and Technology Support section is responsible for the management and support of the Division’s statewide network of telephones, radio systems and related technologies and services used to support the activities of Division personnel.

The unit manages all communications infrastructure and provides technical assistance, workstation support, call center services and user training for a wide array of communications systems throughout the state.

The section also provides communication capabilities at temporary emergency command post locations.

### **Radio Services**

The Radio Services Unit manages the Division’s radio system and supporting infrastructure.

It also operates and maintains mobile emergency command communications vehicles for response as needed for critical incidents and special details.

The vehicles, operated by trained technical support staff, provide incident commanders with portable telephone, radio, video and satellite connectivity in a mobile office environment.

### **Telephone Services**

The Telephone Services Unit manages

the Division’s voice telecommunications networks, serving hundreds of State Police facilities and special operations statewide.

It also provides technical support to various special details, including Homeland Security and Counter Terrorism Units.

**During 2009**, the Telephone Services Unit coordinated the design and installation of four new telephone systems at relocated State Police installations and upgraded services and facilities at 12 State Police locations.

### **911 Call answering**

The Division continues to answer 911 calls with the latest available technology at the Albany and Hudson Valley Traffic Management Centers.

As more counties take over primary responsibility for answering 911, the Division is supporting them as secondary and backup answering points.

### **Geographic Information System (GIS) Unit**

The Division’s Geographic Information System (GIS) Unit provides geospatial support and solutions statewide, including map requests and Geographic Positioning Satellite (GPS) support services.

The unit maintains GIS data and provides end-user technical support for GPS and GIS mapping. Division GIS supports a team of GIS coordinators assigned to various sections and Troops throughout the state.

**During 2009**, the GIS Unit continued the deployment of a statewide Automated Vehicle Locator (AVL) system using Computer Aided Dispatch (CAD) software

CAD/AVL technology will enable dispatch centers and other NYSP units to identify the location of patrol vehicles at all times, along with providing text-based communications capability and the ability to perform NYSPIN checks remotely from a patrol unit.

Once fully operational, CAD/AVL technology will enable dispatch personnel to manage resources more effectively, improving response times and enhancing officer safety.

The GIS Unit also provides maps for a variety of uses throughout the year including search and rescue operations, special details, crime scene and criminal trials.

GIS technology also is used to provide detailed geographic analysis of accident histories, helping supervisors identify where incidents are occurring and facilitating better resource allocation.

### **Workstation Support**

The Workstation Support Unit is responsible for planning, procuring, implementing and supporting client hardware and software, including all PDA and cellular communication devices.

During the past year, the unit played a significant role in several statewide projects and initiatives including the Automatic Vehicle Locator (AVL) project, TraCS, and a computer refresh program.

The Field IT Specialist Program continues to be successful. Assigned to Troop Headquarters locations, Field IT Specialists work closely with field personnel to provide on-site technical assistance and coordinate the deployment of IT-related initiatives.

## Technology Call Center

The Technology Call Center is a round-the-clock unit that provides primary support to more than 30,000 law enforcement personnel and NYSPIN users.

Supported technology includes computers, Blackberrys/cell phones, networks, applications, user accounts, and portal access.

The Call Center has served as backup Portal Help Desk, the point-of-contact for the eJusticeNY Integrated Justice Portal, and processes calls for portal assistance.

The Call Center is now preparing to assist NYSPIN users as they transition from legacy NYSPIN to the new Portal delivery of NYSPIN services.

## Technology Training Unit

The Technology Training Unit is responsible for the training and certification of 210 Communications Specialists throughout the state and ensuring compliance with State 911 Board standards.

The Unit has also been tasked with implementing statewide training projects for Communications and Technology as well as the research and development of new training programs.

The unit also has developed training for approximately 100,000 users of the new Integrated Justice Portal statewide.

The Technology Training Unit coordinated a training program for the new Automatic Vehicle Locator (AVL) application. This application consists of training for both Communication Specialists and members in the field.

The Training Unit also conducted two Emergency Medical Dispatch courses, several CPR courses and one 40-hour Basic School for Telecommunicators.

## NYSPIN Support Services

The NYSPIN Support Services Unit is responsible for supporting all users in the functionality of the New York Statewide Police Information Network (NYSPIN).

There are currently over 25,300 NYSPIN operators at more than 1,000 locations throughout the state, not including interface users, who are tracked locally by their respective agencies.

On a monthly basis, the staff of NYSPIN Support Services coordinates the validation of more than 20,000 NYSPIN data base entries.

## Fiscal Management

The Fiscal Management Section is responsible for all Division activities involving cash, payroll, procurement and vendor payment.

It ensures the agency's financial resources are used efficiently and effectively in support of the Division's public safety mission, and that the agency complies with all Office of the State Comptroller, Division of the Budget, and Division of State Police rules, regulations, policies and procedures governing financial matters.

## Payroll Unit

In biweekly cycles, the Section's Payroll Unit processes payment and deduction transactions for over 5,800 employees.

## During 2009

The Payroll Unit made more than \$600 million in salary payments.

Payroll staff processed salary payments and special payroll transactions for longevity, education, physical fitness assessments and holidays.

## Quartermaster Unit

During 2009, the Quartermaster Unit negotiated contracts for

- Flight training
- Maintenance of the Integrated Ballistic Identification System
- Laboratory equipment
- Snow plowing
- Stationary Evidence Preservation Systems
- Maintenance of laboratory instruments

## Facilities Unit

The Division continues to strive toward improved facilities that will afford all personnel a suitable environment in which to perform their job duties each day.

Efforts towards the improvement of our facilities were a continued focus of the lease program in 2009.

## During 2009:

- The construction of SP Montgomery, which replaced SP Newburgh in Troop F, was completed.
- Employees working out of SP Malone in Troop B and SP Boston in Troop A were provided with new facilities for their operations.

- Construction of the Forensic Investigation Unit (FIU) building and Drug Processing and Storage building at Troop B Headquarters in Ray Brook began in late summer.

The FIU building will house members of the Forensic Identification, Collision Reconstruction and Computer Crimes units.

In addition to office space, the buildings will provide appropriate facilities for evidence storage and vehicle/ evidence processing. It is expected that the project will be completed in fall 2010.

- Work on the construction of an FIU building at Troop D Headquarters in Oneida is intended for summer 2010, and efforts during 2009 were spent on its design.

In addition to the FIU building, renovations to the Troop Headquarters building, which include a new classroom and conference room, are planned. These changes will provide much-needed space to house the troop's growing operations.

- Work on design of the new Troop G Headquarters in Latham continued with the cooperation of the New York State Office of General Services and professional architectural and technical consultants, the site preparation work was in full swing by year's end.

The new headquarters will feature a Forensic Investigation Unit building and Quartermaster/Vehicle building.

Site work has progressed well and has been recognized by the Capital Branch of the American Public Works Association, which honored it with its



Chevrolet Tahoe Patrol Vehicle

“2009 Project of the Year” award in the environmental category.

Site work should be completed in early 2010, in anticipation of the bid for construction of the facility buildings later in the year.

## Fleet Management

Fleet Management Section is responsible for the acquisition, deployment, maintenance and surplus of all Division vehicles.

**During 2009**, Division completed implementation of a new Fleet Management system with an integrated vehicle/asset management and maintenance application.



Crown Victoria Patrol Vehicle

This has resulted in better accessibility to Fleet information at Troop maintenance facilities, and an improved ability to track and report on fleet work orders, repairs, scheduled updates and associated costs.

## Information Services

The mission of Information Services (IS) is to develop, provide and support information technology solutions that are reliable and secure, and which will facilitate the functions of the New York State Police and the NYS law enforcement and criminal justice community.

The sections within IS work to deliver technology solutions that meet the operational needs of the New York State Police.

## Technical Architecture Services

This section has three units:

- **Server Management** staff set up, maintain and improve back-end hardware that supports and runs NYSP applications and data storage, including servers for GroupWise e-mail, Intranet servers, Citrix servers for application delivery, AVL servers and an immense storage network.

**Data Management** staff design, create and maintain essential data for mission critical applications and manage quality assurance and control.

**Network Management** staff design and build the physical NYSP network and maintain connections to each NYSP site, outside law enforcement agencies and other state and federal criminal justice agencies.

**During 2009:**

The Server Management team updated

and improved the Division's Citrix desktop servers and application servers for SJS, TraCS, LIMS and CODIS, along with additional disk-based storage to double NYSP disk storage capacity.

- ▶ The Data Management team provided database support for every major project, and was critical to the success of the AVL implementation, the migration of NYSPIN to the Integrated Justice Portal, File 20 replacement, and an updated LAWMAN application.
- ▶ The Network Management team performed significant network enhancements, doubling the amount of network capacity to nine Division troop headquarters locations and three regional labs.

This, coupled with the ability to set a higher network priority for key applications, resulted in performance improvements.

Plans call for expanding these enhancements to each NYSP location.

## Application Development

This section has three units:

- **Uniform Applications** supports information and technology systems for administrative and patrol operations.
- **Investigative Applications** supports systems for the investigation of criminal activities.
- **Enterprise Architecture/Web designs** and devises standards for application platforms, programming languages and the user interface for NYSP applications, and supports the NYSP Intranet and

Internet sites.

Together, these sections work with business sections to analyze requirements for new systems or requested changes, and to determine how to solve business problems using technology.

Software systems are designed and constructed, including development of the websites and applications such as TraCS, Trooper recruitment, the new NYSPIN, SJS, LIMS and numerous online reports.

During 2009, specific applications implemented and/or supported included:

### Project Management Office (PMO)

PMO staff are responsible for tracking and managing all technology projects for the agency.

Project managers develop and maintain project schedules, manage project team resources and lead teams from project inception through implementation while working to keep within budget, on schedule and consistent with the customer's needs and expectations.

Established in August 2005 to develop a project management methodology to better manage the increasing volume of technology projects required by the State Police, the PMO coordinates and oversees development and implementation of most of the agency's technology projects.

It also provides mentoring and training on project management techniques, coordinates the preparation of the Annual Technology Plan and manages the technology Project Portfolio.

Working closely with the operational sections of the State Police and under the guidance of the Executive Technology Committee, the Information Services section completed 14 technology projects in 2009.

The technology Project Portfolio currently contains 24 active projects and 46 projects on hold pending resource availability.

**During 2009**, the sections and units of Information Services were involved with the following activities:

### NYSPIN

The New York Statewide Police Information Network (NYSPIN) is a sophisticated computer system that supplies state and national law enforcement and criminal justice users the information they need to enforce laws and protect citizens nationwide.

The NYSPIN network consists of more than 1,200 intelligent "Enforcer 2000" workstations and network connections to more than 100 regional, county and metropolitan systems.

NYSPIN serves more than 50,000 law enforcement and criminal justice users throughout New York State.

The information and communication services NYSPIN provides are available to all users in New York State as well as over 80,000 agencies nationwide and in Canada via the International Justice and Public Safety Information Sharing System.

Users can access information related to New York State Wanted or Missing Persons, Stolen Property and the DMV, as well as similar data from all participating agencies.

In 2009, the legacy NYSPIN application infrastructure was converted to eJusticeNY,

the Integrated Justice Portal (“the Portal”).

The user interface for most NYSPIN users remains the Enforcer 2000 station or a computer-to-computer (Metro) connection for receiving and exchanging criminal justice information.

With the conversion in 2009, all back-end functionality and processing was converted to an open systems computing platform using national standards within a service-oriented architecture (SOA).

During 2010, the next phase — moving users from the Enforcer workstations to the actual portal — will be implemented.

The full migration will mark the culmination of a multi-year effort to combine services from multiple New York State criminal justice agencies into a single system accessible to users from standard Internet browsers. “The Portal” will provide a single unified application to service all criminal justice information needs.

### **Intranet**

The NYSP Intranet website is an internal information resource for NYSP employees. 2009 saw the reorganization of several key sections of the Intranet website to allow employees speedier access to important reports.

Content and applications were updated and augmented regularly.

### **Internet**

The Division’s Internet website is an external information resource for anyone inside or outside the NYSP.

In addition to featuring the mission and duties of the New York State Police, the site contains

## **Annual Report 2009**

a wealth of useful information, ranging from keeping your home or business safe, to how to deal with bullies on the schoolyard, to using the Internet safely.

This year brought continuous commitment to delivering up-to-date information and content to the public.

The search engine was replaced with one using newer search technology that provide users better, more accurate service.

The Division also worked to bring a new internet-based news website for credentialed members of the media on-line.

This site gives reporters and editors regional content right at their fingertips.

### **Spectrum Justice System (SJS)**

The Spectrum Justice System (SJS) is a statewide repository for police records.

Since its implementation in 2001, SJS has recorded more than 3,336,000 incidents and 386,000 arrests. In 2009, approximately 9,700 incidents and 1,024 arrests a year have been entered into SJS each week.

More than 4,400 investigators and troopers have used SJS to store and retrieve information on incidents and arrests.

A new case management process was implemented in 2009 that replaced older processes and automated Uniform Crime Report (UCR) delivery to DCJS.

The SJS Incident Reporting system, which features a series of case management reports on the Intranet, was improved to better monitor BCI and Uniform cases.

These additions allowed the Division to discontinue the use of the BCI File 20 system, the File 13 arrest message, and the monthly

Genl. 29A Report.

### **Traffic and Criminal Software (TraCS)**

Since its inception, more than 4.6 million tickets and 383,000 accidents have been recorded using the system.

In addition to the State Police, more than 22 new local law enforcement agencies began implementing TraCS during 2009, bringing the statewide total to more than 350, generating a 26% increase in the volume of tickets and a 26% increase in accidents submitted electronically.

Currently, 75% of all tickets issued outside New York City are through TraCS.

A new MV-78B form (Report of Lost or Stolen Motor Vehicle Items) was implemented in 2009.

Others forms included in TraCS are the Incident, Field Interview Card, Vehicle Search, Vehicle Inventory, Traffic Deposition, Administrative Message System, Commercial Vehicle Inspections, Radiation Incidents, an Arrest package which includes an Appearance Ticket, Deposition Information, Complaint and Statement forms, and a DWI Arrest package.

### **Automated Vehicle Location (AVL)**

During 2009, the NYSP continued statewide deployment of an Automated Vehicle Locators (AVL) system.

AVL is an advanced method of remote vehicle tracking and monitoring using GP that provides dispatch points with a mapped display of the current location for all marked patrol vehicles, and enables units to see each other’s location in real-time.

The system also serves as the basis for a

## **Administration - Fiscal**

Statewide NYSP Computer-Aided Dispatch system that will enable Division supervisors and dispatchers to locate, filter and route calls for service more efficiently and quickly.

## Forensic Systems

Information Services continues to expand the functionality of the Casework Laboratory Management System (CLIMS) System. Scanning of evidence submission forms have been added to CLIMS, enabling the Forensic Investigation Lab to view the original submission form without having to access the paper file.

In addition, the application and database are now deployed on new servers with significantly increased application performance.

IS continues to work closely with the Lab and the vendor to increase efficiencies in analyzing and processing evidence.

The Databank Laboratory Management System (DLIMS) now has a direct interface with the DCJS DNA management system.

Data that in prior years was faxed between systems and updated daily in the DLIMS system is now accessible in “real-time”.

The DCJS DNA management system retrieves data from DLIMS through a Java program and web service interface, which has streamlined the processing of data for both DCJS and the NYSP.

Expansion of the DLIMS application continues to be the priority of the Databank section.

## Public Information Office

The Division’s Public Information Office (PIO):

- Responds to media inquiries
- Serves as liaison with other governmental agencies on public relations matters
- Prepares news releases
- Coordinates public events
- Assists field personnel with local media relations,
- Coordinates video production for documentaries and news stories of special interest.
- Assists other Division sections in developing informational and promotional materials that are used to support displays, speaking assignments, the New York State Fair, the internal and external websites, and other special events.

**During 2009**, in addition to addressing thousands of public inquiries, PIO fielded approximately 1,200 media inquiries on a variety of topics including:

- pistol permits,
- cell phone enforcement
- internet crime
- internet predators
- CoBIS
- budget issues
- personnel investigations
- patrol rifles
- the mid-Hudson Crime Lab
- Academy graduations
- gun crime
- the new online newsroom
- the untimely line-of-duty death of Tpr. David Lane

The PIO also replied to more than 6,400 e-mails mostly from private citizens and media inquiring about pistol permits, carry and transport laws, accident reports, FOIL requests, production requests, criminal cases,

criminal histories, traffic laws, criminal laws, State Police history and personnel.

Many production companies approach the PIO each year to produce television documentaries on various topics and interesting cases.

The agency’s work was the subject of 12 different documentary productions this year.

Productions were done by Storyhouse, A&E Television, Cineflix — Canada, Nexffilms, Raw TV, Digital Ranch, Mike Mathis Productions and Forensic Files.

The Division hosted several events that were widely covered by the media including:

- The 197th session graduation from the New York State Police Academy
- Superintendent’s Commendations and Awards Ceremony
- Women’s History month
- the introduction of numerous traffic initiatives including enforcement of Leandra’s Law, which increases penalties for certain DWI offenders.

With the support of Information Services, the Public Information Office, continues to compile and post on a daily basis, relevant news articles from all over the world on topics and stories of professional interest to Division employees in a “daily news” section on the Division’s internal website.

This year it compiled more than 12,450 pages of news clips on the New York State Police.

## Online Newsroom

During 2009, the PIO introduced the New York State Police online newsroom, [www.NYSPNews.com](http://www.NYSPNews.com).

This new feature, developed to improve the efficiency with which the Division produces and distributes news releases to the media, now enables the media to search and extract electronically any news releases they want.

It also has an e-mail subscription feature that notifies registered media users when new information is available. This process has all but eliminated the outdated "blast-fax" and e-mailing of press releases.

During the first year of operations, 920 media professionals registered as media users, including reporters, editors, news directors, producers, photographers and other correspondents representing print, radio and television media outlets throughout New York and beyond.

A total of 489 NYSP civilian administrative staff, troopers, sergeants, and commissioned officers serve as content administrators, drafting and posting content onto the newsroom; an additional 258 State Police employees are registered as read-only account holders.

A total of 6,277 press releases were drafted and posted to the online newsroom in 2009.

In January, the first month of operation, Division members posted 301 releases. The monthly-high, 706 releases, was recorded in November.

For the year, the Division's press releases were read a total of 69,855 times.

Incorporated into the online newsroom is the Zone Public Information Report which is an automatically generated activity summary of each zone's Spectrum Justice Service (SJS) entries for the previous 24 hours

## Crime Prevention

Elsewhere, the PIO continued to assist Division Employees with crime prevention information and material, coordinated public requests for information on topics such as:

- Neighborhood Watch
- Personal safety
- Burglary prevention
- Crime prevention for senior citizens
- Internet safety
- Crime Prevention Through Environmental Design

The Division's public website includes a section on Crime Prevention, where information can be accessed and uploaded on a number of crime prevention topics.

The State Police continues to maintain working partnerships with the National Crime Prevention Council, the Crime Prevention Coalition of America and the National Crime Prevention Association, where it holds a seat on the board of directors.

## Seized Assets Unit

The Seized Assets Program was established in 1990 to ensure proper processing and tracking of seizure cases.

The unit manages and researches all cash, vehicles, real property, jewelry, equipment and bank accounts seized by troopers and investigators in cases involving illegal drugs, gambling, fraud and smuggling.

- The State Police participated in the seizure of \$75,106,625 in cash during 2009.
- Since 1984, combined drug enforcement efforts of the New York State Police, the

DEA, FBI, BICE, BATF, IRS and local police agencies have seized more than \$1,472,087,728 in cash and \$267,732,850 in appraised property.

- During this period, the Division has received \$166,411,069 in asset revenue.

Since 1936, the NYSP Crime Laboratory System has made providing quality forensic science services to the entire state criminal justice system its fundamental mission.

The system incorporates four facilities:

- **The Forensic Investigation Center (FIC)** in Albany, which first opened its doors in 1996, is home to the system's **Headquarters Laboratory** and provides a full range of forensic science services, including the state's DNA Databank. **In 2009** the Headquarters Lab received 6,361 cases for analysis.
- **The Mid-Hudson Regional Lab**, established in 1978 at Stewart Airport in Newburgh (Orange County), provides controlled substance examinations and toxicology analyses. **In 2009**, it received 4,108 cases.
- **The Southern Tier Regional Lab** in Port Crane (Broome County), established in 1979, specializes in controlled substance examinations. **In 2009**, it received 1,739 cases.
- **The Western Regional Lab** in Olean (Cattaraugus County), established in 1987, specializes in controlled substances, toxicology, trace evidence and firearms tool mark examinations. **In 2009**, it received 1,739 cases.

The Crime Laboratory System is externally accredited, as mandated by New York code Article 49-B of the Executive Law.

All four labs successfully completed accreditation inspections by the American Society of Crime Laboratory Directors-Laboratory Accreditation Board (ASCLD-LAB)

# Crime Laboratory System

## Biological Sciences

DNA Databank

Drug Chemistry

Evidence Receiving Forensic Identification

Firearms/Tool Marks Photography

## Quality Assurance

Toxicology

Trace Evidence

in 1993, 1998 and 2003.

In 2008, the NYSP Laboratory achieved its first ASCLD-LAB International Accreditation, and in 2009 maintained that status by undergoing an annual ASCLD-LAB surveillance audit.

ASCLD/LAB-International™ accreditation confirms the NYSP Laboratory System's reputation as one of the top publicly funded laboratories in the nation.

## 2009 Interesting case

A Pennsylvania woman was stopped at the US-Canadian border, where a search produced four glass tubes containing a clear liquid.

The liquid was analyzed at the Western Regional Crime Laboratory and found to contain the date rape drug, Gamma Hydroxybutyric Acid.

## Administration

In addition to overseeing all administrative, technical and supervisory functions associated with managing the Laboratory System, State Police personnel in the Administrative Section of the Headquarters Laboratory provide training to recruits at the State Police Academy and are responsible for

the lawful destruction of seized narcotics and firearms.

By law, the Superintendent of State Police is authorized to destroy "nuisance" weapons – guns or firearms which are unwanted, surrendered or which have been used in the commission of a crime.

**In 2009**, staff at the Forensic Investigation Center destroyed 1,436 firearms and 12,680 narcotics-related pieces of evidence from closed State Police cases.

## Biological Sciences

### Casework

The Casework Section analyzes biological material to help investigators identify perpetrators of violent crimes and exonerate and/or exclude innocent persons.

**During 2009**, the section:

- Examined a total of 40,752 items of evidence, resulting in:
  - 2,644 DNA subject matches and
  - 851 exclusions
- Generated 2,747 reports on criminal cases.
- Provided DNA analysis in:
  - 816 no-suspect cases.
  - 38 forensic paternity cases.

- Provided expert testimony in 82 criminal trials across the state.

## 2008 Interesting case

On July 28, 2008, a seven-year-old girl disappeared from her babysitter's house near the town of Paris (Oneida County). It was suspected that she was with a family friend, a recent parolee.

When the family began searching for her, they encountered three young men who had seen the girl in the woods with the parolee earlier that day.

The three teens set out to search for the girl and found her with the parolee, unclothed and screaming for help.

The parolee ran off into the woods and one of the teens carried the girl to safety; she was transported to St. Luke's Hospital.

SP Marcy troopers and investigators located and took the parolee.

Forensic evidence from the suspect and the victim was sent to the Forensic Investigation Center for analysis, where **Forensic Scientist III Allyson Goble** and **Forensic Scientist II Alicia Bondi** performed serology and DNA analyses, respectively.

The parolee's and the victim's DNA were found to be present in the samples. The forensic scientists testified at the resulting grand jury and at trial.

## Combined DNA Index System (CODIS)

There are eight local DNA databases (LDIS) throughout NYS: Erie County, Monroe County, Nassau County OCME, NYCOCME, Onondaga County, Suffolk County,

Westchester County and NYSP Crime labs. The State DNA Database (SDIS) resides at the FIC.

DNA Profiles from the LDIS and SDIS databases are sent to the National DNA Database (NDIS) in Quantico, VA, for comparison of DNA profiles throughout the country.

### At the end of 2009:

- The State DNA Database contained:
  - More than 328,452 convicted offender profiles and
  - 17,342 subject profiles.
- LDIS, SDIS and NDIS have generated approximately 1,840 investigations aided by CODIS.
- SDIS has generated 1,384 convicted offender hits and 38 subject offender hits against evidence profiles in New York State, of which five offender matches were to unidentified remains within the state.

SDIS also compares evidence profiles from the eight LDIS labs against each other.

**In 2009**, this has generated 17 New York case-to-case matches. There were 85 offender hits between New York State offender profiles and evidentiary profiles elsewhere in the country.

## 2008 Interesting case

**Forensic Scientists Darrin Pelerin** and **Peter Lewis** developed a DNA profile from blood found on a piece of broken glass from a vehicle, collected during the investigation of a September 2008 larceny in Albany County. A "John Doe" profile developed from the evidence was entered into CODIS, resulting

in a match with the profile of a convicted offender, Jan. 26.

## DNA Databank

Since its inception in 1996, the New York State DNA Databank has been working with the State Division of Criminal Justice Services (DCJS) to process and analyze DNA samples from convicted offenders.

**In 2009**, The DNA Databank generated DNA profiles from 44,549 convicted offender samples for inclusion in CODIS.

All convicted offender samples approved for testing in 2009 were analyzed in-house at the New York State DNA Databank laboratory.

The DNA Databank is continuing to work on additional enhancements to secure a production capacity of 10,000 or more samples per month—double the current number of samples submitted to the DNA Databank on a monthly basis.

**During 2009**, the DNA Databank embarked on a pivotal project to develop a new Databank Laboratory Information Management System (DLIMS), which is critical to accommodate any future legislative expansions of the system.

The two-phase project is being funded by a grant from the National Institute of Justice.

Phase I is a Data Exchange project designed to streamline the sample accessioning process at the Databank and the exchange of submission information with DCJS. This phase was completed and implemented, Aug. 5.

The implementation of a data network portal, coupled with a DLIMS-controlled web service between the agencies, has led to real-time

updates of sample status for testing, allowed electronic sharing of submission images between agencies, and improved overall efficiency while maintaining data integrity.

The new Data Exchange system has reduced data entry time, streamlined the submission entry process, and freed laboratory personnel to assist in other quality control functions, lab tasks and technical validations.

In November 2009, the DNA Databank began DLIMS Phase II, which will incorporate the remaining analytical processes of the DNA Databank into the DLIMS system.

DLIMS Phase II will dramatically improve processes for sample identification, tracking, documentation, interfaces for automated processes (robots), expungement procedures, generation of reports, and quality assurance measures.

It will require extensive development and testing, and is expected to run into 2011.

## 2009 Interesting case

A 43-year-old Queens man was convicted Oct. 30, 2009 of raping a woman in 1996 and a 12-year-old girl in 2004.

In the 1996 case, the victim was ordered out of her car at gunpoint, raped, robbed and then locked in the trunk of the car.

The child was raped and robbed of her lunch money in a driveway as she walked to the school bus stop.

The victim of the 1996 assault traveled to Albany in 2006 to urge the State Legislature to expand the DNA Databank to all felonies.

This expansion was eventually passed in June 2006, and the suspect was required by the amended law to submit a DNA sample as

## Annual Report 2009

a result of a 2006 grand larceny conviction.

The suspect's DNA Databank profile subsequently generated a hit in the Combined DNA Index System (CODIS) linking him to both rapes.

## Drug Chemistry

The Drug Chemistry Section analyzes any substance seized under the state's laws restricting the sale, manufacture, distribution and use of abusive-type drugs.

Case submission types include drug sales, possessions, clandestine drug labs, overdoses, date rapes and drug substitution cases.

Drug evidence submitted to the section is analyzed through a variety of methods, including:

- Color testing
- Microscopic analysis
- Gas chromatograph screening
- Thin layer chromatography
- Gas chromatography/mass spectrometry (GC/MS)
- Infrared spectrophotometry (FTIR)
- Liquid chromatography/mass spectrometry (LC/MS).

Following analysis, forensic scientists then interpret the instrumental data and prepare reports of their findings.

These reports are used in criminal court proceedings; often the forensic scientist is asked to provide expert testimony in court.

**During 2009**, forensic scientists in the four NYSP laboratories tested 3,000 drug items.

## 2009 Interesting case

In December, the Drug Chemistry Section received and analyzed a submission related to a burglary at a country store.

Among the items submitted was a plastic bag containing plant material.

Testing determined the material contained codeine, the baine, and possible components consistent with opium which can be found in the poppy plant.

Although the lab routinely receives marked tablets containing codeine and morphine, this type of submission is unusual.



**Poppy Plant is Suspect:** After finding components consistent with opium it was determined the plant being analyzed was an opium poppy.

## Clandestine Drug Laboratories

Specially trained forensic scientists within the NYSP Crime Laboratory System are specially trained to accompany the Division's Contaminated Crime Scene Emergency Response Team (CCSERT) personnel when

they respond to a suspected clandestine drug laboratory and:

- Provide expert testimony regarding the practical and theoretical aspects associated with the synthesis of methamphetamine.
- Serve as scientific advisors
- Assist in the securing and processing of evidence
- Aid in dismantling the laboratory while emphasizing safety and health concerns.

In 2009, law enforcement personnel raided a total of 16 clandestine drug labs throughout New York State, of which 14 were set up to produce methamphetamine, and two MDMA (“ecstasy”).

More than 313 such labs have been discovered statewide since August 1999.

### 2009 Interesting case

In November 2009, Oneida city and New York State Police executing a search warrant at a house found evidence the tenants were manufacturing methamphetamine.

Evidence found at the scene was removed from the house and placed outside for disposal.

Within an hour of being exposed to the air, the evidence burst into flames spontaneously.

### Evidence receiving

Personnel in the Evidence Receiving Section are responsible for taking in, processing,



**Evidence of Clandestine Drug Lab Bursts into Flames:** While being itemized, some of the evidence that was removed from the home spontaneously burst into flames within an hour of being exposed to the air.

securing and maintaining the chain of custody for criminal evidence in cases submitted by law enforcement personnel.

Because evidence may be examined by different sections under the control of the laboratory system, staff involved in the process must conform to strict protocols and policies.

All evidence movement is documented via the chain of custody section in the LIMS.

**During 2009**, evidence receiving units within the NYSP Laboratory System received more than 70,000 items of evidence, including::

- Firearms
- Drugs
- Biological DNA and toxicological specimens
- Trace items



**Evidence of Clandestine Drug Lab Slated for Disposal:** Executing a search warrant, State Police personnel dressed in protective gear, execute a search warrant and remove evidence that residents were manufacturing methamphetamine, while another member itemizes the evidence upon removal.

- Latent fingerprints
- Fire debris
- Questioned documents
- Items associated with computer crimes

### Firearms/Tool Marks

The Firearms Identification Unit is responsible for identifying, examining and analyzing guns and related expended ammunition components.

Firearms examiners perform all test-firing, microscopic analyses, distance

determinations, serial number restorations and tool mark examinations in criminal cases.

**In 2009**, the Firearms Section 1,252 assignments system-wide and 3,758 items of evidence.

Since 1998, the Firearms Section also has utilized specialized microscopes and computers to capture digital images of firing pin impressions and breach-face marks on expended cartridge casings as part of the National Integrated Ballistic Information Network (NIBIN).

NIBIN is a computer network maintained by the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives that enables partner crime laboratories to search ballistic databases nationally for links to other crime scene cartridge casings and test-fired crime weapons.

Since 2002, NYSP Firearms examiners have entered 3,829 images into NIBIN, resulting in 299 “cold hits” that have aided numerous investigations and contributed to prosecutions and convictions.

#### **In 2009:**

- The Firearms Identification Unit entered 430 digital images of cartridge casings into NIBIN for comparison.
- The unit identified 18 “cold hits” linking open cases, including robbery, assaults and murder cases.
- The section’s two firearms examiners also gave testimony in superior court proceedings 26 times.

### **2009 Interesting case**

In late December 2008, police in the town of Lloyd responded to a 911 call about a

shooting at a private residence.

Officers found the victim on the living room couch with a towel draped over her. She had gunshot wounds in the rear of her left shoulder and the left side of her face.

Transported to an area hospital, she was pronounced dead on arrival.

Town Police called Troop F BCI for assistance.

Investigators arrived and conducted a crime scene investigation and interviewed the boyfriend, who claimed the victim had been standing roughly nine feet away and had been killed accidentally when his pistol discharged while he was unloading it.

The district attorney asked the assistance of the Firearms Section.

Its experts examined the pistol, the expended cartridges and bullets, and crime scene photos.

Firearm and Toolmark Examiner **T/Sgt. Dennis Lyons** found the pistol to be in proper working order.

Test shots and gunshot residue patterns proved the fatal shots had been fired from no more than 18 inches away.

### **Forensic Identification**

The FIC Forensic Identification Unit’s (FIU) fingerprint examiners process physical evidence for the presence of latent fingerprints.

They also evaluate and compare identifiable latent prints to known inked fingerprint impressions for positive identification.

Unmatched latent prints are also entered into the Statewide Automated Fingerprint

Identification System (SAFIS) computer for digital comparison and possible identification.

Modern technology permits crime scene latent prints from anywhere in the state to be entered into SAFIS within minutes.

The SAFIS site at the FIC also enters developed latent prints into the FBI IAFIS (Integrated Automated Fingerprint Identification System) database and latent palm print impressions into the NYPD APIS (Automated Palm Identification System).

#### **In 2009:**

- The FIC SAFIS site:
  - Examined 1,357 latent prints and
  - Entered 119 more into the FBI IAFIS and NYPD APIS sites.

From those cases, 79 resulted in a positive identification.

- The FIC processed 221 cases for the development of latent prints.
- FIUs examined and identified 415 latent fingerprint matches.

### **Combined Ballistic Identification System**

The Combined Ballistic Identification System (CoBIS), begun in March 2001, captures digital images of sample expended cartridge casings submitted for every new handgun sold in New York State.

**By the end of 2009**, the ballistics database included 258,700 images ready to be searched against crime scene evidence.

Since its inception, the system has been queried 7,330 times with two “hits”.

## Photography

The Photography Unit records special events, assists the analytical sections with photographing evidence, prepares court presentations and supports administrative sections at the FIC, Division Headquarters and the Academy.

It also supports field operations by processing all film and photo enlargements and assisting members in their investigative assignments.

In addition to the traditional photo-film process, the unit utilizes digital image technology, producing photographic enlargements and securing digital images on computerized compact discs.

**In 2009**, the Photography Unit:

- Processed 2,144 rolls of film/CDs
- Produced 558 CDs of digital images
- Printed approximately 34,750 photographs for field members

## Quality Assurance

The Quality Assurance Office monitors laboratory system policies and procedures to verify compliance with New York State Executive Law 49-B, which established the New York State Commission on Forensic Science.

The Commission requires the New York State Police Crime Laboratory System to maintain accreditation.

The office also manages the laboratory system's internal auditing program, the proficiency testing and safety programs, and the Laboratory Information Management System (LIMS).

## Toxicology

Its scientists use a variety of instruments and techniques, including gas chromatography, mass spectrometry, enzyme-linked immunosorbent assay and solid phase extraction.

Much of the section's caseload supports highway safety enforcement, involving charges such as Vehicular Homicide/ Manslaughter, Criminally Negligent Homicide, Vehicular Assault, DWI, and DWAI-Drugs.

The section also provides assistance in death investigations and sexual assaults.

The scientists serve as a resource for the criminal justice community on toxicology matters involving impairment, cause of death, and drug facilitated sexual assault.

**During 2009** they provided training through the New York Prosecutors Training Institute (NYPTI), the Governor's Traffic Safety Committee (GTSC) and the annual NYSP Sexual Offense Seminar.

**In 2009**, the Toxicology sections of the NYSP Crime Laboratory System analyzed 3,087 cases. These were categorized as:

- Highway safety enforcement (2,927),
- Death investigation (35),
- Drug facilitated sexual assault (85), and
- Other toxicology investigations (40).

## Breath Testing

The laboratory's Breath Testing Section is a subset of the Toxicology department, supporting the Division's Traffic Services Breath Testing Program.

Staff perform the maintenance, repairs and certification of all Drager 7110 breath testing

equipment.

The section also certifies the simulator solution used by law enforcement agencies statewide, and provides expert testimony on alcohol-related driving issues.



**During 2009**, the section validated the Drager 9510, above, instrument and inspected/ calibrated the new instruments for use in the field.

## Trace Evidence

The Trace Evidence Section examines evidence including fire debris, footwear and tire impressions, paint, glass and unknown substances.

Its examiners employ an arsenal of high-tech instruments including

- Scanning electron microscope
- Polarizing microscopes
- Comparison Microscopes

- Microspectrophotometer
- Glass Refractive Index Measuring System
- Fourier Transform infrared microspectrometer
- Gas chromatograph/mass spectrometer/mass selective detector
- Pyrolysis gas chromatograph.

The Trace evidence section also has one of the few gas-phase laser ablation inductively coupled plasma labs in the world, with Deep Ultraviolet Excimer Laser Ablation Inductively Coupled Plasma Mass Spectrometry (ICP-MS).

**During 2009**, Trace Evidence examiners:

- Examined 68 cases including homicide, rape, narcotics, property crimes, and fatal motor vehicle “hit-and-run” investigations
- Processed fire debris evidence from 248 cases of suspected arson

# Office of Employee Relations

The Office of Employee Relations oversees:

- Office of Human Resources
- Employee Assistance Program and
- NYSP Academy

At the agency level it administers the collective bargaining agreements between the State of New York and Division employees represented by the:

- Police Benevolent Association of the New York State Troopers (PBA),
- New York State Police Investigators Association (NYSPIA),
- Civil Service Employees Association (CSEA),
- Public Employees Federation (PEF), and
- New York State Correctional Officers and Police Benevolent Association (NYSCOPBA).

Employee Relations also represents the Division in grievance hearings and improper practice proceedings before the Public Employment Relations Board (PERB), and represents the Division in contract negotiations and interest arbitration proceedings between the State and the various employee organizations.

## ► PBA contract status

On Aug. 16, the state and the PBA agreed to terms on a new four-year collective bargaining agreement for the Troopers' and Supervisors' units for 2007-2011.

# office of Employee Relations

## Human Resources

### Employment Assistance Program

**NYSP Academy**

## ► NYSPIA contract status

On Nov. 6, the state and NYSPIA agreed to terms on a new four-year collective bargaining agreement for the unit representing Investigators and Senior Investigators for the period 2007-2011.

## ► CSEA and PEF contract status

Employees of the Division represented by CSEA and PEF are operating under collective bargaining agreements covering the period 2007-2011. These agreements are set to expire March 31, 2011.

## ► NYSCOPBA contract status

Currently, employees of the Division represented by NYSCOPBA are operating under a collective bargaining agreement covering the period 2003-2007.

## Office of Human Resources

During 2009, the Office of Human Resources was restructured to include three main areas of responsibility:

- Equal Employment Opportunity and Diversity Management
- Promotional System and Career Board Process Administration
- Benefits Administration

## Equal Employment Opportunity and Diversity Management

The Division of State Police has:

- Approximately 86 sworn and civilian Human Resources Counselors,
- Five EEO Specialists and
- Three regional Senior Investigators involved in the direct delivery of comprehensive employee services.

They train supervisors in sexual harassment and discrimination-related issues, administer an informal/formal dispute/complaint resolution process, and serve on interview panels as an objective representative of the Office of Human Resources.

## Recruitment

### During 2009:

- Recruiters attended college career fairs, community job fairs, county fairs, community events and high profile-parades across the state, as well as the State Fair in Syracuse.
- A supplemental military entrance examination was held at the Academy in March in a continuing effort to maximize military applicants; another was planned for March 2010.
- A new database was established to collect

contact information from future applicants who request to be notified when applications become available for the next regular examination.

To date, more than 15,000 individuals have requested to be notified for the next exam.

- A Junior Police Academy was successfully developed and implemented in Syracuse, hosted by Troop D. More than 35 junior recruits successfully completed the program.
- Members of the recruitment team established a recruitment display at the Palisades Mall in Nyack, NY. It was estimated that 50,000 patrons attended this event.

Although the next trooper exam has not been scheduled, concerted efforts have been made to sustain a dialogue with community members and establish relationships with potential future applicants.

The T/Lieutenant-Recruitment assisted in the 2009 SEFA Campaign on a statewide basis, serving as campaign manager for the Capital Region and as Agency Liaison for the Campaign Managers for all Troops and Details.

The NYSP SEFA Campaign resulted in contributions totaling over \$300,000 being pledged by more than 1,800 Division employees statewide.

### **Training and Educational Initiatives**

The Office of Human Resources continued to provide training on the topics of Managing and Valuing Cultural Diversity, Cultural Sensitivity: The Issue of Racial Profiling,

Prevention of Discrimination/Sexual Harassment, and Conflict Resolution Skills for both sworn and non-sworn employees.

**During 2009**, the Office of Human Resources developed a web-based training program on the NYSP Domestic Violence and the Workplace Policy for all employees utilizing Geo Learning.

The Office of Human Resources played an integral role with the New York State Division of Criminal Justice Services in planning, organizing and hosting the 14th Annual Leadership Conference for the National Center for Women and Policing in Saratoga Springs, Sept. 23-25. This year's seminar focused on Leadership, Learning and Life Skills.

### **Promotional System and Career Board Process Administration**

#### **Sworn Member Competitive Promotional Examinations**

The written portions of the promotional examinations for Uniformed Lieutenants and Sergeants were administered in February and March 2009.

With the assistance of a testing consultant, the Promotional Exam Detail used information from surveys of incumbent sergeants and lieutenants to construct a fair, job-related exam.

A total of 719 Sergeant and 195 Lieutenant Exam candidates participated in the written portions of the examination process.

Performance on the written portions determined whether a member would continue to the Phase 2 component of the examination process, which consisted of the

oral assessment center exercise, or OACE.

The top 251 scoring candidates for Sergeant and the top 58 scoring candidates on the written portions for Lieutenant completed the OACE.

Each candidate participating in the OACE appeared before assessor boards comprised of three commissioned officers from the New York State Police or other state police agencies.

Draft eligibility lists were prepared based upon the results of the examination scores, combined with military and seniority credits.

Due to budgetary restrictions, some promotions to vacant Sergeant and Lieutenant positions were not made by the date the eligibility lists from the 2009 exam process were to be established.

It is anticipated that these positions will be filled from the lists established from the 2007 exams, and positions that become vacant after Aug. 16, 2009, will be filled from the draft lists resulting from the 2009 examination process.

#### **Career Board Process**

More than 100 commissioned officers seeking consideration for promotion participated in the Career Board Process.

Each participant was required to submit a self assessment that describes accomplishments in 10 leadership competencies.

In addition, the supervisor of each participant was required to submit a supervisor assessment of the candidate focusing on the same ten leadership competencies. Submissions were then reviewed by a committee comprised of the deputy

superintendents, facilitated by the Major-Human Resources.

Based upon the review of the assessments, the committee made recommendations to the Office of the Superintendent for promotion.

### **Non-Competitive Interview Panel Process**

**During 2009**, the Office of Human Resources developed and published a comprehensive administrative guide describing the interview panel process utilized for certain non-competitive sworn positions and all non-competitive civilian titles.

The guide includes:

- Clarification on the applicability of interview panels;
- The approval process required to post a position
- Parameters for construction of questions and rating instruments
- Requirements for screening applicants
- Instructions for conducting the interview panel, and
- The recommendation and appointment process.

### **Benefits Administration**

The Benefits Administration Unit continued to provide services in the areas of:

- Employee health and insurance benefits
- The Income Protection Program (IPP)
- Management/Confidential (M/C) life insurance
- Death benefits and
- Tuition reimbursement.

### **The Leave Unit:**

- Oversees attendance and leave programs for all sworn and non-sworn employees.

This includes a variety of benefit programs, including:

- Compressed workweek scheduling
  - The Family and Medical Leave Act
  - The Leave Donation Program
  - Voluntary Reduction in Work Schedule Program
  - The Productivity Enhancement Program.
- Provides guidance and assistance to employees on maternity leave, extended military leave, and those who have filed for retirement.

The **Workers' Compensation Unit** is responsible for the:

- Administration of compensation benefits, including:
  - The filing of claims through the Accident Reporting System
  - Assisting employees with obtaining approval for medical treatment through the New York State Insurance Fund.
- Preparation of annual statistical reports required by the Department of Labor pertaining to on-the-job injuries.

Both the Leave Unit and Workers' Compensation Unit continue researching and responding to issues regarding"

- The World Trade Center Site — Rescue, Recovery or Cleanup Operation and
- The World Trade Center Medical Monitoring Program.

The Medical Monitoring Unit supervises the

implementation of the new Heightened Risk and Modified Duty Program negotiated for all members in 2009.

### **Employee Assistance Program**

The Employee Assistance Program is a confidential early intervention system designed to help sworn and non-sworn members and their families.

The EAP is staffed with full-time, specially trained regional coordinators who provide assistance around-the-clock and serve to identify and motivate for treatment employees whose job performance is impaired by alcoholism, alcohol and substance abuse, emotional problems, mental illness, workplace or personnel issues, gambling, grief and loss, financial or legal matters, military activation, relationship problems, critical incident stress, and other problems that may affect the employee in his or her work.

The EAP also helps employees and families select appropriate resources in the community for treatment and rehabilitation, and follows up to ensure quality care is provided.

An additional feature of the New York State Police EAP is the Peer Counseling Unit, staffed by member and civilian employees trained in peer counseling skills, and a newly formed Military Peer Counseling Unit staffed by current and retired military personnel specifically trained to assist State Police/military employees and their families during military deployments.

Over the years, the EAP has experienced growth and a steady increase in the number of cases.

It handled 650 cases by 2009, compared to 570 cases in 2007.

In addition to handling all cases referred to the EAP, the unit also is requested to lecture at the Academy for State Police Basic School, the new NCO School, new Senior Investigator School, new Investigator School and Member-Citizen Interaction School.

The regional coordinators also have been requested to do regional trainings for dispatchers, SORT, returning military personnel and other local police academies and chiefs of police meetings.

## **NYSP Academy**

The New York State Police Academy provides training resources to approximately 14,000 people each year.

While many of those receiving training are State Police and law enforcement personnel, many others come from throughout the criminal justice community and the general public for law enforcement-related education.

In addition to training for State Police personnel, the Academy provides instruction and classroom space, dining and lodging facilities for members of other police departments and outside agencies who routinely look to the State Police for help in training their personnel.

**During 2009**, Academy personnel assisted the New York State Office of Homeland Security by hosting numerous meetings and presenting several seminars on the subject of counter-terrorism.

It also hosted seminars for DCJS and the NYS Prosecutors Training Institute. In light of the current budgetary issues this year, the

Academy has provided training and meeting spaces for several other State agencies and groups, including the NYS Department of Health, NYS Internal Control Association, and State Emergency Management Office.

## **Training**

### **Basic School**

A total of 88 Recruit Troopers graduated the Basic School's 197<sup>th</sup> Session on June 9, 2009.

### **In-Service & specialized training**

- The e-Academy Workplace Violence course was completed Division-wide in early 2009. Upon completion of this course, the operating platform for the NYSP e-Academy was transitioned to a newer, more updated, version of the Geo-Learning System. The first course administered via this updated system was Domestic Violence — Workplace Policy, and this was given to all Division employees.
- An Alcotest 9510 Instructor update class was held in preparation for the deployment and required training for field personnel in the new instrument.
- Multiple Defensive Driving Courses were conducted for Division employees.
- Instructor Development Schools were held for Firearms, EVOC, Speed Enforcement and Defensive Tactics instructors.
- A Patrol Rifle Instructor Course was presented to all Troop senior firearms instructors and their assistants. Subsequently, 264 riflemen were trained statewide and issued the new Rock River Arms Model AR1250X Patrol Rifle.

- Forty new Field Training Officers (FTOs) from Troops B, C, F & K were trained in preparation for the field training of the 197<sup>th</sup> Academy Session.
- A two-hour instructional block of training was incorporated into the Defensive Tactics Program's Winter In-Service program.
- A 40-hour block of In-Service instruction was given to all Defensive Tactics staff. This instruction implemented updated curriculum changes, and featured a review of all current Defensive Tactics material taught in the Basic School and In-Service programs.
- The Academy BCI Unit developed the BCI Back Room Initiative Program, with is designed to give investigators assigned to specialized units the tools to handle a BCI back room assignment.
- Investigators are brought into the Academy for 16 hours of instruction, followed by a four-week station back room unit assignment.
- A Basic Leadership School for new Uniform and BC! Supervisors was completed.
- Thirty Members were trained as Emergency Medical Technicians in a 4-week school given by the EMS staff.

### **Outside agency training**

The Marist College Masters Degree in Public Administration Program continued for its 13<sup>th</sup> year with 35 students enrolled.

There is a continual demand for the Academy to train instructors for other agencies, especially in light of the current fiscal climate in New York State.

## **Seminars and meetings**

In 2009, the Academy hosted a total of 177 seminars and meetings:

- Annual Henry Williams Homicide Seminar
- Auto Theft Seminar
- Criminal Street Gang Seminar
- Annual Gang Seminar
- Annual Sex Offense Seminar
- Child Abuse and Neglect Seminar
- Anti Defamation League Extremist Seminar
- Project North Star Meetings
- Quarterly Trooper Foundation Board Meetings
- GOER Meetings
- Labor Management Meetings and
- Troop Commander Meetings

## **Tours**

The Academy remains a point of interest for criminal justice students from area schools.

In 2009, Academy personnel conducted 52 tours for 981 students, many of whom are considering careers in law enforcement.

## **State Police Summer Program**

In August, the State Police Summer Program (SP/SP) completed its 3<sup>rd</sup> year of providing underprivileged youngsters with a wholesome summer camp experience. SP/SP is a joint venture between the NYSP and the Trooper Foundation-State of New York, Inc.

One hundred forty-two (142) children from across the state attended this year's program under the guidance and support of 12 Trooper Counselors.

Activities included trips to the Great Escape,

Water Slide World, the National Baseball Hall of Fame at Cooperstown and the Clark Sports Center.

Additionally, every child received a complete physical examination, including vision, dental and hearing screening, at no cost.

# Internal Affairs Bureau

The Internal Affairs Bureau (IAB) has a wide range of responsibilities that further the mission of the Division.

To carry out its mission, IAB is divided into two sections:

- An Investigative Section oversees all investigations into allegations of misconduct by Division employees, and
- An Audit Section that manages the Division's audit and inspection processes.

Four regional IAB offices place IAB staff in close proximity to all troop headquarters within their regions.

IAB staff work to ensure all employees meet and maintain the highest standards of professional conduct and adhere to the law, on and off duty.

IAB investigations protect our employees from unfounded allegations and ensure that outstanding performance of duty and acts of extraordinary courage performed by Division employees are appropriately recognized.

The Internal Affairs Bureau also:

- Conducts internal audits of troops, zones and specialized units.
- Responds to critical incidents involving Division employees.
- Conducts and oversee employee drug and integrity testing.
- Reviews and recommends improvements to Division policies and procedures.
- Conducts citizen satisfaction surveys and quality of service assessments and
- Collects and analyzes data regarding

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# Internal Affairs Bureau

## Investigative Section

## Audit Section

## Survey Analysis

employee performance and conduct.

## Investigative Section

One of the primary responsibilities of the Internal Affairs Bureau is to ensure the prompt and thorough investigation of allegations of misconduct by NYSF employees.

Internal Affairs Bureau staff also must respond to "critical incidents" with troop and Field Command supervisory personnel throughout the year.

A critical incident is defined as any action by a sworn member that results in serious physical injury or death to another person or member.

These incidents usually arise during situations involving the discharge of firearms, Division vehicle accidents or incidents involving aircraft and marine vessels.

## Audit Section

The internal audit process is considered an essential tool for government accountability.

The Governmental Accountability, Audit and Internal Control Act of 1987 mandated that all state agencies examine their own weaknesses and establish workable and cost-effective systems of controls.

Our current internal audit process allows us to comply with the mandates of the

Internal Control Act by obtaining, analyzing, and evaluating information concerning the operations, administration and management of any troop, zone, station, detail or section.

This process helps identify strengths and weaknesses, and leads to instructions, recommendations, and/or suggestions to improve the Division's performance.

To maximize the success of its zero tolerance policy regarding illegal drug use and drug/substance abuse, the Division randomly screens all sworn members using both urinalysis and hair testing methods.

Each recruit is subjected to one test during his or her Academy training. After graduation, and at some point during their probation and field training, they undergo a second screening.

The Division's testing standards have been designed to ensure the members' personal confidentiality and dignity is maintained while simultaneously safeguarding the screening process.

## Surveys

The New York State Police also administers several types of citizen satisfaction surveys on a regular basis.

During Division-level audits, IAB staff

members perform telephone and personal surveys with internal and external customers.

In addition, the Internal Affairs Bureau has managed a mail survey program since April 1999.

All of these programs combine to support the Division's organizational values and ensure that everyone receives dedicated and conscientious service.

The mail surveys are aligned with planned IAB audits and each survey round is initiated approximately four weeks before the audit commences.

The replies are carefully reviewed to discern if there are any areas of concern that should be brought to the attention of the audit team.

The surveys are conducted confidentially in an attempt to glean candid responses regarding our performance and citizens are provided with the Regional IAB office telephone number should they wish to speak to IAB directly.

## **Credits**

The 2009 New York State Annual Report  
was produced by the  
NYSP Planning and Research Section  
with written and photographic contributions  
from all NYSP sections, troops and details.

Executive Editor: Inspector Thomas Cowper

Composer/Editor: James V. Atkins

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