



OFFICE OF THE DISTRICT ATTORNEY
RICHMOND COUNTY

DANIEL M. DONOVAN, JR.
DISTRICT ATTORNEY

130 STUYVESANT PLACE
STATEN ISLAND, NEW YORK 10301
TELEPHONE (718) 876-6300

PRESS RELEASE

For Immediate Release on March 4, 2008

Contact: William J. Smith (718) 556-7150
William.Smith@rcda.nyc.gov

D.A. DONOVAN: NYPD OFFICERS INDICTED IN HALLOWEEN INCIDENT INVOLVING S.I. TEEN

******Officers Assigned to 120th Precinct Named in 33-Count Indictment******

STATEN ISLAND, NY – Richmond County District Attorney Daniel M. Donovan, Jr. today announced the unsealing of a 33-count indictment against NYPD officers, Thomas Elliassen, 28, and Richard Danese, 29, both of Colon Avenue, charging them with 13 Class E felony charges, 14 Class A misdemeanor charges, 3 Class B misdemeanor charges and 3 violations in relation to their activities surrounding the detention of a 14 year old boy on the North Shore of Staten Island. Both officers are assigned to the NYPD's 120th Precinct and the alleged crimes were committed while on duty on October 31, 2007.

District Attorney Donovan stated, "This indictment alleges that while on patrol during the evening of October 31, 2007 Officers Elliassen and Danese came across 14 year-old Rayshawn Moreno, whom they believed was throwing eggs at cars on the corner of Arlington Place and South Avenue. It is alleged that in a marked patrol car the defendants transported Mr. Moreno, who was handcuffed, to a desolate area near the West Shore Rail Line. While still handcuffed, the victim was removed from the police vehicle, allegedly ordered to lie face down on a roadway, and was kicked and struck about the body by the officers. It is also alleged that the officers removed his shirt and shoes, ordered him not to move and abandoned him alone, in a dark and desolate wooded area where he was surrounded by swamps and unfenced railroad tracks with live, high voltage wires overhead. In the course of our investigation into this matter sufficient evidence was uncovered to allege that the defendants repeatedly attempted to cover-up their actions by failing to take the required actions of notifying appropriate NYPD personnel of their venturing out of the confines of the 120th precinct and detention of a juvenile as well as their failure to complete appropriate reports related to their activities, reports commonly known as a *Juvenile Report* and a *Stop and Frisk Report*."

The top count of the indictment, Unlawful Imprisonment in the 1st Degree, carries a top penalty of up to 4 years in prison. The defendants released without bail following their arraignment this morning before Justice Leonard P. Rienzi in State Supreme Court and will return to court on April 22, 2008. Assistant District Attorney Mark Palladino, Head of the Special Case Unit will be prosecuting the case under the supervision of Assistant District Attorney Mario Mattei, Chief of the Investigations Bureau. Thomas Elliassen and Richard Danese are represented by John Patton, Esq. and John Tynan, Esq., respectively.

The public is reminded that an indictment is merely an accusation, and that a defendant is innocent until proven guilty in a court of law.

Indictment Counts

Count 1	Unlawful Imprisonment/ E Felony
Counts 2, 4, 6	Falsifying Business Records/E Felony (Failure to make Juvenile Report, conceal crime)
Counts 3, 5, 7	Falsifying Business Records/A Misd (Failure to make Juvenile Report)
Counts 8, 10, 12	Falsifying Business Records/E Felony (Failure to make Stop and Frisk Report, conceal crime)
Counts 9, 11, 13	Falsifying Business Records/A Misd (Failure to make Stop and Frisk Report)
Counts 14, 16, 18	Falsifying Business Records/E Felony (Failure to notify civilian in custody, conceal crime)
Counts 15, 17, 19	Falsifying Business Records/A Misd (Failure to notify civilian in custody)
Counts 20, 22, 24	Falsifying Business Records/E Felony (Failure to notify leaving confines of 120 Pct, conceal crime)
Counts 21, 23, 25	Falsifying Business Records/A Misd (Failure to notify leaving 120 Pct. confines)
Count 26	Att. Assault 3 rd Degree/B Misd (<i>Danese only</i>)
Count 27	Att. Assault 3 rd Degree/B Misd (<i>Elliassen only</i>)
Counts 28	Harassment 2 nd Degree/240.26-1/Violation (<i>Danese only</i>)
Count 29	Harassment 2 nd Degree/240.26-1/Violation (<i>Elliassen only</i>)
Counts 30	Harassment 2 nd Degree/240.26-3/Violation
Count 31	Menacing 2 nd Degree/A Misd
Count 32	Menacing 3 rd Degree/B Misd
Count 33	Endangering Welfare of a Child/A Misd

-end-