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## PRESS RELEASE

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### **D.A. DONOVAN: S.I. COUPLE ARRAIGNED ON FELONY INDICTMENT IN PIT BULL MAULING OF 90-YEAR-OLD MAN**

***\*\*\*Defendants Face Up to 7 Years in Prison if Convicted of Top Charges\*\*\****

STATEN ISLAND, NY - Richmond County District Attorney Daniel M. Donovan, Jr. today announced that James McNair (DOB: 4/15/1980) and Kim DiPrima (DOB:1/15/1971), both of Newark Avenue, have been arraigned on a Grand Jury indictment charging a top count of Assault in the 2<sup>nd</sup> Degree, as well as additional lesser charges, in relation to a July 1, 2008 incident in which 90-year-old Henry Piotrowski was mauled and seriously injured by 2 pit bull dogs owned by the defendant. The attack occurred in Mr. Piotrowski's yard on John Street, Port Richmond.

Defendant McNair was initially arrested on charges related to this incident on July 2, 2008 and has been held in the custody of the New York City Department of Corrections on \$255,000 bail. Defendant DiPrima surrendered this morning to be arraigned on a sealed indictment.

District Attorney Donovan stated, "Subsequent investigation by my office, along with the NYPD, determined that Ms. DiPrima, who was cohabitating with Mr. McNair, was fully aware of the danger their two pit bulls posed to the neighborhood and repeatedly refused to take action to ensure that the animals were properly restrained. That reckless behavior resulted in serious physical injuries to their 90-year-old neighbor who was severely mauled by the dogs. Additionally, Mr. McNair, a convicted sex offender, has been charged with a felony count for his failure to meet the requirements placed on him under our state's Megan's Law."

James McNair and Kim DiPrima were arraigned today before State Supreme Court Justice Leonard P. Rienza. James McNair was ordered held on \$255,000 bail while Kim DiPrima was released on her own recognizance until their next court date on September 19, 2008. The top charge against the defendants, Assault in the 2<sup>nd</sup> Degree, a Class D felony, carries a maximum penalty of up to 7 years in prison.

The case against James McNair and is being prosecuted by Assistant District Attorney Joe Gim of the Supreme Court Bureau under the supervision of Assistant District Attorney Paul A. Capofari, Bureau Chief. James McNair and Kim DiPrima are represented by Richard Kopacz, Esq. and Michael Ryan, Esq., respectively.

The public is reminded that the defendants are presumed innocent until proven guilty in a court of law.

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# **Charges Against James W. McNair & Kim DiPrima**

## **James W. McNair**

In regards to dog-mauling:

- Assault/2<sup>nd</sup> Degree, Class D felony
- Assault/3<sup>rd</sup> Degree, Class A misdemeanor
- Dogs To Be Restrained, NYC Health Code Violation

In regards to fireworks recovered from residence:

- Unlawfully Dealing With Fireworks, Class B misdemeanor

In regards to sex offender status:

- Failure To Verify Registration Information, Class E felony

## **Kim DiPrima**

In regards to dog-mauling:

- Assault/2<sup>nd</sup> Degree, Class D felony
- Assault/3<sup>rd</sup> Degree, Class A misdemeanor
- Dogs To Be Restrained, NYC Health Code Violation (2 counts)

In regards to fireworks recovered from residence:

- Unlawfully Dealing With Fireworks, Class B misdemeanor