



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 October 1, 2008

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

D.A. DONOVAN: CHARGES UPGRADED TO MANSLAUGHTER IN FATAL PIT BULL MAULING OF 90-YEAR-OLD MAN

******Grand Jury Returns Additional Charge of Manslaughter Following Death of Victim, Defendants Face
Up to 15 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 superseding Grand Jury indictment charging a new top count of Manslaughter in the 2nd 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. Mr. Piotrowski died of injuries suffered in the attack on August 17, 2008.

District Attorney Donovan stated, "Following Mr. Piotrowski's tragic death, my office asked a Grand Jury to consider a new charge of Manslaughter in the 2nd Degree in this case. This charge alleges that the defendants, through their reckless behavior, caused the death of Henry Piotrowski. These defendants were 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 the mauling and death of this victim."

James McNair and Kim DiPrima were arraigned today on the superseding indictment before State Supreme Court Justice Leonard P. Rienzi. The defendants' bail status was continued with James McNair ordered held on \$255,000 bail and Kim DiPrima released on her own recognizance until their next court date on December 9, 2008. The top charge against the defendants, Manslaughter in the 2nd Degree, a Class C felony, carries a maximum penalty of up to 15 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.

-end-

Charges Against James W. McNair & Kim DiPrima

James W. McNair

In regards to dog-mauling:

- Manslaughter/2nd Degree, Class C felony
- Assault/2nd Degree, Class D felony
- Assault/3rd 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:

- Manslaughter/2nd Degree, Class C felony
- Assault/2nd Degree, Class D felony
- Assault/3rd 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