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PRESS RELEASE

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D.A. McMahon and NYPD Commissioner James P. O'Neill: Alleged Gang Members behind Shootings and Street Violence Indicted following Takedown of Heroin, Fentanyl, Suboxone, and Cocaine Distribution Network on Staten Island

Investigation marks the first time in New York City history that a local prosecutor has charged a drug dealer with Manslaughter and Criminally Negligent Homicide for allegedly selling fentanyl to an overdose victim

STATEN ISLAND, N.Y. – Richmond County District Attorney Michael E. McMahon and NYPD Commissioner James P. O'Neill today announced the takedown of fifteen individuals, many of them alleged gang members who operated a heroin, fentanyl, suboxone (buprenorphine), and cocaine distribution network on the North Shore of Staten Island. Search warrants executed yesterday also yielded firearm and rifle ammunition, as well as quantities of heroin, cocaine and related paraphernalia.

One of the subjects, **Stephen Cummings**, has been indicted on single counts of Manslaughter in the Second Degree and Criminally Negligent Homicide for selling fentanyl to an individual who later overdosed and died. This is the first time that a District Attorney's Office in New York City has brought homicide related charges against a drug dealer in relation to an overdose fatality. The long-term investigation utilized information obtained through the Staten Island Overdose Response Initiative created last year by District Attorney McMahon and the NYPD.

“These individuals helped to fuel the drug trade and contributed to gun violence that has plagued Staten Island, their actions causing nothing except pain and devastation in the midst of our hard-working communities as we battle this opioid epidemic,” said **District Attorney Michael E. McMahon**. “When my office and the NYPD first started the Overdose Response Initiative, I vowed to hold drug dealers accountable for the lives and families they have destroyed – this investigation accomplished exactly that and more. For the first time in the five boroughs, an alleged drug dealer has been indicted in relation to an overdose death. Those who purvey this poison with complete disregard for human life should take this as a warning: We will continue working closely with the NYPD to investigate each tragic overdose in order to put drug dealers behind bars and make Staten Island a safer place.”

McMahon continued, “I would like to thank the members of the NYPD’s Staten Island Gang Squad, Narcotics Borough Staten Island, and the Patrol Borough Staten Island FIO, who under the leadership of Inspector Mark Dipaolo and Chief Edward Delatorre, worked diligently on this investigation, and also commend my team, ADAs Michele Molfetta, Deputy Chief of the Narcotics and Investigations Bureau, Antonia Assenso, and Gregg Brown, as well as Thomas Ridges, Special Counsel to the District Attorney, for their tireless efforts on this case.”

“The charge of manslaughter by the Staten Island District Attorney as a result of this alleged narcotics operation is historic,” said **Police Commissioner James P. O’Neill**. “Our officers on patrol, the overdose response teams, and our partners at the Richmond County Narcotics-Investigations Bureau all played an important role in bringing today’s charges. I want to commend their commitment to tackling the opioid crisis. Their efforts are proving justice will not elude those engaged in the sale of this poison.”

The 11-month joint investigation, dubbed Operation “Final Kut,” began in July 2016 and utilized a variety of investigative techniques and search warrants to uncover a network of alleged gang members and other individuals who were involved in a violent narcotics distribution operation in and around Port Richmond, New Brighton, and West Brighton. During the course of the investigation, police recovered two firearms, as well as quantities of heroin, fentanyl, suboxone, and cocaine. Through the Overdose Response Initiative, detectives were also able to link one of the subjects to a fatal fentanyl overdose that occurred in 2016.

Additionally, defendant **Jermaine Duncan** was arrested during the course of the investigation for his role in a non-fatal shooting that occurred on February 1, 2017 on the corner of Benziger Avenue and Jersey Street. He was indicted on charges of Assault in the First Degree and Criminal Possession of a Weapon in the Second Degree and his case is currently pending in Supreme Court.

The defendants are: **Jermaine Duncan, Nelson Lugo, Raymond Lugo, Steven Medina, Beatrice Adegbenro, Kerry Connolly, Stephen Cummings, Joyce Fobbs, Jeremy Grant, David Nieves, Paul Rainey, Allah Sears, Nelson Rivera, Anthony White, and Sean Whitted.**

Search warrants executed at six locations (14 Taft Ave., 29 Taft Ave., 185 St. Mark’s Place, 30 Taft Ave., 109 Van Pelt Ave., and 131 Heberton Ave.) yielded firearm and rifle ammunition, an imitation pistol, 392 glassines of heroin, approximately 110 grams of uncut heroin, a quantity of cocaine and narcotic-related paraphernalia.

Individuals associated with this network have been involved in eighteen separate shootings on Staten Island and have a combined total of nineteen gun-related arrests.

Almost all of the defendants have had prior contact with the criminal justice system, including, **Nelson Lugo**, who served two stints in state prison for Attempted Criminal Possession of a Weapon and Attempted Assault in the First Degree; **Steven Medina**, who served time for Burglary in the Second Degree; **Allah Sears**, who was behind bars for Criminal Possession of a Weapon in the Second Degree and a drug-related conviction, and **Duncan**, who served time in state prison for Reckless Endangerment in the First Degree, a drug-related conviction, and Attempted Robbery in the Third Degree.

The defendants were arraigned today in Richmond County State Supreme Court, St. George, before Judge Stephen J. Rooney.

The charges contained in the indictments are merely allegations and the defendants are presumed innocent unless and until proven guilty.

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The case is being prosecuted by ADAs Michele Molfetta, Deputy Chief of the Narcotics and Investigations Bureau, Antonia Assenso and Gregg Brown.

The lead NYPD investigator is Det. Frank Muzikar of Staten Island Gang Squad, assisted by his partner Det. Ricky Alexander, acting under the supervision of Lt. Jordan Brofsky, as well as Capt. Theodore Lauterborn, Commanding Officer of Narcotics Borough Staten Island, all under the supervision of Inspector Mark DiPaolo, Commanding Officer of Detective Borough Staten Island and Chief Edward Delatorre, Commanding Officer of Patrol Borough Staten Island. Additionally, Inspector Bocchino, C.O. of the 120 Precinct and Deputy Inspector Harrington, C.O. of 121 Precinct both allocated resources during this long term investigation.

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SUMMARY OF INDICTMENT CHARGES:

HEROIN INDICTMENT # 201/2017

Jeremy Grant

- 1 count of Conspiracy in the 4th Degree (P.L. §105.10-1)
- 4 counts of Criminal Sale of a Controlled Substance in the 3rd Degree (P.L. §220.39-1)
- 1 count of Criminal Possession of a Controlled Substance in the 3rd Degree (P.L. §220.16-1)

Nelson Lugo

- 1 count of Conspiracy in the 4th Degree (P.L. §105.10-1)
- 8 counts of Criminal Sale of a Controlled Substance in the 3rd Degree (P.L. §220.39-1)
- 2 counts of Criminal Possession of a Controlled Substance in the 3rd Degree (P.L. §220.16-1)

Jermaine Duncan

- 1 count of Conspiracy in the 4th Degree (P.L. §105.10-1)
- 9 counts of Criminal Sale of a Controlled Substance in the 3rd Degree (P.L. §220.39-1)
- 11 counts of Criminal Possession of a Controlled Substance in the 3rd Degree (P.L. §220.16-1)

Beatrice Adegbenro

- 1 count of Conspiracy in the 4th Degree (P.L. §105.10-1)
- 9 counts of Criminal Sale of a Controlled Substance in the 3rd Degree (P.L. §220.39-1)
- 4 counts of Criminal Possession of a Controlled Substance in the 3rd Degree (P.L. §220.16-1)

Anthony White

- 1 count of Conspiracy in the 4th Degree (P.L. §105.10-1)
- 5 counts of Criminal Sale of a Controlled Substance in the 3rd Degree (P.L. §220.39-1)
- 7 counts of Criminal Possession of a Controlled Substance in the 3rd Degree (P.L. §220.16-1)

Joyce Fobbs

- 1 count of Conspiracy in the 4th Degree (P.L. §105.10-1)
- 2 counts of Criminal Sale of a Controlled Substance in the 3rd Degree (P.L. §220.39-1)
- 2 counts of Criminal Possession of a Controlled Substance in the 3rd Degree (P.L. §220.16-1)

Stephen Cummings

- 1 count of Conspiracy in the 4th Degree (P.L. §105.10-1)
- 6 counts of Criminal Sale of a Controlled Substance in the 3rd Degree (P.L. §220.39-1)
- 1 count of Criminal Possession of a Controlled Substance in the 3rd Degree (P.L. §220.16-1)

- 1 count of Manslaughter in the 2nd Degree (P.L. §125.15-1)
- 1 count of Criminally Negligent Homicide (P.L. §125.10)
- 2 counts of Reckless Endangerment in the 1st Degree (P.L. §120.25)

Steven Medina

- 1 count of Conspiracy in the 4th Degree (P.L. §105.10-1)
- 1 count of Criminal Possession of a Controlled Substance in the 3rd Degree (P.L. §220.16-1)

GUN INDICTMENT # 199/2017

Nelson Lugo

- 1 count of Conspiracy in the 4th Degree (P.L. §105.10-1)
- 1 count of Criminal Sale of a Firearm in the 3rd Degree (P.L. §265.11-1)

Raymond Lugo

- 1 count of Conspiracy in the 4th Degree (P.L. §105.10-1)
- 1 count of Attempted Criminal Possession of a Weapon in the 2nd Degree (P.L. §110/265.03-3)

Nelson Rivera

- 1 count of Conspiracy in the 4th Degree (P.L. §105.10-1)
- 1 count of Criminal Possession of a Weapon in the 2nd Degree (P.L. §265.03-3)
- 1 count of Criminal Sale of a Firearm in the 3rd Degree (P.L. §265.11-2)
- 1 count of Criminal Sale of a Firearm in the 3rd Degree (P.L. §265.11-1)

Steven Medina

- 1 count of Conspiracy in the 4th Degree (P.L. §105.10-1)
- 1 count of Criminal Sale of a Firearm in the 3rd Degree (P.L. §265.11-1)

PERJURY INDICTMENT # 200/2017

Beatrice Abegbenro

- 1 count of Perjury in the 1st Degree (P.L. §210.15)

Jermaine Duncan

- 1 count of Perjury in the 1st Degree (P.L. §210.15)

SHOOTING INDICTMENT #90/2017

Jermaine Duncan

- 1 count of Assault in the 1st Degree (P.L. §120.10-1)
- 1 count of Criminal Possession of a Weapon in the 2nd Degree (P.L. §265.03-3)
- 1 count of Criminal Possession of a Weapon in the 2nd Degree (P.L. §265.03-1(b))
- 1 count of Assault in the 2nd Degree (P.L. §120.05-2)
- 1 count of Criminal Possession of a Firearm (P.L. §265.01-b(1))
- 1 count of Criminal Possession of a Weapon in the 3rd Degree (P.L. §265.02-1)
- 1 count of Criminal Possession of a Weapon in the 4th Degree (P.L. §265.01-1)

COCAINE INDICTMENT # 202/2017

Kerry Connolly

- 1 count of Conspiracy in the 4th Degree (P.L. §105.10-1)
- 7 counts of Criminal Sale of a Controlled Substance in the 3rd Degree (P.L. §220.39-1)

Jermaine Duncan

- 1 count of Conspiracy in the 4th Degree (P.L. §105.10-1)-acting together and in concert with all defendants on the indictment.
- 2 counts of Criminal Sale of a Controlled Substance in the 3rd Degree (P.L. §220.39-1)
- 4 counts of Criminal Possession of a Controlled Substance in the 3rd Degree (P.L. §220.16-1)

Beatrice Abegbenro

- 1 count of Conspiracy in the 4th Degree (P.L. §105.10-1)
- 2 count of Criminal Sale of a Controlled Substance in the 3rd Degree (P.L. §220.39-1)
- 1 count of Criminal Possession of a Controlled Substance in the 3rd Degree (P.L. §220.16-1)

COCAINE INDICTMENT # 203/2017**Paul Rainey**

- 1 count of Conspiracy in the 4th Degree (P.L. §105.10-1)
- 2 counts of Criminal Sale of a Controlled Substance in the 3rd Degree (P.L. §220.39-1)

Anthony White

- 1 count of Conspiracy in the 4th Degree (P.L. §105.10-1)
- 3 counts of Criminal Sale of a Controlled Substance in the 3rd Degree (P.L. §220.39-1)
- 2 counts of Criminal Possession of a Controlled Substance in the 3rd Degree (P.L. §220.16-1)

BUPRENORPHINE INDICTMENT # 204/2017**Anthony White**

- 1 count of Conspiracy in the 4th Degree (P.L. §105.10-1)
- 1 count of Criminal Sale of a Controlled Substance in the 4th Degree (P.L. §220.34-1)
- 1 count of Criminal Possession of a Controlled Substance in the 5th Degree (P.L. §220.06-1)

Joyce Fobbs

- 1 count of Conspiracy in the 4th Degree (P.L. §105.10-1)
- 1 count of Criminal Sale of a Controlled Substance in the 4th Degree (P.L. §220.34-1)
- 3 counts of Criminal Possession of a Controlled Substance in the 5th Degree (P.L. §220.06-1)

David Nieves

- 1 count of Conspiracy in the 4th Degree (P.L. §105.10-1)
- 1 count of Criminal Sale of a Controlled Substance in the 4th Degree (P.L. §220.34-1)

FENTANYL INDICTMENT # 206/2017**Sean Whitted**

- 1 count of Criminal Sale of a Controlled Substance in the 3rd Degree (P.L. §220.39-1)

COCAINE INDICTMENT # 205/2017**Allah Sears**

- 4 counts of Criminal Sale of a Controlled Substance in the 3rd Degree (P.L. §220.39-1)
- 3 counts of Criminal Sale of a Controlled Substance in or Near School Grounds (P.L. §220.44-2)