

CRIMINAL COURT OF THE CITY OF NEW YORK
COUNTY OF NEW YORK: PART E

----- X
THE PEOPLE OF THE STATE OF NEW YORK

: NOTICE OF MOTION TO
DISMISS

-against- :

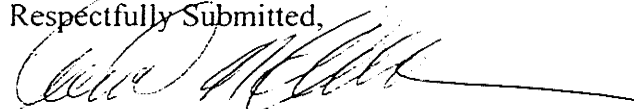
SUZANNE LAFONT
Defendant

: DKT NO. 2013NY029571
:

----- X

PLEASE TAKE NOTICE, that upon the annexed affirmation of DANIEL N. ARSHACK ESQ., and prior proceedings herein, the undersigned will move this Court thereof, at Part E 100 Centre Street, New York, New York, on the 16TH day of October, 2013 at 9:30 a.m., or as soon thereafter as counsel can be heard, for an Order dismissing the instant information pursuant to C.P.L. § 170.40 on the ground that. on the facts. this case should be dismissed in the interest of justice and for such other and further relief as the Court may deem just and proper.

Respectfully Submitted,



DANIEL N. ARSHACK
Arshack, Hajek and Lehrman
Attorney for Defendant
1790 Broadway Suite 710
New York, New York 10019

TO: Cyrus Vance, Esq.
District Attorney New York County

Clerk of the Criminal Court
New York County

CRIMINAL COURT OF THE CITY OF NEW YORK
COUNTY OF NEW YORK: PART E

-----X

THE PEOPLE OF THE STATE OF NEW YORK	:	AFFIRMATION
-against-	:	
	:	
	:	DKT # 2013NY029571
SUZANNE LAFONT	:	
Defendant	:	

-----X

Daniel N. Arshack, an attorney duly admitted to practice law in the State of New York, affirms under penalty of perjury that:

I am the attorney of record for the defendant. As such I am fully familiar with the facts of this case and make this affirmation in support of this motion to dismiss this case in the interests of justice based on the facts of this case.

THE FACTS

Suzanne Lafont, (hereinafter, Suzanne) is a petite 59 year old woman. She is 5' 8" tall and weighs 125 pounds (See, page 2 of the Alert Sheet/ Finger Print Response attached hereto as Exhibit A.). She is a Anthropology professor at CUNY (See, Suzanne's CV attached hereto as Exhibit B). Suzanne is married to Karl Anders Peltoma, (hereinafter, Karl), a physicist, who is also a small man, 5'9" tall and approximately 143 pounds.(See, Karl's medical record attached hereto as Exhibit C). Karl suffers from Marfan Syndrome¹ which is a congenital genetic syndrome which often

¹ <http://www.mayoclinic.com/health/marfan-syndrome/DS00540> and See Karl's medical Record, Exhibit C
page 2

results in heart malfunctions. The two of them live with their dog at 30 West 83rd Street in Manhattan.

On April 5, 2013, Karl had open-heart surgery to address a thoracic aortic aneurysm and repair his heart valve. Karl and Suzanne had learned eight years ago that Karl has a genetic condition related to Marfans. His father died of an aortic aneurysm in 1994 (dissection). His sister died of an aortic aneurysm in 2004 (two weeks after giving birth to her second child). On March 13th, this year, they learned that Karl's aneurysm had grown to the point of him needing surgery and his surgery was scheduled thereafter as soon as possible. On April 10, 2013: Karl was released from the hospital. He was prescribed several medications including Vicodin.

On the evening of April 11, 2013 after walking their dog together, Karl had a glass and a half of wine and thereafter began feeling very anxious. Because she was concerned that her husband was experiencing a complication of the surgery, Suzanne immediately called 911. On the 911 tape, Suzanne can be heard expressing her worry that her husband was having a post surgical reaction. She called twice, the first time, she called briefly but hung up quickly when it seemed that her husband needed her help and then she immediately called right back:

911 Message 1

911 Operator: 911 What is the emergency?

Caller: No, no, no, no, no

911 Operator: Hello? Hello?

(Call ended)

911 Message 2

911 Operator: 911 What is the emergency?

Caller: Yes please my husband is freaking out.

911 Operator: Sure what's the address?

Caller: 30 West 83rd Street Apartment number 2. And he just got discharged to the hospital yesterday for heart surgery. He's on a lot of medication. And he's freaking out.

911 Operator: He's freaking out. Do you need an ambulance?

Caller: We need an ambulance.

911 Operator: He has a medical... uhh he has a psych history?

Caller: No he doesn't have a psych history. No he's just got a medical history. He had an open heart surgery on Friday.

911 Operator: Okay...okay...okay... okay... what apartment.... What apartment are you in? What apartment? What apartment?

Caller: Hello?

911 Operator: Apartment 2

Caller: Stop. This is the

(Call ended)

In short order, police, EMS and the fire department arrived. Suzanne met them at the front door (they live on the first floor) and explained that her husband had just had open heart surgery and seemed to be having a post surgical reaction. As she spoke to Police Officer Giambra (approximately 6' 2" and 220 pounds) at the door, her dog ran out of the apartment and the police stayed at the open door to the apartment while Suzanne ran down the hall to retrieve him. One of the responders grabbed the dog as he reached the sidewalk. Suzanne was gone only a few seconds to retrieve our dog but when she got back into the hallway, the police officer had Karl pressed against the

hallway wall, directly on his surgical wound on his chest and others were cuffing him. The police officer was pressing Karl's chest against the wall while two other officers were cuffing his hands behind his back. Suzanne repeated that Karl had just had open-heart surgery, and told them that they should not be pressing him against the wall because his incision was still very fragile.² Suzanne tried to protect her husband from the officer by touching his shoulder while continuing to explain that her husband could not be treated so roughly due to his fragile medical condition. The officer immediately turned to Suzanne and said, "You are under arrest." Suzanne could not believe and still does not believe that she had done anything to warrant arrest. Nothing that she did interfered in any way with the officer's engagement with Karl. They smashed him against the wall and then threw him onto his chest on the floor thereby opening up a bloody gash in his chin and dislocating his thumb. The police cuffed Suzanne and led her into her apartment so that she could get her ID.

While she was in their apartment, cuffed and trying to assist the officer with finding her ID, she heard yelling in the hallway. The police officer was screaming at Karl and repeatedly used the F-word. Moments later, having taken her ID from her hand bag, when the other officer opened the door to her apartment, she saw Karl lying face down in the hallway in a pool of blood. When she cried that that they had broken open the incision in his chest, the police officer remarked that it was not his chest that was bleeding. He said that the blood was coming from Karl's chin which had been cut open when they slammed Karl onto the floor. Karl was still cuffed when they flipped him over and dragged him out of the building.

² This was the substance of the CPL 710.30 statement notice provided by the prosecution at Suzanne's arraignment.

Suzanne was taken to the 20th Precinct where, after a couple of hours, she started to develop a migraine (a condition which she has experienced intermittently in the past) and asked to be taken to the hospital – because she was told that was the only way she could obtain any medication. When she was removed from the cell at the precinct, she was again handcuffed and then shackled.

The shackles were kept on her the entire time she was at St Luke's Hospital (which was the same hospital to which Karl had been taken). Once she was taken to a bed, the cuffs were removed from behind her back and she was cuffed to the bed. She was treated at St Luke's for migraine (100 mg of Imitrex, 2 Fiorinal). (See, Suzanne's medical record attached as Exhibit D). One of the doctors came by and asked Suzanne if she was Karl Peltoma's wife. Of course she said that she was but she was not permitted to see him. She was asked some questions about his medical condition and after a few hours she was returned to the 20th Precinct where she was detained for the next 17 hours.

Late in the afternoon of April 12th, she was removed from the cell, cuffed, and driven to Central Booking. She arrived there at about 4:30 p.m. and was released ROR from the arraignment court at about 6:00pm.

Suzanne was charged with Obstructing Governmental Administration (PL §195.05) and Harassment in the Second Degree (PL §240.26). PL §195.05 requires a showing that a defendant "intentionally obstructs impairs or perverts the administration of law or other governmental function or prevents or attempts to prevent a public servant from performing an official function by means of intimidation, physical force or interference [...]. PL §240.26 requires a showing that "with the intent to harass annoy or

alarm another person she shoves, strikes, kicks or otherwise subjects such other person to physical contact, or attempts or threatens to do the same [...].” There is no reason to believe that Suzanne *ever had the intent* to obstruct, impair or prevent a public servant from carrying out his function. Further, it is clear that Suzanne never *had the intent* to harass, annoy or alarm. Suzanne was at all times trying to assure that her husband receive the medical care that he needed and that is why she called for help. When she saw her husband, two days after open heart surgery being man handled by the police she tried to protect him...nothing more. That she was herself arrested and processed through the system is nothing short of outrageous. There is no suggestion in the criminal complaint that the police officer who responded to her call for help were limited, in any way, by Suzanne, from carrying out what they believed to be their official function. They did precisely what they set out to do.

DISMISSAL IN THE INTEREST OF JUSTICE

As the Court is aware, the procedure for determining whether a non-felony case should be dismissed in the interest of justice is contained within the CPL §170.40 as follows:

- The court must, to the extent applicable, examine and consider,
- individually and collectively, the following:
 - (a) the seriousness and circumstances of the offense;
 - (b) the extent of harm caused by the offense;
 - (c) the evidence of guilt, whether admissible or inadmissible at trial;
 - (d) the history, character and condition of the defendant;
 - (e) any exceptionally serious misconduct of law enforcement personnel in the investigation, arrest and prosecution of the defendant;

- (f) the purpose and effect of imposing upon the defendant a sentence authorized for the offense;
- (g) the impact of a dismissal upon the confidence of the public in the criminal justice system;
- (h) the impact of a dismissal on the safety or welfare of the community;
- (i) where the court deems it appropriate, the attitude of the complainant or victim with respect to the motion;
- (j) any other relevant fact indicating that a judgment of conviction would serve no useful purpose.

(A) THE SERIOUSNESS AND CIRCUMSTANCES OF THE OFFENSE

Except for the negative effect Suzanne's arrest has had on her confidence in her local police to assist her when needed, this is not a serious case. There was no injury to a complainant, no loss. Most importantly there was no crime since there was no intent, pursuant to PL §195.05, to obstructs impair or pervert the administration of law or other governmental function or to prevent or attempt to prevent a public servant from performing an official function by means of intimidation, physical force or interference [...]. Nor was there any intent, pursuant to PL §240.26, to harass annoy or alarm another person by shoving, striking, kicking or otherwise subjecting such other person to physical contact, or attempting or threatening to do the same [...].” It could not be clearer that Suzanne only wanted to protect her husband and get him the help he needed. Who amongst us would not have been horrified to see our spouse, as fragile as Karl was, having his chest being slammed against the wall and then smashed onto the floor resulting in a bloody facial laceration and dislocated thumb. This case was nothing but

over reaction and the exercise of a little professional discretion would have avoided the entire incident.

It is also important to note that dismissal in the interest of justice has been granted to defendants who have had greater participation in crimes of a much higher magnitude than that alleged here. See, e.g., People v. Plummer, 80 Misc.2d 820, 364 N.Y.S.2d 697 (Sup. Ct. Erie Co. 1975) (indictment charging defendant, an inmate in the Attica Correction Facility, with assault in the second degree was dismissed in the interest of justice even though the defendant hit a correction officer with a 2 x 4 which caused a laceration of the officer's head requiring 12 sutures); People v. Vecchio, 139 Misc.2d 165, 526 N.Y.S.2d 698 (Sup. Ct. Queens Co. 1987) (two top counts of indictment, A-II and B felony controlled substance offenses, dismissed in the interest of justice).

(B) THE EXTENT OF HARM CAUSED BY THE OFFENSE

It is respectfully submitted that there was no offense and, in any event, there was no harm.

(C) THE EVIDENCE OF GUILT, WHETHER ADMISSIBLE OR INADMISSIBLE AT TRIAL

There is no evidence of guilt in this case. There is nothing but doubt that guilt can be proven. Suzanne behaved reasonably and as expected under the stressful circumstances she experienced. Her behavior was justified under the circumstances and should not be criminalized.

(D) THE HISTORY, CHARACTER AND CONDITION OF THE DEFENDANT

Suzanne has never before been charge with a crime. She is a professor of Anthropology at CUNY. Suzanne's character only supports the relief sought by this motion.

The First Department has recognized that:

there may be unusual circumstances under which the sentence mandated by law upon conviction of a count of an indictment would be so disproportionate to a defendant's actual culpability as to constitute a "compelling factor," when considered together with all the relevant considerations described in CPL 210.40, that would justify dismissal of the count to avoid an injustice.

People v. Cruz, 114 A.D.2d 769, ___, 495 N.Y.S.2d 162, 163 (1st Dept. 1985). See also People v. Sales, 169 A.D.2d 411, 563 N.Y.S.2d 825 (1st Dept. 1991) (affirming trial court's dismissal in interest of justice an indictment charging defendant with robbery in the second degree as authorized sentence would serve no useful purpose and defendant's prospects for future schooling and employment were good);

**(E) ANY EXCEPTIONALLY SERIOUS MISCONDUCT OF LAW
ENFORCEMENT PERSONNEL IN THE INVESTIGATION,
ARREST AND PROSECUTION OF THE DEFENDANT**

By this motion we are not suggesting that there was any illegal conduct by the law enforcement personnel in this matter. It is certainly clear, however, that some professional exercise of calm and collected discretion at the scene of this charged event could have avoided this case altogether. Further, it is certainly disappointing that Suzanne had to be subjected to this arrest at the same time as she was seeking help for her husband. In light of the factual circumstances, dismissal in the interests of justice is clearly a reasonable result.

**(F) THE PURPOSE AND EFFECT OF IMPOSING UPON THE
DEFENDANT A SENTENCE AUTHORIZED FOR THE OFFENSE**

Is there any reason to burden Suzanne with a criminal conviction for the events which occurred in her hallway on April 11, 2013? In light of the fact that there are no facts to support a showing of an intent to violate either of the statutes with which she has been charged, the answer can only be a resounding “no.”

**(G) THE IMPACT OF A DISMISSAL UPON THE CONFIDENCE OF THE
PUBLIC IN THE CRIMINAL JUSTICE SYSTEM**

The fact is that dismissing this case in the interest of justice will contribute to public confidence in the criminal justice system. There has been no press interest in this case and we don't expect any, so public confidence is not likely to be affected in any event. In the abstract, however, when the criminal justice system recognizes that the facts just don't support the bringing of a charge and dismisses a case, before putting a person through the crucible of trial, the public and the criminal justice system is well served.

**(H) THE IMPACT OF A DISMISSAL ON THE SAFETY OR WELFARE
OF THE COMMUNITY**

The safety and welfare of the community will not be impacted by dismissing this case.

**(I) WHERE THE COURT DEEMS IT APPROPRIATE, THE ATTITUDE
OF THE COMPLAINANT OR VICTIM WITH RESPECT TO THE
MOTION**

The complainant in this matter is a professional police officer who arrested Suzanne when she was seeking help for her very ill husband. The language of the statute

itself uses the word, "attitude." Indeed, it was the complainant's attitude, perhaps his lack of understanding and compassion, which contributed to this circumstance and hopefully he has an understanding of the availability of a better course in his future dealings with the citizens in his community. This could happen to any of us or to our wives, husbands or parents calling for help to 911. It should never happen to anyone. It should never have happened to Suzanne and it should be ended now.

**(J) ANY OTHER RELEVANT FACT INDICATING THAT A JUDGMENT
OF CONVICTION WOULD SERVE NO USEFUL PURPOSE**

Those of us who work in the criminal justice system sometimes become inured to the devastating impact that the mere bringing of charges can have on a person's conception of their place in the community, their conception of safety and the availability of a safety net in the event a tragedy occurs. Suzanne thought she was reaching out correctly for help when her husband started having a bad medical reaction to wine and Vicodin two days after being released for his open heart surgery. She explained the situation to the 911 operator and to the professional law enforcement officers who arrived and then she had to witness her husband being slammed against a wall and then smashed onto the ground. There is no view of the facts consistent with guilt in this matter. For that reason, and because the interests of justice persuade us that it is the right thing to do, this case should be dismissed.

Respectfully Submitted,

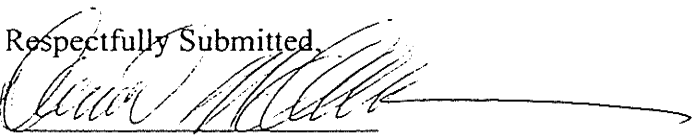

Daniel N. Arshack
Arshack, Hajek and Lehrman
1790 Broadway Suite 710
New York, New York 10019

EXHIBIT A

RX Date/Time 04/22/2013 18:04

P.004

From:

04/22/2013 16:59 #570 P.004/010

Alerts Sheet

Arrest ID: M13632788

Arrest Date: 2013-04-11

Arrest Time: 23:17:00

Name: LAFONT, SUZANNE

Sex: FEMALE

Race: WHITE

NYSID: 12241163K

DOB: 16-Jul-1954

Charges:

<u>CHARGE</u>	<u>ATTEMPT?</u>	<u>LAW CODE</u>	<u>CLASS</u>	<u>TYPE</u>	<u>COUNTS</u>
TOP	Y	PL 1950500	A	A	1

Additional Paperwork Received: N

Notes:

Warrants:

Warrant Search Type:

Warrant Type:

Warrant Num	Warrant Date	Warrant Indictment Num	Warrant Cocket Num	Def Name	Def Sex	Def DOB	Def NYSID
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Statement notice:

*He has heart surgery - got
off of him*

Fingerprint Response Summary

NYSID: 12241163K ORI: NY0303020 NYCPD PCT 020

NYSID: 12241163K
 Fax Number: M21562
 Probation Client ID#:

FBI Number:
 Current Arrest Number: M13632788
 III Status:

Current Transaction Name: SUZANNE LAFONT
 DOB: July 16, 1954

● Alerts

* See Additional Information at the bottom of this response for more banners pertaining to the criminal history

Fingerprint Response

ORI: NY0303020
 NYCPD PCT 020

Attention: A fingerprint search shows no available prior NYS information for this individual.

Identification Summary Criminal History Job/License Wanted Missing NCIC/TII

● Transaction Data



Name: SUZANNE LAFONT
 Transaction ID: 26223183
 Agency ORI: NY0303020
 SSN:
 Type of Submission: ARREST
 Date Fingerprinted: April 12, 2013
 Reason Fingerprinted: Adult Arrest

Arrest/Charge Information

Arrest Date: April 11, 2013 11:17 pm (23:17:00)

Name: SUZANNE LAFONT
 Date of Birth: July 16, 1954
 US Citizen:
 Sex: Female
 Race: White
 Ethnicity: Not Hispanic
 Height: 5' 08"
 Weight: 125
 Age at time of crime/arrest: 58
 Address: 30 WEST 83 STRE, MANHATTAN, NY
 Fax Number: M21562
 Place of Arrest: NYCPD 20
 Arrest Type: Unknown
 Date of Crime: April 11, 2013
 Place of Crime: NYCPD 20
 Criminal Justice Tracking No.: 66002839Z
 Arresting Agency: NYCPD PCT 020
 Arresting Officer ID: 923878
 Arrest Number: M13632788

RX Date/Time 04/22/2013 18:04

P.006

From:

04/22/2013 17:00

#570 P.006/010

Arraignment: New York County Criminal Court

Arrest Charges:

-- Attempted Obstruct Governmental Administration-2nd Degree

PL195.05 Sub

Class B

Misdemeanor

Degree 2

NCIC 5099

Transaction Status Information

Activity	Date/Time	Elapsed
Initial Transaction Received	April 12, 2013 01:31:07 am	
Online Data Received	April 12, 2013 01:31:07 am	
Transaction Completed	April 12, 2013 01:34:36 am	0 Hour(s) 3 Minute(s)
Rapsheet Produced	April 12, 2013 01:34:44 am	

Wanted Information

There is no NYS Wanted Information associated with this history.

Missing Person Information

There is no NYS Missing Information associated with this history.

Federal NCIC, III and/or FBI Response

The outstanding response(s) indicated below will be forwarded to your in-box upon receipt by DCJS. If you do not receive one or more of the indicated responses, please contact that state or agency directly.

NCIC Information

The following information is provided in response to your request for a search of the NCIC Person files based on:

Name:	SUZANNE LAFONT
Sex:	Female
Race:	White
Date of Birth:	July 16, 1954

NY0303000

NO NCIC WANT NAM/LAFONT, SUZANNE DOB/19540716 RAC/W SEX/F
***MESSAGE KEY QW SEARCHES WANTED PERSON FILE FELONY RECORDS REGARDLESS OF
EXTRADITION AND MISDEMEANOR RECORDS INDICATING POSSIBLE INTERSTATE
EXTRADITION FROM THE INQUIRING AGENCY'S LOCATION. ALL OTHER NCIC PERSONS
FILES ARE SEARCHED WITHOUT LIMITATIONS.

WARNING: Release of any of the information presented in this computerized Case History to unauthorized individuals or agencies is prohibited by federal law TITLE 42 USC 3771b.
This report is to be used for this one specific purpose as described in the Use and Dissemination Agreement your agency has on file with DCJS. Destroy after use and request an updated rap sheet for subsequent needs.
All information presented herein is as complete as the data furnished to DCJS.

New York State Division of Criminal Justice Services
4 Tower Place

Albany NY 12203-3764

Tel: 1-800-262-DCJS

Michael C. Green, Executive Deputy Commissioner of the NYS Division of Criminal Justice Services

Additional Fingerprint Response

ORI: NY0303020

NYCPD PCT 020

NYSID: 12241163K

Attention: A fingerprint search shows no available prior NYS information for this individual.

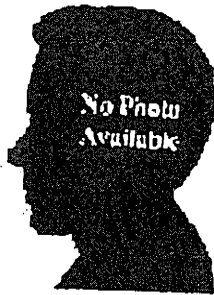
New York State Division of Criminal Justice Services
4 Tower Place

Albany NY 12203-3764

Tel: 1-800-262-DCJS

Michael C. Green, Executive Deputy Commissioner of the NYS Division of Criminal Justice Services

● Transaction Data



Name: SUZANNE LAFONT
 Transaction ID: 26223183
 Agency ORI: NY0303020
 SSN:
 Type of Submission: ARREST
 Date Fingerprinted: April 12, 2013
 Reason Fingerprinted: Adult Arrest

Arrest/Charge Information

Arrest Date: April 11, 2013 11:17 pm (23:17:00)

Name: SUZANNE LAFONT
 Date of Birth: July 16, 1954
 US Citizen:
 Sex: Female
 Race: White
 Ethnicity: Not Hispanic
 Height: 5'08"
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 Age at time of crime/arrest: 58
 Address: 30 WEST 83 STRE, MANHATTAN, NY
 Fax Number: M21562
 Place of Arrest: NYCPD 20
 Arrest Type: Unknown
 Date of Crime: April 11, 2013
 Place of Crime: NYCPD 20
 Criminal Justice Tracking No.: 66002839Z
 Arresting Agency: NYCPD PCT 020
 Arresting Officer ID: 923878
 Arrest Number: M13632788
 Arraignment: New York County Criminal Court

Arrest Charges:

-- Attempted Obstruct Governmental Administration-2nd Degree
 PL195.05 Sub

Class B

Misdemeanor

Degree 2

NCIC 5099

● Transaction Status Information

Activity	Date/Time	Elapsed
Initial Transaction Received	April 12, 2013 01:31:07 am	
Online Data Received	April 12, 2013 01:31:07 am	
Transaction Completed	April 12, 2013 01:34:57 am	0 Hour(s) 4 Minute(s)

RX Date/Time

04/22/2013 18:04

P.008

From:

04/22/2013 17:01

#570 P.008/010

Kapsheet Produced

April 12, 2013 01:35:58 am

● **FBI Identification Results**

The FBI identification response, received on April 12, 2013 indicated no FBI data other than New York State history. The information previously provided in your NYS Criminal Justice Services fingerprint response represents the computerized history for this individual.

EXHIBIT B

Suzanne LaFont, Ph.D.
Kingsborough Community College
2001 Oriental Blvd
Brooklyn, NY 11235
718 368-5453
slafont@kbcc.cuny.edu

EDUCATION

1992 Yale University, Ph.D. Cultural Anthropology
1988 Yale University, M.Phil. Cultural Anthropology
1985 University of Michigan, BA, Education

PUBLICATIONS

Books

2010 Beliefs and Attitudes about Gender, Sexuality and Traditions amongst Namibian Youth. Windhoek, Namibia: LAC.
2007 *Unravelling Taboos: Gender and Sexuality in Namibia*. Edited by Suzanne LaFont and Dianne Hubbard. Windhoek, Namibia: LAC.
2003 *Constructing Sexualities: Readings in Sexuality, Gender, and Culture*. Edited by Suzanne LaFont, Upper Saddle River, New Jersey: Prentice Hall. (This book has also been published in Braille)
1998 *Women in Transition: Voices from Lithuania*. Edited by Suzanne LaFont, Albany: State University of New York Press.
1996 *The Emergence of an Afro-Caribbean Legal Tradition in Jamaica*. Maryland: Austin & Winfield Press.

Chapters in Peer Reviewed Books

2013 "Gender." In *The Encyclopedia of Human and Sexuality*. Edited by Patricia Whelehan and Anne Bolin. Hoboken, New Jersey: Wiley-Blackwell
2011 "The Colonial Legacy: Gendered Laws in Jamaica." Coauthored with Deborah Pruitt. In *Engendering Caribbean History: Cross-Cultural Perspectives*. Edited by Verene Shepherd. Kingston, Jamaica: Ian Randle Publishers.
2010 "Romance Tourism: Gender, Race, and Power in Jamaica." In *Tourism and Tourists*. coauthored with Deborah Pruitt. 2nd Edition. Edited by Sharon Gmelch, Prospect Heights, Illinois: Waveland Press.
2009 "Not Quite Redemption Song: LGBT Hate in Jamaica." In *Homophobias: Lust and Loathing Across Time and Space*. Edited by David A.B. Murray, Durham, NC: Duke University Press.
2007 "Decolonising Sexuality." In *Transitions in Namibia: Which change for whom?* Edited by Henning Melber. Uppsala: The Nordic Institute of Africa.
2007 "Overview: Gender and Sexuality in Namibia." In *Unravelling Taboos: Gender and Sexuality in Namibia*. Edited by Suzanne LaFont and Dianne Hubbard. Windhoek, Namibia: LAC.
2004 "Romance Tourism: Gender, Race, and Power in Jamaica." In *Tourism and Tourists*. Coauthored with Deborah Pruitt. Edited by Sharon Gmelch, Prospect Heights, Illinois: Waveland Press.

2003 "National Reconciliation and Women in the Post-Communist States." In *National Reconciliation in Eastern Europe*. Edited by Henry F. Carey, New York, East European Monographs: Columbia University Press.

1997 "The Colonial Legacy: Gendered Laws in Jamaica." In *Daughters of Caliban: Women in the 20th Century Caribbean*. coauthored with Deborah Pruitt. Edited by Consuelo Lopez Springfield, Bloomington: Indiana University Press.

1997 "Liebe, Geld und Rastafari." In *Tourismus in die Dritte Welt*. Coauthored with Deborah Pruitt. Edited by Christian Stock. Dusseldorf: Verl Haus Altenberg.

Articles in Peer Reviewed Journals

2002 "Gender Wars in Jamaica." *Identities: Global Studies in Culture and Power* 7(2).

2001 "Very Straight Sex: The Development of Sexual Mores in Jamaica." *Journal of Colonialism and Colonial History* 2(3).

2001 "One Step Forward, Two Steps Back: Women in the Post-Communist States." *Communist and Post-Communist Studies*, 34.

1995 "For Love and Money: Romance Tourism in Jamaica." Coauthored with Deborah Pruitt. *Annals of Tourism Research* 21(2).

Other Articles

2008 "Help Wanted: Sex Workers in Katutura, Namibia." Monograph 2. Legal Assistance Centre's website. Windhoek, Namibia. www.lac.org.na

2008 "Sex Workers Searching for Legal Safety." Legal Assistance Centre's website. Windhoek, Namibia. <http://www.lac.org.na/news/specialfeatures/sexworkers.html>

2008 "Please solicit your customers discreetly: The problem work in Namibia." *The Namibian*. 07- 04-08. <http://www.namibian.com.na/2008/July/columns/0812A5A8A6.html>

2006 "Tournaments: Gang Sex or Gang Rape." In *OYO newsletter*, 3:2. Windhoek, Ombetja Yehinga Organisation.

2005 "Crossword Puzzles Tailor-made for Anthropology." In *Teaching Strategies in Anthropology 4th edition*. Edited by Patricia Rice and David W. McCurdy, New York: Prentice Hall.

2004 "Where in the World is...?" In *Teaching Strategies in Anthropology 3rd edition*. Edited by Patricia Rice and David W. McCurdy, New York: Prentice Hall.

2001 "Creating Cultures." In *Teaching Strategies in Anthropology 2nd edition*. Edited by Patricia Rice and David W. McCurdy, New York: Prentice Hall.

1999 "Cultural Rights." In *Teaching Strategies in Anthropology*. Edited by Patricia Rice and David W. McCurdy, New York: Prentice Hall.

HONORS AND AWARDS

2012 PSC-CUNY Research Award

2008 KCC Scholarly and Applied Research Award

2007 PSC-CUNY Research Award

2006 Fellowship Leave of Absence

2006 KCC Scholarly and Applied Research Award

2006 PSC-CUNY Research Award
2005 PSC-CUNY Research Award
2004 PSC-CUNY Research Award
2003 PSC-CUNY Research Award
2003 KCC Scholarly and Applied Research Award
2002 PSC-CUNY Research Award
2001 KCC Scholarly and Applied Research Award
2000 PSC-CUNY Research Award
1992 Andrew W. Mellon Dissertation Fellowship
1991 National Science Foundation Grant
1990 Fulbright Grant
1989 Wenner-Gren Research Award
1988 William's Fund Research Award
1986 Yale Fellowship
1976 Michigan Opportunity Grant
1976 National Merit Scholar

WORKING EXPERIENCE

1996-present Kingsborough Community College, CUNY

Professor, Courses: Sexuality and Culture, Urban Sociology, Introduction to Anthropology, Introduction to Sociology.

2012 School of Professional Studies, CUNY

Consortial Faculty, Professor, Online Course: Urban Anthropology and Ethnology of Africa.

2008-2012 School of Professional Studies, CUNY

Adjunct Professor, Online Course: Urban Anthropology and Ethnology of Africa.

1998-2000 John Jay College of Criminal Justice, CUNY

Adjunct Assistant Professor, Courses: Introduction to Cultural Anthropology, Sex and Culture.

1996-2000 New York University, SPCS

Adjunct Associate Professor, Courses: World Cultures: Latin America, World Cultures: Africa, American Culture, and Introduction to Anthropology.

1995-1996 Sofia University, Bulgaria, Graduate Program: Intercultural Communications

Visiting Assistant Professor, Courses: Gender, Race and Ethnicity, Research Methods, Theories of Social Change.

1994-1995 Kaunas University, Lithuania, Women Studies Center

Visiting Assistant Professor, Courses: Women, Social Policy, and Law, Political Economy, Introduction to Cultural Anthropology.

1993-1994 New York University, SCE

Adjunct Assistant Professor, Course: World Cultures: Africa, Latin America, and the Caribbean.

1993-1994 American Stock Exchange, New York

Independent Options Trader.

1989-1991 Kingston Family Court, Jamaica

Family Counselor and Adviser: Intake referrals, in-depth counseling with battered women, abused children, and married and unmarried partners, handled custody, affiliation and maintenance cases.

RESEARCH AND TEACHING INTERESTS

Human Rights and Sexual Rights	Africa and the African Diaspora
Gender and Sexuality	Sex and Romance Tourism
HIV/AIDS	Race, Class, and Ethnicity
The Caribbean	Sex Work
Sex Trafficking	

FIELDWORK

2013 Namibia: Forced Sex Work and Human Trafficking
2011 Jamaica: Life History Project
2008 Namibia: Attitudes and Beliefs about Sexuality
2007 Namibia: Traditional Practices and Sexuality
2006 Namibia: Sex Workers and HIV/AIDS
2005 Kingston, Jamaica: Life History Project
2001 Kingston, Jamaica: Research on Jamaican Sexuality
1989-92 Kingston, Jamaica: Dissertation research
1990 Afghanistan: Research on the politics of development in a war zone
1987 Spanish Town, Jamaica: Research on family planning programs
1986 Montserrat: Archaeology Program sponsored by the University of Tennessee

ACADEMIC/PROFESSIONAL ACTIVITIES

2004-present, Professor and Anthropology Area Coordinator, Department of Behavioral Sciences, KCC.
2013 Editorial Board Member of International Journal of Gender Studies in Developing Societies.
2012-13 Professor, Consortial Faculty, Sociology Program, CUNY: School of Professional Studies
2011 Reviewer, Journal of Sex Research. Taylor and Francis Publishing.
2011 Member of Curriculum Committee developing an Anthropology major at the School of Profession Studies, CUNY.
2009 Guest Lecture, *History of Education in the US*, Sölvesborg Gymnasium, Sölvesborg, Sweden
2008 Visiting Scholar, Ombetja Yehinga (The Red Ribbon) Organization, Windhoek, Namibia.
2008 Developed and Conducted Workshop, *Safe Sex Worker Practices*, Stand Together Organization for Sex Workers and Former Sex Workers, Katutura, Namibia.
2008 Guest Speaker, *Attitudes and Beliefs about Sexuality among Namibian Young People*, Lifeline Organization, Windhoek, Namibia.
2000-7 Member of PSC-CUNY Research Grants Anthropology Review Panel
2007 Guest Lecture, *Anthropological Perspectives on Feminists Theories*, CUNY Graduate Center, Feminists Theories course.
2007 Guest Speaker, *Focus on Brooklyn*, Television Program, Topic: Gender and Sexuality in Namibia.
2007 Keynote Speaker and Organizer of *Unravelling Taboos* book launch, Windhoek, Namibia.
2007 Guest Speaker. *Gender and Sexuality in Namibia*. Talk show on Namibian national television (NBC).

2006 Guest Lecture, *Gender in Namibia*, KCC, Women's Studies Annual Faculty Seminar.

2006 Visiting Scholar, Legal Assistance Centre, Gender Research and Advocacy Project, Windhoek, Namibia.

2006 Developed and conducted workshop for VSO professionals, *Mainstreaming Gender in Namibia*, Oshakati, Namibia.

2006 Conducted focus group with traditional San leaders, *Tradition, Socialization, and Sexuality among the San*, Tsumkwe, Namibia.

2004 Guest Speaker, *Focus on Brooklyn*, Television Program, Topic: Gender Roles in Jamaica.

2004-2 Guest Researcher, Riksförbundet för sexuell upplysning- RSFU, (The Swedish Association for Sexual Education) Conducted interviews with summer outreach interns.

2003-2 Anthropology Liaison for the University Committee on Research Awards

2001 Guest Lecture, *Women in Afghanistan*, KCC, Women's Studies Annual Faculty Seminar.

2001 Guest Lecture, *Gender Wars in the Caribbean*, York College Anthropology Series.

2000 Presentation, *Creating Cultures: Pedagogical Pointers in Writing Anthropology*, at the Annual American Anthropology Meeting, San Francisco.

1999 Discussant, *Focus on Brooklyn*, Television Program, Topic: Sexual Harassment.

1999 Guest Lecture, *Women in the Post-Communist Countries*, KCC, Women's Studies Annual Faculty Seminar.

1997 Refereed Presentation, *Gender Wars in the English-Speaking Caribbean*, at the American Anthropological Association Meeting, Washington, DC.

1995 Guest Lecture, *Male Economies in the Post-Communist States*, Lund University, Sweden

1995 Director, Lithuania, International Student Conference, St. Petersburg.

1995 Coordinator, Lithuania, Annual Civic Education Project International Student Conference, Vienna.

1995 Director, Baltic Student Conference, Kaunas College.

EXHIBIT C

Patient Record

PELTOMAA, Karl A

DOB: 04May63 Age: 50Y Sex: M

MRN: 100004768167 ACCT: 1106124696

Admission Date: 12Apr13 Discharge Date: 13Apr13

Extracted: 28May13 13:37

Roosevelt Hospital

1000 Tenth Avenue

NY, NY 10019

212-523-4000

**Roosevelt
Hospital**

Cardiology Results

PROCEDURES FOR 12Apr13

TTE-Transthoracic Echo Complete-SLR/LJCH Status:Final Service Date/Time:12Apr13 14:14

Entered By: User, Oif

Entered 12Apr13 11:37
Date/Time:

Provider:

Resulted 12Apr13 17:40
Date/Time:

Signing
Provider:

Signed
Date/Time:

Ordering Caldwell, Haven
Provider: DO

Account 1106124696
Number:

Roosevelt Hospital
1000 Tenth Ave
New York, NY 10019
Phone: 212-523-7370
Fax: 212-523-7765

Transthoracic Echo Report

PELTOMAA, KARL

Attending Physician:

Ordering Physician: CALDWELL, HAVEN L

Sonographer S-Korzeniecki,
Ewa RDCS

Age 49 DOB 05/04/19

Exam 04/12/2013 14:14
Date:

Ht 71 Wt 143 BSA 1.7
(in): (lb): 9 m

Gender M

MRN 100004768167

Pt. Location/Rm#: RH-Echo

Procedure CPT: 93306

Indications Aortic Valve Disorders, Marfan's syndrome

ICD-9 Codes: 424.1 759.82

Contrast:

Technical Quality: Fair

BP: 116 / 76

2D and M-Mode Measurements with (Male / Female) Normal Values

2D ECHO

LV Diastolic Diameter PLA 4.0 cm 4.2 - 5.9 / 3.9 - 5.3 cm

LV Systolic Diameter PLAX 2.5 cm 2.1 - 4.0 cm

LV Fractional Shortening 38.0 % 25 - 46 %

IVS Diastolic Thickness 1.0 cm

LVPW Diastolic Thickness 1.0 cm

LA Volume Index 37.9 cm³/m 16 - 28 cm³/m²

LA Volume BP AL Index 35.7 cm³/m

Patient Record

PELTOMAA, Karl A

DOB: 04May63 **Age:** 50Y **Sex:** M

MRN: 100004768167 **ACCT:** 1106124696

Admission Date: 12Apr13 **Discharge Date:** 13Apr13

Extracted: 28May13 13:37

Roosevelt Hospital

1000 Tenth Avenue

NY, NY 10019

212-523-4000

**Roosevelt
Hospital**

PROCEDURES FOR 12Apr13

FINDINGS

Left Ventricle

By history patient has Marfan's syndrome and aortic surgery. The left ventricular cavity size is normal. The left ventricle is normal thickness. Left ventricular wall motion is normal. Visually estimated left ventricular ejection fraction is 65 %.

Right Ventricle

The right ventricle is normal size. Normal right ventricular wall motion.

Left

Atrium

The left atrium is dilated.

Right

Atrium

The right atrium is dilated.

Pericardium

A trivial pericardial effusion is seen.

Mitral

Valve

Mild mitral valve prolapse of the anterior leaflet. The Doppler (spectral, color flow) study shows no mitral regurgitation.

AV and Ao Root

It appears to be a native aortic valve or a stentless valve. The ascending aorta appears thickened; suggest clinical correlation. The Doppler (spectral, color flow) study shows no aortic regurgitation. The Doppler (spectral, color flow) study shows no significant aortic gradient.

Tricuspid Valve

The Doppler (spectral, color flow) study shows mild tricuspid regurgitation.

Pulmonic Valve

Structurally normal pulmonic valve without stenosis or regurgitation.

Aorta

Normal aortic root.

Miscellaneous

As assessed from the tricuspid regurgitant jet, the pulmonary artery systolic pressure is normal.

CONCLUSIONS

By history patient has Marfan's syndrome and aortic surgery.

It appears to be a native aortic valve or a stentless valve.

The ascending aorta appears thickened; suggest clinical correlation.

The Doppler (spectral, color flow) study shows no aortic regurgitation.

The left ventricular cavity size is normal.

The left ventricle is normal thickness.

Patient Record

PELTOMAA, Karl A

DOB: 04May63 Age: 50Y Sex: M

MRN: 100004768167 ACCT: 1106124696

Admission Date: 12Apr13 Discharge Date: 13Apr13

Extracted: 28May13 13:37

Roosevelt Hospital

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NY, NY 10019

212-523-4000

**Roosevelt
Hospital**

Skin Asmt

Description	Result	Comments	Recorded Date	Entered By	Provider
		mucous membranes are pink and moist.		RN	RN
Skin Temperature	WARM		12Apr13 13:06	Leszczynska, Monica RN	Leszczynska, Monica RN
Skin Moisture	DRY		12Apr13 13:06	Leszczynska, Monica RN	Leszczynska, Monica RN
Skin Turgor	GOOD		12Apr13 13:06	Leszczynska, Monica RN	Leszczynska, Monica RN

Skin Color Asmt

Description	Result	Comments	Recorded Date	Entered By	Provider
Pale	Y		12Apr13 13:07	Leszczynska, Monica RN	Leszczynska, Monica RN

Skin Condition Asmt

Description	Result	Comments	Recorded Date	Entered By	Provider
Other Skin Condition	Y	chin laseration, stitched	12Apr13 13:06	Leszczynska, Monica RN	Leszczynska, Monica RN

Musculoskeletal

Description	Result	Comments	Recorded Date	Entered By	Provider
Musculoskeletal Asmt	WNL	Normal Limits Standard Definition = Moves all extremities, full Range of Motion, no joint swelling and independent in activity.	12Apr13 13:07	Leszczynska, Monica RN	Leszczynska, Monica RN
ROM:Right Upper	FULL		12Apr13 13:07	Leszczynska, Monica RN	Leszczynska, Monica RN
ROM:Right Lower	FULL		12Apr13 13:07	Leszczynska, Monica RN	Leszczynska, Monica RN
ROM:Left Upper	FULL		12Apr13 13:07	Leszczynska, Monica RN	Leszczynska, Monica RN
ROM:Left Lower	FULL		12Apr13 13:07	Leszczynska, Monica RN	Leszczynska, Monica RN

GU/GYN Assess

Male Genitalia Asmt

Description	Result	Comments	Recorded Date	Entered By	Provider
Male GU Assessment	WNL	Normal Limits Standard Definition = Genitals without drainage, pain or lesions.	12Apr13 13:07	Leszczynska, Monica RN	Leszczynska, Monica RN

Comment # 1

Received pt. with complaint of pain in his right wrist. Wrist appears swollen. MD notified. Cold compress given to pt.
Pt. also requested to shower in the AM. Has incision on chest from recent AAA repair with steri-strips present on site. Steri strips appear old and not transparent. MD made aware and is allowing pt. to shower in the AM if he

Patient Record**PELTOMAA, Karl A****DOB:** 04May63 **Age:** 50Y **Sex:** M**MRN:** 100004768167 **ACCT:** 1106124696**Admission Date:** 12Apr13 **Discharge Date:** 13Apr13**Extracted:** 28May13 13:37**Roosevelt Hospital**

1000 Tenth Avenue

NY, NY 10019

212-523-4000



wishes to, as per discharge instructions given to pt. from the hospital where AAA repair was performed. Pt. currently asleep. continuing to monitor pt.

Comment # 2

Received pt via strecher from ECHO lab. No c/o cp nor SOB, for tele monitoring. Alarm, trends reviewed in stach 105-110 asymptomatic. pt with drssing to below chin, states he was shoved to floor by police yesterday and handcuff & he sustained chin laceratio(has stiches) and bruising to(R) hand.

A:v/s, tele monitoring. Icepack to hand.Encouraged to report any pain or discomfort.

R:oob/chair, using incentive spirometer.

Comment # 3

Received pt via strecher from ECHO lab. No c/o cp nor SOB, for tele monitoring. Alarm, trends reviewed in stach 105-110 asymptomatic. pt with drssing to below chin, states he was shoved to floor by police yesterday and handcuff when he sustained bruising to chin and to (R) hand.

A:v/s, tele monitoring. Icepack to hand.Encouraged to report any pain or discomfort.

R:oob/chair, using incentive spirometer.

End of Section - Assessments: Shift Physical, Med Surg Shift Physical

EXHIBIT D

PMH**Information Verification:** Verified**Historian:** Patient**Potential Barrier to Education:** none**Travel History:** Unable**Social History:** Former Smoker, Alcohol use-occasional**Medical History:** Hypothyroid, Migraine headache**Surgical History:** Sinus windows

Allergies		
Allergen	Allergic reaction	Allergy Note
Sulfa (Sulfonamides)		

Published: 05:49 04/12/2013 CAROLYN MEYER, MD

Information Verification: Verified**Historian:** Patient**Potential Barrier to Education:** none**Travel History:** Unable**Social History:** Former Smoker, Alcohol use-occasional**Medical History:** Hypothyroid, Migraine headache**Surgical History:** Sinus windows

Allergies		
Allergen	Allergic reaction	Allergy Note
Sulfa (Sulfonamides)		

Published: 04:08 04/12/2013 STEVEN CURRY, RN

Medical History - System Generated Note: Published: 04:06 04/12/2013 EmSTAT System entry**Home Medications**

Medications			
Medications	Dosage	Frequency	Last Dose
Synthroid Oral			
Imitrex Oral			
Fioricet Oral			

Information Verification: Verified with changes

Published: 05:49 04/12/2013 CAROLYN MEYER, MD

Medications			
Medications	Dosage	Frequency	Last Dose
Synthroid Oral			
Imitrex Oral			
Fioricet Oral			

Information Verification: Verified with changes

Published: 04:12 04/12/2013 STEVEN CURRY, RN

Medications			
Medications	Dosage	Frequency	Last Dose

Medication disposition

Medications					
Medications	Dosage	Frequency	Last Dose	Medication disposition	PCP contact
Synthroid Oral				Continue	
Imitrex Oral				Continue	
Fioricet Oral				Continue	

Published: 06:40 04/12/2013 CAROLYN MEYER, MD

Discharge

Discharge Instructions

elevated blood pressure/hypertension - no new meds, headache, migraine

Referral/Appointment			
Refer Patient To:	PMD/Clinic not in list	Phone Number	Follow-up in
* YOUR PRIVATE PHYSICIAN/CLINIC	Dr. Minatoli		1 week

Published: 06:41 04/12/2013 CAROLYN MEYER, MD

Chart Sign-off

Documentation completed by Resident

Published: 07:40 04/12/2013 CAROLYN MEYER, MD

Chart electronically signed by Responsible Physician

Published: 07:08 04/12/2013 VANESSA VELAZQUEZ RUIZ, MD

Coding completed

Coding completed: Coding

Published: 12:22 04/15/2013 VICTORIA CHANG, PCO

Docket No. 2013NY029571

CRIMINAL COURT OF THE CITY OF NEW YORK
COUNTY OF NEW YORK: PART E
THE PEOPLE OF THE STATE OF NEW YORK

-against-

SUZANNE LAFONT

Defendant.

NOTICE OF MOTION TO DISMISS
ARSHACK HAJEK & LEHRMAN, PLLC

Attorneys for Defendant

SUZANNE LAFONT

Office and Post Office Address, Telephone

1790 Broadway, 7th Floor

New York, New York 10019

212-582-6500

To
Attorney(s) for

Service of a copy of the within

is hereby admitted.

Dated,

Attorney(s) for

Please take notice

☐ NOTICE OF ENTRY

that the within is a (certified) true copy of a
duly entered in the office of the clerk of the within named court on 2013

☐ NOTICE OF SETTLEMENT

that an Order of which the within is a true copy will be presented for settlement to the HON. , one of the
judges of the within named court at on the day of , 2013 at 9:30 a.m.

Dated:

Yours, etc.

ARSHACK HAJEK & LEHRMAN, PLLC
Attorneys for Defendant
SUZANNE LAFONT
Office and Post Office Address
1790 Broadway, 7th Floor
New York, New York 10019
212-582-6500