

SAN FRANCISCO PUBLIC DEFENDER

JEFF ADACHI – PUBLIC DEFENDER
MATT GONZALEZ – CHIEF ATTORNEY



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CONTACT:

Tamara Barak Aparton
Communications and Policy Assistant
San Francisco Public Defender's Office
415-575-4390 (office)
415-568-0551 (cell)

***** PRESS RELEASE *****

MAN FREED AFTER 'VICTIM' SENT THREATS TO HERSELF

San Francisco, CA --- A man was freed after 80 days in jail when an investigation revealed his former girlfriend framed him for criminal threats using an anonymous messaging app, San Francisco Public Defender Jeff Adachi announced today.

Andrew Domino, 25, was released from San Francisco County jail Tuesday after prosecutors dropped all charges against him. He lost his job and parental rights during his incarceration, said his attorney, Deputy Public Defender Eric Quandt.

Domino's legal saga began Jan. 30, when his then-girlfriend reported he grabbed her throat during an argument. Police noted that the girlfriend had no signs of injury and declined medical treatment. Domino was arrested for misdemeanor domestic violence but remained out of custody.

Eight days later, the woman went to police with terrifying text messages she claimed were from Domino, including threats to tie her up naked and beat her to death in the back of a public housing complex, and to kill their infant child.

Police arrested Domino again, this time for felony criminal threats. He remained in jail, unable to post \$240,000 bail.

But the defense investigation revealed the threatening messages had been sent from Pinger, an app that allows users to "ping" off a random phone number associated with their Gmail account. The sender used the address AndyDomini@gmail.com, raising red flags since Domino had no incentive to create a new email address only one letter off from his name.

After significant investigation into the woman's phone records, internet service provider, and email accounts, Quandt was able to prove the woman sent the threats to herself using

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San Francisco, CA 94103
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F: 415.553.9810
www.sfpublisherdefender.org

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San Francisco, CA 94127
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F: 415.753.8175

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a hidden account, then falsely reported the threats to police and lied on the stand during Domino's preliminary hearing, where a judge held him to answer to the charges.

"Mr. Domino's life was turned upside down by a liar who believed she could use the criminal justice system to exact revenge," Quandt said. "She almost got away with it, convincing prosecutors and judges that she was a victim. She had even been able to get victim services to set her up with housing benefits. Mr. Domino, however, nearly lost everything. He was close to graduating from an apprenticeship program that would have put him in a position to better take care of his infant child and family. Now, he and his baby are starting from square one."

Prosecutors have not filed charges against the woman for her perjured testimony or filing a false report. Mr. Domino is prepared to seek all legal means available to him to ensure his former girlfriend cannot victimize anyone else, Quandt said.

Adachi said it is not the first time a San Francisco public defender used digital forensics to free an innocent client.

"Just as police and prosecutors can use digital records to place someone at the scene of a crime, public defenders can use that same technology exonerate those who have been unjustly accused," Adachi said.

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