



KATHLEEN M. RICE  
DISTRICT ATTORNEY

OFFICE OF  
THE DISTRICT ATTORNEY  
NASSAU COUNTY

MADELINE SINGAS  
CHIEF ASSISTANT DISTRICT ATTORNEY

February 28, 2014

Mr. Harlan Levy, Esq.  
Chief Deputy Attorney General  
Office of the New York State Attorney General  
The Capitol  
Albany, NY 12224-0341

Re: People v. Ronald Bower

Dear Mr. Levy:

As you know from our telephone conversation yesterday, our office was surprised to learn from a media inquiry that the Attorney General's Conviction Integrity Bureau has concluded and communicated to the Parole Board that it was "highly unlikely that [Ronald] Bower committed the crimes for which he was convicted." Mr. Bower was convicted by a jury of a 1990 sexual attack in Nassau County. He was also convicted by a separate jury of additional sex crimes committed in Queens County in 1991. The Nassau County case was prosecuted under District Attorney Kathleen Rice's predecessor, Denis Dillon. Neither original prosecuting agency was copied on the Attorney General's letter to the Parole Board, nor was either apprised of your office's investigative conclusions.

While we applaud the Attorney General's creation of this new bureau, it is troubling that this review was undertaken without a review of the case files held by the District Attorneys of Queens or Nassau County.<sup>1</sup> As Assistant Attorney General Thomas Schellhammer's letter notes, "due to the passage of time and the loss of some crucial evidence, we are unable to completely [reconstruct the events.]" This is precisely why such investigations must be comprehensive, thorough, and necessarily involve the original prosecuting agencies.

Mr. Schellhammer's letter to the Parole Board contains a single paragraph to support his conclusion that "it appears highly unlikely that Bower committed the crimes for which he was

---

<sup>1</sup> Announcing the creation of the Conviction Review Bureau, Attorney General Schneiderman committed to "*working with District Attorneys across the state to address compelling claims of innocence*," and said "The Conviction Review Bureau will *work with D.A.'s offices to identify cases where the involvement of the Conviction Review Bureau may be of use*. The OAG will *be available for referrals from District Attorneys* as resources allow, and on referral will investigate in anticipation of potential litigation. These might include cases where a D.A.'s office lacks the additional staff required to conduct a review, or a conflict might exist..." A.G. Schneiderman Announces Landmark Initiative To Address Wrongful Convictions In New York, Press Release, Apr. 11, 2012, *available at* <http://www.ag.ny.gov/press-release/ag-schneiderman-announces-landmark-initiative-address-wrongful-convictions-new-york>. (Emphasis added)

Mr. Harlan Levy, Esq.

Feb. 28, 2014

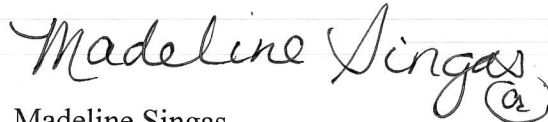
Page 2 of 2

convicted.” While those claims of innocence have been substantially reviewed and rejected by the prior Nassau County District Attorney’s administration, the Queens District Attorney’s Office,<sup>2</sup> and examined and rejected by both state and federal courts,<sup>3</sup> this office is prepared to fully re-examine this case immediately if warranted.

Thus far, when asked to provide the office with any new or exculpatory evidence in order to facilitate any appropriate release of Mr. Bower from custody, you have declined to do so. Once again, I respectfully request that your office immediately share with us the evidence that supports the findings outlined in Mr. Schellhammer’s letter.

This office is committed to the elimination of wrongful convictions and we will always participate in any conviction integrity review that your office wishes to pursue. We remain ready to share with you any files we lawfully can, and would welcome the opportunity to actively collaborate in a thorough review of this case.

Very truly yours,

A handwritten signature in cursive script that reads "Madeline Singas". The signature is written in dark ink and includes a small circular mark at the end of the last name.

Madeline Singas  
Chief Assistant District Attorney

---

<sup>2</sup> Neither the attorney who re-investigated the Queens County case in 2004-2006, nor the attorney who reviewed the Nassau County case in 2005 were contacted by the Attorney General's Office in this investigation and both were surprised to learn of the Attorney General's investigation and conclusions.

<sup>3</sup> People v. Bower, 222 A.D.2d 516 (2d Dept. 1995), People v. Ronald Bower, Ind. 79000N/91, slip op. (County Ct. June 20, 2005), Bower v. Walsh, 703 F.Supp.2d 204 (E.D.N.Y. 2010).