

Monroe County
District Attorney
Sandra Doorley

February 14, 2025



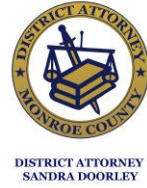
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Weekly Newsletter



Welcome to the weekly newsletter from Monroe County District Attorney Sandra Doorley.

David Lee Porter Sentenced to Life Without Parole

Today, New York State Supreme Court Justice Richard Healy sentenced 36-year-old David Lee Porter to Life in the New York State Department of Corrections Without the Possibility of parole. The defendant was previously convicted by a jury of Murder in the 1st Degree, two counts of Robbery in the 1st Degree, two counts of Attempted Robbery in the 1st Degree, and two counts of Criminal Possession of a Weapon in the 2nd Degree for the murder of David Treese, III back on April 22, 2024.

On April 22, 2024, at approximately 4:15AM, Rochester Police Officers were called to Bay Street in the City of Rochester for reports of an unresponsive man on the side of the road. The victim was discovered to be 45-year-old David Treese, III, who was found dead from gunshot wounds. It was determined that David Treese was a taxi cab driver. The victim's car was found abandoned and wrecked on Central Park.

After a thorough investigation by the Rochester Police Department, David Lee Porter was arrested for the murder of David Treese, III. A call was made for a taxi cab, where David Treese, a stranger to the defendant, arrived at First Street to pick up the fare. When David Treese arrived, David Lee Porter climbed into the taxi-cab armed with a gun and began to pistol-whip the victim, demanding money. The defendant continued to beat David Treese as the victim attempted to drive away, eventually shooting Mr. Treese multiple times. David Lee Porter stole the vehicle, ultimately crashing it on Central Park, before abandoning the car on foot. The entire homicide was recorded on camera from inside the taxi-cab.

The case was prosecuted by First Assistant District Attorney Perry Duckles.

Mr. Treese's family was in the courtroom every single day to support their loved one. To all of David's family, and especially to his mom and sister, I am so sorry for your loss, and I am sorry that you had to relive his death during the trial. While I am pleased with the conviction and sentence, it is heartbreaking that we had to do this trial and you had to mourn in this fashion.

Homicide Update

To Date 2025:

City of Rochester Total: 4

Monroe County Total: 6

Life Without the Possibility of Parole is the only appropriate sentence for this vicious murder. I must thank First ADA Perry Duckles for working so hard to secure justice for Mr. Treese. I also must commend the Rochester Police Department, their investigation led to this successful prosecution.

I truly believe that today, our community is safer with the promise that David Lee Porter will not leave the New York State Department of Corrections.

Sandra

Investigation into the Irondequoit Town Supervisor

Monroe County District Attorney Sandra Doorley will be conducting an investigation into Irondequoit Town Supervisor Andrae Evans for potential criminal conduct or for removal from office pursuant to Public Officers Law §36.

Following a referral from the Irondequoit Town Board and the Irondequoit Police Department, the Monroe County District Attorney's Office will review the current findings and conduct an outside investigation to determine if any criminal charges or penalties are appropriate.

Highlights from the MCDA's Office

40-year-old **Michael Benjamin** was convicted by a Monroe County jury of three counts of Predatory Sexual Assault, Kidnapping in the 2nd Degree, two counts of Sexual Abuse in the 1st Degree, two counts of Criminal Sexual Act in the 1st Degree, and Criminal Possession of a Weapon in the 3rd Degree for the kidnapping and violent sexual assault of a woman on May 26, 2024. On May 26, 2024, Rochester Police Officers received a call about the abduction of a young woman. In the early morning hours, the victim was taken by force in the area of North Clinton Avenue in the City of Rochester. The Rochester Police Department immediately conducted an investigation to locate the victim. After conducting a quick and thorough investigation, Rochester Police Officers were able to identify the location of the victim and the kidnapper. By the afternoon of the same day, investigators were able to bring the victim to safety and arrest Michael Benjamin for the kidnapping. During the course of the investigation, it was determined that Michael Benjamin violently sexually assaulted the victim for the duration of the kidnapping. This case was prosecuted by Special Assistant District Attorney Jessica Wagner, of the Special Victims Unit.

A Monroe County Jury convicted 33-year-old **Johnkiomi Ruiz** of Assault in the 1st Degree and two counts of Criminal Possession of a Weapon in the 2nd Degree for shooting a man on June 20, 2023. On June 20, 2023, Rochester Police Officers responded to a report of a person shot on Lake Avenue near Ravine Avenue in the City of Rochester. Upon arrival, a 24-year-old man was found with a gunshot wound in the back. He was immediately transported to Strong Memorial Hospital, where he needed life-saving surgery. After a thorough investigation by the Non-Fatal Shooting Taskforce, which includes Rochester Police Investigators, Monroe County District Attorney Investigators, and Assistant District Attorneys, it was determined that Johnkiomi Ruiz targeted the victim and shot him in the back as the victim attempted to run away. The case was prosecuted by Special Assistant District Attorney Adam VanHeyst, of the Non-Fatal Shooting Taskforce.

36-year-old **Ashland Clancy** was sentenced to 12 years in the New York State Department of Corrections plus 5 years of post-release supervision by Monroe County Court Judge Hahn. He was previously convicted by a jury of two counts of Criminal Possession of a Weapon in the 2nd Degree and Criminal Possession of a Weapon in the 3rd Degree for the possession of two illegal firearms and a large capacity ammunition feeding device on September 12, 2022. This case was investigated by the Rochester Police Department and prosecuted by Assistant District Attorney Stephen Ryck, of the Special Investigations Bureau.

Ruben Deya was indicted on Criminal Possession of a Weapon in the 2nd Degree, Criminal Possession of a Controlled Substance in the 3rd Degree, and Criminal Possession of a Controlled Substance in the 7th Degree in relation to the illegal possession of narcotics and a firearm on November 16, 2024. This case is being prosecuted by Assistant District Attorney Ryan Mulcahy, of the Special Investigations Bureau.

Vernelle Barnes was indicted on two counts of Criminal Possession of a Controlled Substance in the 3rd Degree and Criminal Possession of a Controlled Substance in the 5th Degree in relation to the possession of illegal narcotics on August 14, 2024. This case is being prosecuted by Assistant District Attorney Robin Catalano, Chief of the Special Investigations Bureau.

Daniel Rivas was indicted on Criminal Possession of a Weapon in the 2nd Degree and two counts of Criminal Possession of a Weapon in the 3rd Degree, in relation to the illegal possession of a firearm on January 10, 2025. This case is being prosecuted by Assistant District Attorney Timothy Boucher, of the Special Investigation Bureau.

Joseph Giannoccaro was indicted on Criminal Possession of a Weapon in the 2nd Degree, Criminal Possession of a Weapon in the 3rd Degree, and Unlawful Possession of Body Armor in relation to the illegal possession of a firearm on January 7, 2025. This case is being prosecuted by Assistant District Attorney Tony DiPerna, of the Special Investigation Bureau.

Quamaine Jeffries was indicted on Criminal Possession of a Weapon in the 2nd Degree, Criminal Possession of a Firearm, and two counts of Criminal Possession of a Weapon in the 3rd Degree in relation to an illegal possession of a firearm on January 16, 2025. This case is being prosecuted by Assistant District Attorney Tony DiPerna, of the Special Investigation Bureau.

Robert Guido was indicted on three counts of Burglary in the 3rd Degree and four counts of Petit Larceny in relation to multiple thefts from stores. This case is being prosecuted by Assistant District Attorney William Jenkins, of the General Felony Bureau.

Nimora Chong was indicted on Grand Larceny in the 4th Degree in relation to a theft from a Best Buy on September 24, 2024. This case is being prosecuted by Assistant District Attorney Nico Gonzalez, of the General Felony Bureau.

William Owen, Jr. was indicted on Falsely Reporting an Incident in the 2nd Degree. This case is being prosecuted by Assistant District Attorney Matthew Schiano, of Major Felony Bureau.

Keith Williams was indicted on Assault in the 1st Degree, three counts of Criminal Possession of a Weapon in the 2nd Degree, and Criminal Possession of a Weapon in the 3rd Degree in relation to a shooting on January 25, 2025. This case is being prosecuted by Assistant District Attorney Adam VanHeyst, of the Non-Fatal Shooting Taskforce.

Testimony from DAASNY

This week, the District Attorneys Association of the State of New York (DAASNY) appeared at the State Legislature's Joint Legislative Hearing on Public Protection and highlighted the need for changes to New York State's discovery law. Below is a summary of the provided testimony regarding discovery and an amendment to the Vehicle and Traffic Law to support safer roadways.

"DAASNY President-Elect Rensselaer County District Attorney Mary Pat Donnelly and Bronx District Attorney Darcel Clark appeared before the Senate and Assembly and focused on challenges faced by prosecutors due to changes to New York's 2019 discovery law, which was designed to make the criminal justice system fairer to those accused of crime by ensuring that they have all the information they need to defend themselves.

"DAASNY is here to advocate for changes to our discovery law that would help fulfill the original intent of discovery reform, to allow for early, broad disclosure to criminal defendants," said District Attorney Donnelly, "and that would ease the burdens on the criminal justice system that the discovery law created. Tight deadlines in the discovery law and difficulties in obtaining information have resulted in widespread dismissals all over the State and have slowed down the speed of dispositions."

DAASNY supports amendments to the discovery law that have been included in Governor Hochul's Executive Budget. The changes would reduce case processing times and help end the exploitation of the speedy trial statutes that results in dismissals on technicalities and not on the merits of a case. The proposal also adds a harm-proportionate remedy to the discovery process that would make it clear that dismissals should only be considered in circumstances where a defendant's case is actually harmed by a failure to provide discovery.

"New York State's District Attorneys lent their support to Governor Hochul's discovery proposal, which would address the unintended consequences of our current discovery statute," said DAASNY President, Richmond County District Attorney Michael E. McMahon. "Those unintended consequences have led to the dismissal or reduction in charges in thousands of felony and misdemeanor cases, especially large numbers of petit larcenies, quality of life crimes, DWIs, and assault cases."

The structure of the current discovery law incentivizes defense attorneys to delay cases to "run out the speedy trial clock," to obtain dismissals based on speedy trial grounds, a result that was not the intent of the drafters of the original law.

"A case should not be dismissed because of one missing piece of paper that is not relevant to the defense," said District Attorney Clark. "Remedies and sanctions should be appropriate to any harm done to the defendant's case. Governor Hochul's proposal would ensure that prosecutors disclose and turn over all materials that are relevant to the subject matter of the charges. Disclosure of that nature would not decrease the types of evidence that a defendant would receive, but it would ensure that the material is connected to the matter at hand."

DAASNY also supports Governor Hochul's proposed amendment to the Vehicle and Traffic Law, which would close a significant loophole in drugged driving cases. Under current law, an impaired driver cannot be charged with drugged driving unless the prosecution is able to prove that the driver was under the influence of a drug named on a list of controlled substances contained in the Public Health Law. Even the most impaired drugged drivers cannot be prosecuted unless the drug they ingested appears on that list. The result has been a detrimental impact on public safety resulting from many drugged drivers who cannot be prosecuted for their crimes. Governor Hochul's proposed amendment would close that loophole, by providing that impaired motorists may be charged with drugged driving, no matter what drug impairs their ability to drive.

DAASNY also encouraged legislators to continue to provide funding for the discovery process, as well as to prioritize funding for programs and initiatives that help stop violence and maintain public safety."

MCDA in the News

<https://www.rochesterfirst.com/crime/local-man-convicted-kidnaps-and-sexually-assaults-woman-on-north-clinton-ave/>

<https://13wham.com/news/local/man-convicted-in-violent-kidnapping-of-young-woman-in-rochester-michael-benjamin-north-clinton-avenue-predatory-sexual-assault-monroe-county>

<https://www.whec.com/top-news/man-convicted-of-kidnapping-and-sexual-assault-of-woman-in-may/>

<https://13wham.com/news/local/man-convicted-of-2023-rochester-shooting-that-left-victim-with-life-altering-injuries-lake-ravine-avenue>

<https://www.minorityreporter.net/post/jury-finds-johnkiomi-ruiz-guilty-of-assault-in-the-1st-degree-and-two-counts-of-criminal-possession>

<https://wham1180.iheart.com/content/2025-02-11-rochester-man-convicted-in-lake-ave-shooting/>

<https://spectrumlocalnews.com/nys/rochester/politics/2025/02/11/monroe-county-da-launches-investigation-into-irondequoit-town-supervisor>

<https://13wham.com/news/local/monroe-county-da-district-attorney-sandra-doorley-to-investigate-irondequoit-town-supervisor-andrae-evans-sexual-harassment-retaliation-claims-allegations>

<https://www.whec.com/local/monroe-county-da-announces-investigation-of-local-town-supervisor/>

<https://wham1180.iheart.com/content/2025-02-12-monroe-county-da-to-probeirondequoit-town-supervisor-sex-harassment-claims/>

<https://www.wxnews.org/local-news/2025-02-11/irondequoits-town-supervisor-who-faces-allegations-of-sexual-harassment-is-now-under-investigation-by-the-district-attorney>

<https://www.rochesterfirst.com/irondequoit/monroe-county-das-office-launches-investigation-into-irondequoit-town-supervisor/>