

Suspended Rockland jail officer acquitted of cocaine charge

Written by Steve Lieberman

Jan 13

lohud.com

ORANGETOWN — An Orangetown jury on Friday acquitted a suspended Rockland correction officer of possessing cocaine and fleeing a state trooper.

The trial had begun after the officer was separately targeted in a New York City police investigation into a Manhattan couple accused of possessing weapons and plotting to blow up an arch in Greenwich Village.

Daniel Whittaker, 33, a correction officer for seven years, said he was “very happy and very glad” and looked forward to returning to work after being suspended for nearly three years following his arrest after 1 a.m. April 9, 2010, on Route 303 near his condo at Blue Hill Commons.

Rockland Sheriff Louis Falco, who is ultimately in charge of the jail, declined to comment Friday night on Whittaker’s returning to work. He noted the current NYPD investigation.

Whittaker was acquitted on misdemeanor counts of seventh-degree criminal possession of a controlled substance and third-degree unlawful fleeing a police officer.

“He was tried by a jury of his peers and found not guilty,” Falco said. “We will move on from here.”

The six-member jury deliberated a little less than an hour and a half before returning a verdict accepting the defense’s arguments and testimony that Whittaker legally possessed the cocaine after taking it away from a friend for his own good. The jurors declined comment.

The defense argued Whittaker never saw a state trooper chasing him for speeding on Route 303 with his lights flashing and siren activated until the patrol car was right next to Whittaker’s 2006 Volkswagen Jetta.

“My client is a law-abiding citizen and deserves to get back to work,” attorney Joey Jackson said when the verdict was returned about 6:30 p.m. Friday. “We’re glad the jury saw the truth.”

Friday’s court session started with the revelation from prosecutor Tanya Gayle that Whittaker had received prison correspondence from a Manhattan man who is accused of plotting to detonate a bomb in Washington Square Park and that the officer also had correspondence from neo-Nazi and Ku Klux Klan groups.

New York City police and Rockland Sheriff’s Office investigators seized the correspondence, other records and 21 rifles from Whittaker’s apartment off Orangeburg Road as part of an investigation into the bomb-plot suspect, Aaron Greene, and his girlfriend, Morgan Gliedman, who were arrested Dec. 29 after authorities searched their Greenwich Village apartment and found bomb-making materials.

Friday ended with elation for Whittaker and his supporters in the courtroom.

They hugged the muscular correction officer after Orangetown Justice Patrick Loftus dismissed the six jurors, three men and three women plus a female alternate.

"I'm proud of him," said Ken Whittaker, the officer's father. "I think he did the right thing and tried to help a friend. It's a shame it took three years to resolve this."

Whittaker's defense was that he took the cocaine from longtime friend Gregory McLernon to prevent him from using it.

McLernon and Whittaker attended South Orangetown schools and SUNY Albany together.

The cocaine charge led to Whittaker's suspension as a correction officer. He's been paid his salary of just under \$74,000 a year.

Gayle, a Rockland assistant district attorney, argued Whittaker made up the story about trying to help his friend after getting caught, urging the jurors not to let the defense "pull the wool over their eyes."

Gayle wanted to use the inmate, KKK and neo-Nazi correspondence to cross-examine Whittaker on character issues, as well as his relationship with Greene. The judge didn't allow such questioning.

McLernon testified for Whittaker and sometimes heatedly argued with Gayle, while also crying at times. McLernon testified the two went out drinking the night of April 8, 2010, going to The Lazy Boy Bar and Saloon and The Brazen Fox in downtown White Plains.

McLernon said he split off from Whittaker at one point to hang out with some "shady types" he knew, before meeting back up at his home with the correction officer, who was now angry for having been left.

Whittaker testified he took the cocaine away from his friend after seeing him get the bag from a "shady person" outside McLernon's condo in White Plains.

"I cared about him," Whittaker told the jury. "He had a drug problem before. He had a baby coming. I didn't want him to screw up his life."

McLernon, who admitted to being a "party guy" in college, said he has changed his ways, with a fiance, a young son and another child on the way.

The trial before Loftus had been delayed from 2010 because the arresting trooper, Timothy Noller, had been serving in Afghanistan.

Noller, once a Marine, spent two tours in Afghanistan and Iraq.

Cocaine trial starting for Rockland jail guard targeted in NYPD raid

Written by Steve Lieberman

Jan 13

lohud.com

ORANGETOWN — A cocaine-possession trial is starting today for a suspended Rockland County corrections officer who was the target of an NYPD raid Wednesday.

The trial stems from a 2010 incident in which the officer, Daniel Whittaker, is accused of having more than a gram of cocaine in his car after leading state police on a brief chase on Route 303 in Orangetown. He is charged with seventh-degree criminal possession of a controlled substance, unlawfully fleeing a police vehicle, and several vehicle and traffic violations.

Wednesday's raid on Whittaker's Orangetown apartment was part of an NYPD investigation into a Manhattan couple, Aaron Greene and Morgan Gliedman, charged with possessing explosives and weapons, authorities said. Greene and Whittaker were friends while growing up in Rockland County, authorities said. Police took rifles and miscellaneous items during the raid but said the weapons appeared legal. Whittaker was not charged.

Whittaker's drug trial is taking place before Orangetown Town Justice Patrick Loftus. The jury was selected starting this morning, and testimony is scheduled to begin about 2:30 p.m.

Whittaker's attorney, Joey Jackson of Kohler & Isaacs in Manhattan, said outside court that Whittaker had lawful possession of the cocaine because he had taken it away from a friend to prevent the friend from using it. The cocaine was discovered when a state trooper pulled Whittaker over for speeding. Jackson also said Whittaker was not aware that the trooper was trailing him.

In questioning prospective jurors, prosecutor Tanya Gayle asked them to use common sense. Who has a motive to lie and who has something to gain? she asked, referring to Whittaker.

Whittaker, 33, has been paid for the past two years while suspended. The Sheriff's Department, which runs the Rockland County jail where Whittaker works, has been awaiting the outcome of the drug trial before going ahead with a disciplinary hearing.

The criminal case has been delayed two years, in part because the state trooper who made the arrest had been in Iraq with the military, according to Rockland District Attorney Thomas Zugibe.

The Sheriff's Department has not disclosed why Whittaker is suspended, saying it is a personnel issue. Whittaker also would not discuss his suspension when questioned by The Journal News/LoHud.com.

Daniel Whittaker case: Acquitted Rockland corrections officer to face disciplinary hearing

Written by Steve Lieberman
Jan 13

lohud.com

NEW CITY — Even after an Orangetown jury found a suspended corrections officer not guilty of a misdemeanor cocaine possession charge, the Rockland County jail is moving ahead with a disciplinary hearing against him.

Daniel Whittaker will face departmental charges that include conduct unbecoming of an officer, Sheriff Louis Falco said today. Whittaker could lose his job depending on the recommendation from the hearing officer and a final decision by jail administration and Falco.

Falco said that before the department scheduled the hearing officials want all the results of a New York City Police Department investigation linking Whittaker to Aaron Greene, arrested Dec. 29 on charges of possessing explosives and weapons, as well as plotting to blow up the Washington Arch in Greenwich Village.

Investigators said during a search of Greene's apartment, they found shot guns, ammunition and seven grams of hexamethylene triperoxide diamine, or HMTD, an explosive powder used by the millennium terrorist bomber.

NYPD investigators also found manuals with titles including, "Terrorist Encyclopedia," "FM 5-25 Explosives and Demolition," "FM 5-31 Booby Traps," "Improvised and Modified Firearms: Deadly Homemade Weapons" and "The Do It Yourself Submachine Gun."

Deputy Commissioner Paul Browne said Greene told investigators that he gave many of his weapons to Whittaker, a childhood friend from Rockland. Police seized 21 rifles, brass knuckles, two stun guns, and a switchblade knife during a warrant search on Whittaker's Blue Hill Commons condo last Monday, authorities said.

The police also seized a jail-house letter from Whittaker from Greene and correspondence from neo-Nazi and KKK groups sent to Whittaker, authorities said.

"We're going ahead with the departmental charges," Falco said. "We're still awaiting information from the NYPD from their search warrant. I want to have all the information."

Whittaker's lawyer, Joey Jackson, said his client is not associated with those hate groups and the letters were sent to him.

Whittaker, 33, a corrections officer for seven years, has been suspended with pay since April 2010 when a state trooper found he possessed cocaine and accused him of fleeing when the trooper tried to pull him over for speeding down Route 303.

A jury on Friday accepted Whittaker's defense that he took the cocaine from a friend that night in White Plains as a law enforcement officer and he didn't immediately see the trooper car trailing him

with lights flashing and siren blaring. He slowed to a stop when the trooper was right near him, though the trooper testified he had to use his car to force Whittaker to stop.

The trial was delayed because the trooper was serving with the military in Afghanistan

After his acquittal on Friday, Whittaker said he looked forward to getting back on the job. Jackson said Whittaker was a law abiding citizen who deserved his job back.



You can earn 5% cash back for college, every day.

800+ partners now help you earn more on eligible online purchases through Upromise.



- ABOUT
- SUBSCRIBE
- WHERE TO BUY
- CONTACT
- BORN MINUS BOOK
- SITE MAP
- ARCHIVES
- DOWN

FORMER CORRECTIONS OFFICER'S HOME SEARCHED IN BOMB CASE

Posted January 10th, 2013

Like One person likes this.

STATEMENT FROM SHERIFF FALCO'S OFFICE:

Sheriff Louis Falco III announces that on today's date at approximately 6 a.m., a search warrant was conducted at the home of Correction Officer Daniel Whittaker at 5A Blue Hill Commons, Orangeburg, NY.

Whittaker, who has been suspended for approximately two years due to a personnel matter & ongoing disciplinary New York City Police Department case with a possible connection to Aaron Greene & Morgan Gliedman, who were charged with possessing explosives. Aaron Greene and Daniel Whittaker grew up as friends in Rockland County.

The Rockland County REACT Team (SWAT team) executed the warrant & secured the apartment prior to its opening. The Rockland County Bomb Squad was called in to use specialized equipment, including an X-Ray machine, to inspect the apartment. The apartment was subsequently deemed safe for police personnel to open.

Upon completion of the search warrant, rifles & miscellaneous items were taken into custody & are currently being reviewed. Whittaker was interviewed and released with no criminal charges at this time.



Add a comment...

Comment using...

Facebook social plugin

Newsday

Daniel Whittaker, Rockland correction officer, linked to NYC bomb-making case

January 9, 2013 by SARAH ARMAGHAN / sarah.armaghan@cablevision.com



A Rockland County correction officer may be linked to the case of a Greenwich Village couple accused of having bomb-making materials in their home, Newsday has learned.

On Wednesday, New York City Police Department and Rockland County cops seized a weapons cache from the Orangeburg condominium of Daniel Whittaker, who was suspended two years ago from his job as a Rockland County correction officer for an unspecified personnel matter, Rockland County Sheriff Louis Falco said.

Whittaker, 33, is a "subject" in the NYPD's investigation of Aaron Greene and Morgan

Gliedman, a New York City couple who allegedly had bomb-making materials in their West Village apartment, Falco said.

Greene and Whittaker are friends who grew up together in Rockland County, Falco added.

Greene and Gliedman stand accused of having 7 grams of HMTD, a highly explosive white powder used in making bombs, as well as papers titled "The Terrorist Encyclopedia" and "Deadly Homemade Weapons."

Police found an "extensive weapons collection" of 21 shotguns, brass knuckles, a switchblade and two stun guns in Whittaker's apartment, NYPD spokesman Paul Browne said.

"What was interesting to us is that we took a sawed-off shotgun out of Greene's apartment, and that sawed-off shotgun is on a document of guns that Whittaker owns," Browne said.

Whittaker was not charged with a crime after the Rockland County bomb squad and NYPD officers executed a search warrant around 6 a.m. on his home at 5 Blue Hill Commons on Western Highway at Highview Avenue.

Whittaker was interviewed by police and has been released.

"When [our investigators] asked [Greene] if he had any more weapons, he said he got rid of them," Browne said. "He said he'd given them to a friend in law enforcement upstate who he refused to identify further. Armed with that bit of information, our intelligence division identified Whittaker."

Investigators are checking handwritten correspondence between Greene and Whittaker for more clues, Browne said.

"That's something we're looking at," Browne said. "To see if it sheds any light to what may have motivated Greene for acquiring the explosives and weapons."

'WE WERE SCARED'

Alba Bhavsar, 39, who lives above Whittaker's apartment, said the officers were forced to break down the door.

"We were scared when we heard all the noise. We didn't know what was going on," Bhavsar said. "We heard a lot of screaming, fighting. They were pounding on the door for 15 minutes."

Bhavsar said the ordeal lasted about 30 minutes. The bomb squad was called in to use its imaging equipment to look into a safe, said Sgt. John Murphy of the Rockland County Sheriff's Department.

No explosives were found and no one was injured, Murphy said.

"My husband went to go to work, and the cops told him to stay back for about 10 minutes," Bhavsar said. "That's when the cops brought the man out and put him in a police car."

Bhavsar saw her neighbor being led out of the building and into a police vehicle but said he was not handcuffed.

Just before noon, investigators were seen carrying a cache of seized guns in brown paper evidence bags. It was not immediately clear whether the guns belong to the homeowner or why they were seized.

Residents throughout the building said the man who lived there often hosted loud parties but was otherwise friendly.

"He never bothered anyone. We always just saw him out walking his dog. Sometimes he'd have loud parties, but it wasn't that bad," Bhavsar said.

NYC CONNECTION?

Gliedman, 27, and Greene, 31, were arrested after the NYPD searched the couple's apartment Dec. 29 following a tip about the suspicious stash. Among the items seized: a sawed-off shotgun, chemicals used to make HMTD and a replica of a grenade launcher and ammunition.

The couple, who police say were heroin abusers, met in rehab.

Gliedman is the daughter of a prominent physician and was nine months pregnant at the time of her arrest. She gave birth while she was in custody and since has been released on \$150,000 bond and conditions that she enter a drug rehab program and wear an electronic monitoring device. Greene is being held without bail.

There's an indication that Gliedman is of less concern to authorities than Greene, who remains remanded on Rikers Island.

"It's unknown at this point how [Whittaker] may or may not figure into our ongoing investigation," Browne said. "There's a connection there. What the significance of that nexus is, we don't know yet."

With News12 and news wire services

[< back to article](#)