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Golden nephew acquitted in bar brawl attack

By Will Bredderman



Photo by Spencer Burnett

All smiles: Daniel Golden, nephew of state Sen. Marty Golden, was acquitted of breaking the jaw of an off-duty cop during a bar fight.

One witness was all that was needed by attorneys to get an acquittal for the nephew of state Sen. Marty Golden, who was charged with assaulting a pair of off-duty cops and a firefighter.

A team of defense attorneys representing Daniel Golden and co-defendants Kevin Crowley, Michael Crowley, Peter Jung, and John DeCarlo produced a friend of the group who witnessed the bloody 2010 Bay Ridge fight after weeks of blowing holes through the prosecution's case — claiming all the while that the victims and the police had tampered with evidence. They then rested, and watched as multiple juries acquitted Golden, Kevin Crowley and John DeCarlo, who were all sent home free men on Friday afternoon. Jung was acquitted on Monday but Michael Crowley was convicted of a misdemeanor crime — for having the knife used in the bloody attack.

Judge Mark Dwyer, who presided over four juries that would determine the fate of the men, said that the group was only guilty of bad judgement. "They are obviously responsible for very stupid behavior," Dwyer said on Monday.

The five men were looking at three and a half years in jail for allegedly attacking NYPD cop Paul Aparo, Port

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DAILY NEWS

Nephew of Brooklyn state Sen. Martin

Golden, two relatives, beat the rap in nasty brawl at Kettle Black bar in Bay Ridge

Brawl had injured two off-duty cops and a firefighter
BY OREN YANIV / NEW YORK DAILY NEWS

Friday, March 23, 2012, 7:17 PM



JESSE WARD FOR NEW YORK DAILY NEWS

Kevin Crowley (left, in blue) and John DeCarlo (right) get hugs from loved ones outside State Supreme Court in Brooklyn following their acquittal Friday on charges stemming from a bar fight in which two off-duty city cops and a firefighter were injured.

The nephew of a Brooklyn lawmaker and two of his relatives beat the rap Friday in a bloody bar brawl that injured two cops and a firefighter.

Daniel Golden, 25, nephew of state Sen. Martin Golden, and his cousins Kevin Crowley, 25, and John DeCarlo, 24, were all found not guilty of gang assault and other counts following a trial that cast doubt on the accounts of the alleged victims, all of whom were off duty during the 2010 fight.

"I'm just happy," Daniel Golden said after the verdict was announced in Brooklyn Supreme Court. He and his kin had faced a mandatory prison sentence of at least three-and-a-half years if convicted.

The 7-week trial delved in a boozy night of partying at the Kettle Black bar in Bay Ridge that descended into a wild melee that spilled out onto the street.

DeCarlo was accused of smashing a bottle atop the head of NYPD officer Paul Aparo and then punching Port Authority cop Ryan McCarthy, who had been trying

Authority Police Officer Ryan McCarthy, and FDNY firefighter Rosario Cicero at the Kettle Black bar on Third Avenue and 87th Street. But Michael Cibella, a lawyer for DeCarlo — who the prosecution accused of busting a bottle over Aparo's skull and slugging McCarthy — said Aparo and McCarthy attacked his client first and then tried to cover up their actions by altering surveillance footage. "They did what they did because they were cops and thought they could get away with it," Cibella said. "There was a concerted effort to protect the police officers involved in this case."

Arthur [Aidala](#), who represented Golden, said his client was overjoyed with the jury's acquittal. "You have no idea the sense of relief we feel that this is behind us," [Aidala](#) said. "We're just happy that the criminal aspect of the case against Daniel Golden is over and he is moving on with his life."

Cibella said the Kettle Black surveillance tapes initially showed Aparo stampeding out of the bar "looking for blood," but that minute-long scene wasn't provided to the police. Jasmin Pontic, a high school friend of Aparo's who works for the security company monitoring the Kettle Black's cameras, deleted that segment before it was handed over to investigators, Cibella claims, adding that phone records prove Aparo called Pontic repeatedly hours after the brawl. Pontic was ultimately arrested for doctoring the footage.

Investigators say DeCarlo punched Aparo during an argument inside the corner bar. Off-duty Firefighter Rosario Cicero and off-duty Port Authority Police Officer Ryan McCarthy quickly jumped to the officer's aid, as Golden and his cousins backed DeCarlo. Bouncers threw everyone outside, but, when McCarthy tried to jot down a defendant's license plate number, DeCarlo, the son of an NYPD detective, allegedly slugged him, even though cops say McCarthy had his police shield out.

"I don't give a f---," DeCarlo allegedly said as he and Golden allegedly pounded on Ryan, leaving him with a broken jaw. Prosecutors say Kevin Crowley slashed Cicero's arm as he tried to defend McCarthy.

Brooklyn District Attorney Charles Hynes refused to take the case against Golden's family claiming that the defendants' connection to the law-and-order Republican legislator — a former cop — constituted a conflict of interest. The case was passed off to Queens prosecutor Michael Brovner, who told jurors that Golden's relatives instigated the fight that spilled out into the street.

"[Golden and his companions] weren't out to have a good time, they were out to do whatever they wanted to do," Brovner said. "They escalated and ramped up the situation."

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to calm things down.

Prosecutors said Golden added a haymaker, breaking McCarthy's jaw, while Crowley was alleged to have slashed city firefighter Rosario Cicero.

Two others who had been hanging out with the acquitted trio that night were charged with having played minor roles: Michael Crowley, 22, and Peter Jung, 25, were prosecuted in a bench trial; a judge will render verdicts Monday.

Defense attorneys argued it was the civil servants, and not the accused, who were responsible for escalating the fracas — chasing Golden and company outside of the watering hole following a brief dustup inside.

"All they wanted was to get home that night," DeCarlo's lawyer, Michael Cibella, said of the five defendants. "It took two years."

The lawyers for the defense pointed out inconsistencies in witness descriptions of the chaotic scene, and hammered some of the prosecution witnesses for actions both during the night in question and afterward.

Aparo was blamed for telling a friend to delete video footage from inside the bar that showed him ripping his shirt off and busting his way through security and out the door, in pursuit of the five.

McCarthy was exposed as having sent intimidating text messages to a witness who was reluctant to testify.

Relatives of the men on trial clapped when the verdicts were read in the courtroom, then embraced the newly exonerated outside, wiping away tears.

Gary Farrell, who represented Kevin Crowley, interpreted meaning in the jury's quick and decisive decision. "That's pretty telling on how weak the case was," he said.

The case was handled by a special prosecutor from Queens County because Brooklyn District Attorney Charles Hynes recused his office on account of a working relationship with Sen. Golden.

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Cop knocked out in B'klyn bar brawl could be in trouble for alleged witness tampering

By JOSE MARTINEZ

March 13, 2012

A Port Authority cop who “saw stars” after getting KO’d in a futile attempt to make peace during a Brooklyn bar brawl may be on the hook for tampering with a witness. Officer Ryan McCarthy suffered a broken jaw when he got clobbered outside the Kettle Black in an April 2010 street fight that left a city firefighter stabbed in the arm.

But Arthur **Aidala**, a defense lawyer for one of the five men charged with assault, said he’ll go after McCarthy Wednesday for offering testimony that is “night and day” from what he told a grand jury — and for allegedly trying to squeeze a witness into testifying.

“You might want to let the union know they might want to get [a lawyer] here,” Supreme Court Justice Mark Dwyer told prosecutors after a flustered McCarthy left the stand grumbling “clown act” in response to **Aidala’s** pointed questions.

Earlier, McCarthy said he contacted longtime friend Antonella Manieri — who had been at the bar with him, another woman and Firefighter Rosario Cicero — when he learned last month that she might not testify. “I text-mailed Antonella and I told her that I was disappointed,” McCarthy said, adding that the exchange turned into a “heated” profanity-laced exchange.

McCarthy testified that he “saw stars” after getting cold-cocked in his left jaw, allegedly by John DeCarlo when he tried to stop the 3 a.m. fight by pulling out his police shield. “He told me he ‘didn’t give a f--- who I was,’” McCarthy said. “Then I knew my badge meant nothing that night.”

DeCarlo, brothers Kevin and Michael Crowley, Peter Jung and Dan Golden - a nephew of Brooklyn state Sen. Martin Golden - are facing assault and other charges stemming from the fight.

McCarthy said he got stomped on and punched by “three or four people” while grappling with DeCarlo and Golden. Upon escaping the scrum, he said he commandeered a cab as Cicero gushed blood from his left arm and screamed, “Get me to a hospital! I let the cabbie know that if he didn’t drive this individual to the hospital that he was going to have a dead man in his car,” McCarthy said. “The back seat was a mess.”

Port Authority cop Ryan McCarthy may face charges he threatened a witness in a bar brawl case

Ryan McCarthy was hurt in a melee outside Kettle Black in Bay Ridge Brooklyn

Tuesday, March 13, 2012, 9:32 PM

A Port Authority cop who had his jaw broken in a boozy brawl in Brooklyn could be on the hook himself after allegations emerged that he threatened a reluctant prosecution witness.

Ryan McCarthy took the stand Tuesday as a key prosecution witness in a gang assault trial in Brooklyn Supreme Court against five defendants — including Daniel Golden, 25, nephew of state Sen. Martin Golden (R-Brooklyn). The cop testified he “saw stars” when punched in the face during a street scuffle that started inside the Kettle Black bar in Bay Ridge on April 2010. “My face was so swollen,” he said, describing a painful year-long rehab.

McCarthy acknowledged he “took it personally” when he learned that his pal Antonella Manieri, a witness, emailed prosecutors earlier this year to say she was drunk and on meds during the incident so didn’t want to testify. “I (texted) Antonella and told her I was disappointed,” he said Tuesday. “It got heated at some point.” Manieri did take the stand last week. When questioned by Golden’s lawyer, Arthur **Aidala**, she testified she felt intimidated by the texts. “He said things would happen . . . things he knew I probably cared about,” she said.

“So you clearly felt threatened?” **Aidala** asked her.

“Clearly.”

Aidala indicated that witness tampering and harassment charges may be appropriate and said he will confront the cop on his grand jury account that was “night and day from the testimony today.”

Earlier, McCarthy recounted trying to stop the fight, which also involved a city cop and a firefighter who was slashed in the melee. “I tried to do the right thing,” he said. But “no one listened to me that night.”

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