

Department of Justice

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JOSEPH MITCHELL, BROTHERS ARRAIGNED ON SUPERSEDING INDICTMENT; ADDITIONAL FEDERAL CHARGES

ROCHESTER, N.Y.--U.S. Attorney William J. Hochul, Jr. announced today that a federal grand jury in Rochester has returned an eight-count superseding Indictment charging Joseph Mitchell, 39, of Rochester, NY, and his brothers, Jamar Mitchell, 24, and Jerrod Mitchell, 22, with federal drug charges, including conspiracy to possess with intent to distribute and to distribute five kilograms or more of cocaine and 280 grams or more of cocaine base. Joseph Mitchell and Jamar Mitchell are also charged with possessing a firearm in furtherance of a drug trafficking crime, and Joseph Mitchell is additionally charged with money laundering conspiracy. Joseph Mitchell is also charged with escape. The drug conspiracy charge carries a maximum penalty of life in prison, a fine of \$4,000,000 dollars or both.

Assistant U.S. Attorney Jennifer M. Noto, who is handling the case, stated that the Indictment charges the defendants with participating in a drug conspiracy responsible for the large scale distribution of significant quantities of cocaine and cocaine base in the Rochester, New York and Elmira, New York areas from approximately 2008 until the present.

Joseph Mitchell and his brother Jamar were indicted earlier this year after a nearly two-year investigation conducted by Special Agents of the Drug Enforcement Administration and officers from the Rochester Police Department. Agents and officers conducted several search warrants in conjunction with the arrests of Joseph and Jamar Mitchell on January 25, 2011. During the execution of the search warrants, they recovered a loaded handgun and over \$500,000 in cash that was secreted in a hidden trap in the base of a fish tank at Joseph Mitchell's residence. This was the largest bulk cash seizure in the Western District of New York in recent years. Officers and agents also located a stolen handgun, a quantity of cocaine base, along with a smaller quantity of cash at Jamar Mitchell's residence. Jerrod Mitchell was arrested earlier this year for his

participation in this drug conspiracy and is now joined in the same Indictment with his brothers.

The superseding Indictment also charges Joseph Mitchell from escaping from the custody of the Monroe County Jail on March 31, 2011, with fellow inmate Eddie Palmer. Eddie Palmer and Lakesia Binion have already entered guilty pleas admitting their involvement in the escape.

The three defendants were arraigned this morning before Federal Magistrate Jonathan W. Feldman and pleaded not guilty. They remain detained pending further proceedings.

The superseding Indictment is the culmination of an investigation on the part of Special Agents of the Drug Enforcement Administration, under the direction of under the direction of John P. Gilbride, Special Agent in Charge, New York Field Division and the Rochester Police Department, under the direction of Chief James Sheppard.

The fact that a defendant has been charged with a crime is merely an accusation and the defendant is presumed innocent until and unless proven guilty.

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