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NEW YORK

Two NYC judges, one court lieutenant sick with COVID-19

By **MOLLY CRANE-NEWMAN** and **NOAH GOLDBERG**
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Two Brooklyn Supreme Court judges and a Manhattan court security lieutenant who enforced COVID compliance are suffering from coronavirus, just as the state court system seeks to resume in-person proceedings despite the surging Delta variant.

The lieutenant has been in critical condition on a ventilator at NYU Langone Hospital for the past five days, said Dennis Quirk, President of the New York State Court Officers Association. The lieutenant is not vaccinated.



“He’s an anti-vax,” Quirk said. The lieutenant’s distrust of the vaccine was the result of work at Ground Zero, according to Quirk. The lieutenant suffered from breathing problems caused by the toxic rubble at the World Trade Center site — after the government insisted the air was safe.



People walk past the Criminal Courts building and District Attorneys office in Manhattan. (ED JONES/AFP via Getty Images)

“This is about a total mistrust of the government,” said Quirk, who added that the lieutenant was not the only Ground Zero worker he knows that is an anti-vaxxer.

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Sources said that the lieutenant, who the Daily News is not naming, rarely wore a mask on the job. An [anonymous Twitter account](#) documenting COVID cases in city courts also alleged the lieutenant did not wear a mask.

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But Quirk said that was not true — and claimed public defenders reluctant to return to in-person work fueled the rumor.

“Some scumbag, dirtbag public defender posted that on Twitter. We went back and checked the surveillance video — he always had a mask on,” Quirk said.

He added that public defender groups like the Legal Aid Society have been urging the court officers’ union to join a call to close courthouses.

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“Our thoughts are with the lieutenant and all who become sick from COVID. That fact is COVID-19 remains a risk for vaccinated and unvaccinated New Yorkers alike, and the lack of consistent mask wearing in our courts, despite the mandate to wear them, will only continue to exacerbate spread and infection,” said Tina Luongo, Attorney-In-Charge of criminal defense at Legal Aid.

Sources said that courthouse staff was not notified about the lieutenant testing positive, as is usually the case.

“We wish him the very best, hoping for a speedy recovery and a return to work with all his friends and colleagues,” Lucian Chalfen, a spokesman for the state court system, said.

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Meanwhile, the top criminal judge in Brooklyn Supreme Court, Matthew D’Emic, tested positive for COVID-19 on Tuesday, he confirmed to the Daily News. D’Emic, the

administrative judge for the county, said he's dealing with fevers and fatigue despite being vaccinated.

Another judge in the Jay St. courthouse, Dineen Riviezzo, is also sick with COVID, the Office of Court Administration confirmed.

Judge Matthew D'Emic in 2015. (Mark Lennihan/AP)

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The COVID cases emerge just as the court system is struggling to find a balance between reopening to more in-person appearances for trials and sentencing.

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“Along with our continuing monitoring of outside metrics and requiring unvaccinated people to wear masks in all areas of the courthouse — we re-instituted the policy that all individuals regardless of their vaccination status must wear a mask in all public areas of courthouses,” said Chalfen.

Brooklyn Supreme Court (John Minchillo/AP)

Nine people who have been in Brooklyn courthouses reported being sick with the virus in the last week, according to the court system’s website.

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Five public defender organizations in the city penned a letter to incoming Gov. Kathy Hochul last Monday arguing that “OCA must take swift and meaningful steps to protect all who enter its courthouses in order to avoid a scenario in which greater limitations must be placed again on in-person appearances.”

Brooklyn Supreme Court Justice Dineen Riviezzo in 2016. (Mark Lennihan/AP)

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They demanded that detainees be held in well-ventilated areas, nonessential court matters be conducted virtually and that courthouse visitors be provided with N95 or KN95 masks.

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Courthouses resumed the busy and crowded work of in-person arraignments over the summer.

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