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**KINGS COUNTY DISTRICT ATTORNEY CHARLES J. HYNES POLICE
COMMISSIONER RAYMOND W. KELLY AND DEPARTMENT OF
INVESTIGATION COMMISSIONER ROSE GILL HEARN ANNOUNCE
INDICTMENT IN TISSUE THEFT**

BONES FOR TRANSPLANT TAKEN FROM CORPSES WITHOUT CONSENT

Brooklyn, February 23, 2006 – Kings County District Attorney Charles J. Hynes, New York Police Commissioner Raymond W. Kelly, and Department of Investigation Commissioner Rose Gill Hearn today announced the arrest and indictment of Michael Mastromarino, Joseph Nicelli, Lee Crucetta and Christopher Aldorasi for participating in a scheme to steal tissue from the corpses of people who never gave consent to be donors. The tissue was then sold to tissue transplant companies where it would be used in surgical procedures around the world.

District Attorney Hynes said, “What happened here – stealing tissue from the dead and selling it for transplant without consent of a family member and without taking any medical precautions to ensure that transplants were free from disease or defect is like something out of a cheap horror movie. But, for the thousand of relatives of the deceased whose body parts were used for profit, and the recipients of the suspect parts, this was no bad movie. It was the real thing.”

“I’d like to thank Police Commissioner Kelly and DOI Commissioner Gill Hearn for their cooperation in this investigation,” DA Hynes added.

DOI Commissioner Gill Hearn said, "The conduct uncovered in this investigation is monstrous. It is a family's worst nightmare that a loved one entrusted to the care of a funeral home was actually defiled. The deceased and their families have not been able to rest in peace. And, this ghastly conduct has sent a ripple of fear to anyone who has had a medical implant. I offer condolences to the grief-stricken families victimized by the crimes charged here today. I say to them, justice will be served."

Commissioner Kelly said, “Detective Patricia O'Brien and her fellow detectives are to be commended for tenaciously pursuing the ghoulish criminal activity in this case. She extracted from crucial witnesses the first chapter in a horror story which would shake the funeral industry to its core.”

According to the 122-count indictment, the team forged death certificates and organ-donor consent forms to create the appearance that the tissue was harvested legally. Though tissue transplant guidelines set age limits and health requirements for donors, the defendants falsified the ages of their victims, so in one case, a 95-year-old cancer victim was listed as a healthy 85-year-old who died of heart failure.

It is illegal for people to sell their tissue or other body parts. They can only be donated, and only with the expressed, written consent of the donor, before the person dies. However, on the open market, one body can bring in as much as \$250,000 for harvesting and transplant companies. Mastromarino and Nicelli allegedly paid funeral home directors up to \$1,000 per body masking the payments as fees for services.

Mastromarino, a former oral surgeon, got into the tissue business after losing his dentist's license. Nicelli, of 49 Clifton Ave., Staten Island, owned Daniel George & Son funeral home at 1852 Bath Ave., Brooklyn, before partnering with Mastromarino in a tissue trading company, BioMedical Tissue Services and BioTissue Technologies. The companies were licensed in New Jersey but had offices in Brooklyn. Crucetta and Aldorasi both worked with Nicelli and Mastromarino removing body parts.

The investigation began after people who bought Daniel George from Nicelli found numerous inconsistencies in the bookkeeping. They came to the Brooklyn District Attorney's Office to complain that money paid in advance for future funerals was missing from the business's accounting records. The investigation that followed uncovered a scheme to steal bones from unwilling donors.

In a secret room in Daniel George & Sons, Mastromarino would remove bones, tendons, heart valves and other tissue from recently deceased people. When the bodies were of people who had not consented to the procedures, or were too old or ill to donate tissue, Mastromarino and Nicelli doctored their death certificates and forged consent forms, according to the indictment. In those cases, Mastromarino replaced the bones with plastic polyvinyl chloride, or PVC, piping and repaired the incisions, so they would not be noticed at the funeral.

Nicelli also owned a business transporting bodies to funeral homes and would be notified of deaths. In this capacity he could supply Mastromarino with corpses. Two of the funeral homes involved included Daniel George & Sons, at 1852-56 Bath Avenue, Brooklyn, and New York Mortuary, at 2242 First Avenue, Manhattan.

The charges against the defendants include Enterprise Corruption, a Class-B Felony punishable by up to 25 years in prison, Body Stealing and Opening Graves (Class-E Felonies), Unlawful Dissection (an unclassified Misdemeanor), Forgery in the Second Degree, Grand Larceny in the Third Degree (Class-D Felonies) and Falsifying Business Records in the First Degree (a Class-E Felony).

The investigation is ongoing and more arrests are expected.

From the Department of Investigation, Deputy Inspector General Stephan Zander, NYPD Deputy Inspector John Walsh, and NYPD Detective John Woo worked on this case.

Detectives Paul Courtney and Patricia O'Brien and Sgt. Timothy Breen from the NYPD's Major Case Squad also worked on the case.

DA's Office Detective Investigators Anthony Nelson, Michael Seminara, and Patrick Lanigan assisted in the investigation, under the supervision of Supervising Detective Investigator Robert Intartaglio.

Assistant District Attorney Josh Hanshaft, Rackets, Deputy Bureau Chief, is prosecuting the case and is being assisted by Patricia McNeill, Rackets, Bureau Chief. Michael Vecchione is Chief of the Investigative Division.

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