

COUNTY OF SUFFOLK
DISTRICT ATTORNEY'S OFFICE



THOMAS J. SPOTA
DISTRICT ATTORNEY

November 13, 2013

Elementary School teacher pleads guilty to DWI; issue regarding search of vehicle results in dismissal of weapons charge

Riverhead teacher Joseph Johnson today pleaded guilty in Suffolk County court to drunk driving.

Johnson was arrested by Southampton Village police at approximately 3:30 am on April 21 of last year on Hill Street in Southampton and charged with driving while intoxicated and criminal possession of a weapon. After his arrest, during an inventory of the cars contents, police found and seized a loaded .45 caliber pistol from the glove compartment of the car the defendant was driving.

After a review of the facts and circumstances of the arrest, and an analysis of applicable law relating to the police officer's post-arrest search of the car and consequential discovery of the gun, the district attorney's office determined it could not sustain the burden of proof necessary to establish the legality of the search.

Suffolk County Judge James Hudson, presiding at today's court conference, said he concurred with the DA's office assessment of the legality of the police search of the defendant's vehicle which resulted in the discovery of the firearm.

Judge Hudson set January 8 as the sentencing for Johnson, 40, who teaches fourth grade in the Riverhead Central School District. A presentence report will be prepared for the judge by the Suffolk County Department of Probation.

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SCDA COMMUNICATIONS

Be advised that a charge is merely an accusation and that a defendant is presumed innocent until and unless proven guilty.