

NEW YORK COUNTY COURT, PUTNAM COUNTY

People v. Washington

2025 NY Slip Op 25265 · No. Indictment No. 70161-25 · Decided November 24, 2025

SUMMARY

The Putnam County Court denied the defendant's omnibus motion seeking, among other relief, dismissal of indictment counts charging driving while ability impaired by drugs or by the combined influence of alcohol and drugs. The court held that the grand jury evidence was legally sufficient and that the proceeding was not impaired by alleged hearsay, instructional, or procedural defects. The court also sustained the drug possession and drug paraphernalia counts.

CASE DETAILS

COURT	New York County Court, Putnam County
WRITING FOR THE COURT	Anthony R. Molé
JURISDICTION	New York County Court, Putnam County
DECIDED	November 24, 2025
DOCKET	Indictment No. 70161-25
DISPOSITION	other
PROCEDURAL POSTURE	Defendant moved by omnibus motion to dismiss the indictment, suppress or preclude statements, obtain Sandoval and Molineux/Ventimiglia hearings, invalidate the People's certificate of compliance and statement of readiness, obtain discovery, file additional motions, and schedule pretrial hearings. The County Court denied dismissal of the indictment and the challenge to the certificate of compliance and statement of readiness, but granted other relief in part, including a Huntley hearing and a combined Sandoval/Molineux/Ventimiglia hearing.
STANDARD OF REVIEW	On grand-jury sufficiency review, the court considered whether competent evidence, viewed most favorably to the People and accepted as true, established a prima facie case for every element of each charged offense. The court deferred questions of weight and credibility and reviewed grand-jury-integrity claims under the high standard requiring a serious irregularity that impaired the proceeding and prejudiced the defendant. For suppression, the court considered whether the motion papers raised a factual dispute on a material point

	requiring a hearing. Custody for Miranda purposes is assessed under the objective reasonable-person standard.
PRECEDENTIAL VALUE	Published trial-level New York decision; persuasive authority and binding on the issuing court, but not controlling appellate precedent.
PARTIES	The People of the State of New York

TOPICS

criminal procedure

grand jury

suppression of evidence

miranda rights

discovery criminal

PRACTICE AREAS

criminal procedure

criminal defense

evidence

DWI/DWAI prosecution

criminal discovery

QUESTIONS PRESENTED

1. Whether the evidence presented to the grand jury was legally sufficient to sustain the two DWAI counts, the controlled-substance possession counts, and the drug-paraphernalia count.
2. Whether hearsay, prosecutorial conduct, instructions, quorum issues, or other irregularities impaired the integrity of the grand-jury proceeding.
3. Whether the record required suppression of Washington's statements because police allegedly interrogated him in custody before administering Miranda warnings, or alternatively required a Huntley hearing.
4. Whether Washington was entitled to Sandoval and Molineux/Ventimiglia hearings and related criminal-history disclosure.
5. Whether the People's certificate of compliance and statement of readiness were invalid because body-worn-camera audio was muted during officer-to-officer discussions.
6. Whether Washington should receive leave to file additional motions and have pretrial hearings scheduled sufficiently before trial.

HOLDINGS

1. The grand-jury evidence was legally sufficient to establish a prima facie case that Washington operated a motor vehicle while his ability to operate it was impaired by the combined influence of alcohol and drugs; count one was sustained.
2. The evidence was legally sufficient to establish a prima facie case that Washington operated a motor vehicle while impaired by drugs; count two was sustained.
3. The indictment was supported by legally sufficient evidence as to the two counts of seventh-degree criminal possession of a controlled substance and the count of second-degree criminal use of drug paraphernalia.

4. The grand-jury proceeding was not impaired by a serious irregularity, hearsay, prosecutorial conduct, instructions, or quorum defects, and dismissal of the indictment was unwarranted.
5. The court declined to summarily suppress all statements but granted a Huntley hearing because disputed factual issues remained concerning when Washington was taken into custody, when interrogation occurred, and when Miranda warnings were administered.
6. The court granted Washington's request for a joint Sandoval/Molineux/Ventimiglia hearing before trial and directed the People to provide specified criminal-history and prior-conduct information.
7. The People's certificate of compliance was valid and the statement of readiness was not illusory; the motion to strike them was denied.
8. The court granted leave in part for future motions that are absolutely necessary and granted the request to schedule pretrial hearings sufficiently before trial for transcription.

KEY QUOTATIONS

*“In the context of a Grand Jury proceeding, legal sufficiency means prima facie proof of the crimes charged, not proof beyond a reasonable doubt.” (*3)*

*“Miranda warnings must be given when the elements of police custody and interrogation are present” (*13)*

*“there is no plausible way for the People to obtain and turn over something which does not exist.” (*17)*

FACTUAL BACKGROUND

During the early morning of July 7, 2025, deputies observed Stephen Washington drive away from a gas station and later found his vehicle disabled in the middle of a roadway. Officers observed slurred speech, confusion, stumbling, impaired coordination, and failures on standardized field-sobriety tests; a drug-recognition expert opined that Washington was under the influence of alcohol, a dissociative anesthetic, and a narcotic analgesic. An inventory search of the vehicle led to the recovery of oxycodone, PCP, and drug paraphernalia. Washington alleged that police questioned him in custody for approximately 90 minutes before giving Miranda warnings, while the People characterized the initial encounter as a noncustodial roadside investigation.

PROCEDURAL HISTORY

A five-count indictment was returned on July 11, 2025, charging defendant with two felony DWAI counts, two counts of seventh-degree criminal possession of a controlled substance, and second-degree criminal use of drug paraphernalia. Defendant was arraigned on July 30, 2025, pleaded not guilty, and filed an omnibus motion on October 1, 2025. After responsive and reply papers, the court issued this decision and order, sustaining the indictment, ordering pretrial hearings, directing discovery and notice, and denying the remaining challenged relief.

DISPOSITION

other

CASES CITED

- People v. Jensen, 86 NY2d 248, 251-252 (1995)
- People v. Mills, 1 NY3d 269, 274-275 (2003)
- People v. Wisey, 133 AD3d 799, 799-801 (2d Dept 2015)
- People v. Deegan, 69 NY2d 976, 979 (1987)
- People v. Darby, 75 NY2d 449, 455 (1990)
- People v. Dondorfer, 235 AD3d 71, 72-81 (4th Dept 2024)
- People v. Caden N., 189 AD3d 84, 89-91 (3d Dept 2020)
- People v. Ambrosio, 235 AD3d 1181, 1184-1185 (3d Dept 2025)
- Mountain View Coach Lines v. Storms, 102 AD2d 663, 664 (1984)
- People v. Fragassi, 178 AD3d 1153, 1154 (3d Dept 2019)
- People v. Muhammad, 16 NY3d 184, 188 (2011)
- People v. Garcia-Toro, 155 AD3d 1086, 1086-1087 (3d Dept 2017)
- People v. Bryant, 8 NY3d 530, 533 (2007)
- People v. Mendoza, 82 NY2d 415, 426, 429-430 (1993)
- People v. Huntley, 15 NY2d 72, 78 (1965)
- People v. Paulman, 5 NY3d 122, 129 (2005)
- People v. Williams, 81 AD3d 993, 993 (2d Dept 2011)
- People v. Myers, 1 AD3d 382, 383 (2d Dept 2003)
- People v. Sandoval, 34 NY2d 371, 375 (1974)
- People v. Molineux, 168 NY 264, 293 (1901)
- People v. Ventimiglia, 52 NY2d 350, 359-360 (1981)
- Brady v. Maryland, 373 US 83 (1963)
- People v. Bay, 41 NY3d 200, 209 (2023)
- People v. McCarthy, 146 AD3d 983, 983-984 (2d Dept 2017)
- People v. Brown, 28 NY3d 392, 406 (2016)
- People v. Hughes, 22 NY3d 44, 49 (2013)
- People v. Sanders, 31 NY2d 463, 467 (1973)

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