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SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK: CRIMINAL TERM: PART IDV

-----x  
THE PEOPLE OF THE STATE OF NEW YORK

- against -

IDV No.: 20040-18

RYAN BROEMS,

Defendant.

-----x  
100 Centre Street  
New York, New York  
December 15, 2021  
Virtual Court

B E F O R E :

HONORABLE TANDRA L. DAWSON,

J u s t i c e .

A P P E A R A N C E S :

CYRUS VANCE, JR., ESQ.  
District Attorney, New York Co.  
By: PAUL BARKER, ESQ.  
Assistant District Attorney

GLENN HARDY, ESQ.  
Appearing for the Deft.

\* \* \*

Crystal B. Scudder  
Sr. Court Reporter

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NATIONWIDE: 1-800-295-5040

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THE CLERK: Number Nine on the criminal court calendar, People against Ryan Broems. Appearances, please.

MR. HARDY: Glenn Hardy for the defendant.

MR. BARKER: Paul Barker for the People.

THE COURT: All right. Good morning. Can you enable your camera, Mr. Broems? Okay. Thank you. Mr. Hardy, on behalf of yourself and your client, you're consenting to this virtual appearance; is that correct?

MR. HARDY: That is correct, Your Honor.

THE COURT: Very good. Mr. Broems, I remind you that you are prohibited from recording this proceeding in any way; there's to be no photographs of the proceeding. If at any time during this proceeding, you want to speak to your lawyer privately, you may do so; however, let me know. And also, kindly do not speak on the record unless your lawyer wants you to speak; or if I'm asking you a question; or if you're responding to questions during the allocution. Do you understand all of that?

THE DEFENDANT: Yes.

THE COURT: You have to answer out loud.

THE DEFENDANT: Yes, Your Honor.

THE COURT: Okay. Very good. So, I'm happy to hear that there is a disposition today. We've had an off-the-record conversation, and so to that extent, I

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1 believe you indicated, Mr. Hardy, your client is ready to  
2 enter the plea, correct?

3 MR. HARDY: Yes, Judge.

4 THE COURT: You may do so.

5 MR. HARDY: My client withdraws any previously  
6 entered plea of not guilty; and enters a plea of guilty  
7 to New York City Administrative Code 10-177, Subsection  
8 B, Subsection 1.

9 THE COURT: He's ready for allocution, correct?

10 MR. HARDY: Yes, Judge.

11 THE COURT: Mr. Broems, your attorney has  
12 indicated that at this time, you wish to plead guilty to  
13 a violation of the Penal Law-- I'm sorry-- not the Penal  
14 Law-- to a violation of New York City Administrative Code  
15 Section 10-177, Sub. B, Sub. 1, which is unlawful  
16 disclosure of an intimate image, an unclassified  
17 misdemeanor. Is that what you want to do?

18 THE DEFENDANT: Yes, ma'am.

19 THE COURT: Have you discussed this plea with  
20 your attorney?

21 THE DEFENDANT: Yes, Your Honor.

22 THE COURT: Do you understand that by your plea  
23 of guilty, you're giving up your right to a trial?

24 THE DEFENDANT: Yes, Your Honor.

25 THE COURT: That means you're giving up

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1 your right to confront, cross-examine witnesses that may  
 2 be presented against you. You're giving up your right to  
 3 remain silent; or to testify on your own behalf. And  
 4 you're giving up your right to force the People to prove  
 5 the charges against you beyond a reasonable doubt. Do you  
 6 understand that?

7 THE DEFENDANT: Yes.

8 THE COURT: Are you able to hear me, sir,  
 9 clearly?

10 THE DEFENDANT: Yes, ma'am.

11 THE COURT: Very good. Has anyone threatened or  
 12 forced you to plead guilty?

13 THE DEFENDANT: No, Your Honor.

14 THE COURT: Are you doing so of your own free  
 15 will?

16 THE DEFENDANT: Yes, Your Honor.

17 THE COURT: Are you under the influence of any  
 18 drugs or medication which would impede your judgment at  
 19 this time?

20 THE DEFENDANT: No, Your Honor.

21 THE COURT: I'm not asking you if you are a US  
 22 citizen, but I'm telling you if you're not, this  
 23 conviction could have negative immigration consequences  
 24 for you in the future; or could even cause you to be  
 25 deported. Do you understand?

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THE DEFENDANT: Yes, Your Honor.

THE COURT: At this point, I'm going to have ADA Barker read the factual portion of your allocution into the record. Go ahead.

MR. BARKER: Good morning, Mr. Broems. How are you?

THE DEFENDANT: I'm well. How are you?

MR. BARKER: Doing well. Thank you. So, as Judge Dawson indicated, I'm going to read you a series of questions-- a series of "yes" or "no" questions. If you can't hear me, or you don't understand the question, just ask me to repeat it. Okay.

THE DEFENDANT: Yes.

MR. BARKER: Okay. First, by your plea, do you admit that on or about January 16, 2018, in the County of New York, you posted images of the complainant, Spring Cooper, on the Internet, specifically, Tumbler blog?

THE DEFENDANT: Yes.

MR. BARKER: And do you further admit that Spring Cooper's genitals and nipples were exposed?

THE DEFENDANT: Yes.

MR. BARKER: Do you further admit that Spring Cooper was identifiable to other individuals in those images because her name accompanied the images, and her face was visible in the images?

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THE DEFENDANT: Yes.

MR. BARKER: Do you further admit that you gained access to those images from Spring Cooper?

THE DEFENDANT: Yes.

MR. BARKER: And that you disclosed them without Spring Cooper's consent?

THE DEFENDANT: Yes.

MR. BARKER: And that you did so in a manner you knew that Spring Cooper intended they would not be disclosed?

THE DEFENDANT: Yes.

MR. BARKER: And do you further admit your intent in disclosing those images was to cause Spring Cooper economic, physical or substantial emotional harm?

THE DEFENDANT: Yes.

MR. BARKER: And finally, I'm going to ask you what the nature of your relationship is to Spring Cooper.

THE COURT: At that time, correct?

MR. BARKER: At that time.

THE DEFENDANT: We were in a relationship.

MR. BARKER: Was that a romantic or sexual relationship?

THE DEFENDANT: Both.

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MR. BARKER: That's a satisfactory allocation for the People, Your Honor.

THE COURT: Very good. Other than the promise-- and this was discussed off the record, but I just want to make sure this is the correct promise, and you can confirm, Mr. Barker; and also your understanding, Mr. Hardy, that other than the promise of the conditional discharge, the condition is that the defendant would enter and complete an abusive partner program. We discussed it could either be the URI program or Fortune; and also, a five-year order of protection would be entered. And in the event the defendant failed to complete an abusive partner program, that he could be incarcerated up to one year. First of all, Counsel, is that the agreed-upon promise based upon your understanding, Mr. Hardy; and your offer, Mr. Barker?

MR. HARDY: Yes, Your Honor.

MR. BARKER: Yes, Your Honor.

THE COURT: Other than that promise, have any other promises been made to induce you to plead guilty? Did you want me to repeat it?

THE DEFENDANT: Please.

THE COURT: Other than the promise of a conditional discharge; and these are the conditions: that you enter and complete an abusive partner

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1 program-- and we can refer you to the URI program or  
 2 Fortune program; and I will determine which one at the  
 3 end of the plea; you must enter and complete this abusive  
 4 partner program; it would be a 26-week program. And I  
 5 would permit you to appear virtually in my part, in IDV,  
 6 to assess your compliance with the program. In other  
 7 words, I will be getting a report from the program  
 8 telling me whether or not you've been attending; whether  
 9 or not you've been participating; whether or not you've  
 10 been following the rules of the program; and cooperating  
 11 with the program. It can be done remotely, meaning  
 12 virtually. So, other than that promise-- And also, if you  
 13 do not complete the program, you can be sentenced up to  
 14 one year incarceration; and there will be a five-year  
 15 order of protection that will be issued in favor of the  
 16 complainant, a full stay-away order of protection. Other  
 17 than those promises, have any other promises been made to  
 18 induce you to plead guilty?

19 THE DEFENDANT: No, Your Honor.

20 THE COURT: The plea is acceptable. Is it  
21 acceptable to the People?

22 MR. BARKER: Yes, Your Honor.

23 THE COURT: All right. Is your client ready for  
24 sentence, Mr. Hardy?

25 MR. HARDY: Yes, Judge.

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1 THE CLERK: Ryan Broems, do you now plead guilty  
 2 to the crime of unlawful disclosure of an intimate image,  
 3 New York City Administrative Code 10-177 (b) (1) to cover  
 4 and satisfy IDV Number 20040 of 2018; and to cover and  
 5 satisfy IDV Number 20047 of 2018; is that your plea?

6 THE DEFENDANT: Yes.

7 THE COURT: Very good. Now, is your client--

8 MR. HARDY: Yes, Judge.

9 THE COURT: Do you have a preference as to the  
 10 URI or Fortune?

11 THE DEFENDANT: If any of them are less  
 12 expensive?

13 THE COURT: They're both free. Actually, I was  
 14 speaking to Mr. Hardy; I was speaking to counsel.

15 MR. HARDY: Judge, either one are the same.

16 THE COURT: Mr. Barker, do you have a  
 17 preference?

18 MR. BARKER: I think our preference would be  
 19 URI, but either is--

20 THE COURT: Okay. I'll sentence you to the URI  
 21 program. It's a free program; there's no cost. The  
 22 sentence is also a conditional discharge, which includes  
 23 a five-year full stay-away order of protection; an  
 24 abusive partner program for 26 weeks. And also, there are  
 25 court fees of \$250. If you miss any classes that are

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1 not excused-- So, Mr. Broems, you have to make sure that  
 2 you make all of the classes because if they deem you're  
 3 not in compliance, that's when you run the risk of being  
 4 sentenced to jail time instead of the conditional  
 5 discharge. Do you understand that?

6 THE DEFENDANT: Yes.

7 THE COURT: Very good. The order of protection,  
 8 I'm going to sign it; and we're going to email it to the  
 9 email that's been provided by Mr. Broems. And we have the  
 10 email that was the email you've been receiving the links  
 11 to the courtroom from; and you've been receiving the  
 12 links?

13 THE DEFENDANT: Yes.

14 THE COURT: Mr. Barker, do you want to read the  
 15 terms in the order of protection? They are the same terms  
 16 that are present in the temporary order of protection?

17 MR. BARKER: The same terms, Your Honor, but I  
 18 do want to ask if I can send a new one, since they were  
 19 consolidated. Which docket do you want me to put it  
 20 under?

21 THE COURT: It would be under the "...40"  
 22 because they were consolidated for the purposes of trial  
 23 only. The other docket was dismissed as covered by this  
 24 docket because that matter was only consolidated for  
 25 purposes of trial. Mr. Broems, do you recall the terms of

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the TOP that you've received? Are you familiar with those terms?

THE DEFENDANT: Yes, Your Honor.

THE COURT: This order of protection is going to have the same terms; and we'll send it out to you this morning. Do you understand?

THE DEFENDANT: Yes, Your Honor.

THE COURT: Anything else? I need to give you a date for compliance. The Resource Coordinator will send you the information. You have to sign up for the program. I'm going to put this on for compliance and to pay the court fees. You have to see what form of payment they require. Do you have a pen? We'll email it to you. Let me give you a date for compliance. Mr. Hardy, are you going to be appearing? So, we will send you copies of the reports, also. January 14 is available. I want to give you a quick date to make sure he signs up for the program; and then, thereafter, I can give you like two-month intervals, if he's in compliance. Are you available in the afternoon?

MR. HARDY: It's fine with me.

THE COURT: Three o'clock; and that's on for compliance and to pay. If you need more time, let me know and I'll give you more time to pay, Mr. Broems, otherwise, a civil judgment can be entered.

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Do you understand? You'll explain that to him, Mr. Hardy,  
if he needs more time to pay; and also, you'll give him  
the adjourned date.

MR. HARDY: Yes.

\* \* \*

I, Crystal B. Scudder, an Official Court Reporter of the  
State of New York, do hereby certify that the foregoing is a  
true and correct transcript of my stenographic notes.

  
Senior Court Reporter

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