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**\*\*\*FOR IMMEDIATE RELEASE\*\*\***

***Legal Aid Calls for Compassion from Richmond County District Attorney on Tragic Mental Health, Substance Abuse-Related Case***

***Lori Gjenashaj, Who had no Prior Contacts with the Criminal Legal System, Faces Two Years in Prison Over Mental Health Breakdown***

***Attorneys Urge DA to Divert Case to Mental Health Court***

(NEW YORK, NY) – The Legal Aid Society called on Richmond County District Attorney Michael McMahon to respond with compassion to a tragic mental health and substance abuse-related case that has been pending since 2018.

Mrs. Gjenashaj faces charges of burglary and menacing, and trial is set to begin later this month. Now is the time for the District Attorney's office to work with the defense to achieve a just outcome.

In 2018, while suffering from a mental breakdown after years of trauma and substance abuse, former nurse Lori Gjenashaj was shot by the police. Up until then, Lori had no prior contact with the criminal legal system and was a pillar of her community, working as a registered nurse at a local hospital.

Read Lori's full story from *The City*: <https://www.thecity.nyc/2022/1/10/22877603/former-nurse-faces-court-battle-after-being-shot-by-cops-during-mental-health-crisis>.

At the age of 15, Mrs. Gjenashaj left an abusive home to pursue a better life. She put herself through nursing school and met her now-husband, subsequently moving to Staten Island to raise a family. Mrs. Gjenashaj graduated from the College of Staten Island and excelled as a registered nurse at Staten Island University Hospital where she worked for several years.

In 2012, Mrs. Gjenashaj's home was ravaged by Hurricane Sandy. After losing everything, the Gjenashajs rebuilt their home, only to see it destroyed in a fire shortly thereafter. These traumas added to mounting medical issues beginning to overwhelm Mrs. Gjenashaj.

In 2015, after a botched medical procedure, Mrs. Gjenashaj became extremely ill and was diagnosed with necrotizing fasciitis - flesh eating-bacteria - which required 12 additional surgeries. Mrs. Gjenashaj's doctors

prescribed her opiate painkillers for extreme pain. Mrs. Gjenashaj only took medications as directed; nonetheless, she became chemically dependent.

Mrs. Gjenashaj's health continued to deteriorate, and she was diagnosed with lupus, an autoimmune disease, and other ailments. At the same time, grappling with immense pain, Mrs. Gjenashaj's mental health worsened.

In 2018, Mrs. Gjenashaj attempted to return to work, but the physical and mental pain was too much to bear. In an ill-advised attempt to help his wife, Mrs. Gjenashaj's husband attempted to have Mrs. Gjenashaj detox from all medications without medical supervision. The combination of insufficiently managed pain and chemical withdrawal from opiates and psychiatric medication caused her to have a mental health crisis.

In the midst of withdrawal, Mrs. Gjenashaj was arrested for the first time in her life. In a deteriorated state, Mrs. Gjenashaj was confronted by another parent at her children's school, and a brief altercation ensued. Immediately after this altercation, a false report was made to the New York City Administration for Children's Services (ACS) regarding Mrs. Gjenashaj's children.

Following the false report, ACS performed an at-home visit, which included an invasive examination of the children's bodies that revealed no evidence of abuse. This triggered a post-traumatic response related to Mrs. Gjenashaj's experience of childhood abuse.

Mrs. Gjenashaj had a breakdown, and police were called to respond. Police confirm that she was behaving erratically, at one point even asking officers to shoot and kill her.

In a frenzy, Mrs. Gjenashaj drove to the home of another parent whom she believed to have falsely reported abuse to ACS. She carried a starter pistol, containing only blanks. The NYPD would later confirm that this "blank revolver" was not capable of discharging a bullet.

After a heated discussion with the homeowner's son, Mrs. Gjenashaj voluntarily left the residence, and was soon after surrounded by officers.

During her apprehension, two officers fired five shots, striking Mrs. Gjenashaj once in the chest. The two officers who fired their weapons at Mrs. Gjenashaj did not have their body cameras with them, in violation of the NYPD's protocols.

Body-worn camera footage from other officers following the shooting appears to capture New York City Police Department (NYPD) officers laughing about the incident while Mrs. Gjenashaj lay bleeding on the ground, suffering from a gunshot wound to the chest just feet away.

**BWC video:** <https://www.youtube.com/watch?v=vkHpGkgSDSw>.

This incident also resulted in the issuance of an order of protection in 2018 against Mrs. Gjenashaj, separating her from her eldest daughter.

**In a statement to the DA, her eldest daughter wrote:** "Dear District Attorney's office, I cannot begin to express my distrust and anger towards the system which is built solely to protect me and others like me. It is your duty to advocate in my best interest and I say this with nothing but compassion and certainty that you have failed at just that... Though you, the District Attorney's office, have stunted this, by signing a document over 1,200 days ago without my consent, knowledge, and/or opinion which declares that I am unable to be with my mother, that is 1,200 more reasons on how the district attorney's office has failed me and I'm sure, many others like me."

**Full statement from Lori's eldest daughter:** <https://tinyurl.com/55sk5bnd>.

Since her arrest, Mrs. Gjenashaj has access to resources for the first time in her life and has begun to heal from her many traumas, but DA McMahon has refused to divert this case to mental health court, instead only offering a two year prison sentence. Given Mrs. Gjenashaj's multiple medical and mental health ailments, a prison sentence could amount to a death sentence.

**In a statement to DA McMahon on what Mrs. Gjenashaj has overcome, her sister-in-law, Nerzana Metalia, stated:** "It is my hope that the District Attorney's Office will see that this is more of a mental health matter. She has no prior offense, record, or history of being any sort of criminal. In fact the opposite. She worked to save lives and to enrich them. I do not believe that she, someone who was once a pillar in her community should be treated with such severity."

**Full statement from Nerzana Metalia, Mrs. Gjenashaj's sister-in-law:** <https://tinyurl.com/4utyn93c>.

"Lori Gjenashaj is a woman who has overcome unthinkable adversity almost entirely on her own. She built a life and family and had a successful career," said **Marion Elizabeth Campbell, Staff Attorney with The Legal Aid Society's Staten Island Trial Office.** "Since her arrest, for the first time in her life, she has access to mental health resources and has begun to heal from innumerable traumas. Mrs. Gjenashaj has been consistently and successfully engaged with mental health treatment since her 2018 arrest. In no world will sending Mrs. Gjenashaj to prison serve any benefit to public safety, and we urge that Richmond County District Attorney McMahon exhibit some compassion and immediately divert this case to mental health court."

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*The Legal Aid Society exists for one simple yet powerful reason: to ensure that New Yorkers are not denied their right to equal justice because of poverty. For over 140 years, we have protected, defended, and advocated for those who have struggled in silence for far too long. Every day, in every borough, The Legal Aid Society changes the lives of our clients and helps improve our communities. [www.legalaidnyc.org](http://www.legalaidnyc.org)*