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FOR IMMEDIATE RELEASE
MONDAY, JANUARY 22, 2024

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MAN INDICTED IN BRUTAL, RANDOM ATTACK
THAT LEFT WOMAN BLIND IN ONE EYE

Faces 25 Years in Prison

Queens District Attorney Melinda Katz announced that Waheed Foster was found fit to stand trial and arraigned today on an indictment charging him with attempted murder in connection with the violent, unprovoked assault that left a subway rider blind in one eye after she was beaten in September 2022 at the Howard Beach/JFK station on her way to work.

District Attorney Katz said: “The brutality and especially the randomness of the attack shook the city and struck fear in the millions of New Yorkers who depend on the subway system every day. It is essential to keep confidence in our public transit systems high. That means holding accountable anyone who undermines passenger safety and security.”

Foster, 43, who is undomiciled, was indicted in September 2022 for attempted murder, assault in the first degree, three counts of assault in the second degree and two counts of criminal possession of a weapon in the fourth degree. He was arraigned on the charges today after being found mentally competent to stand trial.

Foster faces up to 25 years in prison if convicted. Justice Ira Margulis ordered him to return to court April 9.

According to the charges:

- On September 20, 2022, at approximately 5:30 a.m., Foster followed 33-year-old Elizabeth Gomes as she got off a train at the Howard Beach/JFK Airport subway station on her way to work. As she went up the stairs, Foster came up from behind and struck her in the head with a hard object.
- As observed on video surveillance footage, Gomes fled, running through the station. Foster chased her and threw her to the ground after catching up to her. As Gomes lay on the ground, Foster punched her in the face repeatedly and stomped on her head. As Gomes began to get up off the ground, Foster kicked her in the face, knocking the victim back down. Foster then repeatedly kicked the victim in the face.
- A Good Samaritan seen in the video attempting to intervene is chased away by Foster.
- Gomes was taken to a local hospital where she underwent emergency eye surgery. As a result of her injuries, she lost sight in her right eye.

Assistant District Attorney Kanella Georgopoulos of the District Attorney’s Career Criminal Major Crimes Bureau is prosecuting the case under the supervision of Assistant District Attorneys Michael Whitney, Bureau Chief and Roni C. Piplani, Deputy Chief, under the overall supervision of Executive Assistant District Attorney for the Major Crimes Division Shawn Clark.

Criminal complaints and indictments are accusations. A defendant is presumed innocent until proven guilty.

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