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

Three Innocent Queens Men To Be Released From Prison Following Wrongful Convictions In 1996 Case

Arrests and Subsequent Convictions Were the Result of Political Pressure, Coerced False Confessions and Suppressed Evidence

(QUEENS, N.Y.) -George Bell, Rohan Bolt and Gary Johnson, who were wrongfully convicted of a double murder in Queens and incarcerated for the last 24 years, will be released from prison today. Their release will follow an expected decision of The Hon. Judge Joseph A. Zayas of the Queens County Supreme Court, on a joint motion by the Queens District Attorney and lawyers for the three men vacating the three men's convictions.

The joint motion requests that the Court vacate all three convictions and release Bell, Bolt and Johnson on their own recognizance following the revelation that prosecutors wrongfully withheld evidence from the defense lawyers for the three men. The defense motion also argues that the totality of the evidence establishes that the three men are innocent. The Queens DA will advise the Court in 90 days whether she will consent to a finding that the convictions should be vacated on grounds of actual innocence.

Background to the Cases:

On December 21, 1996, armed robbers attempted to hold up a check-cashing store owned by Ira "Mike" Epstein on Astoria Boulevard in Queens as he was opening for business. Epstein was accompanied by his security guard, Charles Davis, an off-duty New York Police Department officer. In the course of the failed robbery, Epstein and Davis were shot and murdered.

In the days that followed, then-Mayor Rudolph Giuliani put expediency and a PR win over the pursuit of justice. On Christmas Eve 1996, just three days after the murders, police arrested Bell and Johnson, then 19 and 22 years old, respectively, on the word of a small-time drug dealer who had been caught selling marijuana to an undercover officer.

Bell and Johnson, who had no criminal history, were then taken to a precinct that was not their local precinct; the police told their parents they did not know where the two men were being held. Bell and Johnson were subjected to coercive interrogations that stretched all night long. Bell's interrogator physically assaulted and psychologically terrorized him, telling him he would never see his family again and would get the death penalty. Mayor Giuliani held a Christmas Day press conference to announce Bell and Johnson's arrests on the basis of their false confessions despite the NYPD's request for more time to question the suspects and investigate the murders.

As the press conference was going forward on Christmas Day, Bolt, then a 35-year-old married father of four who owned a local Caribbean restaurant, was arrested following the false identification of him by a drug user who had no known connection to the crime. Bolt never confessed, and he testified in his own defense to proclaim his innocence at his trial.

No physical evidence connected any of the three men to the crime, not at the time of their arrests nor at any time since. For the last 24 years, Bell, Bolt and Johnson have maintained their innocence. When Bell's jury convicted him as being the shooter in the double homicide, Bell rejected the DA's plea offer and took the risk that a jury would sentence him to death rather than plead guilty to a crime that he did not commit. To compound this tragedy, the Queens DA cut a plea deal with a jailhouse informant in exchange for his perjured testimony implicating Bell

and Johnson in the murders. Following his early release, the informant, Reginald Gousse, went on to murder a father of three in a robbery attempt.

Evidence existed at the time that pointed to other suspects, but prosecutors suppressed that evidence and withheld it from the defense teams and from the court. The evidence first started to come to light in October 2019, when defense attorneys for Bell, Bolt and Johnson learned that the Queens DA had concealed official police reports tying a criminal gang that committed several armed robberies in Queens to the Epstein/Davis murders. The suppressed reports came to light as part of the successful challenge by Robert Majors to his wrongful conviction as an accomplice in the May 9, 1997 armed robbery committed by the same Queens gang. Majors' post-conviction lawyer, Thomas Hoffman, won Majors' release when he proved that the prior Queens DA had wrongfully withheld evidence from Majors' defense attorneys establishing his innocence.

The most significant document, DD5 288, dated May 16, 1997, memorializes an NYPD interview of a member of the Queens armed robbery gang during which the gang member told officers that another member of the gang, Jamal Clark, had confessed to committing the Astoria Boulevard check-cashing robbery that resulted in the Epstein/Davis murders along with other gang members.

The Queens DA's Office was fully aware of this information before Bell, Bolt and Johnson's trials began, believed the information was credible and, despite this knowledge, tried the cases anyway, seeking the death penalty against Bell, and resulting in the wrongful convictions of these three innocent men.

Armed with the long-suppressed DD5 288, defense lawyers for Bell, Bolt and Johnson approached the newly formed Queens District Attorney Conviction Integrity Unit (the "CIU"), headed by Bryce Benjet, which began its own investigation. A flood of additional documents—all of which were wrongfully withheld from defense lawyers—emerged from Benjet's investigation. On March 1, 2021, the CIU located handwritten notes prepared by the lead prosecutor on the Epstein/Davis murders confirming that the lead prosecutor was told by the NYPD detective leading the May 9 armed robbery case that Jamal Clark was involved in the Davis murder.

On the basis of this evidence, the Queens DA and defense counsel for the three men filed a joint motion asking the Court to vacate all three men's convictions and set them free.

Commentary from Bell, Bolt and Johnson:

George Bell said, "For the past 24 years, I rose each day to the view of prison cell bars and would say to myself: 'Today is the day I will find the key. Today is the day I am going home!' I never gave up on my dream that one day I would be reunited with my loved ones, and I never gave up on my dream that the justice system would recognize that I was wrongfully accused. And today, by the Power of the Creator and His will, with the aid of my attorneys, I am free and say thank you. Thank you for putting into action what the justice system stands for: righteousness and truth. I also want to thank my entire family for never giving up and standing alongside me for 24 years."

Rohan Bolt said, "I am looking forward to this next chapter of my life. For 24 years, I always held onto the belief that this was possible, even when others said it wasn't. My children have been my source of hope through all of this, and I will spend the rest of my life trying to make up for the time I lost with them. My experience, along with those of George Bell and Gary Johnson, is both terrible and too common. However, the unwavering faith of our supporters shows how important it is to have people on your side who believe in truth and justice."

Gary Johnson said, "I have spent more than half of my life in prison for a crime I did not commit, and I am no longer the young man with a bright future I once was. But this is the first step in making things right. I re-enter the world with gratitude for those who stood by me and never doubted my innocence. While there is so much we have lost, we can finally move forward with our families and loved ones. Still, we can never forget what has happened. Even with progress, we can't stop fighting to change things for the better."

Commentary from Defense Attorneys for Bell, Bolt and Johnson:

Rita Dave Esq., attorney for Bolt and Johnson, said, "Today marks an important first step in resolving a clear miscarriage of justice that led to three innocent men spending a quarter century in prison. My clients suffered mistreatment by the police and were denied by the prosecution the fair trial that is their constitutional right. This long-awaited outcome is the result of a concerted group effort to doggedly pursue justice. Though we are all relieved that our clients are finally free, let us not forget the years of pain and enormous efforts that led to this moment, and that the work is not done. We will continue to advocate for the Queens DA to acknowledge the totality of the evidence in these cases and recognize our clients' innocence over the next 90 days."

Marc Wolinsky, Partner at Wachtell, Lipton, Rosen & Katz and attorney for Bell, said, "The prosecution of George, Rohan and Gary shocks the conscience. Our client, George, was just 19 years old when he was coerced into confessing to a crime he did not commit. Even more disturbing is the fact that the prosecutors sought the death penalty against George at the same time they were withholding evidence showing that he was innocent. We will continue to press for the complete exoneration of all three men. We appreciate the Conviction Integrity Unit's transparency and openness in reviewing these serious charges. The CIU has much more work to do. "

Scott Stevenson, Senior Vice President at Aon plc and attorney for Bell, said, "The behavior of the police, prosecutors and politicians at the time is a tragedy of epic proportions and an affront to the pursuit of justice. While we are grateful and relieved that, after being imprisoned for more than 24 years for a crime they did not commit, these three men can finally walk out of prison today, there is more work to do over the next 90 days to ensure the indictments against these men are dismissed and that their innocence is proclaimed."

David Crow Esq., Associate Appellate Counsel at Legal Aid Society and attorney for Bell, said, "George, Rohan and Gary were not only victims of police and prosecutorial misconduct, but also of systems of oppression that presupposed their guilt based on the color of their skin. While we celebrate the victory their release represents, the fact remains that three innocent men spent so much of their lives behind bars. For all who want a free and fair society, we must challenge ourselves to examine the unseen but hugely impactful forces that shape our suppositions of what guilt looks like and who is deserving of fair treatment in the eyes of the law."

Representatives for Bell, Bolt and Johnson have set up a fund to help support Bell, Bolt and Johnson in their reintroduction to society. More information about the fund and how to make a donation can be found at <https://www.gofundme.com/f/exoneration-george-bell-rohan-bolt-gary-johnson>.

Gary Johnson and Rohan Bolt are represented by Rita Dave, Esq. George Bell is represented by Marc Wolinsky, Anna Schwarz and Amanda Lee of Wachtell, Lipton Rosen & Katz; Scott Stevenson, Esq. of Aon plc; and David Crow, The Legal Aid Society. The investigators working on the case were Luke Brindle-Khym and Charles Linehan of QRI (Quest Research and Investigations) and Kevin Hinkson. Copies of any of the motion papers and decisions referenced above are available upon request.

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Media inquiries should be referred to Joele Frank, Wilkinson Brimmer Katcher:

Kelly Sullivan
917-509-7282
ksullivan@joelefrank.com

Darcie Binder
646-354-0832
dbinder@joelefrank.com

Melissa Johnson
617-842-4414
mjohnson@joelefrank.com

Jacob Silber
908-892-7060
jsilber@joelefrank.com