



The
Exoneration
Project

THE
LEGAL AID
SOCIETY

Justice in Every Borough.

May 4, 2021

Contact:

Karen Newirth
The Exoneration Project
718-490-0028
karen@exonerationproject.org

Redmond Haskins
The Legal Aid Society
929-441-2384
rhaskins@legal-aid.org

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

The Exoneration Project, Legal Aid and Others Call on New York City's Five District Attorneys to Vacate Convictions in Cases Where Corrupt NYPD Officers Played an "Essential Role"

Letter Lists 20 Officers Who Were Convicted of Serious Crimes, and Two Who Engaged in Serious Misconduct, Betraying New Yorkers' Trust

(NEW YORK, NY) – The Exoneration Project, The Legal Aid Society, The Bronx Defenders, Brooklyn Defender Services, Neighborhood Defender Service of Harlem, New York County Defender Services, Queens Defenders, The Office of the Appellate Defender, The Center for Appellate Litigation, Appellate Advocates and the Innocence Project, [in a recently issued letter, called](#) on New York City's District Attorneys to vacate convictions in cases where the purported evidence of guilt was obtained or produced by 22 corrupt former and active New York City Police Department (NYPD) officers.

This call comes after the District Attorneys in New York, Kings and the Bronx counties vacated or announced plans to vacate convictions in cases that rested largely on the account of former NYPD Detective Joseph E. Franco, who is currently facing perjury charges in Manhattan for framing innocent New Yorkers.

“Criminal convictions based on the testimony of officers who have engaged in misconduct in the course of their duties are fundamentally unfair, erode trust in the criminal legal system, and cause ongoing harm to those who endure the collateral consequences of their convictions daily. New York City's District Attorneys should immediately vacate those convictions in which these officers played a key role and should conduct a transparent review of all other convictions involving these officers. In addition, New York City's District Attorneys should begin a thorough and transparent review of all convictions obtained by officers that the District Attorneys no longer deem credible. The public trust deserves nothing less,” said **Karen Newirth, Director of the Mass Exoneration Initiative at the Exoneration Project.**

“Detective Franco’s actions are simply unconscionable, but he is by no means the only corrupt NYPD officer who has engaged in such egregious behavior for personal gain at the expense of our clients,” said **Elizabeth Felber, Supervising Attorney of the Wrongful Conviction Unit at The Legal Aid Society**. “Our local DAs are well aware of these 22 officers and their misconduct. Prosecutors have a legal and moral obligation to right these injustices; therefore, we implore New York’s five District Attorneys to vacate these convictions at once.”

“Immediate, unequivocal action must be taken to ensure that no person suffer the consequences of a conviction based upon the word of a police officer who cannot be trusted. Once an officer has been shown to lack integrity in the performance of their duties, all prior convictions that rely on their work should be vacated and reinvestigated in an open and transparent manner,” said **Paul Skip Laisure, Attorney-in-Charge of Appellate Advocates**.

“New York City District Attorneys must act quickly to reverse the immense damage done by these 22 police officers. But we also know for a fact that there are numerous officers beyond these 22 who are known to have engaged in acts of official misconduct, abused their power and authority, and whose credibility has been repeatedly called into question,” said **Ann Mathews, Managing Director of the Criminal Defense Practice at The Bronx Defenders**. “The DAs know who these officers are already, and they have an obligation to all New Yorkers to conduct a thorough review to determine how many people have been convicted because of the word of officers whose word we cannot trust and to right any and all wrongs caused as a result.”

“Many lives were upended by the lies and misconduct of disgraced former Detective Joseph Franco,” said **Lisa Schreibersdorf, Executive Director of Brooklyn Defender Services**. “Kings County District Attorney Gonzalez’s decision to vacate the convictions where Franco played an essential role was the right one. We urge all NYC District Attorneys to vacate all convictions in cases involving these 22 officers, as well. However, the process of eliminating a conviction that has long been on someone’s record, with all the harm that did to their life, while critical, is not enough to remedy abusive behavior by police officers or illegal police practices. We must drastically reduce the scope and power of law enforcement and hold individual officers accountable for their actions to prevent further irreparable harm.”

“The misconduct our clients suffer at the hands of the NYPD doesn’t stop at the constant harassment and surveillance of Black and brown communities. It stretches to the courtroom, too, where corrupt officers like Mr. Franco and the 22 officers identified shamelessly lie to secure unjust, baseless convictions that shatter families and destroy lives,” said **Alice Fontier, Managing Director of the Neighborhood Defender Service of Harlem**. “New York City’s DA’s have an obligation to vacate the sentences secured by these officers immediately. But justice must stretch further than that. We must also reckon with the relentless misconduct that pervades the NYPD – and the easiest and most effective way to do so is to reduce the scope and power of our city’s bloated police force while holding officers accountable.”

“For too long, police officers who engage in misconduct have been tolerated and relied upon to obtain convictions by the Manhattan DA’s Office,” said **Stan Germán, Executive Director of New York County Defender Services**. “This cannot stand. We demand that DA Vance act expeditiously to right this horrible wrong and dismiss all cases in which evidence of guilt came from corrupt NYPD officers.”

Lori Zeno, Executive Director of Queens Defenders stated, “If we are a society committed to true justice then New York City’s five District Attorneys must vacate criminal convictions based on testimony given by the 22 convicted NYPD officers immediately. Further, we implore the City’s DA’s to conduct a thorough, full, and transparent review of all cases involving officers who have been identified as lacking credibility due to their actions and disregard for our justice system. The clients we serve every day as public defenders – and every resident of New York City – deserve nothing less.”

The letter also urges that, if the inquiries preliminarily reveal cases in which one of these officer had significant involvement, but the DA’s office believes that the officer’s role was not “essential” to the conviction, there should

still be a full, transparent review conducted with the knowledge and participation of the convicted person and their counsel. Finally, the letter urges the District Attorneys to review all convictions obtained by any NYPD officer deemed not credible or reliable by any prosecutor's office.

The letter states:

Criminal convictions cannot rest on testimony or evidence allegedly obtained or produced by law enforcement officers engaged in misconduct connected to their duties and privileges as police officers, particularly when that misconduct goes directly to their credibility or their willingness to abuse power... We urge you to immediately take steps to identify and remedy all convictions caused by law enforcement officers convicted of crimes relating to their duties or who are otherwise incredible or unreliable.

###