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

The Exoneration Project, Legal Aid and Queens Defenders Call for the Review of Cases Made by Three Recently Indicted Current and Former NYPD Officers

(NEW YORK, NY) – **The Exoneration Project, The Legal Aid Society and Queens Defenders**, in a recently issued [letter](#), requested relief for those convicted of crimes in cases in which [three](#) current and former NYPD officers played a role.

The officers - Heather Busch, Robert Hassett, and Robert Smith - were charged with various federal crimes on May 11, 2021. As described in court filings, Ms. Busch, Mr. Hassett and Mr. Smith's status as police officers was essential to their alleged criminal conduct; Mr. Smith also engaged in violent, anti-Black behavior and routinely used anti-Black slurs.

This letter follows [correspondence](#) dated May 3, 2021, in which the Exoneration Project, Legal Aid, and a coalition of other defender and innocence organizations [identified](#) 22 current and former NYPD officers who had been convicted of crimes relating to their duties and asked all of New York City's District Attorneys to vacate convictions in which those officers played an "essential role" and to conduct a transparent review of all other cases.

Today's letter adds the three recently indicted officers to the May 3 list. On May 10, DA Katz responded to the May 3 letter stating that she had instructed her staff to gather and analyze the officers' cases in which no prior remedial action had been taken.

Last month, 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.

Today's letter states:

Yesterday, the United States Attorney's Office (USAO) for the Eastern District of New York announced the indictment of three current and former NYPD officers – Heather Busch, Robert Hassett, and Robert Smith – in connection with multiple bribery schemes and other criminal conduct. The indictment makes clear that the charged individuals' status as police officers was essential to their alleged criminal conduct. As Mark J. Lesko, Acting United States Attorney for the Eastern District of New York stated, "As alleged, the defendants shamelessly violated their oaths of office and the public trust by trading their badges for cash payments. This Office will vigorously pursue corrupt public servants like these defendants, who exploited their positions as police officers for personal gain."

In addition, the USAO's court submissions reference evidence that Smith engaged in other, uncharged criminal conduct further evidencing "his utter disregard for the law, his duty as an NYPD officer, and the safety of the public." These submissions also describe Mr. Smith's racist, anti-Black behavior, including text messages admitting to waving his handgun at Black people to terrorize them and routinely using racist anti-Black slurs. While we recognize that these are allegations and all of these individuals enjoy the presumption of innocence afforded all criminal defendants, we believe that the allegations are sufficiently serious to warrant your office's review of all criminal cases involving these officers in the manner we previously requested in our May 3, 2021 letter.

We thank you for your continued commitment to investigating and exonerating those who may have been wrongfully convicted.

"When police officers are charged with crimes in connection with their duties, all of their cases should be immediately reviewed. This is what we are asking of District Attorney Katz; the request is particularly urgent given the allegations of abuse of power and disregard for the law and the special responsibilities of law enforcement against each of these officers, and the explicit and violent racism that Mr. Smith is alleged to have engaged in," said **Karen Newirth, Director of the Mass Exoneration Initiative at the Exoneration Project.**

"These case reviews should not stop with disgraced former NYPD Detective Franco but extend to all officers who violate the law and betray public trust, and our local DAs must be proactive in those efforts" said **Timothy Rountree, Attorney-In-Charge of the Queens Trial Office at The Legal Aid Society.** "We hope to hear from DA Katz that her office will immediately review cases in which these officers played an 'essential role'. Queens residents and all New Yorkers need to know that their DAs have a zero tolerance policy towards NYPD misconduct."

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