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**BRONX DISTRICT ATTORNEY DARCEL D. CLARK ANNOUNCES 257
CONVICTIONS RELIANT ON EX-DETECTIVE JOSEPH FRANCO HAVE BEEN
DISMISSED AFTER REVIEW BY CONVICTION INTEGRITY BUREAU
Over 250 Additional Cases Earmarked for Dismissal;
Final Total Will Be More Than 500**

Bronx District Attorney Darcel D. Clark announced that a Bronx judge today dismissed 133 felony cases which depended on former NYPD Detective Joseph Franco's sworn statements and testimony in the Grand Jury, bringing to 257 the number of Bronx cases related to Mr. Franco that have been dismissed after her Conviction Integrity Bureau's review. There are more than 250 additional cases that the CIB has reviewed and will be working with defense counsel to dismiss.

District Attorney Clark said, "My Conviction Integrity Bureau launched an exhaustive review of former Detective Franco's cases after he was indicted in Manhattan for perjury. We did not want to dismiss or vacate out of hand all cases he was involved in; we investigated those that hinged on his testimony and sworn statements. His compromised credibility suggests a lack of due process in the prosecution of these defendants, and we cannot stand behind these convictions.

"So far, 257 convictions have been dismissed/vacated in the interest of justice, and the final total will amount to more than 500 when the CIB completes this review. I commend them for their diligence."

Bronx Supreme Court Justice David Lewis today granted the motion to dismiss the felony cases against 133 defendants who were indicted between 2011 and 2015. Seventeen of the defendants had failed to appear in court and there were active bench warrants on them.

These cases wrap up a long-term investigation by the Conviction Integrity Bureau, which reviewed more than 600 cases involving former Detective Franco, who worked as an undercover narcotics detective in the Bronx from 2011-2015. He was indicted in New York County on April 24, 2019, on multiple charges of perjury, offering false instruments for filing and official misconduct in connection with his work as a narcotics detective in Manhattan in 2017 and 2018.



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The criminal charges against Franco are currently pending and he is awaiting trial. Mr. Franco was terminated from the NYPD in April 2020, after having been found guilty at a departmental trial. The powerful and compelling evidence that Mr. Franco lied to a grand jury on multiple occasions and falsified documents and evidence in the way that he did completely undermines his credibility and reliability as a police witness in any prosecution involving a similarly situated undercover or observation sale of illegal narcotics.

On July 14, 2021, Conviction Integrity Bureau Chief Risa Gerson and Assistant District Attorney Jennifer Russell appeared before Criminal Court Administrative Judge George Grasso and joined defense motions to dismiss 39 misdemeanor convictions because the People had lost confidence in the reliability of the convictions because Mr. Franco had played an essential role in the prosecution. On September 24, 2021, Assistant District Attorneys Gerson and Russell appeared before Bronx Supreme Court Justice Efrain Alvarado and joined defense motions to dismiss 84 felony convictions.

Even though the Conviction Integrity Bureau was not able to ascertain whether these defendants were actually innocent, that the People had relied on evidence from a government actor with compromised credibility suggests a lack of due process in the prosecution of these defendants, and the District Attorney cannot stand behind these convictions.

The review of the cases is being conducted by Assistant District Attorney Risa Gerson, Chief of the Conviction Integrity Bureau, and Assistant District Attorney Jennifer Russell of the Conviction Integrity Bureau. District Attorney Clark thanked Assistant District Attorneys William Porter, Francine Ward and Gabriela Tully; Trial Preparation Assistant Joshua Medina and Case Aide Daniela Sorin for their assistance with the review. District Attorney Clark thanked members of the Assigned Counsel Plan, the Legal Aid Society, and the Bronx Defenders with whom CIB worked to identify the defendants and their attorneys.

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