



DARCEL D. CLARK
DISTRICT ATTORNEY, BRONX COUNTY

198 EAST 161ST STREET
BRONX, N.Y. 10451
(718) 590-2234

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EX-NYPD COP SENTENCED TO PROBATION FOR PERJURY INVOLVING 2009 ON-DUTY SHOOTING OF TEEN IN BRONX BUILDING

Bronx District Attorney Darcel D. Clark today announced that a former New York City Police Officer has been sentenced to five years probation and a \$2,500 fine for first-degree Perjury, first-degree Tampering with Public Records and Official Misconduct involving his shooting of a teen in 2009 during a police encounter.

District Attorney Clark said, “This defendant told a Bronx Grand Jury in 2009 that he shot the teen from a distance away in defense of his partner, but later during civil litigation, a laboratory report unequivocally concluded that the bullet that was fired into Peter Colon’s back was discharged at point blank range. The teen also testified at trial. It took 16 years but finally truth and justice won out.”

District Attorney Clark said the defendant, Danny Acosta, 46, was sentenced today to five years probation and a \$2,500 fine by Bronx Supreme Court Justice Seth Steed. Acosta was convicted by a jury after a two-month trial on April 24, 2026, of four counts of first-degree Perjury, first-degree Tampering with Public Records, and two counts of Official Misconduct. The people requested 2 1/3 to 7 years in prison.

According to the facts brought out at trial, on June 4, 2015, pursuant to the civil rules of discovery, Acosta was deposed by Peter Colon’s civil attorney during Colon’s lawsuit against the city and the Police Department. Under oath, Acosta testified that he was “a couple of steps down” from Colon, then 17, at the time that he fired the two shots in his direction. He also testified that Colon and his partner were “both standing” at the time that he discharged his weapon.

In 2017, the Assistant Corporation Counsel who was representing Acosta in the lawsuit learned about a laboratory report that was generated by the New York City Police Department’s Trace Analysis Unit. This report refuted Acosta’s under oath suggestions that he was a significant distance away from Colon at the time that he fired his service weapon. The report in question



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unequivocally concluded that the bullet that was fired into Colon's back was discharged at close/extreme close/or contact range.

During the trial Colon testified to the jury that while he lay face down on the floor, Acosta put his knee on his back and pressed the gun against him and fired.

The case was prosecuted by Senior Investigative Assistant District Attorney Joshua Gradinger and Assistant District Attorney Hailey Lonsford of the Public Integrity Bureau, under the supervision of Cassie Perez, Supervisor of the Public Integrity Bureau, Sarah Clements, Deputy Chief of the Public Integrity Bureau, Jon Veiga, Chief of the Public Integrity Bureau, and under the overall supervision of Denise Kodjo, Deputy Chief of the Investigations Division and Wanda Perez Maldonado, Chief of the Investigations Division. District Attorney Clark thanked Trial Preparation Assistant Bekim Bruka for his assistance in this case.

District Attorney Clark thanked BXDA Detective Investigators Randy Scarpinato, Fernando Nunez, Clayton Nyonyo, Christopher Scerbak, Paula Alegria, Keila Ynfante, Debra Koch, Anai Tamarez, Nicholas Russo, and Dwayne Anderson; Sergeant Sherece Perkiss, Lt. Brian O'Loughlin, Deputy Chief Peter Holness for their work in this investigation. District Attorney Clark thanked Sergeant Louis Meade and Detective Danny Angen from the NYPD's Bronx DA's Squad for their assistance in this case.