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QUEENS DISTRICT ATTORNEY MOVES TO DISMISS 60 CASES THAT RELIED ON CONVICTED NYPD DETECTIVES

Queens County District Attorney Melinda Katz will ask the Court today to vacate the cases of 60 defendants which were based on the police work of three former New York City Police Department detectives who were later convicted of various crimes. This motion is being filed jointly with defense attorneys who earlier this year raised questions about the reliability of such convictions in a letter to all New York City District Attorneys.

DA Katz will ask the court to dismiss the charges at a virtual hearing scheduled for 3:30 p.m. today, Monday, November 8 before the Hon. Michelle Johnson, Justice of Queens Supreme Court: <u>http://wowza.nycourts.gov/VirtualCourt/new/st-qncrm/st-qncrm2</u> PASSWORD: 6385

DA Katz said, "Earlier this year, my office was informed of a list of NYPD officers who were convicted of crimes which related to serious misconduct in regard to their law enforcement duties. Upon receipt of this information, I made a commitment to review the Queens cases in which the officers were the essential witnesses and take appropriate action. The step we've taken today is the first in an ongoing and systematic review."

DA Katz has tasked her office's Conviction Integrity Unit with the examination of Queens cases where the prosecution of the defendant relied on the work of a law enforcement officer convicted of perjury or other serious crimes.

At least 10 of the 20 officers identified in the defense attorneys' letter were involved in Queens County criminal cases. To date, the CIU has done an initial review of cases involving three of the 10 officers and identified these 60 matters which require dismissal.

The following three former detectives were the essential witnesses in these initial 60 cases:

• Former NYPD Detective Kevin Desormeau was convicted in Queens on charges of Perjury in the First Degree, Official Misconduct, and Making a Punishable False Written Statement after lying about witnessing a drug sale that videotaped evidence showed did not take place. In Manhattan, Desormeau pled guilty to Offering a False Instrument and Official Misconduct after it was revealed that he fabricated the facts of a gun possession arrest. Desormeau was terminated by the NYPD as a result of these convictions. The CIU has identified 34 cases that should be dismissed based on Desormeau's role as the essential witness.

- Former NYPD Detective Sasha Cordoba pled guilty in Manhattan to Perjury in the First Degree and Official Misconduct relating to her fabricating the facts of a gun possession arrest. Cordoba was terminated by the NYPD. The CIU has identified 20 cases that should be dismissed based on Cordoba's role as the essential witness.
- Former NYPD Detective Oscar Sandino pled guilty to federal charges related to the sexual assault and other sexual misconduct involving arrestees while working as a NYPD detective. These charges arose out of three instances of sex crimes; one of which revealed that he sexually abused an arrestee in the bathroom of the 110th precinct in Queens County. Sandino was terminated by the NYPD as a result of these convictions. The CIU has identified six cases that should be dismissed based on Sandino's role as the essential witness.

DA Katz said, "We cannot stand behind a criminal conviction where the essential law enforcement witness has been convicted of crimes which irreparably impair their credibility. Vacating and dismissing these cases is both constitutionally required and necessary to ensure public confidence in our justice system."

CIU Director Bryce Benjet said, "The vacatur and dismissal of these cases does not constitute a finding of actual innocence and is based instead on a finding of constitutional error and the fact that we cannot re-prosecute these cases where the essential law-enforcement witness has forever lost professional credibility. That said, we will certainly investigate any claims of actual innocence made by any of these defendants."

The CIU's investigation was conducted by Director Bryce Benjet with the assistance of LEOW Unit Director Wilbert LeMelle and Northeastern Law School intern Kristina Colon.

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