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NYPD OFFICER INDICTED AND CHARGED WITH TAMPERING WITH EVIDENCE

Defendant Allegedly Re-Enacted Finding Gun in Vehicle Just to Record it on Body Cam

Queens District Attorney Melinda Katz announced today that NYPD Police Officer Kevin Martin, 45, has been indicted by a Queens County grand jury and arraigned in Supreme Court on tampering with evidence and other charges. The defendant failed to wear his body-worn camera during a March 2019 arrest in which an illegal gun was recovered. In an effort to record the evidence afterwards, the defendant allegedly re-enacted finding the firearm after attaching the required video recorder to his uniform.

District Attorney Katz said, “The alleged misconduct by an officer sworn to serve and protect undermines the mission of law enforcement. Public safety and accountability are not mutually exclusive – they go hand in hand. It is more important now than ever to strengthen the people’s trust in the criminal justice system by holding people accountable for their actions.”

Martin, of Rockland County, New York, was arraigned today before Queens Supreme Court Justice Toni Cimino on a two-count indictment. The defendant is charged with tampering with evidence and official misconduct. Justice Cimino set the defendant’s return date for August 18, 2022. Martin, who is a 16-year-veteran of the NYPD, now faces up to four years in prison if convicted.

District Attorney Katz said the defendant and his partner, who at the time were assigned to the 109th Precinct, were on patrol at approximately 4:20 p.m. when they arrested a driver for allegedly violating traffic laws. The driver’s 2016 Jeep was seized and transported to an NYPD station house.

Continuing, according to the charges, at approximately 4:50 p.m., the defendant conducted a search of the seized vehicle that yielded no contraband. Later that evening, however, after approximately 11:30 p.m. as officers were retrieving property from the Jeep, pursuant to an inventory search the defendant told his partner that he found a gun in a shoe that was inside the vehicle.

According to the charges, Police Officer Martin went back inside the precinct and retrieved his body worn camera, turned it on and then allegedly re-enacted finding the gun in the shoe inside the Jeep. The evidence was later presented to the District Attorney’s office without disclosing that the body-worn camera footage of the recovery of the gun was staged.

The investigation was conducted by the New York City Police Department’s Internal Affairs Bureau, Group 26.

Senior Assistant District Attorney Phyllis Weiss, of the District Attorney’s Public Corruption Bureau is prosecuting the case under the supervision of Assistant District Attorney Khadijah Muhammad-Starling,

Bureau Chief, and under the overall supervision of Executive Assistant District Attorney for Investigations Gerard A. Brave.

Criminal complaints and indictments are accusations. A defendant is presumed innocent until proven guilty.

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