



718.286.6000

WWW.QUEENSDA.ORG

QUEENS COUNTY DISTRICT ATTORNEY125-01 QUEENS BOULEVARD
KEW GARDENS, NEW YORK 11415-1568**MELINDA KATZ**
DISTRICT ATTORNEY**FOR IMMEDIATE RELEASE**
THURSDAY, AUGUST 8, 2024**CONTACT:** PRESS OFFICE (718) 286-6315
QDACommunications@queensda.org**QUEENS DISTRICT ATTORNEY MELINDA KATZ REQUESTS DISMISSAL OF 46 CASES
CONNECTED TO FORMER NYPD DETECTIVE***Conviction Integrity Unit Has Vacated 148 Convictions Since the Office was Launched by DA Katz in 2020*

Queens County District Attorney Melinda Katz petitioned the Court today to vacate the convictions of 46 defendants whose cases involved a detective later convicted of perjury. After former NYPD Detective James Donovan plead guilty in 2023 to falsely testifying before a Queens grand jury, an extensive review was conducted of his previous cases by the District Attorney's Conviction Integrity Unit.

DA Katz said: "Today, I am asking the Court to vacate and dismiss 46 criminal cases where former Detective James Donovan was the primary witness. We cannot stand behind a conviction where the essential witness was a law enforcement officer convicted of a crime that irreparably impaired his credibility. After an unflinching review proactively conducted by my Conviction Integrity Unit, I believe it is necessary to take this step to protect the public's confidence in the justice system."

After identifying the 46 affected convictions, the Conviction Integrity Unit contacted the Legal Aid Wrongful Conviction Unit and today filed joint motions in each case seeking to vacate the convictions. Acting Queens Supreme Court Justice Joanne Watters granted the motions and dismissed the charges.

According to the motions:

- Former NYPD Warrant Squad Detective James Donovan pleaded guilty to perjury in the third degree before Queens Supreme Court Justice Anthony Battisti in May 2023.
- On August 11, 2021, Donovan testified under oath to a Queens grand jury that he arrested a wanted individual in November 2020. Donovan claimed that he found the individual sleeping in a car and discovered a loaded firearm during the arrest. In fact, Donovan did not actually make the arrest or observe the firearm in the car. He later admitted his testimony about the arrest was false when interviewed by a prosecutor preparing the case for a hearing. Subsequent interviews confirmed that, although Donovan was present at the address, a different detective actually made the arrest outside of Donovan's presence. Because of Donovan's perjury, the District Attorney's Office was required to dismiss the gun charges brought against the individual.

- Donovan's perjury conviction led to the exhaustive review by the District Attorney's Conviction Integrity Unit (CIU) of all cases in which Donovan was the arresting officer. The CIU identified 46 cases which require dismissal.

The dismissal of these cases does not constitute a finding of actual innocence and is based instead on a finding of Constitutional error.

Including the motions granted today, the CIU has vacated 148 convictions since the office was launched by District Attorney Katz in 2020. The unit has dismissed 132 convictions based on the unreliable police work of former detectives later convicted of crimes committed on the job that undermined their credibility. Another 16 convictions have been vacated for a variety of other reasons, including newly discovered evidence.

The CIU's investigation was conducted by Director Bryce Benjet and Assistant Deputy Director Jacqueline Rizk with the assistance CIU paralegals Noah Im and Adanya Jeudy.

#

Note to Editors: Archived press releases are available at www.queensda.org.

