

## OLD CASES | *Attorneys hope to show a pattern of deceit by the ex-officer*

Continued from Page 1

2007. He handled 200 homicide cases, including some of the highest-profile murders in the city.

He was convicted of taking money from criminal defendants in exchange for helping them get lighter sentences. Ford is expected to appeal the verdict and is free on bond while he awaits sentencing in February. Federal prosecutors did not accuse him of corrupting any of the homicide investigations he worked on.

Still, defense attorneys expect Ford's career to be placed under a microscope.

David Hargett, an attorney specializing in post-conviction appeals, said he has received several calls from family members of convicts asking whether the ex-cop may have tainted their relatives' cases.

Hargett recently accepted one case in which Ford was involved, but other factors and evidence made it a strong candidate for appeal, he said. He has counseled other potential clients against challenging their convictions, he said.

"They hear Ford's name and think their family member is getting out of prison," said Hargett, who is based outside Richmond. "Unfortunately, it doesn't work that way."

Defendants must prove that Ford did something wrong, and also that the misconduct seriously affected the case, he said.

Other lawyers see more hurdles in trying to overturn old convictions.

"The problem in all these cases is the time that's passed," said Norfolk attorney James Broccoletti, who represented Norfolk Four defendant Derek Tice at his trial. "Are the facts of this case enough, or is it just tangential? I don't know."

Attorney Andrew Protogyrou said defendants would face problems with the statute of limitations, but that cases of actual in-



### legal hurdle

To get a conviction overturned, a defendant must prove that Ford, above, did something wrong that seriously affected the case, one lawyer said.

nocence could be reopened if there is new evidence. Defendants generally have no more than two years to petition to have a trial court conviction vacated in Virginia.

"Does it make everything suspect? It's a possibility," Protogyrou said.

Ford's case points out flaws in a system too reliant on testimony from jailhouse snitches to strengthen legal cases, said B. Thomas Reed, another Norfolk attorney.

Ford has been accused by defense lawyers in the Norfolk Four cases of planting a jailhouse snitch near a defendant to draw confessions.

Three of the Norfolk Four defendants have filed petitions to have their records cleared because of Ford's misconduct. Danial Williams, Joseph Dick and Eric Wilson have asked state courts to have their convictions in the 1997 rape and murder of a Navy wife thrown out. The three filings claim that new information discovered after Ford's indictment tainted their cases.

But Norfolk Judge Everett A. Martin's preliminary opinion on Williams' petition showed little sympathy for the argument that Ford's federal charges fouled his case.

Federal prosecutors charged that Ford extorted money from criminal defendants between 2003 and 2007.

Martin noted in a letter that the allegations in the federal complaint came more than 10 years after Williams was convicted and eight years past his deadline to petition. Martin granted a motion to dismiss the petition, although a final order has not been issued.

Donald Salzman, an appeals attorney for Williams, said the judge has allowed Williams to file another pleading. Attorneys believe they can establish a pattern of deceit by Ford, he said.

"His conviction demonstrates that he is a corrupt officer and that he is willing to distort the criminal justice system for his own gain," Salzman said.

Police and prosecutors said they are considering ways to handle any fallout.

Senior Assistant Police Chief Sharon Chamberlain said Thursday the department will look into whether any changes should be made in light of the conviction.

In a brief statement, Norfolk Commonwealth's Attorney Gregory Underwood said his office would respond appropriately to post-conviction appeals. He declined to comment on whether the office would change procedures or review cases in which Ford participated.

Several Norfolk prosecutors testified in Ford's case.

Regent University Law School Professor James Duane said the case gives prosecutors time "for some severe and sobering introspection."

Although the public may believe that Ford's cases are tainted, Duane expects no convictions to be overturned by Ford's misconduct.

In the end, he said, "I doubt it's going to have much effect."

Pilot writer Patrick Wilson contributed to this report.

Louis Hansen, (757) 446-2341, louis.hansen@pilotonline.com