

Court of Appeals to hear case of William Flanagan, former Nassau police commander

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The state's highest court has decided to hear the appeal of a former Nassau police commander who was convicted in 2013 on misdemeanor corruption charges.

In a Nov. 12 decision, Court of Appeals Associate Judge Leslie Stein ruled William Flanagan's case had "questions of law . . . which ought to be reviewed."

The judge also extended a stay of sentence for Flanagan, who spent nearly three decades on Nassau's police force and retired in 2012 as second deputy commissioner.

A Nassau County jury had found him guilty of two official misconduct charges and a conspiracy count after a scandal linked to a Bellmore school burglary. A judge had sentenced him to 60 days in jail and 3 months of community service.

Prosecutors said during the trial that the police commander misused his authority by conspiring to quash the arrest of a high school student as a favor to the student's father, a donor to police causes. Two other police officials pleaded guilty in the case, which involved the burglary of more than \$10,000 from John F. Kennedy High School.

In October, a Brooklyn appellate court upheld Flanagan's conviction, citing "overwhelming evidence" of his guilt.

But in asking the Albany court to take his case, Flanagan's attorney, Donna Aldea, argued in part that the state's official misconduct statute "is plagued by ambiguity, raising questions that have divided courts."

The Garden City lawyer said Monday that Flanagan's trial "was infected by very serious errors of law and prosecutorial overreaching."

"We are confident that upon such review, these convictions will be vacated," Aldea added of the Albany court.

The Nassau district attorney's office didn't immediately comment Monday.