

Former Farmington probation officer faces prison time for child porn

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FARMINGTON - The former supervisor of the Farmington probation and parole office is facing mandatory time in federal prison following a plea agreement with the federal government.

Larry Franco, 57, is expected to plead guilty to one count of receipt of a visual depiction of minors engaged in sexually explicit conduct during an April 27 plea hearing in federal court in Albuquerque, U.S. Attorney Kenneth Gonzales said in a prepared release.

Franco faces a mandatory five years in federal prison, though the charge carries a term up to 10 years in prison.

He was indicted Aug. 9 of six counts of child pornography offenses, including two counts of receipt of visual depictions of minors engaged in sexually explicit conduct, and four counts of possession of matter containing visual depictions of minors engaged in sexually explicit conduct. Franco was facing up to 80 years in prison for all the charges.

Federal authorities stipulated the rest of the counts would be dismissed under the plea agreement.

Franco, who at the time was the supervisor at the adult probation and parole office in Farmington, initially was arrested June 9 after a month long probe conducted by the Internet Crimes Against Children Task Force, which includes members of the Farmington Police Department, the U.S. Attorney's Office, investigators from Attorney General Gary King's Office and the FBI in Albuquerque.

That investigation revealed Franco had illegal images and videos of children on his computer and computer-storage devices, according to state court records.

State authorities charged him with two counts of fourth-degree felony sexual exploitation of a minor by possession and one count of tampering with evidence.

Charges were amended July 19 to include three counts of second-degree felony possession and an additional 25 counts of the fourth-degree possession charge.

He faced 66 years in state prison.

Franco, in an email to the state Department of Corrections, resigned his position the day of his arrest.

The state charges, in lieu of the federal indictment, were dismissed.

The penalties generally are more significant at the federal level than the state level, which is a big consideration when pursuing charges, Assistant U.S. Attorney Elizabeth Martinez previously said of the decision to charge Franco.

Investigators discovered more than 600 graphic images of child pornography on Franco's computer and computer media, according to court records.

Additionally, the investigation revealed Franco was using an incinerator program to delete evidence, suggesting many more images existed than were discovered.

The earliest images dated back to 2002, and the investigation established Franco actively was possessing and/or receiving child pornography for nine years.

"The images portray sadistic, masochistic and violent behavior, and include minor, prepubescent children, one who was as young as 3 years old," according to federal court records.

Despite an Aug. 16 motion by the federal government attempting to appeal a release order on the grounds he posed a flight risk, Franco was released to the custody of his wife.

Federal officials argued Franco, though appearing to be law abiding, was able to hide the images from his wife for nine years, and given the nature of the images, presented a danger to the community.

Court records, including several news articles from Franco's days as a police officer in Henderson, Nev., depict a history of sex crimes.

On July 23, 1997, Franco pleaded guilty under an Alford plea to a misdemeanor charge of violation by a police officer following allegations he assisted known drug dealers by providing them with undercover information in exchange for sex.Ê

He also was accused of sexual harassment while working in the Farmington office of probation and parole. Several complaints with the Equal Employment Opportunity Commission were pending at the time of Franco's June arrest.

"With regard to any grievance filed against him for sexual harassment or bringing sex toys in the workplace is considered part of the confidential personnel file," Department of Corrections spokesman Shannon McReynolds said at the time. "If it's still under investigation we can't comment because we don't want to undermine the investigation in any way that wouldn't be appropriate or divulge any information that would be attorney client privilege."

The status of those complaints remains unclear.

Franco is expected to appear April 27 in federal court in Albuquerque. Federal prosecutors filed a motion Wednesday ordering Franco immediately into custody following the plea hearing. The judge has not yet made a ruling on the request.