



The City of New York
Department of Investigation

ROSE GILL HEARN
COMMISSIONER

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**DOI ARRESTS BROOKLYN MAN ON CHARGES OF SUBMITTING FORGED LETTERS TO
A CHILD CARE FACILITY FALSELY STATING HE HAD NO CRIMINAL RECORD**

ROSE GILL HEARN, Commissioner of the New York City Department of Investigation ("DOI"), announced the results of a substantiated investigation that led to the arrest today of a Brooklyn man on charges of submitting three forged letters on DOI letterhead, falsely indicating that DOI fingerprinted him and found no criminal record. The defendant applied for a job as director of Brightside Academy in 2010, an early education and child care center in Brooklyn. Child care facilities are licensed by the City Department of Health and Mental Hygiene ("DOHMH") and by law all employees must be fingerprinted by DOI. The DOI report stated that DOI began investigating after a representative of Brightside Academy reported the submission of apparently forged DOI letters to its facility. DOI's report on this investigation follows the release. The office of Kings County District Attorney Charles J. Hynes is prosecuting the case.

DOI Commissioner Rose Gill Hearn said, "Falsifying a DOI letter on fingerprint results is no way to land a job, especially one working with children. Thankfully, alert workers at a Brooklyn child care facility notified DOI when they suspected letters purportedly from DOI were forged. Their action helped investigators expose and stop the charged conduct."

MELVIN C. STEWART, 53, has been charged with Forgery in the Second Degree and Criminal Possession of a Forged Instrument in the Second Degree, class D felonies, and Falsifying Business Records in the First Degree, a class E felony, Criminal Possession of a Forged Instrument in the Third Degree and Falsifying Business Records in the Second Degree, class A misdemeanors. Upon conviction, a class D felony is punishable by up to seven years in prison, a class E felony by up to four years in prison, and a class A misdemeanor by up to a year's incarceration.

DOI's investigation found that all three forged letters submitted to Brightside Academy were on DOI letterhead and purported that DOI had fingerprinted STEWART and the New York State Division of Criminal Justice Services found the defendant had no criminal convictions in the State of New York. However, when the defendant was actually fingerprinted by DOI in July 2010, the results revealed he was convicted of Petit Larceny in New York State on two separate occasions. DOI determined the letters that purportedly were from DOI were fraudulent. STEWART resigned from Brightside Academy in July 2010.

Child care facilities are only supposed to request and accept fingerprint result letters directly from DOI. Following this investigation, DOI recommended DOHMH remind child care facilities that they may not accept fingerprint letters directly from prospective employees.

DOI Commissioner Rose Gill Hearn thanked DOHMH Commissioner, Dr. Thomas Farley, Kings County District Attorney Charles J. Hynes and their staffs, and the staff at Brightside Academy, for their assistance in this investigation.

The investigation was conducted by DOI's Office of Inspector General for DOHMH. Commissioner Gill Hearn especially thanked Danielle Desrouleaux and Carmen Reyes of DOI's Fingerprint Unit for their assistance in the investigation.

A criminal complaint is an accusation. A defendant is presumed innocent until proven guilty.

DOI's press releases can also be found at twitter.com/doinews
Get the worms out of the Big Apple. To report someone ripping off the City, call DOI at (212) 825-5959.



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June 7, 2011

Dr. Thomas Farley
Commissioner
City of New York
Department of Health and Mental Hygiene
42-09 28th Street, WS 8-59
Queens, NY 11101

Re: Forged DOI Fingerprint Verification Letters (DOI # 10-10635)

Dear Commissioner Farley:

The Department of Investigation ("DOI") received an allegation from Brightside Academy, a child care facility located in Brooklyn, NY, that former director Melvin Stewart submitted forged DOI fingerprint letters upon being hired there. As Brightside Academy is a child care facility licensed by the Department of Health and Mental Hygiene ("DOHMH"), its employees are required to be fingerprinted by DOI.

The ensuing investigation by DOI revealed that Stewart did, in fact, cause three forged letters to be submitted to Brightside Academy. All three forged letters were on DOI letterhead and purported that Stewart had been fingerprinted by DOI and that the New York State Division of Criminal Justice Services found that Stewart had no criminal convictions in the State of New York. However, when Stewart was actually fingerprinted by DOI, the results revealed that he was convicted of petit larceny in New York State on two separate occasions.

DOI determined that Stewart physically submitted the first forged letter to Brightside Academy as proof that he had been fingerprinted by DOI in the past. Regarding the two additional forged letters, Stewart admitted under oath to having provided them to Brightside

Academy via an alleged third party.

Stewart was arrested and charged with the following crimes: (i) Forgery in the second degree (Penal Law §170.10); (ii) Criminal possession of a forged instrument in the second degree (Penal Law §170.25); (iii) Falsifying business records in the second degree (Penal Law §175.05); and (iv) Conspiracy in the fifth degree (PL §105.05).

In order to prevent future instances of a child care facility receiving fraudulent criminal background information, DOI is formally issuing the following policy and procedure recommendation:

- DOHMH should notify all child care facilities that they may not accept fingerprint letters directly from prospective employees. All fingerprint letters should be requested and received directly from DOI.

If you need additional information or have any questions regarding this matter, please call me. Also, please notify my office within 30 days regarding any actions taken by DOHMH to either implement or reject the above recommendation.

Very truly yours,



Christopher Gretina
Inspector General

cc: James Morriss, Director of Field Operations and Regulatory Enforcement, Bureau of Child Care.