



# Department of Investigation

## *Press Release*

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### **DOI ARRESTS 3 RESTAURANT OPERATORS IN BRIBERY 'STING'** ***-- Paid Undercover Agents \$840 To Ignore Health Code Violations In Manhattan & Brooklyn --***

ROSE GILL HEARN, Commissioner of the Department of Investigation (DOI), today announced the felony arrests of 3 restaurant operators in Manhattan and Brooklyn for paying bribes, ranging from \$160 to \$480, to DOI undercover agents posing as City Department of Health (DOH) inspectors. The payoffs were allegedly given to avoid the issuance of summonses for such Health Code violations as mouse droppings, uncovered food, and food stored at inadequate temperatures.

Commissioner Gill Hearn said, "These arrests underscore DOI's commitment to rooting out municipal corruption. Honest City employees were offered bribes by restaurant owners or managers and refused the money. In each case, the DOH inspector reported the attempted payoff to DOI. The actions of these officials are to be applauded. They typify the honesty and integrity of the overwhelming majority of decent and hardworking City employees."

The facts and circumstances leading to the three arrests are summarized below:

1) On July 5, 2001, a DOH inspector was conducting an initial cycle inspection at Lucky Zhang's Family Chinese Kitchen, located at 94 East Broadway in Manhattan and met with YIM YUK CHAU, who said that she was the owner. After pointing out improper sanitary and ventilation conditions, and food maintained at inadequate temperatures, the inspector was offered a bribe by CHAU not to issue any violations. The inspector refused the offer, issued the appropriate violations, and reported the incident to DOI.

DOI conducted an investigation in which an undercover investigator, posing as a DOH inspector, went to Lucky Zhang's on December 6, 2001, and met with CHAU. After the undercover pointed out several violations, including mouse droppings, and spoiled and uncovered food, CHAU offered and paid the undercover \$480 in exchange for the restaurant passing inspection.

2) On July 3, 2001, a DOH inspector was conducting a routine inspection at Jade Chinese Restaurant, at 1351 St. Nicholas Avenue in Manhattan. Once the inspection was concluded, the inspector briefly left his DOH-issued shoulder bag unattended. When the inspector retrieved his bag, he observed that a brown paper bag, containing an undetermined amount of cash, had been placed in the shoulder bag. Without counting the money, the inspector gave the brown paper bag, and its contents, to an employee of the restaurant, and immediately notified DOI.

As part of its undercover operation at the Jade Chinese Restaurant, DOI sent an officer posing as a DOH

## DOI Arrests 3 Restaurant Operators In Bribery Sting

As part of its undercover operation at the same Chinese restaurant, DOI sent an officer posing as a DOH inspector back to the location on December 7, 2001, to conduct an inspection. While there, the undercover met with WING KO, who identified herself as the owner's daughter. After the undercover officer pointed out such violations as mouse droppings, unprotected food, and a hanging electrical cord, KO began writing messages on her hand, such as "do you have a recording device" and "150." After a brief conversation, KO gave the undercover officer a paper bag containing \$160.

3) On August 30, 2001, during a routine Health Code inspection of the Beijing Kitchen, located at 866 Utica Avenue in Brooklyn, a DOH inspector was offered money by a female employee after the inspector noted violations for such conditions as mouse droppings, improper plumbing, and food maintained at inadequate temperatures. The inspector refused the money and reported the bribe offer to DOI.

On October 16, 2001, an undercover agent, posing as a health inspector, went to the Beijing Kitchen and met with JUN SHENG DONG, who identified himself as the manager of the restaurant. DONG paid the undercover \$200 to avoid the issuance of violations for the presence of mold in the food preparation area, mouse droppings, insects, and unprotected food.

The defendants CHAU, 47, of Manhattan, KO, 28, of Fort Lee, New Jersey, and DONG, 26, of Brooklyn, were each charged with Bribery in the Third Degree, a Class D felony. If convicted, each faces up to 7 years in prison. In addition, DOI will refer the matters to DOH for administrative action to revoke the restaurants' operating permits.

The investigations were conducted by Kyle Sturcken, DOI's Inspector General for DOH, Deputy Inspector General L. Stephen Zander, Assistant Inspector General Bradley D. Howard, and Confidential Investigators Stacey Hernandez and Byron Biggerstaff.

CHAU and KO are being prosecuted by Manhattan District Attorney Robert M. Morgenthau's Special Prosecutions Bureau, with Assistant District Attorneys Douglas Kaufman and Marcy Chelmow handling the cases. DONG is being prosecuted by Kings County District Attorney Charles J. Hynes' Rackets Bureau. Assistant District Attorney Brian Wallace is assigned to handle the matter.