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DISTRICT ATTORNEY

DISTRICT ATTORNEY – NEW YORK COUNTY

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DISTRICT ATTORNEY VANCE ANNOUNCES 37 ARRESTS FOR THEFT OF PUBLIC BENEFITS

More Than \$300,000 Stolen From City and State; Several Cases Involve Public Employees

Manhattan District Attorney Cyrus R. Vance, Jr., today announced the arrests of 37 individuals on charges related to the theft of unemployment benefits from New York State and low-income housing subsidies from New York City.¹ The arrests follow investigations conducted in partnership with the New York State Department of Labor (“DOL”) and the New York City Department of Investigation (“DOI”). At least eight more arrests are expected this week, with the total cost to taxpayers estimated at \$360,000.

“Our City and State are struggling to balance budgets while providing critical public services,” said District Attorney Vance. “Unemployment benefits and low-income housing subsidies are lifelines for those in need. These funds cannot be fraudulently siphoned away from the New Yorkers who rightfully qualify for assistance. I thank the Department of Investigation and the Department of Labor for their assistance with these cases.”

According to felony complaints filed in court, 27 defendants have been charged this week with stealing unemployment benefits from DOL, in amounts ranging from approximately \$2,500 to more than \$12,500. In addition, 10 defendants have been charged with fraudulently obtaining Section 8 housing benefits from the New York City Housing Authority or the Department of Housing Preservation and Development, in amounts ranging from approximately \$6,924 to more than \$30,000.

Unemployment Benefits Fraud

After an unemployed individual begins receiving benefits, he or she is required to recertify weekly that he or she remains unemployed in order to continue receiving the benefits. Recertification may be done either online or by telephone and requires the recipient to answer honestly a series of questions about his or her employment status. The defendants

¹ The charges contained in the felony complaints are merely allegations, and the defendants are presumed innocent unless and until proven guilty.

charged in this week's cases are charged with either falsely certifying that they were not working, or lying about the number of hours they had worked. While wrongfully collecting unemployment benefits, these defendants worked in a variety of fields including property management, transit, design, billing, security, law, human resources, and concierge services.

A sample of the defendants, according to complaints filed in court:

- TAMEKA SILVA-ALI was charged with falsely certifying to DOL that she was unemployed for 29 weeks when in fact she had obtained a job as a property manager, resulting in a theft of \$11,745.
- RAY SCOTT is charged with falsely certifying that he was unemployed for 23 weeks while working as a concierge, leading to the theft of \$4,745.00 in benefits.
- EDILVER ACOSTA is charged with the theft of \$4,252.50 in benefits, falsely certifying that he was unemployed for 10 weeks while actually working as a finance representative for a bank.
- AMBIORIX JIMINEZ is charged with falsely certifying that he was unemployed for 38 weeks when in fact he was working as a cook, resulting in the theft of \$12,500.25 in benefits.

Of the 27 defendants, 26 have been charged with Grand Larceny in the Third Degree, a class D felony; one has been charged with Grand Larceny in the Fourth Degree, a class E felony. A Class D felony is punishable by up to 7 year in prison. A Class E felony is punishable by up to 4 years in prison.

From 2008 to August 2010, defendants prosecuted by the Manhattan District Attorney's Office for stealing unemployment benefits have repaid the State more than \$275,000.

State Labor Commissioner Colleen C. Gardner said: "Unemployment Insurance is one of New York's most important safety nets; its purpose is to help New Yorkers in their time of need. Those who try to game the UI system for their own personal gain make a mockery of law abiding claimants who are truly suffering as a result of this recession. For that reason alone, they deserve swift and just punishment for the crimes they committed against the UI system. I thank District Attorney Vance for bringing this matter to light and for holding these disingenuous UI claimants accountable."

Housing Benefits Fraud

Individuals who meet certain income and asset requirements may be eligible to receive rent subsidies from the Section 8 Program. Subsidies are issued in the form of payments made to privately owned apartment building landlords or in the form of reduced rents in NYCHA apartments. Section 8 recipients must recertify annually that they are eligible for the subsidy by filing income affidavits listing their total household composition, income and assets. The defendants in today's cases are all charged with defrauding the City and wrongfully receiving subsidies by providing false information in their initial applications or annual income

affidavits.

A sample of the defendants, according to complaints filed in court:

- KYMBERLI TALTON was charged with fraudulently receiving \$26,404 in Section 8 benefits. It is charged that TALTON wrongfully sub-let her subsidized apartment in 2006 and continued to falsely certify that she lived there with her two children. In addition to falsifying her residency for several years, TALTON is charged with concealing the income from two jobs that she held during a period in 2008 when she was living in North Carolina.
- ADUNNI AKINPELU and her husband, NYPD Traffic Enforcement Officer MUSHAFU LAWAL, have been charged with the theft of \$6,924 in Section 8 rent subsidies. From mid 2008 through the end of 2009, ADUNNI intentionally omitted LAWAL as a resident of her apartment in order to avoid reporting his income and paying a higher rent. LAWAL was admittedly complicit in the scheme.
- TANYA SHELL is charged with intentionally omitting her husband, who was employed with the MTA earning more than \$50,000 per year, from her annual income affidavits, resulting in her wrongful receipt of \$15,416.40 in Section 8 rental subsidies.
- CAROLYN TORRES is charged with intentionally omitting her husband, who was employed by the MTA and earning more than \$34,000 per year, from her Section 8 application and subsequent annual income affidavits resulting in her wrongful receipt of \$30,881.

The defendants have been charged with Grand Larceny in the Third Degree, a Class D felony and Offering a False Instrument for Filing in the First Degree, a Class E felony.

DOI Commissioner Rose Gill Hearn said, “Housing and other public benefits are drawn from a limited pool. So individuals who bilk the system are not only stealing from the taxpayers but also depriving disadvantaged New Yorkers of the help they need. As these arrests show, law enforcement agencies are following the money, and cheaters face arrest and criminal prosecution. DOI is pleased to work with the Manhattan District Attorney and our law enforcement partners to expose and stop these schemes.”

The cases are being prosecuted by Assistant District Attorneys in the Special Prosecutions Bureau under the supervision of Bureau Chief Thomas Wornom and Deputy Bureau Chiefs Archana Rao and Judy Salwen.

District Attorney Vance thanked John Dornin, Executive Director of the New York State Department of Labor’s Office of Special Investigations, Peter Zanolin, DOI Inspector General for the Department of Housing Preservation and Development, Assistant Inspector General Ondie Frederick, Kelvin Jeremiah, DOI Inspector General for NYCHA, NYCHA IG Counsel Kevin Smith, and Deputy Counsel Lauren Hintz.

The District Attorney also thanked the New York State Troopers, acting under the supervision of Senior Investigator Randy Donaldson, the District Attorney's Office Detective Squad, acting under the supervision of Captain Ronald Haas, and the District Attorney's Office Investigations Bureau, supervised by Chief Investigator John Bilich, for their assistance in making the arrests.

Defendant Information:

* Already Arraigned

Department of Labor

Except where indicated (**), all defendants have been charged with Grand Larceny in the Third Degree, a Class D felony, which is punishable by up to 7 years in prison.

Donna Jordan, D.O.B. 10/27/1966
New York, NY

Lenny F. Joseph, D.O.B. 8/24/1980
New York, NY

Odell Killebrew, D.O.B. 11/4/1976
New York, NY

Jill Kozlowski, D.O.B. 10/26/1975
Astoria, NY

Robert Lasenburg, D.O.B. 1/29/1962
Binghamton, NY

Eddy Lluberes, D.O.B. 12/20/1979
New York, NY

John Maisonave, D.O.B. 1/23/1952
New York, NY

**Defendant has been charged with Grand Larceny in the Fourth Degree, a Class E felony, which is punishable by up to 4 years in prison.

Jermaine Adams, D.O.B. 8/19/1983
New York, NY

*Donald Pressley, D.O.B. 4/27/1962
New York, NY

*James Robinson, D.O.B. 10/24/1967
New York, NY

*Rebecca Rodriguez, D.O.B. 8/31/1977
New York, NY

*Ray Scott, D.O.B. 5/31/1983
New York, NY

*Pablo Diaz, D.O.B. 6/11/1965
New York, NY

*Christina Garcia, D.O.B. 3/22/1952
New York, NY

*Shwon Edmonds, D.O.B. 3/17/1973
New York, NY

*Dawn Glover, D.O.B. 5/16/1974
New York, NY

*Larry A. Joseph, D.O.B. 12/3/1978
Teaneck, NJ

*Johary Ramos, D.O.B. 7/3/1971
New York, NY

*Karen Scott, D.O.B. 8/19/1970
New York, NY

*Tameka Silva-Ali, D.O.B. 9/15/1977
Hollis, NY

*David Stewart, D.O.B. 6/19/1978
New York, NY

*Latoya Gordan, D.O.B. 10/11/1973
New York, NY

*Edilver Acosta, D.O.B. 6/12/1981
New York, NY

*Ambiorix Jiminez, D.O.B. 11/28/1976
New York, NY

*Anaïd Dermargosian, D.O.B. 10/25/1973
Hancock, NY

*Betsy Marrero, D.O.B. 7/30/1978
New York, NY

Section 8, HPD/DOI

Except where indicated (**), all defendants have been charged with Grand Larceny in the

Third Degree, a Class D felony and Offering a False Instrument for Filing in the First Degree, a Class D felony. A Class D felony is punishable by up to 7 years in prison and a Class E felony is punishable by up to 4 years in prison.

*Adunni Akinpelu, D.O.B. 8/17/1963
New York, NY

*Mushafau Lawal, D.O.B. 6/21/1963
New York, NY

**Defendant has been charged with Grand Larceny in the Third Degree.

*Eduardo Goode, D.O.B. 9/5/1963
New York, NY

*Kimberli Talton, D.O.B. 8/28/76
Brooklyn, NY

Section 8, NYCHA

Audrey Preston, D.O.B. 7/4/1956
New York, NY

Carolyn Torres, D.O.B. 1/22/1963
New York, NY

*Helda Recinos, D.O.B. 7/18/1948
New York, NY

*Irma Fernandez, D.O.B. 2/19/1949
New York, NY

*Gislaine Leonard, D.O.B. 5/27/1947
New York, NY

*Tanya Shell, D.O.B. 1/3/1972
New York, NY

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