



# Department of Investigation

## *Press Release*

**Release # 045-2001**

TUESDAY, OCTOBER 23, 2001

### **DOI ARRESTS SECURITY GUARD IN ASBESTOS TEST BRIBERY "STING"**

EDWARD J. KURIANSKY, Commissioner of the Department of Investigation (DOI), and RICHARD A. BROWN, Queens District Attorney, today announced the felony arrest of DAVID JACKSON, a supervising guard employed by FJC Security Services, Inc., a private Queens contractor for the City Department of Environmental Protection (DEP), for unlawfully receiving cash payments, totaling \$300, from 2 separate DOI undercover agents posing as applicants who had failed the DEP asbestos handler's examination. In return for the bribes, JACKSON allegedly altered DEP records and gave both agents passing scores.

According to Commissioner Kuriansky, the City's Asbestos Control Program requires workers who abate asbestos conditions (known as asbestos handlers) to complete a course at a DEP-approved training school in order to obtain DEP certification. DEP issues asbestos handler certificates to applicants who score 70 or higher on separate examinations administered by a training school and DEP. Both examinations test applicants' proficiency in the safe handling of asbestos as well as their knowledge of public safety provisions and occupational safety procedures involving asbestos handling. Approximately 6,200 asbestos handlers are currently certified by DEP, which requires biannual renewal of these certifications.

Commissioner Kuriansky said an investigation began in November 2000, when DEP notified DOI that a security guard at DEP's Lefrak City, Queens, headquarters was allegedly selling answers to the DEP asbestos handler's examination. Thereafter, DOI investigators interviewed a training school graduate who told them that a DEP headquarters security guard was promising asbestos handler's applicants who failed the DEP test that, in return for \$150, he would obtain DEP certification for them.

On May 2, 2001, a DOI undercover agent, who had attended a DEP-approved training school, intentionally failed the DEP examination, scoring a 42. Later that same day, a third party introduced the agent to JACKSON, who was on duty in uniform at DEP headquarters. JACKSON told the agent that, in return for \$150, he would arrange for the agent to get a passing score. The agent then gave JACKSON \$150, and, several days later, the agent received a DEP asbestos handler's certificate. On May 24, 2001, DOI investigators reviewed the agent's DEP examination file, and found that his original examination score card had been replaced by a different score card, which contained a passing score of 72. The agent confirmed that the scorecard in the DEP file was not the scorecard he had completed during the May 2 examination.

On October 3, 2001, a second DOI undercover agent, who had also attended a DEP-approved training school, intentionally failed the DEP examination, scoring a 32. After the examination ended, the first DOI undercover

## DOI Arrests Security Guard In Asbestos Test Bribery "Sting"

agent introduced his colleague to JACKSON, who similarly promised the second agent that, in return for \$150, he would arrange for him to get a passing score. The second agent then gave JACKSON \$150, and, several days later, when DOI investigators reviewed DEP examination records, they found that the agent's score had been changed from 32 to a passing score of 72. The agent confirmed that the scorecard in the DEP file was not the scorecard he had completed during the October 3 examination.

JACKSON, 40, of 22 Metropolitan Oval in the Bronx, is employed by FJC Security Services, Inc., of 37-10 33<sup>rd</sup> Street in Long Island City, a company which has a City contract to provide security at various DEP facilities. JACKSON was charged with Tampering with Public Records in the First Degree, a Class D felony, and Commercial Bribe Receiving in the First Degree, a Class E felony. If convicted, he faces up to 7 years in prison.

Commissioner Kuriansky expressed his sincere appreciation to DEP Commissioner Joel A. Miele, Sr., P.E., and members of his staff for their assistance and cooperation in the investigation. Commissioner Miele said that new procedures and software have been put in place to prevent the substitution of fraudulent examination scores.

The investigation, which is ongoing, is being conducted by Clive Morrick, DOI's Inspector General for DEP, and members of his staff, including Special Investigator James Christo, with the assistance of Robert Joyce, DOI's Inspector General for the Department of Citywide Administrative Services (DCAS), and members of his staff.

The Office of Queens District Attorney Richard A. Brown is prosecuting the case. Assistant District Attorney Yvonne Creque, under the supervision of Assistant District Attorney James Liander, Chief of the DA's Integrity Bureau, and, under the overall supervision of Executive Assistant District Attorney for Investigations Peter A. Crusco, is handling the matter.

It should be noted that a criminal complaint is merely an accusation and that the defendant is presumed innocent until proven guilty.

**FOR MORE INFORMATION  
CONTACT: BETSY HERZOG (QDA)  
(718) 286-6315**