



Department of Investigation

Press Release

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DOI ARRESTS EMS LIEUTENANT FOR THEFT ***-- Stole Five Thousand Dollars In Unearned Overtime Payments --***

ROSE GILL HEARN, Commissioner of the New York City Department of Investigation (DOI), today announced the arrest of a New York City Fire Department Emergency Medical Services (EMS) Lieutenant on felony charges of stealing more than five thousand dollars by falsifying payroll reports. DOI investigators arrested EMS Lieutenant GERMAN LOBATON today in the Bronx.

Commissioner Gill Hearn said that a DOI investigation revealed that from January through May of this year, Lobaton, an EMS Lieutenant in Bronx Battalion 55, at 3134 Park Avenue, changed 10 weekly payroll reports after his Captain had signed them, adding more than 130 hours of overtime that he had not worked. The alterations inflated Lobaton's pay by \$5,079.13.

According to Commissioner Gill Hearn, Lobaton altered the signed payroll reports while they were in his office awaiting delivery by messenger to EMS's Division 6 office in the Bronx and Fire Department headquarters in Brooklyn. The scam was uncovered after an EMS manager monitoring overtime spending found discrepancies between the overtime pay Lobaton had received and weekly overtime usage reports maintained at the Division office. The manager called DOI's Office of the Inspector General for the Fire Department and reported that Lobaton's overtime pay far exceeded what his Captain had authorized, Commissioner Gill Hearn said.

"The Lieutenant is charged with abusing his position of trust to steal public money, at a time when every dollar is needed to pay for essential City services," said Commissioner Gill Hearn. "The encouraging news is that an alert EMS manager saw something amiss and promptly called DOI." Commissioner Gill Hearn thanked Fire Commissioner Nicholas Scoppetta for his agency's assistance in the investigation and commended the EMS manager who alerted the Inspector General's office to the unauthorized overtime payments.

Said Commissioner Scoppetta, "I am confident that this arrest will send a strong message that the Fire Department and the City of New York will not tolerate individuals who would cheat the city and its citizens. It is particularly unsettling that anyone would try to take advantage of their authority as a supervisor even as we are being asked to make substantial sacrifices in order to help the city reduce the budget deficit during this financial crisis. I applaud Commissioner Gill Hearn and her staff for their excellent investigative work on this case."

DOI Arrests EMS Lieutenant For Theft

Lobaton, age 37, a resident of Wappinger Falls, New York, has been employed with EMS for 15 years; his current salary is \$50,946. He was suspended immediately after his arrest. Lobaton has been charged with Grand Larceny in the Third Degree, Tampering with Public Records in the First Degree, Offering a False Instrument for Filing in the First Degree, Defrauding the Government, and Official Misconduct. If convicted, he faces up to seven years' imprisonment.

The investigation was conducted by John McMahon, DOI's Inspector General for the Fire Department, and members of his staff. The Office of the Bronx District Attorney, Robert T. Johnson, is prosecuting the case, which has been assigned to Assistant District Attorney Noreen Morris of the Rackets Bureau.