



The City of New York
Department of Investigation

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DOI ARRESTS DOB CRANE INSPECTOR FOR FALSIFYING INSPECTION ROUTE SHEET
-- Inspector Allegedly Falsely Claimed he Inspected East 51st Crane on March 4, 2008 --

ROSE GILL HEARN, Commissioner of the Department of Investigation (DOI), today announced the felony arrest of EDWARD J. MARQUETTE, a DOB Inspector assigned to DOB's Division of Cranes and Derricks, for allegedly making a false entry in his Inspector's Route Sheet for March 4, 2008, falsely indicating that he performed an inspection of the crane located at 303 East 51st Street, Manhattan. On March 15, 2008, this crane collapsed causing the death of seven individuals. MARQUETTE is being prosecuted by the New York District Attorney's Office. **PATRICIA J. LANCASTER, Commissioner of the Department of Buildings (DOB), whose office** assisted DOI with this investigation, joins Commissioner Gill Hearn in this announcement.

MARQUETTE, 46, of Manhattan is charged with violating New York State Penal Law Sections 175.10, Falsifying Business Records in the First Degree, and 175.35, Offering a False Instrument for Filing in the First Degree, both class E felonies. If convicted, he faces up to four years in prison. MARQUETTE joined DOB as an Inspector on October 29, 2001. His annual salary is \$52,283.

DOI began its investigation of the March 15th fatal crane accident immediately after the accident occurred. As part of the investigation, DOI began gathering all of the relevant documents relating to, among other things, prior DOB inspections of the East 51st Street crane. DOB's records indicated that on March 4, 2008, DOB received a complaint from a citizen who said that the East 51st Street crane did not appear to be properly braced to the building. The complainant further said that the upper portion of the crane appeared unsecured. DOB records indicated that on March 4, 2008, DOB responded to this complaint, specifically by an inspection conducted that day by MARQUETTE and that two days later, on March 6, 2008, the complaint was disposed of with no violation warranted based upon MARQUETTE's March 4 inspection, which reportedly revealed that the crane was erected according to the DOB-approved plans. DOB has confirmed that an inspection of the crane did take place on March 14, 2008, the day before the collapse.

On March 16, 2008, the day after the fatal accident, investigators first interviewed MARQUETTE and obtained a copy of his Inspector's Route Sheet for March 4, 2008. During the

March 16 interview, MARQUETTE informed investigators that he had conducted the March 4 inspection of the East 51st Street Crane and that his inspection revealed no problems with the crane.

On March 19, 2008, based upon information developed by DOI that cast doubt upon whether MARQUETTE had actually performed the March 4th inspection, he was again interviewed by DOI. During that interview, MARQUETTE admitted to DOI investigators that he had not in fact conducted the March 4th inspection. On March 19th, DOI also obtained the original copy of MARQUETTE's March 4th Route Sheet. DOI's examination revealed that the Route Sheet had been tampered with to indicate that the inspection had been conducted by MARQUETTE. Upon questioning by DOI investigators, MARQUETTE admitted that he had falsified the Route Sheet.

DOI Commissioner Rose Gill Hearn said, "Crane inspectors are entrusted by the City with ensuring that cranes are operated in a way that does not compromise the safety of construction workers or the public. This inspector allegedly betrayed that trust at the most fundamental level by not doing an inspection assigned to him and then making a false record indicating that he did. By responding quickly and forcefully in this case, DOI is making it clear that this kind of dishonesty by a City employee will not be tolerated."

DOB Commissioner Patricia J. Lancaster said, "Based on the preliminary findings of the ongoing investigation, it is unlikely that a March 4th inspection would have prevented this horrific accident, which we continue to believe was caused by human or mechanical error during the crane jumping operation on March 15th. Regardless, Edward Marquette's behavior is reprehensible. Today I suspended Edward Marquette and I support the most aggressive prosecution possible. The Buildings Department will not tolerate misconduct of any kind. Employees found to have acted inappropriately will be disciplined to the full extent of the law, as has been done according to the Department's Code of Conduct, issued for the first time in the agency's history in 2004 and enforced aggressively since then. I applaud DOI's swift action in bringing charges against this individual."

Commissioner Lancaster added the following points:

- "Crane inspectors are responsible for inspecting and testing cranes to ensure the public will be protected during construction in our dense urban environment. To address the understandable public concern light of this arrest, I have:
- Ordered an immediate re-inspection of 100% of the cranes inspected by Edward Marquette over the last six months.
- Requested the Department of Investigation (DOI) to investigate 100% of Edward Marquette's inspection reports over the last six months. DOI Commissioner Rose Gill Hearn has pledged her full cooperation, continuing our partnership to eliminate corruption within the Buildings Department and the construction industry.
- Requested the Department of Investigation to conduct a thorough review of the Cranes & Derricks Unit procedures and personnel for further recommendations.
- Re-distributed to the Department's 1,300 employees the Code of Conduct – our ethical code for professional behavior - to enforce the strict standards and zero-tolerance policy I have set for Buildings staff and the construction industry.

- Launched a full operational review of the Cranes & Derricks Unit and ordered crane applications and associated documents be incorporated into the Department's online database for added transparency.
- Since 2002, when I made it my top priority to infuse integrity into the Buildings Department, we have made great strides in eliminating corrupt and criminal activities. The arrest serves as a critical message to our inspectors: you serve on the front line to protect the public by enforcing safety standards and a failure to do so on your part can result in serious consequences."

The investigation was conducted by Michael Carroll, DOI's Inspector General for DOB, and members of his staff, including Deputy Inspector General Edward Zinser and Chief Investigator Byron Biggerstaff, under the direction of DOI Associate Commissioner John B. Kantor. The Buildings Special Investigations Unit assisted with the investigation. Commissioner Gill Hearn thanked Commissioner Lancaster for her office's cooperation.

The office of New York County District Attorney Robert M. Morgenthau is prosecuting the case, which is assigned to Assistant District Attorney Sean Sullivan.

DOI is one of the oldest law-enforcement agencies in the country. The agency investigates and refers for prosecution City employees and contractors engaged in corrupt or fraudulent activities or unethical conduct. Investigations may involve any agency, officer, elected official or employee of the City, as well as those who do business with or receive benefits from the City.

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