



The City of New York
Department of Investigation

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Release #89-2009
nyc.gov/html/doi

FOR IMMEDIATE RELEASE
FRIDAY, AUGUST 21, 2009

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DOI STATEMENT ON BRIBERY CONVICTION OF MAN ATTEMPTING ILLEGAL DISMISSAL OF ENVIRONMENTAL CONTROL BOARD ("ECB") VIOLATIONS

ROSE GILL HEARN, Commissioner of the New York City Department of Investigation ("DOI"), issued the following statement regarding the conviction of CELESTINO ORTA, 40, on a federal charge of Bribery Concerning Programs Receiving Federal Funds. ORTA originally pleaded guilty to the charge last year, but withdrew his plea in October 2008. This week, his case went before a Brooklyn Federal Court jury, which returned a guilty verdict Thursday (August 20, 2009) afternoon. He is scheduled to be sentenced on October 1, 2009. The office of Benton J. Campbell, United States Attorney for the Eastern District of New York prosecuted the case.

DOI Commissioner Rose Gill Hearn said, "This defendant may have thought that he had found a corruptible City administrative law judge who would 'play ball' with his brazen scheme to evade fines and skirt the City's environmental rules. Instead, his corrupt overture was promptly reported to DOI, and an undercover operation exposed his scam. Now, a jury has rightly held him accountable. Today's verdict sends a strong message of deterrence to anyone who thinks that bribery is a way to elude the City's regulations. I commend the administrative law judge who properly reported the offer to DOI."

DOI conducted an undercover investigation in June and July 2007 after an administrative law judge with the City's Environmental Control Board ("ECB") told DOI that an individual appearing before her had offered her Yankee tickets in exchange for resolving an ECB summons on a Brooklyn building. That individual, ORTA, was arrested in July 2007.

The investigation found that ORTA engaged in a scheme in which he acted as a middle-man between a company with ECB fines of more than \$33,000 and a supposedly corrupt ECB clerk who would falsify ECB's records to indicate that those fines had been cleared. In fact, both the company's "representative" and the "ECB clerk" were DOI undercover investigators. ORTA brokered a deal where the company's "representative" paid ORTA \$15,000 once ORTA proved that the company's ECB fines were cleared. ORTA then split that money with the "ECB clerk." The New York City Department of Environmental Protection ("DEP") and the ECB cooperated and assisted DOI in its undercover investigation.

The ECB is an administrative tribunal that hears cases involving violations of New York City's quality-of-life laws. At the time of the investigation, ECB's operations were under DEP. In 2008, ECB was consolidated under the City's Office of Administrative Trials and Hearings.

Commissioner Gill Hearn thanked Benton J. Campbell, United States Attorney for the Eastern District of New York; Joseph M. Demarest Jr., Assistant Director-in-Charge of the Federal Bureau of Investigation's New York Field Division; and Steven W. Lawitts, Acting Commissioner for DEP, and their staffs, for their joint work on this investigation.

The investigation was conducted by DOI's Office of the Inspector General for DEP, including Confidential Investigators Zeola Fox and Max Adler, under the direction of Inspector General Michael Carroll and Deputy Inspector General Michael Healy.

The case was assigned to Assistant U.S. Attorney Marisa Seifan with the U.S. Attorney's Office for the Eastern District of New York.

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