



The City of New York  
Department of Investigation

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**Remarks of New York City Department of Investigation Commissioner Mark G. Peters  
for Manhattan District Attorney's Press Conference Announcing Arrests  
in Serious Mini Crane Incident in Harlem**

Thank you District Attorney Vance, Department of Buildings Commissioner Rick Chandler and the other members of the Construction Fraud Task Force here today.

DOI and the Manhattan District Attorney's Office make a great team on these important construction fraud investigations. Today's announcement furthers our strong work in this area and our effort to protect New Yorkers from disreputable contractors who circumvent the City's construction safety rules and endanger their workers and the public.

This was a tragedy that did not need to happen.

The City's building code has rules designed to prevent this from happening. People on site warned the defendants so that it wouldn't happen. But defendants ignored the City's construction safety rules and ignored the warnings and so this tragedy did happen.

This investigation showed that a 40-year old construction worker was flung from a building and gravely injured because the defendants did not file for a proper City permit, did not tie back the mini crane and did not use properly trained and certified staff. Instead, they chose saving time and money over the safety of their workers, according to the charges.

Following these City rules would have meant a delay of approximately two to three days. But defendants couldn't even wait that long.

This investigation underscores what the investigators and prosecutors on this podium have seen again and again: Shortcutting City construction safety rules is dangerous and risks the safety of workers.

To that end, after this serious incident in East Harlem, DOI probed other jobs that Western was performing in New York City with similar mini-cranes, to see whether there were other improper uses. In fact, DOI uncovered that at a Brooklyn site, on Fifth Avenue, Western was using a similar mini-crane to erect a steel structure roof, but again had not obtained the proper permit required by the City Buildings Department, or filed plans with DOB as required, or put licensed operator behind the controls of the mini-crane as required. DOI worked with the City Buildings Department to get the construction site shut down through a stop work order.

Before I end, I want to thank DA Vance and his team for their incredible partnership on this investigation, especially Assistant District Attorney Meredith McGowan, under the supervision of Attorney in Charge of the Construction Fraud Task Force Diana Florence, Chief of the Rackets Bureau Jodie Kane, and

Chief of the Investigation Division Michael Sachs. I also want to thank Commissioner Chandler and his team at DOB who have worked with us on a number of these matters.

As I said, our teams work in partnership to expose construction fraud. And DOI is supportive of the current legislative effort by the District Attorney and others to increase penalties for contractors and companies that disregard the City's construction code and endanger the safety of their workers and New Yorkers. Safety should be worth more than the current \$10,000 fine.

And I want to thank DOI's investigative team, including Investigative Inspector Ross Hoffman, Chief Investigator James McElligott and Assistant Inspector General Dan Taylor, under the supervision of Inspector General Greg Cho, Associate Commissioner Jay Flaherty, Deputy Commissioner/Chief of Investigations Susan Lambiase and First Deputy Commissioner Lesley Brovner.

Indictments and criminal complaint are accusations. Defendants are presumed innocent until proven guilty.

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