



The City of New York
Department of Investigation

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**DOI ARRESTS CITY CORRECTION OFFICER FOR ALLEGEDLY STEALING
MORE THAN \$28,000 IN PUBLIC HOUSING RENTAL SUBSIDIES**

Margaret Garnett, Commissioner of the New York City Department of Investigation (“DOI”), announced today the arrest of a City Correction Officer with the Department of Correction (“DOC”) for allegedly concealing his employment with DOC on paperwork he submitted to the New York City Housing Authority (“NYCHA”) as a Section 8 tenant in Brooklyn and taking more than \$28,000 in rental subsidies to which he was not entitled based on his income. The Office of Kings County District Attorney Eric Gonzalez is prosecuting the case.

DOI Commissioner Margaret Garnett said, “For years, this defendant, by hiding his employment with the City, allegedly stole tens of thousands of dollars in rental subsidies, which could have gone to legitimate tenants in need of the assistance, according to the charges. DOI has consistently pursued investigations into tenants who attempt to circumvent public housing rules and, with the assistance of partners like the Brooklyn District Attorney, will continue to prosecute these cases.”

Brooklyn District Attorney Eric Gonzalez said, “This defendant allegedly withheld the details of his employment and misrepresented his income to access almost \$30,000 in rental subsidies reserved for eligible applicants in need of assistance. This taxpayer money should have gone to eligible people. I’m committed to working with DOI and prosecuting fraud that wastes tax dollars.”

MARK SMITH, 49, of Brooklyn, N.Y., was arrested and charged today with multiple counts of Grand Larceny in the Third Degree, a class D felony; Offering a False Instrument for Filing in the First Degree and Falsifying Business Records in the First Degree, both class E felonies; Offering a False Instrument for Filing in the Second Degree; Making an Apparently Sworn False Statement in the Second Degree; Perjury in the Third Degree; Petit Larceny; and Falsifying Business Records in the Second Degree, all class A misdemeanors.

Upon conviction, a class D felony is punishable by up to seven years in prison; a class E felony is punishable by up to four years in prison; and a class A misdemeanor is punishable by up to a year’s incarceration.

SMITH has been employed with DOC as a Correction Officer since October 2014 and receives an annual base salary of \$57,587. According to the criminal complaint, in 2015 SMITH’s gross income was \$62,128; in 2016 his gross income was \$78,565; and in 2017 his gross income was \$79,372. SMITH was suspended upon his arrest.

According to the criminal complaint and DOI’s investigation, between February 2015 and February 2017, the defendant, a Section 8 tenant in Brooklyn, concealed his DOC employment from NYCHA, reporting to NYCHA that he was instead employed with Verizon New York Inc. (“Verizon”). SMITH submitted fraudulent

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paystubs and Affidavits of Income (“AOI”) on multiple occasions certifying his employment at Verizon, when in fact, City records confirmed he was a Correction Officer receiving an annual gross income of between \$62,128 and \$79,372 between 2015 and 2017. According to the investigation, a Verizon representative confirmed that Smith ceased working for Verizon in April 2014 and that paystubs purported to be from Verizon and submitted by the defendant, were not issued by Verizon. As a result of this alleged misconduct, between 2015 and 2017, SMITH received a total of \$28,593 in NYCHA subsidies to which he was not entitled.

DOI Commissioner Margaret Garnett thanks Kings County District Attorney Eric Gonzalez and NYCHA’s Interim Chair and Chief Executive Officer Kathryn Garcia, and their staffs, for their assistance and cooperation.

The investigation was conducted by DOI’s Office of the Inspector General for NYCHA, specifically, Special Investigator Alfred Carletta and Deputy Inspector General Osa Omoigui, under the supervision of Inspector General Ralph Iannuzzi, Associate Commissioner Jay Flaherty, Deputy Commissioner/Chief of Investigations Dominick Zarrella and First Deputy Commissioner Daniel Cort.

The case is being prosecuted by the Kings County District Attorney’s Office, specifically Assistant District Attorney Adam Libove, under the supervision of Michel Spanakos, Deputy Chief of Investigations.

A criminal complaint is an accusation. A defendant is presumed innocent until proven guilty.

DOI is one of the oldest law-enforcement agencies in the country and New York City’s corruption watchdog. 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. DOI’s strategy attacks corruption comprehensively through systemic investigations that lead to high-impact arrests, preventive internal controls and operational reforms that improve the way the City runs.

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