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OCTOBER 20, 2010, 3:54 PM ET

Manhattan DA Announces New Unit To Investigate Public Corruption

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By Samuel Rubinfeld

Updated Below

Manhattan District Attorney Cyrus Vance Jr. announced the formation of a Public Integrity unit devoted to investigating public corruption, including cases of bribery, malfeasance, election fraud and ethics violations.

The new unit is part of an overhaul of the office's Rackets Bureau, which was created in January 1938 and has been responsible for the prosecution of some of New York's most notorious organized crime cases and high-profile corruption cases, including a scheme in 2004 in which contractors bribed Metropolitan Transit Authority officials in exchange for millions of dollars in contracts.



Brendan McDermid/Reuters

Manhattan District Attorney Cyrus Vance Jr. (C) speaks as Manhattan U.S. Attorney Preet Bharara (L) and Patricia Haynes, Special Agent-in-charge of the New York office of the IRS, Criminal Investigation Division look on during a news conference.

The newly remodeled Rackets Bureau will also bring the Organized Crime and Labor Investigations and Construction Fraud divisions under its umbrella, a spokeswoman said. There won't be any staff increases as a result of the overhaul.

"Self-serving criminal activity among public employees at all levels severely undermines the public's confidence in our government," Vance said in a statement. "The new Public Integrity Unit reaffirms this Office's long tradition of rooting out corruption at all levels."

Vance named Assistant District Attorney Daniel G. Cort as the head of the Public Integrity Unit. He will be responsible for reviewing all corruption cases, with the exception of uniformed officers, who will go through the Official Corruption Unit, the statement said. Cort joined the Manhattan DA office in 1995 and became senior investigative counsel of the Rackets Bureau in 2003.

Nathaniel Burney, a white-collar criminal defense attorney who used to prosecute cases for the Rackets Bureau, said the overhaul was unnecessary because the bureau has already

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been prosecuting public corruption cases for years.

"It's not going to give the DA's office power it didn't already have," he said. "It doesn't make sense to me to do it."

Update: The reorganization is not the DA Office's method to gain power in prosecuting corruption, said Erin Duggan, a spokeswoman. It plans to achieve that, she said, by [pushing a bill](#) through the state legislature giving district attorneys greater power to prosecute public corruption.

That bill, sponsored in the state Senate by current Democratic New York Attorney General nominee Eric Schneiderman, would expand penal law to make bribe offers as punishable as completed bribes and create a new crime called "scheme to defraud the government," among other reforms.

corruption, Manhattan, New York

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CYRUS R. VANCE, JR.
DISTRICT ATTORNEY

DISTRICT ATTORNEY - NEW YORK COUNTY

FOR IMMEDIATE RELEASE
October 20, 2010

CONTACT: Erin Duggan
212-335-9400

DISTRICT ATTORNEY VANCE ANNOUNCES FORMATION OF PUBLIC INTEGRITY UNIT

New Public Integrity Hotline Will Allow New Yorkers to Easily Report Wrongdoing

Manhattan District Attorney Cyrus R. Vance, Jr., today announced the formation of the Public Integrity Unit. The new unit will proactively investigate public corruption in government at all levels, including not only bribery and malfeasance by public servants, but also election fraud and criminal violations of state and local ethics laws.

"Self-serving criminal activity among public employees at all levels severely undermines the public's confidence in our government," District Attorney Vance said. "The new Public Integrity Unit reaffirms this Office's long tradition of rooting out corruption at all levels."

The Public Integrity Unit, which is organized within the Rackets Bureau, will oversee a new Public Corruption Hotline, which can be reached at 212-335-8987.

District Attorney Vance also announced the appointment of Assistant District Attorney Daniel G. Cort as the Chief of the Public Integrity Unit. Mr. Cort will be in charge of receiving and evaluating all complaints of public corruption that come to the Office, with the exception of corruption by uniformed officers, which will continue to be the province of the existing Official Corruption Unit. Mr. Cort joined the Office in 1995. He was appointed Senior Investigative Counsel in the Rackets Bureau in 2003, and Deputy Bureau Chief in 2007. During his tenure, Mr. Cort has secured the convictions of numerous defendants, including many lawyers and public servants charged with criminal wrongdoing.

The formation of the Public Integrity Unit is a part of a larger restructuring of the Office's Rackets Bureau. The Rackets Bureau is and has been responsible for some of the Office's most important cases in the areas of organized crime, all manner of public corruption, and other specialized cases. The Bureau, which was created on January 1, 1938, by District Attorney Thomas E. Dewey, will include three units: Public Integrity, Organized Crime, and Labor Investigations and Construction Fraud.

District Attorney Vance also announced the appointment Assistant District Attorney Michael A. Scotto as the Chief of the Rackets Bureau and a Deputy Chief of the Investigation Division. Assistant District Attorney Eric Seidel was appointed the Chief of the Organized Crime Unit and Assistant District Attorney Brenda Fischer was appointed the Chief of the Labor Investigations and Construction Fraud Unit, both within the Rackets Bureau.

Mr. Scotto joined the Office in 1989. In 1994, he joined the former Labor Racketeering Unit, where he was appointed Chief in 2001. Mr. Scotto has prosecuted and supervised numerous complex cases involving corruption and organized criminal activity in labor unions and the New York City construction industry.

Mr. Seidel has been a state and federal prosecutor for more than 32 years. He joined the Office in 1999, and was named Chief of the Rackets Bureau in 2008 after having previously served as Deputy Chief. Throughout his long career, Mr. Seidel has investigated and tried numerous organized crime, homicide, narcotics, fraud, terrorism and public corruption cases on the state and federal level.

Ms. Fischer joined the Office in 1996 and successfully prosecuted a variety of street crimes, including assaults, burglaries and pattern robberies. She was appointed Deputy Unit Chief of the Labor Racketeering Unit in 2009. Ms. Fischer has investigated and prosecuted widespread money laundering and tax evasion by contractors and subcontractors in the construction industry, as well as corrupt enterprises and labor unions.

The unified Rackets Bureau will be located at One Hogan Place.



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Public Integrity Unit

The Public Integrity Unit, which is a part of the District Attorney's Rackets Bureau, was formed in 2010 by D.A. Vance to coordinate and oversee the investigation and prosecution of crimes committed by public employees, elected officials, appointed officials, candidates for public office, and others who hold the public trust. The Public Integrity Unit, which investigates and prosecutes all types of public corruption in New York County other than corruption involving police officers, is supervised and staffed by a team of experienced prosecutors. The Unit's cases involve crimes such as bribery and bribe receiving, larceny, false filings with government agencies, Election Law crimes, campaign finance crimes, and criminal violations of various ethics laws, such as the New York State Public Officers Law. The Public Integrity Unit works with a variety of New York State, New York City, and federal law enforcement agencies, in addition to investigators from the D.A.'s Office. Although the Unit receives many of its referrals from investigative agencies, such as the New York City Department of Investigation, it also relies on the public and on those within government to help combat corruption by providing information about potential abuses committed by public employees.

Any member of the public with information about a crime committed by a public servant should call the District Attorney's Public Integrity Hotline at (212) 335-8987.



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History



The New York County District Attorney's Office is one of the nation's preeminent prosecutor's offices. Since the 1930s, there have been just four elected District Attorneys, and each has had a significant impact on modern criminal prosecution.

The modern era of professional, non-partisan prosecution in New York County began in 1935 when Thomas E. Dewey was named Deputy Assistant District Attorney in New York County; with his own staff, offices and budget, Mr. Dewey operated as an independent prosecutor for rackets cases. Dewey took the lead in investigating extortion rings, prostitution, gambling and corruption in organized labor and government. Under Mr. Dewey, who was elected District Attorney in his own right in 1937, the Office convicted a host of organized crime members and associates, including the notorious "Lucky" Luciano and Tammany Hall boss Jimmy Hines.

Frank S. Hogan, one of Mr. Dewey's top assistants, succeeded Mr. Dewey in 1941; he was re-elected nine times and served as District Attorney for 32 years, until he resigned from office in 1974, a short time before his death. Under Mr. Hogan, the New York County District Attorney's Office continued to conduct major investigations into corruption and racketeering, including, for example, highly-publicized probes in the 1950s and early 1960s into the fixing of college basketball games and the television quiz show scandals. In high profile cases as well as more routine, though no less serious, cases of homicides, robberies and other street crimes, the Office developed a national reputation for competence, non-partisanship and fairness; the Office was widely, and accurately, known to be as concerned with exonerating the innocent as with convicting the guilty. In one of its most celebrated cases, the Office, after an extensive investigation, exonerated George Whitmore, Jr., who had confessed to the brutal 1963 killing of two young women in their Manhattan apartment; the real killer was later identified, prosecuted and convicted. After Mr. Hogan's resignation, Richard Kuh served as DA until the elected successor took office.

From 1975 to 2009, Robert M. Morgenthau was the New York County District Attorney. Faced with rising levels of violent street crime and property offenses when he took office in 1975, District Attorney Morgenthau restructured the Office, implementing early screening of felony cases by experienced assistant district attorneys and "vertical" prosecution, which guaranteed that felonies and other serious cases would be handled by the same assistant from start to finish. Over the years, he has created many specialized units, including the nation's first Sex Crimes Unit. Combined with improved prosecution strategies, these organizational changes boosted New York County's conviction rate and led to a dramatic decline in violent crime. The felony conviction rate, at 73 percent in 1974, rose to more than 80 percent by 1980 and has remained close to 90 percent since then. With more violent felons and repeat offenders being sentenced to state prison, crime in New York County has dropped markedly. For example, in 2008 there were 62 homicides, 89 percent fewer than in 1974, the year Mr. Morgenthau was elected. During Mr. Morgenthau's tenure, there was an equally dramatic drop in other crimes throughout Manhattan: robbery decreased 84 percent, burglary 92 percent, and forcible rape 81 percent.



For decades, the Office has tirelessly pursued organized crime, white-collar crime and public corruption cases. The [Investigation Division](#) was created to coordinate the Office's consumer fraud, white-collar crime and organized crime efforts, creating, as needed, specialized units such as the [Labor Racketeering Unit](#) and the [Official Corruption Unit](#) to focus on areas of particular concern. The Investigation Division has exposed and prosecuted systemic corruption and fraud in the construction trades, the garment industry, foreign and domestic banking, the securities business, municipal unions and city government. In a prosecution of major figures in the private trade-waste business in the mid-to-late 1990s, the Office used the state's Organized Crime Control Act to help rid an important sector of the city's economy of mob domination and anti-competitive practices, leading to administrative reform in the licensing and regulation of waste carters.

Cyrus R. Vance, Jr., became the District Attorney on January 1, 2010. A former prosecutor in the Office, **his plan** for the New York County District Attorney's Office includes **robust crime prevention, aggressive prosecution of white collar crime and a commitment to bringing the DA's Office closer to the neighborhoods it serves.**

District Attorneys of New York County:

Cyrus R. Vance, Jr.	January 2010-present
Robert M. Morgenthau	January 1975-December 2009
Richard H. Kuh	February 1974-January 1975
Frank S. Hogan	January 1942-February 1974
Thomas E. Dewey	January 1938-January 1942
William C. Dodge	January 1934-January 1938
Thomas C.T. Crain	January 1930-January 1934
Joab H. Banton	January 1922-January 1930
Edward Swann	January 1916-January 1922
Charles Albert Perkins	January 1915-January 1916
Charles Seymour Whitman	January 1910-January 1915
William Travers Jerome	January 1902-January 1910
Eugene A. Philbin	January 1900-January 1902
Asa Bird Gardiner	January 1900-December 1900
William Marvin K. Olcott	January 1897-January 1900

Vernon M. Davis	December 1896-January 1897
John R. Fellows	January 1894-December 1896
De Lancey Nicoll	January 1891-January 1894
John R. Fellows	January 1888- January 1891
Randolph B. Martine	January 1885- January 1888
Peter B. Olney	December 1883-January 1885
Wheeler H. Peckham	November 1883-December 1883
John McKeon	January 1882-November 1883
Daniel G. Rollins	January 1881-January 1882
Benjamin K. Phelps	January 1873-January 1881
Samuel B. Garvin	January 1869-January 1873
Abraham Oakey Hall	January 1862- January 1869
Nelson J. Waterbury	November 1858-January 1862
Joseph Blunt	May 1858-November 1858
Peter B. Sweeney	January 1858-May 1858
Abraham Oakey Hall	January 1855-January 1858
Lorenzo B. Shepard	July 1854-January 1855
Nathaniel Bowditch Blunt	January 1851-July 1854
James R. Whiting	June 1838-June 1844
Ogden Hoffman	May 1829-May 1835
Hugh Maxwell	February 1821-May 1829
Pierre C. VanWyck	June 1818-January 1821
Hugh Maxwell	January 1817-June 1818



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FOR IMMEDIATE RELEASE
December 29, 2009

**MANHATTAN DISTRICT ATTORNEY-ELECT CY VANCE
ANNOUNCES EXECUTIVE STAFF**

Manhattan District Attorney-elect Cyrus R. Vance, Jr., today announced members of his executive staff, who will lead the Office in prosecuting and preventing crime. Members of the executive staff will also oversee the development and implementation of new policies and programs for the Manhattan DA's Office. Additions to the executive staff are expected in early 2010.

"I am honored to have so many talented leaders in the legal community accept positions in the Office," said Vance, who will take office on January 1, 2010. "Together we will build upon the outstanding legacy of Robert Morgenthau, by continuing to aggressively prosecute and prevent crimes while ensuring the criminal justice system is fair for all. I could not ask for a stronger team to work with as we begin this new era."

Mr. Vance's public swearing-in ceremony will be held in the Great Hall of City College on Monday, January 4, 2010, at 5:30 p.m.

The Executive Staff:

Daniel R. Alonso will serve as Chief Assistant District Attorney. Mr. Alonso is currently a litigation partner at the law firm of Kaye Scholer LLP and has been a member of the New York State Commission on Public Integrity since 2007. He recently completed a three-year term as Chair of the Council on Criminal Justice of the New York City Bar Association. Mr. Alonso previously served for nine years as an Assistant U.S. Attorney for the Eastern District of New York, including as Deputy Chief of Special Prosecutions and later as Chief of the Criminal Division. He began his career in the District Attorney's Office, serving for five years in the Frauds Bureau, the Special Prosecutions Bureau, and the Trial Division. He has also served as Senior Law Clerk to Judge Joseph W. Bellacosa of the New York Court of Appeals. Mr. Alonso currently serves as a member of the Advisory Group to the State-Federal Judicial Council, the New York State Bar Association Committee to Review Judicial Nominations, and the Board of Editors of Business Crimes Bulletin. He is a 1987 graduate of Cornell University and a 1990 graduate of New York University School of Law.

Caitlin J. Halligan will serve as General Counsel. Ms. Halligan heads the appellate practice at the law firm of Weil, Gotshal, and Manges LLP. She also teaches a constitutional law seminar as a member of the Columbia Law School adjunct faculty, and serves on the Governor's Judicial Screening Committees for the First Department and statewide courts. For more than five years, Ms. Halligan served as Solicitor General of New York State, and has argued cases before the U.S. Supreme Court, the New York Court of Appeals, and other federal and state appellate courts. Prior to her tenure as Solicitor General, she served as First Deputy Solicitor General and as the first Chief of the New York Attorney General's Internet Bureau, where she developed and coordinated statewide law enforcement and policy initiatives regarding online fraud and privacy. She began her career in private practice in Washington D.C., and served as a law clerk to Judge Patricia M. Wald of the U.S. Court of Appeals for the District of Columbia Circuit and to U.S. Supreme Court Justice Stephen Breyer. Ms. Halligan is a graduate of Princeton University and Georgetown University Law Center.

Karen Friedman Agnifilo will serve as Executive Assistant District Attorney and Chief of the Trial Division. Ms. Friedman Agnifilo is currently General Counsel to Mayor Bloomberg's Criminal Justice Coordinator, John Feinblatt, in whose office she has worked since 2006. In that capacity, she has managed multi-agency criminal justice policy initiatives and projects and helped shape New York City's criminal justice legislative and policy agendas. Her areas of focus have included human trafficking, where she has served as the chair of the New York City Anti Human Trafficking Task Force, implementing numerous human trafficking initiatives; internet safety; sexual assault; DNA; domestic violence; mental health; Criminal Court; court facility renovations; technology projects; juvenile justice; identity theft; and fraud. A veteran of the District Attorney's Office, Ms. Friedman Agnifilo previously served for 14 years as an Assistant District Attorney under DA Robert Morgenthau, including four years as Deputy Chief of the Sex Crimes Unit. In the Trial Division, she handled a wide range of cases including homicides, sexual assaults, gangs, narcotics, child abuse, and general violent crime. In addition to Sex Crimes, she served in the Homicide Investigation Unit, the Family Violence and Child Abuse Bureau, and the Asian Gang Unit. Ms. Friedman Agnifilo is a 1988 graduate of the University of California, Los Angeles and a 1992 graduate of Georgetown University Law Center.

Leroy Frazer, Jr., will serve as Executive Assistant District Attorney for External Affairs. Mr. Frazer joined the Office in 1980 and was initially assigned to the Trial Division. In 1989, he was appointed Deputy Chief of the Special Prosecutions Bureau, and ultimately became Chief of that bureau in 1995. In January 2007 he was named Executive Assistant District Attorney for Governmental Affairs and Community Relations. In May 2009, Mr. Frazer was appointed to the position of First Assistant District Attorney, where he also serves as Coordinator of the New York State Law Enforcement Council and Attorney-in-Charge of the District Attorney's Northern Manhattan Office. Mr. Frazer is a 1977 graduate of Talladega College and a 1980 graduate of Temple University School of Law.

Hilary Hassler will serve as Executive Assistant District Attorney and Chief of the Appeals Bureau. Ms. Hassler currently serves as Chief of the Appeals Bureau in the District Attorney's Office. Ms. Hassler began her legal career as an ADA in 1979, assigned to the Appeals Bureau. She handled all manner of state court appeals, including felony convictions and civil proceedings in both state and federal court. In 1981, Ms. Hassler was assigned to the Trial Division, where she was responsible for felony street-crime prosecution, including homicides. Ms. Hassler resigned from the Office in 1986 and was appointed Principal Law Clerk to Acting Supreme Court Justice Allen Alpert, in New York County. One year later, she was reappointed an ADA and returned to the Appeals Bureau, where she served in various capacities, including Supervising Appellate Attorney, Deputy Chief, and, ultimately in 2009, Chief of the Appeals Bureau. Ms. Hassler graduated from the State University of New York at Albany and Brooklyn Law School, where she was a published member and senior editor of the Brooklyn Law Review.

Adam Kaufmann will serve as Executive Assistant District Attorney and Chief of the Investigation Division. Mr. Kaufmann currently serves as the Chief of Investigations Division Central (IDC), a bureau within the Investigation Division. Mr. Kaufmann joined the District Attorney's Office in 1994 and was assigned to the Trial Division. In that capacity, he was part of the trial team that secured a conviction of Dr. Robert Bierenbaum for the 1985 murder of his wife, one of the first two "bodyless" homicide convictions obtained in the State of New York. In 2000, Mr. Kaufmann joined the Special Investigations Bureau in the Office of the Special Narcotics Prosecutor, where he supervised long-term investigations into major narcotics importation organizations. In 2003, Mr. Kaufmann was assigned to handle complex financial crime investigations as part of Investigation Division Central, where he was ultimately appointed Deputy Chief in 2005 and Chief in 2007. He supervised, among others, the investigations into the illegal movement of billions of dollars of Iranian money by Credit Suisse and Lloyds TSB (UK); the sale of WMD material to the Iranian military by a Chinese proliferator banned by the U.S. government, the indictment and pleas of guilty of 25 defendants who ran a \$100 million sub-prime mortgage fraud ring, and the convictions of a number of operators of pyramid schemes involving private placement of securities. Mr. Kaufmann is a 1987 graduate of Cornell University and a 1994 graduate of American University, Washington College of Law.

Chauncey Parker will serve as Executive Assistant District Attorney for Crime Prevention Strategies. Mr. Parker is currently the Director of the New York/New Jersey High Intensity Drug Trafficking Area (HIDTA), a federally-funded program that invests in federal, state and local law enforcement partnerships designed to disrupt the market for illegal drugs. A veteran of more than 23 years in criminal justice, Mr. Parker began his career in the District Attorney's Office, serving for five years in the Trial Division and in the Office of the New York City Special Narcotics Prosecutor. Mr. Parker next served for 10 years as an Assistant U.S. Attorney for the Southern District of New York under Mary Jo White, serving in the Organized Crime Unit. Mr. Parker left the Southern District to serve for five years as the Director of Criminal Justice for New York State and Commissioner of the New York State Division of Criminal Justice Services under Gov. George E. Pataki, where he oversaw all state criminal justice agencies, including the New York State Police, New York State Department of Correctional Services and New York State Parole. Mr. Parker is a member of the Board of the Police Athletic League, Harlem Day Charter School and Joyful Heart Foundation. He is a graduate of Rollins College and Duke University School of Law.

Frederick J. Watts will serve as Executive Assistant District Attorney for Finance and Administration. Mr. Watts is currently serving in that capacity under Robert M. Morgenthau. He was appointed an Assistant District Attorney in 1983, and began his career in the Trial Division, handling all forms of violent crime. In 1990, he was promoted to Deputy Bureau Chief in the Trial Division, and in 1991 Mr. Watts was elevated to the executive position of Deputy Administrative Assistant District Attorney and Director of Legal Hiring. From 1996 to 2007, he served as the Administrative Assistant District Attorney, responsible for managing all administrative functions. In 2007, Mr. Watts was promoted to Executive Assistant District Attorney for Finance and Administration where, in addition to the above administrative responsibilities, he is responsible for securing all City, State, and Federal funding for the office. Mr. Watts is a 1979 graduate of Brown University with a degree in Economics, and a 1982 graduate of the Columbia University School of Law.

Erin M. Duggan will serve as Director of Communications. She previously served on Mr. Vance's campaign staff as Director of Communications and Press Secretary. Before joining Mr. Vance, Ms. Duggan served as Deputy Press Secretary for Gov. David Paterson, and previously was a spokesperson for Gov. Eliot Spitzer. Ms. Duggan spent 10 years as a newspaper reporter, during which time she wrote for The New York Times, the Albany Times Union, and the Syracuse Post Standard. Ms. Duggan is a graduate of Colby College and Syracuse University, where she also taught journalism.

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CYRUS R. VANCE, JR.
DISTRICT ATTORNEY

DISTRICT ATTORNEY - NEW YORK COUNTY

FOR IMMEDIATE RELEASE
May 19, 2010

CONTACT: Erin Duggan
212-335-9400

DISTRICT ATTORNEY VANCE ANNOUNCES CHARGES IN TAX EVASION CASES OF 3 UBS CLIENTS

Defendants Hid Assets in Secret Swiss Bank Accounts, Will Repay New York State More than \$1 Million

Manhattan District Attorney Cyrus R. Vance, Jr., today announced the filing of criminal charges against JULES ROBBINS, ERNEST VOGLIANO, and FEDERICO HERNANDEZ for falsifying personal income tax returns by hiding assets in secret Swiss bank accounts [1].

"This Office has long fought against the use of offshore accounts by tax cheats and other criminals," said District Attorney Vance. "At a time when the City and State face severe fiscal shortfalls, and our schools, hospitals and parks face cutbacks and closures, we cannot afford to let wealthy citizens commit crimes by cheating on their taxes."

In February 2009, UBS entered into a \$780 million deferred prosecution agreement with the United States Government, pursuant to which UBS admitted to helping United States taxpayers, including ROBBINS, VOGLIANO, and HERNANDEZ, hide accounts from the Internal Revenue Service.

According to documents filed in state and federal court, ROBBINS, VOGLIANO, and HERNANDEZ all opened and controlled such accounts. The defendants each acted as the sole beneficial owner of, and exercised exclusive control over, their respective accounts.

JULES ROBBINS

According to documents filed in state and federal court, ROBBINS, 83, owned and operated companies located in New York County that distributed watches. In 1967, he began hiding money at UBS. In 2000, ROBBINS set up a sham Hong Kong corporation with the assistance of a Swiss attorney, and he opened an account in the corporation's name at UBS.

On May 3, 2010, ROBBINS pleaded guilty pursuant to a Superior Court Information, which charged him with two counts of violating Tax Law Section 1804(b) (False Returns; Personal Income and Earnings Taxes) (as in effect before April 7, 2009), a class E felony.

Assistant District Attorney Garrett A. Lynch, Major Economic Crimes Bureau, handled the case with the assistance of Investigative Paralegal Samantha Gillespie.

ERNEST VOGLIANO

According to documents filed in state and federal court, in 1998 VOGLIANO, 80, began hiding money at UBS. In 2002, VOGLIANO set up a sham Hong Kong corporation with the assistance of a Swiss attorney, and he opened an account in the corporation's name at UBS.

On May 18, 2010, VOGLIANO was arraigned in Manhattan Criminal Court pursuant to a Felony Complaint, which charged him with four counts of violating Tax Law Section 1804(b) (False Returns; Personal Income and Earnings Taxes) (as in effect before April 7, 2009) and four counts of violating Penal Law Section 175.35 (Offering a False Instrument For Filing in the First Degree), all class E felonies.

\$63,210 in taxes, interest and penalties.

Assistant District Attorney Edward Starishevsky, of the Major Economic Crimes Bureau, is handling the case with the assistance of Investigative Paralegal Aaron Davidowitz.

FEDERICO HERNANDEZ

According to documents filed in state and federal court, HERNANDEZ, 44, owned and operated a financial services company in New York County. In 2001 he began hiding money at UBS. In 2006, HERNANDEZ set up a sham Panama corporation and opened an account in the corporation's name at UBS. As of December 31, 2006, the account held approximately \$8.5 million in assets.

On May 18, 2010, HERNANDEZ was arraigned in Manhattan Criminal Court pursuant to a Felony Complaint, which charged him with one count of violating Tax Law Section 1804(b) (False Returns; Personal Income and Earnings Taxes) (as in effect before April 7, 2009), a class E felony. HERNANDEZ owes \$72,135 in taxes, interest, penalties, and \$25,000 in fines.

Assistant District Attorney Jonathan F. Lenzner and Special Assistant District Attorney Douglas S. Liebhafsky, of the Major Economic Crimes Bureau, are handling the case with the assistance of Investigative Paralegal Aaron Davidowitz and Chief Analyst Peggy Abensur.

* * * *

All three cases were handled under the supervision of Assistant District Attorney Richard Weber, Chief of the Major Economic Crimes Bureau and Assistant District Attorney Gary T. Fishman, Principal Deputy Chief of the Major Economic Crimes Bureau. Assistant District Attorney Richard T. Preiss, Senior Investigative Counsel in the Major Economic Crimes Bureau, participated in the investigations. Investigator Santiago Batista also assisted in the investigations under the supervision of Deputy Chief Investigator Thomas Jackson of the Investigation Bureau.

District Attorney Vance thanked the New York State Department of Taxation and Finance, specifically Acting Commissioner Jamie Woodward, Assistant Deputy Director of Special Investigation Unit Bruce Kato, Program Manager Tommy Chan, and Auditors Hui Qing Cheu and Festus Anaemeje for their assistance. District Attorney Vance also thanked the United States Attorney's Office for the Southern District of New York for their assistance. District Attorney Vance also thanked the Internal Revenue Service.

Defendant information:

JULES ROBBINS, 8/29/1926

330 East 75th Street
New York, NY

Convicted:

- False Returns; Personal Income and Earnings Taxes (as in effect before April 7, 2009), 2 counts, class E felony
- Sentenced:
- Conditional discharge, pursuant to which he paid \$859,699 to New York State in taxes, interest and penalties.

ERNEST VOGLIANO, 5/12/30
351 East 62nd Street
New York, NY

Charges:

- Offering a False Instrument For Filing in the First Degree, 4 counts, class E felony
- False Returns; Personal Income and Earnings Taxes, 4 counts, class E felony

FEDERICO HERNANDEZ, 11/25/65
524 East 72nd Street
New York, NY

Charges:

- False Returns; Personal Income and Earnings Taxes, 1 count, class E felony

A class E felony is punishable by up to 1 1/3 to 4 years in prison.

[1] The charges contained in the indictments are merely allegations, and the defendants are presumed innocent unless and until proven guilty.

###

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CYRUS R. VANCE, JR.
DISTRICT ATTORNEY

DISTRICT ATTORNEY - NEW YORK COUNTY

FOR IMMEDIATE RELEASE
May 4, 2010

CONTACT: Erin Duggan
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DISTRICT ATTORNEY VANCE, SENATOR SCHNEIDERMAN, ASSEMBLY MEMBER KELLNER ANNOUNCE MAJOR REFORMS TO COMBAT PUBLIC CORRUPTION

Bill Increases Ability of District Attorneys to Prosecute Public Corruption Cases

Legislation Closes Loopholes, Strengthens Penal Law Crimes

ALBANY – Manhattan District Attorney Cyrus R. Vance, Jr., today announced with State Senator Eric Schneiderman and Assembly Member Micah Kellner the introduction of the Public Corruption Prevention and Enforcement Act, legislation to both prosecute and prevent public corruption in New York State. The wide-ranging legislation closes loopholes in current state laws that prevent the prosecution of corrupt schemes, adds tougher rules for member items, implements stronger campaign finance and financial disclosure measures, and fixes a perceived loophole in the Election Law.

In recent years, New Yorkers have experienced unacceptable incidents of dishonesty at all levels of government, from lower-level public employees to the highest ranks of our state government," said District Attorney Vance. "This legislation provides the tools to enable local prosecutors to regain their traditional role and responsibility in rooting out and prosecuting public corruption. New Yorkers deserve greater integrity in public service."

Senator Eric T. Schneiderman said: "Self-dealing politicians have betrayed the public trust. Given the regularity of scandals, investigations and convictions of elected officials in this state, it is no wonder that the public believes there is one set of rules for the powerful and another for everyone else. We must demand nothing less than the highest level of integrity from our elected leaders. This legislation is exactly the fix we need to combat the corrosiveness of corruption and cynicism so that government can function as a tool to improve people's lives and strengthen our communities."

Assembly Member Micah Kellner said: "This legislation will put a stop to the seemingly never-ending tide of graft and corruption scandals that flood out of Albany—scandals that reinforce New Yorkers' perception that all lawmakers are crooks and clowns. As long as lawmakers abandon their responsibility to enrich the lives of their constituents in favor of their own wallets, we deserve this reputation. This isn't the Boss Tweed era, it's 2010, and our laws should soundly punish those who abuse the public trust."

The bill would take action in several areas. The bill:

- Enacts Duty of Faithful Public Service: Public servants hold a public trust and have a duty to act in a way that is faithful to the best interests of the state or municipality, and to their constituents. This bill creates a defined duty for public servants to do their jobs free of corrupt arrangements, in both the Penal Law and the Public Officers Law. The duty applies to public servants at all levels of government within the state, elected officials, employees and appointees.
- Punishes Corrupt Schemes to Defraud the Government: The bill expands the existing crime of defrauding the government by creating the crimes of Scheme to Defraud the Government in the First and Second Degrees. Currently, the law is limited to schemes to defraud government agencies of property, services or resources. This bill would include corrupt schemes involving public servants and others who seek to corrupt the operation of government in any way. Violation is punishable as either a class D or E felony, depending on the nature of the offense.
- Reforms Criminal Bribery Statutes: The bill amends bribery statutes involving public servants in the Penal Law to ensure that bribery offers are punished as seriously as completed bribes. The bill amends bribery in the First, Second and Third Degrees to make public bribery statutes consistent with commercial bribery, sports bribery, and labor bribery statutes in the Penal Law.
- Reforms the Member Item Process: The bill creates new standards and prohibitions for community projects grants, which are commonly known as "member items." Under the standards for the community project funds, grantees are barred from receiving grants if the grantee: was barred by a government agency in any jurisdiction within the last five years; failed to file a tax return or to pay taxes in the last five years; or used a third-party or agent to secure the grant. If the standards are violated, the attorney general may recover the grant through a lawsuit. In addition, the

bill creates prohibitions for the sponsors of grants – members of the Legislature or the Governor – from requesting grants if the sponsor or a relative of the sponsor is a director, officer or trustee of the grantee. Sponsors and their relatives are also barred from having a financial interest in or receiving a benefit from a grant. The attorney general and any district attorney have concurrent authority to investigate and prosecute criminal violations of the law.

- **Enhances Financial Disclosure for State Officials:** The bill increases disclosure in both the Public Officers and the Election Law to prevent even the possibility of corrupt activities. The categories of value or amounts on the annual statements of financial disclosure filed in all three branches of state government would be disclosed to the public upon release, whereas current provisions in law and rules allow this information to be redacted. This change will allow the public to monitor the sources and values of outside income earned by our elected officials. A question is also added to the annual statement of financial disclosure requiring the reporting individual to disclose relationships with non-profit organizations.
- **Strengthens Campaign Finance Rules:** The legislation requires candidates for public office and their spouse or domestic partner to report gifts or loans for the 12 months preceding a candidate designation, to prevent loans intended for campaign use to be disguised as personal gifts. This fixes a perceived loophole that recently led to the acquittal after trial of a public official in Manhattan.

District Attorney Vance thanked Chief Assistant District Attorney Daniel R. Alonso and Assistant District Attorney Daniel Cort for their involvement in public corruption prosecution and prevention, and their work with the state Senate on this important issue. He thanked both Senator Schneiderman and Assembly Member Kellner, and the staff members of both legislative houses for their work on this legislation, and his fellow District Attorneys for their input in the process.

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CYRUS R. VANCE, JR.
DISTRICT ATTORNEY

DISTRICT ATTORNEY - NEW YORK COUNTY

FOR IMMEDIATE RELEASE
April 28, 2010

CONTACT: Erin Duggan
212-335-9400

DISTRICT ATTORNEY VANCE ANNOUNCES INDICTMENTS OF TWO
CITY EMPLOYEES

Manhattan District Attorney Cyrus R. Vance, Jr., today announced two indictments of public employees — a Department of Education school custodian and a Department of Finance clerk — who are charged with abusing their positions to defraud the City and enrich themselves. A third man has also been charged in the scheme to defraud the Department of Education.

"Public employees must be held to the highest standards of honesty and integrity," said District Attorney Vance. "These defendants brazenly defrauded the City, taking desperately needed public funds. It is a top priority of the Office to investigate and prosecute those who violate the public's trust. We will continue to work closely with the Department of Investigation and other agencies to root out corruption and theft in government."

In the first case, PHILIP J. PORTELLI, 33, and PAUL M. AZZOPARDI, 28, were indicted for conspiracy and other crimes related to their theft of more than \$105,000 from the New York City Department of Education in a "no-show job" scheme [1].

PORTELLI was employed as the Custodian Engineer at the Edward A. Reynolds West Side High School on 102nd Street in Manhattan, according to information contained in court documents. He and AZZOPARDI, who have been friends for many years, hatched a scheme in late 2006, to add AZZOPARDI to PORTELLI'S custodial payroll, even though AZZOPARDI did not actually work at the school. For the next two years, PORTELLI fabricated time cards, submitted false documents to the Department of Education and fraudulently issued paychecks to AZZOPARDI. Both AZZOPARDI and PORTELLI cashed or deposited the paychecks that PORTELLI issued in AZZOPARDI'S name and split the proceeds. PORTELLI tried to enlist at least one other employee in the scheme by issuing the employee a paycheck for time the employee did not work and instructing him to lie to investigators and state that AZZOPARDI worked at the school. In all, their larcenous scheme cost the Department of Education more than \$105,000.

In the second case, KAREN FRAZIER, 42, was employed as a data entry clerk by the Department of Finance ("DOF"), Commercial Adjudications Unit in Manhattan. Parking summonses issued to commercial vehicles are adjudicated in the unit. FRAZIER was indicted for scheme to defraud, bribe receiving, tampering with records, and other related charges for a ticket-fixing scheme that scammed DOF. According to court documents, in October 2008, FRAZIER began taking half the value of a summons in cash from motorists in exchange for her promise to "take care of" the tickets.

FRAZIER took many of the tickets to her workplace, filled out settlement sheets for multiple summonses, and presented them to settlement clerks to have the fines owed on the tickets reduced. Settlement sheets are ordinarily prepared by DOF settlement clerks who offer the motorist a reduced fine if they opt to forgo a hearing before an Administrative Law Judge ("ALJ"). On the settlement sheets, FRAZIER put the names and addresses of the motorists and falsely represented that she was the motorist and was the owner or operator of the vehicles. FRAZIER then signed the motorists' signatures on the settlement sheets, as if they were present at DOF and agreeing to the reduced fine, and submitted the forms to the settlement clerks for their signatures. FRAZIER pocketed the cash bribes she received and then paid DOF for the summonses with checks from her personal Municipal Credit Union account. As there was often not any money in FRAZIER'S bank account at all and never enough to cover these checks, they consistently bounced. FRAZIER frequently sent multiple checks to pay for a single summons, bouncing each check and incurring further penalties on the summonses. From October 2008 through August 2009, FRAZIER wrote more than 100 worthless checks to DOF to pay approximately 20 different motorists' summonses, totaling approximately \$24,000.

In May and July 2009, FRAZIER entered DOF's database to falsely input that hearings were conducted and the motorists were found not guilty. These six summonses were dismissed outright as a result of FRAZIER'S misuse of the computer codes for Administrative Law Judges and her tampering with the computer records.

District Attorney Vance thanked New York City Department of Investigation Commissioner Rose Gill Hearn for her department's work on both these investigations. District Attorney Vance also thanked the Special Commissioner of Investigation for the New York City School District Richard J. Condon, Deputy Commissioner Gerald P. Conroy, and Senior Investigator Robert A. Caiati for their work on the PORTELLI and AZZOPARDI investigation. District Attorney Vance also thanked Inspector General for the Department of Finance Faisal Khan and Special Investigator Kristin Walunas for their work on the FRAZIER investigation.

Assistant District Attorney Peirce R. Moser presented the PORTELLI / AZZOPARDI case to the grand jury, and Assistant District Attorney Amy Justiniano presented the FRAZIER case, both under the supervision of Assistant District Attorney Thomas Wornom, chief of the Special Prosecutions Bureau, and deputy chief Judy Salwen. Assistant District Attorney Lauren Littman participated in the investigation of the PORTELLI / AZZOPARDI case.

Defendant Information:

PHILIP J. PORTELLI, 10/18/1976
355 East 88th Street, New York, NY

Charges:

- Grand Larceny in the Second Degree, 1 count, class C felony, punishable by a sentence of up to 5 to 15 years in prison.
- Conspiracy in the Fourth Degree to commit Grand Larceny in the Second Degree, 1 count, class E felony, punishable by a sentence of up to 1 1/3 to 4 years in prison.
- Offering a False Instrument for Filing in the First Degree, 24 counts, class E felony, punishable by a sentence of up to 1 1/3 to 4 years in prison.

PAUL M. AZZOPARDI, 8/14/1981
443 East 88th Street, New York, NY

Charges:

- Grand Larceny in the Second Degree, 1 count, class C felony, punishable by a sentence of up to 5 to 15 years in prison.
- Conspiracy in the Fourth Degree to commit Grand Larceny in the Second Degree, 1 count, class E felony, punishable by a sentence of up to 1 1/3 to 4 years in prison.

KAREN FRAZIER, 5/22/67
1588 Sterling Place
Brooklyn, NY

Charges:

- Scheme to Defraud in the First Degree, 1 count, Class E Felony punishable by a sentence of up to 1 1/3 to 4 years in prison.
- Bribe Receiving in the Third Degree, 2 counts, Class D Felony punishable by a sentence of up to 2 1/3 to 7 years in prison.
- Receiving Reward for Official Misconduct in the Second Degree, 2 counts, Class E Felony punishable by a sentence of up to 1 1/3 to 4 years in prison.
- Tampering with Public Records in the First Degree, 6 counts, Class D Felony punishable by a sentence of up to 2 1/3 to 7 years in prison.
- Forgery in the Second Degree, 11 counts, Class D Felony punishable by a sentence of up to 2 1/3 to 7 years in prison.
- Criminal Possession of a Forged Instrument in the Second Degree, 5 counts, Class D Felony punishable by a sentence of up to 2 1/3 to 7 years in prison.
- Offering a False Instrument for Filing in the First Degree, 5 counts, Class E Felony punishable by a sentence of up to 1 1/3 to 4 years in prison.
- Issuing a Bad Check, 7 counts, Class B Misdemeanor punishable by a sentence of up to 90 days in jail.

[1] The charges contained in the indictments are merely allegations, and the defendants are presumed innocent unless and until proven guilty.

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FOR IMMEDIATE RELEASE
February 18, 2010

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DISTRICT ATTORNEY VANCE ANNOUNCES MAJOR ECONOMIC CRIMES BUREAU

New Bureau Will Expand Resources for Prosecution of Economic Crimes

DA Vance Announces Appointment of DOJ's Richard Weber as Chief of New Bureau

District Attorney Cyrus R. Vance, Jr., today announced the formation of the **Major Economic Crimes Bureau**, a consolidation and expansion of the resources of the Manhattan District Attorney's Office for the purpose of combating complex economic crime. The Major Economic Crimes Bureau will be formed by combining the Frauds Bureau, formed in 1938 by District Attorney Thomas E. Dewey, with a cadre of experienced lawyers from the bureau known as Investigation Division Central. District Attorney Vance has appointed **Richard Weber**, currently the Chief of the Asset Forfeiture and Money Laundering Section (AFMLS) of the United States Department of Justice, as Chief of the new bureau.

"The New York County DA's Office has a long and distinguished record of prosecuting some of the most important and complex economic crimes, and upholding the integrity and security of New York's major financial markets," said District Attorney Vance. "Those who commit financial crimes rob honest New Yorkers of their income and assets. Over the past two years, in New York and around the country, I have spoken of the need to focus even more attention on serious economic crimes. With this reorganization, I am pleased to be able to focus the resources of the Office under the Major Economic Crimes Bureau, so that we may continue and expand our battle against those who commit major economic frauds. I am particularly happy that a prosecutor of Richard Weber's stature and caliber has agreed to join us in this crucial effort."

The Frauds Bureau has for decades been a leader in white-collar crime enforcement, including major securities and bank fraud prosecutions, insurance scams and public corruption cases. Additionally, IDC has been responsible in recent years for some of the office's notable successes, including the investigation and prosecution of Tyco executives Dennis Kozlowski and Mark Swartz, and deferred prosecution agreements announced last year with Credit Suisse and Lloyds TSB Bank involving the stripping of identifiable information in international wire transfers sent by Iranian banks. Those agreements led to monetary penalties against the banks totaling \$536 million and \$350 million respectively -- the largest penalty payments ever entered against financial institutions for sanctions violations.

Mr. Weber, who will also hold the position of Deputy Chief of the District Attorney's Investigation Division, is a veteran white collar-crime prosecutor with national and international involvement in some of the nation's most complex financial crime prosecutions. At the Justice Department, Mr. Weber oversaw prosecutions against major domestic and international financial institutions and corporations, including the federal portion of the Credit Suisse and Lloyds investigations, Union Bank of California, American Express Bank International, BankAtlantic, E Gold Ltd. (an internet-based digital currency business), and Sigue Corporation (a global money service business). Under Mr. Weber's leadership, AFMLS was responsible for more than \$1 billion in asset forfeiture.

The Major Economic Crimes Bureau will be responsible for all manner of complex financial investigations, including:

- securities, commodities, and investment fraud
- mortgage fraud and financial institution fraud
- commercial bribery and kickbacks
- bank fraud
- structured investment schemes
- internet fraud
- international money laundering and terror financing

Mr. Weber said: "In the Justice Department, it was clear to me that most important financial transactions went through Manhattan, which is the financial center of the world. The opportunity to assist Cy Vance as he expands the DA's Office's effort in this critical area is an incredible opportunity, and I am honored to join that effort."

Before joining AFMLS as Chief in 2005, Mr. Weber was an Assistant United States Attorney and Chief of Asset Forfeiture in the United States Attorney's Office for the Eastern District of New York, where he served for ten years and prosecuted and coordinated complex multi-agency domestic and international money laundering, financial, tax, and forfeiture cases. He is a two-time recipient of the Justice Department's Attorney General's John Marshall Award, the highest honor for Justice Department lawyers, and has received the Director's Award for Superior Performance as an Assistant U.S. Attorney and the Henry L. Stimson Medal, given annually by the New York City Bar Association to outstanding Assistant U.S. Attorneys.

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DISTRICT ATTORNEY

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FOR IMMEDIATE RELEASE
November 2, 2010

CONTACT: Erin Duggan
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**DISTRICT ATTORNEY VANCE DELIVERS REMARKS AT
2010 FINANCIAL SYMPOSIUM**

Sponsored by the New York County District Attorney's Office and the New York High Intensity Financial Crime Area ("HIFCA"), which is Part of the High Intensity Drug Trafficking Area ("HIDTA")

Hosted by the Federal Reserve Bank of New York, 33 Liberty Street, Manhattan

Good Morning and welcome.

Let me begin by thanking the Federal Reserve Bank of New York and Tom Baxter for hosting us today. There is no place more fitting to hold a conference to discuss shared goals in banking and enforcement in Manhattan than at the New York Fed.

I would also like to thank Dan Wager, the Director of HIFCA, and Rich Weber and Aaron Wolfson from my office, in particular. I know they have worked very hard to pull together our first, shared symposium on economic crime, money laundering, and enforcement. I am very appreciative of their efforts.

Most importantly, I thank all of you for coming here today. We have assembled a long list of key leaders from the three primary players in this field: the financial services industry, regulatory agencies, and law enforcement. I think we have put together an exciting array of speakers who will address the topics that we, as a group, need to confront as we attempt to combat and prevent economic crime in all its forms. I am confident today will provide an informative and important exchange of perspectives and information.

Allow me to back up for a moment to discuss the impetus for this conference.

Early in my tenure as District Attorney, I met with Dan Alonso, Adam Kaufmann and Rich Weber to discuss what we could do to better partner with financial institutions and other law enforcement agencies — specifically focused on crime prevention strategies — in the area of white collar crime. My direction to them was short: Find ways to work more closely with industry to detect and investigate and prevent financial crime. I knew that in Adam and Rich I had a team with a proven track record of working with financial institutions to conduct major investigations; and I knew that the Manhattan DA's Office under Bob Morgenthau had a long history of working to protect the integrity of our financial system. The challenge I put to them was to find new ways to work ever more closely — within appropriate bounds — with the financial sector.

This conference is one of the ways we are trying to do just that. My hope is that this will be an opportunity for a candid, imaginative and open exchange of ideas among the people most involved with the enforcement of financial criminal law.

The message I deliver today is one of partnership with those in this room who believe in good corporate citizenship to help not just keep our markets fair, but also — as we will discuss when we talk about issues like human trafficking and exploitation of the elderly — our communities and children safe. My message is that I truly believe we share the same goals, and the challenge we are here today to address is how we will work together to achieve them. I know in the past months, prosecutors from my office have met with many people sitting here today, trying to find more ways we can work together to do more.

For example, **Suspicious Activity Reports have long been a source of information and cases for law enforcement.** A recent trial by my office for a hundred million dollar mortgage fraud ring began with one of our analysts reading a SAR. It led to the successful prosecution of a mortgage fraud ring and guilty pleas or convictions of corrupt loan originators, bank employees, appraisers, and lawyers. Over 20 convictions in all of individuals who lied, cheated, and stole from dozens of financial institutions.

Not only did a SAR give rise to the initial investigation, during the investigation and especially during the trial, financial institutions throughout the city and the country helped us to identify records and the witnesses needed to authenticate them. Banks did more than what was required of them by the letter of the law, and I think they did it for the simple reason that it was the right thing to do. Their cooperation not only contributed directly to the success of this prosecution in one of the most important areas of consumer vulnerability we have confronted in recent years, but I believe it made the financial system stronger, and it reflected a goal that we all share: that crimes committed by those in business suites are taken just as seriously as those committed by those on street corners. The case reflects our **shared commitment to**

accountability and fairness in the criminal justice system.

This case also taught us that we need to do a better job of letting banks and other financial institutions know when their SAR filings are put to good use. I have directed my staff to do so in all cases where, as in this case, a SAR has contributed to a successful criminal resolution.

And we are doing more to use SARs proactively. Within our new Major Economic Crimes Bureau, we have created a SAR review team to search for actionable SARs on a daily basis. We have instructed our white collar prosecutors and analysts to communicate directly with banks to enhance our cases and to give banks the information that you need to help us, as appropriate under the circumstances. Banks have an unbelievable amount of financial data that can help us make cases and prevent financial crime. By engaging more proactively with banks and creating an environment of trust and cooperation, we will be more effective at our jobs.

Understand that we do, however, realize that we work in highly specialized areas where we have to abide by the rules. We do not expect banks simply to open their books to us. Nor, I think, do banks expect us to share sensitive or protected grand jury information. But within the legal restrictions of our respective roles, we can accomplish more together; and the first and best step is always to open up communications, and then make sure those communications continue with direction from the top.

We are all experienced professionals, and my message of partnership will not be mistaken as a lack of resolve to hold accountable those financial institutions or their principals who knowingly break the law. But I also believe that those who knowingly break the law are far from the rule.

Understand that we do not presume that banks are targets. Our measure of success is not the number of banks we prosecute, nor is it the amount of dollars brought in by forfeiture or deferred prosecution agreements. Our measure of success is the number of true criminals we hold accountable and bring to justice, how successful we are in protecting the public, and whether we have done all we can to ensure the safety and integrity of our markets and institutions.

So, I will put before each of us the challenge to work together to do a better job to spot trends in financial crime and act proactively to prevent crime and to protect the investing public. Let's use today as an opportunity to continue a dialogue that serves all of us: how to work together to achieve these goals.

Thank you.

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DISTRICT ATTORNEY - NEW YORK COUNTY

FOR IMMEDIATE RELEASE
October 29, 2010

CONTACT: Erin Duggan
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DISTRICT ATTORNEY VANCE STATEMENT ON THE SENTENCING OF MARC BERNSTEIN

Manhattan District Attorney Cyrus R. Vance, Jr., today issued a statement on the sentencing of MARC BERNSTEIN, a lawyer who stole more than \$3.1 million from 28 of his clients and failed to pay income taxes, to 2 ½ - 7 ½ years in state prison. In April 2010, BERNSTEIN [pled guilty](#) to all of the charges against him: 16 counts of Grand Larceny in the Second and Third Degrees, two counts of Scheme to Defraud in the First Degree, one count of Offering a False Instrument for Filing in the First Degree, and two counts Repeated Failure to File Income Tax Returns. As of this sentencing, the defendant has failed to repay any of the more than \$3.5 million that the Court ordered as restitution to the victims.

District Attorney Vance said: "The defendant is a predator with a law degree. He deliberately failed to pay his federal and state taxes, and then showed his contempt for his victims and the Court by failing to pay any of the more than \$3.5 million in restitution ordered by the Court. Rather than safeguarding funds that his clients were awarded through medical malpractice and personal injury settlements, BERNSTEIN instead heartlessly raided them. **Today's sentence serves as a deterrent to other professionals who would consider violating their oaths.**"

District Attorney Vance thanked Assistant District Attorney Leah Keith of the Special Prosecution Bureau, as well as Assistant District Attorney Maurice Mathis, who handled the prosecution of the case under the supervision of Assistant District Attorney Gilda Mariani, Chief of the Money Laundering and Tax Crimes Unit. Chief Financial Investigator Robert Demarest also assisted.

District Attorney Vance also thanked attorney Eileen Shields of Departmental Disciplinary Committee of the First Judicial Department, who worked under the direction of Chief Counsel Alan W. Friedberg. He also thanked Acting Commissioner Jamie Woodward, Deputy Commissioner William Comiskey, and Auditor Elias Del Rosario of the New York State Department of Taxation and Finance for their assistance.

Defendant information:

MARC BERNSTEIN, D.O.B. 10/8/54
New York, N.Y.

CONVICTED:

- Grand Larceny in the Second Degree, a class C felony, 9 counts
- Grand Larceny in the Third Degree, a class D Felony, 7 counts
- Scheme to Defraud in the First Degree, a class E felony, 2 counts
- Offering a False Instrument for Filing in the First Degree, a class E felony, one count
- Repeated Failure to File Personal Income and Earnings Taxes, a class E felony, 2 counts

SENTENCE:

- 2 ½ - 7 ½ years in state prison
- \$3,503,693.00 in restitution payments to victims

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