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ANTI-RECYCLABLES THEFT INITIATIVE NETS EIGHT ARRESTS

Queens District Attorney Richard A. Brown, joined by Michael J. Mansfield, Commissioner of the New York City Business Integrity Commission (“BIC”), today announced that a 72-hour enforcement initiative to combat the theft of recyclables by unlicensed trade waste carters in Queens County has resulted in the arrest of eight individuals.

District Attorney Brown said, “The defendants – operating as two-man teams – are accused of running a ‘trash for cash’ scheme in which they stole bales of cardboard meant to be picked up by licensed carters from the sidewalk in front of commercial establishments. It is alleged that for the price of renting a box van, each team could net close to \$1,000 a night by bringing the stolen cardboard to a recyclable transfer station.”

Commissioner Mansfield said, “The investigation leading to this initiative revealed that there is an organized and systematic criminal enterprise to steal recyclables in New York City. The removal of these valuable commodities from the waste stream results in increased costs to small businesses and harms the City’s licensed carters. These arrests underscore the Commission’s commitment to use its regulatory and law-enforcement resources to promote fair competition and protect legitimate businesses in the New York City trade waste industry.”

Targeting major commercial thoroughfares in Queens County, investigators arrested eight individuals for theft of cardboard from licensed trade waste haulers and for unlicensed trade waste removal. The investigation revealed that organized groups rent unmarked box-vans or trucks to steal bundled recyclables left in front of commercial establishments for pick-up by licensed trade waste haulers. The groups allegedly established accounts at local recyclable transfer stations where they deposited truckloads of the stolen recyclables. Each truck allegedly returned up to three times per night, with each truckload weighing up to four tons.

Under City regulations, all commercial establishments must contract with a licensed trade waste hauler for removal of their recyclables, including cardboard. As the economy has improved and the value of recyclables has surged, cardboard recently reaching 75 dollars per ton, incidents of recyclables theft have vastly increased throughout the city. This theft deprives legitimate and licensed trade waste haulers of much needed revenue and, as reported by the carters, presents a serious challenge to their continued economic viability. In addition, as legitimate carters often pay commercial establishments to remove their recyclables, cardboard theft results in increased costs to the City’s small businesses.

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David Biderman, General Counsel of the National Solid Waste Management Association, a trade waste for solid waste haulers, said, "I am pleased that the Commission and the Queens County District Attorney are taking aggressive action against unlicensed cardboard theft in New York City. These arrests are an important step toward ensuring that the carting industry remains competitive and free from criminality."

In addition to extending its targeted enforcement efforts throughout the city, the Commission and the Office of the Queens County District Attorney will be conducting further initiatives with the New York State Department of Environmental Conservation, the agency that regulates the recyclable transfer stations, to ensure compliance with all applicable laws, rules and regulations including those prohibiting transfer stations from purchasing stolen recyclables and from doing business with carters that are not properly licensed by the Business Integrity Commission.

The investigation was conducted by Commission Investigators Edward Miranda, Mike Quinn, Gabriel Seda and Jesse Strauss, Sanitation Police Officer Jeffery Makhmaltchi and Commission Market Agents Louise Champ, Allen Lee, Lavinia Broughton, Yvette Thomas, Nestali Leon and Judy Henny under the supervision of Lieutenant Christopher Mahon and Chief Investigator Stephen Verrelli.

The cases are being prosecuted by the Office of the Queens County District Attorney.

It should be noted that a criminal complaint is merely an accusation and that a defendant is presumed innocent until proven guilty.

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Note to Editors: Press release e-version posted at www.queensda.org.

DEFENDANTS

DONALD WHITTEN, 47, of 217 Beach 31st Street in Queens, and JOSE OSORIO, 21, of 22-30 Mott Avenue in Queens, are charged with petit larceny and a violation of the City's Administration Code – licenses and registration required – for illegally removing bales of cardboard from in front of Wonga Fruit Market, located at 72-56 Austin Street in Queens. The two defendants were arraigned in Queens Criminal Court on September 2, 2009, and released on their own recognizance. Their next court date is October 15, 2009.

KOUYATE BOUSAKAR KOUYATE, 47, of 7765 Lincoln Avenue in Brooklyn, and JAJA SAKOE, 24, of 555 Evergreen Avenue in Brooklyn, are charged with petit larceny and a violation of the City's Administration Code – licenses and registration required – for illegally removing bales of cardboard from in back of Liberty Fruits and Produce Corp., located at 117-19 Liberty Avenue in Queens. The two defendants were arraigned in Queens Criminal Court on September 2, 2009, and released on their own recognizance. Their next court date is October 22, 2009.

THOMAS RE, 20, of 27 Hunton Street in Staten Island, and DANIEL LATTNER, 28, of 134-37 166th Place in Queens, are charged with violating the City's Administrative Code – licenses and registration required – for illegally removing bales of cardboard from in front of a commercial establishment located at 90-63 Sutphin Boulevard in Queens. The two defendants were arraigned in Queens Criminal Court on September 2, 2009, and released on their own recognizance. Their next court date is October 22, 2009.

BOYCE McFARLANE, 26, of 254 Jefferson Avenue in Brooklyn, and BYRON YAX, 19, of 85-35 Parsons Boulevard in Queens, are charged with violating the City's Administrative Code – licenses and registration required – for illegally removing bales of cardboard from in front of a commercial establishment located at 147-23 Jamaica Avenue in Queens. The two defendants were arraigned in Queens Criminal Court on September 3, 2009, and released on their own recognizance. Their next court date is October 19, 2009.

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