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DOI ARRESTS MARTIAL ARTS INSTRUCTOR FOR FORGING CITY MARSHAL'S NOTICE

ROSE GILL HEARN, Commissioner of the New York City Department of Investigation ("DOI"), announced today that a martial arts instructor in Queens has been charged with using a fake City marshal's notice in an effort to collect \$1,500 that he claimed a student owed for canceled lessons. CARMINE ZOCCHI, 44, proprietor of the Carmine Zocchi Brazilian Jiu-Jitsu Academy in Maspeth, surrendered to DOI investigators this morning. The office of Queens County District Attorney Richard A. Brown is prosecuting the case.

DOI Commissioner Rose Gill Hearn said, "There are lawful ways for an individual to collect a debt, but conjuring up a fake notice purportedly from a public office is not one of them. That is an exceedingly foolish act that is also a crime, as alleged in the criminal complaint."

ZOCCHI is charged in a criminal complaint with two counts each of Forgery in the Second Degree and Criminal Possession of a Forged Instrument in the Second Degree, class D felonies, and Unlawful Collection Practices, a class B misdemeanor. Upon conviction, a class D felony is punishable by up to seven years in prison and a class B misdemeanor by up to three months' incarceration.

According to DOI's investigation and the criminal complaint, one of ZOCCHI's former students called DOI in late July to ask whether an income execution notice he had received by mail from a "City Marshal Frank Oldakowsky, Badge No. 189" with an office address in Queens was authentic. There is no New York City marshal "Frank Oldakowsky," and no badge number 189, but the fake notice closely resembled authentic notices issued by actual City marshals. It bore a logo indicating that it was issued by a City marshal, a representation of the City Seal, and language indicating that the supposed marshal was collecting a court judgment in favor of ZOCCHI against his former student. In fact, DOI learned, no judgment or collection case was filed in the court. DOI's investigation revealed the defendant sent similar notices to other students to collect money. ZOCCHI created the fake notice in an effort to "scare" the former student into paying money the student purportedly owed to the defendant, according to the criminal complaint.

City marshals, who are listed on DOI's public website, are empowered within New York City to collect money judgments recorded in the New York State courts. They do not collect claims between individuals in the absence of a court order.

Commissioner Gill Hearn thanked Queens District Attorney Richard A. Brown and his staff for their assistance in this case.

The investigation was conducted by DOI's Inspector General's Office for the City Marshals.

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. The agency investigates and refers for prosecution City employees and contractors engaged in corrupt or fraudulent activities or unethical conduct. 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.

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