



## Department of Investigation *Press Releases*

### *Attorney General - Elliot Spitzer*

### *Staten Island Income Tax Evader Arraigned*

#### *Former City Marshal Paid No taxes For Three Years On \$1.3 Million Income*

Thursday, March 30, 2000 -- Attorney General Elliot Spitzer and City of New York Department of Investigation (DOI) Commissioner Edward Kuriansky today announced that a Staten Island resident and former City Marshal has been arraigned on felony state income tax evasion charges.

"While the state is willing to work with anyone who encounters difficulty paying their taxes, we will prosecute those who show contempt for the law," said Spitzer.

Frank Sorgente, of 24 Amsterdam Place, Staten Island, was arraigned today in Albany County Court before Judge Thomas Breslin and charged with multiple felony and misdemeanor counts of failing to file state income tax returns for the years 1995, 1996, and 1997. Over that three-year span, Sorgente had an adjusted gross income of \$1,308, 676 from his position as a New York City Marshal. He owes the state \$101,594 in income tax for the three-year period.

Investigations Commissioner Kuriansky, whose office initially alerted state authorities to concerns about Sorgente, said: "In ten years as a city marshal - towing cars, evicting tenants, and enforcing thousands of court judgements - Sorgente made a very good living seizing the property of people who failed to pay their debts. For a public official entrusted with such power over others to disregard his own obligations as a citizen and taxpayer is outrageous."

Marshals are mayoral appointees - not paid employees of the City of New York - who earn income by performing tasks for the New York City Civil Court and the New York State Supreme Court, such as carrying out evictions and collecting money judgements. The city's 43 marshals are regulated by the DOI.

Sorgente, 33, had been a marshal since 1989. He resigned his post in July 1999 while under suspension and facing DOI disciplinary charges of mismanaging his official bank accounts and neglecting basic record-keeping and reporting duties, among other allegations.

Sorgente is charged with one count of Repeated Failure to File Personal Income Tax Returns and one count of Offering A false Instrument for Filing, based upon his subsequent filing of a false 1996 income tax return. Both offenses are Class E felonies punishable by up to four years in prison. He is also charged with two counts of Failure to File an Income Tax Return, a Class A misdemeanor punishable by up to a year in prison and a maximum \$10,000 fine.

Sorgente pled not guilty to the charges. A bail application is pending.

The state department of Taxation and Finance referred the case to the Attorney General's office for prosecution where it is being handled by Assistant Attorney General Richard Ernst.