



## Department of Investigation *Press Release*

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### ***5 City Pest Control Workers Arrested For Taking Payoffs*** *-- DOI "Sting" Uncovers Health Code Enforcement Corruption In 3 Boroughs*

THURSDAY, MAY 25, 2000 -- EDWARD J. KURIANSKY, Commissioner of the Department of Investigation (DOI), today announced the felony charges against 5 City Department of Health (DOH) pest control unit employees for soliciting and taking illegal cash payoffs, ranging from \$50 to \$150, from DOI undercover investigators posing as restaurant and property owners, to refrain from issuing health code violations for rodent infestation and refuse contamination, and to falsify or destroy official records.

The 5 City employees -- JOSEPH DAVIS and DAVID SIMPKINS, exterminators; DONNA GANTT and TAMEKA CHRISTIE, pest control aides; and ROBIN SPENCER, a clerical associate -- worked in DOH pest control offices in Manhattan, Brooklyn, and Queens.

Commissioner Kuriansky said, "These arrests are part of DOI's ongoing effort to deter municipal corruption and should serve as a stern warning to others that dishonesty in City service carries a high price. It takes only one corrupt employee to undermine the public's confidence in its government. These 5 employees betrayed the trust of both their fellow workers and the residents of New York City."

According to Commissioner Kuriansky, the pest control unit enforces the City health code laws relating to vermin infestation, vacant lot contamination, and other conditions which pose public health hazards. The unit employs exterminators, who apply poison to control rats and other rodents; aides, who clean vacant lots and other refuse-strewn properties; and clerical associates, who record and track complaints and violations. Restaurant and property owners pay a fee for these services -- \$35 an hour for an extermination and \$40 an hour for a clean-up -- and failure to comply with a DOH pest control order can result in a notice of violation. Violations can result in fines up to \$2,000 each, and refuse cleanups can often cost thousands of dollars.

The DOI investigation, which is continuing, began in early February, after a downtown Manhattan restaurant owner complained that DAVIS had demanded to be hired as the restaurant's private exterminator or else he would issue a \$500 violation against the restaurant for displaying an "incomplete" extermination report. Regulations prohibit City exterminators from running private extermination businesses, Mr. Kuriansky said.

The next day, a DOI undercover agent, posing as the restaurant manager, met DAVIS and GANTT, who told him they would guarantee that violations would not be issued against the restaurant, if the restaurant hired DAVIS as its private exterminator and paid him \$150. The agent agreed, paid them \$150 in cash, and also asked DAVIS for the name of pest control unit contacts in other boroughs, explaining that he needed to make a similar deal on several other properties. DAVIS referred the investigator to SIMPKINS, a City exterminator in Brooklyn, and DAVIS accepted another \$50 payment for the referral. DAVIS also completed a false

extermination report to be posted in the restaurant.

In March, a DOI undercover investigator met SIMPKINS, who accepted \$150 and promised that he would nullify any complaint on a particular Brooklyn property, if he was hired as a private exterminator. In a second meeting, about 4 weeks later, SIMPKINS took another \$100 to "handle" the disposition of an alleged community board complaint about rat infestation at a vacant lot on Spencer Street in Bedford-Stuyvesant, and issued receipts to the agent, which falsely stated that SIMPKINS had performed exterminations at the site, in an effort to disguise his unlawful conduct.

In April, after another referral by DAVIS, a DOI undercover contacted SPENCER, a clerical associate in Queens. SPENCER said that she could stop any pest control complaints about a property the investigator claimed to own in Queens, and took a \$50 payoff. In subsequent meetings with the investigator, SPENCER, in return for two \$100 payments, tore up DOH rat infestation complaints -- which had actually been created by DOI -- on two vacant lots in Jamaica, Queens, one on 69<sup>th</sup> Avenue and the other on 164<sup>th</sup> Street. SPENCER then referred the investigator to CHRISTIE, indicating that CHRISTIE could delete tax assessments on the properties from the citywide FAIRTAX database, and accepted another \$100 for the referral.

Thereafter, CHRISTIE met the investigator, gave him 2 computer printouts on the 69<sup>th</sup> Avenue property, one a copy of a nonpublic FAIRTAX record, which indicated that back taxes were owed, and the other a copy of a DOH record, which contained a general description of the property, and requested and received a \$50 payment for producing the records and attempting to delete the back taxes from the City's database.

The 5 DOH employees have been suspended without pay and face termination, pending the outcome of the case.

DAVIS, 42, the Bronx, a DOH employee for more than 5 years, was charged with Tampering With Public Records in the First Degree, Attempted Grand Larceny in the Second Degree, and Bribe Receiving in the Third Degree, Class D felonies; Receiving Reward for Official Misconduct in the Second Degree, a Class E felony; and Official Misconduct, a Class A misdemeanor. If convicted, he faces up to 7 years in prison.

SIMPKINS, 39, of Brooklyn, a DOH employee for more than 2 years, was charged with Falsifying Business Records in the Second Degree, a Class A misdemeanor. If convicted, he faces up to 1 year in jail.

GANTT, 29, of Brooklyn, a DOH employee for more than 2 years, was charged with Receiving a Reward for Official Misconduct in the Second Degree, a Class E felony, and Official Misconduct, a Class A misdemeanor. If convicted, she faces up to 4 years in prison.

SPENCER, 34, Brooklyn, a DOH employee for more than 2 years, was charged with Bribe Receiving in the Third Degree and Tampering With Public Records in the First Degree, Class D felonies, and Official Misconduct, a Class A misdemeanor. If convicted, she faces up to 7 years in prison.

CHRISTIE, 29, of Queens, a DOH employee for more than 2 years, has been charged with Bribe Receiving in the Third Degree, a Class D felony, and Receiving a Reward for Official Misconduct in the First Degree, a Class E felony. If convicted, she faces up to 7 years in prison.

Commissioner Kuriansky expressed his sincere appreciation to DOH Commissioner Neal L. Cohen and his staff for their cooperation and support in the investigation.

The investigation was conducted by Kyle Sturcken, DOI's Inspector General for DOH; Stephen Zander, Deputy Inspector General; Bradley Howard, Chief Investigator; Special Investigators John Reatz and Robert Medaglia; and Confidential Investigator Steven Montague.

DAVIS and GANTT are being prosecuted by Manhattan District Attorney Robert M. Morgenthau's Special Prosecutions Bureau; SIMPKINS by Brooklyn District Attorney Charles J. Hynes' Rackets Bureau; and, CHRISTIE, by Queens District Attorney Richard A. Brown's Public Integrity Unit.