



Department of Investigation

Press Release

Release #026-99

APPELLATE COURT SUSPENDS CITY MARSHAL

FRIDAY, JUNE 4, 1999 -- EDWARD J. KURIANSKY, Commissioner of the Department of Investigation (DOI), today announced that, acting upon charges filed by DOI, the New York State Supreme Court, Appellate Division, First and Second Departments, has ordered the immediate suspension of FRANK SORGENTE, of Brooklyn, from his position as a City Marshal pending disciplinary proceedings in which DOI will seek to remove him permanently from office. The Court has ordered Marshal SORGENTE to surrender his badge and, while he is suspended, to perform no official actions.

Marshal SORGENTE is charged with mismanaging his official bank accounts; neglecting basic record-keeping and reporting duties; selling an impounded vehicle to his auctioneer, in violation of a DOI directive; and submitting false records concerning the sale to the City's Parking Violations Operations.

New York City Marshals are public officials, whom the Mayor appoints to five-year terms, and are regulated by DOI's Marshals Bureau under a delegation of authority from the Appellate Division, New York State's second-highest court. Marshals are not paid employees of the City of New York, but earn income by performing certain tasks in New York City Civil Court and New York State Supreme Court cases -- such as carrying out evictions and collecting money judgments. The law provides for a maximum of 83 City Marshals; as of May 1999, there were 45 active City Marshals in New York City. The power to suspend and remove City Marshals is jointly vested in the Appellate Division for the First and Second Judicial Departments.

According to Commissioner Kuriansky, Marshal SORGENTE is charged with failing, despite repeated DOI warnings, to balance his official accounts for approximately two years; transferring money into and out of his official accounts, including a number of prohibited ATM withdrawals, without properly recording the transactions; submitting to DOI three (3) inaccurate and misleading annual financial statements; incurring a tax levy and an overdraft debit in an official trust account; and, in general, maintaining books and records replete with inaccuracies and omissions.

It is also charged that in October 1996, in violation of a DOI directive, SORGENTE sold a 1991 Toyota, which he had seized on behalf of New York City Parking Violations Operations (PVO), to the auctioneer conducting the sale for him, and then filed records, in his own office and at PVO, which misidentified the purchaser.

The Appellate Division also ordered that SORGENTE's current fiduciary, Carmela Sorgente (who is also his mother and has served as office manager for the past several years), be removed and replaced by City Marshal George Essock, who will assume complete responsibility for Marshal SORGENTE's bank accounts, books, and records.

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Marshal Frank Sorgente, 32, Badge # 59, maintains offices at 6202 14th Avenue, Brooklyn, New York. He was appointed a City Marshal on November 20, 1989. Marshal Sorgente's adjusted gross income was \$405,460 in 1995, \$534,020 in 1996, \$369,196 in 1997, and \$265,506 in 1998.

The audit-investigation was conducted by Keith Schwam, DOI's Director of the Marshals Bureau, and members of his staff, including Chief Auditor Percy Corcoran and Investigative Auditors Lloyd Ledlum and Diego Giardina.