



# Department of Investigation

## *Press Release*

**Release # 049-2002**

FRIDAY, AUGUST 2, 2002

### **DCAS EMPLOYEE ARRESTED FOR FILING FALSE CITY EMPLOYMENT QUESTIONNAIRE**

***--Failed To Fully Disclose Prior Criminal History --***

ROSE GILL HEARN, Commissioner of the Department of Investigation (DOI), today announced the arrest of MICHAEL AVINGER, a former computer technician with the Department of Citywide Administrative Services (DCAS), for concealing, in a City employment questionnaire, his complete criminal history. AVINGER surrendered to DOI investigators yesterday.

According to Commissioner Gill Hearn, all City employees must complete an employment questionnaire -- the Comprehensive Personnel Document (CPD.) The questionnaire requires that City applicants disclose all prior criminal convictions. Moreover, applicants must certify that all the information provided in the CPD questionnaire is true and complete.

Commissioner Gill Hearn said DOI began an investigation this past April, upon notification by the Manhattan District Attorney's Office that AVINGER had just been arrested for possession of marijuana, and that he may not have fully disclosed to the City his lengthy criminal record before he began his employment at DCAS.

The DOI investigation revealed that AVINGER, on the CPD questionnaire that he filed with DCAS on September 23, 1998, failed to fully disclose his prior criminal history. Convictions he omitted included an August 1994 conviction in New Jersey for shoplifting, and convictions in the state of Virginia in March 1990 for assault, possession of a firearm and possession of heroin.

AVINGER, 32, of 757 East 222<sup>nd</sup> Street in the Bronx, had been employed at DCAS as a Management Information Services technician since July 1, 1998, earning \$19 an hour. He was terminated on May 3, 2002. He has been charged with Falsifying Business Records in the Second Degree, Offering a False Instrument for Filing in the Second Degree and Tampering With Public Records in the Second Degree, all Class A misdemeanors. If convicted, he faces up to one year in prison.

Commissioner Gill Hearn expressed her sincere appreciation to Manhattan District Attorney Robert M. Morgenthau, the chief of the DA's Trial Bureau 60, William Mahoney, to DCAS Commissioner Martha Hirst, and members of her staff, for their assistance and cooperation in the investigation.

The investigation was conducted by Robert Joyce, DOI's Inspector General for DCAS, and members of his

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staff, including Assistant Inspector General Mary Kozlow and Confidential Investigator Christine Carl.

Assistant District Attorney Sandra Musumeci, in District Attorney Morgenthau's Trial Bureau 60, has been assigned to prosecute the case.