



Department of Investigation

Press Release

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FACING DISCIPLINARY CHARGES, SUSPENDED CITY MARSHAL RESIGNS ***APPELLATE COURT APPOINTS FIDUCIARY TO "WIND DOWN" MARSHAL'S BUSINESS***

TUESDAY, SEPTEMBER 14, 1999 -- EDWARD J. KURIANSKY, Commissioner of the Department of Investigation (DOI), today announced that City Marshal FRANK SORGENTE, of Brooklyn, whom the New York State Supreme Court, First and Second Departments, suspended this past June following disciplinary charges brought by DOI, has resigned.

SORGENTE had been charged with mismanaging his official bank accounts, neglecting basic record-keeping and reporting duties, violating a DOI directive prohibiting the sale of an impounded vehicle to his auctioneer, and filing false records of the sale. At DOI's request, the State Appellate Division earlier this month appointed another City Marshal, George Essock, to wind down SORGENTE's official affairs.

New York City Marshals, although mayoral appointees, are not paid employees of the City of New York, but rather 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; presently, there are 44 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. The Marshals are regulated by DOI's Marshals Bureau under a delegation of authority from the Appellate Division, New York State's second-highest court.

According to Commissioner Kuriansky, SORGENTE was 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 was 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 further ordered that SORGENTE's fiduciary, Carmela Sorgente (who is also his mother and served as office manager for the past several years), be removed and replaced by City Marshal George Essock, whose office is located at 41-02 Bell Boulevard, Suite 1, Bayside, New York. Marshal Essock has assumed complete responsibility for Marshal SORGENTE's bank accounts, books, and records, and is in the process of closing down his office.

SORGENTE, 32, Marshal Badge # 59, maintained offices at 6202 14th Avenue, Brooklyn, New York. He was appointed a City Marshal on November 20, 1989. SORGENTE's adjusted gross income as a Marshal 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.

The rules governing City Marshals' official activities are contained in the New York City Marshals Handbook of Regulations, which may be viewed on DOI's web site, www.ci.nyc.ny.us/html/doi.