



The City of New York
Department of Investigation

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TWO BROTHERS PLEAD GUILTY TO IMPERSONATION SCAM REGARDING TRAIN CONDUCTOR JOB

ROSE GILL HEARN, Commissioner of the Department of Investigation (DOI), today announced the felony arrests and convictions of Kevin Waller and Kurtis Waller. Kevin Waller had his brother, Kurtis Waller, impersonate him during the employment process at the Metropolitan Transportation Authority (MTA) so that he could conceal his prior criminal history and fraudulently secure a position as a Train Conductor.

Kevin Waller, 25, and Kurtis Waller, 23, were extradited to New York and pleaded guilty to Criminal Impersonation in the Second Degree, a misdemeanor, when they were arraigned in Manhattan Criminal Court on November 14, 2003. Both men will serve ten days of community service. They were arrested in New Jersey on October 31, 2003.

"If the Wallers had successfully carried out their ruse, they could have jeopardized the safety of thousands of New Yorkers who ride the subway everyday," said Commissioner Rose Gill Hearn.

DOI began its investigation after receiving a report from the Department of Citywide Administrative Services (DCAS) that Kurtis Waller had impersonated his brother Kevin when Kevin was summoned for employment processing by the MTA. Investigators determined that both men had passed the Train Conductor exam, which DCAS administered in June 1999. Because Kevin scored better than Kurtis had on the test, Kevin was ranked higher on the potential hiring list. Kurtis was never called for the job. Kevin was hired and in training when the ruse was discovered.

DOI investigators had experts analyze and compare the fingerprints that had been taken on the day the two brothers took the Train Conductor exam with the fingerprints taken at the MTA on the day of the employment processing. This analysis confirmed that Kurtis pretended to be his brother Kevin when he reported to the MTA to process Kevin's employment paperwork. The questionnaire Kurtis Waller submitted on behalf of his brother Kevin did not disclose, as required, Kevin's prior criminal history or an outstanding bench warrant issued by New York Criminal Court on October 17, 2001 for two counts of Criminal Possession of a Controlled Substance in the Third Degree.

Commissioner Rose Gill Hearn thanked DCAS Commissioner Martha Hirst and the members of her staff for their assistance and cooperation during the investigation. Commissioner Gill Hearn also thanked the New Jersey Essex County Fugitive Unit, including Detective Lawrence Krizer, for assistance in apprehending the brothers. In addition, Commissioner Rose Gill Hearn thanked the MTA Office of the Inspector General, members of the MTA, and the NYPD Fingerprint Unit for their assistance during the investigation.

The investigation was conducted by Robert Joyce, DOI's Inspector General for DCAS, and members of his staff, including Assistant Inspector General Mary Kozlow. This investigation was conducted in conjunction with the DOI Squad, including Detective Selwart Clarke. The Office of Manhattan District Attorney Robert M. Morgenthau prosecuted the case. Assistant District Attorney Hope Korenstein handled the matter, under the supervision of Bureau Chief Leroy Frazer, of the DA's Special Prosecutions Bureau.

Criminal complaints are merely an accusation. Defendants are presumed innocent until proven guilty.

Get the worms out of the Big Apple.
To report someone ripping off the city, call 311 or DOI directly at (212) 825-5959.