



The City of New York
Department of Investigation

ROSE GILL HEARN
COMMISSIONER

80 MAIDEN LANE
NEW YORK, NY 10038
212-825-5900

Release 15-2006
www.nyc.gov/doi

FOR IMMEDIATE RELEASE
TUESDAY, FEBRUARY 14, 2006

CONTACT: EMILY GEST
(212) 825-5931

DOI ARRESTS FORMER DOT HIGHWAY REPAIRER FOR TRYING TO BRIBE A DRUG TESTER

ROSE GILL HEARN, Commissioner of the New York City Department of Investigation (DOI), announced today the arrest of former New York City Department of Transportation (DOT) Highway Repairer CYNTHIA MENDEZ for offering a \$1,000 bribe to a Bronx drug testing collection agent in an attempt to have the agent alter MENDEZ' drug and alcohol test results.

MENDEZ, 36, of Queens, has been charged with Bribery in the Third Degree, Rewarding Official Misconduct in the Second Degree, Commercial Bribery in the Second Degree, Official Misconduct and Obstructing Government Administration in the Second Degree. If convicted, she faces up to seven years in prison.

MENDEZ was a Highway Repairer for DOT from 1990 until she resigned on May 20, 2005. MENDEZ' employment with DOT required her to maintain a Commercial Driver's License and was subject to DOT's Controlled Substance and Alcohol Policy for Commercial Drivers. Under this policy, MENDEZ is required to submit to random and reasonable suspicion drug tests. This agreement further states that, pursuant to DC-37's Collective Bargaining Agreement, MENDEZ's union, two positive drug or alcohol tests would result in termination from DOT.

In April 2005, after MENDEZ' supervisor sent MENDEZ to Randall Medical Center, a DOT subcontractor testing for drug and alcohol use of DOT employees for a drug/alcohol test. While at the drug testing company's Randall Avenue location in the Bronx, MENDEZ allegedly offered \$1,000 to a Randall Medical Center drug testing collection agent in exchange for rigging the results so MENDEZ would test negative for alcohol and/or drugs. The employee refused and tested MENDEZ anyway. DOI's investigation began after the Randall Medical Center employee reported the bribery attempt.

DOI Commissioner Rose Gill Hearn said, "This employee engaged in a deliberate attempt to tamper with evidence, and circumvent laws and DOT policies and regulations. No matter how desperate, these actions were the wrong course to take. All City employees subject to drug testing should know that these tests are not a game and tampering with the results is illegal."

Commissioner Gill Hearn commended DOT, Clarity Testing Services, Inc., and its subcontractor, Randall Medical Center, for promptly reporting this matter to DOI. Commissioner Gill Hearn also thanked DOT Commissioner Iris Weinshall and her staff for their assistance in this investigation.

Last summer, DOI arrested two individuals in two similar investigations. In August, a retired New York City firefighter was arrested for offering between \$1,000 and \$5,000 to drug lab employees to discard urine test results for his son, also a firefighter. As a result of those drug test results, the son was in danger of losing his job. The employee refused the bribe and reported the attempt to DOI. In the second case, unlike the current case and the case involving the firefighter in which the contractors reported the bribery attempts to DOI, an employee of Bay Park Medical/Occupational Health Services lab, which was under contract with the New York City Housing

Authority, was arrested by DOI in July because she accepted a \$100 bribe from a DOI undercover investigator to alter drug test results.

This investigation was conducted by DOI's Inspector General for DOT Mary T. Piechocki and members of her staff, including Counsel to the Inspector General Gia Morris, Assistant Inspector General Chuck Joe, and Confidential Investigator Kenneth McGrail.

The Office of Bronx District Attorney Robert T. Johnson will prosecute. Assistant District Attorney Susan Ferrucci will handle the matter.

Criminal complaints are accusations. Defendants are presumed innocent until proven guilty.

DOI is one of the oldest law-enforcement agencies in the country. The agency investigates and refers for prosecution City employees and contractors engaged in corrupt or fraudulent activities or unethical conduct. Investigations may involve any agency, officer, elected official or employee of the City, as well as those who do business with or receive benefits from the City.

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