



The City of New York
Department of Investigation

ROSE GILL HEARN
COMMISSIONER

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

Release # 34-2005
nyc.gov/html/doi

**FOR IMMEDIATE RELEASE
TUESDAY MAY 24, 2005**

**CONTACT: EMILY GEST
(212) 825-5931**

WEP PARTICIPANT TO BE CHARGED WITH PUBLIC LEWDNESS AND FORCIBLE TOUCHING

ROSE GILL HEARN, Commissioner of the Department of Investigation (DOI), announced today the arrest of EFRAIN RIVERA, a former Work Experience Program (WEP) participant who was assigned to the Department of Citywide Administrative Services (DCAS) to perform custodial duties. Rivera exposed himself in the presence of several female City employees in a DCAS facility, one of whom he forcibly touched.

RIVERA, 53, of Brooklyn, will be charged with Public Lewdness and Forcible Touching. If convicted, Rivera faces up to one year in jail.

DOI's investigation began after several female City employees informed investigators that RIVERA had engaged in inappropriate sexual behavior in their presence on numerous occasions in February and March 2005. The investigation revealed that, on at least 10 occasions during this two month period, RIVERA intentionally exposed the private or intimate parts of his body in a lewd manner or committed another lewd act, under circumstances in which he could be observed. In addition, with respect to one of the female employees, RIVERA forcibly touched her body.

DCAS immediately banned RIVERA from the building and notified the Human Resources Administration (HRA), which administers WEP. HRA removed RIVERA from the WEP program pending the outcome of the DOI investigation.

DOI investigators learned that Rivera has an extensive criminal record that began in 1970. His record includes a total of 19 convictions, including two felony convictions, one in 1983 for burglary, and the other in 1997 for assault. Rivera also has two convictions for public lewdness, one in 1978 and the other in 1996. HRA does not conduct criminal background checks on WEP participants before placing them at a facility. DOI has recommended that HRA review its background procedures and determine under what circumstances a WEP participant's background should be considered before placement.

Commissioner Gill Hearn stated, "Mr. Rivera engaged in this reprehensible conduct while a participant in a program designed specifically to help individuals like him, who are on public assistance and need to develop employable skills. His actions are appalling."

Commissioner Gill Hearn thanked DCAS Commissioner Martha Hirst, HRA Commissioner Verna Eggleston, and DOF Commissioner Martha Stark, as well as members of their respective staffs for their assistance and cooperation during the investigation.

The Office of Brooklyn District Attorney Charles J. Hynes is prosecuting the case. The investigation was conducted by Robert Joyce, DOI's Inspector General for DCAS, and members of his staff, including Assistant Inspector General Mary Kozlow; Keith Schwam, Director of the Marshal's Bureau and members of his staff, including Assistant Inspector General Pamela Woolbright; Benjamin Defibaugh, Inspector General for HRA and members of his staff, including Chief Investigator Frank Delisi; and John Walsh, Captain of the DOI Squad and members of his staff including Sergeant Jose Pena and Detective Robert Desena.

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.

