



The City of New York
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**DOI STATEMENT ON INDICTMENT AND ARREST OF A FORMER COURT MITIGATION SPECIALIST
ON CHARGES HE STOLE CITY FUNDS AND FALSIFIED RECORDS
--2007 DOI Report exposed allegations of wrongdoing by RICHARD GOTTFRIED--**

ROSE GILL HEARN, Commissioner of the New York City Department of Investigation ("DOI"), said that a joint investigation with Bronx District Attorney Robert T. Johnson has resulted in the indictment and arrest of RICHARD GOTTFRIED, a former Mitigation Specialist, who is charged with billing the City in 2004 and 2005 for work he did not perform for 42 indigent defendants and with stealing approximately \$61,000 in City funds.

GOTTFRIED, 52, was arraigned today in Bronx Supreme Court and was held on \$75,000 bond. He is charged with Grand Larceny in the Second Degree, a class C felony, and 42 counts each of Falsifying Business Records in the First Degree and Offering a False Instrument for Filing, class E felonies. Conviction of a class C felony can result in a prison term of up to 15 years. Conviction of a class E felony can result in a prison term of up to four years.

DOI Commissioner Rose Gill Hearn said, "This indictment charges that a person who held himself out as an expert working to assist indigent defendants in the criminal justice system was instead a scam artist who stole public money by falsifying City records. These charges should act as a deterrent to any individual contemplating stealing from the City. He or she will face arrest, prosecution and, if convicted, possible prison time. DOI will continue to work with the Bronx District Attorney and its other law enforcement partners to ensure that those who defraud the City are held accountable."

GOTTFRIED's arrest stems from a June 2007 DOI Report that documented allegations that GOTTFRIED exploited vulnerabilities in the City's Assigned Counsel Plan ("ACP"), which oversees Mitigation Specialists. DOI's Report can be found in its entirety on the agency's website, at the following address: www.nyc.gov/html/doi/pdf/acp_report6112007.pdf.

DOI's investigation began in November 2005 after the director of the ACP received and referred a complaint alleging that GOTTFRIED fraudulently obtained a position as a Mitigation Specialist. DOI's investigation of that complaint led to the discovery of the false billings charged in the indictment. DOI interviewed defense attorneys, ACP staff members, court personnel and judges and reviewed GOTTFRIED's vouchers and bank records.

The ACP reports to the City's Criminal Justice Coordinator ("CJC") and is responsible for managing an organization of court-approved attorneys who provide representation to indigent persons charged with crimes in the New York City courts. These attorneys are on the Assigned Counsel Panel ("Panel"). In addition to the Panel, the ACP also oversees a roster of investigators and other experts ("Expert Roster") who can be appointed to provide assistance to defense counsel in connection with their representation of criminal defendants. One such expert is a Mitigation Specialist who assists defense counsel in gathering information about criminal defendants for presentation to the court in the hope of seeking a lesser sentence.

The ACP oversees both the Panel and the Expert Roster with the assistance of two Administrators who are appointed and supervised by the Presiding Justices of the First and Second Departments. The Panel and the Expert Roster are authorized by New York County law and funded by New York City.

The office of Bronx District Attorney Robert T. Johnson is prosecuting the case, which has been assigned to Senior Assistant District Attorney Miriam Bell-Blair.

Indictments are merely an accusation. 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.**