



The City of New York
Department of Investigation

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**DOI STATEMENT ON THE PRISON SENTENCE OF A FORMER EMPLOYEE OF THE
CITY HUMAN RESOURCES ADMINISTRATION FOR THE THEFT OF MORE THAN \$300,000 IN PUBLIC FUNDS**

Margaret Garnett, Commissioner of the New York City Department of Investigation ("DOI"), issued the following statement on the sentencing of ELIANA BAUTA, a former Job Opportunity Specialist with the City Human Resources Administration ("HRA"), who pleaded guilty in 2018 to federal program theft and conspiracy to commit wire fraud in connection with the theft of \$312,408 in public funds. Two other co-defendants were sentenced earlier this year for their roles in the scheme. Today, U.S. District Judge Valerie Caproni sentenced BAUTA to 24 months' imprisonment with three years' supervised release and ordered her to pay \$312,408 in restitution and forfeit \$256,348.

BAUTA, 36, of Bronx, N.Y., was employed as a Job Opportunity Specialist with HRA since January 2008 and received an annual salary of approximately \$46,286 at the time of her resignation in May 2018. DOI investigated this matter in partnership with the office of Geoffrey S. Berman, United States Attorney for the Southern District of New York, which prosecuted this case.

DOI Commissioner Margaret Garnett said, "Public benefits must be safeguarded for eligible individuals and not squandered by fraudsters who manipulate the system for their own gain. This prison sentence is a definitive message: individuals who seek to undermine the City's ability to reach people in need will face serious consequences and, if they are City employees, put their jobs at risk. DOI thanks the U.S. Attorney for the Southern District of New York and his team of dedicated prosecutors for their partnership in this investigation."

To read the joint release and DOI's report on this investigation, please click this link:
https://www1.nyc.gov/assets/doi/reports/pdf/2018/Nov/ElianaBauta_report_11302018.pdf

According to DOI's investigation, beginning in approximately January 2015, BAUTA, using her access as a Job Opportunity Specialist, fraudulently issued emergency benefits funds to relatives and acquaintances who did not qualify for the funds. Her co-conspirators would then share the proceeds with BAUTA. In another scheme, BAUTA also misappropriated emergency benefits checks that were issued to actual HRA clients in need of emergency funding and instead, provided checks to co-conspirators who then deposited them into their own bank accounts, withdrew the funds, and shared the proceeds with BAUTA. In total, the two schemes resulted in the theft of at least \$312,408 in public funds.

BAUTA and her co-conspirators, GERALDINE PEREZ and ERIC GONZALES, were arrested in 2018. BAUTA was charged with conspiracy to commit federal program theft, federal program theft, conspiracy to commit wire fraud, conspiracy to commit bank fraud and aggravated identity theft.

PEREZ 61, of the Bronx, N.Y., pleaded guilty to conspiracy to commit federal program theft and theft of government property and was sentenced on June 11, 2019 to nine months' imprisonment and three years of

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supervised release (six months of which will be served under home confinement). PEREZ was also ordered to pay \$233,259 in restitution and forfeit \$233,259.

GONZALES, 27, of the Bronx, N.Y., pleaded guilty to misdemeanor bank theft and was sentenced on June 20, 2019 to two years' probation and 150 hours of community service to be performed per year of probation. GONZALES was also ordered to pay \$37,767 in restitution and forfeit \$998.

DOI Commissioner Garnett thanked Geoffrey S. Berman, United States Attorney for the Southern District of New York, and his staff, for their partnership in this investigation, in particular, Assistant United States Attorneys Paul Monteleoni and Catherine Ghosh of the Public Corruption Unit, who prosecuted the case.

The investigation was conducted for DOI by Special Investigators Alison Lazaro, Jeremy Reyes, and Zachary Toner, Director of Audits Laila Yu, Auditor Yanyan Wang, and Director of Data Analytics Calvin Lam, Data Analyst Daisy Hui, under the supervision of First Deputy Inspector General John Bellanie, and the overall supervision of Inspector General Milton Yu, Deputy Commissioner / Chief of Investigation Dominick Zarrella and First Deputy Commissioner Daniel Cort.

DOI is one of the oldest law-enforcement agencies in the country and New York City's corruption watchdog. 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. DOI's strategy attacks corruption comprehensively through systemic investigations that lead to high-impact arrests, preventive internal controls and operational reforms that improve the way the City runs.

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