



U.S. Department of Justice

Breon Peace

United States Attorney

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FOR IMMEDIATE RELEASE

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PRESS RELEASE

**NEW YORK CITY CORRECTION OFFICER CHARGED WITH SALARY AND
OVERTIME FRAUD**

Defendant Stole Over \$170,000 for Hours He Did Not Actually Work

A criminal complaint was unsealed today in federal court in Brooklyn charging New York City Department of Correction (DOC) officer James Internicola with federal program fraud. Internicola was arrested this morning and his initial appearance is scheduled for this afternoon before United States Magistrate Judge Marcia M. Henry.

Internicola has been a correction officer with the DOC since January 1996. In 2019, he began working at a warehouse at Rikers Island which manages supplies for the jail facility, as well as facility garbage and recycling. Currently, Internicola is primarily responsible for all recycling operations at Rikers Island.

Breon Peace, United States Attorney for the Eastern District of New York, James Smith, Assistant Director-in-Charge, New York Field Office (FBI), and Jocelyn E. Strauber, Commissioner, New York City Department of Investigation (DOI), announced the charges.

“As alleged, the defendant defrauded the people of New York City and the New York City Department of Correction by claiming to work significant amounts of hours, including overtime, that he did not actually work,” stated United States Attorney Peace. “Instead of being at work, the defendant was often at home or even on vacation. Correction officers who steal tax dollars by fraudulently obtaining compensation should take note of today’s arrest and know that this Office is working with our law enforcement partners to root out corruption at Rikers Island.”

“Internicola’s alleged crime taints every law enforcement officer who takes an oath to uphold the law,” stated FBI Assistant Director-in-Charge Smith. “The FBI maintains a zero-tolerance policy for individuals who commit fraud and steal from law abiding taxpayers.”

“This Correction Officer, as charged, stole over \$171,000 from the City by falsely claiming he was at work on Rikers Island, including for overtime hours, when in fact he was

vacationing in Aruba and the Jersey Shore, or at home on Staten Island. His false timesheets allegedly included 2,250 hours of time he did not work, a staggering figure. I thank the U.S. Attorney's Office for the Eastern District of New York for its commitment to protect City resources – including salaries paid to City workers – from theft and abuse,” stated DOI Commissioner Strauber.

According to the complaint, Internicola fraudulently obtained more than \$171,000 in salary and overtime pay by lying about the hours he worked from at least July 2021 to January 2023. During this time period, Internicola claimed to work large amounts of overtime nearly every week. In fact, based on license plate reader data, E-Z pass toll records and cell site location information, Internicola frequently showed up to work more than two hours late and left work several hours early. In many instances, Internicola claimed to be at work when he actually never showed up to Rikers Island at all, including when he was at his home on Staten Island, visiting the Jersey Shore or vacationing in Aruba. In total, Internicola claimed to have worked more than 2,250 hours in a period of approximately 18 months and he fraudulently received the equivalent of more than a year of his base salary.

The charges in the complaint are allegations, and the defendant is presumed innocent unless and until proven guilty. If convicted, the defendant faces up to 10 years' imprisonment.

The government's case is being handled by the Office's Public Integrity Section. Assistant United States Attorneys Philip Pilmar and Andrew D. Grubin are in charge of the prosecution.

The Defendant:

JAMES INTERNICOLA

Age: 56

Staten Island, NY

E.D.N.Y. Docket No. 23-MJ-867