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DISTRICT ATTORNEY**

FOR IMMEDIATE RELEASE

February 28, 2024

**D.A. Bragg, D.O.I. Commissioner Strauber, D.O.B. Commissioner Oddo Announce
Indictment Of Valor Security For Operating Sham Safety Training School
With Approx. 20k “Students”**

*Allegedly Fraudulent Valor Safety Cards Connected to Death of Construction Worker Ivan Frias; Multiple
Defendants Charged with Reckless Endangerment*

Manhattan District Attorney Alvin L. Bragg Jr., New York City Department of Investigation (“DOI”) Commissioner Jocelyn Strauber, and New York City Department of Buildings (“DOB”) Commissioner Jimmy Oddo today announced the New York State Supreme Court indictment of VALOR SECURITY & INVESTIGATIONS (“VALOR”), including six of its executives and employees, for operating a sham safety training school. Between December 2019 and April 2023, VALOR issued safety certificates and cards to approximately 20,000 students. As alleged, the defendants issued cards for a fee certifying the required 40 hours of safety training for individuals working at construction sites without providing training. An additional 19 individuals, including a NYCHA foreman and two master plumbers, are charged with acting as brokers by connecting individuals seeking safety certification to VALOR. Finally, four individuals and VALOR are charged with recklessly endangering the life of Ivan Frias, who died after falling from the 15th floor of a West End Avenue construction site in 2022, by failing to provide him necessary training.[¹]

This investigation was conducted jointly with DOI, with assistance from DOB and the Occupational Safety and Health Administration (“OSHA”).

District Attorney Bragg said: “In the construction industry, fraud can mean life or death – not only for the individuals working on the site, but for the general public that moves around them every single day. We allege that Valor Security & Investigations ran a fraudulent safety training school, falsely claiming that construction workers received the necessary training required to work on construction sites. We also allege that the death of one recipient, Ivan Frias, may have been prevented if not for the defendants’ reckless failure to train him. With our partners at DOI and DOB, we are determined to root out fraud, especially when it puts New Yorkers at risk. We will not let harm come to workers because companies want to turn a quick profit.”

DOI Commissioner Strauber said, “As alleged in the indictments unsealed today, while Valor purported to provide construction safety training, the school and its employees acted as a criminal

¹ The charges contained in the indictments are merely allegations, and the defendants are presumed innocent unless and until proven guilty. All factual recitations are derived from documents filed in court and statements made on the record in court.

enterprise, selling fraudulent certifications without providing training. The indictments also charge the brokers who allegedly conspired with Valor to obtain these sham certifications. Together, the charged defendants allegedly facilitated the evasion of New York City's site safety training requirements, intended to protect construction workers and all New Yorkers in proximity to construction sites. DOI, our law enforcement partners at the Manhattan District Attorney's Office, and the City Department of Buildings are committed to maintaining safety standards in this critical industry and to holding accountable those who would jeopardize workers and the public for profit. To that end, DOI has issued, and DOB has accepted, a series of recommendations intended to strengthen DOB's oversight of safety training providers, course instructors, and the entire safety training process. I want to thank Manhattan District Attorney Alvin Bragg and his team for their partnership on this important investigation and the DOB for its collaboration."

DOB Commissioner Oddo said: "Building construction-related fatalities dropped to a nine-year-low in 2023, thanks in part to the city's construction safety training requirements for workers on larger work sites. Construction safety training is helping to save lives, but the actions of these defendants could have undermined this progress in the interest of quick profits. I thank the dogged work of our investigators at the Department of Buildings for rooting out this corruption, and our partners in the District Attorney's Office and Department of Investigation for pursuing this important case."

According to court documents and statements made on the record in court, in filings to DOB and OSHA, VALOR purported to have trained approximately 20,000 students between December 2019 and April 2023, making it the third-largest producer of safety certifications in the City during that time period. VALOR claimed to provide "safety training, safety inspections, safety plans and security services" to "assure our clients remain in full compliance with all regulatory agencies." Instead, VALOR, its executives, and its employees engaged in a three-and-a-half-year scheme to issue thousands of safety certificates and cards without actually providing any training.

VALOR, its President ALEXANDER SHAPOROV, 40; Training Director RICHARD MARINI, 70; Instructor ELIOT SOSINOV, 44; General Manager NIGINA ZOKIROVA, 24; Compliance Director MARINA BALZER, 28; and Director of Business Development RIMMA CHAKHALYAN, 24; are charged in a New York State Supreme Court indictment with Enterprise Corruption, including 261 pattern acts related to their years-long scheme. They are also charged with multiple counts of Criminal Possession of a Forged Instrument in the Second Degree and Offering a False Instrument for Filing in the First Degree.

VALOR employees had longstanding payment arrangements with brokers to obtain 40-hour safety cards, supervisor cards, and specialized training cards within days, overnight, or even within the same day, which were often backdated. VALOR charged anywhere from \$300 to \$600 per filing for a basic safety training card; many payments were in cash. Nineteen of these "brokers," including two licensed master plumbers for Flow Right Plumbing & Heating Corp. and KCM Plumbing & Heating Co., four employees of DeMar Plumbing Corp., a principal of Alpha Construction Services, and a NYCHA employee are charged with various counts of Criminal Possession of a Forged Instrument in the Second Degree and Offering a False Instrument for Filing in the First Degree.

Emails and text messages show the communications between brokers and VALOR employees furthering the widespread alleged fraud. For example, on January 28, 2021, SHAPOROV – also an employee of the New York State Office of Medicaid Inspector General at the time – emailed his staff dozens of photographs and identification cards of "trainees" with the subject line: "40 SST and whoever doesn't have OSHA MAKE ONE UP."

On April 17, 2023, one of the charged brokers, NYCHA employee COLM MCGREAD, 35, texted MARINI to ask "[h]ow fast" he could obtain a "40hr" safety training certificate. MARINI replied: "Tomorrow after 5pm."

VALOR filed fraudulent documents with DOB and OSHA claiming that its trainers had taught safety classes in Brooklyn when the purported trainers were in Florida, Connecticut, Pennsylvania, New Jersey, or Staten Island. In some instances, VALOR claimed its trainers conducted trainings in three different states – New York, New Jersey, and Pennsylvania – or five different sites on the same day.

VALOR filed documents with DOB claiming to have given safety training to hundreds of students despite video surveillance showing empty classrooms. The defendants even filed safety certificates for students with “LNU,” an abbreviation for last name unknown.

Undercover investigators purchased 40-hour safety certificates without taking any training classes and received the requested certificates within an hour. Moreover, VALOR submitted a scantron to DOB for a completed safety test on behalf of an undercover investigator, which the investigator had never seen or completed.

In addition to providing OSHA and SST cards, VALOR also allegedly conducted more specialized training such as “Site Safety Manager,” “Master Rigger,” “Hoisting Machine Operator,” “Master Climber,” and “Limited gas work” courses. The instructors for these courses must meet additional requirements, including DOB-issued trade licenses and certain documented experience in the field.

At least four VALOR employees – ZOKIROVA, BALZER, CHAKHALYAN, and SHAPOROV – allegedly submitted fraudulent resumes to OSHA to obtain their teaching credentials to be able to teach and issue safety certificates. Two of these trainers claimed that they purportedly gained some of the required high-rise inspection construction experience when they were only 16- and 17-years-old.

Financial records show nearly \$1 million in Zelle payments deposited into SHAPOROV’s personal account, mostly in small amounts consistent with the cost of the safety courses, which enabled him to purchase multiple homes, luxury cars, jewelry, a yacht, and more.

Death of Ivan A. Frias

On November 28, 2022, Ivan A. Frias, a 36-year-old construction worker who emigrated from Mexico, died when he fell from the 15th floor of a construction site at 263 West End Avenue.

As alleged, although VALOR filed paperwork certifying that Mr. Frias had completed 10 hours of safety training, including eight hours of fall protection, VALOR never provided any training to Mr. Frias.

SHAPOROV, MARINI, ZOKIROVA, and VALOR are each charged with one count of Reckless Endangerment in the Second Degree for their role in his death, which may have been prevented had Mr. Frias received the safety training and learned about the requisite fall protection guidelines. Additionally, LUZ BARBRA, 43, the broker who allegedly provided the fake training certificate for Mr. Frias, is charged with Reckless Endangerment in the Second Degree.

More Information About Site Safety Training

Local Law 196, passed in 2017 in response to the rising number of construction-related injuries and fatalities in New York City, requires workers to take at least 40 hours of safety training to work on sites that require a Construction Superintendent, Site Safety Coordinator, or Site Safety Manager to be on-site. If DOB finds workers on these larger and more complex construction sites without proper training, it may issue separate violations and penalties of up to \$5,000 per untrained worker against the building owner, permit holder, or employer. DOB can also issue violations to a permit holder that carry a \$2,500 penalty for failure to maintain a log documenting that all workers are trained.

Workers can meet the safety requirement by taking at least 40 hours of safety training, which can be accomplished in part by obtaining what is commonly called an “OSHA-30,” as well as a combination of more specialized trainings. The OSHA 30-hour course covers OSHA regulations, scaffold safety, fall prevention and protection, fire protection, excavations, concrete and masonry construction, lead safety in the workplace, and electrical safety. The more specialized training, also

called Site Safety Training (“SST”), includes multiple elective courses, such as eight hours of fall prevention training and two hours of drug and alcohol awareness training.

Training centers also issue a wallet-sized SST card to any worker who completes 10 additional training hours. These cards are legally required for construction workers and supervisors to step foot on these larger and more complex work sites. To date there are currently over 378,000 active Site Safety Training identification cards, issued by over 150 different approved training providers. These cards expire after five years and can be renewed by completing a DOB-approved refresher course. Training centers must file paperwork with DOB listing the names of the workers trained, the course dates, and the trainer’s name. DOB suspended Valor’s ability to provide training and issue SST cards in April 2023, and with today’s announcement is now actively considering additional enforcement actions, including the possible full revocation of their registration as a DOB-approved training provider and invalidation of the SST cards they have issued.

Acknowledgments

Assistant D.A. Rachana Pathak (Chief of the Worker Protection Unit) is handling the prosecution of this case under the supervision of Assistant D.A.s Michael Ohm (Deputy Chief of the Rackets Bureau), Judy Salwen (Principal Deputy Chief of the Rackets Bureau), and Jodie Kane (Chief of the Rackets Bureau and Acting Chief of the Investigation Division). Danielle Corbett (Coordinator of the Worker Protection Unit), Steven Moran (Director of the High Tech Analysis Unit), Frederick Suarato (Cell Site Analyst), and Kenneth Zorn (Accountant Investigator) provided valuable assistance with the investigation.

At DOI, the investigation was conducted by Special Investigator James Ferris, Deputy Inspector General Edward Zinser, and DOI’s Digital Forensics Unit, and was supervised by Inspector General Gregory Cho, Deputy Commissioner of Strategic Initiatives Christopher Ryan, and Deputy Commissioner/Chief of Investigations Dominick Zarrella.

Mark Sanabria (Assistant Commissioner, Investigations and Compliance), Reynaldo Cabrera (Executive Project Officer), Eugene Samojedny (Director, Internal Affairs & Discipline), Debra Palmieri Russo (Chief Learning Officer), Alicia DeFilippo (Deputy Director, Course Provider Administration), and members of the Training Compliance Unit at the NYC Department of Buildings contributed to this investigation.

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