



U.S. Department of Justice

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FOR IMMEDIATE RELEASE

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PRESS RELEASE

**FORMER NEW YORK CITY CORRECTION OFFICER PLEADS GUILTY TO
SALARY AND OVERTIME FRAUD**

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

Earlier today, in federal court in Brooklyn, former New York City Department of Correction (DOC) officer James Internicola pleaded guilty to federal program fraud, admitting that he fraudulently obtained a significant amount of salary and overtime pay by lying about the hours he worked. The proceeding was held before United States District Judge Kiyo A. Matsumoto. When sentenced, the defendant faces a maximum sentence of 10 years' imprisonment. Internicola resigned from the DOC after his arrest.

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 guilty plea.

"The defendant defrauded the City of New York by falsely claiming to have worked thousands of hours and fraudulently pocketing more than \$170,000, when he was actually at home, vacationing in Aruba or elsewhere," stated United States Attorney Peace. "The defendant's greed cost taxpayer's substantial money and threatens to undermine public confidence in our government institutions. This Office and its law enforcement partners are committed to fighting corruption on Rikers Island."

DOI Commissioner Strauber said, "This defendant, while a New York City Correction Officer, lied about the hours he worked, claiming to be on duty when, in fact, he was at home or on vacation, in order to obtain more than \$170,000 of City funds by fraud. The criminal conduct that he has acknowledged today does not reflect the dedication and integrity of the many City employees who show up every day to do their jobs and serve their fellow New Yorkers. I thank our law enforcement partners in the U.S. Attorney's Office for the Eastern District of New York and the New York Office of the FBI for their commitment to protect City resources and to ensure that employees who defraud the City will be held accountable."

According to court documents and facts presented at the guilty plea proceeding, 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, 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 more than he actually did in a period of approximately 18 months and he fraudulently received the equivalent of more than a year of his base salary.

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

The Defendant:

JAMES INTERNICOLA

Age: 56

Staten Island, New York

E.D.N.Y. Docket No. 23-CR-531 (KAM)