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DISTRICT ATTORNEY

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**MANHATTAN D.A., DOI COMMISS. ANNOUNCE INDICTMENT OF FORMER IBO
EMPLOYEE FOR COMPUTER TRESPASS, FILE THEFT**

*Monserate Fernandez, Former Head of IT for Independent Budget Office,
Allegedly Illegally Downloaded More Than 4K Files*

Manhattan District Attorney Alvin L. Bragg, Jr., and NYC Department of Investigation Commissioner Nadia I. Shihata today announced the indictment of MONSERATE FERNANDEZ for allegedly abusing his access as the former Chief Information Officer ("CIO") for the NYC Independent Budget Office ("IBO") to illegally download more than 4,000 files after his position was terminated. FERNANDEZ is charged in a New York State Supreme Court indictment with Burglary in the Third Degree, Unauthorized Use of a Computer, and Criminal Possession of Stolen Property in the Fifth Degree. [1]

"IT professionals working for city agencies are charged with safeguarding the City's sensitive information and files. Instead, we allege, the former head of IT for the Independent Budget Office downloaded thousands of files to a USB drive that he took home," said **District Attorney Bragg**. "I thank DOI for its ongoing partnership in rooting out fraud and corruption in our city."

DOI Commissioner Nadia I. Shihata said, "As charged, this former City IT manager allegedly abused his position by unlawfully gaining entry to a building he was no longer authorized to be in and downloading more than 4,000 files of sensitive data he had no authority to possess. This alleged conduct is a serious breach of trust and a misappropriation of confidential government information. I thank the City's Independent Budget Office for reporting these serious misconduct allegations to DOI and the Manhattan District Attorney's Office for its partnership in helping to protect City data."

FERNANDEZ served as the CIO for IBO until he was terminated on January 17, 2025, after IBO's IT infrastructure and maintenance was migrated to the NYC Office of Technology and Innovation. He was

¹ The charges contained in the indictment are merely allegations and the defendant is 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.

informed that he was no longer authorized to use any of IBO's physical or virtual resources, and his account, employee profile, and remote access were deactivated. The physical locks to the server room and the rear entrance of the office space were also changed.

As alleged in court documents and statements made on the record in court, on January 24, 2025, at approximately 8 p.m., FERNANDEZ illegally entered the office and used a local administrator account to access two computers. He allegedly downloaded more than 4,000 files from IBO's server to a USB storage drive, which was later found – pursuant to a court-authorized search warrant – in his home in Queens.

Assistant D.A. Alexander Owen is handling the prosecution of this case under the supervision of Assistant D.A.s Adam Maltz (Deputy Chief of the Cyber Crime Bureau), Virginia Nguyen (Deputy Chief of the Cyber Crime Bureau), Jeremy Glickman (Chief of the Cyber Crime Bureau), and Judy Salwen (Deputy Chief of the Investigation Division) and Executive Assistant D.A. Jodie Kane (Chief of the Investigation Division).

D.A. Bragg thanked DOI Senior Confidential Investigator Farhana Begum and DOI Executive Director for Law Enforcement Technology Erskine Fleming.

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