



The City of New York  
Department of Investigation

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**FOR IMMEDIATE RELEASE**  
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**THREE DEFENDANTS PLEAD GUILTY IN SCHEME TO RECEIVE ADVANCE NOTICE  
OF HEALTH DEPARTMENT INSPECTIONS**  
*Investigation prompted by DOHMH employee reporting alleged bribe attempt to DOI*

Jocelyn E. Strauber, Commissioner of the New York City Department of Investigation (“DOI”), today announced the guilty pleas of three defendants in connection with a scheme to cover the entry fees (boxes) into an annual Super Bowl pool with a \$50,000 potential payoff for a City Department of Health and Mental Hygiene (“DOHMH”) official in exchange for warnings about upcoming inspections. DOI investigated this matter in partnership with the office of Brooklyn District Attorney Eric Gonzalez.

JOHN DISANTO, 52, and JACK DISANTO, 48, both of Bergen Beach, Brooklyn; and ROBERT CUBA, 56, of Staten Island, each pled guilty to Obstructing Governmental Administration in the Second Degree, a class A misdemeanor. As part of the plea agreements, JOHN DISANTO agreed to three years’ probation and 16 weeks of community service, a \$1,000 fine and \$20,000 in forfeiture; JACK DISANTO agreed to three years’ probation and 12 weeks of community service, a \$1,000 fine and \$20,000 in forfeiture; and ROBERT CUBA agreed to three years’ probation and eight weeks of community service, a \$1,000 fine and \$20,000 in forfeiture. All three defendants are scheduled to be sentenced on May 24, 2023.

DOI Commissioner Jocelyn E. Strauber said, “These three restaurant owners did more than fumble in their attempt to buy off a Health Department employee in exchange for big money boxes in a Super Bowl pool; they violated the law. Thankfully, the employee did the right thing and reported this effort to corrupt the health inspection process. Their guilty pleas today make clear that advance notice of health inspections, and customer safety, are not for sale. I commend the DOHMH employee who reported the bribery attempt and thank the Brooklyn District Attorney’s Office for their partnership on this investigation.”

Brooklyn District Attorney Eric Gonzalez said, “Unannounced Health Department inspections provide a critical safeguard to keep restaurant patrons healthy and I commend this honest DOHMH employee for coming forward so these defendants could be held accountable. This case sends a strong message that attempts to corruptly influence public officials in Brooklyn will be met with steep consequences, and I thank DOI and DOHMH for their partnership and collaboration.”

DOHMH Commissioner Dr. Ashwin Vasan said, “Health Commissioner Dr. Ashwin Vasan said, “Our health inspectors ensure that the food New Yorkers eat is prepared safely and they do so every day with integrity and in service. Any attempt to corrupt that work is an attack on New York City’s health, and we know that we are all healthier when we live in a city that is healthy. We are proud of the work they do to protect the health of New Yorkers, and we salute this inspector for doing the right thing.”

According to the criminal complaint, in approximately January 2020, JOHN DISANTO allegedly communicated with a DOHMH employee by text, seeking advance notice of inspections of his restaurant, Gourmet Grill, located at 6334 Avenue N in Brooklyn, in exchange for entry into a Super Bowl betting pool.

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The employee reported the alleged bribe attempt to DOI; DOI commenced an investigation using an undercover officer who purported to be a DOHMH employee who could provide such advance notice, to communicate with DISANTO.

In subsequent communications with the undercover officer, DISANTO allegedly promised the undercover two entries (boxes) in an annual Super Bowl pool, explaining that he would cover their cost -- \$1,000 per entry, a total of \$2,000 -- which could ultimately lead to a \$50,000 payoff. In exchange, the undercover agreed to give DISANTO advance notice of the annual health inspections at Gourmet Grill, as well as Frozen Yogurt Planet, located at 6340 Avenue N (and owned by DISANTO'S brother and co-defendant, JACK DISANTO) and Mill Basin Bagel Café, located at 6319 Avenue N (and owned by co-defendant, CUBA).

JOHN DISANTO, JACK DISANTO, and CUBA were charged in December 2021. To view the release on these December 2021 arrests, please click on this link: <https://www.nyc.gov/assets/doi/press-releases/2022/November/22Daniel11.22.2022.pdf>

Commissioner Strauber thanked Brooklyn District Attorney Eric Gonzalez and his staff for their collaboration on this investigation and prosecution, which was handled by Senior Assistant District Attorneys Sara Walshe and T. Peter Choi Deputy, Bureau Chief Adam Libove, and Chief of the Public Integrity Bureau Laura Neubauer. Commissioner Strauber also thanked DOHMH Commissioner Dr. Ashwin Vasani and his staff for their assistance and cooperation.

The investigation was conducted by DOI's Office of the Inspector General for DOHMH, specifically Assistant Inspector General Shakina Griffith, First Deputy Inspector General Mary Kozlow, Inspector General Clinton Daggan, under the supervision of Deputy Commissioner/Chief of Investigations Dominick Zarrella, and First Deputy Commissioner Daniel G. Cort. DOI's NYPD Detective Squad assisted with the investigation.

*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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