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58-2021
For Immediate Release
November 19, 2021

**BRONX MAN INDICTED FOR DEFRAUDING MORE THAN \$35,000 FROM
STATE COMPENSATION BENEFITS
Defendant Worked Second Job While Claiming He Was Disabled**

Bronx District Attorney Darcel D. Clark today announced a Bronx man has been indicted on Grand Larceny, Insurance Fraud, and additional charges for falsely claiming he was fully disabled and unable to work at his state job so he could collect more than \$35,000 in worker's compensation.

District Attorney Clark said, "The defendant allegedly continued working an increased number of hours at his second job while collecting compensation for being unable to work for the state. He took advantage of a system in place that helps New Yorkers who truly need it, and now he will be held accountable."

District Attorney Clark said the defendant, James Garner, 49, from the Soundview section of the Bronx, was arraigned today before Bronx Supreme Court Justice Efrain Alvarado on third-degree Grand Larceny, third-degree Insurance Fraud, Penalty for Fraudulent Practice, five counts of first-degree Falsifying Business Records, five counts of second-degree Falsifying Business Records, five counts of first-degree Offering a False Instrument for Filing, and first-degree Perjury. He is due back in court on February 22, 2022.

According to the investigation, between July 19, 2019 and July 31, 2020, the defendant allegedly defrauded New York State of workers' compensation benefits of more than \$35,000. Garner was a full-time employee at the Office of Mental Health at the New York City Children's Center working as a mental health therapy aide. He was injured on the job in 2019. For about a year he claimed he was fully disabled and swore under oath he was not working. The investigation found he was able to work and was working increased hours at his part-time job.

The case is being prosecuted by Assistant District Attorney Edward Siclari of the Public Integrity Bureau, under the supervision of Ilya Kharkover, Deputy Bureau Chief of the Public Integrity Bureau; Omer Wiczuk, Chief of the Public Integrity Bureau, and under the overall supervision of Denise Kodjo, Deputy Chief of Investigations Division, and Wanda Perez-Maldonado, Chief of the Investigations Division.



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District Attorney Clark thanked Assistant District Attorney Mariah Genis of the Economic Crimes Bureau, BXDA Detective Investigators Benjamin Ahmadi, Salina Webson, Randy Scarpinato, as well as Senior Detective Investigator John Reilly, Lieutenant Vincent Cantarella; and Trial Preparation Assistant Nathanielle Severe of the Public Integrity Bureau.

The case was investigated along with Jaclyn Belson and Mario Rubino at the Offices of the New York State Inspector General, and OMH Assistant Director of Internal Affairs Kevin Honikel.

An indictment is an accusatory instrument and not proof of a defendant's guilt.

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