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**D.A. BROWN: HUSBAND-AND-WIFE OWNERS OF QUEENS TRAINING SCHOOL
CHARGED IN ALLEGED ASBESTOS REMOVAL EXAMINATION CHEATING SCANDAL**
Couple Allegedly Operated "Paper Mill" School; Face Up To Seven Years In Prison

Queens District Attorney Richard A. Brown announced today that the husband-and-wife owners of a Jackson Heights training school have been charged in a major cheating scandal in which hundreds of students seeking state certification in asbestos removal were allegedly offered the answers to the certification examination and individuals in the country illegally were encouraged to use fraudulent Social Security numbers to obtain their asbestos removal licenses from the State of New York.

District Attorney Brown said, "Asbestos is an extremely hazardous material and can be dangerous if mishandled. That is why workers are required to undergo training to learn the proper way of handling and neutralizing the material. The defendants' alleged willingness to circumvent necessary safeguards had the potential of endangering the health, safety and well-being of not just those performing asbestos abatement work but anyone else who might have been working in the area at the time that the work was done."

District Attorney Brown added, "According to the charges, an alarming number – between 80 and 85 percent – of the students who received their asbestos removal certificates from the Jackson Heights school –one of the largest Spanish-speaking training schools in the metropolitan area – and then went on to work on various Port Authority projects over the last two years used fraudulent information to obtain their certificates. Perhaps more troubling is that the defendants' alleged scheme undermined the efforts of homeland security and gave individuals access to the City's bridges, tunnels and airports."

Port Authority of NY & NJ Inspector General Robert E. Van Etten, whose office initiated the investigation and then referred the matter to the District Attorney's Office for prosecution, said, "This investigation shows that the use of fraudulent identities continues to be a large and serious problem as those identities can be used for a variety of purposes. Here we found individuals, a number of them in the county illegally, allegedly using either fictitious Social Security numbers or those belonging to others for the purpose of fraudulently obtaining New York State Department of Health training certificates. The Port Authority is vigilant in policing itself, in identifying fraudulent activity and to improving security at all of our facilities. One step that the Port Authority has already taken is a pilot program whereby construction workers at some of our facilities must undergo a background check. Thank you to Queens District Attorney Brown and his staff for accepting this matter from us for prosecution. I also want to thank the Port Authority Police and its Criminal Investigation Bureau, and the New York State Departments of Health and Motor Vehicles for their assistance."

State Health Commissioner Richard F. Daines, M.D., said, "Asbestos abatement is an important part of renovation and remodeling work. Inhaling asbestos fibers can cause cancer, scarring of the lungs, and calcification of the tissue lining the lungs, and all those conditions take a long time to develop. As a society we depend on safe asbestos removal by certified specialists. The workers who were not adequately trained may have created conditions for their own future illnesses and the potential for disease in those around them."

State Department of Motor Vehicles (DMV) Commissioner David J. Swarts said, "The DMV continues to support the cooperative efforts of law enforcement agencies across the state. The criminal conduct of people who attempt to defraud our government create a substantial risk to the public and this behavior will not be tolerated. I applaud everyone's efforts as we continue to support those operations that promote public safety, identify fraudulent documents and deter criminal activity."

Special Agent in Charge Edward J. Ryan, Social Security Administration, Office of the Inspector General said, "The Office of the Inspector General is the law enforcement arm of the Social Security Administration. This Office is responsible to protect SSA programs from fraud, waste and abuse, as well as preserve the integrity of the Social Security Number. This joint investigation illustrates our Office's

dedication to the aggressive pursuit of any criminal enterprise which engages in the intentional misuse of the Social Security Number. We will continue our strides to preserve the integrity of the Social Security Number and pursue the illegal activity relating to identification documents. I would like to thank the Queens District Attorney's Office and the other law enforcement representatives involved in this case for their sustained partnership and commitment in addressing this critical issue."

The District Attorney identified the defendants as Juan Herrera, 61, and Julia Herrera, 49, both of Clifton, New Jersey, and the owners of Senagryph Training Facilities, Inc., located at 37-42 72nd Street in Jackson Heights. The Herreras were arraigned last night before Queens Criminal Court Judge Alex Zigman on charges of first-degree falsifying business records, first-degree tampering with public records, and first-degree offering a false instrument for filing. The Herreras, who face up to seven years in prison if convicted, were released on their own recognizance and ordered to return to court on September 25, 2007.

In order for individuals to be licensed in the removal of asbestos by the New York State Department of Labor, they must first take an appropriate training course from a State Health Department-approved training school, such as Senagryph Training Facilities, which instructs students on information needed for various construction licenses. Following the completion of the asbestos course, they must then successfully pass a written exam. At that point, they must fill out a Health Department training certificate application and have their identity verified by the State DMV, which requires a form of identification issued by a U.S. government agency to prove date and place of birth. For international students, documents issued by the Department of Homeland Security or, in some cases, a document from the U.S. Department of State, would meet this proof-of-birth requirement. However, students who are in the country illegally would be unable to meet DMV's proof of identification criteria.

The District Attorney said that the investigation leading to today's charges began in September 2005 when Port Authority detectives assigned to the Inspector General's Office developed information on an unrelated investigation and began a joint investigation with the District Attorney's Economic and Environment Crimes Bureau.

District Attorney Brown said that, according to the criminal charges, an undercover detective and another individual went to Senagryph Training Facilities, Inc., on October 24, 2005, to take an asbestos training course. Once there, they were each handed an application by an instructor who – believing them to be in the country illegally – allegedly advised them to make up social security numbers and to place the numbers on their respective applications. The instructor also allegedly advised them that they could use someone else's number or buy one on Roosevelt Avenue in Jackson Heights – an area which is considered to be the black-market epicenter for fraudulent government identity documents on the East Coast.

It is further alleged that following four days of training, the two undercover agents were administered the asbestos exam by the instructor. During the test, it is alleged that the instructor asked if any of the students needed assistance with the test, to which the undercover detective replied that he needed help with 10-15 questions. At that point, the instructor allegedly provided the two agents with the answers to the questions that they did not know. Upon passing the exam, the two undercover agents were asked to sign a New York State Department of Health certificate application form, which had their pedigree information filled out and included the fraudulent social security numbers they supplied.

It is further alleged that another undercover agent went to Senagryph on September 11, 2006, to take the asbestos training course and was handed an application by the defendant Juan Herrera to fill out. Similarly, Herrera allegedly advised the students that if anyone did not have a social security number to make one up – which the agent did. During the test, which was administered by the same instructor as during the earlier undercover operation, students were once again asked if they needed any help. The undercover agent replied that he needed the answers to 10-15 question, which were allegedly provided to him. Upon passing the exam, the undercover agent was allegedly told by Juan Herrera that the social security number he had written on his application had been used by a prior Senagryph student in the Spring of 2006. Juan Herrera allegedly took the undercover agent into his office where Herrera proceeded to white out one of the digits of the undercover's social security number on the application and enter a new one. The undercover agent was then handed the application form to sign, which contained the new fraudulent social security number.

Finally, it is alleged Julia Herrera then certified on the Health Department certificates that the course was given in compliance with state and federal laws, and that the students successfully passed the exam.

District Attorney Brown noted that while a student's Department of Labor license was pending, a student could use his Health Department certificate to work on construction projects temporarily for 45 days.

The investigation was conducted by Detectives Steve Poulos and Investigator Arthur Maisano, of the Office of the Inspector General of the Port Authority of New York and New Jersey, with the assistance of Program Director Richard Davis and Public Health Specialist James Meany of the New York State Department of Health, investigators from the Field Investigation Division of the New York State Department of Motor Vehicles and Special Agent in Charge of the United States Social Security Administration's Office of Inspector General Edward J. Ryan. Also assisting in the investigation were Queens District Attorney law interns Kevin Reverri and Jared Behr.

Assistant District Attorney Purvi Patel, of the District Attorney's Economic Crimes and Environmental Crimes Bureau, is prosecuting the case under the supervision of Christina Hanophy, Chief of the District Attorney's Counter-Terrorism Unit, and the overall supervision of Assistant District Gregory C. Pavlides, Bureau Chief, and the overall supervision of Executive Assistant District Attorney for Operations and Coordinator for Counter Terrorism Michael J. Mansfield, Executive Assistant District Attorney for Investigations Peter A. Crusco and Deputy Executive Assistant District Attorney for Investigations Linda M. Cantoni.

It should be noted that a complaint is merely an accusation and that defendants are presumed innocent until proven guilty.

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Note to Editors: Press release e-version posted at www.queensda.org.