



Department of Justice

United States Attorney
Eastern District of New York

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FORMER EXECUTIVE DIRECTOR OF A BROOKLYN NONPROFIT AGENCY DEFRAUDS THE NATIONAL CHILD FOOD PROGRAM OF MORE THAN \$500,000

ANDY A. LEWIS, the former executive director of a nonprofit agency known as the Better Brooklyn Community Center ("Better Brooklyn"), was arrested today on charges that he defrauded the United States Department of Agriculture's National Child Food Program of more than \$500,000 in funds that were supposed to have been used to feed children participating in Better Brooklyn's after-school programs.

The charges in the complaint are merely allegations, and the defendant is presumed innocent unless and until proven guilty.

The defendant's initial appearance is scheduled this afternoon before United States Magistrate Judge James Orenstein at the U.S. Courthouse, 225 Cadman Plaza East, Brooklyn, New York.

The charges were announced by Benton J. Campbell, United States Attorney for the Eastern District of New York; Mark J. Mershon, Assistant Director-in-Charge, Federal Bureau of Investigation, New York Field Office; Brian L. Haaser, Special Agent-in-Charge, United States Department of Agriculture, Office of the Inspector General; Richard F. Daines, Commissioner, New York State Department of Health; and Rose Gill Hearn, Commissioner, New York City Department of Investigation.

The National Child Food Program ("the Program") was created by Congress as part of the Child Nutrition Act of 1966. The Program authorizes the United States Department of Agriculture, through grants to the states, to enable nonprofit institutions that provide care to children to include a nutritious meal as part of their services. In New York State, the Program is administered by the New York State Department of Health ("NYSDOH"). If accepted into the Program, participating institutions are reimbursed by the NYSDOH for the cost of meals and snacks provided to children under their care. The content of the meals and snacks served must meet Program standards.

According to the complaint, LEWIS ran Better Brooklyn from 2002 until it was closed in early 2008. Better Brooklyn operated after-school programs and a daycare center at various locations in downtown Brooklyn and Brooklyn Heights. In 2004, Better Brooklyn applied for and was accepted into the Program. In Better Brooklyn's contract with the NYSDOH, LEWIS represented that Better Brooklyn would serve both hot meals and snacks to children in its centers. From December 2004 until August 2006, based on LEWIS's monthly submission of records to the NYSDOH, Better Brooklyn received approximately \$520,000 in Program funds. The records created and submitted by LEWIS claimed that Better Brooklyn had "self-prepared" all the meals and snacks it served. For example, in 2005, Better Brooklyn claimed in its submissions to the NYSDOH that it had served approximately 355 to 385 meals and snacks per day at its centers. In reality, Better Brooklyn was not serving meals to any of the children under its care. When NYSDOH officials made unannounced visits to Better Brooklyn's centers in 2006, they found that Better Brooklyn had no facilities for food preparation, and employees at the centers acknowledged that, aside from occasional snacks, they had never provided meals to children under their care. In addition, NYSDOH officials discovered that LEWIS submitted reimbursement claims for some of Better Brooklyn's centers for dates when those centers were closed and when no children were enrolled there.

"The defendant misappropriated funds meant to feed our communities' children," stated United States Attorney Campbell. "In these times of scarce economic resources, his crimes are all the more reprehensible."

FBI Assistant Director-in-Charge Mershon stated, "Lewis's scheme may have seemed as easy to him as stealing candy from a baby, but it was much worse. Effectively, he stole nutritious food from the mouths of hundreds of the city's children. And in stealing hundreds of thousands of federal program dollars, Lewis ultimately victimized all of us taxpayers."

NYS Department of Health Commissioner Daines stated, "This should serve notice that New York will not tolerate the actions of those who would take food from children in need. The Health Department will pursue such actions as criminal matters, and we appreciate the response of our law-enforcement agencies."

NYC Department of Investigation Commissioner Hearn stated, "As people struggle to pay for necessities and vital public services, we cannot afford to lose any public resources to fraud. The law enforcement community is intent on exposing and deterring such abuse."

If convicted, the defendant faces a maximum sentence of 20 years' imprisonment.

The government's case is being prosecuted by Assistant United States Attorney Daniel D. Brownell.

The Defendant:

ANDY A. LEWIS
Age: 24

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