



*United States Attorney  
Southern District of New York*

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**MANHATTAN U.S. ATTORNEY CHARGES FIVE FORMER  
NEW YORK CITY PUBLIC SCHOOL EMPLOYEES WITH DEFRAUDING  
THE CITY OUT OF MORE THAN \$500,000**

PREET BHARARA, the United States Attorney for the Southern District of New York, ROSE GILL HEARN, the Commissioner of the New York City Department of Investigation ("DOI"), and RICHARD J. CONDON, Special Commissioner of Investigation for the New York City School District ("SCI"), announced today the unsealing of federal fraud charges against five former New York City public school employees for defrauding the New York City Department of Education ("DOE") out of more than \$500,000.

Manhattan U.S. Attorney PREET BHARARA stated: "As charged, the defendants were City employees who lined their pockets with hundreds of thousands of dollars that were supposed to be used to keep New York City public schools clean and safe for students. The defendants were allegedly paid by the Department of Education for work they did not do, and despite their alleged efforts to conceal the scheme, their fraud was ultimately uncovered. This Office is committed to working with our partners at the DOI and SCI to identify those who steal scarce public funds and bring them to justice."

DOI Commissioner ROSE GILL HEARN stated: "These defendants abused their City positions and showed contempt for the City's taxpayers and schoolchildren, according to the

criminal charges, and they now face justice. City employees who see public funds as personal entitlements should heed these arrests and the substantial penalties that may follow. DOI, through the Special Commissioner, and the U.S. Attorney for the Southern District of New York are committed to protecting the City's school system and precious education dollars from fraud and corruption."

NYC School District Special Commissioner of Investigation RICHARD J. CONDON stated: "We hope that the charges brought by the U.S. Attorney for the Southern District as a result of SCI's investigation will return wrongfully diverted public funds to the City's school children."

The charged defendants are:

- TRIFON RADEF, 75, who was the Custodian at Roosevelt High School in the Bronx from 2005 through 2011;
- NICANOR FERNANDEZ, 72, who was the Custodian at Truman High School in the Bronx from 2002 through 2010;
- JAMES COPPOLA, 54, who was a handy man at Intermediate School 25 in Queens from 2005 through 2011;
- FRANK CHAMBERS, 66, who was a senior lunch helper at Public School 158 in Queens from 1996 through 2011; and
- MICHAEL CUNNINGHAM, 58, who was a custodial fireman at Public School 158 in Queens from 1990 through 2011.

RADEF, FERNANDEZ, COPPOLA, and CHAMBERS, were arrested this morning and are expected to be presented in Manhattan Federal Court this afternoon. CUNNINGHAM is still being sought.

According to the Complaint unsealed today in Manhattan federal court, the DOE was defrauded in two separate but related schemes. In the first scheme, RADEF and FERNANDEZ allegedly authorized the payment of hundreds of thousands of dollars to CUNNINGHAM, COPPOLA, and CHAMBERS from custodial payroll accounts for Roosevelt High School ("Roosevelt") and Truman High School ("Truman") for work that they did not perform. More specifically, CUNNINGHAM was on the payroll of Truman from September 2007 through October 2010, even though he was also on the payroll of Public School 158 ("P.S. 158") during this time

period. CUNNINGHAM was fraudulently issued approximately 78 checks from the Truman custodial payroll account totaling over \$110,000.

COPPOLA was on the payroll of Roosevelt from September 2007 through October 2008, and the payroll of Truman from January 2008 through September 2010, even though he was also on the payroll of Intermediate School 25 during these same time periods. COPPOLA was fraudulently issued approximately 58 checks from the Truman custodial payroll account totaling over \$99,000, and approximately 14 checks from the Roosevelt custodial payroll account totaling over \$21,000.

CHAMBERS was on the payroll of Roosevelt from September 2007 through April 2010, even though he was employed at P.S. 158 during this time period. CHAMBERS was fraudulently issued approximately 74 checks from the Roosevelt custodial payroll account totaling over \$137,000.

All of these fraudulent payments made to CUNNINGHAM, COPPOLA, and CHAMBERS were approved by RADEF and FERNANDEZ, who controlled the custodial payroll accounts at Roosevelt and Truman, respectively.

In addition, as part of this scheme, FERNANDEZ allegedly authorized the payment of additional custodial payroll funds to RADEF for work RADEF did not perform. According to E-Z Pass records of the account for RADEF's vehicle and law enforcement surveillance of him, RADEF was paid for well over 3,000 hours of work at Truman that he did not actually perform. In fact, many times when RADEF was supposed to be at Truman working, he was either at his home in Queens or at various restaurants and social clubs.

In the second scheme, RADEF recruited various employees of the DOE who were working in the New York City public schools to perform construction, painting, landscaping, and maintenance work at one or more of nine different residential properties located in Queens that he owned. RADEF then arranged for these employees to be fraudulently paid for this work from DOE funds, specifically from custodial payroll accounts from either Roosevelt or Truman, which were controlled by him and FERNANDEZ. In order to conceal this scheme, RADEF had these DOE employees sign fraudulent time cards and endorse checks from these custodial payroll accounts.

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RADEF, FERNANDEZ, and CUNNINGHAM are each charged with two counts of conspiracy to commit theft concerning a program receiving federal funds and two substantive counts of theft concerning a program receiving federal funds. COPPOLA and CHAMBERS are each charged with one count of conspiracy to commit theft concerning a program receiving federal funds and one substantive count of theft concerning a program receiving federal funds. If convicted of all counts, RADEF, FERNANDEZ, and CUNNINGHAM face a maximum of 30 years in prison and COPPOLA and CHAMBERS face a maximum of 15 years in prison.

Mr. BHARARA praised the investigative work of the DOI and SCI.

This case is being prosecuted by the Office's Public Corruption Unit. Assistant U.S. Attorney STEVE C. LEE is in charge of the prosecution.

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