

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA	:	Hon.
	:	
v.	:	Crim. No. 23-
	:	
WILLIAM KREISS	:	18 U.S.C. §§ 371 and 666(a)(1)(A)

I N F O R M A T I O N

The defendant having waived in open court prosecution by Indictment, the United States Attorney for the District of New Jersey charges:

DEFENDANT, ENTITIES AND BACKGROUND

1. Defendant WILLIAM KREISS was a Registered Environmental Specialist for the City of Trenton, Bureau of Environmental Health (“BEH”), from in or about 2016 to the present. BEH was a subdivision of the City of Trenton, Department of Health and Human Services (“Trenton HHS”). As a Registered Environmental Specialist, defendant KREISS performed, among other duties, inspections of residential properties in and around Trenton for the detection and removal of lead contamination, improvement of air quality, and reduction of other environmental hazards. Defendant KREISS was certified by the New Jersey Department of Health (“NJ DOH”) as a lead inspector.

2. At all times relevant to this Information:

A. BEH was a department within the City of Trenton. The City of Trenton received benefits in excess of \$10,000 in each of the calendar years 2018

through 2022 under federal programs involving grants, contracts, subsidies, loans, guarantees, insurance, and other forms of federal assistance, within the meaning of Title 18, United States Code, Sections 666(b) and 666(d)(5).

B. Pursuant to state law, Trenton HHS was required to screen all children less than six years of age for elevated blood lead levels to protect children from adverse health effects due to exposure to lead hazards in residences and in the environment. When screening of a child revealed that the blood lead level exceeded the permissible amount, Trenton HHS was required to coordinate, oversee, and provide the necessary services to identify lead sources, eliminate a child's lead exposure, and reduce the child's blood lead level below five micrograms per deciliter (g/dL). As part of these services, a public health nurse was required, among other things, to conduct, along with an inspection team, a home visit of the residence where the child lived.

C. Generally, the inspection teams conducting the home visits were comprised of a public health nurse and, depending on the size of the property, three to five employees of BEH certified as lead inspectors. During an inspection, the assigned BEH inspection team tested different areas of the residence for the presence of lead-based paint and leaded dust. Additionally, Trenton HHS was required to collect soil samples outside of the residence to be tested for the presence of lead. While some members of the BEH inspection teams examined the residences to test for lead, others on the team, or the public health nurse, interviewed the residents and documented any responses in a questionnaire designed to determine

the source of any lead contamination.

D. When lead was identified at the inspected property, Trenton HHS was required to direct the property owner to hire a licensed lead evaluation firm or lead abatement firm to remove the lead hazards from the property.

E. Upon completion of abatement at a property, Trenton HHS was required to reinspect the property to determine whether the lead hazards identified in the initial inspection had been satisfactorily eliminated. Thereafter, the property owner was required to obtain independent clearance testing through the services of a lead inspector certified by the NJ DOH.

F. Beginning in or around 2018, Trenton began drawing funds from a State grant for childhood lead testing (“State Childhood Lead Grant”) that was awarded to the City of Trenton to conduct lead inspections at residences which had reported having children with elevated levels of lead in their blood.

G. Generally, members of BEH performed the lead inspections scheduled by the public health nurse after their normal workday ended at approximately 4:30 p.m., entitling them to compensation for this overtime work above their hourly wage. Supervisors within Trenton HHS were authorized to approve overtime hours for BEH employees who performed these lead inspections. Costs associated with the inspection of properties by BEH inspection teams were reimbursable to the City of Trenton through drawdowns from the State Childhood Lead Grant.

H. In addition to time sheets reflecting all hours worked, BEH

employees completed a form which recorded any overtime worked during a two-week reporting period. When a BEH employee documented overtime for lead inspection related work, the employee entered “Lead,” or otherwise characterized the work as lead inspection related, in the section of the time sheet titled: “Work Performed,” and listed the range of hours during which the inspection-related work purportedly occurred in the sections of the overtime sheet titled: “Overtime Start” and “Overtime End.” Above the employee signature line of the overtime sheet, a notification stated: “I hereby certify that the time ... reflected herein is accurate.” Signature lines for “Supervisor” and separately for “Director” fell below a notification stating: “I hereby verify that the time record reflected herein is accurate.”

I. A completed overtime form indicated that the employee had performed the work reflected on the form. The City of Trenton received the overtime form signed by the BEH employee, as verified by the employee’s supervisor and Director, and, in turn, paid the BEH employee, ordinarily at a rate one-and-a-half times higher than the employee’s normal wage.

J. Co-Conspirator 1 was the “Principal Registered Environmental Health Specialist” for BEH. In this capacity, Co-Conspirator 1’s duties and responsibilities included overseeing and directing other BEH employees in connection with lead inspections administered under the State Childhood Lead Grant.

THE CONSPIRACY

3. From in or about February 2018 to in or about May 2022, in Mercer County, in the District of New Jersey and elsewhere, defendant

WILLIAM KREISS

did knowingly and intentionally conspire and agree with others, including Co-Conspirator 1, to embezzle, steal, obtain by fraud, intentionally misapply, and otherwise without authority knowingly convert to the use of persons other than the rightful owner \$5,000 or more in overtime wages, which constituted money owned by, and under the care, custody and control of the City of Trenton, contrary to Title 18, United States Code, Section 666(a)(1)(A).

Goal of the Conspiracy

4. It was the goal of the conspiracy for defendant KREISS, and others, to obtain payments from the City of Trenton for work they did not perform, by fraudulently inflating the overtime hours they claimed to have worked conducting residential lead inspections.

Manner and Means

5. It was part of the conspiracy that:

A. Co-Conspirator 1 directed members of BEH to report on time sheets and overtime forms at least three hours of overtime for all lead inspections performed on residential properties, even though they generally completed such inspections in far less time.

B. On multiple occasions, defendant KREISS, at Co-Conspirator

1's direction, falsely recorded on time sheets and overtime forms that he had worked three hours or more of overtime in connection with lead inspections at residential properties in Trenton.

C. Defendant KREISS submitted the false and fraudulent time sheets and overtime forms to Co-Conspirator 1, who signed and purported to verify the fraudulent forms before submitting them to the City of Trenton so that defendant KREISS would be paid. As a result, defendant KREISS received compensation for overtime work that he did not perform.

Overt Acts

6. In furtherance of the conspiracy and to effect its object, defendant KREISS and others committed and caused to be committed the following overt acts, among others, in the District of New Jersey and elsewhere:

A. On or about November 19, 2019, November 1, 2021, November 23, 2021, and April 25, 2022, in Trenton, defendant KREISS, at Co-Conspirator 1's direction, falsely represented on multiple overtime forms that he had completed at least three hours of overtime to perform lead inspections when, in fact, defendant KREISS had not done so.

B. For each of the inspections on these four dates, Co-Conspirator 1 signed defendant KREISS's overtime forms, understanding that they were false, and thereby fraudulently authorized the payment of overtime wages to defendant KREISS.

C. From in or about February 2018 to in or about May 2022,

defendant KREISS accepted payments from the City of Trenton for overtime work related to lead remediation that he did not perform, but nonetheless fraudulently claimed that he did, including but not limited to the following payments:

Approximate Date of Payment to defendant KREISS	Approximate Amount Paid as a Result of the Fraud
11/27/2019	\$ 898.92
11/10/2021	\$ 449.40
12/09/2021	\$ 374.50
05/12/2022	\$ 606.54

In violation of Title 18, United States Code, Section 371.

FORFEITURE ALLEGATION

1. The allegations contained in this Information are realleged here for the purpose of noticing forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(c) and Title 28, United States Code, Section 2461(c).

2. Upon conviction of the offense of conspiracy to commit fraud, contrary to Title 18, United States Code, Section 666(a)(1), in violation of Title 18, United States Code, Section 371, as charged in this Information, defendant


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shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 981(a)(1)(c) and Title 28, United States Code, Section 2461(c), any and all property, real or personal, that constituted and was derived from proceeds traceable to the commission of the above violation, and all property traceable thereto, including, but not limited to, a sum of money equal to \$32,806 in United States currency, representing proceeds of the offense charged in this Information, as agreed to by the parties under the terms of a plea agreement dated July 24, 2023.

3. If by any act or omission of defendant KREISS, any of the property subject to forfeiture described in paragraph 2:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of defendant KREISS up to the value of the above forfeitable property.



PHILIP R. SELLINGER
United States Attorney