

# Department of Justice

United States Attorney William J. Hochul, Jr.  
Western District of New York

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## **BUFFALO POLICE OFFICER ARRESTED, CHARGED WITH FRAUD**

BUFFALO, N.Y.--U.S. Attorney William J. Hochul, Jr. announced today that Robert Quintana, 50, of Buffalo, N.Y., was arrested and charged by Criminal Complaint with mail fraud and health care fraud. The charges carry a maximum penalty of 20 years in prison, a \$250,000 fine or both.

Assistant U.S. Attorney John E. Rogowski, who is handling the case, stated that on March 16, 2005, the defendant, a Buffalo Police Officer, was placed on Injured on Duty Status (IOD) by the City of Buffalo. According to the Complaint, Quintana was placed on IOD status for alleged injuries to his lower back and buttocks after he slipped and fell on icy steps while responding to a 911 call.

The Complaint further states that on numerous occasions while allegedly out of work due to this injury, the defendant was observed working at a local restaurant. The observed work included the lifting of supplies, cleaning tables, stocking, kneeling and bending, and chipping ice. Nevertheless, during the course of an independent medical exam requested by the City of Buffalo in January 2012, Quintana told doctors he was unable to perform any work. The defendant remains on IOD status to this date (that is, seven years after his initial injury) and has resisted efforts to have him return to work.

"It is the duty of all sworn police officers to uphold the law and the vast majority of officers do just that each and every day," said U.S. Attorney Hochul. "All should also recognize that police work can be hazardous, and for that reason, communities frequently pay for officers injured in the line of duty until such time as they can return to their posts."

Hochul further stated "by falsely claiming to be too injured to return to work, an officer not just breaks the law, she or he hurts the credibility of those legitimately injured in the line of duty. This type of lie also leaves one less officer to patrol the streets of the City,

requires working officers to perform overtime duty and thereby increase their own risk of injury, and drives up the cost of health care in these times of difficult economic circumstances. This Office can and will act when presented with evidence of this type of fraud.”

"We, as members of law enforcement, are keenly aware of how dangerous it is to be a law enforcement officer," said Steven L. Lanser, FBI Acting Special Agent in Charge. "Every day we see how the good, hardworking men and women in the Buffalo Police Department out their lives and safety on the line. The Injured on Duty program is in place to ensure members of the police department are secure in knowing this benefit is available should they sustain a serious injury while discharging their duties. Abuse of the IOD system is an affront to the taxpayers of the City of Buffalo."

The Criminal Complaint is the culmination of an investigation by Special Agents of the Federal Bureau of Investigation, under the direction of Special Agent in Charge Christopher M. Piehota and the Buffalo Police Department, under the direction of Commissioner Daniel Derenda.

The fact that a defendant has been charged with a crime is merely an accusation and the defendant is presumed innocent until and unless proven guilty

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