

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -X
:
UNITED STATES OF AMERICA :
:
- v - : INFORMATION
:
ROBERT MICHAEL GARCIA, : 18 Cr. _____
:
Defendant. :
:
- - - - -X

COUNT ONE

(Theft Concerning Program Receiving Federal Funds)

The United States Attorney charges:

BACKGROUND

1. Unless stated otherwise, at all times relevant to this Information:

a. The Briarcliff Manor Fire Department ("BMFD") was located in Briarcliff Manor, New York. It provided fire protection service within the Village of Briarcliff Manor (the "Village") and in unincorporated areas of Ossining and Mount Pleasant, New York.

b. Under New York's Village Law, the BMFD was administered jointly by the Village Board of Trustees and the Briarcliff Manor Fire Council (the "Fire Council"). The Fire Council consisted of the Chief and two Assistant Chiefs of the BMFD and two delegates from each of the three companies within the BMFD.

c. The Village received more than \$50,000 in Federal aid in its General Fund for the fiscal year ending May 31, 2016.

d. ROBERT MICHAEL GARCIA, the defendant, was a resident of Ossining, New York and was a member of the BMFD. In or about April 2013, GARCIA was elected to the position of Second Assistant Chief within the BMFD, which also made him an officer of the Fire Council. GARCIA was thereafter elected to different administrative and operational positions, including First Assistant Chief, Chief, Treasurer and President. As a result, GARCIA was also an officer of the Fire Council from in or about April 2013 through in or about April 2017.

e. Starting with his election to the position of Second Assistant Chief in or about April 2013, GARCIA was given signatory authority over bank accounts held by the Fire Council and the BMFD.

THE EMBEZZLEMENT SCHEME

2. From in or about May 2013 to in or about March 2017, ROBERT MICHAEL GARCIA, the defendant, embezzled money from the BMFD and the Fire Council by writing checks drawn on the BMFD's and Fire Council's bank accounts that he made payable to himself and depositing those checks into his personal bank accounts. GARCIA used the embezzled proceeds to pay personal

expenses. GARCIA made material misstatements regarding the purposes and the payees of the checks he had written to himself on periodic reports he gave to the Fire Council when he acted as the BMFD's Treasurer from in or about 2014 through in or about April 2017.

3. ROBERT MICHAEL GARCIA, the defendant, embezzled more than \$120,000 from the BMFD and the Fire Council through approximately 150 fraudulent transactions in the manner described above.

4. From in or about May 2013 to in or about March 2017, in the Southern District of New York and elsewhere, ROBERT MICHAEL GARCIA, the defendant, being an agent of the Fire Council and the BMFD, an agency of the Village, a local government, which received, in a one year period, benefits in excess of \$10,000 under a Federal program involving a grant, contract, subsidy, loan, guarantee, insurance, and other form of Federal assistance, did embezzle, steal, obtain by fraud, and otherwise without authority knowingly convert to the use of another person other than the rightful owner and intentionally misapplied, property that was valued at \$5,000 and more, and was owned by, and was under the care, custody, and control of the

Fire Council and the BMFD, to wit, GARCIA embezzled in excess of \$120,000 from the Fire Council and the BMFD.

(Title 18, United States Code, Sections 666(a)(1)(A).)

Geoffrey S. Berman

GEOFFREY S. BERMAN
United States Attorney

United States District Court
SOUTHERN DISTRICT OF NEW YORK

THE UNITED STATES OF AMERICA

V.

ROBERT MICHAEL GARCIA,

Defendant.

INFORMATION

18 Cr. ____

(In violation of Title 21, United States Code, Section 666)

GEOFFREY S. BERMAN

United States Attorney