



# NEWS RELEASE

From New York State Inspector General  
**Catherine Leahy Scott**

FOR IMMEDIATE RELEASE: September 26, 2013  
Contact Bill Reynolds: 518-414-1299 (Inspector General)  
Joan Vollero 212-335-9400 (DANY)

## **NEW YORK STATE INSPECTOR GENERAL, U.S. ATTORNEY, MANHATTAN DISTRICT ATTORNEY ANNOUNCE ARREST OF 19 IN ELABORATE SCHEME TO ILLEGALLY OBTAIN COMMERCIAL DRIVER LICENSES**

*Thousands of \$\$\$\$ Paid for Answers to Written Driver's Tests;  
Security Guards Charged with Facilitating Fraud in DMV Test Rooms*

New York State Inspector General Catherine Leahy Scott, United States Attorney Loretta Lynch, and Manhattan District Attorney Cyrus Vance, Jr. announced the arrest of 19 individuals, charging them with crimes associated with an elaborate scheme to provide commercial driver's license (CDL) applicants with answers to written tests – including tests to obtain permission to transport hazardous materials and operate school buses. Eleven individuals were named for their role in organizing and operating the scheme. Eight were charged with cheating on the examinations.

“Truck drivers – many of whom are charged with transporting hazardous chemicals – are trained to drive several tons of cargo often through busy streets and highways. Bus drivers take our children to school every day. These are among the serious responsibilities of anyone who acquires a commercial driver's license,” said Inspector General Scott. “Our investigation uncovered numerous people who paid others thousands of dollars for answers to a test they could not answer without cheating, a scheme which undermined the system designed to ensure the security of our roads and communities. I am very pleased to report today that my office, along with our federal partners, the District Attorney's Office, and the Department of Motor Vehicles have shut down this operation, and we will take all steps to ensure that everyone who has gamed the system will be off the road.”

Loretta E. Lynch, United States Attorney, Eastern District of New York said: “Today's arrests demonstrate the Office's commitment to aggressively prosecute and investigate those who compromise the public safety on our roads. As alleged in the complaint, with their wide-spread cheating scheme the defendants enabled unqualified drivers to take to our roads and highways behind the wheel of large buses and heavy trucks. In doing so, they jeopardized the safety of other drivers, their passengers and even pedestrians. Together with our law enforcement partners, we will seek to punish those individuals who endanger the public by committing such crimes.”

Manhattan District Attorney Cyrus R. Vance, Jr., said: “The eight commercial drivers who paid someone else to take their tests took the easy way out. More than 3,500 commercial vehicles were involved in collisions in Manhattan last year, including several deadly collisions. Many of these fatal crashes are not crimes, but all of them are tragedies. As District Attorney, my mission is to improve public safety, and taking drivers off the road who are not licensed to be there is one way of doing this. I would like to thank our colleagues in the State Inspector General's Office, the U.S Attorney's Office for the Eastern District of New York, and the State Department of Motor Vehicles for working to ensure that unqualified drivers are removed from city streets.”

New York State DMV Commissioner Barbara J. Fiala said: "It is indeed unfortunate that people continue to look for ways to cheat on written tests. Because they do, those charged with administering tests must be constantly vigilant to new schemes and new methods of cheating. To address this issue, we have strengthened our test room procedures in all DMV offices statewide and are incorporating computerized test stations to eliminate the paper test that was the focus of this investigation."

James T. Hayes Jr., special agent in charge of Homeland Security Investigations, New York said: "Today's arrests undoubtedly will make New York's roads safer and serve as a warning to those who seek to circumvent commercial driving regulations. HSI works every day with partner agencies around the world to enhance public safety and national security."

The Inspector General's office learned about an organized effort by several individuals in New York who were being paid anywhere from \$1,400 to \$4,000 by CDL applicants looking for the answers to written CDL tests. CDL applicants take a "core" examination, and then supplemental tests called "endorsements" for specified areas such as hazardous material transport, school bus driving, or the operation of tandem trailer trucks and tow trucks. The organizers of this scheme allegedly bribed three security officers at DMV offices in lower Manhattan and Harlem to assist them.

The ensuing investigation by the Inspector General's Office, U.S. Department of Transportation Inspector General, U.S. Department of Homeland Security, the Internal Affairs Bureau of the New York City Police Department (IAB), and DMV's Division of Field Investigations revealed cash transactions between applicants and the scheme organizers, as well as cash transactions between the organizers and security guards.

Specifically, CDL test-taking applicants would leave the testing area and hand the blank test to one of the scheme organizers or another runner, who would then take the blank test to a person with knowledge of the answers to the test. This person would fill in the correct responses on the exam, and the runner would return the completed exam to the CDL test taker. The test taker would then return to the test-taking area. After submitting the "completed" exam to DMV clerks for processing, the test takers would depart the premises and pay the organizers for their "service." In some instances the test cheaters received an Interim CDL permit.

The Inspector General, working with investigators from IAB, found that this scheme was facilitated by bribing security guards outside the test sites. The security guards would permit test takers to leave the test site and would facilitate their return to the site as well. In some instance, these security guards even passed the blank tests to the runner, eliminating the need for the test taker to leave the site.

The following individuals were charged with Attempt and Conspiracy to Commit Mail Fraud (Title 18, U.S.C. Section 1349) for their alleged role in facilitating the test scam:

- Beayeah Kamara, Staten Island, NY – security guard
- Latoya Bourne, Brooklyn, NY – security guard
- Marie Daniel, Queens, NY
- Lucien Desmangles, Jr., Brooklyn, NY
- Dale Harper, Bronx, NY
- Jose Payano, Brooklyn, NY
- Joachim Pierre-Louis, Brooklyn, NY
- Tanael Daniel, Brooklyn, NY
- Akmal Narzikulov, Brooklyn, NY
- Firdavs Mamadaliev, Brooklyn, NY
- Inocente Rene Gonzalez Martinez, Bronx, NY – security guard

The following individuals were charged with Offering a False Instrument for Filing in the First Degree (Penal Law Section 175.35), and False Statements, Alteration of Records or Substitution in Connection with Examination (Vehicle and Traffic Law Section 392) for allegedly cheating on their CDL exams:

- Juan Alvarado, Bronx, NY
- Jackson Gilles, Westbury, NY
- Barris Archer, Queens, NY
- Michael Cayo, Valley Stream, NY
- Luis Tifa, Bronx, NY
- Francisco Perez, Queens, NY
- Islombek Ziyoev, Queens, NY
- Nicholas Garcia, Bronx, NY

Inspector General Scott said the participation of undercover officers from the New York City Police Department's Internal Affairs Bureau was essential to the investigation. And agents from the U.S. Department of Homeland Security and DMV's Division of Field Investigations were extensively involved as well.

Inspector General Scott thanked U.S. Attorney Loretta Lynch, New York County District Attorney Cyrus Vance, Jr., New York City Police Department Internal Affairs Bureau, U.S. Department of Justice, U.S. Department of Homeland Security Investigations, U.S. Immigration and Customs Enforcement, U.S. Department of Transportation Office of Inspector General Investigations, New York State Police Department, New York State Department of Motor Vehicles Division of Field Investigations, and New York State Office of the Attorney General Investigations Bureau for their significant assistance in the investigation.

The Defendants are innocent until and unless proven guilty in a court of law.

###