



NEWS RELEASE

From New York State Inspector General
Letizia Tagliaferro

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STATE CORRECTION OFFICER PLEADS GUILTY AND RESIGNS FOR STEALING OVER \$6,400 IN WORKERS' COMPENSATION BENEFITS BY SUBMITTING FORGED DOCUMENTS

BUFFALO – New York State Inspector General Letizia Tagliaferro today announced the guilty plea and resignation of a New York State correction officer for defrauding the workers' compensation system and, through the submission of forged workers' compensation leave documents, stealing more than \$6,400 in benefits to which he was not entitled.

Thomas Smart, Jr., 29, of Tonawanda, submitted his formal resignation from State service in Albion Town Court today and pleaded guilty to offering a false instrument for filing in the second degree, a misdemeanor. As part of his plea agreement, he will also pay full restitution of the amount stolen and was sentenced to a conditional discharge.

An investigation by the Offices of the New York State Inspector General found that Smart received workers' compensation benefits for injuries that occurred while working at Albion Correctional Facility. The New York State Department of Corrections and Community Supervision (DOCCS) requires that any workers' compensation leave be substantiated by leave forms which are to be signed by the employee's treating medical doctor(s).

The investigation revealed that Smart repeatedly submitted to DOCCS forged Documentation for Workers' Compensation Leave forms between January 2017 and February 2018, purportedly completed and signed by his treating doctors and/or their respective office staff. The investigation further revealed that many of the alleged doctor visits did not occur at all. As a result of his intentional submission of forged documents to his employer, Smart obtained \$6,413.05 in workers' compensation indemnity benefits to which he was not entitled.

“This defendant's intentional lies to DOCCS enabled him to improperly benefit from a system intended to assist hard-working New Yorkers who are injured and unable to work,” said **Inspector General Tagliaferro**. “I will continue to use all of the resources at my disposal to enhance the public's confidence in our State government by pursuing any public employee who corruptly abuses this critical benefits system.”

Inspector General Tagliaferro thanked the New York State Insurance Fund and DOCCS for their assistance with the investigation, the New York State Police for its assistance with the arrest, and Orleans County District Attorney Joseph V. Cardone and his office for prosecuting this matter.

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