



The City of New York  
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**FOR IMMEDIATE RELEASE**  
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**DOI ARRESTS MANHATTAN RESTAURANT OWNER ON CHARGE OF BRIBING AN UNDERCOVER INVESTIGATOR**  
***–Since fall 2010, DOI has arrested three other restaurant employees on bribery charges–***

ROSE GILL HEARN, Commissioner of the New York City Department of Investigation (“DOI”), announced today the arrest of the owner of Gan Eden Restaurant on West 47<sup>th</sup> Street in Manhattan on a charge of offering cash to an undercover DOI investigator posing as an “inspector” with the City Department of Health and Mental Hygiene (“DOHMH”) to overlook violations at the restaurant. The office of New York County District Attorney Cyrus R. Vance, Jr., is prosecuting the case. This is the fourth arrest by DOI since September 2010 of a restaurant owner or manager on bribery charges. In each case, a DOHMH inspector, officially known as a Public Health Sanitarian (“PHS”), reported to DOI that a restaurant employee offered a bribe to avoid a violation; the inspector refused the bribe offer; and DOI subsequently sent in an undercover investigator posing as a PHS.

DOI Commissioner Rose Gill Hearn said, “Restaurant operators who foolishly use pay offs as the way to fix health code violations should heed these arrests: Health inspectors report bribe offers to DOI, and we swiftly investigate. Anyone who bribes a City employee to circumvent the City’s health code will face arrest and prosecution. I commend those Health Inspectors who reported bribe offers to DOI and DOI’s undercover investigators whose hard work resulted in these arrests. DOI will continue to work with its law enforcement partners to deliver the message that bribery is no way to do business in New York City.”

Following are details of today’s arrest:

- JACOB ISAKOV, 26, of Fresh Meadows, Queens, was arrested and charged today with Bribery in the Third Degree, a class D felony, and Giving Unlawful Gratuities, a class A misdemeanor. Upon conviction, a class D felony is punishable by up to seven years in prison and a class A misdemeanor is punishable by up to a year’s incarceration.

According to the criminal complaint, on February 3, 2011, a DOI undercover investigator posing as a DOHMH “inspector” told the defendant about violations at Gan Eden Restaurant, 74 W. 47<sup>th</sup> St. The defendant said he wanted to give the inspector something to look the other way and then handed the inspector \$100.

Details of the previous cases, based on the criminal complaints, are as follows:

- VIDAL MACOTO-TORRES, 30, of Brooklyn, was charged in January 2011 with Bribery in the Third Degree, and Giving Unlawful Gratuities and Obstructing Governmental Administration in the Second Degree, class A misdemeanors. The office of Kings County District Attorney Charles J. Hynes is prosecuting the case.

According to the criminal complaint, on December 3, 2010, a DOI undercover investigator posing as a DOHMH “inspector” found several violations at The Donut Shoppe, located at 1503 Avenue U, Brooklyn, including uncovered food, food on the floor, and excess garbage. The defendant identified himself as the manager of the restaurant and asked the “inspector” if there was any way to resolve the issue, subsequently clarifying that he meant a few hundred dollars to make the violations go away. The “inspector” was given a \$100 bill by the defendant. This case is pending in Kings County Criminal Court.

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- ZHOU QIONG, 46, of Rego Park, Queens, the manager at Our Place Restaurant in Manhattan, was arrested in September 2010, and charged with Bribery in the Third Degree and Giving Unlawful Gratuities. The office of New York County District Attorney Cyrus R. Vance, Jr., is prosecuting the case, which has been assigned to Assistant District Attorney Natallia Krauchuk.

According to the criminal complaint, the defendant placed \$100 in the hand of an undercover DOI investigator posing as a DOHMH "inspector" after the undercover investigator found restaurant violations at the restaurant at 242 East 79<sup>th</sup> St. The defendant indicated the cash was for coffee and clarified that it was to help with the violations. The "inspector" indicated he would do his best and the defendant handed him an additional \$100.

In January 2011, the defendant pleaded guilty to Giving Unlawful Gratuities and was sentenced in New York County Criminal Court to a conditional discharge, \$1,000 fine - which was paid in February 2011 - and was also ordered to complete 10 days of community service.

- JAEYONG C. KIM, 41, of East Elmhurst, Queens, the manager of East Manor Buffet at 79-17 Albion Avenue in Queens, was charged in November 2010 with Bribery in the Third Degree. The office of Queens County District Attorney Richard A. Brown is prosecuting the case, which has been assigned to Assistant District Attorney Michelle Cort.

According to the criminal complaint, an undercover DOI investigator posed as a DOHMH "inspector" and found health code violations, which included crawling insects inside the bakery section, uncovered and exposed food, and staff working without gloves. The "inspector" notified the defendant of the violations and the defendant said he wanted to give a "gift" of \$500 in exchange for not reporting the violations and then gave the "inspector" \$500 in cash. The defendant repeatedly stated during the covert operation that he wanted an "A" rating, and that DOI's investigation found that an "A" rating could not be given if the above violations were reported.

This case is pending in Queens County Criminal Court.

Commissioner Gill Hearn thanked DOHMH Commissioner Dr. Thomas A. Farley, New York County District Attorney Cyrus R. Vance, Jr., Kings County District Attorney Charles J. Hynes, and Queens County District Attorney Richard A. Brown, and their staffs, for their cooperation and assistance in this investigation.

The investigation was conducted by DOI's Office of the Inspector General for DOHMH.

Criminal complaints are accusations. Defendants are presumed innocent until proven guilty.

*DOI is one of the oldest law-enforcement agencies in the country. The agency investigates and refers for prosecution City employees and contractors engaged in corrupt or fraudulent activities or unethical conduct. Investigations may involve any agency, officer, elected official or employee of the City, as well as those who do business with or receive benefits from the City.*

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