



Construction Industry Fraud

Orange County
District Attorney
David M. Hoovler

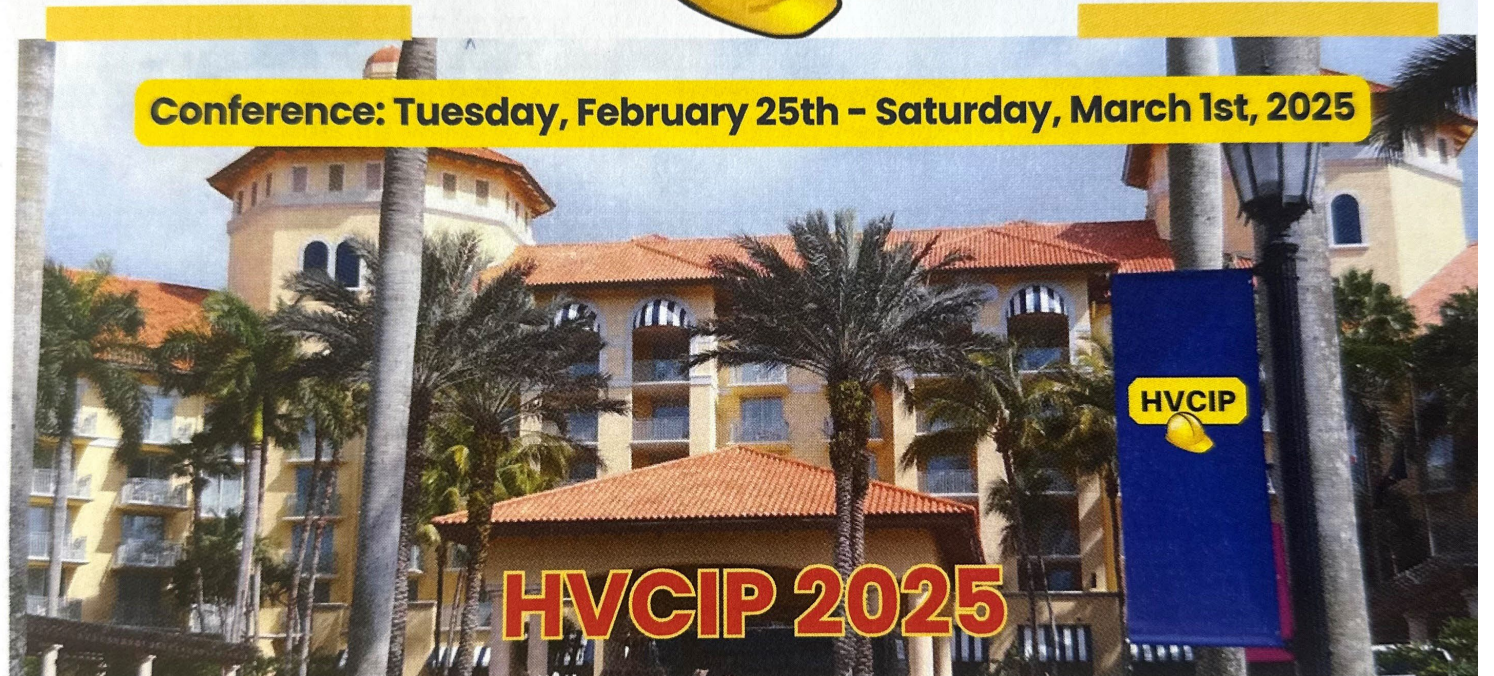




Informational packet



Conference: Tuesday, February 25th - Saturday, March 1st, 2025





The Basics

Construction Industry Fraud Takes Many Forms

- Wage theft
- Prevailing wage fraud
- Insurance fraud
- Workers' compensation fraud
- False documents
 - Misclassifications
- Bribes/kickbacks
- Tax fraud
- Lien law cases
- Bad contractors

Everything is case specific





The Basics

How do I get my DA's attention?

Relationships





The Basics

How do I get my DA's attention?

- Education
 - Business managers
- Invite DA to job site
- Invite DA to union hall





Together, things can get done

The Basics

Example:

- I will explain





The Basics

The DA's role is not just prosecuting crime

- Education
- Prevention
- Community relations





The DA's role is not just prosecuting crime

The Basics

Call or meet your DA





Update

New definition under NY Penal Law

PL § 155.05 Larceny, defined

(f) By wage theft.

A person obtains property by wage theft when such person hires a person to perform services and the person performs such services and the person does not pay wages, at the minimum wage rate and overtime, or promised wage, if greater than the minimum wage rate and overtime, to said person for work performed. In a prosecution for wage theft, for the purposes of venue, it is permissible to aggregate all nonpayments or underpayments to one person from one person, into one larceny count, even if the nonpayments or underpayments occurred in multiple counties. It is also permissible to aggregate nonpayments or underpayments from a workforce into one larceny count even if such nonpayments or underpayments occurred in multiple counties;



Update

New definition under NY Penal Law

PL § 155.00 Larceny, definitions of terms

1. "Property" means any money, compensation for labor or services, personal property, real property, computer data, computer program, thing in action, evidence of debt or contract, or any article, substance or thing of value, including any gas, steam, water or electricity, which is provided for a charge or compensation.