

**CITY OF NEW YORK
THE SPECIAL COMMISSIONER OF INVESTIGATION
FOR THE NEW YORK CITY SCHOOL DISTRICT**

EDWARD F. STANCIK
SPECIAL COMMISSIONER

**BACK TO THE FUTURE?
Conflicts of Interest and Fraud
in Community School District 12**

By: **JANET FORD**, Special Counsel
THOMAS COMISKEY, Deputy Chief Investigator
LARRY KENDRICKS, Assistant Supervising Investigator
RICHARD IANNOZZI, Senior Investigator

December 1996

Several individuals provided invaluable assistance in the investigation and preparation of this report: First Deputy Commissioner Robert Brenner provided overall case supervision and editorial direction; Deputy Commissioner Regina Loughran assisted in the writing and editing of this report; Chief Investigator Thomas Fennell gave guidance to the investigative team; and Senior Investigator Thomas Hyland assisted that team in the investigative field work.

INTRODUCTION

Corruption lives in Community School District 12, but board member Blanca Feliciano did not. Nor did a number of voters in this year's Community School Board election in District 12 - in which a successful candidate needed a mere 124 votes to become a board member. These illegal voters included a principal, an assistant principal and a teacher, all employed by the Board of Education. A condominium owned by Alexander ("Alex") Castillo, would-be Superintendent in District 12, was used to facilitate most of the illegal voting that we found. Castillo's condominium also allowed Blanca Feliciano to establish a fictitious residence in the district so that she could continue serving on the board. When this fiction was uncovered, Feliciano, desperate to keep her position, manipulated innocent schoolchildren like pawns in her quest to remain a District 12 board member.

This report details the elaborate machinations undertaken by Blanca Feliciano to maintain her position on the school board and the political maneuvering by candidates, voters and Board of Education employees that we have seen all too often in District 12.

BACKGROUND OF THE INVESTIGATION

On August 6, 1996, at a special public meeting of Community School Board 12, board member Blanca Feliciano moved to approve a resolution which called for the appointment of Alex Castillo as District Superintendent for a term commencing August 6, 1996 and ending June 30, 1997. All of the board members approved the resolution, except Louis R. Maldonado who abstained, and Carmen Judith Taveres who disapproved of the resolution.¹

At about the same time, this office received an allegation that Blanca Feliciano, a member of the Board of Community School District 12, was living beyond the boundaries of District 12. If the allegation proved to be true, Feliciano would be ineligible to maintain her position on the Board.² Our investigation revealed that not only was Feliciano living outside of District 12, but the address within District 12 which Feliciano had been using to conceal her residency violation was in fact a private condominium owned by Alex Castillo, the very person whom Feliciano nominated and voted for as Superintendent of District 12 on August 6, 1996. Castillo's condominium would prove to be at the very center of a tangled web involving Feliciano, Iris Denizac (Assistant Principal of PS 101), Roy Rivera (Principal of IS 98), and others.

Having received the allegation that Feliciano was living outside of District 12, we first needed to determine the address within District 12 at which Blanca Feliciano claimed to live. Feliciano officially listed her address as 9 Metropolitan Oval, Apartment TF, Bronx, New York. This address appeared on numerous documents prepared by Feliciano, including the

¹This office has been advised by the District 12 staff that the audio tapes of the August 6, 1996 public meeting are missing.

²Education Law Sec. 2590-c. (4):

Every registered voter residing in a community district and every parent of a child attending any school under the jurisdiction of the community board of such district ... shall be eligible for membership on such community board (Emphasis added).

1994 and 1995 Financial Disclosure Reports which she prepared and submitted to the Board of Education.

The apartment at 9 Metropolitan Oval is located in the Parkchester North Condominiums. Investigators visited this location and obtained numerous records including a Deed of Sale for the condominium and various leases. A review of the documents indicated that Alex Castillo purchased the apartment in June 1986. At the time of the purchase, Castillo was employed by the Board of Education as principal of PS 101, located in District 4, a position which he still holds. In addition, he was also a board member in Community School District 12.³

Thus, up until the very day that Blanca Feliciano made the motion appointing Alex Castillo Superintendent of District 12, Feliciano had been falsely claiming an apartment owned by her nominee, Alex Castillo, as her residence. Apparently realizing that this arrangement might appear to be a conflict of interest, Feliciano updated her registration with the New York City Board of Elections. On August 6, 1996, the day of the superintendent vote, Feliciano filed a Parent Voter Registration form with the Bronx office of the Board of Elections. On this form Feliciano indicated that she no longer lived at 9 Metropolitan Oval, Castillo's apartment and her official address on record with the Board of Elections since October 1994. Instead, Feliciano listed a new address, 45 Westchester Square, Apartment 2, Bronx, New York. This new address was located outside of District 12 (in District 11), and Feliciano was therefore in danger of losing her position on the Board of District 12, unless she could establish some other tie to District 12. As of August 6, 1996, Feliciano's new tie to District 12 was her "grandson," an unsuspecting student hereinafter referred to as "Student A."

³Pursuant to a 1988 amendment of the Education Law, a community board member cannot be employed by the board on which he/she is a member, any other community board, or the city board. The new law, commonly referred to as the "Serrano Law," became effective July 1, 1989. Education Law Sec. 2590-c (4).

THE VARIOUS SCHEMES UNFOLD

Student A

Nine-year-old Student A is enrolled in the second grade at PS 102, an elementary school located in District 12. Student A's mother, Jacqueline Ocasio, began a relationship with Blanca Feliciano's son, Troy Feliciano, in 1990 or 1991. Although Troy Feliciano is listed as Student A's "father" on certain of Student A's school records, Troy Feliciano is neither Student A's natural nor adoptive father. Troy Feliciano is employed by the Board of Education as a cleaner at IS 151, located in District 7. Though identified as a student enrolled at PS 102, Student A failed to show up at that school for the beginning of the 1996 -1997 school year. In fact, investigators learned that Student A and his mother had relocated to Florida in September of this year. However, Student A's mother ultimately returned to New York and re-enrolled him at PS 102 effective October 1, 1996.

Investigators interviewed Jacqueline Ocasio, Student A's mother, and questioned her about her relationship, if any, to Blanca Feliciano. Ocasio told them that although she and Troy Feliciano never married, they had lived together, most recently at 1409 Metropolitan Avenue, Bronx, New York. In approximately April of this year, they split up and Troy Feliciano moved in with his mother, Blanca Feliciano, at 45 Westchester Square.

Investigators then questioned Ocasio about any arrangement she may have had whereby Blanca Feliciano might use Ocasio's son, Student A, as her tie to District 12. Ocasio told investigators that Feliciano had telephoned her over the summer and asked Ocasio if she could take custody of Student A. Ocasio said that Feliciano told her this arrangement had something to do with the school board. Ocasio did not agree to any such arrangement and told Feliciano that she and her children were moving to Florida.

Ocasio was shown Blanca Feliciano's Parent Voter Registration form filed on August 6,

1996, on which Feliciano claimed to be the guardian of Student A. Ocasio informed investigators that she never gave permission for Feliciano to take custody of Student A. Furthermore, according to Ocasio, the information on the Parent Voter Registration form was incorrect. Student A's last name was misspelled and his date of birth was incorrect as well. Student A was born in 1987, not 1988, as it appears on the Parent Voter Registration form. In her haste to update her voter registration on the very day of the Superintendent vote, Feliciano forgot a few minor details about her "grandson."

While investigators were looking into the relationship between Feliciano and Student A, Feliciano herself called this office. On September 24, 1996, Feliciano spoke with one of our investigators upon learning that we were investigating her residency. After complaining about our investigation - especially bothered by the fact that we never spoke directly with her (the "Special Investigator Commissioner's office . . . should come to the source") - Feliciano told investigators that she had in fact informed the Chancellor of her new address (45 Westchester Square), and that she was well aware that it was located outside of District 12. Feliciano then went on to tell the investigator,

"I also have a child that attends District 12. Not my child, but I have a child that I care for that goes to District 12 school. . . . His name is [Student B]. . . . He's my nieces's son. . . . Because, as you well know, my grandson has left for Florida."

Feliciano, well aware that we had uncovered the scam involving her "grandson," Student A, appeared to have recruited yet another unsuspecting child into her scheme, "Student B."

Student B

Student B is a seven-year-old child who until September of this year lived with his mother, Farash Martinez, and his seven brothers and sisters, at their apartment located at 2783 Claflin Avenue, Bronx, New York. The family's Claflin Avenue home is located in Community School District 10, where all of Martinez's elementary school age children are enrolled in school (PS 7), except for Student B. Student B had been registered in a District 10 school until September 12, 1996 when he was enrolled in a District 12 school (CS 67). Student B was not enrolled in his new school by his mother, but by District 12 board member Blanca Feliciano.

After Feliciano herself disclosed her new professed tie to District 12, investigators proceeded cautiously, anticipating that Feliciano had established an airtight story. While the story might have played out well on paper, it soon became apparent that it was yet another desperate attempt by Feliciano to maintain her position as a District 12 board member.

Investigators visited CS 67, Student B's new school in District 12, and spoke with the principal, Jeffrey Litt, a former assistant superintendent in District 12 and close political ally of Alex Castillo. (Litt welcomed Castillo to the District after he was elected Superintendent at the August 6th Special Meeting of Community School Board 12). It soon became clear to investigators that Litt had been anticipating our visit. We met with Litt on October 29, 1996, and although Student B had been enrolled in CS 67 on September 12th, his cumulative school record was not yet on the premises. However, Litt was happy to tell investigators how Feliciano had taken Student B in and was caring for him. In Litt's opinion Feliciano was "the best thing that could have happened to [Student B]." Litt was also more than willing to provide us with whatever documents he had on file, including Student B's emergency contact card and a notarized letter, allegedly signed by Farash Martinez, which reads as follows:

To whom it may concern: 8/15/96
Please be advised that I Farash Martinez parent of [Student B], a second grade student at C.S. 67 do hereby grant all authority for education matters to his second aunt Blanca Feliciano. Ms. Feliciano should be granted all rights and all privileges (sic) regarding any and all educational matters of my son [Student B].

Sincerely,

Farash Martinez
(Mother)

While this letter, which purportedly transferred authority over Student B's "education" from his mother to Feliciano, may have satisfied Feliciano and principal Litt, it fell far short of establishing legal custody under the Chancellor's Regulations or New York State Education Law.

Chancellor's Regulation A-150 entitled, "Procedure for Verifying Student Addresses," which quotes Education Law Sec. 3202(1), states that a child "is entitled to attend the public schools maintained in the district in which such person resides." The regulation continues, "the residence of a student is generally the same as that of a person who is in parental or custodial relationship to the student." (Emphasis added).

Education Law Sec. 3212, "Definition of persons in parental relation and their duties;" reads in pertinent part:

1. . . . A person shall be regarded as the custodian of another individual if he has assumed the charge and care of such individual because the parents or legally appointed guardian of such individual have died, are imprisoned, are mentally ill, or have been committed to an institution, or because they have abandoned or deserted such individual or are living outside the state or their whereabouts are unknown.

Chancellor's Regulation A-150 states: "If the sole reason for living with a non-parent is to permit the student to attend the school then the student's residence is not established there."⁴ In clear violation of Chancellor's Regulation A-150, as well as the Education Law, Blanca Feliciano successfully arranged to take a child who lived with his mother and family in District 10, move the child into her apartment located in District 11, and enroll the child in a District 12 school, all in a desperate attempt to maintain her position on the Board of District 12.

In addition to the notarized letter, Litt also gave investigators a copy of Student B's Emergency Home Contact Card. The card identified Blanca Feliciano as Student B's "Mother or Guardian" and listed his address as 45 Westchester Square (Feliciano's home address) located in District 11. In case of a medical emergency, school officials were not directed to call the child's mother, Farash Martinez, but were instead directed to contact Blanca Feliciano, or her daughter, Becky Feliciano.

Investigators visited PS 86, the elementary school located in District 10 which Student B and his sisters had attended for the 1995 - 1996 school year. The principal, Sheldon Benardo, told investigators that Martinez had received a superintendent's waiver and transferred her children to PS 7, also located in District 10. Investigators reviewed the children's school records maintained at PS 86 and noticed that Martinez had listed 1215 Seneca Avenue as a prior address. Coincidentally, 1215 Seneca Avenue is the address of Seneca House, where Blanca Feliciano is employed and Martinez was a resident from 1994 until August of 1995.

Martinez appears to have cooperated with Feliciano in this scheme. According to Milton Fein, principal of PS 7, Farash Martinez enrolled three of her daughters at PS 7 in early October of this year. When Fein learned that Martinez also had a son, Student B, who was enrolled in a school across town (CS 67), Fein offered Martinez a spot in his school for Student

⁴Chancellor's Regulation, A-150 Sec. 2.3.7, November 1, 1994.

B. For no apparent reason, Martinez declined the offer. Fein also told investigators that Martinez appeared to be a stable parent, that she promised Fein her children would not be late or absent, and in fact, that Martinez herself drove the children to and from school every day.

Investigators reviewed the children's school records maintained at PS 7 and discovered a document entitled, "Application for Free and Reduced-Price School Meals," which had been prepared by Farash Martinez on October 8, 1996. On this application Martinez listed her son, Student B, as a resident of her household - thereby contradicting Student B's records previously obtained at CS 67 - and leading investigators to wonder exactly where, and with whom, seven-year-old Student B lived.

In an effort to determine where Student B actually lived, this office conducted surveillance of the homes of both Farash Martinez and Blanca Feliciano. Investigators observed Martinez's apartment on three separate mornings, and each time witnessed young female children leaving the premises and heading to PS 7. Investigators never saw a young boy in their company. Investigators conducted a single surveillance of Feliciano's apartment building and saw a young woman (presumably Becky Feliciano) leave the building in the morning with a young boy. Investigators followed the two as they travelled by bus to CS 67 where they both got off the bus and the boy entered the school.

Believing Student B was not living at home, investigators interviewed his mother, Farash Martinez, a thirty-one year old single parent of eight children, to inquire further about the arrangement with Feliciano. Investigators interviewed Martinez on three separate occasions, and each time she added a new twist to the facts surrounding the nature of her relationship with Blanca Feliciano, and specifically the arrangement involving her son, Student B.

Martinez told investigators that she had made arrangements for her son Student B to live with his "godmother," Blanca Feliciano, because Student B is "gifted" and she wanted him to

go to a good school. Student B lived with Feliciano Monday through Friday while he attended school at CS 67, and he lived at home on the weekends, with his mother and seven brothers and sisters. His mother would bring him directly to CS 67 on Monday morning, and pick him up from school on Friday afternoon.

According to Martinez this arrangement with Feliciano was Martinez's own idea. Despite making this arrangement, Martinez could not pinpoint when Student B moved from her home and in with Feliciano. However, Martinez did say that she gave Feliciano money from her Social Services check to cover the cost of caring for Student B. Martinez claimed that she gave Feliciano \$32 every other week, as well as \$86 in food stamps each month. It should also be noted that while under Feliciano's "care," Student B began school on September 12th, more than one week after classes began.

Board of Education records do in fact indicate that Student B is an above-average student. However, Student B's education was not the sole reason for enrolling him at CS 67. Indeed, PS 7, where Student B's sisters attend class, and where Student B was offered a spot, is one of the highest rated schools in District 10, yet Student B's mother turned down the principal's offer for him to attend class there. Student B's education does not appear to have been the sole priority of either Feliciano, or sadly, Student B's mother. Student B merely became a pawn in Feliciano's quest to remain on the Board of District 12.

Residences: Real and Imagined

Despite the elaborate paper trail put in place by Feliciano beginning as early as October 1994, by which she established her address as 9 Metropolitan Oval, Feliciano may in fact have never "resided" there. This paper trail included Board of Elections records, Department of Motor Vehicles registration, and official forms filed with the Board of Education. However,

other documents, as well as interviews of witnesses, indicate that Feliciano has lived outside District 12 since 1994.

45 Westchester Square

The lease for 45 Westchester Square, where Feliciano presently lives, was signed by her and covers a two-year period beginning September 1, 1995. In addition to the lease, Feliciano's son Troy submitted an Application of Employment at IS 151, dated June 28, 1996, in which he identified his address, as well as that of his mother, as 45 Westchester Square. Furthermore, Jacqueline Ocasio (Troy Feliciano's former girlfriend) told investigators that Feliciano moved into 45 Westchester Square sometime during the summer of 1995. This was one year prior to the schemes involving Students A and B.

Not only did Feliciano live outside District 12 when she moved to 45 Westchester Square in September 1995, but her address immediately before that move was outside District 12 as well. Ileana DeJesus, an acquaintance of Feliciano's, told investigators that Feliciano moved in with her at 1973 Powell Avenue, Bronx (District 8) as early as November or December 1994. Moreover, DeJesus said that prior to living with her, Feliciano had lived at 1105 Virginia Avenue, also in District 8.

1491 West Avenue

The evidence suggests that Feliciano never physically lived at Castillo's apartment in District 12. Prior to that date there is conflicting evidence as to where she in fact lived. On two documents that Feliciano filed in 1994, she identified her address as 1491 West Avenue, an apartment owned by a principal in District 12. If true, her lease arrangement with that principal, Roy Rivera, would have constituted a conflict of interest.

Board of Elections records indicate that in October 1994 when Feliciano changed her address of record to 9 Metropolitan Oval, she identified 1491 West Avenue, Apt. 4G, Bronx,

New York, as her prior address. This address was also listed by Feliciano in her 1993 Financial Disclosure Form filed with the Board of Education. The West Avenue address, located in the Parkchester North Condominium complex, is within District 12. The information that was not shared with the Board of Education was that in December 1993 the West Avenue apartment was purchased by Roy Rivera, Principal of IS 98 (District 12) and the former director of operations for District 12. Thus, on paper at least, Feliciano again maintained a District 12 address, yet, once again her choice of landlord violated conflict of interest laws.

9 Metropolitan Oval

Feliciano is not the only person who has claimed to live at the apartment owned by Alex Castillo located at 9 Metropolitan Oval. Numerous people listed 9 Metropolitan Oval, Apartment TF, as their residence at one time or another. Among some of Castillo's additional "tenants" were Iris Denizac, Roy Rivera and Student B's mother, Farash Martinez.

Immediately after purchasing the apartment, Castillo entered into a two-year lease renting the apartment to Iris Denizac for the period July 1, 1986 to June 30, 1988. At the time Castillo and Denizac entered into the lease agreement, Denizac was employed by the Board of Education as a teacher at PS 101, the very school where her landlord, Castillo, was principal. The landlord-tenant arrangement between Castillo and Denizac was in clear violation of the Conflict of Interest Rules maintained by the Board of Education and the City of New York.⁵

Roy Rivera, principal of IS 98 (District 12) and Farash Martinez, the mother of Student

⁵Chancellor's Regulation C-110 (Issued 9/6/83) entitled "Conflicts of Interest," adopted Section 2604 of the New York City Charter, the Conflicts of Interest Provisions. The relevant provision reads as follows:

"No public servant shall engage in any business, transaction or private employment, or have any financial or other private interest, direct or indirect, which is in conflict with the proper discharge of his or her official duties."

In 1990 this section of the Charter was amended. The new provision specifically recognized the potential for coercion or favoritism when co-workers, such as Castillo and Denizac, occupy different positions in the hierarchy and enter into business or financial relationships. According to the 1990 amendment, "No public servant shall enter into any business or financial relationship with another public servant who is a superior or subordinate of such public servant." New York City Charter Section 2604(b) 14.

B, appear, at least on Board of Election paperwork, to have lived at 9 Metropolitan Oval, Apartment TF, as well. Incredibly, there is no documentation with the condominium management company, the Department of Motor Vehicles, or utility companies, reflecting that Rivera or Martinez resided at 9 Metropolitan Oval. The only records we were able to locate which indicate they lived at 9 Metropolitan Oval are on file with the New York City Board of Elections.

Frisby Avenue

Denizac and Castillo's involvement dates back even further than the leasing of the apartment at 9 Metropolitan Oval. When Denizac signed the lease for 9 Metropolitan Oval, she was living at 2559 Frisby Avenue, Bronx, New York: a private home purchased by Alexander Castillo and Peter Negroni in 1982 as an investment property.

At the time they purchased 2559 Frisby Avenue, Castillo was a District 12 board member and Negroni was Superintendent of District 12. Thus Castillo and Negroni were in an employer/employee relationship since it is the Community School Board which hires the district superintendent. This arrangement created a conflict of interest which was a subject of the 1987 Bronx Grand Jury Report.

Castillo and Negroni no longer own the Frisby Avenue location. Castillo bought out Negroni's interest in 1987. Then in 1990 Castillo transferred his interest in the Frisby Avenue building to Ramon Feliciano, Blanca Feliciano's husband.

This transfer to Feliciano was explained to us by Castillo as a "swap." In return for giving up his interest in Frisby Avenue, Castillo received Ramon Feliciano's interest in 1252 Stratford Avenue. (According to Castillo, Stratford Avenue was purchased by him and Feliciano 19 years ago and Castillo has lived there since 1978).

In 1992, Blanca Feliciano's brother, Ivan Marti, became the owner of 2559 Frisby Avenue. Marti is also employed by the Board of Education and is presently assigned as a custodial fireman at the Bronx Occupational Training Center.

According to Denizac, she lived at 2559 Frisby Avenue for a few months in 1986, after she had broken up with her husband. She then moved from Frisby Avenue into 9 Metropolitan Oval in July of 1986, where she lived with her daughter until 1990. Denizac was aware that both apartments were owned by Alex Castillo and she readily admitted paying rent to Castillo.

Denizac has continued her employment at PS 101, where she first began her career as a substitute teacher, and has risen through the ranks, currently holding the position of assistant principal. Denizac's personnel file is filled with glowing performance reviews and letters of recommendation, all signed by her principal - and landlord - Alex Castillo.

ILLEGAL VOTING

During the course of our investigation it became apparent that a number of people had voted illegally in either the 1993 or 1996 Community School Board elections in District 12. Specifically, we uncovered five individuals who registered to vote with the Board of Elections using addresses within the District where they did not "reside" as defined under the law. Not only were the five voters registered to vote out of the same two apartments, but the owners of those two apartments were Board of Education employees themselves.

The term "residence" is defined in the Election Law as, ". . . that place where a person maintains a fixed, permanent and principal home and to which he, wherever temporarily located, always intends to return."⁶ During the course of our investigation we discovered one individual who allegedly painted an apartment during a 2-3 month period and felt that this constituted his "residence." Another individual who claimed to have recuperated at the same apartment for a 2-3 month period took the time during her "recuperation" to register to vote at that address. Through the use of this address both of these individuals were able to vote in the District 12 Community School Board elections.

Pursuant to New York State Election Law, "any person who . . . votes or offers or attempts to vote at an election, in an election district or from a place where he does not reside . . . is guilty of a felony."⁷ (Emphasis added). Following are examples of illegal voting in both the 1993 and 1996 Community School Board Elections in District 12, all of which were discovered during the course of this investigation.

Iris Denizac

⁶Election Law Sec. 1-104.

⁷Election Law, Section 12-132(3), Illegal Voting.

In addition to participating in an improper financial relationship with her principal, Alex Castillo, Denizac violated the law by registering and voting in a District where she did not reside. Denizac now lives in Carmel, New York. Her previous address, identified on various documents obtained by this office, was 910 Sheridan Avenue, Bronx, New York, an address located in Community School District 9. However, a review of the records maintained by the Board of Elections indicates that Denizac registered to vote at 1242 Taylor Avenue, Bronx, New York on April 9, 1993, less than one month before the 1993 School Board election. The Taylor Avenue address is within Community School District 12.

In 1993 the owner of 1242 Taylor Avenue was Michael Vega, a former District 12 board member, currently employed by the Board of Education as Superintendent of Community School District 23.⁸ Vega told investigators that he had tenants at Taylor Avenue, but he had never heard of Iris Denizac. Vega sold 1242 Taylor Avenue in 1995. The present owner is renovating the building and has not rented the building, nor any apartments within the building, since he took ownership. The current owner also informed investigators that he had never heard of Iris Denizac. Thus, Board of Elections records indicate that Denizac registered to vote from an address at which she was unknown to either owner, and this address enabled her to cast a ballot in the May 1996 Community School Board Election in District 12, in clear violation of Election Law.

When interviewed, Denizac explained that she had lived at Taylor Avenue with a boyfriend, but had moved out in 1995. Thus, even if one accepted this explanation from Denizac, she clearly was not living at Taylor Avenue in 1996. Nevertheless, she voted in the 1996 District 12 school board election by using that address. Denizac readily admitted that she

⁸Alex Castillo and Michael Vega have jointly owned a vacation property located in Fleischmans, New York since 1987.

voted in District 12 while actually living in District 9. According to Denizac, she had been too lazy to update her registration. Further, Denizac stated that she did not think voting in the District 12 school board election, while living in District 9, and working in District 4 under the supervision of Alex Castillo, the would-be Superintendent of District 12, presented a problem.

Roy Rivera

Roy Rivera, the principal of IS 98 located in District 12, has lived upstate for the past 16 years yet in 1993 he registered and voted in the District 12 school board election. A review of records maintained by the Board of Education and the Department of Motor Vehicles, and a review of telephone records, indicates that Rivera has lived in Fishkill, New York since approximately 1980. However, New York City Board of Elections' records indicate that Rivera registered to vote on April 8, 1993, less than one month before the 1993 School Board elections, at none other than 9 Metropolitan Oval, apartment TF - the apartment owned by Alex Castillo. Rivera registered and voted in the May 1993 District 12 school board election. Other than the Board of Elections records, investigators were unable to locate a single document which indicated Rivera ever lived at 9 Metropolitan Oval.

Rivera has been a principal in District 12 since 1989. However, at the time he cast his ballot in the 1993 school board election, Rivera was on assignment in the District 12 superintendent's office where he held the position of Director of Operations. Rivera did not vote in the 1996 election.

Rivera refused to speak with investigators from this office, in violation of Executive Order No. 11.⁹ Nonetheless, Castillo explained to investigators that he had given the keys to

⁹(e) Every officer or employee of the City School District of the city of New York, including the members of the Board of Education, the Chancellor, members of all Community School Boards and Community Superintendents shall cooperate fully with the [Special] Commissioner. Interference with or obstruction of the [Special] Commissioner's

the 9 Metropolitan Oval apartment to Rivera because Rivera was painting the apartment for him. Castillo did not have the time to do the work himself, so Principal Rivera agreed to do the work for free. Castillo told investigators he did not pay Rivera, he merely provided him with the necessary supplies. Castillo said he had given Rivera the keys for a 2-3 month period sometime in 1993, but was not sure if Rivera actually "lived" at the apartment.

Farash Martinez

Martinez assisted Feliciano in at least two ways. First, Martinez cast a ballot in the May 1996 District 12 Community School Board election, quite possibly helping Feliciano get elected in the first place despite the fact that evidence indicates Martinez lived in District 10. Second, by letting Feliciano exploit her son, Student B, Martinez helped Feliciano to maintain her position as a District 12 board member.

During her initial interview with investigators from this office, Martinez was asked where she had lived for the past five years. Martinez rattled off a litany of addresses, never once mentioning 9 Metropolitan Oval. During her second interview, Martinez was shown her voter registration card dated February 14, 1996, which showed her address as 9 Metropolitan Oval, Apartment TF. Martinez acknowledged that she prepared the card and explained to investigators that when she left Seneca House, in August 1995, she lived at 9 Metropolitan Oval for one month. This explanation is contradicted by the records obtained from Seneca House which indicate that Martinez moved directly to Claflin Avenue, where she lives to this day. In addition, although Martinez left Seneca House in August 1995, she prepared the voter registration card in February 1996 - six months after she left Seneca House. This undermines

investigations or other functions shall constitute cause for removal from office or employment, or other appropriate penalty.

Martinez's own explanation.

At her third interview, Martinez gave yet another explanation for registering to vote at 9 Metropolitan Oval. Martinez told investigators that she had lived at 9 Metropolitan Oval from December 1995 until the end of May 1996. Martinez claimed to have lived at this address with Blanca Feliciano while she, Martinez, recovered from surgery.

While Martinez gave numerous explanations as to when and why she lived in Alex Castillo's apartment at 9 Metropolitan Oval, there is one fact that Martinez did not dispute: Martinez readily admitted to casting her ballot in the May 1996 Community School Board election in District 12. Yet that very fact is disputed by a handwriting expert who reviewed District 12 election records.

Investigators consulted a nationally renowned expert in the field of handwriting analysis to review the signature of Farash Martinez in the poll book from the 1996 Community School Board election for District 12. The top line of the Poll Book contains a copy of Martinez's signature which is on record with the Board of Elections. Underneath the signature of record is a second line where the voter, Martinez, was to sign on the actual date of the election before casting her ballot. The handwriting expert reviewed the signature on the second line of the poll book, with the signature on record with the Board of Elections, as well as ten handwriting exemplars which Martinez gave our investigators. Based upon this review, the expert determined that the signature on the second line of the poll book, the signature made the day of the 1996 Community School Board election, was not the signature of Farash Martinez.

Coincidentally, whoever voted at that polling site using Martinez's name cast the 10th ballot in the District 12 election, and Feliciano cast the 11th ballot.

Isabel Quinones

Like Iris Denizac, Isabel Quinones voted using the 1242 Taylor Avenue address though she did not live there at the time of the election. Quinones is employed as a teacher at IS 98 (District 12), the same school where Roy Rivera is principal. Investigators came upon Quinones' name while reviewing records from the May 1996 District 12 School Board elections.

Investigators once again spoke with the owners of 1242 Taylor Avenue, who informed them that, as with Iris Denizac, they had never heard of Isabel Quinones. Investigators attempted to interview Quinones, but she refused to speak with them in violation of Executive Order No. 11.

To add to the intrigue, Quinones registered with the Board of Elections on April 8, 1993, using the Taylor Avenue address, the same day that Roy Rivera registered using the 9 Metropolitan Oval address. To be fair, it should be noted that at the time they registered to vote, Quinones and Rivera were not employed at IS 98. However, they were not strangers. As stated earlier, Rivera was director of operations for District 12, working out of the District office, and Quinones was a teacher at IS 193, the school where Rivera had worked before joining the District office staff.

Quinones cast the 33rd ballot in the May 1996 District 12 School Board elections and Iris Denizac cast the 34th ballot at the same polling place.

A review of records maintained by the Board of Education indicates that Quinones lived at 729 Adeo Avenue, Bronx, New York, from September 1991 until May 28, 1996. 729 Adeo Avenue is located in Community School District 11. Investigators spoke with the building superintendent of 729 Adeo Avenue who verified that Quinones had lived there, and had moved out sometime around the end of May. Coincidentally, according to Board of Education employment records, Quinones' new address is 2559 Frisby Avenue, which is presently owned

by Ivan Marti, a Board of Education employee, and Blanca Feliciano's brother.

Blanca Feliciano

As discussed earlier, questions remain regarding Feliciano's addresses on file with the Board of Elections. Evidence suggests that Feliciano merely used the West Avenue and Metropolitan Oval addresses (apartments which were owned by Roy Rivera and Alex Castillo, respectively) for her own political benefit, and quite possibly the political benefit of others.

These addresses enabled Feliciano not only to run in the District 12 elections in both 1993 and 1996, but also to vote in those elections as well. Once elected, these addresses allowed her to maintain her seat on the Board. However, as discussed earlier, there is ample evidence to suggest that Feliciano had been living outside of District 12 since at least 1994. Thus the validity of her tenure on the Board is questionable, and she committed one, and quite possibly two, acts of illegal voting.

Blanca Feliciano repeatedly complained about the way this office conducted its investigation; nevertheless, when asked to speak to investigators, through her attorney she declined. The various statements in this report which are attributed to Feliciano were taken from phone calls with investigators from this office initiated by Feliciano.

Chancellor Rudolph F. Crew suspended the entire Board of District 12 on August 19, 1996. That notwithstanding, Blanca Feliciano resigned from her position as a Community School Board member effective December 2, 1996.

RECOMMENDATIONS

This case illustrates the negative impact on parents and children when education is forced to take a back seat to politics, and highlights the need for comprehensive school board reform. We urge all parties involved -- parents, the Chancellor, the Board, City and State lawmakers -- to make reform happen now: This must happen if the education of our schoolchildren is ever to become the central focus of the local school boards in New York City.

Blanca Feliciano

Feliciano was elected as a school board member in District 12 despite the fact that she was living beyond the boundaries of that district. Feliciano went to great lengths to establish a fictitious legal foothold in the district, including manipulating two innocent schoolchildren and utilizing the address of an apartment owned by Alex Castillo, the very person she later nominated and voted for as superintendent of District 12.

The evidence gathered during our investigation relating to Blanca Feliciano will be referred to the New York City Conflict of Interest Board and the District Attorney of Bronx County.

Although Feliciano has resigned from Community School Board 12, she should be officially removed from her position for malfeasance relating to her service in that position. Under State Law, Feliciano would then be ineligible to be appointed or elected to the Board for a period of three years from her removal.¹⁰

Alexander Castillo

Castillo engaged in a series of improper financial relationships with supervisors and subordinates in both District 12 and District 4.

¹⁰New York State Election Law section 2590-c(4)(b)(1), effective July 1, 1996.

The Board should take strong disciplinary action against Castillo, which could appropriately include termination of his employment. Moreover, the evidence gathered during our investigation relating to Alex Castillo will be referred to the New York City Conflict of Interest Board.

Alexander Castillo should not be superintendent in District 12. All appropriate legal means should be utilized to prevent that from occurring.

Iris Denizac

Denizac leased an apartment from her immediate supervisor, Alex Castillo, a financial arrangement that is prohibited by law. In addition, at the time she was working in District 4 under the immediate supervision of Alex Castillo, future candidate for the District 12 superintendent's position, Denizac cast a vote in the Community School Board Elections held in District 12, despite the fact that she was a resident of District 9 at the time.

The Board should take strong disciplinary action against Denizac, which could appropriately include termination of her employment. Moreover, the evidence gathered during our investigation relating to the Election Law felony of illegal voting will be referred to the District Attorney of Bronx County.

Isabel Quinones

Quinones, a teacher at IS 98 in District 12, registered to vote from the 1242 Taylor Avenue address in District 12 even though she resided in District 11. Quinones subsequently cast a ballot in the Community School Board Election in District 12.

The Board should take strong disciplinary action against Quinones, which could appropriately include termination of her employment. Moreover, the evidence gathered during our investigation relating to the Election Law felony of illegal voting will be referred to the District Attorney of Bronx County.

Roy Rivera

Rivera has lived in Fishkill, New York since approximately 1980. Nevertheless, while employed as Director of Operations in District 12 in 1993, Rivera registered to vote from the apartment owned by Alex Castillo and subsequently cast a ballot in the Community School Board Election held in District 12.

The Board should take strong disciplinary action against Rivera, which could appropriately include termination of his employment. Moreover, the evidence gathered during our investigation relating to the Election Law felony of illegal voting will be referred to the District Attorney of Bronx County.