



NEWS RELEASE

From New York State Inspector General
Catherine Leahy Scott

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FORMER STATE CORRECTIONS SERGEANT PLEADS GUILTY TO WORKERS' COMPENSATION FRAUD; SAID HE WAS UNABLE TO WORK WHILE RUNNING A CAYUGA COUNTY CAR DEALERSHIP

Defendant paid \$56,400 Restitution to State

GENOA – New York State Inspector General Catherine Leahy Scott and Attorney General Eric T. Schneiderman today announced the arrest, guilty plea and sentencing of a former State Corrections sergeant for stealing \$56,400 in Workers' Compensation benefits by running a Cayuga County used car business while claiming he was unable to work.

Joseph Clare, 56, of Honoco Road, Aurora, was charged and pleaded guilty in Genoa Town Court to Attempted Workers' Compensation Fraud and Petit Larceny, misdemeanors, under an agreement that he forfeits future wage-replacement insurance benefits relating to injuries he claimed while working as a corrections sergeant, and that included his immediate payment of \$56,400 restitution to the State for insurance benefits that he received but to which he was not entitled.

“This former State prison sergeant took advantage of a system meant to protect honest New Yorkers who are unable to work because of an illness or injury,” said Inspector General Scott. “I will continue to relentlessly pursue and hold accountable anybody who defrauds the Workers' Compensation system.”

“When our Workers' Compensation program is defrauded, honest, hardworking New Yorkers who rely on those funds end up paying the price,” Attorney General Schneiderman said. “My office will keep fighting to root out fraud and hold those who cheat the Workers' Compensation program for personal gain responsible.”

According to an investigation by Inspector General Leahy Scott, Clare retired from his State job as a prison corrections sergeant at Willard Correctional Facility in early 2008. Shortly after retiring, he applied for Workers' Compensation insurance payments claiming he would not have retired but for injuries he received as a State employee in 2002 and 2005. He was awarded \$400 per week in wage replacement benefits in addition to his pension payments, and from early 2012 through 2014 repeatedly certified to the State that he engaged in no work for an employer or his own business. Routine reviews in 2013 and 2014, however, found he was in fact working as a used car dealer for J & T Auto in Kings Ferry, a company formed by Clare's wife in early 2012.

Clare's restitution of \$56,400, which was handed over in court, represents Workers' Compensation wage replacement benefits he received while employed at J & T Auto.

Inspector General Leahy Scott, who is also the State Workers' Compensation Fraud Inspector General, thanked the New York State Insurance Fund for their assistance with the investigation, the State Police for processing the defendant's arrest, and Attorney General Eric T. Schneiderman and his office for their prosecution of this matter.
