

Department of Justice

U.S. Attorney's Office

Southern District of New York

FOR IMMEDIATE RELEASE

Wednesday, January 19, 2022

Defendant Charged In \$1.9 Million Covid-19 Fraud Scheme

Yohauris Rodriguez Hernandez Arrested for Participating in Scheme to Fraudulently Obtain COVID-19 Unemployment Benefits

Damian Williams, the United States Attorney for the Southern District of New York, Jonathan Mellone, Special Agent in Charge of the New York Regional Office of the U.S. Department of Labor Office of Inspector General (“DOL-OIG”), Daniel B. Brubaker, Inspector in Charge, New York Division of the United States Postal Inspection Service (“USPIS”), and Sharon MacDermott, Special Agent in Charge of the New York Regional Office of the U.S. Social Security Administration Office of Inspector General (“SSA-OIG”), announced today the unsealing of a complaint charging **YOHAURIS RODRIGUEZ HERNANDEZ** with conspiracy to commit wire fraud, conspiracy to commit theft of government benefits, and aggravated identity theft in connection with a COVID-19 unemployment benefit scheme that attempted to steal more than \$1.9 million from the New York State Department of Labor (“NYS DOL”) and various other states’ agencies tasked with the administration of unemployment benefits. YOHAURIS RODRIGUEZ HERNANDEZ was arrested this morning in Goshen, New York, and will be presented later today before United States Magistrate Judge Paul E. Davison.

U.S. Attorney Damian Williams said: “As alleged, the defendant participated in a scheme to fraudulently obtain COVID-19 unemployment benefits under the names and social security numbers of at least 100 other people, which attempted to steal more than \$1.9 million and resulted in the fraudulent disbursement of more than \$500,000. The defendant is now in custody and facing serious federal charges.”

DOL-OIG Special Agent in Charge Jonathan Mellone said: “The Unemployment Insurance Program exists to provide needed assistance to qualified individuals who are unemployed due to no fault of their own. Fraud against the Unemployment Insurance Program distracts state workforce agencies from ensuring benefits go to individuals who are eligible to receive them. The Office of Inspector General will continue to work closely with our law enforcement partners to investigate those who exploit the Unemployment Insurance Program.”

USPIS Inspector in Charge Daniel B. Brubaker said: “This defendant allegedly took advantage of the urgent need to assist those struggling financially during the coronavirus pandemic; allegedly stealing identities and using those identities to file for unemployment benefits in a scheme to enrich their own lifestyle while others suffered. Postal Inspectors and their law enforcement partners are committed to bring those to justice who break the law, and in this case justice has been served.”

SSA-OIG Special Agent in Charge Sharon MacDermott said: “Today’s arrest demonstrates that pursuing and prosecuting those who allegedly abuse the identities of innocent people and damage the integrity of the Social Security number for their own selfish gain remains a priority for us. We are committed to working with our law enforcement partners, and I thank New York Department of Labor, Department of Labor, Office of the Inspector General, United States Postal Inspectors, Homeland Security Investigations, the New York Police Department, and the Yonkers Police

Department for their efforts in this major investigation. I also thank the U.S. Attorney’s Office for pursuing justice in this case.”

As alleged in the Complaint:^[1]

From February 2020 through December 2020, YOHAURIS RODRIGUEZ HERNANDEZ and a co-conspirator (“CC-1”) engaged in a scheme to obtain COVID-19 unemployment benefits through the fraudulent filing and verification of applications using the names and social security numbers of at least 100 other people. Law enforcement agencies were first alerted to the scheme after YOHAURIS RODRIGUEZ HERNANDEZ and CC-1 fled a Yonkers hotel in December 2020 leaving behind in their previously occupied room over 500 pieces of NYS DOL mail containing information and NYS DOL-issued debit cards for approximately 76 individuals. Over the course of the relevant time period, YOHAURIS RODRIGUEZ HERNANDEZ and CC-1 exchanged text messages, images, and other communications that included, among other things, personal identifying information—such as names, social security numbers, and dates of birth—that were used in connection with the filing and verification of fraudulent applications for unemployment benefits. The scheme resulted in fraudulent claims for approximately \$1.9 million and the fraudulent disbursement of over \$500,000 in COVID-19 unemployment benefits.

* * *

YOHAURIS RODRIGUEZ HERNANDEZ, 40, is charged with (1) conspiracy to commit wire fraud, which carries a maximum sentence of 20 years in prison, (2) conspiracy to commit theft of government benefits, which carries a maximum sentence of 10 years in prison, and (3) aggravated identity theft, which carries a mandatory two-year consecutive sentence. The maximum potential sentences in this case are prescribed by Congress and are provided here for informational purposes only, as any sentencing of the defendant will be determined by a judge.

Mr. Williams praised the outstanding work of the DOL-OIG, the USFIS, the SSA-OIG, the NYS DOL, the City of Yonkers Police Department, Homeland Security Investigations, and the New York City Police Department. Mr. Williams noted that the investigation is ongoing.

The case is being prosecuted by the Office’s White Plains Division. Assistant U.S. Attorney Kevin Sullivan is in charge of the prosecution.

The charges contained in the Complaint are merely accusations, and the defendant is presumed innocent unless and until proven guilty.

^[1] As the introductory phrase signifies, the entirety of the text of the Complaint, and the description of the Complaint set forth herein, constitutes only allegations, and every fact described therein should be treated as an allegation.

Attachment(s):

[Download u.s. v. yohauris rodriguez hernandez 22-mj-431 - fraud complaint - issued.pdf](#)

Component(s):

[USAO - New York, Southern](#)

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