

People v. LaShawn Henry, Brittany Henry, and Urban Strategies of New York, Inc.

Statement of Facts

Following a long-term, wiretap investigation into corruption within the New York City construction industry, a New York County grand jury returned three indictments pertaining to LaShawn Henry (“L. HENRY”), Brittany Henry (“B. HENRY”), and Urban Strategies of New York, Inc. (“URBAN STRATEGIES”). One indictment charges the defendants with Conspiracy in the Fifth Degree and Falsifying Business Records in the First Degree, and additionally charges L. HENRY and B. HENRY with Commercial Bribe Receiving in the Second Degree. A second indictment charges L. HENRY individually with Scheme to Defraud in the Fourth Degree, Grand Larceny in the Second Degree, two counts of Grand Larceny in the Fourth Degree, six counts of Offering a False Instrument for Filing in the First Degree, and two counts of Falsifying Business Records in the First Degree. A third indictment charges B. HENRY individually with five counts of Offering a False Instrument for Filing in the First Degree.

On January 9, 2019, L. HENRY and B. HENRY together founded URBAN STRATEGIES, a construction industry consulting firm, with L. HENRY serving as president and B. HENRY as vice-president. In November 2019, URBAN STRATEGIES entered into a contract with a general contractor construction firm (“GC-1”) to provide assistance in local hiring. During all relevant periods, URBAN STRATEGIES continued to perform work for GC-1, and L. HENRY and B. HENRY continued to operate URBAN STRATEGIES.

Indictment #1 – Ind. No. 71837/2023

From on or about December 13, 2020, to on or about November 9, 2021, L. HENRY and B. HENRY accepted cash payments from JM3 Construction LLC (“JM3 Construction”), its principal, Lawrence Wecker, and other representatives of JM3 Construction, in exchange for their promise to push the interests of JM3 Construction with GC-1, a construction firm specializing in the construction of affordable housing. L. HENRY did in fact intervene on behalf of JM3 Construction with GC-1 without disclosing to GC-1 that she accepted money from JM3 Construction.

On nine occasions, DANY investigators conducted surveillance of meetings between L. HENRY and/or B. HENRY with Lawrence Wecker and/or other representatives of JM3 Construction, during which Lawrence Wecker or the JM3 Construction representative(s) gave L. HENRY and/or B. HENRY one or more envelopes containing cash. On November 9, 2021, during the execution of a search warrant of a JM3 Construction office, investigators recovered payment sheets showing that the defendants were paid \$300 weekly.

From on or about December 12, 2020, to on or about November 9, 2021, the defendants also conspired with JM3 Construction, Lawrence Wecker, and others, to create the appearance that URBAN STRATEGIES, a certified minority- and woman-owned business enterprise (“M/WBE”), was providing subcontractor carpentry work for JM3 Construction. In fact, URBAN STRATEGIES did not have any capacity to perform actual construction work, and JM3 Construction would have performed all the work. The defendants agreed that JM3 Construction could make false representations to general contractors that URBAN

STRATEGIES was doing subcontractor work so that JM3 Construction could obtain construction work which required the participation of M/WBE firms. The defendants agreed to receive a percentage of any contract funds to act as an M/WBE pass-through entity.

From June 14, 2021, to November 9, 2021, the defendants, acting in concert with JM3 Construction, Lawrence Wecker, and others, caused false entries to be made in the business records of a general contractor firm pertaining to URBAN STRATEGIES's participation as a drywall subcontractor.

Indictment #2 – Ind. No. 71841/2023

From May 24, 2019, through July 31, 2022, LaShawn Henry perpetrated an extensive grand larceny and disability fraud scheme against the Social Security Agency (“SSA”), other government public benefit agencies, and two private companies. L. HENRY falsely represented to SSA that she was unable to work due to multiple conditions, including depression, anxiety, arthritis, type-2 diabetes, peripheral neuropathy, glaucoma, thyroid disease, high blood pressure, kidney problems, paresthesia, and severe back pain. L. HENRY thereby obtained disability benefits from SSA, and a disability award letter that helped her apply for a discharge of student loan obligations, the early disbursement of pension benefits, and cash assistance and SNAP benefits from the New York City Human Resources Administration (“HRA”). Additionally, L. HENRY obtained New York City Transit Access-a-Ride benefits by making false statements and fraudulently presenting herself as unable to complete certain physical tasks.

In one false filing to SSA, dated August 30, 2019, L. HENRY stated that her daughter bathed, dressed, cooked for, cared for, and handled money for her. She stated that aside from medical appointments and physical therapy, she would spend all day in bed. She stated that she frequently became confused and that her only interests were pain management and television. In another false filing to SSA, dated December 13, 2021, L. HENRY stated that she was scared to go outside for long periods of time, that she would only go out to the park, that she did not drive, that her daughter assisted her with shopping and paying bills, that she was unable to follow either written or spoken instructions, and that she used a walker and/or cane.

L. HENRY obtained approximately \$81,000 in disability insurance payments from SSA over the course of the scheme. Using her SSA award letter, L. HENRY applied for and obtained from the federal Department of Education a Total and Permanent Disability discharge of approximately \$225,000 in federal student loan debt. She obtained thousands of dollars in SNAP, cash assistance, and shelter assistance from HRA, and over a thousand dollars in reimbursements from Access-a-Ride.

Over the course of the wiretap investigation, DANY investigators intercepted hundreds of communications in which L. HENRY made statements contradicting her disability claims to SSA, HRA, New York City Transit, and other entities. DANY investigators also conducted surveillance of L. HENRY on approximately 14 occasions from January 8, 2021, through September 30, 2021, including occasions where L. HENRY was observed driving, walking a construction site, attending a political fundraiser, and entering a waterslide at Dorney Park amusement and water park.

Pursuant to a search warrant executed on L. HENRY'S apartment, DANY investigators recovered documents and electronic devices evidencing that L. HENRY had been, during all relevant periods, operating URBAN STRATEGIES. A search of her phone further revealed that she had traveled extensively during the period of her alleged disability, including trips to Barbados, Cuba, Curacao, Jamaica, and Puerto Rico.



(Cuba, 2019)



(Jamaica, 2020)



(Barbados, 2021)



(Curacao, 2021)



(Dorney Park, 2021)

Indictment #3 – Ind. No. 71843/2023

In April 2020, while serving as vice president of URBAN STRATEGIES, B. HENRY applied to the New York State Department of Labor (“DOL”) for unemployment insurance benefits. In the application, B. HENRY stated that she was unemployed, that she was not an officer of a corporation, and that she did not have other business income. From April 6, 2020, through November 8, 2020, B. HENRY submitted 33 weekly certifications to DOL stating that she had worked zero days during each respective week. During all relevant periods, B. HENRY was receiving regular payments either directly from URBAN STRATEGIES or from

a professional employer organization contracted by URBAN STRATEGIES to distribute payroll.

Bank records show that B. HENRY received DOL unemployment insurance at or about the same time that she received payroll from URBAN STRATEGIES.