

NEWS

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FOR IMMEDIATE RELEASE

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Former Guttenberg Mayor and Wife Each Sentenced to
51 Months in Prison For Corruption, Tax Fraud Convictions

(More)

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NEWARK – Former Guttenberg Mayor David Delle Donna and his wife, a former Planning Board member, were each sentenced to 51 months in federal prison today for their convictions on charges of conspiracy to commit extortion under color of official right and income tax fraud, U.S. Attorney Christopher J. Christie announced.

U.S. District Judge Harold A. Ackerman, who presided over the Delle Donnas' five-week trial, also ordered David Delle Donna to pay a \$12,500 fine, and Anna Delle Donna to pay a fine of \$10,000. Judge Ackerman continued their release on bond, pending their scheduled surrender to the federal Bureau of Prisons on Jan. 5.

The extortion conviction related to the Delle Donnas' acceptance of tens of thousands of dollars in cash payments and gifts from a local bar owner who, in turn, received favors that included official action and inaction on liquor license violations and other issues related to the bar's operation, and permits and approvals on matters before the planning board.

On April 29, 2008, after five days of deliberations, a jury returned guilty verdicts against the Delle Donnas on three of five counts contained in a Superseding Indictment – conspiracy to commit extortion under color of official right, and two counts of filing false income tax returns.

“We are satisfied with the sentences, and believe that the judge took into account the seriousness of the Delle Donnas' crimes and their abuse of the public trust,” said Christie.

According to the charges and evidence at trial related to the extortion conviction, the corrupt payments received from the bar owner by the Delle Donnas included approximately \$2,000 for Anna Delle Donna's cosmetic surgery, tens of thousands of dollars from the bar owner to Anna Delle Donna for gambling in Atlantic City, and the gift of a dog and accessories (including canine insurance) valued at approximately \$2,300.

Trial evidence also revealed that the bar owner paid for her employees to work on David Delle Donna's primary and general election campaigns, and that he accepted a \$500 Macy's gift card from the bar owner, as well as the installation of a closet in his home, with a value of about \$1,000, among other gifts.

The tax fraud convictions were for the Delle Donnas' filing of federal returns for 2004 and 2005, in which they failed to report a total of about \$25,000 in rental income from tenants of apartments they owned and, in tax year 2005, the value of cash and gifts from the bar owner to Anna Delle Donna.

In determining the sentence, Judge Ackerman consulted the advisory U.S. Sentencing

Guidelines, which provide appropriate sentencing ranges that take into account the severity and characteristics of the offense, the defendant's criminal history, if any, and other factors. The judge, however, was not bound by those guidelines in determining a sentence.

Parole has been abolished in the federal system. Defendants who are given custodial terms must serve nearly all that time.

Christie credited Special Agents of the FBI, under the direction of Special Agent in Charge Weysan Dun, and Special Agents of the IRS, under the direction of Special Agent in Charge William P. Offord, with the investigation of the Delle Donnas and for their support and expertise in the trial phase of the case.

The case was prosecuted by Assistant U.S. Attorneys Thomas Calcagni and Richard Constable, of the U.S. Attorney's Office Special Prosecutions Division.

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Defense Attorneys:

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|---|-------------|
| Anna Delle Donna - Brian J. Neary, Esq. | Hackensack, |
| David Delle Donna - Ralph J. Lamparello, Esq. | Secaucus |