

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Criminal No. 09-
 :
 v. : 18 U.S.C. §§ 981, 1952(a)(3)
 : and § 2; 28 U.S.C. § 2461
 ALFONSO L. SANTORO : I N F O R M A T I O N

The defendant having waived in open court prosecution by Indictment, the United States Attorney for the District of New Jersey charges that:

Use of Interstate Facilities to Promote and Facilitate Bribery

1. At all times relevant to this Information:

a. Defendant ALFONSO L. SANTORO (hereinafter, "defendant SANTORO") served as the Executive Director of the Ocean County Democratic Party ("OCDP"), and as a Commissioner on the Ocean County Board of Elections ("OCBE"). As the Executive Director of the OCDP, defendant SANTORO participated in directing the affairs of the Democratic Party in Ocean County, New Jersey. As an OCBE Commissioner, defendant SANTORO, among other things, supervised primary and general elections held in Ocean County and voted to approve rules and regulations concerning the conduct of such primaries and general elections.

b. There was a cooperating witness (the "CW") who, at the direction of the Federal Bureau of Investigation ("FBI"), held himself out to be a real estate developer interested in

development in the State of New Jersey.

c. There was an individual who was an employee of the Jersey City Department of Health and Human Services, and a former member of the Jersey City Zoning Board of Adjustment (hereinafter, "the JC Official"). From in or about March 2008 to in or about July 2009, the JC Official accepted a series of corrupt payments from the CW in exchange for, among other things: (i) exercising and agreeing to exercise his official influence and assistance as a Jersey City official in the CW's favor, as specific opportunities arose; and (ii) facilitating introductions and corrupt payments to other officials willing to accept corrupt payments in exchange for their official influence in obtaining certain development approvals in the State of New Jersey and elsewhere. JC Official was an associate of defendant SANTORO.

d. There was an individual who was a political party official in Ocean County, New Jersey (hereinafter, "the Individual").

e. There was an individual who served as an elected member of the New Jersey State Assembly representing New Jersey's Ninth Legislative District (hereinafter, "the Elected Official").

2. From in or about May 2008 to in or about February 2009, in Ocean County, in the District of New Jersey and elsewhere, defendant

ALFONSO L. SANTORO

knowingly and willfully did use and cause the use of telephone facilities in interstate commerce with the intent to promote, manage, establish, carry on and facilitate the promotion, management, establishment and carrying on of an unlawful activity, namely bribery in connection with official and political matters, contrary to N.J. Stat. § 2C:27-2, and thereafter performed and attempted to perform the promotion, management, establishment, carrying on, and facilitation of said unlawful activity, as follows:

a. On or about May 18, 2008, defendant SANTORO met the JC Official and the CW at a restaurant in Toms River, New Jersey. At this meeting, defendant SANTORO accepted a corrupt cash payment of approximately \$5,000 from the CW in exchange for defendant SANTORO's assistance in facilitating introductions and corrupt payments to public officials in Ocean County who were willing to exercise their official influence in favor of the CW regarding development approvals in Ocean County, New Jersey and elsewhere.

b. On or about July 17, 2008, defendant SANTORO and the CW spoke via cellular telephone while defendant SANTORO was located in Pennsylvania and the CW was located in New Jersey. During this conversation, defendant SANTORO and the CW discussed a potential meeting between the CW and the Individual, who

defendant SANTORO represented could assist the CW with the CW's real estate development interests in Waretown, New Jersey and elsewhere.

c. On or about August 10, 2008, defendant SANTORO met the CW at a hotel in Atlantic City, New Jersey. During the meeting, defendant SANTORO accepted a corrupt cash payment of approximately \$1,500 from the CW in exchange for defendant SANTORO's continued assistance in meeting public officials who, in exchange for corrupt payments, would exercise their official influence in favor of the CW regarding development approvals in Ocean County and elsewhere. Defendant SANTORO further advised the CW to provide defendant SANTORO with additional information on the Waretown Property, and stated that he and the Individual would arrange a meeting between the CW and the Elected Official.

d. On or about September 15, 2008, defendant SANTORO met the CW at a restaurant in Toms River, New Jersey. During the meeting, defendant SANTORO and the CW continued to discuss obtaining the Individual's official assistance in connection with the CW's real estate interests in Ocean County, New Jersey. Defendant SANTORO was informed by the CW that the CW had a \$10,000 cash payment for the Individual. Rather than directly make the \$10,000 cash payment to the Individual, defendant SANTORO instructed the CW to structure the payment to a political party in exchange for the Individual's official assistance in

connection with obtaining approvals regarding the Waretown Property.

In violation of Title 18, United States Code, Section 1952(a)(3) and Section 2.

Forfeiture Allegation

As the result of committing the aforementioned offense in violation of Title 18, United States Code, Section 1952(a)(3), as alleged in this Information, defendant ALFONSO L. SANTORO shall forfeit to the United States pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offense, including but not limited to, approximately \$6,500 in United States currency, in that such sum constitutes or is derived, directly or indirectly, from proceeds traceable to the commission of the attempt to commit extortion under color of official right.

If any of the above-described forfeitable property, as a result of any act or omission of defendant SANTORO:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of defendant SANTORO up to the value of the above forfeitable property.

All in violation of Title 18, United States Code, Section
981 and Title 28, United States Code, Section 2461.

PAUL J. FISHMAN
United States Attorney