

# NEWS

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United States Department of Justice  
U.S. Attorney, District of New Jersey  
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***Paul J. Fishman, U.S. Attorney***

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harr1023.rel  
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## Jersey City Building Inspector Sentenced to 30 Months in Prison for Extortion

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<http://www.usdoj.gov/usao/nj/press/index.html>

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NEWARK – A former Jersey City building inspector was sentenced today to 30 months in federal prison for extorting corrupt payments from contractors, U.S. Attorney Paul J. Fishman announced.

U.S. District Judge Susan D. Wigenton also ordered David Harrington, 47, of Orange, to pay a \$40,000 fine and to serve two years of supervised release upon the completion of his prison term. Judge Wigenton continued the defendant's release on a \$50,000 bond pending his surrender to the U.S. Bureau of Prisons on a date to be determined by prison authorities.

Harrington pleaded guilty before Judge Wigenton on June 10, 2009, to a one-count criminal Information that charged him with extortion. At his plea hearing, Harrington admitted accepting corrupt payments in exchange for his agreement to expedite inspections of certain contracting projects being performed by a government cooperating witness between January 2004 and November 2006. Harrington admitted that he extorted the funds in two different ways.

First, Harrington admitted that he agreed to expedite inspections in exchange for having work performed on his personal residence, even though there was no cost associated with obtaining municipal construction inspections. Such work at his residence included, but was not limited to, laying a concrete driveway, completing siding repair, purchasing and installing a new heating, ventilating and air-conditioning system ("HVAC") and other such services. Harrington also admitted that he extorted funds from a contractor by directing the contractor to – using the contractor's own credit card – make a payment of \$1,079 over the telephone for Harrington's "fire inspection certification" classes in exchange for his agreement to perform timely and expedited inspections.

The approximate amounts and value of some – but not all – of the payments, material and services, which Harrington admitted during the guilty plea, were: \$12,000 for materials for free work at Harrington's residence, \$2,000 for the purchase of an ice maker, \$1,079 for the fire inspection certificate tuition, \$15,000 for the HVAC system, \$5,100 for the purchase and installation of an iron fence, \$2,012 for the rental of a Bobcat excavating machine, \$10,000 for time and materials for the driveway paving. Those items total more than \$47,000.

Harrington admitted that he extorted these funds while he was employed as a Jersey City building inspector. Harrington admitted that, while serving in that capacity, he was responsible for, among other things, enforcement of the Housing and Property Maintenance Code and inspection of properties subject to housing code compliance.

In determining the actual sentence, Judge Wigenton 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, including acceptance of responsibility. The judge, however, has discretion and was not bound by those guidelines in determining the sentence.

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

Fishman credited Special Agents of the FBI, under the direction of Special Agent in Charge Weysan Dun, with the investigation. Fishman also thanked the Jersey City Police Department's Special Investigation Unit, under the direction of Chief Thomas Comey, for its assistance in the investigation.

The case is being prosecuted by Assistant U.S. Attorney Maureen Nakly of the U.S. Attorney's Office Special Prosecutions Division.

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Defense Counsel: Michael Armstrong, Esq., Willingboro