UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon.
	:	
v.	:	Criminal No.
	:	
DONALD BERNARD, SR.	:	26 U.S.C. § 7206(1)

INFORMATION

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

Counts 1 to 4
Subscribing to False Tax Returns – 26 U.S.C. § 7206(1)

1. At all times relevant to Counts 1 to 4 of this Information:

A. DONALD BERNARD, SR. ("defendant BERNARD"), a resident of West Orange, New Jersey, was employed or otherwise retained by the Newark Watershed Conservation and Development Corporation ("NWCDC"). From at least in or about 2008 to in or about January 2010, defendant BERNARD worked as a consultant, among other things, for the NWCDC. From in or about January 2010 to in or about March 2013, defendant BERNARD was employed by the NWCDC as the Manager of Special Projects, earning a salary of approximately $85,000 per year. While first engaged as a consultant and then as an NWCDC employee, defendant BERNARD was responsible for finding contractors to hire to conduct NWCDC operations.

B. Defendant BERNARD also owned, operated, and controlled two entities: Bernard & Associates ("B&A") and the African American Heritage Parade Committee

("AAHPC"). B&A purported to be a consulting business that specialized in public relations and event planning. The AAHPC purported to be a not-for-profit entity that solicited and collected funds to organize a yearly parade in Newark and other cultural events. Defendant BERNARD operated and controlled bank accounts in the names of each of these entities in New Jersey.

2. From in or about 2008 through in or about 2013, defendant BERNARD accepted a stream of cash and money payments totaling approximately $956,948 from certain NWCDC contractors (the "Contractors"), both directly and indirectly through the companies that he owned, B&A and AAHPC, in exchange for defendant BERNARD'S action and assistance in the affairs of the NWCDC on behalf of the Contractors as specific opportunities arose, which corrupt payments were financed by the Contractors through the receipt of payments that had been fraudulently obtained from the NWCDC with defendant BERNARD'S assistance.

3. Defendant BERNARD signed, filed, and caused to be filed with the Internal Revenue Service ("IRS"), United States Individual Income Tax Returns, Forms 1040, on his own behalf that were not true and correct as to every material matter. Defendant BERNARD intentionally did not disclose to the IRS a significant portion of his income from the above-described corrupt and fraudulent arrangements for tax years 2009, 2010, 2011, and 2012, thereby causing those tax returns to understate a substantial amount of the income that he received for each of these tax years. In total, defendant BERNARD did not report approximately $707,679 in income for the 2009, 2010, 2011, and 2012 tax years. As such, an additional tax of approximately $200,172 was due and owing to the United States.

4. The IRS Forms 1040 for tax years 2009, 2010, 2011, and 2012 that were signed by defendant BERNARD each contained a written declaration that the form was signed under penalties of perjury.

5. On or about the filing dates listed below, in the District of New Jersey, and elsewhere, defendant

DONALD BERNARD, SR.

did knowingly and willfully make and subscribe the United States Individual Income Tax Returns, Forms 1040, described below, which he did not believe to be true and correct as to every material matter (as described above, in Paragraph 3), and which he filed and caused to be filed with the IRS, as follows:

Count	Tax Year	Form 1040 Filing Date	Additional Unreported Income	Tax Due and Owing
1	2009	April 28, 2011	$313,896	$87,867
2	2010	August 31, 2011	$169,325	$50,511
3	2011	August 20, 2013	$128,298	$35,630
4	2012	September 10, 2013	$ 96,160	$26,164
		TOTAL:	**$707,679**	**$200,172**

In violation of Title 26, United States Code, Section 7206(1).

Paul J. Fishman/rah

PAUL J. FISHMAN
United States Attorney

CASE NUMBER: _____

United States District Court
District of New Jersey

UNITED STATES OF AMERICA

v.

DONALD BERNARD Sr.

INFORMATION FOR

26 U.S.C. § 7206(1)

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