

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Criminal No. 11-
	:	
v.	:	18 U.S.C. § 1951(a) and § 2
	:	
WALTER PAYTON	:	<u>I N F O R M A T I O N</u>

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

Attempt to Affect Interstate Commerce by Extortion

1. At all times relevant to this Information:

(A) Defendant WALTER PAYTON (defendant "PAYTON") was a Welfare Case Worker for the Hudson County Department of Family Services, Division of Welfare and Workforce Development ("HCDFS"). As a Welfare Case Worker, defendant PAYTON's official duties included, among other things, processing applications for food stamps, Medicaid and cash assistance.

(B) The Victim resided in Jersey City, New Jersey and was married with two young children, both born in the United States.

(C) In or about August 2010, the Victim and his family began receiving welfare benefits in an amount of approximately \$280 per month in monetary payments and approximately \$330 per month in food stamps. The monetary payments and food stamps received by the Victim were federally funded and the Victim used such benefits to pay for services and products in interstate

commerce.

2. On or about September 13, 2010, defendant PAYTON called the Victim to defendant PAYTON's HCDFS office in Jersey City and wrote down on a piece of paper that he wanted \$200. When the Victim stated that the Victim could not afford to pay defendant PAYTON \$200, defendant PAYTON advised that he had never had a problem with anybody else.

3. On or about September 20, 2010, defendant PAYTON demanded that the Victim pay \$200 and that if the Victim failed to do so, defendant PAYTON could revoke the Victim's benefits just as easily as he had approved them.

4. On or about September 21, 2010, defendant PAYTON telephoned the Victim to ask about the \$200 payment. Defendant PAYTON was informed by the Victim that the Victim was trying to obtain the funds and would have the \$200 by September 24, 2010.

5. On or about September 24, 2010, the Victim placed a telephone call to defendant PAYTON requesting additional time of a few days to make the \$200 payment. Defendant PAYTON initially threatened to terminate the Victim's benefits, but then agreed to allow for the extension.

6. On or about September 27, 2010, defendant PAYTON called the Victim, asking the Victim to meet him outside of the HCDFS office building. Shortly thereafter, defendant PAYTON accepted \$200 from the Victim in Jersey City in a location near the HCDFS

office building. Defendant PAYTON indicated that there would be no additional payments and that the Victim's benefits would not be terminated.

7. From on or about September 13, 2010 to on or about September 27, 2010, in Hudson County, in the District of New Jersey, and elsewhere, defendant

WALTER PAYTON

knowingly and intentionally did attempt to obstruct, delay and affect interstate commerce by extortion - that is, by obtaining money from the Victim with consent, (a) induced by wrongful use of fear of economic harm and (b) under color of official right.

In violation of Title 18, United States Code, Section 1951(a) and Section 2.


PAUL J. FISHMAN
United States Attorney

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v.

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INFORMATION FOR

18 U.S.C. § 1951(a) and § 2

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