

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

v.

LINDA ROGERS
JENNIFER ROGERS

Hon. _____
CRIM. NO.
29 U.S.C. § 501(c)
18 U.S.C. § 371
18 U.S.C. § 2

INDICTMENT

COUNT ONE
(Embezzlement from a Labor Union)

1. At all times relevant to this Indictment:

a. Local 2254 of the American Federation of State, County, and Municipal Employees (AFSCME) was a "labor organization" within the meaning of the provisions of Title 29, United States Code, Sections 152(5), 402(i) and 402(j). Local 2254 is required to file an annual financial report called an LM 2 form and thus is subject to the Labor Management Reporting and Disclosure Act (LMRDA) section 3(i) and (j).

b. AFSCME unions provide representation to public service workers in order to advance their economic interests and to improve the working conditions of its members. Local 2254 represented and admitted to membership employees of the Jersey City Medical Center, including, among others, clerical workers, respiratory therapists, housekeepers, emergency service workers, and physical therapists.

c. Local 2254 was governed by a set of By-laws which, in pertinent part, states that the various officers would not be paid an annual salary, but only a monthly stipend.

d. Defendant LINDA ROGERS was the Secretary-Treasurer of Local 2254 and, as such, was subject to the rules and regulations of the union's By-Laws. As Secretary-Treasurer, she was a fiduciary who occupied a position of trust at Local 2254, pursuant to Title 29, United States Code, Section 501(a). As a fiduciary, her duties and obligations were, among others: (1) to act solely in the interests of the participants of the union; (2) to avoid acting in her own personal self-interest; (3) to disburse the funds of the union with skill, care and prudence; and (4) to avoid acting on behalf of any party whose interests were adverse to the interests of the union.

e. Local 2254 had a checking and savings account that were maintained for the purpose of conducting membership business. Defendant LINDA ROGERS had control over the disbursement of funds from these accounts. She maintained the union's financial records at her residence in Jersey City, New Jersey, including dues ledger books, checkbook and other necessary documentation needed for a review of union business, and to support its receipt and disbursement of union funds.

f. Defendant JENNIFER ROGERS is the daughter of LINDA ROGERS, and was also a former member of Local 2254. She lived with defendant LINDA ROGERS and had open access to the Local 2254 checkbook. JENNIFER ROGERS, without authorization, illegally issued approximately one hundred and eleven (111) checks from the Local 2254 checkbook for her own personal

purposes and those of LINDA ROGERS, and which grossly exceeded the annual authorized compensation offered to LINDA ROGERS as an officer of Local 2254.

2. From at least as early as July 2016 through at least August 2017 in Hudson County, in the District of New Jersey and elsewhere, the defendants,

LINDA ROGERS, and
JENNIFER ROGERS,

while defendant LINDA ROGERS was Secretary Treasurer of Local 2254, a labor organization engaged in an industry affecting interstate commerce, did knowingly and willfully embezzle, steal and unlawfully convert to their own use, and the use of others, money, funds and property from the Local 2254 checking and savings accounts, totaling approximately \$40,455.

In violation of Title 29, United States Code, Section 501(c) and Title 18, United States Code, Section 2.

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c. Local 2254 was governed by a set of By-laws which, in pertinent part, states that the various officers would not be paid an annual salary, but only a monthly stipend.

d. Defendant LINDA ROGERS was the Secretary-Treasurer of Local 2254 and, as such, was subject to the rules and regulations of the union's By-Laws. As Secretary-Treasurer, she was a fiduciary who occupied a position of trust at Local 2254, pursuant to Title 29, United States Code, Section 501(a). As a fiduciary, her duties and obligations were, among others: (1) to act solely in the interests of the participants of the union; (2) to avoid acting in her own personal self-interest; (3) to disburse the funds of the union with skill, care and prudence; and (4) to avoid acting on behalf of any party whose interests were adverse to the interests of the union.

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purposes and those of LINDA ROGERS, and which grossly exceeded the annual authorized compensation offered to LINDA ROGERS as an officer of Local 2254.

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while defendant LINDA ROGERS was Secretary Treasurer of Local 2254, a labor organization engaged in an industry affecting interstate commerce, did knowingly and willfully embezzle, steal and unlawfully convert to their own use, and the use of others, money, funds and property from the Local 2254 checking and savings accounts, totaling approximately \$40,455.

In violation of Title 29, United States Code, Section 501(c) and Title 18, United States Code, Section 2.

Count Two
(Conspiracy to Embezzle From a Labor Union)

1. The allegations set forth in Paragraphs 1(a) through 1(f) of Count One are hereby realleged, as if set forth fully herein.

2. From at least as early as July 2016 through at least August 2017 in Hudson County, in the District of New Jersey and elsewhere, the defendants,

LINDA ROGERS, and
JENNIFER ROGERS,

did knowingly and intentionally conspire and agree with each other, and others, to commit an offense against the United States, namely: to execute and attempt to execute a scheme and artifice to defraud Local 2254 and to obtain, by means of false and fraudulent pretenses, representations and promises money, funds and property, namely approximately \$40,455, by and under the custody and control of the Local 2254, contrary to Title 29, United States Code, Section 501(c).

OBJECT OF THE CONSPIRACY

3. It was the object of the conspiracy for defendants LINDA ROGERS and JENNIFER ROGERS to embezzle and steal approximately \$40,455 from Local 2254 to enrich themselves, and which provided no legitimate benefit to the union or its members.

MANNER and MEANS

4. It was part of the conspiracy that LINDA ROGERS maintained the Local 2254 financial records in her residence.

5. It was further part of the conspiracy that LINDA ROGERS improperly permitted JENNIFER ROGERS to appropriate and then fraudulently issue to LINDA ROGERS approximately one hundred and eleven (111) checks of Local 2254, totaling \$35,267, by forging the signature of the Local's President.

6. It was further part of the conspiracy that between at least October 2016 and December 2016, LINDA ROGERS wire transferred approximately \$5,188 from the Local 2254 savings account into her personal credit card account.

OVERT ACTS

7. In furtherance of the conspiracy and in order to effect its unlawful object, defendants LINDA ROGERS and JENNIFER ROGERS, and other coconspirators, committed and caused to be committed the following overt acts, among others, in the District of New Jersey and elsewhere:

a. On or about July 11, 2016, JENNIFER ROGERS issued a fraudulent Local 2254 check # 2330 for \$200;

b. On or about October 7, 2016, LINDA ROGERS, without authorization, transferred \$1,300 from the Local 2254 savings account into her personal credit card account;

c. On or about November 7, 2016, JENNIFER ROGERS issued a fraudulent Local 2254 check # 2375 for \$400;

d. On or about, November 7, 2016, JENNIFER ROGERS issued a fraudulent Local 2254 check # 2376 for \$300;

e. On or about November 7, 2016, JENNIFER ROGERS issued a fraudulent Local 2254 check # 2194 for \$300;

f. On or about November 7, 2016, JENNIFER ROGERS issued a fraudulent Local 2254 check # 2215 for \$400;

g. On or about November 7, 2016, JENNIFER ROGERS issued a fraudulent Local 2254 check # 2216 for \$300;

h. On or about December 29, 2016, JENNIFER ROGERS issued a fraudulent Local 2254 check # 2197 for \$400;

i. On or about, March 10, 2017, JENNIFER ROGERS issued a fraudulent Local 2254 check # 2397 for \$400;

j. On or about June 30, 2017, JENNIFER ROGERS issued a fraudulent Local 2254 check # 2499 for \$300.

In violation of Title 18 United States Code, Section 371.

Foreperson


CRAIG CARPENITO
UNITED STATES ATTORNEY

CASE NUMBER: _____

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