

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

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| UNITED STATES OF AMERICA | : | Honorable Jose L. Linares |
| | : | |
| v. | : | Criminal No. 11-621 (JLL) |
| | : | |
| LAVERN WEBB-WASHINGTON | : | |
| | : | 18 U.S.C. §§ 641 and 2 |

SUPERSEDING INFORMATION

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

1. At all relevant times to this Superseding Information:
 - (A) Defendant LAVERN WEBB-WASHINGTON was a candidate for election to the City Council of Jersey City, New Jersey ("JC Council") in the Spring of 2009. The election was held on or about May 12, 2009, and defendant LAVERN WEBB-WASHINGTON did not prevail.
 - (B) In connection with the election, defendant LAVERN WEBB-WASHINGTON opened a campaign bank account (the "Campaign Fund") for the deposit of all campaign contributions. The Campaign Fund had a Campaign Treasurer who, among other things, was responsible for reporting the receipt of all campaign contributions as well as the disbursement of all campaign expenditures in accordance with state campaign disclosure laws. In this regard, the laws of the State of New Jersey, i.e., the Campaign Contributions and Expenditures Reporting Act, N.J. Stat. Ann. §§ 19:44A-1 et seq., and N.J.A.C. 19:25-1 et seq., required the campaign treasurer to, among other things: (i) make an accurate written record of all contributions (not transferred to another committee or candidate) in a campaign depository or bank account; (ii) deposit all contributions (not

transferred to another committee or candidate) in a campaign depository or bank account; and (iii) report the receipt of cash contributions, regardless of amount, as well as all other contributions exceeding \$300, to the New Jersey Election Law Enforcement Commission ("ELEC") on forms issued by ELEC.

- (C) In addition, pursuant to N.J. Stat. Ann. 19:44A-1 et seq., N.J.A.C. 19-25-1 et seq., and their common-law obligations as fiduciaries of a campaign committee, the Campaign Treasurer and defendant LAVERN WEBB-WASHINGTON were under a duty to their respective campaign committee to, among other things, honestly and truthfully account for the committee's receipts and to not use any such committee funds for any improper purpose or expenditure. The State of New Jersey prohibited the personal use of campaign funds.
- (D) There was an individual cooperating with federal law enforcement ("the CW"), who held himself out as a real estate developer interested in development in the Jersey City area.

2. From in or about March 2009 to in or about May 2009, in Hudson County, in the District of New Jersey and elsewhere, defendant

LAVERN WEBB-WASHINGTON

did knowingly and intentionally convert to her own use and the use of another, up to \$1,000 in money of the United States to which she was not entitled.

3. Defendant LAVERN WEBB-WASHINGTON accepted cash contributions from the CW that were provided and owned by, and under the care, custody and control of, a U.S. Government department and agency, namely the Federal Bureau of Investigation, on or about March 30, 2009, April 23, 2009 and May 7, 2009, in Hudson County, New Jersey.

Defendant LAVERN WEBB-WASHINGTON accepted those cash contributions with the intent to convert up to \$1,000 of those contributions to her personal use and the personal use of another without authority and in violation of the laws of the State of New Jersey.

4. Defendant LAVERN WEBB-WASHINGTON failed to truthfully account for the receipt and disbursement of the CW's contributions to her campaign treasurer and to ELEC, and instead, did knowingly and intentionally convert, while in New Jersey, up to \$1,000 of those contributions to pay her own personal expenses.

In violation of Title 18, United States Code, Section 641 and Section 2.

Paul J. Fishman/rah

PAUL J. FISHMAN
UNITED STATES ATTORNEY