

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon.  
:   
v. : Crim. No.  
:   
: 18 U.S.C. §§ 981(a)(1)(C), 1343  
ROBERT E. MAYS : and § 2; and 28 U.S.C. § 2461

INFORMATION

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

**Defendant and other Individuals and Entities**

1. From in or about October 2013 to in or about May 2014, Defendant ROBERT E. MAYS ("Defendant MAYS") was the Executive Director of the Jersey City Child Development Centers, Inc. ("JCCDC"). Defendant MAYS supervised JCCDC staff in connection with JCCDC's day-to-day operations and reported to JCCDC's Board of Directors (the "Board of Directors"), which was responsible for oversight of JCCDC.

2. At all times relevant to this Information:

A. JCCDC operated as a not-for-profit organization created to ensure that impoverished children and disabled children in Jersey City were provided services necessary to narrow the gap between these children and their more advantaged peers. To that end, JCCDC managed programs to provide early childhood development services and education to under-privileged children in Jersey City.

- B. As the Executive Director of JCCDC, Defendant MAYS had the authority to approve financial transactions for the benefit of JCCDC. Defendant MAYS had authority to issue checks from a JCCDC bank account ending in account number 7152 (the "JCCDC Account"). Defendant MAYS also had access to a debit card issued in his name from the JCCDC Account (the "Debit Card"). At no time was Defendant MAYS authorized to expend funds from the JCCDC Account solely for his personal benefit.
3. At times relevant to this Information, there was:
- A. a JCCDC employee who was the Human Resources Manager (the "HR Manager");
  - B. a JCCDC employee whose job function included payroll processing ("Employee 1"); and
  - C. a JCCDC member of the Board of Directors ("Board Member No. 1").

**Scheme and Artifice to Defraud**

4. From in or about October 2013 to in or about May 2014, in Hudson County, in the District of New Jersey and elsewhere, Defendant

ROBERT E. MAYS

did knowingly and intentionally devise and intend to devise a scheme and artifice to defraud JCCDC of money by means of materially false and fraudulent pretenses, representations and promises.

5. The object of this scheme and artifice to defraud was for Defendant MAYS to obtain money from the JCCDC Account without the knowledge of JCCDC and by materially false and fraudulent pretenses, representations and promises, facilitated by the use of interstate wire transmissions.

6. It was part of the scheme and artifice to defraud that:

Unauthorized Salary Increase

- A. On or about November 12, 2013, Defendant MAYS increased his salary from \$96,500 to \$155,000 annually - an approximate 61% salary increase - without approval from the Board of Directors, when such approval was required. That salary increase was effective starting on or about October 21, 2013, and continued until on or about May 21, 2014, at which time Defendant MAYS was terminated from JCCDC. As a result, from on or about October 21, 2013 to on or about May 21, 2014, Defendant MAYS received approximately \$26,797.82 as additional salary that he was not authorized to receive.
- B. Defendant MAYS took steps, and caused steps to be taken, to conceal material facts regarding his fraudulent scheme to unilaterally increase his salary without authorization from the Board of Directors. For instance, he executed a form which purported to justify that the salary increase was due to "Increase[d] Job Function." To cause the HR Manager to execute the same form, Defendant MAYS misrepresented to the HR Manager that the Board of Directors had authorized the salary increase. He then caused Employee 1, whose function included payroll processing, to use the internet to transmit electronically the request for the salary increase to JCCDC's payroll company, based in Minneapolis, Minnesota. Thereafter, Defendant MAYS forged JCCDC Board of Directors' minutes to falsely state that the Board of Directors had voted on and approved the salary increase for Defendant MAYS.

Unauthorized Checks

- C. On or about the dates set forth below, Defendant MAYS took funds by issuing and negotiating the following checks from the JCCDC Account without authorization, when such authorization was required:

DATE	DESCRIPTION	LOSS
12-18-13	Check to self	\$60,000
1-7-14	Returned Funds	-\$10,000
1-8-14	Check to self	\$55,000
2-21-14	Check to self	\$10,000
2-21-14	Check to self	\$10,000
2-28-14	Check to cash	\$10,000
<b>TOTAL</b>		<b>\$135,000</b>

D. Defendant MAYS used a portion of the funds that he embezzled from JCCDC to purchase a 2007 4-door grey Maserati Quattroporte (the "Maserati"). Defendant MAYS took steps, and caused steps to be taken, to conceal material facts regarding his embezzlement from JCCDC through the issuance of checks payable to himself or to cash. For instance, all of the checks were stamped with his signature and the signature of Board Member No. 1, as if Board Member No. 1 had authorized the transactions. Board Member No. 1, however, did not authorize those transactions. In addition, some of the checks contained notations to make it appear that such payments had been issued because Defendant MAYS had performed additional job functions beyond those functions set forth in his employment contract. However, Defendant Mays did not perform additional job functions that would have justified such additional compensation.

Unauthorized Use of Debit Card

E. From on or about December 3, 2013 to on or about January 15, 2014, Defendant MAYS used the Debit Card without authorization solely for his personal benefit. During that time period, Defendant MAYS expended approximately \$26,983.56 through the Debit Card for personal expenses, including approximately \$3,398.75 for the purchase of a fur coat.

Other Unauthorized Transactions

F. From on or about January 28, 2014, to on or about February 28, 2014, Defendant Mays caused JCCDC to incur expenses which the Board of Directors did not

authorize, as follows:

DATE	DESCRIPTION	LOSS
1-28-14	Purchase of a liquor license without authorization (including attorneys' fees to unwind transaction)	\$35,400
1-29-14	Payment for the repair for Defendant MAYS's Maserati	\$3,561.82
2-28-14	Payment to a general contractor for the renovation of a kitchen, knowing that the contractor was not going to perform any work	\$29,675
<b>Total</b>		<b>\$68,636.82</b>

- G. Defendant MAYS took other steps, and caused other steps to be taken, to conceal material facts regarding his embezzlement. For example, Defendant MAYS did not seek approval from the Board of Directors to purchase a liquor license. In addition, Defendant MAYS caused JCCDC to issue a check for the repair of his Maserati, but the documents supporting the issuance of that check gave the appearance that JCCDC was paying for the repair of a Toyota Sienna, a vehicle which was owned by JCCDC. Defendant MAYS also caused JCCDC to issue a check for \$29,675 to a contractor who schemed with Defendant MAYS by preparing a fraudulent contract between JCCDC and the contractor's company, purportedly for the renovation of a kitchen, in order to give the appearance that the JCCDC check to the contractor was justified when, in fact, it was not.

7. On or about the dates set forth below, for the purpose of executing and attempting to execute this scheme and artifice to defraud, Defendant

ROBERT E. MAYS

did knowingly and intentionally transmit and cause to be transmitted, by means of wire communications in interstate commerce, certain writings, signs, signals, pictures, or sounds:

Date	Amount	Wire Transmission
11/12/13	\$26,797.82	Caused the use of the internet to transmit a request from JCCDC to a payroll processing company in Minnesota to increase Defendant MAYS's salary, which was not authorized by the Board of Directors.
12/19/13	\$403.50	Used the Debit Card at an ATM to withdraw cash in Jersey City, New Jersey.
12/23/13	\$102	Used the Debit Card at an ATM to withdraw cash in Jersey City, New Jersey.
12/23/13	\$1,649	Used the Debit Card to purchase merchandise at a store in Short Hills, New Jersey.
12/23/13	\$2,524.27	Used the Debit Card to purchase merchandise at a store in Short Hills, New Jersey.

In violation of Title 18, United States Code, Section 1343 and Section 2.

**FORFEITURE ALLEGATION**

1. The allegations contained in pages 1 through 6 of this Information are hereby realleged and incorporated by reference for the purpose of noticing forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(c) and Title 28, United States Code, Section 2461(c).

2. Upon conviction of the offense of wire fraud, in violation of Title 18, United States Code, Section 1343, as charged in this Information, Defendant

ROBERT E. MAYS

shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any and all property, real or personal, that constitutes and is derived from proceeds traceable to the violation of Title 18, United States Code, Section 1343, and all property traceable thereto, including, but not limited to:

- a) A sum of money equal to \$257,418.20 in United States currency, representing the proceeds of the offense charged in this Information;
- b) All of Defendant MAYS's rights, title, and interest in one 2007 4-door grey Maserati Quattroporte, with Vehicle Identification Number ZAMCE39AX70028695 and New Jersey license plate number L68FAH; and
- c) All of Defendant MAYS's rights, title, and interest in one Bleached Whiskey Stroller Skin-on-Skin (Fendi Style) mink fur coat.

3. If by any act or omission of Defendant MAYS, any of the property subject to forfeiture described in paragraph 2 herein:

- a) cannot be located upon the exercise of due diligence;
- b) has been transferred or sold to, or deposited with, a third party;
- c) has been placed beyond the jurisdiction of the court;
- d) has been substantially diminished in value; or
- e) has been commingled with other property which cannot be divided without difficulty;

the United States of America will be entitled to forfeiture of substitute property up to the value of the property described above in paragraph 2, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

Paul J. Fishman /rah  
PAUL J. FISHMAN  
UNITED STATES ATTORNEY

CASE NUMBER: 16-\_\_\_\_\_

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and § 2, and 28 U.S.C. § 2461

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PAUL J. FISHMAN  
UNITED STATES ATTORNEY  
NEWARK, NEW JERSEY

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