

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA	:	Hon.
	:	
v.	:	Crim. No. 21-
	:	
DERRICK JAMES	:	18 U.S.C. § 1951(a)

INFORMATION

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

1. At all times relevant to this Information:
 - a. Defendant Derrick James (“JAMES”) was a resident of Irvington, New Jersey and was employed by the Township of Irvington Building and Construction Department (“TIBCD”) as a Zoning Officer.
 - b. The TIBCD was responsible for, among other things, the administration and enforcement of the New Jersey Uniform Construction Code (“UCC”). Specifically, the TIBCD processed the issuance of permits for construction, renovations, and or alterations to building structures in the Township of Irvington.
 - c. The UCC required that contractors registered and licensed with the State of New Jersey perform certain residential construction, unless performed by a homeowner of a single-family dwelling. Additionally, building, plumbing and electrical permit applications required the seal of a New Jersey licensed contractor on the application form. Without that, a permit would not be issued.
 - d. From in or about November 2018 through in or about December 2018, a

cooperating witness (“CW”) posing as a land developer from Brooklyn, New York operating in interstate commerce, at the direction and under the supervision of law enforcement, met with JAMES on several occasions to discuss acquiring and rehabilitating a certain residential property in Irvington.

2. Between in or about September 2018 and in or about December 2018, in Essex County, in the District of New Jersey, and elsewhere, defendant

DERRICK JAMES

did knowingly and willfully attempt to obstruct, delay and affect interstate commerce by extortion under color of official right—that is, obtaining and agreeing to obtain money in exchange for JAMES’s official assistance and in violation of his official duties in matters involving the TIBCD.

3. On or about November 8, 2018, JAMES met with CW in Irvington, New Jersey. During this audio and video recorded meeting:

a. JAMES explained to CW that he worked for the TIBCD and that he could facilitate acquiring the necessary permits for CW to rehabilitate the property in Irvington without CW having to hire local contractors to perform the work.

b. JAMES explained that CW would need at least four permits: building, electrical, plumbing, and fire, and that because CW’s contractor was not licensed in New Jersey, CW could have his unlicensed contractor perform all of the work, and JAMES would secure the necessary documentation to get the permits approved. JAMES further explained that JAMES would need to pay New Jersey licensed contractors with whom he had an arrangement to provide their seals on the permit applications and JAMES would then have another inspector for the Township of Irvington inspect the property. JAMES guaranteed to CW that the property would

not fail inspection under this process.

c. JAMES further said that in addition to \$1,000 for himself, he would need approximately \$1,000 per permit, which included the money that JAMES would pay to the New Jersey contractors, the inspector, and his additional fee.

d. JAMES accepted approximately \$1,000 in cash, placed it into his pocket, and explained that he would begin preparations on the project once he heard back from CW.

4. On or about December 11, 2018, JAMES again met with CW in Irvington to discuss the details of the arrangement. JAMES accepted approximately \$500 in additional cash towards the corrupt arrangement. When CW asked for some assurances on completing the rehabilitation without trouble with the permits, JAMES responded:

James: Ahh, I got all that, I have plumbing, I have electric, you just have to give me the money to pay them for their license.

CW: I don't care, whatever money you need, whoever you need to pay.

James: Pay them boys, they fill it out, seal it, seal it, give me a copy of the license, I put it in the jacket so I get one plumbing guy, one electric guy, one um, builder, that's three guys, and then the fire on the electric, that's it. I pay them for the license, once I give them the money . . . [inaudible] . . . because they trust me.

5. On or about December 13, 2018, JAMES called CW from a cellular phone in New Jersey while JAMES knew CW to be traveling to California for business to discuss details about the rehabilitation of the property in Irvington, New Jersey. The call was received by CW's cellular phone in California.

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

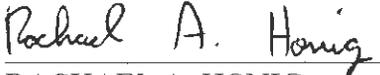
FORFEITURE ALLEGATION

1. As a result of committing the aforementioned offense in violation of Title 18, United States Code, Section 1951(a) charged in this Information, defendant DERRICK JAMES shall forfeit to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461, any and all property, real and personal, that constituted and was derived from proceeds traceable to the commission of the above offense, including, but not limited to, a money judgment in the amount of \$1,500 in United States currency.

2. If by any act or omission of JAMES, any of the property subject to forfeiture described above:

- 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;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of JAMES up to the value of the above-described forfeitable property.


RACHAEL A. HONIG
Acting United States Attorney

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UNITED STATES OF AMERICA

v.

DERRICK JAMES

INFORMATION FOR

18 U.S.C. § 1951(a)

RACHAEL A. HONIG

ACTING UNITED STATES ATTORNEY

NEWARK, NEW JERSEY

TAZNEEN SHAHABUDDIN

ASSISTANT U.S. ATTORNEY

973-645-2813
