

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon.  
 :  
 v. : Crim. No. 13-  
 :  
 PATRICK RICCIARDI : 18 U.S.C. §§ 1030(a)(2)(C),  
 : 1030(c)(2)(B)(ii), 2511(1)(a),  
 : 2511(1)(c) & § 2

I N F O R M A T I O N

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

COUNT ONE

(Accessing a Computer Without Authorization)

1. At all times relevant to this Information:
  - a. The city of Hoboken, located in Hudson County, New Jersey (the "City"), was a municipality of approximately 50,000 citizens.
  - b. The City was governed by an elected mayor (the "Mayor") and a city council, and maintained numerous public agencies that operated to advance the City's interests. The Mayor employed a staff (the "Mayor's Office Employees").
  - c. Many of the elected and appointed officials in the City retained strong ties to previous administrations or were otherwise politically opposed to the Mayor, and differed with the Mayor on a variety of municipal issues.

- d. Defendant PATRICK RICCIARDI was employed by the City as a Management Information Systems specialist, and had been employed by the City since in or around 1992. Defendant RICCIARDI had been hired by a previous political administration, one opposed to the Mayor.
  - e. Defendant RICCIARDI was responsible for managing the entire IT infrastructure for the City and all Mayor's Office Employees. Defendant RICCIARDI's duties included managing and maintaining the servers and computers used by the Mayor and the Mayor's Office Employees; managing and troubleshooting different computer programs used by the Mayor and the Mayor's Office Employees; and managing and maintaining the e-mail system used by the Mayor and the Mayor's Office Employees.
  - f. To discharge these duties, defendant RICCIARDI was entrusted with "administrative privileges." These administrative privileges allowed defendant RICCIARDI enhanced access to the network, computers, and servers for the Mayor and the Mayor's Office Employees. Defendant RICCIARDI was also entrusted with increased access to the e-mail accounts within the City's e-mail system.
2. From in or around March 2011 through in or around April

2011, in Hudson County, in the District of New Jersey, and elsewhere, defendant

PATRICK RICCIARDI

intentionally accessed a computer without authorization and exceeded authorized access, and thereby obtained information from a protected computer, namely the servers of the City of Hoboken, in furtherance of a criminal act in violation of the Constitution and laws of the State of New Jersey, namely, N.J.S.A. 2C:20-31(a).

3. Defendant RICCIARDI sought to assist political opponents of the Mayor. To this end, defendant RICCIARDI created and maintained an e-mail archive file (the "Archive File") on the hard drive of defendant RICCIARDI's work computer.

4. Defendant RICCIARDI configured computer software so that all e-mails that arrived in the Mayor's inbox would be automatically downloaded from the Mayor's e-mail account to the Archive File. This configuration intercepted e-mails as they were being sent, and forwarded them to the Archive File (the "Intercepted E-Mails").

5. Neither the Mayor nor any of the Mayor's Office Employees authorized defendant RICCIARDI to create the Archive File. Neither the Mayor nor any of the Mayor's Office Employees authorized defendant RICCIARDI to access the Mayor's e-mail account and forward the Mayor's e-mails to the Archive File.

6. Defendant RICCIARDI reviewed the Intercepted E-Mails in the Archive File, and forwarded certain Intercepted E-mails to at least three different individuals, all either current or former City municipal officials or employees (the "Forwarded Intercepted E-Mails"). Neither defendant RICCIARDI nor any of the at least three recipients were intended parties to any of the Forwarded Intercepted E-Mails. The Forwarded Intercepted E-Mails included communications concerning various aspects of City governance. Neither the Mayor nor any of the Mayor's Office Employees authorized defendant RICCIARDI to possess or to transmit the Forwarded Intercepted E-Mails to anyone.

7. On or about May 25, 2011, law enforcement officers interviewed defendant RICCIARDI. Defendant RICCIARDI admitted to creating the Archive File and to sending the Forwarded Intercepted E-Mails. Specifically, defendant RICCIARDI admitted that:

- a. Defendant RICCIARDI created the Archive File without the knowledge or consent of the Mayor or the Mayor's Office Employees.
- b. Defendant RICCIARDI set up the Archive File so that it would automatically forward all e-mails sent to the Mayor and two high-ranking Mayor's Office Employees to the Archive File.
- c. Neither the Mayor nor any other Mayor's Office Employee

knew or consented to having the Intercepted E-Mails forwarded to the Archive File.

- d. Defendant RICCIARDI created the Archive File, and then directed the Intercepted E-Mails to the Archive File, so that he could "spy" on the Mayor and the Mayor's Office Employees, and determine whether his job was secure.
- e. Defendant RICCIARDI sent the Forwarded Intercepted E-Mails to others.

In violation of Title 18, United States Code, Sections 1030(a)(2)(C) and 1030(c)(2)(B)(ii) and Section 2.

COUNT TWO

(Interception of Wire and Electronic Communications)

1. Paragraph 1 and paragraphs 3 through 7 of Count One of this Information are hereby alleged and incorporated as though set forth in full herein.

2. From in or about April 2011 through in or about May 2011, in Hudson County, in the District of New Jersey, and elsewhere, defendant

PATRICK RICCIARDI

intentionally intercepted and endeavored to intercept wire and electronic communications.

In violation of Title 18, United States Code, Sections 2511(1)(a) and (4)(a).

COUNT THREE

**(Disclosure of Intercepted of Wire and Electronic Communications)**


1. Paragraph 1 and paragraphs 3 through 7 of Count One of this Information are hereby alleged and incorporated as though set forth in full herein.

2. Beginning at least as early as in or about April 2011 through in or about May 2011, in Hudson County, in the District of New Jersey, and elsewhere, defendant

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intentionally disclosed and endeavored to disclose to another person the contents of wire and electronic communications, knowing or having reason to know that the information was obtained through the interception of a wire and electronic communication.

In violation of Title 18, United States Code, Sections 2511(1)(c) and (4)(a).

  
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PAUL J. FISHMAN  
UNITED STATES ATTORNEY

**United States District Court**  
**District of New Jersey**

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UNITED STATES OF AMERICA

v.

PATRICK RICCIARDI

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**INFORMATION FOR**

18 U.S.C. §§ 1030(a)(2)(c) & (c)(2)(B)(ii)

18 U.S.C. §§ 2511(1)(a) & 2511 (1)(c)

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