

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon.
v.	:	Crim. No.
RAYMOND J. O'GRADY	:	18 U.S.C. §§ 666(a)(1)(B), 1951(a) and 2

INDICTMENT

The Grand Jury in and for the District of New Jersey,
sitting at Newark, charges:

COUNTS 1 & 2

Attempt to Extort Money Under Color of Official Right
Defendant and Other Individuals

1. At all times relevant to Counts 1 and 2:

A. Defendant RAYMOND J. O'GRADY was a Township Committeeman for the Township of Middletown, New Jersey receiving an annual salary of approximately \$4,000. In 2004, defendant RAYMOND J. O'GRADY indicated to others that he possibly would be selected from among the Township Committee Members to be the Mayor of Middletown for the year 2005--which did not ultimately occur. Defendant RAYMOND J. O'GRADY also was the Director of the Central Motor Pool for the County of Monmouth, receiving an annual salary of at least approximately \$80,000. Defendant RAYMOND J. O'GRADY described himself, during an October 15, 2004 conversation recorded by federal law enforcement authorities, as running

all of the transportation for the County of Monmouth, and controlling all of the offices that did repairs for the County's buses, trucks and other vehicles and conducted the auction of certain vehicles.

B. There were two federal law enforcement officers, acting in undercover capacities [hereinafter, "UC1" and "UC2," or, collectively, the "UCs"], who held themselves out to be employees of a business involved in construction and demolition work, selling purportedly stolen bulk quantities of alcohol and cigarettes or alcohol and cigarettes containing false state tax stamps, illegal loan sharking, and money laundering of loansharking proceeds. The UCs represented that their construction and demolition business was located primarily in the State of Florida with their construction equipment being maintained in Florida and elsewhere and that their purported illegal businesses were conducted interstate.

C. There was a Monmouth County Government Official [hereinafter, "Official 1"] who was a friend and associate of defendant RAYMOND J. O'GRADY.

Extortionate Activity

2. It was part of the extortionate activity that, in or about August and September 2004, during conversations recorded by

federal law enforcement authorities, Official 1 informed UC1 and UC2 that defendant RAYMOND J. O'GRADY was likely to be the next Mayor of Middletown; would be helpful in securing local government contracts in Middletown; and would accept corrupt payments for his efforts.

3. It was a further part of the extortionate activity that, in or about mid-October 2004, during a conversation recorded by federal law enforcement authorities, Official 1 advised UC1 and UC2 to pay defendant RAYMOND J. O'GRADY initially no more than approximately \$1,000 in an attempt to secure defendant RAYMOND J. O'GRADY's official assistance in obtaining local government contracts from the Township of Middletown.

4. It was a further part of the extortionate activity that, on or about October 15, 2004, at a restaurant in Freehold, New Jersey, during a conversation recorded by federal law enforcement authorities, defendant RAYMOND J. O'GRADY agreed to accept a corrupt cash payment from the UCs in exchange for his official assistance as a Middletown public official as specific opportunities arose. Defendant RAYMOND J. O'GRADY further agreed to stop by the UCs' office to pick up the payment. During this conversation, defendant RAYMOND J. O'GRADY indicated that he could "smell" a "cop" from a "mile away." To conceal his activity, defendant RAYMOND J. O'GRADY advised the UCs that he did not "talk in the open," did not talk to "anybody," and did

not do "stupid things."

5. It was a further part of the extortionate activity that, on or about October 21, 2004, at the UCs' office in Neptune, New Jersey, during a videotaped conversation recorded by federal law enforcement authorities, defendant RAYMOND J. O'GRADY accepted a \$1,000 corrupt cash payment from UC1.

6. It was a further part of the extortionate activity that, in or about early February, 2005, defendant RAYMOND J. O'GRADY indicated to Official 1 that O'GRADY needed money for a trip to Aruba. In or about this same time frame, during another conversation with Official 1, defendant RAYMOND J. O'GRADY agreed to accept another corrupt cash payment.

7. It was a further part of the extortionate activity that, on or about February 17, 2005, at a restaurant in Freehold, New Jersey, during a video-recorded conversation by federal law enforcement authorities, defendant RAYMOND J. O'GRADY accepted a \$5,000 corrupt cash payment from the UCs in exchange for O'GRADY's official assistance in securing Middletown government contracts, to include emergency contract work. To further conceal the illegal activity, defendant RAYMOND J. O'GRADY warned the UCs not to deal with certain other individuals whom O'GRADY suspected of cooperating with law enforcement authorities. In response to the UCs' purported concern over federal law enforcement authorities and in anticipation of further concealing

his extortionate activity, defendant RAYMOND J. O'GRADY responded that there were some "great words" "in this world," namely, "I do not recollect" and "I cannot remember," and that one could not be prosecuted for perjury or false statements for anything that the person could not remember or recollect. In light of his plan of concealment, defendant RAYMOND J. O'GRADY confided to the UCs that law enforcement authorities would "never find anything on" him.

The Charges

8. On or about the dates set forth below, in Monmouth County, in the District of New Jersey, and elsewhere, defendant

RAYMOND J. O'GRADY

knowingly and willfully did attempt to obstruct, delay and affect interstate commerce by extortion--that is, obtaining money from the UCs as set forth below with their consent under color of official right:

COUNT	DATE	AMOUNT OF EXTORTIONATE PAYMENT
1	October 21, 2004	\$1,000
2	February 17, 2005	\$5,000

In violation of Title 18, United States Code, Sections 1951(a) and 2.

COUNT 3

O'Grady's Acceptance of \$5,000 to Influence and Reward

1. Paragraphs 1, 6 and 7 of Counts 1 and 2 are hereby incorporated and realleged as if fully set forth herein.

2. At all times relevant to this Count, the Township of Middletown received in excess of \$10,000 in federal assistance in a one-year period.

3. On or about February 17, 2005, in Monmouth County, in the District of New Jersey, and elsewhere, defendant

RAYMOND J. O'GRADY

did knowingly, willfully and corruptly solicit and demand for the benefit of himself, and accept and agree to accept, \$5,000 in cash, intending to be influenced and rewarded in connection with a business, transaction and series of transactions of a local government involving a thing of value of \$5,000 or more.

In violation of Title 18, United States Code, Sections 666(a) (1) (B) and 2.

COUNT 4

Conspiracy to Extort Money from a Truck Company

1. Paragraphs 1(A) and (C) of Counts 1 and 2 are hereby incorporated and realleged as if fully set forth herein.

2. At all times relevant to this Count, there was a company, with offices in New Jersey, that sold trucks, buses, other vehicles, and vehicle equipment and parts to the County of Monmouth, among other county and local governments and other customers [hereinafter, "the Truck Company"]. The Truck Company conducted business in interstate commerce, including acquiring its vehicles and parts in interstate commerce.

The Conspiracy

3. Between in or about at least 2001 and in or about December, 2004, in Monmouth and Union Counties, in the District of New Jersey, and elsewhere, defendant

RAYMOND J. O'GRADY

did knowingly and willfully conspire, combine, confederate and agree with Official 1 and others to obstruct, delay and affect interstate commerce by extortion--that is, obtaining money from representatives of the Truck Company with their consent under color of official right.

4. It was the object of the conspiracy that defendant RAYMOND J. O'GRADY directly, and indirectly through Official 1,

received corrupt cash payments from representatives of the Truck Company in exchange for his official assistance in Monmouth County government matters as specific opportunities arose, including ordering unnecessary equipment and supplies from the Truck Company and approving the payment of inflated or false charges from the Truck Company.

5. It was a part of the conspiracy that defendant RAYMOND J. O'GRADY accepted corrupt cash payments of up to approximately \$2,000 per occurrence from representatives of the Truck Company-- on occasion, around the time of his vacations. Defendant RAYMOND J. O'GRADY accepted these corrupt cash payments at various locations in New Jersey, including the Truck Company's offices in Hillside Township and Howell Township.

6. It was a further part of the conspiracy that defendant RAYMOND J. O'GRADY, from time to time, used Official 1 as an intermediary to accept these cash payments from, and communicate with, representatives of the Truck Company.

7. It was a further part of the conspiracy that defendant RAYMOND J. O'GRADY would cause the County of Monmouth to purchase unnecessary equipment and supplies from the Truck Company, or approve the payment for certain items purchased by the County at an inflated price, to offset the Truck Company's expense of its corrupt payments to O'GRADY.

8. It was a further part of the conspiracy that between in

or about October 2004 and December 2004, defendant RAYMOND J. O'GRADY caused to be generated a backdated voucher for payment from the County of Monmouth to the Truck Company of at least approximately \$6,000, so that the County would have to pay for the repairs for the transmission of a vehicle that the County had traded back to the Truck Company. In exchange for this action, defendant RAYMOND J. O'GRADY accepted approximately \$2,000 in cash from a representative of the Truck Company. Defendant RAYMOND J. O'GRADY gave approximately one-third of this payment to Official 1.

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

COUNT 5

O'Grady's Acceptance of \$2,000 to Influence and Reward

1. Paragraphs 1(A) and (C) of Counts 1 and 2 and paragraph 8 of Count 4 are hereby incorporated and realleged as if fully set forth herein.

2. At all times relevant to this Count, the County of Monmouth received in excess of \$10,000 in federal assistance in a one-year period.

3. Between in or about October, 2004 and December 2004, in Monmouth County, in the District of New Jersey, and elsewhere, defendant

RAYMOND J. O'GRADY

did knowingly, willfully and corruptly solicit, demand, accept and agree to accept, for defendant RAYMOND J. O'GRADY'S direct and indirect benefit, approximately \$2,000 in cash, intending to be influenced and rewarded in connection with a business, transaction and series of transactions of a local government involving a thing of value of \$5,000 or more.

In violation of Title 18, United States Code, Sections 666(a) (1) (B) and 2.

FOREPERSON

CHRISTOPHER J. CHRISTIE
UNITED STATES ATTORNEY