UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	**CRIMINAL COMPLAINT**
v.	:	
PATSY TOWNSEND	:	Mag. No. 05-

I, the undersigned complainant, being duly sworn, state that the following is true and correct to the best of my knowledge and belief. From in or about June 2004 through in or about November 2004, in Atlantic County, in the District of New Jersey, and elsewhere, defendant PATSY TOWNSEND did:

> knowingly and willfully conspire with others to obstruct, delay, and affect interstate commerce by extortion under color of official right, by soliciting and accepting a corrupt payment that was paid by another, with his consent

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

I further state that I am a Special Agent with the Federal Bureau of Investigation, and that this complaint is based on the following facts:

SEE ATTACHMENT A

continued on the attached page and made a part hereof.

_____
Mark P. Calnan, Special Agent
Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,

February 18, 2005, at Newark, New Jersey

HONORABLE SUSAN D. WIGENTON
UNITED STATES MAGISTRATE JUDGE

_____
Signature of Judicial Officer

Attachment A

I, Mark P. Calnan, a Special Agent with the Federal Bureau of Investigation ("FBI"), following an investigation and discussions with other law enforcement officers, am aware of the following facts. Because this Attachment A is submitted for the limited purpose of establishing probable cause, I have not included herein the details of every aspect of this investigation. Nor have I recounted every conversation involving the defendant.

1. Defendant PATSY TOWNSEND is the Deputy Fire Marshall for Monmouth County, and also works for Neptune Township in the areas of code enforcement and emergency management. He has held those positions at all times relevant to this Complaint.

2. At all times relevant to this Complaint, a cooperating witness ("CW") held himself out as someone involved in construction/demolition work and illegal loansharking. As represented by CW, his construction operation was located primarily in the State of Florida, with his construction equipment being maintained in Florida and Alabama.

3. On or about June 22, 2004, CW and a law enforcement officer acting in an undercover capacity as CW's employee ("UC") met at a location in Monmouth County, New Jersey with defendant PATSY TOWNSEND and three other public officials. This meeting was recorded with CW's consent. During the meeting, defendant TOWNSEND stated, in substance and in part, that he oversees the awarding of no-bid emergency demolition contracts relating to fire-damaged buildings in Monmouth County. Defendant TOWNSEND further discussed, in substance and in part, steering such contracts to CW.

4. After defendant TOWNSEND left the meeting, Official-1, a Monmouth county public official who was present at the meeting, talked to CW about the money that CW could make with defendant TOWNSEND's assistance. Official-1 counseled CW, however, not to offer a bribe payment at that time, explaining that CW should not "take[] care of" defendant TOWNSEND until Official-1 gave him "the word." (Official-1 was not cooperating with law enforcement authorities. In fact, Official-1 himself previously had obtained a cash bribe payment from CW.)

5. On or about November 12, 2004, UC met with Official-2, who is defendant PATSY TOWNSEND's friend and was one of the public officials present at the June 22 meeting described above. During their November 12 discussion, Official-2 told UC, in substance and in part, that he would talk to defendant TOWNSEND about UC giving a cash payment to defendant TOWNSEND in exchange for defendant steering fire-related work to CW's company. Official-2 further informed UC, in substance and in part, that he would get back to UC after getting a sense from defendant

TOWNSEND about his interest in such an arrangement. This meeting was recorded with both video and audio recording devices, with UC's consent.

6. In mid-November 2004, the New Jersey League of Municipalities Convention (the "League") took place in Atlantic City, New Jersey. Local public officials and various business professionals typically attend the convention. Contractors and business professionals host parties at the convention to interact with public officials in towns in which they hope to conduct business. CW and UC hosted a party at the convention.

7. On or about November 17, 2004, Official-1, Official-2, and defendant PATSY TOWNSEND attended the party hosted by CW and UC at the League. Defendant TOWNSEND and Official-2 arrived at the party together. Official-2 and UC briefly left the party to speak in private. Following up on his November 12 discussion with UC, Official-2 indicated that defendant TOWNSEND was interested in taking a cash payment from UC, stating, "Pat wants to talk a couple minutes with you." A few moments later, Official-2 took from UC an envelope containing a cash bribe payment for Official-2 himself. When he handed over the envelope, UC asked, "I stuffed one for your buddy. You said he's good with that?" Official-2 responded, "Yes."

8. Several minutes later, in a private room, defendant TOWNSEND accepted $1,000 in cash from UC in exchange for defendant TOWNSEND steering future fire-related jobs to UC and CW. In handing defendant the money, UC stated, in part, "Keep us in mind for future work. Anything you could throw our way." After he accepted the money, defendant TOWNSEND emphasized the importance of his personal selection of the person to call for a fire-related job. He explained, "I don't know of a job that we called a wrecking company in that hasn't gotten the job." UC asked, "So it's a lock?" Defendant TOWNSEND responded, "Right . . . . The insurance company has gotta pay you to do what we asked you to do . . . ." The cash pay-off and related conversation were recorded with both audio and video recording devices, with UC's consent.