



*United States Attorney
Southern District of New York*

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**FORMER NYC HOUSING AUTHORITY EXECUTIVE
SENTENCED TO A YEAR AND A DAY IN FEDERAL EXTORTION CASE**

JAMES B. COMEY, the United States Attorney for the Southern District of New York, and ROSE GILL HEARN, Commissioner of the New York City Department of Investigation, announced that ROBERT SWINTON, the Former Deputy Director of the New York City Housing Authority's ("NYCHA") Department of Facility Planning was sentenced today in Manhattan federal court to a year and a day in jail for extorting and attempting to extort approximately \$28,000 from a Harlem shopkeeper who sought to lease commercial space from NYCHA (the "shopkeeper") from 1999 or 2000 to about December of 2002. SWINTON, who pled guilty on March 25, 2003, to one count of extortion, was also ordered to pay \$20,500 in restitution by United States District Judge JOHN E. SPRIZZO.

According to the Complaint and Information, in the Summer or Fall of 2000, the shopkeeper, who at the time was leasing space from NYCHA for a supermarket in Harlem, contacted SWINTON, who was then the Deputy Director of NYCHA's Department of Facility Planning, to inform him that he was interested in leasing the space next to his supermarket so that he could expand his business. The two met at SWINTON's NYCHA office at 250 Broadway shortly thereafter, at which time SWINTON told the shopkeeper that he would have to pay SWINTON \$40,000 to obtain a lease on the second store.

The shopkeeper had previously paid SWINTON approximately \$8,000, at SWINTON's direction, for his first lease. It was charged that at the meeting regarding this second lease, SWINTON told the shopkeeper, "Take care of me and I'll take care of you." SWINTON convinced the shopkeeper that he would not obtain the lease for the second store if he did not pay SWINTON the money he had requested. In fact, however, there is no fee for obtaining a lease with NYCHA.

SWINTON lowered his price and proposed that the shopkeeper pay him \$20,000 for the second lease, according to the Complaint. Once SWINTON ultimately lowered his price again to under \$20,000, the shopkeeper agreed to pay him the money. On 11 different occasions between October 2001 and September 2002, the shopkeeper paid SWINTON a total of \$12,500 in cash.

On September 30, 2002, SWINTON was fired from his

position but even after he was no longer employed by NYCHA, he continued to contact the shopkeeper for the remainder of the money.

For example, on November 13, 2002, in a telephone conversation that was tape recorded, SWINTON told the shopkeeper that he still owed him \$5,000, it was charged. When the shopkeeper expressed concern that he might get "screwed" now that SWINTON was no longer with NYCHA, SWINTON responded, "You're not going to get screwed. You got your lease, you got your lease in your hand! You got your lease for ten years," according to the Complaint. When the shopkeeper nonetheless balked at having to pay another \$5,000, SWINTON responded that "we had an agreement. It's up to you to honor it," it was charged, and they then allegedly agreed that the shopkeeper would pay SWINTON \$2,000 of the remaining \$5,000 on November 15, 2002.

According to the Complaint, on November 15, 2002, in anticipation of the meeting, the shopkeeper was given \$2,000 in pre-recorded funds by DOI investigators and a recording device was placed on his person. Later that day, SWINTON arrived at the shopkeeper's store and met with the shopkeeper, it was charged, and SWINTON was videotaped entering and exiting the store. During that meeting, which was tape recorded, the shopkeeper gave SWINTON the \$2,000 in pre-recorded funds, it was charged. The two also allegedly discussed when the shopkeeper could pay the remaining \$3,000, and the shopkeeper indicated that he would

attempt to provide the money before Christmas. After leaving the shopkeeper's store, SWINTON went next door to the shopkeeper's adjoining store and used \$50 of the pre-recorded buy money to purchase lottery tickets, it was charged. The \$50 was confiscated by DOI investigators shortly thereafter.

SWINTON, 53, lives in Staten Island.

Mr. COMEY praised the investigative efforts of the New York City Department of Investigation in this case.

Assistant United States Attorneys MARGARET CIEPRISZ and RONNIE ABRAMS are in charge of the prosecution.

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