



Department of Investigation

Press Release

*United States Attorney
Southern District of New York*

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FORMER NYC HOUSING AUTHORITY EXECUTIVE CHARGED 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 today that ROBERT SWINTON, the Former Deputy Director of the New York City Housing Authority's ("NYCHA") Department of Facility Planning was charged in Manhattan federal court with extorting and attempting to extort over \$25,000 from a Harlem shopkeeper who sought to lease commercial space from NYCHA (the "shopkeeper").

According to the Complaint, unsealed today, in the Summer or Fall of 2000, the shopkeeper, who was already leasing a NYCHA space 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 additionally leasing the space next to the supermarket so that he could combine the two stores. The two met at SWINTON's NYCHA office at 250 Broadway shortly thereafter, at which time SWINTON told the shopkeeper that to obtain a lease on the second store, he would have to pay SWINTON \$40,000, it was charged. The shopkeeper allegedly had previously paid SWINTON approximately \$8,000, at SWINTON's direction, for his initial lease. It was charged that at the meeting, SWINTON told the shopkeeper, in sum and substance, "take care of me and I'll take care of you." SWINTON had also allegedly persuaded him that he would not obtain the lease for the second store if he did not pay SWINTON the money he had requested. In fact, there is no fee for obtaining a lease with NYCHA.

SWINTON ultimately lowered his price and proposed that the shopkeeper pay him \$20,000 for the second lease, according to the Complaint. Once SWINTON allegedly agreed that it might be less than \$20,000, the shopkeeper agreed to pay him the money.

On approximately 11 different occasions between October 2001 and September 2002, the shopkeeper paid SWINTON approximately \$12,500 in cash. SWINTON allegedly told the shopkeeper that \$9,500 of the money was for others within NYCHA and that the remaining \$3,000 - in addition to \$5,000 more that he was requesting -- was for himself.

On September 30, 2002, SWINTON was fired from his position, according to the Complaint, 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 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 buy money by DOI investigators and a recording device 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 prerecorded money. The shopkeeper then allegedly asked SWINTON if he was going to get "someone there inside," referring to someone inside NYCHA now that SWINTON had been fired. At that point, SWINTON allegedly reiterated to the shopkeeper that "you got your lease" and then told him that he will have him meet a friend who will "take care of you." SWINTON said that the friend knows that "we're friends" but "nothing else." The two also discussed when the shopkeeper could pay the remaining \$3,000, which the shopkeeper indicated he would attempt to get to him before Christmas. After leaving the shopkeeper's store, SWINTON went next door to the shopkeeper's adjoining store and used \$50 of the prerecorded buy money to purchase lottery tickets. He was videotaped entering the store and purchasing and scratching off the lottery tickets. The \$50 in prerecorded buy money was confiscated by DOI investigators shortly thereafter.

SWINTON is scheduled to be presented before United States Magistrate Judge KEVIN NATHANIEL FOX later today.

MR. COMEY praised the investigative efforts of the New York City Department of Investigation.

Mr. COMEY stated: "Public officials have a obligation to honorably and honestly perform their duties always in the best interests of the public they serve. We will make every effort to bring to justice any and all who violate that public trust."

Ms. HEARN stated: "Mr. Swinton's conduct is an injustice to those who serve this city honestly and well. This investigation should serve as a clear and bold example to all city employees and members of the public that corruption will not be tolerated in any form."

Assistant United States Attorney RONNIE ABRAMS is in charge of the prosecution.

The charges contained in the Complaint are merely accusations, and the defendant is presumed innocent unless and until proven guilty.