

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon.
 :
 v. : Criminal No. 14-____
 :
 VICTOR COCA : 18 U.S.C. § 666(a)(2)
 : 18 U.S.C. § 1952(a)(3)

INDICTMENT

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

COUNT 1
(Bribery)

1. At all times relevant to Count 1 of this Indictment:
 - a. Defendant VICTOR COCA was the owner and president of a general contracting company ("Company 1") located in West New York, New Jersey.
 - b. West New York, New Jersey was a municipality located in Hudson County, New Jersey. West New York received federal benefits in excess of \$10,000 during the relevant one-year period as defined in Title 18, United States Code, Sections 666(b) and 666(d)(5).
 - c. There was an individual who worked as the Fire Official (the "Fire Official") for the West New York Bureau of Fire Safety (the "BFS"). The BFS was responsible for enforcing the Uniform Fire Code by, among other things, issuing notices to, and

levying fines and penalties upon, owners of buildings with fire code violations.

2. There was a building ("Building 1") located on Bergenline Avenue in West New York. In or about March 2014, the BFS levied approximately \$14,500 in penalties for outstanding fire code violations on Building 1.

3. On or about March 19, 2014, defendant VICTOR COCA met with the Fire Official at the Company 1 offices in West New York. Defendant VICTOR COCA, the Fire Official, and another individual discussed the \$14,500 in penalties owed on Building 1. Defendant VICTOR COCA told the Fire Official that the owner of Building 1 had asked what could be done to eliminate the outstanding penalties.

4. On or about March 24, 2014, defendant VICTOR COCA and the Fire Official spoke by telephone and agreed to meet at a restaurant in West New York. Later that day, defendant VICTOR COCA met with the Fire Official at a restaurant in West New York. During this meeting, defendant VICTOR COCA agreed to give the Fire Official \$2,000 for the Fire Official's official assistance in eliminating the outstanding penalties on Building 1.

5. On or about March 27, 2014, in West New York, New Jersey, defendant VICTOR COCA gave the Fire Official a \$2,000 cash bribe for the Fire Official's official assistance in eliminating the outstanding penalties on Building 1. After defendant VICTOR COCA

handed the Fire Official the cash bribe, the Fire Official asked "is that what we talked about?" Defendant VICTOR COCA responded, "Yes." The Fire Official replied, "The two thousand? Okay."

6. Between in or about February 2014 and in or about March 2014, in Hudson County, in the District of New Jersey, defendant

VICTOR COCA

did knowingly and corruptly give, offer, and agree to give a thing of value - namely, \$2,000 - to an agent of a local government, with the intent to influence and reward an agent of a local government, in connection with a business, transaction and series of transactions of such government involving a thing of value of \$5,000 and more.

In violation of Title 18, United States Code, Section 666(a)(2).

COUNT 2
(Bribery)

1. The allegations set forth in paragraph 1(a) through 1(c) of Count 1 of this Indictment are realleged and incorporated as if set forth herein.

2. There was a building ("Building 2") located on Hudson Avenue in West New York. Defendant VICTOR COCA was a part-owner of Building 2. As of March 2014, approximately \$8,730,000 in fines and penalties for outstanding fire code violations had been levied by West New York on Building 2.

3. On or about March 27, 2014, defendant VICTOR COCA discussed with the Fire Official the payment of a cash bribe for the Fire Official's official assistance in eliminating the fines and penalties owed on Building 2.

4. On or about March 31, 2014, defendant VICTOR COCA and the Fire Official spoke by telephone. Defendant VICTOR COCA asked the Fire Official whether the Fire Official had given any thought to the fire code violations on Building 2.

5. On or about April 7, 2014, defendant VICTOR COCA and the Fire Official met at a restaurant in West New York. Defendant VICTOR COCA placed his cellular telephone on another table and asked the Fire Official to do so as well. Defendant VICTOR COCA offered to pay the Fire Official a \$5,000 cash bribe and offered to write a check to the BFS for \$5,000 in exchange for the Fire Official's official

assistance in eliminating the \$8,730,000 owed on Building 2.

6. On or about April 9, 2014, defendant VICTOR COCA spoke with the Fire Official over the telephone. During this conversation, defendant VICTOR COCA and the Fire Official discussed a date to meet for defendant VICTOR COCA to give this \$5,000 bribe to the Fire Official.

7. On or about April 16, 2014, at the Company 1 offices in West New York, defendant VICTOR COCA and the Fire Official met and again discussed the payment of a \$5,000 check to the BFS and a \$5,000 bribe to the Fire Official in return for the Fire Official's official assistance in eliminating the outstanding fines and penalties owed on Building 2.

8. On or about April 21, 2014, defendant VICTOR COCA met with the Fire Official outside the Company 1 offices in West New York. During this meeting, defendant VICTOR COCA handed the Fire Official a check for \$5,000 made payable to the BFS. Defendant VICTOR COCA and the Fire Official then drove to defendant VICTOR COCA's home in North Bergen, New Jersey. After arriving there, defendant VICTOR COCA gave the Fire Official a \$5,000 cash bribe in exchange for the Fire Official's official assistance in eliminating the fines and penalties owed on Building 2. The Fire Official then handed defendant VICTOR COCA documentation purportedly canceling the approximately \$8,730,000 in fines and penalties due and owing on

Building 2. Upon receiving the documentation, defendant VICTOR COCA asked the Fire Official: "Now, these are the papers that, that guarantee me that I'm in the clear. Right?" The Fire Official responded in the affirmative.

9. Between in or about March 2014 and in or about April 2014, in Hudson County, in the District of New Jersey, defendant

VICTOR COCA

did knowingly and corruptly give, offer, and agree to give a thing of value - namely, \$5,000 - to an agent of a local government, with the intent to influence and reward an agent of a local government, in connection with a business, transaction and series of transactions of such government involving a thing of value of \$5,000 and more.

In violation of Title 18, United States Code, Section 666(a)(2).

COUNT 3
(Travel Act)

1. The allegations set forth in paragraphs 1(a) through 1(c) and 2 through 5 of Count 1 of this Indictment are realleged and incorporated as if set forth herein.

2. On or about March 24, 2014, in the District of New Jersey, and elsewhere, defendant

VICTOR COCA

did knowingly and intentionally use and cause the use of a facility in interstate commerce with the intent to promote, manage, establish, carry on and facilitate the promotion, management, establishment, and carrying on of an unlawful activity - namely, bribery, contrary to N.J. Stat. Ann. § 2C:27-2, and thereafter performed and attempted to perform an act to promote, manage, establish, carry on, and facilitate the promotion, management, establishment and carrying on of the unlawful activity.

In violation of Title 18, United States Code, Section 1952(a)(3).

COUNT 4
(Travel Act)

1. The allegations set forth in paragraphs 1(a) through 1(c) of Count 1 of this Indictment and paragraphs 2 through 8 of Count 2 of this Indictment are realleged and incorporated as if set forth herein.

2. On or about April 9, 2014, in the District of New Jersey, and elsewhere, defendant

VICTOR COCA

did knowingly and intentionally use and cause the use of a facility in interstate commerce with the intent to promote, manage, establish, carry on and facilitate the promotion, management, establishment, and carrying on of an unlawful activity - namely, bribery, contrary to N.J. Stat. Ann. § 2C:27-2, and thereafter performed and attempted to perform an act to promote, manage, establish, carry on, and facilitate the promotion, management, establishment and carrying on the unlawful activity.

In violation of Title 18, United States Code, Section 1952(a)(3).

A TRUE BILL

Paul J. Fishman/rah
PAUL J. FISHMAN
UNITED STATES ATTORNEY

FOREPERSON

CASE NUMBER: 14-

United States District Court
District of New Jersey

UNITED STATES OF AMERICA

v.

VICTOR COCA

INDICTMENT FOR

18 U.S.C. § 666 (a) (2)
18 U.S.C. § 1952 (a) (3)
18 U.S.C. § 2

PAUL J. FISHMAN

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