



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x
UNITED STATES OF AMERICA :
 :
 :
 -v- :
 :
 BERNARD B. KERIK, :
 :
 Defendant. :
-----x

INDICTMENT

07 Cr. 1027

COUNT ONE

(Conspiracy to Deprive the City of New York and
its Citizens of Honest Services)

The Grand Jury charges:

1. On or about January 5, 1998, BERNARD B. KERIK, the defendant, was appointed Commissioner of the New York City Department of Corrections ("NYCDOC"). As the Commissioner of the NYCDOC, KERIK oversaw and managed all City institutions established for the care and custody of felons, misdemeanants, prisoners under arrest and awaiting arraignment, violators of local laws and ordinances, and, in some instances, witnesses.

2. On or about August 20, 2000, BERNARD B. KERIK, the defendant, left his post as the Commissioner of the NYCDOC and became the Commissioner of the New York City Police Department ("NYCPD"), where he remained until he resigned on or about January 1, 2002. As New York City's chief law enforcement officer, KERIK had a duty to prevent crime, detect and arrest

and the New Jersey Division of Gaming Enforcement ("NJDOGE"). These agencies sought to determine, among other things, whether the company had ties to organized crime and whether XYZ, its principals and key employees possessed the requisite integrity to perform publicly funded or regulated contracts.

10. In or about late 1998, XYZ enlisted the influence and assistance of BERNARD B. KERIK in its efforts to convince regulators that the company had rid itself of mob ties and otherwise possessed the requisite integrity to perform publicly funded or regulated contracts.

11. In or about April and May 1999, BERNARD B. KERIK advised John Doe #3 that he was purchasing a cooperative apartment in Riverdale, New York (the "Riverdale Apartment"), which he planned to renovate and asked for money to pay for the renovations.

12. After KERIK purchased the apartment, XYZ arranged and paid for an architect and an interior designer to redesign and renovate the apartment. The design and renovation of the apartment included demolishing old walls, and constructing new walls and floors, a new kitchen, new marble bathrooms with a jacuzzi, and a marble entrance rotunda. After the design was complete, XYZ hired and paid a general contractor to renovate BERNARD B. KERIK'S Riverdale Apartment. XYZ paid a total of more

