

NEWS

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Former Asbury Park Councilman and
Restaurant Owner Indicted in Corruption Probe

(More)

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NEWARK – A former Asbury Park councilman and the owner of a local restaurant have been indicted by a federal grand jury for conspiring and attempting to accept bribes from a cooperating government witness, whom the defendants believed was involved in construction and demolition work, money laundering, and illegal loansharking, U.S. Attorney Christopher J. Christie announced.

Former Asbury Park councilman John J. Hamilton, Jr., 55, was also charged with making false statements to FBI agents and with attempted witness tampering.

The Indictment was returned under seal on Monday and was unsealed today with the arrest of Vincent “Vinny” Baker, 61, owner of Jennie’s Soul Food restaurant in Asbury Park. Baker was scheduled to make an initial appearance today at 2:30 before U.S. Magistrate Judge Ronald J. Hedges. Hamilton, who was arrested with numerous other public officials in Monmouth County on Feb. 22, is expected to appear for his arraignment when it is scheduled before U.S. District Judge Jose L. Linares.

Hamilton was the deputy mayor and a councilman in Asbury Park in 2001, when he allegedly accepted the installation of a driveway at his home valued at \$5,000 from the cooperating witness, to whom he was introduced by Baker. The Indictment charges that Hamilton agreed to attempt to secure work for the cooperating witness, and that both he and Baker expected a percentage of money received as a result of any work the cooperating witness received. Additionally, it is alleged that Baker accepted \$2,200 in cash from the cooperating witness – \$2,000 to give to Hamilton, and \$200 for himself for making the introduction.

The Indictment further charges that, although Hamilton never paid for the driveway, which was installed between Aug. 2 and Aug. 3, 2001, he requested and obtained a receipt from the cooperating witness indicating that \$1,000 in cash was paid for the driveway installation. It is alleged that Hamilton later falsely told FBI agents that he paid \$1,000 for the driveway, and then tried to get the cooperating witness to tell the same story if he was approached by FBI agents.

Hamilton is charged with conspiracy to extort benefits under color of official right, which carries a maximum penalty of 20 years in prison and a \$250,000 fine; attempt to extort benefits under color of official right, which carries the same maximum penalties; acceptance of a thing of value of \$5,000 or more to influence or reward, which carries a maximum penalty of 10 years in prison and a \$250,000 fine; making a false statement to the FBI, which carries a maximum penalty of five years in prison and a \$250,000 fine; and with attempted witness tampering, which carries a maximum penalty of 10 years in prison and a \$250,000 fine.

Baker is charged with each of the first three counts described above.

Despite indictment, both of the defendants are presumed innocent unless and until proven guilty beyond a reasonable doubt.

Under U.S. Sentencing Guidelines, which are advisory to the Court, the federal district judge assigned to the case may determine the actual sentence based upon a formula that takes into account the severity and characteristics of the offense, and the defendants' criminal history, if any. Parole has been abolished in the federal system. Under Sentencing Guidelines, defendants who are given custodial terms may have to serve nearly all that time.

Christie credited Special Agents from the FBI, under the direction of Leslie G. Wiser, Jr., Special Agent in Charge, with developing the cases against Hamilton and Baker.

The case is being prosecuted by Assistant U.S. Attorney Joyce M. Malliet of the Special Prosecutions Division of the U.S. Attorney's Office in Newark.

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Defense Counsel:

Robert L. Tarver, Jr., Esq., Toms River (Hamilton)

Lisa Mack, federal Public Defender's Office, Newark (Baker)