

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA	:	
	:	<u>TO BE FILED UNDER SEAL</u>
- v. -	:	
	:	<u>SUPERSEDING</u>
FRANK SOOHOO,	:	<u>INFORMATION</u>
	:	
Defendant.	:	S3 16 Cr. 342 (SHS)
	:	
- - - - -	x	

COUNT ONE
(Conspiracy to Commit Bribery)

The United States Attorney charges:

1. From in or about 2013, up to and including in or about 2016, in the Southern District of New York and elsewhere, FRANK SOOHOO, the defendant, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit offenses against the United States, to wit, to commit bribery, in violation of Title 18, United States Code, Section 666.

2. It was a part and an object of the conspiracy that FRANK SOOHOO, the defendant, willfully, knowingly, and corruptly would and did give, offer, and agree to give a thing of value to a person, with the intent to influence and reward an agent of a local government, and an agency thereof, to wit, New York City Police Department ("NYPD") officers in the Licensing Division of the NYPD, in connection with a business,

transaction, and series of transactions of the NYPD involving a thing of value of \$5,000 and more, such government and agency having received, in a one year period, benefits in excess of \$10,000 under a Federal program involving a grant, contract, subsidy, loan, guarantee, insurance, and other form of federal assistance, to wit, SOOHOO, who provided an "expediting" service in which he assisted paying clients in obtaining gun licenses from the Licensing Division, agreed with others to provide cash and benefits to Licensing Division officers in exchange for those officers' expediting and approval of gun licenses, as such opportunities arose, in violation of Section 666(a)(2) of Title 18, United States Code.

Overt Acts

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. In or about October 2014, FRANK SOOHOO, the defendant, took two officials in the NYPD Licensing Division - - NYPD Sergeant David Villanueva and NYPD Officer Richard Ochetal -- and their spouses on vacation to the Bahamas, with SOOHOO paying for all travel and lodging;

b. In or about April 2015, FRANK SOOHOO, the

defendant, Villanueva, Ochetal, and their spouses went on vacation to Mexico, with SOOHOO paying for all travel and lodging;

c. In or about October 2015, FRANK SOOHOO, the defendant, Villanueva, and their spouses went on vacation to Hawaii for Villanueva's honeymoon, with SOOHOO paying for all travel and lodging;

d. In or about March 2016, FRANK SOOHOO, the defendant, Villanueva, Ochetal, and their spouses went on vacation to the Dominican Republic, with SOOHOO paying for all travel and lodging;

e. At multiple points between 2013 and 2015, FRANK SOOHOO, the defendant, provided Villanueva, Ochetal, and other Licensing Division personnel with expensive bottles of liquor, numerous expensive meals and the services of strippers;

f. At multiple points between 2013 and 2015, including in or about September 2014, Villanueva and Ochetal processed SOOHOO's clients' applications in a perfunctory fashion without conducting or completing the required due diligence such as completely reviewing the applicant's criminal history, verifying details of the application, interviewing the applicant, or investigating the business needs for applicants seeking licenses to carry firearms in connection with their

businesses.

g. In or about November 2015, FRANK SOOHOO, the defendant, provided Villanueva with a \$2,000 cash bribe in order for Villanueva to approve an application for a carry license submitted by SOOHOO's client ("Client-1"), even though Client-1 had three previous convictions for assault, including one for assault with intent to cause physical injury with a weapon or instrument, as well as prior arrests for gang assault and rape in the first degree;

h. At multiple points between 2014 and 2015, upon SOOHOO's request, Villanueva and Ochetal upgraded the licenses of SOOHOO's clients.

i. At multiple points between 2014 and 2015, Villanueva and Ochetal provided SOOHOO with pre-signed "pink slips" - documents that firearms licensees must otherwise apply for and obtain from the NYPD and then present to a dealer each time they wish to purchase a gun - for SOOHOO to sell to his clients.

(Title 18, United States Code, Section 371.)

COUNT TWO
(Bribery)

The United States Attorney further charges:

4. From in or about 2013, up through and including in or about 2016, in the Southern District of New York and elsewhere, FRANK SOOHOO, the defendant, willfully, knowingly, and corruptly gave, offered, and agreed to give a thing of value to a person, with the intent to influence and reward an agent of a local government, and an agency thereof, to wit, NYPD officers in the Licensing Division of the NYPD, in connection with a business, transaction, and series of transactions of the NYPD involving a thing of value of \$5,000 and more, such government and agency having received, in a one year period, benefits in excess of \$10,000 under a Federal program involving a grant, contract, subsidy, loan, guarantee, insurance, and other form of federal assistance, to wit, SOOHOO provided cash and personal benefits to NYPD officers in exchange for the expediting and approval of gun licenses issued by the Licensing Division of the NYPD, as such opportunities arose.

(Title 18, United States Code, Section 666.)

COUNT THREE
(False Statements)

The United States Attorney further charges:

5. From in or about May 2016, up through and including in or about June 2016, in the Southern District of New York and elsewhere, FRANK SOOHOO, the defendant, in a matter within the jurisdiction of the executive branch of the Government of the United States, knowingly and willfully falsified, concealed and covered up by trick, scheme and device a material fact, and made a materially false, fictitious and fraudulent statement and representation, to wit, SOOHOO made false statements to Federal Bureau of Investigation officials, and falsified material facts with the knowledge that those falsifications would be provided to the Government, in connection with a bribery investigation involving gun licenses issued by the NYPD Licensing Division.

(Title 18, United States Code, Section 1001.)

COUNT FOUR
(Mail Fraud)

The United States Attorney further charges:

6. From in or about 2013, up through and including in or about 2015, in the Southern District of New York and elsewhere, FRANK SOOHOO, the defendant, willfully and knowingly,

having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, for the purpose of executing such scheme and artifice and attempting to do so, would and did place in a post office and authorized depository for mail matter, a matter and thing to be sent and delivered by the Postal Service, and knowingly caused to be delivered by mail according to the direction thereon, such thing, to wit, SOOHOO caused to be mailed applications for insurance for himself to a health insurance company, which applications contained materially false information regarding SOOHOO's income, in order to obtain insurance at a lower cost.

(Title 18, United States Code, Section 1341.)

FORFEITURE ALLEGATION

7. As a result of committing the offenses alleged in Counts One, Two and Four of this Information, FRANK SOOHOO, the defendant, shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, all property, real and personal, which constitutes or is derived from the proceeds traceable to the offenses alleged in Counts One, Two and Four of the Information.

Substitute Asset Provision

8. If any of the above-described forfeitable property, as a result of any act or omission of FRANK SOOHOO, the defendant:

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or deposited with, a third person;

(3) has been placed beyond the jurisdiction of the Court;

(4) has been substantially diminished in value;
or

(5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 18 U.S.C. § 981(a)(1)(C), 21 U.S.C. § 853(p), and 28 U.S.C. § 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981,
Title 21, United States Code, Section 853, and
Title 28, United States Code, Section 2461.)



PREET BHARARA ADF
United States Attorney

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SUPERSEDING INFORMATION

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(Title 18, United States Code, Sections
666, 371, 1001, and 1341.)

PREET BHARARA
United States Attorney.
