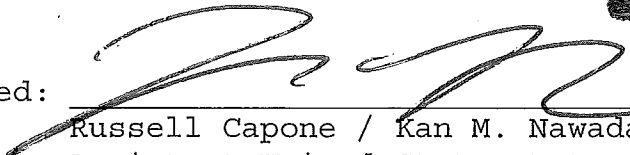


17 MAG 3036

Approved:

  
Russell Capone / Kan M. Nawaday / Lauren Schorr  
Assistant United States Attorneys

Before: HONORABLE KEVIN N. FOX  
United States Magistrate Judge  
Southern District of New York

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	:	<u>SEALED COMPLAINT</u>
UNITED STATES OF AMERICA	:	Violations of
- v. -	:	18 U.S.C. §§ 371 and 666.
	:	
JOHN CHAMBERS,	:	COUNTY OF OFFENSE:
	:	NEW YORK
Defendant.	:	
-----	x	

SOUTHERN DISTRICT OF NEW YORK, ss.:

JOSEPH DOWNS, being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation ("FBI") and charges as follows:

COUNT ONE  
(Bribery)

1. From at least in or about 2010, up to and including in or about 2015, in the Southern District of New York and elsewhere, JOHN CHAMBERS, the defendant, willfully and knowingly did corruptly give, offer, and agree to give a thing of value to a person, with intent to influence an agent of an organization of a State government, and an agency thereof, in connection with business, transactions, and series of transactions of such organization, government, and agency involving a thing of value of \$5,000 and more, to wit, CHAMBERS offered and paid bribes to a member of the New York City Police Department ("NYPD") in order to expedite gun license related matters pending before the NYPD's License Division and the Nassau County Police Department ("Nassau PD") Pistol Section for the benefit of individuals who had paid CHAMBERS for his assistance in such gun license related matters.

(Title 18, United States Code, Sections 666 and 2.)

COUNT TWO  
(Conspiracy)

2. From at least in or about 2010, up to and including in or about 2015, JOHN CHAMBERS, 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 violate Title 18, United States Code, Section 666.

3. It was a part and an object of the conspiracy that JOHN CHAMBERS, the defendant, and others known and unknown, willfully and knowingly would and did corruptly give, offer, and agree to give a thing of value to a person, with intent to influence an agent of an organization of a State government, and an agency thereof, in connection with business, transactions, and series of transactions of such organization, government, and agency involving a thing of value of \$5,000 and more, to wit, CHAMBERS agreed to pay bribes to a member of the NYPD in exchange for the NYPD officer's assistance with gun license related matters pending before the NYPD and the Nassau PD.

4. 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:

a. From at least in or about 2010 to in or about 2015, JOHN CHAMBERS, the defendant, met on numerous occasions with NYPD Sergeant David Villanueva, who at the time was a Sergeant of the NYPD assigned to the NYPD License Division, at One Police Plaza, in Manhattan, New York in order to obtain Villanueva's assistance in expediting gun license matters pending before the NYPD License Division and the Nassau PD Pistol Section.

b. On at least three occasions between 2012 and 2015, CHAMBERS mailed cash, hidden inside magazines, to Villanueva.

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

The bases for my knowledge and the foregoing charges are, in part, as follows:

5. I have been a Special Agent with the FBI for approximately 12 years. I am currently assigned to a public

corruption squad in the FBI's New York Field Office. As a Special Agent, I have participated in investigations involving the bribing of public officials and law enforcement officers.

6. Since at least in or about 2013, I have been involved in an investigation being conducted jointly by the FBI and the Internal Affairs Bureau ("IAB") of the NYPD into, among other things, allegations of misconduct by law enforcement personnel. IAB is the unit within the NYPD that investigates police misconduct.

7. The information contained in this affidavit is based upon my personal knowledge, as well as information obtained during this investigation, directly or indirectly, from other sources and agents. Because this affidavit is prepared for limited purposes, I have not set forth each and every fact I have learned in connection with this investigation. Where conversations and events are referred to herein, they are related in substance and in part.

#### The NYPD License Division and the Nassau PD Pistol Section

8. Based on my discussions with relevant personnel of the NYPD, my review of publicly available information relating to the application process for a gun license from the NYPD's License Division and the Nassau PD Pistol Section, my review of applicable New York State law, and my training and experience, I have learned the following:

a. The NYPD License Division, located at One Police Plaza in Manhattan, is the entity within the NYPD responsible for approving or disapproving all applications for handgun licenses in New York City.

b. The Nassau PD Pistol Section, located at 1450 Franklin Avenue, in Mineola, New York, is the entity within the Nassau PD responsible for approving or disapproving all applications for handgun licenses in Nassau County.

c. Among the types of handgun licenses issued by the NYPD License Division are (i) a premises license, which permits its holder to have a handgun in the holder's home (a "Premises License"); (ii) a license for retired law enforcement personnel (a "Retiree License"); (iii) a limited carry license, which permits its holder to have a handgun in the home or business and to carry the handgun for specified, limited

purposes and at limited times (a "Limited Carry License"); and (iv) a full carry license, which permits its holder to carry a handgun anywhere in New York State at all times, but only for justified business purposes (a "Full Carry License").

d. Among the types of handgun licenses issued by the Nassau PD Pistol Section are (i) a Target/Hunting license, permitting the carrying and use of a firearm during target shooting or hunting activities ("Target/Hunting License"); (ii) a Retiree License; (iii) a Limited Carry License; and (iv) a full carry license, which permits its holder to carry a handgun anywhere in New York State, other than in the five boroughs of New York City, at all times, but only for justified self-defense reasons (a "Civilian Full Carry License").

e. The process for reviewing a gun license application by the NYPD License Division and the Nassau PD Pistol Section are generally the same. After an application is received, the NYPD License Division or the Nassau PD Pistol Section, as the case may be, conducts an investigation of the applicant before electing to approve or reject the application. The investigation includes (i) a review of the applicant's criminal history, including summonses, arrests, and convictions; (ii) a review of the applicant's mental health history; (iii) a verification of the details of the application; (iv) an in-person interview of the applicant; and (v) an investigation into the need for Limited and Full Carry Licenses.

f. Pursuant to New York State law, certain findings, such as a prior felony conviction, result in the automatic rejection of an applicant.

g. In addition, State law provides that the NYPD License Division and the Nassau PD Pistol Section have discretion to reject gun license applications for additional reasons, such as moral character, mental health issues, or substance abuse issues. For example, on its website, the NYPD License Division indicates that it may reject applications if the investigation reveals a history of arrest, driving infractions, or domestic violence incidents, among other reasons. Similarly, the Nassau PD Pistol Section's Handbook provides that applicants must have no prior conviction of a felony or other serious offenses nor a conviction of a misdemeanor crime of domestic violence.

h. Typically, the processing, investigation, and approval or disapproval of an application takes several months. For Limited and Full Carry Licenses, it can take even longer.

i. Gun licenses for NYPD License Division license holders must be renewed every three years and gun licenses for Nassau PD Pistol Section license holders must be renewed every five years.

j. A unit within the NYPD License Division, called the "Incidents Unit," investigates gun license holders when facts arise that would potentially call for the revocation or suspension of a license holder's license. Such facts include an arrest, conviction, or a law enforcement interaction relating to domestic violence.

k. An "expediter" is an individual who charges clients to assist them in pursuing the gun licensing process with the NYPD or the Nassau PD. As an official matter, the NYPD does not encourage applicants to use the services of expeditors. Specifically, the NYPD License Division website informs prospective applicants that:

The License Division is aware that there are consulting companies which guarantee the issuance of a New York City handgun license . . . if a prospective applicant uses their services to complete the application form. These firms cannot obtain a handgun license . . . for you if you do not qualify, nor can they expedite your application. As an applicant, you should be aware that such services are not required or endorsed by the New York City Police Department and that only an attorney licensed by the State of New York can represent you before the License Division.

l. Similarly, the Nassau PD Pistol Section license application instructions provide the following:

Pistol License Consulting Firms: This Department has received complaints concerning misrepresentations and misleading information issued by various firms who

indicate that they can assist you in receiving a pistol license or can expedite your application. It is this Department's position that the utilization of these firms is unnecessary and that the application instructions are self-explanatory. If you have any questions concerning the application or application process, you can contact the Pistol License Section and someone will assist you.

### Relevant Individuals

#### *JOHN CHAMBERS, The Defendant*

9. Based on my review of publicly available materials, including a website maintained by JOHN CHAMBERS, the defendant, for his expediting business (www.nygun.com), and a review of his LinkedIn profile, I have learned the following, in substance and relevant part, about CHAMBERS:

a. CHAMBERS is an attorney licensed to practice law in the State of New York.

b. From 1983 to 1985, CHAMBERS served as an Assistant District Attorney in the Brooklyn District Attorney's Office.

c. At times relevant to this Complaint, CHAMBERS marketed himself to potential clients as the "Top Firearms Licensing Attorney in NY," and that he specialized in representing clients "in connection with: APPLICATION, INTERVIEW, APPEAL, HEARING, RENEWAL, INCIDENT, or any other issue which may arise regarding gun licensing."

#### *David Villanueva*

10. Based on discussions with NYPD personnel, review of NYPD records, my involvement in this investigation, and my debriefing of David Villanueva, I have learned the following, in substance and relevant part:

a. David Villanueva was an NYPD Sergeant who had been assigned to the NYPD License Division for more than a decade until April 2016, shortly after which his employment was terminated. Within the NYPD License Division, Villanueva was

involved in the approval or denial of gun license applications. Villanueva also was the supervising officer who oversaw the Incidents Unit at the NYPD License Division. Villanueva has pleaded guilty to accepting bribes from multiple gun license expeditors, including JOHN CHAMBERS, the defendant, in exchange for approving and expediting the gun licenses for such expeditors' clients. Villanueva also has pleaded guilty to lying about accepting bribes from an expeditor, not charged herein, when initially questioned by the FBI. Villanueva pleaded guilty pursuant to a cooperation agreement with the Government and is cooperating in the hopes of obtaining leniency at sentencing. Information provided by Villanueva has been reliable and corroborated by independent evidence, including documents and information obtained from other witnesses.

**The Defendant's Payment of Bribes to Expedite Renewals of Gun Licenses and to Obtain Favorable Resolutions of Incident Investigations**

*Overview*

11. As detailed below, from at least in or about 2010 to in or about 2015, JOHN CHAMBERS, the defendant, provided numerous items of value to Villanueva while seeking Villanueva's assistance in expediting gun license related matters for CHAMBERS' clients. CHAMBERS provided Villanueva with tickets to Broadway shows, tickets to sporting events, an \$8,000 watch, sports memorabilia, and in several instances gave him cash.

12. In exchange, Villanueva ensured that renewals of NYPD gun licenses for CHAMBERS' clients were approved significantly faster, caused incident investigations of CHAMBERS' clients to be resolved more quickly, and caused the beneficial resolution of incident investigations of CHAMBERS' clients, by, for example, ensuring that suspension periods for CHAMBERS' clients were shorter than they should have been. Villanueva also helped Chambers get faster gun license renewals for CHAMBERS' clients in Nassau County. CHAMBERS referred to Villanueva in text messages as his "consultant" who was able to get CHAMBERS favored treatment in Nassau County, and discussed with Villanueva how, "if we play our cards right, you [Villanueva] could potentially be looking at an extra 10K in cash in a 12 month period, give or take ....just for being my Nassau Co. 'consultant.'"

*Bribes from CHAMBERS Related to the NYPD License Division*

13. Based on my discussions with David Villanueva, and other agents who also have debriefed Villanueva, and my review of emails exchanged between JOHN CHAMBERS, the defendant, and Villanueva, I have learned the following, in substance and relevant part:

a. Villanueva has known CHAMBERS in his capacity as a gun license expeditor and attorney for about 15 years. Villanueva understands that with respect to license renewals, CHAMBERS charges clients between \$3,000 and \$5,000, and with respect to incident investigations, CHAMBERS charges clients considerably more, often in excess of \$10,000.

b. Starting in or about at least 2010, up through and including in or about 2015, CHAMBERS provided numerous items of significant value to Villanueva while seeking Villanueva's assistance at the NYPD License Division. For example, CHAMBERS gave Villanueva free tickets to sporting and entertainment events for Villanueva and his family, free dinners and lunches for Villanueva, sports memorabilia, and a Paul Picot wristwatch.

c. I have obtained the wristwatch from Villanueva, and through publicly available information I have learned that it cost approximately \$8,000. I also have seen an email dated May 30, 2013 from CHAMBERS to Villanueva, in which CHAMBERS forwarded photographs of the watch to Villanueva and stated in substance that CHAMBERS would be getting the watch soon.

d. In return for the items he was receiving from CHAMBERS, Villanueva assisted CHAMBERS' clients with their gun licenses in three main ways. First, Villanueva ensured that renewal applications submitted by CHAMBERS' clients, which typically take 30 to 40 days for approval, were renewed more expeditiously, sometimes as quickly as within one day. Second, Villanueva caused incident investigations of CHAMBERS' clients to be resolved more quickly. Incident investigations, which as noted above, involve an investigation to determine whether revocation or suspension of a gun license is appropriate, typically take from 8 to 18 months to be resolved. Villanueva caused CHAMBERS' clients' investigations to be resolved in less than half that time, typically within about 3 to 4 months. Third, Villanueva caused the beneficial resolution of incident



investigations of CHAMBERS' clients, by, for example, ensuring that suspension periods for CHAMBERS' clients were shorter than they should have been under the License Division's practices and policies.

e. In total, Villanueva estimates that he provided assistance with at least a dozen renewals of NYPD License Division licenses and 50 to 100 NYPD incident investigations for CHAMBERS.

*Bribes from CHAMBERS Related to the Nassau PD Pistol Section*

f. Villanueva also assisted CHAMBERS with the renewal of gun licenses for CHAMBERS' clients who had such renewals pending before the Nassau PD Pistol Section. Although Villanueva was not a member of the Nassau PD or the Nassau PD Pistol Section, Villanueva had contacts in the Nassau PD Pistol Section, which he discussed with CHAMBERS. CHAMBERS accordingly paid Villanueva to use Villanueva's leverage over those contacts on behalf of CHAMBERS' clients.

g. Starting in or about 2012, CHAMBERS began bringing Nassau PD Pistol Section renewal applications to Villanueva at Villanueva's office at One Police Plaza. Villanueva mailed the renewal applications from his office to the Nassau PD Pistol Section using his NYPD License Division stationary. Villanueva did so knowing that because he was submitting the renewal applications using his NYPD License Division stationary, the renewals would be approved in a significantly faster time for CHAMBERS' clients than for other applicants. In total, Villanueva estimates that he expedited approximately eight Nassau PD Pistol Section gun license renewals for CHAMBERS.

h. In exchange for Villanueva using his official position as an NYPD officer to submit renewal applications to the Nassau PD Pistol Section, CHAMBERS paid Villanueva in tickets to sporting and entertainment events for Villanueva and his family, and several times in cash. For example, CHAMBERS paid \$500 in cash to Villanueva for at least three Nassau PD Pistol Section renewal applications, totaling \$1,500. CHAMBERS mailed the cash to Villanueva hidden in magazines.

14. I have reviewed data collected from Villanueva's cellular telephone, which includes text messages between Villanueva and JOHN CHAMBERS, the defendant, and certain emails between CHAMBERS and Villanueva. Below are summaries of certain of such emails and text messages relating to the bribery scheme described herein, which corroborate Villanueva's account of the bribery scheme.

*January 19, 2012 Email*

a. On or about January 19, 2012, CHAMBERS sent an email to Villanueva about expediting a client's Nassau PD Pistol Section gun license renewal. In relevant part, CHAMBERS stated in the email to Villanueva that "[the client] is only paying me, if he gets his license renewed. I will in turn pay you as my 'consultant' on the case as we talked about :). Let's talk once you get this. . .I don't want him to think that the renewal has happened 'magically' -- I am going to tell him to KEEP HIS MOUTH SHUT when he goes to get his licenses. . .not to mention me or ANYTHING...just go and get it, period. But I need to know how it's going to happen[] to [sic] he is aware that WE are doing it and it didn't happen for any other reason than he retained us." (capitalization in original).

*September 4, 2014 Text Messages*

b. On or about September 4, 2014, Villanueva and CHAMBERS exchanged a series of text messages relating to the gun license renewal applications that Villanueva submitted as part of the bribery scheme for two of CHAMBERS' clients ("Client-1" and "Client-2"), seeking license renewals from the Nassau PD Pistol Section.

c. In response to a text message from CHAMBERS asking Villanueva about the status of the Nassau PD Pistol Section renewals of Client-1 and Client-2, Villanueva wrote: "I will reach out to him [referring to Villanueva's Nassau PD contact (the "Nassau PD Contact")] later. That I'm not worried about. It's a done deal[.]"

d. After seeing that Villanueva would reach out to his Nassau PD Contact and that Villanueva believed that the application renewals were a "done deal," the exchange continued:

CHAMBERS: I am so happy. There are plenty of cases out there...we can be picky and only take

those willing to pay the fare.....but it would be nice to be able to do a handful a year together.....of course, not all are as wealthy as [Client-1 and Client-2]...but most are willing to pay pretty well to get things done....if we have a "friend" there...YES...that's excellent.

VILLANUEVA: Yes we def have a friend. Let's see how far we can stretch him lmao

CHAMBERS: i think we should do the guy with the family hair salons next...they've got like 7 or 8 with lots of cash....really is a ground ball..he's got no arrests or DIRs [referring to domestic incident reports] etc.....he's been waiting since last year when everything went to hell after [an NCDP Pistol Section officer] left...he's ready to go when we are ready....

\* \* \*

CHAMBERS: if we play our cards right, you could potentially be looking at an extra 10K in cash in a 12 month period, give or take ....just for being my Nassau Co. "consultant."

CHAMBERS: not a bad thing ...considering your [sic] getting married in October! hopefully [the Nassau PD Contact] will work out well

VILLANUEVA: Lmao not a bad gig at all

*September 27, 2014 Text Messages*

e. On or about September 27, 2014, Villanueva and CHAMBERS exchanged the following text messages:

VILLANUEVA: Fyi as of Monday [an NYPD officer] will be assigned to incidents and I should be getting [another NYPD officer] back also. This week is a short week I need a break so going to Bahamas Thursday. Had to use credit card but need a break from work lol.

CHAMBERS: Hey that's for you enjoy

CHAMBERS: You know I have that 1500 in an envelope in my office for u - so you can pay off the credit card

VILLANUEVA: Lmao hahaaha I'm so mentally tired with work I forgot all about that hahahahaha

#### CHAMBERS' Statements

15. On or about April 3, 2017, I and other law enforcement agents approached JOHN CHAMBERS, the defendant, at his residence. CHAMBERS agreed to speak with me and the other agents, and relayed the following, in substance and relevant part:

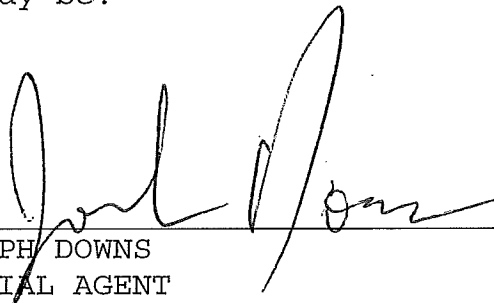
a. CHAMBERS admitted to providing items of value to Villanueva but denied that he did so in exchange for Villanueva facilitating the approval of NYPD gun licenses for CHAMBERS' clients.

b. CHAMBERS admitted to providing cash to Villanueva on one occasion in exchange for Villanueva facilitating the approval of a Nassau PD gun license for one of CHAMBERS' clients, but CHAMBERS stated that this was the only time such an exchange occurred.

#### NYPD's and Nassau PD's Receipt of Federal Funding

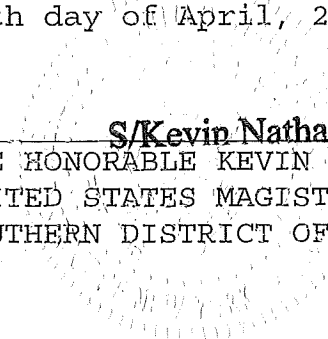
16. Based on my training, experience, and review of publicly available information, I know that each of the NYPD and the Nassau PD receives in excess of \$10,000 annually in federal funding.

WHEREFORE, the deponent prays that an arrest warrant be issued for JOHN CHAMBERS, the defendant, and that he be imprisoned or bailed as the case may be.



\_\_\_\_\_  
JOSEPH DOWNS  
SPECIAL AGENT  
FEDERAL BUREAU OF INVESTIGATION

Sworn to before me this  
24th day of April, 2017



\_\_\_\_\_  
**S/Kevin Nathaniel Fox**  
THE HONORABLE KEVIN N. FOX  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF NEW YORK