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## Brooklyn Legislator Charged With Taking Bribes to Aid Land Deal

By **MICHAEL BRICK**

A state assemblywoman from Brooklyn was charged yesterday with conspiracy and receiving bribes, accused of having sought a \$500,000 home from a developer in return for helping the builder acquire city land.

The assemblywoman, Diane M. Gordon, Democrat of East New York, surrendered to the authorities at 6 a.m., her lawyer said. Six hours later, at a hearing in State Supreme Court in Brooklyn, she pleaded not guilty and was released on \$35,000 bail.

The Brooklyn district attorney, [Charles J. Hynes](#), said at a news conference that Ms. Gordon was confronted in April with evidence of bribery and agreed to resign from the Assembly, but that she had reneged. Her lawyer, Bernard H. Udell, denied that any such agreement had existed. He said that she still intended to run for re-election this year.

An indictment describes six meetings between Ms. Gordon and a developer between October 2004 and November 2005. The developer, who was not named, wore a concealed camera when meeting Ms. Gordon in her district office, prosecutors said. Portions of the videotapes shown at a news conference yesterday showed Ms. Gordon urging the developer to keep the deal a secret.

"I've been around long enough to know," Ms. Gordon said on one recording, "that if you want a dream to come true, you got to keep your mouth shut."

According to prosecutors, Ms. Gordon promised to help the developer secure a vacant tract of land on Livonia Avenue from the city's Department of Housing Preservation and Development. The parcel, which is intended for low-income housing, was valued at \$2 million.

"There was a quid pro quo," said an assistant district attorney, Kevin Richardson.

In exchange for her help, investigators said, Ms. Gordon requested a \$500,000 single-family home that would be built to her specifications in a gated community in Queens; she marked up schematic renderings of the home with stairs, balconies and measurements in square feet, investigators said. Prosecutors said that she had also accepted a set of French doors for her office, worth \$600, as part of the bribe.

The plan to execute the deal on the house shifted over time, but the terms remained the same, prosecutors said. At first, Ms. Gordon offered to pay \$1. In later meetings, she asked to set a price of \$200,000, with a mortgage held by the developer and canceled after the developer received his city property, prosecutors said.

Later, Ms. Gordon took her mother, Helen Stagers, to meetings. Citing advice from an unnamed lawyer, she suggested consummating the transaction in Ms. Stagers's name to conceal it, prosecutors said. "Because anything I purchase, buy, whatever like that, he says they check," Ms. Gordon said on the videotape. "The state has the right to check into everything, the whole company, the history, this, that."

The developer gave Ms. Gordon \$7,500 in several cash payments, which Ms. Stagers used to open a bank account, investigators said. Later, the authorities said, Ms. Stagers signed a letter of intent to purchase the home and Ms. Gordon returned \$7,000 — \$500 less than they said she had received.

Mr. Hynes described the lawyer and Ms. Stagers as unindicted co-conspirators.

A lawyer named in the indictment, Mitch Alter, said that he had attended only one meeting, adding, "I don't know too much about this transaction."

Prosecutors described the return of the money as part of a ploy to avoid a down payment, but Mr. Udell portrayed it as exculpatory evidence. "Ms. Gordon returned every cent that was given to her," Mr. Udell said in court.

Ms. Gordon became the third Assembly member from Brooklyn to be charged with a crime in recent years. One, Assemblyman Roger L. Green, pleaded guilty to false billing of the state for travel expenses, resigned, ran for the seat again, won, and is now running for Congress. Another, Clarence Norman Jr., was the Democratic Party's Brooklyn leader but resigned that post and his Assembly seat last year. He was convicted in his first two trials but is appealing the verdicts; he was acquitted of other charges in March in a third trial, and a fourth trial is pending.

Ms. Gordon's appearance at the defense table yesterday served as a strange reminder of the second trial of Mr. Norman, the former party chief and assemblyman. The defense called Ms. Gordon to the witness stand, but she refused to testify without a grant of immunity from prosecutors. None was given, and she invoked the Fifth Amendment.

At the hearing yesterday for Ms. Gordon, 56, prosecutors asked for \$50,000 bail. In a 12-count indictment, she was charged with felonious conspiracy and receiving bribes.

"This indictment represents an elected official's attempt to self-deal," Mr. Richardson said, adding that the conduct of which Ms. Gordon is accused "represents a most egregious breach of trust."

Mr. Udell, gesturing toward a group of preachers and family members assembled to support Ms. Gordon, said that she had breached no one's trust and intended to fight the charges.



“Except for Election Day,” Mr. Udell said, “Diane Gordon doesn’t run.”

Rose Gill Hearn, commissioner of the city’s Department of Investigation, said a city employee had first reported a concern about corruption by Ms. Gordon. That report, law enforcement officials said, led indirectly to the enlisting of the developer in the investigation.

The final meeting described in the indictment took place last Nov. 22, one day after Ms. Gordon backed out of testifying in the trial of Mr. Norman.

After her arraignment, Ms. Gordon was escorted from the courthouse by supporters who shielded her head with a jacket. She ignored questions, got into the back seat of a blue sport utility vehicle and rode away.

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