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Approved: *[Signature]*
SARAH R. KRISOFF/ANDEN CHOW
Assistant United States Attorneys

Before: THE HONORABLE PAUL E. DAVISON
United States Magistrate Judge
Southern District of New York

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	:	<u>COMPLAINT</u>
UNITED STATES OF AMERICA	:	
	:	Violation of
- v. -	:	18 U.S.C. §§ 922(g)(1)
	:	and 2
	:	
RAHEEM JONES,	:	COUNTY OF OFFENSE:
	:	WESTCHESTER
Defendant.	:	
	:	<i>15m 3323</i>

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SOUTHERN DISTRICT OF NEW YORK, ss.:

KEVIN O'DONNELL, 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

1. On or about September 15, 2015, in the Southern District of New York and elsewhere, RAHEEM JONES, the defendant, after having been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, knowingly did possess, in and affecting commerce, a firearm, to wit, a Smith and Wesson .38 caliber revolver, which previously had been shipped and transported in interstate and foreign commerce.

(Title 18, United States Code, Sections 922(g)(1) and (2).)

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

2. I am a Special Agent with the Federal Bureau of Investigation and I have been personally involved in the investigation of this matter. This affidavit is based upon my personal participation in the investigation of this matter, my conversations with law enforcement agents, witnesses and others,

as well as my examination of reports, records, and video footage. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

3. Based on my conversations with a law enforcement officer from the New Rochelle Police Department who has participated in this investigation, I have learned, among other things, the following:

a. Around lunchtime on September 15, 2015, there was a shooting in the vicinity of Clinton Avenue in New Rochelle.

b. According to an eyewitness who observed the shooting, and spoke after the shooting to law enforcement officers from the New Rochelle Police Department, shots were fired from the front passenger window of one car into another car. The eyewitness described the car from which the shots came as a black BMW SUV, and described the shooter, in part, as a black man with a decent amount of hair. The black BMW SUV quickly departed the scene after the shooting.

c. An individual in the second car was shot approximately three times and taken to the hospital.

d. Shortly after the shooting, the New Rochelle Police Department sent out an alert about the shooting to other law enforcement officers operating in the area and requested assistance locating the black BMW SUV involved in the shooting, as well as the car into which the shots were fired.

4. Based on my conversations with a Sergeant from the Westchester County Department of Public Safety (the "Sergeant") who has participated in this investigation, I have learned, in substance and in part, the following:

a. On September 15, 2015, while on patrol in a marked Westchester County Department of Public Safety car, the Sergeant received a broadcast over his radio to be on the alert for a black BMW SUV, which was believed to have been involved in the shooting in New Rochelle, as described above.

b. Shortly thereafter, the Sergeant observed a black BMW SUV traveling on the Saw Mill Parkway. The Sergeant followed the car off of the highway onto local streets, and observed what appeared to be two men in the front seat of the car - one in the driver's seat, and one in the front passenger seat. Subsequently, the Sergeant tried to stop the car, in the vicinity of Yonkers, by turning on his lights. The black BMW SUV stopped momentarily, and the Sergeant pulled behind the car and radioed for back-up. Thereafter, however, the black BMW SUV drove away at a quick rate of speed. The Sergeant followed the black BMV SUV in his patrol car.

c. While following the fleeing black BMW SUV, the Sergeant saw the car slow down and the man in the front passenger seat jump out of the car. The man, later identified as RAHEEM JONES, the defendant, was carrying a backpack.

d. JONES continued his flight on foot, and the Sergeant exited his vehicle in order to pursue JONES on foot. After a short chase, JONES ran towards a building and jumped down into an enclosed lower level area just outside of the building. The Sergeant observed JONES throw the backpack. This lower level area had a door into the building, but the door was locked and JONES could not exit the area.

e. The Sergeant detained JONES from up above, and waited for back-up to arrive. Subsequently, two officers from the Westchester County Department of Public Safety arrived at the scene, in response to continued communications from the Sergeant. The Sergeant saw those two officers jump down into the lower level area. One of the officers recovered the backpack that Jones had thrown. The Sergeant observed that officer open the backpack and locate a firearm inside of the backpack. JONES was subsequently arrested.

5. Based on my conversations with an Officer from the Westchester County Department of Public Safety (the "Officer") who has participated in this investigation, I have learned, in substance and in part, the following:

a. The Officer was one of two officers with the Westchester County Department of Public Safety who responded to the calls for back-up sent out by the Sergeant. The Officer arrived at the location in Yonkers where RAHEEM JONES, the defendant, was secured by the Sergeant, and the Officer jumped down into the enclosed lower level area where JONES was. The Officer observed a backpack on the ground of the lower level

area. The Officer recovered the backpack and opened it up, and found the Smith and Wesson .38 caliber revolver inside.

6. I reviewed video obtained from the dashboard camera affixed to the patrol car that the Sergeant was driving in on September 15, 2015. Based on that review, I believe that the video depicts the following events, among others:

a. The video shows the patrol car following a black BMW SUV, and then attempting to pull the SUV over. The video depicts the black BMW SUV stopping momentarily, and then fleeing at a high rate of speed.

b. The video further shows the patrol car chasing after the black BMW SUV, and subsequently, a man with a backpack jumping out of the front passenger seat of the car and fleeing on foot.

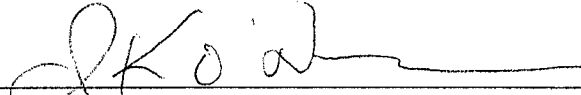
c. The video further depicts the Sergeant following the man on foot, until such time as the man appears to jump down, with the backpack, to a location outside of the frame of the camera.

7. Based on my conversations with the Sergeant and my review of documents from the Westchester County Department of Public Safety, I know that the gun recovered from the backpack carried and then thrown by RAHEEM JONES, the defendant, was a Smith and Wesson .38 Caliber revolver.

8. I further know, from my conversations with a Task Force Officer with the Federal Bureau of Investigation, who spoke with a Special Agent from the Bureau of Alcohol, Tobacco, Firearms, and Explosives who is knowledgeable about the manufacturing of firearms, that Smith and Wesson firearms are not, and have never been, manufactured in New York state.

9. I have reviewed criminal history records pertaining to RAHEEM JONES, the defendant, which indicate that JONES was convicted on or about May 15, 2008, in Westchester County Court, of (1) Robbery in the Third Degree, a Class D felony, in violation of New York Penal Law 160.05; and (2) Criminal Possession of a Controlled Substance in the Fifth Degree, a Class D felony, in violation of New York Penal Law 220.06, among other crimes. These two convictions were the result of arrests on different days.

WHEREFORE, the deponent respectfully requests that the defendant be imprisoned or bailed, as the case may be.



Special Agent Kevin O'Donnell
Federal Bureau of Investigation

Sworn to before me this
16th day of September, 2015



THE HONORABLE PAUL E. DAVISON
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK