

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

VINCENT YOAKUM,
also known as "Vinny Blue," and
RANDY GRIFFIN

CASE NUMBER:

UNDER SEAL

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief:

From no later than on or about December 3, 2013, to on or about December 4, 2013, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere:

Code Section

Offense Description

Title 21, United States Code, Sections 841(a)(1) and 846.

defendants VINCENT YOAKUM and RANDY GRIFFIN, did conspire with each other and with others known and unknown to knowingly and intentionally possess with intent to distribute and distribute a controlled substance, namely, a quantity of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance.

This criminal complaint is based upon these facts:

X Continued on the attached sheet.

DONALD C. WOOD
Special Agent, Drug Enforcement Administration

Sworn to before me and signed in my presence.

Date: July 15, 2015

Judge's signature

City and state: Chicago, Illinois

Michael T. Mason, U.S. Magistrate Judge
Printed name and Title

I, Donald C. Wood, being duly sworn, states as follows:

I. INTRODUCTION

1. I am a Special Agent with the United States Drug Enforcement Administration (“DEA”). I have served as a Special Agent for the DEA since December 1997. As a DEA Special Agent, I investigate criminal violations of the Federal and State controlled substance laws including, but not limited to, conspiracy and attempt to possess with intent to distribute and to distribute controlled substances, in violation of Title 21, United States Code, Section 846; and possession with intent to distribute and distribution of controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

2. I have been personally involved in a significant number of narcotics investigations, and as such, I am familiar with the various methods used by narcotics traffickers to transport, store, and distribute narcotics and narcotics proceeds. I have participated in investigations involving various drug types, including heroin, cocaine, and cocaine base in the form of crack cocaine. I have experience with a wide range of investigative techniques, including various types of visual and electronic surveillance, the interception of wire communications; the debriefing of defendants, witnesses and informants, as well as others who have knowledge of the distribution and transportation of controlled substances;

facilitating controlled deliveries of narcotics; the execution of search and arrest warrants; and the management and use of informants.

3. Because this Affidavit is for the limited purpose of establishing probable cause to support the Criminal Complaint and the issuance of arrest warrant against defendants VINCENT YOAKUM (also known as “Vinny Blue”), and RANDY GRIFFIN, it contains only a summary of relevant facts. I have not included each and every fact known to me concerning the individuals and events described in this Affidavit. This Affidavit is made in support of a complaint that charges that no later than on or about December 3, 2013, to on or about December 4, 2013, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere, YOAKUM and GRIFFIN did conspire with each other and with others known and unknown to knowingly and intentionally possess with intent to distribute and distribute a controlled substance, namely, a quantity of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1), all in violation of Title 21, United States Code, Section 846.

4. The statements contained in this Affidavit are based in part on: (a) my personal participation in this investigation; (b) information provided by other federal law enforcement officers and Chicago Police Department (“CPD”) officers; (c) review of conversations intercepted pursuant to court orders authorizing the interception of wire and electronic communications; (d) laboratory analysis reports; (e) surveillance reports; (f) criminal history records; (g) information from

confidential informants; and (h) my training and experience and the training and experience of other law enforcement agents.

II. PROBABLE CAUSE

A. Summary

5. A cooperating source (“CS-1”),¹ who knows YOAKUM as “Vinny Blue” from their involvement with the Black P-Stone street gang, provided information to agents about YOAKUM’s drug trafficking activity. Investigating agents confirmed CS-1’s information through a controlled buy of cocaine from YOAKUM, as detailed below.

6. On or about December 4, 2013, CS-1 purchased approximately 250 grams of cocaine from YOAKUM and GRIFFIN in exchange for \$10,000.

7. Based on my training and experience, the quantity of cocaine distributed by YOAKUM and GRIFFIN was a distribution quantity of cocaine.

B. On or about December 4, 2013, CS-1 Purchased Approximately 250 Grams of Cocaine from YOAKUM and GRIFFIN

8. On or about December 3, 2013, according to CS-1, CS-1 had an unrecorded meeting with YOAKUM. During that meeting, YOAKUM stated that he could broker a cocaine transaction between CS-1 and YOAKUM’s cocaine supplier.

¹ CS-1 began cooperating in the instant investigation in or around July 2013, and has proven to be reliable and truthful. CS-1 has provided agents with background and intelligence information relative to targets of this investigation that has been independently corroborated by law enforcement. CS-1 has multiple prior felony convictions, including for possession of a stolen vehicle, unlawful restraint, and several narcotics related offenses since the 1990’s. CS-1 is not facing any current criminal charges, but is instead cooperating with law enforcement in exchange for payment. To date, CS-1 has been paid \$7,000.

CS-1, at the direction of law enforcement, told YOAKUM that he/she was interested in making such a cocaine purchase.

9. On or about December 3, 2013, at approximately 4:15 p.m., at the direction of agents, CS-1 made a consensually recorded call to YOAKUM,² using telephone number (773) 967-0660 (the “Yoakum Phone”),³ during which conversation YOAKUM said, “Hello?”⁴ CS-1 asked, “Yes sir, you said Prairie or Indiana?” YOAKUM responded, “Prairie.” CS-1 asked, “Prairie and 68th?” YOAKUM said, “Yeah 68th.” CS-1 said, “Ok, listen I’m gonna call you back and um I’m gonna tell you what time I’m gonna be on location [CS-1 would inform

² The identification of YOAKUM and YOAKUM’s voice in this Affidavit is based on the following: First, surveillance agents observed YOAKUM meet with CS-1 in person on December 4, 2013. Agents compared a state identification photograph of YOAKUM to the individual they observed on December 4, 2013, and determined that YOAKUM was the person that met with CS-1. Second, CS-1 positively identified a state identification photograph of YOAKUM as the person CS-1 met with on December 4, 2013. Third, CS-1 compared the voice he heard on CS-1’s recorded telephone conversations with YOAKUM, described in this affidavit, to the voice of YOAKUM during their in-person conversations and determined they were the same voice. Fourth, during recorded telephone conversations, YOAKUM arranged to personally meet with CS-1 on December 4, 2013, and subsequently surveillance agents observed YOAKUM meet with CS-1 on that date.

³ Agents verified the consensually recorded calls between CS-1 and the Yoakum Phone referenced in this Affidavit with the phone records for the Yoakum Phone.

⁴ Some of the consensually-recorded conversations and meetings (the “recorded conversations”) have been summarized in this Affidavit. The language that is quoted from the recorded conversations throughout this Affidavit is based upon a preliminary review of the recorded conversations, and not on final transcripts of the recorded conversations. The times listed for the recorded conversations are approximate. The summaries do not include all statements or topics covered during the course of the recorded conversations and include my interpretation of words and phrases used in the recorded conversations. At various points in the Affidavit I have included in brackets my interpretation of words and phrases used in the recorded conversations. My interpretations are based on information received from CS-1, the contents and context of the recorded conversations, events occurring before and after the conversations, my knowledge of the investigation as a whole, my experience and training, and the experience and training of other law enforcement agents in this investigation.

YOAKUM when he was in YOAKUM's neighborhood].” YOAKUM said, “You gonna call me back tonight?” CS-1 said, “Yeah, I’m gonna call you back and tell you what time you know what I’m saying.” YOAKUM responded, “Alright ok.” CS-1 said, “That’s gonna let me know if uh the time table is right for y’all.” YOAKUM asked, “Yeah man, shit you talking about on that, uh, what you talking about with with uh nephew [YOAKUM confirmed that CS-1 was referring to purchasing cocaine from YOAKUM and YOAKUM’s cocaine supplier]?” CS-1 responded, “Yeah.” YOAKUM said, “Ok let me call him what the uh what what floor are you talking about [YOAKUM asked what quantity of cocaine CS-1 wanted to purchase]?” CS-1 said, “I’m talking about really I want to go to the ninth floor [CS-1 wanted to purchase nine ounces of cocaine].” YOAKUM said, “Ok alright let me call him right now cause he said oh boy was straight too let me call him I’m gonna give you a time table now [YOAKUM would call his cocaine supplier and confirm when the cocaine would be available for sale].” CS-1 said, “Alright.” YOAKUM said, “Alright.”

10. Later that same day, at approximately 8:41 p.m., CS-1 made a consensually recorded call to YOAKUM, using the Yoakum Phone, during which the following conversation occurred:

a. YOAKUM said, “Yeah hello?” CS-1 asked, “Yeah, um, did you take care of that for me. . . [did YOAKUM arrange for the cocaine transaction with his cocaine supplier]?” YOAKUM responded, “Yeah man, he said um nine thousand, nine hundred man, yup yup, where you at, you hear me [the nine ounces of cocaine would cost \$9,900]?” CS-1 said, “Yeah yeah yeah yeah, I didn’t catch the thought

you know what I'm saying your phone is fogging up on me." YOAKUM confirmed, "I say he said nine thousand, nine hundred [the cocaine supplier quoted \$9,900 for the nine ounces of cocaine]." CS-1 later said, "I should be um I should be inside the city no later than uh 12 or 1 o'clock. I'm gonna try to get at you exactly about 2:30 or 3 o'clock." YOAKUM asked, "Alright tonight?" CS-1 explained, "Tomorrow." YOAKUM confirmed, "Ok ok ok, alright tomorrow, ok alright ok."

b. CS-1 continued, "Yeah, ok what I'm saying, what I'm trying to do once I come, I'm gonna come and demonstrate with you [CS-1 intended to meet with YOAKUM to conduct a cocaine transaction]." YOAKUM said, "Ok." CS-1 later said, "Once I demonstrate with you all then I'm gonna put that finance together, I just want to make sure that who I'm demonstrating with is all well you know what I'm saying [CS-1 planned to meet with YOAKUM and his cocaine supplier and see the cocaine before he brought the purchase money in order to be comfortable that YOAKUM's cocaine supplier was legitimate?]" YOAKUM responded, "Oh, it's my nephew, it's my nephew, it's my family [YOAKUM's cocaine supplier was his nephew and was thus legitimate]." CS-1 commented, "Oh ok, that's a beautiful thang. That's what I'm saying I want them to meet and greet with me and then we gonna . . . [CS-1 would still meet with YOAKUM and his nephew before finalizing the cocaine transaction]." YOAKUM said, "Right." CS-1 confirmed, "You know what I'm saying, we gonna break bread, you know what I'm saying, as far as I'm saying all in one day [CS-1 would confirm that YOAKUM's cocaine supplier and the cocaine were legitimate and then wanted to complete the cocaine purchase all in one

day].” YOAKUM agreed, “Right.” CS-1 commented, “Ok sir, alright, I want everybody to be comfortable. I don’t want nothing to be off track, ya draw?”

11. On or about December 4, 2013, at approximately 12:53 p.m., at the direction of agents, CS-1 made a consensually recorded call to YOAKUM, using the Yoakum Phone, during which conversation YOAKUM said, “Where you at?” CS-1 said, “Yeah, I’m in the city now. I’m in the city. I’m stopping right here at this oil place man to get an oil change. Then I’m a be like twenty-five minutes to drain this oil and refurbish it and then I’ll be giving you a call telling you I’m on my way to you.” YOAKUM said, “Okay, I’m a be on, I’m a be on 71st and Blackstone man at the unemployment office. When you get done.” CS-1 confirmed, “Okay.”

12. In preparation for CS-1’s meeting with YOAKUM, later that day, at approximately 2:00 p.m., agents met with CS-1 at a predetermined location. Agents equipped CS-1 and CS-1’s vehicle with audio and video recording equipment in order to consensually record CS-1’s meeting with YOAKUM. Agents also searched CS-1 and did not find any contraband or excessive amounts of money.

13. Soon thereafter, at approximately 2:22 p.m., at the direction of agents, CS-1 made a consensually recorded call to YOAKUM, using the Yoakum Phone, during which conversation CS-1 informed YOAKUM that he/she was in route to pick up YOAKUM. During this call, YOAKUM again informed CS-1 that he was in the area of 71st Street and Blackstone Avenue in Chicago.

14. At approximately 2:50 p.m., CS-1 departed the predetermined meeting location followed by agents, who maintained surveillance of CS-1 throughout the entire transaction.

15. At approximately 2:57 p.m., surveillance agents observed CS-1 curb his/her vehicle in the area of 71st Street and Blackstone Avenue in Chicago. Agents also observed YOAKUM standing on that corner, walk over and enter the front passenger seat of CS-1's vehicle. CS-1 and YOAKUM then departed the area in CS-1's vehicle, followed by surveillance agents. During the course of the ride inside CS-1's vehicle, YOAKUM's face was clearly captured on the video recording.

16. At approximately 3:09 p.m., CS-1 made an unrecorded call to an agent, disguised as a call to CS-1's cocaine buyer, during which conversation CS-1 informed the agent that CS-1 and YOAKUM were informed by YOAKUM's cocaine supplier, later identified as GRIFFIN, that GRIFFIN had nine ounces of cocaine available for sale. CS-1 further stated that they were heading to the area of 63rd Street and Michigan Avenue in Chicago.⁵

⁵ The identification of GRIFFIN in this Affidavit is based on the following: First, surveillance agents observed GRIFFIN meet with CS-1 in person on December 4, 2013. Agents compared a state identification photograph of GRIFFIN to the individual they observed on December 4, 2013, and determined that GRIFFIN was the person that met with CS-1. Second, CS-1 positively identified a state identification photograph of GRIFFIN as the person CS-1 met with on December 4, 2013. Third, according to the Illinois Secretary of State records, the black Pontiac referenced in Paragraph 18 was registered to GRIFFIN at an address on South Bishop Street in Chicago. Fourth, a search of a law enforcement database revealed that GRIFFIN has listed at apartment in 6253 South Michigan Avenue as a residence, which is the address of the apartment building at which CS-1 and YOAKUM first met with GRIFFIN on December 4, 2013. Fifth, the Griffin Phone was subscribed to by GRIFFIN with the address of 6253 South Michigan Avenue, Chicago.

17. At approximately 3:38 p.m., surveillance agents observed CS-1 and YOAKUM, in CS-1's vehicle, arrive in the area of 63rd Street and Michigan Avenue, and CS-1 curb his/her vehicle in front of an apartment building located at 6342 South Michigan Avenue in Chicago, Illinois. According to CS-1 and the audio recording, YOAKUM informed CS-1 that he spoke to GRIFFIN over the phone, and that GRIFFIN was not at home, but was in route to meet with them.⁶

18. At approximately 4:30 p.m., surveillance agents observed a black Pontiac Grand Prix, bearing Illinois license plate R597799 (the "black Pontiac") pull up to CS-1's vehicle. According to CS-1, upon his arrival, GRIFFIN told YOAKUM that he wanted CS-1 and YOAKUM to follow GRIFFIN to the area of 91st Street and Wentworth Avenue in Chicago, to conduct the cocaine transaction. Surveillance agents observed an individual later identified as GRIFFIN honk the black Pontiac horn at CS-1 and YOAKUM, after which time the black Pontiac departed the area followed by CS-1 and YOAKUM in CS-1's vehicle.

19. At approximately 4:50 p.m., surveillance agents observed the black Pontiac and CS-1's vehicle arrive in the area of 91st Street and Abbott Avenue in Chicago. The vehicles began riding around the neighborhood, during which time

⁶ Based upon an analysis of the Yoakum Phone phone records, including identifying calls made while YOAKUM was with CS-1 in CS-1's vehicle, agents determined that GRIFFIN was using telephone number (773) 507-4468 (the "Griffin Phone"). More specifically, on or about December 4, 2013, between approximately 3:38 p.m., when CS-1 and YOAKUM arrived at 6342 South Michigan, and 4:30 p.m., when GRIFFIN arrived, there were 7 calls between YOAKUM and GRIFFIN, all of which are consistent with when the video recording captured YOAKUM on the phone while in CS-1's vehicle. Agents then verified all of the calls between the Yoakum Phone and the Griffin Phone referenced in this Affidavit with the phone records for the Yoakum Phone. From on or about December 3, 2013, through December 4, 2013, there were over approximately fifty calls between YOAKUM, using the Yoakum Phone, and GRIFFIN, using the Griffin Phone.

surveillance agents temporarily lost sight of the black Pontiac and CS-1's vehicle. A short time later, agents observed CS-1's vehicle parked in the area of 91st Street and Abbott Avenue in Chicago, but did not observe the black Pontiac.

20. At the same time, according to CS-1 and the audio and video recording, the following occurred: CS-1 and YOAKUM followed GRIFFIN, who was driving the black Pontiac, to a secluded area of some residences near 91st Street and Abbott Avenue. GRIFFIN followed a silver Pontiac Grand Prix (the "silver Pontiac") behind some of the residences. CS-1 did not believe they were in a safe area to conduct the narcotics transaction and communicated his/her concern to YOAKUM, who agreed. As a result, YOAKUM exited CS-1's vehicle and met with GRIFFIN and the individuals inside the silver Pontiac. A short time later, YOAKUM returned and informed CS-1 that YOAKUM told GRIFFIN that they did not want to conduct the narcotics transaction in that area and that they would meet with GRIFFIN in the area of a mall located on 87th Street near the Dan Ryan Expressway.

21. At approximately 4:58 p.m., surveillance agents observed CS-1 and YOAKUM departed the area of 91st Street and Abbott Avenue in CS-1's vehicle. Soon thereafter, CS-1 parked his/her vehicle at a BP gas station located at 87th Street and State Street in Chicago. While driving to the gas station, YOAKUM using the Yoakum Phone was in contact with GRIFFIN, using the Griffin Phone. According to CS-1, the Yoakum Phone records, and the audio and video recording of YOAKUM's side of the conversation and report to CS-1, GRIFFIN instructed

YOAKUM to meet him at the McDonald's restaurant on 95th Street off the Dan Ryan expressway.

22. At approximately 5:10 p.m., surveillance agents observed CS-1 and YOAKUM arrive and park in the parking lot for Cosmo Beauty Salon at 95th Street and Perry Avenue in Chicago, which was located next to the McDonald's restaurant. CS-1 and YOAKUM exited the vehicle and met with GRIFFIN and an unknown individual (the "UM"), who were standing in the parking lot. According to CS-1 and the audio and video recording, during this meeting, the UM indicated that he had the cocaine and agreed to show it to CS-1 in CS-1's vehicle.

23. A few minutes later, surveillance agents observed CS-1 enter the driver's seat of CS-1's vehicle. At the same time, the UM walked over to the Silver Pontiac parked in the same lot, opened the driver's side door, and reached into the vehicle. A few moments later, the UM walked to and entered the front passenger seat of CS-1's vehicle. According to CS-1 and the video recording, at this point, the UM showed CS-1 the cocaine.

24. At approximately 5:15 p.m., CS-1 made an unrecorded call to an agent, disguised as a call to the cocaine purchaser, and explained that CS-1 had observed the cocaine and needed the money to purchase the cocaine. At that time, the agent gave an undercover law enforcement officer, posing as CS-1's cocaine purchaser (the "UC"), a white plastic bag containing \$10,000 in prerecorded buy money, and directed the UC to bring the money to CS-1 at the Staples parking lot located at 163 West 87th Street in Chicago. The agent also called CS-1, which call was unrecorded,

and directed CS-1 to meet the UC at the same Staples parking lot to retrieve the buy money.

25. At approximately 5:26 p.m., surveillance agents observed CS-1's vehicle, the black Pontiac, and the silver Pontiac arrive in the Staples parking lot. Soon thereafter, CS-1 approached the UC's vehicle and retrieved the white plastic bag containing the \$10,000 in buy money from the UC. GRIFFIN exited the black Pontiac and walked towards CS-1. GRIFFIN and CS-1 then walked into the Staples store. At approximately the same time, according to CS-1, YOAKUM and the UM went inside a liquor store located near the Staples store. According to CS-1 and the audio recording, during the few minutes they were inside the Staples store, CS-1 and GRIFFIN did not discuss the cocaine transaction.

26. At approximately 5:30 p.m., surveillance agents observed CS-1 and GRIFFIN exit the Staples store and meet with YOAKUM and the UM in front of the store, but they did not discuss the cocaine transaction. Soon thereafter, CS-1 and the UM entered CS-1's vehicle. According to CS-1 and the audio and video recording, at that time, the UM gave CS-1 the plastic bag containing the suspected cocaine and CS-1 gave the UM the white plastic bag containing the \$10,000 in cash. At that time, CS-1 informed the UM that the bag contained the \$9,900 as payment for the cocaine and \$100 for YOAKUM for brokering the deal. According to the UC, CS-1 then drove up to the UC's vehicle, and handed the UC a clear knotted plastic bag containing suspected cocaine.

27. Surveillance agents then observed CS-1 drive to and pick up YOAKUM, who was still in the Staples parking lot. According to CS-1 and the audio and video recording, at that time, CS-1 informed YOAKUM that he/she gave YOAKUM's money for brokering the cocaine transaction to the UM. YOAKUM then directed CS-1 to stop the vehicle so that YOAKUM could meet up with GRIFFIN and the UM in order to get his money. At the same time, YOAKUM using the Yoakum Phone called GRIFFIN using the Griffin Phone and told GRIFFIN that he, YOAKUM, would leave the area with GRIFFIN. Surveillance agents then observed YOAKUM exit CS-1's vehicle and enter the black Pontiac driven by GRIFFIN.

28. Soon thereafter, CS-1 and the UC met with investigating agents at the predetermined location, at which point the UC gave the clear knotted plastic bag containing suspected cocaine to the agents. Investigating agents retrieved the audio and video recording equipment from CS-1. Agents then searched CS-1 and CS-1's vehicle and did not discover any contraband or excessive amounts of money. An agent performed a field test of the substance contained in the plastic baggie, which indicated as positive for the presence of cocaine.

29. On or about March 27, 2015, the DEA North Central Laboratory determined that the substance YOAKUM and GRIFFIN sold to CS-1 on December 4, 2013, contained approximately 246.4 grams of cocaine.

III. CONCLUSION

30. Based upon the above information, there is probable cause to believe on or about December 4, 2013, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere, VINCENT YOAKUM (also known as “Vinny Blue”), and RANDY GRIFFIN, did conspire with each other and with others known and unknown to knowingly and intentionally possess with intent to distribute and distribute a controlled substance, namely, a quantity of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1), all in violation of Title 21, United States Code, Section 846.

FURTHER AFFIANT SAYETH NOT.

DONALD C. WOOD
Special Agent
Drug Enforcement Administration

SUBSCRIBED AND SWORN to before me on July 15, 2015.

MICHAEL T. MASON
United States Magistrate Judge