

IN THE UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA, )  
)  
Plaintiff, )  
)  
vs. )  
)  
Ca'Quintez Gibson, )  
)  
Defendant. )

CASE NUMBER: 20-  
FILED UNDER SEAL

CRIMINAL COMPLAINT  
(Inciting a Riot)

I, Kurt Bendoraitis, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

On or about May 31, 2020, at Peoria, in the Central District of Illinois and elsewhere,

**Ca'Quintez Gibson,**

defendant herein, using a facility of interstate commerce, including the Internet, did knowingly organize, promote, encourage, participate in, and carry on a riot and during the course of such use of a facility of interstate commerce, thereafter performed any other overt act for the purpose of organizing, promoting, encouraging, participating in and carrying on a riot and committing any act of violence in furtherance of a riot, in violation of Title 18, United States Code, Section 2101.

## INTRODUCTION

1. I am a Special Agent with the Federal Bureau of Investigation and have been since May 14, 2017. As part of my duties, I investigate violations of federal law, including the online exploitation of children, particularly in relation of violations of Title 18, United States Code, Sections 1591, 2251, 2252A, and 2422 which criminalize, among other things, the production, advertisement, possession, receipt, transportation of child pornography, individuals attempting to persuade, induce, and entice minors to engage in sexual activity, and underage prostitution. I have gained experience in the conduct of such investigations and the use of the Internet, Facebook, and other social media through training in classes and work related to conducting these types of investigations. As a federal agent, I am authorized to investigate and assist in the prosecution of violations of laws of the United States, and to execute arrest warrants and search warrants issued by federal courts.

2. The statements contained in this affidavit are based on my personal knowledge as well as on information provided to me by other law enforcement officers. This affidavit is being submitted for the limited purpose of securing an arrest warrant, and I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that Ca'Quintez Gibson committed violations of Title 18, United States Code, Section 2101.

3.

**STATUTORY AUTHORITY and TERMS**

4. This investigation concerns violations of Title 18, United States Code, Section 2101, relating to the intent to incite a riot or to organize, promote, encourage, participate in, or carry on a riot.

- a. 18 U.S.C. 2101 prohibits anyone from traveling in interstate or foreign commerce, or using any facility of interstate or foreign commerce, including but not limited to the mail, telegraph, telephone, radio, or television with intent
  - i. To incite a riot; or
  - ii. To organize, promote, encourage, participate in, or carry on a riot;  
or
  - iii. To commit any act of violence in furtherance of a riot; or
  - iv. To aid or abet any person inciting or participating in or carrying on a riot or committing any act of violence in furtherance of a riot;
  - v. And who either during the course of any such travel or use or thereafter performs or attempts to perform any other overt act for any purpose specified above.
- b. The internet is a facility of interstate commerce.
- c. "Riot" means a public disturbance involving (1) an act or acts of violence by one or more persons part of an assemblage of three or more persons, which act or acts shall constitute a clear and present danger of, or shall result in, damage or injury to the person of any other individual or (2) a threat or threats of the commission of an act or acts of violence by one or more persons part of an assemblage of three or more persons having, individually or collectively, the ability of immediate execution of such threat or threats, where the performance of the threatened act or acts of violence would constitute a clear and present danger of, or would result in, damage or injury to the property of any other person or to the person of any other individual.

- d. The term "to incite a riot", or "to organize, promote, encourage, participate in, or carry on a riot", includes, but is not limited to, urging or instigating other persons to riot, but shall not be deemed to mean the mere oral or written (1) advocacy of ideas or (2) expression of belief, not involving advocacy of any act or acts of violence or assertion of the rightness of, or the right to commit, any such act or acts.
- e. Facebook is a social networking website/application allowing users to post and view videos and pictures, send private messages, join groups with common interests, and add friends.
- f. Facebook also has a feature called "Facebook Live". Facebook Live allows a user to post a live feed video to their page allowing other users to view the live feed and also post comments that are viewable in real time.

### Investigation

5. On or about May 31, 2020 at approximately 5:15 p.m., Ca'Quintez Gibson posted a Facebook Live video to Facebook utilizing a Facebook Account with display name "Ca'Quintez Gibson Sr". The video was approximately four minutes and 21 seconds long.) The following is a summary of the live feed video: The video is of a black male, approximately 25 to 30 years of age, matching the identification photograph of Ca'Quintez Gibson, DOB **REDACTED**. Gibson is speaking to the camera during the video feed. During the video, Gibson made the following comments, among others:

- "Y'all gonna see me there. And we ain't with that peaceful shit"
- "I'm not watchin' no other city on motherfuckin' TV. They sent that bitch up. Nigga. Let's send our shit up."
- "Somebody drop a location. Let me know something. Let me know something. Is we at City Fashion (believed to be a clothing store), 6:30? I'm at Northwoods (believed to be a reference to the Northwoods Mall in Peoria) at 9:00."

- “You just talking about motherfuckin’ hitting up Best Buy (an electronics store). Now we fittin’ ta hit that shit nigga. I want to see everybody at that bitch. I’m gonna go into City Fashion at whatever you all talkin’ about. 6:30?”
- “All I need is 50 motherfuckers there at Northwoods Mall at 9 o’clock, and we in that bitch. And, and, we in that bitch. Period. And wherever the fuck else you all wanna go.”
- “Y’all getter get y’all gear ready. Better get y’all some garbage bags. Y’all better empty out your motherfuckin’ trunks. It’s going down. The city going up.”
- “It’s going up tonight. Long as you all at Northwoods Mall, it’s going up. Period. ‘Cause I know it’s more than just me gonna step. Period.”
- “Where you all at with the early ones, though? ‘Cause mine’s at 9:00. Let me know where the early ones’ at.”

6. On May 31, 2020 at approximately 9:10 p.m., Gibson conducted another Facebook Live video utilizing a Facebook Account with the display name “REDACTED” and URL [www.facebook.com/REDACTED](http://www.facebook.com/REDACTED). The video was approximately three minutes and six seconds long.

7. The following is a summary of the Facebook Live video: The video is mainly of Gibson sitting in the passenger side of a car and talking to the camera. Gibson asks where everybody is at and states that Gibson is at the Metro Center (a shopping area in Peoria, IL). Gibson states the police are already here because somebody “dropped” the locations. Gibson then yells “Fuck 12” (12 is a slang term for Police). Gibson tells everyone to meet at the Landmark (a recreational complex in Peoria, IL).

Flashing police lights are then seen behind the vehicle. The female driver stopped the car. The police officer can be heard on the Facebook Live video asking the female driver for her license and insurance.

8. On May 31, 2020 at approximately 9:12 p.m., Peoria Police Officer Grice and Sergeant Sinks conducted a traffic stop of a silver Mercury with Illinois License plate **REDACTED**. The driver was **REDACTED** and the passenger was Gibson.

9. On May 31, 2020 at approximately 9:18 p.m., Gibson conducted another Facebook Live video utilizing a Facebook Account with display name "**REDACTED**". The video was approximately ten minutes and 12 seconds long.

10. The following is a summary of the Facebook Live video: Gibson was yelling "fuck 12" at the officers conducting the traffic stop. A female voice can be heard stating, "This is why people don't want to participate." Gibson told the officers that you wonder why the world's being burned down because of all the "shit" the officers have been doing. Gibson called the officers racist. At the end of the traffic stop, Gibson stated, "The only thing I want to add is, you're a dick head" and "This is why I want to burn this bitch down." Gibson then continued to ask, "Where y'all at?" Gibson commented that it was "dry" out there and that's why the police were only chasing him. Gibson also commented, "Y'all better burn this motherfucker down". Gibson also asked, "Where y'all at? You ain't trying to protest for shit." Gibson stated they got everything "sewed" out there.

11. Gibson then directs the camera out the car window. There was a Wendy's and a Target in the background and appeared to be the Wendy's located at 5001 N Big

Hollow Road, Peoria, IL 61615. A police vehicle can also be seen. Throughout the video, Gibson asks where everyone was at and telling people to meet at the Landmark. Gibson also made the comment, "And for everybody talking about motherfucking gonna loot the mall, fucking mall, fucking money? Look, I got money. C'mon, man. Nigga's got money. That ain't shit." Towards the end of the video, Gibson stated "They already tore Champaign up" and "I'm not fittin' ta drive all the way to Champaign to tear it up when they already tore it up. Tear this bitch up. Fuck, it's peaceful as hell."

12. On or about the afternoon of May 31, 2020, Champaign, IL was the site of violent protests and property damage.

13. On or about May 31, 2020 at approximately 9:35 p.m., Gibson conducted another Facebook Live video utilizing Facebook Account with display name "REDA" video was approximately ten minutes and 27 seconds long.

14. The following is a summary of the Facebook Live video: The video was of Gibson mostly talking to the camera while sitting in the passenger side of a car. Gibson stated multiple times he was giving "y'all" ten minutes to come to the Landmark. Throughout the video, Gibson tells everyone to come to the Landmark and numerous times asks where everyone was at. Gibson panned to the parking lot of the Landmark Recreation Center to show where Gibson was located. Gibson stated he was parked by the offices. Gibson stated he needed 50 people to come out to the Landmark. Gibson tells the camera this is everyone's opportunity. Gibson commented "Tear this bitch up. Period. Send this mother fucker up." Gibson stated there was one car in the parking lot

with him. Gibson then panned over to a vehicle running with the lights on in the parking lot.

15. At approximately eight minutes and two seconds into the video, Facebook User with display name 'REDACTE' posted a comment, "Man wya ? What's the move? Let's fuck some shit up". At approximately the nine minute mark into the video, Gibson stated "I'm at the Landmark. That's the move. We gonna meet up here. When everybody get here we gonna discuss that shit. There's too many motherfuckers attack me to the police. Share my shit to the police all that shit. I'm trying to stand up for my motherfucks. Y'all better off going to watch the other cities."

16. On May 31, 2020, Facebook user with display name "Ca'Quintez Gibson Sr." made the following posts:

- 3:31 p.m. - "Bra y'all letting little ole Champaign out do us?" Attached was a video of groups attempting to break into stores in a strip mall.
- 4:14 p.m. - "PSA !!! WE FENNA SEND PEORIA UP TONIGHT .. SHARE DIS ..NORTHWOODS MALL AT 9!! !!!" (The post was shared 294 times)
- 4:21 p.m. - "IMA GO LIVE AT 9 AND IF DONT NOBODY SHOW UP I DONT WANNA HEAR SHIT ABOUT NO JUSTICE NO PEACE"
- 5:26 p.m. - "SHARE SHARE SHARE NORTHWOODS MALL @9 !! !!! !!! !!! [fist emoji] #SendTheCityUp"
- 6:28 p.m. - "If 12 INFRONT OF ANYTHING WE HITTING THE NTEXT STORE !! !!! !!!" [fist emoji]
- 8:27 p.m. - "MEET UP AT METRO CENTRE @9 ..ONCE ENOUGH PEOPLE ARE THERE I WILL EXPLAIN THE DETAILS !! !!! !!! #BlackLivesMatter" [fist emoji]



17. On May 31, 2020 at approximately 7:48 p.m., Facebook User with display name "REDACTED" made a post on Facebook stating, "Yeah they got the mall already policed out @Ca'Quintez Gibson Sr." The following are the comments to the post:

- Ca'Quintez Gibson Sr. - "That's exactly what I wanted." [smiley face emoji]  
"now we hitting the other stores"
- REDACTED - "Sir size 11 all black lows" [sideways smiley face emoji]
- Ca'Quintez Gibson Sr. - [smiley face emoji] "gotta come out tonight bro you don't wanna miss this"
- REDACTED: "Bass pro shop" [pondering face emoji]
- Ca'Quintez Gibson Sr. - "Uma drop a meet up location @830 then from dere it's up"
- REDACTED - "I'm at work blew. Police just came through chase bank on the rooftop they had that mf jukin"

18. During May 31, 2020 at approximately 9:00PM through June 1, 2020 6:00AM the following events happened in Peoria, IL and reported to the Peoria Police Department:

- There were approximately 27 business burglaries reported, including the following: JB Hawks located at 3723 N Sterling Avenue, Boost Mobile located at 612 Western Avenue, Beauty Empire located at 614 Western Avenue, Target located at 5001 W Glen Hollow, Dollar General located at 4003 SW Adams Street, and Pinnacle Gun and Ammo.

- There were approximately 14 criminal damage to property reports, including the following: Shell Gas Station located at 1900 N Knoxville, Bremer's Jewelry located at 4707 N University.
- There were several arson police reports taken, including the following businesses that reported possible arson: Tire King located at 617 W Loucks and Uftring Weston located at 1600 W War Memorial Drive.

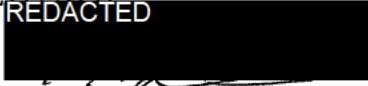
19. On June 1, 2020, Facebook user with display name "Ca'Quintez Gibson Sr." made the following posts:

- 1:13AM 13 a.m. - [smiling emoji with tears] "YEAAAAAA SEND THIS BITCH UP !! !! !! !! !! #" [fist emoji]
- 6:28 a.m. - "MISSION #SendPeoriaUp ACOMPLISHED" [flexing bicep emoji] .."I KNEW YALL WOULD ACT A ASS WITH ME YALL JUST NEEDED A LIL PUSH"

Conclusion


20. Based on the foregoing, I submit that there is probable cause to believe that May 31, 2020, **SUBJECT** using a facility and means of interstate commerce, the Internet, to access the Internet, knowingly organized, promoted, encouraged, participated, in or carry on a riot in violation of 18 U.S.C. 2101.

FURTHER AFFIANT SAYETH NOT  
REDACTED

  
Kurt Bendoraitis, FBI Special Agent

Sworn and subscribed to me telephonically pursuant to Fed. R. Crim. P. 41(d)(3) and Rule 4.1 this 2nd day of June, 2020 at \_\_\_\_\_ (Central Standard Time).

Sworn and subscribed to before me this \_\_\_\_ day of June 2020.

REDACTED  


JONATHAN HAWLEY, Magistrate Judge

United States District Court