

NOV 16 2018 ☆

BRONX COUNTY OFFICE

SD:EMR
F. #2018R01259

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- X

UNITED STATES OF AMERICA

- against -

JOSEPH HARRIS,
also known as "Luis Santana"
and "Joey Moscato,"

Defendant.

----- X

INDICTMENT

CR 18 00616

Cr. No. _____
(T. 18, U.S.C., §§ 922(g)(1), 924(a)(2),
924(c)(1)(A)(i), 924(c)(1)(A)(ii),
924(d)(1), 981(a)(1)(C), 1591(a)(1),
1591(a)(2), 1591(b)(1), 1591(b)(2),
1594(d), 1952(a)(3)(A), 2 and
3551 et seq.; T. 21, U.S.C., § 853(p);
T. 28, U.S.C., § 2461(c))

DeARCY HALL, J.

SCANLON, M.J.

THE GRAND JURY CHARGES:

COUNT ONE
(Sex Trafficking)

1. In or about and between July 2017 and May 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant JOSEPH HARRIS, also known as "Luis Santana" and "Joey Moscato," together with others, did knowingly and intentionally recruit, entice, harbor, transport, provide, obtain and maintain by any means one or more persons, in and affecting interstate commerce, and did benefit, financially and by receiving anything of value, from participation in a venture which engaged in such acts, knowing and in reckless disregard of the fact that (1) means of force, threats of force, fraud and coercion, as described in Title 18, United States Code, Section 1591(e)(2), and a combination of such means would be used to cause such persons to engage in one or more commercial sex acts, and (2) one or more such persons had not

attained the age of 18 years and would be caused to engage in one or more commercial sex acts, having had a reasonable opportunity to observe such minors, and which offense was effected by means of force, threats of force, fraud and coercion, and a combination of such means.

(Title 18, United States Code, Sections 1591(a)(1), 1591(a)(2), 1591(b)(1), 1591(b)(2), 2 and 3551 et seq.)

COUNT TWO

(Possessing and Brandishing Firearms During a Crime of Violence)

2. In or about and between July 2017 and May 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant JOSEPH HARRIS, also known as "Luis Santana" and "Joey Moscato," did knowingly and intentionally use and carry one or more firearms during and in relation to a crime of violence, to wit: the crime charged in Count One, and did knowingly and intentionally possess such firearms in furtherance of said crime of violence, one or more of which firearms was brandished.

(Title 18, United States Code, Sections 924(c)(1)(A)(i), 924(c)(1)(A)(ii), 2 and 3551 et seq.)

COUNT THREE

(Promotion of Prostitution)

3. In or about and between July 2017 and May 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant JOSEPH HARRIS, also known as "Luis Santana" and "Joey Moscato," together with others, did knowingly and intentionally use one or more facilities in interstate commerce, to wit: the Internet and one or more wire transfer services, with intent to promote,

manage, establish, carry on and facilitate the promotion, management, establishment and carrying on of unlawful activity, to wit: a business enterprise involving prostitution, in violation of the laws of the States in which they were committed and of the United States, and did thereafter perform and attempt to perform the promotion, management, establishment, carrying on and facilitation of the promotion, management, establishment and carrying on of such unlawful activity.

(Title 18, United States Code, Sections 1952(a)(3)(A), 2 and 3551 et seq.)

COUNT FOUR
(Felon In Possession of a Firearm)

4. On or about May 5, 2018, within the Eastern District of New York, the defendant JOSEPH HARRIS, also known as “Luis Santana” and “Joey Moscato,” having previously been convicted in a court of a crime punishable by a term of imprisonment exceeding one year, did knowingly and intentionally possess in and affecting commerce a firearm, to wit: a 9mm Smith and Wesson semi-automatic handgun, and ammunition.

(Title 18, United States Code, Sections 922(g)(1), 924(a)(2) and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNT ONE

5. The United States hereby gives notice to the defendant that, upon his conviction of the offense charged in Count One, the government will seek forfeiture in accordance with Title 18, United States Code, Section 1594(d), of (a) any property, real or personal, that was involved in, used, or intended to be used to commit or to facilitate the commission of such offense, and any property traceable to such property; and (b) any property, real or personal, constituting, or derived from, proceeds obtained directly or indirectly as a result of such offense, or any property traceable to such property.

6. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 1594(d); Title 21, United States Code, Section 853(p))

**CRIMINAL FORFEITURE ALLEGATION
AS TO COUNTS TWO AND FOUR**

7. The United States hereby gives notice to the defendant that, upon his conviction of either of the offenses charged in Counts Two and Four, the government will seek forfeiture in accordance with Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), which require the forfeiture of any firearm or ammunition involved in or used in any knowing violations of Title 18, United States Code, Sections 922 and 924, including but not limited to one 9mm Smith and Wesson semi-automatic handgun, and ammunition, all recovered from the defendant's apartment in Brooklyn, New York, on or about May 5, 2018.

8. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be

divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 924(d)(1); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))

**CRIMINAL FORFEITURE ALLEGATION
AS TO COUNT THREE**

9. The United States hereby gives notice to the defendant that, upon his conviction of the offense charged in Count Three, the government will seek forfeiture in accordance with Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), which require any person convicted of such offense to forfeit any property, real or personal, constituting, or derived from, proceeds obtained directly or indirectly as a result of such offense.

10. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be

divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 981(a)(1)(C); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))

A TRUE BILL

— / —
FOR ~~THE~~ PERSON

RICHARD P. DONOGHUE (U)
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

No. _____

UNITED STATES DISTRICT COURT

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

JOSEPH HARRIS, *also known as "Luis Santana"*
and "Joey Moscato"

Defendant.

INDICTMENT

(T. 18, U.S.C. §§ 922(g)(1), 924(a)(2), 924(c)(1)(A)(i),
924(c)(1)(A)(ii), 924(d)(1), 981(a)(1)(C), 1591(a)(1), 1591(a)(2),
1591(b)(1), 1591(b)(2), 1594(d), 1952(a)(3)(A), 2 and 3551 et seq.; T.
21, U.S.C. § 853(p); T. 28, U.S.C. § 2461(c))

A true bill

Foreperson

Filed in open court this ----- day,

of ----- A.D. 20 -----

Clerk

Bail, \$ -----

Erin Reid, Assistant U.S. Attorney (718) 254-6361