

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

JAVAN TOOLEY

Defendant

CRIMINAL No. 25-10374-PBS

GOVERNMENT'S MOTION FOR DETENTION

The United States of America, by Leah B. Foley, United States Attorney, and Brian A. Fogerty and Christopher Pohl, Assistant United States Attorneys for the District of Massachusetts, moves to detain defendant Javan Tooley as a danger to the community and flight risk, pursuant to 18 U.S.C. §§ 3142(f)(1)(B), (C) and (f)(2).¹ The defendant has been charged with Distribution and Possession with Intent to Distribute 28 Grams or More of Cocaine Base, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B)(iii). This indictment follows the defendant's prior conviction for Distribution of Cocaine, in violation of 21 U.S.C. § 841(a)(1). *See United States v. Tooley*, Case No. 10-10157-DJC (D. Mass.). Not only was the defendant sentenced to 60 months in federal prison in that federal drug case, but he subsequently violated the terms of supervised release on at least 5 separate occasions and possessed a gun and cocaine base following the expiration of that supervised release term. Based on the defendant's extensive track-record of drug trafficking and other criminal conduct—including recently distributing cocaine base with a young child present—the government respectfully requests that the Court detain the defendant pending trial.

¹ At the time of filing, agents have located a firearm at a residence linked to Tooley. Before a detention hearing, the government may introduce additional evidence that satisfies 18 U.S.C. § 3142(f)(1)(E).

Procedural History

On September 18, 2025, a federal grand jury sitting in Boston returned a single count indictment charging Tooley with Distribution and Possession with Intent to Distribute 28 Grams or More of Cocaine Base, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B)(iii). The sole count is based on Tooley distributing approximately 100 grams of cocaine base to a cooperating witness (hereinafter, “CW-1”) on September 10, 2025.

On September 23, 2025, law enforcement officers arrested Tooley as he attempted to distribute an additional 163 grams of cocaine base to CW-1.

Factual Background

I. Tooley Has a Federal Drug Conviction.

On or about January 21, 2010, Tooley participated in a hand-to-hand sale of cocaine base to an undercover Boston police officer. After a co-defendant propositioned the undercover officer, Tooley supplied 2 \$20 bags of cocaine base. After his arrest, Boston police officers discovered that Tooley had hidden 30 smaller bags of cocaine base in his rectum.

Tooley subsequently pleaded guilty to an Information charging one count of Distribution of Cocaine. On November 17, 2010, United States District Judge Joseph L. Tauro sentenced Tooley to serve 60 months in federal prison, to be followed by 60 months of supervised release.

II. Tooley Committed Multiple Supervised Release Violations.

Tooley was released from federal prison in or around 2015. Over the ensuing four years, the Court found Tooley in violation of the terms of supervised release on at least 5 separate occasions. As set forth in the accompanying affidavit of Boston Police Detective Omar Borges (attached hereto as Exhibit A), these violations arose from, among other things, Tooley’s failure to disclose information to, or be candid with, probation officers and the commission of new crimes.

As a result of these post-conviction violations, Tooley was sentenced to serve approximately 22 additional months of incarceration.

III. Tooley Possessed a Gun and a Distribution Quantity of Cocaine Base in 2021.

On October 5, 2021, after the expiration of Tooley's federal supervised release term, Boston police officers found Tooley lying on the ground and suffering from a gunshot wound. They also found a Glock 42 .380 handgun next to Tooley. Six days later, Tooley consented to a search of his vehicle, in which officers found a bag containing approximately 9 grams of cocaine base.

IV. Tooley Distributed Cocaine Base to a Cooperating Witness.

As set forth in more detail in Det. Borges' affidavit, Tooley and CW-1 had extensive conversations about Tooley's plan to cook and deliver cocaine base in September 2025. These conversations culminated in a delivery on September 10, during which Tooley (with a young child) met CW-1 in Boston and delivered 2 bags containing a total of approximately 109 grams of cocaine base.

Following that delivery, Tooley had additional communications with CW-1 as he planned to deliver additional cocaine base on September 23. Consistent with those communications, Tooley traveled to an area near the Roxbury District Court, where he was arrested pursuant to a federal warrant issued in this case. During a search of Tooley's car, law enforcement officers found approximately 163 grams of a substance that has the appearance and texture of cocaine base.

Argument

A. The Bail Reform Act Authorizes the Court to Detain Tooley as a Danger to the Community and Flight Risk.

The Bail Reform Act, 18 U.S.C. § 3142, et seq., authorizes the Court to detain Tooley as a danger to the community and flight risk. “The judicial officer shall hold a hearing to determine whether any condition or combination of conditions . . . will reasonably assure the appearance of such person as required and the safety of any other person and the community upon motion of the attorney for the Government, in a case that involves . . . (B) an offense for which the maximum sentence is life in prison or death; [and] (C) an offense for which a maximum term of imprisonment of ten years or more is prescribed in the Controlled Substances Act (21 U.S.C. § 801 et seq.).” *See* 18 U.S.C. §§ 3142(f)(1)(B) and (C). The Court may also detain the defendant as a flight risk, pursuant to 18 U.S.C. § 3142(f)(2).

Here, Tooley has been charged with a violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B)(iii), which is a violation of the Controlled Substances Act and an offense that carries a statutory maximum penalty of life in prison. Accordingly, unless the defendant consents to voluntary detention, the Court must hold a hearing to determine whether there are conditions that can assure the safety of the community and the defendant’s appearance in this case.

B. The Court Must Apply the Statutory Presumption that Tooley is a Danger to the Community and Flight Risk.

The Court must apply the statutory presumption that the defendant is a danger to the community and flight risk, pursuant to 18 U.S.C. § 3142(e)(3)(A). Section 3142(e)(3)(A) states, “[s]ubject to rebuttal by the person, it shall be presumed that no condition or combination of conditions will reasonably assure the appearance of the person as required and the safety of the community if the judicial officer finds that there is probable cause to believe that the person committed (A) an offense for which a maximum term of imprisonment

of ten years or more is prescribed in the Controlled Substances Act (21 U.S.C. § 801 et seq.).”

As described *supra* Section A, the grand jury has returned an indictment charging the defendant with a violation of Section 841(a)(1) that carries a maximum penalty of life in prison.

C. The Factors to Be Considered Under § 3142(g) Require Pretrial Detention.

First, “the nature and circumstances of the offense” weigh in favor of detention. 18 U.S.C. § 3142(g)(1). On two occasions in the last 13 days, the defendant possessed large quantities of cocaine base. In the first instance, he did so with utter disregard for the safety of a young child. Moreover, he did this while purporting to run a non-profit that helps previously incarcerated people. In fact, he delivered the drugs across the street from the address of his purported non-profit. Cloaked in a shroud of legitimacy, he has continued to sell dangerous controlled substances and even risked the safety of a young child to complete a drug deal.

Second, “the weight of the evidence” is strong. 18 U.S.C. § 3142(g)(2). As summarized in Det. Borges’ affidavit, law enforcement officers obtained recordings of Tooley’s conversations with CW-1 and recorded his drug delivery on September 10. In those recordings, Tooley negotiates a drug delivery, describes the methods he uses to cook cocaine base, and gives CW-1 post-delivery instructions about letting a portion of the cocaine base dry before selling it. This is in addition to text messages between Tooley and CW-1 and surveillance agents’ observations of the drug delivery.

Third, Tooley’s “history and characteristics” weigh heavily in favor of detention. 18 U.S.C. § 3142(g)(3). Tooley has a prior federal conviction for Distribution of Cocaine. After his release from a five-year federal prison term, his performance on federal supervised release was abysmal, resulting in additional terms of incarceration and numerous violations. Plus, when his term of supervision was complete, he possessed a gun as a prohibited person and returned to

cocaine base distribution. He did this while holding himself out as the CEO of a non-profit and a resource for formerly incarcerated persons. Against this backdrop, there are no conditions that will deter Tooley from engaging in dangerous criminal conduct while awaiting trial.

Fourth, Tooley will pose a danger if he is released. 18 U.S.C. § 3142(g)(4). As reflected by his extensive criminal history, including a federal drug conviction and supervised release violations, and his possession of a firearm as a felon, Tooley presents a clear danger to the community.

Fifth, Tooley is a serious flight risk. Even before he faced a 10-year mandatory minimum sentence, Tooley failed to comply with the directions of his assigned probation officer. Now, facing a decade or more in federal prison, Tooley's incentive to absent himself from the proceedings and otherwise ignore conditions of release have only increased.

Conclusion

For the reasons set forth herein and in the supporting detention affidavit, as well as any other evidence the government may introduce at a detention hearing, the government respectfully requests that the Court detain defendant Javan Tooley pending trial.

Respectfully submitted,

LEAH B. FOLEY
United States Attorney

By: /s/ Brian A. Fogerty
BRIAN A. FOGERTY
CHRISTOPHER POHL
Assistant United States Attorneys

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants .

/s/ Brian A. Fogerty
Brian A. Fogerty
Assistant United States Attorney

Date: September 23, 2025

**AFFIDAVIT IN SUPPORT OF
GOVERNMENT'S MOTION FOR DETENTION**

I, Omar Borges, state:

Introduction

1. I am a Boston Police Detective, currently assigned to the Boston Police Human Trafficking Unit. I am also a sworn federal task force officer with the Federal Bureau of Investigation ("FBI"), having served in that role since October 2, 2024. I have been employed by the Boston Police Department since 2005, during which time I have worked in various capacities, including as a patrol officer and, from 2013 to 2023, as a member of the Citywide Drug Control Unit ("DCU"). While assigned to the DCU, my primary responsibility was to conduct drug investigations. In December 2023, I was rated Detective and assigned to the Human Trafficking Unit.

2. During my law enforcement career, I have participated in investigations of human trafficking, drug trafficking, violent crime, and other offenses. Some of these investigations have required me to work closely and share information and intelligence with members of other federal, state, and local law enforcement agencies. As such, based on my training and experience, I have become familiar with the methods, routines, and trends in human trafficking, including methods used by human traffickers to acquire, conceal, and launder proceeds from these crimes. I am also familiar with the methods that sex traffickers (colloquially known as "pimps") use to recruit, entice, transport, harbor, and arrange for victims to participate in commercial sex acts for the traffickers' financial benefit. I am also familiar with the methods, routines, and trends in drug trafficking, including methods used by drug traffickers to acquire, conceal, and distribute controlled substances and the proceeds therefrom.

3. I have participated in an investigation regarding the drug trafficking activity of Javan Tooley. Through this investigation, I have reviewed evidence of Tooley's efforts to distribute more than 100 grams of cocaine base (also known as "crack" or "crack cocaine"). I have also obtained from other law enforcement officials other information regarding Tooley's prior federal drug trafficking convictions, and various other instances involving Tooley possessing and/or distributing large quantities of cocaine base following his release from federal prison in or around 2015.

4. The facts in this affidavit come from my personal observations and review of records, my training and experience, and information obtained from other agents and witnesses. This affidavit includes only those facts I believe are necessary to support the government's motion for detention and does not include all of the facts uncovered during the investigation.

The FBI Task Force Investigation of Tooley.

5. Background Regarding Tooley's Drug and Sex Trafficking Operation. The FBI's Human Trafficking Task Force has been engaged in an investigation of Javan Tooley for sex trafficking. Based on interviews with victims and a review of other law enforcement reports, agents have learned that Tooley targeted and recruited women, many of whom suffered from substance abuse disorders, to engage in commercial sex for his financial benefit and to distribute controlled substances (i.e., cocaine, cocaine base, and fentanyl) for him. The victims disclosed that Tooley engaged in acts of violence targeting the victims and provided drug-addicted victims with access to drugs.

6. Tooley also created a climate of fear among the victims by claiming that he had connections to law enforcement and other powerful and influential officials, all while running "Adapt & Evolve LLC," a Boston-based non-profit organization that purports to provide

community re-entry support services. The website for Adapt & Evolve LLC, <https://www.adaptandev.com>, corroborates these victim disclosures. The website also lists Tooley as Adapt & Evolve’s “Founder/CEO,” and touts his ability to “leverage his in-depth knowledge and personal insights to guide clients through complex legal challenges, aiming to remove barriers and facilitate new beginnings.”



Javan Tooley

Founder/CEO

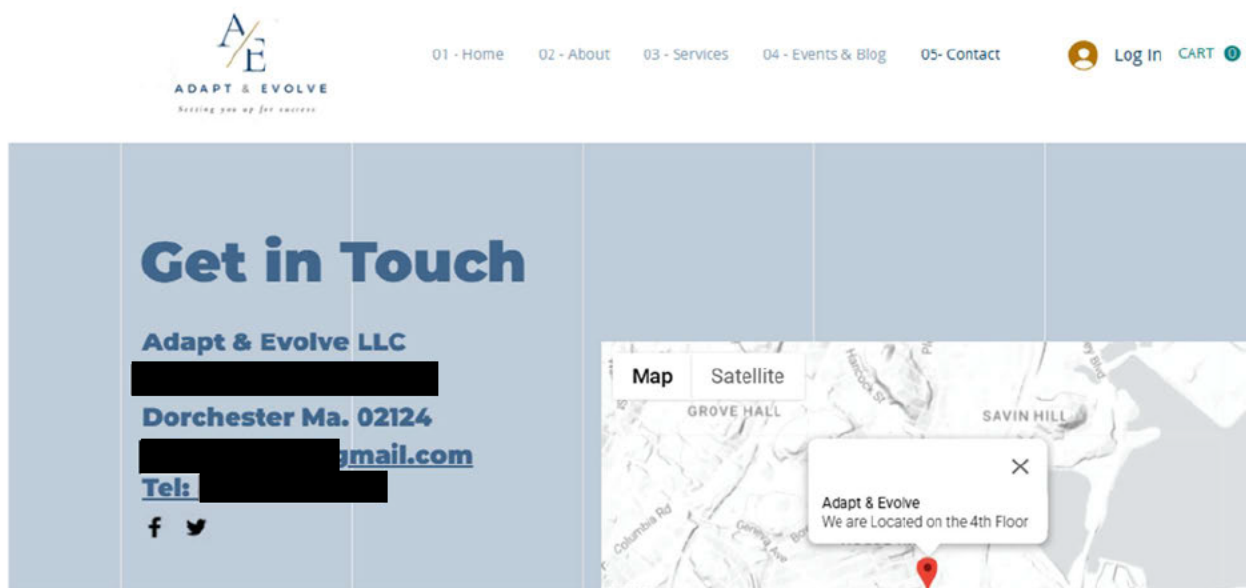
Javan Tooley, the founder of Adapt & Evolve LLC, is driven by a personal mission to empower individuals through advocacy and public speaking. His experiences with the justice system inspired him to establish a firm that specializes in CORI expungement and legal advocacy. Javan leverages his in-depth knowledge and personal insights to guide clients through complex legal challenges, aiming to remove barriers and facilitate new beginnings. His leadership and vision have shaped the firm into a beacon of hope and change for many facing systemic obstacles.

[See <https://www.adaptandev.com/02-about.>]

7. FBI's Recent Drug Trafficking Investigation. In early 2025, agents developed a cooperating witness ("CW-1")¹ who reported that Tooley was distributing controlled substances. CW-1 advised that Tooley communicated with CW-1 over FaceTime using cellular telephone number [REDACTED] (the "Target Mobile Phone") to discuss drug trafficking and other criminal conduct. From my training and experience, I know that FaceTime is a proprietary Apple video and audio calling application for its devices. Agents provided CW-1 with a device that CW-1 used to record the audio portions of FaceTime conversations with Tooley over the Target Mobile Phone. To try to ensure there were no unrecorded calls or otherwise document such calls, agents obtained CW-1's consent to consensually record communications to and from CW-1's phone and obtained a pen register on Tooley's Target Mobile Phone.

8. Agents used various methods to confirm that Tooley was the person controlling the Target Mobile Phone. CW-1 told agents that Tooley used that telephone number. Law enforcement officers who reviewed recordings of CW-1's conversations with the person using the Target Mobile Phone confirmed that the person's voice matches that of prior recordings of Tooley. And agents found that Tooley listed the Target Mobile Phone as the contact telephone number on the Adapt & Evolve website.

¹ To protect the identity of CW-1, the government respectfully requests permission to file a disclosure regarding CW-1's background and potential impeachment information in a separate sealed memorandum.



[See <https://www.adaptandev.com/05-contact>.]

9. Recorded FaceTime Calls to Arrange the Buy. Beginning on or about July 4, 2025, and continuing through September 2025, CW-1 recorded several FaceTime calls with Tooley using the Target Mobile Phone during which Tooley discussed the possibility of providing CW-1 with crack cocaine. On September 8, 2025, Tooley had a FaceTime call with CW-1 over the Target Mobile Phone and began to formalize a plan for Tooley to supply CW-1 with crack cocaine in Boston.

10. On the morning of September 10, 2025, Tooley participated in two recorded FaceTime calls over the Target Mobile Phone with CW-1. In these calls, Tooley confirmed to CW-1, “I think I’ve got like three and a half [ounces] and I can have the rest for you tonight, if not tomorrow.” CW-1 asked Tooley, “You got a scale? I want to see it on the scale.” Tooley then told CW-1, “Look right here, look.” Tooley asked CW-1, “How much do you have on you?” and CW-1 responded “36,” or \$3,600. At various points in the recordings, CW-1 referred to Tooley by name (“I can’t hear you because of the music, Javan”). CW-1 warned Tooley, “Don’t put nothing else in it neither. You know fuckin’ I’ll smell it and I’ll fuckin’ know if you put that shit

in there.” Tooley assured CW-1, “There’s nothing else in there, I promise you,” and then showed CW-1 over FaceTime how he cooked crack cocaine. He stated, among other things, “I cook under water. I cook under water. That’s how you got to do it. I cook under water. I still do it the same way, under water . . . See, it’s no whiteness, [unintelligible] no nothing. Yellow, all yellow.” Tooley told CW-1, “I’m in a rush. Start heading to Dorchester. If you could meet me at Fields Corner that would be good too. I’m almost done. It almost blowing up.”

11. Tooley Texted CW-1 From the Target Mobile Phone to Confirm Details of the Cocaine Sale. As CW-1 prepared to meet with Tooley, Tooley sent CW-1 text messages over the Target Mobile Phone. By text, Tooley directed CW-1 to meet him at Fields Corner in Dorchester and to “stay on the Dorchester Avenue side” near a Metro PCS store. Tooley’s text messages also indicated that he was not alone: he told CW-1 he was in a hurry because he was late to drop off a child (“I have to bring her to class”). Tooley instructed CW-1, “I’m parked right here where the McDonald’s is at.”

12. Tooley’s Sale of Approximately 109 Grams of Cocaine Base To CW-1. On September 10, 2025, around 2:00 p.m., based on the FaceTime communications and text messages between Tooley (using the Target Mobile Phone) and CW-1, agents established surveillance in the vicinity of Dorchester Avenue between Lincoln Street and Park Street, near the Fields Corner MBTA station. Using a standard set of procedures, agents searched CW-1 to confirm CW-1 was free of money or contraband and provided CW-1 with audio and video recording devices. Agents provided CW-1 with \$3,600 in official agency funds to make the purchase. Agents drove CW-1 to the area near the Fields Corner T station. When CW-1 left the agents, CW-1 walked to Dorchester Avenue and entered the front passenger seat of the gray Honda Pilot. The vehicle was parked near [REDACTED] Avenue, which is the address listed on the website for Tooley’s Adapt

& Evolve LLC.

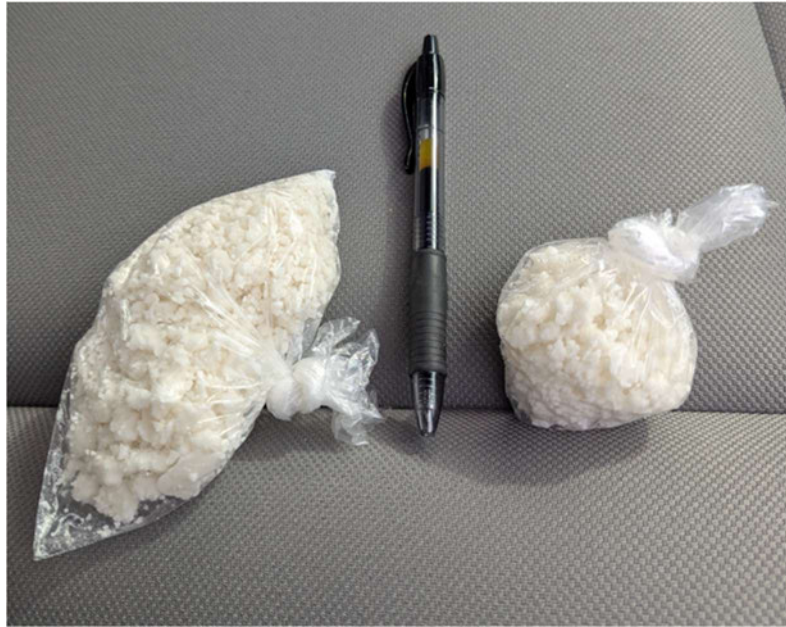
13. Agents on surveillance positively identified Tooley seated in the driver's seat of the Honda Pilot. CW-1 advised agents that CW-1 observed a young child, approximately six or seven years old, in the back seat of the Honda Pilot. From their vantage point on surveillance, agents did not see the young child in the car. However, a short time after the meeting between Tooley and CW-1 concluded, agents observed Tooley and a young child together at a nearby sandwich shop and grocery store.

14. During the recorded meeting, CW-1 told Tooley she has "36," a reference to the agreed-upon price of \$3,600. While not visible on the video recording, CW-1 advised agents that Tooley reached into the backseat of the Honda Pilot and retrieved two bags containing a rocky, yellow-white substance and handed them to CW-1. Tooley told CW-1, "I think I owe you like 3. If I owe you anything, just come and grab it tomorrow." As CW-1 got out of the Honda Pilot, CW-1 said, "I love you, Javan," as CW-1 closed the front passenger door.

15. As CW-1 walked away from the Honda Pilot back toward the Fields Corner T station, Tooley called CW-1 via FaceTime. The audio portion of this call was captured on the recording devices being worn by CW-1. During the call, Tooley told CW-1 that he just cooked the crack and a portion of it still needed to dry: "Let the other one dry out a little, but the single one is ready to go," a reference to the smaller bag containing approximately 30 grams of crack (or 1 "zip"). He continues, "That's 30 grams. [It] dried way earlier. [The other bag] I tried to let it dry out, but it didn't dry. I couldn't get it to dry. I think I owe you. There's 4.5."

16. Less than one minute after this FaceTime call with Tooley, CW-1 returned to a predetermined meeting location where CW-1 met with agents. CW-1 handed agents two bags containing the rocky white substance. A field test of the substance was positive for the presence

of cocaine. Collectively, the bags and their contents weighed approximately 109 grams.



[The cocaine base Tooley delivered on September 10, 2025.]

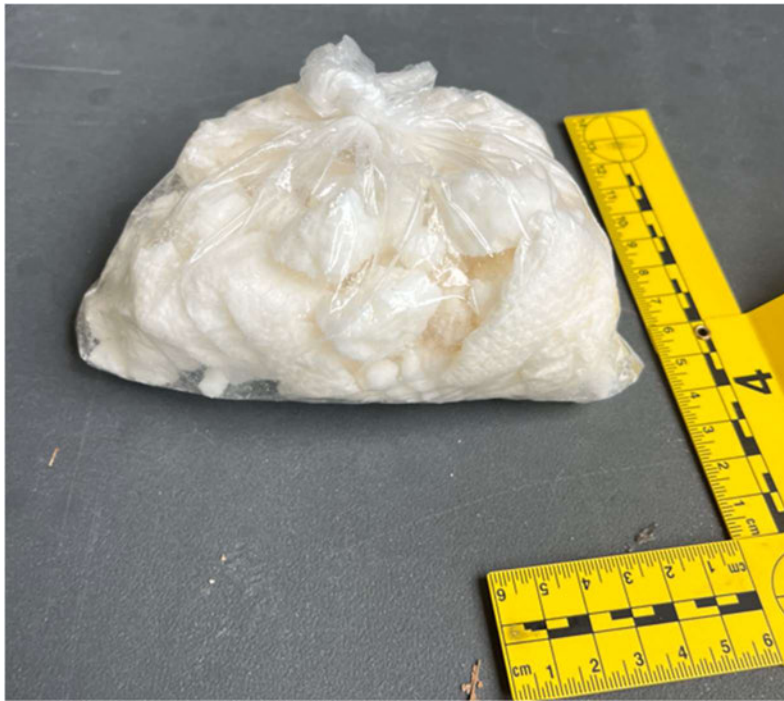
17. Agents retrieved the recording equipment from CW-1 and searched CW-1 for money or contraband with negative results.

18. On September 18, 2025, a United States Grand Jury returned an indictment charging Tooley with distribution of more than 28 grams of cocaine base, in violation of Title 21, United States Code, Section 841(a)(1). *See United States v. Javan Tooley*, Cr. No. 25-10374-PBS. This Court issued an arrest warrant for Tooley on that date.

Tooley Delivered Additional Cocaine Base on September 23, 2025.

19. After Tooley's sale of crack cocaine to CW-1, Tooley and CW-1 remained in contact with one another by text message and FaceTime. In these communications, Tooley confirmed to CW-1 that he knew he owed CW-1 30 grams from the September 10, 2025 sale and indicated he had additional crack cocaine to sell to CW-1. Agents directed CW-1 to inform Tooley that CW-1 would be available to get the owed 30 grams and purchase additional crack cocaine from Tooley on September 23, 2025. After CW-1 confirmed the crack cocaine order with Tooley

for September 23, 2025, Tooley directed CW-1 to an area near the Roxbury District Court. There, agents arrested Tooley. During a search incident to arrest and the execution of a federal search warrant, agents found a bag containing a white rocky substance that matches the appearance of cocaine base. The bag and its contents weigh approximately 163 grams.



[Bag of suspected cocaine base found in Tooley's car on September 23, 2025.]

Tooley has a Federal Cocaine Distribution Conviction.

20. Boston Police Obtained Crack Cocaine from Tooley. On or about January 21, 2010, Tooley participated in a hand-to-hand sale of cocaine base to an undercover Boston police officer. Based on my review of the affidavit supporting a federal criminal complaint, I know that an undercover police officer working near the intersection of E. Berkeley Street and Harrison Avenue in Boston walked past a person who, using common drug trafficking slang, asked the officer if he was “looking.” When the officer responded that he wanted “2 for 40,” i.e., that the undercover officer wanted 2 \$20 bags of crack cocaine for \$40, the person said “got you” and directed the officer to follow him.

21. As the undercover officer and this man were walking, Tooley approached the two, and removed a plastic bag from his jacket that appeared to contain several individually wrapped pieces of crack cocaine. Tooley took several pieces of crack out of the bag and handed them to the man with whom the undercover officer had initially interacted. That person handed them to the undercover officer.

22. Boston police officers kept Tooley (and the other man) under surveillance as they walked away from the undercover officer. Minutes later officers arrested Tooley. According to the federal criminal complaint affidavit, one of the arresting officers recognized Tooley from a prior drug arrest made earlier in 2009 in which Tooley had secreted 16 bags of crack cocaine in the area of his buttocks.

23. While at the police station, officers received permission to strip search Tooley. However, Tooley refused to cooperate with the officers attempting to conduct the search and repeatedly clenched his buttocks so that officers would not inspect his person. Because of his refusal to cooperate, a decision was made to obtain a search warrant authorizing a body cavity search and Tooley was placed in a cell under supervision so that a search warrant could be obtained.

24. Approximately four hours later, Tooley told a Boston police officer that he would be willing to give the officers items he was holding “up my ass” if the officer would give Tooley a telephone number off Tooley’s cell phone. The officer agreed and watched Tooley remove a bag containing 30 smaller bags of suspected crack cocaine from his rectum. These drugs were similar in size, packaging, and appearance to the drugs Tooley had sold to the undercover officer which were inspected (determined to be crack cocaine) and field tested (positive for cocaine base).

25. Tooley Was Sentenced to Serve 5 Years in Federal Prison for Cocaine Distribution.

On May 18, 2010, Tooley waived indictment and pleaded guilty to an Information, charging one count of Distribution of Cocaine, in violation of 21 U.S.C. § 841(a)(1). On November 17, 2010, United States District Judge Joseph L. Tauro sentenced Tooley to serve 60 months in federal prison, to be followed by 60 months of supervised release.

Tooley Committed Multiple Federal Supervised Release Violations.

26. Following Tooley's release from federal prison, the Court found him in violation of the terms of supervised release on at least 5 separate occasions, resulting in at least 22 additional months of incarceration:

a. On December 3, 2015, the Court found that Tooley violated the terms of supervised release by failing to report to the probation officer and submit a report in the first 5 days of each month; and associating with any person who is a convicted felon. *See* Judgment in Criminal Case, dated December 3, 2015, Case No. 10-cr-10157-DJC, ECF No. 109.

b. On January 4, 2016, the Court found that Tooley violated the terms of supervised release by associating with any persons engaged in criminal activity; failing to answer truthfully all inquiries by the probation officer; and failing to reside at Lawrence CAC for a period of 90 days. The Court sentenced Tooley to serve an additional 4 months in prison. *See* Judgment in Criminal Case, dated Jan. 11, 2016, Case No. 10-cr-10157-DJC, ECF No. 124.

c. On June 1, 2016, the Court found that Tooley violated the terms of supervised release by failing to answer truthfully all inquiries by the probation officer; and failing to permit the probation officer to visit him at any time at home or elsewhere. *See* Judgment in a Criminal Case, dated June 3, 2016, Case No. 10-cr-10157-DJC, ECF No. 135.

d. On April 13, 2017, the Court found Tooley violated the terms of supervised

release by committing another federal, state or local crime. The Court sentence Tooley to serve an additional 18 months in prison. *See* Judgment in Criminal Case, dated April 14, 2017, Case No. 10-cr-10157-DJC, ECF No. 159.

e. On June 26, 2019, the Court found Tooley violated the terms of supervised release by failing to participate in and complete the Certified Batterer's Intervention Program. *See* Judgment in Criminal Case, dated June 27, 2019, Case No. 10-cr-10157-DJC, ECF No. 175.

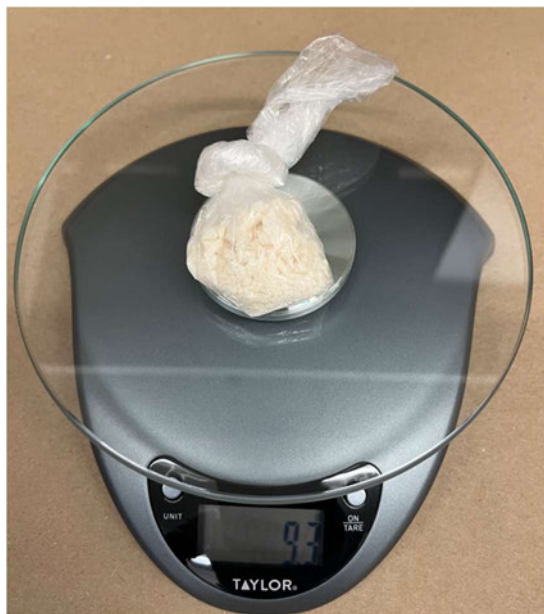
Tooley Possessed a Gun and a Distribution Quantity of Cocaine Base in 2021.

27. Boston Police found Tooley with a Gun in October 2021. On October 5, 2021, after the termination of Tooley's term of federal supervised release, Boston Police Officers responded to a call reporting that a person had been shot near 150 Martin Luther King Boulevard in Roxbury. When officers arrived on the scene, they found Tooley lying face down, suffering from a gunshot wound. Officers found a Glock 42 .380 handgun next to Tooley. Video surveillance footage shows Individual-A and CW-1 near the scene of the shooting.



[Firearm found next to Tooley on October 5, 2021.]

28. Boston Police Found Crack Cocaine in Tooley's Vehicle in October 2021. On October 11, 2021, Tooley consented to a search of his black 2021 Acura RDX, which was the vehicle he parked near the scene of the October 5 shooting. During the search, detectives found one bag of a white, rock-like substances that has the same appearance as cocaine base. The bag and its contents weigh 9.3 grams. Subsequently, I administered a drug field test, which indicated that the substance found in Tooley's car was presumptively positive for cocaine.



[Cocaine base found in Tooley's car on October 11, 2021.]

Conclusion

For the reasons described herein, I respectfully request that Javan Tooley be detained pending trial.

Signed under the pains and penalties of perjury this 23rd day of September, 2025.

/s/ Omar Borges
Omar Borges
Task Force Officer
Federal Bureau of Investigation