

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

KENNETH BROWN and  
TERRENCE MORRIS

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.

Count One

From no later than on or about March 8, 2019 and continuing until at least on or about March 26, 2019, at Chicago, in the Northern District of Illinois, Eastern Division, the defendants, KENNETH BROWN and TERRENCE MORRIS:

*Code Section*

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

*Offense Description*

conspired with each other to knowingly and intentionally possess with intent to distribute and distribute a controlled substance, namely, 100 grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I Controlled Substance

Count Two

On or about August 6, 2019, at Chicago, in the Northern District of Illinois, Eastern Division, the defendant, KENNETH BROWN:

*Code Section*

Title 21, United States Code, Section 841(a)(1)

*Offense Description*

knowingly and intentionally possessed with intent to distribute a controlled substance, namely, 5 kilograms or more 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.

\_\_\_\_\_  
SHAMAR BAILEY  
Special Agent, Federal Bureau of  
Investigation (FBI)

Sworn to before me and signed in my presence.

Date: July 23, 2020

\_\_\_\_\_  
*Judge's signature*

City and state: Chicago, Illinois

BETH W. JANTZ, U.S. Magistrate Judge  
*Printed name and title*



not limited to, their use of code words and numbers to conduct their transactions, their methods for concealing narcotics and narcotics proceeds, and their use of violence and threats of violence to protect their organization.

4. I am a case agent on an investigation involving allegations that Kenneth BROWN and Terrence MORRIS are, among other things, involved in the distribution of narcotics for the Black Disciples street gang in the Chicago area, particularly on the South Side of Chicago.

5. This Affidavit is made in support of a complaint charging the defendants with violations of controlled substances offenses, in violation of Title 21, United States Code, Sections 841 and 846. Because this Affidavit is being submitted for the limited purpose of establishing probable cause to support the criminal complaint, it contains only a summary of relevant facts. I have not included each and every fact known to me concerning the entities, individuals, and events described in this Affidavit. This Affidavit is made in support of a Criminal Complaint charging: 1) Terrence MORRIS and Kenneth BROWN with conspiracy to possess with intent to distribute and distribute a controlled substance, namely, 100 grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 846; and 2) KENNETH BROWN with knowingly and intentionally possessing with intent to distribute a controlled substance, namely, 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1).

6. 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 officers; (c) laboratory analysis reports; (d) surveillance reports; (e) criminal history records; (f) information from confidential informants; and (g) my training and experience and the training and experience of other law enforcement agents with whom I have consulted.

7. Reference is made to recorded telephone and in-person conversations in this affidavit. In certain instances, these conversations are summarized and placed in context, and my interpretations are sometimes noted in brackets. My understanding of these conversations is aided by the contents and context of the conversations, my familiarity with the facts and circumstances of this investigation, my experience as a law enforcement officer, my discussions with other law enforcement officers, the experience of other law enforcement agents and officers in this investigation, and other evidence developed during the course of the investigation. The recorded conversations herein do not represent finalized transcripts. In addition, only portions of the recorded conversations are contained below.

## **I. FACTS SUPPORTING PROBABLE CAUSE**

### **A. Summary**

8. MORRIS distributed heroin on multiple occasions to an individual who, unbeknownst to him, was a cooperating source (“CS-2”)<sup>1</sup> working under the direction

---

<sup>1</sup>CS-2 is a member of the Black Disciples gang and an acquaintance of MORRIS (whom he knew only as “T”) who has indicated that he has communicated with MORRIS at the ‘1429

of law enforcement. More specifically, on or about March 8, 2019 and March 26, 2019, CS-2 purchased a total of approximately 125 grams of heroin from MORRIS, who was supplied by BROWN.

9. MORRIS was then cut out of the conspiracy, and then, on or about May 3, 2019, CS-2 purchased approximately 99 grams of heroin from BROWN.

10. On or about September 25, 2019, law enforcement searched BROWN's vehicle and storage unit, and recovered, among other things, approximately 13 kilograms of cocaine packaged for distribution, as well as approximately 430 grams of marijuana.

#### **B. Early Investigation**

11. In 2018, investigating agents received information that members of the Black Disciples street gang (the "BDs") were conspiring to distribute narcotics on the South Side of Chicago.

12. On or about February 6, 2019, at approximately 9:00 p.m., Individual 1—suspected chief of the Black Disciples and participant in narcotics transactions related to this investigation but unrelated to this Affidavit—was shot to death inside of a parked car in front of his residence near 72nd and Union Street in Chicago by

---

number. CS-2 is a member of the Black Disciples gang. CS-2 has been arrested 13 times and has 6 criminal convictions, including for multiple prior narcotics offenses. In early 2018, CS-2 was arrested by Chicago Police for firearm and narcotics offenses. CS-2 started cooperating with law enforcement in hopes of receiving a more positive disposition relating to those charges. In approximately early 2019, CS-2 received probation for the narcotics offense, and the firearm offense was dismissed. Further, as of July 9, 2020, CS-2 has been paid a total of approximately \$40,490 in exchange for information and services provided in FBI investigations. Law enforcement believes CS-2 to be a reliable source of information because information provided by CS-2 has been corroborated by intercepted communications and surveillance and has led to the seizure of narcotics and firearms.

one or more unknown assailants. Kenneth BROWN was present during the murder and suffered a non-life-threatening graze wound from a bullet fired by the assailant(s), who reportedly fled the scene in a silver vehicle.

13. In or around April 2019, agents received information from CS-2, who has knowledge of BD activity, that several high-ranking BD members were discussing the reorganization of the BD nation following the sudden death and murder of Individual 1. According to CS-2, around this time, several high-ranking BD members agreed BROWN would be running the nation from behind the scenes, supplying the organization with its narcotics and firearms supply, while two other influential members of the organization would be the face of the nation, and work to unite several of the BD factions under a reorganized leadership.

**C. On March 6, 2019, BROWN coordinated a March 8, 2019 sale of 25 grams of heroin to CS-2 via BROWN's distributor, MORRIS.**

14. As detailed below, between March 6, 2019 and March 8, 2019, MORRIS and CS-2 coordinated a meeting for CS-2 to purchase 25 grams of heroin from MORRIS, which was supplied by BROWN.

15. On or about February 25, 2019, Chief Judge Rubén Castillo of the Northern District of Illinois authorized, among other things, the initial interception of wire and electronic communications over telephone number 773-895-1447 ("Target Phone 7"). Interceptions over Target Phone 7 began on or about February 25, 2019, and concluded on or about March 26, 2019.

16. On or about March 6, 2019, at approximately 11:28 a.m., CS-2 placed an unanswered call to cellular number 720-771-5408, which number CS-2 believed to be

a telephone number used by BROWN to conduct narcotics transactions. At approximately 11:27 a.m., CS-2 placed a recorded call to telephone number 920-371-1429, which number is used by an individual known by CS-2 to be a criminal associate of BROWN's named "T," identified by law enforcement as Terrence MORRIS.<sup>2</sup> During the call, CS-2 stated, "I been tryin' to get up with Unc [BROWN].<sup>3</sup> That number [720-771-5408] ain't on though." MORRIS responded, "I know. Aight, what you tryna do, same thing?" CS-2 replied, "Yeah, bout Friday though, that's why I was callin'." MORRIS responded, "Aight. I'll put the order in for him [BROWN]. It'll be ready for you."

17. Based on my training and experience, the training and experience of other law enforcement officers involved in the investigation, and the content and

---

<sup>2</sup> Identification of MORRIS as the user of '1429 number is based on information provided by CS-2. In particular, on or about March 7, 2019, CS-2 identified a photograph of MORRIS as "T," the individual with whom CS-2 had been communicating at the '1429 number. As noted, CS-2 is personally familiar with MORRIS. In addition, on or about March 8 and March 26, 2019, as discussed in this affidavit, CS-2 coordinated narcotics meetings with MORRIS, who was using the '1429 number to communicate with CS-2. As observed by law enforcement surveillance, MORRIS then met with CS-2 on or about March 8 and March 26, 2019, at the agreed-upon times and places.

<sup>3</sup> Some of the recorded and intercepted 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-2, other informants, 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.

context of the communication, I believe that MORRIS confirmed that BROWN was no longer using the '5408 number ("That number ain't on though." "I know."). CS-2 then placed an order for 25 grams of heroin ("What you tryna to do, same thing?" "Yeah.").<sup>4</sup> MORRIS then told CS-2 he would contact BROWN to arrange for the transaction ("I'll put the order in for him [BROWN]. It'll be ready for you.").

18. On or about March 6, 2019, between approximately 11:25 a.m. and 11:33 a.m. (TP7, Session 695), BROWN, using Target Phone 7, was engaged in a conversation over Target Phone 7<sup>5</sup> when BROWN answered a second phone, which law enforcement believes was placed on speaker phone, and later identified by law enforcement as telephone number 720-419-8411 ("Target Phone 9")<sup>6</sup> During the

---

<sup>4</sup> According to CS-2, prior to his cooperation with law enforcement, CS-2 had purchased 25 grams of heroin from BROWN and MORRIS, and thus MORRIS was referencing CS-2's prior purchase by asking CS-2 if CS-2 wanted the "same thing."

<sup>5</sup> Identification of BROWN as the user of Target Phone 7 is based in part on information provided by a confidential source ("CS-2"). Also, as noted above in paragraph 12, BROWN was wounded during the February 6, 2019 shooting that killed Individual 1. That night, at approximately 9:47 p.m. (TP5, Session 1255), Individual 2, sent a text message to Target Phone 7 which read, "Call me big brother when you get a chance love you brother." Approximately eight minutes later, Individual 2, using Target Phone 5, communicated with an unknown male using telephone number 312-622-7116 ("UM-27116"). During the conversation, Individual 2 stated, "I just text Kenny [Kenneth BROWN] before I knew he got hit and told him call me when you get a chance." In addition, in the March 6, 2019 call discussed in this paragraph (TP7, Session 695), BROWN called a health facility regarding an appointment, and toward the end of this call, BROWN identified himself to the facility as Kenneth BROWN.

<sup>6</sup> Law enforcement has identified Target Phone 9 as a phone for BROWN based in part on the following: toll records from MORRIS's '1429 number—on which MORRIS communicated with CS-2 earlier in the day—indicate that MORRIS contacted Target Phone 9 at the same time that BROWN received his call on the secondary phone. As such, law enforcement has identified Target Phone 9 as the secondary phone that BROWN answered during TP7 Session 695. Finally, as discussed further below, on May 3, 2019, CS-2 met with BROWN and that meeting was audio and video recorded. Law enforcement also compared the voice of BROWN from this video to the voice of the user of Target Phones 7 and 9, and confirmed the voice of the user of Target Phones 7 and 9 is of BROWN's.

conversation BROWN had over speaker phone, BROWN conversed with MORRIS, who was using the above-noted '1429 number. During that call, BROWN asked, "What up T?"<sup>7</sup> MORRIS answered, "Yeah, our boy over east said he'll be ready Friday." BROWN responded, "Yeah, yeah, ok, ok. That's good. Ok. Ok. Alright. T? I don't got his number, gimme his number." MORRIS asked, "You say text you the number?" BROWN responded, "Yeah."

19. Based on my training and experience, the training and experience of other law enforcement officers involved in the investigation, and the content and context of the communication, I believe that MORRIS informed BROWN that CS-2 wanted to purchase heroin ("Yeah, our boy over east said he'll be ready Friday."). BROWN agreed to the sale, and asked MORRIS to send BROWN CS-2's telephone number ("You say text you the number?" "Yeah.").

20. At approximately 11:31 a.m., according to toll records for the '1429 number, MORRIS, using the '1429 number, sent a text message to BROWN, using Target Phone 9.

21. Later that day, at approximately 3:51 p.m. (TP7, Session 737), BROWN was again heard answering a second phone during a call over Target Phone 7. In particular, while speaking with an unknown male about an unrelated topic, BROWN was heard answering a secondary phone and engaging in a conversation (only one side of which is audible) in which BROWN stated, "Yea, yea, yea, T. Nah, Why? Nah, I didn't talk to him though. I got the number here, he, he'll, he, he you right. Nah, I

---

<sup>7</sup> As stated above, in footnote 2, CS-2 also referred to MORRIS as "T."

changed his number, I didn't have his number in my phone." According to toll records for the '1429 number, at the time of this call, MORRIS, using the '1429 number, placed a call to Target Phone 9.

22. Based on my training and experience, the training and experience of other law enforcement officers involved in the investigation, and the content and context of the communication, I believe that MORRIS contacted BROWN on Target Phone 9, and BROWN told MORRIS that BROWN had obtained CS-2's number, but that BROWN had not yet contacted him.

23. On or about March 7, 2019, at approximately 9:59 p.m., CS-2 placed a recorded call to MORRIS, who was using the '1429 number. During the call, CS-2 stated, "was callin' to see if uh, if you hollered at Unc [BROWN], let him know that I was tryin to call you [receive the narcotics] tomorrow." MORRIS responded, "Man bro, when I tell you something, it's just like him [BROWN] telling you. When I told you it was all good, call [my] phone when you was ready, that's what it was. Once you call me and I tell you it's good, it's good. You ain't gotta talk to him or nothing. Call me when you ready, and I'll come meet you." CS-2 responded, "Aight cool."

24. Based on my training and experience, the training and experience of other law enforcement officers involved in the investigation, and the content and context of the communication, I believe that MORRIS told CS-2 that MORRIS could speak on BROWN's behalf and that it was not necessary for MORRIS to relay messages between CS-2 and BROWN.

25. On or about March 8, 2019, at approximately 11:14 a.m., CS-2 arrived at a predetermined meet location where CS-2 was searched by law enforcement, who found no illegal contraband or excess U.S. currency. CS-2 was then provided with approximately \$1,675 in FBI funds and equipped with covert audio and video recording devices.

26. As heard on the covert video recording, between approximately 11:20 a.m. and 12:40 p.m., CS-2 placed three calls to MORRIS that were recorded by the covert video device. During those calls, CS-2 and MORRIS agreed to meet at a location in the area of 72nd and East End for the purpose of completing the narcotics transaction.

27. At approximately 11:15 a.m., law enforcement established surveillance in the vicinity 72nd and East End. At approximately 11:20 a.m., law enforcement observed CS-2 arrive at the meet location. At approximately 12:40 p.m., law enforcement observed a vehicle driven by MORRIS arrive at the residence near 72nd and East End. As seen by law enforcement, MORRIS was then greeted by CS-2 and the two entered the residence. As seen on the covert video recording, CS-2 and MORRIS then entered the kitchen area of the residence, where MORRIS placed a clear plastic bag containing suspect heroin on the counter, at which time CS-2 handed MORRIS \$1,675 in FBI funds. MORRIS then counts the funds handed to him by CS-

2.<sup>8</sup>

---

<sup>8</sup> The covert video recording shows the profile of MORRIS' face, and shows a person matching MORRIS's description and wearing the same clothes as MORRIS, as observed by law enforcement surveillance the same day.

28. At approximately 12:49 p.m., law enforcement surveillance observed MORRIS exit the residence and depart the area, followed shortly thereafter by CS-2. At approximately 12:54 p.m., CS-2 arrived at a predetermined meet location where he provided law enforcement with the clear knotted plastic bag containing approximately 25 grams of a substance suspected heroin that MORRIS had sold to CS-2. CS-2 was searched for contraband and excess currency with none found.

29. On or about December 6, 2019, the DEA North Central Laboratory determined that the substance that MORRIS sold to CS-2 on or about March 8, 2019, contained approximately 24.6 grams of heroin.

**D. On March 24, 2019, MORRIS coordinated a March 26, 2019 sale of 100 grams of heroin to CS-2, on behalf of BROWN.**

30. On or about March 24, 2019, at approximately 12:25 p.m., CS-2 placed a recorded call to MORRIS, who was using the '1429 number. CS-2 stated, "I was callin' to see what was, uh, tryin' to rotate with ya bro. I was tryin' to holler at Unc [BROWN], cuz I was tryin to do something. Well shit, I can run it past you?" MORRIS responded, "Yeah, you can run it past me man. You know always, talkin' to him [BROWN] is just like talkin' to me." CS-2 replied, "You know like, basically, with the move we do right, you know what I'm sayin, it's like my G and a six fifty. You see what I'm sayin?" MORRIS replied, "Mmhhhm. Yeah." CS-2 replied, "I'm tryin to get a huncho [hundred] tho bro. . ." MORRIS replied, "Mmmmm, ok. That sounds plausible. That sound like a winner."

31. Based on my training and experience, the training and experience of other law enforcement officers involved in the investigation, information from CS-2,

and the content and context of the communication, I believe that CS-2 indicated CS-2 was trying to set up another narcotics transaction with BROWN (“I was tryin’ to holler at Unc [BROWN], cuz I was tryin to do something.”), and MORRIS confirmed that MORRIS could speak on behalf of BROWN. CS-2 also indicated that he wanted to purchase the same type of narcotics, or heroin (“the move we do”), but 100 grams (a “huncho”) for \$6,500 (“my G and a six fifty”). MORRIS then confirmed the transaction with CS-2 (“That sounds plausible. That sound like a winner.”).

32. On or about March 26, 2019, at approximately 9:13 a.m., CS-2 placed a recorded call to MORRIS, who was using the ‘1429 number. CS-2 stated, “Man, I just callin’ you makin’ sure everything’s cool. I’ll be calli’ you about twelve.” MORRIS replied, “Yup. Everything right where it needs to be. Just waitin’ on yo call.” Based on my training and experience, the training and experience of other law enforcement officers involved in the investigation, information from CS-2, and the content and context of the communication, I believe that MORRIS confirmed MORRIS was ready for the narcotics transaction they previously discussed.

33. On or about March 26, 2019, at approximately 11:35 a.m., CS-2 arrived at a predetermined meet location where CS-2 was searched by law enforcement, who found no illegal contraband or excess U.S. currency. CS-2 was then provided with approximately \$6,500 in FBI funds and equipped with covert audio and video recording devices.

34. At approximately 11:48 a.m., law enforcement observed CS-2 arrive at the meet location. At approximately 11:52 a.m., CS-2 placed a recorded call to

MORRIS, who was using the '1429 number. CS-2 stated, "I'm ready bro'." MORRIS responded, "Okay. I got you."

35. At approximately 12:40 p.m., law enforcement surveillance observed a vehicle driven by MORRIS arrive at the residence near 72nd and East End. As seen by surveillance, MORRIS was then greeted by CS-2 and the two entered the residence. As seen on the covert video recording, CS-2 and MORRIS then entered the kitchen area of the residence, where MORRIS placed a clear plastic bag containing suspect heroin on the counter, at which time CS-2 placed the \$6,500 in FBI funds on the same counter for MORRIS \$6,500.<sup>9</sup>

36. According to CS-2, CS-2 then placed the funds in a white plastic bag that MORRIS brought into the residence with him. After this, as heard on the covert video recording, MORRIS stated, "Just put it in the bag man . . . He [BROWN] told me to treat you like I treat myself. He ain't never count my money so I ain't gonna count yours. That's what he told me. Treat you like I treat me. Ok, cool. Ain't gotta go through this shit no more. Straight up."

37. Based on my training and experience, the training and experience of other law enforcement officers involved in the investigation, information from CS-2, and the content and context of the communication, I believe that MORRIS explained to CS-2 that BROWN directed MORRIS to treat CS-2 like BROWN / MORRIS treat themselves in their own narcotics transactions ("He told me to treat you like I treat

---

<sup>9</sup> MORRIS' profile is depicted on the covert video recording device when MORRIS walks into the kitchen area. The video also shows a person matching MORRIS's description and wearing the same clothes as MORRIS, as observed by law enforcement surveillance the same day.

myself”). And, according to MORRIS, since BROWN trusts MORRIS enough not to count MORRIS’s money, MORRIS said he was not going to count CS-2’s money, indicating MORRIS and/or BROWN trusted CS-2 to pay the agreed-upon amount for the narcotics (“He ain’t never count my money so I ain’t gonna count yours. . . Ain’t gotta go through this shit no more.”).

38. At approximately 12:49 p.m., law enforcement surveillance observed MORRIS exit the residence and depart the area, carrying a white plastic bag, followed shortly thereafter by CS-2. At approximately 1:16 p.m., CS-2 arrived at a predetermined meet location where he provided law enforcement with the clear knotted plastic bag containing approximately 100 grams of the substance suspected to be heroin that MORRIS had just sold to CS-2. CS-2 was searched for contraband and excess currency with none found.

39. On or about December 6, 2019, the DEA North Central Laboratory determined that the substance that MORRIS sold to CS-2 on or about March 26, 2019, contained approximately 99.6 grams of heroin.

**E. MORRIS is Cut Out of the Conspiracy.**

40. On or about March 26, 2019, according to CS-2, BROWN instructed CS-2 to deal with BROWN directly for any future narcotics transactions of 100 grams or more. According to CS-2, around this time, BROWN also gave CS-2 the phone number

for Target Phone 9 (as further discussed above in footnote 6, Target Phone 9 is used by BROWN).<sup>10</sup>

**F. On April 24, 2019 and May 3, 2019, BROWN, using Target Phone 10, communicated with CS-2 to coordinate a narcotics transaction, which occurred on May 3, 2019.**

41. As detailed below, between April 24, 2019, and May 3, 2019, BROWN and CS-2 coordinated a meeting for CS-2 to purchase approximately 100 grams of heroin from BROWN.

42. On or about April 24, 2019, CS-2 met with MORRIS in the area of 68th and Green in Chicago, Illinois. During that meeting, which was unrecorded, MORRIS told CS-2 that BROWN had started using another phone number, 424-335-4957 (Target Phone 10).<sup>11</sup>

43. Later that day, at approximately 1:46 p.m., CS-2 placed a recorded call to BROWN, using Target Phone 10. During the call, CS-2 stated, “I see you changed

---

<sup>10</sup> This meeting was not recorded nor surveilled by law enforcement. During the course of the investigation, law enforcement provided CS-2 with a recording device to record meetings without law enforcement presence with individuals engaged in criminal activity. CS-2 did not activate the device during this interaction with MORRIS.

<sup>11</sup> Law enforcement has identified BROWN as the user of Target Phone 10 based in part on information from CS-2 and the following. As discussed further below, CS-2 placed and received recorded calls to/from BROWN, using Target Phone 10. Law enforcement has conducted a voice comparison of the voice of the individual using Target Phone 10 with the voice of BROWN, as recorded on Target Phone 7, and confirmed that they are the same individual. The recording system used by law enforcement to record CS-2’s calls also records the numbers with which CS-2 is in communication during recording. Law enforcement confirmed that CS-2 was in communication with Target Phone 10 at the time of this call. In addition, after law enforcement obtained authorization to intercept communications over Target Phone 10, on or about May 14, 2019 (TP10, Session 9), BROWN, using Target Phone 10, talked about the night of Individual 1’s murder, and stated in part that the assailants were waiting for “us” when Individual 1 and BROWN got back to Individual 1’s house and that nobody was trailing “us” that night. As discussed above in paragraph 12, BROWN was with Individual 1 the night of Individual’s murder.

your number again, that's why I ain't have no number for you." BROWN responded, "You do got my number. Yeah, you always got that other one." CS-2 stated, "I'm trying to see you this week." BROWN responded, "Oh, ok. Aight, that's cool. You got a date? So I can make sure and be ready?" CS-2 replied, "Possibly by Saturday, or by Sunday." BROWN responded, "Ok." CS-2 stated, "Same way." BROWN replied, "Ok, ok. Cool. Ok, I gotchu." BROWN later stated, "Ok, cool. Aight. Hey, lock this number in."

44. Based on my training and experience, the training and experience of other law enforcement officers involved in the investigation, and the content and context of the communication, I believe that CS-2 complained to BROWN about BROWN having changed his phone number to the number for Target Phone 10 ("I see you changed your number again, that's why I ain't have no number for you."). BROWN responded that CS-2 still had BROWN's other phone number and could still contact BROWN at a previous number ("You do got my number. Yeah, you always got that other one."). CS-2 then told BROWN that CS-2 was interested in purchasing a quantity of narcotics that week ("I'm trying to see you this week.") BROWN asked CS-2 if CS-2 had a date planned for the transaction, so that BROWN could be prepared with the correct quantity (You got a date? So I can make sure and be ready?) and CS-2 explained that it would be Saturday or Sunday. CS-2 further told BROWN that it would be the "same way," meaning that the quantity would be 100 grams of heroin, as in the same quantity CS-2 previously purchased from MORRIS,

which was supplied by BROWN. BROWN agreed and told CS-2 to save the number for Target Phone 10 (“Ok, cool. Aight. Hey, lock this number in.”).

45. At approximately 11:24 a.m., law enforcement initiated surveillance in the area of 72<sup>nd</sup> and East End in Chicago.

46. On or about May 3, 2019, at approximately 11:29 a.m., CS-2 arrived at a predetermined meet location where CS-2 was searched by law enforcement, who found no illegal contraband or excess U.S. currency. CS-2 was then provided with approximately \$6,500.00 in FBI funds and equipped with covert audio and video recording devices.

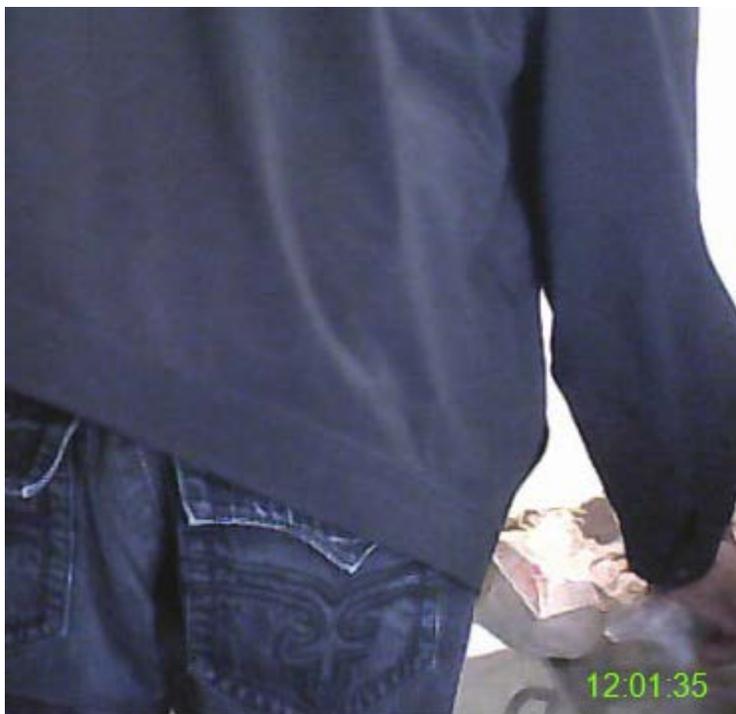
47. At approximately 11:41 a.m., CS-2 placed a recorded call to BROWN, who was using Target Phone 10.<sup>12</sup> During the call, BROWN stated, “Okay. I’m on my way now.”

48. At approximately 11:58 a.m., law enforcement surveillance observed BROWN enter a residence that was previously determined as a meet location by CS-2 and BROWN. As seen and heard on the covert recording, after entering the residence and meeting with CS-2, BROWN produced suspect heroin in a clear plastic bag from a concealed location underneath his clothing and placed it onto a table.<sup>13</sup>

---

<sup>12</sup> As noted above, the recording system used by law enforcement to record CS-2’s calls records the numbers with which CS-2 is in communication during each recording. Law enforcement confirmed that CS-2 was in communication with Target Phone 10 at the time of this call.

<sup>13</sup> The covert video recording does not show BROWN’s face, but shows a person matching BROWN’s description and wearing the same clothes as BROWN, as observed by law enforcement surveillance the same day.



49. CS-2 then provided BROWN with \$6,500, and BROWN separated the stacks of cash and placed the cash into different pockets or pieces of clothing. Around this time, BROWN stated, “Hold on, Imma stash this in my goddam pocket.”



50. As heard on CS-2’s covert recording, during this exchange, BROWN stated, “So you know . . . anything I can do for you, you know what I’m sayin’ I’ll do it. Now, with me, there ain’t nobody. I got to go to him now. It’s me now [as the

source of supply for BD's]. See what I'm sayin'?" CS-2 responded, "Right." BROWN stated, "It's all me, so I ain't gotta worry about you know garbage [poor quality narcotics], you know none of that." CS-2 responded, "Right, cuz I ain't had no complaints [from the previous buys with Terrence MORRIS, supplied by BROWN] so it's been cool." BROWN replied, "You gonna like that one [heroin] better then what you been getting."

51. Prior to departing, BROWN told CS-2 that shortly before Individual 1 was murdered, a shipment of narcotics from the Gulf Cartel had arrived in Chicago and that BROWN and Individual 1 planned to move the narcotics—some of which were now unaccounted for—to a secure location. In addition to the load of narcotics, BROWN said that Individual 1 also had a stock of 85 or more firearms, which were now also unaccounted for. BROWN explained that he believed Individual 1's murder was related to these narcotics and firearms. BROWN further told CS-2 that he had recovered some of the narcotics supply and managed to collect "450 bucks [\$450,000]" to pay to the "dude in Mexico [Individual 1's cartel connection]." BROWN indicated to CS-2 that BROWN would be able to service any future narcotics purchases from CS-2 once BROWN had paid off the debt and told CS-2 that he was keeping only a small circle informed of the cartel connection.

52. Law enforcement observed BROWN leave the residence at approximately 12:06 p.m.



53. After departing the residence, CS-2 arrived at a predetermined meet location at approximately 12:16 p.m., where he provided law enforcement with a clear knotted plastic bag containing approximately 100 grams of suspect heroin which BROWN had sold to CS-2. CS-2 was searched for contraband and excess currency with none found.

54. On or about December 6, 2019, the DEA North Central Laboratory determined that the substance that BROWN sold to CS-2 on or about May 3, 2019, contained approximately 99.1 grams of heroin.

**G. Identification of BROWN's narcotics stash location**

55. On or about September 24, 2019, law enforcement surveillance observed BROWN depart from Extra Space Storage located at 1000 E. 95th Street, Chicago, Illinois, driving a black Dodge minivan ("BROWN's Minivan").

56. According to ExtraSpace Storage records, BROWN signed a rental agreement for storage unit 4060 on or about July 15, 2019, providing his first and last name and Target Phone 7 as his phone number. The rental agreement indicated storage unit 4060 is rented by BROWN on a month-to-month basis.

57. On or about September 24, 2019, CPD Officer Anastasios Goulos and K9 Mika responded to ExtraSpace Storage, after an officer involved in this investigation requested his K9 partner Mika<sup>14</sup> to search an area that covered over 10 storage units.

58. Officer Goulos gave his K9 partner Mika the narcotics search command, and Mika indicated to the odor of narcotics at storage unit 4060. According to Officer Goulos, Mika made this indication by heavily sniffing the bottom, left, and right door seam of the storage unit, and then by sitting and staring at unit 4060. According to Officer Goulos, this behavior is known to him as Mika's indication for the odor of narcotics and/or cannabis. Mika gave no other indications during the narcotics search of the other storage lockers in the area.

**H. September 25, 2019 seizure of narcotics from BROWN's vehicle and person following a traffic stop.**

59. On or about September 25, 2019, at approximately 8:45 a.m., law enforcement surveillance observed BROWN's Minivan arrive at ExtraSpace Storage.

---

<sup>14</sup> Mika is certified by the State of Illinois. Mika was first certified in 2010, and has completed/passed her annual certifications every year since. Mika has completed 324 training sessions totaling over 196 hours of training. In addition, according to CPD records, Mika had successfully alerted to controlled substances on 86 occasions between January 2016 and September 2019, with a success rate of 100%.

Officers observed BROWN remove several boxes, bags, and other items from the facility and load those items into his Minivan. At approximately 9:23 a.m., officers observed BROWN secure the storage unit, enter his vehicle, and begin to drive away.

60. Based upon law enforcement surveillance observations and the K9's positive alert to the presence of narcotics in BROWN's unit at ExtraSpace Storage, as BROWN was attempting to leave the parking lot of the Extra Storage Space, Chicago Police Officers—acting in coordination with FBI—stopped BROWN's Minivan.

61. After stopping the vehicle, law enforcement asked BROWN to exit the vehicle, and law enforcement officers investigated further by calling in a narcotics dog to perform further examination of BROWN's Minivan.

62. CPD Officer William Scanlon and his K9 partner Maja<sup>15</sup> arrived at the location of the stop after an officer involved in this investigation requested Officer Scanlon to deploy his K9 partner to search BROWN's Minivan.

63. Officer Scanlon then gave Maja the narcotics search command. Maja then indicated to the odor of narcotics in the area nearby the driver's side seat of BROWN's Minivan. According to Officer Scanlon, Maja indicated to the odor of narcotics by heavily sniffing and then sitting and staring at this location. According

---

<sup>15</sup> K9 Maja is certified by the State of Illinois. K9 Maja has completed 122 training sessions totaling over 184 hours of training. In addition, according to CPD records, Maja had successfully alerted to controlled substances on 34 occasions between January 2016 and September 2019, with a success rate of 100%.

to Officer Scanlon, this behavior is known to him as Maja's indication for the odor of narcotics.

64. Based upon the K9's positive alert to the presence of narcotics in BROWN's Minivan, law enforcement conducted a search of the Minivan, which resulted in the recovery of suspect cocaine. On or about December 16, 2019, the DEA North Central Laboratory determined that the substance recovered from BROWN's Minivan on or about September 25, 2019, contained approximately 248.2 grams of cocaine.

65. BROWN was told he was not being arrested and was free to leave, to which he responded by stating that he's "done selling that shit" and "leaving town." BROWN was then permitted to depart the scene.

**I. September 25, 2019 search of BROWN's storage locker and recovery of narcotics packaged for distribution.**

66. Later that day, on September 25, 2019, Northern District of Illinois Magistrate Judge Sidney I. Schenkier signed a warrant authorizing the search of BROWN's storage unit (unit 4060) at ExtraSpace storage.

67. Inside the storage unit, law enforcement recovered suspected cocaine and marijuana. On or about December 16, 2019, the DEA North Central Laboratory determined that the substances recovered from BROWN's storage unit on or about September 25, 2019 included approximately 13 kilograms of cocaine.

68. Approximately 10 kilograms of the cocaine recovered from BROWN's storage unit were separated into individually-wrapped and sealed kilogram packages, as depicted below:



69. The remainder of the recovered cocaine was separated into individually-wrapped packages containing smaller quantities, which were stored in white and grey plastic bags, as depicted below:



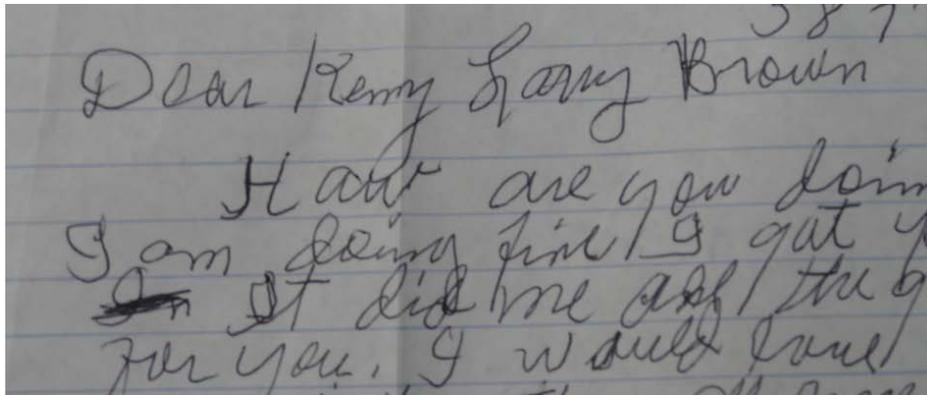
70. Inside one of these plastic bags was a hand-written note that read, “16 63s”, along with 16 individually-wrapped packages of cocaine. Based upon my

training and experience and the training and experience of other law enforcement officers involved in this investigation, a “63” references 63 grams of narcotics and is a commonly purchased quantity of narcotics by street-level customers.

71. Law enforcement also observed the following pieces of mail, addressed to BROWN,<sup>16</sup> inside BROWN’s storage unit:



<sup>16</sup> Some of these pieces of mail were addressed to “Larry Brown.” One letter was addressed to “Kenny Larry Brown.” Based on this and my review of law enforcement databases, I believe “Larry” is one of BROWN’s aliases.



72. In addition, law enforcement observed the following photos of BROWN inside BROWN's storage unit:



## II. CONCLUSION

73. Based on the foregoing, I respectfully submit there is probable cause to believe that: 1) from no later than on or about March 8, 2019, through at least on or about March 26, 2019, Terrence MORRIS and Kenneth BROWN, did conspire with each other to knowingly and intentionally possess with intent to distribute and distribute a controlled substance, namely, 100 grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I Controlled

Substance in violation of Title 21, United States Code, Sections 841(a)(1) and 846; and 2) on or about September 25, 2019, KENNETH BROWN knowingly and intentionally possessed with intent to distribute a controlled substance, namely, 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1).

FURTHER AFFIANT SAYETH NOT.

---

Shamar Bailey  
Special Agent  
Federal Bureau of Investigation

Subscribed and sworn to  
telephonically this 23rd day of July, 2020

---

Honorable BETH W. JANTZ  
United States Magistrate Judge