

MAGISTRATE JUDGE MCSHAIN

AO 91 (Rev. 1/11) Criminal Complaint

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FILED

7/8/2021

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

EUGENE MCLAURIN,
also known as "Gen Gen"

21-cr-00421

CASE NUMBER:

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about July 7, 2021, at Chicago, in the Northern District of Illinois, Eastern Division, the defendant(s) violated:

Code Section

Title 18, United States Code, Sections 111(a) and (b)

Offense Description

forcibly assaulted, resisted, opposed, impeded, intimidated, and interfered with person designated in Title 18, United States Code, Section 1114, namely, a special agent of the Bureau of Alcohol, Tobacco, Firearms and Explosives, while they were engaged in the performance of their official duties, and in the commission of such acts used a deadly and dangerous weapon

This criminal complaint is based upon these facts:

X Continued on the attached sheet.

Gregory L. Holley Jr. / by HKM

GREGORY L. HOLLEY JR.

Special Agent, Bureau of Alcohol, Tobacco, Firearms & Explosives (ATF)

Pursuant to Fed. R. Crim. P. 4.1, this Complaint is presented by reliable electronic means. The above-named agent provided a sworn statement attesting to the truth of the Complaint and Affidavit by telephone.

Date: July 8, 2021

Heather K. McShain

Judge's signature

City and state: Chicago, Illinois

HEATHER K. MCSHAIN, U.S. Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

AFFIDAVIT

I, Gregory L. Holley Jr., being duly sworn, state as follows:

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms & Explosives (ATF). I have been employed by the ATF since 2016. As part of my duties as an ATF Special Agent, I investigate criminal violations of firearm laws, violent crimes, and narcotics offenses at both the state and federal level. As an ATF Special Agent, I have participated in numerous investigations that involve the illegal possession of firearms and ammunition, the acquisition, sale, manufacture, and distribution of controlled substances, and the possession of firearms during and in relation to a drug trafficking crime.

2. This affidavit is submitted in support of a criminal complaint alleging that EUGENE MCLAURIN, also known as “Gen Gen,” has violated Title 18, United States Code, Sections 111(a) and (b). Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging MCLAURIN with assault of a federal officer, 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 the defendant committed the offense alleged in the complaint.

3. This affidavit is based on my personal knowledge, experience and training, and information provided to me by other law enforcement agents and the experience and training of those agents.

FACTS SUPPORTING PROBABLE CAUSE

Background

4. On July 7, 2021, at approximately 5:45 a.m., a team of federal law enforcement officers from the Bureau of Alcohol, Tobacco, Firearms, and Explosives were working on a covert federal investigation in the vicinity of 449 West 118th Street, Chicago, Illinois. Victims 1 and 2, who are ATF Special Agents, and Victim 3, who is an ATF Task Force Officer, were in the area participating in the federal investigation.

5. Law enforcement officers observed a white Chevrolet Malibu bearing Illinois license plate number CL22234 (the "Subject Vehicle") in the area. Officers observed the Subject Vehicle begin following an unmarked law enforcement vehicle ("the ATF Vehicle"), in which Victims 1, 2, and 3 were riding. The Subject Vehicle continued to follow the ATF Vehicle as it traveled west on 119th Street. While on 119th Street, the Subject Vehicle pulled in front of the ATF Vehicle, then pulled over and parked on 119th Street. The ATF Vehicle continued to travel west on 119th Street. Once the ATF Vehicle passed the Subject Vehicle, the Subject Vehicle pulled back out onto 119th Street and followed the ATF Vehicle. The ATF Vehicle continued west on 119th Street and turned north on Ashland Avenue in order to enter the I-57

expressway. As the Subject Vehicle followed the ATF Vehicle, the officers inside of the ATF Vehicle obtained the license plate number for the Subject Vehicle.

6. When the ATF Vehicle reached the on-ramp for I-57, officers inside of the ATF Vehicle observed the Subject Vehicle driving on Ashland Avenue, next to the ATF Vehicle. Law enforcement observed the driver's side window of the Subject Vehicle roll down. A black male with a twist hair style pointed a black handgun at the officers inside of the ATF Vehicle. The black male began shooting at the ATF Vehicle.

7. Victim 1, Victim 2, and Victim 3 were injured by the gunfire. The ATF Vehicle traveled to the 22nd District Chicago Police Department Station for assistance. The three victims were transported to the hospital for medical treatment.

8. After the shooting, law enforcement officers located the Subject Vehicle parked on the street in front of a house on the 200 east block of 89th Street, Chicago, Illinois. Officers observed two Hornady 9mm shell casings located on the driver's side of the exterior windshield of the Subject Vehicle. Law enforcement recovered approximately three Hornady 9mm shell casings from the scene of the shooting.

9. According to information provided by the Chicago Police Department, at approximately 6:33 a.m., an officer with the Chicago Police Department observed a black male with a twist hair style wearing a black shirt in the backyard of the house next door to where the Subject Vehicle was parked ("Subject Premises"). The officer observed this individual, who was later identified as EUGENE MCLAURIN, then go inside the Subject Premises.

10. At approximately 7:15 a.m., law enforcement knocked on the door of the Subject Premises and encountered another individual. After a short time, at that individual's request MCLAURIN exited the Subject Premises. When he came outside, MCLAURIN was no longer wearing the black shirt that he was observed wearing at the time that law enforcement observed him enter the Subject Premises at approximately 6:33 a.m. that morning. According to law enforcement officers who interacted with MCLAURIN after he exited the Subject Premises, MCLAURIN appeared sweaty and visibly nervous. MCLAURIN advised law enforcement that he was with his girlfriend that morning and just got dropped off at the residence shortly before law enforcement arrived at the Subject Premises.

11. An ATF agent took a photograph of MCLAURIN after he exited the Subject Premises. The agent texted the photograph to one of the victims. The victim reported that MCLAURIN's hair matched that of the shooter but that s/he could not positively identify him as the shooter based on the photograph.

Post-Arrest Interview of MCLAURIN

12. Law enforcement placed MCLAURIN in custody and transported him to a police station for questioning. Prior to being interviewed, MCLAURIN was provided with *Miranda* warnings. MCLAURIN waived his *Miranda* rights and agreed to speak with law enforcement.

13. During the interview, which was audio and video recorded, MCLAURIN stated that he was driving the Subject Vehicle in the area of 118th Street and Normal Avenue during the morning hours of July 7, 2021. MCLAURIN stated that he started

following a white Chrysler 300 vehicle (which is the make and model of the ATF Vehicle) he observed in the area. Law enforcement showed MCLAURIN a surveillance photograph of the Subject Vehicle following the ATF Vehicle, and MCLAURIN identified the Subject Vehicle as his vehicle and the ATF Vehicle as the vehicle that he was following that morning.

14. MCLAURIN stated that he began following the Chrysler because he believed that it was a vehicle driven by “opps,” referring to members of a rival street gang. Specifically, MCLAURIN explained that on or about July 6, 2021—the day before the shooting—a friend told MCLAURIN that there was a white Chrysler 300 surveilling that area.

15. MCLAURIN stated that he used a Glock 9 millimeter pistol to shoot at the Chrysler. MCLAURIN stated that he had purchased the Glock for personal protection a few months before the shooting on July 7, 2021. MCLAURIN stated that, after he shot at the Chrysler, he disposed of the Glock in a drain.

16. MCLAURIN stated that, after he disposed of the Glock, he drove the Subject Vehicle to the Subject Premises. MCLAURIN stated that the keys to the Subject Vehicle were located in his bedroom at the Subject Premises.

Evidence Obtained During Searches of Subject Vehicle and Subject Premises

17. On or about July 7, 2021, law enforcement executed federal search warrants for the Subject Vehicle and the Subject Premises.

18. At the Subject Premises, law enforcement recovered a vehicle key that belongs to the Subject Vehicle. The key was found in the dryer vent tube exiting the

basement of the Subject Premises. From MCLAURIN's bedroom, law enforcement seized, among other items, three black t-shirts and mail addressed to MCLAURIN.

19. Inside of the Subject Vehicle, law enforcement recovered MCLAURIN's Illinois State identification card from a compartment on top of the dashboard of the Subject Vehicle.

CONCLUSION

20. Based on the foregoing, I believe there is probable cause to believe that, on or about July 7, 2021, defendant EUGENE MCLAURIN forcibly assaulted, resisted, opposed, impeded, intimidated, and interfered with a person designated in Title 18, United States Code, Section 1114, namely, special agents and a Task Force Officer of the Bureau of Alcohol, Tobacco, Firearms, and Explosives, while they were engaged in the performance of their official duties, and in the commission of such acts used a deadly and dangerous weapon, in violation of Title 18, United States Code, Sections 111(a) and (b).

FURTHER AFFIANT SAYETH NOT.

Gregory L. Holley Jr. / by HKM

Gregory L. Holley Jr.
Special Agent, Bureau of Alcohol, Tobacco,
Firearms & Explosives

SWORN TO AND AFFIRMED by telephone July 8, 2021.

Heather K. McShain

Honorable HEATHER K. MCSHAIN
United States Magistrate Judge