

UNITED STATES DISTRICT COURT

for the

District of New Jersey

United States of America

v.

KIYIA M. HARRIS

Case No.

15-5541 (KMW)

ORIGINAL FILED

JUL 10 2015

WILLIAM T. WALSH, CLERK

Defendant(s)

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 the date(s) of June 2012, Dec. 11 & 19, 2014 in the county of Atlantic in the

 District of New Jersey, the defendant(s) violated:

Code Section

31 U.S.C. Sections 5324(a) and 2,
and 18 U.S.C. Section 1001

Offense Description

Count 1 -- structuring; and Count 2 -- making false statements to federal law
enforcement officers, as described more fully in Attachment A hereto.

This criminal complaint is based on these facts:

See Attachment B.

☒ Continued on the attached sheet.


Complainant's signature

JESSICA WEISMAN, SA FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 07/10/2015

City and state: Camden, New Jersey


Judge's signature

HON. KAREN M. WILLIAMS, U.S.M.J.

Printed name and title

ORIGINAL JAMES EARL RAY
JUL 10 2012
WILLIAM T. WALSH, CLERK

CONTENTS APPROVED

UNITED STATES ATTORNEY

By: 

DIANA VONDRA CARRIG
Assistant U.S. Attorney

Date: July 10, 2015

ATTACHMENT A

COUNT 1 – Structuring
(31 U.S.C. Section 5324(a))

From on or about June 8, 2012 through on or about June 11, 2012, in Atlantic County, in the District of New Jersey and elsewhere,

defendant

KIYIA M. HARRIS,

did knowingly, and for the purpose of evading the reporting requirements of Title 31, United States Code, Section 5313(a), and the regulations issued thereunder, structure, assist in structuring, and attempt to structure and assist in structuring transactions with one or more domestic financial institutions by causing approximately \$17,825.00 in United States currency to be deposited in amounts less than \$10,000.00.

In violation of Title 31, United States Code, Section 5324(a), and Title 18, United States Code, Section 2.

COUNT 2 – False Statements to Federal Law Enforcement Officers
(18 U.S.C. Sections 1001(a)(1) and (2))

On or about December 11, 2014 and December 19, 2014, in Atlantic County, in the District of New Jersey and elsewhere, the defendant

KIYIA M. HARRIS,

willfully and knowingly, in a matter within the jurisdiction of the executive branch of the Government of the United States, falsified, concealed, and covered up by trick, scheme, and device material facts, and made materially false, fictitious, and fraudulent statements and representations, to wit, defendant KIYIA M. HARRIS participated in two interviews with the Federal Bureau of Investigation (“FBI”), the first at her home in Egg Harbor Township, New Jersey and the second at the FBI’s Office in Northfield, New Jersey, in which she made the following false statements and concealed and covered up facts that were material to an ongoing federal investigation involving allegations of drug trafficking and money laundering, among other potential federal criminal violations:

Specification One – December 11, 2014

During the interview on December 11, 2014, defendant KIYIA M. HARRIS was asked multiple times about whether she deposited cash into her bank accounts. In response, defendant KIYIA M. HARRIS repeatedly falsely stated that she did not ever deposit cash into her bank accounts. In actuality, during the time period from January 8, 2007 through on or about November 26, 2014, defendant KIYIA M. HARRIS deposited approximately \$120,838.07 in

cash into the following three bank accounts at TD Bank (formerly Commerce Bank, N.A.): (1) *****8290 opened on September 1, 2001 in the name of KIYIA M. HARRIS; (2) *****7689 opened on June 15, 2007 in the name of KIYIA M. HARRIS and A.R.W., a/k/a "M.W.;" and (3) *****9368 opened on May 2, 2002 in the name of KIYIA M. HARRIS.

Specification Two – December 11, 2014

During the interview on December 11, 2014, defendant KIYIA M. HARRIS was asked multiple times whether she conducted financial transactions with her then paramour, D.W. In response, HARRIS repeatedly denied conducting any financial transactions with D.W., including but not limited to paying bills for D.W. and receiving any money from D.W., except the following: (1) HARRIS shared a Discover Card with D.W.; (2) HARRIS may have paid for an EZ-Pass account used by D.W. but in the name of D.W.'s father, A.B.; and (3) HARRIS and D.W. operated an internet sneaker business called Authentic Kix, which generated approximately \$12,000.00 in total, none of which was in cash. In actuality, defendant KIYIA M. HARRIS had numerous financial transactions with and on behalf of D.W.

Specification Three – December 11, 2014

During the interview on December 11, 2014, defendant KIYIA M. HARRIS stated that D.W. owned a Harley Davidson motorcycle which was located in the shed in her backyard but denied having anything to do with the purchase of D.W.'s motorcycle. In actuality, defendant KIYIA M. HARRIS paid \$6,500.00 to Harley Davidson of Ocean County on or about February 23, 2012

by check from her TD Bank account *****8290 in partial payment for D.W.'s 2012 Harley Davidson motorcycle.

Specification Four – December 11, 2014

During the interview on December 11, 2014, defendant KIYIA M. HARRIS denied having any involvement in any financial transactions with H.K., an Atlantic County car dealer. In actuality, on or about August 5, 2011, defendant KIYIA M. HARRIS sold a car to H.K. for approximately \$18,000.00. At the request of defendant KIYIA M. HARRIS, H.K. wrote two separate sequentially numbered checks -- each dated August 5, 2011 and each for \$9,000 -- to defendant KIYIA M. HARRIS for the proceeds from that transaction. Defendant KIYIA M. HARRIS deposited those checks at separate TD Bank branches on separate dates; that is, HARRIS deposited Check Number 51420 at the TD Bank branch at English Creek, New Jersey on August 19, 2011 and Check Number 51421 at the TD Bank branch in Northfield, New Jersey on August 22, 2011.

Specification Five – December 19, 2014

During the interview on December 19, 2014, defendant KIYIA M. HARRIS again denied receiving cash from D.W. or conducting financial transactions with D.W. except that: (1) HARRIS put D.W.'s name on her Discover Card in order to improve his credit after D.W. filed for bankruptcy, and D.W. paid HARRIS at most \$1,000 in cash for purchases that D.W. made with that credit card; (2) HARRIS and D.W. jointly owned and operated a sneaker business called Authentic Kix; and (3) HARRIS and D.W. jointly

purchased an antique car which was in HARRIS' name, for which D.W. paid HARRIS \$9,000 in cash. In actuality, and as stated above, defendant KIYIA M. HARRIS had numerous additional financial transactions with and on behalf of D.W.

ATTACHMENT B

I, Jessica Weisman, ("the affiant"), state that I am a Special Agent with the Federal Bureau of Investigation ("FBI"). I have personally participated in this investigation and am aware of the facts contained herein based upon my own investigation, a review of documents obtained during the investigation, interviews of witnesses, and information provided to me by other law enforcement officers. Since this Affidavit is submitted for the sole purpose of establishing probable cause to support the issuance of this Criminal Complaint, I have not necessarily included each and every fact known by the Government concerning this investigation.

1. I have been employed with the FBI as a Special Agent since March 1998, assigned to the Newark Division, Atlantic City Resident Agency. During my time as an FBI Special Agent, I have investigated numerous violations of federal statutes, including those targeting large scale money laundering, public corruption, stock fraud, bank fraud, mortgage fraud, mail and wire fraud, structuring, and drug trafficking. I have been the "lead" or case agent on over 50 investigations. During the course of my investigations, I have utilized informants and cooperating witnesses (including the use of consensual monitoring techniques); conducted surveillance; analyzed financial and tax records; telephone records; and conducted interviews with hundreds of individuals, including victims, witnesses and subjects. I have been the affiant on numerous federal search warrants and seizure warrants

for assets, and have been the case agent on investigations resulting in the forfeiture of hundreds of millions of dollars.

2. I am currently assigned to a squad in the Newark Division, Atlantic City Resident Agency, specializing in financial crimes and public corruption, as well as working in depth asset forfeiture matters. I am currently working cross investigations with the FBI South Jersey Safe Streets Violent Incident and Gang ("Safe Streets") Task Force, a multi-agency federal, state and local violent gang task force, and am the coordinator for the FBI's Atlantic City Public Corruption Task Force.
3. While being trained as a Special Agent with the FBI, I have received extensive formalized investigative training at the FBI's training academy in Quantico, Virginia and elsewhere. I received basic drug and gang training, as well as advanced undercover trainings, which involved drugs and gangs. I have received numerous trainings involving money laundering and asset forfeiture matters, public corruption and financial crimes through the FBI, as well as the Department of Justice and elsewhere, and have been a case presenter in money laundering and asset forfeiture matters.

STRUCTURING GENERALLY

4. At all times relevant to this Criminal Complaint, TD Bank (formerly Commerce Bank, N.A., hereinafter referred to as "TD Bank") was a domestic financial institution within the meaning of 31 U.S.C. §§ 5312 and 5313(a), and the regulations issued thereunder.

5. At all times relevant to this Complaint, Brown's Performance Motorcars, in Glen Burnie, Maryland, was a business engaged in vehicle sales and was, therefore, a "financial institution" pursuant to 31 U.S.C. § 5312(a)(2)(T) and within the meaning of 31 U.S.C. §§ 5312 and 5313(a), and the regulations issued thereunder.
6. Pursuant to 31 U.S.C. § 5313(a) and its related regulations, when a domestic financial institution, including a bank, money service business or car dealership, is involved in a transaction for the payment, receipt, or transfer of U.S. currency in an amount greater than \$10,000, the institution is required to file a currency transaction report ("CTR") for each transaction, including by way of example, a deposit, withdrawal, exchange of currency, or other payment or transfer by, through or to a financial institution.
7. CTR forms, which are filed with the Internal Revenue Service, require disclosure of, among other information, the identity of the individual who conducted the transaction and the individual or organization for whom the transaction was completed.
8. Many individuals involved in illegal activities, such as drug trafficking, tax evasion, and money laundering, are aware of the reporting requirements and take active steps to cause financial institutions to fail to file CTRs in order to avoid detection of the movement of large amounts of cash and also to avoid detection of cash proceeds of illegal activity, including but not limited to drug trafficking. Among these is the process of "structuring,"

which involves making multiple cash payments, deposits or withdrawals in amounts of \$10,000 or less in order to avoid the filing of a CTR.

9. Structuring transactions to avoid the filing of a CTR is prohibited by 31 U.S.C. § 5324(a). Specifically, it is a crime for an individual to “structure or assist in structuring . . . any transaction with one or more domestic financial institutions” for the purpose of evading the reporting requirements of 31 U.S.C. § 5313(a).

THE INVESTIGATION

10. In or about January 2012, the FBI commenced an investigation into defendant KIYIA M. HARRIS (“HARRIS”) and others.
11. The investigation revealed that at all times relevant to this Complaint, HARRIS was employed as a Police Officer for the Atlantic City Police Department (“ACPD”) and lived in Egg Harbor Township, New Jersey.
12. HARRIS is currently a Sergeant with the Atlantic City Police Department assigned to the Patrol Unit.

HARRIS’ RELATIONSHIP WITH DRUG DEALER D.W.

13. At all times during the pendency of this investigation, HARRIS was engaged in an intimate personal relationship with D.W., a convicted drug trafficker who was on Federal Probation from April 1, 2010 through December 11, 2014, when D.W. was arrested on a separate pending federal drug charge. On or about December 15, 2014, D.W. was also charged with

violating his federal probation by continuing to engage in drug trafficking while on probation.¹

14. While on federal probation, D.W. was required to make financial disclosures including monthly reports to the U.S. Probation Office. In addition, D.W. was required to inform the U.S. Probation Office about where he was living and any changes of address.
15. On or about January 10, 2013, D.W. listed HARRIS' Egg Harbor Township residence as his address with the New Jersey Department of Motor Vehicles.
16. By order of the Atlantic County Superior Court of New Jersey, Chancery Division - Family Part, Docket Number FD-01-001127-13, Case ID Number CS83780702B, dated March 19, 2013, HARRIS was granted joint custody of one of D.W.'s children, S.W. In the Verified Complaint filed by HARRIS on February 6, 2013 in the family court action, HARRIS listed her Egg Harbor Township residence as her address, and stated that S.W. had been "staying with her for some time now," and further stated that S.W.'s father, D.W., "has been staying with me in my E.H.T. residence and has changed his residence to my address."
17. At least as early as September 23, 2014, D.W. changed the address on his T-Mobile account to HARRIS' Egg Harbor Township residence.

¹ With respect to D.W.'s federal conviction, D.W. had been arrested on or about September 5, 2006 by federal law enforcement officers and charged with distribution and possession with intent to distribute cocaine base, that is, crack cocaine, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A). D.W. pleaded guilty to that charge on or about February 15, 2007, and was sentenced to 5 years' probation on April 1, 2010.

18. At no time during his term of probation did D.W. notify the U.S. Probation Office that he was residing or spending nights at defendant HARRIS' residence in Egg Harbor Township, New Jersey.

D.W. CONTINUED TO ENGAGE IN DRUG TRAFFICKING

19. As discussed more fully below, D.W. was engaged in selling cocaine while on probation, including during the time period from at least as early as 2010 through his arrest on or about December 11, 2014. In light of D.W.'s disclosure requirements, particularly when coupled with unexplainable cash income from drug trafficking, D.W. had a motive to hide such monies from law enforcement as well as from the U.S. Probation Office.
20. On or about May 17, 2013, D.W. left the United States without permission, thereby violating the terms of his federal probation. As a result of that violation, D.W. was required to wear an electronic monitoring bracelet during the time period from June 13, 2013 through September 27, 2013. The transmitter on the electronic monitoring bracelet measured approximately 2" by 1 ½" inches and was affixed by a strap to D.W.'s ankle. Because of the size and position of the transmitting device, it is difficult to conceal.
21. On or about December 10, 2014, D.W. was charged by federal Criminal Complaint with conspiring with others to distribute cocaine, in violation of 21 U.S.C. § 846. In sum and substance, the Affidavit in support of the Complaint against D.W. states as follows:

- a. During the time period from March 28, 2012 through August 2, 2012, an undercover law enforcement officer ("UC") made seven purchases of cocaine totaling approximately 251.5 grams from an individual who later cooperated with law enforcement (hereinafter "CS-5").
- b. During two of the controlled buys of cocaine from CS-5 (on April 12, 2012 and again on June 21, 2012), immediately prior to supplying the cocaine to the UC, law enforcement officers observed CS-5 meet with an individual driving a white Nissan Maxima, New Jersey Registration Number ZDF64F, which was registered in the name of J.R., the mother of one of D.W.'s children. After the controlled purchase on April 12, 2012, officers followed the white Nissan Maxima directly to HARRIS' residence in Egg Harbor Township. Shortly after the controlled purchase on June 21, 2012, officers observed the white Nissan Maxima parked in the driveway of HARRIS' residence in Egg Harbor Township.
- c. On or about February 19, 2013, law enforcement officers confronted CS-5 about the controlled drug purchases and CS-5 agreed to cooperate with law enforcement officers. During that interview and another interview on or about March 8, 2014, CS-5 stated, in substance and in part, that D.W. was one of CS-5's regular sources of supply for cocaine, including with respect to all of the sales to the UC (although CS-5 further explained that when D.W. was unavailable,

D.W. directed CS-5 to another individual, F.O., known to be D.W.'s partner).

d. At the direction of law enforcement officers, on April 5, 2013, May 2, 2013 and June 12, 2013, CS-5 made three controlled buys of cocaine directly from D.W. totaling approximately 167.5 grams of cocaine.

22. The federal drug trafficking charge and federal violation of probation against D.W. remain pending.

HARRIS DEPOSITED MORE THAN \$120,000 IN CASH

23. During the course of the investigation, federal law enforcement agents uncovered evidence showing that HARRIS was engaged in suspicious financial transactions, including the purchases of cars and a motorcycle.

24. Accordingly, agents subpoenaed HARRIS' bank records and other financial documents. A review of HARRIS' bank records revealed that during the time period from January 8, 2007 through on or about November 26, 2014, HARRIS deposited approximately \$120,838.07 in cash into the following three bank accounts at TD Bank: (1) account number *****8290 opened on September 1, 2001 in the name of KIYIA M. HARRIS; (2) account number *****7689 opened on June 15, 2007 in the name of KIYIA M. HARRIS and A.R.W., a/k/a "M.W.2;" and (3) account number *****9368 opened on May 2, 2002 in the name of KIYIA M. HARRIS.

25. Specifically, HARRIS made cash deposits into the above three TD Bank accounts in the following amounts for the following years:

² TD Bank account *****7689 was closed in or about April 2009.

2007 -- \$22,297.72;
2008 -- \$8,970.00;
2009 -- \$7,044.50;
2010 -- \$6,742.73;
2011 -- \$20,876.00;
2012 -- \$19,651.33;
2013 -- \$29,962.23; and
2014 -- \$5,293.56.

26. HARRIS' currency deposits ranged from \$15.00 to \$5,500.00. Many of the deposits, all of which were under \$10,000, were made on consecutive business days or every other day. For example, between June 16, 2011 and June 27, 2011, HARRIS made 4 deposits in U.S. currency totaling \$15,200.00 into the following TD Bank accounts: (1) June 16, 2011 -- \$1,100.00 into account number *****8290; (2) June 23, 2011 -- \$4,900.00 into account number *****8290; (3) June 24, 2011 -- \$5,500.00 into account number *****8290; and (4) June 27, 2011 -- \$3,700.00 into account number *****9368.

HARRIS STRUCTURED THE PURCHASE OF A 1969 CAMARO FOR D.W.

27. Some of the records subpoenaed by agents included business records from Brown's Performance Motorcars in Glen Burnie, Maryland. Those records showed that on or about June 8, 2012, HARRIS purchased a 1969 Chevrolet Camaro, Vehicle Identification Number 124379N821321, in her name for approximately \$33,148.00.

28. The records from Brown's Performance Motorcars, coupled with HARRIS' bank records, revealed that HARRIS conducted the purchase in such a manner as to obscure D.W.'s ownership of the Camaro and also to avoid the filing of a CTR form – specifically, by paying approximately \$17,825.00 in United States currency in amounts less than \$10,000.00.
29. HARRIS structured the payment of the Camaro as follows:
- a. On June 8, 2012, HARRIS paid Brown's Performance Motorcars \$9,999 in cash.
 - b. A review of HARRIS' bank records shows that this \$9,999 was not withdrawn from any of HARRIS' known bank accounts.
 - c. On June 11, 2012, HARRIS paid \$23,149, the balance of the purchase price, by a check drawn on her TD Bank account *****8290.
 - d. Some of the monies HARRIS used to pay for the Camaro were deposited into HARRIS' TD Bank account *****8290. For example, on June 11, 2012, HARRIS deposited at the TD Bank branch in Atlantic City, New Jersey, approximately \$9,926 -- \$3,926 in U.S. currency and a \$6,000 check dated June 10, 2012 bearing the notation "loan for auto" from J.E., a friend of D.W. who loaned D.W. some of the monies to purchase the Camaro. The following day, June 12, 2012, HARRIS deposited an additional \$3,900 in U.S. currency into the same TD Bank account at the TD Bank branch in English Creek, New Jersey.

- e. In addition, HARRIS' bank records show that on or about June 12, 2012, HARRIS deposited a \$9,000 check from D.W. into her TD Bank account *****9368 at the TD Bank branch located in Atlantic City. The check from D.W. bore the notation "personal loan repayment."
30. On or about March 4, 2015, and again on June 4, 2015, agents interviewed J.E. who stated, in substance and in part, that:
- a. J.E. loaned the \$6,000 to D.W. for D.W. to purchase a car.
 - b. D.W. directed J.E. to write the check out to HARRIS, who was one of D.W.'s girlfriends.
 - c. D.W. paid back the loan in cash over time.
 - d. D.W. owned a classic antique "Chevy" which he was having restored by an individual, J.C., in Egg Harbor City.
31. On or about May 8, 2015, federal law enforcement agents interviewed J.C. at his auto body business in Egg Harbor City, New Jersey. During the interview, J.C. stated, in substance and in part, that:
- a. J.C. has known D.W. for years and had previously worked on a 1967 Camaro that D.W. had purchased.
 - b. At some point, D.W. spoke with J.C. about an old car that he was interested in purchasing in Maryland.
 - c. D.W. eventually bought the car and brought it in to J.C. to be restored. J.C. described the car as a blue 1969 Camaro with white stripes and identified a photograph of the 1969 Camaro bearing a

license plate that read: "BROWN'S CAR STORES" with a temporary license plate that read "MARYLAND T491740."

- d. D.W. said that he paid between \$28,000 to \$30,000 for the car.
- e. Prior to D.W.'s arrest, J.C. only spoke with D.W. about that Camaro.
- f. After D.W. was arrested in December 2014, HARRIS contacted J.C. and demanded that he give her the car. J.C. asked that HARRIS show J.C. the paperwork to prove that she owned the car, but eventually gave the car back to HARRIS without ever seeing any paperwork.
- g. J.C. originally believed that the car belonged to D.W. but stated that he had never seen a title for it, did not believe that it had ever been registered, and -- after D.W. was arrested -- was under the impression that HARRIS and D.W. may have purchased the car jointly.

HARRIS ASSISTED D.W. WITH THE PURCHASE OF A MOTORCYCLE

- 32. Additional records subpoenaed by federal agents revealed that HARRIS and D.W. each purchased a Harley Davidson motorcycle from Harley Davidson of Ocean County – D.W. on or about February 23, 2012 and HARRIS on or about March 19, 2012.
- 33. Specifically, the records from Harley Davidson of Ocean County show that D.W. purchased a 2012 Harley Davidson motorcycle, Vehicle Identification Number ("VIN") 1HD1HPH18CC805880, on or about February 23, 2012 for a total purchase price of approximately \$15,416.54, including a \$6,500.00 payment by check number 134 on February 23, 2012. Records from Harley Davidson of Ocean County further showed that the remaining

balance of D.W.'s motorcycle was paid with \$5,000 cash and the trade in value from another motorcycle previously owned by D.W. (\$10,000 credit less a payoff lien of \$4,930.04).

34. A review of HARRIS' TD Bank records for her TD Bank account *****8290 revealed that HARRIS paid \$6,500.00 to Harley Davidson of Ocean County on or about February 23, 2012 by check number 134.
35. New Jersey Department of Motor Vehicle records showed that on or about March 6, 2012, D.W. registered the title for a 2012 Harley Davidson motorcycle, VIN 1HD1HPH18CC805880, in his own name at a Galloway, New Jersey residence owned by D.W.
36. Records from Harley Davidson of Ocean County show that HARRIS bought her 2011 Harley Davidson motorcycle, VIN 1HD4CR211BC443731, on or about March 19, 2012 for approximately \$9,524.67 – of which she paid \$7,000 by check number 137 from TD Bank account *****8290 and financed the remaining \$2,524.67.

FIRST INTERVIEW OF KIYIA M. HARRIS -- DECEMBER 11, 2014

37. On December 11, 2014, law enforcement officers went to HARRIS' residence in Egg Harbor Township looking for D.W. to execute a federal arrest warrant for D.W.
38. While agents were attempting to ascertain whether D.W. was at the residence, HARRIS was escorted out of her residence into a Special Weapons and Tactics Van. HARRIS asked one of the law enforcement officers the substance of the charge against D.W. In response, the officer stated, in

substance and in part, that D.W. had been charged with drug trafficking.

HARRIS responded by asking, "Was I with him?"

39. After it was determined that D.W. was not located at HARRIS' residence, HARRIS was permitted to return to her residence and agreed to be interviewed by Special Agents of the FBI. During the course of the interview, which primarily occurred at HARRIS' kitchen table, HARRIS stated the following, in substance and in part:

Statements Regarding Harris' Relationship with D.W.

- a. HARRIS dated D.W. for the past five years, and he stayed at her house sometimes.
- b. During the consent search, law enforcement officers observed clothing and other personal items in HARRIS' bedroom which HARRIS stated belonged to D.W.³
- c. HARRIS has legal custody of one of D.W.'s children, S.W. S.W. lives with HARRIS.
- d. HARRIS did not know that D.W. had ever been arrested or charged with a drug offense, and denied any knowledge of D.W. being involved in selling drugs.
- e. HARRIS admitted that she knew D.W. had been "jammed up for something" but thought it had to do with a car and refused to elaborate.

³ During the interview, HARRIS walked the FBI agents around her house and gave written consent to agents to search limited portions of her home, including her bedroom, dressers/nightstand and bedroom closet.

- f. HARRIS denied knowing that D.W. was on probation.
- g. HARRIS asked agents whether she was with D.W. when he was selling drugs.

Statements Regarding Cash and Financial Transactions

- h. HARRIS was asked multiple times about cash, including but not limited to whether she ever deposited cash into her bank accounts, whether D.W. ever gave her cash, and whether she shared a bank account with D.W.
 - i. HARRIS denied ever receiving cash from D.W.
 - ii. HARRIS denied ever handling cash from or for D.W.
 - iii. HARRIS repeatedly denied ever depositing cash into her bank accounts.
 - iv. HARRIS stated that she had five bank accounts at TD Bank – including a checking account, a savings account and three children’s accounts. HARRIS had no other bank accounts.
 - v. HARRIS stated that she did not earn any income other than her ACPD salary (which was directly deposited into her bank account), except for a very small amount of money, like \$50 or \$100, selling baskets of chocolate around the holidays. Later during the interview, HARRIS added that she and D.W. operated an internet sneaker business called Authentic Kix, which generated approximately \$12,000 in total, all of which was paid by credit card via Paypal, and none of which was in cash.

- vi. HARRIS denied ever sharing a bank account with D.W. and also denied that D.W. ever had access to any of her bank accounts.
- vii. HARRIS stated that D.W. did not pay any rent or contribute any money for HARRIS' household bills.
- i. HARRIS was asked multiple times whether she conducted financial transactions with or for D.W. In response, HARRIS repeatedly denied conducting any financial transactions with or for D.W., including paying any of his bills, with the following exceptions: (1) HARRIS shared a Discover credit card with D.W. but said that D.W. did not give her any money for that card; (2) HARRIS "may" have paid for an EZ Pass account in the name of D.W.'s father, A.B., which was used by D.W.; and (3) as discussed above, HARRIS and D.W. operated an internet sneaker business called Authentic Kix, which generated approximately \$12,000 in total, none of which was in cash.

Harris Denied Having Any Financial Transactions
with Atlantic County Car Dealer, H.K.

- j. During the interview, HARRIS denied having any involvement in any financial transactions with H.K., an Atlantic County car dealer.
- k. HARRIS accompanied D.W. to H.K.'s car dealership, but stayed in the car and "did nothing."
- l. HARRIS never purchased a car or had anything to do with the purchase of a car for D.W.

Harris Denied Having Any Involvement in D.W.'s Motorcycle Purchase

- m. During the interview when she was walking the agents around her home, HARRIS showed agents her Harley Davidson motorcycle and stated that D.W. also owned a Harley Davidson motorcycle which was located in the shed in her backyard.
- n. A review of New Jersey Department of Motor Vehicle records revealed that the only Harley Davidson motorcycle registered to D.W. in December 2014 was the 2012 Harley Davidson, VIN 1HD4CR211BC443731, purchased on February 23, 2012.
- o. When asked, HARRIS denied having anything to do with the purchase of D.W.'s motorcycle.
- p. At the end of the interview, Special Agent John Mesisca gave HARRIS his telephone number and told her to call him if she had any questions.

HARRIS MADE FALSE STATEMENTS TO FBI AGENTS DURING THE DECEMBER 11, 2014 INTERVIEW WHICH WERE MATERIAL TO AN ONGOING FEDERAL INVESTIGATION AND PROSECUTION

40. During the December 11, 2014 interview, HARRIS made the following false statements, among others, to the FBI agents, each of which were material to an ongoing federal criminal investigation:

HARRIS Made Materially False Statements about
Not Possessing or Depositing Cash

- a. HARRIS repeatedly stated that she did not ever deposit cash into her bank accounts.

- b. In actuality, during the time period from January 8, 2007 through on or about November 26, 2014, HARRIS deposited approximately \$120,838.07 in cash into the following three bank accounts at TD Bank (formerly Commerce Bank, N.A.): (1) *****8290 opened on September 1, 2001 in the name of KIYIA M. HARRIS; (2) *****7689 opened on June 15, 2007 in the name of KIYIA M. HARRIS and A.R.W., a/k/a "M.W.;" and (3) *****9368 opened on May 2, 2002 in the name of KIYIA M. HARRIS.

HARRIS Made Materially False Statements about
Not Conducting Financial Transactions with D.W.

- c. On numerous occasions during the interview, HARRIS repeatedly denied conducting any financial transactions with or for D.W., except as described more fully above pertaining to the sharing of the Discover credit card, the Authentic Kix internet shoe business and her possible payment of an EZ-Pass bill.
- d. In actuality, HARRIS had numerous financial transactions with and on behalf of D.W.
- e. For example, as discussed more fully above, HARRIS assisted D.W. with the purchase of a 1969 Camaro from Brown's Performance Motorcars in June 2012.
- f. In addition, in February 2012, HARRIS assisted D.W. with his purchase of a Harley Davidson motorcycle in February 2012.

HARRIS Made Materially False Statements about
Not Being Involved in D.W.'s Motorcycle Purchase

- g. HARRIS stated that she had nothing to do with the purchase of D.W.'s Harley Davidson motorcycle.
- h. In actuality, however, HARRIS paid \$6,500.00 to Harley Davidson of Ocean County on or about February 23, 2012 by check from her TD Bank account *****8290 in partial payment for D.W.'s 2012 Harley Davidson motorcycle.

HARRIS Made False Statements about Not Having Conducted
Any Transactions with Atlantic County Car Dealer H.K.

- i. As described above, HARRIS denied engaging in any transaction with car dealer, H.K.
- j. In actuality, a review of HARRIS' bank records and records obtained from H.K. showed that on or about August 5, 2011, HARRIS sold a 2007 white Infiniti, VIN JNKAY01F57M452804, to H.K. for approximately \$18,000. In payment for the car, H.K. wrote two separate sequentially numbered checks each dated August 5, 2011 and each for \$9,000 to HARRIS.
- k. HARRIS' bank records further showed that HARRIS deposited those checks at separate bank branches on separate dates – depositing Check Number 51420 at the TD Bank branch at English Creek, New Jersey on August 19, 2011; and Check Number 51421 at the TD Bank branch in Northfield, New Jersey on August 22, 2011.
- l. When asked about the transaction during an interview on or about June 11, 2015, H.K. stated, in substance and in part, that:

- i. Defendant KIYIA M. HARRIS sold the white Infiniti to H.K. for \$18,000;
- ii. HARRIS asked H.K. to give her two separate checks for \$9,000 each rather than one \$18,000 check; and
- iii. HARRIS did not explain why she wanted two separate checks.

THE SECOND INTERVIEW – DECEMBER 19, 2014

- 41. On or about December 16, 2014, HARRIS called Special Agent John Mesisca, and stated, in substance and in part, that she wanted to ask him some follow up questions.
- 42. As a result, on December 19, 2014, Special Agent Mesisca and I interviewed HARRIS at the FBI Office in Northfield, New Jersey. HARRIS brought with her a list of questions, which she did not show to agents.
- 43. HARRIS made numerous statements throughout the second interview which were inconsistent with the statements that she made during the December 11, 2014 interview and also made statements that were internally inconsistent with other statements she made during the second interview. At times, agents found HARRIS to be evasive in her answers.
- 44. During the December 19, 2014 interview, HARRIS stated the following, in substance and in part:

HARRIS' Relationship with D.W.

- a. HARRIS did not know that D.W. was on probation.
- b. HARRIS never saw the electronic monitoring bracelet on D.W.'s ankle.
- c. HARRIS did not know that D.W. had violated his probation.

- d. HARRIS admitted, however, that D.W. slept in the same bed with her.
- e. Later in the interview, HARRIS changed her statement and admitted that she found out D.W. was on probation in September 2013.
- f. HARRIS made a series of inconsistent statements about whether D.W. lived with her, when he stayed at her house and the first time that he spent the night. I believe it is likely that in repeatedly changing her story, HARRIS was attempting to cover up her earlier false statements that she did not know that D.W. was on probation and did not know that he had been convicted of a drug offense. Specifically, I believe that HARRIS attempted to concoct a story by which she could plausibly deny having seen D.W.'s electronic monitoring device, which he wore on his ankle from on or about June 13, 2013 through September 27, 2013.
 - i. In the beginning of the interview, HARRIS stated that D.W. stayed at HARRIS' residence on Friday and Saturday nights, but lived with his father the rest of the time.
 - ii. HARRIS modified her statement with respect to D.W.'s overnight visits and stated that D.W. had never spent the night at her residence until after D.W. had come back from his trip to the Dominican Republic.⁴

⁴ In May 2013, D.W. traveled to the Dominican Republic without the permission of the U.S. Probation Office and in violation of his conditions of probation. As a result of this violation, D.W. was placed on electronic monitoring from June 13, 2013 through September 27, 2013.

- iii. Agents confirmed that when D.W. stayed at HARRIS' residence, he slept in the same bed with her.
 - iv. When agents pointed out that D.W. had been required to wear an ankle bracelet with an electronic monitoring device after his return from the Dominican Republic, HARRIS continued to deny having seen the electronic monitoring device on D.W.'s ankle. HARRIS then stated that D.W. had not spent a night in her residence until after Thanksgiving 2013.
 - v. Finally, HARRIS admitted to knowing that D.W. was on probation in about September 2013 when he moved to his father's residence.⁵
- g. HARRIS stated she did not share a bank account with D.W., but added that she had access to D.W.'s TD Bank account and used it to pay for his child's school lunch and/or meal plan.

HARRIS' Financial Transactions with D.W.

- h. HARRIS again denied conducting any financial transactions with D.W. except that: (1) HARRIS put D.W.'s name on her Discover credit card in order to improve his credit after D.W. filed for bankruptcy; (2) HARRIS and D.W. jointly owned and operated a sneaker business called Authentic Kix; and (3) HARRIS and D.W. also jointly purchased an antique car (referring to the 1969 Camaro).

⁵ Based upon information received from the U.S. Probation Office, in or about January 2014, D.W. informed Probation that D.W. occasionally stayed at his father's house in order to assist his father who had suffered from a back injury.

- i. When asked about cash deposits into her bank accounts, HARRIS changed her story from the December 11, 2014 interview in which she said that she had never deposited cash into her bank accounts. During the second interview, HARRIS stated that the only cash deposited into her accounts was cash received from D.W. to pay for items that D.W. had charged to their joint Discover credit card. HARRIS made D.W. an authorized user on her Discover credit card in 2011 in order to help D.W. reestablish his credit after his bankruptcy. D.W. used the Discover card inconsistently (meaning, not every month), primarily to purchase children's clothing, and paid HARRIS "not a lot" of money, at most, \$1,000 in cash to reimburse her.
- j. With respect to the Camaro, HARRIS further stated:
 - i. HARRIS asked D.W. to go with her to Maryland to buy the Camaro because she was really into antique muscle cars.
 - ii. HARRIS and D.W. agreed to share the car.
 - iii. The car cost \$20,000. HARRIS paid \$10,000 in cash which she received from her mother in 2010. HARRIS had kept the money hidden in her house and D.W. did not know about that money. In response to questions regarding where the \$10,000 in cash had come from, HARRIS appeared uncomfortable and was evasive, changing her story several times, and eventually stating that the money had come from the sale of a property that either she or her mother had inherited. D.W. paid \$9,000 in cash to

HARRIS and, in turn, HARRIS wrote a check to pay the remainder of money owed on the car.

- iv. D.W. had received money back after his bankruptcy, from which he gave HARRIS \$9,000 toward the purchase of the car.
- v. The car was purchased in Maryland and brought by flatbed to an auto body shop in Egg Harbor Township.

HARRIS Admitted to Having Sold a Car to H.K.

- k. Although HARRIS denied having engaged in any financial transactions with H.K. during the December 11, 2014 interview, she admitted to having sold to H.K. in 2011 a white Infiniti automobile which had belonged to her brother, I.H., after I.H.'s death.
- l. HARRIS stated that H.K. gave her a check in payment for the car.
- m. HARRIS further stated that she had accompanied D.W. to H.K.'s car dealership on a separate occasion, during which she stayed in the car.

HARRIS MADE FALSE STATEMENTS TO FBI AGENTS DURING THE DECEMBER 19, 2014 INTERVIEW WHICH WERE MATERIAL TO AN ONGOING FEDERAL INVESTIGATION AND PROSECUTION

45. During the December 19, 2014 interview, HARRIS made the following false statement, among others, which was material to an ongoing federal criminal investigation:

- a. During the interview on December 19, 2014, HARRIS denied receiving cash from D.W. or conducting financial transactions with D.W. except that: (1) HARRIS put D.W.'s name on her Discover Card in order to improve his credit after D.W. filed for bankruptcy, and D.W. paid

HARRIS at most \$1,000 in cash for purchases that D.W. had made with that credit card; (2) HARRIS and D.W. jointly owned and operated a sneaker business called Authentic Kix; and (3) HARRIS and D.W. jointly purchased an antique car which was in HARRIS' name, for which D.W. paid HARRIS \$9,000 in cash.

- b. In actuality, HARRIS had numerous additional financial transactions with and on behalf of D.W., including but not limited to her payment of approximately \$6,500 for the purchase of his 2012 Harley Davidson motorcycle.