

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

v.

JARID BROOKS,
a/k/a "Bent,"
JUSTIN BROOKS,
KYJUAN HUTCHINS, and
KYLE WILLIAMS

Hon. Cathy L. Waldor

Mag. No. 20-9357

CRIMINAL COMPLAINT

I, Steven Vargas, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

SEE ATTACHMENT A

I further state that I am a Special Agent with the United States Postal Service – Office of Inspector General and that this complaint is based on the following facts:

SEE ATTACHMENT B

continued on the attached page and made a part hereof.

 #890
Special Agent Steven Vargas
United States Postal Service - OIG

*Special Agent Vargas attested to this Complaint by telephone pursuant to FRCP 4.1(b)(2)(A).

Sworn to and subscribed via telephone,
This 5th day of October, 2020

ESSEX COUNTY, NEW JERSEY
County and State

HONORABLE CATHY L. WALDOR
UNITED STATES MAGISTRATE JUDGE

 #890
Signature of Judicial Officer

ATTACHMENT A

From in or about July 2019 to in or about August 2020, in Essex, Hudson, Morris, Ocean, Passaic, Somerset, and Union Counties, in the District of New Jersey, and elsewhere, defendants

JARID BROOKS,
a/k/a "Bent,"
JUSTIN BROOKS,
KYJUAN HUTCHINS, and
KYLE WILLIAMS

knowingly and intentionally did conspire and agree with each other and others to steal and possess stolen mail, to fraudulently use credit cards stolen out of the mail, contrary to Title 18, United States Code, Sections 1029, 1708, and 1709, and to defraud the United States by impeding, impairing, obstructing, and defeating the lawful government functions of the United States Postal Service and the United States Department of the Treasury, and committed the overt acts to effect the objects of the conspiracy as set forth in Attachment B.

In violation of Title 18, United States Code, Section 371.

ATTACHMENT B

I, Steven Vargas, a Special Agent with the United States Postal Service – Office of Inspector General, having personally participated in an investigation of the conduct of defendants JARID BROOKS, a/k/a “Bent,” JUSTIN BROOKS, KYJUAN HUTCHINS (“HUTCHINS”), KYLE WILLIAMS (“WILILAMS”), and others, having reviewed United States Postal Service (“USPS”) records, law enforcement databases, telephone records, surveillance video and photographs, social media activity, and bank records, and having spoken with other law enforcement officers and individuals, have knowledge of the following facts. Because this Complaint is submitted for the limited purpose of establishing probable cause, I have not included all facts known to me concerning this investigation. The contents of documents and the statements and conversations of individuals referenced below are provided in substance and in part, unless otherwise indicated.

Relevant Individuals and Entities

1. At various times relevant to this Criminal Complaint:
 - a. JARID BROOKS was a resident of Vauxhall, New Jersey.
 - b. JUSTIN BROOKS was a resident of Vauxhall.
 - c. HUTCHINS was a resident of Vauxhall.
 - d. WILLIAMS was a resident of Vauxhall, and employed as a city carrier assistant at the U.S. Post Office (“PO”) in West Caldwell, New Jersey.
 - e. The West Caldwell PO covered West Caldwell, as well as other neighboring New Jersey towns, including North Caldwell, Caldwell, and Fairfield.
 - f. Victim 1 was a resident of West Caldwell and had an American Express credit card.
 - g. Victim 2 was a resident of West Caldwell and had an American Express credit card.
 - h. Victim 3 was a resident of West Caldwell and had a J.P. Morgan Chase Bank, N.A. (“Chase”) credit card.
 - i. Victim 4 was a resident of Fairfield, New Jersey, and had a Visa credit card.

j. Victim 5 was a resident of Roselle Park, New Jersey, and had an American Express credit card.

k. Victim 6 was a resident of Boonton, New Jersey, and had two United Services Automobile Association ("USAA") credit cards.

l. Victim 7 was a resident of North Caldwell, New Jersey, and had a Capital One Bank ("Capital One") credit card.

m. Victim 8 was a resident of Fairfield and had a Synchrony Bank ("Synchrony") credit card.

Overview of the Conspiracy

2. The investigation to date has shown that from at least in or about July 2019 to at least in or about August 2020, WILLIAMS stole credit cards from the U.S. mail in the course of his employment for the USPS, provided those credit cards to JARID BROOKS, JUSTIN BROOKS, and HUTCHINS, and the defendants thereafter fraudulently activated those stolen credit cards and used those credit cards to make purchases without the cardholders' authorization, including gift cards and electronics. WILLIAMS also fraudulently attempted to use the stolen cards. The investigation to date has revealed that the victims of the defendants have incurred over approximately \$80,000 in intended and actual loss from fraudulent purchases made using their stolen credit cards.

3. The investigation also has revealed that in addition to stolen credit cards, WILLIAMS, JARID BROOKS, and JUSTIN BROOKS conspired to fraudulently use over \$11,000 of funds pre-loaded onto Economic Impact Payment ("EIP") cards issued by the United States Department of the Treasury ("Treasury") pursuant to the Coronavirus Aid, Relief, and Economic Security Act (the "CARES Act"), that were stolen from the mail. The CARES Act authorized EIP payments structured as one-time refundable tax credits to certain eligible taxpayers of \$1,200 for individuals, \$2,400 for married couples filing jointly, and up to \$500 for each qualifying child. The goal of the EIP card fraud was for the co-conspirators to convert to their unlawful use the government funds pre-loaded onto the cards, in amount ranging from approximately \$400 to approximately \$2,400.

WILLIAMS Likely Stole Credit Cards from the Mail, Which the Defendants Subsequently Used to Commit and Attempt Fraud

4. Starting in or about December 2019, law enforcement received multiple reports of complaints from residents of Caldwell, North Caldwell, West Caldwell, Fairfield, and Boonton, New Jersey, that they never received credit cards that financial institutions had sent to them in the mail. The investigation to date has shown that because the zip code for Boonton only differs from the zip codes for the towns that the West Caldwell PO covers by one digit (07005, as compared to 07004, 07006, and 07007), U.S. mail from Boonton on occasion may have been mistakenly delivered to the West Caldwell PO. The victims subsequently discovered that individuals unknown to them had used those credit cards without their authorization.

5. The investigation has revealed that, as a as a carrier technician for the USPS, WILLIAMS did not have a permanent postal route assignment and instead was assigned to deliver mail to addresses in the West Caldwell PO area on an as-needed basis. The investigation further has revealed that WILLIAMS typically was assigned to deliver mail on the postal routes from which credit cards were stolen, on or about several days before fraudulent purchases were made or attempted to be made on those credit cards. In some cases, WILLIAMS was assigned to deliver mail on the postal routes from which credit cards were stolen, on or about several days after the financial institutions mailed those credit cards.

6. For example, on or about December 4, 2019, WILLIAMS was assigned to deliver mail on a postal route in West Caldwell, where Victims 1 and 2 each resided. The following day, on or about December 5, 2020, Victim 1's and Victim 2's credit cards were both used to attempt approximately \$815 each in fraudulent purchases at a Staples store in Jersey City, New Jersey, without their authorization. Both transactions were denied.

7. Similarly, on or about December 26, 2019, Chase sent a credit card to Victim 3, who resided at an address on a postal route in West Caldwell. On or about December 30, 2019, WILLIAMS was assigned to deliver mail on that postal route. Subsequently, on or about January 4, 2020, Victim 3's credit card was used to make approximately \$838.94 in fraudulent purchases at a Staples store in West Orange, New Jersey, without Victim 3's authorization.

8. On or about January 18, 2020, WILLIAMS was assigned to deliver mail on a postal route in Fairfield, where Victim 4 resided. The following day, on or about January 21, 2020, Victim 4's credit card was used to make approximately \$1,456.10 in fraudulent purchases at a Staples store in Madison, New Jersey, without Victim 4's authorization.

WILLIAMS Likely Provided the Cards to JARID BROOKS, JUSTIN BROOKS, and HUTCHINS, and the Defendants Fraudulently Used the Stolen Cards

9. The investigation has revealed that the defendants fraudulently used credit cards reported stolen out of the mail from the West Caldwell PO area to make unauthorized purchases, including of gift cards and electronics.

10. For example, on or about July 15, 2019, a credit card was shipped to Victim 5, a resident of Roselle Park. On or about July 19, 2019, Victim 5's credit card was used in approximately four attempted, fraudulent purchases at various Apple stores. American Express records showed that a telephone number subscribed to WILLIAMS was used to access Victim 5's credit card account.

11. On or about December 5, 2019, the same day as the attempted fraud on Victim 1's and Victim 2's credit cards, American Express records showed that telephone numbers subscribed to and associated with JARID BROOKS were used to access Victim 1's and Victim 2's credit cards accounts.

12. Similarly, between on or about December 31, 2019, and January 4, 2020, the same the day as the fraud on Victim 3's credit card, Chase records showed that telephone numbers associated with JUSTIN BROOKS were used to access Victim 3's credit card account.

13. In addition, on or about January 21, 2020, on the same date as the fraud on Victim 4's credit card, video surveillance footage obtained from a Madison Staples store showed JARID BROOKS entering the store.

14. In or about January 2020, Victim 6, a resident of Boonton, reported approximately \$7,072.23 and \$5,087.63, respectively, in unauthorized purchases on two USAA credit cards in his name between on or about December 18 and 29, 2019. All of the fraudulent purchases were made at various Staples stores in and around New Jersey, including Madison, Hillsborough, Morristown, Bloomfield, and Livingston:

- a. On or about December 18, 2019, a telephone number associated with JUSTIN BROOKS was used to access Victim 6's credit card. Subsequently, on or about December 23, 2019, approximately five MasterCard gift cards valued at approximately \$200 each were purchased using one of Victim 6's credit cards at a Staples store in Bloomfield. One of those gift cards was used to lease a storage unit in Hillside, New Jersey, in WILLIAMS' name.
- b. Surveillance photographs obtained from Staples showed that on or about December 27 and 28, 2019, JARID BROOKS

was in the stores on the same dates that fraudulent purchases were made with Victim 6's credit card.

15. Surveillance photographs obtained from an Apple store located in Millburn, New Jersey, showed that, on or about March 8, 2020, HUTCHINS was in the Apple store and made a purchase, on the same date that a credit card reported stolen from Victim 7, a resident of North Caldwell, was fraudulently used to purchase an Apple iPhone for approximately \$1,331.75.

16. On or about August 17, 2020, law enforcement observed a video posted to HUTCHINS's Instagram account of a P.C. Richard & Son receipt dated August 16, 2020, on top of a box inside of a vehicle. The video also showed a bundle of money. The receipt, which was from a P.C. Richard & Son store located in Wayne, New Jersey, showed a total purchase amount of approximately \$1,065.18, purporting to be by Victim 8, a resident of Fairfield, but with a telephone number subscribed to HUTCHINS. Records obtained from Synchrony showed that the fraudulent purchase was made using Victim 8's credit card.

17. On or about the same date, law enforcement observed another video posted to HUTCHINS's Instagram account of another P.C. Richard & Son receipt from Brick, New Jersey, showing the purchase of an Apple computer for approximately \$2,557.93, also using Victim 8's credit card. August 17, 2020 surveillance photographs from P.C. Richard & Son showed HUTCHINS in the store on that date.

18. The investigation also has shown that the defendants communicated with each other during the conspiracy period. For example, between on or about August 21, 2019, and March 20, 2020, law enforcement identified approximately 131 communications between a telephone number associated with JARID BROOKS and a telephone number subscribed to HUTCHINS. Between on or about December 20, 2019, and January 8, 2020, law enforcement identified approximately 70 communications between a telephone number associated with JUSTIN BROOKS and a telephone number subscribed to WILLIAMS. In addition, between on or about October 2, 2019, and February 24, 2020, law enforcement identified approximately 18 communications between a telephone number subscribed to WILLIAMS and a telephone number subscribed to HUTCHINS.

19. In addition, on or about August 18, 2020, law enforcement observed that HUTCHINS posted a picture of JARID BROOKS to his Instagram account, referencing JARID BROOKS' nickname "Bent" and stating that JARID BROOKS "taught me a lot now I got the sauce and the bag gon keep increasing love you big dawg," crediting JARID BROOKS for teaching HUTCHINS how to make money from the scheme.

WILLIAMS Likely Stole EIP Debit Cards, JARID BROOKS Activated the Stolen EIP Cards, and JUSTIN BROOKS Fraudulently Used the EIP Cards

20. In or about July 2020, law enforcement learned that approximately six EIP debit cards that were sent through the mail were reported missing or stolen by victims from the West Caldwell PO area. The cards were pre-loaded with a total of approximately \$11,082.90 in Treasury funds.

21. The investigation has revealed that between on or about May 17 and June 1, 2020, WILLIAMS was assigned to deliver mail on the postal routes in the West Caldwell PO area where the EIP fraud victims resided, in most cases one or several days before the EIP fraud was committed. For example, between on or about May 26, 2020, WILLIAMS was assigned to deliver mail on a postal route in North Caldwell where an EIP fraud victim resided, approximately four days before the EIP debit card addressed to that victim was fraudulently used for the first time. In addition, on or about June 1, 2020, WILLIAMS was assigned to deliver mail on a postal route in Fairfield where another EIP fraud victim resided, the day before the EIP debit card addressed to that victim was fraudulently used for the first time.

22. Between on or about May 29 and June 5, 2020, all six EIP cards were activated by a telephone number associated with JARID BROOKS.

23. Video surveillance footage from Bank of America showed that, between on or about May 29 and June 3, 2020, JUSTIN BROOKS fraudulently used the EIP cards to withdraw approximately \$9,151.44 in Treasury funds from ATMs located in Irvington and Maplewood, New Jersey.