

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of Rhode Island

United States of America

v.

Emmanuel Miamen (DOB: 1994)

Case No.

1:18-MJ-333-PAS

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 September 30, 2018 in the county of _____ in the

_____ District of Rhode Island, the defendant(s) violated:

Code Section

18 U.S.C. § 1512(d)(1)

Offense Description

Witness Tampering & Attempted Witness Tampering

This criminal complaint is based on these facts:

See attached affidavit.

☐ Continued on the attached sheet.

Sworn to before me and signed in my presence.

Date:

Oct 3, 2018

City and state:

Providence, Rhode Island

Complainant's signature

Caolan Scott, Special Agent

Printed name and title

Judge's signature

Patricia A. Sullivan, Magistrate Judge

Printed name and title

AFFIDAVIT

I, Caolan Scott, being duly sworn, hereby depose and state as follows:

INTRODUCTION

1. I am a Special Agent with the Federal Bureau of Investigation (FBI). I have been employed as a Special Agent of the FBI for five years. I am currently assigned to the FBI's Rhode Island Safe Street Gang Task Force (hereinafter, the "Task Force") and investigate violent street gangs and drug/gun trafficking organizations operating in and around the State of Rhode Island.

2. I have received training in the field of narcotics/gun enforcement and investigations. I am familiar with the habits, methods, routines, practices and procedures commonly employed by persons engaged in the trafficking of illegal drugs and guns. I have been the affiant on affidavits in support of search warrants, arrest warrants, and other applications. Through my training, education, and experience, I have become familiar with the manner in which illegal drugs and firearms are transported, stored, and distributed, and with the methods of payment for such contraband.

3. I submit this affidavit in support of an application for a criminal complaint charging EMMANUEL MIAMEN with one count of Witness Tampering in violation of Title 18, United States Code, Section 1512(d)(1). Based on the information contained herein, I submit that there is probable cause to believe that MIAMEN committed the crime set forth in the accompanying criminal complaint.

4. I participated in the investigation of MIAMEN which resulted in two indictments returned on September 20, 2018, for trafficking in firearms. *See 18-cr-00130-WES and 18-cr-00137-WES*. The Defendant was released on bond on September 27, 2018. A synopsis of those

cases follows. The statements contained in this affidavit are based on my participation in the investigation of the criminal activity described herein, as well as information provided to me by other federal agents and police officers involved in this and related investigations, as well as my experience, training, and background as a Special Agent with the FBI.

Cooperating Source

5. Agents utilized a Cooperating Source (hereinafter CS#1) to consensually record numerous controlled purchases of evidence from targets of this investigation. CS#1 has been providing the government with information regarding gang investigations since 2015. More specifically, CS#1 has been cooperating in this investigation since August of 2017. CS#1's cooperation is motivated by monetary means. Therefore, CS#1 has been compensated monetarily for his cooperation in this investigation. CS#1 has a criminal history that includes felony convictions for Breaking & Entering, Assault/Resisting/Obstruction, and Conspiracy. CS#1 also has misdemeanor convictions for Receiving Stolen Property and Trespassing. Since the start of his cooperation, CS#1 has provided me with information that I or other law enforcement agents have independently corroborated through toll records, recorded conversations, video recordings, physical surveillance, and other law enforcement confidential sources. CS#1 agreed to be recorded and to testify, if required. He has communicated with targets of this investigation by voice and text message, and has purchased heroin/fentanyl, cocaine, crack cocaine and firearms from numerous targets while under law enforcement supervision. These transactions were all video and/or audio recorded. On each occasion, the controlled buys were arranged by CS#1 calling or texting a specific target on their various cellular telephones. All calls pertaining to the controlled buys were made in my presence or in the presence of a law enforcement officer assisting in the ongoing investigation. CS#1 admitted that in the Fall of 2017, while conducting

the investigation into JARROD SMITH, also known as CHAMP SOSA, CS#1 purchased small quantities of marijuana from SMITH on three occasions outside of CS#1's cooperation with the government. On a separate occasion, while conducting a consensual recording of a controlled buy from SMITH, CS#1 smoked marijuana with SMITH during the buy. Upon completion of the recorded meeting, CS#1 informed me that he was fearful of uncovering his status as a cooperator if he refused to smoke the marijuana with the SMITH. Thereafter, CS#1 was admonished, and the USAO and FBI chain of command were notified of CS#1's unauthorized illegal activity. CS#1 has proven to be a credible and reliable informant. I have never found CS#1 to have knowingly provided false information.

THE INVESTIGATION OF MIAMNEN


6. During May and June of 2018, Agents utilized CS#1 to make a series of consensually recorded controlled purchases of firearms from MIAMEN and his co-conspirator. Each of these buys took place in a similar fashion, whereby CS#1 placed a consensually recorded telephone call or text message to MIAMEN to setup the purchase of the firearms. CS#1 was searched by Agents for money and contraband prior to the buy. CS#1 was provided with an audio/video recording device, and enough Official Agency Funds (OAF) to purchase said weapons. On most occasions, CS#1 was provided with a transmitter so Agents could monitor the deal in real time to ensure CS#1's safety. CS#1 was followed to and from the meet location. Upon conclusion of the buy, Agents retrieved the evidence items, and CS#1 was again searched for money and contraband. CS#1 was debriefed, and provided details regarding the transaction. I reviewed the CD discs containing the audio/video recording of CS#1's meetings with MIAMEN. In every instance, I identified MIAMEN as the person who supplied CS#1 with the firearms during the controlled buys. In fact, over the course of four controlled buys, I identified

MIAMEN as the person who supplied CS#1 with a total of two AK-47 style assault rifles, one AR-15 style assault rifle, and two Glock handguns. All of these weapons were accompanied by high capacity magazines.

7. During the controlled buy from MIAMEN on June 27, 2018, pursuant to the procedures outlined above, CS#1 consensually recorded the purchase of an AR-15 style assault rifle from MIAMEN. During the transaction, MIAMEN took several photographs of CS#1 holding the firearm, which MIAMEN immediately sent to CS#1 via text message. During CS#1's debrief of the transaction, CS#1 provided me with the photographs which MIAMEN took.

8. Throughout the investigation of MIAMEN, CS#1 identified "Came to Collect" as MIAMEN's Facebook moniker. Agents corroborated this information by observing a photograph of MIAMEN as the "profile picture" for this Facebook account. See Exhibit A.

9. On Sunday, September 30, 2018, CS#1 informed me that MIAMEN utilized MIAMEN's Facebook account, "Came to Collect," to post several images of CS#1 on MIAMEN's page for other Facebook users to see. CS#1 captured a "screen shot" of MIAMEN's post, which depicted multiple images of CS#1 holding the AR-15 style rifle which CS#1 purchased during the June 27th buy. In fact, the images MIAMEN posted are the exact images which MIAMEN took of CS#1 during the buy, and which CS#1 provided me during the debrief. MIAMEN posted a caption for said photos, which reads, "Stay away from this fuck boy, biggest CI in the state. He's not about nothing he claims, yeah I got paper work and so does 10 other people. [Redacted] he's on salary with the feds". I know the term "CI" to refer to "Confidential Informant". I have read ~~redacted~~ identifying information of the CS.

 10. Immediately after receiving notification from CS#1, Agents viewed MIAMEN's

Facebook account, whereby MIAMEN posted additional public posts regarding his indictment and CS#1. Agents captured many of these posts with “screen shots.” Specifically, MIAMEN posted photographs of his filed indictment, whereby MIAMEN made efforts to redact his own last name, yet left the names of his co-conspirators untouched. MIAMEN posted a caption to these photographs, which states “You are protected in custody, now you wanna bring everyone with you.” This statement is directed at CS#1. See Exhibit B

11. MIAMEN’s posts started a lengthy conversation on his Facebook page, whereby multiple people responded to MIAMEN’s posts, including JARROD SMITH, aka CHAMP SOSA, who is also under indictment. *See 18-cr-133*. A screenshot of SMITH’s Facebook page and photograph are attached as Exhibit C. SMITH responds to MIAMEN’s posts by saying “man preach my nigga.” In responding to a conversation with multiple Facebook users on MIAMEN’s page, including SMITH, MIAMEN stated, “We not saying he snitching, paper working prove that he is.”

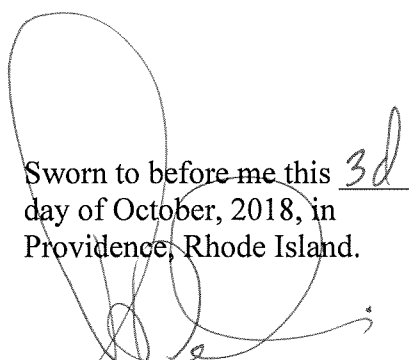
12. Shortly thereafter, Agents observed a Facebook post on the page “NoLnger Alive”. The person who manages this page “shared” MIAMEN’s Facebook posts referencing CS#1, and added a caption referencing CS#1, saying “These niggas snitchin n shit”. Agents believe this page is utilized by criminals to publicly identify government informants. Upon viewing the page, Agents observed CS#1’s Facebook moniker listed at the top of the page. In fact, a photograph was posted along with CS#1’s username. This photograph depicted the image of three decapitated human heads, one of which has its mouth gagged, one of which has its eyes covered, and the other which has its ears covered. I believe this photograph was attached to CS#1’s username to intimidate CS#1 from cooperating with the government. I have spoken with CS#1 and the details contained in this affidavit have left him intimidated by MIAMEN’s actions.

CONCLUSION

Based upon the foregoing, and based upon my training and experience, I submit that there is probable cause to believe that MIAMEN has committed the crime set forth in the accompanying criminal complaint.

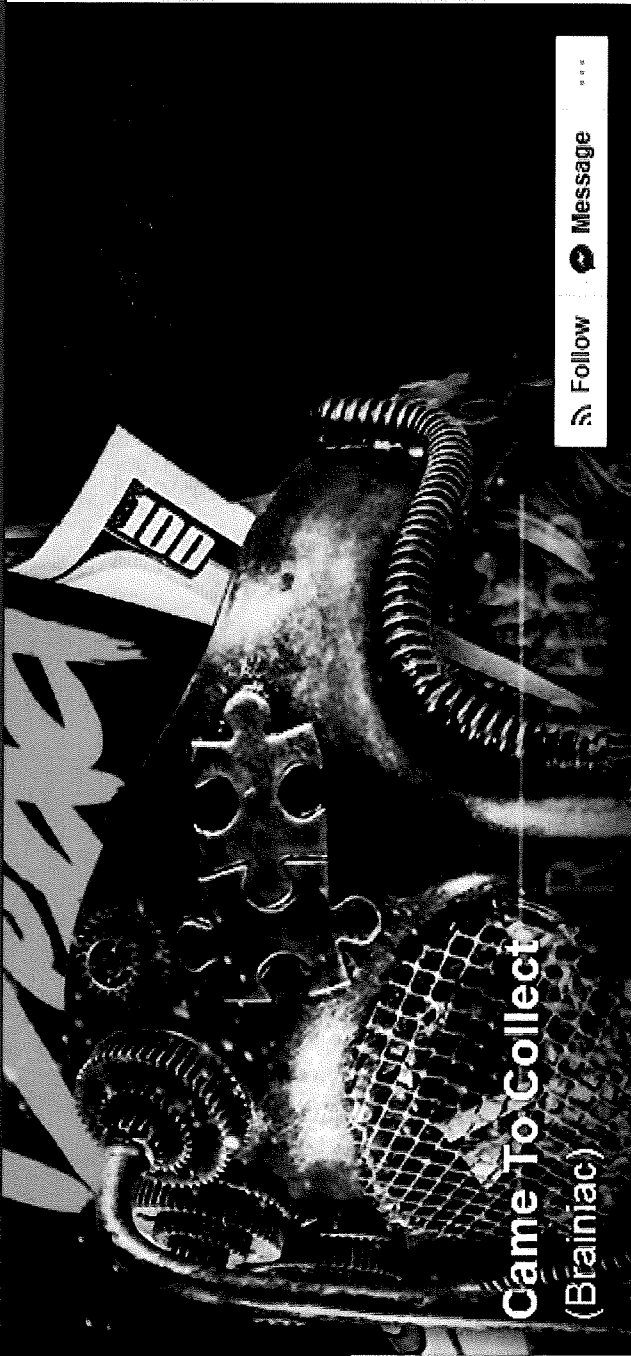


CAOLAN SCOTT
SPECIAL AGENT
FEDERAL BUREAU OF INVESTIGATION



Sworn to before me this 3d
day of October, 2018, in
Providence, Rhode Island.

PATRICIA A. SULLIVAN, U.S. MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT



👤 Follow 📧 Message ...

Timeline About Friends Photos More ▾

DO YOU KNOW CAME TO?

Follow Came To to get his public posts in your News Feed.

👤 Intro

Life is hard so I try to stay simple



Came To Collect shared a link.

16 mins · 🌐

...



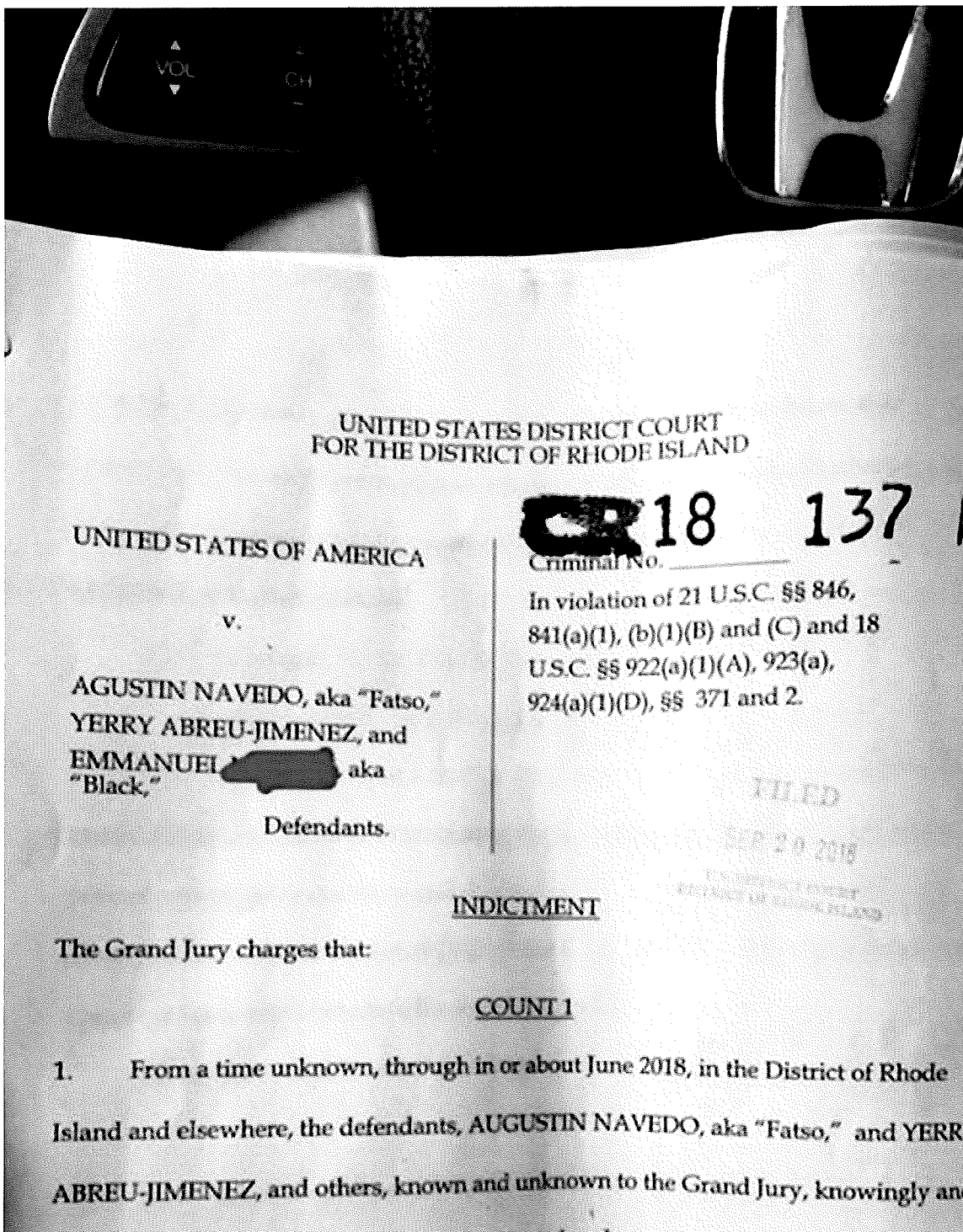


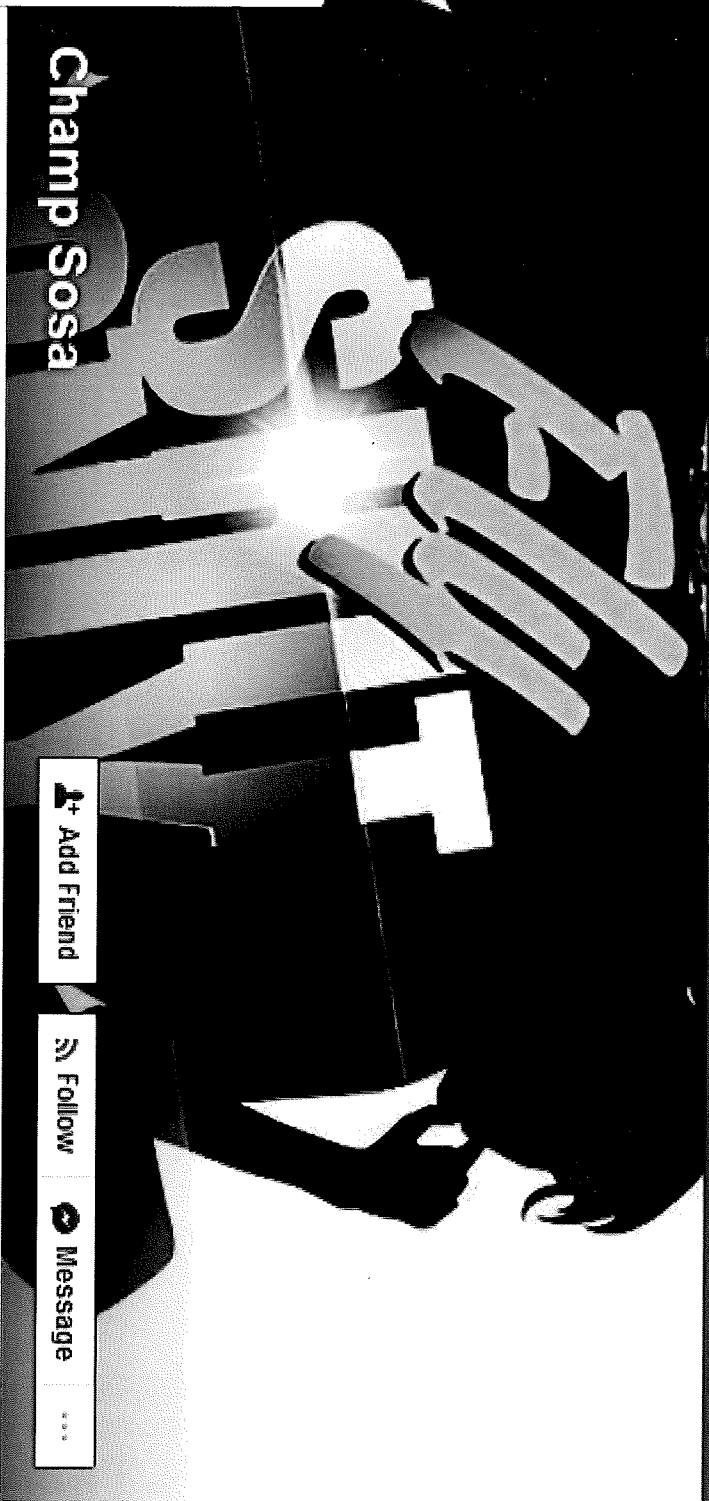
Came To Collect is with Ace Bando.



10 mins · 🌐

And He's the Only person to ever call me black





Timeline About Friends Photos More

+ Add Friend

Follow

Message

...

DO YOU KNOW CHAMP?

To see what he shares with friends, send him a friend request.

+ Add Friend

Intro

Champ Sosa updated his profile picture.

...

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ INFORMATION ☐ INDICTMENT ☒ COMPLAINT

CASE NO.

Matter Sealed: ☐ Juvenile ☐ Other than Juvenile☐ Pre-Indictment Plea ☐ Superseding ☐ Defendant Added
☐ Indictment ☐ Charges/Counts Added
☐ Information

Name of District Court, and/or Judge/Magistrate Location (City)

UNITED STATES DISTRICT COURT RHODE ISLAND
DISTRICT OF RHODE ISLAND Divisional OfficeName and Office of Person
Furnishing Information on
THIS FORM STEPHEN G. DAMBRUCH
☒ U.S. Atty ☐ Other U.S. Agency
Phone No. (401) 709-5000Name of Asst.
U.S. Attorney Richard W. Rose
(if assigned)

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)
FBI, Caolan R. Scott, Special Agent☐ person is awaiting trial in another Federal or State Court
(give name of court)☐ this person/proceeding transferred from another district
per (circle one) FRCrP 20, 21 or 40. Show District☐ this is a reprosecution of charges
previously dismissed which were
dismissed on motion of:☐ U.S. Atty ☐ Defense☒ this prosecution relates to a
pending case involving this same
defendant. (Notice of Related
Case must still be filed with the
Clerk.)SHOW
DOCKET NO.18-cr-130 and 137☐ prior proceedings or appearance(s)
before U.S. Magistrate Judge
regarding this defendant were
recorded underMAG. JUDGE
CASE NO.Place of
offense RHODE ISLAND

County

USA vs.

Defend

Address

☐ InBirth
Date

Social

REDACTED

DEFENDANT

Issue: ☒ Warrant ☐ Summons

Location Status:

Arrest Date 9/21/2018 or Date Transferred to Federal Custody☐ Currently in Federal Custody☐ Currently in State Custody☐ Writ Required☒ Currently on bond☐ Fugitive

Defense Counsel (if any):

☐ FPD ☐ CJA ☐ RET'D☐ Appointed on Target Letter☐ This report amends AO 257 previously submitted

OFFENSE CHARGED - U.S.C. CITATION - STATUTORY MAXIMUM PENALTIES - ADDITIONAL INFORMATION OR COMMENTS

Total # of Counts 1

| Set | Title & Section/Offense Level (Petty = 1 / Misdemeanor = 3 / Felony = 4) | Description of Offense Charged | Felony/Misd. |
|-----|---|--|--|
| | 18 U.S.C. § 1512(d)(1) | Witness Tampering & Attempted Witness Tampering | <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor |
| | Imprisonment: 3 years/ Fine: \$250,000 | Supervised Release: 3 years/ Special Assessment: \$100 | <input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor |
| | | | <input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor |
| | | | <input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor |
| | | | <input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor |