

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

CANDACE JOHNSTON,
a/k/a "Queen,"

Defendant.

SEALED SUPERSEDING
INDICTMENT

S2 23 Cr. 283 (JPC)

COUNT ONE
(Racketeering Conspiracy)

The Grand Jury charges:

At all times relevant to this Indictment:

The Red Life Militia Enterprise

1. CANDACE JOHNSTON, a/k/a "Queen," the defendant, and others known and unknown, were members and associates of Red Life Militia ("Red Life" or the "Enterprise"), a subset of the United Blood Nation ("UBN") faction of the nationwide Bloods street gang. Red Life was a criminal organization whose members and associates engaged in, among other activities, acts involving murder, assault, gun trafficking, narcotics trafficking, promotion of prostitution, and robberies. Red Life operated principally in the Bronx and New York, New York; in North Carolina; and elsewhere.

2. Red Life, including its leaders, members, and associates, constituted an "enterprise," as defined by Title 18, United States Code, Section 1961(4), that is, a group of individuals associated in fact that engaged in, and the activities of which affected, interstate and foreign commerce. Red Life constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the Enterprise.

3. CANDACE JOHNSTON, a/k/a "Queen," the defendant, was a member and associate of Red Life and participated in unlawful and other activities in furtherance of the conduct of the Enterprise's affairs.

Purposes of the Enterprise

4. The purposes of the Enterprise included the following:

a. Preserving and protecting the power, territory, and profits of Red Life and its members and associates through acts involving murder, assault, robbery, other acts of violence, and threats of violence.

b. Enriching the members and associates of Red Life through, among other things, (1) the distribution of controlled substances, including heroin, cocaine, cocaine base in a form commonly known as "crack," and marihuana; (2) robberies; and (3) promoting prostitution.

c. Promoting and enhancing Red Life and the reputation and activities of its members and associates, including its standing within the larger UBN.

d. Laundering the proceeds of Red Life's criminal activities through seemingly legitimate business activities.

e. Providing assistance to members and associates of Red Life who committed crimes for and on behalf of Red Life, including members and associates who were imprisoned for those crimes.

Means and Methods of the Enterprise

5. Among the means and methods by which members and associates of Red Life conducted and participated in the conduct of the affairs of Red Life were the following:

a. Members and associates of Red Life committed and conspired, attempted, and threatened to commit, acts of violence, including acts involving murder and assault, to protect

and to expand Red Life's criminal operations, resolve disputes within Red Life, retaliate against rival gangs and drug trafficking crews, and facilitate and avoid retaliation for robberies of narcotics dealers.

b. Members and associates of Red Life sold controlled substances, including heroin, cocaine, cocaine base in a form commonly known as "crack," and marihuana.

c. Members and associates of Red Life committed robberies.

d. Members and associates of Red Life recruited women to engage in commercial sex acts and facilitated the same.

e. Members and associates of Red Life obtained, possessed, transported, trafficked, and used firearms and ammunition.

f. Members and associates of Red Life laundered the proceeds of their illegal activity through seemingly legitimate business activities.

g. Members and associates of Red Life attempted to thwart law enforcement by communicating in coded language, prohibiting other members and associates from providing information to law enforcement, and disposing of firearms after use.

The Racketeering Conspiracy

6. From at least in or about 2012, through at least in or about 2023, in the Southern District of New York and elsewhere, CANDACE JOHNSTON, a/k/a "Queen," the defendant, and others known and unknown, each being a person employed by and associated with the Enterprise described in paragraphs 1 through 5 of this Indictment, namely, Red Life Militia, an enterprise engaged in, and the activities of which affected, interstate and foreign commerce, knowingly combined, conspired, confederated, and agreed together and with each other to violate Title 18, United States Code, Section 1962(c), that is, to conduct and participate, directly and indirectly, in

the conduct of the affairs of Red Life through a pattern of racketeering activity, as defined in Title 18, United States Code, Sections 1961(1) and 1961(5), which pattern of racketeering activity consisted of:

a. multiple acts involving:

(i) murder, chargeable under the following provisions of New York State law: New York Penal Law, Sections 125.25(murder), 105.15 (conspiracy), 110.00 (attempt), and 20.00 (aiding and abetting);

(ii) robbery, chargeable under the following provisions of New York state law: New York Penal Law, Sections 160.00, 160.05, 160.10, 160.15 (robbery), 105.10 (conspiracy), 110.00 (attempt), and 20.00 (aiding and abetting);

b. multiple offenses involving the distribution of and possession with intent to distribute controlled substances, including cocaine, cocaine base in a form commonly known as “crack,” and heroin, punishable under Title 21, United States Code, Sections 812, 841(a)(1), and 846, and Title 18, United States Code, Section 2;

c. multiple acts indictable under:

(i) Title 18, United States Code, Sections 1951 (relating to interference with commerce, robbery, or extortion) and 2 (aiding and abetting, and willfully causing); and

(ii) Title 18, United States Code, Section 1956 (relating to the laundering of monetary instruments).

7. It was a part of the conspiracy that CANDACE JOHNSTON, a/k/a “Queen,” the defendant, agreed that a conspirator would commit at least two acts of racketeering activity in the conduct of the affairs of Red Life.

NOTICE OF SPECIAL SENTENCING FACTORS

8. As part of her agreement to conduct and participate in the conduct of the affairs of the Red Life enterprise through a pattern of racketeering activity, CANDACE JOHNSTON, a/k/a “Queen,” the defendant, committed the following acts:

A. Distribution of Controlled Substances

9. From at least in or about 2012, through at least in or about 2023, in the Southern District of New York and elsewhere, CANDACE JOHNSTON, a/k/a “Queen,” the defendant, and others known and unknown, intentionally and knowingly combined, conspired, confederated, and agreed together and with each other to violate the narcotics laws of the United States. It was a part and an object of the conspiracy that JOHNSTON and others known and unknown, would and did distribute and possess with intent to distribute (i) one kilogram and more of mixtures and substances containing a detectable amount of heroin; (ii) five kilograms and more of mixtures and substances containing a detectable amount of cocaine; and (iii) 280 grams and more of mixtures and substances containing a detectable amount of cocaine base, all in violation of Title 21, United States Code, Sections 846, 841(a)(1), and 841(b)(1)(A).

B. Murder of Noel Farrow

10. On or about May 31, 2017, in the Southern District of New York, CANDACE JOHNSTON, a/k/a “Queen,” the defendant, and others known and unknown, knowingly murdered, and aided and abetted, and willfully caused, the murder of, Noel Farrow in the vicinity of 2235 Gleason Avenue, Bronx, New York, in that JOHNSTON, with intent to cause the death of Farrow, did cause Farrow’s death, and aided and abetted and willfully caused the same, in violation of New York Penal Law, Sections 125.25(1) and 20.00.

(Title 18, United States Code, Section 1962(d).)

COUNT TWO
(Murder in Aid of Racketeering)

The Grand Jury further charges:

11. At all times relevant to this Indictment, Red Life, as described in paragraphs 1 through 5 of Count One of this Indictment, which are repeated and incorporated by reference as though fully set forth herein, including its leaders, members, and associates, constituted an “enterprise,” as defined in Title 18, United States Code, Section 1959(b)(2), that is, a group of individuals associated in fact that engaged in, and the activities of which affected, interstate and foreign commerce. Red Life constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of Red Life.

12. At all times relevant to this Indictment, Red Life, through its members and associates, engaged in racketeering activity, as that term is defined in Title 18, United States Code, Sections 1961(1) and 1959(b)(1), namely, acts involving murder and robbery in violation of New York Penal law; acts indictable under Title 18, United States Code, Sections 1951 (relating to interference with commerce, robbery, or extortion), and 1956 (relating to the laundering of monetary instruments); and offenses involving the distribution of, and possession with intent to distribute, controlled substances, in violation of Title 21, United States Code, Sections 841 and 846.

13. On or about May 31, 2017, in the Southern District of New York, CANDACE JOHNSTON, a/k/a “Queen,” the defendant, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from Red Life, and for the purpose of gaining entrance to and maintaining and increasing position in Red Life, an enterprise engaged in racketeering activity, knowingly and intentionally murdered, aided and abetted, and willfully caused the murder of Noel Farrow, that is: with intent to cause the death of

Farrow, did cause Farrow's death, and aided and abetted the same, in violation of New York Penal Law, Sections 125.25(1) and 20.00.

(Title 18, United States Code, Sections 1959(a)(1) and 2.)

COUNT THREE
(Murder Through the Use of a Firearm)

The Grand Jury further charges:

14. On or about May 31, 2017, in the Southern District of New York and elsewhere, CANDACE JOHNSTON, a/k/a "Queen," the defendant, during and in relation to a crime of violence—namely, the violent crime in aid of racketeering charged in Count Two of this Indictment, and robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and thereby obstructing, delaying, and affecting commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3)—knowingly used and carried a firearm, and in furtherance of such crime, possessed a firearm, and in the course of that crime caused the death of a person through the use of a firearm, which killing is murder as defined in Title 18, United States Code, Section 1111, and aided and abetted, counseled, commanded, induced, procured, and willfully caused the same, to wit, an individual acting at JOHNSTON's direction shot and killed Noel Farrow in the vicinity of 2235 Gleason Avenue, Bronx, New York, while robbing Farrow of narcotics and the proceeds of narcotics sales.

(Title 18, United States Code, Sections 924(j) and 2.)

COUNT FOUR
(Conspiracy to Receive Firearms From Out of State)

The Grand Jury further charges:

15. From at least in or about 2020, through at least in or about 2022, in the Southern District of New York and elsewhere, CANDACE JOHNSTON, a/k/a “Queen,” the defendant, and others known and unknown, willfully and knowingly combined, conspired, confederated, and agreed together and with each other to commit an offense against the United States, to wit, trafficking in firearms in violation of Title 18, United States Code, Section 922(a)(3).

16. It was a part and object of the conspiracy that CANDACE JOHNSTON, a/k/a “Queen,” the defendant, and others known and unknown, not being licensed importers, licensed manufacturers, and licensed dealers of firearms within the meaning of Chapter 44, Title 18, United States Code, willfully would and did transport into and receive in the state of residence of the transporter and receiver, firearms purchased or otherwise obtained outside of the state of residence of the transporter and receiver, in violation of Title 18, United States Code, Section 922(a)(3).

Overt Acts

17. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere: on approximately four occasions between approximately in or about 2020 and approximately in or about 2022, CANDACE JOHNSTON, a/k/a “Queen,” participated in a scheme to receive firearms in the Bronx, New York that had been obtained in North Carolina and transported into JOHNSTON’s state of residence, New York.

(Title 18, United States Code, Section 371.)

FORFEITURE ALLEGATIONS

18. As a result of committing the offense alleged in Count One of this Indictment, CANDACE JOHNSTON, a/k/a “Queen,” the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 1963, any and all interests the defendant acquired or

maintained in violation of Title 18, United States Code, Section 1962; any and all interests in, securities of, claims against, and property or contractual rights of any kind affording a source of influence over, the enterprise named and described herein which the defendants established, operated, controlled, conducted, and participated in the conduct of, in violation of Title 18, United States Code, Section 1962; and any and all property constituting and derived from proceeds obtained, directly and indirectly, from the offense alleged in Count One of this Indictment, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense.

19. As a result of committing the offenses alleged in Counts Three and Four of this Indictment, CANDACE JOHNSTON, a/k/a "Queen," the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), any and all firearms and ammunition involved in or used in said offenses.

Substitute Assets Provision

20. If any of the above-described forfeitable property, as a result of any act or omission of CANDACE JOHNSTON, a/k/a "Queen," the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 1963(m), Title 21, United States Code, Section 853(p), and Title 28, United States Code, Section 2461(c),

to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 924 and 1963;
Title 21, United States Code, Section 853;
Title 28, United States Code, Section 2461.)

FOREP


JAY CLAYTON
United States Attorney