

Approved: Adam S. Hobson
Adam S. Hobson
Assistant United States Attorney

Before: THE HONORABLE KATHARINE H. PARKER
United States Magistrate Judge
Southern District of New York

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: SEALED COMPLAINT
UNITED STATES OF AMERICA :
: Violations of 18
- v. - : U.S.C. §§ 1958 and 2
:
JOEL ROSQUETTE, : COUNTY OF OFFENSE:
a/k/a "Rick," : NEW YORK
:
Defendant. :
:
- - - - - X

SOUTHERN DISTRICT OF NEW YORK, ss.:

JASON M. FLOYD, being duly sworn, deposes and says that he is a Special Agent at the Federal Bureau of Investigation ("FBI"), and charges as follows:

COUNT ONE
(Murder for Hire)

1. From at least in or about May 2017 to the present, in the Southern District of New York and elsewhere, JOEL ROSQUETTE, a/k/a "Rick," the defendant, did travel in and cause another person to travel in interstate and foreign commerce, and did use and cause another person to use the mail and a facility of interstate and foreign commerce, with intent that a murder be committed in violation of the laws of a State and the United States as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value, to wit, ROSQUETTE hired a person ROSQUETTE believed to be a hitman to murder an intended victim ("Victim-1").

(Title 18, United States Code, Sections 1958 and 2.)

COUNT TWO
(Murder for Hire)

2. From at least in or about May 2017 to the present, in the Southern District of New York and elsewhere, JOEL ROSQUETTE, a/k/a "Rick," the defendant, did travel in and cause another person to travel in interstate and foreign commerce, and did use and cause another person to use the mail and a facility of interstate and foreign commerce, with intent that a murder be committed in violation of the laws of a State and the United States as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value, to wit, ROSQUETTE hired a person ROSQUETTE believed to be a hitman to murder an intended victim ("Victim-2").

(Title 18, United States Code, Sections 1958 and 2.)

COUNT THREE
(Murder for Hire)

3. From at least in or about May 2017 to the present, in the Southern District of New York and elsewhere, JOEL ROSQUETTE, a/k/a "Rick," the defendant, did travel in and cause another person to travel in interstate and foreign commerce, and did use and cause another person to use the mail and a facility of interstate and foreign commerce, with intent that a murder be committed in violation of the laws of a State and the United States as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value, to wit, ROSQUETTE hired a person ROSQUETTE believed to be a hitman to murder an intended victim ("Victim-3").

(Title 18, United States Code, Sections 1958 and 2.)

The bases for my knowledge and for the foregoing charge are, in part, as follows:

4. I am a Special Agent with the FBI. I have been personally involved in the investigation of this matter, and I base this affidavit on that experience, on my conversations with other law enforcement officials, my conversations with witnesses, and on my examination of various reports and records. Because this affidavit is being submitted for the limited purpose of demonstrating probable cause, it does not include all the facts I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and

conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

Overview of the Scheme

5. Based on the facts set forth below, I respectfully submit that there is probable cause to believe that JOEL ROSQUETTE, a/k/a "Rick," the defendant, attempted to hire a hitman to murder at least three people. The first intended victim (Victim-1) operates a gas station in Staten Island. ROSQUETTE proposed that the hitman kill Victim-1, steal money Victim-1 kept in the gas station, and use that money to pay for the murders of two other intended victims (Victim-2 and Victim-3) who lived in ROSQUETTE's Manhattan apartment building. ROSQUETTE was not aware that the hitman he attempted to hire was an undercover FBI agent.

ROSQUETTE Contacts CS-1 About Hiring a Hitman

6. Based on my participation in interviews of a confidential source ("CS-1")¹ and my monitoring and review of recorded communications between CS-1 and JOEL ROSQUETTE, a/k/a "Rick," the defendant, I have learned, among other things,² the following:

a. On or about May 12, 2017, CS-1 stated that CS-1 had recently been approached by a white male who identified himself as "Rick." As discussed below, in paragraph 6(d), CS-1 later identified "Rick" as ROSQUETTE. ROSQUETTE asked CS-1 if he could buy a gun from CS-1 because ROSQUETTE wanted "to take care of" someone in his building. ROSQUETTE told CS-1 that the person he wanted "taken care of" is a criminal who is making life difficult for other residents in the building. During the conversation, ROSQUETTE also asked CS-1 if CS-1 knew anyone who did "that kind of work." CS-1 told ROSQUETTE that CS-1 would be willing to do it for a cost of \$10,000 with a down-payment up

¹ CS-1 is assisting law enforcement in return for financial compensation. CS-1 has been cooperating with the FBI since approximately 2013. In the past, CS-1's information has proven credible and reliable, and it has been corroborated by other evidence and investigation. CS-1 has previous felony convictions, including for committing robberies in which he impersonated a police officer.

² The communications described below include some, but not all, of the communications during the relevant period between CS-1 and ROSQUETTE and between CS-1 and law enforcement.

front. ROSQUETTE agreed to the price, but said it would take him several months to save up that amount of money because he had lost his job as a tour bus driver.

b. On or about June 7, 2017, I met with CS-1, who provided additional information about his discussions with ROSQUETTE. CS-1 stated that CS-1 has known ROSQUETTE for approximately two years and that ROSQUETTE had recently been coming to the place where CS-1 works approximately two or three times per week to "hang out" and talk, sometimes about the potential murder. CS-1 stated that ROSQUETTE told CS-1 that ROSQUETTE was serious about the murder and asked CS-1 to come to the apartment building where ROSQUETTE lived so that CS-1 could inspect the cameras at the building and get a picture of the intended victim. CS-1 told ROSQUETTE that a person other than CS-1 would do the actual murder, and that CS-1 should set up a meeting between ROSQUETTE and the hitman before any surveillance was conducted. ROSQUETTE told CS-1 that ROSQUETTE wanted the murder done in November.

c. On or about June 8, 2017, CS-1 stated that ROSQUETTE had visited CS-1 at work. CS-1 recorded a portion of their conversation on CS-1's cell phone. Based on CS-1's description of the meeting and my review of the recording, I know that, among other things, ROSQUETTE told CS-1 that the intended victim was the superintendent of the apartment building ROSQUETTE lived in, and gave CS-1 the address of the building, which was on Audubon Avenue in Manhattan (the "Manhattan Apartment Building"). In addition, among other things, the following conversation occurred:

CS-1: Why do you want him knocked off? I'm just curious. I mean I don't really give a shit. But sometimes I like to know why I'm killing somebody, you know.

ROSQUETTE: Ok. I told you why, right? There's a little apartment on my floor, small apartment, and it seems that, I guess like 20 years ago he had an affair with this Dominican woman there, she didn't have his child, she had a child from someone else, but she raised that child very ghetto, and she covers him, it's like he deals drugs in there.

CS-1: Uh huh.

ROSQUETTE: And . . .

CS-1: Go ahead, I'm listening.

ROSQUETTE: He deals drugs, rents out, it's only one bedroom in there and he rents it out to friends, he's gotta be like 18 years old, rents it out to friend.

CS-1: The super's 18?

ROSQUETTE: No this kid in there, in that apartment.

CS-1: Oh, ok.

ROSQUETTE: It's like . . . They party all night long and this and that. Now . . . because the super looks out, like that apartment is covered under the umbrella of the super. Other tenants, and there's units in the building have tried to shut that apartment down, have them evicted or get rid of the super, nothing.

CS-1: Sure. So if we get rid of the super, everything is calm. They can't have them parties no more. They get a new super.

ROSQUETTE: Right, yeah and things will just get better, you know. Everything's on the up and up. That's just one example.

. . .

CS-1: Let me tell you something Rick once I get the ball rolling . . . I wanna make sure, you sure you wanna do this.

ROSQUETTE: Oh absolutely.

CS-1: Ok.

ROSQUETTE: For the longest!

CS-1: Alright, alright!

ROSQUETTE: It's just something that has to!

CS-1: I just want to make you know . . . There's no coming back.

ROSQUETTE: I know.

CS-1: Once I take the step, once my man do surveilling, once you pay the \$1,000 fee up front because I told you how much?

ROSQUETTE: I understand, 10,000.

CS-1: I told you 10,000. Once you pay that 1,000 dollars there's no comin' back so that's why I want to make sure.

ROSQUETTE: Oh absolutely no.

CS-1: Are you absolutely 100% positive. . .

ROSQUETTE: 100

CS-1: . . . that you want me to knock this guy off?

ROSQUETTE: 110%

CS-1: You want me to kill this guy, you sure?

ROSQUETTE: 110% yes.

CS-1: Ok. No more shit.

ROSQUETTE: And I'll keep paying, you know what I mean?

CS-1: Yeah, yeah, yeah, bit by bit.

d. On or about June 9, 2017, CS-1 sent me a short video of a person CS-1 said was "Rick." I have compared the person in this video to a photograph of ROSQUETTE from a New York City Police Department ("NYPD") database, and I believe ROSQUETTE and "Rick" to be the same person. On or about June 27, 2017, I showed CS-1 a photograph of ROSQUETTE from the NYPD database, and CS-1 stated that the person in the photograph was the person he knew as "Rick."

e. On or about July 3, 2017, ROSQUETTE called CS-1 and, among other things, provided CS-1 with a new cell phone number on which CS-1 could reach ROSQUETTE (the "Rosquette Cell"). Based on my review of records from Sprint, I have learned, among other things, that the account for the Rosquette Cell is registered to "Joel Rosquete" at the Manhattan Apartment Building.

f. Between approximately July 2017 and November 2017, ROSQUETTE communicated multiple times with CS-1 and stated, in substance and in part, that ROSQUETTE still wanted to go forward with the murder but was having difficulty earning enough money to pay the cost.

g. On or about February 7, 2018, ROSQUETTE called CS-1 from the Rosquette Cell and stated, among other things, that he was "sincere when [he] said [he] wanted to do business with" CS-1, but had "just been set back dramatically by [his] income." CS-1 told ROSQUETTE that the hitman told him that the price would not necessarily be as high as what CS-1 had first said, but would instead be negotiated between ROSQUETTE and the hitman, and might be "much lower." ROSQUETTE then instructed CS-1 to set up a meeting between ROSQUETTE and the hitman for the following week. ROSQUETTE said, "I'm not making this up. I'm sincere when I say I do want to do business. I'm just . . . there's been a big delay, and I really feel bad about it. There's a delay but it will be done."

h. On or about February 20, 2018, ROSQUETTE called CS-1 from the Rosquette Cell. ROSQUETTE said to CS-1, in substance and in part, that he now wanted "someone else" to be murdered, but that he would discuss the details in person. On or about February 21, 2018, CS-1 called ROSQUETTE on the Rosquette Cell and arranged for CS-1 and ROSQUETTE to meet the hitman the next day at a location in Brooklyn.

ROSQUETTE Hires UC Posing as Hitman to Murder Three People and Rob Gas Station

7. On or about February 22, 2018, JOEL ROSQUETTE, a/k/a "Rick," the defendant, and CS-1 met in Brooklyn with an undercover FBI agent (the "UC"). The UC was wearing a recording device and the meeting was surveilled by other members of the FBI. Based on my own surveillance of this undercover operation, my discussions with other members of law enforcement who participated in the surveillance of this operation, my discussions with the UC, and my discussions with CS-1, I know, among other things, the following:

a. The UC identified himself to ROSQUETTE as a hitman from New Jersey.

b. ROSQUETTE told the UC that ROSQUETTE had decided that, instead of killing the superintendent of the Manhattan Apartment Building who had been allowing people to illicitly use one of the units, ROSQUETTE wanted the hitman to kill the two individuals who were using the apartment (Victim-2 and Victim-3). ROSQUETTE stated that he wanted Victim-2 and Victim-3 killed because, among other things, they were dealing drugs in the Manhattan Apartment Building. ROSQUETTE estimated the age of one of the intended victims to be approximately 16 or 17 years' old.

c. ROSQUETTE told the UC that, before the UC killed Victim-2 and Victim-3, ROSQUETTE wanted the UC to kill a man (Victim-1) who operated a gas station in Staten Island (the "Gas Station"). ROSQUETTE stated that Victim-1 kept a safe in the Gas Station with a large amount of cash. ROSQUETTE proposed that the UC kill Victim-1, steal the cash from the Gas Station, and use that cash to finance the three murders. ROSQUETTE stated that he had once been friends with Victim-1 but that Victim-1 had made him angry.

d. ROSQUETTE stated that he had only \$200 in his bank account, but promised to pay the UC a \$100 down-payment for the murders, in addition to the money recovered from the murder of Victim-1 and the robbery of the Gas Station.

e. The UC told ROSQUETTE that the next step would be to conduct surveillance of the Gas Station.

f. ROSQUETTE confirmed to the UC that ROSQUETTE was serious about wanting Victim-1, Victim-2, and Victim-3 killed.

8. On or about February 22, 2018, after the meeting with the UC described in paragraph 7 above, JOEL ROSQUETTE, a/k/a/ "Rick," the defendant, called CS-1 from the Rosquette Cell. Based on my review of a recording of that call, I know, among other things, that ROSQUETTE told CS-1 that he approved of the UC and wanted to arrange to conduct surveillance as soon as possible. On this call, when discussing the plan for the murders, ROSQUETTE also stated, among other things, "Rage is rage. When you have rage, you do things. . . . Rage in the heart. When you have that, it's personal."

9. On or about February 23, 2018, CS-1 called JOEL ROSQUETTE, a/k/a "Rick," the defendant, on the Rosquette Cell. Based on my review of a recording of that call, I know that ROSQUETTE said, in substance and in part, that he wanted the murders done soon, that he was upset he had delayed it, and that surveillance of the Gas Station would be conducted on the following Tuesday.

10. On or about February 27, 2018, at approximately 8:30 a.m., the UC and CS-1 met JOEL ROSQUETTE, a/k/a "Rick," the defendant, in the vicinity of the Manhattan Apartment Building, then drove to Staten Island to conduct surveillance in advance of what he expected would be the murder of Victim-1. The UC was wearing a recording device and the meeting was surveilled by other members of the FBI. Based on my own surveillance of this

undercover operation, my discussions with other members of law enforcement who participated in the surveillance of this operation, my discussions with the UC, and my discussions with CS-1, I know, among other things, the following:

a. ROSQUETTE gave the UC a \$100 cash down-payment for the murders. The payment was made in Manhattan.

b. ROSQUETTE gave the UC a roll of yellow "Caution" tape and said that the tape could be used in connection with the murder of Victim-1. ROSQUETTE proposed that the tape be wrapped around the gas pumps at the Gas Station to make the station appear out of order and deter customers from walking in during the murder.

c. ROSQUETTE, the UC, and CS-1 then drove to the Gas Station. ROSQUETTE directed the UC to the Gas Station and identified the Gas Station as the business operated by Victim-1.

d. ROSQUETTE, the UC, and CS-1 entered the Gas Station and confirmed with a clerk that Victim-1 operated the Gas Station but was not present that day. While at the Gas Station, ROSQUETTE surveilled the area for security cameras and identified the cameras to the UC. ROSQUETTE also used the Rosquette Cell to take pictures of the Gas Station.

11. Between on or about February 22, 2018 and on or about March 3, 2018, the UC received multiple text messages from the Rosquette Cell. Based on my review of these text messages, I know that the text messages included, among other things, the following:

a. On or about February 22, 2018, JOEL ROSQUETTE, a/k/a/ "Rick," the defendant, sent text messages to the UC from the Rosquette Cell about arranging a meeting to conduct surveillance of the Gas Station in connection with the murder of Victim-1.

b. On or about February 26, 2018, ROSQUETTE sent a text message to the UC from the Rosquette Cell providing the name of Victim-1.

c. On or about February 27, 2018, ROSQUETTE sent a text message to the UC from the Rosquette Cell that contained a picture of the Gas Station that ROSQUETTE had taken during the February 27, 2018 surveillance operation.

d. On or about March 1, 2018, ROSQUETTE and the UC exchanged text messages about the identity of Victim-1. ROSQUETTE sent a text message to the UC from the Rosquette Cell that said, "Send pic." The UC then texted the Rosquette Cell a picture of Victim-1 that had been located on social media, and asked, "Him?" ROSQUETTE then sent two text messages confirming that the man in the picture was Victim-1, stating, "Bingo !!!!!!!! OUTSTANDING."

e. On or about March 3, 2018, ROSQUETTE sent text messages to the UC from the Rosquette Cell that contained more pictures of the Gas Station that ROSQUETTE had taken during the February 27, 2018 surveillance operation.

12. On or about March 1, 2018, the UC returned a call from the Rosquette Cell. Based on my review of a recording of this call, I know that, among other things, the UC told JOEL ROSQUETTE, a/k/a/ "Rick," the defendant, that the UC was in Maryland where he had traveled to get a gun to commit the murders.

13. On or about March 3, 2018, the UC returned a call from the Rosquette Cell. Based on my review of a recording of this call, I know that, among other things, JOEL ROSQUETTE, a/k/a/ "Rick," the defendant, gave the UC information about Victim-1's address that ROSQUETTE had found on the internet. The UC told ROSQUETTE, in substance and in part, "Now the shit's real. I know where he is, I know where to find him." The UC also told ROSQUETTE, in substance and in part, that the UC would be killing Victim-1 in "the next couple days," that "after it happens, we'll meet up, I'll let you know what happened," and that "next time you hear from me is to tell you it's done."

ROSQUETTE Told That Victim-1 Has Been Killed And Confirms Hits on Victim-2 and Victim-3

14. On or about March 6, 2018, the UC called JOEL ROSQUETTE, a/k/a/ "Rick," the defendant, on the Rosquette Cell. Based on my monitoring of this call and my discussions with the UC, I know that, among other things, the UC told ROSQUETTE, in substance and in part, that the UC had killed Victim-1 and that the UC wanted to meet ROSQUETTE. ROSQUETTE and the UC then met at a location in Manhattan. The UC was wearing a recording device and the meeting was surveilled by other members of the FBI. Based on my own surveillance of this undercover operation, my discussions with other members of law enforcement who participated in the surveillance of this operation, and my

discussions with the UC, I know, among other things, the following:

a. The UC told ROSQUETTE that the UC had killed Victim-1 that morning. ROSQUETTE asked for details about the murder and details about how the UC had disposed of the body. The UC told ROSQUETTE that he had left Victim-1's body in the Gas Station and made it look like a robbery. ROSQUETTE expressed excitement about the murder.

b. ROSQUETTE asked the UC to drive ROSQUETTE to a bank in Manhattan. At the bank, ROSQUETTE withdrew \$75, which ROSQUETTE said was all the money that remained in his bank account. ROSQUETTE gave the money to the UC as additional payment for the murder of Victim-1.

c. The UC told ROSQUETTE that the UC had stolen approximately \$12,000 from the Gas Station after murdering Victim-1. The UC showed ROSQUETTE approximately \$5,000 in cash and told ROSQUETTE that CS-1 had the other \$7,000.

d. The UC told ROSQUETTE that the money stolen from the Gas Station was enough to pay for the murders of Victim-2 and Victim-3 if ROSQUETTE still wanted to go forward with those murders. ROSQUETTE confirmed that he wanted the UC to go forward with the murders of Victim-2 and Victim-3.

e. ROSQUETTE provided the UC with the names and apartment number of Victim-2 and Victim-3. ROSQUETTE stated that the apartment Victim-2 and Victim-3 occupied was directly across from ROSQUETTE's apartment and arranged for the UC to do surveillance from ROSQUETTE's apartment early next week. ROSQUETTE stated that he wanted the UC to kill Victim-2 and Victim-3 next week.

f. After ROSQUETTE left the meeting with the UC, ROSQUETTE was arrested.

WHEREFORE, deponent respectfully requests that JOEL ROSQUETTE, a/k/a "Rick," the defendant, be imprisoned or bailed, as the case may be.

JASON M. FLOYD
Special Agent
Federal Bureau of Investigation

Sworn to before me this
__ day of March, 2018

THE HONORABLE KATHARINE H. PARKER
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK