

RTP:PP
F.#2021R00894

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

COMPLAINT

- against -

(T. 18, U.S.C., § 371)

KRYSTLE BURRELL and
TERRAE HINDS,
also known as “Tomato Sauce,”

22-MJ-378

Defendants.

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EASTERN DISTRICT OF NEW YORK, SS:

DIANNA OGLIO, being duly sworn, deposes and states that she is a Special Agent with the Department of Homeland Security, duly appointed according to law and acting as such.

In or about and between June 2021 and July 2021, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants KRYSTLE BURRELL and TERRAE HINDS, also known as “Tomato Sauce,” together with others, did knowingly and intentionally conspire to use one or more facilities in interstate and foreign commerce with intent to promote, manage, establish, carry on and facilitate the promotion, management, establishment and carrying on, of one or more unlawful activities, to wit: Bribe Receiving in the Third Degree, contrary to New York Penal Law Section 200.10; Bribery in the Third Degree, in violation of New York Penal Law Section 200.00; and Criminal Liability for Conduct of Another, in violation of New York Penal

Law Section 20.00, and thereafter to perform acts to promote, manage, establish, carry on and facilitate the promotion, management, establishment and carrying on, of such unlawful activity, contrary to Title 18, United States Code, Section 1952(a)(3).

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

The source of your deponent's information and the grounds for her belief are as follows:¹

1. I am a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations ("HSI"), and have been since 2018. I am currently assigned to the New York Violent Gang Task Force. I am familiar with the facts and circumstances of this investigation from my personal participation in the investigation, review of documents, and discussions I have had with other law enforcement personnel. Additionally, statements attributable to individuals herein are set forth in sum and substance and in part.

I. Background

2. HSI, the New York City Department of Investigation ("DOI"), and the New York City Police Department ("NYPD") are investigating the smuggling of contraband, including cell phones and narcotics, by correction officers working at Rikers Island to incarcerated individuals, including members of the Bloods, a street and prison gang that operates in New York City and across the United States. Members and associates of the

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

Bloods engage in narcotics trafficking and commit acts of violence, including murder, robbery, and assault, among other crimes.

3. In connection with this investigation, agents have, among other things, reviewed surveillance video, financial records (including those related to online monetary transfer tools such as Cash App), conducted surveillance, and seized contraband.

4. Law enforcement agents have also reviewed recorded telephone calls made by incarcerated individuals using New York City Department of Correction's ("DOC") Securus system. To use the Securus system, each incarcerated individual is assigned a personal identification number ("PIN"). Although incarcerated individuals are required to use only their assigned PIN to make outgoing phone calls, in practice individuals frequently use the PINs assigned to other inmates to disguise the source of their calls.² Incarcerated individuals who use the Securus system also receive notice at the start of each call that their conversations are recorded and monitored.

i. Rikers Island

5. Rikers Island is an island in the East River between Queens and the Bronx that is home to New York City's main jail complex. Rikers Island contains a number of different facilities which are located in separate buildings; those facilities each contain a number of different housing units. Currently, approximately 6,000 individuals are

² Included among the calls discussed herein are calls in which the inmate who is identified as a participant in the call improperly utilized another inmate's PIN to place the call. In those instances, a member of the investigative team who is familiar with the defendants' voices from having reviewed dozens of recorded calls for each has identified the defendant's voice.

incarcerated on Rikers Island. Members of the same gang are often placed in the same housing unit on Rikers Island in an attempt to avoid violence among different gangs.

6. Incarcerated individuals at Rikers Island are not permitted to possess cell phones and must place any telephone calls through consensually monitored and recorded telephone lines of the DOC Securus system. Based on my training and experience, and information obtained from other law enforcement officers, I am aware that contraband cell phones are often smuggled into Rikers Island by correction officers, often in exchange for bribes from incarcerated individuals. Contraband cell phones are extremely valuable items within a jail because they allow incarcerated individuals to make telephone calls without being monitored by the DOC. Cell phones also allow incarcerated individuals to send text messages and use the internet, including looking up information on other incarcerated individuals' criminal cases. In addition, based on my training and experience, and information obtained from members of the gang, I believe members of the Bloods often use these contraband cell phones in furtherance of their gang activity, including by using the calls to direct or receive instructions to further criminal activity such as narcotics trafficking.

7. Narcotics, like cell phones, are also contraband in a secure jail facility. I have learned that contraband, including cell phones and narcotics, often sell for many multiples greater than their cost outside a correctional facility.

8. Due to the need to promote the safety and security of fellow inmates and correction officers, DOC regulations permit the search of an incarcerated individual's cell at any time for contraband, including cell phones and narcotics.

II. The Defendants

9. KRYSTLE BURRELL has been a correction officer with DOC since approximately June 2016. During the relevant time period, BURRELL was a corrections officer at the Anna M. Kross Center (“AMKC”) on Rikers Island and assigned to the housing area where TERRAE HINDS was incarcerated.

10. TERRAE HINDS is pending trial in New York County Supreme Court on charges including possession of a loaded firearm in connection with a shooting. From his arrest by the NYPD or about May 3, 2021, until approximately October 19, 2021, when he was released from pretrial custody on bond, HINDS was primarily detained at AMKC on Rikers Island. HINDS is believed to be a member of the Bloods. HINDS’ nicknames with the Bloods include “Tomato Sauce.”

III. The Bribery Conspiracy

11. As set forth below, there is probable cause to believe that KRYSTLE BURRELL accepted money in exchange for smuggling contraband to TERRAE HINDS while he was detained at AMKC, facilitating HINDS’ contraband smuggling business at AMKC, and permitting HINDS and other inmates to violate DOC regulations during their incarceration.

12. As part of this conspiracy, KRYSTLE BURRELL smuggled at least two contraband cell phones to TERRAE HINDS while he was incarcerated at AMKC. HINDS used a cell phone that previously belonged to BURRELL. While he was incarcerated on Rikers Island, HINDS called BURRELL on more than 200 occasions by dialing a phone number for her ending in –3838 (the “-3838 Phone”), including on or about

June 25, 2021. Beginning July 8, 2021, HINDS began receiving calls on the -3838 Phone number while he was detained at AMKC from other incarcerated individuals using the Securus system.

13. On or about July 23, 2021, DOC Emergency Service Unit conducted a search of the housing area where HINDS and other individuals believed to be Bloods members were incarcerated. During the search, DOC found a cell phone in HINDS' cell. DOC also recovered a cell phone charger during the search. To date, law enforcement has been unable to determine if the cell phone recovered during the search is the -3838 Phone or a different cell phone smuggled into Rikers Island.

14. During the same search, DOC found another cell phone in the unit's common area. Although this phone is not the -3838 Phone, DOC determined that the phone was previously used by KRYSTLE BURRELL because the phone extraction report indicated that the phone had been paired with, or previously been connected to, "Krystle's AirPods," matching the first name of BURRELL. The phone extraction report also indicated that a username associated with the phone is "Tomatoe Sauce," a slight misspelling of one of TERRAE HINDS' nicknames.

15. On or about July 23, 2021, a DOI investigator and I conducted a voluntary interview of KRYSTLE BURRELL. During the interview, BURRELL initially denied bringing a cell phone into Rikers Island, but then later stated that she helped bring a cell phone in because she was threatened with a weapon. BURRELL stated that she had never received phone calls from any of the incarcerated individuals in the housing unit. As set forth below, I believe that BURRELL lied during this interview because she received

payments from TERRAE HINDS, received telephone calls from him and another incarcerated individual, and she is in a personal relationship with HINDS. Subsequently, DOC suspended BURRELL for 30 days, and she is currently on modified duty without access to her badge or firearm.

16. After this interview, KRYSTLE BURRELL received a call from TERRAE HINDS through the Securus phone system. During that phone call, BURRELL implied to HINDS that she was in trouble. In sum and substance, HINDS responded that there would not be an issue because he did not get in trouble (presumably for being found with the contraband cell phone).

17. In addition to smuggling contraband into Rikers Island, KRYSTLE BURRELL accepted money from Rikers Island inmates to whom TERRAE HINDS sold contraband to further HINDS' distribution of narcotics and other contraband items at AMKC. Records obtained from Cash App and Zelle show that, between June 4, 2021 and July 23, 2021, BURRELL received at least \$9,780 in transactions on her Cash App and Zelle accounts related to HINDS and/or his contraband business.³ For example, on or about July 9, 2021, HINDS asked BURRELL on a phone call recorded on the Securus system to "check for me." HINDS then asked if the "last ones that was there" "was a 50 and a 3." BURRELL confirmed. BURRELL then told HINDS there was also a "100" and "two 3s." Records obtained from Cash App show that, in the 24 hours preceding this call, BURRELL

³ Personal identifying information to include name, email address, and the last four digits of her social security number links BURRELL to these Cash App and Zelle accounts.

received in her Cash App account, in separate transactions, \$50, \$300, \$100, \$300 and \$300, corresponding to the amounts discussed on the call. Cash App records also indicate that numerous other individuals attempted to send money to BURRELL but were blocked by Cash App.

18. Many of the payments KRYSTLE BURRELL received or attempted to receive in Cash App listed the nicknames of inmates or locations on Rikers Island in the subject line of the transaction. For example, on or about July 10, 2021, BURRELL received \$200 via Cash App with the subject line “dimes 13 upper,” which I believe is a reference to the nickname of an inmate and his location (AMKC, Housing Area 13 Upper). BURRELL received several other payments via Cash App with similar subject lines. Although BURRELL used some of the money she received for HINDS’ benefit, BURRELL deposited most of the remainder of the funds she received in her personal bank account and used those funds to pay for personal expenses such as car payments.

19. Phone calls also demonstrate that the payments KRYSTLE BURRELL received on behalf of TERRAE HINDS were in furtherance of his contraband smuggling business. For example, on or about July 8, 2021, HINDS used the Securus system to speak with another inmate, an individual believed to be a member of the Bloods incarcerated at AMKC but in a different housing unit than HINDS and whose identity is known to your affiant (“Inmate 1”). During the call, HINDS told Inmate 1 that he had “5 for you” in exchange for “2300.” Inmate 1 stated that he had to send the payment through Cash App or another mobile payment service. HINDS then provided the Cash App name for BURRELL’s account. That same day, an individual attempted to send \$2,300 on three

separate occasions to BURRELL's Cash App account, but the transactions were blocked by Cash App. The subject line of these transactions listed Inmate 1's nickname.

20. On or about July 9, 2021, TERRAE HINDS used the Securus system to speak with Inmate 1. During the call, Inmate 1 told HINDS that Inmate 1 was about to send HINDS "eight." Inmate 1 then asked if HINDS would "do something up top for me." HINDS stated that he would give the Bloods member "two packs next week" if he received "a quarter of a page right now." Based on my training and experience, I believe "a page" refers to a sheet of paper soaked with liquid K2, a synthetic cannabinoid that is considered contraband at Rikers Island. That same day, an individual attempted to send \$800 to KRYSTLE BURRELL's Cash App account but the transactions were blocked by Cash App. The subject line of the transactions listed the nickname of Inmate 1.

21. As another example, on or about July 21, 2021, an individual incarcerated at AMKC believed to be a member of the Bloods and whose identity is known to your affiant ("Inmate 2") discussed with a non-incarcerated individual the difficulty the non-incarcerated individual was having preparing narcotics. The next day, Inmate 2 requested that the non-incarcerated individual send \$1,200 to BURRELL's Cash App account. At the same time, BURRELL received \$1,200 on Cash App with Inmate 2's nickname written in the subject line. In total, between June 3, 2021 and July 21, 2021, BURRELL received approximately \$2,050 from this individual.

22. KRYSTLE BURRELL also had direct communication with one of TERRAE HINDS' customers for the purpose of receiving funds on behalf of HINDS' contraband smuggling business. For example, on or about June 3, 2021, BURRELL

received a call on the Securus system from Inmate 1. Inmate 1 asked BURRELL for her Cash App account so he could send money. BURRELL then provided Inmate 1 with her account, and Inmate 1 told BURRELL that he would send \$800. Subsequently, Inmate 1 called BURRELL again and asked her to request \$800 through Zelle because the Cash App transaction was unsuccessful. Later that day, a known associate of Inmate 1 sent BURRELL \$800 through Zelle. On June 4, 2021, BURRELL, HINDS, and Inmate 1 had a three-way phone call on the Securus phone system during which Inmate 1 told HINDS he sent the “rest through Cash App.” HINDS asked BURRELL if she received the money, and BURRELL confirmed. HINDS then directed Inmate 1 to “come up,” which I believe means, based on my training and experience, that Inmate 1 should come to HINDS’ housing area to receive the contraband. Later that day, in a separate phone call, BURRELL complained to HINDS about the people he was “dealing with” because they sent money to BURRELL through a method that had her “home number” and “email,” indicating that BURRELL wanted to conceal that she was receiving payments for contraband on behalf of HINDS.

23. KRYSTLE BURRELL also sent money on behalf of TERRAE HINDS to further his personal narcotics or other contraband purchases at AMKC. As one example, on or about July 11, 2021, HINDS asked BURRELL to send \$125 to a Cash App account. When BURRELL asked what it was for, HINDS replied, “for what I smoke.” BURRELL then paid another individual \$125 through Cash App. In addition, on or about July 17, 2021, BURRELL sent an individual \$1000 via Cash App, with a subject line reflecting that it was for “tomato sauce,” which is a reference to HINDS’ nickname.

24. Finally, KRYSTLE BURRELL also permitted TERRAE HINDS and others to violate DOC regulations. As one example, surveillance video shows that BURRELL, while on duty, allowed HINDS and other gang members to be outside their cells at 11:48 p.m., even though the cell doors should have been locked for the night beginning at 9:00 p.m., and allowed them to openly smoke in the housing area in violation of DOC policy.

25. DOC regulations do not permit personal or romantic relationships between correction officers and incarcerated individuals. However, KRYSTLE BURRELL and TERRAE HINDS appear to be in a romantic relationship. For example, on or about June 25, 2021, in a call through the Securus system, BURRELL and HINDS said, “I love you” to each other and they mimicked a kiss over the phone. On or about October 17, 2021, in a call through the Securus system, BURRELL and HINDS discussed their sexual relationship, and HINDS implied that BURRELL had a previous sexual encounter with him when he was incarcerated. In another call, BURRELL stated that “nobody f***ing touch me since July,” which is when BURRELL was suspended by DOC.

26. Further, KRYSTLE BURRELL assisted with organizing TERRAE HINDS’ family to pay his bail and secure his release from Rikers Island. In a series of calls, BURRELL discussed with HINDS the logistics of securing his bail. On or about October 17, 2021, BURRELL told HINDS that he would be released imminently and that she would pick him up from Rikers Island.

27. In addition, since TERRAE HINDS has been released on bond, KRYSTLE BURRELL has continued to assist or attempt to assist gang members on Rikers Island on behalf of HINDS. For example, on or about November 21, 2021, an inmate whose

identity is known to your affiant (“Inmate 3”) used the Securus system to call HINDS. HINDS then gave the phone to BURRELL and Inmate 3 asked BURRELL for the WiFi password on Rikers Island. BURRELL stated that she would attempt to learn it from another individual. On or about March 14, 2022, HINDS, BURRELL and Inmate 3 had a three-way call through the Securus system where Inmate 3 appears to ask BURRELL to be an intermediary for payments to another correction officer to smuggle contraband. During the call, Inmate 3 asked BURRELL, “Yo sis . . . what’s the word” and BURRELL replied, “He said he spoke to you or he was coming to speak to you or something.” Inmate 3 told BURRELL that “he’s” a liar, who I believe means the unnamed correction officer. Inmate 3 appeared to express his frustration with the correction officer not meeting him even after Inmate 3 got everything “sturdy” (which I believe means ready) including “bread” (which I believe means money). HINDS asked BURRELL to text “him” while they were on the phone. BURRELL stated that she texted him and was waiting for an answer. During the call, BURRELL then stated, “he’s FaceTiming me,” meaning he was calling her via video, and HINDS and Inmate 3 told her to answer the call.

WHEREFORE, your deponent respectfully requests that the defendants KRYSTLE BURRELL and TERRAE HINDS be dealt with according to law.

I further request that the Court issue an order sealing, until further order of the Court, all papers submitted in support of this application, including the affidavit and arrest warrants. Based upon my training and experience, premature disclosure of the contents of this affidavit and related documents will seriously jeopardize the investigation, including by

giving the defendants an opportunity to flee from prosecution, destroy or tamper with evidence and change patterns of behavior.



Dianna Oglio
Special Agent
United States Department of Homeland Security,
Homeland Security Investigations

Sworn to before me by telephone this
31st day of March, 2022



THE HONORABLE VERA M. SCANLON
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK