

UNITED STATES DISTRICT COURT

for the

Northern District of California

FILED
Feb 05 2021
SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

United States of America)

v.)

JOHNATHAN RATCLIFF)

Case No.3:21-mj-70211 MAG

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 July 23, 2020 in the county of San Francisco in the Northern District of California, the defendant(s) violated:

Table with 2 columns: Code Section, Offense Description. Row 1: Count 1, 21 USC 841(a) and (b)(1)(B); Distribution of 5 Grams and More of Methamphetamine. Includes Maximum Penalties: Minimum 5 years and maximum 40 years of imprisonment, \$5,000,000 fine, Minimum 4 years and maximum lifetime supervised release, \$100 special assessment, Forfeiture and denial of federal benefits.

This criminal complaint is based on these facts:

See attached affidavit of DEA Special Agent Edmund Ian Sharp.

Continued on the attached sheet.

Approved as to form /s/ AUSA Christina Liu

/s Edmund Ian Sharp, DEA Special Agent Printed name and title

Sworn to before me by telephone.

Date: 02/04/2021

Judge's signature (Handwritten signature in blue ink)

City and state: San Francisco, California

The Hon. Laurel Beeler, U.S. Magistrate Judge Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Edmund Ian Sharp, a Special Agent with the Drug Enforcement Administration (“DEA”), being duly sworn, state:

INTRODUCTION AND PURPOSE OF AFFIDAVIT

1. This affidavit is made in support of a criminal complaint against and arrest warrant for Johnathan RATCLIFF for distributing at least 5 grams of actual methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B).

2. The facts in this affidavit come from my training and experience, information from records and databases, and information obtained from other agents and witnesses. This affidavit does not set forth all of my knowledge about this matter; it is intended to only show that there is sufficient probable cause that RATCLIFF distributed methamphetamine in violation of 21 U.S.C. § 841(a)(1).

AGENT BACKGROUND

3. I am a Special Agent of the Drug Enforcement Administration (“DEA”) and have held this position since September 2019. I am currently assigned to the DEA Resident Office in Oakland, California. I am an “investigative or law enforcement officer of the United States” within the meaning of 18 U.S.C. § 2510(7) and am empowered by law to conduct investigations of, and to make arrests for, offenses enumerated in 18 U.S.C. § 2516.

4. In January 2020, I completed the DEA’s 18 week specialized law enforcement training course at the DEA’s Training Academy in Quantico, Virginia. The training covered all aspects of drug investigations, including the identification of controlled substances, physical and electronic surveillance, utilization of confidential sources, interview techniques, undercover operations, financial investigations, money laundering techniques, and the general operation of drug trafficking organizations.

5. Prior to my employment with the DEA, I was on active duty with the United States Coast Guard for approximately four years. For more than two of those years, I was a

member of my unit's law enforcement team and directly participated in more than a dozen narcotics interdiction operations. These operations primarily involved intercepting drug-smuggling boats in the Eastern Pacific Ocean. These interdictions frequently involved the seizure of hundreds of kilograms of controlled substances. Over the course of my deployment, I was involved in the seizure of several metric tons of controlled substances. In that assignment, I became familiar with various practices of drug traffickers, such as the methods used for packaging, hiding, transporting, and smuggling narcotics.

6. During the course of my law enforcement career, I have participated in numerous drug trafficking investigations. I have participated in multiple interviews with persons involved in drug trafficking. In addition, I have spoken with more experienced law enforcement officers concerning the methods and practices used by drug traffickers. I have participated in many aspects of drug investigations including, but not limited to, controlled purchases of narcotics, physical and electronic surveillance, and the execution of search warrants. I have previously served as the affiant for both federal arrest and search warrants.

7. Based on my training and experience, as well as conversations I have had with drug dealers, informants, and experienced law enforcement officers (collectively, my "training and experience"), I have become familiar with the practices of narcotics traffickers. Specifically, I am familiar with methods that traffickers use to smuggle, safeguard, transport, and distribute narcotics, and to collect and launder the proceeds of drug trafficking. These methods include the use of automobiles, wireless communication devices (such as cellular phones), lookouts and counter surveillance, false or fictitious identities, coded language, and/or encrypted communications. I know that many drug traffickers use cell phones to facilitate their drug dealing activities, including to arrange the collection, transportation, and distribution of narcotics. I also know that many drug traffickers will meet in person at pre-arranged locations to conduct meetings and transactions in furtherance of their drug trafficking activities. Many drug dealers utilize such practices to commit crimes while avoiding detection by law enforcement.

APPLICABLE LAW

9. Section 841(a)(1) of Title 21 of the U.S. Code makes it a crime to knowingly or intentionally distribute methamphetamine.

STATEMENT OF PROBABLE CAUSE

10. In summary, in July 2020, an undercover officer (“UC”) acting in an undercover capacity reached out to RATCLIFF by phone and he offered to sell the UC controlled substances. They arranged a drug sale at which he would sell the UC methamphetamine and heroin. On July 23, 2020, RATCLIFF met the UC in San Francisco, California and sold the UC 198.4 grams of actual methamphetamine and 25.4 grams of heroin in exchange for \$3,700. Further details on their communications and the drug sale are discussed below.

11. On July 17, 2020, the UC had the following exchange, at the below approximate times, with 415-235-8183, used by RATCLIFF.

UC: This is [].¹ Our friend said you could help me with something (5:34 p.m.)

RATCLIFF: Yes (5:40 p.m.)

UC: When’s a good time to call (5:41 p.m.)

RATCLIFF: QP? (6:21 p.m.)

RATCLIFF: Come to 516 El Camino Real San Bruno (6:21 p.m.)

UC: That’s what I need to talk to you about (6:22 p.m.)

RATCLIFF: Ok (6:23 p.m.)

UC: So when should I call (6:24 p.m.)

RATCLIFF: Call now (6:59 p.m.)

12. I believe the UC used the term “QP” to mean a quarter pound of methamphetamine. Based on my training and experience, drug dealers and users frequently use “QP” as an abbreviation for a quarter pound of methamphetamine.

¹ For the UC’s safety, I have intentionally omitted the name that the UC used in this exchange.

13. At approximately 7:07 p.m., the UC received an incoming telephone call from RATCLIFF, who was utilizing telephone number 415-235-8183, which is the same number the UC exchanged text messages with, as set forth above. RATCLIFF and the UC greeted one another. The UC explained that the UC was traveling out of the area and was trying to contact RATCLIFF prior to leaving so the UC could obtain a “QP.” The UC used “QP” to refer to a quarter pound (or four ounces) of crystal methamphetamine. The UC indicated the UC would not be back until Wednesday (July 22, 2020) night. RATCLIFF replied, “Ok. Yeah. I’m ready.”

14. During the call, the UC asked, “Do you think you’ll be able to do . . . I mean if I wait til then I can probably, uh, get a half pound.” RATCLIFF replied, “I don’t even have a half pound. I can do a quarter pound (unintelligible).” The UC said, “What’d you say?” RATCLIFF replied, “I only have, I said I can only do a quarter pound right now.”

15. During the same call, the UC also asked, “Do you know if you’ll have any of the black?” (Based on my training and experience, drug dealers and users commonly use “black” as code or slang for heroin due to its black color; I believe the UC was asking RATCLIFF if he had any heroin.) RATCLIFF said, “I have some (unintelligible).” The UC said, “Do you think you could do two ounces of that?” RATCLIFF asked, “How much?” The UC stated, “Two ounces.” RATCLIFF asked, “What do you want to pay for it?” The UC replied, “What?” RATCLIFF repeated, “What do you normally pay for it per ounce?” The UC explained, “What would you normally charge? I normally pay around nine an ounce.” (By “nine,” I believe the UC meant \$900.) RATCLIFF answered, “Yeah.” The UC said, “I won’t even, I won’t even bullshit you. I know you probably got to make your money on it so . . .” RATCLIFF stated, “No, I mean, that’s, that’s uh, I could probably do it for nine, I can do it for nine.” The UC confirmed, “You could do it for nine an ounce for the black?” RATCLIFF answered, “Yeah. Mmmm hmmm.” The UC asked, “Would you lower the half pound or QP price, or no? Is that gonna be fourteen per quarter so . . .” RATCLIFF replied, “Nobody is lowering any prices on (unintelligible). I just paid, I paid uh, \$12,150 for a quarter kilo of coke right now (unintelligible) \$1350 an ounce.” RATCLIFF and the UC agreed that narcotics-related pricing was currently in disarray. Based on

my training and experience, and my investigations during the pandemic, I understand this to mean that the pandemic had caused a substantial increase in drug pricing.

16. On July 23, 2020, in San Francisco, California, which is in the Northern District of California, the UC met with RATCLIFF. RATCLIFF, who was walking and carrying a manila envelope, entered the front passenger seat of the UC's vehicle, which the UC had driven to the meet location. They greeted one another. RATCLIFF placed the manila envelope along the center console of the UC's vehicle. The UC opened the manila envelope and looked inside. The UC believed, based on the UC's observations, training, and experience, that what was inside the manila envelope was methamphetamine.

17. As the UC inspected the quality of the methamphetamine, RATCLIFF stated, "That's the half pound and I could only get 1 ounce of black." The UC acknowledged his statement. As RATCLIFF made this statement, RATCLIFF removed a clear plastic Ziploc style bag from his front right pants pocket. The UC believed, based on the UC's observations, training, and experience, that the bag contained a quantity of heroin. RATCLIFF placed the bag along the center console of the UC's vehicle. The UC immediately smelled the pungent odor of heroin, which the UC recognized based on the UC's training and experience.

18. The UC asked, "So what do you want the total to be?" RATCLIFF replied, "What was it? 28 plus 9 now?" The UC stated, "What's that? 37?" (By "37," I believe the UC meant \$3,700.) RATCLIFF replied, "37. Yeah."

19. RATCLIFF and the UC further discussed drugs and the possibility of obtaining more.

20. The UC then asked, "Are we doing? 37?" RATCLIFF confirmed. The UC counted out \$3,700 and provided it directly to RATCLIFF. RATCLIFF acknowledged receipt of the \$3,700.

21. At about 12:11 p.m., RATCLIFF exited the UC's vehicle and walked southeast on New Montgomery Street, then northeast on Howard Street, out of the UC's view. Surveillance units were unable to maintain surveillance on RATCLIFF.

22. The DEA laboratory tested the suspected methamphetamine and heroin. The suspected methamphetamine was in fact methamphetamine. It weighed 223.0 grams and was 89% pure methamphetamine, for a total of 198.4 grams of actual methamphetamine. The suspected heroin was in fact heroin. It weighed 25.4 grams.

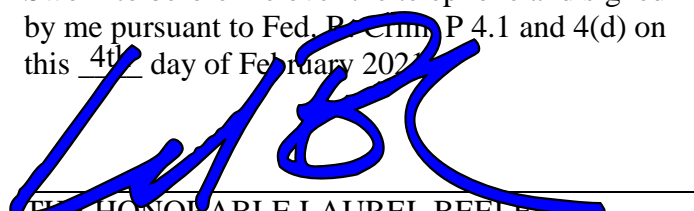
CONCLUSION

23. Based on the facts set forth above, I believe there is probable cause that RATCLIFF distributed at least 5 grams of actual methamphetamine in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B).

/s

EDMUND IAN SHARP
Special Agent
Drug Enforcement Administration

Sworn to before me over the telephone and signed
by me pursuant to Fed. R. Crim. P 4.1 and 4(d) on
this 4th day of February 2021



THE HONORABLE LAUREL BEELE
UNITED STATES MAGISTRATE JUDGE