

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FILED

JUL 23 2020

Magistrate Judge Beth W. Jantz
United States District Court

UNITED STATES OF AMERICA

v.

CASE NUMBER: 20 CR 394

DARRYL COLLINS

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 July 22, 2020, in the Northern District of Illinois, Eastern Division, the defendant violated:

Code Section

Title 18, United States Code, Section 922(g)(1)

Offense Description

knowing that he had previously been convicted of a crime punishable by a term of imprisonment exceeding one year, did knowingly possess, in and affecting interstate commerce, one round of Federal Cartridge ammunition, which ammunition traveled in interstate commerce prior to the defendant's possession of the ammunition

This criminal complaint is based upon these facts:

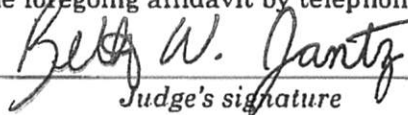
X Continued on the attached sheet.



RYAN HULTGREN
Special Agent, Bureau of Alcohol, Tobacco, Firearms & Explosives (ATF)

Pursuant to Fed. R. Crim. P. 4.1, this complaint is presented by reliable electronic means. The above-named agent provided a sworn statement attesting to the truth of the foregoing affidavit by telephone.

Date: July 23, 2020



Judge's signature

City and state: Chicago, Illinois

BETH W. JANTZ, U.S. Magistrate Judge
Printed name and title

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

AFFIDAVIT

I, RYAN HULTGREN, being duly sworn, state as follows:

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms & Explosives (ATF), and have been so employed for six years. My current responsibilities include the investigation of federal firearms offenses, including the unlawful possession of firearms and ammunition by convicted felons.

2. This affidavit is submitted in support of a criminal complaint alleging that DARRYL COLLINS has violated Title 18, United States Code, Section 922(g)(1).

3. The facts set forth in this affidavit are based on my personal knowledge, my training and experience, and information provided to me by various law enforcement personnel and witnesses, as well as video footage. Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging COLLINS with possession of ammunition by a convicted felon, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that the defendant committed the offense alleged in the complaint.

I. FACTS SUPPORTING PROBABLE CAUSE

A. COLLINS's Possession of Ammunition

4. According to Chicago Police Department ("CPD") records and police officers' body-worn camera footage, on or about July 22, 2020, at approximately 2:43 p.m., CPD officers arrested COLLINS following a foot pursuit.

5. According to CPD officers, COLLINS was observed by CPD officers on live public safety cameras ("POD cameras") in front of a residence on South Maryland Avenue near 82nd Street, in Chicago, Illinois ("Residence 1"), adjusting an object in his waistband multiple times that appeared to be a firearm. Based on officers' observations of the video, the outline of what appeared to be firearm was visible under COLLINS's clothing. While one CPD officer continued to observe the POD camera video, other officers attempted to make contact with COLLINS.

6. According to CPD officers and the POD camera footage, as the officers drove down the street towards COLLINS, COLLINS entered the gated yard of Residence 1, closed the gate behind him, and watched the officers approach. After the officers exited their unmarked CPD vehicle wearing CPD uniforms, COLLINS began to flee through the gangway between Residence 1 and the adjacent building. Two officers attempted to open the locked gate that COLLINS had closed. One of the officers observed COLLINS climb over a fence in the gangway.

7. Based on body-worn camera footage, the officer who observed COLLINS climb over the fence called out, "he's got it in his hand, he's got it in his hand," referring to a firearm that COLLINS was holding in his hand. Immediately after the

officer made that statement, the sound of one round being fired from a firearm can be heard on the officer's body-worn camera footage. This is the only round that can be heard on the officer's body-worn camera footage for this incident.

8. According to CPD officers and their body-worn camera footage, all of the officers who had been following COLLINS took cover and temporarily lost sight of COLLINS. Approximately twenty seconds after the gunshot, the CPD officer who had previously observed COLLINS holding a firearm saw COLLINS running through the alley behind Residence 1. At that time, COLLINS did not appear to be holding a firearm. The responding officers continued to look for COLLINS.

9. According to CPD officers and their body-worn camera footage, approximately one minute later, COLLINS was observed by a different officer fleeing from police on Cottage Grove Ave near 83rd Street. Approximately three minutes after the gun shot was fired, COLLINS was located and arrested inside a store in the area of 8250 South Cottage Grove Avenue, about a block-and-a-half from Residence 1. COLLINS did not have a firearm in his possession at the time of his arrest.

10. Based on POD camera footage and law enforcement's observations after COLLINS's arrest, COLLINS is the same individual whom officers observed enter the yard of Residence 1.

11. According to CPD officers and their body-worn camera footage, a loaded firearm was recovered under a folding table in the rear yard of Residence 1, where CPD officers observed COLLINS when the firearm was discharged. The firearm had a spent casing of Federal Cartridge ammunition in the chamber that did not eject

after being fired. A magazine was inserted into the gun with at least one round of ammunition. That magazine has not yet been analyzed.

B. COLLINS's Criminal History

12. According to law enforcement criminal databases, COLLINS has prior felony convictions in the Circuit Court of Cook County, Illinois, that include: (a) on or about April 22, 2010, COLLINS was convicted of home invasion and discharge of a firearm and sentenced to twenty years in prison;¹ (b) on or about June 23, 2010, COLLINS was convicted of criminal damage to property and sentenced to one year probation; and (c) on or about June 23, 2010, COLLINS was convicted of aggravated battery to police and sentenced to four years' probation. The maximum term of imprisonment for COLLINS's June 23, 2010 convictions was more than one year.

13. According to a law enforcement database search, COLLINS is currently on parole.

C. Interstate Nexus

14. On July 22, 2020, I spoke to ATF Special Agent Reid Schwartzel, who told me the following:

a. Special Agent Schwartzel is a certified interstate nexus expert for firearms and ammunition;

¹ Based on law enforcement criminal databases, the arrest that led to COLLINS's twenty-year prison sentence appeared to have occurred while COLLINS was a juvenile. According to the Illinois Department of Correction's website, however, the final conviction is publicly listed as a Class X felony, not a juvenile adjudication.

b. Based upon his training and experience and the research he conducted, Special Agent Schwartzel stated that Federal Cartridge ammunition is manufactured outside of the state of Illinois.

15. Therefore, the ammunition that COLLINS possessed traveled in interstate commerce prior to COLLINS's possession of the ammunition.

II. CONCLUSION

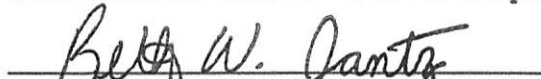
16. For all the reasons described above, I respectfully submit that there is probable cause to believe that COLLINS, knowing that he had been convicted of a crime punishable by a term of imprisonment exceeding one year, did knowingly possess, in and affecting interstate commerce, Federal Cartridge ammunition, which ammunition had traveled in interstate commerce prior to the defendant's possession of the ammunition, in violation of Title 18, United States Code, Section 922(g)(1).

FURTHER AFFIANT SAYETH NOT.



RYAN HULTGREN
Special Agent, Bureau of Alcohol, Tobacco,
Firearms & Explosives

SUBSCRIBED AND SWORN to telephonically on July 23, 2020.



Honorable BETH W. JANTZ
United States Magistrate Judge