

2021R00550/KR

FILED

MAR 21 2024

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

AT 9:00 3:00 PM  
CLERK, U.S. DISTRICT COURT - DNJ

UNITED STATES OF AMERICA	:	Hon. Julien Xavier Neals
	:	
v.	:	Crim. No. 24-195 (JXN)
	:	
KENNETH HARRIGAN,	:	18 U.S.C. § 1962(d)
a/k/a "Kenny,"	:	
a/k/a "Kenny OGM," and	:	
DARION CANARY,	:	
a/k/a "Goon"	:	



**INDICTMENT**

The Grand Jury in and for the District of New Jersey, sitting at Newark, charges:

**The Racketeering Enterprise**

1. At various times relevant to this Indictment, in the District of New Jersey, and elsewhere, defendants Kenneth Harrigan, a/k/a "Kenny," a/k/a "Kenny OGM" ("Harrigan"); and Darion Canary, a/k/a "Goon" ("Canary"); and others, known and unknown, were members and associates of a criminal organization known as "Wilkinson" (hereinafter the "Wilkinson Enterprise" or "the Enterprise"). The Wilkinson Enterprise, including its leadership, members, and associates, constituted an enterprise, as defined in Title 18, United States Code, Section 1961(4)—namely, a group of individuals associated in fact that engaged in, and the activities of which affected, interstate and foreign commerce. The Enterprise constituted an ongoing organization whose members and associates functioned as a continuing unit for a common purpose of achieving the objectives of the Enterprise.

**History, Rules, and Organization of the Wilkinson Enterprise**

2. At all times relevant to this Indictment, the Wilkinson Enterprise was a neighborhood-based street gang comprised primarily of members of the “Brim,” “Sex, Money, Murder,” and “Neighborhood Rollin 20’s” subsets of the Bloods street gang, as well as members of the “Grape Street” subset of the Crips street gang, who resided in and around the vicinity of Wilkinson Avenue, Ocean Avenue, Martin Luther King Drive, and Wegman Parkway in Jersey City, in Hudson County, New Jersey (the “Wilkinson Area”). Although associated with the Bloods street gang, members of the Wilkinson Enterprise represented, first and foremost, their neighborhood. The Wilkinson Enterprise distributed drugs in and around the Wilkinson Area and committed acts of violence against numerous rival groups within and around Jersey City, New Jersey.

3. Members and associates of the Wilkinson Enterprise followed certain practices of the Enterprise, including:

a. visible demonstrations of gang affiliation, such as an identification with the number “41,” which is a reference to School 41 on the corner of Wilkinson Avenue and Ocean Avenue where members of the Wilkinson Enterprise congregate;

b. the use of social media platforms to proclaim affiliation with, and highlight, the Enterprise by posting gang-related photographs and videos, including those paying homage to deceased members of the Enterprise and taunting rival gang members, as well as to communicate with other members and associates of the Enterprise; and

c. the use of slogans and hand gestures, as well as the display of tattoos, signifying membership in the Enterprise.

4. Members and associates of the Wilkinson Enterprise engaged in, or controlled, drug trafficking and other criminal activities within the Wilkinson Area. The Enterprise acted to ensure that only individuals who were members of, or associated with, the Wilkinson Enterprise distributed narcotics within the Wilkinson Area.

5. Members and associates of the Wilkinson Enterprise engaged in retaliatory acts of violence with rival gangs, including those that identify as “Marion,” “Rutgers,” and “Curries Woods,” among others. Members and associates were expected to commit acts of violence against rival gang members whenever they encountered rivals. Failure to do so would result in “discipline” by fellow gang members and a lack of respect within the Enterprise.

6. Members and associates of the Wilkinson Enterprise paid homage to deceased members of the Enterprise and were expected to retaliate in order to seek retribution for their deceased fellow gang members.

7. At all relevant times, Harrigan and Canary, and others, were members and associates of the Wilkinson Enterprise who operated in and around Jersey City in Hudson County, New Jersey.

**Purposes of the Wilkinson Enterprise**

8. The purposes of the Wilkinson Enterprise included the following:

- a. promoting and enhancing the Enterprise and the activities of its members and associates, both in and out of prison, including, but not limited to, drug trafficking, murder, and other criminal activities;
- b. preserving and protecting the power, territory, reputation, and profits of the Enterprise and of its members and associates, both in and out of prison, through the use of intimidation, violence, threats of violence, and murder;
- c. providing assistance to gang members and associates who were imprisoned after having committed crimes on behalf of the Enterprise;
- d. confronting and retaliating against rival gangs through intimidation, threats of violence, and acts of violence; and
- e. hindering, obstructing, and preventing law enforcement from identifying participants in the gang's criminal activity, from apprehending the perpetrators of those crimes, and from successfully prosecuting and punishing those offenders.

**The Racketeering Conspiracy**

9. Beginning at least as early as in or around January 2019, and continuing through the date of this Indictment, in the District of New Jersey, and elsewhere, the defendants,

**KENNETH HARRIGAN,  
a/k/a "Kenny,"  
a/k/a "Kenny OGM," and  
DARION CANARY,  
a/k/a "Goon,"**

together with others known and unknown, being persons employed by and associated with the Wilkinson Enterprise, an enterprise engaged in, and the activities of which affected, interstate and foreign commerce, knowingly and intentionally conspired and agreed with others 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 the Wilkinson Enterprise through a pattern of racketeering activity, as defined in Title 18, United States Code, Sections 1961(1) and (5), which pattern of racketeering activity consisted of:

a. multiple acts involving murder, contrary to N.J.S.A. 2C:11-3(a)(1), 2C:11-3(a)(2), 2C:5-1, 2C:5-2, and 2C:2-6;

b. offenses involving the felonious manufacture, importation, receiving, concealment, buying, selling, and otherwise dealing in a controlled substance punishable under the laws of the United States, in violation of Title 21, United States Code, Section 846 (conspiracy to distribute and possess with intent to distribute controlled substances), Section 841 (distribution and possession with intent to distribute controlled substances), and Section 843(b) (use of a communications facility to violate the Controlled Substances Act).

10. It was part of the conspiracy that each defendant agreed that a conspirator would commit at least two acts of racketeering activity in the conduct of the affairs of the Enterprise.

**Manner and Means of the Wilkinson Enterprise**

11. Among the manner and means by which the defendants and other members and associates of the Wilkinson Enterprise agreed to conduct and participate in the conduct of the affairs of the Enterprise were the following:

a. Members and associates of the Wilkinson Enterprise acquired and maintained weapons, including firearms, to use during violent criminal acts on behalf of the Enterprise.

b. Members and associates of the Wilkinson Enterprise shared firearms to be used in the commission of violent criminal acts.

c. Members and associates of the Wilkinson Enterprise committed and agreed to commit violent acts, including murder and assault with deadly weapons, on behalf of the Wilkinson Enterprise; to punish Enterprise members and associates who had been disloyal; to retaliate against rivals; to maintain and enhance the reputation of the Wilkinson Enterprise; and to protect and otherwise assist their drug trafficking activities.

d. Members and associates of the Wilkinson Enterprise participated in criminal activity, particularly violent acts directed at rivals or as directed by other high-ranking members of the gang, which increased the respect accorded to that member or associate and resulted in that member or associate's maintaining and increasing position in the gang.

e. Members and associates of the Wilkinson Enterprise used social media, including Instagram and Facebook, to intimidate rival gang members and other members of the community and to promote the Wilkinson Enterprise.

f. Members and associates of the Wilkinson Enterprise enriched themselves through drug trafficking within the Wilkinson Area and elsewhere, and members and associates prevented those who were not associated with the Wilkinson Enterprise from trafficking narcotics within the Enterprise's territory.

**Overt Acts**

12. In furtherance of the conspiracy and to achieve its purposes, the defendants, along with others, committed and caused to be committed the following overt acts, among others, in the District of New Jersey, and elsewhere:

a. Beginning at least as early as in and around 2019, numerous members and associates of the Wilkinson Enterprise, including, but not limited to, the defendants, engaged in multiple acts of distribution of controlled substances, and possession with intent to distribute controlled substances, in and around the Wilkinson Area and elsewhere in the District of New Jersey.

b. Beginning at least as early as in and around 2019, numerous members and associates of the Wilkinson Enterprise, including, but not limited to, the defendants, engaged in acts of violence for and on behalf of the Enterprise, which acts of violence targeted rival gang members and any other individuals who disrespected the Enterprise or its members.

c. Beginning at least as early as in and around 2019, the defendants and other members and associates of the Wilkinson Enterprise used social media, including Facebook and Instagram, to conduct the business of the enterprise, flaunting membership in the Enterprise, paying homage to deceased

members and associates of the Wilkinson Enterprise, taunting rival gang members, and threatening retribution for acts of violence committed against members of the Enterprise.

d. On or about July 20, 2019, Harrigan, Canary, and another member and associate of the Wilkinson Enterprise traveled to the territory of a rival gang and shot three victims, killing victim J.H., an associate of the rival gang. Victims T.W. and S.T. sustained non-fatal gunshot wounds. During this incident, members of the Wilkinson Enterprise discharged ammunition from at least one firearm, including at least two rounds of .40 caliber ammunition.

e. On or about December 9, 2019, Canary possessed with the intent to distribute approximately 46 vials of cocaine base in the Wilkinson Area.

f. On or about December 9, 2019, Harrigan possessed with the intent to distribute approximately 4 glassines of heroin in the Wilkinson Area.

g. On or about December 9, 2019, Harrigan and Canary possessed with the intent to distribute heroin, cocaine, seven rounds of 9mm ammunition, and a box containing 12 rounds of .45 caliber ammunition at a residence in the Wilkinson Area. Canary also possessed approximately six .38 caliber rounds of ammunition, and Harrigan possessed with the intent to distribute approximately 33 glassines of heroin.

h. On or about February 21, 2021, Canary distributed and possessed with the intent to distribute heroin in the Wilkinson Area.

i. On or about May 27, 2021, Harrigan, Canary, and an associate of the Wilkinson Enterprise distributed heroin in the Wilkinson Area.



j. On or about June 9, 2021, Canary possessed with the intent to distribute heroin in the Wilkinson Area.

k. On or about September 7, 2021, Canary distributed and possessed with the intent to distribute cocaine and heroin in the Wilkinson Area.

l. On or about December 28, 2021, Canary and Harrigan possessed with the intent to distribute heroin at a residence in the Wilkinson Area.

m. On or about January 1, 2024, Canary and other members and associates of the Wilkinson Enterprise traveled to a nightclub in Newark, New Jersey, where a member of a rival gang was performing. At the nightclub, Canary brandished a firearm and shot Victim S.C., a member of a rival gang. After the shooting, Canary and other members and associates of the Wilkinson Enterprise returned to the Wilkinson Area.

**NOTICE OF SPECIAL SENTENCING FACTORS**

On or about July 20, 2019, in Hudson County, in the District of New Jersey and elsewhere, the defendants,

**KENNETH HARRIGAN,  
a/k/a “Kenny,”  
a/k/a “Kenny OGM,” and  
DARION CANARY,  
a/k/a “Goon,”**

did knowingly and purposely cause the death and serious bodily injury resulting in the death of another person, namely, victim J.H., contrary to N.J.S.A. 2C:11-3(a)(1) and 2C:2-6.

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

**FORFEITURE ALLEGATION**

Pursuant to Title 18, United States Code, Section 1963, upon conviction of the offense charged in this Indictment, in violation of Title 18, United States Code, Section 1962, the defendants,

**KENNETH HARRIGAN,  
a/k/a “Kenny,”  
a/k/a “Kenny OGM,” and  
DARION CANARY,  
a/k/a “Goon,”**

shall forfeit to the United States of America:

- (a) any interest acquired or maintained in violation of Section 1962;
- (b) any interest in, security of, claim against, or property or contractual right of any kind affording a source of influence over, any enterprise which the defendants established, operated, controlled, conducted, or participated in the conduct of, in violation of Section 1962; and
- (c) any property constituting, or derived from, any proceeds obtained, directly or indirectly, from racketeering activity in violation of Section 1962.

**Substitute Assets Provision**

If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- 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 divided without difficulty,

it is the intent of the United States, pursuant to Title 18, United States Code, Section 1963(m) and Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

A TRUE BILL



FOREPERSON

*Philip R. Sellinger*  
PHILIP R. SELLINGER  
United States Attorney

**CASE NUMBER: 24-195 (JXN)**

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**United States District Court  
District of New Jersey**

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**UNITED STATES OF AMERICA**

**v.**

**KENNETH HARRIGAN,  
a/k/a "Kenny,"  
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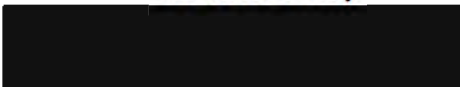
**INDICTMENT FOR**

18 U.S.C. § 1962(d)

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**A True Bill,**



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**PHILIP R. SELLINGER  
UNITED STATES ATTORNEY  
NEWARK, NEW JERSEY**

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*Kendall R. Randolph*  
*ASSISTANT U.S. ATTORNEY*  
*973-645-3659*

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