

Approved: MATTHEW PODOLSKY
Assistant United States Attorney

Before: HONORABLE ANDREW J. PECK
United States Magistrate Judge
Southern District of New York

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UNITED STATES OF AMERICA	:	<u>COMPLAINT</u>
	:	
-v.-	:	Violations of 18 U.S.C.
	:	§§ 924(c), 1951, and 2
MICHAEL SANTIAGO,	:	
KENNETH SMITH, and	:	COUNTY OF OFFENSE:
BRUCE COLLAZO,	:	BRONX
a/k/a "Tonz,"	:	
	:	
Defendants.	:	16 MAG 0094

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SOUTHERN DISTRICT OF NEW YORK, ss.:

ELISABETH WHEELER, being duly sworn, deposes and says that she is a Special Agent with the Federal Bureau of Investigation ("FBI"), and charges as follows:

COUNT ONE

1. From at least in or about August 2015 up to and including at least in or about December 2015, in the Southern District of New York and elsewhere, MICHAEL SANTIAGO, KENNETH SMITH, and BRUCE COLLAZO, a/k/a "Tonz," the defendants, together with others known and unknown, unlawfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and would and did thereby obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, SANTIAGO, SMITH, and COLLAZO agreed to commit gunpoint robberies of armored car operators in the Bronx, New York.

Overt Acts

2. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about August 24, 2015, MICHAEL SANTIAGO and BRUCE COLLAZO, a/k/a "Tonz," the defendants, participated in a gunpoint robbery of an armored car operator in the vicinity of 1237 Jerome Avenue, Bronx, New York.

b. On or about December 4, 2015, SANTIAGO and SMITH participated in a gunpoint robbery of an armored car operator in the vicinity of 1536 Westchester Avenue, Bronx, New York.

c. On or about December 15, 2015, SANTIAGO and SMITH participated in a gunpoint robbery of an armored car operator in the vicinity of 1471 Westchester Avenue, Bronx, New York.

(Title 18, United States Code, Section 1951.)

COUNT TWO

3. From at least in or about August 2015 up to and including at least in or about December 2015, in the Southern District of New York and elsewhere, MICHAEL SANTIAGO, KENNETH SMITH, and BRUCE COLLAZO, a/k/a "Tonz," the defendants, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the Hobbs Act robbery conspiracy charged in Count One of this Complaint, knowingly did use and carry firearms, and, in furtherance of such crime, did possess firearms, and did aid and abet the use, carrying, and possession of firearms, which were discharged.

(Title 18, United States Code, Sections 924(c)(1)(A)(iii) and 2.)

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

4. I have been involved in the investigation of this matter, and I base this affidavit on that experience, as well as on my conversations with other law enforcement agents, and 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 that 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.

5. Beginning in or about August 2015, the FBI commenced an investigation of three gunpoint robberies of operators of armored vehicles that occurred in the Bronx, New York, on or about August 24, 2015, (the "August 24 Robbery"), December 4, 2015 (the "December 4 Robbery"), and December 15, 2015 (the "December 15 Robbery").

The August 24 Robbery

6. On or about August 24, 2015, I and another FBI agent interviewed the operator of an armored vehicle for Rapid Armored Corporation ("Victim-1"), from whom I learned the following, among other things:

a. On or about August 24, 2015, at approximately 10:40 a.m., Victim-1 was carrying bags containing approximately \$42,000 in United States currency from the British Petroleum gas station located at 1237 Jerome Avenue, in the Bronx, New York (the "Gas Station") to an armored car ("Armored Car-1").

b. As Victim-1 walked to Armored Car-1, two men who each appeared to be carrying a firearm approached Victim-1 and took the bags containing United States currency and Victim-1's firearm ("Firearm-1"), which was partially holstered on Victim-1's person.

7. On or about August 24, 2015, I and another FBI agent interviewed an employee of the Gas Station (the "Attendant"), from whom I learned the following, among other things:

a. On or about the morning of August 24, 2015, the Attendant was working at the Gas Station when he saw two men carrying firearms approach Victim-1.

b. The Attendant saw the two men who had approached Victim-1 with firearms enter a car that resembled a taxi in a metallic color, bearing a New York license plate with the number GZM3362 ("Car-1").

c. The Attendant saw a third individual inside Car-1, who acted as the getaway driver.

8. Based on information from databases frequently used by law enforcement, agents from the FBI were able to determine that the vehicle bearing the New York license plate with the number GZM3362 is registered to a residential address located in Westchester County, New York (the "House").

9. On or about August 25, 2015, agents from the FBI interviewed a resident of the House ("CC-1") about the presence of Car-1 at the August 24 Robbery. During that voluntary interview, CC-1 gave consent to the agents to view the contents of his cellphone ("Cellphone-1").

10. Based on my review of the contents of Cellphone-1, I learned, in substance and in part, the following:

a. Cellphone-1 contains a photograph ("Photograph-1") with a date of August 24, 2015, depicting an individual with a tattoo of the name "Sandra" on his wrist, sitting in a car counting money.

b. Cellphone-1 also contains a photograph ("Photograph-2") with a date of August 24, 2015, depicting an individual wearing red Nike high-top sneakers with a large amount of U.S. currency between the sneakers.

11. Using databases commonly employed by law enforcement agents, agents from the FBI were able to determine that the individual depicted in Photograph-1 is BRUCE COLLAZO, a/k/a "Tonz," the defendant.

12. Based on information obtained from Instagram, Inc. about the Instagram account with the user ID "tonz.bymyself_" (the "Tonz Account"), I have learned that the Tonz Account contains the following photographs, among others:

a. Numerous pictures, including profile pictures, matching photographs of BRUCE COLLAZO, a/k/a "Tonz," the defendant, contained in law enforcement databases.

b. A photograph ("Photograph-3") with a date of August 25, 2015, that is nearly identical to Photograph-2, depicting an individual wearing red Nike high-top sneakers with a large amount of U.S. currency between the sneakers.

c. A photograph with a date of August 25, 2015, depicting COLLAZO wearing identical red Nike high-top sneakers to those depicted in Photograph-2 and Photograph-3 and bearing the caption "First day of work \$."

d. A photograph with a date of August 17, 2015, depicting a hand holding a firearm.

e. A photograph with a date of September 24, 2015, depicting COLLAZO holding a firearm and bearing the caption "Skuurtt throw back on my stick up shit @dopesince86."

f. A photograph with a date of September 25, 2015, depicting a leg wearing jeans with a firearm-shaped bulge and bearing the caption "Always keep it on me."

13. Based on records obtained from cellular phone service providers, I have learned the following, among other things:

a. On or about August 23, 2015, the cellphone associated with MICHAEL SANTIAGO, the defendant, was in the vicinity of the premises known by law enforcement to be the residence of BRUCE COLLAZO, a/k/a "Tonz," the defendant, at approximately 10:14 p.m. and 10:18 p.m.

b. On or about August 24, 2015, the cellphone associated with SANTIAGO was in the vicinity of the premises known by law enforcement to be the residence of COLLAZO at approximately 1:00 p.m., 1:02 p.m., and 1:04 p.m.

c. On or about August 24, 2015, call numbers associated with SANTIAGO and with COLLAZO communicated numerous times between approximately 6:05 a.m. and 7:15 a.m., between approximately 10:37 a.m. and 11:41 a.m., and between approximately 1:09 p.m. and 4:11 p.m.

The December 4 Robbery

14. On or about December 4, 2015, I interviewed the operator of an armored vehicle for Loomis Armored US ("Victim-2"), from whom I learned the following, among other things:

a. On or about December 4, 2015, at approximately 11:00 a.m., Victim-2 was carrying bags containing coins worth approximately \$265 from a Chase Bank branch located

at 1536 Westchester Avenue, in the Bronx, New York (the "Bank") to an armored car ("Armored Car-2").

b. As Victim-2 walked to the Armored Car, a black man approached him from behind, put him in a headlock, and pointed a gun at him. Two other black men took from Victim-2 the bags containing United States currency and one of the three black men took Victim-2's firearm ("Firearm-2") from its holster on his person, and then all three fled on foot.

c. Firearm-2 is a Walther PPQ and was loaded with Smith and Wesson Federal .40 caliber rounds at the time it was stolen.

15. On or about December 4, 2015, agents from the FBI interviewed an individual ("Individual-1") in the vicinity of the Bank. Based on my review of a report of that interview and my conversations with the agents who participated in the interview, I have learned the following, among other things:

a. On or about December 4, 2015, at approximately 11:00 a.m., in the vicinity of the Bank, Individual-1 saw three black men running quickly down the street.

b. Individual-1 then saw one of the black men stop and look on the ground before continuing to run down the street. Individual-1 walked to the location where the man had stopped and saw a cellphone ("Cellphone-2") on the ground. Individual-1 picked up Cellphone-2 and began calling to the man he had seen looking on the ground.

c. Another individual on the street told Individual-1, among other things, that the man to whom Individual-1 was calling had just committed a robbery and that Individual-1 should not return Cellphone-2.

16. On or about December 4, 2015, agents from the FBI searched the contents of Cellphone-2 pursuant to a court-authorized search warrant and determined that Cellphone-2 was assigned a call number that, according to databases commonly used by law enforcement, is associated with KENNETH SMITH, the defendant.

17. During the course of this investigation, FBI agents placed a court-authorized tracking device on a black 2009 Nissan Maxima ("Car-2"), registered to MICHAEL SANTIAGO, the

defendant. Data obtained from the tracking device installed on Car-1 indicates the following:

a. On or about December 4, 2015, at approximately 11:17 a.m., Car-2 drove within approximately one block of a residence located on Rosedale Avenue in the Bronx, New York.¹

b. Also on or about December 4, 2015, at approximately 11:35 a.m., Car-2 drove within approximately one block of the Bank.

The December 15 Robbery

18. On or about December 15, 2015, I and another FBI agent interviewed the operator of an armored vehicle for Rapid Armored Corporation ("Victim-3"), from whom I learned the following, among other things:

a. On or about December 15, 2015, at approximately 9:25 a.m., Victim-3 was carrying bags containing approximately \$78,000 from EG Money Service Corp ("EG"), located at 1471 Westchester Avenue, in the Bronx, New York, to an armored car ("Armored Car-3").

b. As Victim-3 walked to Armored Car-3, a black man ("CC-2") approached Victim-3 from behind, pointed a firearm at Victim-3, and took from the bags from Victim-3. Victim-3 drew his firearm, which is a Glock 9-millimeter semiautomatic pistol, and several shots. CC-2 fired approximately two shots at Victim-3, and Victim-3 returned fire. CC-1 then ran down Westchester Avenue on foot and escaped apprehension.

¹ A review of law enforcement databases has revealed that KENNETH SMITH, the defendant, resides at this location.

19. Based on information obtained from the tracking device installed on Car-2 and surveillance video recovered from a security camera, I know the following, among other things:

a. On or about December 15, 2015, at approximately 6:24 a.m., a red Honda Accord ("Car-3") parked on Evergreen Avenue between Bruckner Boulevard and Story Avenue, in the Bronx, New York.

b. On or about December 15, 2015, at approximately 7:15 a.m., Car-2 parked on the same block, in front of Car-3.

c. On or about December 15, 2015, at approximately 7:16 a.m., four individuals wearing hooded sweatshirts or jackets removed a license plate from the trunk of Car-2 and affixed it to the front of Car-3.

20. Based on information obtained from the tracking device installed on Car-2, I know that at on or about December 15, 2015, at approximately 9:25 a.m., Car-2 was driving in the vicinity of the December 15 Robbery.

21. Surveillance video recovered from a security camera located approximately one block from the location of the December 15 Robbery depicts an individual ("Individual-2") entering a vehicle that appears to be Car-3.

22. Based on surveillance video recovered from Armored Car-2, I recognize Individual-2 as one of the men who participated in the robbery of Victim-3.

23. Based on my review of records obtained from Rapid Armored Corporation, I have learned that MICHAEL SANTIAGO, the defendant, was employed by Rapid Armored Corporation from approximately 2008 to 2011 and approximately 2013 to 2014, and that, and between approximately January and April 2014, SANTIAGO drove the route driven by Victim-3 on or about December 15, 2015.

24. Based on records obtained by cellphone providers, I have learned, among other things, that there were approximately four calls made between the call number associated with KENNETH SMITH, the defendant, and the call number associated with MICHAEL SANTIAGO, the defendant, on or about December 15, 2015, between approximately 5:03 a.m. and 6:25 a.m.

25. Based on my review of reports from the New York City Police Department, I have learned, among other things, that shell casings from Smith and Wesson Federal .40 caliber rounds were recovered from the vicinity of the December 15 Robbery.

26. Based on my review of information obtained from Walmart, I have learned, among other things, that on or about December 16, 2015, MICHAEL SANTIAGO, the defendant, purchased approximately 80 rounds of Smith and Wesson Federal .40 caliber ammunition from a Walmart location in Fishkill, New York.

27. Based upon my review of law enforcement and employment records, I have learned the following, among other things:

a. MICHAEL SANTIAGO, the defendant, is currently a corrections officer at the Downstate Correctional Facility in Fishkill, New York.

b. SANTIAGO has not been issued a firearm in connection with his work as a corrections officer.

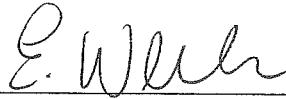
c. SANTIAGO does not currently have a license for a firearm.

28. Based on information obtained from the tracking device installed on Car-2 and my conversations with an FBI agent who has conducted surveillance in the course of this investigation, I have learned the following, among other things:

a. Car-2 has been in the vicinity of Tri-State Auto Collision, Inc. ("Tri-State"), an auto-body shop located on Park Avenue in the Bronx, New York, on at least eight separate occasions between December 3, 2015 and December 15, 2015.

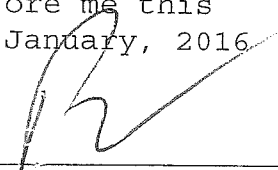
b. During the period between December 20, 2015 and the present, KENNETH SMITH, the defendant, has been seen on numerous occasions at Tri-State, engaging in activity consistent with employment at an auto-body shop.

WHEREFORE, deponent prays that MICHAEL SANTIAGO, KENNETH SMITH, and BRUCE COLLAZO, a/k/a "Tonz," the defendants, be arrested and imprisoned or bailed, as the case may be.



ELISABETH WHEELER
Special Agent
Federal Bureau of Investigation

Sworn to before me this
6th day of January, 2016



HONORABLE ANDREW J. PECK
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK