

COPY

Approved: CB
Christopher D. Brumwell/Vladislav Vainberg
Assistant United States Attorneys

Before: THE HONORABLE PAUL E. DAVISON
United States Magistrate Judge
Southern District of New York

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UNITED STATES OF AMERICA : SEALED COMPLAINT

- v. - : Violations of
21 U.S.C. §§ 841

JAMAR CALHOUN, a/k/a "MOTTY ROC" :
Defendants. : COUNTY OF OFFENSE:
WESTCHESTER

- - - - - x

SOUTHERN DISTRICT OF NEW YORK, ss.:

JOSEPH McGANN, being duly sworn, deposes and says that he is a Task Force Officer with the Westchester County Safe Streets Task Force, and charges as follows:

COUNT ONE

1. On or about March 5, 2018, in the Southern District of New York, JAMAR CALHOUN, a/k/a "MOTTY ROC," the defendant, intentionally and knowingly distributed and possessed with intent to distribute a controlled substance.

2. The controlled substance that JAMAR CALHOUN, a/k/a "MOTTY ROC," the defendant, distributed and possessed with intent to distribute contained a detectable amount of cocaine base, in violation of 21 U.S.C. § 841(b)(1)(C).

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(C).)

COUNT TWO

3. On or about March 9, 2018, in the Southern District of New York, JAMAR CALHOUN, a/k/a "MOTTY ROC," the defendant, intentionally and knowingly distributed and possessed with intent to distribute a controlled substance.

4. The controlled substance that JAMAR CALHOUN, a/k/a "MOTTY ROC," the defendant, distributed and possessed with intent to distribute contained a detectable amount of cocaine base, in violation of 21 U.S.C. § 841(b)(1)(C).

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(C).)

COUNT THREE

5. On or about March 29, 2018, in the Southern District of New York, JAMAR CALHOUN, a/k/a "MOTTY ROC," the defendant, intentionally and knowingly distributed and possessed with intent to distribute a controlled substance.

6. The controlled substance that JAMAR CALHOUN, a/k/a "MOTTY ROC," the defendant, distributed and possessed with intent to distribute contained a detectable amount of cocaine base, in violation of 21 U.S.C. § 841(b)(1)(C).

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(C).)

COUNT FOUR

7. On or about April 6, 2018, in the Southern District of New York, JAMAR CALHOUN, a/k/a "MOTTY ROC," the defendant, intentionally and knowingly distributed and possessed with intent to distribute a controlled substance.

8. The controlled substance that JAMAR CALHOUN, a/k/a "MOTTY ROC," the defendant, distributed and possessed with intent to distribute contained a detectable amount of cocaine base, in violation of 21 U.S.C. § 841(b)(1)(C).

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(C).)

COUNT FIVE

9. On or about April 20, 2018, in the Southern District of New York, JAMAR CALHOUN, a/k/a "MOTTY ROC," the defendant, intentionally and knowingly distributed and possessed with intent to distribute a controlled substance.

10. The controlled substance that JAMAR CALHOUN, a/k/a "MOTTY ROC," the defendant, distributed and possessed with

intent to distribute contained a detectable amount of cocaine base, in violation of 21 U.S.C. § 841(b)(1)(C).

COUNT SIX

11. On or about May 1, 2018, in the Southern District of New York, JAMAR CALHOUN, a/k/a "MOTTY ROC," the defendant, intentionally and knowingly distributed and possessed with intent to distribute a controlled substance.

12. The controlled substance that JAMAR CALHOUN, a/k/a "MOTTY ROC," the defendant, distributed and possessed with intent to distribute contained a detectable amount of cocaine base, in violation of 21 U.S.C. § 841(b)(1)(C).

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(C).)

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

13. I am a Task Force Officer with the Westchester County Safe Streets Task Force. I have been a Task Force Officer for over 3 years. I am also a detective with the City of Peekskill Police Department, and have been a law enforcement agent for over 17 years. I am one of the law enforcement agents with primary responsibility for this investigation. This affidavit is based upon my own observations, my conversations with other law enforcement agents and others, and my examination of reports and records. Because this affidavit is being submitted for the limited purpose of establishing 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.

CRACK COCAINE DISTRIBUTION

14. Based on my involvement in this investigation, including direct surveillance, my conversations with a confidential informant ("CI-1")¹ and other law enforcement

¹ CI-1 has been working with the FBI on this case as a paid informant for several months; he has worked as a paid informant for the Port Chester Police Department on other investigations for several years. He has been paid \$2,000 for his services

officers who were directly involved in the events described below, and my review of reports and records, I have learned the following:

a. The FBI, utilizing CI-1, has completed at least six controlled purchases of crack cocaine from JAMAR CALHOUN, the defendant, on March 5, 2018; March 9, 2018; March 29, 2018; April 6, 2018; April 20, 2018; and May 1, 2018 in the vicinity of Port Chester, New York.

b. CI-1 knows CALHOUN personally and identified CALHOUN to me and other members of law enforcement as the seller of narcotics in these six controlled buys.

c. I was present during five of these controlled purchases. I conducted physical surveillance of each of these controlled purchases, and I personally observed the controlled buys take place. I have also reviewed audio recordings CI-1 made of these controlled buys.² Additionally, I was present when CI-1 met with members of law enforcement at the end of these five controlled buys, and I personally observed CI-1 produce to members of law enforcement the substances CI-1 purchased from CALHOUN.

d. With respect to the controlled buy for which I was not present, I am familiar with that event because I reviewed a law enforcement report concerning the controlled buy,

during this case. CI-1 has prior felony convictions for criminal possession of a controlled substance in violation of New York Penal Law § 220.18 on June 12, 1987; and convictions for tampering with or fabricating evidence in violation of Florida Statutes § 918.13(1)(a), and unlawful distribution of narcotics in violation of Florida Statutes § 893.13 on September 7, 2006. He also has a misdemeanor conviction for aggravated unlicensed operation of a motor vehicle on June 5, 2018; and a misdemeanor violation of FL 893.147(1) for possession of drug paraphernalia on September 7, 2006. CI-1 was also convicted of an infraction on November 10, 1994 for driving while impaired by the consumption of alcohol.

²Due to a malfunction, the audio recording device did not record the controlled buy on April 6, 2018, but I conducted physical surveillance of this controlled buy and personally observed it take place.

and spoke with members of law enforcement who were present during that controlled buy.

e. During each of these six controlled purchases, CI-1 was outfitted with an audio recording device, and searched for contraband prior to and after the purchase. After completing each purchase, CI-1 turned over the substances received from CALHOUN to law enforcement. Members of the FBI and Port Chester Police have field tested the substances purchased from CALHOUN, and based on these examinations, I know that CALHOUN distributed crack cocaine.

f. Two of these controlled purchases, which I personally observed, are described in greater detail below.

The April 6, 2018 Narcotics Purchase

g. On or about April 6, 2018, CI-1 contacted CALHOUN to coordinate a purchase of crack cocaine. CALHOUN and CI-1 arranged to meet at a location near the intersection of Fox Island Road and Grace Church Street in Port Chester, NY. I and other law enforcement officers outfitted CI-1 with an audio recording device, searched CI-1 for contraband, and gave CI-1 \$500 in buy money for purchasing narcotics.

h. I observed CI-1 travel to the buy location at approximately 1:00 p.m. After CI-1 arrived, CALHOUN approached CI-1, they engaged in conversation, and CI-1 and CALHOUN engaged in a hand to hand transaction.

i. Subsequently, CI-1 left the buy location and contacted me and other members of law enforcement to be picked up. At approximately 1:10 p.m., CI-1 entered a vehicle driven by another member of law enforcement ("Agent-1"). CI-1 gave Agent-1 a substance and indicated that CI-1 had purchased it from CALHOUN. That substance was field tested by the Port Chester Police Department and tested positive for cocaine base.

The April 20, 2018 Narcotics Purchase

j. On or about April 20, 2018, CI-1 contacted CALHOUN to coordinate a purchase of crack cocaine. CALHOUN and CI-1 arranged to meet at a location near the intersection of Fox Island Road and Grace Church Street in Port Chester, NY. I and other law enforcement officers outfitted CI-1 with an audio

recording device, searched CI-1 for contraband, and gave CI-1 \$500 in buy money for purchasing narcotics.


k. I observed CI-1 travel to the buy location at approximately 2:35 p.m. After CI-1 arrived, at approximately 2:43 p.m., CALHOUN met CI-1 and CI-1 and CALHOUN engaged in a hand to hand transaction.

l. At approximately 2:51 p.m., CI-1 entered a vehicle driven by Agent-1. CI-1 gave Agent-1 a substance and indicated that CI-1 had purchased it from CALHOUN. That substance was field tested by the Port Chester Police Department and tested positive for cocaine base.

* * *

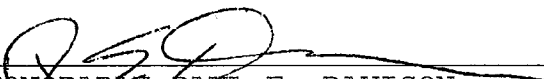
m. Substantially similar investigative techniques were used on the April 6, 2018 and April 20, 2018 controlled buys set forth above and the controlled buys on March 5, 2018; March 9, 2018; March 29, 2018; and May 1, 2018.

WHEREFORE, deponent respectfully requests that a warrant be issued for the arrest of JAMAR CALHOUN, a/k/a "MOTTY ROC," the defendants, and that he may be arrested and imprisoned or bailed, as the case may be.



JOSEPH MCGANN
Task Force Officer

Sworn to before me this
4th day of December, 2018



THE HONORABLE PAUL E. DAVISON
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK