

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

v.

CRIMINAL COMPLAINT

JOHNNY SANTIAGO,

CASE NUMBER: 10-M-241

I, Susan Blish, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

On or about the 25th day of March 2010, in the Eastern District of Wisconsin, Johnny Santiago, did willfully and knowingly embezzle, steal, purloin, and convert to his own use, \$1,100 in United States Currency, which was the property of the United States Department of Justice, Federal Bureau of Investigation, a department or agency of the United States, in violation of Title 18, United States Code, Section 641.

I further state that I am a Special Agent with the United States Department of Justice, Federal Bureau of Investigation, and this complaint is based on the following facts:

Please see the attached affidavit of Special Agent Susan Blish.

Continued on the attached sheet and made a part hereof: Yes No



Signature of Complainant

Sworn to before me and subscribed in my presence,

March 26th, 2010
Date

at Milwaukee, Wisconsin
City and State

The Honorable Patricia J. Gorence
United States Magistrate Judge
Name & Title of Judicial Officer



Signature of Judicial Officer

AFFIDAVIT FOR CRIMINAL COMPLAINT

I, Susan Blish, being first duly sworn, hereby depose and state as follows:

1. I am a Special Agent of the Federal Bureau of Investigation, currently assigned to the Milwaukee Division of the FBI. I have been a Special Agent for 18 years. I am currently assigned to the White Collar Crime Squad. In my career I have worked a variety of federal criminal violations including wire fraud, mail fraud, drugs, RICO, and public corruption offenses.

2. On March 25, 2010, as part of an investigation into corruption involving the theft of cash by law enforcement officers, an operation was planned in which a set amount of cash was hidden in a vacant store-front located at 2836 North Teutonia, Milwaukee, Wisconsin. At approximately 12:20 p.m., FBI Special Agent Daniel Hargreaves and I placed \$17,740 in United States currency at that location. One thousand dollars was placed into the pocket of a jacket hanging on a chair. Additional cash was placed near the chair, hidden behind a heating vent cover. This cash was inside a plastic shopping bag, and was comprised of \$2,740 in loose bills within the bag, and an additional \$14,000 inside a cellular telephone box. The placement of the money was videotaped, with videotaping continuing throughout the operation. After the cash was concealed, the agents departed and began physical surveillance of the location.

3. Officers of the Milwaukee Police Department (MPD), together with Special Agent Johnny Santiago of the Wisconsin Department of Justice, Division of Criminal Investigation (DCI) were observed entering the location at approximately 1:25 p.m. Shortly thereafter, Santiago was observed through the video recording equipment reaching into the jacket pocket

and pulling out what appears to be the cash. Santiago is observed counting the cash, and appears to have notified other officers of the cash in the pocket. Several minutes later, Santiago returns to the area and appears to discover the bag containing the cash in the heating vent. Santiago is observed reaching into the vent and appears to advise other officers of the existence of the cash. Other officers are observed in the company of Santiago, looking at the bag. Santiago then places the bag back into the vent area. After this, Santiago is observed returning to the area and appears to reach into vent on at least two other occasions. Throughout the search, Santiago is observed placing his hand into his pocket and then removing his hand.

4. Pursuant to MPD policy when large amounts of cash are located, the MPD officers at the scene contacted their lieutenant to respond and do a physical count of the cash discovered during the search. At approximately 1:52 p.m., a MPD Lieutenant arrived at the location and performed a count of the cash located.

5. At approximately 2:16 p.m., Santiago and the MPD officers were observed departing the store. Surveillance of Santiago, who departed in the scene in his state-owned vehicle was attempted, but was not successful. The MPD Lieutenant was contacted and advised that \$16,640 was recovered from the location, specifically \$1,000 from the pocket of the jacket, \$14,000 in the cellular telephone box, and \$1,640 which was loose in the shopping bag. Thus, approximately \$1,100 was missing. The MPD other officers involved in the "search" reported to a separate location where they were searched by case agents. None of the bait money was discovered on their persons, or in their vehicles. Small amounts of cash in the same denominations as that of the missing money was discovered on two of the officers. This cash was voluntarily turned over to agents, who later examined the cash for markings which had

previously been placed on the money. No such markings were observed. The serial numbers on the bills voluntarily turned over by the officers were also compared to the serial numbers previously recorded for the bait money and did not match any of the bait money serial numbers.

6. At approximately 2:34 p.m., Santiago's vehicle was observed parked in the area of the Milwaukee High Intensity Drug Task Force (HIDTA) building. At approximately 2:50 p.m., FBI agents observed Santiago departing the area of HIDTA in his vehicle. These agents followed Santiago's vehicle and observed him proceed east on Michigan Avenue, north on James Lovell (North 7th) Street, and east on Wisconsin Avenue. Santiago then drove into a public parking structure on the south side of Wisconsin Avenue between 6th and 7th Streets. Agents followed Santiago to the top level of the parking structure. Santiago did not park, but drove around the parking structure, past open parking spaces, and then drove toward the exit ramp of the structure. At that point, the agents exited their vehicle and approached Santiago's vehicle. Santiago acknowledged his identity when asked by an agent. Both agents identified themselves verbally as FBI agents and one of the agents also displayed his FBI credentials and told Santiago that he would need to stop his vehicle and speak with agents. Santiago indicated that he wished to pull his car ahead. The agents told Santiago to put his car in park and reiterated that they needed to speak with him. Santiago then rolled up his window and fled from the agents who pursued him down the entrance ramp before losing sight of him. Santiago's vehicle was observed shortly thereafter parked in the area of HIDTA. During his flight, Santiago called a supervisor at HIDTA and informed him that the FBI was chasing him.

7. Santiago subsequently returned to HIDTA and went into the supervisor's office and repeated that the FBI was chasing him and asked what was going on. The supervisor, who

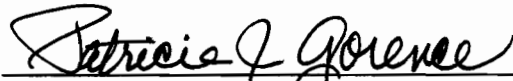
had no knowledge of the FBI's investigation, or the operation that day, told Santiago that he had no idea what was happening, but would try to find out. FBI agents then entered HIDTA, located Santiago and arrested him. The money was not located on his person or in his vehicle, but there was ample opportunity for him to discard the money during his flight.

8. I submit that the foregoing facts establish probable cause to believe that Johnny Santiago stole more than \$1,000 currency belong to the United States, in violation of Title 18, United States Code, Section 641.



SUSAN BLISH
Special Agent
Federal Bureau of Investigation

Subscribed and sworn
before me this 26 day of March, 2010.



HONORABLE PATRICIA J. GORENCE
United States Magistrate Judge
Eastern District of Wisconsin