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**NINE DEFENDANTS INDICTED IN SERIES OF DRUG-RELATED VIOLENT CRIMES, INCLUDING 1997 MURDER; FIVE OTHERS CHARGED IN RELATED CASES**

CHICAGO – Nine defendants were indicted today on federal charges for allegedly participating in a series of a dozen drug-related violent crimes, including robbery, kidnapping, torture and a murder, between 1997 and 2001. Also today, federal drug charges were filed against four additional defendants, including three alleged victims of the violence, and one other individual -- the 14<sup>th</sup> overall -- was indicted for allegedly providing false information during the investigation of the murder.

In recent weeks, federal authorities working with the Chicago Police Department and the Cook County State's Attorney's Office, discovered that four individuals were convicted and sentenced in state court – including two who pleaded guilty – for the 1997 murder, which today's federal indictment alleges was, in fact, committed by three of the nine defendants. Cook County State's Attorney Richard A. Devine announced today that his office is re-examining the four convictions and today asking a judge to release two of the men on bond while the investigation continues. The cases and related developments were announced at a press conference by Mr. Devine, Patrick J. Fitzgerald, United States Attorney for the Northern District of Illinois, Thomas

J. Kneir, Special Agent-in-Charge of the Chicago Office of the Federal Bureau of Investigation, and Terry Hillard, Superintendent of the Chicago Police Department.

The officials announced the following:

- A federal grand jury today returned a 28-count indictment against nine men, including brothers **Richard** and **Jerome Carman**, alleging that they and five co-defendants, who comprised the “Carman Brothers Crew,” engaged in a racketeering enterprise that obtained drugs, money and other property through robbery, kidnapping, extortion and torture of suspected drug dealers, as well as through identifying and retaliating against individuals who stole, or were suspected of stealing, drugs, money and property from them, and recovering the stolen contraband. Overall, the Carman Brothers Crew allegedly kidnapped a total of 15 victims in eight different episodes, with one victim kidnapped twice and another victim murdered;
- Four individuals who allegedly were robbery, extortion or kidnapping victims of the Carman Brothers Crew were themselves charged with federal narcotics offenses;
- The same federal grand jury indicted **Miguel LaSalle** for allegedly making material false statements this month and last month to FBI agents investigating the 1997 murder of Sindulfo Miranda, 56, of West Melrose, Chicago, whose badly burned body was found on July 18, 1997, in his Mercedes-Benz, which had been set on fire.

“Today is very much a bittersweet day for law enforcement. It is a tragedy that four innocent men were serving time for a crime they did not commit, but we can take comfort that diligent law enforcement has resulted in the extensive charges against the Carman Brothers Crew, and that it was law enforcement itself which took the initiative to re-investigate the murder case based on new information,” Mr. Fitzgerald said.

Mr. Kneir of the FBI said: “This investigation, utilizing the collective talents of the Chicago Police Department, FBI, Cook County State’s Attorney and the United States Attorney, developed facts surrounding the death of Sindulfo Miranda with no preconceived opinions being drawn from

the previous case. It was the collective goal of the investigators to determine the truth. I'm proud of the hard work that has led to today's indictment."

Initial charges in the Carman Brothers case were filed on May 7, when seven of the nine defendants were charged in a criminal complaint with conspiracy to possess and distribute large quantities of powder and crack cocaine and marijuana. Arrested at that time were:

**Richard Carman**, aka "Pee Wee," 25 (8/28/77), last known address 3200 block of W. 73<sup>rd</sup>, Chicago;

**Cesar Casiano**, 26 (1/21/76), last address 3300 W. Evergreen, Chicago;

**Natividad Calderon**, aka "Fuzzy," 24 (5/17/78), last address 1127 N. Christiana, Chicago;

**Alberto Rodriguez**, aka "TiTi," 29 (6/9/73), last address 4405 S. Talman, Chicago; and

**Daniel Perez**, aka "Clown," 24 (9/19/78), last address 3310 W. Beach, Chicago.

Another defendant, **Charles States**, aka "Chill," 24 (9/4/78), last address 1248 E. 79<sup>th</sup>, Apt. 307, Chicago, was arrested on Oct. 9, after he allegedly fired shots at two FBI agents and three Chicago police officers who went to arrest him. One other initial defendant, **Jerome Carman**, aka "Munchee," 27 (12/19/75), last address 3255 W. Hirsch, Chicago, remains a fugitive. Richard Carman, Calderon, Rodriguez, and States have been detained in federal custody since they were arrested. Casiano was released on a \$50,000 secured bond. Perez, who was also released on bond, was expected to surrender to federal authorities today.

Also indicted today together with those seven were **Francisco Ortiz**, aka "Frankie," "Francisco Rivera" and "Frankie Serrano," 31 (1/12/71) last address unknown, who is in federal custody, and **Omar Avila**, 24 (12/11/78), last address 2710 N. Fairfield, Chicago, who is a fugitive.

Today's indictment charges seven of the nine defendants – Richard and Jerome Carman, Casiano, Calderon, Rodriguez, States and Perez – with various crimes including racketeering and racketeering conspiracy. The RICO charges allege that the Carman Brothers Crew was a criminal enterprise that committed robbery, extortion, kidnapping, drug crimes, and murder in a pattern of 12 specific events between 1997 and August 2001. The same seven defendants are also charged with conspiracy to possess and distribute more than five kilograms of cocaine, more than 50 grams of crack cocaine, and more than 1,000 kilograms of marijuana, and one or more of the defendants in various combinations were charged with various narcotics, robbery, kidnapping, and gun crimes. States alone was charged with one count each of attempted murder of federal officers and assault of federal officers for allegedly shooting at two FBI agents and three Chicago Police officers assisting them when they went to arrest him Oct. 9. Chicago Police Officer John Graham was shot in the hand. States was also charged with possessing two semi-automatic pistols with an obliterated serial number.

The racketeering count charges the following 12 separate acts:

#### **Kidnapping and murder of Sindulfo Miranda**

On July 17, 1997, Richard Carman and Perez, together with Avila and Ortiz, abducted Sindulfo Miranda, whom they suspected of being a drug dealer, and confined him against his will in an apartment on North Christiana in Chicago. During this kidnapping, Richard Carman, assisted by Avila and Perez, through intimidation, threats of death and bodily harm, beating and torture, attempted to coerce Miranda into surrendering drugs and money, and caused the death of Miranda.

In addition to the racketeering count, Richard Carman, Perez and Avila were each charged with federal murder for allegedly killing Miranda while committing a drug crime. Ortiz alone was charged with attempting to possess and distribute more than 1,000 kilograms of marijuana on July 17, 1997, which is the only count that he is charged with in the indictment.

#### **Robbery of Victim A**

In October 1997, Richard Carman and Perez robbed a drug dealer, "Victim A," in a residence on Sacramento Avenue in Chicago. During this robbery, Richard Carman and Perez through intimidation and threats of death and bodily harm, coerced Victim A into surrendering a wholesale quantity of cocaine.

### **First kidnapping of Mark Johnson**

In early February 2001, Richard and Jerome Carman, together with "Kidnapper A," confined an alleged drug dealer, Mark Johnson, against his will in a residence on West Evergreen in Chicago and elsewhere. During this kidnapping, the Carman brothers through intimidation and threats of death and bodily harm, coerced Johnson into surrendering a quantity of marijuana and approximately \$100,000 in cash, and Richard Carman, through threats of death to Johnson and Johnson's family, prevented Johnson from reporting information relating to this event to law enforcement authorities and others.

### **Second kidnapping of Mark Johnson**

On March 1, 2001, Richard and Jerome Carman, Casiano, Calderon, and Perez abducted Johnson and later, together with Rodriguez, confined Johnson against his will in the Evergreen apartment and elsewhere. During this kidnapping, Richard Carman stole money from Johnson, and the Carman brothers and Perez, through intimidation, threats of death and bodily harm, beating, and torture, coerced Johnson into surrendering approximately 20 pounds of marijuana and arranging to meet another alleged drug dealer, Alexander Hirsch, at a location in Chicago where members of the Carman Brothers Crew could abduct Hirsch.

### **Kidnapping of Alexander Hirsch**

On March 1, 2001, Richard Carman, Calderon and Perez abducted Hirsch, and later, together with Jerome Carman and Rodriguez, confined Hirsch against his will in the Evergreen apartment and elsewhere. During this kidnapping, the Carman brothers, Calderon, Rodriguez, and/or Perez, through intimidation, threats of bodily harm, and torture, coerced Hirsch into surrendering at least 500 pounds (or approximately 227 kilograms) of marijuana and approximately \$100,000 in cash.

### **Kidnapping of South Tripp victims**

On May 13, 2001, Richard and Jerome Carman, Rodriguez and Perez confined seven residents of basement apartments in a building located on South Tripp in Chicago against their will, mistakenly suspecting that these victims were responsible for the rip-off the day before of marijuana, money, and other property from an apartment in the same building that was controlled by Jerome Carman. During this kidnapping, Richard Carman stole money belonging to one or more of the victims, and the Carman brothers, Rodriguez and Perez, through intimidation, threats of death and bodily harm, beating, and torture, and in retaliation for the rip-off of the Carman Brothers Crew,

attempted to coerce the victims into admitting their involvement in this rip-off and returning the property stolen from the Carman Brothers Crew.

### **Theft of cocaine at South Tripp Building**

On May 13, 2001, during the kidnapping of the South Tripp victims, the Carman brothers entered a car being used by one or more other residents of the South Tripp building, removed and stole from that car in excess of five kilograms of cocaine, and transported this cocaine to Perez's residence in Chicago.

### **Kidnapping of Daniel Perez**

In late May 2001, the Carman brothers confined Perez against his will inside a car, mistakenly suspecting that Perez was responsible for the rip-off of the Carman Brothers Crew. During this kidnapping, Richard and Jerome Carman, through intimidation, threats of death and bodily harm, and the infliction of bodily harm, namely, Richard Carman's shooting of Perez through the leg, and in retaliation for the rip-off of the Carman Brothers Crew, attempted to coerce Perez into admitting his involvement in this rip-off, identifying accomplices, and agreeing to facilitate the recovery of the property stolen from the Carman Brothers Crew during the rip-off.

### **Kidnapping of Victim B**

In July 2001, Richard and Jerome Carman, Casiano, States and Perez, together with "Kidnapper B," abducted an alleged drug dealer, "Victim B," and later confined Victim B against his/her will in a residence on West 73<sup>rd</sup> Street in Chicago and elsewhere. During this kidnapping, the Carman brothers, Casiano, States and/or Perez, through intimidation, threats of death and bodily harm, and beating, stole a wholesale quantity of cocaine and one or more firearms from Victim B's residence in Chicago, and coerced Victim B into causing another individual, "Individual A," to surrender multiple kilograms of cocaine.

### **Kidnapping of Alberto Rodriguez**

On Aug. 1, 2001, Richard and Jerome Carman and Perez, together with States, confined Rodriguez against his will at an abandoned apartment on or near Homan Avenue in Chicago and elsewhere, correctly suspecting that Rodriguez was responsible for the rip-off of the Carman Brothers Crew. During this kidnapping, the Carman brothers and Perez, through intimidation and threats of death and bodily harm, and in retaliation for the rip-off of the Carman Brothers Crew, coerced Rodriguez into admitting his alleged involvement in this rip-off; identifying accomplices, allegedly including Gerald Cooper, also known as "Magic," Chicago Police Officer Mario Morales and James O'Neill; and agreeing to facilitate the recovery of the property stolen from the Carman Brothers Crew.

### **Kidnapping of Victim C**

On Aug. 1, 2001, Richard and Jerome Carman, States and Perez confined “Victim C” against his/her will at locations in Chicago. During this kidnapping, the Carman brothers, States and/or Perez, through intimidation and threats of death and bodily harm, coerced Victim C into providing information concerning the whereabouts of Gerald Cooper and facilitating the Carman Brothers Crew’s abduction of Cooper.

### **Kidnapping of Gerald Cooper**

On Aug. 1, 2001, Richard and Jerome Carman, Casiano, States and Perez abducted Cooper and later confined him against his will in the abandoned Homan apartment and elsewhere. During this kidnapping, the Carman brothers, Casiano, States and/or PEREZ: (a) stole certain property, including a watch, from Cooper; (b) through intimidation and threats of bodily harm, and in retaliation for the rip-off of the Carman Brothers Crew, coerced Cooper into admitting his alleged involvement in this rip-off and other rip-offs, or attempted rip-offs, of the Carman Brothers Crew; identifying alleged accomplices, including CPD Officer Morales and O’Neill, and agreeing to facilitate the recovery of the property stolen from the Carman Brothers Crew; and (c) negotiated with Morales for Cooper’s release. Cooper, under duress, (a) led Richard Carman, States and Perez to the residence of O’Neill in a suburb west of Chicago, at which time Richard Carman, States and Perez broke into the residence and searched for O’Neill and for drugs, money, and other property previously stolen from the Carman Brothers Crew; (b) agreed to sell drugs for the Carman Brothers Crew and to surrender a Lexus automobile titled in the name of Robert Morgan as compensation for the stolen property and as conditions of his release from confinement; and (c) introduced the Carman brothers to Morgan, who relinquished title to the Lexus, in exchange for approximately one kilogram of crack cocaine that Morgan obtained from Richard Carman.

Also today, Mr. Fitzgerald announced the following additional separate cases:

- **Mark R. Johnson**, 33 (12/21/68), formerly of Palatine; one-count information charging possession with intent distribute marijuana on March 1, 2001;
- **Alexander R. Hirsch**, 36 (6/22/66), formerly of Chicago; one-count indictment charging possession with intent to distribute more than 100 kilograms of marijuana on March 1, 2001;
- **Robert M. Morgan**, 52 (10/24/50), of a Chicago suburb, one-count information charging possession of more than five grams of crack cocaine in August 2001;
- **Richard Romolo**, 30 (12/28/71), formerly of Chicago; one-count information charging conspiracy to possess with intent to distribute more than 100 kilograms of marijuana between 1998 and 2001; and

- **Miguel LaSalle**, 40 (12/7/62), of Deltona, Fla., and formerly of Chicago, three-count indictment charging him with making material false statements on Nov. 5 and Dec. 13 to FBI agents investigating the kidnapping and murder of Miranda in which LaSalle was a material witness. Specifically, the indictment alleges that LaSalle lied about:
  - being present in Ronnie's Bar, 2103 N. California, Chicago, during the evening of July 17, 1997, in which he overheard statements made by Duarte Santos concerning the planned murder or robbery of Miranda;
  - Santos showing him a gold bracelet with the name "Miranda" spelled out in diamonds, which LaSalle said Santos was wearing at a meeting with him in October 1997; and
  - seeing Santos, Ronnie Gamboa, Luis Ortiz, Robert Gayol and Omar Aguirre with Miranda in or about Ronnie's Bar during the evening of July 17, 1997.

Following the 1997 murder of Miranda, four individuals were convicted of state charges related to the killing. Luis Ortiz, 24, formerly of 3400 W. Fullerton, Chicago, pleaded guilty to first-degree murder and was sentenced on Feb. 1, 2002, to 25 years in prison. Duarte Santos, 31, formerly of 1300 N. Kedzie, Chicago, pleaded guilty to aggravated kidnapping and was sentenced on Feb. 1, 2002, to 12 years in prison. Omar Aguirre, 33, formerly of 2737 W. Chanay, Chicago, was convicted of murder after a jury trial in January 1999 and sentenced on March 9, 1999, to 55 years in prison. Robert Gayol, 39, formerly of 3152 N. Francisco, Chicago, was convicted after a bench trial in September 2001 and sentenced on Dec. 20, 2001, to life in prison. Mr. Devine said that state prosecutors are re-examining all four convictions and that Santos and Aguirre were scheduled to appear today before Presiding Judge Paul Biebel at 26<sup>th</sup> and California to be released on bond. Ortiz, who is serving an 8-year consecutive sentence for aggravated battery for stabbing an inmate at the Cook County jail while awaiting trial on the murder charge, and Gayol, who is serving an additional sentence of 14 years for five burglaries, will remain in prison because of their

convictions unrelated to the murder. A fifth defendant, Ronnie Gamboa, was acquitted by a jury in a state trial.

If convicted, on the federal murder count, Richard Carman, Perez and Avila each face a maximum penalty of life in prison without parole, or death. In addition, those three, together with the other four defendants charged in the narcotics conspiracy and racketeering counts, face a mandatory minimum of 10 years to a maximum of life in prison and a \$4 million fine on the narcotics conspiracy count, and a maximum of 20 years in prison and a \$250,000 on each of the racketeering counts. The remaining counts in the Carman Brothers Crew case carry various maximum sentences, including on various firearms counts a mandatory consecutive sentence of at least five years to a maximum of life. The four defendants charged separately with drug offenses each face a maximum penalties ranging from 20 to 40 years in prison. LaSalle, if convicted faces a maximum penalty of five years and a \$250,000 fine on each count. Note, however, that the Court will determine the appropriate sentence to be imposed under the United States Sentencing Guidelines.

The government is being represented by Assistant United States Attorneys Theodore Chung and Mark Prosperi and Chief Deputy State's Attorney Robert Milan.

The public is reminded that indictments and informations contain only charges and are not evidence of guilt. The defendants are presumed innocent and are entitled to a fair trial at which the government has the burden of proving guilt beyond a reasonable doubt.

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