

UNITED STATES DISTRICT COURT
for the
Middle District of Tennessee

United States of America
v.
JAIDEN RAINE HIGUEROS
Case No. 21-mj-4022
Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 15, 2021 in the county of Davidson in the
Middle District of Tennessee, the defendant(s) violated:

Table with 2 columns: Code Section, Offense Description. Rows include 18 U.S.C. § 912 (False Personation, Officer or Employee of the United States) and 49 U.S.C. § 46505(b)(1) (Carrying a Weapon or Explosive on an Aircraft).

This criminal complaint is based on these facts:

See Attached statement in support of complaint

Continued on the attached sheet.

/s/ Adriaan Valk
Complainant's signature

FBI SA Adriaan Valk
Printed name and title

Sworn to me remotely by telephone, in compliance with
Fed. R. Crim. P. 4.1.

Date: 04/05/2021



Signature of Alistair E. Newbern
Judge's signature

City and state: Nashville, Tennessee

Magistrate Judge Alistair E. Newbern
Printed name and title

STATEMENT IN SUPPORT OF CRIMINAL COMPLAINT

I, Adriaan Valk, being first duly sworn on oath, states as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the Federal Bureau of Investigation (FBI), and I have been since September 1997. I am currently assigned to the Memphis Division, Nashville Resident Agency, where I am assigned to the Joint Terrorism Task Force.
2. As a result of my assignments, I have received specialized training regarding violations of Federal law which occur with the airport environment and on-board aircraft. Title 49 United States Code, Section 46501 establishes the Special Aircraft Jurisdiction of the United States and gives the federal government jurisdiction in all criminal matters occurring on any civil aircraft of the United States while in flight, regardless of departure or arrival location.
3. The facts in this affidavit come from my personal observations, my training and experience, information obtained from other agents, local law enforcement officers, suspects, and witnesses. I have personally participated in the investigation set forth below. I am familiar with the facts and circumstances of the investigation through my personal participation, from discussions with other agents of the FBI and other law enforcement agencies, and from my review of records and reports relating to the investigation.
4. This affidavit is intended only to show that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.
5. Based on my training and experience and the facts as set forth in this Affidavit, there is probable cause to believe that violations of Title 49, United States Code, Section 46505 (b) (1), Carrying a Weapon or Explosive on an Aircraft, Title 18, United States Code, Section 912, False Personation, Officer or Employee of the United States, have been committed by Jaidan Raine

HIGUEROS.

PROBABLE CAUSE

6. Title 49, United States Code, Section 46505 (b) (1), states in pertinent part: “An individual shall be fined under title 18, imprisoned for not more than 10 years, or both, if the individual (1) when on, or attempting to get on an aircraft...has on or about the individual...a concealed dangerous that is or would be accessible to the individual in flight.”

7. Title 18, United States Code, Section 912, states in pertinent part: “Whoever falsely assumes or pretends to be an officer or employee acting under the authority of the United States, or any department agency or officer thereof, and acts as such...shall be fined under this title or imprisoned not more than three years, or both.

8. On February 15, 2021, Jaidan Raine **HIGUEROS** flew from Chicago O'Hare Airport to the Nashville International Airport aboard United Airlines Flight 1284. During the flight, Federal Air Marshals (FAMs) onboard noticed **HIGUEROS** acting suspiciously. The FAMs determined that **HIGUEROS** was carrying a loaded firearm inside a duffle bag in the passenger compartment of the aircraft. Upon arrival in Nashville, Nashville Airport Department of Public Safety Officers met the flight, and arrested Higueros.

9. **HIGUEROS** is a Private Second Class in the United States Army, currently assigned to the 561st Military Police Company, at Fort Campbell, Kentucky. **HIGUEROS**'s military commander, Captain Zachary Johnson, advised that at the time of the flight, **HIGUEROS** was absent without leave (AWOL) because he had left a 250-mile radius surrounding Fort Campbell without approved leave or pass to travel to Chicago. Captain Johnson further noted that during his trip, **HIGUEROS** was not serving in any government or law enforcement capacity and had not

been issued any law enforcement credentials or badge. After his arrest, **HIGUEROS**, who lives in barracks on Fort Campbell, failed to contact his first line supervisor and chain of command to notify them of the incident.

10. During a subsequent interview with agents at his barracks, **HIGUEROS** spontaneously noted that he should have requested approval from his unit before traveling, since Chicago was more than 250 miles from Ft. Campbell, but he did not request or receive approval for his trip.

11. **HIGUEROS** initially traveled to Chicago O'Hare International Airport on February 11, 2021, aboard American Airlines Flight 3263. Higueros traveled with his personally owned pistol, a Glock 43 9mm, in his checked luggage, without incident.

12. Prior to his initial travel, **HIGUEROS** contacted American Airlines regarding the proper procedures for flying with a firearm. A representative explained that the weapon had to be declared while checking in, secured in a lockbox, with ammunition in a separate container, and all items placed in checked luggage. At the time of his arrest, **HIGUEROS** was found to have an American Airlines "Firearms Unloaded" form from his initial flight on his person, reflecting flight number 3263, however, the handwritten date was entered as "01/11/2021," instead of "02/11/2021."

13. On the morning of February 15, 2021, **HIGUEROS** missed his originally scheduled return flight on American Airlines. He learned the next flight to Nashville was on United Airlines, so he hurried to the United Terminal to book a reservation.

14. At the United Airlines ticketing counter, **HIGUEROS** was assisted by Gary Wong, a Customer Service Supervisor. In a subsequent interview with agents, Wong recalled that **HIGUEROS** stated that he worked for the Defense Department, was transporting evidence for a

court case, and needed to get to Nashville. **HIGUEROS** also told Wong that he had a gun in his luggage. When Wong advised him that he wouldn't make the flight, because the check in process for the firearm would take too long, **HIGUEROS** told him that he was a "LEO." Wong understood this to mean that **HIGUEROS** was a Law Enforcement Officer, who was allowed to fly armed. Wong recalled that **HIGUEROS** showed him a white Military identification card, with an expiration date. Wong finished checking **HIGUEROS** in for the flight, then escorted him to the security checkpoint. Wong also provided **HIGUEROS** with a LEO form, which **HIGUEROS** filled out.

15. At the TSA checkpoint for armed law enforcement officers. **HIGUEROS** had to wait a few minutes, until Transportation Security Administration (TSA) Transportation Security Officer (TSO) Jeremy Szweda came to check him in. When Szweda arrived, **HIGUEROS** informed the TSO that he only had a few minutes to make his flight. **HIGUEROS** told Szweda that he had evidence in his bag that he had to get to the destination by a certain time. **HIGUEROS** provided his military identification card, driver's license, boarding pass, and United Airlines Flying Armed form to the TSO. The TSO had **HIGUEROS** fill out the Checkpoint Sign-in log, and asked **HIGUEROS** if he had any other credentials on him. **HIGUEROS** said he did not. Szweda asked **HIGUEROS** for his UFAN number, and **HIGUEROS** stated that he did not know what a UFAN number was. **HIGUEROS** then stated he was military police, and again stated he had evidence in his bag that he had to get to his destination by a certain time. TSO Szweda called his supervisor over, and **HIGUEROS** was ultimately cleared to proceed to his gate.

16. LEOs flying armed are required to meet the following criteria:
- a. they must be a Federal Law Enforcement Officer or a full-time municipal, county, or state law enforcement officer who is a direct employee of a government agency;
 - b. they must be a sworn and commissioned to enforce criminal statutes or immigration statutes;
 - c. they must be authorized by the employing agency to have the weapon in connection with assigned duties; and
 - d. they must have completed the training program entitled “Law Enforcement Officers Flying Armed.”

17. More specifically, upon arrival at the airport, an armed LEO checks in with the airline, identifies themselves as a LEO by showing credentials, and is typically issued airline specific paperwork to complete before being permitted to fly armed. The LEO then goes to a designated TSA checkpoint, where they sign a log, show credentials, and display the following items: (1) a second form of photo identification; (2) a badge; (3) an airline flying armed form; and (4) a boarding pass. The LEO is also required to provide their agency Unique Federal Agency Number (UFAN), a unique identifying number that changes periodically.

18. During his subsequent interview, **HIGUEROS** was shown a photocopy of the TSA Checkpoint Sign-in Log. **HIGUEROS** reviewed the log and confirmed that the first entry was his (the other two entries in the photocopy were redacted). **HIGUEROS** noted that he entered the date and time, his name, “Military Police” for the agency name, and entered his Badge/Credential number as 1574170717 (his Department of Defense ID number), and that he checked the boxes for Federal Officer, and that he was carrying a firearm. **HIGUEROS** further stated that he entered his barracks address as 1947 Desert Storm Ave, 409A, but did not write “Amargosa Valley, 89020”. He entered his personal cell phone number and the telephone number for Ft. Campbell

Military Police as his Agency number. **HIGUEROS** stated that he did not check “Yes” stating that he completed Required LEO Flying Armed Training and explained that he has never received any type of Flying Armed Training.

19. Huali Ye, a United Airlines Customer Service Representative was working the departure gate for the flight to Nashville, told agents in a subsequent interview that she recalled a LEO arriving at the gate after the aircraft door was closed. The LEO told Ye that he had to make it on the plane because he was carrying evidence for a case. After consulting with the flight crew, the aircraft door was opened and **HIGUEROS** boarded the aircraft, which departed O’Hare International Airport shortly thereafter.

20. During his interview with agents, **HIGUEROS** stated that he boarded the United flight, and went to his seat, placing his carry-on items in overhead storage and under the seat in front of his. **HIGUEROS** stated that a flight attendant called him to the front of the aircraft to speak with the Captain via intercom. **HIGUEROS** explained to the pilot that he was a law enforcement officer, and was carrying a firearm on the aircraft, and reassured him that there was no reason for concern. **HIGUEROS** then returned to his seat and fell asleep for most of the flight. **HIGUEROS** was awakened when the flight attendant announced that the flight was nearing Nashville. He went to the aircraft lavatory, carrying his bag with the firearm, and changed his shirt.

21. Also onboard the flight were three TSA Federal Air Marshals (FAMs). During the flight, the FAMs were notified by the flight crew that an armed law enforcement officer had boarded the aircraft and identified his assigned seat. One of the FAMs, Spencer Blanchette, observed **HIGUEROS** acting suspiciously and saw him enter the aircraft lavatory with a duffel bag. When

HIGUEROS exited the lavatory, Blanchette met **HIGUEROS** and began to speak with him, asking if he was armed. **HIGUEROS** told Blanchette that he was a Military Policeman and was transporting the firearm as evidence in a crime and would be handing it over to the FBI in Nashville, Tennessee. Blanchette asked **HIGUEROS** for his law enforcement credentials, and **HIGUEROS** provided his military ID card and United Airlines Flying Armed paperwork. **HIGUEROS** gave Blanchette verbal consent to search his bag and provided a key to open the lock on the bag. Blanchette searched the bag, finding an unloaded Glock 43 9mm (ser. AEWV120), one magazine with 6 rounds of ammunition, and one empty magazine. Blanchette noted that the weapon's slide was locked to the rear and an orange cable lock was secured through the ejection port and magazine well. **HIGUEROS** had the keys to the cable lock in his front pants pocket, so that the weapon was or would have been accessible to him during flight.

22. After **HIGUEROS** was unable to provide valid law enforcement credentials, the Federal Air Marshals handcuffed and detained him for the remainder of the flight.

23. **HIGUEROS** was later interviewed by agents and admitted that he was traveling in his personal capacity, and not on official business during his entire trip to Chicago and back to Nashville. He further confirmed that he was Absent Without Leave, since he had not obtained approval for the trip from his supervisors, and he had traveled more than 400 miles from Ft. Campbell. **HIGUEROS** confirmed that he carried his personal firearm onto his flight from Chicago to Nashville, knowing that he was not a law enforcement officer acting in his official capacity, and that he had no lawful authority to do so. **HIGUEROS** admitted that he told several people during his travel that the weapon was evidence and admitted that was a lie. **HIGUEROS** explained that his primary motivation was to get home, and that he had no malicious intent for his

actions.

24. Upon his arrival in Nashville, Nashville Airport Police Officers arrested **HIGUEROS** and charged his with Airport and Aircraft Security – entry (TCA 39-17-109), and Unlawful Possession of a Weapon (TCA 39-17-1307).

CONCLUSION

25. Your affiant submits that this affidavit supports probable cause to believe that Jaidan Raine **HIGUEROS** has committed violations of Title 49, United States Code, Section 46505 (b) (1), Carrying a Weapon or Explosive on an Aircraft, and Title 18, United States Code, Section 912, False Personation, Officer or Employee of the United States.

26. Further the affiant sayeth not.