

UNITED STATES DISTRICT COURT

for the

Central District of Illinois

United States of America

v.

Case No. 23-MJ-6018

TYLER W. MASSENGILL

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 January 15, 2023 in the county of Peoria in the Central District of Illinois, the defendant(s) violated:

Code Section

Offense Description

Title 18 United States Code, Section 844(i)

defendant herein, maliciously damaged and destroyed, and attempted to damage and destroy, by means of fire and an explosive, a building used in interstate commerce and engaged in activity affecting interstate commerce, that is, the Planned Parenthood located at 2709 N. Knoxville Avenue, Peoria, Illinois.

This criminal complaint is based on these facts:

See attached Affidavit

Continued on the attached sheet.

s/Ronald E Stout

Complainant's signature

Ronald E. Stout, Special Agent, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 01/25/2023

s/Eric I Long

Judge's signature

City and state: Urbana Illinois

Eric I. Long, United States Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS
PEORIA DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	23-MJ-6018
vs.)	
)	
)	
TYLER W. MASSENGILL,)	
)	
Defendant.)	

CRIMINAL COMPLAINT
**(Malicious Use of Fire and an Explosive to Damage, and Attempt to Damage,
Property Used In and Affecting Interstate Commerce)**

On or about January 15, 2023, at Peoria, in the Central District of Illinois
and elsewhere,

TYLER W. MASSENGILL,

defendant herein, maliciously damaged and destroyed, and attempted to
damage and destroy, by means of fire and an explosive, a building used in
interstate commerce and engaged in activity affecting interstate commerce, that
is, the Planned Parenthood Peoria Health Center located at 2709 N. Knoxville
Avenue, Peoria, Illinois.

In violation of Title 18, United States Code, Section 844(i).

INTRODUCTION

1. I am a Special Agent with the FBI, and have been since January 3, 2010. I am currently assigned to the Springfield Division Counterterrorism Squad, where I investigate violations of United States laws relating to domestic terrorism, weapons of mass destruction, and other matters of national security. I have gained expertise in the conduct of such investigations through training classes and everyday work related to these types of investigations. I have been involved in multiple search warrants and arrests. As a federal Agent, I am authorized to investigate and assist in the prosecution of violations of laws of the United States, and to execute search warrants and arrest warrants issued by federal courts.

2. The statements contained in this affidavit are based on my personal knowledge as well as on information provided to me by other law enforcement officers. This affidavit is submitted in support of a criminal complaint alleging Tyler W. MASSENGILL has violated Title 18, United States Code, Section 844(i) (Malicious Use of Fire and an Explosive to Damage, and Attempt to Damage, Property Used In and Affecting Interstate Commerce). Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging MASSENGILL, in violation of Title 18, United States Code, Section 844, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that the defendant committed the offense alleged in the complaint.

3. This affidavit is based upon my personal involvement in this

investigation, my training and experience, my review of relevant evidence, and information supplied to me by other law enforcement officers involved in a joint investigation of the offense referenced herein, including but not limited to the FBI, the Peoria Police Department, and the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF).

STATUTORY AUTHORITY and TERMS

4. This investigation concerns violations of Title 18, United States Code, Section 844(i) which states:

(i) Whoever maliciously damages or destroys, or attempts to damage or destroy, by means of fire or an explosive, any building, vehicle, or other real or personal property used in interstate or foreign commerce or in any activity affecting interstate or foreign commerce shall be imprisoned for not less than 5 years and not more than 20 years, fined under this title, or both; and if personal injury results to any person, including any public safety officer performing duties as a direct or proximate result of conduct prohibited by this subsection, shall be imprisoned for not less than 7 years and not more than 40 years, fined under this title, or both; and if death results to any person, including any public safety officer performing duties as a direct or proximate result of conduct prohibited by this subsection, shall also be subject to imprisonment for any term of years, or to the death penalty or to life imprisonment.

PROBABLE CAUSE

5. On January 15, 2023, at approximately 11:20 PM, the Peoria Police Department and Peoria Fire Department responded to a fire at the Planned Parenthood Peoria Health Center (PHC), located at 2709 North Knoxville Avenue, Peoria, Illinois. At all times relevant to this complaint, per Planned Parenthood and the PHC's website, the PHC was engaged in activity in and affecting interstate commerce, including but not limited to the provision of medical services to the public for a fee, including

residents of states other than Illinois; employing health care and administrative personnel; and purchasing and using medical supplies and devices obtained outside of Illinois. The PHC also advertises its services online, and provides online telehealth services and online booking. The PHC used its building at 2709 North Knoxville Avenue to facilitate these activities and to provide these services. As a result of the fire, the PHC building suffered significant damage, and the PHC has closed its doors to patients, potentially for several months or more.

6. In response to the fire, numerous law enforcement agencies, including the FBI, the Peoria Police Department, the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), and the Peoria Fire Department, have been investigating the origin and cause of the fire. While the analysis of physical evidence left at the scene is ongoing, Peoria Fire Department investigators have determined the cause of fire to be arson and have identified the suspected use of an incendiary device.

7. During the immediate response to the fire, a nearby resident stated they observed a white older model pick-up truck with a loud exhaust in the area prior to the fire. The witness also indicated at least one of the doors to the truck was darker in color in comparison to the remainder of the truck. The witness stated they had seen a person running toward the PHC building and described the subject as a white, male, approximately 40-50 years of age, wearing a flannel shirt, with a medium length hair. The male was carrying a "lunch box" sized container.

8. On or about January 16, 2023, the Peoria Police Department collected surveillance video footage from the area surrounding the PHC building. The footage

depicts an older white pickup truck with red doors parking in the area adjacent to the PHC just prior to the fire. The video also shows the vehicle leaving the scene just moments after the fire began. A still image from this surveillance footage of the truck is included below.

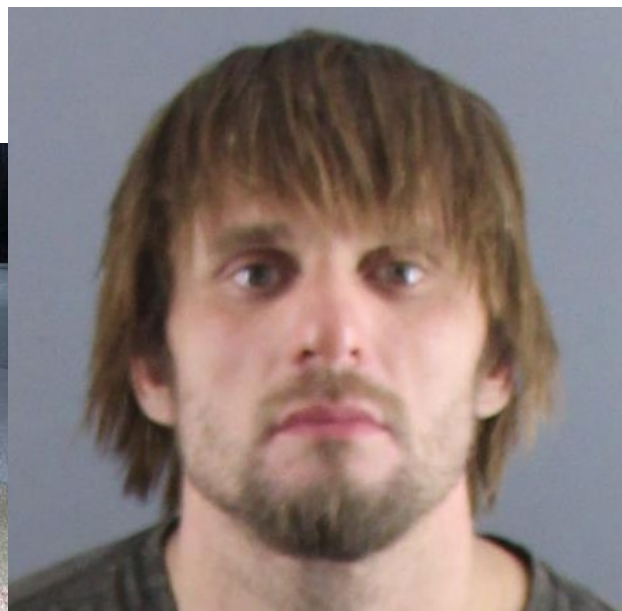


9. On January 17, 2023, the Peoria Police Department obtained video footage from Planned Parenthood, including footage of the exterior area around the building, from the night of the fire. At approximately 11:20 PM that evening, the video depicts a male wearing a coat with a hood pulled up and possible face mask walk up to the building with a laundry-detergent-sized bottle. The male subject lit a rag on fire on one end of the bottle, smashed a window with an object, then placed the container inside of the PHC building. The subject then quickly left the area on foot.

10. On January 17, 2023, the Peoria Police Department received a tip concerning the suspect pickup truck, an image of which had been released to the media. The tipster provided an Illinois license plate number for the suspect pickup truck, specifically plate number "3199032". Peoria police conducted an inquiry of the subject plate number in a license plate reader database system which returned a photo of an

older white pickup truck, with red doors, bearing license plate number 3199032 at the intersection of McClure Avenue and Sheridan Road, Peoria, Illinois, on January 5, 2023, at approximately 1:30 PM.

11. On January 17, 2023, Peoria police ran license plate 3199032 through a database to determine the registered owner of the vehicle. The registered owner came back as Tyler Wayne Massengill, DOB: 06/12/1990; addresses: 1017 North Santa Fe Avenue, Chillicothe, Illinois, and 3806 North Dayton Avenue, Peoria, Illinois; and registered vehicle: white 1996 Dodge Dakota, VIN: 1B7KF26C1TJ194623. Also on January 17, 2023, the Peoria Police Department obtained a booking photo of MASSENGILL and a located a Facebook account for MASSENGILL. The images of MASSENGILL from his booking photo and Facebook account bear a likeness to the individual depicted in the video footage obtained from Planned Parenthood. Still images from the surveillance footage and a booking photo of MASSENGILL are included below.



12. On January 23, 2023, a source of information (SOI), SOI-1, contacted local authorities and advised she had MASSENGILL's truck in the garage of her residence located in Sparland, Illinois. SOI-1 also stated that, on January 16, 2023, MASSENGILL had arrived at SOI-1's residence, asked SOI-1 to keep his truck in her garage, and arranged for her to paint the doors on his truck for \$300. According to SOI-1, the doors were red and MASSENGILL wanted them painted white. MASSENGILL stayed at SOI-1's residence that night. On January 17, 2023, SOI-1's father drove SOI-1, SOI-1's boyfriend, and MASSENGILL to an Alcoholics Anonymous meeting and then dropped MASSENGILL off at his father's house in Chillicothe, Illinois. SOI-1 had not seen MASSENGILL since.

13. SOI-1 last spoke with MASSENGILL on approximately January 18, 2023, via Facebook, when she asked him to come get the truck. MASSENGILL indicated he had seen his truck on the news, but stated, "I didn't do it, I didn't do it."

14. On January 23, 2023, the FBI seized MASSENGILL's truck from SOI-1's garage. The truck, which bore Illinois license plate 3199032, had been painted white by that time, but the FBI recovered a paint grinder from the scene with red paint residue. In all other respects, the truck bore a likeness to the suspect pickup truck captured on surveillance footage near the PHC at the time of the fire.

15. On January 24, 2023, MASSENGILL telephonically contacted the Peoria Police Department and stated he wanted to speak about the incident at the PHC. MASSENGILL arrived at the Peoria Police Department, at approximately 6:00 PM on January 24, 2023. MASSENGILL was advised of his *Miranda* rights and was

subsequently interviewed by Peoria police and the FBI. During the interview, MASSENGILL stated he saw his truck on the news while he was at work. Initially, MASSENGILL denied responsibility for the fire, claiming that he traveled to Peoria on January 15, 2023 and allowed two adult males to borrow his truck. MASSENGILL then changed his story and told investigators about a relationship he had been in approximately three years earlier. At that time, MASSENGILL's girlfriend had become pregnant. MASSENGILL's girlfriend, who was in the Peoria area while he was working in Alaska, informed MASSENGILL, via telephone, that she had elected to abort the child, which upset MASSENGILL. On or around January 15, 2023, MASSENGILL heard or saw something that reminded him of the abortion, again upsetting him. MASSENGILL admitted that, on January 15, 2023, he broke the window out of the PHC and placed a burning container inside of the building. MASSENGILL confirmed that he had driven his truck to SOI-1's residence and asked her to paint the truck white. MASSENGILL also told investigators he thought that, if his actions the night of January 15, 2023 caused "a little delay" in a person receiving services at the PHC, his conduct may have been "all worth it."

Conclusion

16. Based on the foregoing, I submit that there is probable cause to believe that on or about January 15, 2023, Tyler W. MASSENGILL committed the offense of maliciously damaging and destroying, and attempting to damage and destroy, by means of fire and an explosive, a building used in interstate commerce and engaged in

activity affecting interstate commerce, in violation of 18 U.S.C. 844(i). I respectfully request this Court issue a Criminal Complaint charging MASSENGILL accordingly, along with an arret warrant for his arrest.

FURTHER AFFIANT SAYETH NOT.

Respectfully submitted,

s/Ronald E Stout

Ronald E. Stout, Jr.
Special Agent
Federal Bureau of Investigation

Sworn and subscribed to me by telephone pursuant to Fed. R. Crim. P. 41(d)(3) and Rule 4.1 this 25th day of January, 2022.

s/Eric I Long

Honorable Eric I. Long
United States Magistrate Judge