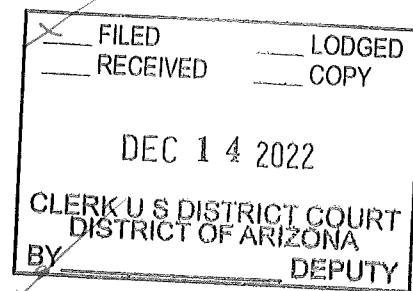


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COREY R. AMUNDSON
Chief, Public Integrity Section
Criminal Division, U.S. Department of Justice
TANYA SENANAYAKE
Trial Attorney, Public Integrity Section
D.C. Bar No. 1006218
Criminal Division, U.S. Department of Justice
1301 New York Ave. 10th Floor
Washington, DC 20530
Telephone: 202-514-1412
Email: Tanya.Senanayake@usdoj.gov

GARY M. RESTAINO
United States Attorney
District of Arizona
SEAN K. LOKEY
Assistant United States Attorney
Arizona State Bar No. 033627
Two Renaissance Square
40 N. Central Ave., Suite 1800
Phoenix, Arizona 85004
Telephone: 602-514-7500
Email: sean.lokey@usdoj.gov
Attorneys for Plaintiff



REDACTED FOR
PUBLIC DISCLOSURE

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

United States of America,

Plaintiff,

vs.

Joshua Russell,

Defendant.

No. CR-22-1661-PHX-SPL (ESW)

INDICTMENT

VIO: 18 U.S.C. § 875(c)
(Interstate Threat)
Counts 1-3

47 U.S.C. § 223(a)(1)(C)
(Threatening Interstate
Telephone Call)
Counts 4-6

THE GRAND JURY CHARGES:

BACKGROUND ALLEGATION

1. At all times relevant to the indictment, VICTIM-1 was an election official who worked at the Arizona Secretary of State’s Office in Phoenix, Arizona.

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COUNT 1
18 U.S.C. § 875(c)
(INTERSTATE THREAT)

2. On or about August 2, 2022, in the District of Arizona and elsewhere, the defendant JOSHUA RUSSELL, for the purpose of issuing a threat to injure and kill another person and with knowledge that the communication would be viewed as a threat to injure and kill another person, knowingly transmitted a communication in interstate and foreign commerce containing a true threat to injure and kill another person by stating the following in a voicemail telephone message he left for VICTIM-1 on VICTIM-1's desk phone voicemail system: "This message is for traitor [VICTIM-1's full name]. You've drug your feet, you've done nothing, to protect our election for 2020. You're committing election fraud, you're starting to do it again, from day one. You're the enemy of the United States, you're a traitor to this country, and you better put your sh[inaudible], your fucking affairs in order, 'cause your days [inaudible] are extremely numbered. America's coming for you, and you will pay with your life, you communist fucking traitor bitch."

In violation of Title 18, United States Code, Section 875(c).

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COUNT 2
18 U.S.C. § 875(c)
(INTERSTATE THREAT)

3. On or about September 9, 2022, in the District of Arizona and elsewhere, the defendant JOSHUA RUSSELL, for the purpose of issuing a threat to injure and kill another person and with knowledge that the communication would be viewed as a threat to injure and kill another person, knowingly transmitted a communication in interstate and foreign commerce containing a true threat to injure and kill another person by stating the following in a voicemail telephone message he left for VICTIM-1 on the Arizona Secretary of State's office voicemail system: "This message is for terrorist [VICTIM-1's last name]. The only reason you're still walking around on this planet is because we're waiting for the midterms to see you prosecuted for the crimes you have done to our nation. You are a terrorist. You

1 are a derelict criminal. And you have a few short months to see yourself behind bars, or
2 we will see you to the grave. You are a traitor to this nation, and you will suffer the fucking
3 consequences.”

4 In violation of Title 18, United States Code, Section 875(c).

5
6 **COUNT 3**
7 **18 U.S.C. § 875(c)**
8 **(INTERSTATE THREAT)**

9 4. On or about November 15, 2022, in the District of Arizona and elsewhere,
10 the defendant JOSHUA RUSSELL, for the purpose of issuing a threat to injure and kill
11 another person and with knowledge that the communication would be viewed as a threat
12 to injure and kill another person, knowingly transmitted a communication in interstate and
13 foreign commerce containing a true threat to injure and kill another person by stating the
14 following in a voicemail telephone message he left for VICTIM-1 on the Arizona Secretary
15 of State’s office voicemail system: “This message is for communist, criminal, [VICTIM-
16 1’s full name]. We will not endure your crimes on America another day. You’ve been
17 busted, over and over again. We will not wait for you to be drugged through court. A war
18 is coming for you. The entire nation is coming for you. And we will stop, at no end, until
19 you are in the ground. You’re a traitor to this nation. You’re a fucking piece of shit
20 communist, and you just signed your own death warrant. Get your affairs in order, cause,
21 your days are very short.”

22 In violation of Title 18, United States Code, Section 875(c).

23 **COUNT 4**
24 **47 U.S.C. § 223(a)(1)(C)**
25 **(THREATENING INTERSTATE TELEPHONE CALL)**

26 5. On or about August 2, 2022, in the District of Arizona and elsewhere, the
27 defendant JOSHUA RUSSELL, did, in interstate and foreign communications, make a
28 telephone call and utilize a telecommunications device, whether or not conversation and

1 communication ensued, without disclosing his identity and with intent to threaten any
2 specific person, by stating the following in a voicemail telephone message he left for
3 VICTIM-1 on VICTIM-1's desk phone voicemail system: "This message is for traitor
4 [VICTIM-1's full name]. You've drug your feet, you've done nothing, to protect our
5 election for 2020. You're committing election fraud, you're starting to do it again, from
6 day one. You're the enemy of the United States, you're a traitor to this country, and you
7 better put your sh[inaudible], your fucking affairs in order, 'cause your days [inaudible]
8 are extremely numbered. America's coming for you, and you will pay with your life, you
9 communist fucking traitor bitch."

10 In violation of Title 47, United States Code, Section 223(a)(1)(C).

11 **COUNT 5**
12 **47 U.S.C. § 223(a)(1)(C)**
13 **(THREATENING INTERSTATE TELEPHONE CALL)**

14 6. On or about September 9, 2022, in the District of Arizona and elsewhere, the
15 defendant JOSHUA RUSSELL, did, in interstate and foreign communications, make a
16 telephone call and utilize a telecommunications device, whether or not conversation and
17 communication ensued, without disclosing his identity and with intent to threaten any
18 specific person, by stating the following in a voicemail telephone message he left for
19 VICTIM-1 on the Arizona Secretary of State's office voicemail system: "This message is
20 for terrorist [VICTIM-1's last name]. The only reason you're still walking around on this
21 planet is because we're waiting for the midterms to see you prosecuted for the crimes you
22 have done to our nation. You are a terrorist. You are a derelict criminal. And you have a
23 few short months to see yourself behind bars, or we will see you to the grave. You are a
24 traitor to this nation, and you will suffer the fucking consequences."

25 In violation of Title 47, United States Code, Section 223(a)(1)(C).

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COUNT 6
47 U.S.C. § 223(a)(1)(C)
(THREATENING INTERSTATE TELEPHONE CALL)

7. On or about November 15, 2022, in the District of Arizona and elsewhere, the defendant JOSHUA RUSSELL, did, in interstate and foreign communications, make a telephone call and utilize a telecommunications device, whether or not conversation and communication ensued, without disclosing his identity and with intent to threaten any specific person, by stating the following in a voicemail telephone message he left for VICTIM-1 on the Arizona Secretary of State’s office voicemail system: “This message is for communist, criminal, [VICTIM-1’s full name]. We will not endure your crimes on America another day. You’ve been busted, over and over again. We will not wait for you to be drugged through court. A war is coming for you. The entire nation is coming for you. And we will stop, at no end, until you are in the ground. You’re a traitor to this nation. You’re a fucking piece of shit communist, and you just signed your own death warrant. Get your affairs in order, cause, your days are very short.”

In violation of Title 47, United States Code, Section 223(a)(1)(C).

A TRUE BILL

s/
FOREPERSON OF THE GRAND JURY
Date: December 14, 2022

GARY M. RESTAINO
United States Attorney
District of Arizona

COREY R. AMUNDSON
Chief, Public Integrity Section
Criminal Division, U.S. Department of Justice

s/
SEAN K. LOKEY
Assistant U.S. Attorney
District of Arizona

s/
TANYA SENANAYAKE
Trial Attorney, Public Integrity Section
Criminal Division, U.S. Department of Justice