

Approved: Michael K. Krouse
MICHAEL K. KROUSE
Assistant United States Attorney

Before: HONORABLE PAUL E. DAVISON
United States Magistrate Judge
Southern District of New York

- - - - - x
: COMPLAINT
UNITED STATES OF AMERICA :
:
- v. - : Violations of
: 26 U.S.C. §§ 5822,
PAUL M. ROSENFELD, : 5861(f) & 5871; 18 U.S.C.
: §§ 844(d), 844(e)
:
Defendant. : COUNTY OF OFFENSE:
: ROCKLAND
- - - - - x

18m 8674

SOUTHERN DISTRICT OF NEW YORK, ss.:

JONATHAN R. WELSH, being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation ("FBI"), and charges as follows:

COUNT ONE

(Unlawful Manufacture of a Destructive Device)

1. From at least in or about August 2018 up to and including in or about October 2018, in the Southern District of New York and elsewhere, PAUL M. ROSENFELD, the defendant, knowingly did make firearms, and did aid and abet the making of firearms, as defined in Title 26, United States Code, Sections 5845(a)(8) and 5845(f)(1), to wit, ROSENFELD manufactured a destructive device using, among other things, explosive powder at his residence in Tappan, New York.

(Title 26, United States Code, Sections 5822, 5861(f), and 5871)

COUNT TWO

(Interstate Transportation and Receipt of an Explosive)

2. From at least in or about August 2018 up to and including in or about October 2018, in the Southern District of

New York and elsewhere, PAUL M. ROSENFELD, the defendant, did knowingly transport and receive, and attempt to transport and receive, in interstate and foreign commerce, an explosive with the knowledge and intent that it would be used to kill, injure, and intimidate any individual and unlawfully to damage and destroy real property, to wit, ROSENFELD received explosive powder in the mail, which he used to construct an explosive device that he intended to detonate in a public space in Washington, D.C.

(Title 18, United States Code, Section 844(d).)

The bases for my knowledge and for the foregoing charge are, in part, as follows:

3. I am a Special Agent with the FBI, and I have been involved in the investigation of the above-described offense. The information contained in this Complaint is based upon my personal knowledge and participation in this investigation, as well as on my conversations with other law enforcement agents and my examination of reports and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated. Where figures, calculations, and dates are set forth herein, they are approximate, unless stated otherwise.

4. Based on my participation in this investigation, including my conversations with other law enforcement agents and my review of reports and records, I have learned the following, in substance and in part:

a. Between in or about August 2018 and in or about September 2018, an individual located in Pennsylvania ("Individual-1") received letters from a person whom Individual-1 did not know, but whom the FBI has since identified as PAUL M. ROSENFELD, the defendant, see infra ¶¶ 5, 7, and text messages from an unknown cellular phone number ("Phone-1"), which the FBI has since identified as belonging to ROSENFELD, see infra ¶¶ 5, 7.

b. ROSENFELD's letters and text messages stated, in substance and in part, that he intended to: (1) build an explosive device; (2) transport the explosive device to

Washington D.C.; and (3) detonate this explosive device on November 6, 2018, on the National Mall in Washington, D.C. Individual-1 provided these letters and text messages to the FBI.

5. Based on my review of records kept by the service provider for Phone-1, I have learned, among other things, that Phone-1 is subscribed under the name "Paul Rosenfeld." I have also learned that the subscriber address for Phone-1 corresponds to a home in Tappan, New York, where PAUL M. ROSENFELD, the defendant, resides (the "Residence").

6. On or about October 9, 2018, a Rockland County Supreme Court Judge authorized a search warrant (the "Warrant") for the Residence.

7. On or about October 9, 2018, law enforcement agents stopped a car driven by PAUL M. ROSENFELD, the defendant. ROSENFELD agreed to answer questions, and the law enforcement agents transported ROSENFELD to a local police station. I and other law enforcement agents interviewed ROSENFELD at the station. After waiving his Miranda rights, ROSENFELD stated, in substance and in part, that:

a. He owned a "burner phone" that he used to send text messages to Individual-1;

b. He ordered large quantities of "black powder" over the Internet, which was delivered to a location in New Jersey;

c. He transported the black powder from New Jersey to the Residence in Tappan, New York;

d. He constructed smaller explosive devices and had conducted test detonations;

e. He used approximately eight pounds of black powder to construct a larger explosive device in the Residence's basement;

f. He installed certain components in the explosive device to ensure that he was killed in the blast;

g. He intended to transport the explosive device to Washington, D.C.;

h. He intended to detonate the explosive device on November 6, 2018 on the National Mall in Washington, D.C.;

i. His intended purpose for detonating the explosive device was to draw attention to his political belief in "sortition"¹; and

j. He acted alone.

8. Based on my participation in this investigation, including my conversations with other law enforcement agents and my review of reports and records, I have learned the following, in substance and in part:

a. Black powder is an explosive substance that can be used as a propellant in firearms, artillery, and rockets.

b. "Sortition" is a political theory that advocates the random selection of government officials.

9. On or about October 9, 2018, law enforcement agents searched the Residence pursuant to the Warrant. Based on my conversations with the law enforcement agents who executed the search, I have learned the following, in substance and in part:

a. Inside the basement of the Residence, law enforcement agents observed what appeared to be a functional explosive device weighing approximately 200 pounds (the "Explosive Device"). The Explosive Device is a plywood box that contained what appeared to the agents, based on their training and experience, to be black powder.

b. Based on my conversations with FBI explosives experts who have X-rayed the Explosive Device, I have learned, in substance and in part, that engaging the firing switch on the Explosive Device would generate an electrical charge, which would in turn spark an "e-match" inside the Explosive Device, thereby igniting the black powder.

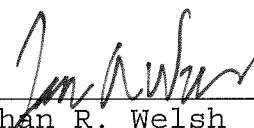
c. During the search of the Residence, law enforcement agents also observed what appeared to be multiple empty canisters of black powder.

¹ ROSENFELD had also expressed support for "sortition" in his communications with Individual-1.

10. On or about October 10, 2018, FBI bomb technicians removed the Explosive Device from the basement of the Residence and transported it to a safe location in Rockland County. That same day, law enforcement agents recovered, among other things, a fusing system from the Residence, which was consistent with what PAUL M. ROSENFELD, the defendant, described in his post-Miranda statement.


11. Based on law enforcement agents' review of the Bureau of Alcohol, Tobacco, and Firearms' Federal Licensing System, I have learned that PAUL M. ROSENFELD, the defendant, is not licensed to possess or manufacture firearms or explosives.

WHEREFORE, I respectfully request that a warrant be issued for the arrest of PAUL M. ROSENFELD, the defendant, and that he be arrested and imprisoned or bailed, as the case may be.



Jonathan R. Welsh
Special Agent
Federal Bureau of Investigation

Sworn to before me this
October 10, 2018



THE HONORABLE PAUL E. DAVISON
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK