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Application 1-1

SEP - 2 2008

STATE OF MINNESOTA, COUNTY OF RAMSEY DISTRICT COURT  
 STATE OF MINNESOTA) RAMSEY DISTRICT COURT  
 COUNTY OF RAMSEY ) SS. APPLICATION FOR SEARCH WARRANT  
 AND SUPPORTING AFFIDAVIT.

Inspector Tony Samec, Commander Dale Sommerhause and Commander Rich Clark, being duly sworn upon oath, hereby makes application to this Court for a warrant to search the (Premises) (Motor Vehicle) (Person), hereinafter described, for the property and things hereinafter described.

Affiants knows the contents of this application and supporting affidavit, and the statements herein are true of his/her own knowledge, save as to such as are herein stated on information and belief, and as to those, he/she believes them to be true.

Affiants have good reason to believe, and does believe, there is sufficient evidence that the following materials may be utilized during the RNC to cause harm to Police Officers as well damage to public and private property, that the following described property and things, to wit:

- Assembled improvised incendiary devices and unassembled components of these devices, to include, fire bombs (Molotov cocktails), glass containers such as bottles and jars; wicks such as cloth, paper and twine; enhancers such as Styrofoam and soap flakes.
- Ignitable liquids to include but not limited to gasoline, diesel fuel, kerosene, mineral spirits, lamp oil and brake fluid
- Assembled improvised explosive devices and unassembled components of these devices, to include but not limited to, metal, glass, plastic or cardboard containers.
- Potential explosive materials and liquids such as chlorine derivatives, acids, fuels and oxidizers.
- Smoke bombs
- Photographs and maps of downtown St. Paul, critical infrastructure or other RNC related venues
- Manuals, books and/or instructions for the construction of caltrops, tripods, Molotov cocktails, bombs and other direct action techniques
- Documents that plan, promote and/or advocate criminal activity, rioting, damage to property
- Documents and other communication with other RNCWCgroup members and individuals from affinity groups
- Explosive filler materials to include pyrotechnic powder; propellants such as black powder, smokeless powder, pyrodex and flash powder, match heads.
- Shields
- Wrist rockets
- Marbles and Ball bearings
- Paint and spray paint
- Sticks and poles
- Nails, screws
- Bricks

Ex. 1-13

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- Lockboxes and components including but not limited to chicken wire, roofing tar, duct tape, PVC or metal piping
- Razorwire
- Hollowed out puppets
- Urine and feces
- Caltrops
- Police scanners, two-way radios
- Computer systems, including but not limited to, the main computer box, monitors, scanners, printers, modems, and other peripheral devices.
- Media in whatever form, including, but not limited to, magnetic (such as floppy disks, hard drives and magnetic tape), flash (such as media cards and USB thumb drives) or optical (such as compact disks and digital video disks).
- Digital camera equipment.
- Electronic devices, including but not limited to, MP3 players (including, but not limited to iPods), X-Box gaming systems, cellular phones and personal digital assistants (PDAs).
- Programs and manuals related to operating systems or applications.
- Notes and other documentation, including maps, charts, membership lists.
- Proof of residency and documentation relating to the Internet, including but not limited to bills from Internet Service Providers (ISP).
- Proof of residency and related documents to show constructive possession of property.
- Data contained on either hard drives, electronic devices or removable media and all items listed in the sections of these documents that describe the items being sought to include deleted files, archived files and email files.
- Data contained within any seized cellular phone, SIM card, PDA or electronic device to include, but not limited to, call logs, contacts, text messages, audio messages, images, Internet cache and deleted data.
- Information showing ownership, possession and use of the computer(s) and electronic device(s), including but not limited to e-mail accounts, screen names, and Internet accounts.

(are) (will be) (at the premises) (within the property) (~~in the motor vehicle~~) (~~on the person~~) described as:

Smith Avenue Hall, 627 Smith Avenue South, St. Paul, MN 55101; A commercial brick building, two story, Ramsey County property ID# 07.28.22.23.0100 and all related curtilage

located in the City of St. Paul, County of Ramsey, and State of Minnesota.

This affiant applies for issuance of a search warrant upon the following grounds:

1. ~~The property above described was stolen or embezzled.~~
2. The possession of the property above described constitutes a crime.
3. The property above described was used as a means of committing a crime.
4. The property above described constitutes evidence which tends to show a crime has been committed, or tends to show that a particular person has committed a crime.

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**5. The property above described is in possession of a person with intent to used such property as a means of committing a crime.**

The facts tending to establish the foregoing grounds for issuance of a search warrant are as follows:

Your affiant is Inspector Tony Samec employed by the Ramsey County Sheriff's Office. Your affiant was formerly employed as a Special Agent with the U.S. Secret Service. While employed by the Secret Service, your affiant investigated organized crime, financial crimes, threats against the President of the United States, terrorism and cyber crimes. Additionally, your affiant has been involved in the protection of the President and Vice President of the United States and their families, former President and Foreign Heads of State. Your affiant is currently assigned to the Special Investigations Unit and oversees the Electronic Crimes Section which investigates electronic crimes and conducts computer forensic investigations. During the course of your affiant's assigned duties, your affiant has investigated numerous felony level cases including career criminals and organized criminal groups. Your affiant has also received training from federal, state, and local entities relating to electronic crimes and computer forensic investigations. Your affiant is familiar with the facts of this case through his own personal investigation and observations, open source information, briefings and reports from other law enforcement agencies and information provided by other investigators.

Your affiant is Commander Dale Sommerhause, a licensed peace officer in the state of Minnesota for over 22 years. Your affiant has been assigned to the Special Investigations Unit for the past 4 years. Your affiant is familiar with the facts of this case through his own personal investigation and observations, open source information, briefings and reports from other law enforcement agencies and information provided by other investigators.

Your affiant is Deputy Sheriff Richard Clark, a licensed police officer in Minnesota employed by the Ramsey County Sheriff's Department for over 13 years. Your affiant is currently assigned as the Commander of the Ramsey County Sheriff's Narcotics Unit and the East Metro Narcotics Task Force. Your affiant has served in this capacity for the last 6 years. During the course of affiant's assigned duties, affiant has supervised and conducted numerous narcotics investigations including large scale criminal organizations, many of which have resulted in convictions in both State and Federal court. Your affiant has attended numerous regional, state and local investigation courses. Your affiant is familiar with the facts of this case through his own personal investigation and observations, open source information, briefings and reports from other law enforcement agencies and information provided by other investigators.

On 3/5/07, the United States Department of Homeland Security, pursuant to federal statute, designated the 2008 Republican National Convention (RNC) as a National Security Special Event (NSSE). Your affiant has been involved in numerous NSSEs throughout the United States.

The RNCWC is an organized criminal enterprise who have conspired with affinity groups throughout the United States to come to St. Paul, MN during the RNC and utilize criminal activities to disrupt and stop the RNC.

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On 8/29/07, the Ramsey County Sheriff's Office (RCSO), Special Investigations Unit (SIU) initiated an investigation, along with other law enforcement agencies, into the RNC Welcoming Committee (RNCWC). This investigation was initiated based on the review of open-source information. Open-source means this information is found from publicly available sources. During a review of this open-source information, it was determined that there was reasonable suspicion that persons associated with the RNCWC were planning and conspiring to engage in criminal activity in Ramsey County and elsewhere in Minnesota leading up to and through the 2008 RNC in St. Paul, MN. This conspiring includes criminal damage to property, riot, civil disorder, use of incendiary devices and unlawful assembly. Our investigation has revealed that membership in the RNCWC has fluctuated between 30-35 who have attended over 100 meetings over the past year.

This investigation has utilized regular surveillance of members of the RNCWC. Additionally, an Undercover Investigator (UI) and a Confidential Reliable Informant (CRI1) were utilized and posed as members of the RNCWC. CRI1 was utilized as a paid informant. It should be noted that this CRI1 has worked with other investigators from your affiant's department in the past and has an excellent track record regarding corroborated information, resulting in various successful prosecutions. CRI1 has also worked with numerous other law enforcement agencies and had an excellent track record as to the quality of information provided. This investigation also had access to information provided by a Confidential Reliable Informant (CRI2) from another law enforcement agency. This agency has utilized this CRI on past investigations and has been able to corroborate much of the information that has been provided. This CRI was also posing as a member of the RNCWC.

#### Overview of the RNCWC:

During the course of this investigation, your affiants have reviewed the website ([www.nornc.org](http://www.nornc.org)) for the RNCWC and have found the following information:

1. The RNCWC is a self-described anarchist/anti-authoritarian group that is facilitating resistance to the RNC;
2. Their main goal according to their website is to "crash the convention, shut down and disrupt the RNC";
3. They have publically stated their intent to "shut down the RNC" by denying RNC delegate access to the Xcel Energy Center. According to the RNCWC's website, they intend to "shut down the RNC" by blockading streets, bridges, freeways that will be utilized by delegate buses and dignitaries. The RNCWC has publically advocated a "three tier" strategy:
  - a. Blockade the Xcel Center;
  - b. Immobilize delegates transportation;
  - c. Block connecting bridges
4. The RNCWC's goal for day one is to blockade downtown St. Paul.
5. To help accomplish its mission, the RNCWC conducted a nationwide tour during the spring of 2008 to help promote its strategy to "crash" the convention, raise money and recruit affinity groups. The RNCWC traveled to or communicated with anarchist affinity

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groups in 67 cities. This information was corroborated by viewing group emails and by information received from UI, CRI1 and CRI2.

6. The RNCWC has facilitated and organized two major gatherings of anarchists and anti-authoritarians during the past year, for the sole purpose of disrupting and shutting down the RNC. During August 31 – September 2, 2007, the RNCWC hosted the “pReNC” where 150 to 200 people attended. On May 3<sup>rd</sup>, 2008, the RNCWC hosted the “5.3”, where over 100 people attended representing about 40 organizing bodies from all over the United States. This information was corroborated by viewing group emails and by information received from UI, CRI1 and CRI2.

On August 27, 2007, the RNCWC released a video that was posted on their website. This video depicts several persons dressed in “black bloc” attire with their faces covered to disguise their identity. It should be noted that “black bloc” is not a particular group, but a tactic that typically dresses in black with faces covered and have caused significant property damage and carried out acts of violence towards law enforcement in the past. During one scene, an individual (identified as Carrie Feldman by several sources) is seen throwing a Molotov cocktail. In another scene, this same Feldman (still dressed in black bloc attire) hands a bolt cutter to another individual similarly dressed in black bloc attire. Also, Feldman also rolls a bowling ball labeled “RABL” in front of a military recruiting station. It should be noted that RABL is an acronym for an anarchist group known as the Revolutionary Anarchist Bowling League. The RABL was responsible for vandalizing military recruiting stations by throwing bowling balls through the windows. Finally, the video depicts an individual throwing rocks at persons dressed as riot police. The video ends with text that states “We’re getting ready... What are you doing?... RNC 2008, St. Paul... pReNC Aug. 31 – Sept. 3, 07... Learn more at: RNCWelcomingCommittee.org... starring Robyn B... Made possible by the RNC Welcoming Committee.” CRI2 reviewed this video and identified the following individuals: Garrett Fitzgerald, Scott Demuth and Carrie Feldman. Additionally, information was received from CRI2 that Gus Ganley produced and edited the video.

On February 28, 2008, a known member of the RNCWC, identified as Erik Oseland, released a video titled “Video Map of the St. Paul Points of Interest.” This video was publicly available on the Youtube website. Points of interest around St. Paul are shown with music playing in the background. One of the songs is by the group Coup titled “5 Million Ways to Kill a CEO.” The points of interest in the video are:

- The Quest building
- Wells Fargo Place
- Travelers Insurance
- Pioneer Press building
- Embassy Suites
- First National Bank building
- Economy Inn
- Crown Plaza Hotel
- Hilton Garden Inn
- Holiday Inn Rivercentre
- Best Western Kelly Inn

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**Investigation into RNCWC**

Through the use of UI, CRI1 and CRI2, this investigation had access to RNCWC group emails (also referred to as 3<sup>rd</sup> Coast list). During the course of this investigation, members of the RNCWC have discussed planning and committing criminal acts during the RNC including:

- Use of Sleeping Dragons/lockboxes to disrupt traffic (Exhibit A)
- Abandoned, disabled, or overturned vehicles left at intersections
- Heaps of objects using debris, furniture, appliances, quick cement to stop traffic
- Dump truck loads dropped in the roadway
- Use of Tripods to disrupt traffic (Exhibit B)
- Use of Caltrops to disable vehicles (Exhibit C)
- Throwing tacks or nails imbedded in carpet to disable vehicles
- Human chains using bike locks to link people together and disrupt traffic
- Burning vehicles, furniture, dumpsters, or tires
- Throwing marbles and/ball bearings at peoples' feet and Police horses to make them fall
- Breaching the tunnel system underneath the Xcel Center
- Smoke bombs
- Slashing or popping tires of police vehicles and delegate buses
- Throwing Molotov Cocktails or other explosives (fireworks) at police
- Using shields to slam them into officers
- Using sharpened poles to spear or push into police
- Pulling a single officer from a line and beating them
- Black bloc tactics that will challenge police
- Yarn, rope, or fish line going across the street at chest or neck high
- Conducting recognizance on police to know numbers and placement
- Using liquid sprayers filled with urine or chemicals
- Using marching bands to create a lot of noise so officers are unable to hear commands from supervisors
- "Falling" onto officers on motorcycles or bicycles so that they fall into other vehicles
- identify undercover/plainclothes officers and throw paint on them or point at them with a laser light
- Use mirrors to shine in the faces of officers
- "Unarresting" techniques to free individuals arrested by the police
- Obtain fake credentials
- Using fraudulent or stolen uniforms of venue workers to gain access to venue
- Purchasing convention tickets
- Breaching venue security
- Volunteering at the venue
- Obtaining employment with false information with services that have access to the venue

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Over the course of the last year, there have been numerous examples of how the RNCWC operates as an organized criminal enterprise and has been conspiring with other affinity groups to illegally disrupt the RNC.

**pReNC #1, August 31 – September 1, 2007 & pReNC #2, May 3, 2008**

On or about the middle of September 2007, information was received from another law enforcement agency. CRIZ had attended the entire pReNC. In particular, CRIZ reported that during a workshop at the "pReNC", the following ideas and tactics were discussed to disrupt and shut down the RNC including:

- kidnapping delegates
- Sabotaging the Xcel Center by blockading perimeter air vent
- Sabotaging Holman Field, a small airport located in St. Paul
- Blockading bridges into St. Paul
- Capturing federal buildings in Minneapolis and St. Paul. According to the law enforcement agency, "capturing" a building entailed smashing through entrances, occupying spaces and disrupting or ceasing normal business operations.
- An unidentified person within the RNCWC proposed setting vehicle tires on fire underneath interstate bridges during the RNC. The intent, according to this information, is to create excessive smoke making it difficult or impossible for vehicles to operate on the interstate.
- Other members of the RNCWC proposed leaving stalled vehicles and spanning large metal chains across lanes on the freeways to affect traffic flow.
- An unidentified individual proposed rioting against businesses along 7<sup>th</sup> Street in downtown St. Paul near the Xcel Center. This individual stated it would be similar to the riots that occurred during the 1999 World Trade Organization (WTO) meetings in Seattle, WA. It should be noted that due to the direct action taken by activists at the 1999 WTO, delegates were unable to leave their hotels and get to the convention center. Additionally, millions of dollars in property damage occurred.

On May 3, 2008, the RNCWC hosted a second national gathering for the planning of direct action to disrupt the RNC. Again, CRIZ was able to attend. Over 100 individuals from over 40 different affinity groups attended. During this gathering, it was decided to divide St. Paul into seven sectors and allow different groups to claim them.

According to the RNCWC website, the following is a list of Sectors and the group(s) that have claimed responsibility for them (Exhibit D):

- Sector 1: Pittsburgh Organizing Group (POG) and Northeast Anarchists Network (NEAN)
- Sector 2: Indy-TACT (Temporary Anti-Capitalist Team)
- Sector 3: Unconventional Action – Mid Atlantic
- Sector 4: Bay Area Cluster, KARZ SUX Brigade
- Sector 5: UA-Midwest, Bash Back!
- Sector 6: Campus Anti-War Network, NW Cluster (a.k.a Grey Coast Cluster)
- Sector 7: Not taken yet

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**RNCWC Action Camp, July 31 – August 3, 2008 Lake Geneva, MN**

Through open source information, your affiants learned of an "action camp" hosted by RNCWC and Unconventional Action Midwest. This information was corroborated CRI2, who was in attendance. This action camp was designed to teach various direct action techniques to other affinity groups attendees who were at the camp. Direct action techniques can include non-violent and violent activities, with a blurred intermediate area of attacks on properties. Non-violent activities can include sit-ins, demonstrations, sabotage, vandalism and graffiti. More violent actions include riots and guerrilla warfare. Direct actions are often in a form of civil disobedience and thus often violate criminal law. Approximately 50 people from all over the United States were in attendance. CRI2 recognized RNCWC members that were in attendance included: Rob Czernik, Garrett Fitzgerald, Luce Guillen-Givins, Betsy Raasch-Gilman, Celia Kutz and Natlia Shulkin. CRI2 observed the following:

- Mock scenarios were conducted in which attendees role played law enforcement or direct action groups. In the center of the camp was a raised platform stage labeled "Xcel Center" and was the target of most of the direct action training.
- During many of these scenarios, the use of water bottles as mock Molotov cocktails were utilized. These "mock" Molotov cocktails were thrown at vehicles, buildings and streets. Additionally, a simulated RNC delegate vehicle was targeted by throwing rocks at it, slashing the tires and attempting to overturn the vehicle.
- An individual by the name of "Henry" told the action camp group that he was throwing a liquid filled balloon and that members of the group should stay away from the area where he was throwing it because it would be very dangerous. "Henry" stated the balloon was filled with a chemical that would be very dangerous and if caught, he would go to jail for a long time.
- Also during this camp, according to this law enforcement agency, an individual discussed the use of large street puppets to conceal and transport materials such as Molotov cocktails, bricks, caltrops, shields and lockboxes. This individual also stated long bamboo poles used for the puppets could be used as spears and utilized to drive back police.
- On 8/2/08, Czernik, Fitzgerald and "Grumble" demonstrated the use of a large barrel filled with concrete and steel pipes for use as an anchor to help blockade streets via use of arm lock boxes.
- Also on this same date, an unidentified female discussed with the group the use of large street puppets to move "materials" around during the RNC. This individual stated the puppets could be stuffed with material needed on the streets. Several attendees discussed the need for Molotov cocktails, paint, caltrops, bricks and lock boxes. This female individual also stated that she would use long bamboo poles as the puppet poles as these

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poles could then be detached and used as spears to drive the cops back. Finally, this individual stated that larger puppets can be used to hide shields.

- Also discussed during the action camp was the use of smoke bombs to shield movements and direct actions. "Grumble", who stated he was from Seeds of Peace, gave a class on the use of lock-downs and demonstrated the use of lock boxes. It should also be noted that "Grumble" stated he had been recently arrested at a Nevada nuclear plant for demonstrating.
- The use of caltrops on roadways during the RNC was discussed. A caltrop is a device with nails or other sharp objects protruding from it and is used to disable vehicles (see attachment). Also during this action camp, RNCWC members have discussed utilizing dump trucks to spill dirt and large materials onto roadways to disrupt traffic during the RNC.

On 8/27/08, the Mendota Heights Police Department responded to the Lilydale Tennis Club due to evidence of trespassing. The Lilydale Tennis Club is currently abandoned. Officers located the following items:

- PVC piping (2" diameter and 8")
- (3) five gallon buckets of paint
- Maps of downtown St. Paul
- RNCWC pamphlets (see attachment)
- Chlorine
- Bleach
- Boxes of screws
- Black anarchist flag
- Carpet with "NO RNC" painted on it

According to information from CRI2, the Lilydale Tennis Club was used by out-of-town associates of the RNCWC, who had come to assist in disrupting the RNC. CRI2 stated "Tom LNU from Cleveland" was the individual who opened the building and was making it available to out of state anarchists. CRI2 stated Erik Oseland spent the night on 8/14/08. This CRI had been to this location on several occasions.

The RNCWC has discussed providing a facilities target list for illegal direct actions. The RNCWC stated they would facilitate blocking bridges and freeway ramps and encouraged attendees to commit direct actions. The RNCWC suggested individuals prepare for the RNC by committing direct actions prior to the event.

### RNCWC Leadership

Six individuals have exercised leadership roles within the RNCWC. These individuals have all represented the RNCWC at meetings with other affinity groups and community meetings. Additionally, these individuals have all They include:

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1. Robert Joseph Czernik, DOB: 9/17/1975
2. Erik Charles Oseland, DOB: 4/11/1987
3. Garrett Scott Fitzgerald, DOB: 2/28/1983
4. Max Jacob Specktor, DOB: 3/3/1989
5. Monica Rachel Bicking, DOB: 6/23/1985
6. Eryn Chase Trimmer, DOB: 7/18/1985

**Robert Joseph Czernik**

- Robert Joseph Czernik, currently lives at 2301 23<sup>rd</sup> Avenue South, Minneapolis, MN 55404. According to the Minnesota Drivers and Vehicle Services (DVS) website, Czernik shows a current address of 2301 23<sup>rd</sup> Avenue, Minneapolis. This was verified on 8/27/08. Additionally, your affiant along with other investigators, have observed Czernik coming and going from this address for the last year. Information received from another law enforcement agency also corroborated Czernik's current address as the above listed address.
- CR12 that during the end of February or beginning of March 2008, Czernik had obtained a cache of fireworks and gun powder in either Washington or California. Czernik was touring the West Coast states on behalf of the RNCWC with several other members. The fireworks and gunpowder were transported back to Minnesota.
- Czernik has attended regular RNCWC meetings since the group's inception as well as both pReNCs and action camps. This information has been corroborated by surveillance of subject and information provided by UI, CR11 and CR12.
- Your affiants has received information from CR12, who was in attendance, that Czernik was the individual who booked the campground for the action camp in Lake Geneva, MN from 7/31/08 – 8/3/08 (see above description of action camp). Czernik also asked camp attendees to bring materials and supplies needed for the training and was responsible for coordinating the training and teaching many of the classes. Throughout the camp, Czernik was observed directing attendees to take what they had learned back to their affinity groups, train on them and use them during the RNC. Czernik also provided attendees with sector packets for several sectors. It should be noted that sector packets are surveillance photos taken by members of the RNCWC of intersections, buildings and key infrastructure in St. Paul, MN.
- Your affiants has observed, along with other investigators and UC1, a stack of bricks in the backyard of the abovementioned address. It should be noted there appears to be no construction projects at the residence.
- Your affiants received information from UI that there were approximately 10-15 brown glass bottles with some type of liquid in them. According to this source, all of these bottles were at least a quarter full. Also on the same table were an additional 10-15 empty bottles.
- Information was received from CR12 who observed a shotgun standing up in the corner of the house (no further information provide on location or functionality). Additionally, information received from CR12 stated that Czernik has expressed interest in purchasing a weapon.
- According to CR12, Czernik requested CR12 to purchase supplies for the construction of a lock-box. Czernik requested PVC pipe, chicken wire, roofing tar, miscellaneous bolts

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