

United States District Court

for the
Western District of New York

United States of America

v.

Case No. 19-MJ- 4052

PATRICK W. CARLINEO, JR.,

Defendant

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 March 29, 2019, in the County of Steuben, in the Western District of New York, the defendant violated Title 18, United States Code, Section 115(a)(1)(B), said offenses described as follows:

the defendant, did threaten to assault and murder a United States official with intent to impede, intimidate and interfere with such United States official while engaged in the performance of official duties and with intent to retaliate against such United States official on account of the performance of official duties, in that he threatened to kill United States Congresswoman Ilhan Omar while she was engaged in the performance of her official duties, in violation of 18 U.S.C. § 115(a)(1)(B).

This Criminal Complaint is based on these facts:

☒ Continued on the attached sheet.

Complainant's signature

KENNETH A. JENSEN, JR.
SPECIAL AGENT

FEDERAL BUREAU OF INVESTIGATION

Printed name and title

Sworn to before me and signed in my presence.

Date: April 4, 2019

City and State: Rochester, New York

Judge's signature

HONORABLE MARIAN W. PAYSON
UNITED STATES MAGISTRATE JUDGE

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

State of New York)
County of Monroe) ss:
City of Rochester)

19-mj-4052

KENNETH A. JENSEN, JR., being duly sworn, deposes and says:

INTRODUCTION

1. I am a Special Agent (SA) of the Federal Bureau of Investigation (FBI), United States Department of Justice, Buffalo, New York. As a Special Agent of the FBI, I am an investigative or law enforcement officer of the United States, empowered to perform investigations and make arrests related to violations of federal law. I have been employed as a Special Agent with the FBI since March of 2002 and am currently assigned to the Corning, New York, Resident Agency.

2. The statements contained in this affidavit are based upon my personal knowledge and observations, information provided to me by other law enforcement officers, information provided to me by witnesses with personal knowledge of events, my review of records, and my investigation and experience and training as a Special Agent with the FBI. Because this affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact known to me concerning this investigation.

3. This affidavit is made in support of a criminal complaint charging PATRICK W. CARLINEO, JR., with and threatening a United States official, in violation of 18 U.S.C. § 115(a)(1)(B).

PROBABLE CAUSE

4. On March 21, 2019, at approximately 12:20 p.m., a telephone call was received by a staff member for United States Congresswoman Ilhan Omar, a representative from the 5th Congressional District in Minnesota, at Congresswoman Omar's offices in Washington, D.C. During the telephone call, an individual who eventually identified himself as PAT CARLINEO stated to the staff member, "Do you work for the Muslim Brotherhood? Why are you working for her, she's a fucking terrorist. I'll put a bullet in her fucking skull." CARLINEO sounded angry, but spelled his name and provided contact information. The call was placed from telephone number (607) 684-5330, which is a cellular telephone serviced by AT&T. Telephone records from AT&T show that this telephone number is listed to Lisa M. Caslin, 6480 County Route 21, Addison, New York. Historical precision location information from AT&T shows that the telephone was physically located in the Western District of New York at the time CARLINEO placed the above-described call.

5. After receiving the threatening telephone call from CARLINEO, Congresswoman Omar's staff referred the threat to the United States Capitol Police, Threat Assessment Section, who began an investigation in coordination with the FBI.

6. On March 29, 2019, I interviewed CARLINEO at his residence at 6480 County Route 21, Addison, New York. CARLINEO stated that he knew why the FBI wanted to speak to him. Initially, he stated that it was because he said "if our forefathers were still alive, they'd put a bullet in her head." He further stated that he was referring to a telephone call that he made to Congresswoman Omar's office using the cellular telephone number (607) 684-5330. CARLINEO stated that he was a patriot, that he loves the President, and that he hates

radical Muslims in our government. CARLINEO was shown an e-mail which contained the text of the quote, "Do you work for the Muslim Brotherhood? Why are you working for her, she's a fucking terrorist. I'll put a bullet in her fucking skull." CARLINEO was asked to read the quote aloud, which he did. He then stated that the quote is not what he said, but repeated his original version of events. CARLINEO stated that Congresswoman Omar supported Hamas and the Muslim Brotherhood, and that her election to Congress was illegitimate.

7. FBI Special Agent Christina Peklak-Scott, who was also present for the interview, then admonished CARLINEO that it was a separate crime to lie to an FBI agent, and asked what investigators would hear when we listened to the recording of his telephone conversation with Congresswoman Omar's staff member. CARLINEO responded that he would be honest, and that he was angry, and could not remember exactly what he said. CARLINEO went on to say that he may have said something like the quote that he read, but he was not sure. CARLINEO was asked if there were any weapons in the residence. He stated that there are a shotgun and a .22 caliber firearm in the house. He initially stated that the weapons belonged to his girlfriend, but later in the interview stated that the guns belonged to him.

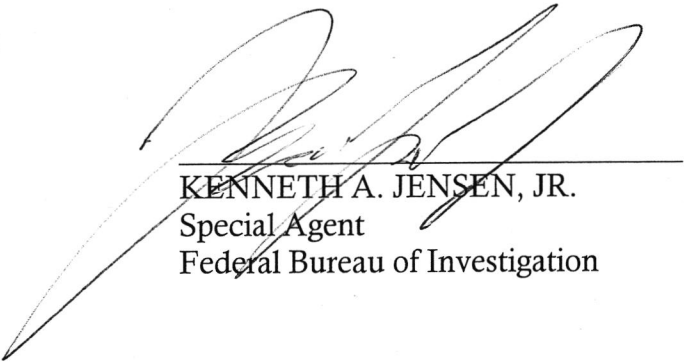
8. A Member of Congress is a United States official within the meaning of 18 U.S.C. § 115(c)(4).

CONCLUSION

9. Based on the foregoing, there is probable cause to believe that PATRICK W. CARLINEO, JR., did threaten to assault and murder a United States official with intent to impede, intimidate and interfere with such United States official while engaged in the

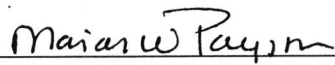
performance of official duties and with intent to retaliate against such United States official on account of the performance of official duties, in that he threatened to kill United States Congresswoman Ilhan Omar while she was engaged in the performance of her official duties, in violation of 18 U.S.C. § 115(a)(1)(B).

Dated: Rochester, New York
April 4, 2019



KENNETH A. JENSEN, JR.
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me
this 4 day of April, 2019.


HON. MARIAN W. PAYSON
United States Magistrate Judge
Western District of New York