

COPY

CRIMINAL COMPLAINT



AO 91 (Rev. 11/82)

UNITED STATES DISTRICT COURT	CENTRAL DISTRICT OF CALIFORNIA
UNITED STATES OF AMERICA v. ROBERT PAUL RUNDO, ROBERT BOMAN, TYLER LAUBE, and AARON EASON	DOCKET NO.
	MAGISTRATE'S CASE NO. 18 MJ02791

Complaint for violation of Title 18, United States Code, Sections 2101, 371

NAME OF MAGISTRATE JUDGE THE HONORABLE STEVE KIM	UNITED STATES MAGISTRATE JUDGE	LOCATION Los Angeles, California
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DATE OF OFFENSE March 25, 2017 – February 2018	PLACE OF OFFENSE Los Angeles County	ADDRESS OF ACCUSED (IF KNOWN)
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COMPLAINANT'S STATEMENT OF FACTS CONSTITUTING THE OFFENSE OR VIOLATION:

[18 U.S.C. §§ 2101, 371]

Between at least March 25, 2017, and February 12, 2018, in Los Angeles County, within the Central District of California, and elsewhere, defendants ROBERT PAUL RUNDO, ROBERT BOMAN, TYLER LAUBE, and AARON EASON were part of an agreement to use, and in fact used facilities of interstate or foreign commerce with intent to incite, organize, promote, encourage, participate in, or carry on riots, or to commit acts of violence in furtherance of a riot, or to aid or abet any person in inciting or participating in or carrying on a riot or committing any act of violence in furtherance of a riot, and during such use, performed or attempted to perform an overt act for one or more of the purposes specified above, in violation of Title 18, United States Code, Sections 2101, 371.

BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED:

(See attached affidavit which is incorporated as part of this Complaint)

MATERIAL WITNESSES IN RELATION TO THIS CHARGE: N/A

Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge.	SIGNATURE OF COMPLAINANT SCOTT BIERWIRTH	
	OFFICIAL TITLE Special Agent, Federal Bureau of Investigation	

Sworn to before me and subscribed in my presence,

SIGNATURE OF MAGISTRATE JUDGE ⁽¹⁾ 	DATE October 20, 2018
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⁽¹⁾ See Federal Rules of Criminal Procedure 3 and 54

AFFIDAVIT

I, SCOTT J. BIERWIRTH, being duly sworn, declare and state as follows:

I. INTRODUCTION

1. I am a Special Agent with the Federal Bureau of Investigation ("FBI") in Los Angeles, California and have been so employed for approximately ten months. I am currently assigned to a counter-terrorism squad, where I specialize in the investigations of domestic terrorist groups. I attended 21 weeks of New Agent Training at the FBI Academy in Quantico, Virginia. Prior to joining the FBI, I was an Infantry Officer in the United States Army, where I trained for counter-terrorism related missions across the globe for over four years.

2. Through my training and experience in the FBI and the United States Army, I am familiar with terrorist organizations' methods of operations, including their use of social media to communicate regarding coordination of strategic ideological goals, recruit and radicalize individuals, and coordinate violent extremist activities and other criminal activities to generate funds for the terrorist organization.

II. PURPOSE OF THE AFFIDAVIT

3. I make this affidavit in support of criminal complaints and arrest warrants for Robert Rundo ("RUNDO"), Robert Boman ("BOMAN"), Tyler Laube ("LAUBE"), and Aaron Eason ("EASON") for violations of Title 18, United States Code, Sections 2101 (Riots) and 371 (Conspiracy).

4. The facts set forth in this affidavit are based upon my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested complaints and warrants and does not purport to set forth all of my knowledge of or investigation into this matter. Unless specifically indicated otherwise, all conversations and statements described in this affidavit are related in substance and in part only with original typographical errors and all dates are approximate.

III. SUMMARY OF PROBABLE CAUSE

5. As described more fully below, RUNDO, BOMAN, LAUBE, and EASON (collectively, the "defendants") are members of the "Rise Above Movement" ("RAM"), a white supremacy extremist group headquartered in Southern California. Throughout 2017, the defendants and other RAM members traveled to political rallies, including in Huntington Beach, California on March 25, 2017, Berkeley, California on April 15, 2017, San Bernardino, California on June 10, 2017, and Charlottesville, Virginia on August 11-12, 2017. RAM members violently attacked and assaulted counter-protestors at each of these events.

6. On October 10, 2018, four RAM members were indicted in the Western District of Virginia for Conspiracy to Riot and Riots, in violation of 18 U.S.C. §§ 371, 2101, as a result of their participation in the events at Huntington Beach, Berkeley,

and Charlottesville, Virginia. See United States v. Daley et al., 3:18-CR-00025 (W.D. Va.).¹

7. The defendants and other RAM members used facilities of interstate commerce with the intent to organize, promote, encourage, participate in, or carry on riots in at least two ways. First, the defendants used the Internet to coordinate combat training in preparation for the events, to arrange travel to the events, to coordinate attendance at the events, and to celebrate their acts of violence in order to recruit members for future events. Second, the defendants and other RAM members traveled to the April 15, 2017 event in Berkeley in a van that EASON rented using his Visa credit card.

IV. STATEMENT OF PROBABLE CAUSE

8. Based on my training and experience, my personal investigation into this matter, my conversations with other law enforcement officers, and my review of open-source materials and law enforcement reports, I know the following:

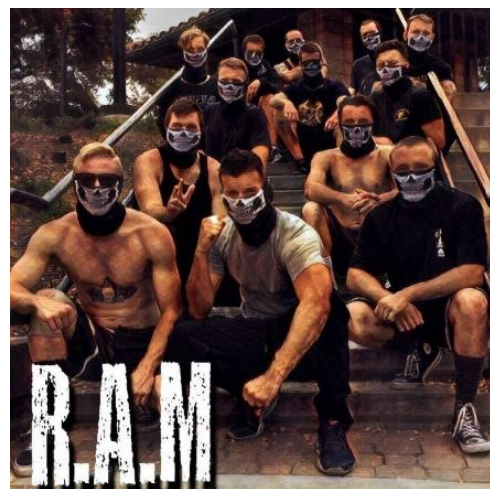
A. Background on RAM

9. RAM was founded in or around the winter of 2016-2017 by several founding members, including RUNDO and Ben Daley ("Daley"). According to private Facebook messages sent by Daley in or around June 2017, RAM was originally branded as the "DIY

¹ On October 2, 2018, United States Magistrate Judge Jean P. Rosenbluth issued search warrants for the premises of several RAM members, including RUNDO and BOMAN, in Case Numbers 2:18-MJ-2592, and 2:18-MJ-2598 (C.D. Cal.). During those searches, agents received physical evidence of RUNDO and BOMAN's participation in RAM, as well as several digital devices, which are still being reviewed.

DIVISION,” but formally rebranded to the Rise Above Movement in 2017.²

10. RAM represents itself publicly, through videos and other public online postings, as a combat-ready, militant group of a new nationalist white supremacy/identity movement. For example, RAM members maintained a Twitter account with the user name “@RiseAboveMvmt” (the “RAM Twitter account”), which posted videos and pictures of RAM members conducting training in hand-to-hand combat, often interspersed with video clips of RAM members assaulting people at political events, with their faces partially obscured by distinctive skeleton or American flag masks. RUNDO, BOMAN, and LAUBE appear in several of these videos and photographs. The photographs below, posted by the RAM twitter account, depict RUNDO and Daley training above the words “WHITE UNITY,” and several RAM members, with RUNDO front and center, posing in skeleton masks.



² I reviewed contents from Daley’s Facebook page pursuant to a search warrant issued on April 4, 2018 from the Honorable Joel C. Hoppe, United States Magistrate Judge, Western District of Virginia, in Case Number 3:18-MJ-00007 (W.D. Va.).

11. Based on my review of private messages sent by the RAM Twitter account, I believe the account was operated by RUNDO. For example, on April 11, 2018, the RAM Twitter account sent a direct message to another Twitter user stating, "I am going over to Europe next week and will be competing in a pan European [mixed martial arts] event." Based on my review of Customs and Border Protection ("CBP") records, law enforcement databases, and subsequent interviews with RUNDO, I know that RUNDO traveled to Europe in April 2018 and participated in a mixed martial arts event.

12. The RAM Twitter account regularly posted content in support of the group's white supremacy extremist ideology. For example, on February 5, 2018, the RAM Twitter account posted a photograph of RAM members covering their faces with books with the accompanying text, "When the squads not out smashing commies . . . #nationalist #lifestyle." On March 9, 2018, the RAM Twitter account posted a photograph of RAM members posing with their faces partially covered with black skeleton masks and the hashtags, "#nationalist #ultraright." On March 20, 2018, the RAM Twitter account posted a photograph of a man doing physical exercises next to a banner depicting one person kicking another and the text, "GOOD NIGHT LEFT SIDE," appearing to endorse the use of physical violence against others who do not share RAM's "ultraright" ideology.

13. Based on my review of private social media communications between RAM members, I know that RAM leaders discourage RAM members from using explicitly violent or

extremist language in public social media postings in order to avoid generating unwanted attention or dissuading potential recruits. For example, in private Facebook messages on August 25, 2017, an associate of Daley's complimented Daley on a recent RAM promotional video and said he was interested in getting involved with RAM. Daley wrote, "Yeah man. If your still in LA area it'll probably be me meeting up with you. We go for the implicit look so you'll have to change your [style] up a bit when your with us." The associate responded, "Yea that's fine [I] can grow my hair out if need be, drop the boots and braces look etc." Daley responded with an image of an "OK" symbol, and stated, "Trust I did it for a long time too but ultimately the 80s in that style of nationalism proved to be ineffective. . . . [I] think its time to reimagine the nationalist look and playbook, we have become predictable that needs to change." In January 2018, in private Facebook messages to another associate, Daley wrote: "I would be mindful of saying anything that could be misconstrued as a call to violence. I know people who literally have had feds show up at there door over posts. [J]ust food for thought. Trust I'm not speaking in terms of morality rather practicality."

14. Notwithstanding Daley's admonishment, RAM and its members documented their white supremacy extremist ideology in both private and public Internet postings. In a video taken by a RAM associate, later posted online, the RAM associate asked RUNDO to say the "14 words." Based on my training and experience, I know that "14 words" refers to a slogan commonly

known and used by white supremacy extremists and neo-Nazis that states: "We must secure the existence of our people and a future for white children." RUNDO responded, "I'm a big supporter of the fourteen, I'll say that."

15. RAM members also used graffiti to promote their white supremacist ideology. On January 12, 2018, law enforcement officers took photographs of graffiti in the Aqua Chinon Wash Tunnel in Irvine, California, where RAM members have posted videos of the group conducting physical training exercises. The photographs showed the words "RAM" and "RISE ABOVE" written in yellow spray paint inside the tunnel, as well as a Celtic cross with the number "14" over the top in black spray paint. As discussed above, the number "14" is commonly used among white supremacy extremists and neo-Nazis to refer to the "14 words." Based on my training and experience, I know that the image of the Celtic cross, combined with the number 14, is commonly used by white supremacy extremists and neo-Nazis to express their ideology.

16. In the Spring of 2018, according to reports of interviews conducted by Customs and Border Protection officers as well as public posts on social media accounts of RAM and several of its members, several RAM members, including RUNDO, Daley, and Michael Miselis ("Miselis") traveled to Germany, Ukraine, and Italy to celebrate Adolf Hitler's birthday and meet with members of European white supremacy extremist groups, including a group known as White-Rex. Shortly after that trip, the RAM-affiliated clothing company Right Brand Clothing, of

which RUNDO is the registered owner, posted several photographs on its Instagram page of RUNDO and other RAM members in Germany, Ukraine, and Italy, slap-tagging stickers on various buildings and poles with the RAM logo and the words "RAPEFUGEES ARE NOT WELCOME HERE," "FCK ANTIFA," and "REVOLT AGAINST MODERN . . . ACTIVITISM-ATHLETICS-VIRTUE . . . RIGHT SIDE." RAM members also posted online a video showing Daley in the Ukraine performing a salute known to be associated with the western Hammerskins, a well-established violent white supremacy extremist group that is associated with RAM, and of which Daley was a member before co-founding RAM.

17. On August 1, 2018, an Instagram user "tagged" Right Brand Clothing's account in a post containing a photograph of RAM members during their trip to Germany, Ukraine, and Italy meeting with Olena Semenyaka, the leader of the International Department for the National Corps, which is a political party in the Ukraine that was founded in 2016 out of a regiment of the Ukrainian military called the Azov Battalion. Based on my training and experience, I know that the Azov Battalion is a paramilitary unit of the Ukrainian National Guard which is known for its association with neo-Nazi ideology and use of Nazi symbolism, and which is believed to have participated in training and radicalizing United States-based white supremacy organizations. The text associated with the post stated, "@rightbrandwear it was an honor to meet the singer and patriot from #18th #nationalist #blackmetal #ukraine #antiantifa."

B. March 25, 2017: RUNDO, BOMAN, LAUBE, and Other RAM Members Attacked Counter-Protestors at a Political Rally in Huntington Beach, California

18. Based on my review of law enforcement reports, videos and photographs posted online, and public and private communications between RAM members, I know that groups of RAM members have attended public rallies together, acted in concert to commit acts of violence, and planned such acts in advance using the Internet.

19. For example, I reviewed a recording of a December 2016 RAM group phone call in which Daley shared RAM's strategic plan to attend rallies in 2017 in order to provide "security." Based on my training and experience, evidence gathered in this investigation, and the context of this discussion, Daley and the RAM group, who had no official role in the rallies they planned to attend, appeared to be discussing appearing as security personnel at the rallies so they could be prepared to engage in violent confrontations that may erupt at the rallies. On the call, Daley instructed listeners to wear specific clothing, such as polo-style shirts and khakis, to get military style haircuts, and to maintain an organized presence at the events.

20. On March 25, 2017, at least several hundred people attended a "Make America Great Again" rally at the Bolsa Chica State Beach in Huntington Beach, California. The rally, and the violence that ensued, were captured on video by numerous journalists and participants. Throughout the morning, the attendees engaged in various activities, including chanting and

making speeches. As those activities were ongoing, a small group of counter-protestors gathered nearby on the beach.

21. Videos uploaded online show hundreds of rally attendees marching south along the beach. At the same time, to the north of the marchers, videos show a small group of rally attendees, including several RAM members carrying signs that read "DEFEND AMERICA" and "Da Goyim Know," did not march south, but instead confronted the counter-protestors. Based on my training and experience, I know that the phrase "da goyim know" is commonly used by white supremacist extremists to refer to their supposed knowledge of a Jewish conspiracy to control world affairs.

22. Videos show several rally attendees confronting, pushing, and then punching two journalists from a local news publication. As the journalist stumbled backward, LAUBE grabbed the journalist's shoulder with his left hand, and punched him three times in the face. A counter-protestor then released pepper spray, leading the crowd to momentarily disperse. LAUBE is depicted assaulting the journalist in the screenshot below.



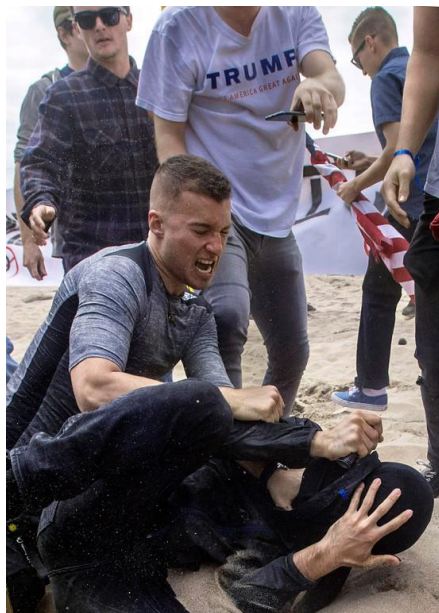
23. Videos show a group of approximately three to five counter-protestors then turned away from the group of rally attendees and walked north along the beach while a small group, led by RUNDO, BOMAN, LAUBE, Daley, and other RAM members pursued them.

24. Approximately 20 seconds later, videos show that BOMAN caught up to one of the counter-protestors and kicked him in the back, as depicted below.



25. A second counter-protestor turned and approached Daley, who shoved the counter-protestor in response. The counter-protestors continued walking north away from the RAM members, as the RAM members continued pursuing them. Another rally attendee walking alongside the RAM members approached one of the counter-protestors and punched him in the face, knocking him to the ground.

26. Seconds later, videos show RUNDO approached another of the counter-protestors from behind and punched him in the back of the head. BOMAN ran up behind RUNDO toward the counter-protestor, but turned back after a second counter-protestor released pepper spray. RUNDO then turned to the second counter-protestor, punched him in the back of the head, grabbed the back of his neck, and threw him to the ground, landing on top of him. RUNDO then held the counter-protestor down with his left hand and threw several punches at the counter-protestor's head while other RAM members looked on, cheered, and prevented others from intervening, as depicted in the screenshot below.



27. After several seconds, video shows the counter-protestor released pepper spray, leading RUNDO to back away from him. The counter-protestor then ran northeast from the beach into a parking lot, while other rally attendees pursued him, pushing him and hitting him with flag poles. According to

eyewitnesses, another RAM member pursued the counter-protestor and threw a large rock at him, striking him in the chest.

28. During and after these violent confrontations, videos show the majority of the rally attendees continued peacefully marching south down the beach, while RUNDO, BOMAN, LAUBE, Daley, and other RAM members, remained in the same area with a group of other rally attendees. Approximately 20 minutes later, approximately five counter-protestors arrived at the beach near where the location where the RAM members remained gathered. The RAM members, including RUNDO, BOMAN, LAUBE, and Daley, led a group of 15-20 men who pursued the counter-protestors for over a minute as the counter-protestors walked north along and the beach to the parking lot.

C. March-April 2017: RAM Members Celebrated Their Assaults at Huntington Beach and Prepared for Berkeley

29. Based on my review of the contents of Daley's cell phone, I know that later on March 25, 2017, Daley sent a text message to another RAM member, stating, "Front page of the stormer we did it fam." Based on my training and experience, I know that the "Daily Stormer" is a news website and online community forum that is well known among neo-Nazis and white supremacy extremists, which published an article after the Huntington Beach event titled "Trumpenkriegers Physically Remove Antifa Homos in Huntington Beach."³ Based on my review of the

³ Based on my training and experience, I know that "Trumpenkriegers" is intended to mean "Fighters for Trump." "Physical removal" is a term commonly used by white supremacy extremists to refer to the goal of separating or "physically

contents of BOMAN's Facebook account, I know that BOMAN posted the Daily Stormer article on his Facebook page, along with the comment, "We did it fam."⁴

30. I reviewed photographs of the Huntington Beach rally published on the Internet. One image, which appears to have been posted by the DIY Division's Instagram account, depicts RUNDO punching a counter-protestor, with the words "Physical Removal" superimposed across the top. That image is depicted below.



31. The RAM Twitter account later posted a picture of RAM members, including RUNDO, BOMAN, and Daley, at the Huntington Beach rally, standing behind a sign stating "Defend America," with the accompanying text, "Shortly after this pic antifa was

removing" those with viewpoints or lifestyles that are viewed as undesirable.

⁴ I reviewed contents from BOMAN's Facebook page pursuant to a search warrant issued on September 4, 2018 from the Honorable Paul L. Abrams, United States Magistrate Judge, Central District of California, in Case Number 2:18-MJ-02307 (C.D. Cal.).

btfo in Huntington Beach.” Based on my training and experience, I know that “BTFO” stands for “Blown The Fuck Out.”

32. Based on my review of the contents of Miselis’s cell phone, I know that, on March 27, 2017, EASON sent a text message to Miselis, who appears to have first been introduced to the other RAM members at the Huntington Beach rally, inviting him to the rally in Berkeley on April 15, 2017. EASON wrote, “It’s Aaron from the HB rally. I wanted to let you know that the organizers of the free speech rally at Berkeley on April 15 are paying for rooms for our guys. . . . We’re expecting about 15 solid guys in our caravan coming up from So Cal and we can accomodate as many as you can give. Quality only of course. If you have good people who aren’t cut out for security, the organiziers are looking for people to fill roles like photography. Anyone who doesn’t come will wish they had. Oh and we have hand to hand and formation fighting training in San Clemente this Saturday. It’s not required, but we’d like to get everyone we can there.”

33. Later on March 27, 2017, Daley wrote to Miselis to invite him to the Berkeley rally, and Miselis replied, “Right on, Aaron from the rally mentioned some folks were going up. I’ll drop the line on our end and see if anyone else can make it.” Daley replied, “Preciate we need all heads we can get.”

34. On March 29, 2017, EASON wrote to MISELIS again, stating, “Training is a go. Saturday at 11 am. Marblehead Park, San Clemente. . . . We’ll probably have equipment for shield and stick training and our formation tactics ready.”

35. On April 12, 2017, Daley wrote to Miselis, "Got a 11 van reserved for Friday." Asking everyone to kick in 20 or 40. Thinking of leaving around 1130. Does that time work for you?" Miselis replied, "Absolutely."

36. According to records received from Airport Van Rental, on April 14, 2017, EASON rented a 12-15 passenger van for \$493.87, using a Visa credit card with account number ending in 0807. Photographs posted online show BOMAN, Daley, Miselis, and other RAM members posing in front of the van following the event in Berkeley on April 15, 2017.

D. April 15, 2017: RUNDO, BOMAN, EASON, and Other RAM Members Attacked Counter-Protestors at a Political Rally in Berkeley, California

37. On April 15, 2017, RUNDO, BOMAN, EASON, Daley, and other RAM members attended a political rally at Martin Luther King Jr. Civic Center Park in Berkeley, California. Videos posted online also show RUNDO, BOMAN, EASON, and Daley standing alongside other RAM members displaying a sign that stated "Defend America" with their hands taped in the manner of a boxer or mixed martial arts fighter, wearing grey and black athletic shirts with their faces partially covered by the distinctive skeleton masks shown in RAM training videos. Videos posted online show that rally attendees and counter-protestors were initially separated by orange fencing. After several minutes, several RAM members crossed the orange fencing and assaulted counter-protestors. In one video, BOMAN is shown punching a counter-protestor in the face. In another video, BOMAN is shown punching a person while holding the person down on the ground.

The images below depict BOMAN at the Berkeley rally preparing to fight with his hands taped and then BOMAN punching a counter-protestor while EASON, Miselis, and other RAM members stood beside him.



38. In another video, another RAM member is shown repeatedly punching a person while two unidentified people and a second RAM member appear to hold the person down in a crouched position. In another video, Miselis, Daley, and two other RAM members are shown repeatedly kicking and punching a counter-protestor who was crouching in a defensive position, until police intervened and pushed them away. In another video, RUNDO is shown approaching a counter-protestor and punching him in the side of the head.

39. Minutes later, after several RAM members and rally attendees had crossed the orange fencing separating them from the counter-protestors, RUNDO, BOMAN, EASON, Daley, Miselis confronted several counter-protestors. Videos show RUNDO, BOMAN, and Daley attempting to pull away a banner held by several of the counter-protestors. After one of the counter-

protestors fell to the ground, videos show RUNDO began throwing punches at multiple different people, including one person who was falling to the ground. According to Berkeley Police Department ("BPD") officers, a BPD officer saw RUNDO punching the apparently defenseless person in the head, and ordered RUNDO to stop, but RUNDO did not respond. The BPD officer knocked RUNDO to the ground to stop the ongoing assault, and RUNDO punched the officer twice in the head before BPD officers subdued and arrested him.

40. Several minutes later, EASON, Daley and other RAM members and rally attendees pursued counter-protestors out of the park through public streets, chanting "hey, hey, hey, Goodbye." Videos show BOMAN confronting counter-protestors and hitting a counter-protestor in the face. Videos show Daley climbing over over a barricade separating protestors and counter-protestors, kicking counter-protestors as they fall down due to the falling barricade, and then chasing a counter-protestor and kicking him in the back. Pictures posted online from after the event show BOMAN, Daley, Miselis, and other RAM members holding up in celebration the banner that they pulled away from counter-protestors during the rally.

E. April-August 2017: RAM Members Celebrated Their Assaults at Berkeley and Prepared for More Events

41. On April 16, 2017, the day after the Berkeley rally, BOMAN posted a photograph on his Facebook page showing him punching counter-protestors at what appears to be the rally in Berkeley the previous day. BOMAN then "liked" the photograph on

Facebook. Another RAM member commented on the post, "You can't like your own photo you idiot," and BOMAN responded, "Offff couuuuursseeee you can,!!!"

42. On April 16, 2017, BOMAN posted a photograph on his Facebook page showing himself and fellow RAM members pulling what appears to be a banner or poster away from counter-protestors at the Berkeley rally.

43. On April 16, 2017, another RAM member sent a text message to Miselis describing a video showing Miselis at the Berkeley event, and Miselis replied, "Hell yeah man. I was about to jump into that but our guys were just wrecking them, like not even any room to get a hit in. I was like alright, u guys got it handled then lol."⁵ Later that day, Miselis sent another text message describing how one of the guys "up their fighting with us . . . was pretty based too, apparently he hit an antifa so hard he dislocated his shoulder." Miselis wrote, "I've been dealing with my hand all day. Just found a video on that site where you can see me breaking it on a guys head lol." The other RAM member responded, "I've been looking at videos. There's a grey-shirted storm trooper at the fucking front every, single, time. You guys were lions." Miselis replied, "Total Aryan victory."

44. On April 21, 2017, EASON sent a text message to Miselis asking if his broken hand was strong enough to attend

⁵ "Lol" is an acronym meaning "laugh out loud."

another event at Berkeley on April 27, 2017, stating, "I'm driving up to deny antifa a face-saving victory."

45. On May 15, 2017, the RAM Twitter account sent a message to another Twitter user who had proposed interviewing RAM leaders for a podcast. The RAM Twitter account replied, "Maybe if there [is] enough time could mention berekly how we were the first guys to jump over the barrier and engage and how that had a huge impact."

46. On June 1, 2017, Daley sent a private Facebook message to an associate stating that he and his group "stole yevet farlarkas banner at the April 15th riots lol." Daley's associate responded, "That subhuman professor from CA. . . . She needs the rope[,] " appearing to suggest that the professor should be hanged. Daley responded, "Yep lol." The associate responded, "My boy supposedly kicked her in the face." Based on my review of publicly available media accounts of the rally in Berkeley on April 15, 2017, Yvette Felarca was a leader of a local group of antifa counter-protestors who attended the rally.

47. In May 2017, BOMAN posted a picture on Facebook showing himself and another RAM member boxing in a garage with various white supremacist signs and banners posted on the walls. One of the signs states, "Da Goyim know," and appears to be the same sign BOMAN and other RAM members were photographed carrying at the Huntington Beach rally in March 2017. Another of the banners appears to be the same banner that Daley claimed he and his associates stole from Yvette Felarca during the Berkeley rally in April 2017.

48. On August 10, 2017, BOMAN posted a photograph on his Facebook page showing himself punching a counter-protestor. Another Facebook user later commented on the photograph, "U in Charlottesville?" BOMAN responded, "Naw that was in Berkley."

F. August 11-12, 2017: Other RAM Members Committed Violent Assaults at the Unite the Right Rally in Charlottesville, Virginia

49. Based on my review of RAM members text messages and Facebook communications, photographs and videos posted online, and law enforcement reports, I know that, between April and August 2017, RAM members engaged in regular combat training sessions and attended additional political events where they confronted counter-protestors and others who do not share their ideology. For example, videos posted online show that, on June 10, 2017, RUNDO, Daley, and other RAM members attended an "Anti-Islamic Law" rally in San Bernardino, California, where they engaged in violence against counter-protestors, leading to arrests of three RAM members. On June 13, 2017, Daley wrote a text message to an associate stating, "We smashed some antifa as they were leaving." The associate responded, "If it wasn't for the White Nationalists nothing would ever get done. Daley replied, "This is true would've been no victory in Huntington or Berkeley."

50. On August 12, 2017, several RAM members, including Daley and Miselis, attended the "Unite the Right" rally in Charlottesville, Virginia. RAM members coordinated their attendance at that rally in the previous months. For example, I reviewed a screenshot from a group chat on the chatroom hosting

service Discord, from a subgroup labeled "lodging_wanted" within a group labeled "Charlottesville 2.0," in which a user named "Ben Daley" stated on July 24, 2017, "need room for at least three Goys from CA. For Friday and Saturday night. Solid sober respectful experienced at these events all were in Berkeley riots. Plz let me know." Based on my training and experience and facts learned in this investigation, I believe that in this message, "Ben Daley" was offering his and his associates' "experience" and presence at the "Berkeley riots" as bona fides, demonstrating his intent to travel to Charlottesville to create another riot there, and seeking lodging amongst other white supremacists willing to host "Goys."

51. I reviewed another statement posted using Discord, in a chat subgroup labeled "general_1," within the "Charlottesville 2.0" group, in which unknown users discussed whether the permit for the Unite the Right rally had been revoked. After the users confirmed that the permit had been renewed, user "Ben Daley" responded, "Good stuff. Regardless we should all still go. Im flying out from CA with a handful regardless. Fuck these jews."

52. On July 25, 2017, RUNDO sent a text message to Miselis stating, "Hey, if you can get in touch with ben, I may have a place for you guys to stay in Charlottesville."

53. Videos uploaded to YouTube and published by individuals and news organizations show Daley, Miselis, and other RAM members at the rally in Charlottesville with their hands taped in the manner of a boxer or mixed martial arts fighter, committing multiple assaults against multiple victims.

One video shows Daley approaching a man from behind as the man stood still on the side of the street watching the protestors march down the street. Daley raised his right hand and punched the man in the back of the head, causing him to fall to the ground. Daley then walked up to various counter-protestors who were standing in the path of the Unite the Right protestors, punched some counter-protestors in the face, and threw others to the ground.

G. August 2017-February 2018: RAM Members Celebrated Their Assaults and Prepared for More Events

54. Based on my review of RAM members text messages and Facebook communications, photographs and videos posted online, and law enforcement reports, following the Charlottesville event, RAM members continued to engage in regular combat training sessions and post photographs and videos on social media promoting their assaults at prior rallies. For example, on September 14, 2017, the RAM Twitter account posted a picture of RUNDO and another RAM member assaulting counter-protestors at the Berkeley rally, with the accompanying text: "#antiantifa, #goodnightleftsisde, #riseabovemovement."

55. On September 25, 2017, EASON sent a text message to Miselis stating, "Im back in a position to go hard with activism. I got sidetracked after Berkeley." Miselis responded that "for the time being I think everyone is laying a little low on account of [Charlottesville] fallout."

56. In November 2017, RUNDO and Miselis exchanged several text messages about creating a video promoting RAM. On December

17, 2017, the "Rise Above Movement" YouTube account posted a RAM promotional video combining video of RUNDO, BOMAN, LAUBE, and other RAM members assaulting counter-protestors with photographs and video of RAM members training in hand-to-hand combat. Based on my review of text messages between RUNDO and Miselis, in which RUNDO described putting together a RAM promotional video and the clips he was using for the video, I believe that RUNDO orchestrated the creation of the video.

57. On January 10, 2018, the RAM Twitter account wrote, "What's up with giving a shoutout to the only alt right crew that actually beats antifa senseless and wins rallies."

58. On January 17, 2018, the RAM Twitter account wrote, "From the guys that [won] very rally they ever attended and always chased out antifa."

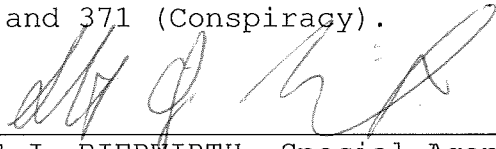
59. On February 12, 2018, Daley sent a private Facebook message to an associate stating, "We're not going be going to rally's for a few months cause we got a big trip planned but definitely after that we'll be back on the scene. Some good scenes from the April 15 Berkeley riots halfway thru this video." The associate responded, "I've never heard of you guys. Just nationalists or white nationalists?" Daley responded, "Huwhite. We were the only reason shit was popping off at social right wing events. Were not hostile to non whites we just do our thing the way all other races do theirs. Didn't want you thinking I was just some lop critiquing from the sidelines lol."

60. As described above, RUNDO, BOMAN, LAUBE, and EASON along with other RAM members, have used the Internet to prepare

to incite and participate in violence at various political events, have committed violent assaults while at those events, and have applauded each other for it and publicly documented their assaults in order to recruit more members to engage in further assaults.

V. CONCLUSION

61. Based on the foregoing, there is probable cause to believe RUNDO, BOMAN, LAUBE, and EASON violated Title 18, United States Code, Sections 2101 (Riots) and 371 (Conspiracy).



SCOTT J. BIERWIRTH, Special Agent
Federal Bureau of Investigation

Subscribed to and sworn
before me on October 20, 2018



THE HONORABLE STEVE KIM
UNITED STATES MAGISTRATE JUDGE