AO106(Rev.5/85) Affidavit for Search Warrant

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

In the Matter of the Search of

SEP 2 4 2008

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

Shepherd-Pratt Health Systems, Room TE-225
6501 North Charles Street
Towson, Maryland,
Occupied by Bruce Edwards Ivins,
DOB[redacted] SSN [redacted]
And personal effects maintained therein

APPLICATION AND AFFIDAVIT FOR SEARCH WARRANT

CASE NUMBER: 08-443M-01

I **Charles B. Wickersham** being duly sworn depose and say:

I am a(n) **Postal Inspector with the United States Postal Inspection Service** and have reason to believe
(Official Title)
that ☐ on the person of or ☒ on the property or premises known as (name, description and or location)

Room TE-225 at Sheppard-Pratt Health Systems, 6501 North Charles Street, Baltimore, occupied by Bruce Edwards Ivins, DOB[redacted] SSN [redacted], and personal effects maintained therein.

in the District of Maryland, there is now concealed a certain person or property, namely
any writings identifying a plan to kill witnesses or names of intended victims, or any other relevant documents, notes and records in various formats, including computer files and other electronic media.

which is (state one or more bases for search and seizure set forth under Rule 41(b) of the Federal Rules of Criminal Procedure)
evidence relevant to the commission of an act of terrorism, to include the use of a weapon of mass destruction (anthrax) and the murder and attempt to murder officers and employees of the United States, and threats to witnesses involved in, and obstruction of, that investigation,
in violation of Title 18 United States Code, Section(s) 2332a, 1114, and 1512(a)(2). The facts to support a finding of Probable Cause are as follows:

SEE ATTACHED AFFIDAVIT HEREIN INCORPORATED BY REFERENCE AS IF FULLY RESTATED HEREIN

Continued on the attached sheet and made a part hereof. ☒ YES ☐ NO

Rachel Carlson Lieber, AUSA
U.S. Attorney's Office, Washington, DC
(202) 353-8055

Signature of Affiant
Charles B. Wickersham, Postal Inspector
United States Postal Inspection Service

Sworn to before me, and subscribed in my presence

7/12/08
search Date

at Washington, D.C. (pursuant to the domestic terrorism warrant provisions of Rule 41(b)(3))

RICHARD W. ROBERTS, U.S. DISTRICT JUDGE
Name and Title of Judicial Officer

Signature of Judicial Officer

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

I, Charles B. Wickersham, being duly sworn, depose and say:

I have been a Postal Inspector of the United States Postal Inspection Service (USPIS) for approximately twenty months. I am authorized to investigate crimes involving violations of Title 18 U.S.C. Sections 2332(a), 1114, and 1512(a)(2).

This affidavit is respectfully submitted in support of an application for warrants to search the following premises and vehicles, pursuant to the domestic terrorism search warrant provision found at Rule 41(b)(3) of the Federal Rules of Criminal Procedure, in that it involves threats to witnesses in, and obstruction of, a domestic terrorism investigation, pending in the District of Columbia.

Sheppard-Pratt Hospital, Room TE-225, 6501 North Pratt Street, Towson, Maryland, occupied by Bruce Edwards Ivins, DOB: [redacted], SSN: [redacted] and any personal effects of Bruce Edwards Ivins in that room.

As discussed below, there is probable cause to believe that a search of the aforementioned premises may result in the collection of evidence relevant to an ongoing criminal investigation into the dissemination of a Weapon of Mass Destruction (anthrax) through the U.S. mail system in September 2001 and October 2001 in violation of Title 18, United States Code, Sections 2332(a) and 1114, which killed five people and infected at least 17 others, and into tampering with a witness or informant in connection with that ongoing domestic terrorism investigation, in violation of Title 18, United States Code Section 1512(a)(2).

Overview

The Federal Bureau of Investigation and the U.S. Postal Inspection Service (hereinafter "Task Force") investigation of the anthrax attacks has led to the identification of Dr. Bruce Edward Ivins, an anthrax researcher at the U.S. Army Medical Research Institute for Infectious Diseases, Fort Detrick, MD (hereinafter "USAMRIID"), as a person necessitating further investigation for several reasons: (1) At the time of the attacks, he was the custodian of a large flask of highly purified anthrax spores that possess certain genetic mutations identical to the anthrax used in the attacks; (2) Ivins has been unable to give investigators an adequate explanation for his late night laboratory work hours around the time of both anthrax mailings; (3) Ivins has claimed that he was suffering serious mental health issues in the months preceding the attacks, and told a coworker that he had "incredible paranoid, delusional thoughts at times" and feared that he might not be able to control his behavior; (4) Ivins is believed to have submitted false samples of anthrax from his lab to the FBI for forensic analysis in order to mislead investigators; (5) at the time of the attacks, Ivins was under pressure at work to assist a private company that had lost its FDA approval to produce an anthrax vaccine the Army needed for U.S. troops, and which Ivins believed was essential for the anthrax program at USAMRIID; and (6) Ivins sent an email to a friend [redacted] a few days before the anthrax attacks warning [redacted] that "Bin Laden terrorists for sure have anthrax and sarin gas" and have "just decreed death to

all Jews and all Americans," language similar to the anthrax letters warning "WE HAVE THIS ANTHRAX ... DEATH TO AMERICA ... DEATH TO ISRAEL."

Factual Background

Over the course of the past few years, Dr. Ivins has become aware that the Task Force considers him a person who warrants further investigation in connection with the anthrax attacks. He has been interviewed a number of times by law enforcement throughout the course of the nearly seven-year investigation, most recently in the presence of his attorney on June 9, 2008. In addition, on November 1, 2007, Task Force agents executed search warrants at his residence, his office at USAMRIID, and his vehicles, for evidence linking him to the anthrax attacks, and seized a number of items, including numerous letters to members of Congress and the media, along with handguns and tasers. Finally, in recent months in particular, he has told co-workers and friends that he is a suspect in the investigation, even revealing to one friend a few weeks ago that his attorney has told him to prepare to be indicted for the anthrax attacks.

His most recent statement regarding the attacks came three days ago on Wednesday, July 9, 2008. While at a group therapy session in Frederick, Maryland, he revealed to the Licensed Clinical Social Worker and other members of the group that he was a suspect in this investigation. He stated that he was a suspect in the anthrax investigation and that he was angry at the investigators, the government, and the system in general. He said he was not going to face the death penalty, but instead had a plan to kill co-workers and other individuals who had wronged him. He said he had a bullet-proof vest, and a list of co-workers, and added that he was going to obtain a Glock firearm from his son within the next day, because federal agents are watching him and he could not obtain a weapon on his own. Based on these statements, the Social Worker called the Frederick, Maryland, police department, and they took custody of Bruce Edwards Ivins on Thursday, July 10, 2008, for a forensic evaluation at Frederick Memorial Hospital. Yesterday, on July 11, 2008, he was transferred to Sheppard-Pratt Hospital, 6501 North Charles Street, Towson, Maryland, for further forensic evaluation.

The Social Worker further related that in addition to the threats articulated at the group session on July 9, 2008, Bruce Edwards Ivins had in the recent past articulated a plan to kill himself, specifically that he intended to use a combination of pills and alcohol to effectuate this plan. She related that he plans everything in careful detail, something consistent with reports from other sources in this investigation, that Bruce Edwards Ivins plans everything very carefully. The Social Worker noted that with respect to the suicide plan, he produced to her a paper from his wallet which contained a precise recipe of pills and alcohol, based on his body weight, to ensure death.

When Bruce Edwards Ivins was admitted to Sheppard-Pratt Hospital yesterday, his personal effects were inventoried. Among the items he brought with him to the hospital was his wallet, which contained a number of pieces of paper.

The Task Force submits that a search Subject Room and personal effects t may reveal physical or documentary evidence that will assist the investigation into these threats to witnesses related to the anthrax investigation, and obstruction of that investigation. The search is for any

writings identifying a plan to kill witnesses or names of intended victims, or any other relevant documents, notes, photographs, and records in various formats, including computer files and other electronic media.

Conclusion

Based on the foregoing, I submit that there is probable cause to believe that a search of the Subject Room and personal effects may result in collection of evidence relevant to the investigation of threats to witnesses in, and obstruction of, the investigation into the dissemination of a weapon of mass destruction (anthrax) through the U.S. mail system in September and October 2001 in violation of 18 U.S.C., Sections 1512(a)(2), 2332a and 1114. Specifically, there is probable cause to believe that a search of the Subject Room and Wallet may reveal writings identifying a plan to kill witnesses, names of intended victims, photographs, and other relevant documents.

Because this affidavit is part of an ongoing investigation that would be jeopardized by premature disclosure of information, I further request that this Affidavit, the accompanying Order, and other related documents be filed under seal until further order of the Court.

The statements contained in this Affidavit are based in part on information provided by FBI Special Agents and U.S. Postal Inspectors, on observations made by law enforcement agents, and on my experience and background as a Postal Inspector. I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish the necessary foundation for the search warrant.

CHARLES B. WICKERSHAM
Postal Inspector
U.S. Postal Inspection Service

Sworn to before me this
12th day of July, 2008

U.S. ~~MAGISTRATE~~ JUDGE
United States District Court
for the District of Columbia