

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.

- (1) [REDACTED], Frederick, Maryland, a single family residence. The residence has white painted wood siding, with a white front door that is located on the right side of the front of the home. The front door has an exterior storm door. Left of the front door are two windows cased with red shutters. A black railing leads up several stairs to the front door where the numbers [REDACTED] are indicated in black above the door. The search will include a large white shed with peeling paint, that is located on the rear of the property, along with the backyard. Bruce Edwards Ivins purchased the house 03/06/1990. Investigation has disclosed the property has been his principle residence since September, 2001.
- (2) Automobile #1: a vehicle with Maryland registration [REDACTED] expiration 02/11/2009, and Vehicle Identification Number [REDACTED]. The vehicle is described as a 2002 Saturn SL1, blue, 4 door sedan, and is registered to Bruce Edwards Ivins, [REDACTED], Frederick, MD. Bruce Edwards Ivins purchased the vehicle 9/13/2002 and has been the sole owner, and is the primary user.
- (3) Automobile #2: search a vehicle with Maryland registration [REDACTED], expiration 06/25/2008, and Vehicle Identification Number [REDACTED] 2. The vehicle is described as a 1993 Honda Civic, blue, 4 door sedan, and is registered to Bruce Edwards Ivins, [REDACTED] Frederick, MD. Bruce Edwards Ivins purchased the vehicle 12/02/1999 and has been the sole owner. The vehicle is primarily used by Ivins's wife, [REDACTED], and is driven on occasion by Bruce Edwards Ivins.
- (4) Automobile #3: A warrant to search a vehicle with Maryland registration [REDACTED] expiration 07/01/2009, and Vehicle Identification Number [REDACTED]. The vehicle is described as a 1996 Dodge van, red, and is registered to [REDACTED], [REDACTED], Frederick, MD. [REDACTED] purchased the vehicle 10/17/1996, and the vehicle is driven on occasion by Bruce Edwards Ivins.

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 her 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." In his affidavit dated October 31, 2007, submitted in support of an initial search of the residence and vehicles of Bruce Edwards Ivins, Supervisory Postal Inspector Thomas F. Delafera described in greater detail information regarding Bruce Edwards Ivins, and his probable connection to the anthrax mailings. I hereby incorporate this affidavit by reference herein. See Exhibit A.

### 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. 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 two 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, where he remains as of this writing.

Further, with respect to backyard at the residence, at approximately 10:30 p.m., in early June 2008, Bruce Edwards Ivins was observed walking in the rain out into an area of his backyard near his back fence. He was then observed making a raking or digging motion in that area. Subsequent visual scrutiny of that area revealed that it was an untended area of grass and other vegetation.

Finally, with respect to the three vehicles, over the course of the past several months, visual surveillance has been conducted regularly at the residence of Bruce Edwards Ivins at [REDACTED] Frederick, Maryland. Such surveillance has revealed that all three vehicles are regularly parked in front of the Ivins residence or in the driveway on the property.

The Task Force submits that a search Subject Residence and Subject Vehicles 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 firearms and other weapons, ballistic vests or other protective gear, and 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, as more fully described in the Attachment to this affidavit.

### Conclusion

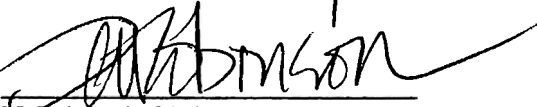
Based on the foregoing, I submit that there is probable cause to believe that a search of the Subject Residence and Subject Vehicles may result in collection of evidence relevant to the investigation of threats to witnesses in, and obstruction of, the investigation into the dissemination of a weapon 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 Residence and Subject Vehicles as described in the Attachment to this affidavit, may reveal firearms and other weapons, ballistic vests, and 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  
11<sup>th</sup> day of July, 2008

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

## ATTACHMENT TO AFFIDAVIT

The search of the Subject Property and Premises will include a physical search for the items mentioned in the text of the search warrant, including more specifically the following:

1. Documents, memoranda, notes or other writings and equipment which include but are not limited to schematics, diagrams, blueprints, surveillance equipment or its manuals and other related paperwork, receipt for purchase of items, how-to magazines, books and pamphlets which describe a plot to harm or kill other individuals, communication which would include but not be limited to handwritten notes and drawings, memos and photographs, which would include descriptive information such as telephone numbers, addresses, directions, and affiliations and contact points of individuals Bruce Edwards Ivins believes may be involved in the investigation into the anthrax attacks of 2001. Note that such documentary material described herein may be in printed or electronic form such as, but not limited to, computer disks. Such computerized and other electronic material would constitute contraband, fruits, instrumentalities or evidence of the offenses enumerated herein and in the attached affidavit for search warrant.

2. Firearms and ammunition, extra magazines, sights, ballistics vests, targets, and any other weapon of any kind, and any and all paperwork referencing purchase, maintenance, transfer and ownership of any weapon.

3. Keys, records, or other information pertaining to storage facilities, safety deposit boxes or other locations where such items set forth in paragraph 1 and 2 may be stored.

4. Computer hardware, computer software, computer-related documentation, computer passwords and data security devices, records, documents, photos, and materials use to communicate, both written, electronic mail, and by any other means directed either to/from subject.

a. Computer hardware is defined as any computer equipment including any electronic devices which are capable of analyzing, collecting, converting, creating, displaying, or transmitting electronic, magnetic, optical computer impulses or data. These devices include, but are not limited to, computers, computer components, computer peripherals, data-processing hardware (such as CPUs, memory typewriters, and self-contained laptop or notebook computers), encryption circuit boards, internal and peripheral storage devices (such as fixed disks, external hard disks, floppy disk drives and diskettes, tape drives and tapes and optical storage devices), peripheral input/output devices (such as keyboards, printers, scanners, plotters, and video display monitors), related communications devices (such as modems, cables and connections, recording equipment, Random Access memory (RAM) or Read-Only memory (ROM) units, automatic dialers, speed dialers, programmable telephone dialing or signaling devices, and electronic tone gathering devices), as well as devices, mechanisms, or parts that can be used to restrict access to such hardware (such as physical keys and locks.)

b. Computer software is defined as any instructions or programs stored in the form of electronic, magnetic, or optical media which are capable of being interpreted by a computer or its related components. These items include, but are not limited to, operating systems, application software, utility programs, compilers, interpreters, and communications software, as

well as software used to communicate with computer hardware peripherals, either directly or indirectly by telephone lines, radio, or other means of transmission. Computer software may also include certain data, data fragments, or control characters integral to the operation of the computer software.

c. Computer-related documentation is defined as any written, recorded, printed, or electronically-stored material which provides instructions or examples concerning the operating of a computer system, computer software, and/or any related device, including but not limited to, user agreements, software manuals, and operating procedure guidelines. Such documentation may also include material which explains or illustrates the configuration or use of any seized hardware, software, or related item.

d. Computer passwords and data security devices are defined as all those devices, programs, or data - whether themselves or in the nature of hardware or software - that can be used, or is designed for use to restrict access to, or facilitate concealment of, any computer hardware, software, computer-related documentation, electronic data, records, or materials within the scope of this application. These items include, but are not limited to, any data security software or information (such as test keys and encryption codes), similar information that is required to access computer programs or data or to otherwise render programs or data into usable form.

e. Records, documents, and materials, as used above, includes all the forgoing items of evidence in whatever form and by whatever means such records, documents, or material, their drafts, or their modifications may have been created or stored, including, but not limited to, any handmade form (such writing or drawing), any photographs or negatives, any mechanical form (such as printing or typing) or any electrical, electronic, magnetic, or optical form (such as floppy diskettes, hard disks, CD-Roms, optical disks, printer buffers, smart cards, thumb drives, memory calculators, electronic dialers, or electronic notebooks), as well as printouts or readouts from any storage devices.

f. The term electronic mail is defined as any communications, including, but not limited to, the transfer of signs, signals, writing, images, sounds, data, or intelligence, previously received, transmitted, or stored, or prepared in contemplation of transmission, or any communications in the process of being received or transmitted, whether stored on any electronic media named above or held in temporary, intermediate storage incidental to transmission.