CRIMINAL COMPLAINT

United States District Court	DISTRICT of ARIZONA
United States of America v. **JARED LEE LOUGHNER** DOB: xx/xx/1988; United States Citizen	DOCKET NO. MAGISTRATE'S CASE NO. 11-0035M

Complaint for violation of Title **18** United States Code § **351(c);** Title **18** United States Code §§ **1114 and 1111**; and Title **18** United States Code §§ **1114 and 1113**

COMPLAINANT'S STATEMENT OF FACTS CONSTITUTING THE OFFENSE OR VIOLATION:

COUNT 1

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, **JARED LEE LOUGHNER**, did attempt to kill Gabrielle Giffords, a Member of Congress; in violation of Title 18, United States Code Section 351(c).

COUNT 2

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, **JARED LEE LOUGHNER**, did unlawfully kill Gabriel Zimmerman, an employee of the United States who was engaged in performance of official duties and who was assisting Member of Congress Gabrielle Giffords while she was engaged in performance of official duties; in violation of Title 18, United States Code, Sections 1114 and 1111.

COUNT 3

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, **JARED LEE LOUGHNER**, did unlawfully kill John M. Roll, a United States District Court Judge for the District of Arizona, an employee of the United States who was engaged in performance of official duties; in violation of Title 18, United States Code, Sections 1114 and 1111.

COUNT 4

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, **JARED LEE LOUGHNER**, did, with intent to kill, attempt to kill Pamela Simon, an employee of the United States who was engaged in performance of official duties and who was assisting Member of Congress Gabrielle Giffords while she was engaged in performance of official duties; in violation of Title 18, United States Code, Sections 1114 and 1113.

COUNT 5

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, **JARED LEE LOUGHNER**, did, with intent to kill, attempt to kill Ron Barber, an employee of the United States who was engaged in performance of official duties and who was assisting Member of Congress Gabrielle Giffords while she was engaged in performance of official duties; in violation of Title 18, United States Code, Sections 1114 and 1113.

BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED:

(See Attached Statement of Probable Cause, which is incorporated herein.)

DETENTION REQUESTED Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge.	SIGNATURE OF COMPLAINANT (official title) OFFICIAL TITLE SPECIAL AGENT, FEDERAL BUREAU OF INVESTIGATION
Sworn to before me and subscribed in my presence.	
SIGNATURE OF UNITED STATES MAGISTRATE JUDGE[1] Michelle Burns	DATE January 9, 2011

[1] See Fed. R. Crim. P. 1 and 3

COMPLAINT REVIEWED by United States Attorney Dennis K. Burke For the United States Attorney

Patrick J. Cunningham
AUSA
Criminal Division Chief-PHX

STATEMENT OF PROBABLE CAUSE

Your affiant, Tony M. Taylor Jr., Special Agent of the Federal Bureau of Investigation (FBI), being duly sworn, deposes and says:

1) I have been a Special Agent (SA) of the Federal Bureau of Investigation since November, 1997. I am currently assigned to investigations involving violent crimes and other violations of federal law. I make this affidavit in support of a complaint against **JARED LEE LOUGHNER** for violations of Count 1, Attempted Assassination of a Member of Congress; in violation of Title 18, United States Code Section 351(c); Counts 2 and 3, Killing of an Officer and Employee of the United States, in violation of Title 18, United States Code, Sections 1114 and 1111; and Counts 4 and 5, Attempted Killing of an Officer and Employee of the United States, in violation of Title 18, United States Code, Sections 1114 and 1113.

2) On or about January 8, 2011, in Tucson, Arizona, Congresswoman Gabrielle Giffords hosted a pre-announced event entitled "Congress on Your Corner," at a Safeway store at 7170 N. Oracle Road. Congresswoman Giffords represents the Eighth Congressional District in Southern Arizona. The office of Congresswoman Giffords had publicized the event in advance, including by e-mail and telephonic announcements. Your affiant states that Congresswoman Giffords' staff at the event included Gabriel Zimmerman, Ron Barber, and Pamela Simon, who are employees of the United States, all of whom attended to assist Congresswoman Giffords in her official duties. On January 9, 2011, your affiant spoke with U.S. Marshal David Gonzales, who stated that the Honorable John M. Roll, Chief Judge of

the United States District Court for the District of Arizona, had worked with Congresswoman Giffords within the last several months to resolve issues related to the volume of cases filed in the District of Arizona. Judge Roll was notified about Congresswoman Giffords' event telephonically on or about January 7, 2011. Having spoken to Pia Carusone, the Chief of Staff for Congresswoman Giffords in Washington D.C., U.S. Marshal Gonzales reports that Ron Barber, a staff person for Congresswoman Giffords who was present at the event, stated that Judge Roll attended the event and sought to speak to Congresswoman Giffords, and spoke with Mr. Barber about issues related to the volume of federal cases in the District of Arizona; Judge Roll expressed his appreciation to Mr. Barber for the help and support that Congresswoman Giffords had given. Your affiant reviewed a digital surveillance video depicting the events at the Safeway; in the video, Judge Roll is seen speaking for several minutes with Mr. Barber.

3) Based on my review of the video and other investigation, your affiant states that at approximately 10:11 a.m. on January 8, 2011, **JARED LEE LOUGHNER** shot Member of Congress Gabrielle Giffords; Gabriel Zimmerman, a member of Congresswoman Giffords' staff; the Honorable John M. Roll, Chief Judge of the United States District Court for the District of Arizona; Pamela Simon, a member of Congresswoman Giffords' staff; and Ron Barber, a member of Congresswoman Giffords' staff, as well as approximately 14 additional individuals. Both Pamela Simon and Ron Barber were shot and seriously wounded by **LOUGHNER**. After being shot by **LOUGHNER**, Gabriel Zimmerman and Judge Roll died from their injuries, and Congresswoman Giffords was critically injured. In

addition to the many wounded, the other victims killed by **LOUGHNER** were Phyllis Schneck, Dorothy Morris, Dorwan Stoddard, and Christine Green.

4) **LOUGHNER** was apprehended at the scene after bystanders tackled and disarmed him. At the scene, law enforcement recovered the handgun used by **LOUGHNER**, a Glock semi-automatic pistol. The Bureau of Alcohol, Tobacco and Firearms (ATF) has determined that **LOUGHNER** purchased the Glock pistol, serial number PWL 699, on or about November 30, 2010, from Sportsman's Warehouse in Tucson. In addition to the investigation conducted by ATF, **LOUGHNER**'s purchase of the weapon was corroborated by store receipts and video, among other evidence.

5) On January 8, 2011, a search warrant was executed at [redacted] in Tucson, Arizona, where **LOUGHNER** resides. Some of the evidence seized from that location included a letter in a safe, addressed to "Mr. Jared Loughney" at [redacted], from Congresswoman Giffords, on Congressional stationary, dated August 30, 2007, thanking him for attending a "Congress on your Corner" event at the Foothills Mall in Tucson. Also recovered in the safe was an envelope with handwriting on the envelope stating "I planned ahead," and "My assassination" and the name "Giffords," along with what appears to be **LOUGHNER**'s signature.

6) Based on the foregoing information, there is probable cause to believe that, in the District of Arizona, on or about January 8, 2011, **JARED LEE LOUGHNER**: 1) did attempt to kill Gabrielle Giffords, a Member of Congress, in violation of Title 18, United States Code Section 351(c); 2) did unlawfully kill Gabriel Zimmerman, an employee of the

United States who was engaged in performance of official duties and who was assisting Member of Congress Gabrielle Giffords while she was engaged in performance of official duties, in violation of Title 18, United States Code, Sections 1114 and 1111; 3) did unlawfully kill John M. Roll, a United States District Court Judge for the District of Arizona, an employee of the United States who was engaged in performance of official duties, in violation of Title 18, United States Code, Sections 1114 and 1111; 4) did, with intent to kill, attempt to kill Pamela Simon, an employee of the United States who was engaged in performance of official duties and who was assisting Member of Congress Gabrielle Giffords while she was engaged in performance of official duties, in violation of Title 18, United States Code, Sections 1114 and 1113; and 5) did, with intent to kill, attempt to kill Ron Barber, an employee of the United States who was engaged in performance of official duties and who was assisting Member of Congress Gabrielle Giffords while she was engaged in performance of official duties, in violation of Title 18, United States Code, Sections 1114 and 1113.

TONY M. TAYLOR, JR., Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before this 9th day of January, 2011.

Michelle Burns

THE HONORABLE MICHELLE H. BURNS
United States Magistrate Judge
District of Arizona