

AAS:SKW/JML

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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UNITED STATES OF AMERICA

COMPLAINT

- against -

(18 U.S.C. § 844(i))

LIONEL VIRGILE,

21-MJ-483

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

DAVID BROWN, being duly sworn, deposes and states that he is a Special Agent with the Federal Bureau of Investigation, duly appointed according to law and acting as such.

On or about April 17, 2021, within the Eastern District of New York and elsewhere, the defendant LIONEL VIRGILE did knowingly, intentionally and maliciously damage and destroy, or attempt to damage and destroy, by means of fire or an explosive, a vehicle or other real and personal property used in interstate or foreign commerce or in any activity affecting interstate or foreign commerce, to wit: a New York City Police Department (“NYPD”) vehicle.

(Title 18, United States Code, Section 844(i))

The source of your deponent’s information and the grounds for his belief are as follows:¹

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

1. I am a Special Agent with the Federal Bureau of Investigation (“FBI”) assigned to the Joint Terrorism Task Force (“JTTF”). I have been a Special Agent for approximately five years. As a Special Agent, I have investigated numerous matters involving domestic terrorism. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the investigative file, including the defendant’s criminal history record; and from reports of other law enforcement officers involved in the investigation.

2. On or about the morning of April 17, 2021, two uniformed New York City Police Department (“NYPD”) Officers driving a marked NYPD vehicle observed a grey 2000 Lincoln Town Car with a Connecticut license plate run through a red light near and around the intersection of Clarendon Road and 45th Street in Brooklyn, New York. The NYPD Officers pulled the Lincoln Town Car over for the traffic violation.

3. The two NYPD Officers then approached the Lincoln Town Car and observed a man in the driver’s seat. This man was later identified as the defendant LIONEL VIRGILE.

4. When the NYPD Officers approached VIRGILE, he threw an unknown caustic liquid at one of the NYPD Officers. This liquid caused one of the NYPD Officers to suffer burns in the area of his eyes for which he was taken to and treated at the hospital.

5. VIRGILE subsequently sped off in the Lincoln Town Car. Other NYPD Officers driving a marked NYPD vehicle pursued VIRGILE.

6. Approximately ten minutes after police first pulled him over, VIRGILE stopped his car in the vicinity of 5505 Snyder Avenue in Brooklyn, New York. VIRGILE got out of the car and threw a lit incendiary device – specifically, a bottle containing an incendiary

chemical (sometimes referred to as a “Molotov cocktail” device) at the NYPD vehicle pursuing him. The Molotov cocktail hit the windshield of the NYPD vehicle before breaking on the nearby sidewalk. No one was hurt by the device. I am aware that NYPD marked vehicles are used in interstate or foreign commerce or in activities affecting interstate or foreign commerce.

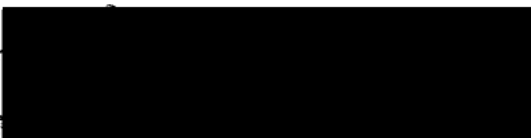
7. VIRGILE then reentered his car and drove away. Approximately one block later, VIRGILE crashed the car in the vicinity of 5419 Snyder Avenue. He was subsequently stopped and arrested by the NYPD.

8. During his arrest, VIRGILE confirmed to the arresting officers that his name is “Lionel Virgile.” The NYPD Officers also ran the car’s license plate and learned the car was registered to “Lionel Virgile.”

9. After the NYPD Officers arrested VIRGILE, agents conducted a safety sweep of his car and observed approximately 5 Molotov cocktails inside the car. The Molotov cocktails were comprised of glass beverage bottles full of a yellowish liquid with cloth wicks held in place by the bottles’ stoppers.

10. After his arrest, VIRGILE verbally agreed to waive his Miranda rights and make a statement. In sum, substance, and in part, VIRGILE admitted to throwing the lit incendiary device at the NYPD vehicle and stated that the device contained gasoline. VIRGILE further admitted that he purchased the materials to create the incendiary device with the intent to injure police officers. He also admitted to throwing bleach at NYPD officers when they pulled him over.

WHEREFORE, your deponent respectfully requests that the defendant LIONEL VIRGILE, be dealt with according to law.


DAVID [REDACTED]
Special Agent, Federal Bureau of Investigation

Sworn to before me this
__ day of April, 2021

THE HONORABLE ROBERT M. LEVY
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK