

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)

v.)

ROBERT BOWERS)

Criminal No. 18-292

(18 U.S.C. §§ 247(a)(2), 247(d)(1),
247(d)(3), 924(c)(1)(A)(i), 924(c)(1)(A)(ii),
924(c)(1)(A)(iii), 924(c)(1)(C), and
924(j)(1))

FILED

OCT 31 2018

INDICTMENT

CLERK U.S. DISTRICT COURT
WEST. DIST. OF PENNSYLVANIA

The grand jury charges:

1. At all times relevant to the Indictment, the defendant, ROBERT BOWERS, was a resident of Allegheny County in the Western District of Pennsylvania.

2. On the morning of October 27, 2018, members of the Tree of Life, Dor Hadash, and New Light Jewish congregations gathered to engage in religious worship at the Tree of Life Synagogue, located at 5898 Wilkins Avenue, Pittsburgh, Pennsylvania.

3. On the morning of October 27, 2018, the defendant, ROBERT BOWERS, drove to the Tree of Life Synagogue and entered the building carrying multiple firearms. When the defendant, ROBERT BOWERS, entered the Tree of Life Synagogue, members of the Tree of Life, Dor Hadash, and New Light congregations were already present within the building.

4. While inside the Tree of Life Synagogue, the defendant, ROBERT BOWERS, opened fire, killing and injuring members of the Tree of Life, Dor Hadash, and New Light congregations, as well as injuring multiple responding public safety officers.

5. While inside the Tree of Life Synagogue, the defendant, ROBERT BOWERS made statements indicating his desire to "kill Jews."

6. Paragraphs 1 through 5 of this Indictment are hereby reincorporated as to all Counts charged below.

COUNTS ONE THROUGH ELEVEN
(Obstruction of Free Exercise of Religious Beliefs Resulting in Death)

The grand jury further charges:

On or about October 27, 2018, in the Western District of Pennsylvania, the defendant, ROBERT BOWERS, intentionally obstructed by force each victim listed below in the enjoyment of that victim's free exercise of religious beliefs:

| COUNT | VICTIM |
|--------------|---------------|
| 1 | J.F. |
| 2 | R.G. |
| 3 | R.M. |
| 4 | C.R. |
| 5 | D.R. |
| 6 | J.R. |
| 7 | B.S. |
| 8 | D.S. |
| 9 | S.S. |
| 10 | M.W. |
| 11 | I.Y. |

The acts of the defendant, ROBERT BOWERS, resulted in the death of each victim listed in Counts One through Eleven, and the offense was in and affected interstate commerce.

All in violation of Title 18, United States Code, Sections 247(a)(2) and 247(d)(1).

COUNTS TWELVE THROUGH TWENTY-TWO**(Use and Discharge of a Firearm to Commit Murder During and in Relation to a Crime of Violence and Possession of a Firearm in Furtherance of a Crime of Violence)**

The grand jury further charges:

On or about October 27, 2018, in the Western District of Pennsylvania, the defendant, ROBERT BOWERS, knowingly used, carried, brandished, and discharged a firearm, to wit, 1) a Glock .357 handgun, bearing serial number BCUM029; 2) a Glock .357 handgun, bearing serial number YEY449; 3) a Glock .357 handgun, bearing serial number RHY244; and 4) a Colt AR-15 rifle, model SP1, bearing serial number SP99907, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, that is, violations of Title 18, United States Code, Section 247, as charged at Counts One through Eleven of this Indictment, and did knowingly and unlawfully possess a firearm in furtherance of said crime of violence, as to each victim set forth below, and caused the death of each victim listed below through the use of a firearm in such a manner as to constitute murder as defined in 18 U.S.C. § 1111(a), in that the defendant, ROBERT BOWERS, with malice aforethought, did unlawfully kill each victim with a firearm.

| COUNT | VICTIM |
|--------------|---------------|
| 12 | J.F. |
| 13 | R.G. |
| 14 | R.M. |
| 15 | C.R. |
| 16 | D.R. |
| 17 | J.R. |
| 18 | B.S. |
| 19 | D.S. |
| 20 | S.S. |
| 21 | M.W. |
| 22 | I.Y. |

All in violation of Title 18, United States Code, Sections 924(c)(1)(A)(i), 924(c)(1)(A)(ii), 924(c)(1)(A)(iii), 924(c)(1)(C), and 924(j)(1).

COUNTS TWENTY-THREE THROUGH TWENTY-FOUR
(Obstruction of Free Exercise of Religious Beliefs Involving an Attempt to Kill and Use of a Dangerous Weapon, and Resulting in Bodily Injury)

The grand jury further charges:

On or about October 27, 2018, in the Western District of Pennsylvania, the defendant, ROBERT BOWERS, intentionally obstructed, by force and threat of force, each victim listed below in the enjoyment of that victim's free exercise of religious beliefs, and attempted to do so:

| COUNT | VICTIM |
|--------------|---------------|
| 23 | D.L. |
| 24 | A.W. |

The acts of the defendant, ROBERT BOWERS, included an attempt to kill each of the victims named in Counts Twenty-Three and Twenty-Four; and resulted in bodily injury to each of the victims named in Counts Twenty-Three and Twenty-Four; such acts also included the use, attempted use, and threatened use of a dangerous weapon, to wit, 1) a Glock .357 handgun, bearing serial number BCUM029; 2) a Glock .357 handgun, bearing serial number YEY449; 3) a Glock .357 handgun, bearing serial number RHY244; and 4) a Colt AR-15 rifle, model SP1, bearing serial number SP99907; and the offense was in and affected interstate commerce.

All in violation of Title 18, United States Code, Sections 247(a)(2), 247(d)(1), and 247(d)(3).

COUNTS TWENTY-FIVE THROUGH TWENTY-SIX
(Use and Discharge of a Firearm During and in Relation to a Crime of Violence and Possession of a Firearm in Furtherance of a Crime of Violence)

The grand jury further charges:

On or about October 27, 2018, in the Western District of Pennsylvania, the defendant, ROBERT BOWERS, knowingly used, carried, brandished, and discharged a firearm, to wit, 1) a Glock .357 handgun, bearing serial number BCUM029; 2) a Glock .357 handgun, bearing serial number YEY449; 3) a Glock .357 handgun, bearing serial number RHY244; and 4) a Colt AR-15 rifle, model SP1, bearing serial number SP99907, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, that is, violations of Title 18, United States Code, Section 247, as charged at Counts Twenty-Three through Twenty-Four, and did knowingly and unlawfully possess a firearm in furtherance of said crime of violence, as to each victim as set forth below.

| COUNT | VICTIM |
|--------------|---------------|
| 25 | D.L. |
| 26 | A.W. |

All in violation of Title 18, United States Code, Sections 924(c)(1)(A)(i), 924(c)(1)(A)(ii), 924(c)(1)(A)(iii), and 924(c)(1)(C).

COUNT TWENTY-SEVEN THROUGH THIRTY-FOUR
(Obstruction of Free Exercise of Religious Beliefs Involving an Attempt to Kill and Use of a Dangerous Weapon, and Resulting in Bodily Injury to a Public Safety Officer)

On or about October 27, 2018, in the Western District of Pennsylvania, the defendant, ROBERT BOWERS, intentionally obstructed, by force and threat of force, each victim listed below in the enjoyment of that victim's free exercise of religious beliefs, and attempted to do so:

| COUNT | VICTIM |
|--------------|---------------|
| 27 | C.B. |
| 28 | J.C. |
| 29 | A.G. |
| 30 | M.G. |
| 31 | J.M. |
| 32 | J.P. |
| 33 | B.W. |
| 34 | S.W. |

The acts of the defendant, ROBERT BOWERS, included an attempt to kill each of the victims named in Counts Twenty-Seven through Thirty-Four; included the use, attempted use, and threatened use of a dangerous weapon, to wit, 1) a Glock .357 handgun, bearing serial number BCUM029; 2) a Glock .357 handgun, bearing serial number YEY449; 3) a Glock .357 handgun, bearing serial number RHY244; and 4) a Colt AR-15 rifle, model SP1, bearing serial number SP99907; and resulted in bodily injury to A.B., D.M., T.M., and M.S., public safety officers who were then performing duties as a direct and proximate result of the defendant's conduct as charged in Counts Twenty-Seven through Thirty-Four; and offense was in and affected interstate commerce.

All in violation of Title 18, United States Code, Sections 247(a)(2), 247(d)(1), and 247(d)(3).

COUNT THIRTY-FIVE

**(Obstruction of Free Exercise of Religious Beliefs Involving
Use of a Dangerous Weapon and Resulting in Bodily Injury to a Public Safety Officer)**

On or about October 27, 2018, in the Western District of Pennsylvania, the defendant, ROBERT BOWERS, intentionally obstructed, by force and threat of force, J.S., in the enjoyment of his free exercise of religious beliefs, and attempted to do so. The acts of the defendant, ROBERT BOWERS, included the use, attempted use, and threatened use of a dangerous weapon, to wit: 1) a Glock .357 handgun, bearing serial number BCUM029; 2) a Glock .357 handgun, bearing serial number YEY449; 3) a Glock .357 handgun, bearing serial number RHY244; and 4) a Colt AR-15 rifle, model SP1, bearing serial number SP99907; and resulted in bodily injury to A.B., D.M., T.M., and M.S., public safety officers who were then performing duties as a direct and proximate result of the defendant's conduct as charged in Count Thirty Five; and the offense was in and affected interstate commerce.

All in violation of Title 18, United States Code, Sections 247(a)(2) and 247(d)(3).

COUNTS THIRTY-SIX THROUGH FORTY-FOUR
(Use and Discharge of a Firearm During and in Relation to a Crime of Violence and Possession of a Firearm in Furtherance of a Crime of Violence)

The grand jury further charges:

On or about October 27, 2018, in the Western District of Pennsylvania, the defendant, ROBERT BOWERS, knowingly used, carried, brandished, and discharged a firearm, to wit, 1) a Glock .357 handgun, bearing serial number BCUM029; 2) a Glock .357 handgun, bearing serial number YEY449; 3) a Glock .357 handgun, bearing serial number RHY244; and 4) a Colt AR-15 rifle, model SP1, bearing serial number SP99907, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, that is, violations of Title 18, United States Code, Section 247, as charged at Counts Twenty-Seven through Thirty-Five, and did knowingly and unlawfully possess a firearm in furtherance of said crime of violence, as to each victim as set forth below.

| COUNT | VICTIM |
|--------------|---------------|
| 36 | C.B. |
| 37 | J.C. |
| 38 | A.G. |
| 39 | M.G. |
| 40 | J.M. |
| 41 | J.P. |
| 42 | J.S. |
| 43 | B.W. |
| 44 | S.W. |

All in violation of Title 18, United States Code, Sections 924(c)(1)(A)(i), 924(c)(1)(A)(ii), 924(c)(1)(A)(iii), 924(c)(1)(C).

**NOTICE OF SPECIAL FINDINGS PURSUANT TO
TITLE 18, UNITED STATES CODE, SECTIONS 3591 AND 3592**

The grand jury further finds:

As to Counts One through Twenty-Two, the defendant, ROBERT BOWERS,

- a. was 18 years of age or older at the time of the offense;
- b. intentionally killed J.F., R.G., R.M., C.R., D.R., J.R., B.S., D.S., S.S., M.W., and I.Y. (18 U.S.C. § 3591(a)(2)(A));
- c. intentionally inflicted serious bodily injury that resulted in the deaths of J.F., R.G., R.M., C.R., D.R., J.R., B.S., D.S., S.S., M.W., and I.Y. (18 U.S.C. § 3591(a)(2)(B));
- d. intentionally participated in an act, contemplating that the life of a person would be taken and intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and J.F., R.G., R.M., C.R., D.R., J.R., B.S., D.S., S.S., M.W., and I.Y. died as a direct result of the act (18 U.S.C. § 3591(a)(2)(C));
- e. intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life, and J.F., R.G., R.M., C.R., D.R., J.R., B.S., D.S., S.S., M.W., and I.Y. died as a direct result of the act (18 U.S.C. § 3591(a)(2)(D));
- f. committed the offenses charged in Counts One through Twenty-Two knowingly creating a grave risk of death to one or more persons in addition to the victims of the offenses (18 U.S.C. § 3592(c)(5));
- g. committed the offenses charged in Counts One through Twenty-Two after substantial planning and premeditation to cause the death of a person (18 U.S.C. § 3592(c)(9));

h. committed the offenses charged in Counts One, Three, Seven through Ten, Twelve, Fourteen, and Eighteen through Twenty-One, against victims who were particularly vulnerable due to old age (18 U.S.C. § 3592(c)(11));

i. committed the offenses charged in Counts Four, Five, Fifteen, and Sixteen, against victims who were particularly vulnerable due to infirmity (18 U.S.C. § 3592(c)(11)); and

j. in committing the offenses charged in Counts One through Twenty-Two, intentionally killed and attempted to kill more than one person in a single criminal episode (18 U.S.C. § 3592(c)(16)).

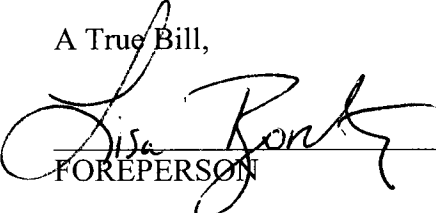
FORFEITURE ALLEGATIONS

The grand jury re-alleges and incorporates by reference the allegations contained in Counts Twelve through Twenty-Two, Twenty-Five through Twenty-Six, and Thirty-Six through Forty-Four of this Indictment for the purpose of alleging criminal forfeiture pursuant to Title 18, United States Code, Section 924(d); and Title 28, United States Code, Section 2461(c). As part of the commissions of the violations of Title 18, United States Code, Sections 924(c)(1)(A)(i), 924(c)(1)(A)(ii), 924(c)(1)(A)(iii), 924(c)(1)(C), and 924(j)(1), charged in Counts Twelve through Twenty-Two, Twenty-Five through Twenty-Six, and Thirty-Six through Forty-Four of this Indictment, the following firearms and ammunition, which were involved and used in the knowing commissions of those offenses, are subject to forfeiture pursuant to Title 18, United States Code, Section 924(d); and Title 28, United States Code, Section 2461(c):

- a. A Glock .357 handgun bearing serial number BCUM029 and any ammunition contained therein;
- b. A Glock .357 handgun bearing serial number YEY449 and any ammunition contained therein;
- c. A Glock .357 handgun bearing serial number RHY244 and any ammunition contained therein;
- d. A Colt AR-15 rifle model SP1 bearing serial number SP99907 and any ammunition contained therein;
- e. A shotgun recovered from the scene of the incident and any ammunition contained therein; and

f. Any other property, to include ammunition, which was involved and used in the knowing commission of the offenses specified above.

A True Bill,


FOREPERSON


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