

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

| | | |
|--------------------------|---|---|
| UNITED STATES OF AMERICA |) | |
| |) | Criminal No. 18-292 |
| v. |) | |
| |) | (18 U.S.C. §§ 247(a)(2), 247(d)(1), |
| ROBERT BOWERS |) | 247(d)(3), 249(a)(1)(B)(i), 249(a)(1)(B)(ii), |
| |) | 924(c)(1)(A)(i), 924(c)(1)(A)(ii), |
| |) | 924(c)(1)(A)(iii), and 924(j)(1)) |
| |) | |

SUPERSEDING INDICTMENT

The grand jury charges:

1. At all times relevant to the Superseding Indictment, the defendant, ROBERT BOWERS, was a resident of Allegheny County in the Western District of Pennsylvania.
2. Prior to October 27, 2018, the defendant, ROBERT BOWERS, created an account on the website gab.com. The account for the defendant, ROBERT BOWERS, included a statement on his profile expressing the belief that “jews are the children of satan,” as well as several posts that referred to Jewish people using anti-Semitic slurs.
3. On or about October 10, 2018, the defendant, ROBERT BOWERS, posted on gab.com a criticism of the Hebrew Immigrant Aid Society (HIAS) and a link to a HIAS webpage listing Jewish congregations that were hosting refugee-related events. That list of congregations included the Dor Hadash Jewish congregation of Pittsburgh. In the posting, the defendant, ROBERT BOWERS, wrote, “Why hello there HIAS! You like to bring in hostile invaders to dwell among us? We appreciate the list of friends you have provided[.]”
4. On the morning of October 27, 2018, the defendant, ROBERT BOWERS, drove to the Tree of Life Synagogue (“the Synagogue”), located at 5898 Wilkins Avenue, Pittsburgh, Pennsylvania. The Synagogue building houses three Jewish congregations, to include the Tree of

Life, Dor Hadash, and New Light congregations.

5. Before entering the Tree of Life Synagogue, the defendant, ROBERT BOWERS, posted on gab.com, “HIAS likes to bring invaders in that kill our people. I can’t sit by and watch my people get slaughtered. Screw your optics, I’m going in.”

6. At that time, members of the Tree of Life, Dor Hadash, and New Light congregations had gathered to engage in religious worship at the Tree of Life Synagogue and were already present within the building. Additional congregants were arriving at the Tree of Life Synagogue to engage in religious worship.

7. As he approached the building carrying multiple firearms, the defendant, ROBERT BOWERS, shot at and shattered a large window on the Synagogue’s façade, near the entrance. The defendant, ROBERT BOWERS, then entered the Tree of Life Synagogue.

8. While inside the Synagogue, the defendant, ROBERT BOWERS, opened fire, killing and injuring members of the Tree of Life, Dor Hadash, and New Light congregations.

9. The defendant, ROBERT BOWERS, also fired at responding public safety officers, injuring patrol officers outside the Tree of Life Synagogue as they approached the building. In addition, after Pittsburgh SWAT operators entered the Synagogue, and while they were attempting to rescue surviving victims and to locate the shooter, the defendant, ROBERT BOWERS, opened fire on the SWAT operators, injuring several of them.

10. While inside the Tree of Life Synagogue, the defendant, ROBERT BOWERS, made statements conveying his anti-Semitic beliefs and indicating his desire to “kill Jews.”

11. Paragraphs 1 through 10 of this Superseding 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 | J.R. |
| 5 | C.R. |
| 6 | D.R. |
| 7 | B.S. |
| 8 | S.S. |
| 9 | D.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
(Hate Crime Act Resulting in Death)

The grand jury further charges:

On or about October 27, 2018, in the Western District of Pennsylvania, the defendant, ROBERT BOWERS, willfully caused bodily injury to each victim listed below because of that victim's actual and perceived religion:

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

The offenses resulted in the death of each victim listed in Counts Twelve through Twenty-Two.

All in violation of Title 18, United States Code, Section 249(a)(1)(B)(i).

COUNTS TWENTY-THREE THROUGH THIRTY-THREE

(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, did knowingly use, carry, brandish, and discharge 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 18 U.S.C. § 247 as charged in Counts One through Eleven, and violations of Title 18, United States Code, Section 249, as charged in Counts Twelve through Twenty-Two of this Superseding Indictment, and did knowingly and unlawfully possess a firearm in furtherance of said crimes of violence, as to each victim set forth below, and did cause 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 | CORRESPONDING CRIME OF VIOLENCE BY COUNTS | VICTIM |
|-------|---|--------|
| 23 | 1 and 12 | J.F. |
| 24 | 2 and 13 | R.G. |
| 25 | 3 and 14 | R.M. |
| 26 | 4 and 15 | J.R. |
| 27 | 5 and 16 | C.R. |
| 28 | 6 and 17 | D.R. |
| 29 | 7 and 18 | B.S. |
| 30 | 8 and 19 | S.S. |
| 31 | 9 and 20 | D.S. |
| 32 | 10 and 21 | M.W. |
| 33 | 11 and 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), and 924(j)(1).

COUNTS THIRTY-FOUR AND THIRTY-FIVE
**(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 |
|-------|--------|
| 34 | D.L. |
| 35 | A.W. |

The acts of the defendant, ROBERT BOWERS, included an attempt to kill each victim listed in Counts Thirty-Four and Thirty-Five; and resulted in bodily injury to each victim listed in Counts Thirty-Four and Thirty-Five; 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 THIRTY-SIX AND THIRTY-SEVEN
(Hate Crime Act Involving an Attempt to Kill)

The grand jury further charges:

On or about October 27, 2018, in the Western District of Pennsylvania, the defendant, ROBERT BOWERS, willfully caused bodily injury to each victim listed below because of that victim's actual and perceived religion:

| COUNT | VICTIM |
|-------|--------|
| 36 | D.L. |
| 37 | A.W. |

The offenses included an attempt to kill each victim listed in Counts Thirty-Six and Thirty-Seven.

All in violation of Title 18, United States Code, Section 249(a)(1)(B)(ii).

COUNTS THIRTY-EIGHT AND THIRTY-NINE
(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, did knowingly use, carry, brandish, and discharge 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 18 U.S.C. § 247 as charged in Counts Thirty-Four and Thirty-Five, and violations of Title 18, United States Code, Section 249, as charged at Counts Thirty-Six and Thirty-Seven of this Superseding Indictment, and did knowingly and unlawfully possess a firearm in furtherance of said crimes of violence, as to each victim listed below.

| COUNT | CORRESPONDING CRIME OF VIOLENCE BY COUNTS | VICTIM |
|-------|--|--------|
| 38 | 34 and 36 | D.L. |
| 39 | 35 and 37 | A.W. |

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

COUNTS FORTY THROUGH FORTY-SEVEN
(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)

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 |
|-------|--------|
| 40 | C.B. |
| 41 | J.C. |
| 42 | M.G. |
| 43 | A.G. |
| 44 | J.M. |
| 45 | J.P. |
| 46 | S.W. |
| 47 | B.W. |

The acts of the defendant, ROBERT BOWERS, included an attempt to kill each victim listed in Counts Forty through Forty-Seven; 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 YYY449; 3) a Glock .357 handgun, bearing serial number RHY244; and 4) a Colt AR-15 rifle, model SP1, bearing serial number SP99907; and such acts resulted in bodily injury to A.B., T.M., D.M., J.P., 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 Forty through Forty-Seven; 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 FORTY-EIGHT THROUGH FIFTY-ONE
**(Obstruction of Free Exercise of Religious Beliefs Involving
Use of a Dangerous Weapon and Resulting in Bodily Injury to a Public Safety Officer)**

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 |
|-------|--------|
| 48 | D.D. |
| 49 | L.F. |
| 50 | D.R.2 |
| 51 | J.S. |

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 such acts resulted in bodily injury to A.B., T.M., D.M., J.P., 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 Forty-Eight through Fifty-One; 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 FIFTY-TWO THROUGH SIXTY-THREE
(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, did knowingly use, carry, brandish, and discharge 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 Forty through Fifty-One, and did knowingly and unlawfully possess a firearm in furtherance of said crime of violence, as to the civilian and public safety officer victims listed below.

| COUNT | CORRESPONDING CRIME OF VIOLENCE BY COUNT | VICTIMS |
|-------|--|------------------------------------|
| 52 | 40 | C.B., A.B., T.M., D.M., and M.S. |
| 53 | 41 | J.C., A.B., T.M., D.M., and M.S. |
| 54 | 42 | M.G., A.B., T.M., D.M., and M.S. |
| 55 | 43 | A.G., A.B., T.M., D.M., and M.S. |
| 56 | 44 | J.M., A.B., T.M., D.M., and M.S. |
| 57 | 45 | J.P., A.B., T.M., D.M., and M.S. |
| 58 | 46 | S.W., A.B., T.M., D.M., and M.S. |
| 59 | 47 | B.W., A.B., T.M., D.M., and M.S. |
| 60 | 48 | D.D., A.B., T.M., D.M., and M.S. |
| 61 | 49 | L.F., A.B., T.M., D.M., and M.S. |
| 62 | 50 | D.R.2., A.B., T.M., D.M., and M.S. |
| 63 | 51 | J.S., A.B., T.M., D.M., and M.S. |

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

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 Eleven and Counts Twenty-Three through Thirty-Three, 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., J.R., C.R., D.R., B.S., S.S., D.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., J.R., C.R., D.R., B.S., S.S., D.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., J.R., C.R., D.R., B.S., S.S., D.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., J.R., C.R., D.R., B.S., S.S., D.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 Eleven and Counts Twenty-Three through Thirty-Three knowingly creating a grave risk of death to one or more persons in addition to the victims of the offenses, to include responding public safety officers A.B., J.C., J.G., J.H., T.M., D.M., A.M., J.P., J.R., M.S., M.S.2 and C.T. (18 U.S.C. § 3592(c)(5));
- g. committed the offenses charged in Counts One through Eleven and Counts Twenty-Three through Thirty-Three 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, Twenty-Three, Twenty-Five, and Twenty-Nine through Thirty-Two, against victims who were particularly vulnerable due to old age (18 U.S.C. § 3592(c)(11));

i. committed the offenses charged in Counts Five, Six, Twenty-Seven, and Twenty-Eight, 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 Eleven and Counts Twenty-Three through Thirty-Three, intentionally killed and attempted to kill more than one person in a single criminal episode (18 U.S.C. § 3592(c)(16)).

FORFEITURE ALLEGATIONS

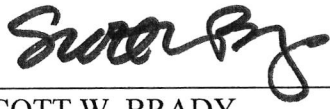
The grand jury re-alleges and incorporates by reference the allegations contained in Counts Twenty-Three through Thirty-Three, Thirty-Eight and Thirty-Nine, and Fifty-Two through Sixty-Three of this Superseding Indictment for the purpose of alleging criminal forfeiture pursuant to Title 18, United States 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), and 924(j)(1), charged in Counts Twenty-Three through Thirty-Three, Thirty-Eight and Thirty-Nine, and Fifty-Two through Sixty-Three of this Superseding Indictment, the following firearms, ammunition, and other property, which were involved and used in the knowing commission 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 recovered 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


SCOTT W. BRADY
United States Attorney
PA ID No. 88352

ERIC S. DREIBAND
Assistant Attorney General
Civil Rights Division