

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Middle District of Florida

United States of America

v.

BARUCH ROCHE II ("ROCHE")

Case No. 8:23-MJ-2420-AEP

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 3, 2023 in the county of Hillsborough in the Middle District of Florida, the defendant(s) violated:

Code Section	Offense Description
18 U.S.C. § 930(a)	Possession of a firearm in a federal facility.

This criminal complaint is based on these facts:

See Attached Affidavit.

Continued on the attached sheet.

[Redacted signature area]

Complainant's signature

[Redacted name area]

Special Agent

Printed name and title

Sworn to before me over the telephone or other reliable electronic means and signed by me pursuant to Fed. R. Crim. P. 4.1 and 4(d).

Date: 11/10/23

[Handwritten signature of Anthony E. Porcelli]

Judge's signature

City and state: Tampa, Florida

ANTHONY E. PORCELLI, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF  
COMPLAINT AND ARREST WARRANT**

I, [REDACTED] being first duly sworn, hereby depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. I am a Special Agent with the Federal Bureau of Investigation ("FBI") and have been so employed since 2015. I have training in the enforcement of laws of the United States, to include the preparation, presentation, service, and execution of criminal complaints and arrest and search warrants. My training includes the completion of a twenty-one-week program at the FBI Academy that focused on the investigation of federal criminal offenses, and other advanced trainings. I am currently assigned to the Tampa Bay Violent Crime and Safe Streets Task Force. Prior to working with the FBI, I served as an Assistant State Attorney for the Ninth Judicial Circuit of Florida, in Orlando/Kissimmee. I also served as a police officer for the Charleston Police Department in Charleston, South Carolina. I am authorized by law or by a government agency to engage in or supervise the prevention, detection, investigation, or prosecution of violations of Federal criminal laws.

2. I submit this affidavit in support of an application for a criminal complaint and arrest warrant for BARUCH ROCHE II ("ROCHE"). This affidavit sets forth facts sufficient to establish probable cause to believe that ROCHE attempted to commit the offense of possession of a firearm in a federal facility, in violation of 18 U.S.C. § 930(a).

3. The facts contained in this affidavit are drawn from personal knowledge based on my participation in this investigation, information from other criminal investigators, law enforcement officers, and agency reports, and my review of documents provided to me by witnesses and law enforcement officers. Because this affidavit is being submitted for the limited purpose of seeking authorization to arrest ROCHE, I have not set forth every fact learned during the course of this investigation.

**PROBABLE CAUSE**

4. On or about November 3, 2023, at approximately 2:13 p.m., United States Air Force (“USAF”) security personnel were providing security at the Dale Mabry Gate of the MacDill Air Force Base (“MacDill AFB”), a United States military facility located at 6901 S Dale Mabry Highway, Tampa, Florida 33611.

5. In the driving lanes that lead up to the Dale Mabry Gate, before entrance to the facility, there are several posted signs that state firearms are prohibited on the MacDill AFB.

6. A green Hyundai Genesis bearing Florida license plate [REDACTED] approached the gate to enter the MacDill AFB. The vehicle stopped at the gate, immediately before entering the facility. There were no passengers in the vehicle other than the driver.

7. USAF security personnel asked the driver for identification, as is required to enter the MacDill AFB. The driver—who was eventually identified as ROCHE—refused to provide identification. Rather, ROCHE identified himself as “Captain America” and stated that he is an active member of the United States Southern

Command (“SOCOM”) and has a meeting with a “SOCOM General” to provide top secret information. These statements were false.

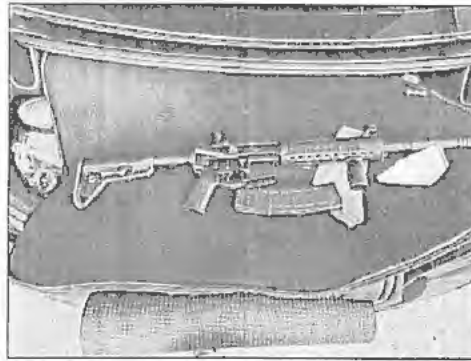
8. ROCHE continuously reached inside a bag within the passenger side of his vehicle. ROCHE became argumentative and demanded that he be allowed on base. ROCHE threatened to come back every day and look for the officers denying him entry. ROCHE also made several incoherent statements.

9. Eventually, ROCHE provided USAF with his retired military identification card, which shows his actual name. A search of the Florida Department of Highway, Safety and Motor Vehicles database confirms his identity and shows that the Hyundai Genesis has been registered to ROCHE since at least March 2023.

10. Due to his suspicious behavior and apparent mental condition, ROCHE was placed in handcuffs and detained outside of his vehicle.

11. ROCHE consented to a search of his vehicle and informed security personnel that there was a firearm inside the trunk. Special Agents with the USAF Office of Special Investigations searched ROCHE’s vehicle and found a Colt AR-15 assault rifle in the trunk, along with five magazines loaded with approximately 125 rounds of .556 caliber ammunition.

12. A photo was taken of the firearm and one magazine:



13. Officers with the Tampa Police Department (“TPD”) and its Behavior Health Unit responded and interviewed ROCHE. ROCHE told TPD that he has been diagnosed with anxiety and depression and takes ADHD medication. Due to his extreme state of paranoia and psychosis, and possible threat to cause harm to USAF security personnel, the TPD Behavior Health Unit determined that ROCHE met the criteria for involuntarily hospitalization under Florida’s Baker Act.

14. Based on the facts presented in this affidavit, there is probable cause to believe that ROCHE attempted to commit the offense of possession of a firearm in a Federal facility, in violation of 18 U.S.C. § 922(a)(1)(A).

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[REDACTED] Special Agent  
[REDACTED] Federal Bureau of Investigation

Affidavit submitted to me by reliable electronic means and attested to me as true and accurate by telephone or other reliable electronic means consistent with Fed. R. Crim. P. 4.1 and 41(d)(3) before me this 10<sup>th</sup> day of November 2023.

  
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ANTHONY E. PORCELLI  
United States Magistrate Judge