

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA

v.

MICHAEL PAUL DAHLAGER,

Defendant.

Case No. 21-mj-274 BRT
UNDER SEAL

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Brian Schrieber, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of Criminal Complaint alleging the defendant, Michael Paul Dahlager, violated 18 U.S.C. § 922(o), which prohibits the knowing possession of a machinegun.

2. Title 18, United States Code, Section 921(a)(23) incorporates the definition in 26 U.S.C. § 5845(b) of a machinegun as “any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger.” According to § 5845(b), the term “machinegun” also includes “the frame or receiver of any such weapon, any part designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a machinegun, and any combination of parts from which a machinegun can be assembled if such parts are in the possession or under the control of a person.”

3. I have been employed as a Special Agent of the Federal Bureau of Investigation ("FBI") since May of 2016. I have been assigned to the Rochester Resident Agency and am currently assigned to the St. Cloud Resident Agency. Working in a Resident Agency, I investigate

a wide variety of federal violations to include criminal cases relating to domestic terrorism, such as allegations of the provision of weapons of mass destruction. In addition to my on-the-job experience, the FBI has provided me with training in domestic terrorism and the techniques used to investigate allegations of domestic terrorism.

4. The facts set forth in this affidavit are based on my own personal knowledge, knowledge obtained from other individuals during my participation in this investigation, including other law enforcement officers, my review of documents and computer records related to this investigation, communications with others who have personal knowledge of the events and circumstances described herein, and information gained through my training and experience. This affidavit is intended to show only that there is sufficient probable cause for the Criminal Complaint and the requested arrest warrant and does not set forth all of my knowledge about this matter. In this affidavit, the quoted language is from preliminary transcriptions unless noted otherwise. I have set forth facts that I believe are necessary to establish probable cause that Michael Paul Dahlager (hereinafter “DAHLAGER”) has violated 18 U.S.C. § 922(o)(unlawful possession and transfer of a machine gun).

STATUTORY AUTHORITY

5. Title 18, United States Code § 922(o) prohibits possessing or transferring machine guns. Under Title 26, United States Code § 5845(b), the definition of “machine gun” includes “any part designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a machine gun.”

FACTS ESTABLISHING PROBABLE CAUSE

6. In November of 2020, the FBI initiated an investigation into DAHLAGER, a self-proclaimed member of the “Boogaloo Bois.” Your affiant knows that the Boogaloo Bois are a

group of individuals espousing violent anti-government sentiments. The movement consists of pro-gun, anti-government groups. The specific ideology of each group varies and views on topics such as race differ widely. The term Boogaloo is a term referencing a violent uprising or impending civil war.¹ DAHLAGER claims to be a member of the Boogaloo Bois.

7. In November of 2020, FBI agents learned through the use of a confidential human source (“CHS”)² that DAHLAGER was discussing his willingness to kill members of law enforcement.

8. The CHS also reported that DAHLAGER was in possession of a 3D-printed “drop in auto sear” and a firearm suppressor made from a solvent trap. Your affiant knows that an “auto sear” is a part designed and intended for use in converting a weapon to shoot automatically by a single pull of the trigger. I know from prior investigations that an auto sear meets the definition of a “machine gun” under Title 26, United States Code § 5845(b) and that, as a result, possession of such a device is prohibited under Title 18, United States Code § 922(o).

9. DAHLAGER invited the CHS and others to his home in St. Cloud, Minnesota, on November 21, 2020. During this unrecorded meeting, DAHLAGER showed the CHS several

¹ The term is sometimes used by militia extremists and racially or ethnically motivated violent extremists (RMVE), who allude to it using shorthand such as “big igloo” or “big luau” and imagery such as igloos or Hawaiian shirts. The term has particularly resonated with militia extremists, who have adopted it to reference an impending politically-motivated civil war or uprising against the government following perceived incursions on Constitutional rights – including the Second Amendment – or other perceived government overreach. Some RMVEs have used the term to reference an impending race war – or other conflict that will lead to the collapse of the “system,” including the US government, society, etc. The Boogaloo is not a single cohesive group, but rather a loose concept arising from internet platforms which has become a rallying point for some extremists.

² The CHS is being paid by the FBI for information in this investigation.

tactical items including body armor, an AR-15 style assault rifle with a folding stock, and an item DAHLAGER claimed was a suppressor made from a solvent trap. DAHLAGER told the CHS that the suppressor made his .556 rifle sound like a .22 caliber rifle, which based on my training and experience know to be a substantial reduction. The CHS also observed loaded magazines for an assault rifle in the home near the above-described tactical gear. DAHLAGER told the CHS that the house has port holes to make a stand if law enforcement confronts him at his home. I believe DAHLAGER was referring to holes in the side of the house through which a person could fire a rifle from inside in a hidden and unobstructed manner. To date, agents have been unable to confirm whether such port holes exist.

10. At this November 21, 2020, meeting, DAHLAGER also showed the CHS two (2) auto sears which DAHLAGER stated a friend had created using a 3D printer. One of the auto sears shown to the CHS was on DAHLAGER's keychain and the other was with his body armor located in the basement of DAHLAGER's home. The CHS reported that when one of the auto sears fell out of DAHLAGER's plate carrier,³ DAHLAGER said "you didn't see that", which suggests to your affiant that DAHLAGER understands the illegal nature of an auto sear. DAHLAGER stated he had several more auto sears but claimed he had melted them down. After seeing the auto sears in DAHLAGER's possession, at the FBI's direction the CHS observed an online photo of auto sears that the CHS has confirmed looked similar to the auto sears in DAHLAGER's possession. The CHS reported that DAHLAGER kept his suppressor stored in a tan gun bag with backpack straps on it.

³ A plate carrier is a vest that the military and law enforcement use and is designed for tactical operations. The vest includes an area to insert armored plates to protect the user from bullets. A plate carrier generally has additional areas to attach tactical accessories like magazines and radios.

11. During this investigation, I learned that on December 12, 2020, DAHLAGER traveled from St. Cloud, Minnesota, to conduct surveillance at the Minnesota State Capitol building in St. Paul, Minnesota, while attending a “Stop the Steal” rally. The CHS was present with DAHLAGER during this time and audio-recorded their conversations. DAHLAGER scouted law enforcement numbers, Boogaloo Bois’ over-watch positions,⁴ quick reaction forces, and noted which streets were blocked by law enforcement. DAHLAGER took video of his observations with a digital camera. Referring to his wife, DAHLAGER told the CHS, “I don’t think she realizes that she married somebody with a propensity for violence.” DAHLAGER explained to another individual present at the State Capital that “we’re doing a bit of recon today for the 17th.” He told an individual who approached his group that “we’re planning to defend the [UI] January 17th protest.” DAHLAGER also told the CHS “if it comes down to having a better world for my kids, I’m 100% gonna die for my country...the army is here. The state’s standing army that we were warned about is at the Capital.”

12. On December 14, 2020, the CHS and DAHLAGER exchanged text-messages regarding another member of the Boogaloo Bois who was trying to obtain an auto sear from DAHLAGER. DAHLAGER texted, “[h]e’s been to my house and bought an AR⁵ from me. He tried to get me to sell or give him a wall hanger too but I was like he’ll (*sic*) no dude.” I know DAHLAGER’s use of the term “wall hanger” in this conversation to mean an auto sear.

⁴An over-watch position is used in modern military tactics to describe an individual or a group positioning themselves to be able to see the terrain ahead and identify the enemy in order for their group to obtain intelligence on the enemy’s actions. The position is generally done from higher ground and is concealed from the enemy.

⁵ Based upon my training and experience, and the facts in this investigation, I believe this is a reference to an AR-15 style assault rifle.

13. On December 17, 2020, DAHLAGER met with the CHS and another Boogaloo Bois member (hereinafter "SUBJECT-1") at DAHLAGER's home. The CHS recorded this conversation. During this meeting, DAHLAGER, the CHS, and SUBJECT-1 reviewed the video DAHLAGER made while at the Minnesota State Capital rally referenced above. At one point, DAHLAGER stated, "right to our right over here is where the (unintelligible) snipers are. SUBJECT-1 responded, "so we blow that building first?" to which DAHLAGER responded, "yup." DAHLAGER also told the CHS during this conversation that he has trouble with "impulse behavior control."

14. On January 10, 2021, the CHS approached DAHLAGER about obtaining an auto sear. DAHLAGER told the CHS "I still have like eight of them" and that he was willing to "drop one in the snow" for the CHS to "find." DAHLAGER told the CHS that he bought a cover for his suppressor to make the device appear to be a heat shield because DAHLAGER knew the suppressor was not legal.⁶ Further, DAHLAGER told the CHS that he obtained new body armor for himself and gave his other body armor to his wife.

15. On January 10, 2021, DAHLAGER showed the CHS a series of videos on his iPhone DEVICE depicting DAHLAGER and another unidentified man shooting a rifle. In one video, the CHS could see DAHLAGER shooting what appeared to be the same rifle equipped with the same suppressor the CHS had seen in DAHLAGER's house on November 21, 2020. In another video, DAHLAGER fired what appeared to be the same rifle without a suppressor. In the latter

⁶ Suppressors are regulated under Title 26 U.S.C. § 5861(d) which makes it unlawful for any person to receive or possess a firearm, the definition of which includes a silencer or suppressor, that is not registered to him in the National Firearms Registration and Transfer Record. I have consulted with an employee of the ATF who has reported that DAHLAGER does not have any suppressors currently registered in the National Firearms Registration and Transfer Record.

video, the sound emanating from the rifle was significantly louder than the sound from the video in which the suppressor was used.

16. On January 12, 2021, DAHLAGER, the CHS, and two other known members of the Boogaloo Bois met at restaurant in Rogers, Minnesota, to discuss matters related to the Boogaloo Bois movement. During this meeting, the group discussed the possibility that their group had been compromised by an informant due to the publication of a law enforcement bulletin highlighting the FBI's investigatory interest in the Boogaloo Bois. As a result of this information, DAHLAGER stated the group should not attend the rally in St. Paul on January 17 and that the group should in the meantime focus on tactical training and recruiting new members into the movement.

17. On February 2, 2021, the CHS had a recorded conversation with DAHLAGER to schedule an in-person meeting on February 3, 2021. During the conversation, the CHS asked DAHLAGER if he could drop a wall hanger in the snow like they had previously discussed. DAHLAGER responded, "Yeah I can uh...I can help you out with that."

18. On February 3, 2021, the CHS met with DAHLAGER at his home in St. Cloud. During this meeting, the CHS asked DAHLAGER if he had the wall hangers that DAHLAGER had agreed to give him. DAHLAGER went to the basement, retrieved two auto sears and then gave them to the CHS. DAHLAGER then demonstrated how the devices should be inserted into a firearm. DAHLAGER told the CHS that the devices "work in my APF but they didn't work in the Ruger." Your affiant knows that DAHLAGER's reference to an "APF" is a reference to Alex Pro Firearms – a Minnesota-based manufacturer of AR-15 style rifles – and that his reference to "the Ruger" is a reference to a Ruger-brand AR-15 style rifle that uses .556 caliber ammunition. DAHLAGER later explained in this conversation that he successfully modified an auto sear to

work in his Ruger firearm: "I got one to work in the Ruger. I just had to file that piece down until it was super thin..." DAHLAGER also told the CHS that "the guy said it'll last 10,000 rounds," which your Affiant takes to mean that the auto sears should successfully fire 10,000 rounds of ammunition before failure. FBI agents retrieved the two auto sears from the CHS shortly after this meeting. A firearms enforcement officer from the Bureau of Alcohol, Tobacco, and Firearms has examined the two auto sears supplied by DAHLAGER and has concluded that each meets the definition of a "machine gun" under Title 18 U.S.C. Section 921(a)(23) and under 26 U.S.C. Section 5845(a)(6).

19. On March 3, 2021, DAHLAGER told the CHS that he had originally purchased 10 wall hangers for \$30. DAHLAGER also stated, "I keep one on my keychain and they are strong enough to open bottles." When asked by the CHS if the wall hangers were made of steel, DAHLAGER replied, "no, I just got the 3D-printed."

20. On March 31, 2021, DAHLAGER told the CHS that his "spicy items" were to remain with his "kit" located in his basement. Based on the context of this conversation, I believe that DAHLAGER use of the term "spicy items" meant the illegal items in his possession, i.e. the auto sears and a suppressor. In this same conversation, DAHLAGER stated he was trying to get SUBJECT-1 to temporarily take possession of his firearms because DAHLAGER's wife was encouraging him to temporarily give up the weapons.⁷ According to the CHS, to date DAHLAGER has not relinquished possession of any of those firearms. DAHLAGER further stated that if he wanted to commit "suicide by cop, I'm not going to wear a bulletproof vest...or carry 30 mags for a gun I don't have." In reference to his possible suicide, DAHLAGER said, "that's the way I'd go

⁷ SUBJECT-1 has separately told the CHS that DAHLAGER had asked him to pick up DAHLAGER's guns, but that SUBJECT-1 does not plan to take them from him.

out if I were to go and do it. I wouldn't shoot myself, man. I'd go out fighting...Go hunt some pig."

CONCLUSION

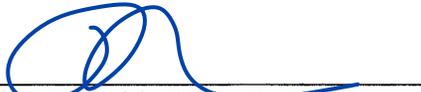
21. Based on the information described above I respectfully submit there is probable cause to believe that Michael Paul DAHLAGER did knowingly possess and transfer machineguns, to wit: two (2) machinegun conversion devices for AR-15 style rifles, known as "drop in auto sears," in violation of Title 18, United States Code § 922(o).

Further your Affiant sayeth not.



Brian Schrieber
Special Agent
Federal Bureau of Investigation

SUBSCRIBED and SWORN before me
by reliable electronic means (FaceTime and
email) pursuant to Fed. R. Crim. P. 41(d)(3) on
April 5, 2021:



The Honorable Becky R. Thorson
United States Magistrate Judge

