

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☒ COMPLAINT ☐ INFORMATION ☐ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED
 18 U.S. Code § 876 - Mailing Threats
 18 U.S.C § 1038 - False Information and Hoaxes

☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

 PENALTY: Max Imprisonment: 5 years
 Fine: \$250,000
 Supervised Release: 3 year
 Special Assessment: \$100

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

DEFENDANT - U.S.

LESTERDALE LEE

DISTRICT COURT NUMBER

4:25-mj-70176-DMR

FILED

Feb 12 2025

 Mark B. Busby
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND
PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

Federal Bureau of Investigation

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form Is mai U. Ramsey

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned)

Evan Mateer

DEFENDANT**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

 1) ☒ If not detained give date any prior summons was served on above charges
2) ☐ Is a Fugitive3) ☐ Is on Bail or Release from (show District)**IS IN CUSTODY**4) ☐ On this charge5) ☐ On another conviction
☐ Federal ☐ State
6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☒ SUMMONS ☐ NO PROCESS* ☐ WARRANT

Bail Amount:

If Summons, complete following:

☐ Arraignment ☒ Initial Appearance

Defendant Address:

720 East 11th St APT 110, Oakland, CA 94606

Date/Time:

Before Judge: Donna M. Ryu

Comments:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

UNITED STATES DISTRICT COURT

for the

Northern District of California

FILED

Feb 12 2025

Mark B. Busby
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

United States of America

v.

LESTER DALE LEE

Case No. 4:25-mj-70176-DMR

*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 May 03 and 19, 2023 in the county of Alameda in the
Northern District of California, the defendant(s) violated:*Code Section**Offense Description*18 U.S.C. § 876(c)
18 U.S.C. § 1038(a)(1)(A)Mailing threatening communications
False information and hoaxes

This criminal complaint is based on these facts:

See Affidavit of Special Agent Kyle Biebesheimer

☒ Continued on the attached sheet.Approved as to form /s/ Evan Mateer
AUSA EVAN MATEER/s/ Kyle Biebesheimer*Complainant's signature*Kyle Biebesheimer, Special Agent, FBI*Printed name and title*

Sworn to before me by telephone.

Date: 02/12/2025*Judge's signature*City and state: Oakland, CAHon. Donna M. Ryu, Chief Magistrate Judge*Printed name and title*

AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR SUMMONS

I, Kyle Biebesheimer, being first duly sworn, with the Federal Bureau of Investigation (“FBI”), hereby depose and state as follows:

I. Introduction and Agent Background

1. I make this affidavit in support of an application for a summons and criminal complaint charging Lester Dale LEE for violating 18 U.S.C. §§ 876(c) (Mailing threatening communications) on or about May 03 and 19, 2023 and 1038(a)(1)(A) (False information and hoaxes) on or about May 18, 2023, all in the Northern District of California.

2. I have been a Special Agent with the FBI since April 2, 2010. I have been assigned to the Public Corruption & Civil Rights Squad in the San Francisco Field Office since August of 2018. In this capacity, I have investigated and assisted other agents in investigating civil rights violations, including both color of law violations and crimes motivated by bias (hate crimes). From February of 2017 to August of 2018, I served as a Supervisory Special Agent (SSA) at FBI Headquarters where I worked in the Counterterrorism Division on significant counterterrorism investigations. From 2010 to 2016, I served as an agent on San Francisco’s Joint Terrorism Task Force (JTTF) where I worked domestic terrorism matters, including investigations of white supremacy extremists.

3. As a federal agent, I am authorized to investigate violations of the laws of the United States, and I am a law enforcement officer with authority to execute warrants issued under the authority of the United States.

II. Sources of Information

4. This Affidavit is based, in part, upon information provided to me by investigators of the San Leandro Police Department (SLPD) and other Special Agents of the FBI, witnesses, as well as interviews, federal search warrants previously executed on the subject’s person, vehicle, and residence, and review of surveillance footage of the underlying crime itself. Since this affidavit is being submitted for the limited purpose of obtaining a summons for Lester Dale LEE, I have not included each and every known fact known to me concerning this investigation.

I have set forth only the facts which I believe are necessary to establish probable cause for the issuance of this summons.

5. I am familiar with the facts and circumstances of this case. The facts set forth in this affidavit are based on my personal observations, knowledge obtained from other FBI agents and other individuals; my review of documents related to this investigation; oral and written communications with others who have personal knowledge of the events and circumstances described herein; review of public source information, including information available on the Internet; and records received via legal process.

6. On the basis of my familiarity, and on the basis of other information which I have reviewed and determined to be reliable, I believe that the facts described below show there is probable cause to believe that Lester Dale LEE, violated 18 U.S.C. §§ 876(c) (Mailing threatening communications) and 1038(a)(1)(A) (False information and hoaxes).

III. Applicable Law

7. Based on the investigation set forth below, I assert there is probable cause concerning violations of Title 18 U.S.C. § 876(c) (Mailing threatening communications) and Title 18 U.S.C. § 1038(a)(1)(A) (False information and hoaxes).

8. 18 U.S.C. § 876(c) states, in pertinent part, “Whoever knowingly so deposits or causes to be delivered as aforesaid, any communication ... addressed to any other person and containing ... any threat to injure the person of the addressee or of another, shall be fined under this title or imprisoned not more than five years, or both.”

9. 18 U.S.C. § 1038(a)(1)(A) in pertinent part states, “Whoever engages in any conduct with intent to convey false or misleading information under circumstances where such information may reasonably be believed and where such information indicates that an activity has taken, is taking, or will take place ... shall ... be fined under this title or imprisoned not more than 5 years, or both....”

IV. Facts Supporting Probable Cause

10. On May 3, 2023, Dayton Elementary School (“school”), located in San Leandro, in the Northern District of California, received a mailing (Mailing #1) delivered by the United States Postal Service (USPS). Its envelope was a white, business-size envelope with a pair of 2019-dated “Forever” stamps affixed to it with an Oakland, California post mark. The envelope also had a rectangular, white address label affixed, bearing the typewritten addressee, “Ms. W [REDACTED].” This is an apparent reference to a fifth-grade teacher at the school. Inside was a one-page enclosure, further described as a standard, letter-size sheet of white paper with the following typewritten message:

Ms. W [REDACTED] my child is in your classroom and she tells me that some niggers in your classroom have been bothering not only her but others [*sic*] students at the school as well. And I am telling you now if those niggers do not stop bothering my child, I am coming down there and not only shooting all those niggers but you as well. So get those niggers out of there because I hate niggers and the only good nigger is a dead nigger!

Upon discovery of Mailing #1’s content, school officials became alarmed and contacted the local police, which dispatched officers to the school.

11. On May 18, 2023, the school received a second suspicious mailing (Mailing #2) from USPS. This mailing’s envelope was similar to Mailing #1’s: same color, size, Oakland post mark, 2019 “Forever” stamp, and the same typewritten address label. However, this time, the addressee for Mailing #2 was “Mrs. K [REDACTED] V [REDACTED],” the school’s principal. When Principal V [REDACTED] opened the envelope, she discovered its only content was an unidentified white powder she deemed suspicious. Accordingly, she called the local police, which immediately responded by sending officers.

12. Local law enforcement conducted an interview of Principal K [REDACTED] V [REDACTED]. Principal V [REDACTED] shared she was more shaken up by Mailing #1’s arrival than Mailing #2’s. As concerned Mailing #2, which was specifically addressed to her, she believed the white

powdery substance therein was possibly baking powder and the sender was likely trying to scare her or provoke some kind of reaction.

13. The following day, May 19, 2023, the school received yet another suspicious mailing (Mailing #3) from USPS; their third in the past 16 days. Mailing #3 was similar to Mailings #1 and 2. All three envelopes had similar characteristics: same color, size, Oakland post mark, 2019 “Forever” stamp, and the same typewritten address label. However, for Mailing #3 the address label appeared identical to the one affixed to Mailing #1, once again addressed to “Ms. W [REDACTED].” Inside Mailing #3 was another single-page, typewritten letter that read as follows:

My child keeps telling me that a nigger named [REDACTED] and another nigger girl in your class are still bothering her, well like I told you before you better get those niggers out of there or I will come down there and shoot all those niggers and you too also because I really hate all niggers and what [*sic*] them all dead.

This letter was promptly reported to local law enforcement. Additionally, because the sender identified a specific student by name (“[REDACTED],” believed to be fifth grade student Mi.R., age 11 at the time), on Sunday, May 21st, the school opted to inform the teachers, staff, and parents that the school had received a series of racially motivated threat letters specifically targeting members of the African American community.

14. The next day, Monday, May 22, 2023, the school observed a spike in absenteeism throughout all grades. Officials believed this anomaly was directly caused by parents’ safety concerns associated with the school’s disclosure of the mailings in question.

15. Further, the school identified three African American students in Ms. W [REDACTED]’s fifth grade class they believed the sender could have been referencing in Mailings #1 and #3: they were Mi.R., T.M., and Ma.R. For their safety, both school officials and local law enforcement met with their parents to address their children’s welfare and any safety concerns posed by these mailings. At least one of these parents opted to home school their child, Mi.R.,

for the remainder of the school year, for his safety. The others kept their children away for a period of time before allowing their return.

16. Local law enforcement also interviewed Ms. T ■ W ■, the fifth-grade teacher to whom Mailings #1 and #3 were addressed. Ms. W ■ reported being left in sustained fear for her life after receiving Mailing #1. Her subsequent receipt of Mailing #3 exacerbated these fears.

17. The following month, more letters came. Although these letters were deemed suspicious, and likely from the same sender as Mailings #1-3, these letters did not contain threats or any racial slurs. Moreover, they were not addressed to anyone at Dayton Elementary School; rather, they were addressed to the Director of Elementary Education at the San Lorenzo Unified School District (“District”), Dr. K ■ N ■. Dr. N ■ is Principal V ■’s direct supervisor.

18. For example, on June 14, 2023, a fourth letter (Mailing #4) was post marked in Oakland and received by the District shortly thereafter. It contained a single-page enclosure within. In sum, the author complained of dangerous and unsafe conditions at Dayton Elementary School, and blamed Principal V ■ for these conditions. The sender went on to explain that Principal V ■ refused to discipline a group of students, referred to as “3 little thugs,” all of whom were in Ms. W ■’s class and one of whom was named “■.” Mailing #4 was anonymously signed by “A Concerned Parent.”

19. Then on June 30, 2023, a fifth letter (Mailing #5) was post marked from Alameda, California’s Main Post Office at 1:49 p.m. This letter was sent via certified mail bearing a postage fee of \$3.52. Notwithstanding this fact, the sender apparently pre-stamped the envelope sometime *prior* to their arrival at the post office with two postage stamps: another pair of 2019 “Forever” stamps, just as was seen on Mailings #1-4. There was another single-page enclosure inside. In sum, the author complained of hostile and violent conditions at Dayton Elementary School and blamed Principal V ■ for these conditions. The sender went on to explain that Principal V ■ refused to discipline a group of students, referred to as “three little thugs,” all

of whom were in “Ms. W [REDACTED] [sic] class” and one of whom was named “[REDACTED].” Mailing #5 was simply signed by, “Mr. L / A concerned worker at Dayton Elementary School.”

IDENTIFICATION OF LESTER DALE LEE AS THE SENDER OF MAILINGS #1-5

20. Lester Dale LEE worked as a substitute teacher at numerous school sites within the District throughout the 2022-2023 school year. He was never employed by the District itself, but rather worked for a third-party company specializing in education staffing called ESS. Because the District had a contract to use ESS for its substitute teaching needs, LEE was eligible for work assignments throughout the District’s K-12 schools.

21. Before being assigned to Dayton Elementary School, LEE worked at several different school sites located within the District during the 2022-2023 school year. A review of incident reports provided by the District indicated that LEE had experienced conflicts with Black students during many of these prior assignments.

22. For example, in February of 2023, LEE worked as a substitute teacher at Bay Elementary School. There, complaints surfaced that LEE unfairly singled out a particular student for being a struggling reader. At one point, LEE remarked that “people who can’t read are dumb-dumbs.” His remarks offended the class, and the students reported their concerns to their teacher upon his return. The pupil LEE singled out was a Black student.

23. That same month, LEE appeared at Arroyo High School as a substitute teacher. There, LEE received another complaint. This time, allegations surfaced that he called a particular student “dumb” and subjected the child to “ignorant racially motivated comments, including that the child loved fried chicken, watermelon, and kool-aid.” Once again, the student who was the subject of these harmful remarks was a Black student.

24. Then, on April 21, 2023, LEE was working as a long-term substitute at Dayton Elementary School. On that day, he was covering a physical education class when he became involved in two additional conflicts with Black students. Sometime that morning, LEE allegedly

singled out a student, identified as Mi.R., a Black male, with comments labeling him as dumb in front of his peers.

25. Then, around noon that same day, LEE was involved in a separate conflict with another student, T.M., identified as a Black female student. During this conflict, students reported that LEE struck T.M. with his walking cane. LEE disputed this, stating that T.M. ran towards him but stopped short when she saw his cane in hand. Later that afternoon, Principal V [REDACTED] summoned LEE to her office. There, she collected a written statement from him of what transpired between him and T.M. and she sent him home for the day. According to Principal V [REDACTED], their meeting was entirely civil and LEE left the premises without incident.

26. Both students who LEE had a conflict with on April 21, 2023, Mi.R. and T.M., were students from Ms. W [REDACTED] fifth grade class.

27. In the coming days the school investigated the matter with T.M. further. An interventionist was brought in who reportedly collected statements from the involved students and staff. The school ultimately found that LEE had made contact with T.M. using his cane. Based upon this conclusion, Principal V [REDACTED], with the concurrence of her supervisor, Dr. N [REDACTED], decided that LEE was no longer welcome at her school or any other schools within the District. On or about April 25, 2023, Principal V [REDACTED] notified LEE's employer, ESS, of her decision and the reasoning behind it. In response, ESS fired LEE.

28. Shortly thereafter, on April 26, 2023, LEE entered the lobby of the San Leandro Police Department (SLPD). LEE alleged that Principal V [REDACTED] had slapped him in the face on the afternoon of April 21st, while conversing with her inside her office at the school. LEE wanted Principal V [REDACTED] arrested. SLPD examined LEE's allegations; however, they ultimately found "the battery was unfounded" and the case was closed. Twenty-two days later, Principal V [REDACTED] received Mailing #2, which was the white powder letter specifically addressed to her.



Above: Lester Lee captured on body worn camera, pantomiming for the officer precisely how Principal Valentina had slapped him, one week prior. According to Lee, he did not immediately report the battery because he was embarrassed. In fact, he had just been informed that he had been fired and would never return to Dayton school.

29. As was noted previously, Principal V [REDACTED] collected a written statement from LEE on April 21, 2023 concerning his conflict with T.M., the Black female student from Ms. W [REDACTED]'s fifth grade class. The statement was handwritten by LEE. In his own words, he explained how T.M. rushed toward him, but turned away upon seeing his cane. He then shared that he reported the incident to others, including "her teacher Ms W [REDACTED]." Upon further review, it was observed that LEE had misspelled Ms. W [REDACTED]'s surname (it is spelled Wa [REDACTED], not W [REDACTED]) while drafting his statement. Twelve days later Ms. W [REDACTED] received Mailing #1, and another 16 days after that, she received Mailing #3. Both mailings were addressed to, "Ms. W [REDACTED]" [emphasis added], which is the same misspelling used by LEE the previous month when drafting his statement.

30. At the request of SLPD, United States Postal Inspection Service (USPIS) performed a "letter trace" after the school received Mailing #3. According to USPIS, Mailing #3

most likely entered the postal stream on May 17, 2023 somewhere within ZIP Code 94501, which is located entirely within the city of Alameda, California.¹

31. Additionally, according to USPS, Lester LEE maintained a PO Box inside Alameda's Main Post Office throughout 2023, which happens to be located within ZIP Code 94501.



Left: Exterior image of Alameda's Main Post Office, 94501, located in the South Shore Center.

Right: PO Box 1346, rented by Lester Lee throughout 2023, located within the Main Post Office.

32. As part of my investigation, I examined LEE's spending habits throughout April-June of 2023. Notwithstanding the fact that his residence was located in Oakland, California, according to his debit and credit card purchases, he spent a significant amount of time within Alameda's 94501 ZIP Code during this time frame. Moreover, some of these visits coincided with dates when Mailings #1-5 reportedly entered the postal stream; including Mailing #3, which USPS performed a letter trace on and concluded likely was mailed from ZIP Code 94501.

33. For example, according to USPS, Mailing #1 was "cancelled" on the evening of May 1, 2023 between 8-8:30 p.m. at the Oakland Processing & Distribution Center (OP&DC).² It most likely entered the postal stream earlier that day from any of the many ZIP Codes feeding the OP&DC, including Alameda's 94501. According to LEE's financial statements, LEE conducted transactions that afternoon within Alameda's 94501 ZIP Code at McDonald's (1:59

¹ There are two zip codes located within Alameda, California: 94501, and 94502.

² "Cancelled" refers to the act of defacing or "killing" a postage stamp to prevent its reuse.

p.m.), Bank of America (3:14 p.m.); and Safeway (3:58 p.m.) all prior to 5:00 p.m., which was the last scheduled pick-up for mail that day at Alameda's Main Post Office. Moreover, all three of these locations are located within the same shopping center as Alameda's Main Post Office.



Above: Lester Lee is seen making a cash withdrawal at a Bank of America Branch ATM on 05/01/2023 at 3:14 p.m. The Main Post Office, where Lee maintained a PO Box and regularly received his mail, is located less than 0.5 miles away within the same shopping center.

34. According to USPIS, Mailing #2 was “cancelled” on the evening of May 16, 2023 between 8-8:30 p.m. at the OP&DC. It most likely entered the postal stream earlier that day from any of the many ZIP Codes feeding the OP&DC, including Alameda's 94501. According to LEE's financial statements, LEE conducted transactions that afternoon within Alameda's 94501 at FedEx Office (4:05 p.m.) and Lucky (5:13 p.m.). The last scheduled pick-up for mail that day at Alameda's Main Post Office was 5:00 p.m.

35. According to USPIS, Mailing #3 was “cancelled” on the evening of May 17, 2023 between 7:30-8:00 p.m. at the OP&DC. Based upon the letter trace performed on this piece of mail, it most likely entered the postal stream earlier that day from a location within Alameda's 94501 ZIP Code. According to LEE's financial statements, LEE conducted transactions that afternoon within Alameda's 94501 ZIP Code at Martinizing Dry Cleaning (1:17 p.m.) and OfficeMax (1:34 p.m.), all prior to 5:00 p.m., which was the last scheduled pick-up for mail that

day at Alameda's Main Post Office. Moreover, both locations are within the same shopping center as Alameda's Main Post Office.



Above: Map of Alameda's South Shore Center, depicting Martinizing Dry Cleaning's proximity to Alameda's Main Post Office. According to Google Maps, the two locations are separated by a mere 400 feet. On 05/17/2023, Lester Lee picked up his laundry here at 1:17 p.m. Mailing #3 was most likely mailed from this ZIP Code that afternoon; perhaps from this very post office, where Lee maintained a PO Box.

36. According to USPIS, Mailing #4 was "cancelled" on June 14, 2023 at the OP&DC. As with the other mailings, it could have entered the postal stream earlier that day from any of the many ZIP Codes feeding the OP&DC, including Alameda's 94501. According to LEE's financial statements, LEE conducted one transaction that afternoon within Alameda's 94501 ZIP Code at OfficeMax (2:58 p.m.) prior to 5:00 p.m., which was the last scheduled pick-up for mail that day at Alameda's Main Post Office. Moreover, this location is within the same shopping center as Alameda's Main Post Office.

37. According to USPIS, Mailing #5 was mailed via certified mailing on June 30, 2023 from Alameda's Main Post Office. Specifically, the sender mailed it during business hours from one of the post office's retail windows at 1:49 p.m. Additionally, the sender used a debit

card ending in x6822 issued by Comerica Bank to pay for the letter's postage. According to Comerica Bank, this debit card was issued to Lester Dale LEE.³

38. This investigation further examined LEE's 2023 transactions at Alameda's OfficeMax store. According to OfficeMax, LEE is a regular customer there and was so in the spring of 2023. Generally, LEE makes use of the store's Print Center. On April 27th, and again on April 29th of 2023, LEE paid an employee to create two label settings for him. On January 12, 2024 your affiant showed this employee images of Mailings #1 and #2⁴; specifically, the address labels affixed to them addressed to "Ms. W [REDACTED]" [*sic.*] and "Mrs. K [REDACTED] V [REDACTED]." The employee recognized these as the address labels she created for LEE in the spring of 2023.



Above: Images of Mailings #1 (top) and #2 (bottom) shown to the OfficeMax employee. She recognized these labels as the ones she made for Lester Lee in the spring of 2023.

39. Additionally, LEE returned to OfficeMax in June of 2023. On June 12, 2023, the same employee was again tasked with creating yet another label setting for LEE; and, typing a

³ USPS was asked to retrieve the surveillance footage capturing this retail transaction in progress; however, by the time it was requested, the footage had been recorded over.

⁴ Although your affiant only showed the employee images of Mailings #1 and #2, it should be noted that the label affixed to Mailing #3 (not shown to the witness) is identical to that of Mailing #1's.

letter for him. The sheet of labels she created contained the matching label affixed to Mailing #4, and the letter she typed for him matched the enclosure found within Mailing #4, word for word.

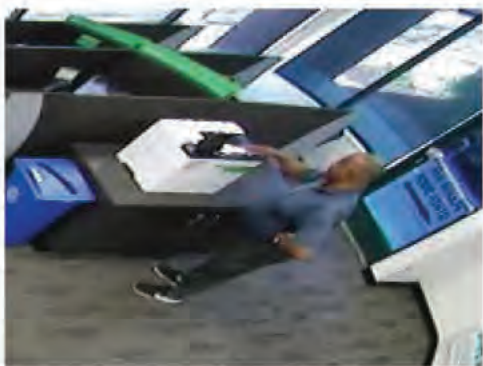
40. In addition to OfficeMax, review of LEE's financial accounts revealed several noteworthy transactions at Alameda's FedEx Office store. On April 29, 2023, LEE rented a computer there for a short time. According to surveillance footage obtained from FedEx Office, LEE entered the store at approximately 1:21 p.m. and approached one of the vacant computer terminals inside. From the privacy of this computer station, which was surrounded by a cubicle, LEE spent the next approximately 15 minutes working on the computer.⁵ Thereafter, he stood up, approached a nearby printer, and retrieved what appeared to be a standard, letter-size sheet of white paper, a document consistent with the enclosure found within Mailing #1, which was postmarked only two days later.



Above: Lester Lee is captured on surveillance camera retrieving a single page document from a FedEx Office printer on Saturday afternoon, 04/29/2023. Behind Lee sits the computer station utilized by him minutes earlier to create this document.

⁵ Unlike the OfficeMax transactions, where Lee availed himself of the store's full-service printing services, at FedEx Office, he made use of their *self-service* print center. This enabled him to utilize a computer and word processor entirely on his own. Thus, whatever he drafted using these in-store computers would have gone entirely unnoticed by store employees. In fact, Lee never had to interface with any employees during either FedEx Office visit.

41. LEE returned to the same FedEx Office store on May 16, 2023. Much like his previous visit, he rented the same computer and from the privacy of its cubicle, spent approximately 12 minutes seated behind the keyboard. According to the surveillance footage, at roughly 4:20 p.m. he stood up, approached the printer station, and picked up what appeared to be another single page document. Upon grabbing his document, he appeared to stow it inside a blue tote bag, then calmly exited the store. This document appeared consistent with the single page enclosure found within Mailing #3, which was postmarked the following day.



Left: Lester Lee is captured on surveillance cameras grabbing his document from the printer tray on 05/16/2023.

Right: After stowing the document inside his tote bag, Lee calmly exited the FedEx Office store.

ADDITIONAL EVIDENCE CONNECTING LESTER DALE LEE TO MAILINGS #1-5

42. LEE's efforts to exact revenge on Principal V [REDACTED], and his fixation with the three African American students in Ms. W [REDACTED]'s class, persisted into the summer of 2023—well after the school year had ended.

43. For instance, in July of 2023, the District reported receiving numerous voice mails from a man identifying himself as “Mr. E,”⁶ call back number 510-612-3602. The caller advised he wished to discuss student safety at Dayton Elementary School. Your affiant listened to one of

⁶ According to Dr. K [REDACTED] N [REDACTED] Lester Lee was known on campus as “Mr. E.” Lester Lee later confirmed “Mr. E” was his preferred name when teaching because “Mr. Lee” made him sound Asian.

these voice mails; the voice, nickname, and telephone number provided by the caller all belonged to Lester LEE.

44. A district staff member returned “Mr. E’s” calls. “Mr. E” complained to her about Ms. W [REDACTED]’s class at Dayton Elementary School, specifically, three troublesome students further described as “Black thugs” that came from some “ghetto school” that should be wearing “ankle bracelets,” and the principal’s decision to trust their word over that of their teacher’s.

45. That same month, “Mr. E,” with same call back number, left the District a voice mail requesting a call back from a school board member to discuss disturbing conditions at one of their schools. Your affiant listened to this voice mail; the voice, nickname, and telephone number provided by the caller all belonged to Lester LEE.

46. In response, the District’s Director of Maintenance, Operations & Transportation, promptly called “Mr. E” back. According to the director, “Mr. E” complained to him about Ms. W [REDACTED]’s class at Dayton Elementary School; specifically, three African American students described as two boys and a girl, one of whom was named “[REDACTED]” and the principal’s inability to control these particular students. When asked to provide his full name, “Mr. E” declined.

47. “Mr. E’s” calls to the district did not stop. On July 11, 2023, Dr. K [REDACTED] N [REDACTED], Director of Elementary Education returned one of these calls from “Mr. E” via telephone.⁷ “Mr. E” wanted to discuss unsafe conditions at a school administered by Principal V [REDACTED]. He went on to describe a conflict he had there with three African American students whom he referred to as the “Terrible 3” from “some ghetto place in Oakland,” one of whom was named “[REDACTED]”. He then added that Principal V [REDACTED] sided with the students and slapped him. He then

⁷ As previously noted, Dr. K [REDACTED] N [REDACTED] is Principal V [REDACTED]’s direct supervisor.

expressed his belief that she should be fired. When asked to provide his name, this time, the man identified himself as “Mr. LEE.”

48. LEE’s obsession with the principal and students of Dayton Elementary School continued into the winter of 2023. Earlier that spring, LEE had gone to the SLPD with the goal of having Principal V [REDACTED] arrested. When that failed, he turned to the District and spent the summer trying to get her fired. This too failed.

49. On or about November 29, 2023, LEE shifted his efforts over to city hall. That month, San Leandro Mayor Juan González reported receiving numerous phone calls from a “Mr. Lee” alleging child safety concerns at Dayton Elementary School witnessed in the caller’s capacity as a substitute teacher. As with all the other phone calls and voicemails previously described, “Mr. Lee” focused his complaint on the school’s principal, whom he described as “mentally disturbed.”

**CONSENSUAL INTERVIEW OF LESTER DALE LEE, FURTHER EVIDENCE
CONNECTING HIM TO MAILINGS #1-5**

50. On April 17, 2024, LEE participated in a consensual interview with the FBI where he described, at length, his feelings regarding the problems at public schools and how they relate to Black students.

51. Early in the interview, LEE was asked about the differences he has experienced teaching in Oakland schools as compared with schools in nearby Hayward or Alameda. Lee explained that “there’s noticeable differences. It’s mainly [] the attitude and behavior of some of the students Some places . . . the students pretty much run the place.” Lee specified that this takes place in “lower income areas” but is not an issue in a “high income area” where the schools are “more structured” and “safer . . . for people to send their kids.” Lee was asked to clarify what he meant by “lower income.” He responded: “Well, I mean people, mainly people of color.”

52. LEE further explained that “[m]oney there is not great . . . attitudes there seem to

be different,” an apparent reference to lower income schools with more students of color. By contrast, LEE explained that “high income” schools like those in “Alameda or Bay Farm Island” have schools that “are very nice” with students who are “well behaved.” When discussing one unspecified school on Bay Farm Island, LEE was explicit that:

“There are very few students of color at that school. Very few people of color work in there. But it's a nice place. The kids are well behaved. They're under control then and although. So, it's a nice place.”⁸

53. LEE seemed aware that his beliefs are racially biased: “I guess some people say that’s prejudice of me ... but, it’s a safety issue sometimes.

54. LEE was asked whether as a Black man he found it easier to manage classes comprised of Black students. Lee said that sometimes this might help, but “other times ... they accuse me of being white” which he said is “a little strange.” He said that it is because “in their eyes ... I don’t act Black ... I don’t talk Black.” Lee says that some students in Oakland would say, “Oh God, we got a Black teacher. I don't like Black teachers.” LEE also said that he “met one Black teacher who didn’t like Black students.” LEE said that when he told this Black teacher that Black students “feel uncomfortable with” him, she responded, “I don’t like Black students either.”

55. LEE clarified that he likes “well behaved students” and that it “doesn’t matter what they look like.” He explained that some of them are Black, some white, some Hispanic. But, he added, “the most difficult times, that happens with Black students sometimes.”

56. When LEE was asked about his time at Dayton Elementary School, he said that when he first substituted for Ms. W [REDACTED]’s fifth grade class, someone told him there would be “special need” students in his class. LEE said he was unaware which students were “special

⁸ Most likely, LEE was referring to Amelia Earhart Elementary School, which is located on Alameda’s Bay Farm Island; and one of several schools within the Alameda Unified School District where LEE worked as a substitute teacher in the fall of 2023. According to the California Department of Education, during the 2023-2024 academic school year, Amelia Earhart school’s enrollment by ethnicity revealed a student body comprised of only 1.6% African Americans, one of the lowest percentages in the district; and within all of Alameda County.

need,” but there were three of them. He then explained:

“As soon as class started I knew exactly who they were. Unfortunately, they were three Black students—two males and one female though, and as the day went on then and although, an incident occurred that showed me just how dangerous and how special some of these kids are, OK? They’re a menace to society.”

57. Notably, this was LEE’s preliminary assessment of these three students *before* they had done anything—and seemingly, it was based solely on their race. LEE then said that these three Black students met the category of those who eventually end up in prison, or dead.

58. LEE went on to describe this incident he experienced with one of these three students, believed to be J.S., a fifth-grade student from Ms. W [REDACTED]’s class. In addition to J.S., LEE pointed out:

“there’s another Black male student and a Black girl though. They were just kind of rude and disrespectful. ‘Ghetto-type,’ as I call them then and although. But the principal there didn’t seem to care too much.”

59. LEE said they were “ghetto” because of “their mannerisms. They’re disrespectful towards me and other students. They’re rude. They attack other students. They’re loud and noisy, OK? They’re not the desirable student.”

60. LEE then explained that the real problem was “at the top,” referring to administrators like Principal V [REDACTED] (“that woman”) who send these problem kids back to the classroom. LEE said that “other teachers” have told him that Principal V [REDACTED] allows the students to get away with murder for some reason, particularly “these three Black students.” LEE believed that Principal V [REDACTED] may have had a “fondness for Black students” because, even though she is a white woman and not a Black woman, she is married to somebody of color: “She feels a kinship to these kids because she’s married to somebody Black or whatever . . . that’s why she’s letting them get away.”

61. After recounting his unsuccessful efforts to get Principal V [REDACTED] fired, LEE

complained:

“[i]t was sort of like, ‘reverse racism,’ OK? Because if the three Black students had been picked on by other students, oh, that would have been a big uproar then and all the racism, racial discrimination. But when it's reversed then and although, I notice how quiet things get. They don't talk about that much. Like they're trying to protect the Black student at the expense of other students then and although, OK? And I've seen that a lot, too.”

62. LEE spoke about other schools, noting that many do not keep misbehaving students in the classroom. Regarding teachers he interacted with in Alameda, LEE said “I noticed that some of them have *the same attitude or worse attitude than I do* about some, some Black students” [emphasis added]. LEE illustrated this by recounting a story about how a teacher in an Alameda school asked him to take a disruptive Black student out of the classroom and sit with them in the hallway. When LEE was asked whether he felt that Black students can get away with more, he said, “Yeah a little bit though. They can always cry racism.”

63. Later in the interview, LEE described Mission San Jose High School as an example of a good school. He explained that he knew people who work there who “said things are very nice, kids are well behaved, but ... the sideline on it though: the school is predominantly white and Asian; and there's Middle Eastern students there and all; but, very few, what I call Black or Hispanic students there.”

64. LEE elaborated further:

“Well that's the secret for their success.... Some people say, ‘Well that's racist,’ but ... That's the way it is. Well, I wouldn't say it's racist. I said, ‘That's the way it is,’ OK? OK, no one, no one said Black students can't come here and all. You can come here too, but at this school, predominantly it's, it's an academic school, OK? People concentrate on academics, not athletics. People of color, particularly Black students, they're only focused on athletics, OK? That's their ticket, OK? They just close their minds to academics then and all. They're not interested in that so.... When you put a kid like that at an academic school, it's sort of like a fish out of water. They don't know what to do.”

65. During the interview, LEE was also shown a copy of Mailing #5 (letter postmarked June 30, 2023 and received by the District from “Mr. L”). After reviewing the letter

and its enclosure, LEE admitted to sending it. When shown a copy of Mailing #4 (letter post marked June 14, 2023 and received by the District from “A Concerned Parent”), however, LEE emphatically denied any responsibility for it.

**SEARCH OF LESTER DALE LEE’S RESIDENCE, FURTHER EVIDENCE
CONNECTING HIM TO MAILINGS #1-5**

66. Following the above interview’s termination, FBI agents executed a search of LEE’s Oakland residence pursuant to a search warrant issued by the Hon. Kandis A. Westmore, US Magistrate Judge, Northern District of California (4:24-MJ-70583-KAW). Numerous items were located and seized within LEE’s home evidencing the former substitute teacher’s responsibility for Mailings #1-5.

67. As previously noted, LEE admitted to sending Mailing #5. Inside his home, agents found a handwritten rough draft in what appeared to be LEE’s writing that appeared to match the body of Mailing #5’s enclosure; along with a typed copy of same; and an invoice from an Alameda store for the typed letter’s creation.

68. LEE denied being responsible for Mailing #4. Notwithstanding this denial, agents located a handwritten rough draft in what appeared to be LEE’s writing that closely mirrored the body of Mailing #4’s enclosure; along with a typed copy matching Mailing #4’s enclosure; and a sheet of labels matching Mailing #4’s address label, with exactly one label missing.⁹

69. LEE was never questioned about Mailings #1-3. Nevertheless, inside his home, along with the above items associated with Mailings #4 and #5, agents located two sheets of address labels matching those affixed to Mailing #1 (racially charged threat letter post marked May 1, 2023 addressed to “Ms. W [REDACTED]” [*sic.*]..), Mailing #2 (white powder letter post marked May 16, 2023 addressed to “Mrs. K [REDACTED] V [REDACTED]”), and Mailing #3 (racially charged threat

⁹ It appears from this investigation that LEE paid OfficeMax to create both the typed letter enclosed within Mailing #4 and the address label affixed to it.

letter post marked May 17, 2023 addressed to “Ms. W [REDACTED]” [sic.]).



Left: Address labels matching those affixed to Mailing #1 and #3 seized from Lester Lee's home. Note that exactly two are missing.

Right: Address labels matching the one attached to Mailing #2. Exactly one is missing.

V. Request for Sealing

70. Since the investigation is continuing, I request that this affidavit be sealed until such time as the Court directs otherwise. Disclosure of the affidavit at this time would seriously jeopardize the ongoing investigation, as such disclosure may provide an opportunity to destroy evidence, change patterns of behavior, notify confederates, or allow co-conspirators to flee or continue flight from prosecution.

VI. Conclusion

71. Based on my training and experience, and the facts as set forth in this affidavit, there is probable cause to believe that Lester Dale LEE, violated Title 18 U.S.C. § 876(c) (Mailing threatening communications) and Title 18 U.S.C. § 1038(a)(1)(A) (False information and hoaxes). Accordingly, I respectfully request that the Court issue the requested summons.

72. I swear under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Respectfully submitted,

/s/ Kyle Biebesheimer

Kyle Biebesheimer
Special Agent
Federal Bureau of Investigation

Subscribed and sworn before me by telephone in accordance with the requirements of Fed. R. Crim. P. 4.1 and 4(d) on this 12th day of February 2025. This application and warrant are to be filed under seal.

A handwritten signature in blue ink, appearing to read "Donna", is written over a horizontal line.

HONORABLE DONNA M. RYU
Chief Magistrate Judge