

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION**

UNITED STATES OF AMERICA

v.

CASE NO: 1:17cr23-MW-GRJ

JOSHUA HANSEN
_____ /

STATEMENT OF FACTS

The Defendant admits that were this case to proceed to trial, the government could prove the following facts beyond a reasonable doubt:

On November 18, 2015, the Federal Bureau of Investigation ("FBI") began receiving information Joshua Hansen was making threatening statements towards people of the Muslim faith. While investigating these allegations, agents and/or employees with the FBI discovered Joshua Hansen ("Hansen") had an active Facebook account under the name "Josh Hansen." Hansen's user-controlled Facebook settings permitted public access to his postings, photographs, and videos. During this period, an FBI employee began periodically viewing Hansen's Facebook account and capturing photographs, videos, and other information posted by the user of Hansen's account.

On September 17, 2016, Hansen posted a video of himself to his Facebook account in which he describes his frustration with a home construction

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company. In the video, Hansen has in his possession a pistol and rifle. The rifle appeared to have a one-liter bottle covered with blue tape attached to the barrel. Hansen references the firearm by stating, "You might be looking at that blue thing on the tip of that .22 rifle, oh look at that crap, that aint no good". Hansen does not fire the rifle during the video.

On that same date, Hansen posted a video threatening his two plumbers by taking two filled gallon bottles of water and saying that they represented the head of the two plumbers. He then identifies the plumbers by first name and identifies the company that employs the plumbers. Hansen states that he will demonstrate what will happen to one of the plumbers if he comes to the house and confront someone. He then fires multiple rounds into the first jug with his .45 caliber pistol and explains that the plumber's head is now leaking "cranial fluid." A silencer was not used in this video.

On May 26, 2017, Hansen posted a video to his Facebook account titled "A little baby abomination." The video depicts Hansen with a .22 caliber rifle with an attachment on the end of the barrel. Hansen described the attachment as a "maglight suppressor kit that I (Hansen) heavily modified to say the least." Joshua Hansen further states "everyone laughs, say this and that, I shoot it (the firearm), and everyone is like ok ok." During the video, Hansen loads the firearm with 10 rounds of subsonic ammunition. Hansen states the ammunition

is Gemtech 45 grain subsonic ammunition. Hansen states the firearm fires at 88 to 89 decibels with the subsonic ammunition. Hansen states that he measured the decibel level of the firearm. Hansen then shoots the firearm 10 times, and then reloads the firearm with what he describes as Federal premium 1280 feet per second ammunition. He then fires the firearm 10 times again, after which he states the firearm is “so baffled, I baffled it, ported so bad, well I didn’t port this one.” He then reloads the firearm and fires it 10 more times. Viewing this video and listening to the audio, a listener can hear a reduction in the sound of the firearm being fired by the defendant with the silencer affixed.

Baffles are an intricate component of silencers. The purpose of the baffle is to slow the flow of gas by allowing it to expand within small compartments, thereby suppressing sound when a firearm is discharged.

On or around July 28, 2017, an ATF specialist queried ATF databases and determined that no records were found that would indicate Hansen has a legally registered silencer.

On October 12, 2017, ATF agents executed a search warrant at Hansen’s residence with assistance from the FBI. Upon executing a search warrant at Hansen’s residence, ATF agents located and seized the silencer depicted in the May 26, 2017, Facebook video attached to the same .22 caliber rifle.

Hansen invoked his right to remain silent. However, while agents were executing the search warrant, agents overheard Hansen tell his wife that “they are here for the silencer.” Agents later interviewed Hansen’s wife, who stated that her husband made the silencer to make his firearms quieter when he shoots them.

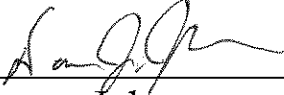
The silencer was examined by a firearms enforcement officer with the ATF who test fired the silencer using Hansen’s .22 caliber rifle. The officer determined that Hansen’s silencer was indeed a silencer because it reduced the sound at discharge from 140 decibels to 130 decibels, which represents a 7% reduction in noise level. The officer notes that a silencer’s effectiveness is reduced with each round discharged through it. Because of these characteristics, the silencer is subject to registration under the National Firearms Registration and Transfer Record. The silencer did not have a serial number.

ELEMENTS

The elements of a violation of 26 USC § 5861(d) and 5871 (possession of an unregistered silencer), which are applicable to Count One of the Indictment, are as follows:

1. The Defendant possessed a firearm;
2. The firearm was not registered to the Defendant in the National Firearms Registration and Transfer Record; and


3. The Defendant knew of the specific characteristics or features of the firearm that made it subject to registration under the National Firearms Registration and Transfer Record.



Darren Johnson
Attorney for Defendant

May 18, 2018

Date



Joshua Hansen
Defendant

May 18, 2018

Date

CHRISTOPHER P. CANOVA
United States Attorney



Jason Beaton
Florida Bar No. 0040652
Assistant United States Attorney
Northern District of Florida
401 SE First Ave, Suite 211
Gainesville, Florida 32601
Telephone: (352) 378-0996
Facsimile: (352) 337-2653

5/18/18

Date