

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

UNITED STATES OF AMERICA	)	
	)	
v.	)	Magistrate No. 25-1584
	)	
DONALD PHILLIP HENSON	)	

AFFIDAVIT IN SUPPPORT OF A CRIMINAL COMPLAINT

I, Sarah Esposito, being first duly sworn, depose and state as follows:

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been so employed since March 2020. In December 2020, I was assigned to the Joint Terrorism Task Force. In this capacity, I was charged with conducting federal criminal investigations of counterterrorism. In 2023, I was assigned to the Violent Crimes Task Force. In this capacity, I am charged with conducting federal criminal violent crime investigations involving the unlawful use and possession of firearms and ammunition, narcotics trafficking, and armed robberies—specifically bank and commercial robberies—in the Western District of Pennsylvania. During my investigative career with the FBI, I have had experience conducting physical surveillance, analyzing telephone records, interviewing witnesses, executing search and arrest warrants, and utilizing other investigative techniques.

2. I am an “Investigative or Law Enforcement Officer of the United States” within the meaning of Title 18, United States Code, Section 2510(7); that is, an officer of the United States who is empowered by law to conduct investigations of and to make arrests for violations of federal criminal laws.

3. I make this affidavit in support of an application for a criminal complaint charging DONALD PHILLIP HENSON with violations of the following statutes on or about September 17, 2025:

- a. Title 18, United States Code, Section 1361 (Damaging Government Property or Contracts); and
- b. Title 18, United States Code, Sections 111(a)(1) and (b) (Assaulting, Resisting, or Impeding Certain Officers or Employees).

4. The following allegations are based upon my personal observations, training and experience, along with information obtained from other agents, law enforcement personnel, and witnesses. This affidavit is submitted for the limited purpose of establishing probable cause. Accordingly, it does not include every fact known to me in connection with this investigation.

STATUTORY ALLEGATIONS

5. Title 18, United States Code, Section 1361 provides that, “[w]hoever willfully injures or commits any depredation against any property of the United States, or of any department or agency thereof, or any property which has been or is being manufactured or constructed for the United States, or any department or agency thereof, or attempts to commit any of the foregoing offenses, shall be punished as follows: If the damage or attempted damage to such property exceeds the sum of \$1,000, by a fine under this title or imprisonment for not more than ten years, or both; if the damage or attempted damage to such property does not exceed the sum of \$1,000, by a fine under this title or by imprisonment for not more than one year, or both.”

6. Title 18, United States Code, Section 111(a)(1) provides that, “[w]hoever forcibly assaults, resists, opposes, impedes, intimidates, or interferes with any person designated in section 1114 of this title while engaged in or on account of the performance of official duties . . . shall, where the acts in violation of this section constitute only simple assault, be fined under

this title or imprisoned not more than one year, or both, and where such acts involve physical contact with the victim of that assault or the intent to commit another felony, be fined under this title or imprisoned not more than 8 years, or both.”

7. Title 18, United States Code, Section 1114 designates and explains that Section 111(a) applies to an “officer or employee of the United States or of any agency in any branch of the United States Government (including any member of the uniformed services) while such officer or employee is engaged in or on account of the performance of official duties, or any person assisting such an officer or employee in the performance of such duties or on account of that assistance.”

8. Title 18, United States Code, Section 111(b) provides that “[w]hoever, in the commission of any acts described in subsection (a), uses a deadly or dangerous weapon (including a weapon intended to cause death or danger but that fails to do so by reason of a defective component) or inflicts bodily injury, shall be fined under this title or imprisoned not more than 20 years, or both.”

PROBABLE CAUSE

9. The FBI Pittsburgh headquarters is located at 3311 East Carson Street, Pittsburgh, Pennsylvania, 15203. The FBI headquarters complex is completely enclosed with controlled access. There are two vehicle entrances to the facility, each containing a gate and a barrier. The gates are manned 24 hours a day by armed security officers who sit in security booths next to the gates. One of these entrances is located on Sidney Street (the “Sidney Street Gate”). At the Sidney Street Gate, the security booth is located directly next to the vehicle gate. The back door of the security booth is only approximately one foot from the vehicle gate.

10. At 2:40 a.m. on or about September 17, 2025, a 2022 white Toyota Corolla registered to DONALD PHILLIP HENSON (the “VEHICLE”) rammed into the FBI Sidney Street Gate. The impact caused significant damage to the gate. The FBI preliminarily estimates that it will cost significantly more than \$1,000 to repair the damage or replace the gate. In addition, the impact created a gap in the Sidney Street Gate that could have permitted an individual to circumvent FBI security measures and enter the FBI facility. This forcibly impeded and interfered with the security officer’s duties and created a safety threat.

11. After the impact, the driver of the vehicle (later identified to be DONALD PHILLIP HENSON) exited the vehicle and walked toward the driver’s side rear door. HENSON opened the rear door of the VEHICLE and retrieved an American flag. He placed the American flag on the damaged gate and walked away from the FBI facility.

12. At the time of impact, the security booth to the left of the Sidney Street Gate was staffed by a security officer. The back door of the security booth is only approximately seven feet from the impact location. The security officer was a Protective Security Officer (“PSO”) contracted by the Department of Homeland Security. At the time of the incident, the PSO was performing his official duties by securing the FBI facility and was assisting FBI employees in fulfilling their responsibility to protect the FBI facility and its employees.

13. The PSO observed the VEHICLE drive down Sidney Street and ram the Sidney Street Gate. The PSO was concerned that perhaps the driver was experiencing a medical emergency, so he prepared to leave his booth to investigate. The PSO observed the driver exit the vehicle and walk towards the rear door of the VEHICLE. At that point, the PSO remained in the security booth because of concerns that the driver may be retrieving a weapon from the car.

14. The PSO's description of the driver matched DONALD PHILLIP HENSON. In addition, the incident was captured on FBI security camera footage. FBI agents viewed the security footage, and the individual who drove the VEHICLE into the Sidney Street Gate matched the description and available photographs of DONALD PHILLIP HENSON. DONALD PHILLIP HENSON was also observed on other security video footage from area businesses walking away from the scene.

15. After the incident, the area of Sidney Street was closed to traffic for multiple hours. There are several businesses in this area that were impacted by the disruption in the flow of traffic.

16. DONALD PHILLIP HENSON was later apprehended by law enforcement and admitted to the FBI that he rammed the Sidney Street Gate to "make a statement." He stated "sic semper tyrannis," which is a Latin phrase meaning "thus always to tyrants." It is famously associated with the assassination of Abraham Lincoln by John Wilkes Booth, who is said to have shouted the phrase after shooting the president.

17. DONALD PHILLIP HENSON also admitted that he knew there was a guard in the security booth at the time he drove his VEHICLE into the Sidney Street Gate. Based on my training and experience, I know that vehicles can be used as deadly and dangerous weapons.

CONCLUSION

18. Based upon the above information, I submit that there is probable cause to charge DONALD PHILLIP HENSON with violating Title 18, United States Code, Section 1361 (Damaging Government Property or Contracts), with the damage to the FBI property exceeding the sum of \$1,000.

19. I also submit that there is probable cause to charge DONALD PHILLIP HENSON with violating Title 18, United States Code, Sections 111(a) and (b) (Assaulting, Resisting, or Impeding Certain Officers or Employees). I submit that, based on the facts above, DONALD PHILLIP HENSON committed this crime with the intent to commit another felony (Title 18, United States Code, Section 1361).

20. The above information is true and correct to the best of my knowledge, information, and belief.

Respectfully submitted,

/s/ Sarah Esposito
SARAH ESPOSITO
SPECIAL AGENT, FBI

Sworn and subscribed before me, by
telephone pursuant to Fed. R. Cim. P.
4.1(b)(2)(A) this 17th day of September,
2025.



HONORABLE CHRISTOPHER B. BROWN
United States Magistrate Judge