DISTRICT COURT, EL PASO COUNTY COLORADO 270 South Tejon Street Colorado Springs, Colorado 80903	J249-2063 9 8 CLERK'S OFFICE
RE: The business identified as Facebook Inc. 1601 Willow Rd. Menlo Park, CA 94025 Target Identifier: Rob.1.96;	△ COURT USE ONLY △  Case/File Number:  (Q - (O)
Agency Name: Colorado Springs Police Department Agency Number: 15-47334	Division: Criminal Ctrm:
SEARCH WARRANT	16-118

Whereas Detective <u>J. Schiffelbein 3343D</u> has made an Application and Affidavit to the Court for the issuance of a Search Warrant, and;

Whereas the application is in proper form and probable cause is found for the issuance of a Search Warrant to search the person(s) and or premises specified in the application.

THEREFORE, the applicant, and any other peace officer into whose hands this Search Warrant shall come, is hereby ordered, with the necessary and proper assistance, to enter and search within the next fourteen (14) days the person, premises, location and any appurtenances thereto, description of which is identified above.

The following person(s), property or thing(s) will be searched for, and if found seized:

See Attachment 'B' which is hereby incorporated in reference
as probable cause has been found to believe that it: (Mark "X" according to fact)
Is stolen or embezzled, or
Is designed or intended for use in committing a criminal offense, or
Is or has been used as a means of committing a criminal offense, or
Is illegal to possess, or
Would be material evidence in a subsequent criminal prosecution, or required, authorized or permitted by a statute of the State of Colorado, or
Is a person, property or thing the seizure of which is expressly required, authorized or permitted by a statute of the State of Colorado, or
Is kept, stored, transported, sold, dispensed, or possessed in violation of a statute of the State of Colorado under circumstances involving a serious threat to the public safety, or order, or to the public health, or
That would aid in the detection of the whereabouts of or in the apprehension of a person for whom a lawful arrest order is outstanding.

Furthermore, a copy of this warrant is to be left with the person whose premises or person is searched along with a list of any and all items seized at the time of its execution. If said person cannot be located or identified, a copy of the search Warrant and the list of property seized shall be left at the place from which the property was taken.

Further, a return shall be promptly made to this Court upon the execution of this Search Warrant along with an inventory of any property taken. The property seized shall be held in some safe place until the Court shall further order.

Done by the Court this day, Tuesday, January 19, 2016 at 10:25 (AM)/ PM

Judge/Magistrate:

	24-0399
DISTRICT COURT, EL PASO COUNTY COLORADO 270 South Tejon Street Colorado Springs, Colorado 80903	
RE: The business identified as Facebook Inc.  1601 Willow Rd.  Menlo Park, CA 94025  Target Identifier: Rob.1.96;	▲ COURT USE ONLY ▲  Case/File Number:
Agency Name: Colorado Springs Police Department Agency Number: 15-47334	Division: Criminal Ctrm:
APPLICATION AND AFFIDAVIT FOR SEARCE	H WARRANT
The undersigned, a peace officer as defined in 16-2.5-101 Colorado Revised State duly sworn on oath moves the Court to issue a Warrant to search person, appurtenances thereto, description of which is provided above.	· •
The undersigned states that there exists probable cause to believe that the forthing(s) to be searched for, and if found, seized will be found on the afore premises and are described as follows:	
See Attachment 'B' which is hereby incorporated in refer	ence
The grounds for the seizure of said person(s), property or thing(s) are that probabilities that it: (Mark 'X' according to the fact) $\square$ Is stolen or embezzled, or $\square$ Is designed means of committing a criminal offense, or $\square$ Is or has been used as a mean offense, or $\square$ Is illegal to possess, or $\boxtimes$ would be material evidence in a substantial of the State of Colorado, or $\square$ Is kept, stored, transported, sold, dispense of the statute of the State of Colorado under circumstances involving a serious to order, or to the public health, $\square$ That would aid in the detection of the apprehension of a person for whom a lawful arrest order is outstanding;	gned or intended for use as a ns of committing a criminal equent criminal prosecution, authorized, or permitted by a sed, or possessed in violation threat to the public safety, or
The facts submitted in support of this application are set for in the accompany Attachment "A" which is attached hereto and made a part hereof.	ing attachment designated as

Applicant:

3343

Detective J. Schiffelbein 3343D

Law enforcement agency: Colorado Springs Police Department

Sworn and subscribed before me this day Tue, Jan 19, 2016

Judge/Magistrate:

24-0400

		<u> </u>
DISTRICT COURT, EL PASO COUNTY COLORA 270 South Tejon Street Colorado Springs, Colorado 80903	VDO	
RE: The business identified as Facebook Inc. 1601 Willow Rd. Menlo Park, CA 94025	where the state of	▲ COURT USE ONLY ▲ Case/File Number:
Target Identifier: Rob.1.96;	Profession and the control of the state of the control of the cont	District of Children
Agency Name: Colorado Springs Police Department	Agency Number: 15-47334	Division: Criminal Ctrm:
ATTACI	HMENT 'A'	
In support of a request for the issuance of a Search located at 1601 Willow Rd., Menlo Park, CA 94025, the your affiant, Detective J. Schiffelbein 3343D, a Police so employed for over 9 years and now currently as eath that I have personal knowledge of the following for the search locations of the search locations are supported by the search locations of the search locations are supported by the search location of the search location in the search location of the search location in the search location of the search location in the search location	o produce records as listed, e Officer for the Colorado Sp signed to the Violent Crime	specifically in Attachment 'B'; prings Police Department and
On November 27, 2015, at approximately 11:30 a.m., for service regarding an active shooter at the Plannec is within the City of Colorado Springs, County of El Pa	Parenthood building, 3480	•
Upon receiving this call for service, numerous units reas well as the University of Colorado at Colorado Spri Department. The initial reports of shots fired indicate fired from an automatic weapon and that at least one Officers responded to the scene and immediately can building.	ings Police Department and dithere were multiple shots for victim had been shot. The in	the El Paso County Sheriff's ired; reportedly over 20 being nitial CSPD and UCCS
During the active shooter response by the Colorado Soffice, and University of Colorado at Colorado Spring sustained injuries. Officer with the Colorado Springs Police Deg. Officer with the Colorado Springs Police Deg. Officer with the Colorado Springs Police Deg. Officer with the El Paso County Sheriff's Dep	s Police Department, multipl o Springs Police Departmen Department Tactical Enforce Department sustained a gun	le officers were shot and at was shot in the left hand. ment Unit was shot in the left shot wound to the upper left
Officer with the University of Colorad and he succumbed to his injuries at the scene.	o at Colorado Springs Police	e Department was also shot
Additionally, when officers were able to enter the build located deceased within the front doorway of the Plan 12/22/79 was located deceased in the parking lot of th	nned Parenthood building.	DOB: 02/09/86 was DOB: ding.
Autopsies were performed by the El Paso County Co	roner's Office on 11/30/15 o	n

and Officer At the conclusion of the autopsies the cause or death for all three

individuals was determined to be gunshot wounds and the manner to be homicide.

In addition to the three homicide victims and the officers being shot, there were numerous other officers that were shot at and numerous vehicles in the area of the Planned Parenthood building that were impacted by projectiles fired from the immediate area of the Planned Parenthood building. These vehicles included both patrol vehicles, Tactical Enforcement Unit vehicles (SWAT) civilian vehicles parked in the parking lot.

Sgt. with the Colorado Springs Police Department was acting as a sniper for this response and was setting up in the position to the south of the Planned Parenthood. As he was setting up his position as a sniper, to get a view into the Planned Parenthood building, he came under fire and projectiles impacted a curb line directly in front of where he was positioned.

During the course of this active shooter investigation, Tactical Enforcement Unit Officers reported that the suspect was inside of the Planned Parenthood building and had shot at propane tanks that he had outside of the building next to a vehicle.

The active shooter situation continued for several hours and Tactical Enforcement Unit Officers located numerous witnesses and civilians hiding throughout the building. As they were evacuating these individuals from the building, they heard a male voice call out that he was ready to give up and a male later identified as Robert Lewis Dear Jr. DOB: 04/16/55 surrendered to Tactical Enforcement Unit Officers.

As Robert Dear Jr. was being placed into a patrol car, he began yelling out statements about the killing of babies and no more baby parts.

Robert Dear Jr. was interviewed by Detective Schiffelbein with the Colorado Springs Police Department and Detective S. Mackey with the El Paso County Sheriff's Dept. During this interview, Robert Dear Jr. told detectives that he had gone to the Planned Parenthood location because he was upset with Planned Parenthood for performing abortions and the selling of baby parts. Robert Dear Jr. stated he had entered the building with four SKS rifles, after shooting somebody in the parking lot and also shooting up a car in the parking lot as well.

During the course of this interview with Robert Dear Jr., he had told Detective Schiffelbein that he had driven to Colorado Springs from Woodland Park on 11/27/15 and had to stop several places to ask for directions and the address of the Planned Parenthood building. Robert Dear Jr. indicated that he eventually obtained the address for the Planned Parenthood building after making a telephone call to Planned Parenthood. Robert Dear Jr. stated he had utilized phone books at multiple locations in Colorado Springs and had torn the page containing the Planned Parenthood information out of one phone book. He stated that after receiving this address, he looked at a map that he had in his pickup which he stated was a 2014 Toyota Tacoma and then drove to the Planned Parenthood building. Robert Dear Jr. told Detective Schiffelbein that in addition to the four SKS rifles he had inside the building, there were at least four other guns within the Toyota Tacoma; two handguns, a shotgun and a rifle.

Robert Dear Jr. also told Detective Schiffelbein that he had brought the propane tanks to the scene with the belief that when he shot them they would explode. Robert Dear Jr. advised that he had in fact shot the propane tanks during this incident hoping they would explode but they did not.

Page 3 of 5

Robert Dear Jr. continued on by saying that while he was inside of the Planned Parenthood building, he saw a police officer approaching the building with a gun and because of the tint on the window; the officer could not see him. When asked, Robert Dear Jr. stated he knew this was a police officer because the officer was in uniform at the time. Robert Dear Jr. stated that he then shot the police officer through the window. Based on the information provided by Robert Dear Jr., it is believed that this is Officer

Robert Dear Jr. advised that he had also shot at other officers as they arrived on scene. At the time Robert Dear Jr. was interviewed, he had an injury to his right hand and an injury to his lower abdomen which he said was from being shot by officers. He indicated that he was wearing a homemade ballistic vest during the course of the shooting that was made of silver coins and duct tape.

During the interview with Detective Schiffelbein, Robert Dear Jr. did provide two email addresses that he had had. The first is <a href="ridgaz@yahoo.com">ridgaz@yahoo.com</a> and <a href="ridgaz@yahoo.com">ridgaz@gmail.com</a>. Robert Dear Jr. had indicated that he had utilized this computer and sent messages and posted things online in reference to his views against abortion and the Federal Government. He did advise that he no longer used the Gmail e-mail address.

During the interview Robert Dear Jr. he indicated he had posted messages to the webpage of Paul Hill, and further advised Robert Dear Jr. was somebody he thought very highly of because of the actions he (Paul Hill) had taken against the abortion provider.

Detective Schiffelbein determined that Paul Hill had been convicted of murdering an abortion provider, Dr. in Florida in 1994, as well as the bodyguard for Dr.

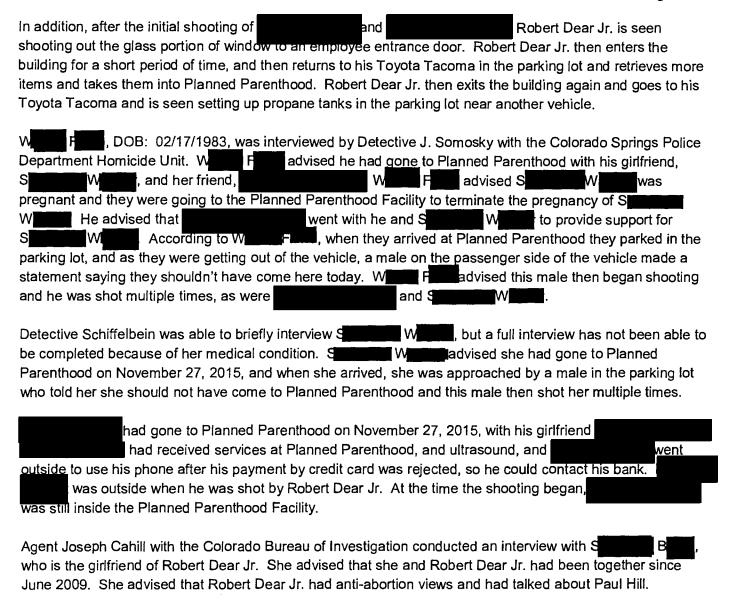
Additionally, Robert Dear Jr. stated he had committed acts against an abortion clinic previously in South Carolina. He advised he had gone to an abortion clinic and placed superglue in all the door locks of the clinic so they could not get into the building, and he had at least stopped any abortions from occurring that day at that abortion clinic.

Robert Dear Jr. told Detective Schiffelbein he was happy with what he had done because his actions on November 27, 2015 ensured that no more abortions would be conducted at the Planned Parenthood facility in Colorado Springs.

Robert Dear Jr. also told Detective Schiffelbein he believes that President Barack Obama is the "antichrist" and referred to Biblical passages that he believed supported his view points. At numerous times during the interview Robert Dear Jr. recited verses from the bible.

Video surveillance footage was obtained from the Planned Parenthood building. In this video, Robert Dear Jr. is seen on the video shooting with a SKS type rifle. This video also shows Officer when he sustains the gunshot wound and dies. The account provided by Robert Dear Jr. matches the video footage for each of these individuals.

Page 4 of 5



A search warrant was obtained for the gmail account of Robert Dear, Search Warrant 15-2023. In reviewing the records for this email account provided by Google for this gmail account, Robert Dear Jr. had sent an email on December 16, 2009 to his son with a link to the website "Army of God." This is a website that states it is for "Honoring heroes who stood up for the unborn." There are links on this website to other websites about Paul Hill and other individuals who had committed acts of violence against abortion providers. The title of this message to Robert Dear Jr.'s son was "Hero."

Additionally, in reviewing the Gmail records for Robert Dear's account, there was communication from Facebook regarding his Facebook account activity, and these e-mails were in 2015. This Facebook page was under the profile name of "Rob L," and the profile photo is a photograph of Robert Lewis Dear Jr. This account is identified by Facebook profile ID number "Rob.1.96."

A search warrant was obtained for the residence of Robert Dear Jr. in Hartsel, Park County, Colorado. During the service of this search warrant Detectives did recover an Asus laptop computer, which is currently in evidence with the Colorado Springs Police Department, under barcode #200886526. An Acer laptop computer was also recovered, and this item is also being held as evidence by the Colorado Springs Police Department under barcode #2009886526.

Robert Dear Jr. told Detective Schiffelbein during his interview that he had previously posted a message on Paul Hill's website, but did not say when.

Robert Dear Jr. told Detective Schiffelbein he had a Facebook page, but had not used it in years. He had also said he used to have a gmail e-mail address, but did not any more. There was activity in 2015 on Robert Dear Jr.'s Gmail account, even though he said it was not active.

Your affiant believes that obtaining the information from the Facebook account of Robert Dear Jr., as well as the two laptop computers recovered from his residence could be of material aid in this investigation. The information contained on these laptop computers and in Facebook records could show past e-mails, messages, contacts, and other communications in which Robert Dear Jr. has communicated his anti-abortion views and further show his motive for this incident. These records could also provide information on other individuals Robert Dear Jr. had communicated with regarding his views regarding abortion.

Your Affiant has checked and verified that the service for the target identified as Rob.1.96 is provided by Facebook Inc.. Your Affiant has received training in conducting investigations involving social networking and cellular communications service providers such as, Facebook Inc.. Your Affiant has personal knowledge that Facebook Inc. will accept service of Search Warrants issued from other states and will comply with orders of the Court to provide records as requested pursuant to provisions of the United States Electronics Communications Privacy Act, 18 U.S.C. § 2703.

Your affiant would respectfully request that pursuant to the Stored Communications Act, Title 18 USC 2703(c), specific and articulable facts have been shown to reasonably believe the target Rob.1.96, Facebook Inc., service provider for which records are being sought is of relevant interest in the offense shown. Thus your Affiant would request that a Search Warrant be issued to Facebook Inc. at 1601 Willow Rd., Menlo Park, CA 94025, to produce records as listed for target: Rob.1.96 as specifically detailed in Attachment 'B'.

Applicant(

371 l

Detective J. Schiffelbein 3343D

Law enforcement agency: Colorado Springs Police Department

Sworn and subscribed before me this day Tue, Jan 19, 2016

Judge/Magistrate;

DISTRICT COURT, EL PASO COUNTY COLORA 270 South Tejon Street Colorado Springs, Colorado 80903	DO	
RE: The business identified as Facebook Inc. 1601 Willow Rd. Menlo Park, CA 94025 Target Identifier: Rob.1.96;	e et et 1980 Met et ser ser se se et seelend grape, se tre y service, arreves se presentation et e	A COURT USE ONLY A  Case/File Number:
Agency Name: Colorado Springs Police Department	Agency Number: 15-47334	Division: Criminal Ctrm:
ATTACH	IMENT 'B'	

The following record(s) will be searched for and if found seized:

#### **FACEBOOK RECORDS**

Target identifier: Rob.1.96;

For the period beginning and inclusive of <u>02/04/200401/01/0200</u> through and to include <u>11/27/2015</u>;

Basic Subscriber Information (BSI sometimes referred to as Neoselect) to include the following:

- User Identification Number
- Any and all provided E-mail addresses
- Date and Time Stamp of account creation date
- · Most Recent Logins
- Registered Mobile Number

Expanded Subscriber Content (sometimes referred to as Neoprint) to include the following:

- Profile Contact Information
- · Mini Feed
- Status Update History
- · Shares
- Notes
- Wall Postings
- Friend Listing, with Friends Facebook ID's
- Groups Listing, with Facebook Group ID's
- Future and Past Events
- · Video Listing, with filename
- User Photos (sometimes referred to as User Photoprint) to include all photos uploaded by the user and all photos uploaded by other users that have the requested user tagged in them.
- Any and all Private Messages still retained

<ul> <li>IP Logs wherever</li> </ul>	available to be	provided in a tab	delimited text	file and including
II LOGO WHELLY CI	u valiante co oo	provided in a tac	dominiou toxi	. IIIO WIIG IIIOIGGIII

Pursuant to 18 U.S.C. § 2705(b) this Court Orders that Facebook Inc.		
MAY MAY NOT - notify the target user account(s) identified above. /// Judge:	果/	
NO OTHER ITEMS ARE SOUGHT FOR SEIZURE	$\overline{}$	
		)

	24-0406				
DISTRICT COURT, EL PASO COUNTY, STATE OF COLORADO  Address: 270 South Tejon Street PO Box 2980	RECEIVED				
Colorado Springs, Colorado 80903	JAN 19 2016				
State of Colorado in the matter of: Search Warrant	CLERK'S OFFICE				
	A COURT USE ONLY A				
	Case/File Number: \ \( \mathcal{V} - \land \)				
Agency: Colorado Springs Police Department Agency Case Number: 15-47334	Division: Courtroom:				
ORDER TO SEAL SEARCH WARRANT	•				
THE COURT, having reviewed the the documents submitted in support of this S ORDER that the Search Warrant and Application for Search Warrant, to include the any other Attachments incorporated by reference, be sealed until the termination of the Court.	ne Affidavit, Attachment "A" and				
DONE THIS DAY 1/19/16 at the	e hour of 10:25 (AM / PM				
Ruo VIII					
Judge Magistrate Judio Colorado 4th Judicial Dis	clal Officer  trict / El Paso County Court				
Printed Name: Lacuta N	Findar				
	1 y				

DISTRICT COURT, EL PASO COUNTY, STATE OF COLORADO			
Address: 270 South Tejon Street			
PO Box 2980	1		
Colorado Springs, Colorado 80903			
42-2-44	l		
State of Colorado in the matter of: Search Warrant	ĺ		
	Δ	COUR	T USE ONLY A
	Case/F	ile Nun	nber:
	1		
Agency: Colorado Springs Police Department Agency Case Number: 15-47334	Divisio	n:	Courtroom:
REQUEST FOR SEALING OF SEARCH WAR	RAN	T	

# COMES NOW, the People of the State of Colorado, by and through Dan May | 11379, District Attorney for the

COMES NOW, the People of the State of Colorado, by and through Dan May | 11379, District Attorney for the Colorado 4th Judicial District, and his Deputy District Attorney, Donna Billek | 30721, respectfully request this Court enter an Order, sealing the Search Warrant and Application, to include the Affidavit, Attachment "A" and any other Attachments as so incorporated by reference, as grounds, therefore states the following:

- 1. The Offense Case Report, 15-47334 supporting this Search Warrant was initiated by the Colorado Springs Police Department, El Paso County, Colorado, is an ongoing investigation.
- 2. If the information supporting this Search Warrant were to be released, it could jeopardize the continuing investigation, apprehension of suspect(s), and subsequent prosecution of same.
- 3. We are requesting the sealing of this document indefinitely, or until the completion or termination of the investigation.

WHEREFORE, the People of the State of Colorado respectfully request the Court enter an ORDER, sealing the Search Warrant and Application for Search Warrant, to include the Affidavit, Attachment "A" and any other Attachments as so incorporated by reference, as grounds, therefore states the following:

Respectfully Submitted,

Deputy District Attorney

Colorado 4th Judicial District

RE2470408 JAN 19 2016 A CERTISION FRICE A Case/File Number: 16-101

Ctrm:

Division: Criminal

### DISTRICT COURT, EL PASO COUNTY COLORADO

270 South Tejon Street

Colorado Springs, Colorado 80903

RE: The business identified as Facebook Inc.

1601 Willow Rd.

Menlo Park, CA 94025

Target Identifier: Rob.1.96;

Agency Name: Colorado Springs Police Department

Agency Number: 15-47334

## ATTACHMENT 'B' (AMENDED)

The following record(s) will be searched for and if found seized:

#### FACEBOOK RECORDS

Target identifier: Rob.1.96;

For the period beginning and inclusive of 02/04/2004 through and to include 11/27/2015;

Basic Subscriber Information (BSI sometimes referred to as Neoselect) to include the following:

- User Identification Number
- Any and all provided E-mail addresses
- Date and Time Stamp of account creation date
- Most Recent Logins
- Registered Mobile Number

Expanded Subscriber Content (sometimes referred to as Neoprint) to include the following:

- Profile Contact Information
- · Mini Feed
- Status Update History
- Shares
- Notes
- Wall Postings
- Friend Listing, with Friends Facebook ID's
- · Groups Listing, with Facebook Group ID's
- · Future and Past Events
- · Video Listing, with filename
- User Photos (sometimes referred to as User Photoprint) to include all photos uploaded by the user and all photos uploaded by other users that have the requested user tagged in them.
- · Any and all Private Messages still retained

• IP	Logs w	herever	available	to be	provided	l in a ta	b de	limited	l text f	ile and	linc	luding	
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Pursuant to 18 U.S.C. § 2705(b) this Court Orders that Facebook Inc.

MAY MAY NOT - notify the target user account(s) identified above. /// Judge: -----NO OTHER ITEMS ARE SOUGHT FOR SEIZUR

DISTRICT COURT, EL PASO COUNTY, STATE OF CO	LORADO		
Address: 270 South Tejon Street		i	
PO Box 2980			
Colorado Springs, Colorado 80903			
State of Colorado in the matter of: Search Warrant		<b>A</b> (	COURT USE ONLY A
Facebook Inc., 1601 Willow Rd., Menlo Park, CA 94025		Case	/File Number:
			16-118
Agency:Colorado Springs Police Department	Offense No. 15-47334	Divisio	on: Courtroom:
REPORT OF EXECUTION (	OF SEARCH WAR	RAN	١T

On 01/19/2016, a Seach Warrant was issued by the County Court for El Paso County and State of Colorado, directing that a search may be made of the following described premise, location, or person:

Facebook Inc., 1601 Willow Rd., Menlo Park, CA 94025

And on 01/19/2016, the undersigned, as one of the persons authorized to conduct such a search and seizure, conducted such search, and reports the following was found and seized:

Quantity	Description	Evidence No.
1	Facebook Records for Rob.1.96	200899682

The undersigned does further inform the Court that if property was seized, that the person from whose premises the items were taken was furnished with a copy of the search warrant, as well as a copy of this inventory of the goods seized.

DONE this day, Thursday February 4, 2016 6:34 PM MST

(Person who helped to conduct the search and seizure)

Detective J. Schiffelbein, 3343D Colorado Springs Police Department