

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

United States of America)

v.)

Michael Shapiro)

Case No. 23mj8623WM

Defendant(s)

FILED BY SW D.C.

Dec 28, 2023

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - WPB

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 12/19/2023 in the county of Palm Beach in the Southern District of Florida, the defendant(s) violated:

Code Section	Offense Description
18 USC 875(c)	did knowingly transmit in interstate commerce, a communication containing a threat to injure the person of another, with the intent to communicate a true threat of violence, or with recklessness as to whether it would be viewed as a true threat of violence.

This criminal complaint is based on these facts:

See attached affidavit

Continued on the attached sheet.

[Signature]
Complainant's signature

Luke Herrmann, Special Agent
Printed name and title

Sworn and attested to me by Applicant via FaceTime, pursuant to Fed. R. Crim. P. 4(d) and 4.1.

Date: December 28, 2023

[Signature]
Judge's signature

City and state: West Palm Beach, Florida

HONORABLE WILLIAM MATTHEWMAN
Printed name and title

Print

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**AFFIDAVIT OF SPECIAL AGENT LUKE HERRMANN IN SUPPORT
OF CRIMINAL COMPLAINT AND ARREST WARRANT**

I, Luke Herrmann, being duly sworn, do hereby state as follows:

AGENT BACKGROUND

1. I am a Federal Law Enforcement Officer with the United States Capitol Police (“USCP”) and have been since 2016. I am currently assigned to the USCP Investigations Division, Threat Assessment Section (“TAS”) as a Special Agent since April 2023, where I have conducted investigations involving stalking and threatening communications, both locally and interstate, including threatening statements made by telephone. I have also completed hundreds of hours of training in numerous areas of law enforcement investigation and techniques, including but not limited to the Criminal Investigator Training Program at the Federal Law Enforcement Training Center (FLETC) in Glynco, Georgia and the five-week USCP Basic Investigator Training Program. I have also received continuous trainings in assessing and managing individuals who have communicated threats and engaged in behaviors associated with targeted violence.

2. I am also a federal law-enforcement officer within the meaning of Rule 41(d)(2)(A) of the Federal Rule of Criminal Procedure. As a Special Agent with the USCP, I am authorized under Title 2, United States Code, Section 1966(a) to protect, in any area of the United States, the person of any member of Congress, officer of the Congress, as defined in section 4101(b) of this title, and any member of the immediate family of any such Member or officer, if the Capitol Police Board determines such protection necessary. As a member of the TAS, I am authorized to deploy outside my jurisdiction to respond to an imminent threat

or emergency, to gather intelligence, and to provide protective services pursuant to Title 2, United States Code, Section 1978(b).

3. I am familiar with the facts described in this Affidavit through my own personal knowledge, as well as through my discussion with other law enforcement officials and my understanding of other investigative activities conducted during this investigation.

4. This affidavit is made for the limited purposes of establishing probable cause in support of a criminal complaint charging Michael Shapiro (hereinafter "SHAPIRO") with making an interstate threatening communication, in violation of Title 18, United States Code, Section 875(c). This affidavit does not include all facts known to me, but rather contains facts sufficient to support the issuance of the complaint and arrest warrant.

PROBABLE CAUSE

5. December 19, 2023, a U.S Congressional Office (henceforth "Congressperson") received a series of five voice mail messages starting at around 7:18 p.m. on their Washington, D.C. Office main telephone line from an unknown individual. The voice in each call appears to be from the same male individual. The content of each call has been transcribed as follows:

a. "Fang Fang. Fang Fang. Fang Fang. Fang Fang. Fang Fang. You [expletive] moron. You [expletive] a [unintelligible]. Fang Fang. Fang Fang."

b. "Hey mother-[expletive], you [expletive] a Chinese spy. You mother-[expletive], I'm gonna come after you and kill you [N-word]."

c. "Hey greaseball, you [expletive] a [expletive] Chinese spy. Fang Fang."

Fang Fang. I'm gonna come and kill your children you mother-[expletive]. I'm gonna kill your children."

d. "Mother-[expletive]", you [expletive] a Chinese spy. You [expletive] mother-[expletive]. I'm gonna kill [N-word]. You [expletive] a Chinese woman. A spy."

e. "You [expletive] a confirmed Chinese spy. You [expletive], [expletive], you [expletive], you [expletive]. You [expletive] a Chinese spy. Fang Fang. [Expletive] you. [Expletive] you. [Expletive] you."

6. Congressperson's Washington DC office main line is known to the United States Capitol Police (USCP) Threat Assessment Section (TAS) to be serviced by Verizon.

7. Records obtained from Verizon revealed telephone number 561-275- 3369 called Congressperson's Washington DC office main line on December 19, 2023, all five times referenced above. All five call durations appear to match the length of each voice mail message referenced above. No other incoming calls were able to be associated to the voice mail messages based on the connection time and call duration.

8. Records obtained from T-Mobile, the service provider for 561-275-3369, revealed that the subscriber's name and address associated to 561-275-3369 was Michael Shapiro of 618 Shady Pineway Drive, Greenacres, FL 33415. According to the Palm Beach Property Records, Michael Shapiro is the property owner listed for 518 Shady Pine Way., Apt D-1, Greenacres, FL 33415. 618 Shady Pine Way does not show as a valid address. A NLETS/NCIC search of Michael Shapiro at 518 Shady Pine Way, Apt D-1, West Palm Beach, FL 33415 confirmed SHAPIRO's address, date of birth, and social security number.

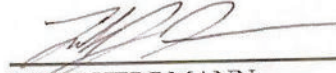
9. A search of USCP's Record Management System for "Michael Shapiro" revealed three prior threat cases that involved SHAPIRO as the suspect. In one of those cases from 2019, SHAPIRO admitted that he left threatening voicemail messages for his victim and pleaded guilty in federal court to making a threatening communication in violation of Title 18, United States Code, Section 875(c). I have reviewed approximately one dozen voicemail messages from those cases, including messages that SHAPIRO admitted belonged to him. Based on my review of his voice from those prior cases, I believe that SHAPIRO is the person who left the five voicemail messages at the Congressperson's office on December 19, 2023, as described above.

10. Call logs obtained from T-Mobile also revealed five calls originating from 561-275-3369 to Congressperson's Washington DC office main line at the timeframe of the five voice mail messages. The call logs revealed that all five of the calls first connected to the cellular tower located at 6250 Purdy Lane, Greenacres, FL 33415. A search using Google Maps revealed the cellular tower is approximately 375 meters from SHAPIRO's address, 518 Shady Pine Way, Apt D-1, West Palm Beach, FL 33415. Both the cell tower and SHAPIRO's residence are located in Palm Beach County, which is located in the Southern District of Florida.

CONCLUSION

11. Based on the foregoing facts, I submit that probable cause exists to believe that Michael SHAPIRO, did knowingly transmit in interstate commerce, a communication containing a threat to injure the person of another, with the intent to communicate a true

threat of violence, or with recklessness as to whether it would be viewed as a true threat of violence, in violation of Title 18, United States Code, Section 875(c).



LUKE HERRMANN
United States Capitol Police
Special Agent
Washington, D.C.

Sworn and attested to me by Applicant via FaceTime on this 28th day of December, 2023, in West Palm Beach, Florida, pursuant to Fed. R. Crim. P. 4(d) and 4.1.



HONORABLE WILLIAM MATHEUMAN
UNITED STATES MAGISTRATE JUDGE